



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

TUESDAY, DECEMBER 8, 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](#)

Approve the minutes of the November 10, 2009 Regular Meeting.

- 2. **Energy Center Enclave Annexation – Zone of Annexation** [Attach 2](#)
Request a recommendation of approval to City Council to zone 4.16 acres, less Right-of-Way, from County RSF-4 (Residential Single Family 4 du/ac) to a City R-2 (Residential 2 du/ac) zone district.

FILE #: ANX-2009-224
PETITIONER: City of Grand Junction
LOCATION: Spur Drive Northeast of Mariposa Drive between the Ridges and Bella Pago Subdivisions
STAFF: Brian Rusche

- 3. **Trail Side Subdivision – Rezone** [Attach 3](#)
Request a recommendation of approval to City Council to rezone 9.15 acres from an R-5 (Residential 5 du/ac) to an R-8 (Residential 8 du/ac) zone district.

FILE #: RZ-2009-136
PETITIONER: Ankarlo HillDav, LLC
LOCATION: 381 31 5/8 Road
STAFF: Brian Rusche

- 4. **TNG Subdivision – Rezone** [Attach 4](#)
Request a recommendation of approval to City Council to rezone 2.62 acres from an R-5 (Residential 5 du/ac) to a C-1 (Light Commercial) zone district.

FILE #: RZ-2008-378
PETITIONER: Bob Harris – Harris Realty Holdings, LLC
LOCATION: 29 Road & G Road
STAFF: Michelle Hoshide

- 5. **LaHue Annexation – Zone of Annexation** [Attach 5](#)
Request a recommendation of approval to City Council to zone .293 acres from County RMF-8 (Residential Multi Family 8 du/ac) to a City R-8 (Residential 8 du/ac) zone district.

FILE #: ANX-2009-214
PETITIONER: Casey Clifford and Christian LaHue
LOCATION: 514 Morning Glory Lane
STAFF: Judith Rice

***** 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.

NO HEARING ITEMS

General Discussion/Other Business

Election of Officers

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
NOVEMBER 10, 2009 MINUTES
6:00 p.m. to 6:05 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Cole. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), William Putnam (Vice-Chairman), Lynn Pavelka-Zarkesh, Reginald Wall, Patrick Carlow, Mark Abbott and Ebe Eslami.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Brian Rusche (Senior Planner), Senta Costello (Senior Planner), Lori Bowers (Senior Planner) and Judith Rice (Associate Planner).

Also present was Jamie Beard (Assistant City Attorney).

Pat Dunlap was present to record the minutes.

There were 14 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Commissioner Abbott made the following motion:

MOTION: (Commissioner Abbott) “Chairman Cole, Vice Chair Putnam, as we do not meet in two weeks and you never know what happens in city government, I would like to have a resolution entered into the record stating that this Planning Commission would like to formally recognize both of you for your time and service to the City of Grand Junction.”

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

Consent Agenda

1. Minutes of Previous Meetings

Approval of the minutes of the October 13, 2009 Regular Meeting.

2. Matthews Enclave Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 10.53 acres, less Right-of-Way, from County RSF-R (Residential Single Family Rural) to a City CSR (Community Services and Recreation) zone district.

FILE #: ANX-2009-209
PETITIONER: City of Grand Junction
LOCATION: Along the Colorado River West of 25 Road & South of Riverside Parkway.
STAFF: Brian Rusche

3. **Little Lamb Learning Center – Conditional Use Permit**

Request approval of a Conditional Use Permit to allow General Day Care on .436 ac in an R-8 (Residential 8 du/ac) zone district.

FILE #: CUP-2009-174
PETITIONER: Bud Reeves – Colorado Conference of Seventh Day Adventists
LOCATION: 880 Mesa Avenue
STAFF: Senta Costello

4. **Kresin Subdivision – Preliminary Subdivision Plan**

Request approval of an additional extension of the Preliminary Subdivision Plan to develop 15 lots on 7.86 acres in an R-2 (Residential 2 du/ac) zone district.

FILE #: PP-2006-102
PETITIONER: Bruce Kresin
LOCATION: 530 South Broadway Boulevard
STAFF: Lori Bowers

5. **Landmark Baptist Church Rezone – Rezone**

Request a recommendation of approval to City Council to rezone 3.5 acres from a C-2 (General Commercial) to a C-1 (Light Commercial) zone district.

FILE #: RZ-2009-195
PETITIONER: Landmark Baptist Church
LOCATION: 1600 Ute Avenue
STAFF: Judith Rice

Chairman Cole briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items

MOTION: (Commissioner Putnam) “Mr. Chairman, I move we approve the Consent Agenda as read and presented.”

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

Public Hearing Items

None.

General Discussion/Other Business

Lisa Cox, Planning Manager, reminded the Commission that there would be no hearing on November 24, 2009, the next workshop would be on December 3rd and the next meeting would be December 8th.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

6:05 p.m.

**Attach 2
Energy Center Enclave**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: December 8, 2009
PRESENTER: Brian Rusche, Senior Planner

AGENDA TOPIC: Energy Center Enclave Zone of Annexation – ANX-2009-224

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

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		Northeast of Mariposa Drive between the Ridges and Bella Pago Subdivisions	
Applicant:		City of Grand Junction	
Existing Land Use:		Undeveloped	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Undeveloped	
	South	Undeveloped	
	East	Undeveloped	
	West	Undeveloped	
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)	
Proposed Zoning:		R-2 (Residential 2 du/ac)	
Surrounding Zoning:	North	R-2 (Residential 2 du/ac)	
	South	R-2 (Residential 2 du/ac)	
	East	R-2 (Residential 2 du/ac)	
	West	R-2 (Residential 2 du/ac)	
Growth Plan Designation:		Residential-Low (0.5-2 du/ac)	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: A request to zone the 4.16 acre Energy Center Enclave Annexation, including nine privately-owned parcels, less 0.57 acres of public right-of-way (Spur Drive), located northeast of Mariposa Drive between the Ridges and Bella Pago Subdivisions, to an R-2 (Residential 2 du/ac) zone district.

RECOMMENDATION: Recommend approval to the City Council of the R-2 (Residential 2 du/ac) zone district.

ANALYSIS:

1. Background:

The 4.16 acre Energy Center Enclave Annexation consists of nine privately-owned parcels, along with 0.57 acres of public right-of-way (Spur Drive), located northeast of Mariposa Drive between the Ridges and Bella Pago Subdivisions. The property is currently zoned County RSF-4 (Residential Single Family 4 du/ac) and designated as Residential-Low (0.5-2 du/ac) by the Growth Plan - Future Land Use Map.

Under the 1998 Persigo Agreement with Mesa County the City is to annex all Enclave areas within five (5) years. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three (3) years. The Energy Center Enclave has been enclaved since March 20, 2005.

Under the 1998 Persigo Agreement with Mesa County, the City must zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the Growth Plan - Future Land Use Map. The proposed zoning of R-2 (Residential 2 du/ac) conforms to the Future Land Use Map, which has designated the property as Residential-Low (0.5-2 du/ac).

2. Section 2.6.A.3 and 4 of the Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to an R-2 (Residential 2 du/ac) zone district is consistent with the Growth Plan designation of Residential-Low (0.5-2 du/ac). The existing zoning is County RSF-4 (Residential Single Family 4 du/ac). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The R-2 (Residential 2 du/ac) zone is consistent with the Growth Plan - Future Land Use Map designation of Residential-Low (0.5-2 du/ac) and furthers Goal 11, which states that the City and County will promote stable neighborhoods and land use compatibility throughout the community.

All of the surrounding property is already zoned R-2 (Residential 2 du/ac) and has an approved development plan (Pinnacle Ridge) with a density of

1.52 du/ac. The Pinnacle Ridge Subdivision Preliminary Plan provides a basis for the creation of a new residential community on this property, which currently has nine (9) parcels. The addition of the enclaved lots would increase the overall density to 1.58 du/ac, which is consistent with the density limits of an R-2 zone. Zoning the property R-2 will ensure consistency and land use compatibility.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: There are no services directly available to the subject property; however, the surrounding property is already zoned R-2 (Residential 2 du/ac) and has an approved development plan (Pinnacle Ridge), which provides a basis for the creation of a new residential community on this property, including the extension of public facilities and services.

Therefore, public services will be made available concurrent with any proposed development allowed by the proposed zoning.

Alternatives: The following zone districts would also be consistent with the Growth Plan designation for the subject property:

1. R-1 (Residential 1 du/ac)
2. R-E (Residential Estate)

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

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Energy Center Enclave Annexation, ANX-2009-224, for a Zone of Annexation, I recommend that the Planning Commission make the following Findings of Fact and Conclusions:

1. The R-2 zone is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the R-2 (Residential 2 du/ac) zone district for the Energy Center Annexation, ANX-2009-224, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

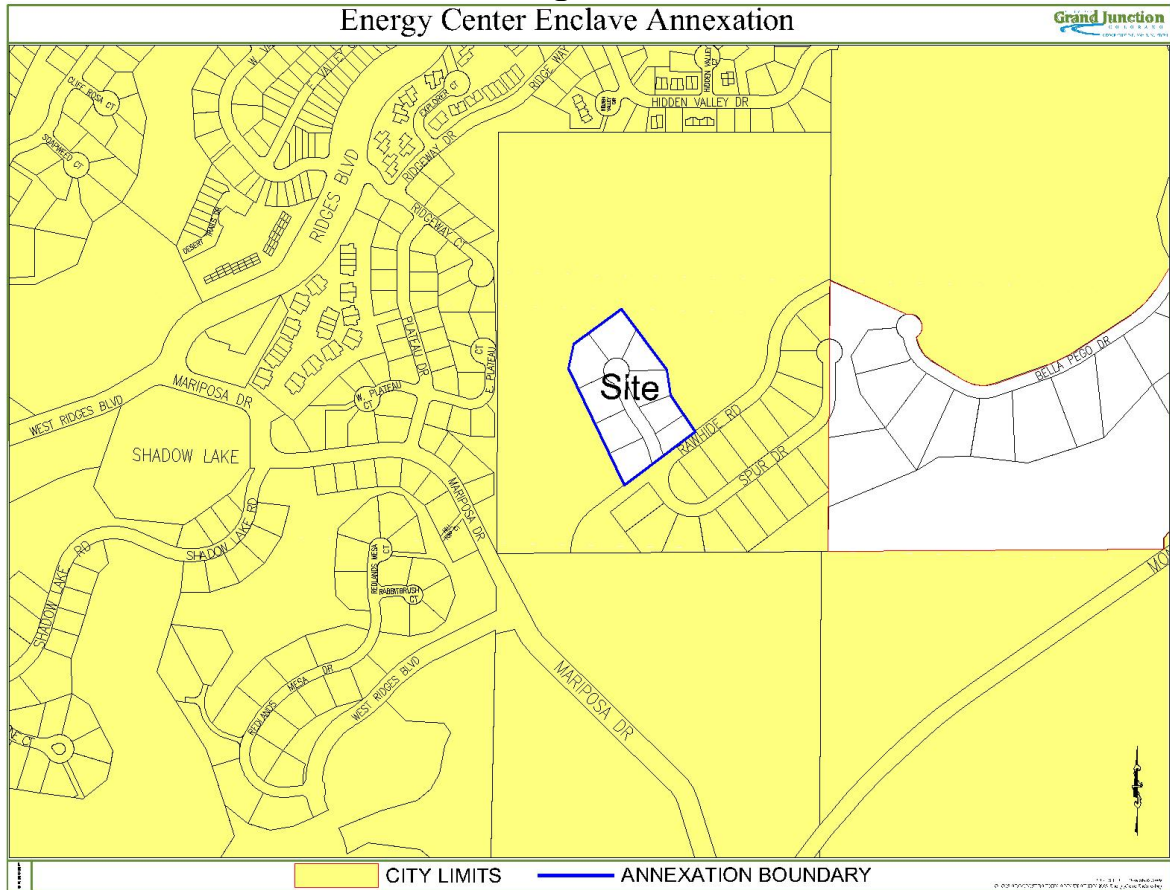
Mr. Chairman, on the Energy Center Enclave Zone of Annexation, ANX-2009-224, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-2 (Residential 2 du/ac) zone district with the findings and conclusions listed in the staff report.

Attachments:

Annexation - Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Zoning Ordinance

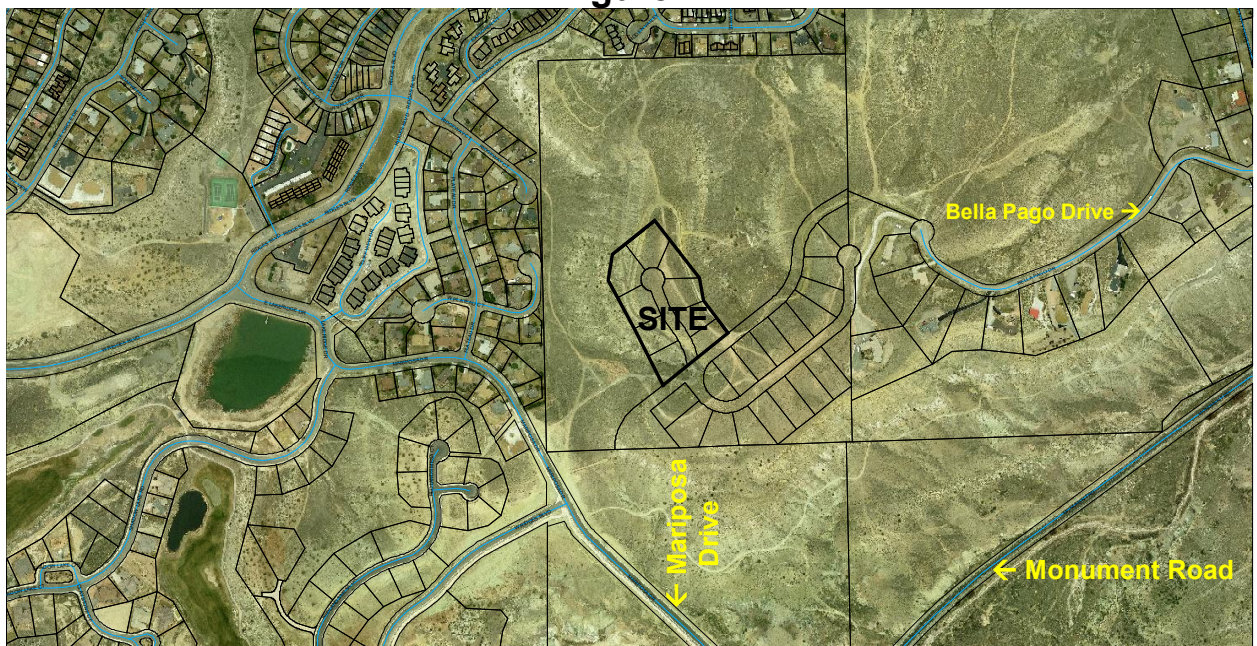
Annexation - Site Location Map

Figure 1



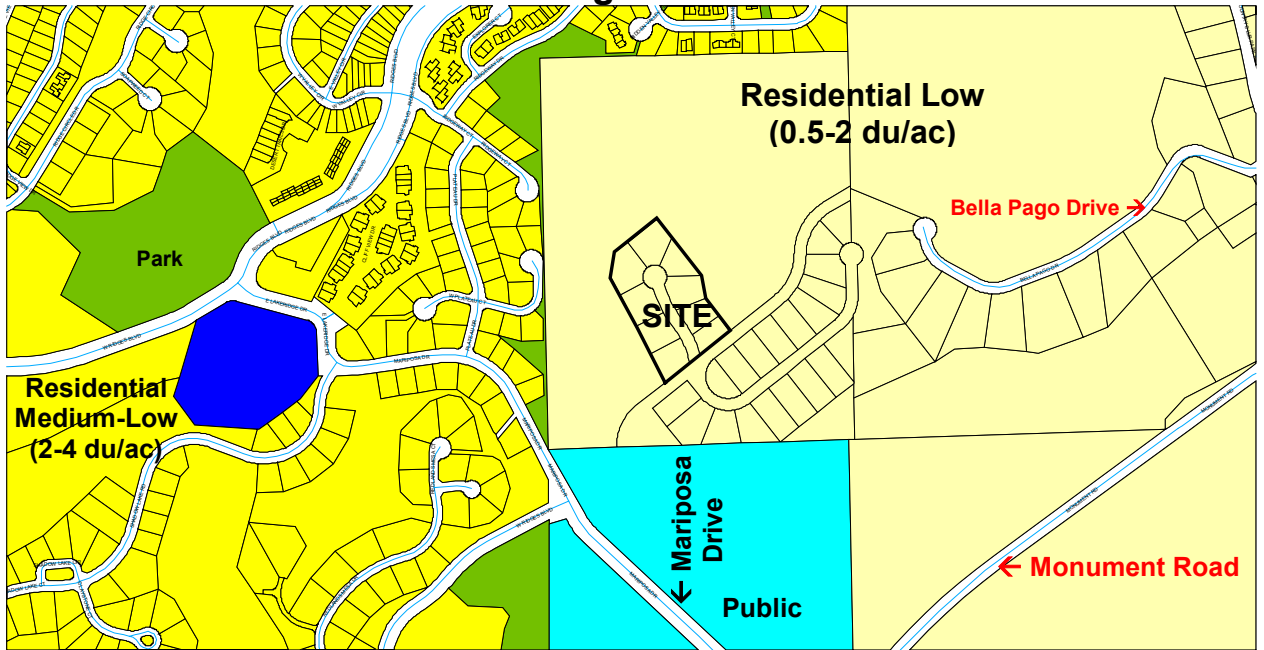
Aerial Photo Map

Figure 2



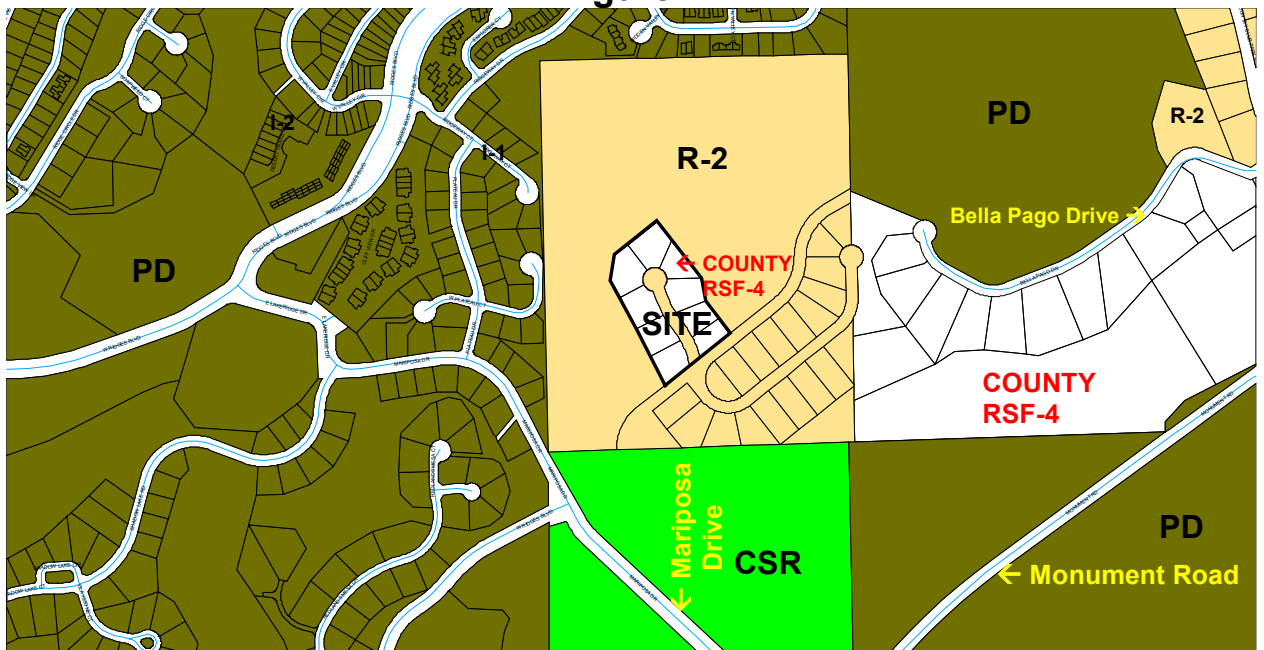
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE ENERGY CENTER ENCLAVE ANNEXATION
TO R-2 (RESIDENTIAL 2 DU / AC)**

**LOCATED NORTHEAST OF MARIPOSA DRIVE
BETWEEN THE RIDGES AND BELLA PAGO SUBDIVISIONS**

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 zoning the Energy Center Enclave Annexation to the R-2 (Residential 2 du/ac) zone district, finding conformance with the recommended land use category as shown on the Future Land Use map of the Growth Plan and the Growth Plan's goals and policies and is compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6.A.3 and 4 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-2 (Residential 2 du/ac) zone district is in conformance with the stated criteria of Section 2.6.A.3 and 4 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 be zoned R-2 (Residential 2 du/ac):

ENERGY CENTER ENCLAVE ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 21, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of Block 3, TOGETHER WITH all of Spur Drive right of way lying North of the North right of way for Rawhide Road, as shown on Energy Center Subdivision, Phase 1, as same is recorded in Plat Book 8, Page 55, Public Records of Mesa County, Colorado.

CONTAINS 4.16 Acres or 181,252 square feet, more or less, as described.

LESS approximately 0.57 acres, or 24,817 square feet of right-of-way contained within the above description.

INTRODUCED on first reading the ____ day of _____, 2009 and ordered published.

ADOPTED on second reading the ____ day of _____, 2009.

ATTEST:

President of the Council

City Clerk

**Attach 3
Trail Side Subdivision**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: December 8, 2009
STAFF PRESENTATION: Brian Rusche

AGENDA TOPIC: Trail Side Subdivision Rezone, RZ-2009-136

ACTION REQUESTED: Recommendation to City Council to rezone property located at 381 31 5/8 Road from R-5 (Residential 5 du/ac) to R-8 (Residential 8 du/ac).

BACKGROUND INFORMATION					
Location:		381 31 5/8 Road			
Applicants:		Ankarlo Hilldav LLC-Owner Davidson Homes-Representative			
Existing Land Use:		Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential/Church			
	South	Residential/Agriculture			
	East	Industrial			
	West	Residential/Vacant			
Existing Zoning:		R-5 (Residential 5 du/ac)			
Proposed Zoning:		R-8 (Residential 8 du/ac)			
Surrounding Zoning:	North	R-4 (Residential 4 du/ac), RSF-R (County)			
	South	AFT (County)			
	East	C-2 (General Commercial), I-1 (Light Industrial)			
	West	R-8 (Residential 8 du/ac)			
Growth Plan Designation:		Residential Medium (4-8 du/ac)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request to rezone 9.15 acres, located at 381 31 5/8 Road, from R-5 (Residential 5 du/ac) to R-8 (Residential 8 du/ac).

RECOMMENDATION: Recommend approval to the City Council.

ANALYSIS:

1. Background

This area consists of 9.15 acres and was annexed December 4, 2005 as part of the Ankarlo Annexation and zoned R-4 (Residential 4 du/ac). It was subsequently platted on December 1, 2006 as Lot 2, Ankarlo Subdivision. The property was rezoned to R-5 (Residential 5 du/ac) on May 5, 2008, as part of a review of a Preliminary Subdivision Plan for development of the property. The Preliminary Subdivision Plan, consisting of 44 single-family lots, was approved by the Planning Commission on May 27, 2008. This Plan is valid until May 27, 2010.

The applicant has requested that the property be rezoned from R-5 to R-8 (Residential 8 du/ac), in order to gain more flexibility in setback requirements and to allow for additional dwelling units. The applicant has submitted a revised development proposal (PFP-2008-321), which is currently under review.

2. Section 2.6.A of the Zoning and Development Code

Zone requests must meet all of the following criteria for approval:

1. The existing zoning was in error at the time of adoption; or

The existing zoning was not in error at the time of adoption. The property owner requested the R-5 zone district in conjunction with a Preliminary Subdivision Plan for the development of the property.

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

Since the property was rezoned to R-5 in May of 2008, the economic conditions within the Grand Valley have changed. In particular, there is a renewed focus on higher density development. The applicant cites the Grand Valley Housing Strategy Report, published April 30, 2009, which states "Over 90 percent of the acreage in the pipeline..." meaning awaiting approval or under construction, "...has a density of 5 units per acre or less." Furthermore, it states "Land for developments at 5 or more units per acre is well short of demand."

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

The R-8 zone district is compatible with the neighborhood. The Future Land Use Map designates this area as Residential Medium (4-8 du/ac).

The proposed River Trail Subdivision, located to the west, is zoned R-8 (Residential 8 du/ac). Additional land has been annexed to the City west of River Trail (RQ Annexation) and zoned R-8 (effective November 6, 2009).

The R-8 zone district is in conformance with the following goals and policies of the Growth Plan and the Pear Park Neighborhood Plan:

Growth Plan:

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

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

Goal 15: To achieve a mix of compatible housing types and densities dispersed throughout the community.

Pear Park Plan:

Goal 3: Land Use and Growth, Pear Park Neighborhood Plan: Establish areas of higher density to allow for a mix in housing options.

The Pear Park Plan, as amended April 20, 2005, designates this area "Residential Medium", with densities ranging from four to eight units per acre. The R-8 zone district falls within the "Residential Medium" density range.

In addition, the draft Comprehensive Plan continues to designate the property as Residential Medium.

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

Adequate public facilities are available or will be made available at the time of development on the property. Water and sewer lines are located in 31 5/8 Road and are proposed to be extended into the development. A new regional lift station has been designed to serve the neighborhood and would be built in conjunction with development(s) south of D Road.

5. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs; and

The development pattern of Pear Park, east of 30 Road, is a mix of subdivisions developed within the County and new development annexed to the City since the Persigo Agreement in 1998. Several more

subdivisions have been recently approved (since 2006), though few have been built.

The stated zone densities are in the 5 to 8 du/ac range, while the actual development rarely approaches 8 du/ac and, more often, is less than 5 du/ac.

The findings of the Grand Valley Housing Strategy (April 2009) indicate that there is excess acreage in the 5 du/ac and lower density range, but a greater demand for development in the 5 du/ac and greater density range.

6. The community will benefit from the proposed zone.

The community will benefit from the proposed rezone, which will create more opportunity for additional density and variety of housing type, consistent with proposed developments adjacent to the subject property.

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

- a. R-5 (Residential 5 du/ac) – existing zoning
- b. R-4 (Residential 4 du/ac) – original zone of annexation

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

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Trail Side Rezone application, RZ-2009-136, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested R-8 zone is consistent with the Growth Plan and the Pear Park Neighborhood Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested rezone to R-8, RZ-2009-136, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone RZ-2009-136, I move that the Planning Commission forward the rezone to City Council with the recommendation of the R-8 (Residential 8 du/ac) district for the Trail Side Rezone with the facts and conclusions listed in the staff report.

Attachments:

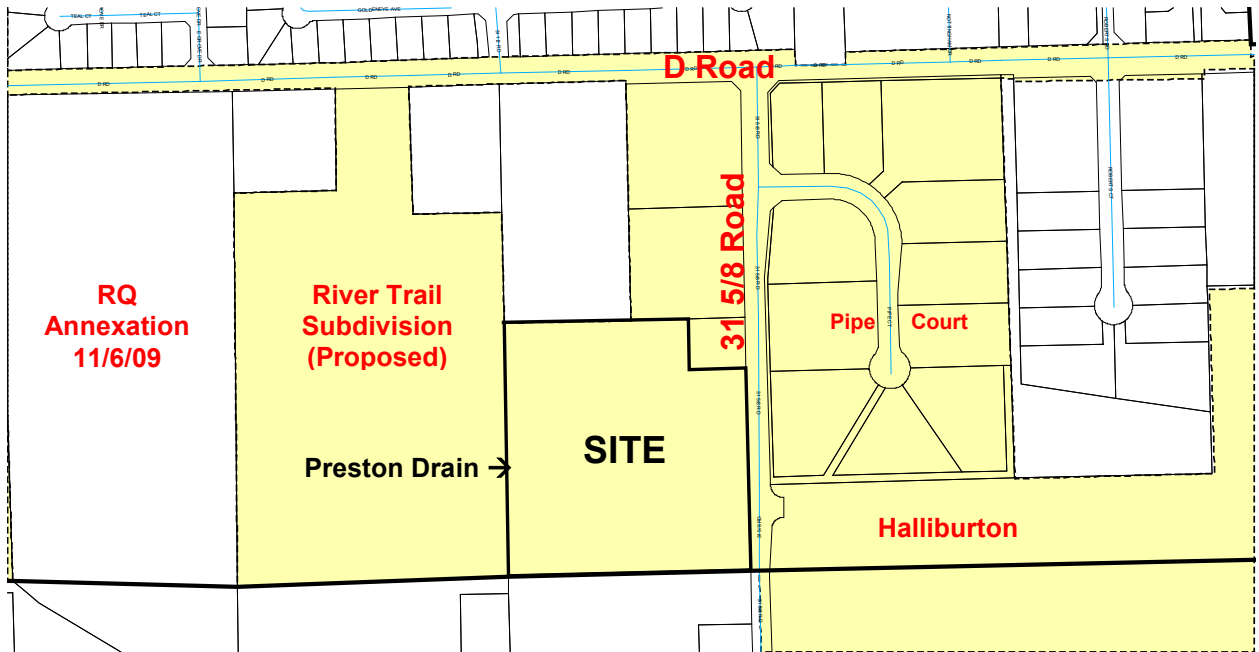
Site Location Map / Aerial Photo Map

Future Land Use Map / Existing City and County Zoning Map

Proposed Ordinance

Site Location Map

Figure 1



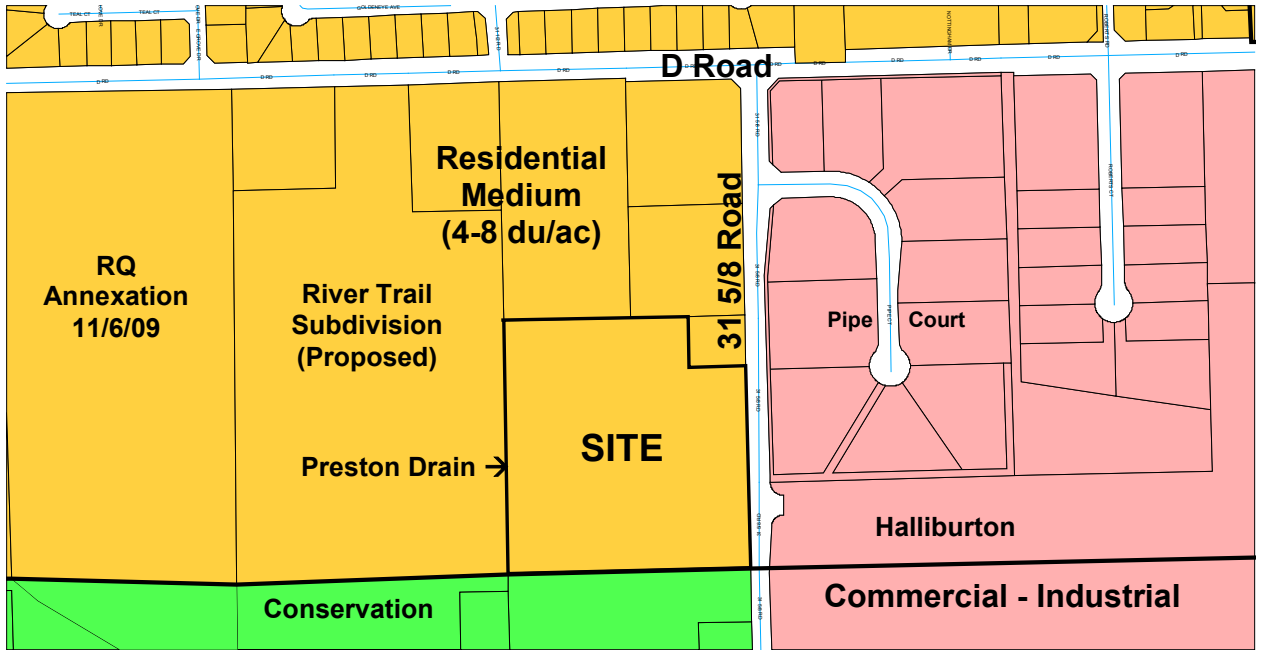
Aerial Photo Map

Figure 2



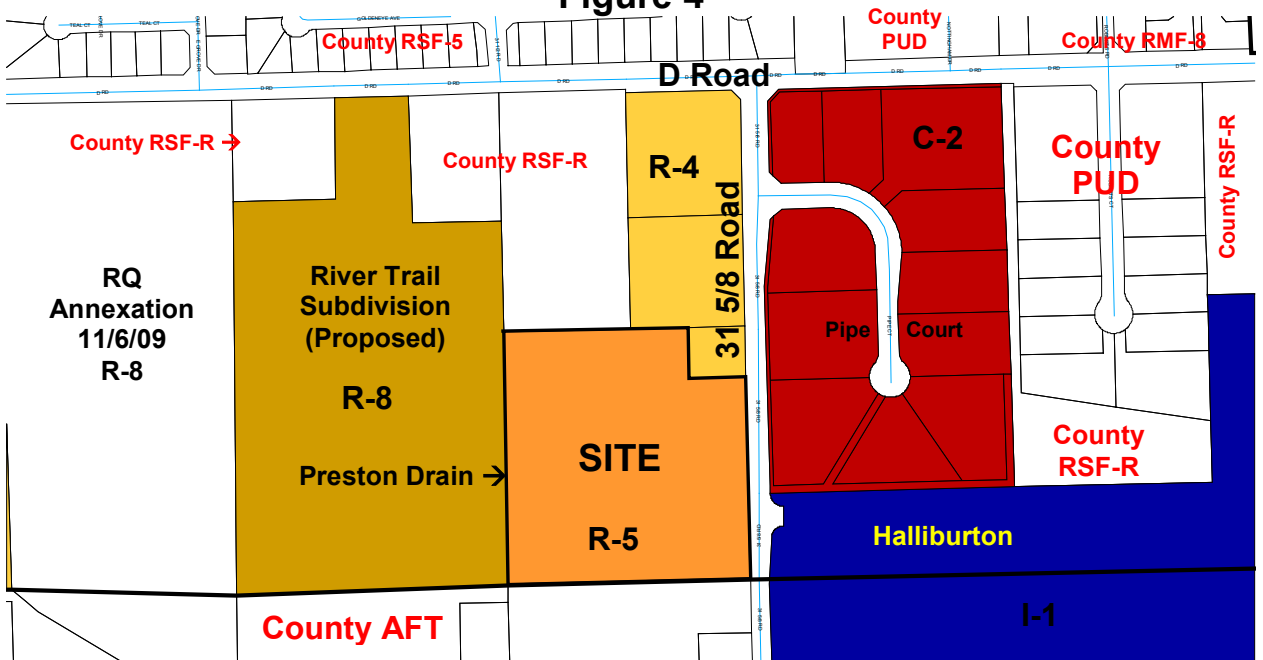
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS THE
TRAIL SIDE SUBDIVISION TO
R-8 (RESIDENTIAL 8 UNITS PER ACRE)**

LOCATED AT 381 31 5/8 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Trail Side Subdivision Rezone to the R-8, Residential 8 Units/Acre Zone District finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8, Residential 8 Units/Acre Zone District is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning & Development Code.

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

The following property be zoned R-8, Residential 8 Units/Acre

Lot 2, Ankarlo Subdivision, being a replat of Parcel 1A Ankarlo Simple Land Division situated in the NW ¼, NE ¼ in Section 22, Township 1 South, Range 1 East of the Ute Meridian, Grand Junction, Mesa County, Colorado.

Said parcel contains 9.15 acres more or less.

Introduced on first reading this ____ day of _____, 2009 and ordered published.

ADOPTED on second reading this ____ day of _____, 2010.

ATTEST:

President of the Council

City Clerk

**Attach 4
TNG Subdivision**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: December 8, 2009
STAFF PRESENTATION: Michelle Hoshide

AGENDA TOPIC: TNG Rezone – RZ-2008-378

ACTION REQUESTED: A recommendation to City Council to rezone a property located north of 29 Road and G Road from R-5 (Residential 5 units/acre) to C-1 (Light Commercial).

BACKGROUND INFORMATION			
Location:		29 Road and G Road	
Applicants:		Owner: 29 Road and G Road LLC Representative: TurnKey Consulting LLC.	
Existing Land Use:		Vacant	
Proposed Land Use:		Light Commercial	
Surrounding Land Use:	North	Vacant	
	South	Vacant	
	East	Vacant	
	West	Vacant	
Existing Zoning:		R-5 (Residential 5 units per acre)	
Proposed Zoning:		C-1 (Light Commercial)	
Surrounding Zoning:	North	PD (Planned Development)	
	South	R-5 (Residential 5 units per acre)	
	East	R-5 (Residential 5 units per acre)	
	West	PD (Planned Development)	
Growth Plan Designation:		Commercial	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: Request to rezone 2.63 acres, from R-5 (Residential 5 units/acre) to C-1(Light Commercial).

RECOMMENDATION: Forward a recommendation of approval to City Council.

ANALYSIS:

1. Background:

On September 29, 2009 the TNG Subdivision Simple Subdivision was recorded creating two lots. The original property, of 25.5 acres, located at 29 Road and G Road, was split by the Highline Canal, G Road and 29 Road. The northern lot of 2.63 acres was created by the pre-existing boundaries that split the property. The property owner has proposed the rezone to allow the northern property to meet the Future Growth Plan designation of Commercial.

2. 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 criteria one or all criteria two through six for approval:

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

The existing zoning was in error at the time of adoption. Originally, the property was part of a parcel with a Future Growth designation of Residential Medium and Commercial. The practice at the time was to zone the parcel the predominant zone district. Therefore, the entire property was zoned R-5 (Residential 5 units/acres) to satisfy the Residential Medium designation.

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*

The Future Land Use Map has designated this property and the properties to the north and west as Commercial.

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 furthers the goals and policies of the Growth Plan. The Future Land Use Map has designated this property and the properties to the north and west as Commercial. This corridor is proposed to be a principal arterial. A commercial zoning would allow the lot to be fully utilized by providing amenities to the surrounding existing and future residential developments.

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

Public facilities and services do not currently exist. The closest water main is provided to the east by Ute water with a 2" line. Upon development of this land public services would be required to be installed.

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 C-1 (Light Commercial) zoned land available in the area surrounding the 29 Road and G Road property. All surrounding properties to the north and west are zoned PD (Planned Development) with a Future Growth Plan designation of Commercial. All the property to the south and east are zoned R-5 (Residential 5 units/acre) with a Future Growth Plan designation of Residential Medium.

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

The rezone will allow the property to develop according to the Future Land Use Map as Commercial and allow the lot to be fully utilized by providing potential amenities to the surrounding existing and future residential developments.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the TNG Subdivision Rezone, RZ-2008-378, a request to rezone property from R-5 (Residential 5 units/acre) to C-1 (Light Commercial), 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 TNG Subdivision Rezone, RZ-2008-378, I move we forward a recommendation of approval to City Council on the request to rezone from R-5 (Residential 5 units/acre) zone district to C-1 (Light Commercial) zone district, with the findings and conclusions listed in the staff report.

Attachments:

Site Location Map

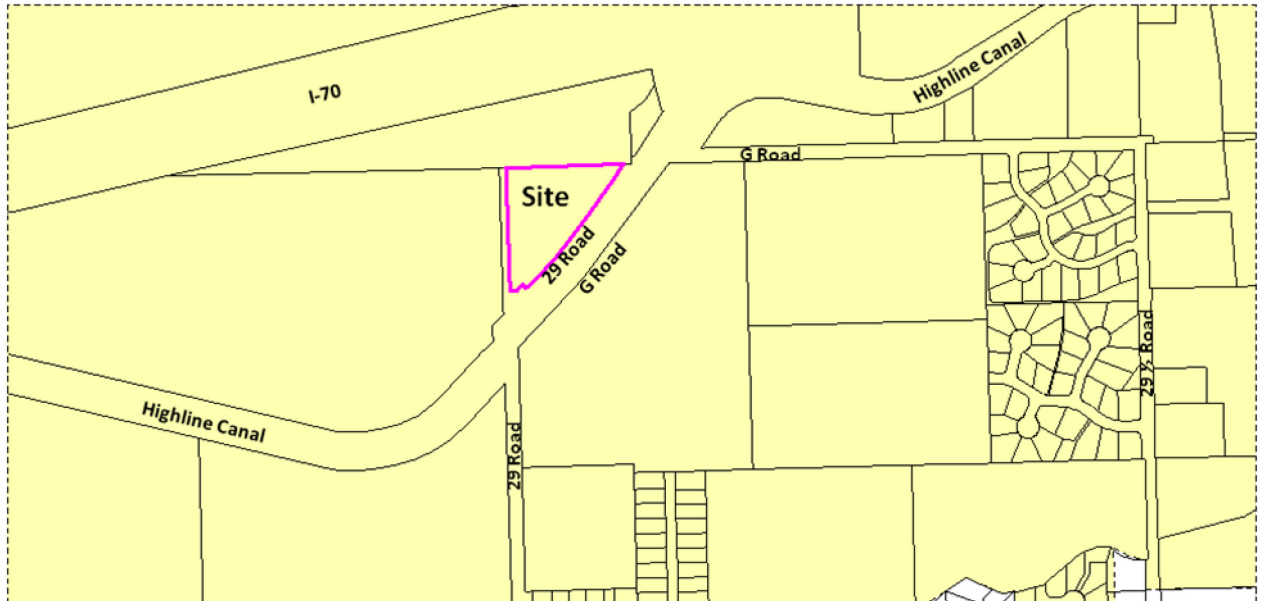
Aerial Photo Map

Future Land Use Map

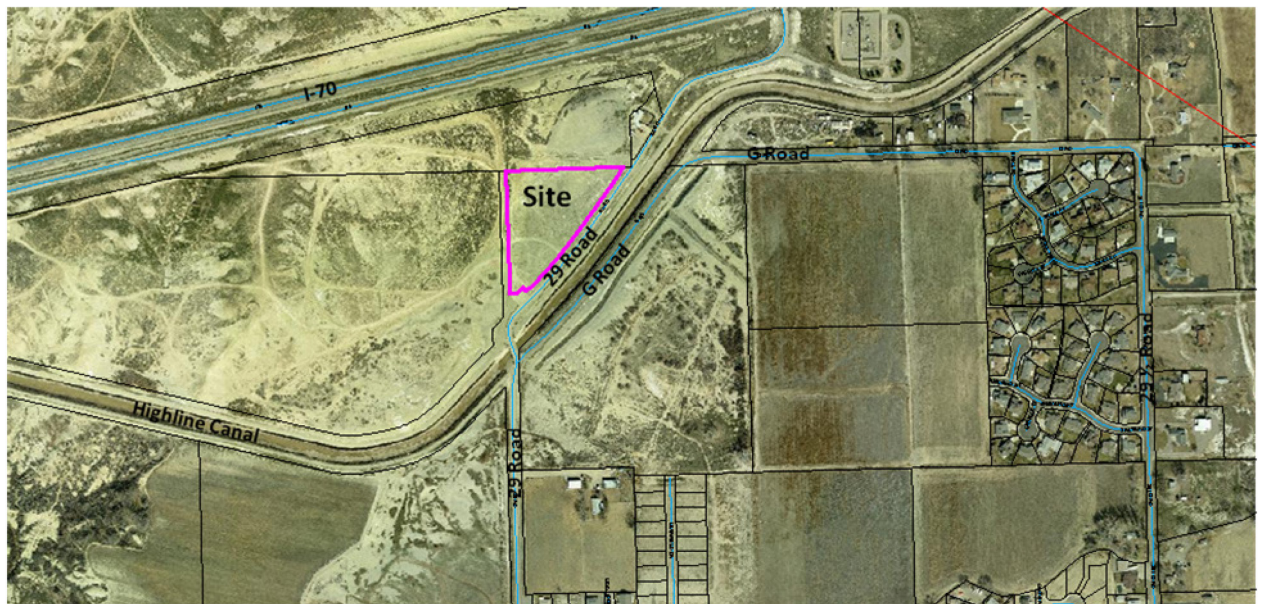
Existing City Zoning Map

Ordinance

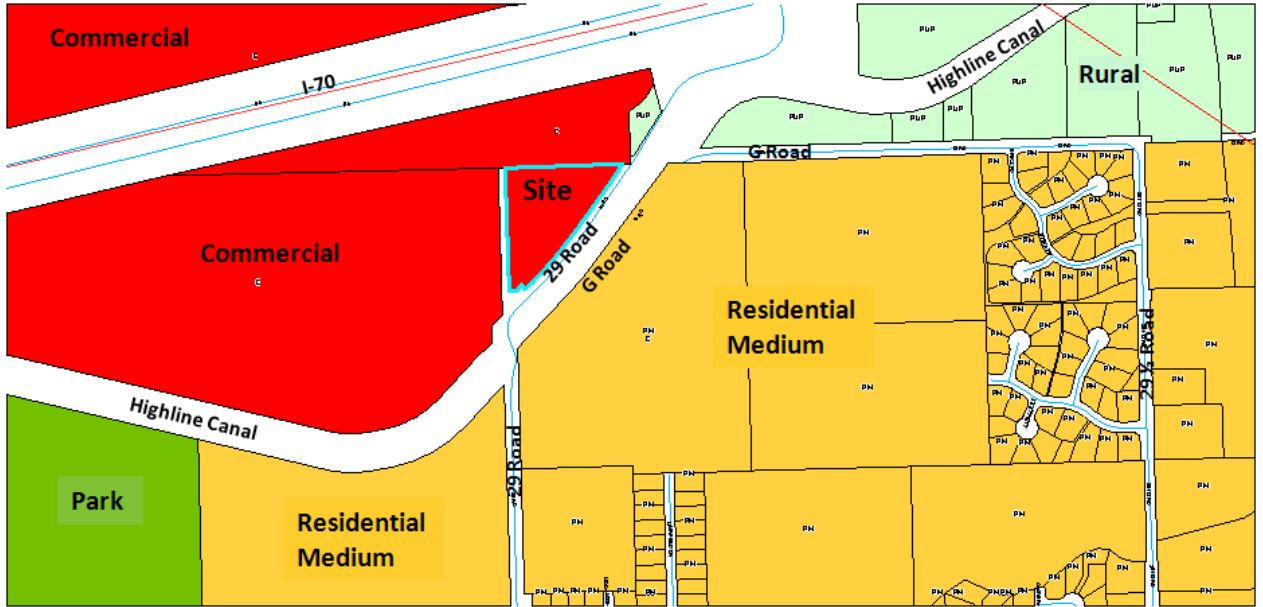
Site Location Map



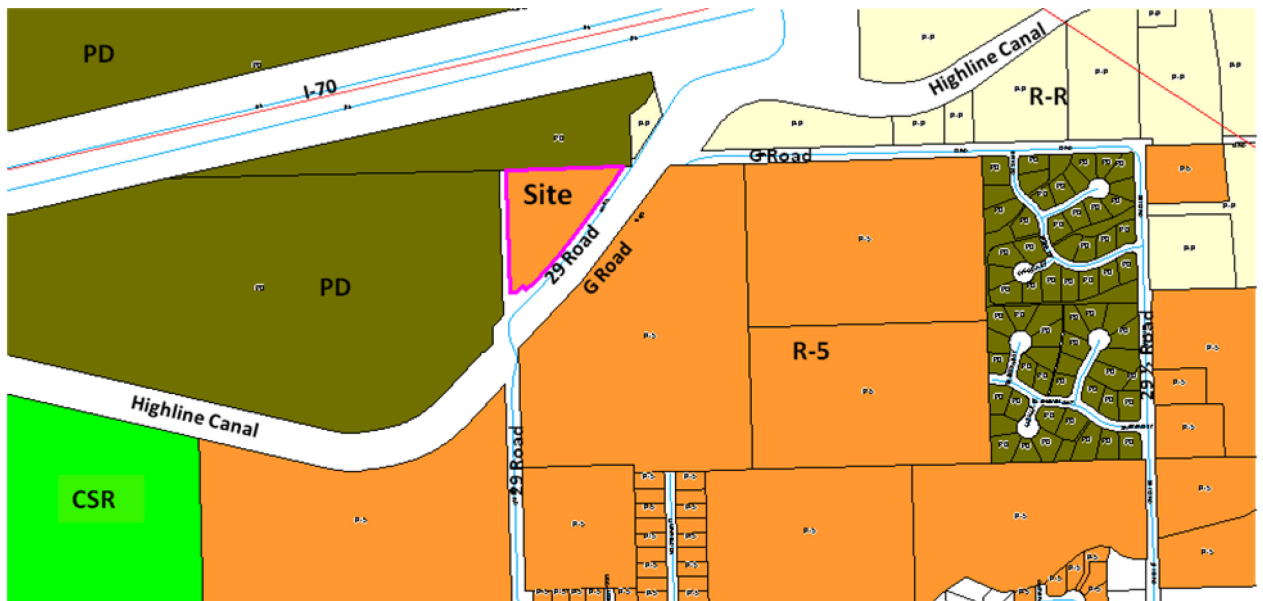
Aerial Photo Map



Future Land Use Map



Existing City Zoning Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING ONE PARCEL OF LAND FROM
R-5 (RESIDENTIAL 5 UNITS PER ACRE) TO C-1 (LIGHT COMMERCIAL)
LOCATED AT 29 ROAD AND G ROAD**

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 R-5 (Residential 5 units per acres) to C-1 (Light Commercial).

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 C-1 (LIGHT COMMERCIAL) ZONE DISTRICT:

Lot 1 in the TNG Subdivision, located in NW1/4 NW1/4 Section 5, T1S, R1E, Ute P.M. City of Grand Junction, County of Mesa, State of Colorado

Introduced on first reading on the _____ day of _____, 2010

PASSES and ADOPTED on second reading this _____ day of _____, 2010.

Attest:

City Clerk

President of the Council

**Attach 5
LaHue Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: December 8, 2009
PRESENTER: Judith Rice

AGENDA TOPIC: LaHue Zone of Annexation – ANX-2009-214

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

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		514 Morning Glory Lane	
Applicants:		Christine LaHue and Casey Clifford	
Existing Land Use:		Residential	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		County RMF-8 (Residential Multi Family 8 du/acre)	
Proposed Zoning:		R-8 (Residential 8 du/acre)	
Surrounding Zoning:	North	County RMF-8 (Residential Multi Family 8 du/acre)	
	South	County RMF-8 (Residential Multi Family 8 du/acre)	
	East	R-8 (Residential 8 du/acre)	
	West	County RMF-8 (Residential Multi Family 8 du/acre)	
Growth Plan Designation:		Residential Medium	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: A request to zone the 0.29 acre LaHue Annexation, consisting of one parcel located at 514 Morning Glory Lane, to an R-8 (Residential 8 du/acre) zone district.

RECOMMENDATION: Recommend approval to the City Council of the R-8 (Residential 8 du/acre) zone district.

ANALYSIS:

2. Background:

The 0.29 acre LaHue Annexation consists of one parcel located at 514 Morning Glory Lane. The property owners have requested annexation into the City and a zoning of R-8. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of R-8 conforms to the Future Land Use Map, which has designated the properties as Residential Medium.

2. Section 2.6.A.3 and 4 of the Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the R-8 (Residential 8 du/acre) zone district is consistent with the Growth Plan designation of Residential Medium. The existing County zoning is RMF-8 (Residential Multi Family 8 du/acre). Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning. The request is consistent with both the Growth Plan and the existing County zoning

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The neighborhood consists of County RMF-8 zoning and City R-8 zoning. The proposed R-8 zoning is compatible with the neighborhood and conforms to the Growth Plan's Future Land Use Residential Medium designation.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: There is a 3 inch Ute Water line and an 8 inch City sanitary sewer line running along Morning Glory Lane, both adequate to provide service to residential uses allowed in an R-8 zone.

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

- a. R-4 (Residential 4 du/acre)
- b. R-5 (Residential 5 du/acre)

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

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the LaHue Annexation, ANX-2009-214, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A.3 and 4 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 R-8 (Residential 8 du/acre) zone district for the LaHue Annexation, ANX-2009-214 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

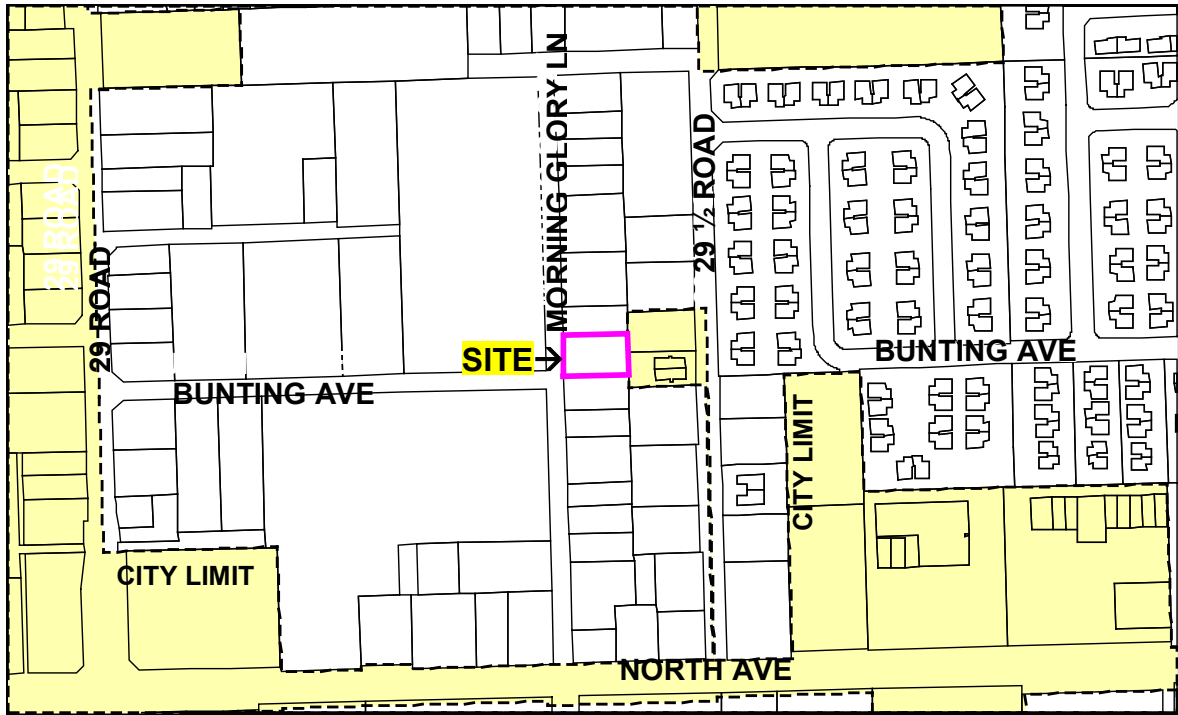
Mr. Chairman, on the LaHue Zone of Annexation, ANX-2009-214, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-8 (Residential 8 du/acre) zone district with the facts and conclusions listed in the staff report.

Attachments:

Annexation-Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Zoning Ordinance

Annexation/Site Location Map

Figure 1



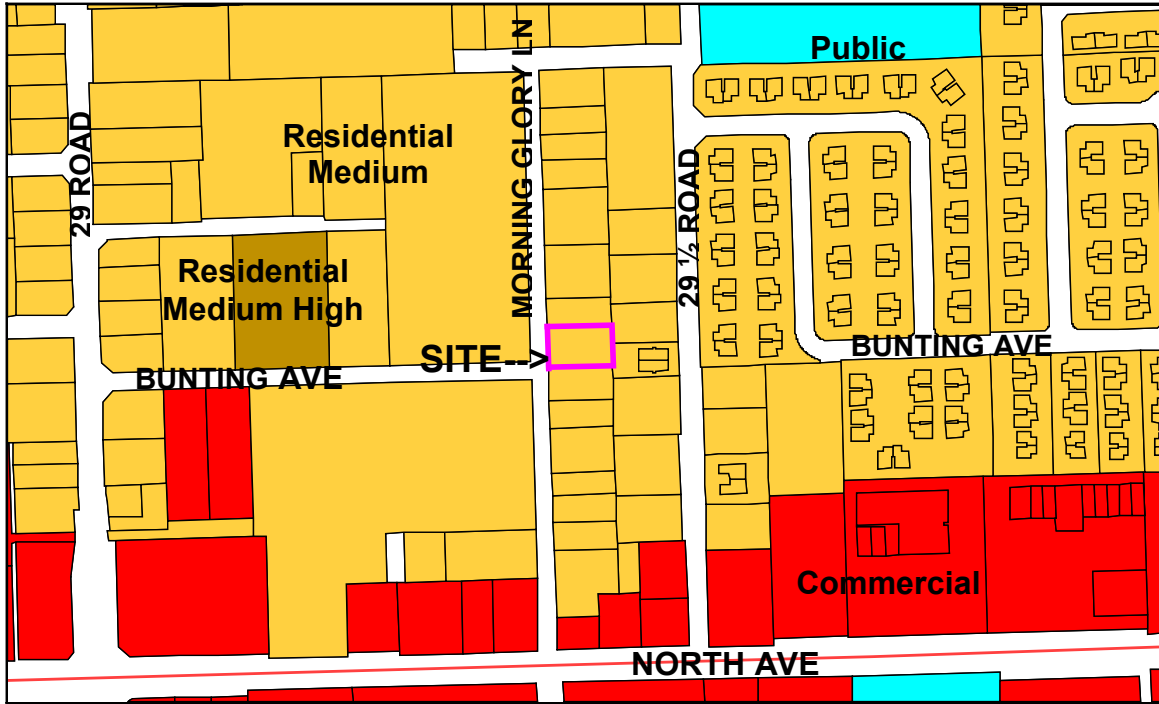
Aerial Photo Map

Figure 2



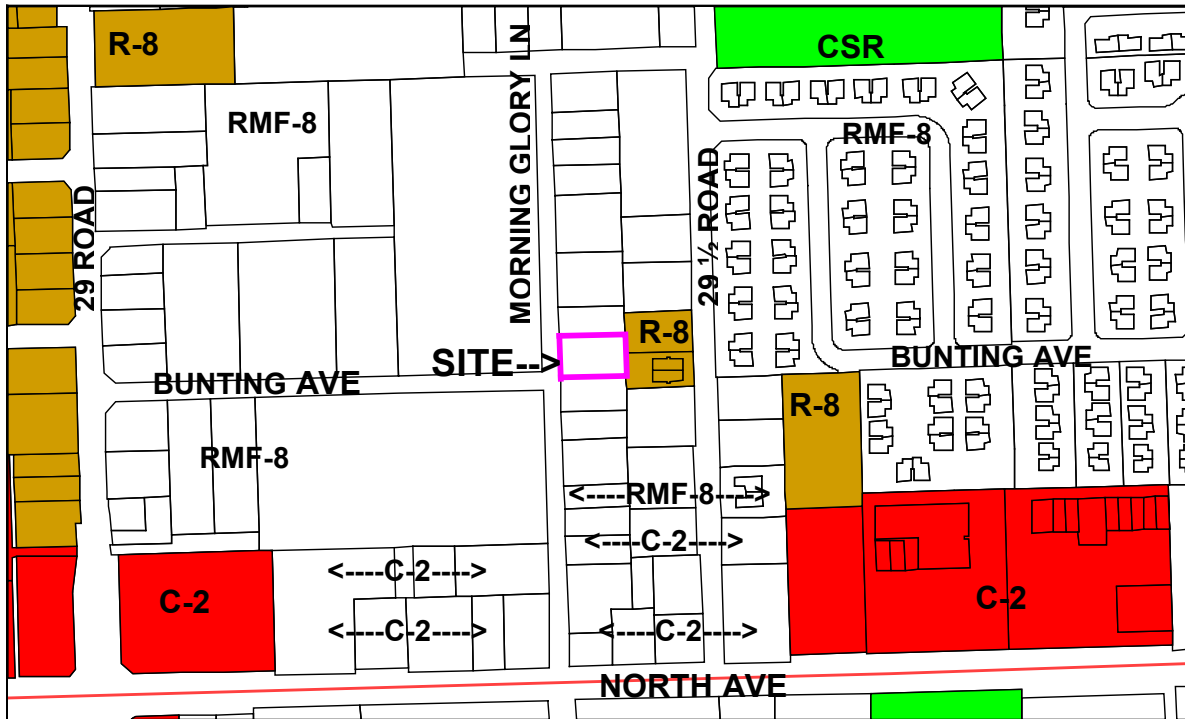
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE LAHUE ANNEXATION
TO R-8 (RESIDENTIAL 8 DU/ACRE)**

LOCATED AT 514 MORNING GLORY LANE

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 zoning the LaHue Annexation to the R-8 (Residential 8 du/acre) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 (Residential 8 du/acre) zone district is in conformance with the stated criteria of Section 2.6 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 be zoned R-8 (Residential 8 du/acre).

LAHUE ANNEXATION

A parcel of land situated in the SW ¼ of the SW ¼ of Section 8, Township 1 South, Range 1 East of the Ute Meridian being more particularly described as follows: Beginning at a point 660 feet north and 170 feet West of the Southeast Corner of the SW ¼ of the SW ¼ of said Section 8; thence North 88.2 feet; West 160 feet; thence South 88.2 feet; thence East 160 feet more or less to the Point of Beginning: Except the West 20 feet for Road. County of Mesa, State of Colorado

INTRODUCED on first reading the 16th day of November 16, 2009 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk