



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

**TUESDAY, FEBRUARY 10, 2015, 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 December 9, 2014 and January 13, 2015 regular meetings.

**2. Hoffman Rezone - Rezone**

**[Attach 2](#)**

Forward a recommendation to City Council to rezone 0.322 acres from R-8 (Residential 8 du/ac) and PD (Planned Development) to R-O (Residential Office).

**FILE #:** RZN-2015-18

**APPLICANT:** Chris Blackburn - Rocky Mountain TMS

**LOCATION:** 1410 and 1400 N 7th Street

**STAFF:** Brian Rusche

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

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

**Public Hearing Items**

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

**3. 2872 Patterson Rezone - Rezone**

[Attach 3](#)

Forward a recommendation to City Council to rezone 1.415 acres from an R-O (Residential Office) to an MXOC (Mixed Use Opportunity Corridor) zone district.

**FILE #:** RZN-2014-493

**APPLICANT:** Ted Ciavonne Ciavonne Roberts & Associates

**LOCATION:** 2872 Patterson Road

**STAFF:** Brian Rusche

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1  
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION  
December 9, 2014 MINUTES  
6:00 p.m. to 6:41 p.m.**

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

In attendance representing the City Planning Commission were Ebe Eslami (Vice-Chairman), George Gatseos, Jon Buschhorn, Kathy Deppe, Keith Ehlers and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, were Greg Moberg, (Planning Supervisor), Kristen Ashbeck (Senior Planner) Lori Bowers (Senior Planner), Senta Costello (Senior Planner), Scott Peterson (Senior Planner) and Eric Hahn, (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 5 citizens in attendance during the hearing.

**Announcements, Presentations And/or Visitors**

There were no announcements, presentations and/or visitors.

**Consent Agenda**

**1. Minutes of Previous Meetings**

None available at this time.

**2. Baker's Boutique - Comprehensive Plan Amendment**

Forward a recommendation to City Council of a Comprehensive Plan Amendment to change the Future Land Use Map Designation from "Park" to "Village Center" on 0.864 acres.

**FILE #:** CPA-2014-418  
**APPLICANT:** Callie Ash - 726 24 Road LLC  
**LOCATION:** 726 24 Road  
**STAFF:** Scott Peterson

**3. Baker's Boutique - Rezone**

Forward a recommendation to City Council to rezone 0.86 +/- acres from CSR (Community Services and Recreation) to B-1 (Neighborhood Business) zone district.

**FILE #:** RZN-2014-419  
**APPLICANT:** Callie Ash - 726 24 Road LLC  
**LOCATION:** 726 24 Road

**STAFF:** Scott Peterson

Vice Chairman Eslami briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing. With no amendments to the Consent Agenda, Vice Chairman Eslami called for a motion.

**MOTION:** (Commissioner Wade) “I move that we approve the Consent Agenda as read.”

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

**\* \* \* 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. GJHA Senior Housing PD - Highlands Apartments - Planned Development**

Forward a recommendation to City Council to rezone property from R-16 (Residential - 16 units per acre) to PD (Planned Development) with a default zone of R-24 (Residential - 24 units per acre) and approve the Outline Development Plan.

**FILE #:** PLD-2014-447

**APPLICANT:** Jody Kole - Grand Junction Housing Authority

**LOCATION:** 805 Bookcliff Avenue

**STAFF:** Lori Bowers

**Staff's Presentation**

Lori Bowers stated that this is a request for approval of an Outline Development Plan through the process of rezoning. Ms. Bowers stated the property is located at 805 Bookcliff Avenue, south of Bookcliff Avenue, east of 7<sup>th</sup> and west of 9<sup>th</sup> Street. Ms. Bowers displayed an aerial photo of the vacant lot and noted Tope Elementary is directly to the south. The parcel has been vacant since it was annexed into the City in 1964. The Future Land Use Map shows the parcel as Business Park/Mixed Use and the existing zoning is R-16 (Residential- 16 unit/ac). The property is 3.76 acres and the applicant proposed to develop the property into 128 units of multi-family residential units for seniors. Ms. Bowers explained that this will be done in two phases with each phase having 64 units. An area for indoor amenities, offices for service providers, such as home health care or Veterans Administration would be some allowed uses. Also proposed for the first phase was a common fitness or wellness center and possibly a snack area. Outside, a walking trail is proposed to the east, south and west of the property. Ms. Bowers explained that there are currently fences to the east and south of the property, and as a condition of the rezone, there would need to be fencing between the B-1 and R-16 to the west.

Ms. Bowers stated that there had been a neighborhood meeting for the proposal. At this meeting, a member of the property owners association of the property to the west, had requested that the required fencing be open, preferably a landscaping berm. Ms. Bowers stated that this would be part of the proposal.

Ms. Bowers stated that the public would benefit from this development as there is a need for moderate to low income housing for seniors. In addition to being a great infill site of a long-standing vacant lot, the development's location is near bus stops, restaurants and St. Mary's Hospital.

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

Ms. Bowers stated that in reviewing the planned development, the following two goals of the comprehensive plan were met:

**Goal 4:** Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

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

Ms. Bowers stated that in considering a planned development, the criteria of Chapter 21.02.150 is reviewed. The Outline Development Plan needs to meet the Comprehensive Plan, the Grand Valley Circulation Plan and any other adopted plans and policies. The Grand Valley Circulation Plan defines Bookcliff Avenue as a minor collector and there are no major improvements required to Bookcliff Avenue with the proposed use. All access will be interior on the site and there are no proposed streets. There will be drive isles and parking areas.

Ms. Bowers explained that in addition to the ODP criteria, staff feels that the proposal meets the criteria of the rezoning section of the code. The rezoning meets the future land use recommendation of Business Park/Mixed Use and will allow the applicant a higher and better use of this infill site.

The character and condition of the area has changed such, that the amendment is consistent with the plan.

Ms. Bowers explained the rezoning criteria provided in Section 21.02.140 of the Grand Junction Municipal Code (GJMC) was reviewed and noted the following:

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

The original premise has not been invalidated. The rezone request meets the goals and criteria of the Comprehensive Plan and the zoning that supports the future land use designation of Business Park Mixed Use. The PD zone designation will allow the applicant a higher and better use of this infill site.

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

The subject parcel has been vacant since it was annexed into the City in 1964. Growth has taken place on all surrounding properties, and some properties have re-developed in this area as the subject parcel remained vacant. This is an infill project in an area where all support and public amenities exist, particularly for this type of proposed use.

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

The vicinity of the subject property contains a variety of uses. St. Mary's Hospital property is located directly north and to the northwest of the subject property. Tope Elementary School and grounds is located immediately to the south. The property to the west is zoned B-1 and developed for business uses. There are restaurants within walking distance to the property and Grand Valley Transit has stops located nearby on Bookcliff Avenue.

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

This is one of the last vacant parcels of land in this highly desirable area in the City Center. To accommodate a Planned Development on the site will allow for better design and utilize the amenities and services of this area more efficiently.

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

The community will benefit by a housing type that is needed. This is an ideal location for this type of housing.

c) The planned development requirements of Section 21.05.040(f) GJMC;

1. Setback Standards - The applicant is requesting the setbacks for the property to be the same as those in the R-24 zoning district except for the allowance of zero setbacks for the side setbacks interior to the parcel. It is anticipated that the parcel will need to be split for financing reasons for development of Phase 2. The development plan anticipates that the buildings constructed in Phases 1 and 2 will be attached, sharing the common interior spaces that are constructed with Phase 1.
2. Open Space - Common open space is to be provided to be shared by Phase 1 and Phase 2, including planned shared active open space between the Phase 1 and Phase 2 buildings and a walking trail around the west, south, and east perimeters of the property.
3. Fencing/Screening - The south and east boundaries of the property have existing fencing. The west boundary of the property will be fenced for B-1 zone compatibility. The Owners Association of the B-1 zoned property

request that the required fencing be an open style of fence or provide a landscaping screen/berm for the buffer required by the Zoning and Development Code.

4. Landscaping - Landscaping will be provided as part of the development in compliance with city requirements.
5. Parking - On-site parking will be constructed to meet code requirements for R-24 zoning.
6. Street Development Standards - This requirement is not applicable.

Ms. Bowers stated that the subject parcel does not fall in any overlay district or is it subject to any corridor guidelines.

In Addition, adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

There are existing bus stops on Bookcliff Avenue. City water and sanitary sewer are available within the street and can be extended through the site from Bookcliff Avenue for service. Drainage detention will be addressed with the review of the site plan, which may include detention features on site.

Adequate circulation has been addressed as noted earlier.

Appropriate screening and buffering of adjacent property is required.

An appropriate range of density for the entire property or for each development pod/area to be developed.

The existing parcel is 3.763 acres. By adding in the allowed 1/2 Right-of- Way (30' x 550') an additional 16,500 square feet or .379 acres may be added to the property for the purpose of calculating the allowed density. The total acreage for calculating the density is then 4.142 acres. The applicant is proposing 128 units, resulting in a density of 30.9 units/acre. The applicant requests, and staff supports, an overall density of between 24 and 32 units per acre.

An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.

The default zoning for the Planned Development will be R-24. The setback requirements for R-24 will be utilized with one deviation being the side setback for the interior of the parcel. A zero lot line is requested for the purpose of subdividing the parcel in the future for funding purposes.

An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

Development is anticipated to consist of two phases. It is anticipated that construction of Phase 1 can begin in late 2015. Timing for Phase 2 will be prior to December 1, 2020. Staff proposes the following phasing/development schedule:

Phase 1: Planning Clearance shall be pulled no later than December 1, 2015.

Phase 2: Planning Clearance shall be pulled no later than December 1, 2020.

Ms. Bowers displayed a slide of the requested deviations which included the following:

1. The default zoning will be R-24 (Residential - 24 units per acre).
2. The side setback shall be zero for the interior of the parcel. This will allow for a simple subdivision for future funding purposes.
3. On the western edge of the property, in lieu of a solid fence the required fence buffer can be open style fencing (to see through) or a landscaping berm.
4. The following uses shall also be allowed: Management office, including support offices for resident service providers such as home health care and VA, together with fitness, wellness, and socializing areas. Other indoor amenities may include a coffee shop and/or sandwich shop.
5. The overall density range of the project will be 24 to 32 dwelling units per acre.

Ms. Bowers stated that staff recommends approval based on the requested Planned Development, Outline Development Plan is consistent with the Comprehensive Plan and meets the criteria of the Municipal Codes.

Ms. Bowers noted that Kristen Ashbeck, (Senior Planner) and Eric Hahn (Development Engineer) had helped with the design charette for this proposal and are present to answer questions. Ms. Bowers indicated that the representatives of the proposal are present and have a presentation available.

### **Questions for Staff**

Commissioner Buschhorn asked about a handout that he was given. Ms. Bowers stated that that is a replacement page of the original staff report. Mr. Buschhorn inquired about the way a criteria was worded and Ms. Bowers clarified that the wording was due to the fact that the particular criteria in question was an an/or criteria.

Commissioner Wade expressed interest in seeing the representative's presentation.

### **Applicants Presentation**

Mr. Rich Krohn, 744 Horizon Ct. stated that he was the representative for the applicant. Mr. Krohn wished to emphasize that this development is not assisted living as it is seniors only apartments, predominately one bedroom apartments. Mr. Krohn stated that this is affordable housing which means that all the occupants will have 60 percent or less of AMI (area median income). It is the intent of this type of development to allow for "aging in place" where services are available on site and will possibly help seniors avoid moving to assisted living.

Mr. Krohn stated that they would like to have one unit available for an on-site manager for security and assistance.



Mr. Krohn noted that the open fencing would be part of the site plan application. If approved, the second reading of the planned development ordinance will be January 7<sup>th</sup> with City Council.

Mr. Krohn stated that the phasing of the project is due to financing. Mr. Krohn also noted that 64 units per phase is a good size for financing the development. Mr. Krohn displayed an example of a possible configuration of the site. Mr. Krohn noted that there was a three day design charette where staff and several agencies were involved. It was noted that a design/build team had been selected.

Mr. Krohn showed a slide with a conceptual rendering of the two proposed buildings and an example of a desired private, common active area outside the building which faces Tope Elementary School. This area is somewhat private and secure where seniors can enjoy the outdoors with some privacy.

### **Questions for Applicant**

Commissioner Wade noted that the second planning clearance application is scheduled for 2020 and asked if the intent of the housing authority was to expedite the process to have that happen sooner.

Mr. Krohn explained that, in general, development never gets easier or cheaper and that they would like to obtain financing as soon as feasibly possible using the Section 42 financing mechanism.

Commissioner Deppe inquired as to the size of an average unit.

Jody Kole, stated that the approximate size of a 2 bedroom would be 900 square feet and the one bedroom would be 750 square feet. Mr. Krohn reiterated that they would predominately be one bedrooms as that is the demographic that is most needed. Mr. Krohn stated that the Housing Authority currently has close to 3,000 people looking for housing services.

Ms. Kole added that all units will either be ADA accessible or be able to be converted to ADA accessible.

Commissioner Buschhorn asked if the on-site manager's unit would be in addition to the requested 128 units. Mr. Krohn stated that the managers unit is in addition to the 128 units.

Commissioner Ehlers asked staff if that unit is included in the presentation or would they need to add it to the motion. Ms. Bowers stated that the manager office was not specifically called out as a residential unit. Mr. Krohn stated that they would like to have the managers unit be an additional residential unit under this phase. Commissioner Wade asked Ms. Beard if they would need to add it to the motion. Ms. Beard stated that since the unit would be a residential unit and still fit within the total amount of allowable units, it would not be required to be added to the motion. Ms. Beard added that if the Commission would like to add it to the motion for clarity, that would be fine. Mr. Crone stated that although the additional unit would be permitted by the requested zoning, he wanted to make sure it was understood that the manager may, or may not be, a senior.

### **Discussion**

Commissioner Wade spoke in favor of the project and said he was in support of it due to an infill project and the need for affordable housing. Commissioner Buschhorn agreed. Commissioner Gatseos noted that this was one of the few vacant parcels in the city center. Vice Chairman Eslami agreed with the project as proposed.

**MOTION:(Commissioner Wade)** “Mr. Chairman, on item PLD-2014-447, I move that the Planning Commission forward a recommendation of approval to the City Council for the requested Rezone from R-16 (Residential - 16 units) to PD (Planned Development) and recommend approval of the Outline Development Plan to include a resident apartment for the resident manager, with the findings of fact, conclusions, and conditions listed in the staff report.

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

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

Greg Moberg, Development Services Manager, Supervisor, noted that there will not be a second Planning Commission meeting in December, but there will be a second workshop on December 18<sup>th</sup> where code amendments will be discussed.

### **Adjournment**

The Planning Commission meeting was adjourned at 6:41 p.m.

**GRAND JUNCTION PLANNING COMMISSION**  
**January 13, 2015 MINUTES**  
**6:00 p.m. to 6:16 p.m.**

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

In attendance representing the City Planning Commission were Christian Reece (Chairman), Ebe Eslami (Vice-Chairman), Jon Buschhorn, Kathy Deppe, Steve Tolle, and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, were Greg Moberg, (Planning Supervisor), Lori Bowers (Senior Planner), Senta Costello (Senior Planner) and Scott Peterson, (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 4 citizens in attendance during the hearing.

**Announcements, Presentations And/or Visitors**

There were no announcements, presentations and/or visitors.

**Consent Agenda**

**Minutes of Previous Meetings**

1. None available at this time.

**2. Ruby Ranch Tract C Easement Vacation - Vacation**

Forward a recommendation to City Council to vacate a public easement, located in Tract C, Ruby Ranch Subdivision, which is no longer needed.

**FILE #:** VAC-2014-414  
**APPLICANT:** City of Grand Junction  
**LOCATION:** Along 26 Road within Tract C  
**STAFF:** Lori Bowers

**3. Casas de Luz - Planned Development**

Request a recommendation of approval to City Council to amend the phasing schedule of the previously approved Planned Development to allow 20 new residential lots and stacked condominium units on 1.88 +/- acres in a PD (Planned Development) zone district.

**FILE #:** PLD-2010-259  
**APPLICANT:** Robert Stubbs - Dynamic Investments Inc  
**LOCATION:** W Ridges Blvd at School Ridge Road  
**STAFF:** Scott Peterson

**4. AT&T Gunnison Avenue Tower - Conditional Use Permit**

Consider a request for a Conditional Use Permit to construct a new 105' telecommunications tower on 1.003 acres in an I-1 (Light Industrial) zone district.

**FILE #:** CUP-2014-431  
**APPLICANT:** Lyndsay Ward - Pinnacle Consulting Inc  
**LOCATION:** 2976 Gunnison Avenue  
**STAFF:** Senta Costello

**5. AT&T Gunnison Avenue Telecommunications Tower - Variance**

Consider a request for a Variance to use specific requirements for a new telecommunications tower on 1.003 acres in an I-1 (Light Industrial) zone district.

**FILE #:** VAR-2014-441  
**APPLICANT:** Lyndsay Ward - Pinnacle Consulting Inc  
**LOCATION:** 2976 Gunnison Avenue  
**STAFF:** Senta Costello

Chairman Reece briefly explained the Consent Agenda and noted that there were several unique items on the agenda and asked Jamie Beard (Assistant City Attorney) to explain the items.

Ms. Beard explained that items four and five were both related to the AT&T Gunnison Ave. Tower Conditional Use Permit. It was noted that after the staff report was completed, further discussions indicated that there was a motion, that if approved, could eliminate the need for both the CUP and the Variance to be approved. The Commissioners had been provided a possible motion that if approved, the item number five would become moot and would not have to be considered as part of the consent agenda.

Chairman Reece asked the commissioners if they had any questions. Hearing none, Chairman Reece invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing. With no amendments to the Consent Agenda, Chairman Reece called for a motion.

**MOTION: (Commissioner Wade) "I move that we accept the items on the Consent Agenda as presented and add to item four the following motion language: On the request for a Conditional Use Permit (CUP) for AT&T telecommunications tower application CUP-2014-431, to be located at 2976 Gunnison Avenue, I move that the Planning Commission approve the CUP with the location of the tower on the site, as included in the site plan, and within the 750 feet of another tower, with the facts included in the staff report as the criteria for the CUP have been met, with the applicant showing a gap in personal wireless service in this area. And that**

**there is no other reasonable location in the gap area and that to deny the tower, as shown in the site plan, would adversely affect and prohibit personal wireless service in this area in violation of the Telecommunication Act of 1996.”**

Commissioner Deppe seconded the motion.

Ms. Beard asked for clarification that the approval of the consent agenda vote was to be considering items one through four and not to include item 5.

Commissioner Wade verified that it was his intent for the motion to be for items one through four.

Chairman Reece asked Commissioner Deppe if her second of the motion was for items one through four. Commissioner Deppe said yes. A vote was called and the motion passed unanimously by a vote of 6-0.

**\* \* \* 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.***

### **6. Amendment to Outdoor Display Ordinance - Zoning Code Amendment**

Forward a recommendation to City Council to amend the Grand Junction Municipal Code, regarding Outdoor Display, Sections 21.03.070 and 21.04.040(h).

**FILE #:** ZCA-2014-478  
**APPLICANT:** City of Grand Junction  
**LOCATION:** City Wide  
**STAFF:** Lori Bowers

### **Proposed Amendments to the Code**

Allowing display areas in the front yard in the C-1 zone district without a conditional use permit.

Clarifying the C-2 performance standards regarding outdoor display and outdoor storage.

Exempting specially regulated “outdoor display” display areas under eaves, canopies or other storefront features immediately adjacent to buildings.

### **Staff’s Presentation**

Ms. Bowers (Senior Planner) explained that the request to amend the Zoning and Development Code's "outside storage and display" stems from the fact that, as the community grows, it has become accepted practice for businesses to have outdoor storage and displays. The proposed change would level the playing field across business zone districts.

Ms. Bowers showed a slide of the following proposed amendments to the Code:

- Allowing display areas in the front yard in the C-1 zone district without a conditional use permit.
- Clarifying the C-2 performance standards regarding outdoor display and outdoor storage.
- Exempting specially regulated "outdoor display" display areas under eaves, canopies or other storefront features immediately adjacent to buildings.

Ms. Bowers presented a slide for clarification in the difference between "Display" and "Storage" that illustrated the following points:

- Auto dealerships "display" cars.
- Storage units are displayed.
- Large pieces of granite and/or stone are displayed as they are too large to move in and out at the end of the business day.
- Outdoor storage would include:
  - inoperable vehicles,
  - pallets of building materials
  - items that a customer would not normally browse through to make a selection or are not for immediate retail sale.

Ms. Bowers explained that staff finds the amendments in the best interest of the Community and further the goals of the Comprehensive Plan and the Economic Development Plan. Therefore, we recommend forwarding approval of the proposed amendments to the City Council.

### **Questions for Staff**

Commissioner Wade asked if requiring someone to be in compliance with the code, would it be enforced under the normal enforcement procedure. Ms. Bowers stated yes. Commissioner Wade asked if the interpretation of display or storage would be determined as a result of a complaint. Ms. Bowers said that was correct.

Commissioner Toole added that he commends the staff in bringing this forward and considers it good for the community and a good recommendation to send on to City Council.

Noting that it did not appear that there is anyone from the public in attendance, Chairman Reese stated that the public hearing portion of the meeting was closed.

## **Discussion**

Chairman Reese asked if there was interest in any further discussion on the item. Noting that it did not appear that there is anyone from the public in attendance, Chairman Reese closed the public hearing portion, and stated she was open for a motion on this item.

**MOTION: (Commissioner Eslami) “Madam Chairman, file ZCA-2014-478, I move that we send a recommendation on to City Council for approving this amendment.”**

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

## **General Discussion/Other Business**

Mr. Moberg reminded Planning Commission that there would not be a meeting on Jan. 27<sup>th</sup> however, there would be a workshop on Jan. 22<sup>nd</sup>.

## **Nonscheduled Citizens and/or Visitors**

None

## **Adjournment**

The Planning Commission meeting was adjourned at 6:16 p.m.



Date: January 14, 2015  
 Author: Brian Rusche  
 Title/Phone Ext: Senior  
Planner/4058  
 Proposed Schedule: February 10,  
2015  
 File #: RZN-2015-18

**Attach 2**

**PLANNING COMMISSION AGENDA ITEM**

<b>Subject:</b> Hoffman Rezone, Located at 1410 and 1400 North 7 <sup>th</sup> Street
<b>Action Requested/Recommendation:</b> Forward a recommendation of approval to City Council to rezone 0.322 acres from R-8 (Residential 8 du/ac) and PD (Planned Development) to R-O (Residential Office).
<b>Presenters Name &amp; Title:</b> Brian Rusche, Senior Planner

**Executive Summary:**

The applicant, on behalf of Rocky Mountain TMS, requests that the City rezone the property at 1410 N. 7<sup>th</sup> Street from R-8 (Residential 8 du/ac) to R-O (Residential Office). The applicant is in the process of purchasing the single-family residence in order to expand the medical practice, known as Mesa Behavioral Medicine, located next door at 1400 N. 7<sup>th</sup> Street and zoned PD (Planned Development). In order to maintain consistency of zoning, staff recommended and the applicant has agreed to include this property in the request to rezone to R-O (Residential Office).

**Background, Analysis and Options:**

Rocky Mountain TMS is a partnership between Dr. Robert Sammons of Mesa Behavioral Medicine and Christopher M. Blackburn. They are in the process of purchasing the residence at 1410 N. 7<sup>th</sup> Street in order to expand the current practice, located at 1400 N. 7<sup>th</sup> Street. The request to rezone the property to R-O (Residential Office) would allow the existing structure to be used for a medical office, which is not permitted within the R-8 zone.

Dr. Sammons relocated Mesa Behavioral Medicine from 1300 N. 7<sup>th</sup> Street (now 710 Bunting Avenue) to 1406 (now 1400) N. 7<sup>th</sup> Street in 2000. The building had previously been used as an insurance office, which was approved as Planned Business (PB) in 1987 and expanded in 1996. Prior to the insurance office, it was a single-family residence.

In 1987, there was no Comprehensive Plan for this area of the City. Prior to the Growth Plan of 1996, the 7<sup>th</sup> Street Corridor Guideline indicated that professional offices were appropriate for the corridor between Orchard and Bunting Avenue, retaining the residential scale for all new development. As of 2010, the corridor has been designated



as Residential Medium-High with the adoption of the Comprehensive Plan. This future land use designation includes an option for R-O (Residential Office) zoning, which the zoning of all of the parcels on the west side of N. 7<sup>th</sup> Street between Orchard and Bunting Avenue.

The purpose of the R-O (Residential Office) zone district is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment. New construction, including additions and rehabilitations, in the R-O district must be designed with residential architectural elements and shall be consistent with existing buildings along the street. "Consistent" means operational, site design and layout, and architectural considerations, which are outlined in Grand Junction Municipal Code (GJMC) Section 21.03.070(a)(3).

See attached staff report for further analysis and options.

### **Neighborhood Meeting:**

The applicant held a Neighborhood Meeting on January 15, 2015.

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

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

The expansion of the medical office adjacent to the existing practice is arguably more efficient than a relocation of the entire practice.

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

The property is a single-family residence that is currently used as a rental home. This use can continue until such time as the applicant is ready to move forward with the reuse of the structure for a medical office.

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

The rezone of both properties to an R-O (Residential Office) zone district will allow Dr. Sammons to continue providing services to his patients.

The Comprehensive Plan Future Land Use designation of the property is Residential Medium-High (8-16 du/ac). The proposed zoning of R-O (Residential Office) will implement this land use designation and is consistent with the Comprehensive Plan.

### **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 Rezone meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing business within the community as it expands their business offerings to serve patients both local and from out of town.

**Board or Committee Recommendation:**

There is no other committee or board recommendation.

**Financial Impact/Budget:**

No direct financial impact on the City budget for this item.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This has not been previously discussed.

**Attachments:**

1. Background information
2. Staff report
3. Site Location Map
4. Aerial Photo
5. Comprehensive Plan Future Land Use Map
6. Existing Zoning Map
7. General Project Report
8. Neighborhood Meeting summary
9. Press coverage
10. Ordinance

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		1410 N. 7 <sup>th</sup> Street 1400 N. 7 <sup>th</sup> Street			
<b>Applicant:</b>		Christopher Blackburn for Rocky Mountain TMS David Hoffman for Mountain West Properties LLC Drs. Robert and Louise Sammons			
<b>Existing Land Use:</b>		Single-family detached home Medical Office			
<b>Proposed Land Use:</b>		Medical Office			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family Residential			
	<b>South</b>	Church			
	<b>East</b>	Single and Two-family Residential			
	<b>West</b>	Single-family Residential and Medical Office			
<b>Existing Zoning:</b>		R-8 (Residential 8 du/ac) PD (Planned Development)			
<b>Proposed Zoning:</b>		R-O (Residential Office)			
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential 8 du/ac)			
	<b>South</b>	R-8 (Residential 8 du/ac)			
	<b>East</b>	R-8 (Residential 8 du/ac)			
	<b>West</b>	R-O (Residential Office)			
<b>Future Land Use Designation:</b>		Residential Medium-High (RMH)			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Sections 21.02.140 of the Grand Junction Zoning and Development Code:**

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

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

The Comprehensive Plan, adopted in 2010, designated the Future Land Use of the property as Residential Medium-High. Goal 3 of the Comprehensive Plan includes policies calling for the creation of opportunities to reduce trips and provide services throughout the community.

The R-O (Residential Office) zone district is an option within the Residential Medium-High designation. The purpose of the R-O (Residential Office) zone district is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods.

The applicant is requesting the R-O zoning to expand an existing medical practice into the adjacent residence, in order to continue providing services to patients.

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;*

Dr. Sammons relocated Mesa Behavioral Medicine from 1300 N. 7th Street (now 710 Bunting Avenue) to 1406 (now 1400) N. 7th Street in 2000. The building had previously been used as an insurance office, which was approved as Planned Business (PB) in 1987 and expanded in 1996. Prior to the insurance office, it was a single-family residence. Dr. Sammons and his business partner are in the process of purchasing the residence at 1410 N. 7<sup>th</sup> Street in order to expand the current practice.

In 1987, there was no Comprehensive Plan for this area of the City. Prior to the Growth Plan of 1996, the 7th Street Corridor Guideline indicated that professional offices were appropriate for the corridor between Orchard and Bunting Avenue, retaining the residential scale for all new development. As of 2010, the corridor has been designated as Residential Medium-High with the adoption of the Comprehensive Plan. This future land use designation includes an option for R-O (Residential Office) zoning, which the zoning of all of the parcels on the west side of N. 7th Street between Orchard and Bunting Avenue.

This criterion **has** been met.

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

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

The alley behind the properties was rebuilt in 2004 as part of an Alley Improvement District. Grand Valley Transit provides bus service is available along Orchard and North Avenue (one-quarter mile walk).

Retail and restaurant uses, as well as services including medical offices, along with two churches, are within one-quarter mile walking distance of the subject parcel. Colorado Mesa University (CMU) is to the east and St. Mary's Hospital main campus is two-thirds (2/3) of a mile north.

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;*

All of the properties on the west side of N. 7<sup>th</sup> Street between Orchard and Bunting Avenue are zoned R-O; however the majority of these remain single-family residences. The R-O Zone is a unique zone which allows professional offices and multifamily residential to join with single family residential uses and others, such as churches, that may be found in a residential zone. Examples of these uses can be found within walking distance of the subject property.

As of January 8, 2014 there was a total of 98.33 acres of R-O zoned property within the City. This represents less than 2% of the total acreage zoned for non-residential development (planned developments excluded).

The nature of the R-O zone district is to provide a range of uses that function as a transition between single-family residential neighborhoods and more intensive uses, so it is implemented as needed in appropriate transition areas.

This criterion **has been met**.

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

The R-O Zone is a unique zone within the City and allows professional offices and multifamily residential to join with single family residential uses and others that may be found in a residential zone, including group living, as well as community services, such as daycare or religious assembly. Examples of all of these uses can be found within walking distance of the subject property.

The proposed R-O zone would implement Goal 3, 6, and 12 of the Comprehensive Plan as described earlier. The expansion of the medical office adjacent to the existing practice is arguably more efficient than a relocation of the entire practice.

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-8 (Residential - 8 du/ac)
- d. R-12 (Residential - 12 du/ac)
- e. R-16 (Residential - 16 du/ac)

The R-4 through R-16 zones are inconsistent with the applicant's request, since the goal is an expanded medical office, which is not a use by right in any of these zones.

The purpose of the R-O zone is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Performance standards within this zone are intended to make buildings compatible and complementary in scale and appearance to a residential environment.

It is my professional opinion that rezoning both properties will achieve not only the goals of the Comprehensive Plan but also provide a suitable use compatible with the adjacent neighborhood. The conversion of the existing residence at 1410 N. 7<sup>th</sup> Street will be reviewed by the City to ensure conformance with these standards. The scale, form, and site improvements for the existing practice at 1400 N. 7<sup>th</sup> Street, achieved through the Planned Development (PD), are consistent with the standards of the R-O zone. The PD has served its purpose and can now be repealed.

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 AND CONCLUSIONS:**

After reviewing the Hoffman Rezone, RZN-2015-18, a request to rezone the properties at 1410 N. 7<sup>th</sup> Street and 1400 N. 7<sup>th</sup> Street from R-8 (Residential 8 du/ac) and PD (Planned Development) to R-O (Residential Office), the following findings of fact and conclusions have been determined:

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

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested R-O (Residential Office) zone, RZN-2015-18, to the City Council with the findings and conclusions listed above.

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

Madam Chairman, on Rezone, RZN-2015-18, I move that the Planning Commission forward a recommendation of the approval for the Hoffman Rezone from R-8 (Residential 8 du/ac) and PD (Planned Development) to R-O (Residential Office) with the findings of fact and conclusions listed in the staff report.

# Site Location Map



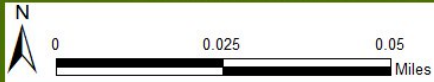
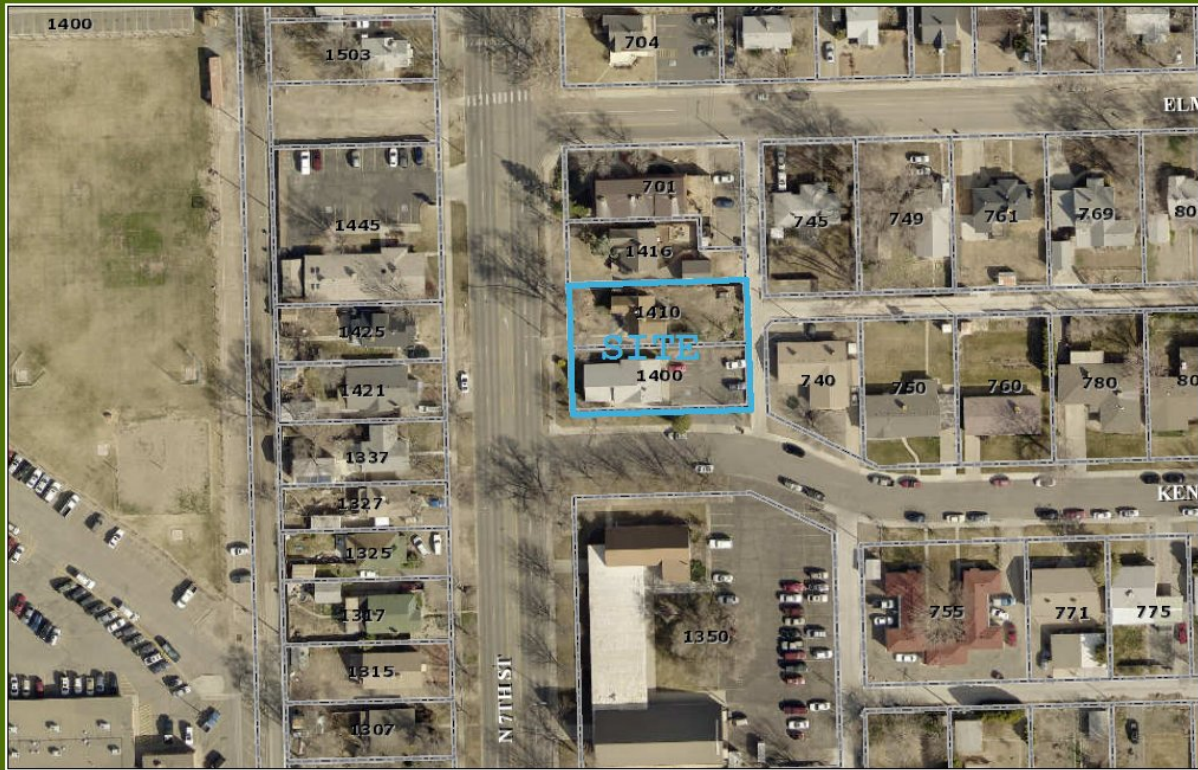
0 0.025 0.05 Miles

Printed: 1/12/2015

1 inch = 90 feet



# Aerial Photo



Printed: 1/12/2015

1 inch = 90 feet





# Future Land Use Map



0 0.025 0.05 Miles

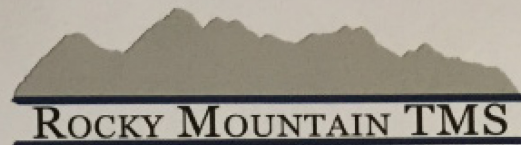
Printed: 1/12/2015

1 inch = 90 feet





Rocky Mountain TMS  
1400 N. 7<sup>th</sup> Street, Grand Junction, CO 81501  
Tel 970-261-4649 Fax 970-242-6135  
[Rockymountaintms@gmail.com](mailto:Rockymountaintms@gmail.com)  
[www.rockymountaintms.com](http://www.rockymountaintms.com)



## GENERAL PROJECT REPORT

Currently Mesa Behavioral Medicine and Rocky Mountain TMS, located at 1400 North Seventh Street, are in the process of purchasing the property located at 1410 North Seventh Street. Furthermore, we are working with the City of Grand Junction to change the zoning at 1410 N 7<sup>th</sup>, from Residential to Residential Office, which will allow us to have an office located in the property – similar to the property next door. Additionally, we are co-operating with the City to re-zone 1400 N 7<sup>th</sup> St. from a “Special Use Planned Development” to Residential Office. We have agreed to make this change.

The use for the property located at 1410 North 7<sup>th</sup> Street will be so Mesa Behavioral Medicine and Rocky Mountain TMS (Currently located at 1400 N 7<sup>th</sup> Street) can expand our current practice. Please contact me with any questions.

Regards in kind,

Christopher M Blackburn  
Partner, Rocky Mountain TMS  
970-261-4649

**From:** Christopher Blackburn <rockymountaintms@gmail.com>  
**To:** Brian Rusche <brianr@ci.grandjct.co.us>, Bob Sammons <bob@mesabmc.com>, David Hoffman <poundsnails@gmail.com>  
**Date:** 1/16/2015 10:26 AM  
**Subject:** Neighborhood Meeting

Brian:

This email is to serve as notice that a required neighborhood meeting was conducted on Thursday, January 15, 2015 concerning properties located at 1400 and 1410 North Seventh Street, Grand Junction, CO.

There were three property owners in attendance: Pamela Noonan, Bob Sammons, Louise Sammons; a representative from the City of Grand Junction, Brian Rusche; and a partner in Rocky Mountain TMS, Christopher Blackburn.

Pam inquired with a few questions regarding the use of the property. It was explained that Dr. Sammons wants additional space for his current practice to allow for TMS (Transcranial Magnetic Stimulation). Dr. Sammons explained the procedure and showed Pam the chair and its use. Furthermore, parking was discussed and no negative issues arose.

Other issues were discussed regarding Colorado Mesa Universities growth intentions but nothing that pertained to Dr. Sammons practice growth.

If you have any questions please contact me direct at the Mobile number below. Thank you for your time.

Regards in kind,

\*Christopher M Blackburn\*  
1400 North Seventh Street  
Grand Junction, CO 81501  
970-241-1983 Office  
970-261-4649 Mobile  
Rockymountaintms@gmail.com

Neighborhood Meeting

Proposed Hoffman Rezone

Located at 1410 and 1400 N. 7<sup>th</sup> Street

Existing Zoning: R-8 (Residential 8 du/ac) & PD (Planned Development)

Proposed Zoning: R-O (Residential Office)

Future land Use Designation is Residential Medium-High

---

Please Sign In

Name	Address	Contact info
BRIAN BUSCHÉ	250 N. 5TH ST.	256-4058
PAM NORMAN	1337 N 7 <sup>th</sup> St	544-1718
Chris Blackburn	1400 N. 7 <sup>th</sup>	261-4649
Bels Stumbras	1400 N 7 <sup>th</sup>	241-1983
Quinn Sammons	1400 N 7 <sup>th</sup>	"



## Unique therapy for depression available in Grand Junction

By: Sara Zendeenam - Email

Updated: Wed 4:31 PM, Dec 17, 2014



**GRAND JUNCTION, Colo.** Being diagnosed with depression can be a hard pill to swallow.

Some people who have it worry about the stigma surrounding the condition. One Grand Valley man - who chose not to be identified for that reason - has been dealing with the condition for decades, "I was diagnosed with major depression 22 years ago so I've struggled with it for a long time," he said.

This patient has taken prescription medications for years without much relief. It wasn't until he tried transcranial magnetic stimulation therapy that he started getting back to his old self, "I can't speak more highly about it it's been a God-send for me," he said.

Dr. Robert Sammons invested in the system which uses electromagnetic pulses to stimulate nerve cells in the brain to improve

symptoms of moderate to severe depression for those who haven't had great responses to medication.

After living in the Valley for nearly 30 years, Sammons said he needs to help lower the growing rate of depression on the Western Slope, "You just feel bad for people who have a very disabling and very disruptive condition."

Mesa Behavioral Medicine brought in the machine in September and has since had 11 patients use the services. While there's a promising success rate there's still a 50% chance TMS therapy won't put you in remission.

The recommended treatment is five times a week for six weeks and each session takes about 40 minutes to complete.

Side effects can include headaches and there is a small chance for seizure, about the same risk as taking anti-depressant medications.

Some insurance carriers like Rocky Mountain Health Plans and medicaid do cover part of the \$7,500 cost of the therapy.

2531 Blichmann Avenue Grand Junction, CO 81505

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**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PROPERTY  
FROM R-8 (RESIDENTIAL 8 DU/AC) AND  
PD (PLANNED DEVELOPMENT)  
TO  
R-O (RESIDENTIAL OFFICE)**

**LOCATED AT  
1410 N. 7<sup>TH</sup> STREET AND 1400 N. 7<sup>TH</sup> STREET**

Recitals:

The applicant, on behalf of Mesa Behavioral Medicine and Rocky Mountain TMS, requests that the City rezone the property at 1410 N. 7th Street from R-8 (Residential 8 du/ac) to R-O (Residential Office). The applicant is in the process of purchasing the single-family residence in order to expand the medical practice, which is located next door at 1400 N. 7th Street and zoned PD (Planned Development). In order to maintain consistency of zoning, staff recommended and the applicant has agreed to include this property in the request to rezone to R-O (Residential Office).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the rezoning R-8 (Residential 8 du/ac) and PD (Planned Development) to the R-O (Residential Office) zone district for the following reasons:

The zone district meets the recommended land use category of Residential Medium-High as shown on the Future Land Use map of the Comprehensive Plan; the requested zone is consistent with the goals and policies of the Comprehensive Plan; and is generally compatible with 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 R-O zone district to be established.

The Planning Commission and City Council find that the R-O zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

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

Lots 29, 30, 31, and 32 of Block 1, ELM AVENUE SUBDIVISION.



Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor



Date: January 21, 2015  
Author: Brian Rusche  
Title/Phone Ext: Senior  
Planner/4058  
Proposed Schedule: February 10,  
2015  
File #: RZN-2014-493

**Attach 3**

**PLANNING COMMISSION AGENDA ITEM**

<b>Subject:</b> 2872 Patterson Rezone, Located at 2872 Patterson Road
<b>Action Requested/Recommendation:</b> Forward a recommendation of approval to City Council to rezone 1.415 acres from an R-O (Residential Office) to an MXOC (Mixed Use Opportunity Corridors) zone district.
<b>Presenters Name &amp; Title:</b> Brian Rusche, Senior Planner

**Executive Summary:**

The applicant requests that the City rezone the property at 2872 Paterson Road from R-O (Residential Office) to MXOC (Mixed Use Opportunity Corridors). The applicant is in the process of creating a site plan for the 1.415 acres in anticipation of future commercial development.

**Background, Analysis and Options:**

The property located at 2872 Patterson Road includes a single-family residence, constructed in 1949, and detached shop. The property was annexed to the City in 1999. The property was rezoned in 2008 from R-5 (Residential 5 du/ac) to R-O (Residential Office).

The Comprehensive Plan, adopted in 2010, introduced a new Mixed-Use Opportunity Corridor along the entire length of Patterson Road, in order to implement Goal 3 of the Plan, which calls for spreading growth throughout the community. In particular, the Plan calls for the creation of opportunities to reduce trips generated for shopping by providing commercial areas throughout the community.

The current owner met with the City in May 2014 to discuss possible commercial development options for the property, including restaurants. The R-O Zone does not permit restaurants.

Areas within a Mixed Use Opportunity Corridor that are currently zoned for residential purposes may be rezoned for more intense use (including nonresidential uses), provided that Form Districts are utilized and the depth of the lot is at least 150 feet (Grand

Junction Municipal Code Section 21.02.140.c.2). The property is approximately 214 feet in depth, excluding right-of-way.

On November 19, 2014 the City Council adopted an amendment to the Zoning and Development Code (ZDC) creating a new form district specifically for use within the Mixed Use Opportunity Corridors. The applicant requests that the City rezone the subject property to this new form district, MXOC (Mixed Use Opportunity Corridors), in anticipation of future commercial development.

See attached staff report for further analysis and options.

### **Neighborhood Meeting:**

The applicant held a Neighborhood Meeting on July 15, 2014 at the Grace Point Church, which is across 28 ¾ Road from the subject property. Only a representative of the church was in attendance.

Upon learning of the proposed zone change, two neighbors have contact the Planner expressing concern about traffic, both current and future, that may impact the intersection of Patterson and 28 ¾ Road, which is the only access to their residences. The applicant has been informed that a Traffic Impact Study will be required prior to any development. The City will gather updated information on existing traffic counts at/near this intersection to aid in this study.

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

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

The proposed rezoning of the property will create an opportunity for appropriate “infill” redevelopment of the property in a manner that is consistent with the Comprehensive Plan.

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

The property includes a single-family residence and detached shop. This use can continue until such time as the applicant is ready to move forward with redevelopment of the property.

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

The proposed rezoning of the property will create an opportunity for appropriate commercial development along the corridor that will be accessible to the surrounding residential neighborhoods and the future Matchett Park.

**Economic Development Plan:**

The purpose of the recently adopted Economic Development Plan is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed Rezone meets with the goal and intent of the Economic Development Plan by providing opportunities for new businesses within the community.

**Board or Committee Recommendation:**

There is no other committee or board recommendation.

**Financial Impact/Budget:**

No direct financial impact on the City budget for this item.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This has not been previously discussed.

**Attachments:**

11. Background information
12. Staff report
13. Site Location Map
14. Aerial Photo
15. Comprehensive Plan Future Land Use Map
16. Existing Zoning Map
17. General Project Report
18. Neighborhood Meeting
19. Ordinance

<b>BACKGROUND INFORMATION</b>			
<b>Location:</b>		2872 Patterson Road	
<b>Applicant:</b>		Jim Cagle - Applicant Ciavonne, Roberts and Associates – Representative Benson James Investments LLC - Owner	
<b>Existing Land Use:</b>		Single-family residence	
<b>Proposed Land Use:</b>		Restaurant(s) and Office(s)	
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family Residential	
	<b>South</b>	Vacant Residential property	
	<b>East</b>	Grace Point Church	
	<b>West</b>	Matchett Park (Master Plan adopted 2014)	
<b>Existing Zoning:</b>		R-O (Residential Office)	
<b>Proposed Zoning:</b>		MXOC (Mixed Use Opportunity Corridors)	
<b>Surrounding Zoning:</b>	<b>North</b>	R-5 (Residential 5 du/ac)	
	<b>South</b>	PD (Planned Development) – The Legends	
	<b>East</b>	R-5 (Residential 5 du/ac)	
	<b>West</b>	CSR (Community Services and Recreation)	
<b>Future Land Use Designation:</b>		Residential Medium (4-16 du/ac per Blended Map) Mixed-Use Opportunity Corridor	
<b>Zoning within density range?</b>	X	<b>Yes</b>	<b>No</b>

**Sections 21.02.140 of the Grand Junction Zoning and Development Code:**

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

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

The Comprehensive Plan, adopted in 2010, designated the future land use of the property as Residential Medium. The Comprehensive Plan also introduced a new Mixed-Use Opportunity Corridor along the entire length of Patterson Road, in order to implement Goal 3 of the Plan, which calls for spreading growth throughout the community. In particular, the Plan calls for the creation of opportunities to reduce trips generated for shopping by providing commercial areas throughout the community.

While the existing zoning of R-O (Residential Office) implements the Residential Medium land use designation, the only zoning that implements the Mixed Use Opportunity Corridor is the Mixed Use Opportunity Corridor (MXOC) form district, established by Ordinance 4646. In order to provide for commercial uses other than office, a rezone to MXOC is required.

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 entire Patterson Road corridor has changed significantly from when the residence on the subject property was constructed in 1949. Each of the residential subdivisions constructed on either side of Patterson within this segment of the corridor represents successive decades of the growth, along with some years of stagnation, of our community. The designation of Patterson Road as a Mixed Use Opportunity Corridor in 2010 has unlocked some demand for commercial space along the corridor. Examples of recent development along Patterson Road includes the Maverik convenience store at the northwest corner of 29 ½ Road and a Family Dollar general store at the northeast corner of 30 Road.

This criterion **has** been met.

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

There are public utilities already connected to the existing residence, including potable water provided by Ute Water Conservancy District, sanitary sewer service maintained by the City, and electricity from Grand Valley Power.

The property is adjacent to the southeast corner of the Matchett Park property, with 28 ¾ Road terminating north of Patterson in a corner of the Park. The Matchett Park Master Plan was approved in September 2014.

Commercial uses, including a grocery store, two gas stations, and a bank, are just over one-quarter mile to the east of the subject parcel at the intersection of 29 and Patterson Roads. Three churches are located within one-quarter mile either side of the site. Grand Valley Transit provides bus service along Patterson Road, with a stop in each direction on Patterson within walking distance of the subject property. Fire Station #2 is one-half mile west on 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;*

This is the first property to be considered for the newly established MXOC (Mixed Use Opportunity Corridors) zone district, which is intended to:

(1) Create mixed use development(s) along the corridor in a pedestrian-friendly environment while accommodating the more automobile-centric nature of the areas due to the fact that these corridors are primarily along arterial streets;

- (2) Provide a transition from nonresidential to existing neighborhood residential uses, and respect the limitations set forth in GJMC 21.02.140(c)(2);
- (3) Combine access between two or more sites whenever possible to restrict the number of access points along the arterial street; and
- (4) Establish standards for access, parking, delivery and pick-up areas, trash service, signage, building entry, and architecture that reflect the somewhat more automobile-centric nature compared to the other form districts.

Areas within a Mixed Use Opportunity Corridor may be rezoned for more intense use (including nonresidential uses), provided that Form Districts are utilized and the depth of the lot is at least 150 feet (GJMC Section 21.02.140.c.2). The property is approximately 214 feet in depth, excluding right-of-way.

This criterion **has** been met.

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

In addition to the rezone criteria of Section 21.02.140(a), Section 21.02.140(c)(2) states that during consideration of the application of a Form District, the City Council shall consider the following:

- (i) *The extent to which the rezoning furthers the goals and policies of the Comprehensive Plan; and*

The proposed zoning will implement several goals of the Comprehensive Plan, including:

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

The proposed rezoning of the property will create an opportunity for appropriate “infill” redevelopment of the property in a manner that is consistent with the Comprehensive Plan.

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

The property includes a single-family residence and detached shop. This use can continue until such time as the applicant is ready to move forward with redevelopment of the property.

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

The proposed rezoning of the property will create an opportunity for appropriate commercial development along the corridor that will be accessible to the surrounding residential neighborhoods and the future Matchett Park.

- (ii) The extent to which the proposed rezoning would enhance the surrounding neighborhood by providing walkable commercial, entertainment and employment opportunities, as well as alternative housing choices.

There are 19 dwelling units on 28 ¾ Road, 112 dwelling units in Indian Village, 57 dwelling units in Belhaven, 48 dwelling units in Pepper Ridge, 156 dwelling units in the Legends, along with 108 units approved for Bella Dimora (adjacent to Legends), all within one-half mile (1/2 mi) walk from the subject property.

While the MXOC zone would permit a variety of uses that may not be in demand by these adjacent residents, the potential is still present. In addition, the potential for the property is complemented by the location of other commercial uses to the east, including the Patterson Marketplace (Safeway) at 29 and Patterson Roads.

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(s) for the subject property.

- f. R-4 (Residential - 4 du/ac)
- g. R-5 (Residential - 5 du/ac)
- h. R-8 (Residential - 8 du/ac)
- i. R-12 (Residential - 12 du/ac)
- j. R-O (Residential - Office)

The Mixed Use Opportunity Corridor designation is implemented with the MXOC, a three-story form district as limited by GJMC [21.02.140\(c\)\(2\)](#); in addition, because the Mixed Use Opportunity Corridor overlays other future land use designations as shown on the Comprehensive Plan Future Land Use Map, other zone districts which implement the underlying future land use designation would also be appropriate zoning options in a given area of the Mixed Use Opportunity Corridor.

In reviewing the other zoning district options, the residential (R-4, R-5, R-8, R-12) zone districts and the existing R-O zone district do not allow commercial retail land uses. This limits the potential for the property to provide opportunities for goods and services in close proximity to the neighboring residential population, as well as the future users of the adjacent Matchett Park.

It is my professional opinion that the newly crafted MXOC zone is the best option for the property and for implementing the goals and policies of the Comprehensive Plan.



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 AND CONCLUSIONS**

After reviewing the 2872 Patterson Rezone, RZN-2014-493, a request to Rezone the property at 2872 Patterson Road from R-O (Residential Office) to MXOC (Mixed Use Opportunity Corridors), 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. The review criteria in Section 21.02.140 of the Grand Junction Municipal Code have all been met.

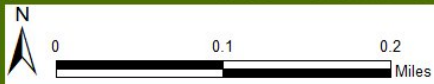
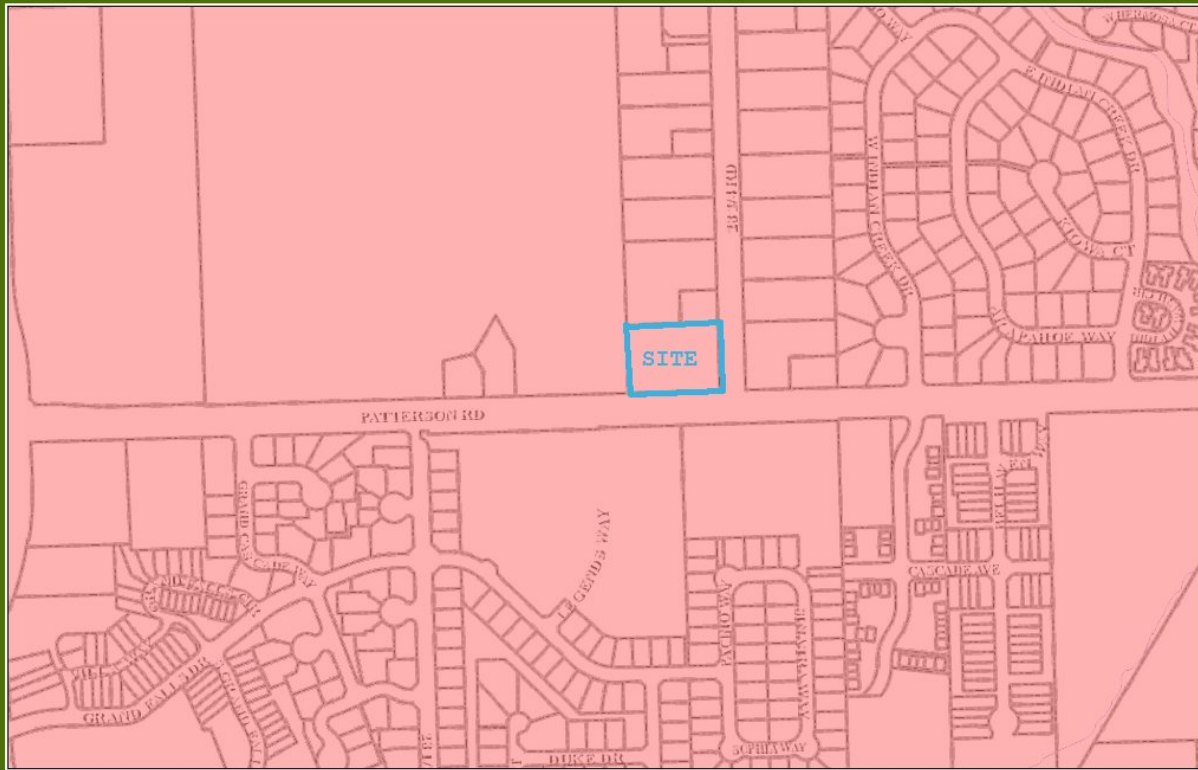
### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested MXOC (Mixed Use Opportunity Corridors) zone district for RZN-2014-493 to the City Council with the findings of fact and conclusions listed above.

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

Madam Chairman, on Rezone, RZN-2014-493, I move that the Planning Commission forward a recommendation of approval for 2872 Patterson Rezone from R-O (Residential Office) to an MXOC (Mixed Use Opportunity Corridors) zone district, with the findings of fact and conclusions listed in the staff report.

# LOCATION MAP

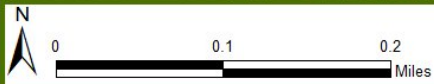
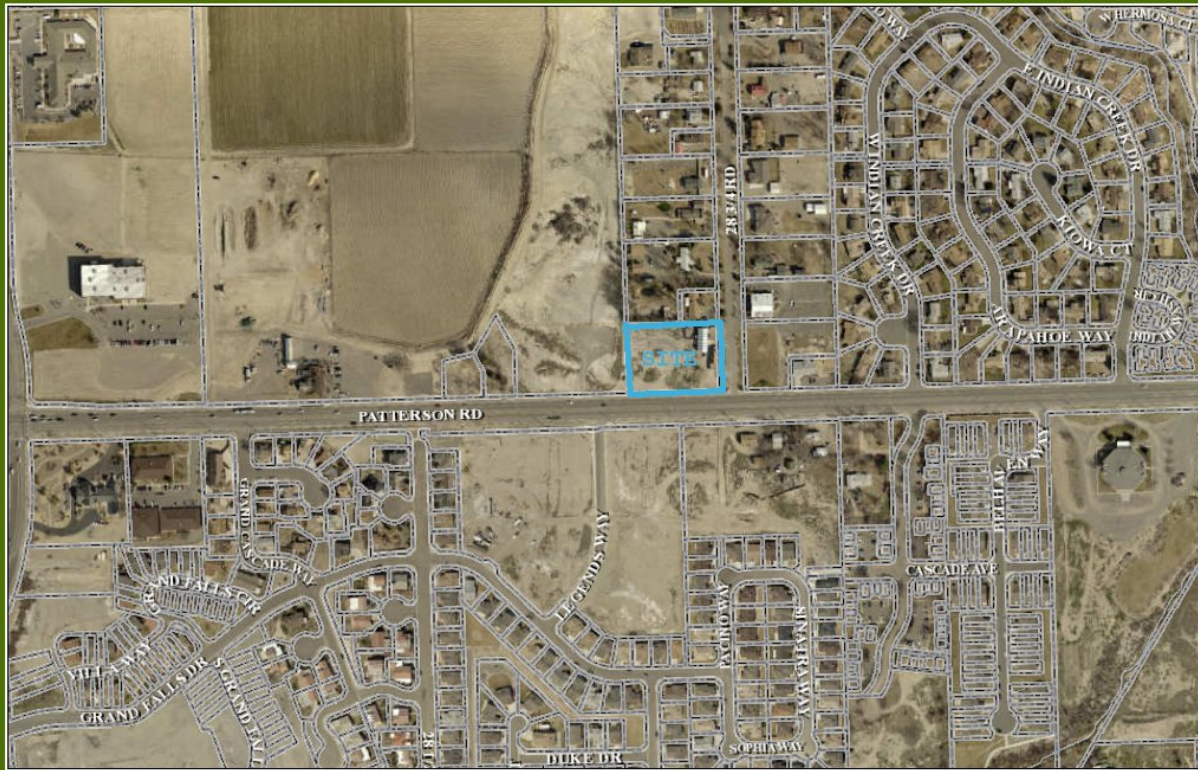


Printed: 1/12/2015

1 inch = 358 feet



# AERIAL PHOTO



Printed: 1/12/2015

1 inch = 358 feet





# ZONING MAP



Printed: 1/12/2015

1 inch = 358 feet



**2872 Patterson Road  
Rezone  
December 16, 2014  
General Project Report**

**Project Overview**

Owner of the subject property is Benson James Investments, LLC. The owner is proposing a Rezone of a 1.415 acre parcel located at 2872 Patterson Road in the City of Grand Junction from an R-O to MXOC Form District Zone to redevelop the properties from residential business to mixed use. The name of this project is 2872 Patterson Road.

**A. Project Description**

Location and Site Features

- The parcel exists with a single family residence and detached shop and garage that is accessed from either 28<sup>3</sup>/<sub>4</sub> Road or Patterson Road. To the west of the residence and shop is undeveloped land, which comprises the majority of the parcel.
- Access is unchanged and will continue to be from both Patterson Road and 28<sup>3</sup>/<sub>4</sub> Road.
- Surrounding land use is single family homes to the north (zone R-5), a church to the east (zone R-5); single family homes to the south (zone PD); and Matchett Park to the west (zoned CSR).
- Topography of the parcels gently slopes southeast from the northwest corner of the site, with approximately 8 feet of grade variation.
- The site is in the Palisade Irrigation District.
- The parcel is currently zoned R-O (Residential Office). Within the Future Land Use Plan it is identified as being Residential Medium (4-8 DU/Acre) and it is in a Mixed Use Corridor.
- The proposed plan is to rezone the existing R-O zoning to an MXOC Form District Zone.
- At some point following an approved rezone, the plan is to submit for a Site Plan Approval of restaurant and office uses having shared parking.

**B. Public Benefit:**

- the development of property adjacent to existing City services;
- the creation of mixed use property meeting the intent of the Future Land Use Plan;
- 'Infill' development of vacant land along a major transportation corridor;
- the ability to provide limited desired services within walking distance of significant residential development and a Regional Park site (Matchett Park);
- as this property develops, the elimination of un-necessary an un-safe access points;

**C. Neighborhood Meeting**

A Neighborhood Meeting was held on July 15<sup>th</sup>, 2014 for the rezone of 2872 Patterson Road. 30 notices were sent out, only one neighbor attended, and that was the host of the neighborhood meeting. At this meeting we explained the intentions of pursuing the MXOC Zone District, which was 'in process' at that time.

**D. Project Compliance, Compatibility, and Impact**

1. Adopted Plans and/or Policies

The recently created MXOC Form District Zone  
The Future Land Use Plan.

2. Surrounding Land Use

The land surrounding the subject parcel has gradually converted from agricultural uses to residential, planned development, and community services uses through the City subdivision and review processes. To the south are single family residences zoned PD; to the east is church property in an R-5 zone; to the north are single family residences zoned R-5; adjacent to the west boundary is Matchett Park zoned CSR.

3. Site Access and Traffic

Although not a Rezone criteria, access to 2872 Patterson will continue to be from the east from 28<sup>3</sup>/<sub>4</sub> Road, and from the south from existing Patterson Road.

4 & 5. Availability of Utilities and Unusual Demands

Sanitary Sewer: There is an existing 8" sanitary sewer line in Patterson Road.  
There is also an existing 8" sanitary sewer line down the center of 28 <sup>3</sup>/<sub>4</sub> Road.  
Storm Sewer: There is no storm sewer. This site will need to detain its storm events.

Water: Is provided by Ute Water. Sufficient fire flow will be provided.

6. Effects On Public Facilities

The addition of more mixed use sites and the resulting new businesses will have expected, but not unusual impacts on the fire department and police department. There should be no impacts to the public school system.

7. Site Soils

No unusual or unexpected soil issues are present at the proposed site.

8. Site Geology and Geologic Hazards N/A

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation N/A

**E. Development Schedule and Phasing**

At this point in time the intent is to submit a Site Plan sometime in 2015.



222 North 7th Street Grand Junction, CO 81501  
PH 970-241-0745 FX 970-241-0765 www.ciavonne.com

## **Neighborhood Meeting Notice Letter**

Mailing Date: June 27, 2014

RE: A Neighborhood Meeting concerning a Rezone of 2872 Patterson Road.

Dear Property Owner:

This letter is intended to notify you that on **Tuesday (July 15th), starting at 5:30 pm**, a neighborhood meeting will be held to update you on a proposed **Rezone** at 2872 Patterson Road, Grand Junction, Colorado. This meeting will be held at **Grace Point Church, 606 28 ¾ Road, Grand Junction, Colorado 81520**.

The neighborhood meeting is an opportunity for adjacent property owners to learn more about the project, ask questions, and submit written statements to the owner **James Benson**, the developer **Jim Cagle**, and the City of Grand Junction staff.

The applicant will be submitting a Rezone application for this project to the City of Grand Junction. The proposal includes rezoning the existing parcel from an R-O (Residential Office) to a Form District (Mixed Use). As a neighbor of this property you will be notified of pending development applications and public hearings (if any) by mail.

The list of property owners being notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not available to attend this meeting, you can provide written comment to [ted@ciavonne.com](mailto:ted@ciavonne.com) or the City of Grand Junction Planning Department at [brianr@ci.grandjct.co.us](mailto:brianr@ci.grandjct.co.us).

We look forward to seeing you at this meeting.

Sincerely,

Ted Ciavonne, PLA  
Ciavonne, Roberts and Associates, Inc



**NEIGHBORHOOD MEETING**  
**REZONE**  
2872 PATTERSON ROAD

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE NUMBER</u>
BRIAN RUSCHKE	250 N. 5TH ST. G5	256-4058
DOUG SIKOS	606 28 <sup>3</sup> / <sub>4</sub> RD. GJ.	201-6917
Jim eagle	2440 1/2 JAIL CR. AD.	261-0343

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PROPERTY  
FROM R-O (RESIDENTIAL OFFICE) TO  
MXOC (MIXED USE OPPORTUNITY CORRIDORS)**

**LOCATED AT 2872 PATTERSON ROAD**

Recitals:

The applicant requests that the City rezone the property at 2872 Paterson Road from R-O (Residential Office) to MXOC (Mixed Use Opportunity Corridors). The applicant is in the process of creating a site plan for the 1.415 acres in anticipation of future commercial development.

The existing single-family detached home and accessory structure on the property will ultimately be remodeled to accommodate the proposed business for Baker's Boutique. The property owner is requesting review of the rezone application in order to determine if the business can be located and zoned on this property.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the rezoning from R-O (Residential Office) to MXOC (Mixed Use Opportunity Corridors) for the following reasons:

The zone district meets the Mixed Use Opportunity Corridor land use category as shown on the Future Land Use map of the Comprehensive Plan; the requested zone is consistent with the goals and policies of the Comprehensive Plan and is generally compatible with 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 MXOC zone district to be established.

The Planning Commission and City Council find that the MXOC zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned MXOC (Mixed Use Opportunity Corridors).

All that portion of the SE ¼ of Section 6, Township 1 South, Range 1 East of the Ute Meridian, described as follows:

Beginning at a point 1690 feet West of the Southeast Corner of said Section 6;  
Thence north 264 feet;  
Thence West 290 feet;  
Thence South 264 feet;  
Thence East 290 feet to the Point of Beginning;  
EXCEPT the South 30 feet conveyed to the County of Mesa in Quit Claim Deed recorded August 18, 1977 in Book 1116 at Page 414;  
AND EXCEPT the South 50 feet conveyed to the County of Mesa in Deed recorded March 23, 1982 in Book 1363 at Page 267.

County of Mesa, State of Colorado

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor