



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

**WEDNESDAY, NOVEMBER 12, 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 October 14, 2014 regular meeting.

**2. Cattail Creek Subdivision - Subdivision**

**[Attach 2](#)**

Request a two year extension to the approval of the Preliminary Subdivision Plan to develop 106 lots on 26.35 acres in an R-5 (Residential Multi-Family 5 du/ac) zone district.

**FILE #:** PP-2007-043

**APPLICANT:** Shane Wilson - Bank of the San Juans

**LOCATION:** 666, 670, 682 29 1/2 Road

**STAFF:** Senta Costello

**3. Short-Term Vacation Rentals - Zoning Code Amendment**

[Attach 3](#)

Forward a recommendation to City Council to amend the Grand Junction Municipal Code, to add Section 21.04.030 Short-Term Rentals.

**FILE #:** ZCA-2014-291  
**APPLICANT:** City of Grand Junction  
**LOCATION:** City Wide  
**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. Amendment to Outdoor Lighting Ordinance - Zoning Code Amendment**

[Attach 4](#)

Forward a recommendation to City Council to amend the Grand Junction Municipal Code, Section 21.06.080(c)(7) Outdoor lighting.

**FILE #:** ZCA-2014-355  
**APPLICANT:** City of Grand Junction  
**LOCATION:** City Wide  
**STAFF:** Lori Bowers

**5. City Market - Conditional Use Permit**

[Attach 5](#)

Approval of a Conditional Use Permit (CUP)/Sign Package and Request for Variance to Section 21.03.070 (b)(2)(ii) (store hours of operation) and (iv) (outside display of merchandise) of the Grand Junction Zoning and Development Code.

**FILE #:** CUP-2014-134  
**APPLICANT:** Joel Starbuck - City Market  
**LOCATION:** 2628 1/2 N 12th Street  
**STAFF:** Scott Peterson

**6. Patterson Place Rezone - Rezone**

[Attach 6](#)

Forward a recommendation to City Council to rezone properties totaling 3.523 acres from a City R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts.

**FILE #:** RZN-2014-262  
**APPLICANT:** Ted Ciavonne - Ciavonne Roberts & Associates  
**LOCATION:** 2570 Patterson Road  
**STAFF:** Senta Costello

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**



**Attach 1**  
**Minutes of Previous Meetings**

None available at this time.

**Attach 2**

CITY OF GRAND JUNCTION  
 PLANNING COMMISSION

MEETING DATE: November 12, 2014  
 PRESENTER: Senta Costello, Senior Planner

AGENDA TOPIC: Cattail Creek Subdivision - PP-2007-043

ACTION REQUESTED: A request for a two-year extension of the approved Preliminary Subdivision Plan.

BACKGROUND INFORMATION			
Location:		666, 670, 682 29 ½ Road	
Applicant:		Bank of the San Juans - Shane Wilson	
Existing Land Use:		Single Family Residential / Agriculture	
Proposed Land Use:		Single Family Residential	
Surrounding Land Use:	North	Single Family Residential / Agriculture	
	South	Single Family Residential / Agriculture	
	East	Single Family Residential / Agriculture	
	West	Single Family Residential / Agriculture	
Existing Zoning:		R-5 (Residential 5 du/ac)	
Proposed Zoning:		N/A	
Surrounding Zoning:	North	PD (Planned Development)	
	South	County RSF-R / PD (Planned Development)	
	East	R-R (Residential 5 ac/du) / PD (Planned Development)	
	West	R-5 (Residential 5 du/ac) / PD (Planned Development)	
Comprehensive Plan Designation:		Residential Medium (4-8 du/ac)	
Zoning within density range?		X	Yes
			No

**PROJECT DESCRIPTION:**

A request for approval of a two-year extension to the Preliminary Subdivision Plan for Cattail Creek Subdivision, a 103 single-family lot subdivision on 25.879 acres in an R-5 (Residential 5 du/ac) zone district.

**RECOMMENDATION:** Approval of the two-year extension request.

## ANALYSIS:

A Preliminary Subdivision Plan for the Cattail Creek Subdivision was approved on February 26, 2008. The Plan consists of 103 single-family lots on 25.879 acres in an R-5 (Residential 5 du/ac) zone. No phasing schedule was proposed as it was the desire of the Developer to construct the entire development in one phase.

In accordance with Section 21.02.070(u)(4) of the Grand Junction Municipal Code (GJMC):

If the applicant does not complete all steps in preparation for recording a final plat within two years of approval of the preliminary subdivision plan, the preliminary subdivision plan shall require another review and processing as per this section and shall then meet all the required current code regulations at that time. One extension of 12 months may be granted by the Director so long as the plan is consistent with the Comprehensive Plan and current zoning requirements. Additional extensions may be granted by the Planning Commission so long as the plan is consistent with the Comprehensive Plan and current zoning requirements.

On February 2010, the Developer requested a one-year administrative extension. When first approved, the Developer originally planned to plat the entire Development in a single phase. A combination of extended time periods to receive comments from various review agencies, working out details to gain necessary easements from neighboring property owners and economic conditions in the housing market hampered the Developer's ability to finalize the project within the 2 year timeframe required by the Zoning and Development Code. The request for a one year administrative extension was approved on February 26, 2010 extending the validity of the Preliminary Development Plan to February 26, 2011.

A request for extension was submitted before the Preliminary Plan expiration of February 26, 2011 and a two year extension was granted by Planning Commission at its April 12, 2011 meeting.

Final approval of the Final Plan was issued October 25, 2011. The Final Plan approval called for the development of the subdivision in 8 phases over 8 years with the first filing to be recorded within 2 years of the approval date. A request for a one year administrative extension was approved on October 9, 2013 extending the validity of the Preliminary Development Plan to October 25, 2014.

The property owner has submitted a request for a two year extension (attached) which would extend the approval to October 25, 2016.

The property is zoned R-5 (Residential 5 du/ac) The proposed density is 4.1 du/ac, which is consistent with the Comprehensive Plan future land use designation of

Residential Medium (4-8 du/ac). Brookwood Subdivision to the east is 4.65 du/ac, Brookside Subdivision to the southeast is 3.94 du/ac and Scott's Run Subdivision to the west is 5.82 du/ac. Goal 3 of the Comprehensive Plan encourages ordered and balanced growth throughout the community, while Goal 7 encourages transition and buffering between new and existing development, both of which are provided for in the Cattail Creek Preliminary Plan.

The Cattail Creek Subdivision proposes pedestrian connection via both on street sidewalks and landscaped off-street trails. The connections tie the subdivision together internally and make for ease of access to 29 ½ Road and Brookside Subdivision for pedestrians and bicycles. Goal 9 of the Comprehensive Plan encourages a well-balanced transportation system, including pedestrian/bicycle access, which is provided for in the Cattail Creek Preliminary Plan.

There are three (3) existing residences within the Cattail Creek Subdivision; all will remain as part of the approved Preliminary Plan. Goal 6 of the Comprehensive Plan encourages the preservation of existing buildings and Goal 11 encourages the construction of public facilities to meet the needs of future growth, which is provided for in the Cattail Creek Preliminary Plan.

The road network proposed within the Cattail Creek Subdivision would provide three connection points along 29 ½ Road (Bret Drive, Sedge Drive and Cattail Creek Drive). Babbling Brook Drive and Bret Drive connect to existing stub streets in Brookside and Brookwood Subdivisions (respectively). The large property to the east will be accessible from Audubon Street which is proposed to run alongside and parallel to that property. Goal 9 of the Comprehensive Plan encourages a well-balanced transportation system, with specific emphasis in Policy E on new residential streets that balance access and neighborhood circulation, which is provided for in the Cattail Creek Preliminary Plan.

Upon review of the previously approved Preliminary Development Plan, the Comprehensive Plan and Title 21 of the Grand Junction Municipal Code (GJMC), the following findings for good cause have been found:

1. The proposed use and density are consistent with the Comprehensive Plan.
2. The proposed Preliminary Development Plan for this property is appropriate and meets the standards and requirements of Section 21.02.070(q) and (r) of the GJMC.
3. The proposed Preliminary Development Plan contains many elements that advance the goals of the Comprehensive Plan, specifically Goals 3, 6, 7, 9 and 11.

Based on the reasons stated above there is good cause to approve the requested two-year extension.

If the Planning Commission grants the requested extension, the Developer will have until October 25, 2016 to complete all steps in preparation for recording the final plat.

## FINDINGS OF FACT AND CONCLUSIONS:

After reviewing the request for a two-year extension to the approved Preliminary Subdivision Plan for Cattail Creek Subdivision, PP-2007-043, the following findings of fact and conclusions have been determined:

1. The requested is consistent with the goals and policies of the Comprehensive Plan.
2. The request meets the requirements of Section 21.02.070(u)(4) of the Grand Junction Municipal Code.

## STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the request for a two-year extension for the Cattail Creek Preliminary Subdivision Plan, file number PP-2007-043, with the findings of facts and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION: Mr. Chairman, I move we approve a two-year extension of the Preliminary Subdivision Plan approval for Cattail Creek Subdivision, file number PP-2007-043, with the findings of fact and conclusions listed in the staff report.

## Attachments:

- 1) Request for Preliminary Plan extension
- 2) Preliminary Plan
- 3) Site Vicinity Map / Aerial Photo Map
- 4) Comprehensive Plan Map / Zoning Map
- 5) Blended Density Map
- 6) Original Staff Report

Hi Senta,

Please accept this email as the Bank's extension request for the Cattail Creek Subdivision Final. I would like the maximum extension possible, 2-3 years, since the estimated cost to develop this property into buildable lots significantly exceeds the estimated sales price of the individual lots. I feel this situation will likely hold true for the next 5 years, thus the request for the maximum extension of the final possible.

Please let me know the date of the Planning Commission meeting and either I will attend, or Dan Penny, on behalf of the bank.

Best Regards,

**Shane Wilson**

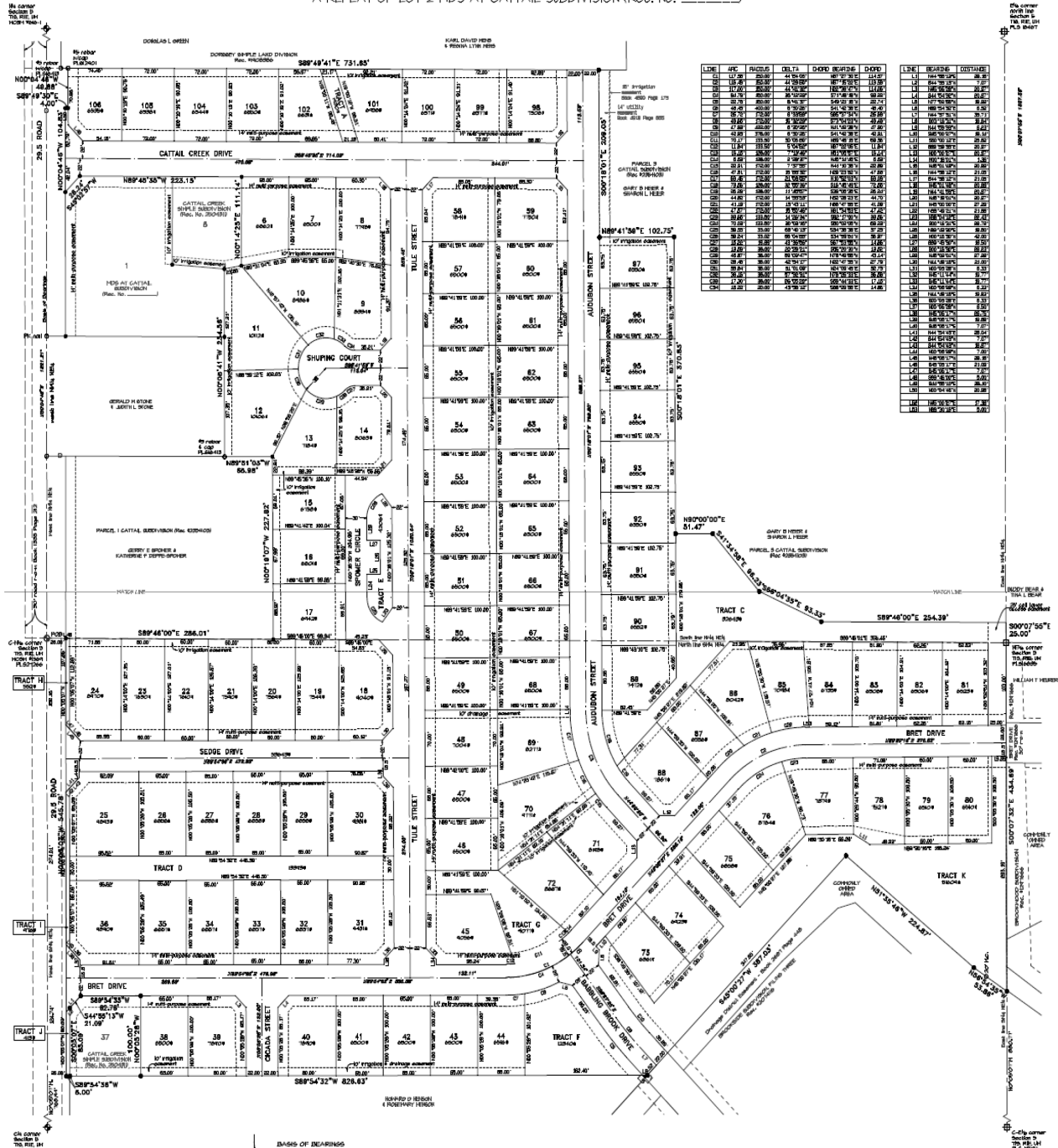
Vice President - Special Assets  
NMLS 449988



2452 US Highway 6 & 50  
Grand Junction, CO 81505  
Direct: 970-683-4530  
[www.fnbrockies.com](http://www.fnbrockies.com)

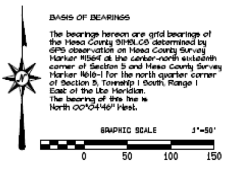
# CATTAIL CREEK SUBDIVISION

N½ NE¼ Section 5, Township 1 South, Range 1 East, Ute Meridian  
 A REPEAT OF LOT 2 MDS AT CATTAIL SUBDIVISION (Rec. No. \_\_\_\_\_)



LINE	ARC	RADIUS	DELTA	CHORD BEARING	CHORD	LINE BEARING	CURVE
01	137.38	200.00	44.8420	S89°58'13"W	111.07	L10	100.00'
02	137.38	200.00	44.8420	S89°58'13"W	111.07	L11	100.00'
03	137.38	200.00	44.8420	S89°58'13"W	111.07	L12	100.00'
04	137.38	200.00	44.8420	S89°58'13"W	111.07	L13	100.00'
05	137.38	200.00	44.8420	S89°58'13"W	111.07	L14	100.00'
06	137.38	200.00	44.8420	S89°58'13"W	111.07	L15	100.00'
07	137.38	200.00	44.8420	S89°58'13"W	111.07	L16	100.00'
08	137.38	200.00	44.8420	S89°58'13"W	111.07	L17	100.00'
09	137.38	200.00	44.8420	S89°58'13"W	111.07	L18	100.00'
10	137.38	200.00	44.8420	S89°58'13"W	111.07	L19	100.00'
11	137.38	200.00	44.8420	S89°58'13"W	111.07	L20	100.00'
12	137.38	200.00	44.8420	S89°58'13"W	111.07	L21	100.00'
13	137.38	200.00	44.8420	S89°58'13"W	111.07	L22	100.00'
14	137.38	200.00	44.8420	S89°58'13"W	111.07	L23	100.00'
15	137.38	200.00	44.8420	S89°58'13"W	111.07	L24	100.00'
16	137.38	200.00	44.8420	S89°58'13"W	111.07	L25	100.00'
17	137.38	200.00	44.8420	S89°58'13"W	111.07	L26	100.00'
18	137.38	200.00	44.8420	S89°58'13"W	111.07	L27	100.00'
19	137.38	200.00	44.8420	S89°58'13"W	111.07	L28	100.00'
20	137.38	200.00	44.8420	S89°58'13"W	111.07	L29	100.00'
21	137.38	200.00	44.8420	S89°58'13"W	111.07	L30	100.00'
22	137.38	200.00	44.8420	S89°58'13"W	111.07	L31	100.00'
23	137.38	200.00	44.8420	S89°58'13"W	111.07	L32	100.00'
24	137.38	200.00	44.8420	S89°58'13"W	111.07	L33	100.00'
25	137.38	200.00	44.8420	S89°58'13"W	111.07	L34	100.00'
26	137.38	200.00	44.8420	S89°58'13"W	111.07	L35	100.00'
27	137.38	200.00	44.8420	S89°58'13"W	111.07	L36	100.00'
28	137.38	200.00	44.8420	S89°58'13"W	111.07	L37	100.00'
29	137.38	200.00	44.8420	S89°58'13"W	111.07	L38	100.00'
30	137.38	200.00	44.8420	S89°58'13"W	111.07	L39	100.00'
31	137.38	200.00	44.8420	S89°58'13"W	111.07	L40	100.00'
32	137.38	200.00	44.8420	S89°58'13"W	111.07	L41	100.00'
33	137.38	200.00	44.8420	S89°58'13"W	111.07	L42	100.00'
34	137.38	200.00	44.8420	S89°58'13"W	111.07	L43	100.00'
35	137.38	200.00	44.8420	S89°58'13"W	111.07	L44	100.00'
36	137.38	200.00	44.8420	S89°58'13"W	111.07	L45	100.00'
37	137.38	200.00	44.8420	S89°58'13"W	111.07	L46	100.00'
38	137.38	200.00	44.8420	S89°58'13"W	111.07	L47	100.00'
39	137.38	200.00	44.8420	S89°58'13"W	111.07	L48	100.00'
40	137.38	200.00	44.8420	S89°58'13"W	111.07	L49	100.00'
41	137.38	200.00	44.8420	S89°58'13"W	111.07	L50	100.00'
42	137.38	200.00	44.8420	S89°58'13"W	111.07	L51	100.00'
43	137.38	200.00	44.8420	S89°58'13"W	111.07	L52	100.00'
44	137.38	200.00	44.8420	S89°58'13"W	111.07	L53	100.00'
45	137.38	200.00	44.8420	S89°58'13"W	111.07	L54	100.00'
46	137.38	200.00	44.8420	S89°58'13"W	111.07	L55	100.00'
47	137.38	200.00	44.8420	S89°58'13"W	111.07	L56	100.00'
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51	137.38	200.00	44.8420	S89°58'13"W	111.07	L60	100.00'
52	137.38	200.00	44.8420	S89°58'13"W	111.07	L61	100.00'
53	137.38	200.00	44.8420	S89°58'13"W	111.07	L62	100.00'
54	137.38	200.00	44.8420	S89°58'13"W	111.07	L63	100.00'
55	137.38	200.00	44.8420	S89°58'13"W	111.07	L64	100.00'
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57	137.38	200.00	44.8420	S89°58'13"W	111.07	L66	100.00'
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60	137.38	200.00	44.8420	S89°58'13"W	111.07	L69	100.00'
61	137.38	200.00	44.8420	S89°58'13"W	111.07	L70	100.00'
62	137.38	200.00	44.8420	S89°58'13"W	111.07	L71	100.00'
63	137.38	200.00	44.8420	S89°58'13"W	111.07	L72	100.00'
64	137.38	200.00	44.8420	S89°58'13"W	111.07	L73	100.00'
65	137.38	200.00	44.8420	S89°58'13"W	111.07	L74	100.00'
66	137.38	200.00	44.8420	S89°58'13"W	111.07	L75	100.00'
67	137.38	200.00	44.8420	S89°58'13"W	111.07	L76	100.00'
68	137.38	200.00	44.8420	S89°58'13"W	111.07	L77	100.00'
69	137.38	200.00	44.8420	S89°58'13"W	111.07	L78	100.00'
70	137.38	200.00	44.8420	S89°58'13"W	111.07	L79	100.00'
71	137.38	200.00	44.8420	S89°58'13"W	111.07	L80	100.00'
72	137.38	200.00	44.8420	S89°58'13"W	111.07	L81	100.00'
73	137.38	200.00	44.8420	S89°58'13"W	111.07	L82	100.00'
74	137.38	200.00	44.8420	S89°58'13"W	111.07	L83	100.00'
75	137.38	200.00	44.8420	S89°58'13"W	111.07	L84	100.00'
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81	137.38	200.00	44.8420	S89°58'13"W	111.07	L90	100.00'
82	137.38	200.00	44.8420	S89°58'13"W	111.07	L91	100.00'
83	137.38	200.00	44.8420	S89°58'13"W	111.07	L92	100.00'
84	137.38	200.00	44.8420	S89°58'13"W	111.07	L93	100.00'
85	137.38	200.00	44.8420	S89°58'13"W	111.07	L94	100.00'
86	137.38	200.00	44.8420	S89°58'13"W	111.07	L95	100.00'
87	137.38	200.00	44.8420	S89°58'13"W	111.07	L96	100.00'
88	137.38	200.00	44.8420	S89°58'13"W	111.07	L97	100.00'
89	137.38	200.00	44.8420	S89°58'13"W	111.07	L98	100.00'
90	137.38	200.00	44.8420	S89°58'13"W	111.07	L99	100.00'
91	137.38	200.00	44.8420	S89°58'13"W	111.07	L100	100.00'

NOTICE: According to Colorado law you may commence any legal action based upon any defect in this survey within three years after you (the purchaser) each defect. In no event may any action based upon any defect in this survey be commenced more than two years from the date of the certification shown herein.



- LEGEND**
- ⊕ found Heas County Survey Marker
  - ⊙ found PLS96 datum monument as noted
  - ⊞ found datum monument as noted
  - found rebar and cap as noted
  - ⊖ collimated problem - no monument
  - set 24" PS rebar/astimium cap PLS 10450 rebar boundary monuments are set 3 concrete

- LINE TYPE LEGEND**
- section line
  - - - subdivision boundary
  - ⋯ property/lot line
  - ⋯⋯ easement (proposed)
  - ⋯⋯⋯ easement (existing)

## CATTAIL CREEK SUBDIVISION

### Blue Heron Development LLC

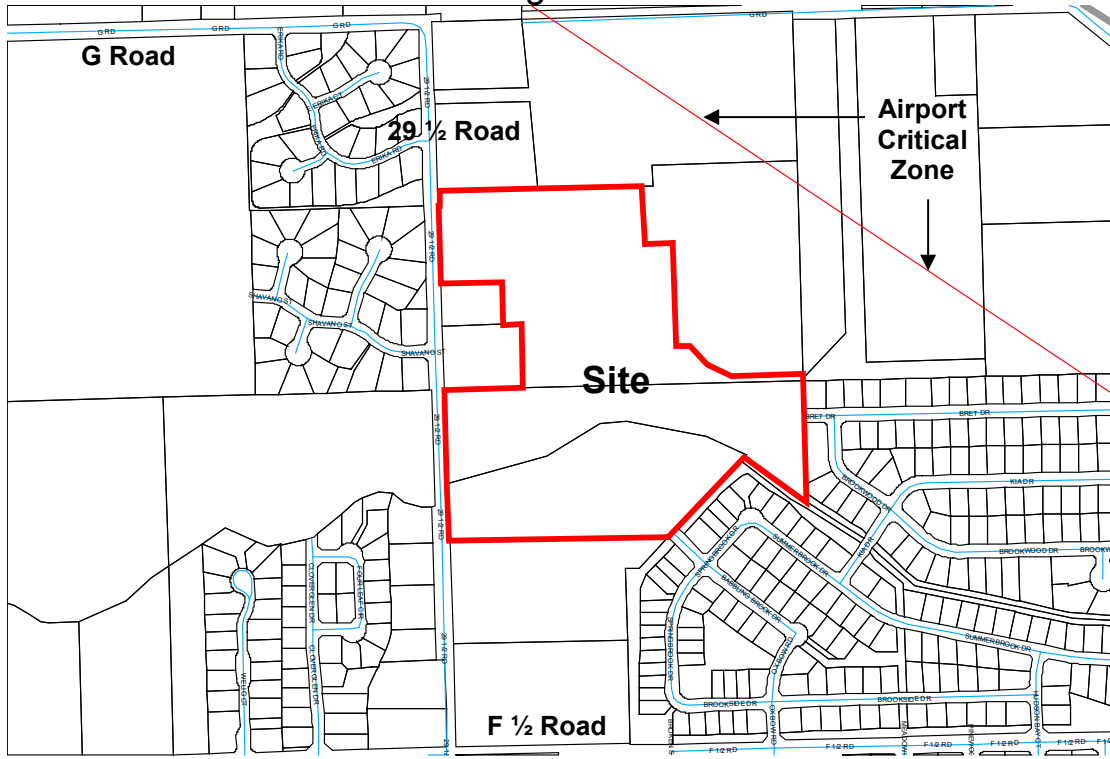
N½ NE¼ Section 5, Township 1 South, Range 1 East, Ute Meridian  
 Sheet 2 of 2 | Page No. 1000 | Job No. 000-000

Design: [initials] Drawn: [initials] Checked: [initials] Approved: [initials]  
 D:\PROJECTS\000000\000000\CATTAIL\CATTAIL SUBDIVISION\CATTAIL CREEK REPEAT 2020.DWG

744 Huron Court, #110 - Grand Junction, CO 81508 - Phone: 870-241-4722

# Site Location Map

Figure 1



# Aerial Photo Map

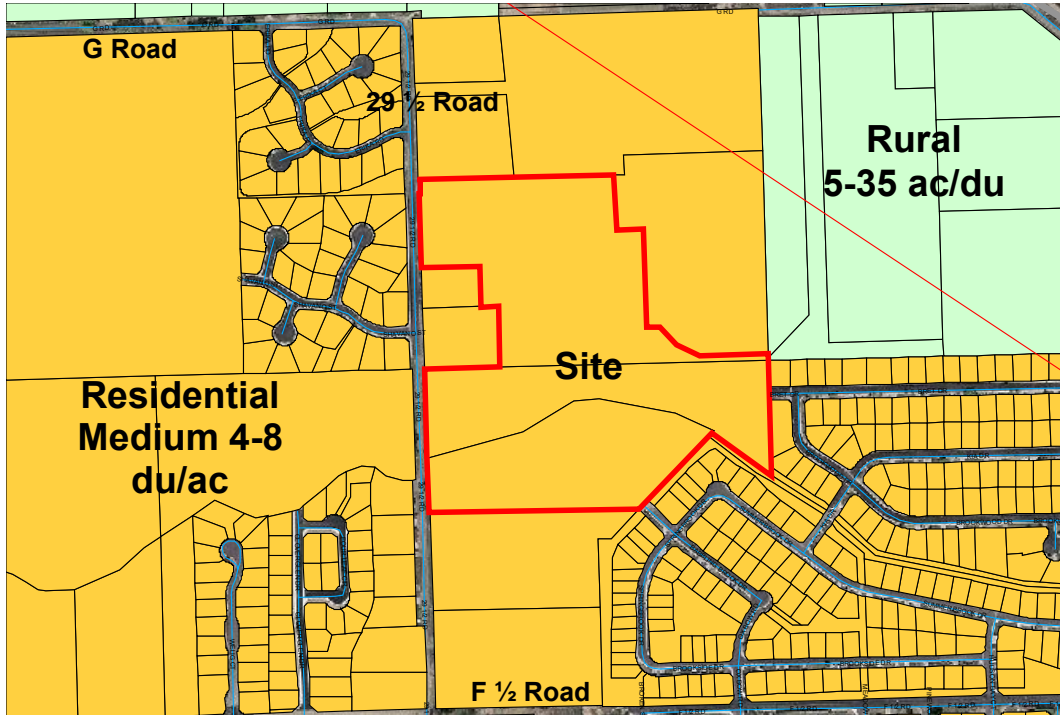
Figure 2





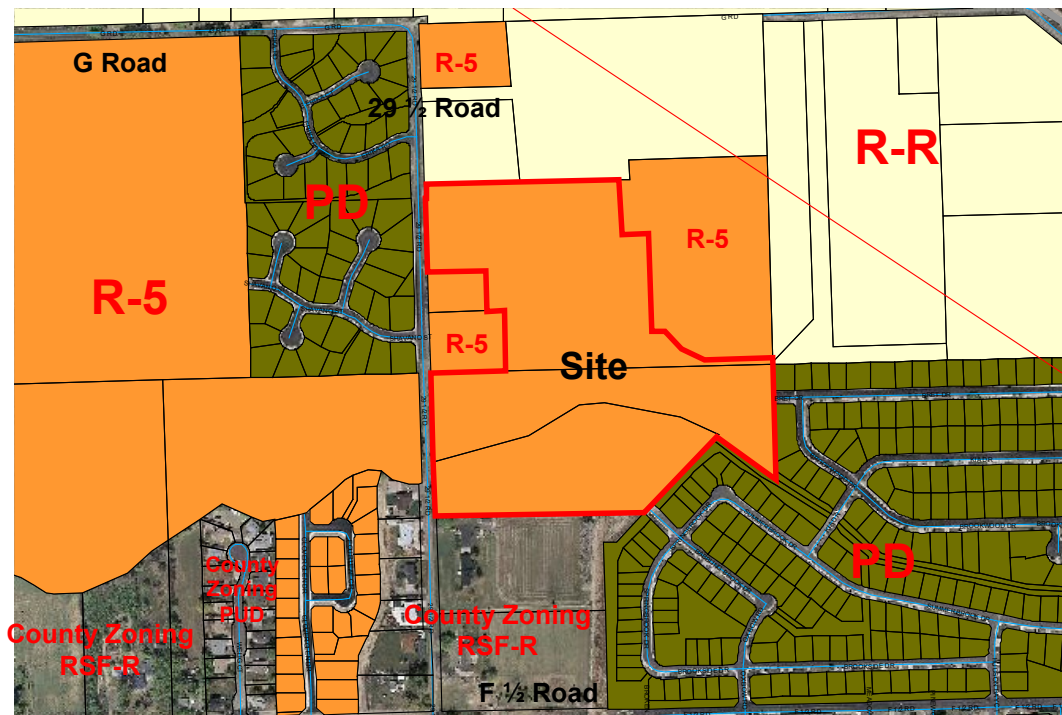
# Future Land Use Map

Figure 3



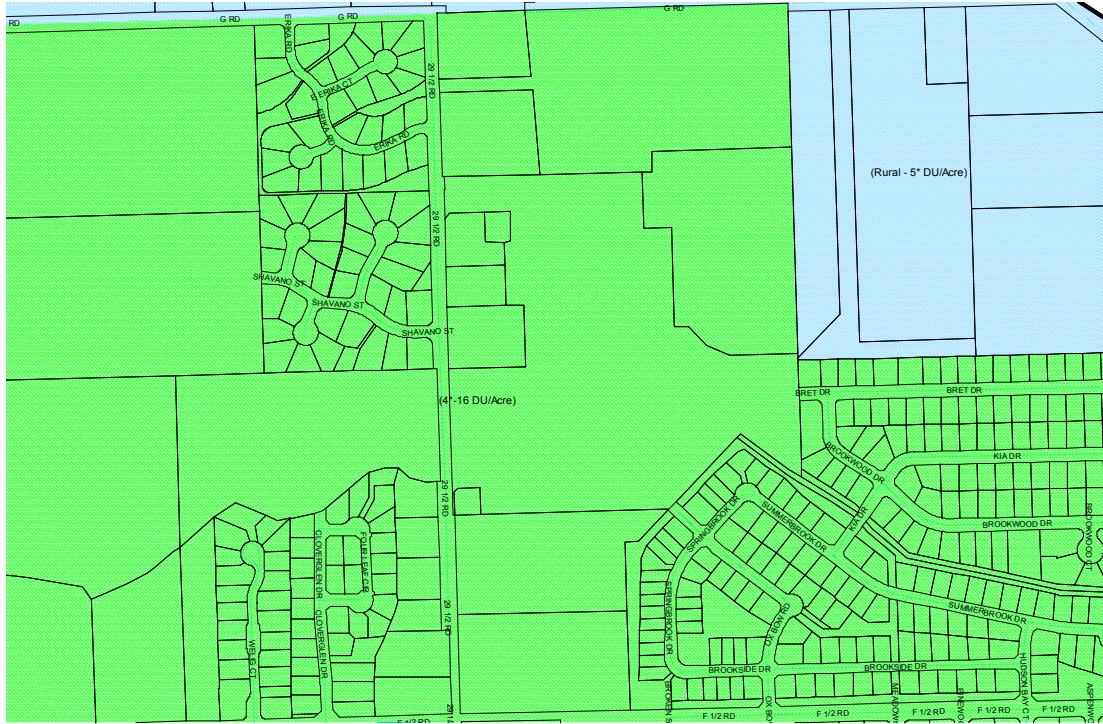
# Existing City and County Zoning Map

Figure 4



# Blended Density Map

Figure 5



AGENDA TOPIC: Cattail Creek Subdivision, PP-2007-043

ACTION REQUESTED: Preliminary Subdivision Plan Approval.

BACKGROUND INFORMATION					
Location:		666, 670, 682 29 ½ Road			
Applicants:		Owner: Blue Heron Development, LLC Rep: Ciavonne, Roberts, & Associates			
Existing Land Use:		Residential/Agricultural/Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential/Agricultural			
	South	Residential/Agricultural			
	East	Residential/Agricultural/Vacant			
	West	Residential/Agricultural			
Existing Zoning:		R-5 (Residential – 5 du/ac)			
Proposed Zoning:		No Change			
Surrounding Zoning:	North	R-R (Residential – 1 du/ 5 ac) and R-5 (Residential – 5 du/ac)			
	South	PD and RSF-R (County)			
	East	PD and R-5 (Residential – 5 du/ac)			
	West	PD and R-5 (Residential – 5 du/ac)			
Growth Plan Designation:		Residential Medium, 4-8 du/ac			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request approval of a Preliminary Subdivision Plan for the Cattail Creek Subdivision consisting of 106 lots on 26.4 acres with a density of 4.01 dwelling units per acre in a R-5 (Residential - 5 du/ac) zone district located at 666, 670 and 682 29 ½ Road.

RECOMMENDATION: Approval of the proposed Preliminary Subdivision Plan

## **ANALYSIS:**

### Background

The subject property was part of two annexations. The first annexation, the Darla Jean #2 Annexation, occurred on October 23, 1994. The second annexation, the North Glenn/Matchett Enclave Annexation, occurred on December 5, 1999. The site contains 3 parcels addressed as 666, 670 and 682 29 ½ Road totaling 26.4 acres. The parcel addressed as 666 29 ½ Road is described as Parcel 2 of Cattail Subdivision.

Current use of the parcels is residential, agricultural and vacant. Each parcel contains one residence and several accessory structures. Two of the residences will remain and will be located within proposed lots (Lots 5 and 37), while the third residence and all of the accessory structures will be removed as part of the final approval. The site also contains ditch, irrigation and access easements. These easements are granted to the Grand Valley Drainage District, Palisade Irrigation District and an off-site cell tower. The Developer has proposed to relocate and/or modify the location of these easements and has received approval by the owner of each easement.

### Density

The site is currently zoned R-5 which allows 2 to 5 dwelling units per acre. The Developer is proposing to subdivide the site into 106 lots. If approved, the overall density of the subdivision will be 4.01 dwelling units per acre well within the density allowed by the R-5 zone district.

### Access

There are 7 proposed access points for the proposed development. Three of the access points are located on 29 ½ Road; Cattail Creek Drive, Sedge Drive and Bret Drive. Two of the access points will align with existing roads to the east; Bret Drive and Babbling Brook Street and the last 2 access points will stub to vacant property to the north and south; Cicada Street and Audubon Street. With the exception of 2 lots (Lots 1 and 2) all lots within the proposed development will be accessed from local streets. Lots 1 and 2 will access 29 ½ Road from an autocourt which is contained within Tract B. Tract B will be conveyed to and maintained by the Home Owners Association.

### Open Space/Park

The Developer is proposing 2.8 acres of open space that will be located in several tracts throughout the development. The tracts will include concrete and soft-surfaced paths. and will contain the Price Ditch and the drainage, irrigation and access easements. All of the tracts will be conveyed to and maintained by the Home Owners Association.

## Lot Layout

The development has been designed for single-family detached dwellings on lots ranging from 6,500 square feet to over 10,000 square feet. The minimum lot size in the R-5 zone is 6,500 square feet, therefore the minimum lot area requirement has been met. The minimum lot width for the R-5 zone is 60 feet. With the exception of Lots 10-13, 70, 85 and 86, all of the proposed lots meet the lot width requirement. Section 3.2 C.2. allows the Planning Commission to vary lot widths for irregularly shaped lots.

## Road Design

The roads within the proposed development are designed to meet the Urban Residential Street Standards as defined in the TEDS (Transportation Engineering Design Standards) Manual. There are 3 exceptions, Bret Drive, Sedge Drive and Spomer Circle. Standard residential street design is 28 feet of asphalt and mountable curb, gutter and sidewalk on both sides of the street within a 44 foot right-of-way. Due to the location of the hard-surfaced trails along the Price Ditch, the Developer has proposed an alternative design for Bret and Sedge Drives. The proposed alternative is 28 feet of asphalt and mountable curb, gutter and sidewalk on one side of the street and a vertical curb and gutter with no sidewalk on the opposite side. The proposed design is contained within a 38.5 foot right-of-way. The proposed alternative was reviewed and approved by Staff under Chapter 15 of the TEDS Manual.

## Landscaping:

Landscaping plans for the Tracts and the 14-foot wide landscaped area along 29 ½ Road will be submitted with the final plat/plans in accordance with Section 6.5 of the Zoning and Development Code.

## Phasing Plan:

The Developer is not proposing that the development be phased.

## Criteria:

Section 2.8.B.2 of the Zoning and Development Code

For a preliminary plat to be approved, the applicant shall prove compliance with all of the following criteria:

- a. **The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.**

Upon review of the proposed development it is found that the project implements the following Goals and Policies of the Growth Plan:

Goal 1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole;

Policy 1.1: The City and County will use the future land use categories listed and described in Exhibit V.2 to designate appropriate land uses within the Joint Planning Area identified in Exhibit V.1. City and County actions on land use proposals within the Joint Planning Area will be consistent with the plan.

Policy 1.3: The City and County will use Exhibit V.3.: Future Land Use map in conjunction with the other policies of this plan to guide zoning and land use decisions. City and County decision about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that the proposed residential and non-residential development is compatible with the planned development of adjacent property.

Goal 5: To ensure the urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Furthermore, the land use classification of Residential Medium (4-8 dwelling units per acre) of the subject property is supported by the existing zoning of R-5 (2 to 5 dwelling units per acre). The proposed density of 4.01 dwelling units per acre is consistent with both the Residential Medium classification and the current R-5 zone district. Therefore the proposed development is consistent with the goals and policies of the Growth Plan and the Future Land Use Map.

All required street connections and road improvements have been included in the preliminary plan design and meet the requirements of the Grand Valley Circulation Plan. In addition, the Developer is proposing an 8-foot wide concrete path along the Price Ditch as indicated on the Urban Trails Plan. Therefore, the proposed development complies with the Grand Valley Circulation Plan and 2001 Urban Trails Master Plan.

**b. The Subdivision standards of Section 6.**

The Subdivision Standards contained in Section 6.7 have been met with the Preliminary Subdivision Plan. The proposed subdivision establishes acceptable lot layout including the 7 lots that are irregular and do not meet the minimum lot width requirements. All infrastructure, including but not limited to water and sewer, is being provided to each lot. Drainage has been addressed at this preliminary stage and will be accommodated through on and off-site facilities.

**c. The zoning standards contained in Chapter 3.**

All proposed lots conform to the minimum lot size of 6,500 square feet as well as meeting the minimum street frontage requirement of 20 feet. With the exception of 7 lots (previously identified), the minimum lot width of 60 feet has been met. Furthermore, the proposed density of 4.01 dwelling units per acre falls within the density range of the R-5 zone district. Finally, future buildings will be required to meet the R-5 zone bulk requirements for front, side and rear yard setbacks as well as lot coverage and maximum height requirements. Therefore the zoning standards contained in Chapter 3 have been met and are incorporated into the Preliminary Subdivision Plan design.

**d. Other standards and requirements of the Zoning and Development Code and all other City policies and regulations.**

The proposed development meets all other applicable standards and requirements of the Zoning and Development Code and all other City policies and regulations.

**e. Adequate public facilities and services will be available concurrent with the subdivision.**

The proposed development is located within the Ute Water and Central Grand Valley Sanitation Districts. Both Districts have reviewed the proposed development and have determined that adequate public facilities and services will be available.

**f. The project will have little or no adverse or negative impacts upon the natural or social environment.**

There are no known adverse or negative impacts upon the natural or social environment.

**g. Compatibility with existing and proposed development on adjacent properties.**

The proposed development at 4.01 dwellings per acre is compatible with the proposed residential densities identified in the Growth Plan and the Future Land Use Map of 4 to 8 dwellings per acre. In addition the proposed density is compatible to the existing densities of the surrounding developments.

**h. Adjacent agricultural property and land uses will not be harmed.**

The proposed development has been designed to meet the SWMM (Stormwater Management Manual) and therefore the adjacent agricultural properties will not be harmed.

**i. Is neither piecemeal development nor premature development of agricultural land or other unique areas.**

The proposed development is not piecemeal development, nor premature according to the goals and policies of the Growth Plan.

**j. There is adequate land to dedicate for provision of public services.**

Adequate land for public services such as road right-of-way, utility and trail easements have been provided.

**k. This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.**

The City will not incur an undue burden for maintenance or improvement of land as a result of the proposed development. The Developer will pay all required development, transportation, utility and other established impact fees, some at the time of final plat and others at the time of building permit.

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

After reviewing the Cattail Creek Subdivision application, PP-2007-043, for Preliminary Subdivision Plan approval, I make the following findings of fact, conclusions and condition:

1. The proposed Preliminary Subdivision Plan is consistent with the goals and policies of the Growth Plan and Future Land Use Map, the Grand Valley Circulation Plan and 2001 Urban Trails Master Plan.
2. The proposed Preliminary Subdivision Plan satisfies the review criteria in Section 2.8.B.2 of the Zoning and Development Code (see criteria above).
3. The proposed Preliminary Subdivision Plan meets applicability requirements of Section 2.8.B.1 of the Zoning and Development Code.



4. The existing buildings identified for removal shall be removed prior to final plat approval.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission approve the proposed Cattail Creek Subdivision Preliminary Subdivision Plan, PP-2007-043 with the findings, conclusions and condition noted above.

**PLANNING COMMISSION MOTION:**

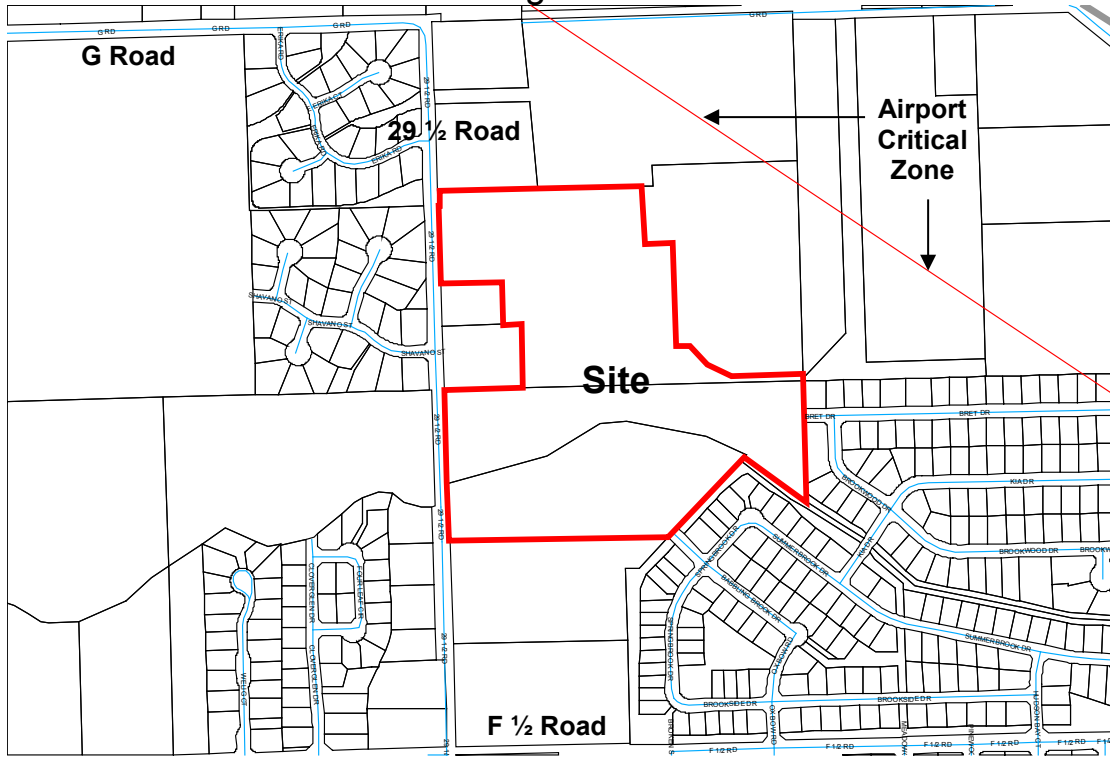
Mr. Chairman, I move that the Planning Commission approve the preliminary subdivision plan for the Cattail Creek Subdivision Preliminary Subdivision Plan, PP-2007-043, with the findings, conclusions and condition listed in the staff report.

**Attachments:**

1. Site Location Map (Figure 1) / Aerial Photo Map (Figure 2)
2. Future Land Use Map (Figure 3) / Existing City and County Zoning Map (Figure 4)
3. Applicant's "General Project Report"
4. Preliminary Subdivision Plan

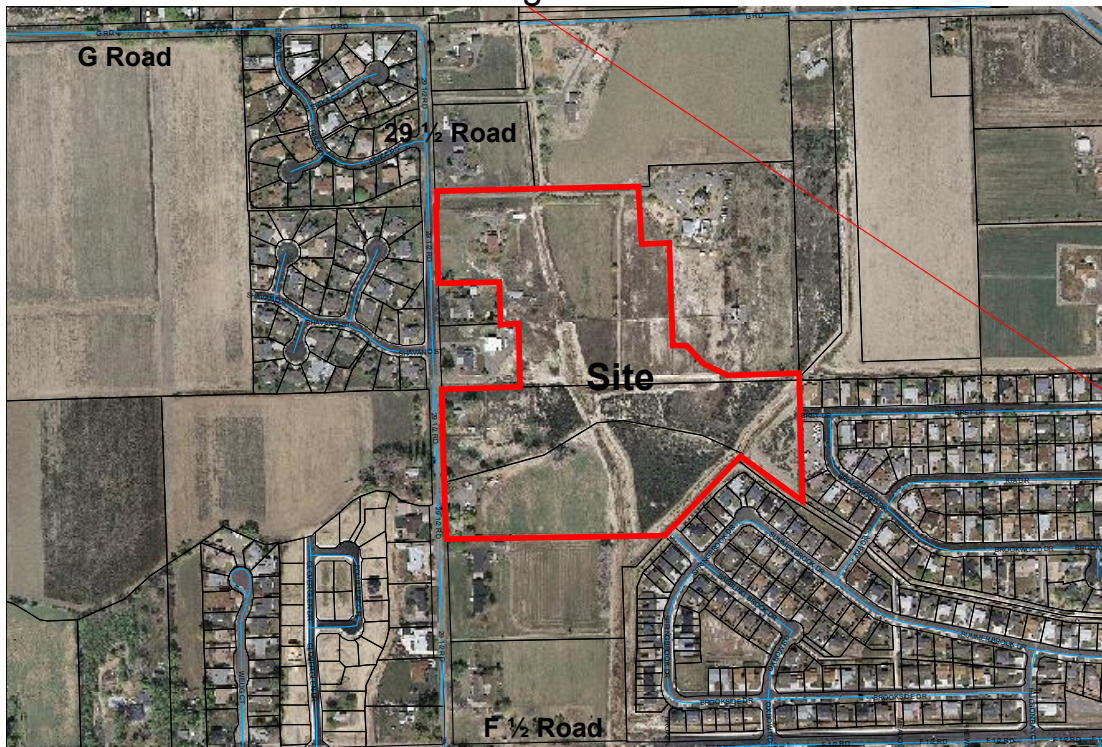
# Site Location Map

Figure 1



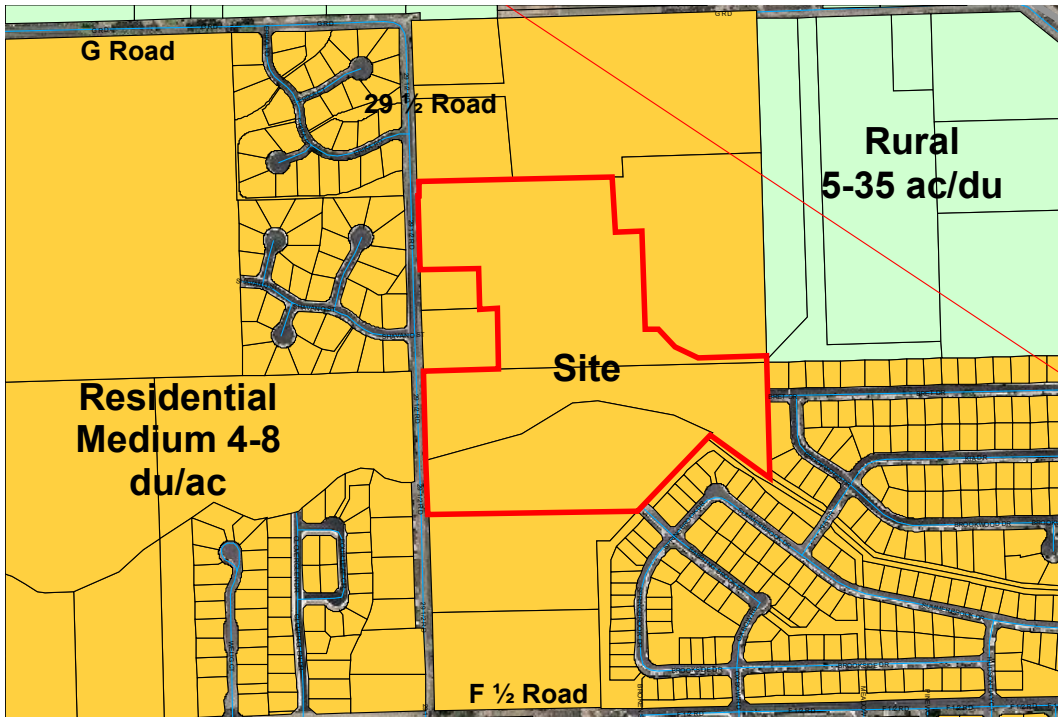
# Aerial Photo Map

Figure 2



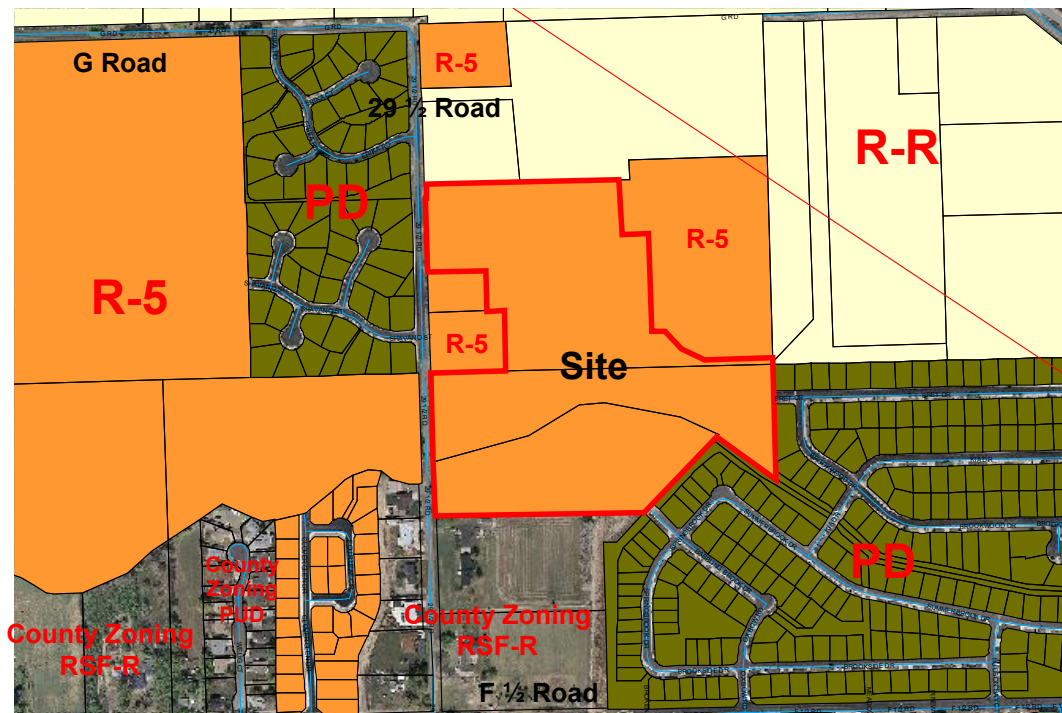
# Future Land Use Map

Figure 3



# Existing City and County Zoning Map

Figure 4



**CATTAIL CREEK SUBDIVISION**  
**Preliminary General Project Report**  
**January 22, 2007**

**A. Project Overview**

Blue Heron Development, LLC, represented by Ciavonne, Roberts, & Associates is requesting a major subdivision of 106 lots at an average size of 7,385 s.f. on 26.35 acres in the City of Grand Junction. The 26.35 acre site exists as 3 parcels located at 682, 670, and 666 29½ Road.

**B. Project Description**

Location and Site Features

- The parcel exists as a vacant field with three existing homes and a small number of outbuildings. The existing home located on the existing parcel at 670 29½ Road along with the outbuildings on the site will be removed. The existing homes at 666 and 682 29 ½ Road will remain and be incorporated into the proposed subdivision. The site is located east of 29 ½ Road and is adjacent to Brookwood and Brookside Subdivisions. Special care has been taken by the petitioner to work with the existing site features such as Grand Junction Drainage District ditches and easements, access easement to a cell tower located off site, and the Palisade Irrigation Districts 30' easement for what could be the Price Ditch should it ever need to be constructed. We have met numerous times with GJDD to ensure the proposed piping and realigning of the drain ditches were suitable for meeting their needs regarding the drainage system through the site. The proposal is to pipe and possibly realign all existing GJDD ditches except the ditch along the south east property line of the site. At the request of GJDD the ditch at the south east boundary of the site will remain as an open ditch. An access and utility easement for the cell tower located on an unaffiliated parcel to the north east runs across the site. This easement will be moved to the 25' tract located east of lot 81 per discussions with the cell tower company. We have also been in communication with Palisade Irrigation District in regards to the realignment of the irrigation easement. This is a 30' wide easement which is necessary for the district to retain should any irrigation supply issues arise that would require them to continue the Price Ditch to this area. The city has designated the Price Ditch Alignment as an urban trail route, therefore, the developer will provide an 8' wide concrete trail along the proposed alignment.
- Topography of the parcel gently slopes south across the site, with approximately 18 feet of grade variation (1.4% avg.).

Existing Zoning

- The parcel is zoned RMF-5, which has been determined to be consistent with the Growth Plan and the general surrounding neighborhoods.

Proposed Plan

- The proposed 106 lot subdivision is adjacent to 29 ½ Road which is classified as a minor collector. However, the frontage to 29 ½ Road is broken up by 2 parcels which are not part of this subdivision so to alleviate the issue of 'fragment' improvements and to utilize the TCP program half road improvements to 29 ½

Road are not a part of this proposal. The southern portion of the proposed subdivision which fronts on 29 ½ Road, at lots 24, 25, 36, 37, will provide a 5' landscape strip along 29 ½ Road. The northern portion of the proposed subdivision at lots 1-3, and 106 will not have the 5' landscape strip but only lots 1 and 2 will receive access from 29 ½ Road. Lots 3 and 106 will access Cattail Creek Dr. Utilities for the proposed subdivision are available via 29 ½ Road at the west boundary, Bret Dr. at the east boundary, and Babbling Brook Dr. at the southeast boundary of the proposed site. The site is located within two irrigation districts...Palisade Irrig, and Mesa County Irrig. The lots will be irrigated via a gravity system and the HOA maintained open space will have a pressurized system. An irrigation storage facility will be located east of lots 90-91 and will also be designed to act as a detention facility when needed. As noted above the city has designated the Price Ditch alignment as an urban trail route, therefore, the developer will provide an 8' wide concrete trail along the proposed alignment. A loop lane, Spomer Circle, has been proposed to service lots 15-17 and provide a central location for mailbox pads and open space.

#### **C. Public Benefit**

Public Benefits include:

- the development of property adjacent to existing City services;
- the creation of residential lots meeting the Growth Plan density requirements;
- utility improvements that will allow a sewer system and water distribution for domestic use and fire safety;
- the creation of maintained open space;
- provides interconnectivity to adjacent subdivisions.

#### **D. Neighborhood Meeting**

A neighborhood meeting was held September 26, 2006. See attached minutes and attendance list.

#### **E. Project Compliance, Compatibility, and Impact**

1. The site is not located in a neighborhood plan. The adopted Master Trail Plan calls for a public trail along the Price Ditch alignment which has been provided in this proposal. The site is currently zoned RMF-5 in the City of Grand Junction and the Future Land Use map calls for Residential Medium (4-8 units/acre).
2. The parcels across 29 ½ Road to the west are currently established ½ Acre single family lots. To the east is the existing Brookside Subdivision. At the north boundary is undeveloped parcel.. To the south of the site is an undeveloped Mesa County RSF-R parcel.
3. Access to the proposed subdivision will come from two locations on 29½ Road and the existing stub roads from Brookside and Brookwood subdivisions. Stub roads for future development will be provided to the south, north and north east. A traffic impact study has been included with this submittal.
4. Utilities for the site exist under 29 ½ Road and the adjacent subdivisions. Water is available through a Ute Water line that runs under 29 ½ Road. Sewer is also available under 29 ½ Road.
5. There will be no unusual demands on the utilities.

6. There will be no unusual effects on public facilities.
7. Soils on the site consist of Sagrlite Loam and Turley Clay Loam per the NRCS soils mapping.
8. There are no geologic impacts or hazards.
- 9.-11. n/a
12. Review Criteira (Development Code Section 2.8.B):
  - a. The proposed plan is in conformance with the Growth Plan, major street plan, Urban Trails Plan, and other adopted plans.
  - b. The proposed plan meets the subdivision standards in Ch. 6.
  - c. The proposed subdivision meets the zoning standards in Ch. 3.
  - d. The proposed subdivision meets all other standards and requirements of this Code and other all city policies.
  - e. Adequate public facilities and services will be available concurrent with the subdivision.
  - f. The project will have no unusual impacts associated with development.
  - g. The project is compatible with existing and proposed development on adjacent properties.
  - h. Adjacent agricultural land use will not be harmed by the proposed subdivision.
  - i. The proposed project is neither piecemeal development nor premature development of agricultural land or other unique areas.
  - j. There is adequate land to dedicate for provision of public services and will not cause an undue burden on the City of Grand Junction for maintenance or improvement of land an/or facilities.

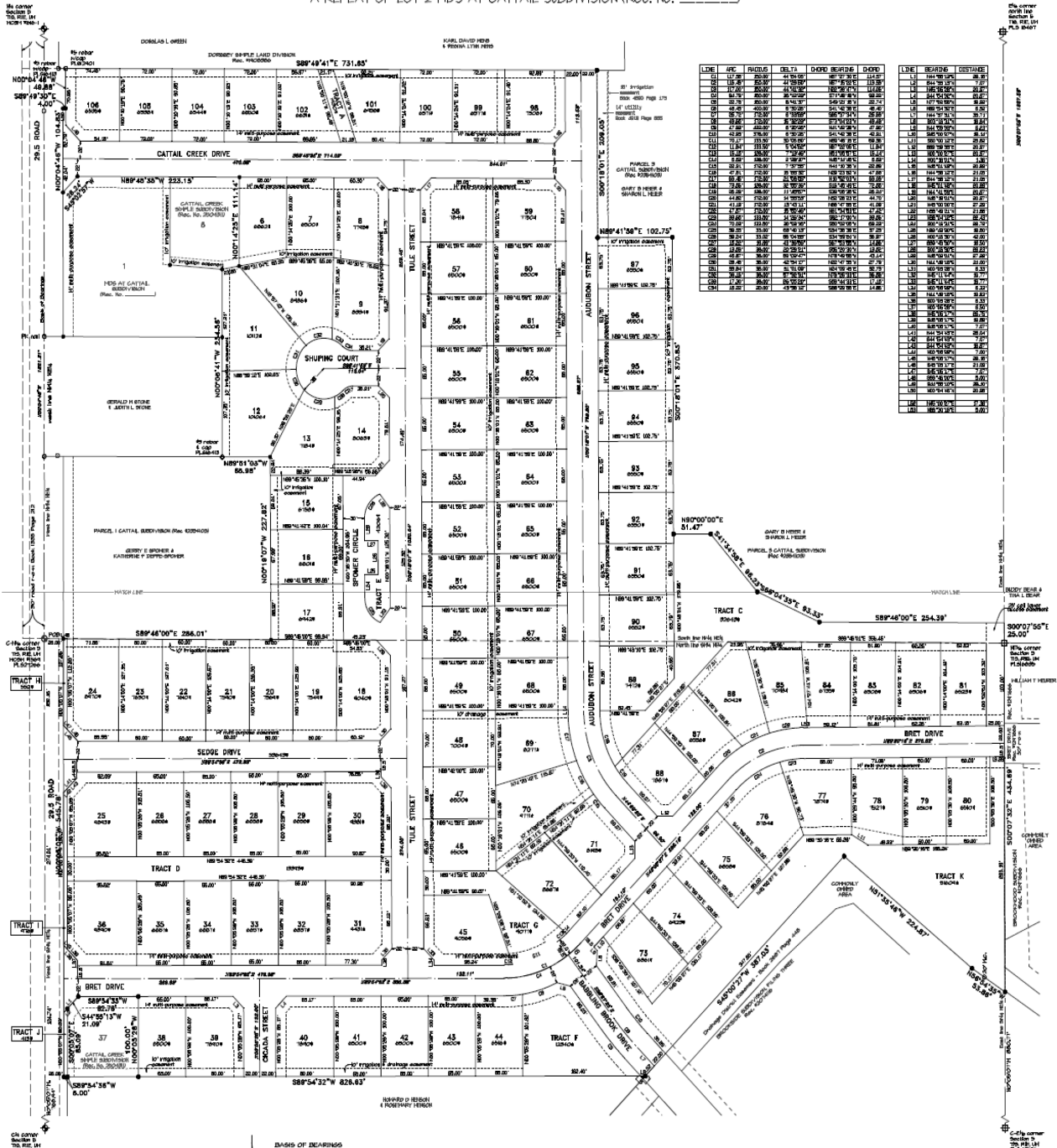
**F. Development Schedule and Phasing**

Development is intended to start in the fall of 2007. Phasing is unknown at this time.

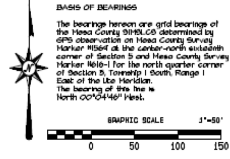


# CATTAIL CREEK SUBDIVISION

W/2 Section 5, Township 1 South, Range 1 East, 10th Meridian  
 A REPLAT OF LOT 2 MDS AT CATTAIL SUBDIVISION (Rec. No. \_\_\_\_\_)



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84	100.0000	90.0000	0.0000	100.0000	0.0000	0.0000	0.0000



- LEGEND**
- ⊕ Found Heas County Survey Marker
  - ⊙ Found PLS aluminum monument as noted
  - ⊞ Found aluminum monument as noted
  - Found rebar and cap as noted
  - ⊙ Calculated position - no monument
  - 24" x 48" rebar/aluminum cap PLS (S&D) note boundary monuments are set 7' outside
- LINE TYPE LEGEND**
- section line
  - subdivision boundary
  - property line
  - - - - - easement (proposed)
  - - - - - easement (existing)

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than six years from the date of the certification shown herein.

**CATTAIL CREEK SUBDIVISION**  
**Blue Heron Development LLC**

Heads Section 5, Township 1 South, Range 1 East, 10th Meridian  
 Sheet 5 of 5 | Date: Mar 1, 2020 | Job No. 0005-00

Design: [ ] Drawn: [ ] Checked: [ ] Approved: [ ]  
 S. PROJECTIONS CONSULTANTS, LLC | CATTAIL CREEK SUBDIVISION

**RIVERCITY CONSULTANTS**

244 Horton Court, #110 - Grand Junction, CO 81505 - Phone: 970-241-4720

SEE SHEET 1 FOR SURVEYOR'S STATEMENT

### Attach 3

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** November 12, 2014  
**PRESENTER:** Senta Costello

---

**AGENDA TOPIC:** ZCA-2014-291, Amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add Section 21.04.030 regarding Short-Term Rentals

**ACTION REQUESTED:** Forward a recommendation of approval to City Council to amend the Grand Junction Municipal Code, to add Section 21.04.030 Short-Term Rentals.

**RECOMMENDATION:** Recommend the proposed amendments.

**Background:**

Traditionally, travelers have stayed in a hotel and/or motel. This has changed over the years to broaden the choices available when deciding where to stay while traveling. Additional options have included bed & breakfasts, resorts, time-shares and more recently short-term rentals. While most lodging options occur in commercial areas or large acreages, short-term rentals typically occur in more traditional residential neighborhoods. Our community is also starting to see an interest in providing this additional lodging choice to travelers; however, currently the Zoning and Development Code does not have any reference to Short-Term Rentals. This Code amendment is proposed in order to provide our community the opportunity to offer the short-term rental lodging option to travelers, while protecting the integrity of our neighborhoods.

Other communities across the country who allow short-term rentals were researched to determine what issues they had encountered and what standards and policies they had in place to mitigate any problems. Attached is a chart depicting the communities surveyed and associated standards for each.

**Consistency with the Comprehensive Plan:**

The proposed Code amendment is consistent with the following Goals and Policies of the Comprehensive Plan:

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

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

Current financial situations and lifestyles choices create unique needs for property owners and their properties. The proposed addition to the Zoning and Development Code will allow additional flexibility to property owners when making decisions on options for the use/reuse of their property currently not available.



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

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

Many travelers make choices on travel destinations based on amenities available, including lodging choices and the addition of Short-Term Rentals as a lodging option in our community adds a desirable choice for visitors.

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

After reviewing ZCA-2014-291, Amendment to add Section 21.04.030 to the Zoning and Development Code, the following findings of fact and conclusions have been determined:

3. The requested amendment is consistent with the goals and policies of the Comprehensive Plan.
4. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

### **STAFF RECOMMENDATION:**

I recommend 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-2014-291, Amendments to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding Short-Term Rentals within the City, I move that the Planning Commission forward a recommendation of approval of the proposed amendments with the findings, facts and conclusions listed in the staff report.

### **Attachments:**

Short-Term Rental Community Survey Chart  
Proposed Ordinance



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE,  
GRAND JUNCTION MUNICIPAL CODE ADDING SECTION 21.04.030, SHORT-TERM  
RENTALS**

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.

Traditionally, travelers have stayed in a hotel and/or motel. This has changed over the years to broaden the choices available when deciding where to stay while traveling. Additional options have included bed & breakfasts, resorts, time-shares and more recently short-term rentals. While most lodging options occur in commercial areas or large acreages, short-term rentals typically occur in more traditional residential neighborhoods. Our community is also starting to see an interest in providing this additional lodging choice to travelers; however, currently the Zoning and Development Code does not have any reference to Short-Term Rentals. This Code amendment is proposed in order to provide our community the opportunity to offer the short-term rental lodging option to travelers, while protecting the integrity of our neighborhoods.

The amendments are consistent with the goals and policies of the Comprehensive Plan and implement the vision, goals and policies of the Comprehensive Plan.

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 amendments, finding that:

1. The proposed amendments are 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 proposed amendments will implement the vision, goals and policies of the Comprehensive Plan and promote the health, safety and welfare of the community, and should be adopted.

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

21.04.030

(v) Short-Term Rentals

(1) Purpose

The City of Grand Junction recognizes that there are benefits to permitting short-term rental of residential units within the City for periods of fewer than thirty (30) consecutive days. Short-term rentals may bring additional visitors to the City, provide a source of income for homeowners, and provide revenues for the City through additional tax collections. Short term rentals diversify the vacation and travelling professional accommodations market. However, the potential for adverse impacts from short-term rentals necessitates some special regulation to protect the health, safety, and welfare of property owners, neighbors, and visitors.

(2) Applicability

So long as the requirements of this Section 21.04.030(v) are met, short-term rental of residential property is allowed in the City in certain zone districts as shown in the Use Table, Section 21.04.010. Private covenants may restrict or prohibit short-term rentals; it is the responsibility of the property owner to ensure compliance with restrictive covenants; the City will not consider private covenants when issuing short-term rental permits.

(3) Definitions

*Short-term rental* means a dwelling unit rented to a given occupant or group of occupants for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, boarding or rooming house, hotel/motel or transient shelter. *Short-term rental* does not include offering the use of residential property where no fee is charged or collected.

(4) Permit Required.

No person or entity shall rent or advertise for rent any residential property as a short-term rental, as that term is defined above, without first having a valid short-term rental permit issued by the City. A short-term rental permit is valid for up to one year, expiring on December 31<sup>st</sup> of the year in which the permit was issued. A separate short-term rental permit is required for each short-term rental unit. A short-term rental permit may be issued only to the owner of the property used as a short-term rental. A short-term rental permit may contain conditions.

(5) General Requirements

(i) Property owner shall designate one or more person(s) who will be permanently available for immediately responding to complaints about or violations of law or of permit terms by the renters or short-term occupants. If the designated responsible party is not local, the property owner shall certify that there are local representatives available to the designated responsible party to respond to any complaints or violations. "Local" as used herein means having a permanent address within a twenty (20) mile radius from the short-term rental property and a 24-hour contact phone number. The designated responsible party may be the owner of the property.

(ii) The owner or responsible party shall:

(A) collect and remit all applicable local, state, and federal taxes;

(B) ensure the rental unit meets all applicable local, state, and federal regulations, including but not limited to smoke and carbon monoxide detector requirements;

(C) obtain all required permits and licenses in accordance with the City of Grand Junction Municipal Code

(D) maintain a fire extinguisher in good working order on the premises at all times;

(E) be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with the provisions of this Code and with the terms of the short-term rental permit, and shall permit such inspection upon reasonable notice.

(F) The property owner shall provide the designated responsible party with a copy of the short-term rental permit.

(iii) The number of occupants at any given time in an individual short-term rental unit shall not exceed two (2) persons per bedroom plus two (2) additional renters overall. The Director shall specify the maximum number of occupants allowed in the unit in the permit.

(iv) On any property containing an accessory dwelling unit, either the primary dwelling or the accessory dwelling unit on the property may be eligible for a short-term rental permit, but not both.

(v) One (1) parking space shall be provided per bedroom. All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.

(vi) If the short-term rental unit is accessed by a shared driveway, written permission for short-term renters to access the drive must be obtained from each property owner using the shared driveway.

(vii) Signage advertising, denoting or designating property as a short-term rental up to two square feet and containing only the name of the short-term rental or property owner and/or logo is allowed. A separate sign permit is not required.

(viii) Short-term rentals shall be subject to the same safety and health inspections to which other licensed places of accommodation are subject.

(ix) The owner of the property used as a short-term rental shall continuously maintain valid liability insurance specifically covering the operation of the premises as a short-term rental unit.

(x) The following information must be continuously, conspicuously and prominently displayed in visible and legible print in each short-term rental unit:

(A) City of Grand Junction applicable license(s);

(B) A copy of the short-term rental permit;

(C) Contact information for owner and/or responsible party;

(D) A phone number for 24 hour contact for property-related issues and inquiries;

(E) A map and/or narrative describing the location of fire extinguishers and emergency egress;

(F) The trash pickup location and schedule;

(G) A copy of the City's noise regulations.

#### (6)Application Requirements

(i) An application for a short-term rental permit shall include the following:

(A) a site sketch;

(B) The name, current address and telephone number of a designated responsible party employed or engaged by the applicant to manage, rent or supervise the short-term rental. It shall be the duty of the applicant to update such information throughout the term of the license so that City Staff

always has correct and current contact information for the designated responsible party;

(C) The number of bedrooms, approximate total square footage in the short-term rental, and the maximum number of overnight occupants;

(D) Acknowledgment that the owner, agent, and designated responsible party have read all regulations pertaining to the operation of a short-term rental and that the rental unit(s) will display all required notices;

(E) A copy of all notices that will be displayed on the premises;

(F) An illustration of what the sign will look like and where it will be located on the property, if signage is proposed,

(ii) All fees, fines and taxes owed to the City of Grand Junction at the time of the application must be fully paid before a license will be issued.

(iii) All renewal applications shall include the following:

(A) Copies of any safety or health inspections performed within the last year;

(B) Copy of a "Call for Service Report" available from the City of Grand Junction Police Department.

(7) Revocation, suspension, non-renewal and appeal.

(i) A short-term rental permit may be suspended, revoked or not renewed by the Director for any of the following reasons:

(A) The owner or designated responsible party has failed to comply with a requirement of this Section 21.04.030(v).

(B) The owner or designated responsible party has failed to comply with a condition of the short-term rental permit.

(C) The owner has failed to collect or remit lodging taxes as required by this Code.

(D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) Unauthorized use of the premises has occurred.

(F) The City has received excessive complaints by neighbors or affected persons that have not been adequately and timely addressed by the owner or designated responsible party.

(G) The owner or designated responsible party has been convicted within the previous 12-month period of a violation of the Zoning and Development Code relating to the property.

(H) A nuisance is present on the property or been found to be present on the property since the permit was granted, such as unnecessary noise, accumulation of trash, weeds or junk, or a nuisance has been abated on the property within the previous 24-month period.

(ii) Any aggrieved person may appeal the issuance, denial, suspension, revocation or non-renewal of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

.....  
**The table in Section 21.04.010 (Use Table) is amended to add a row for the principle use of “Short-Term Rentals”, allowed in all zone districts where residential uses are allowed and referencing the use-specific standards of Section 21.04.020(v), as shown in the table excerpt below (additions underlined):**

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted																									
USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX-	Std.	
<b>COMMERCIAL</b>																									
Lodging – hotels, motels and similar establishments	Hotels and Motels														A	A	A		A	A	A				
	Bed and Breakfast (1 – 3 Guest Rooms)	A	A	A	A	A	A	A	A	A	A	A	A	A					A	A					<a href="#">21.04.030(h)</a>
	Bed and Breakfast (4 – 5 Guest Rooms)	C	C	C	C	C	C	C	A	A	A	A	A	A					A	A					See GJMC <a href="#">21.03.090</a> <a href="#">21.04.030(h)</a>
	<b>Short-Term Rental</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>				<b>A</b>	<b>A</b>				<b>21.04.030(v)</b>	

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

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

ATTEST:

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

\_\_\_\_\_  
 Mayor



## **Attach 4**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** November 12, 2014  
**PRESENTER:** Lori V. Bowers

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**AGENDA TOPIC:** Zoning Code Amendment (ZCA-2014-355)

**ACTION REQUESTED:** Forward a recommendation to City Council to amend the Grand Junction Municipal Code, Section 21.06.080(c)(7) Outdoor lighting.

**RECOMMENDATION:** Forward a recommendation of approval of the proposed amendments to City Council.

### **BACKGROUND:**

In September 2013, City Market requested a variance from the City of Grand Junction's outdoor lighting standards for a fueling station. That variance request was denied by the Planning Commission. The Planning Commission recommended that Staff compare other lighting ordinances in other communities and compare existing lighting within the City and come back with some options for consideration for an amended lighting ordinance.

Staff began comparing other communities' outdoor lighting ordinances. Over 23 Colorado communities were reviewed as well as the national Model Lighting Ordinance prepared by the IESNA (Illuminating Engineering Society of North America) and the IDS (International Dark Sky Society). Some ordinances appear to be extremely cumbersome and some communities do not regulate lighting at all. It was determined that by changing the allowed under canopy footcandles to a maximum of 30 footcandles, would bring the Code in line with or similar to several other communities that regulate footcandles under canopies.

The Board of Western Colorado Astronomy Club prepared a statement regarding the lighting Code and service stations. Dated September 7, 2014 they are in support of an amendment to the lighting ordinance. A copy of their position and cover email are attached to this report.

A lighting engineer was contacted during the research of this Code amendment. They suggested that a light loss factor of 1.0 be added to language.

### **CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

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

**Goal 1:** To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Amending the lighting ordinance will bring consistency and conformity in the lighting of existing service station canopies and possible future canopies.

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

A consistent lighting ordinance will enhance the visual appeal across the community by providing safe and efficient lighting for all service stations emphasizing non-glare of canopies for adequate nighttime vision. Placing a maximum of 30 footcandles will retain consistency among fueling stations.

**Section 21.02.140(c)(3) of the Grand Junction Municipal Code:**

The proposed Ordinance will bring existing service station canopies into conformance that were made non-conforming by the 2010 Code.

The Ordinance will allow for future service station canopies to be well lit and safe for fueling according to the IESNA (Illuminating Engineering Society of North America). IESNA recommends an average luminance of twenty (20) to thirty (30) footcandle under a canopy.

**FINDINGS OF FACT/CONCLUSIONS:**

After reviewing ZCA-2014-355, amending Section 21.06.080(c)(7) Outdoor lighting, the following findings of fact and conclusions have been determined:

1. The requested Code amendment is consistent with goals one and eight, and the policies of the Comprehensive Plan.
2. The review criterion in Section 21.02.140(c)(3) of the Grand Junction Municipal Code have been met.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission forward a recommendation of approval of the requested amendment to the outdoor lighting ordinance, File number ZCA-2014-355, to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on Code amendment ZCA-2014-355, I move that the Planning Commission forward a recommendation of approval for the amendment to the outdoor lighting ordinance, Section 21.06.080(c)(7) with the findings of fact, conclusions, and conditions listed in the staff report.

**Attachments:**

Cover email from Western Colorado Astronomy Club  
Position statement from Western Colorado Astronomy Club  
Proposed Ordinance

**From:** Greg Moberg  
**To:** Lori Bowers; Tim Moore  
**Date:** 9/9/2014 2:20 PM  
**Subject:** Re: Grand Junction City Lighting Code and Fueling Stations  
**Attachments:** GJ\_City\_Lighting\_Code-Service\_Stations.pdf

FYI

>>> <info@wcacastronomy.org> 9/9/2014 2:06 PM >>>

Dear Sir or Madame:

Please review the attached PDF letter file in response to a recent newspaper article concerning the allowed illumination levels on pumps at service stations. We support the idea, already suggested informally by planning commissioners and others, to update the Grand Junction lighting code to bring it into line with recent recommendations of the IES. Our position is that any brightness increase in the IES Model Lighting Ordinance over the current local standard is not a problem as long as other requirements for fixture and canopy design are met. Future work on the lighting code should also consider the issue of excessively bright LED display boards that seem to be proliferating in and around the city and creating a nighttime nuisance for drivers.

Sincerely,

J. Douglas Grodt  
President

Western Colorado Astronomy Club

# The Grand Junction Lighting Code and Service Stations

Comments by Members of the Board of the Western Colorado Astronomy Club  
September 7, 2014

## Executive Summary

Concerning the allowed illumination levels on pumps at service stations, we support the idea, already suggested informally by planning commissioners and others[1], to update the Grand Junction lighting code to bring it into line with recent recommendations of the IES (a.k.a. IESNA)[2]. Any brightness increase in the IES Model Lighting Ordinance[3] over the current local standard is not problematic as long as other requirements for fixture and canopy design are met, so that light is concentrated on the pumping operations and light trespass and glare into the eyes of passersby are minimized.

Future work on the lighting code should also consider the problem of excessively bright LED display boards. These can produce more glare and light trespass than the light on the pumps.

## Background

During a Grand Junction Planning Commission meeting on September 10, 2013[1], a variance request concerning the illumination of fuel pumps at a proposed City Market service station was rejected. The City's limitation on fuel pump illumination is apparently twice as strict as the national "dark-sky" recommendation[3]. City Market wanted to follow the national recommendation. The origin and basis of the City's more severe restriction is not entirely clear and it predates the national recommendation. The Planning Commission meeting ended with agreement by all or nearly all present that 1) having a local standard twice as strict as the national dark-sky recommendation makes little sense, 2) granting variances was not the proper way to fix this, and 3) the proper long-term solution would be to update the local code to be in line with the national recommendation.

We agree with these three points. "Nuisance lighting" is usually caused by bad fixture choice and canopy design rather than excessive wattage. As long as the mechanical design of the fixtures and canopy meet requirements for minimizing light trespass and glare into the eyes of passersby, most of the neighbor-friendliness and dark-sky issues are solved. We believe that the City's current limit is at the bottom end of a broader acceptable range and, if the limits prescribed in the IES Model Lighting Ordinance are somewhat brighter than the City's current limit, we have no problem with this.

As the local astronomy club for Mesa County, members of the Western Colorado Astronomy Club[4] are obviously interested in preserving the beautiful natural resource of the night sky. We also recognize the need for adequate lighting of public areas consistent with safety and their general use. Since 1989 we have worked to educate the public and advocate for better lighting techniques, which provide the necessary nighttime illumination and avoid unwanted light trespass and glare[5]. We call our approach Neighbor-Friendly Lighting[6], a term that better states the goals, and one that emphasizes this is a win-win for everyone—not just astronomers.

We are pleased that the City Market plan called for neighbor-friendly fixtures and design. However, service stations everywhere are notorious for trying to outshine one another to attract customers—like moths to flames—and this issue appeared prominently in the planning meeting minutes. These "brightness wars" are not only a form of urban blight; they create safety problems for passing motorists caught in the crossfire. Nighttime drivers need to preserve their night vision at all times in order to see pedestrians and road hazards; and their dark adaptation will be reduced in proportion to the amount of

"moth-attracting" light that strays into their eyes. Modern lighting codes stop the arms race in these brightness wars.

An issue lurking in the background is that of LED display boards. Since these are specifically aimed at readers who are off-premises, any and all excess light they produce will contribute directly to glare and light trespass. Since daylight is orders of magnitude brighter than the city at night, any such sign that is readable during the day but not dimmed at night will be orders of magnitude brighter than necessary at night. Drivers who are distracted by such signs and look at them will have their night vision burned out. Their vision of the road ahead will be impaired while looking at the sign (especially if they are watching a sign with an extended animation); and after looking back at the road, their night vision will take some time to recover.

## **Our Recommendations**

1. Update the Grand Junction lighting code to follow the illumination engineering recommendations in the IES Model Lighting Ordinance[3].
2. The city should call "truces" in "brightness wars." Variances should not be granted for the purpose of enabling and escalating these wars, which are a public nuisance and create safety problems that are not always understood.
3. LED display boards that are brighter than necessary for readability or that distract drivers with long animations create unsafe conditions; and the lighting code should address this issue (e.g., mandate that the nighttime display brightness be some reasonable fraction (TBD) of the daytime level).

For further information, the Western Colorado Astronomy Club can be contacted through its website[4].

## **Footnotes**

[1] Grand Junction Planning Commission, September 10, 2013 Minutes:  
[http://gcity.granicus.com/MinutesViewer.php?view\\_id=3&clip\\_id=836](http://gcity.granicus.com/MinutesViewer.php?view_id=3&clip_id=836)

[2] Illuminating Engineering Society (IES) a.k.a. Illuminating Engineering Society of North America (IESNA): <http://ies.org>

[3] Model Lighting Ordinance (MLO), June 15, 2011: <http://www.ies.org/redirect/MLO/MLO.html>

[4] Western Colorado Astronomy Club: <http://wcacastronomy.org>

[5] "Light trespass" is stray, waste light that, instead of shining on the subject, shines off the premises into other areas where it may impair the vision of passersby ("glare"), interfere with people sleeping, etc.

[6] Principles of Neighbor-Friendly Lighting: <http://neighborfriendlylighting.com>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING SECTION 21.06.080(C)(7)  
OUTDOOR LIGHTING**

Recitals:

In September 2013, City Market requested a variance from the City of Grand Junction's outdoor lighting standards for a fueling station. That variance request was denied by the Planning Commission. The Commission recommended that Staff compare other lighting ordinances in other communities and compare existing lighting within the City and come back with some options for consideration for an amended lighting ordinance. Over twenty-three lighting ordinances within Colorado were reviewed for comparison. These comparisons resulted in the proposed changes to the footcandles in the Code.

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 Section 21.06.080(c)(7) Outdoor Lighting for the following reasons:

The amendment will allow adequate lighting for current and future lighting needs for service station canopies. It will bring non-conforming stations into compliance.

The amendment meets goals number one and eight of the Comprehensive Plan, and the Comprehensive Plan's policies.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the amendment to the lighting ordinance, Section 21.06.080(c)(7) be revised.

The Planning Commission and City Council find that the amendment 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 Section 21.06.080(c)(7) be amended to:

- (7) Canopy lights, such as service station lighting, shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent properties. Canopy lighting shall ~~not exceed an average of 10 footcandles and have~~ a maximum of 15 30 footcandles, with a light loss factor of 1.0. Light Loss Factor (LLF) is a correction factor used to account for the

difference between laboratory test results and real world degradation of the lighting system aging over time resulting in reduced lumen output.

Introduced on first reading this . day of , 2014 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

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

\_\_\_\_\_  
Mayor



**Attach 5**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** November 12, 2014  
**PRESENTER:** Scott D. Peterson

**AGENDA TOPIC:** City Market - CUP-2014-134

**ACTION REQUESTED:** Approval of a Conditional Use Permit (CUP)/Sign Package and Request for Variance to Section 21.03.070 (b) (2) (ii) (store hours of operation) and (iv) (outside display of merchandise) of the Grand Junction Zoning and Development Code.

BACKGROUND INFORMATION					
<b>Location:</b>		SE corner of the intersection of N. 12 <sup>th</sup> Street and Patterson Road			
<b>Applicants:</b>		City Market, Applicant Galloway Planning, Architecture and Engineering, Representative			
<b>Existing Land Use:</b>		Vacant land			
<b>Proposed Land Use:</b>		City Market grocery store, fuel islands and retail/office building(s)			
<b>Surrounding Land Use:</b>	<b>North</b>	Bookcliff Baptist Church, counseling center and insurance office			
	<b>South</b>	Single-family detached and attached residential			
	<b>East</b>	Single-family detached and Multi-family residential (Patterson Gardens)			
	<b>West</b>	Village Fair Shopping Center			
<b>Existing Zoning:</b>		B-1 (Neighborhood Business)			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential – 8 du/ac) and R-O (Residential Office)			
	<b>South</b>	R-8 (Residential – 8 du/ac) and PD (Planned Development)			
	<b>East</b>	R-8 (Residential – 8 du/ac)			
	<b>West</b>	B-1 (Neighborhood Business)			
<b>Future Land Use Designation:</b>		Business Park Mixed Use			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** Consider a request for a Conditional Use Permit (CUP) to construct a building in excess of 15,000 sq. ft. (59,258 +/- sq. ft.) in a B-1 (Neighborhood Business) zone district for a proposed City Market grocery store located on 7.99 +/- acres. The applicant is also requesting approval of a series of Site Plan deviations from the

Zoning and Development Code as part of the CUP and also two separate Variance requests.

**STAFF RECOMMENDATION:** Approval of the Conditional Use Permit, sign package, some deviations to the Site Plan and approval of one of two Variance requests.

**ANALYSIS:**

**Background:**

The applicant, City Market, wishes to construct a 59,258 +/- sq. ft. City Market grocery store with a drive-through pharmacy, along with a fuel center and one multiple tenant retail/office building 7,100 +/- sq. ft. in size on a total of 7.99 +/- acres. In the future, one commercial pad site will also be available for private development once a new subdivision plat is finalized and recorded. A Conditional Use Permit is required for a retail building that is in excess of 15,000 sq. ft. in the B-1 (Neighborhood Business) zone district in accordance with Section 21.03.070 (b) of the Zoning and Development Code.

Conditional Uses are not uses by right, it is one that is otherwise prohibited within a given zone district without approval of a Conditional Use Permit. A Conditional Use Permit, once the use is established, runs with the land and remains valid until the property changes use or the use is abandoned and/or non-operational for a period of twelve (12) consecutive months. Failure to develop or establish such use accordingly is sufficient grounds to revoke the permit.

Access to the property will be from Patterson Road ("3/4 movement" – right-in, right-out, left-in), N. 12<sup>th</sup> Street (right-in, right-out) and Wellington Avenue (full movement). Medians will be constructed as part of the project within Patterson Road and N. 12<sup>th</sup> Street to help direct traffic per these movements (see attached Site Plan). Wellington Avenue will be upgraded with improvements that include curb/gutter/sidewalk and asphalt widening on the northside of Wellington adjacent to City Market property. Additional right-of-way will be dedicated and detached sidewalks constructed along N. 12<sup>th</sup> Street and Patterson Road adjacent to the applicant's property. Additionally, a northbound right turn lane will be constructed at N. 12<sup>th</sup> Street and Patterson Road. These street, site, and median improvements will be paid for and constructed by the applicant as part of their development. Complete reconstruction of the N. 12<sup>th</sup> Street and Patterson Road intersection will be required at some point in the future when traffic conditions warrant. Additional real estate will need to be acquired by the City for additional right-of-way on the other three sides of the intersection. Upgrades to the intersection may include double left-turn lanes on all four legs. As part of the Site Plan Review application, the City is requesting additional right-of-way to be dedicated at the NW corner of the property as a condition of approval of the Conditional Use Permit which does not show on the proposed Site Plan within this Staff Report.

As part of this application, the applicant is requesting two variances. The first variance requested is to modify the required store hours in the B-1 zone district from 5AM to 11PM

to be 24 hours a day. The second variance requested is to provide outside display areas for the City Market store, fueling kiosk and Retail A Building. Outdoor permanent display areas are prohibited within the B-1 zone district. See variance review criteria found elsewhere within this Staff Report.

**Request for grocery store to be open 24 Hours a day:**

City Market is requesting a variance from the B-1 (Neighborhood Business) zone district requirement that store and delivery hours to be from 5AM to 11PM (Section 21.03.070 (b) (2) (ii) of the Zoning and Development Code). City Market would like to request an allowance that enables the store to be open for business 24 hours a day. However, City Market is willing to limit delivery hours to between 7AM and 10PM as the Code dictates. City Market believes that 24 hour business operation will be beneficial to the community and surrounding neighborhoods and, with the limitation on delivery hours, feels that there will not be a noise encumbrance to the adjacent homes.

City Project Manager is supportive of the request to have store deliveries to be between the hours of 7AM to 10PM which is keeping the B-1 zone district. City Market is moving more stores to be 24 hours a day (including the 24 Road and Rood Avenue stores) to be more competitive in the market (ex: Wal-Mart is open 24 hours). Other stores in the area (Albertson's on N. 12<sup>th</sup> Street and Safeway on Horizon Drive) are open from 5AM to Midnight. City Staff understands the applicant's request since the parking lot will still be lighted at night for security purposes and employees will be in the store stocking shelves etc., whether the store is open or not, so a 24 hour store might be a convenience and choice to some area residents that have different work shifts than a normal 8AM to 5PM job and cannot get to a grocery store during normal business hours. Also, a 24 hour grocery store could also benefit and serve the nearby university campus student population. This was not discussed as part of the Neighborhood Meeting held in March, 2014, so City Staff does not know how the adjacent residential neighborhood feels regarding this issue.

**Outdoor storage and permanent display sales areas prohibited within the B-1 (Neighborhood Business) zone district:**

City Market is requesting a second variance to allow for permanent outside display areas along the front of the City Market store (Section 21.03.070 (b) (2) (iv) of the Zoning and Development Code). City Market is requesting this for the Retail A building as well. An 8 foot wide walkway will be provided to allow an adequate pedestrian travel path by the sales areas. Lastly, City Market requests to have outdoor displays in various locations outside of the fuel kiosk as shown on the site plan to display automotive essentials and other sales items.

City Project Manager is supportive of the applicant's request to provide outdoor display areas adjacent to the proposed grocery store, Retail Building A and the fueling islands since many area grocery stores provide seasonal retail sales of pumpkins, Christmas trees, plants/flowers, Redbox movie rentals, vending machines, etc., for their customers

convenience. In some areas, more than an 8' wide sidewalk is being provided in accordance with the Big Box development standards of the Zoning and Development Code to still allow adequate pedestrian travel. Project Manager would like to condition approval of this deviation of the outside display areas be limited to be close to buildings as identified on the Site Plan and not located within the parking lot.

### **Sign Package:**

City Planning Technician calculated that the applicant is proposing 1,567.29 +/- sq. ft. in signage (967.29 sq. ft. for building signage and 600 sq. ft. for free-standing signage) in accordance with Section 21.06.070 (g) (3) (iii) of the Zoning and Development Code for the City Market building, fueling kiosk and Retail A building (see attached Sign Plan). Two free-standing signs are proposed, one adjacent to N. 12<sup>th</sup> Street and one adjacent to Patterson Road. Proposed free-standing signs will have an overall height of 20' and be 300 sq. ft. in size. All proposed building and free-standing signage is within the required square footage and height requirements per the Zoning and Development Code. Separate signage for the proposed "Future Retail/Bank" parcel will be addressed upon future parcel development and will be required to meet all signage requirements.

### **Neighborhood Meeting:**

The applicant held a Neighborhood Meeting on March 13, 2014 with twenty-two citizens attending the meeting along with City Staff and representatives from City Market and the applicant's representative, Galloway. Majority of comments and concerns received at the meeting was the potential negative impacts of increased traffic and parking in the adjacent residential area along Wellington Avenue, delivery hours in the middle of the night and the overall impacts of commercial development within the area, specifically the location of fuel islands next to residential (see correspondence received from public). However, a majority in attendance indicated no dissatisfaction with the proposed development and Conditional Use Permit application.

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

The site is currently zoned B-1 (Neighborhood Business) with the Comprehensive Plan Future Land Use Map identifying this area as Business Park Mixed Use. The City Market Conditional Use Permit application meets the Comprehensive Plan by encouraging the creation of "centers" within the community that provide goods and services and also by encouraging the revitalization of existing commercial areas (in-fill development, property is vacant) among the following goals and policies from the Comprehensive Plan:

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

**Policy A.** To create large and small "centers" throughout the community that provide services and commercial areas.

**Policy B.** Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

**Goal 7:** New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.

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

**Policy F.** Encourage the revitalization of existing commercial and industrial areas.

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

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

**Policy B.** The City and County will provide appropriate commercial and industrial development opportunities.

### **Economic Development Plan:**

The purpose of the recently adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed Conditional Use Permit for City Market meets with the goal and intent of the Economic Development Plan by supporting an existing business/company within the community as it expands to another location to serve area residents and a growing population along with the opportunity to provide additional jobs.

### **Section 21.02.110 of the Grand Junction Zoning and Development Code:**

To obtain a Conditional Use Permit, the Applicant must demonstrate compliance with the following criteria:

*(1) Site Plan Review Standards. All applicable site plan review criteria in Section 21.02.070(g) of the Grand Junction Zoning and Development Code and conformance with the SSID (Submittal Standards for Improvements and Development), TEDS (Transportation Engineering Design Standards) and SWMM (Stormwater Management) Manuals.*

City Project Manager finds the request for a Conditional Use Permit to be in compliance with the Comprehensive Plan and the Zoning and Development Code per my review of the Site Plan application as this property is zoned B-1, (Neighborhood Business) with the exception of the applicant's requests for the

identified deviations and variance discussed below within this Staff Report. The application is in compliance with the SSID, SWMM and the TEDS Manuals with the approval of the requested deviations and exceptions.

Therefore, this criterion has not been met, unless the requested deviations and variance are addressed.

*(2) District Standards. The underlying zoning districts standards established in Chapter 21.03 Zoning and Development Code, except density when the application is pursuant to 21.08.020(c) [nonconformities];*

General Retail Sales, Indoor Operations, Display and Storage is an “Allowed” land use within the B-1 zone district. However, a retail building that is in excess of 15,000 sq. ft. in the B-1 zone district requires a Conditional Use Permit, therefore the underlying zone district’s standards established in Section 21.03.070 of the Zoning and Development Code are in compliance with the exception of the requested variances regarding store hours to be open 24 hours a day and outdoor display of merchandise as discussed elsewhere within this Staff Report.

Therefore, this criterion has not been met, unless the requested variances are addressed.

*(3) Specific Standards. The use-specific standards established in Chapter 21.04 GJMC;*

A retail building that is in excess of 15,000 sq. ft. is required to obtain a Conditional Use Permit in the B-1 zone district. All use-specific requirements for this request as stated in Chapter 21.04 of the Zoning and Development Code are in compliance with this application with the exception of the requested deviations regarding building setbacks of the proposed 8’ tall masonry wall and the development of 8’ wide sidewalks abutting public parking as found elsewhere within this Staff Report.

Therefore, this criterion has not been met, unless the requested deviations are addressed.

*(4) Availability of Complementary Uses. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.*

The property is located at the intersection of N. 12<sup>th</sup> Street and Patterson Road which has existing Grand Valley Transit bus stops, retail and restaurants, medical clinics and hospitals, Colorado Mesa University all nearby, along with neighborhood single and multi-family residential development that will all benefit from the proposed commercial development by providing additional grocery,

pharmacy, fueling islands and retail/office space and shopping choices for the area and surrounding neighborhoods.

This criterion has been met.

*(5) Compatibility with Adjoining Properties. Compatibility with and protection of neighboring properties through measures such as:*

*(i) Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;*

The adjacent properties to the east and south are zoned residential which requires increased screening and buffering between the B-1 and R-8 (Residential – 8 du/ac) zoning districts. The minimum screening and buffering requirement shall be the construction of a 6' tall fence. However, where streets separate different zoning districts, the Planning Director may approve increased landscaping rather than requiring the fence. The applicant is proposing a landscaping strip adjacent to Wellington Avenue ranging in width from 35' to 45'. Minimum requirement of the landscaping strip would be 14'. Along the east property line, the applicant is proposing an 11' wide landscaping strip and the construction of an 8' tall masonry wall in-lieu of the 6' tall fence. See requested deviation to the required side-yard setback for the 8' tall masonry wall found elsewhere within this Staff Report.

Therefore, this criterion has been met.

*(ii) Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;*

The proposed development will meet and exceed all off-street parking and landscaping requirements of the Zoning and Development Code for the B-1 zone district, with the exception that the applicant is requesting a deviation to the landscaping islands required at the end of every row of parking spaces, regardless of length or number of spaces, nearest to the entrance to City Market. City Project Manager is recommended denial of this requested deviation. See formal request found elsewhere within this Staff Report.

Therefore, this criterion has not been met, unless the requested deviation is addressed.

*(iii) Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development.*

*Elements to consider include; buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.*

The proposed development will not adversely impact the adjacent residential neighborhood. Because this property is adjacent to a high traffic intersection, is presently zoned B-1 (Neighborhood Business), is in close proximity to existing commercial, educational, hospital and clinic facilities and within walking distance of existing residential development, makes this project a perfect neighborhood business commercial development location. The applicant is proposing to construct an 8' tall masonry wall along the east property line to help screen and buffer the commercial development from the adjacent residential land uses. Also the applicant is providing extensive landscaping along the east and south property lines to also help screen the development.

Therefore, this criterion has been met.

#### **REQUESTED SITE PLAN DEVIATIONS:**

The applicant is requesting several deviations to the Zoning and Development Code as part of the Conditional Use Permit (CUP) review. The following is a list of those items with justification from the applicant and response by City Staff as to why or why not they should be adjusted in favor of the City Market development.

1. Required 25 foot drive aisles for 90 degree parking stalls, 9' wide (Section 21.06.090 (b) (1) of the Zoning and Development Code):

City Market is requesting that the drive aisle width requirement adjacent to the east side of the Retail A building be reduced by 1 foot in order to line up with the adjoining (to the north) drive aisle. Currently, the City standard dictates that the drive aisle must be 25 feet wide. City Market would like to install a 24 foot wide aisle. All other drive aisles adjacent to 90 degree parking are 30 feet in width.

**Response:** City Development Engineer has reviewed the request and found the request to be acceptable because it enhances the compatibility with and protection of neighborhood properties by allowing ample on-site parking and appropriate drainage and other necessary site features without significantly compromising public safety. A previous request for the City Market store on 24 Road had the same requested parking lot dimensions and was approved by the City when that store was built and have shown over time to be sufficient for the use.



2. Required 60 degree parking stall dimensions to be 9' wide x 21' in length (Section 21.06.090 (b) (1) of the Zoning and Development Code):

City Market is requesting that a deviation be issued to allow 60 degree parking stalls to be 9 feet wide by 19 feet in length as opposed to 9 feet wide by 21 feet in length. City Market believes that the 19 foot length is adequate to park vehicles and will not inhibit customers from parking in 60 degree stalls. 19 foot long stalls have been approved at other locations within City limits, and no access problems have been noted. These stall dimensions have been used successfully across the U.S. for many years.

**Response:** City Development Engineer has reviewed the request and found the request to be acceptable because it enhances the compatibility with and protection of neighborhood properties by allowing ample room for drainage and other necessary site features without significantly compromising public safety. A previous request for the City Market store on 24 Road had the same requested parking lot dimensions and was approved by the City when that store was built and have shown over time to be sufficient for the use. The applicant is proposing a 24' wide driving aisle which exceeds the required 16' wide driving aisle for a 9' x 21' 60 degree parking space.

3. Landscape islands required at the end of every row of parking spaces, regardless of length or number of spaces (Section 21.06.040 (c) (1) (iv) of the Zoning and Development Code):

City Market is requesting a deviation to eliminate landscape islands at the end of parking rows closest to the front of the store. City Market feels that these parking islands create safety hazards for customers, create an unsightly look as they tend to collect trash and debris, and they take heavy abuse from vehicular and foot traffic. Curbs ultimately get broken sooner, resulting in unsightly landscaping islands and added maintenance and disruption. In addition, landscaping does not perform well in these locations due to the amount of people crossing through the islands. Striped islands provide refuge for pedestrians as they cross the front drive lane without requiring that they walk down a drive aisle. These striped islands have been approved in multiple other jurisdictions for these same reasons.

**Response:** City Project Manager has reviewed the request and is recommending denial because the requested deviation does not enhance or further compatibility with or protection of adjoining properties. City Market is proposing six parking lot islands nearest to the building to not be landscaped (see attached Site Plan). The Zoning and Development Code requires landscaping islands in parking lots to help direct traffic, to shade cars, to reduce heat and glare and to help screen cars from adjacent properties. Every commercial property in recent memory that develops within the City has installed the required landscaping islands per Code, including City Market at 24 Road. Another purpose of the landscape islands is to provide beauty and landscaping interest to parking lots rather than having a sea of asphalt which is in keeping with Goal 8 of the

Comprehensive Plan to create attractive public spaces and enhance the visual appeal of the community through quality development.

4. 8' tall screen wall setback on property line (Section 21.04.040 (i) (1) (iii) of the Zoning and Development Code):

City Market is requesting a deviation for the proposed 8 foot tall screen wall along the east property line. The Zoning Code states that a 6 foot screen fence must be installed between commercial and residential zones. A 6 foot masonry wall/fence is allowed to be constructed on a property line, but anything over that height must be setback 5 feet from the property line. City Market feels that since the City and the residents of the adjacent neighborhood are requesting an 8 foot screen wall, that flexibility should be given to the setback requirement. In addition, if there were a setback, it would create an unmaintainable area that would potentially be an eyesore for the neighboring community. City Market proposes to install the screen wall with the easternmost edge of the wall on the property line (0 foot setback), thus allowing a larger and more maintainable landscaping area.

**Response:** The applicant is proposing an 11' wide landscaping strip and an 8' tall masonry wall in-lieu of the 6' tall fence requirement (see attached Elevation of wall). In accordance with the above mentioned section of the Zoning and Development Code, fences or masonry walls in excess of 6' shall be considered a structure and shall comply with all required setbacks and require a separate Planning Clearance and Building Permit instead of a Fence Permit. In this case, a 5' side yard setback is required for an accessory structure. City Project Manager is in support of the applicant's request for this setback deviation since the proposed 8' tall masonry wall along with the construction of the 11' wide landscaping strip will provide additional screening and buffering between the proposed City Market and the adjacent residential neighborhood thereby enhancing the compatibility with and protection of neighboring properties. At the Neighborhood Meeting held in March, 2014, residents of Patterson Gardens, the adjacent multi-family residential development requested a taller 10' masonry wall to be constructed.

5. Fuel canopy lighting shall not exceed an average of 10 footcandles and a maximum of 15 footcandles (Section 21.06.080 (c) (7) of the Zoning and Development Code).

City Code currently requires an average lighting level of 10 footcandles and a maximum lighting level of 15 footcandles under a fuel canopy. Staff has proposed a revision to the Code to allow canopy lighting up to a maximum of 30 footcandles. This code change has not yet been presented to the City Council. City Market requests a variance to allow a maximum of 30.0 footcandles under the fuel canopy.

**Response:** City Project Manager recommends denial of the requested lighting deviation at this time that exceed the current Code requirement of an average of 10

footcandles and a maximum of 15 footcandles because the requested deviation does not enhance compatibility with or protection of neighboring properties. Recent commercial development projects such as Love's and Pilot travel stops and a Maverik convenience store that have constructed or will construct fuel islands have met the current canopy lighting Code requirements with no apparent detriment to the customers or public. A requested Zoning Code Amendment to the lighting standards (City file #ZCA-2014-355) is anticipated to be reviewed in late 2014 by the Planning Commission and City Council. If the Code change is ultimately approved by the City Council, then the site plan review for the proposed City Market facility, if it is not completed by that time, can be undertaken with the new standard in mind.

6. Sidewalks no less than 8' wide shall be provided along the full length of the building façade featuring a customer entrance and along any façade abutting public parking (Section 21.04.030 (l) (3) (ii) of the Zoning and Development Code):

Applicant believes that there is no practical way to increase the interior on-site sidewalks in these areas without adversely impacting drive aisle widths, detention pond volume, setback requirements, site circulation, or landscaping area. The applicant believes that the 6' wide sidewalk width is appropriate due to site constraints and the fact that the sidewalk only services the adjacent parking spaces.

**Response:** Applicant is proposing a 6' wide sidewalk adjacent to public parking for the east side of Retail Building A and the City Market building along the south side. Under the Big Box development standards, sidewalks that abut public parking shall be a minimum of 8' wide. City Project Manager is supportive of the request to provide the 6' wide sidewalk in these areas since no public entrance or outside display of merchandise is proposed for these areas. A 6' wide sidewalk should be more than adequate to serve pedestrians walking to and from their vehicles in these two areas of the development and therefore, not impact driving aisle circulation, landscaping and detention pond volumes. Therefore the requested deviation can be seen as enhancing compatibility with adjoining properties by allowing sufficient space for other required site features such as adequate parking and drainage facilities without compromising public safety. For reference, a standard residential City sidewalk is 5' in width.

**Variance Requests: Section 21.02.200 of the Grand Junction Zoning and Development Code:**

**Staff's analysis of the variance criteria:**

City Project Manager states that there are no exceptional conditions creating an undue hardship, the applicant simply wants to operate a grocery store for 24 hours a day and be allowed to provide outdoor display areas within their development. The applicant would be conferred a special privilege to operate a 24 hour store in a zone district that does not allow it because other B-1 businesses do not enjoy this privilege. Also there are ample reasonable uses that can be made of the property, including the applicant's proposed use as a grocery store, within the hours allowed in the zone district. A literal interpretation of

the Code does not deprive the applicant of rights enjoyed in similar zone districts; other “neighborhood businesses” do not operate 24 hours a day. Many grocery stores in the community do not operate 24 hours a day even if they are in a zone district which allows it (some examples of grocery store hours are: Albertson’s 1830 North 12<sup>th</sup> Street, hours 5 am – midnight; Albertsons 2512 Broadway, hours 6 am – 10 pm; Safeway 681 Horizon Drive, hours 5 am – midnight; Safeway 2901 F Rd, hours 5 am – midnight; Safeway 2148 Broadway, 6 am – 10 pm). The variance request also cannot be characterized as the minimum necessary (such as 5 am to midnight); it is the maximum conceivable (24 hours a day). The variance requested also does not conform to the purposes of the zoning code in the sense that the purpose of the B-1 zone is to provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses. The applicant’s proposal is a big box store, in a large area, not limited and not designed in scale with surrounding residential uses. The applicant could request a rezone to a zone that allows 24 hour operation.

City Market represents that it is moving towards opening more stores to be 24 hours a day in order to compete with other retailers who are also open 24 hours a day and believes that a 24 hour business operation will be beneficial to the community and surrounding neighborhoods and with the limitation on delivery hours, feels that there will not be a noise encumbrance to the neighborhood. City Market is willing to limit delivery hours to between 7AM and 10PM as the Zoning Code dictates.

City staff considers the request to provide outside display of merchandise as ancillary to the permitted use of the grocery and retail stores especially given that outside display of merchandise will occur within the near vicinity of the front door and will not extend out into the parking lot or the more public areas of the site. It is considered a reasonable ancillary use to a grocery store that some outdoor areas near the store’s entrance(s) will be used to attract patrons with special seasonal or holiday merchandise and therefore this variance request would be the minimum necessary to make possible the reasonable use of the land. The Comprehensive Plan encourages the creation of “centers” that provide goods and services and it is reasonable to allow businesses to provide outside display areas of merchandise. Therefore, City Project Manager supports the request of the applicant to provide outside display areas for merchandise as identified on the Site Plan but does not support the hours of operation of the grocery store to be 24 hours a day.

Applicant’s analysis of the variance criteria:

**Project Description**

*The applicant, City Market, is proposing to develop the vacant parcel located on the southeast corner of North 12<sup>th</sup> Street and Patterson Road. The site is zoned B-1. The proposed development will consist of an approximate 59,000 square foot grocery store located at the eastern portion of the site, a nine multiple product dispenser fueling facility located just to the north of the proposed store, a 7,100 square foot inline retail building at the southwest corner of the site, and a future pad site at the northwest corner of the development.*

*The proposed City Market store is intended to operate 24 hours a day and incorporate permanent outdoor displays in order to provide the maximum amount of convenience for the customers of Grand Junction. The applicant is requesting variances from sections 21.03.070 (b) (2) (ii) and (iv) of the zoning and development code which prohibit permanent outdoor displays and restrict operating hours to between 5am and 11pm.*

**Requested 24-Hour Use and Outside Display Variance**

- a. *Hardship Unique to Property, Not Self-Inflicted. There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within similar zone districts, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;*

*Applicant's Response:*

*24-Hour Use: The proposed site is bound by public streets on the north, west and south sides of the subject property. Both 12<sup>th</sup> Street and Patterson Road are highly traveled streets by potential customers that will be able to enjoy the convenience provided by the City Market grocery store. The subject site is located closely nearby and less than a half mile east of St. Mary's Hospital and Medical Center Campus. Doctors, nurses, hospital staff, patients and families at a hospital generally operate on abnormal and/or unpredictable schedules. The proposed City Market store would provide 24-hour convenience to the employees of the hospital, and for patients and families needing critical non-prescription or over the counter medicines.*

*Outdoor Displays: Allowing permanent outdoor displays adds to the convenience of the site and the overall selection appeal for customers.*

*Outdoor sales areas allow customers the convenience to purchase propane and other items that are not able to be stored or sold inside the store. The outdoor sales areas near the fuel kiosk allow for the sale of automobile related items without requiring customers to enter the store for purchase.*

- b. *Special Privilege. The exception shall not confer on the applicant any special privilege that is denied to other lands or structures within similar zone districts;*

*Applicant's Response:*

*24-Hour Use: 24-hour operation is allowed in many other similar zone districts (B-2, C-1, C-2) and therefore, the allowance of 24-hour use would not confer any special privilege that is denied to other lands in similar nearby districts.*

*Outdoor Displays: Permanent outdoor displays are typical to retail stores, and therefore, this exception would not confer special privilege to other uses besides retail stores in similar zone districts.*

- c. *Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other*

*properties in similar zoning districts and would work unnecessary and undue hardship on the applicant;*

*Applicant's Response:*

*24-Hour Use: City Market strives to provide their customers and the community with the best shopping experience possible. The requested 24-hour operation is a way that City Market is able to meet the growing needs of a larger segment of the community. Not all customers are able or willing to do their shopping inside of the City's restricted operating hours. Easy access to a grocery store is a necessity for most families, and 24-hour access allows customers to choose the most convenient shopping time to meet their needs and schedules. The literal interpretation of the provisions would not only deprive City Market the rights commonly enjoyed by other retail stores in similar zoning districts, but it would deprive the customers easy access to groceries at the time most convenient to their schedule.*

*Outdoor Displays: Portable outdoor displays are allowed, but permanent displays are not. Functionally, portable displays can act in the same manner as a permanent display, with the only difference being the ability to move the displays with wheels or rolling casters. The literal interpretation of the provisions creates an undue and unnecessary hardship which requires the applicant to comply with the subjective "portable" requirement of the code.*

- d. Reasonable use. The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance.*

*Applicant's Response:*

*24-Hour Use: A City Market grocery store is a reasonable use of the proposed site, however it is unreasonable to restrict the hours of operation at the proposed location since it will reduce the convenience and ease of use for the customers. This reduction in convenience and ease of use is in direct conflict with the many benefits of the proposed development.*

*Outdoor Displays: A reasonable use for retail stores is the sale of propane and other outdoor display items. It is unreasonable to limit the sales of items that must be displayed outdoors as long as the the outdoor sales areas do not restrict pedestrian access or otherwise reduce the safety and usability of the site.*

- e. Minimum necessary. The variance is the minimum necessary to make possible the reasonable use of land or structures.*

*Applicant's Response:*

*24-Hour Use: Given the site location and City Market's desire to provide the maximum amount of convenience for their customers of Grand Junction, 24-hour use is the minimum variance required.*

*Outdoor Displays: City Market proposes to supply the minimum number of displays necessary to adequately serve our customers.*

- f. *Conformance with the Purposes of the Zoning and Development Code. The granting of an exception shall not conflict with the purposes and intents expressed or implied in the Zoning and Development Code.*

*Applicant's Response:*

*24-Hour Use and Outdoor Displays: The purpose of the B-1 zoning district is "To provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses." The allowance of 24 hour use and outdoor displays does not conflict with the purpose of the B-1 district purpose.*

- g. *Conformance with Comprehensive Plan. The granting of an exception shall not conflict with the goals and principles in the City's Comprehensive Plan.*

*Applicant's Response:*

*24-Hour Use and Outdoor Displays: According to the City of Grand Junction Comprehensive Plan, Goal 3 states that "The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community." The proposed City Market store integrates into the area and creates a very good transition from the intersection of two arterial streets to areas of residential development. The center will spread future growth throughout the area by allowing residential neighborhoods to flourish with a convenience of a new 24-hour retail store in their neighborhood.*

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

After reviewing the City Market application, CUP-2014-134 for a Conditional Use Permit, I make the following findings of fact, conclusions and conditions:

5. The review criteria for a variance in Section 21.02.200 (c) (1) of the Zoning and Development Code have been met for one of two requests.
6. The review criteria in Section 21.02.110 of the Grand Junction Zoning and Development Code have all been met for a Conditional Use Permit for a building in excess of 15,000 sq. ft. within the B-1 (Neighborhood Business) zone district, with the exception of site deviation requests, which require that the Planning Commission review and address the requested Site Plan deviations in terms of how they impact the conditional use permit approval criteria (compatibility with and protection of neighboring properties) in order for the project to meet the review criteria.
7. As part of the Conditional Use Permit application, City staff also recommends that the Planning Commission approve the submitted Sign Package as

presented which meets with all the sign requirements as specified in Section 21.02.110 (d) of the Grand Junction Zoning and Development Code.

8. Approval of the Conditional Use Permit being conditioned upon the following:
  - a. Approval of the requested site plan deviations numbered 1, 2, 4, and 6 in the staff report because these enhance the compatibility with and protection of neighboring properties and make the conditional use more compatible with the neighborhood.
  - b. Denial of the requested site plan deviations numbered 3 and 5 in the staff report because these do not enhance compatibility with and protection of the neighborhood.
  - c. Approval and recording of a Simple Subdivision Plat to re-subdivide the existing 21 parcels into fewer parcels so that all buildings can meet applicable building setbacks, etc. (Applicant is proposing a four lot subdivision).
  - d. Approval and finalization of all outstanding items associated with the Site Plan Review, including any possible future TEDS exceptions, dedication of additional right-of-way at the NW corner of the property and the installation and construction of an additional median on N. 12<sup>th</sup> Street.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission approve the requested Conditional Use Permit, CUP-2014-134 with the findings, conclusions and conditions of approval listed above and with the site plan deviations numbered 1, 2, 4, and 6 in the staff report and denial of the requested Site Plan deviations numbered 3 and 5; approve the variance request for the display outside merchandise in areas identified on the Site Plan; and deny the variance request for 24 hour business operation.

**RECOMMENDED PLANNING COMMISSION MOTION:**

First Motion:

Madam Chairman, on the request for a variance to allow the applicant outside display areas for the City Market building, fueling kiosk and Retail A building as identified on the Site Plan on the condition that display areas be limited to be close to buildings, not located within the parking lot, I move that the Planning Commission approve the Variance request with the findings of fact, conclusions and conditions listed in the staff report.

Second Motion:

Madam Chairman, on the request for variance to allow the applicant to operate a store for 24 hours a day and allow deliveries between the hours of 7AM to 10PM. I move that the Planning Commission approve the Variance with the findings of fact, conclusions and conditions listed in the staff report.



Third Motion:

Madam Chairman, on the requested Site Plan deviations, I move that we recommend approval of deviation numbers 1, 2, 4, and 6 as identified within the Staff Report.

Third Motion:

Madam Chairman, on the request for a Conditional Use Permit for City Market to construct a building in excess of 15,000 sq. ft. in a B-1 zone district, City file number CUP-2014-134, to be located at the SE corner of N. 12<sup>th</sup> Street and Patterson Road, I move that the Planning Commission approve the Conditional Use Permit with the following site plan deviations with the findings of fact, conclusions and conditions listed in the staff report:

Deviation number 1: drive aisle width requirement adjacent to the east side of the Retail A building be reduced by 1 foot in order to line up with the adjoining (to the north) drive aisle;

Deviation number 2: allow 60 degree parking stalls to be 9 feet wide by 19 feet in length as opposed to 9 feet wide by 21 feet in length;

Deviation number 4: allow an 8' screen wall with the easternmost edge of the wall on the property line (0 foot setback);

Deviation number 6: allow 6' wide sidewalks along the length of the building façade and along any façades abutting public parking for the east side of Retail Building A and the south side of the City Market building;

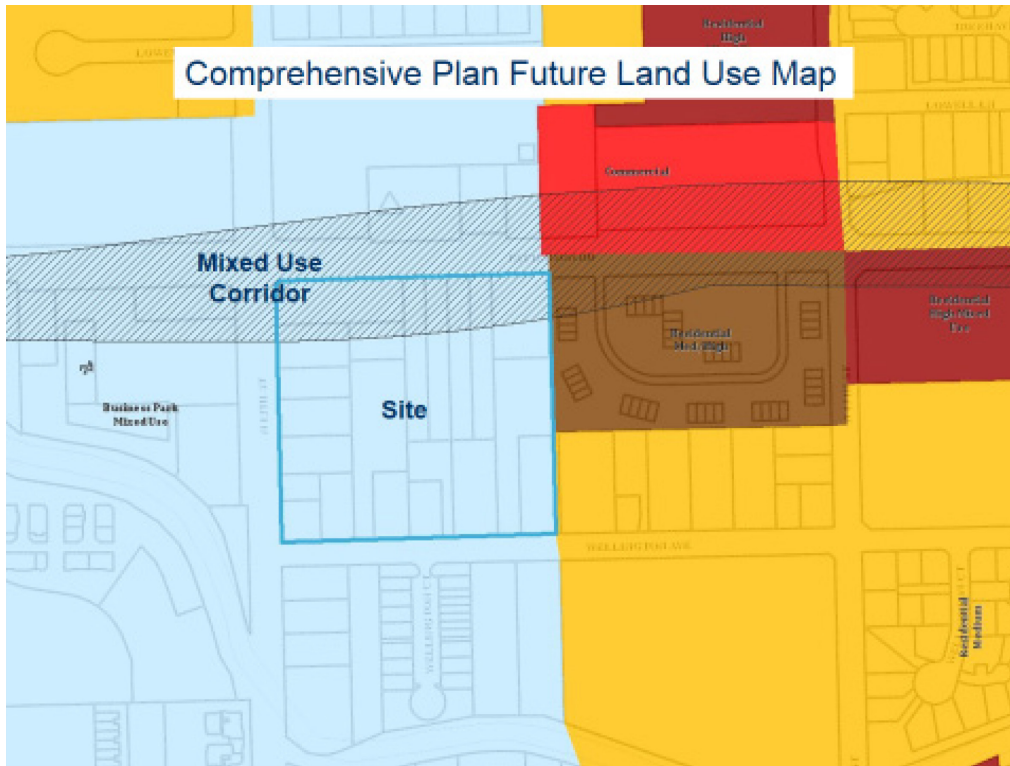
and denying the applicant's request for deviation number 3 (eliminate landscape islands at the end of parking rows closest to the front of the store) and deviation number 5 (increase canopy lighting to maximum of 30 footcandles) as identified within the Staff Report.

Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan Future Land Use Map / Existing Zoning Map  
Correspondence Received  
Site Plan  
Landscaping Plan  
Screen Wall Elevation (East property line location)  
Sign Package  
Building Elevations



# Comprehensive Plan Future Land Use Map



# Existing Zoning Map







Grand Junction Planning Comm.

250 N 5<sup>th</sup> St.

Grand Junction, CO 81501

April 13, 2014

Re: City Market Dev, Mail 12<sup>th</sup>

We here in Paterson Jordan strongly  
object to the location of the gas station  
being planned next to the residential  
units on the west side of our property.  
Please move it to another location.

A handwritten signature in blue ink, appearing to read "R.D. Enrich".

R.D. Enrich, Pres

Paterson Jordan HOA

222 Paterson Rd 902

Dear Kroger Co. & Dillon Companies, Inc.,

April 15, 2014

My name is Keith Williams, the V.P. of the Patterson Gardens Homeowners Association. We are located east and adjacent to the property for the proposed construction of the City Market, Store #444. I want to get you some concerns and comments. I apologize if you've heard this same story from Bob Emrich, our President, John Phillipe, one of our members, or others that may have contacted you without my knowledge.

Please know from the beginning, *we are for construction* of the City Market facility at the corner of 12<sup>th</sup> & Patterson. It's the layout of the "Site Improvement Plan" we have issues with. We have great concerns and many questions as four of our units are less than a street width from the construction and another four units a little further back; more accurately, *quality of life concerns*.

May I list them:

- The gas station location (northeast corner) – we believe this will bring too much noise, lights, after-hours of operation, fumes (not just from vehicles refueling, but tankers coming in to fill the underground tanks). The previous plan had the gas station at the corner of 12<sup>th</sup> & Patterson and we would like to see that remain in the plan. It just makes more sense.
- Even if the gas station is moved to the corner, the fence height will not be enough to reflect the noise and traffic from the receiving dock activity, "mechanical units (fans, compressors)"<sup>4</sup>, "trash compactor"<sup>5</sup>, "City Market generator"<sup>8</sup>, "transformer"<sup>9</sup>, etc. We would like to see a "ten" foot fence be constructed. There are other fences of this height that divide residences from retail shopping in the Grand Junction area.
- Raise the receiving dock "screen wall" high enough so that the semi-tractor noise can be muffled as the drivers sit there waiting to be received.
- Remove the "type 13 combination inlets"<sup>48</sup> from the east fence as we do not need the foot traffic coming through our easement, storage area and home property.
- Provide a turn lane into our west entrance as we will see a increase of traffic on Patterson.
- Reduce the speed limit back to 35 mph for this section of Patterson Road. It used to be this limit in the past and it would give drivers a better opportunity to exit the residence.

Again, please know we are *for* the construction but feel our *quality of life* will be greatly reduced with the current "Site Improvement Plan".

Thank you for your attention to our concerns. I've attached an "Development Agreement" that our President, Bob Emrich, has signed and had notarized for the attention of Amanda Meldrum, Galloway & Company, The Kroger Co., Law Department & Dillon Companies, Inc., Director of Real Estate. Please review, sign if in agreement, and return to Patterson Gardens Homeowners Association, 2721 Patterson Road #1005, Grand Junction, CO 81506.

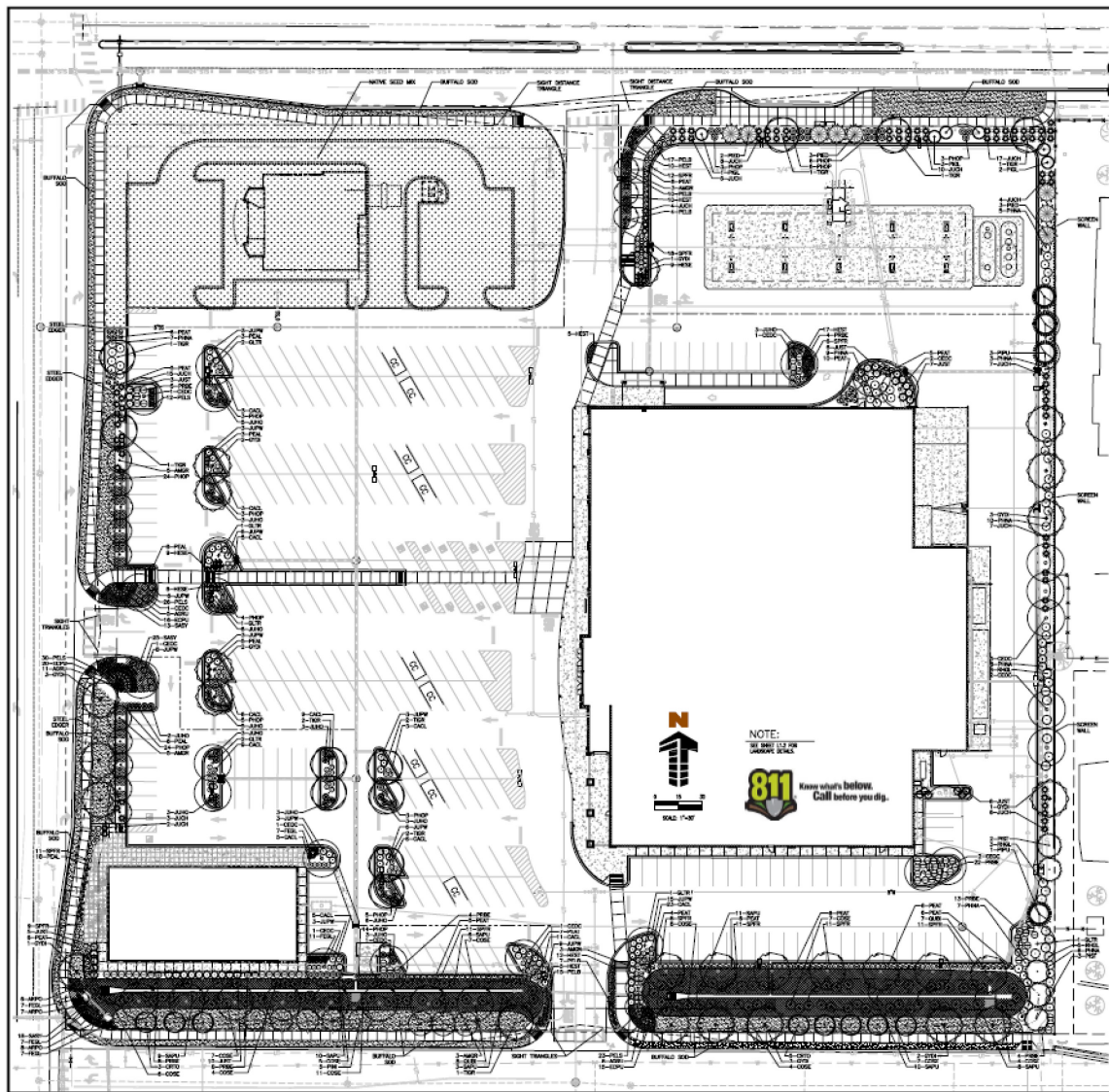
Thanks again for your time and attention.

Sincerely and respectfully submitted,

Keith Williams  
V.P. Patterson Gardens Board of Directors  
970-216-5387

cc:  
Patterson Gardens Board of Directors  
Sheila Bishop, PG Secretary





**PLANTING LEGEND**

SYMBOL	QUANTITY	SPERM NAME	COMMON NAME	SIZE	WATER REQ.	REMARKS
<b>ADORNMENT PLANTINGS - TREES</b>						
ULTR 8	8	ULMUS AMERICANUS	SHAMWATER LOCUST	1.5" CAL.	LOW	80'x30'
ULTR 12	12	PLA. OREGANA TRIMBOSCHII	SPRINGWATER LARCH	1.5" CAL.	MODERATE	40'x20'
ULTR 18	18	QUERCUS MOBILI	OHAWA WHITE OAK	1.5" CAL.	LOW	10'x24'
ULTR 18	18	SPHAGNUM DRUMMOYDI	SPRINGER SHADON SPICE TREE	1.5" CAL.	MODERATE	40'x20'
ULTR 17	17	ULMUS AMERICANUS	OHAWA LOCUST	1.5" CAL.	LOW	80'x30'
<b>ADORNMENT PLANTINGS - SHRUBS</b>						
ULTR 18	18	PRUNUS SPINOSA	WILLOW DOGWOOD	1.5" CAL.	MODERATE	30'x15'
ULTR 6	6	CONIFERUS & MORGENSTERN TOGA	FORM HORTONIAN	1.5" CAL.	MODERATE	10'x12'
<b>ADORNMENT PLANTINGS - PERENNIALS</b>						
PER 5	5	IRIS XIPHIODONTES	SOUPWORTHERN WHITE PINE	3" GALLON	LOW	30'x30'
PER 5	5	IRIS XIPHIODONTES	ASTORIAN PINE	3" GALLON	LOW	30'x30'
PER 5	5	IRIS XIPHIODONTES	RUSSIAN DOG	3" GALLON	LOW	30'x30'
PER 5	5	IRIS XIPHIODONTES	BLACK HILLS SPRUCE	3" GALLON	MODERATE	30'x30'
PER 4	4	IRIS XIPHIODONTES	COLORADO BLUE SPRUCE	3" GALLON	MODERATE	30'x30'
<b>ADORNMENT PLANTINGS - SHRUBS</b>						
SHR 88	88	CHRYSOIDEUM CLAVATUM	BLUE MIT SPINEA	5" GALLON	LOW	2'x2'
SHR 106	106	SPINOSA FRUTICOSA	FETCH SPINDLE	5" GALLON	MODERATE	2'x2'
SHR 70	70	IRIS XIPHIODONTES	IRIS XIPHIODONTES	5" GALLON	MODERATE	2'x2'
SHR 80	80	IRIS XIPHIODONTES	RUSSIAN DOG	5" GALLON	LOW	2'x2'
SHR 103	103	IRIS XIPHIODONTES	LITTLE SOIL NERISSIA	5" GALLON	MODERATE	2'x2'
SHR 53	53	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	2'x2'
SHR 48	48	IRIS XIPHIODONTES	HANDSOMER WHITE BIRD CHERRY	5" GALLON	MODERATE	1'x3'
SHR 18	18	IRIS XIPHIODONTES	ROCKY MOUNTAIN SUMAC	5" GALLON	MODERATE	2'x2'
SHR 37	37	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	MODERATE	2'x2'
<b>ADORNMENT PLANTINGS - SHRUBS</b>						
SHR 88	88	IRIS XIPHIODONTES	SEA GREEN JASMINE	5" GALLON	LOW	3'x3'
SHR 62	62	IRIS XIPHIODONTES	FRANCE OF WALES JASMINE	5" GALLON	MODERATE	1'x3'
SHR 36	36	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	MODERATE	2'x2'
SHR 48	48	IRIS XIPHIODONTES	ROCKY MOUNTAIN SUMAC	5" GALLON	MODERATE	2'x2'
<b>ADORNMENT PLANTINGS - PERENNIALS</b>						
PER 24	24	IRIS XIPHIODONTES	BLUE HYDRANGEA	5" GALLON	LOW	3'x3'
PER 40	40	IRIS XIPHIODONTES	FRANCE OF WALES JASMINE	5" GALLON	LOW	3'x3'
PER 36	36	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	1'x3'
PER 53	53	IRIS XIPHIODONTES	LITTLE SOIL NERISSIA	5" GALLON	LOW	1'x3'
<b>ADORNMENT PLANTINGS - PERENNIALS</b>						
PER 24	24	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	2'x2'
PER 21	21	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	1'x3'
PER 11	11	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	2'x2'
PER 30	30	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	2'x2'
PER 31	31	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	2'x2'
PER 56	56	IRIS XIPHIODONTES	ORIENTAL HYDRANGEA	5" GALLON	LOW	1'x3'
<b>SOIL, MULCH &amp; MULCH</b>						
SOIL	100	BUFFALO SAND SOIL	BUFFALO SAND	500	LOW	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
MULCH	100	MULCH	MULCH	100	MODERATE	---
<b>SITE DATA</b>						
TOTAL SITE AREA		TOTAL				
100,000 SQ. FT.		100,000 SQ. FT.				
TRENCHES		TRENCHES				
120		120				
SHRUBS		SHRUBS				
100		100				
PERENNIALS		PERENNIALS				
100		100				
TOTAL SHRUBS PROPOSED		TOTAL SHRUBS PROPOSED				
100		100				

**CITY MARKET**  
STORE #444  
SITE IMPROVEMENT PLANS  
12th & PATTERSON  
CITY OF GRAND JUNCTION, CO. 81502

**Galloway**  
PLANNING & ARCHITECTURE  
300 WEST 11TH AVENUE  
GRAND JUNCTION, CO. 81502

**CITY MARKET**  
12th & PATTERSON  
CITY OF GRAND JUNCTION, CO. 81502

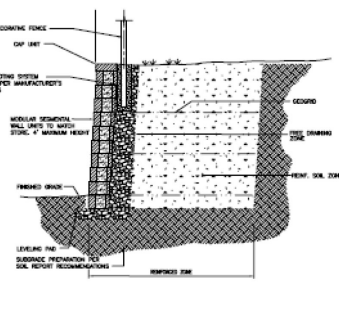
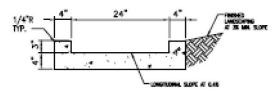
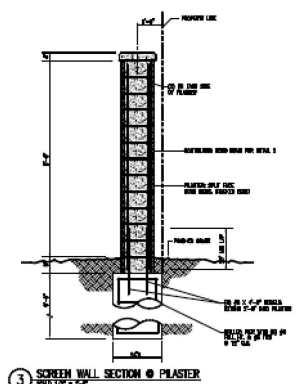
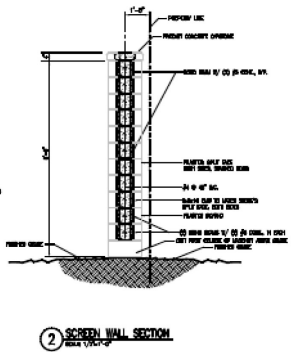
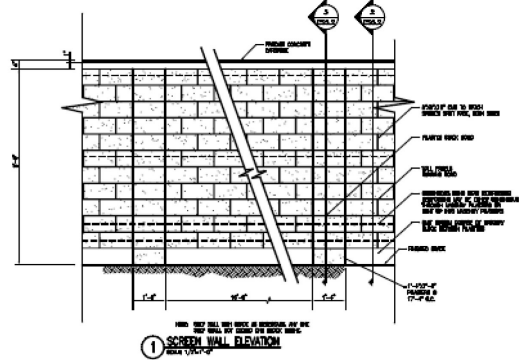
**CITY PLANNER**

PROJECT NO: 100000004  
SHEET NO: 11  
DATE: 11/11/10  
SCALE: AS SHOWN

**LANDSCAPE PLAN**

**LANDSCAPING PLAN**





**SCREEN WALL NOTES**

- SOIL PREPARATION**
- THE PREPARATION OF ALL EXISTING SOIL SHALL BE PER RECOMMENDATIONS FROM A GEOTECHNICAL REPORT PREPARED FOR THE SITE. THE CONTRACTOR SHALL VERIFY THE REPORT PRIOR TO CONSTRUCTION. ANY INFORMATION IN THE EXISTING REPORT SUPERSEDES ANY CONTRACTING REQUIREMENTS CONTAINED IN THE CONSTRUCTION PLANS AND SPECIFICATIONS.
- CAST-IN-PLACE CONCRETE**
- STRUCTURAL CONCRETE FORMATION AND CONSTRUCTION SHALL CONFORM TO ACI BUILDING CODE ACI-318, LATEST EDITION.
  - CONCRETE SHALL CONFORM TO THE FOLLOWING MINIMUM SPECIFICATIONS:
    - MINIMUM COMPRESSIVE STRENGTH: 4000 PSI
    - MINIMUM SLUMP: 4" TO 6"
    - MINIMUM AIR CONTENT: 5% TO 7%
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
  - CONCRETE SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:
    - MINIMUM COMPRESSIVE STRENGTH: 4000 PSI
    - MINIMUM SLUMP: 4" TO 6"
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    - MINIMUM AIR CONTENT: 5% TO 7%
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS

**PRELIMINARY SEGMENTAL RETAINING WALL NOTES**

- ENGINEERING REQUIREMENTS**
  - THE CONTRACTOR SHALL VERIFY THE REPORT PRIOR TO CONSTRUCTION. ANY INFORMATION IN THE EXISTING REPORT SUPERSEDES ANY CONTRACTING REQUIREMENTS CONTAINED IN THE CONSTRUCTION PLANS AND SPECIFICATIONS.
  - CONCRETE SHALL CONFORM TO THE FOLLOWING MINIMUM SPECIFICATIONS:
    - MINIMUM COMPRESSIVE STRENGTH: 4000 PSI
    - MINIMUM SLUMP: 4" TO 6"
    - MINIMUM AIR CONTENT: 5% TO 7%
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
  - CONCRETE SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:
    - MINIMUM COMPRESSIVE STRENGTH: 4000 PSI
    - MINIMUM SLUMP: 4" TO 6"
    - MINIMUM AIR CONTENT: 5% TO 7%
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
  - CONCRETE SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:
    - MINIMUM COMPRESSIVE STRENGTH: 4000 PSI
    - MINIMUM SLUMP: 4" TO 6"
    - MINIMUM AIR CONTENT: 5% TO 7%
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
    - MINIMUM CURING: 7 DAYS
- GEOTECHNICAL REPORT**
  - CONSTRUCTION DOCUMENTS SHALL INCLUDE A SCHEDULE FOR CONSTRUCTION OBSERVATION. THE CONTRACTOR SHALL VERIFY THE REPORT PRIOR TO CONSTRUCTION. ANY INFORMATION IN THE EXISTING REPORT SUPERSEDES ANY CONTRACTING REQUIREMENTS CONTAINED IN THE CONSTRUCTION PLANS AND SPECIFICATIONS.
- QUALITY ASSURANCE**
  - CONSTRUCTION DOCUMENTS SHALL INCLUDE A SCHEDULE FOR CONSTRUCTION OBSERVATION. THE CONTRACTOR SHALL VERIFY THE REPORT PRIOR TO CONSTRUCTION. ANY INFORMATION IN THE EXISTING REPORT SUPERSEDES ANY CONTRACTING REQUIREMENTS CONTAINED IN THE CONSTRUCTION PLANS AND SPECIFICATIONS.

**RETAINING WALL DESIGN NOTE:**  
 NOTE: THE CONTRACTOR SHALL VERIFY THE REPORT PRIOR TO CONSTRUCTION. ANY INFORMATION IN THE EXISTING REPORT SUPERSEDES ANY CONTRACTING REQUIREMENTS CONTAINED IN THE CONSTRUCTION PLANS AND SPECIFICATIONS.

NO.	REVISION	DATE
1	1ST PLANNING SUBMITTAL	02/27/14
2	2ND PLANNING SUBMITTAL	06/26/14
3	3RD PLANNING SUBMITTAL	10/16/14

**Galloway**  
 Galloway Construction, Inc.  
 12345 Main Street  
 Denver, CO 80202  
 (303) 555-1234

**City Market**  
 Fresh & Farmhouse  
 1234 Main Street  
 Denver, CO 80202  
 (303) 555-1234

**CITY MARKET STORE #444 SITE IMPROVEMENT PLANS**

1234 N. PATTERSON  
 CITY OF GRAND JUNCTION, COLORADO

PROJECT NO: 038000441  
 SHEET NO: 1/3  
 DATE: 06/26/14  
 SHEET 115-444-C1.9-01a Details

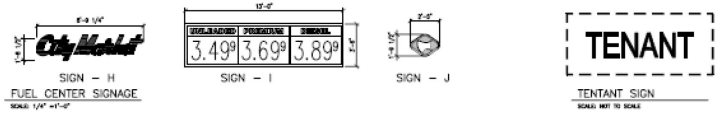
**C1.5**

**SCREEN WALL ELEVATION (East property line location)**





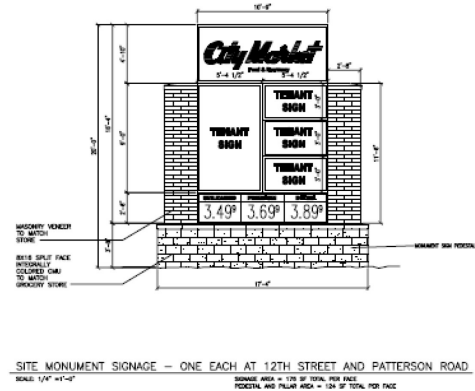
CITY MARKET BUILDING SIGNAGE  
NOT TO SCALE



FUEL CENTER SIGNAGE  
SCALE: 1/4" = 1'-0"

TENANT SIGN  
SCALE: NOT TO SCALE

CITY MARKET BUILDING SIGNAGE			FUEL CENTER SIGNAGE			RETAIL BUILDING "A" SIGNAGE			MONUMENT SIGNAGE		
SIGN	LOCATION	AREA	SIGN	LOCATION	AREA	SIGN	LOCATION	AREA	SIGN	LOCATION	AREA
A. "CITY MARKET"	WEST ELEVATION	97 SQ. FT.	H. "CITY MARKET"	SOUTH ELEVATION	33 SQ. FT.	TENANT SIGNS	NORTH ELEVATION	135 SQ. FT.	MONUMENT SIGN	WELLINGTON ST.	300 SQ. FT.
B. "FOOD"	WEST ELEVATION	24 SQ. FT.	I. FUEL PRICING	WEST ELEVATION	46 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	135 SQ. FT.		JAND 12TH ST.	PER SIDE
C. "DRUG"	WEST ELEVATION	24 SQ. FT.	J. LOGO	WEST ELEVATION	5 SQ. FT.	TOTAL ALLOWED = NO FRONTAGE, APPLYING UNUSED FROM SOUTH & WEST FACES	TOTAL ALLOWED = 604 SF (WELLINGTON) & 675 SQ. FT. = 572 SF IN 3270 ST. & 13305 FT. = 1,105 SQ. FT.				
D. STARBUCKS	WEST ELEVATION	20 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	44 SQ. FT.	TENANT SIGNS	EAST ELEVATION	45 SQ. FT.	MONUMENT SIGN	PATTERSON RD.	300 SQ. FT.
E. "DRIVE-THRU"	WEST ELEVATION	42 SQ. FT.	TOTAL ALLOWED = NO FRONTAGE, APPLYING UNUSED FROM NORTH FACE	TOTAL PROVIDED	45 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	45 SQ. FT.			PER SIDE
F. "MURRAY'S"	WEST ELEVATION	26 SQ. FT.	J. LOGO	EAST ELEVATION	5 SQ. FT.	TOTAL ALLOWED = NO FRONTAGE, APPLYING UNUSED FROM SOUTH & WEST FACES	TOTAL ALLOWED = 880 SF (PATTERSON) & 1,153 SQ. FT. = 1,065 SQ. FT.				
G. "WESTERN UNION"	WEST ELEVATION	9 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	5 SQ. FT.	TENANT SIGNS	SOUTH ELEVATION	135 SQ. FT.	TOTAL SIGNAGE ALLOWED = 2,218 SQ. FT.		
TOTAL PROVIDED	242 SQ. FT.	TOTAL ALLOWED = NO FRONTAGE, APPLYING UNUSED FROM NORTH FACE	TOTAL ALLOWED = 120 LF x 2 SQ. FT. PER LF OF FRONTAGE = 240 SQ. FT.	TOTAL PROVIDED	135 SQ. FT.	TOTAL ALLOWED = 40 LF x 2 SQ. FT. PER LF OF FRONTAGE = 120 SQ. FT.	TOTAL SIGNAGE PROPOSED = 600 SQ. FT.				
H. "CITY MARKET"	NORTH ELEVATION	47 SQ. FT.	H. "CITY MARKET"	SOUTH ELEVATION	33 SQ. FT.	TENANT SIGNS	WEST ELEVATION	45 SQ. FT.			
I. "PHARMACY DRIVE-THRU"	NORTH ELEVATION	53 SQ. FT.	J. LOGO	SOUTH ELEVATION	5 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	45 SQ. FT.			
TOTAL PROVIDED	100 SQ. FT.	TOTAL ALLOWED = NO FRONTAGE, APPLYING UNUSED FROM NORTH FACE	TOTAL PROVIDED	TOTAL PROVIDED	33 SQ. FT.	TOTAL ALLOWED = 180 LF x 2 SQ. FT. PER LF OF FRONTAGE = 360 SQ. FT.	TOTAL SIGNAGE PROPOSED = 360 SQ. FT.				
TOTAL ALLOWED = NO FRONTAGE, APPLYING UNUSED FROM WEST FACE	TOTAL PROVIDED	278 LF x 2 SQ. FT. PER LF OF FRONTAGE = 556 SQ. FT.	II. "CITY MARKET"	NORTH ELEVATION	33 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	45 SQ. FT.			
TOTAL SIGNAGE ALLOWED = 278 LF x 2 SQ. FT. PER LF OF FRONTAGE = 556 SQ. FT.	TOTAL PROVIDED	342 SQ. FT.	I. LOGO	NORTH ELEVATION	5 SQ. FT.	TOTAL ALLOWED = 40 LF x 2 SQ. FT. PER LF OF FRONTAGE = 120 SQ. FT.	TOTAL SIGNAGE PROPOSED = 161 SQ. FT.				
TOTAL SIGNAGE PROPOSED = 342 SQ. FT.	TOTAL PROVIDED	342 SQ. FT.	J. LOGO	NORTH ELEVATION	5 SQ. FT.	TOTAL ALLOWED = 160 LF x 2 SQ. FT. PER LF OF FRONTAGE = 320 SQ. FT.	TOTAL SIGNAGE ALLOWED = 160 LF x 2 SQ. FT. PER LF OF FRONTAGE = 320 SQ. FT.				
	TOTAL PROVIDED	342 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	100 SQ. FT.	TOTAL ALLOWED = 320 LF x 2 SQ. FT. PER LF OF FRONTAGE = 640 SQ. FT.	TOTAL SIGNAGE ALLOWED = 320 LF x 2 SQ. FT. PER LF OF FRONTAGE = 640 SQ. FT.				
	TOTAL PROVIDED	342 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	161 SQ. FT.	TOTAL SIGNAGE ALLOWED = 320 LF x 2 SQ. FT. PER LF OF FRONTAGE = 640 SQ. FT.	TOTAL SIGNAGE ALLOWED = 320 LF x 2 SQ. FT. PER LF OF FRONTAGE = 640 SQ. FT.				
	TOTAL PROVIDED	342 SQ. FT.	TOTAL PROVIDED	TOTAL PROVIDED	161 SQ. FT.	TOTAL SIGNAGE ALLOWED = 320 LF x 2 SQ. FT. PER LF OF FRONTAGE = 640 SQ. FT.	TOTAL SIGNAGE ALLOWED = 320 LF x 2 SQ. FT. PER LF OF FRONTAGE = 640 SQ. FT.				



SITE MONUMENT SIGNAGE - ONE EACH AT 12TH STREET AND PATTERSON ROAD  
SCALE: 1/4" = 1'-0"

NO.	1	1ST PLANNING SUBMITTAL	JAN	JAN	02/21/14
NO.	2	2ND PLANNING SUBMITTAL	JAN	JAN	03/26/14
NO.	3	3RD PLANNING SUBMITTAL	JAN	JAN	04/16/14
NO.					
NO.					

**Galloway**  
PLANNING & ARCHITECTURE  
1000 14TH AVENUE, SUITE 200  
DENVER, CO 80202  
TEL: 303.733.8800  
WWW.GALLOWAYPA.COM

**City Market**  
Food & Pharmacy  
City Market  
Supermarket  
12th & Patterson  
DENVER, CO 80202  
TEL: 303.733.8800

**CITY OF DENVER**  
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
1000 14TH AVENUE, SUITE 200  
DENVER, CO 80202  
TEL: 303.733.8800

**CITY MARKET**  
STORE #444  
SITE IMPROVEMENT PLANS  
12TH & PATTERSON  
CITY OF GRAND JUNCTION, COLORADO

Project No: 4330000444  
Sheet Name: AS NOTES  
Designed By: JCS  
Drawn By: JCS  
Date: OCTOBER 2014  
File No: 433444-01-3-02g  
SIGN PLAN

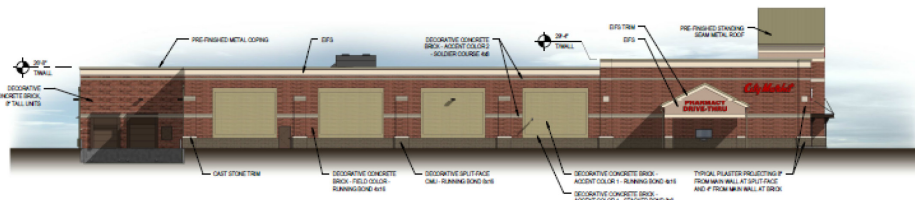
C1.3

SIGN PLAN

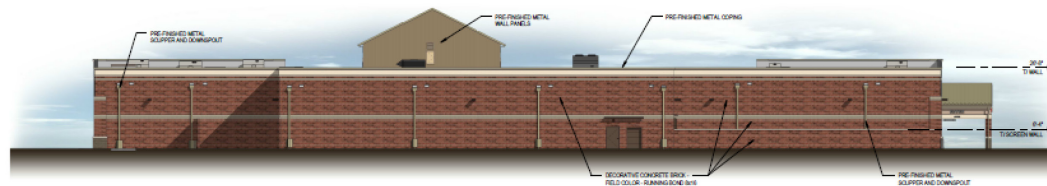
BY: CITY DEPT ENGINEER BY: CITY PLANNER



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

DATE	08/20/2014
CONTRACT	SEE DRAWINGS
PROJECT	SEE DRAWINGS
SCALE	AS SHOWN
DESIGNED BY	CR ARCHITECTURE + DESIGN
DRAWN BY	JANET HARRIS
CHECKED BY	JANET HARRIS
APPROVED BY	JANET HARRIS



CITY MARKET  
STORE #444  
SITE IMPROVEMENT PLANS  
52th & PATTERSON  
CITY OF GRAND JUNCTION, COLORADO

PROJECT NO.	08214-04
DATE	08/20/2014
SCALE	AS SHOWN
DESIGNED BY	JANET HARRIS
DRAWN BY	JANET HARRIS
CHECKED BY	JANET HARRIS
APPROVED BY	JANET HARRIS

CONCEPTUAL ELEVATIONS

A1.3.

BY: CITY PLANNER

# CITY MARKET BUILDING ELEVATIONS



NO.	REVISION	DATE
1	1ST PLANNING SUBMITTAL	JAN 2016
		03/27/16

**Galilway**  
 Planning Architecture Engineering  
 3000 W. 15th Avenue, Suite 100  
 Denver, CO 80202

**City Market**  
 Food & Pharmacy  
 City Market Supermarket  
 1218 Grand Junction Blvd.  
 Grand Junction, CO 81505

**NICHOLE CHILBERS**  
 LICENSED ARCHITECT  
 STATE OF COLORADO  
 0-29716  
 EXPIRES 12/31/2016

**CITY MARKET**  
**STORE #444**  
**SITE IMPROVEMENT PLANS**  
 12th & PATTERSON  
 CITY OF GRAND JUNCTION, COLORADO

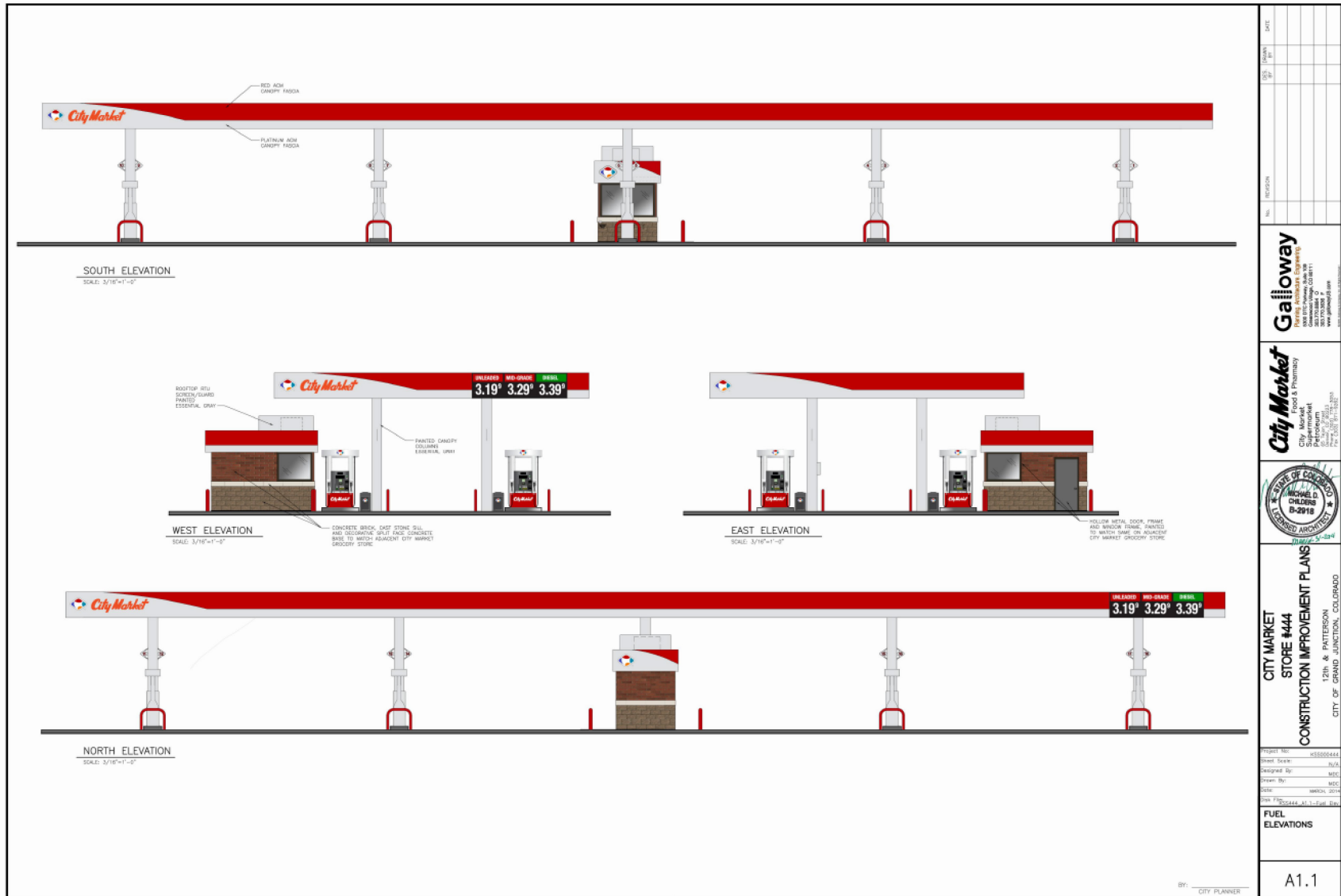
Project No.	430000011
Client Name	City Market
Designed By	JL
Drawn By	JL
Date	MARCH 2016
File Path	430000011-2-Dwg1.rvt

**RETAIL "A" ELEVATIONS**

BY: CITY PLANNER

A1.2

# RETAIL BUILDING A ELEVATIONS



DATE	
NO.	
REVISION	

**Galloway**  
ARCHITECTS  
1000 17th Avenue, Suite 100  
Boulder, Colorado 80502  
303.440.1111  
www.galloway.com

**City Market**  
Food & Pharmacy  
Supermarket  
17th & Patterson  
Boulder, CO 80502



**CITY MARKET**  
**STORE #444**  
**CONSTRUCTION IMPROVEMENT PLANS**  
17th & PATTERSON  
CITY OF GRAND JUNCTION, COLORADO

Project No: 23000444  
Sheet No: A1.1  
Designer: MSC  
Drawn By: MSC  
Date: 08/01/2017  
Title: 230044 A1.1-Fuel Is.

**FUEL ELEVATIONS**

BY: CITY PLANNER  
**A1.1**

**FUEL ISLAND CANOPY AND KIOSK**



**Attach 6**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** November 12, 2014  
**PRESENTER:** Senta Costello

**AGENDA TOPIC:** Patterson Place Rezone - (RZN-2014-262)

**ACTION REQUESTED:** Forward a recommendation to City Council to rezone property to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront).

BACKGROUND INFORMATION			
Location:		2562/2566/2570 Patterson Road	
Applicants:		DRK Investing - Masi Khaja	
Existing Land Use:		Single Family Residential	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Single Family Residential/Multi-Family	
	South	Single Family Residential/School	
	East	Single Family Residential/Commercial	
	West	Single Family Residential/Medical office	
Existing Zoning:		R-8 (Residential 8 du/ac)	
Proposed Zoning:		MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront)	
Surrounding Zoning:	North	PD (Planned Development)/R-24 (Residential 24 du/ac)	
	South	PD (Planned Development)/CSR (Community Services & Recreation)	
	East	R-8 (Residential 8 du/ac)	
	West	R-24 (Residential 24 du/ac)/R-O (Residential Office)	
Future Land Use Designation:		Residential Medium High 8-16 du/ac	
Blended Residential Land Use Categories Map (Blended Map):		Residential Medium 4-16 du/ac	
Zoning within density range?		X	Yes
			No

**PROJECT DESCRIPTION:** Forward a recommendation to City Council to rezone properties totaling 3.523 acres from a City R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts.

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



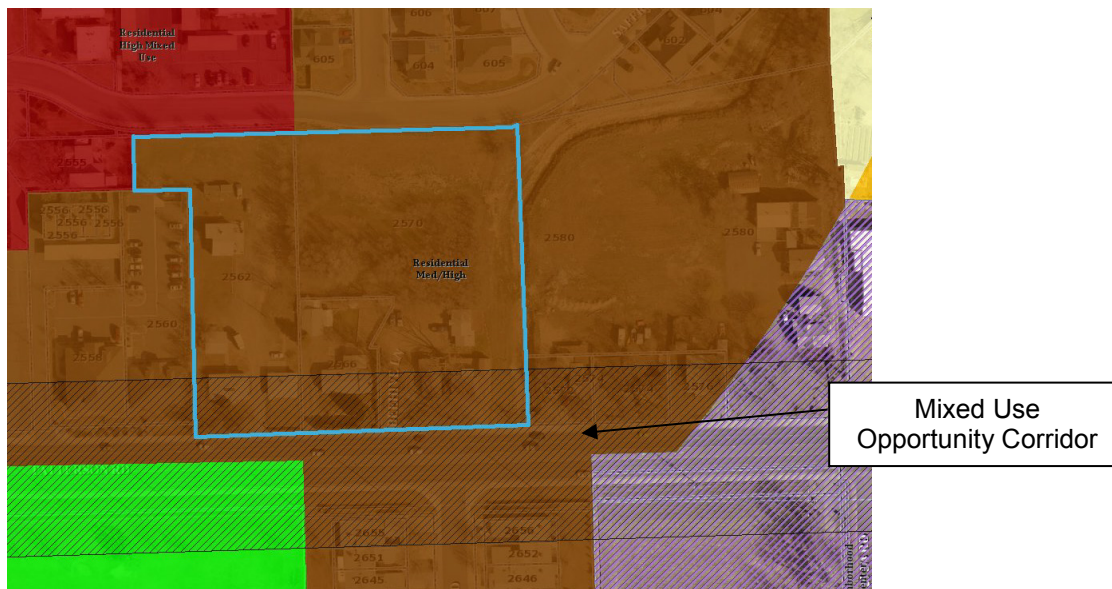
## ANALYSIS:

### Background:

The properties have been used historically as agricultural land and more recently as single family homes. The properties were annexed into the City in 1979 (zoned R-1-C), 1980 (zoned R-1-C) and 1986 (zoned RSF-4). The properties have since been rezoned through several changes to zone district designations with updates to the Zoning and Development Code. All are currently zoned R-8.

In 2009, the City of Grand Junction City Council adopted the Comprehensive Plan followed in 2010 by an updated Zoning and Development Code. The new Plan and Code created the Mixed Use Opportunity Corridor and Form Based zone districts that could be requested within the Opportunity Corridor in addition to the other zone districts that would implement the Future Land Use Map designation.

The properties involved in this request are designated Residential Medium High; however, they also have the Opportunity Corridor overlay allowing the request for a Form Based district which allow for both residential and commercial uses.



A neighborhood meeting was held July 1, 2014. Approximately 30 neighbors attended the meeting. Several topics were discussed; however, there were two particular points of concern from the surrounding property owners. One was the intensity/type of uses to be included along Dewey Place and the other was traffic. Overall the office and/or professional service type uses that could be constructed along the northern portion of the property was considered appropriate. The potential of traffic from the site exiting to the north was a major concern to the neighborhood north of the site and traffic entering and exiting the site onto Patterson Road and potential conflicts with the street on the south side of Patterson Road. It was explained that the current request was for the rezone only and traffic circulation had not yet been evaluated.

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

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

### **Goal 1 – To implement the Comprehensive Plan in a consistent manner between the City, Mesa County and other service providers.**

Policy A. City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

The request is in conformance with the Future Lands Use Map.

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

Policy B. Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

The request will create opportunities for businesses along the corridor that will be accessible to the surrounding neighborhoods that will limit or eliminate the need to drive to take advantage of businesses located on these properties.

### **Goal 7 – New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.**

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

The request proposes buffering the residential to the north from the busier uses and streets to the south by using the different proposed zone districts; keeping the less intense office/professional service uses/zoning closer to the residential uses and the more intense commercial/retail uses/zoning closer to Patterson Road.

## **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 adoption of the Comprehensive Plan in 2009 with the Future Land Use Map, which included a Mixed Use Opportunity Corridor along major transportation corridors, created new opportunities for potential development. The Comprehensive Plan was followed by a revised Zoning and Development Code in



2010 which included Form Based districts to implement the Opportunity Corridor. These occurrences offered new options.

This criterion has been met.

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

The character of the area has been changing during the past several years. Several commercial projects have been built including dental and general offices to the west and the Corner Square development to the southeast. While these properties have been making improvements, the subject properties have been deteriorating.

This criterion has been met.

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

There are adequate public and community facilities in the area to serve the property and development as proposed. An 8" sewer line bisects the property and an 18" sewer line is located in Patterson Road. There is an 8" water line located in Patterson Road and another 8" water line located in Dewey Place. A 12" storm sewer line is located in Patterson Road. Pomona Elementary is located across Patterson Road to the south, West Middle School is approximately 1 mile away and Grand Junction High School is approximately 1.5 miles away. Baseball fields and Fire Station No. 3 are located south along 25 ½ Road and a Post Office is located to the west along Patterson Road. The properties are located along the GVT bus route with stops located near 25 ½ Road and Patterson intersection and near the North 1<sup>st</sup> Street and Patterson intersection. There are also stops on 25 ½ Road, north and south of Patterson Road.

This criterion has been met.

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

There is only one other property located within the City of Grand Junction currently zoned to a form based district. That property is located on 29 Road, south of Patterson Road, more than 3 miles away and is 1.702 acres. The subject properties will be, if approved the only other properties with a form based zone district in the community.

This criterion has been met.

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

The area will derive benefits from the proposal as a buffer between the heavily traveled Patterson Road and the residential properties to the north. The project proposes MXG along the northern portion of the property for development of office/professional service uses closer to the residential properties and commercial/retail uses along the Patterson Road side.

This criterion has been met.

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

- a. R-4 (Residential 4 du/ac)
- b. R-5 (Residential 5 du/ac)
- c. R-12 (Residential 12 du/ac)
- d. R-16 (Residential 16 du/ac)
- e. R-O (Residential Office)
- f. MXR-3,5 or 8
- g. All MXG-3, 5 or 8
- h. All MXS-3, 5 or 8

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 Patterson Place Rezone, RZN-2014-262, a request to rezone the property from R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront), the following findings of fact and conclusions have been determined:

- 3. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
- 4. All review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2014-262, to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on Rezone, RZN-2014-262, I move that the Planning Commission forward a recommendation of the approval for the Patterson Place Rezone from R-8 (Residential 8 du/ac) to MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) with the findings of fact, conclusions, and conditions listed in the staff report.

**Attachments:**

Letters/Emails from neighbors  
Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City Zoning Map  
Blended Residential Map  
Ordinance

**From:** Chuck Wiman <chuck.wiman@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 7/14/2014 4:15 PM  
**Subject:** RZN-2014-262

Senta Costello

My name is Chuck Wiman 618 Saffron Way Grand Jct. CO>81505. I am the point man for The Orchard HOA Board Of Directors and am the person who spoke at the July 1st meeting. We are in the process of getting all of the home owners letters with there comments regarding the Zone change hearing and subsequent development of the property delivered to your office tomorrow, there are a number of folks on vacation ect. and we will try and get there letters as soon as possible.

I believe I can honestly say that the majority of home owners have no objection to the zoning change and development of property, however we are united in our opposition to any ingress and egress on to Dewey. As far as we are concerned they can enter and exit on to Patterson the same as many of the other business up and down Patterson do. .Of course there are a number of other issues that will be aired out at the appropriate time.

Yes, it is a little tougher to try and exit the project heading east but that is something they needed to consider in there design. I am a little surprised that they chose to pursue his course. I wonder where the advise or encouragement came from. I might add I have spent over 40 years in developing residential/commercial project in Mesa county and as I recall, Planning was always in objection to dumping commercial traffic into a residential sub. If you send this to planning commission and council recommending there proposed traffic flow, You will encounter a lot of opposition. Perhaps they would be well advised to consider a plan B.

What is date council will hear this rezone petition and I assume this will be open to public and that Beehive Estates will be notified of dates, time and location of hearing. Please keep me advised of meetings,ect so we can respond.

Chuck Wiman

**From:** Nyla Kladder <nkladder@gmail.com>  
**To:** <sentac@gjcity.org>  
**Date:** 7/9/2014 9:35 AM  
**Subject:** RZN-2014-262-Patterson Place Rezone

I went to the meeting on this rezoning and saw the proposed plat. We have no objection to the rezoning - it is inevitable. Our objection is the City's requiring that the entrance to the area is placed opposite our entrance. It is difficult enough gaining access to Patterson without the competition directly opposite our drive. Why couldn't their entryway be moved to the West so it does not compete with ours.

Colony Park Homeowners Association Nyla Kladder, President, and Nyla Kladder individually as a homeowner.

**From:** <yogjo@aol.com>  
**To:** "sentac@gjcity.org" <sentac@gjcity.org>  
**Date:** 7/15/2014 3:12 PM  
**Subject:** RZN-2014-262 - Patterson Place Rezone

Hi Ms. Costello,

A concern I have for safety is the main entrance to the Patterson Place Rezone being directly opposite Cider Mill Road. I see this as being a serious health safety concern with people turning onto Cider Mill Road from the east or the west of Patterson Rd. as others are turning into Patterson Place from Patterson Rd. again from the east or west. Meanwhile, people would be turning out of Cider Mill Road going east or west on Patterson and others will be turning out of Patterson Place going east or west. Moving the entrance to Patterson Place, so that it is not directly across from Cider Mill Road would alleviate some of those issues.

Additionally, not allowing a left-hand turn out of Patterson Place would eliminate some of the safety issues. I do not feel the residents on Cider Mill Road should have to be limited by a left or right hand turn due to the development/rezone of Patterson Place.

Thank you for your considerations.

Joanie Cherp

**From:** "Sherry Opp" <opp618@bresnan.net>  
**To:** <sentac@gjcity.org>  
**Date:** 7/16/2014 12:40 PM  
**Subject:** Land development at 25 1/2 Road and Patterson

I live at 618 Eldorado Drive and am writing regarding the plans for development at 25 1/2 Road and Patterson. I am very concerned regarding ANY access on Dewey Place. The street has become very busy both in the AM as well as the PM in regard to commuter traffic. Any additional traffic would become a hazard for our children, pets and homeowners. PLEASE try to find a way to do the development that we know will happen in such a way that we are able to maintain our privacy, our safety, protect our children, and retain our home values (\$300,000 range). Your help and consideration on this matter would be greatly appreciated.

Sincerely,  
Sherry Opp  
618 Eldorado Drive

**From:** "Julie Nealon" <jvela@bresnan.net>  
**To:** <sentac@gjcity.org>  
**Date:** 7/16/2014 4:18 PM  
**Subject:** Proposed Development Plans

Hello Senta,

This is in reference to the proposed development plans to rezone parcels on Patterson Road and Dewey Ct. RZN-2014-262-PATTERSON PLACE REZONE-2570,2566 and 2562 PATTERSON ROAD

A notice posted on our mail receptacle in the Fall Valley Subdivision indicated this rezoning is dependent on allowing a north commercial access through the project to Dewey Ct and that the flow of commercial traffic would then continue west to the Dewey Ct intersection or through to the Fall Valley Subdivision.

The reason for this email is that I do oppose this proposed rezoning as this specific intersection and area currently has a heavy traffic flow. Any new commercial development in this area will only add to this existing problem. In my mind, the only development or change that should be considered to the 25 1/2 Road and Patterson intersection is to build a right turn lane on 25 1/2 Road for the traffic turning west on Patterson. This would indeed help the current gridlock.

Senta, thank you again for returning my call and for your time in explaining the process.

Best Regards,

Julie Nealon  
Telephone: 970-434-1396  
Fax: 970-434-3528  
E-mail: jvela@bresnan.net

**From:** Nicole Byrnes <umber\_39@yahoo.com>  
**To:** Senta Costello <sentac@ci.grandjct.co.us>  
**Date:** 7/17/2014 6:46 AM  
**Subject:** Comments on Patternson Road Development

Good morning, Senta.

Here are my thoughts on proposed rezoning for 2562, 2566 and 2570 Patterson Road.

I agree with the residents of Beehive Estates- assigning Dewey Place as the access for a new mixed use/commercial development area is a poor idea, not only because the narrow, curving road is unsuitable for increased vehicle traffic, but also because no consideration has been given to the impacts on Fall Valley subdivision to the north, which is where I live.

Left turns between 25 1/2 Road and Dewey Place are difficult due to the busy intersection. It is reasonable to expect that traffic from the proposed development will make regular use of the roads to the north through Fall Valley for ingress and egress.

Like Beehive Estates, the roads in Fall Valley are narrow, curving two-lane roads. Residents and their visitors regularly park vehicles, motor homes, and a variety of trailers on the streets. The kids in Fall Valley play basketball in our streets. Residents frequently ride bikes up and down the roads, and there are numerous joggers and dog-walkers in the neighborhood on a daily basis. Fall Valley is not suitable for use as a main thoroughfare.

Just east of the houses in Fall Valley, we maintain a small, private park. Our enjoyment of this space will be directly impacted by increased traffic from the proposed development because vehicles coming north from Dewey Place along Saffron Way and Silver Oak Drive will be immediately adjacent to the park. It is also reasonable to expect that our park will see a substantial increase in "visitor" use due to the proposed development, especially if commercial development increases public exposure of the park, and yet the financial burden of maintaining the park will remain solely with the residents of Fall Valley.

Furthermore, there are multiple vacant lots in nearby areas such as Foresight Circle which are more appropriate for commercial development. There are multiple vacant office buildings in this town. Rezoning this portion of Patterson is not necessary to meet the needs of the larger community of Grand Junction.

One of the main purposes of zoning is to protect the character of established communities like Fall Valley. My neighbors and I value our neighborhood as a beautiful, safe and quiet place to live. I am opposed to the proposed rezoning and the proposed increase in traffic on Dewey Place.

Thank you,

Nicole Byrnes  
628 Shadowood Court  
81505

**From:** "Cameron Law" <CameronLaw@bresnan.net>  
**To:** <sentac@gjcity.org>  
**Date:** 7/8/2014 8:03 PM  
**Subject:** RZN-2014-262-Patterson Place Rezone-2570, 2566, 2562 Patterson Road

Dear Senta-

My home is located at 610 Saffron Way, and I attended the informational meeting regarding this re-zone.

I fully support using the area for light office type business, the type that exists along the north side of Patterson between 26 and 25 Roads. Our neighborhood (The Orchard), however, has serious concerns about some issues that we would ask the City Council to consider as they look at this application.

1. We are drastically opposed to any sort of business traffic access onto Dewey. Business traffic, especially drive-through traffic, will completely alter the character of our residential neighborhood. Traffic is already heavy at the intersection of Dewey and 25 1/2 Road. Access to Patterson at the light is congested and very slow. Children walk this corridor on their way to and from Pomona Elementary School, and their safety is a big concern. Any traffic coming out of the new proposed project will either turn left on to Dewey, adding to the congestion and safety issues, or turn right, accelerate up Saffron (right past my driveway and our parks) and enter 25 1/2 Road from the north, destroying the suburban area we invested in. There is no precedent along this entire corridor for access into residential areas, and we would ask for the same consideration.

2. I am concerned about the hours of operation of businesses in the proposed area. Drive-through speakers are loud and disruptive. We would ask that you only allow businesses with traditional operating hours (i.e. 9:00 a.m. to 5:00 p.m.).

3. We do not condone multi-story structures. The dentist office on the corner of Patterson and 25 1/2 has been a wonderful neighbor, as have the businesses in the Redstone Veterinary plaza. One story structures fit the existing use for the corridor.

4. We are concerned about the wetland areas to the east and south of Saffron. We had three deer behind our house just this morning, and have been enjoying a family of ducks and hundreds of hummingbirds all summer. We would like assurances that this area will be protected.

Thank you so much for your time. I would very much appreciate knowing the time and location of the final hearing so I can express my concerns in person to the city council.

Sincerely,

Cameron Law  
610 Saffron Way  
970-261-4260  
CameronLaw@bresnan.net



Barbara Holmes, President  
605 Saffron Way  
Grand Junction, CO 81505

July 15, 2014

Ms. Senta Costello, Planner  
Grand Junction City Hall  
250 N. 5th Street  
Grand Junction, CO 81501

Dear Senta,

As a homeowner in the Orchard Sub-Division and as President of the HOA I want to share my personal feelings with you on your proposed Re-zoning concept along Patterson Rd. and how I feel it will impact our neighborhood.

I can appreciate your plans in developing this area, but not at the cost of routing traffic from the businesses and shops through our sub-division. Using Dewey is unacceptable! There must be a way to avoid this at all costs.

We are a quiet neighborhood, with a variety of homeowners ranging from "young seniors" to "young families with small children and homeowners with pets" we do not want our streets to become a thoroughfare and become unsafe for our residents. Aside from this very important issue, **we do not want our property values to decline!**

There are many other retail and business complexes along Patterson Rd. where you are able to enter and exit on Patterson, why do you feel the need to create a traffic issue for the Orchard residents?

Please consider my thoughts and know that they are shared with the majority of the homeowners of this sub-division.

Thank you for allowing the homeowners to have an opportunity to express our thoughts and concerns with the revitalization project on Patterson Rd.

Sincerely,



Barbara Holmes

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

As homeowners in The Orchard/Beehive subdivision in Grand Junction, we would like to express our appreciation for being offered the opportunity to learn about the application for a proposed rezoning and subsequent development of property located near our homes. After a meeting held July 1, which was conducted by Ted Ciavonne of Ciavonne, Roberts and Associates, Inc., **the homeowners present do understand and affirm the need for rezoning.**

**HOWEVER, there are several significant concerns which homeowners expressed that could negatively impact the PEACE, SAFETY and PROPERTY VALUES of our residential neighborhood:**

1. **Traffic Flow:** Objection to any traffic pattern that would access onto Dewey Place. Such a traffic flow would cause a clear and present danger to pedestrian children, older residents, homeowners and pets that travel that street and sidewalks daily. Additionally, entrances or exits on Dewey would increase automobile, service truck, delivery truck and possible emergency vehicles on a narrow, two lane residential street. Concern was expressed for the current traffic pattern at the traffic light at 251/2 Road and Patterson.
2. **Property Line Boarder/Screen** at the back of the development along Dewey Place that would maintain the residential character of the neighborhood and mitigate disruptive sounds.
3. **Building Height:** Homeowners expressed concern for the height of potential commercial or multi-unit residential buildings. Suggest limit of 2 stories.
4. **Lighting:** Homeowners have a concern for bright lighting that could be disruptive. Suggest low intensity lighting, including parking lot area.
5. **Type of Tenants:** Knowing the leases have not been completed, homeowners request that commercial tenants are compatible with the peace and safety of a residential neighborhood.

Thank you for this opportunity to express these homeowners concerns.

Homeowner Barbara Holmes

Address 605 Saffron Gray

Date July 13, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Sue Rosenbaum, trustee for SGR TRUST

Address 623 SAFFRON WAY - 81505

Date JULY 13, 2014

*I ATTENDED THE JULY 1<sup>ST</sup> MEETING AND AM PARTICULARLY CONCERNED ABOUT SCHOOL CHILDREN SAFETY @ DEWEY PL # 25 1/2 R*

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner DEREK KOEHLER

Address 609 Saffron Way, Grand Jct., CO 81505

Date 7-13-14

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

As homeowners in The Orchard/Beehive subdivision in Grand Junction, we would like to express our appreciation for being offered the opportunity to learn about the application for a proposed rezoning and subsequent development of property located near our homes. After a meeting held July 1, which was conducted by Ted Ciavonne of Ciavonne, Roberts and Associates, Inc., **the homeowners present do understand and affirm the need for rezoning.**

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Homeowner

CAROLYN REES



Address

615 SAFFRON WAY, G.J. CO 81505

Date

7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Chuck & Susan Hanson

Address 620 Saffron Way

Date 7-13-14



Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner  Hilary Soria JOEL & HILARY SORIA

Address 619 Saffron Way, Grand Junction, CO 81505

Date 7-13-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner

Bryan Wiman - BJEW 250-7354

Address

622 Saffron Way

Date

7/13/14



Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Lee J Roger Calkins

Address 604 Silverado Drive

Date July 14, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Homeowner Joe & Marie Tony Redding

Address 615 Silverado Drive Grand Jct Colo.

Date 7/14/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Shirley M. Cooper

Address 607 Eldorado Drive

Date July 14, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Kelli Kessell  
Address 605 El Dorado Dr. GJ Co. 81505  
Date 7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner

Address

Date

Shandra Jackson Ted Jackson

602 Saffron Wy.

7-12-14



Attention: Senta Costello, Planner

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Homeowner Ezequiel Perez & Ashley Perez

Address 604 Saffron Way

Date 7/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Gary Bell Linda C. Shrago

Address 606 Saffronway

Date 7-14-2014

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Homeowner Dan Williams + Cheryl Williams

Address 608 Saffron Way

Date 7-14-14



Attention: Senta Costello, Planner

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Homeowner Greg 72 (Lee)

Address 612 GARDNER WAY

Date 7-13-14

Attention: Senta Costello, Planner

Community and Economic Development Division


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Homeowner  Dawn Young + Mary  
Address 614 SAFFRON WAY, GRAND JUNCTION CO 81505  
Date 7/13/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Doug + Jacquie Wigent  
Address ~~616~~ 616 Saffron Way  
Date 7-14-14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Homeowner Charles D. Winson Sr. & Frances R. Winson

Address 618 Saffron way, Grand Jet. CO 81505

Date 7/13/14



Attention: Senta Costello, Planner

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Homeowner Sean Howard

Address 612 Silverado Drive

Date \_\_\_\_\_

Attention: Senta Costello, Planner

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5. **Type of Tenants:** Knowing the leases have not been completed, homeowners request that commercial tenants are compatible with the peace and safety of a residential neighborhood.

Thank you for this opportunity to express these homeowners concerns.

Homeowner Stacy Keever  
Address 1019 Silverado Dr.  
Date 7.14.14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Janis Myer

Address 621 Librado Court

Date 7/12/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Sherry L. Opp

Address 618 Eldorado Drive

Date 7/12/14



Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner

Eric S. James Vlach

Address

6116 Orchard Drive

Date

7/11/14

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Muriel Mueller

Address 614 ELDRADO DRIVE

Date JULY 12, 2014

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Robin Ann Seibold

Address 613 Eldorado Dr. Grand Junction, CO 81505

Date 07/13/14

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Bethlyn & Clinton Driscoll

Address 6006 E. Prado Dr.

Date 7/13/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Thank you for this opportunity to express these homeowners concerns.

Homeowner Joseph B. O'Keefe

Address 608 Eldorado Drive

Date 7/12/2014

Attention: Senta Costello, Planner

Community and Economic Development Division

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Address 611 Eldorado Dr

Date 7/13/14



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Thank you for this opportunity to express these homeowners concerns.

Homeowner *Ann Businovic*

Address 2563 Civic Lane

Date 7/13/14

C. M. deHansman + Susan

Attention: Senta Costello, Planner

Community and Economic Development Division

Re: RZN-2014-262-Patterson Place Rezone – 2570, 2566 and 2562 PATTERSON ROAD

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Thank you for this opportunity to express these homeowners concerns.

Homeowner J Brown & Susan Huey

Address 2565 Civic (The Orchard)

Date 7/13/14



# Site Location Map

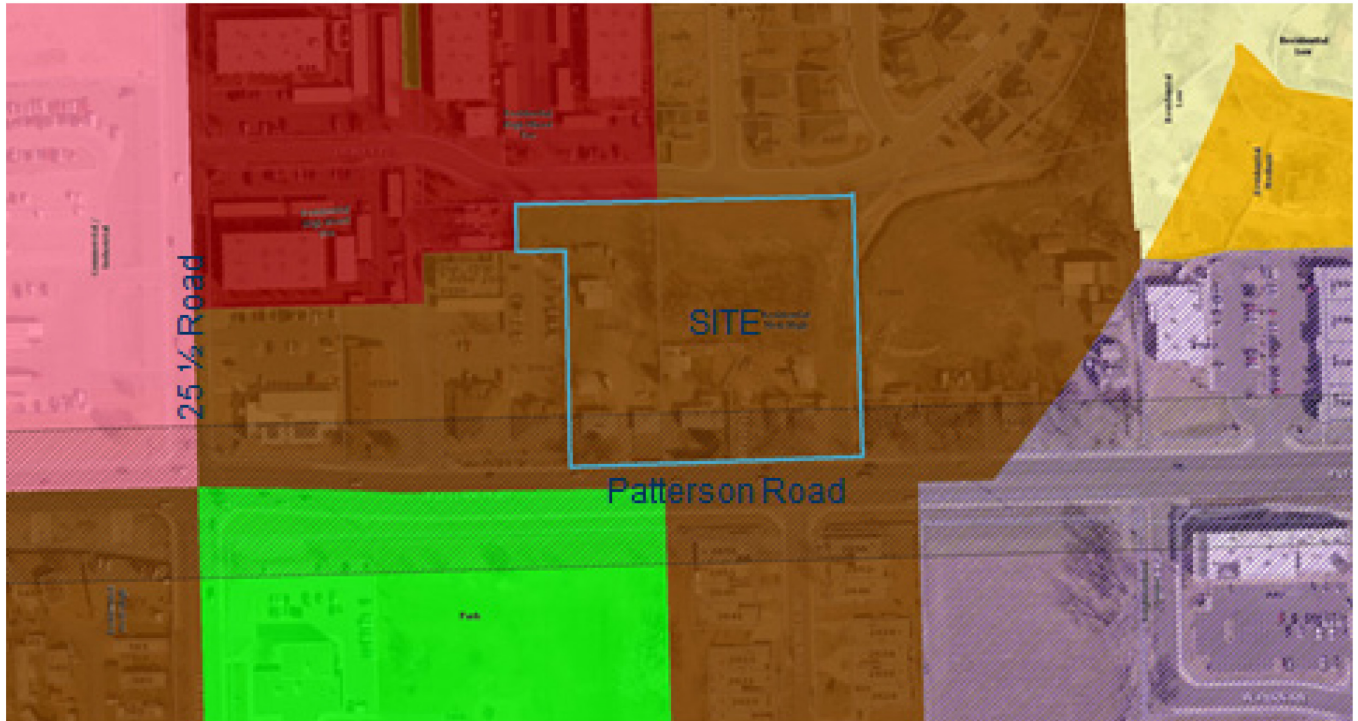


# Aerial Photo Map

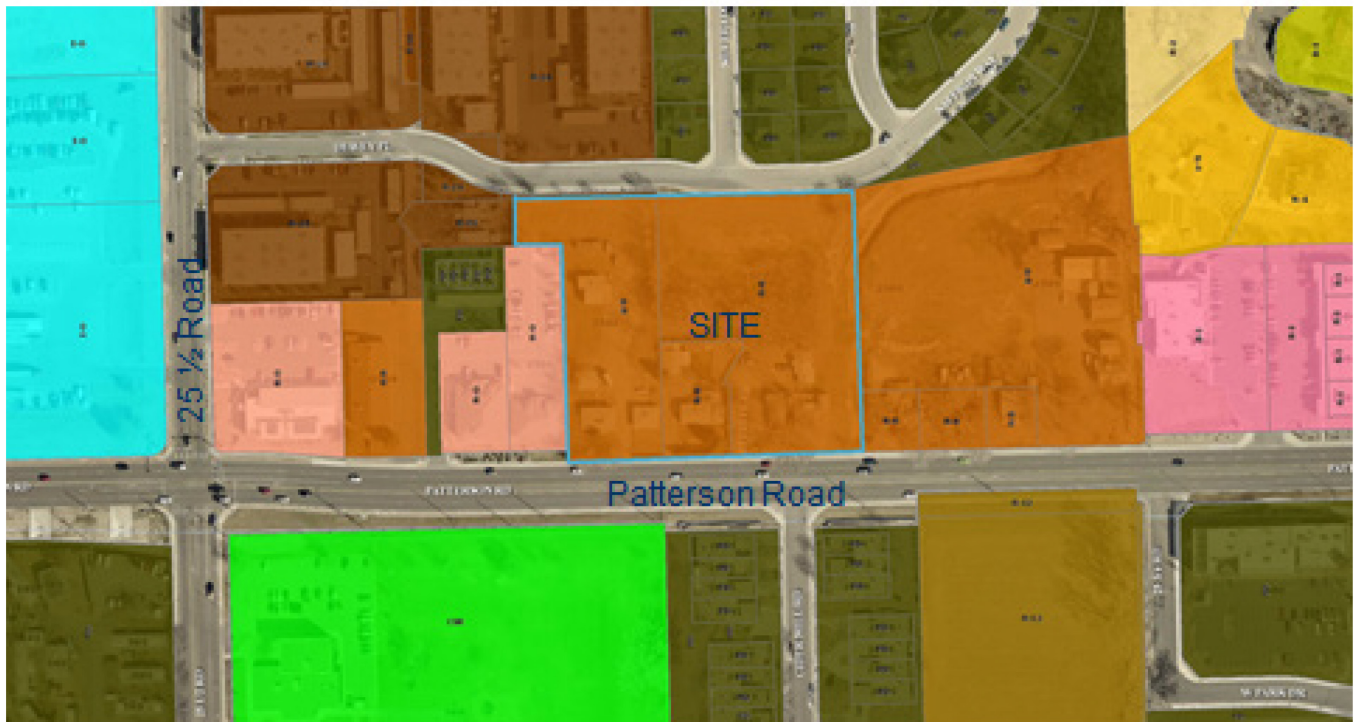




# Future Land Use Map



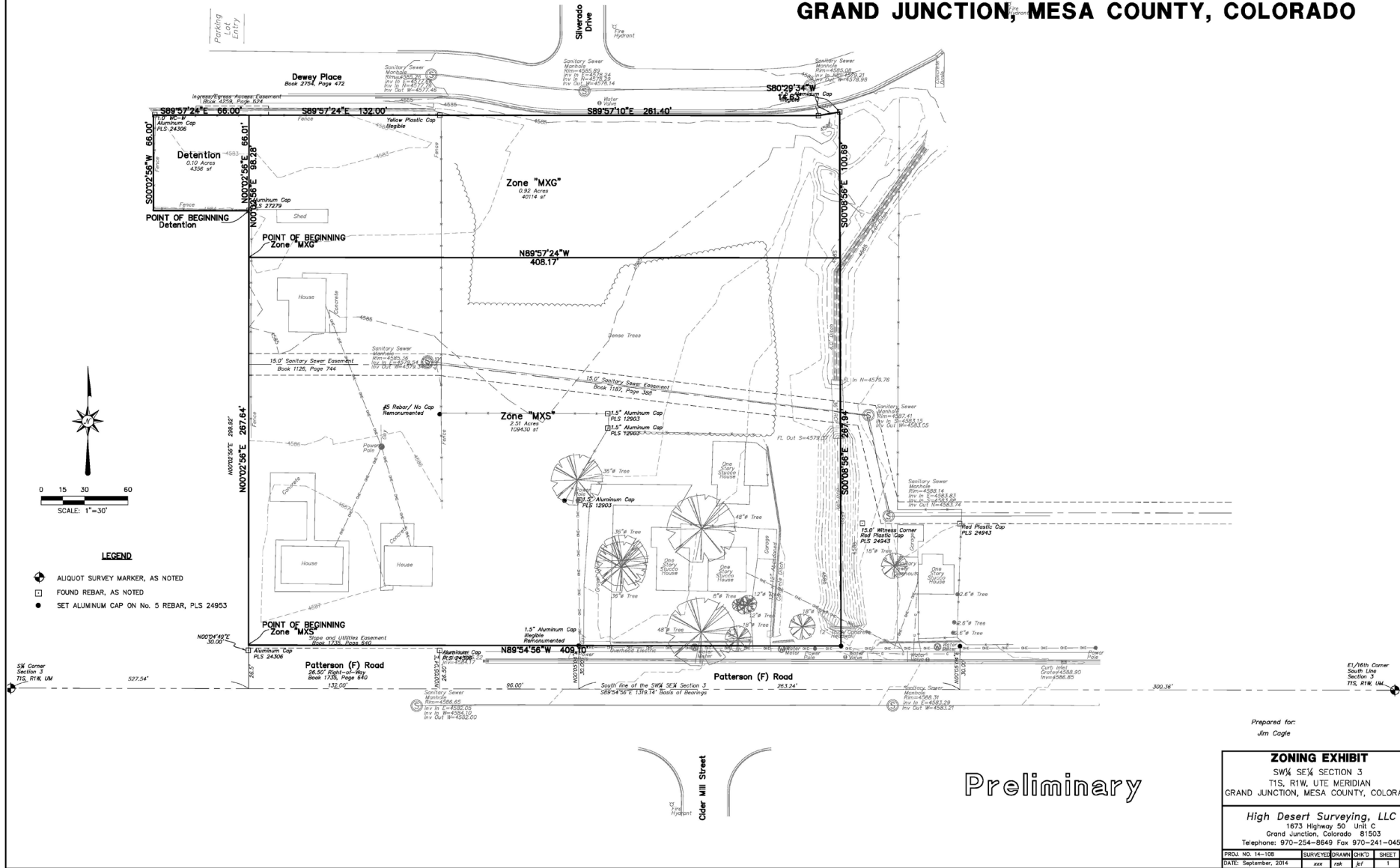
# Zoning Map



# Blended Residential Map



# ZONING EXHIBIT OF PARCELS LOCATED IN SW1/4 SE1/4 SECTION 3, T1S, R1W, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO



0 15 30 60  
SCALE: 1"=30'

**LEGEND**

- ◈ ALIQUOT SURVEY MARKER, AS NOTED
- FOUND REBAR, AS NOTED
- SET ALUMINUM CAP ON No. 5 REBAR, PLS 24953

Preliminary

Prepared for:  
Jim Cagle

ZONING EXHIBIT				
SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> SECTION 3 T1S, R1W, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO				
High Desert Surveying, LLC 1673 Highway 50 Unit C Grand Junction, Colorado 81503 Telephone: 970-254-2645 Fax 970-241-0451				
PROJ. NO. 14-108	SURVEYED	DRAWN	CHECK'D	SHEET
DATE: September, 2014	xxx	rzb	JF	1 of 1

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PATTERSON PLACE  
FROM R-8 (RESIDENTIAL 8 DU/AC) TO  
MXG-3 (MIXED USE GENERAL) AND MXS-3 (MIXED USE SHOPFRONT)**

**LOCATED AT 2562/2566/2570 PATTERSON ROAD**

Recitals:

The properties have been used historically as agricultural land and more recently as single family homes. The properties were annexed into the City in 1979 (zoned R-1-C), 1980 (zoned R-1-C) and 1986 (zoned RSF-4). The properties have since been rezoned through several changes to zone district designations with updates to the Zoning and Development Code. All are currently zoned R-8.

In 2009, the City of Grand Junction City Council adopted the Comprehensive Plan followed in 2010 by an updated Zoning and Development Code. The new Plan and Code created the Mixed Use Opportunity Corridor and Form Based zone districts that could be requested within the Opportunity Corridor in addition to the other zone districts that would implement the Future Land Use Map designation.

The properties involved in this request are designated Residential Medium High; however, they also have the Opportunity Corridor overlay allowing the request for a Form Based district which allow for both residential and commercial uses.

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 Patterson Place property from R-8 (Residential 8 du/ac) to the MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts 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, Residential Medium High 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 MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) zone districts to be established.

The Planning Commission and City Council find that the MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront) 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 MXG-3 (Mixed Use General) and MXS-3 (Mixed Use Shopfront).

MXG-3:

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

Commencing at the South Quarter (S $\frac{1}{4}$ ) corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, whence the Southeast corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3 bears South 89°54'56" East, a distance of 1319.14 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 89°54'56" East, a distance of 527.54 feet, along the South line of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3; thence North 00°04'49" East, a distance of 30.00 feet; thence North 00°02'56" East, a distance of 267.64 feet to the POINT OF BEGINNING; thence North 00°02'56" East, a distance of 98.28 feet; thence South 89°57'24" East, a distance of 132.00 feet; thence South 89°57'10" East, a distance of 261.40 feet; thence North 80°29'34" East, a distance of 14.63 feet; thence South 00°08'56" East, a distance of 100.69 feet; thence North 89°57'24" West, a distance of 408.17 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.921 Acres, as described.

and also

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

Commencing at the South Quarter (S $\frac{1}{4}$ ) corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, whence the Southeast corner of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3 bears South 89°54'56" East, a distance of 1319.14 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 89°54'56" East, a distance of 527.54 feet, along the South line of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3; thence North 00°04'49" East, a distance of 30.00 feet; thence North 00°02'56" East, a distance of 299.92 feet to the POINT OF BEGINNING; thence North 89°57'04" West, a distance of 66.00 feet; thence North 00°02'56" East, a distance of 66.00 feet; thence South 89°57'24" East, a distance of 66.00 feet; thence South 00°02'56" West, a distance of 66.01 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.100 Acres, as described.

MXS-3:

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 3, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

Commencing at the South Quarter (S<sup>1</sup>/<sub>4</sub>) corner of said SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 3, whence the Southeast corner of said SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 3 bears South 89°54'56" East, a distance of 1319.14 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 89°54'56" East, a distance of 527.54 feet, along the South line of said SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 3; thence North 00°04'49" East, a distance of 30.00 feet to the POINT OF BEGINNING;  
thence North 00°02'56" East, a distance of 267.64 feet; thence South 89°57'24" East, a distance of 408.17 feet; thence South 00°08'56" East, a distance of 267.94 feet; thence North 89°54'56" West, a distance of 409.10 feet to the POINT OF BEGINNING.

Said parcel having an area of 2.512 Acres, as described.

Introduced on first reading this , day of , 2014 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor