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**PLANNING COMMISSION AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET**

**TUESDAY, MARCH 24, 2009, 6:00 P.M.**

**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.*

*In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.*

*Copies of the agenda and staff reports are available on the table 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](#)**

Unavailable as of March 12, 2009.

- 2. **Canyon View Marketplace – Vacation of Easement** [Attach 2](#)  
Request a recommendation of approval to City Council to vacate a portion of a Multi-Purpose, Trail and Drainage Easement.

**FILE #:** SPR-2008-214  
**PETITIONER:** Jeff Ungerer – WTN COEX I LLC  
**LOCATION:** 649 Market Street  
**STAFF:** Scott Peterson

- 3. **Tall Grass Rezone – Rezone** [Attach 3](#)  
Request a recommendation of approval to City Council to rezone two parcels from a City C-2 (General Commercial) zone district to a City I-1 (Light Industrial) zone district.

**FILE #:** RZ-2009-014  
**PETITIONER:** Doug Gilliland – Triwest Group, Inc.  
**LOCATION:** 2295 Tall Grass Drive & 687 Long Acre Drive  
**STAFF:** Michelle Hoshide

\* \* \* **END OF CONSENT CALENDAR** \* \* \*  
 \* \* \* **ITEMS NEEDING INDIVIDUAL CONSIDERATION** \* \* \*

**Public Hearing Items**

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

**NONE**

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1  
Minutes of Previous Meetings**

**Unavailable as of March 12, 2009**

**Attach 2  
Canyon View Marketplace**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** March 24, 2009  
**PRESENTER:** Scott D. Peterson

**AGENDA TOPIC:** Vacation of a portion of a Multi-Purpose, Trail and Drainage Easement located at 649 Market Street – Lot 1, Canyon View Marketplace – REI – SPR-2008-214.

**ACTION REQUESTED:** Recommendation to City Council on the Vacation of a portion of a Multi-Purpose, Trail and Drainage Easement.

BACKGROUND INFORMATION					
<b>Location:</b>		649 Market Street			
<b>Applicant:</b>		WTN COEX RP LLC, Owners Gulf Coast Commercial, Representative			
<b>Existing Land Use:</b>		Vacant land			
<b>Proposed Land Use:</b>		Next phase of Canyon View Marketplace that will provide an additional 81,000 +/- sq. ft. of commercial retail space in a total of four (4) buildings with REI as the largest anchor store			
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant land			
	<b>South</b>	Vacant land			
	<b>East</b>	Regal 14 Cinemas			
	<b>West</b>	Vacant land and Commercial development			
<b>Existing Zoning:</b>		C-1, Light Commercial			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	M-U, Mixed Use			
	<b>South</b>	C-1, Light Commercial			
	<b>East</b>	C-1, Light Commercial			
	<b>West</b>	C-2, General Commercial			
<b>Growth Plan Designation:</b>		Commercial			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to vacate a portion of an existing Multi-Purpose, Trail and Drainage Easement for the benefit of the proposed Canyon View Marketplace development. The applicant is currently in the Site Plan Review process and is requesting that the Planning Commission review this Vacation request prior to site plan approval by City Staff - 649 Market Street – Lot 1, Canyon View Marketplace.

**RECOMMENDATION:** Recommendation of approval of the requested Multi-Purpose, Trail and Drainage Easement vacation to the City Council finding the request to be consistent with the Growth Plan and Section 2.11 C. of the Zoning and Development Code.

**ANALYSIS:**

**1. Background:**

The applicant, WTN COEX RP LLC, wishes to vacate a portion of an existing Multi-Purpose, Trail and Drainage Easement located at 649 Market Street in anticipation of the next phase of development for Canyon View Marketplace that is currently in the Site Plan Review process. The portion of the existing easement does not contain any utilities and was dedicated as part of the Canyon View Marketplace Subdivision in 2006. The request to officially vacate a portion of this easement is necessary so that the construction of a new building is not encumbered by this easement and to allow for the building construction. The portion of the easement requested to be vacated is not needed.

**2. Section 2.11 C. of the Zoning and Development Code:**

The applicant is requesting the vacation a portion of the existing Multi-Purpose Trail and Drainage Easement as identified on the recorded subdivision plat for Lot 1, Canyon View Marketplace. The vacation of the easement shall conform to the following:

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

Granting this request to vacate a portion of the existing Multi-Purpose, Trail and Drainage Easement does not conflict with the Growth Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City of Grand Junction. The portion of the easement requested to be vacated does not contain any utilities.

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

No parcel will be landlocked as a result of this Multi-Purpose, Trail and Drainage Easement.

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

Access will not be restricted.

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the vacation request.

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

The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter Six of the Zoning and Development Code as there are no utilities located within the requested easement vacation. No adverse comments were received from the utility review agencies.

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

The proposed Multi-Purpose, Trail and Drainage Easement vacation will remove an unnecessary portion of the easement from the property. No change in benefits to the City will be noticed as a result of the proposed vacation.

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

After reviewing the Canyon View Marketplace – REI application, SPR-2008-214 for the vacation of a portion of a Multi-Purpose, Trail and Drainage Easement, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested easement vacation is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.11 C. of the Zoning and Development Code have all been met for the proposed easement vacation.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested Multi-Purpose, Trail and Drainage Easement vacation, SPR-2008-214 to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

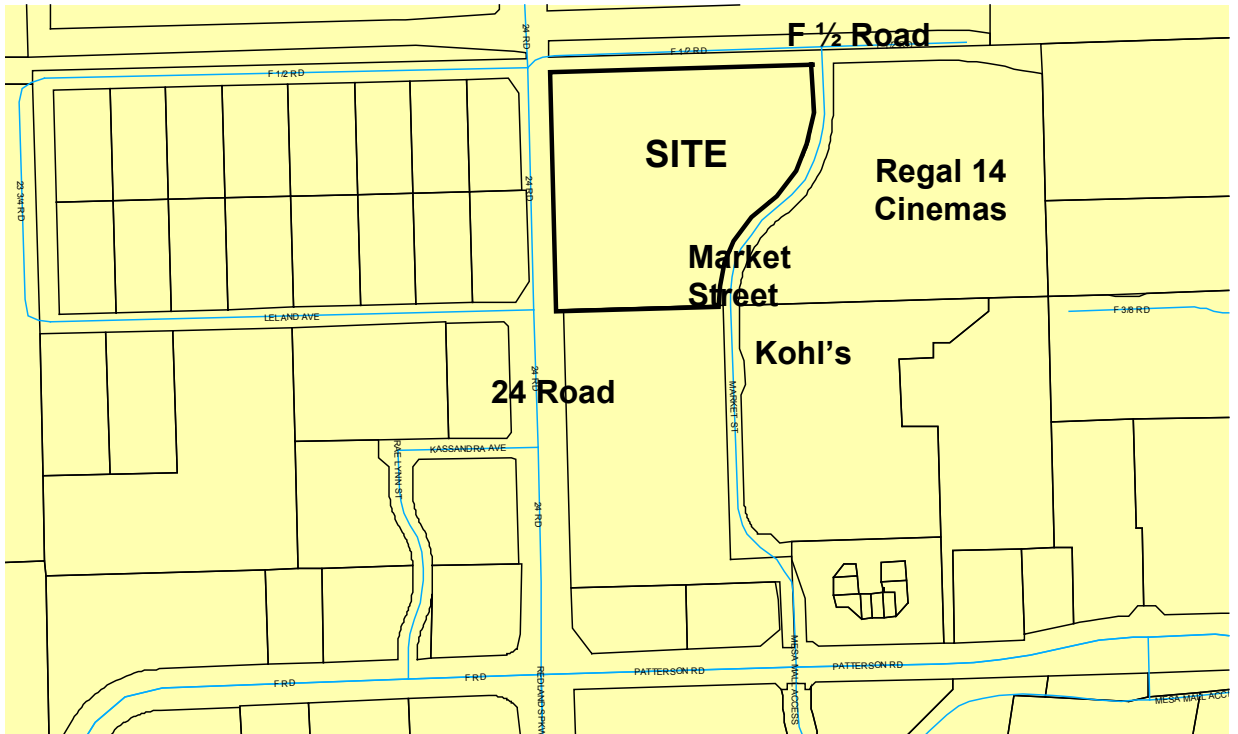
Mr. Chairman, on the vacation of a portion of a Multi-Purpose, Trail and Drainage Easement located at 649 Market Street, I move that we recommend approval to the City Council for the vacation request making the findings of fact/conclusions as listed in the City Staff Report.

Attachments:

Site Location Map / Aerial Photo Map  
Future Land Use Map / City Zoning  
Easement Resolution

# Site Location Map

Figure 1



# Aerial Photo Map

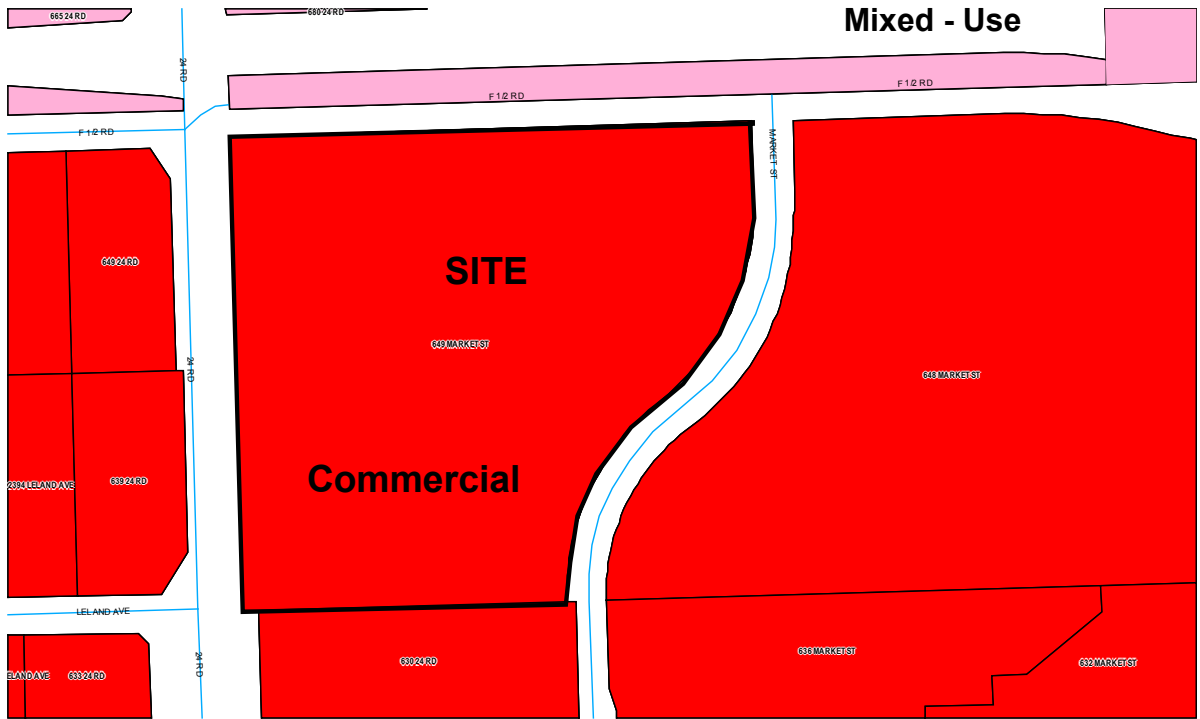
Figure 2





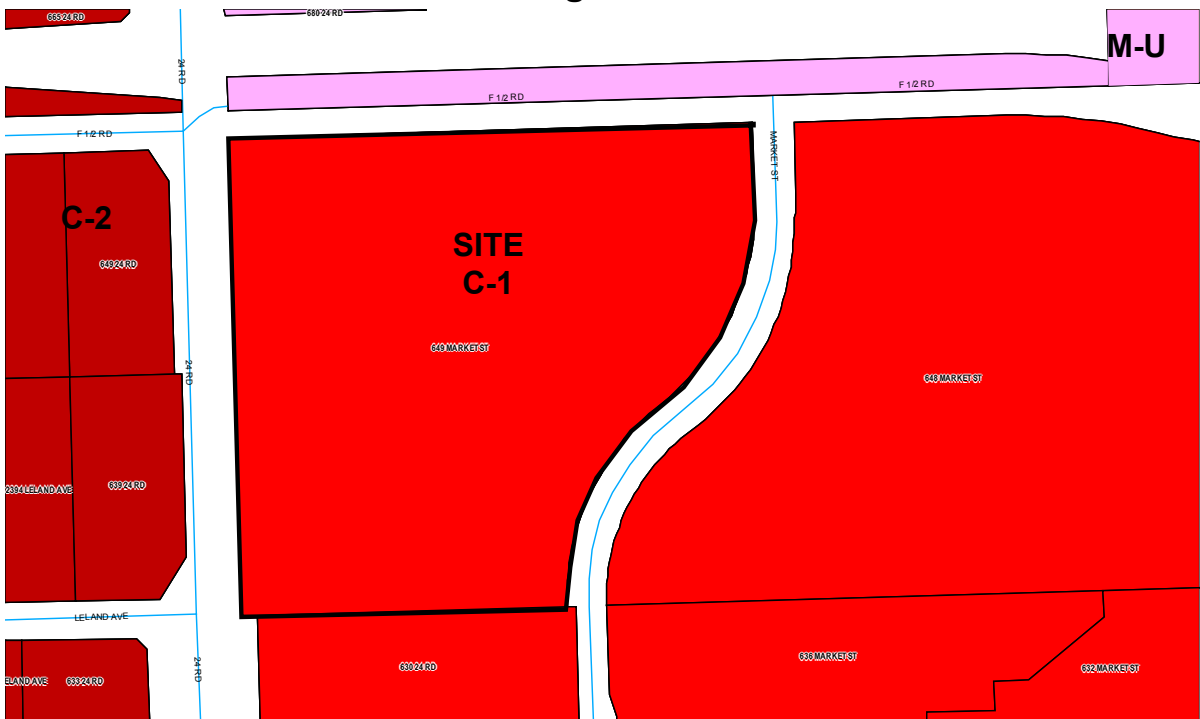
# Future Land Use Map

Figure 3



# Existing City Zoning

Figure 4



**CITY OF GRAND JUNCTION**

**RESOLUTION NO.**

**A RESOLUTION VACATING A PORTION OF A MULTI-PURPOSE TRAIL AND  
DRAINAGE EASEMENT  
(CANYON VIEW MARKETPLACE – REI)**

**LOCATED 649 MARKET STREET**

RECITALS:

The applicant proposes to vacate a portion of a Multi-Purpose Trail and Drainage Easement located at 649 Market Street.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

The following described Multi-Purpose Trail and Drainage Easement is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution.

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

That portion of a parcel of land being a Variable Width Multipurpose, Trail, and Drainage Easement across the Western portion of Lot 1, Canyon View Marketplace, as recorded in Book 4081, Page 326, Mesa County Clerk and Recorders records, and being more particularly described as follows:

Commencing at the Northwest corner of Lot 1 of said Canyon View Marketplace, whence the Northeast corner of said Lot 1 bears N89°54'52"E a distance of 686.58 feet and all bearings contained herein relative thereto; thence N89°54'52"E, 75.19 feet along the North line of said Lot 1; thence S21°33'43"W, 15.06 feet to the POINT OF BEGINNING; thence S21°33'43"W, 76.29 feet; thence N06°00'55"E 71.32 feet, to the North line of said Lot 1; thence N89°54'52"E, 20.57 feet along said North line of Lot 1 to the POINT OF BEGINNING.

Containing 0.02 acres as described.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

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

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

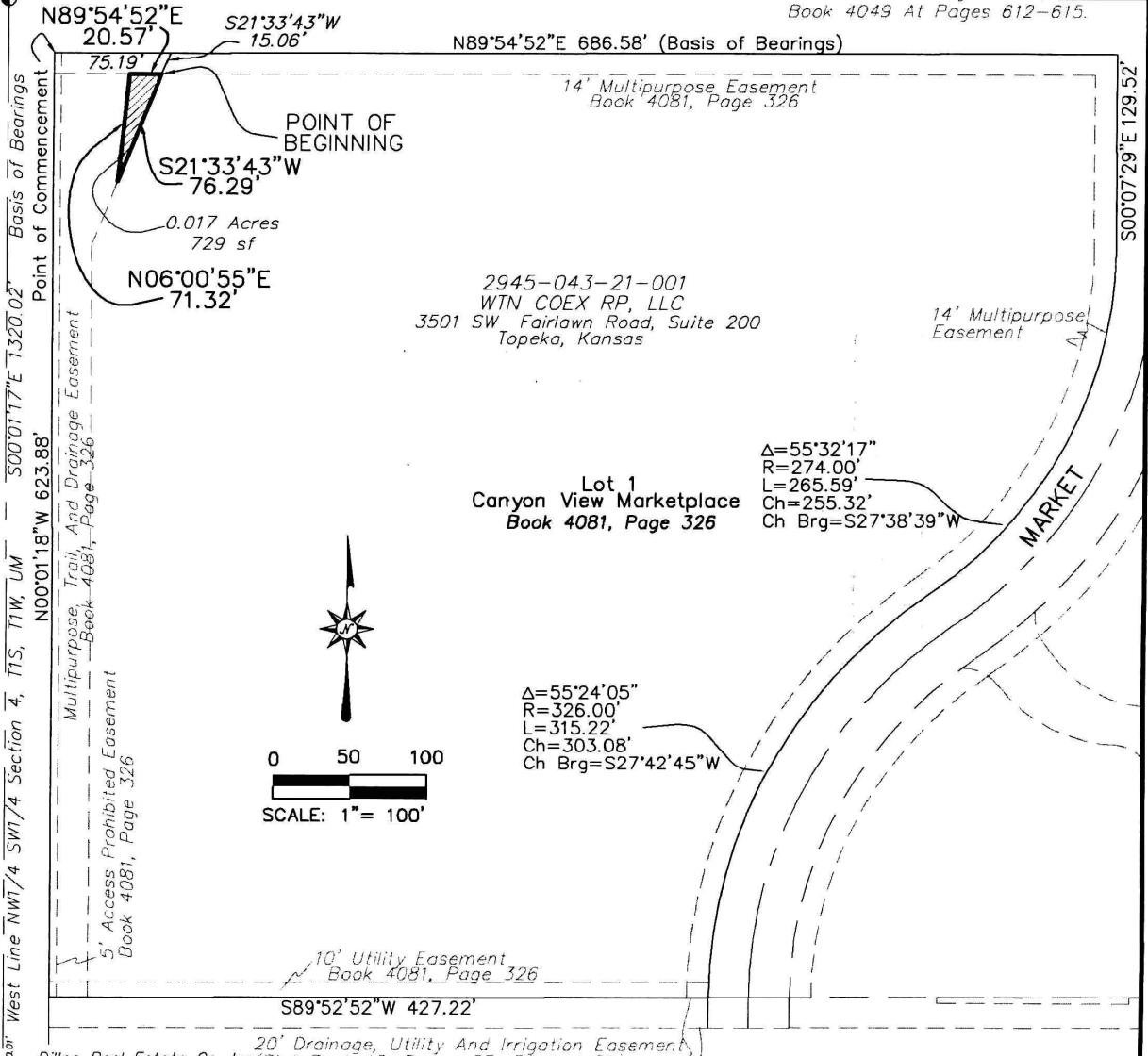
# EXHIBIT A

John Usher  
2945-042-00-167

W1/4 Corner  
Section 4,  
T1S, R1W, U.M.  
BLM

F-1/2 ROAD  
North Line NW1/4 SW1/4 Section 4, T1S, T1W, UM

50' Utility Easement In Favor  
Of Public Service Co. Of Colorado  
Book 1940 At Pages 987-989  
Book 4049 At Pages 612-615.



660.07' West Line NW1/4 SW1/4 Section 4, T1S, T1W, UM  
N00°01'17"E 1320.02'  
Point of Commencement

Dillon Real Estate Co, Inc(Plat Book 15, Pages 37, 38 And 39)  
630 24 Rd  
2945-043-04-007

SW Corner  
NW1/4 SW1/4  
Section 4  
T1S, R1W, UM  
MCSM #4-2

**High Desert Surveying, LLC**

1673 Highway 50 Unit C  
Grand Junction, Colorado 81503  
Tel: 970-254-8649 Fax: 970-240-0451

PROJ. NO. 07-171	Drawn	APP'D	SHEET	OF
DATE: Sept. 12, 2008	skw	SKW	1	1

**Attach 3  
Tall Grass Rezone**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: March 24, 2008  
STAFF PRESENTATION: Michelle Hoshide

AGENDA TOPIC: Tall Grass Rezone, RZ-2009-014

ACTION REQUESTED: A recommendation to City Council to rezone the property located at 2293 and 2295 Tall Grass Drive from C-2 (General Commercial) to I-1 (Light Industrial).

BACKGROUND INFORMATION				
Location:		2293 and 2295 Tall Grass Drive		
Applicants:		Owner: Club Deal 113/114 Park Plaza c/o Taurus of Texas Representative: Austin Civil Group		
Existing Land Use:		Vacant		
Proposed Land Use:		Industrial		
Surrounding Land Use:	North	Vacant		
	South	Vacant		
	East	Vacant		
	West	Vacant		
Existing Zoning:		C-2 (General Commercial)		
Proposed Zoning:		I-1 (Light Industrial)		
Surrounding Zoning:	North	I-1 (Light Industrial)		
	South	C-2 (General Commercial) and I-2 (General Industrial)		
	East	C-2 (General Commercial)		
	West	C-2 (General Commercial)		
Growth Plan Designation:		Commercial Industrial		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request to rezone 3.709 acres, from C-2 (General Commercial) to I-1 (Light Industrial).

RECOMMENDATION: Forward a recommendation of approval to City Council.

## ANALYSIS:

### 1. Background:

The subject properties were platted as part of the Grand West Business Park in 2007. Approximately 58% of the three largest properties within the subdivision are zoned I-1. The rest of the lots are zoned C-2.

Over the last decade the properties surrounding the Grand West Business Park have been steadily developed as industrial. The applicant would like to rezone these properties to allow uses that are more in character with the surrounding area.

### 2. Consistency with the Growth Plan:

The Growth Plan's Future Land Use designation is Commercial Industrial. Therefore, the proposed I-1 zone district is consistent with the Growth Plan.

### 3. Rezone Criteria of the Zoning and Development Code:

In order to maintain internal consistency between the Code and the Zoning Maps, map amendments and rezones must demonstrate conformance with all of the following criteria for approval:

#### 1. *The existing zoning was in error at the time of adoption*

The existing zoning was not in error at the time of adoption.

#### 2. *There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition, etc*

Growth trends in the Grand Valley have stimulated the development of industrial uses within the area surrounding 23 Road and G Road. The character of the neighborhood is more industrial than commercial and I-1 zoning would be more in character with the current uses.

#### 3. *The proposed rezone is compatible with the neighborhood and furthers the goals and policies of the Growth Plan, other adopted plans, and the requirements of this Code and other City regulations and guidelines*

The proposed rezone is compatible with the other industrial uses and zoning in the area and the Future Land Use designation of Commercial/Industrial.

4. *Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development*

There is an existing 8 inch Ute water line that runs along Tall Grass Drive and an existing 12 inch sewer line that runs along 23 Road. These services are adequate and available for development of the property.

5. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs.*

There is an inadequate supply of industrial zoned land available in the city. Approval of this request meets that community need.

6. *The community or neighborhood will benefit from the proposed zone*

The community and surrounding area will benefit from the proposed rezone in the respect that it will provide additional industrial zoned land that can be developed.

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

After reviewing the Tall Grass Rezone, RZ-2009-014, a request to rezone property from C-2 (General Commercial) to I-1 (Light Industrial), I make the following findings of fact and conclusions:

1. The requested rezone is consistent with the Growth Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested rezone to City Council with the findings and conclusions listed above.

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

Mr. Chairman, on the Tall Grass Rezone, RZ-2009-014, I move we forward a recommendation of approval to City Council on the request to rezone from C-2 (General Commercial) zone district to I-1 (Light Industrial) zone district, with the findings and conclusions listed in the staff report.

Attachments:

Site Location Map/Aerial Photo Map

Future Land Use Map/Existing City and County Zoning Map  
Ordinance



# Site Location Map

Figure 1



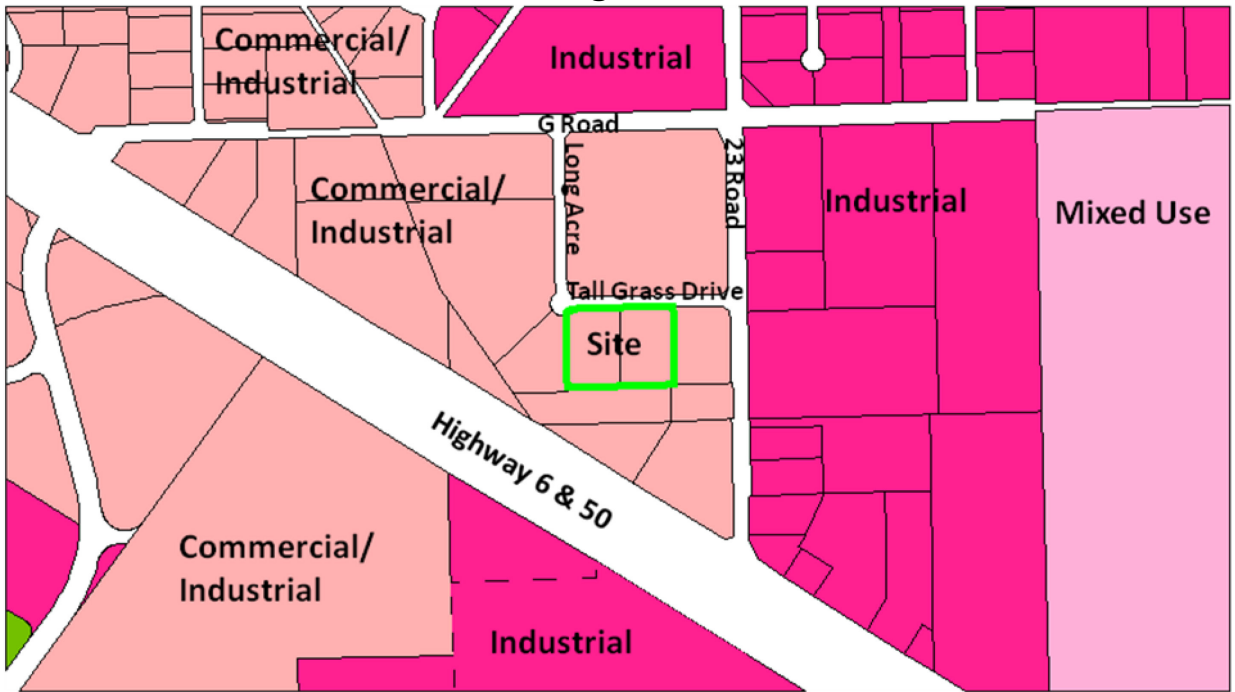
# Aerial Photo Map

Figure 2



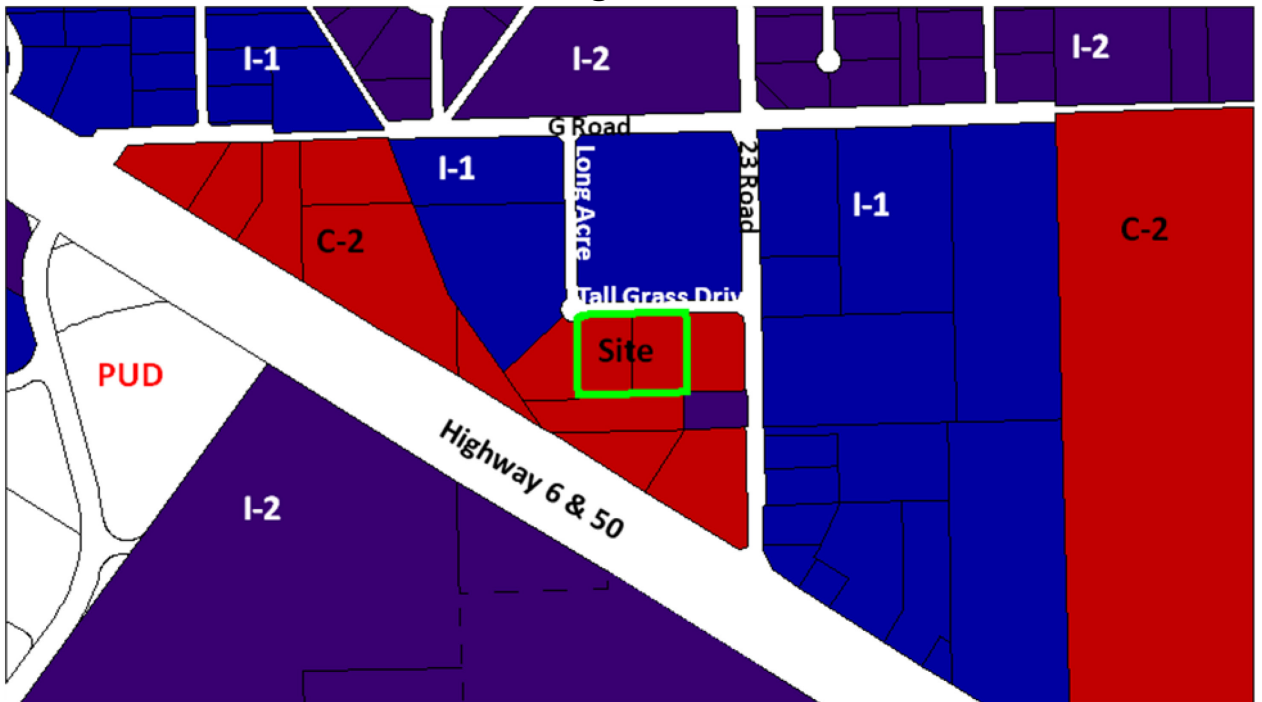
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING TWO PARCELS OF LAND FROM  
C-2 (GENERAL COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL)  
LOCATED AT 2293 and 2295 TALL GRASS DRIVE**

Recitals.

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 rezone request from C-2 zone district to the I-1 zone district.

After public notice and public hearing before the Grand Junction City Council, City Council finds the rezone request meets the goals and policies and future land use as set forth by the Growth Plan, Commercial Industrial. City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED TO THE I-1 (LIGHT INDUSTRIAL) ZONE DISTRICT:

Lots 2 and 3 in Grand West Business Park, located in NE ¼, Section 6, T1S, R1W, Ute Meridian, Mesa County, Colorado

Introduced on first reading on the 24th day of March, 2009

PASSES and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Attest:

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

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