

RECEIPT OF APPLICATION

DATE BROUGHT IN: 5/14/03

CHECK #: 3470 AMOUNT: 330⁰⁰

DATE TO BE CHECKED IN BY: 5-16-03

PROJECT/LOCATION: 1028 24 1/2 Rd

Items to be checked for on application form at time of submittal:

- Application type(s)
- Acreage
- Zoning
- Location
- Tax #(s)
- Project description
- Property owner w/ contact person, address & phone #
- Developer w/ contact person, address & phone #
- Representative w/ contact person, address & phone #
- Signatures of property owner(s) & person completing application



DEVELOPMENT APPLICATION

Community Development Dept
250 North 5th Street
Grand Junction CO 81501
(970) 244-1430

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do hereby petition this:

Petition for (check all appropriate boxes):

- | | | |
|--|---|--|
| <input type="checkbox"/> Subdivision Plat/Plan - Simple | <input type="checkbox"/> Site Plan Review - Major | <input type="checkbox"/> Concept Plan |
| <input type="checkbox"/> Subdivision Plat/Plan - Major Preliminary | <input type="checkbox"/> Site Plan Review - Minor | <input type="checkbox"/> Minor Change |
| <input type="checkbox"/> Subdivision Plat/Plan - Major Final | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Change of Use |
| <input type="checkbox"/> Planned Development - ODP | <input type="checkbox"/> Vacation, Right-of-Way | <input type="checkbox"/> Revocable Permit |
| <input type="checkbox"/> Planned Development - Preliminary | <input type="checkbox"/> Vacation, Easement | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Planned Development - Final | <input type="checkbox"/> Extension of Time | |
| <input type="checkbox"/> Annexation/Zone of Annexation | <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> Growth Plan Amendment |

From: _____

From: PD/RSF-1

From: _____

To: _____

To: RO

To: _____

Site Location:

628 28 1/2 Rd AND 632 26 1/2 Rd

Site Tax No.(s):

2945-024-00-951/952

Site Acreage/Square footage:

4.08A.

Site Zoning:

PD

Project Description:

REZONE BOTH PROPERTIES TO RO. TO ALLOW FOR CONSTRUCTION OF PROF. OFFICE BUILDINGS WITH RESIDENTIAL DESIGN.

X ST. PAUL EVANGELICAL LUTHERAN CHURCH

Property Owner Name

CHURCH

X JIM WEST

Developer Name

X JIM WEST

Representative Name

632 26 1/2 Rd.

Address

759 HORIZON DR.

Address

759 HORIZON DR

Address

GRAND JCT, COLO 81501

City/State/Zip

GRAND JCT, COLO 81506

City/State/Zip

GRAND JCT, COLO 81506

City/State/Zip

Business Phone No.

970-242-4310

Business Phone No.

970-242-4310

Business Phone No.

E-Mail

JDWBUILD@aol.com

E-Mail

SAME

E-Mail

Fax Number

970-241-8051

Fax Number

970-241-8051

Fax Number

ROD CRIST

Contact Person

JIM WEST

Contact Person

JIM WEST

Contact Person

970-241-5466

Contact Phone No.

970-242-4310

Contact Phone No.

970-242-4310

Contact Phone No.

Note Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

X Jim West
Signature of Person Completing Application

5/13/03
Date

X Rv Crist
Required Signature of Legal Property Owner(s) - attach additional sheets if necessary

5/13/03
Date

General Meeting Checklist

Date: 2/11/03

Applicant: Jim West/Mark Young Phone: 241-2122 Tax Parcel #: 2945-024-00-951

Location 628 26 1/2 Rd Proposal Rezone PD to RO

Conference Attendance Jim West; Mark Young; Travis Cox; Kathy Portner

While all factors in a development proposal require careful thought, preparation and design, the following circled items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process.

Zoning & Land Use

Planner's Notes

- a. Zoning: PD to RO
b. Growth Plan Land Use Designation: RM 4-8
c. Growth Plan (Goals & Policies) Applicability:
d. Corridor Guidelines or other Plan applicability:
e. Land Use Compatibility:

*Address Rezone Criteria in the General Project Report

Off-site Impacts

- a. access/right-of-way required
b. traffic impact
c. street improvements
d. drainage/stormwater management
e. availability of utilities

Site Development

- a. bulk requirements
b. access, traffic circulation
c. parking (off-street: handicap, bicycle, lighting)
d. landscaping (street frontages, parking areas)
e. screening & buffering

Misc.

- a. revocable permit
b. State Highway Access Permit
c. floodplain, wetlands
d. proximity to airport (clear or critical zone)
e. geologic hazard, soils

Other

- a. related files
b. other concerns

Fees

- a. application fee: 380 + 50 = 380
Fee is due at the time of submittal. Make check payable to the City of Grand Junction
b. Transportation Capacity Payment (TCP):
c. Drainage fee:
d. Parks & Open Space Fee:
e. School Impact Fee:
f. Recording Fee:
g. Plant Investment Fee (PIF) (Sewer Impact):

Processing Requirements

- a. Reference Documents - ZDC, SSID
b. Submittal Requirements
c. Review Process

PLEASE RETURN A COPY OF THIS FORM IN THE COMMUNITY DEVELOPMENT DEPT REVIEW PACKET

Planner's Name:

Senta

SUBMITTAL CHECKLIST

Date: *2/11/03*

REZONE

Expiration Date: 6 months from above date

Location: *628 26 1/2 Rd*

Project Name: *Future Med. PD to RD*

ITEMS	DISTRIBUTION														Total required					
	SSID Reference	City Community Development	City Development Engineer	City Utility Engineer	City Real Estate Manager	City Parks/Recreation	City Attorney	City Fire Dept./Chief/Flt-Dept	City Transportation Engineer	City Downtown Dev. Authority	City Addressing	City G.J. Planning Commission	City Council	County Planning		Water Field Airport	School District 51 (if higher density)	RTPO	Urban Trails	Other
Date Received: <i>2/15/03</i>																				
Receipt #: <i>18938</i>																				
File #: <i>RZ-2003-096</i>																				
DESCRIPTION																				
Application Fee \$ <i>330+50=380</i>	VII-1	1																		
• Development Application Form*	VII-1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
• Submittal Checklist*	VII-4	1																		
• Review Agency Cover Sheet* <i>AK</i>	VII-3	✓	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
• Location Map	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
• Names & Addresses* Fee \$	VII-3	1																		
• General Project Report	X-08	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Vicinity Sketch	IX-34	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Site Plan	IX-31	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
• Evidence of Title/Lease Agreement	VII-2	✓			1	1														
• Legal Description* <i>AK</i>	VII-3	✓			1															
• Spec Neighborhood Mtg info	VII-2	1			3	3														
○ Easement	VII-2	1	1	1	1	1														
○ Avigation Easement	VII-1	1			1	1								1						
○ ROW-Dedication/Conveyance	VII-3	1	1	1	1	1												1		
○ Traffic Impact Study	X-15	1	1															1		
○ Fire Flow Form*	XI-3	1	1				1													

Notes: * An asterisk in the item description column indicates that a form is supplied by the City.

will need labels for neighborhood meeting

ADJACENT PROPERTY OWNER
LABEL ORDER FORM

TAX PARCEL #: 2945-024-00-952
2945-024-00-951

PROPERTY ADDRESS: 632 26 1/2 Road
628 26 1/2 Road

PROPERTY OWNER: St Paul Evangelical Lutheran Church

MAILING ADDRESS: 632 26 1/2 Road
Grand Junction, Co 81506

APPLICANT: Jim West

MAILING ADDRESS: 759 Horizon Dr
Grand Junction, Co
81506

PROJECT REPRESENTATIVE: Jim West

MAILING ADDRESS: 759 Horizon Dr
Grand Junction, Co
81506

PHONE NUMBER: 242-4310

***REQUEST FOR LABELS MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR TO SUBMITTAL OF PROJECT.**

FEE: \$50.00

DATE PAID: 4/4/03 RECEIPT #: 18616

The adjacent property mailing list is created by pulling all property owners within 500 feet and all Homeowners Associations or citizen groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens groups are on record with the City of Grand Junction Community Development Department.



St. Paul's Lutheran Church Rezone to Residential Office from RSF-1 and PD

General Project Report

Parcel #s: 2945-024-00-951 and 952
628 & 632 26½ Road

Petitioner: St. Paul's Evangelical Lutheran Church
Developer: Jim West & St. Paul's Evangelical Lutheran Church

Application Description

St. Paul's Lutheran Church and its developer Jim West proposes a rezone for two parcels - acres to Residential Office (RO) from Residential Single Family One (RSF-1) and Planned Development (PD) at the northeast corner of 26 ½ Road and Horizon Drive. (Figure 1) The two parcels total approximately 4.08-acres. The property is currently developed with a church and associated parking.

Surrounding Land Use/Zoning

LAND USE - The following Land-uses surround the subject property:

- ❖ **North** - Church & Single Family home development
- ❖ **South** - Multiple-Family Developments (The Glen & Westwood) and the Mesa View Retirement Living Center



Figure 1 - Aerial Photograph of Subject Property

- ❖ East - Church, proposed Bed & Breakfast and Multi-family development (Westwood)
- ❖ West - Single Family home development

ZONING - The subject properties are currently zoned Residential Single Family One Dwelling Unit per acre (RSF-1) and Planned Development (PD) by the City of Grand Junction (Figure 2). Zoning in the surrounding area is comprised of City of Grand Junction Residential (RSF-1) and City of Grand Junction Residential (RSF-4), Community Services and Recreation (CSR) and Planned Development (PD). Within a ½ mile radius of the subject property, properties are zoned by Mesa County and the City of Grand Junction as:

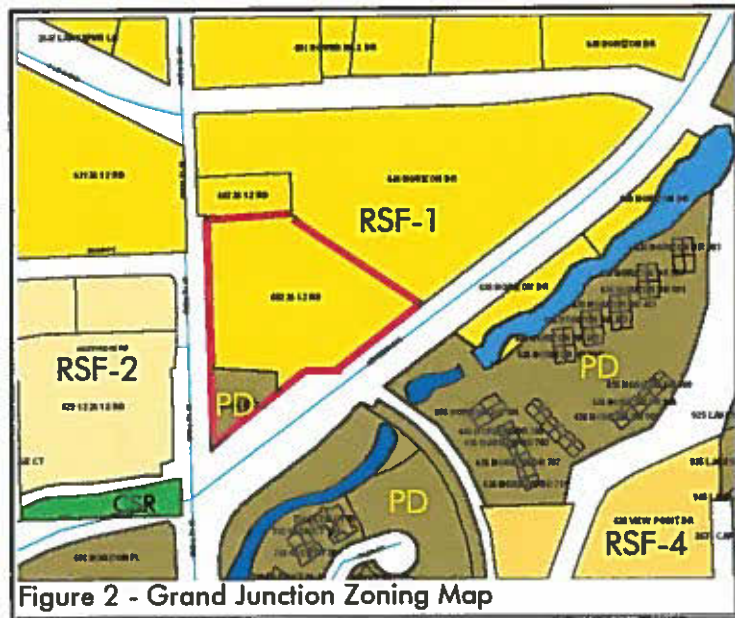


Figure 2 - Grand Junction Zoning Map

- ❖ North - RSF-1
- ❖ South - PD & RSF-4
- ❖ East - RSF-1 & PD
- ❖ West - PD, RSF-1, RSF-2, & CSR

Residential Office (RO Zone District)

In Section 3.4.A, of the 2000 *City of Grand Junction Zoning and Development Code* states that the Residential Office (RO) zone's purpose is:

"To provide low intensity, non-retail, 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. RO implements the medium, medium-high and high residential density and *Commercial* future land use classifications of the GROWTH PLAN in transitional corridors between single-family residential and more intensive uses."

The Zoning Dimensional Standards for the RO zone from the 2000 *Zoning and Development Code* are found in Table 1 on page 3 of this General Project Report.

Proposed Land Use of the Subject Property

Generally, the proposed land use of the property should not be taken into consideration for compatibility of a rezone application. In the case of a rezone to a RO zone, the *Zoning and Development Code* make reference to the district's Intensity/Density, Performance Standards, Site

Table 1
BULK REQUIREMENTS FOR THE RO ZONE

Minimum Lot Size	5,000 square feet
Minimum Lot Width	50-feet
Maximum Height of Structures	35 feet
Minimum Front Yard Setback	20 feet - Principal Structure 25 feet - Accessory Structure
Side Yard Setback	5 feet - Principal Structure 5 feet - Accessory Structure
Rear Yard Setback	10 feet - Principal Structure 5 feet - Accessory Structure
Maximum Lot Coverage	70%
Maximum Floor Area Ration (FAR)	0.40

Source: 2000 City of Grand Junction Zoning and Development Code

Design, Layout and Operational Considerations to insure compatibility. The subject property is currently developed with a church and its associated parking. This application for a Residential Office (RO) zone is the least intensive business/office zone available in the City of Grand Junction. This zone was chosen since no retail development can take place, and that by its very nature, this zone district is intended to be a "transitional" zone between single family residential and higher intensity land use.

The RO zone requires that the maximum building size shall not exceed 10,000 square feet, unless a conditional use permit is issued, and non-residential intensity will not exceed a floor area ratio (FAR) of 0.4. Construction, including additions, remodels, and new, in the RO district must be designed to look residential and shall be consistent with existing buildings along a street. According to the *Code*, consistent means the operational, site design and layout, and architectural considerations described in the RO zone must be used in the design of the property improvements. The Site Design, Layout and Operational Considerations, which are considered in the site development are found in the *Code* in Chapter 3, on Page 18 of the RO zone (Section 3.4.A.5), which are as follows:

- "a. **Parking.** Business uses in the RO District shall be designed and operated not to increase on-street parking in front of dwellings in the neighborhood. On-site parking shall be provided pursuant to the parking rules. On-site parking spaces shall only be located in the side and rear yards; and screened from adjacent dwellings by a solid wall, fence or vegetation having a height of not less than four (4) feet nor more than six (6) feet (vegetation may exceed six (6) feet in height).
- b. **Service Entrances.** Service entrances, loading areas and dumpster areas shall be located only in the rear or side yard. Each loading area shall be screened from each adjacent residential use or zone.

CHRISTIANN CONDO HOA
SANDRA WATSON
961 LAKESIDE DR #211
GRAND JUNCTION, CO 81506

LAKESIDE ESTATES HOA
DICK SMITH
3150 LAKESIDE DR #101
GRAND JUNCTION, CO 81506

WESTWOOD ESTATES HOA
TERRY SOMMERFELD
636 HORIZON DR #1000
GRAND JUNCTION, CO 81506

CHANTAL M GALLET
651 ROUNDHILL DR
GRAND JUNCTION, CO 81506-1439

DOUGLAS S SIMONS
JAMEE E
653 ROUNDHILL DR
GRAND JUNCTION, CO 81506-1439

SHIRLEY A HOWARD
DONALD G & ROBERT L
2719 H RD
GRAND JUNCTION, CO 81506-1727

JOHN I GORDON
SHARON A
629 1/2 26 1/2 RD
GRAND JUNCTION, CO 81506-1903

MERCEDES CAMERON
621 26 1/2 RD
GRAND JUNCTION, CO 81506-1904

CITY OF GRAND JUNCTION
COMMUNITY DEVELOP
250 N 5TH ST
GRAND JUNCTION, CO 81501-2628

CHRISTOPHER P CHESSANI
2647 LARKSPUR LN
GRAND JUNCTION, CO 81506-8377

BEN G KILGORE
CHERYL DUREE KILGORE
649 26 1/2 RD
GRAND JUNCTION, CO 81506-1930

WDM CORPORATION
2525 N 8TH ST
GRAND JUNCTION, CO 81501-8845

PHILIP M ROSKOWSKI
630 SAGE CT
GRAND JUNCTION, CO 81506-1955

MESA VIEW RETIREMENT
RESIDENCE
% DELOITTE & TOUCHE
700 5TH AVE STE 4500
SEATTLE, WA 98104-5033

ALICE K MCCONNELL
640 ROUNDHILL DR
GRAND JUNCTION, CO 81506-8316

GRAND VALLEY IRRIGATION
COMPAN
688 26 RD
GRAND JUNCTION, CO 81506

ST PAUL EVANGELICAL
LUTHERAN C
632 26 1/2 RD
GRAND JUNCTION, CO 81506

ST PAUL EVANGELICAL
LUTHERAN C
632 26 1/2 RD
GRAND JUNCTION, CO 81506-1932

INTERNATIONAL CHURCH OF THE
FO
GOSPEL
PO BOX 26902
LOS ANGELES, CA 90026-0176

CITY OF GRAND JUNCTION
WENDY-COMM DEV
250 N 5TH ST
GRAND JUNCTION, CO 81501-2628

GERALD ETHRIDGE
636 HORIZON DR APT 101
GRAND JUNCTION, CO 81506-1980

EDWARD M GARDNER
LOIS K
935 LAKESIDE CT
GRAND JUNCTION, CO 81506-2815

RITA SHUPE
636 HORIZON DR APT 103
GRAND JUNCTION, CO 81506-1980

ARTHUR HENKE
MARGERY O
636 HORIZON DR APT 104
GRAND JUNCTION, CO 81506-1980

EARL P JONES
MARGARET G
536 HORIZON DR APT 201
GRAND JUNCTION, CO 81506-1981

LINDA K PHILLIPS
636 HORIZON DR APT 202
GRAND JUNCTION, CO 81506-1981

BERNARD E POLLARD
MARY JANE POLLARD
636 HORIZON DR APT 203
GRAND JUNCTION, CO 81506-1981

MICHAEL R BIEBER
MARGUERITE M
401 LEE PKWY APT 1006
DALLAS, TX 75219-5223

MARILYN M GREEN
PETER A ROBINSON
220 HILLCREST DR
GRAND JUNCTION, CO 81501-7408

BRUCE CHARTERS
636 HORIZON DR APT 702
GRAND JUNCTION, CO 81506-1986

WARREN LEE MCELVAIN
CAROLE A
2123 NATAHOA CT
FALLS CHURCH, VA 22043-1948

SUSAN K GAZDAK
CHRISTINA M SHENTON
2370 E PIAZZA PL
GRAND JUNCTION, CO 81506-8442

MARGE RICHERT
636 HORIZON DR APT 706
GRAND JUNCTION, CO 81506-1987

LAVINA E SUMMERS
636 HORIZON DR APT 707
GRAND JUNCTION, CO 81506-1987

SHARON J DANIELS
636 HORIZON DR APT 708
GRAND JUNCTION, CO 81506-1987

ROGER C HEAD
TRUST
2713 N 8TH CT
GRAND JUNCTION, CO 81506-8203

JOHN C LAFFERTY
DONNA J
636 HORIZON DR APT 710
GRAND JUNCTION, CO 81506-1988

DEANNAN RAE STRAND
636 HORIZON DR APT 301
GRAND JUNCTION, CO 81506-1982

SHARON A DELAY
DENNIS MICHAEL DELAY
636 HORIZON DR APT 302
GRAND JUNCTION, CO 81506-1982

VIRGINIA ANN GARDNER
636 HORIZON DR APT 303
GRAND JUNCTION, CO 81506-1982

ELIZABETH ASHBY
636 HORIZON DR APT 304
GRAND JUNCTION, CO 81506-1982

DIANA W CHOTVACS
JUDITH WEST
636 HORIZON DR APT 801
GRAND JUNCTION, CO 81506-1989

VIVIEN M GLAZE
636 HORIZON DR APT 802
GRAND JUNCTION, CO 81506-1989

LILLIAN R HUFF
636 HORIZON DR APT 803
GRAND JUNCTION, CO 81506-1989

MICHAEL A GAZDAK
S K GAZDAK ETAL
2370 E PIAZZA PL
GRAND JUNCTION, CO 81506-8442

NEVA W SUTLEY
636 HORIZON DR APT 805
GRAND JUNCTION, CO 81506-1990

KENNETH E NELSON
SANDRA J NELSON
2676 G RD
GRAND JUNCTION, CO 81506-8395

NANCY E HARTZ
EDWIN L HARTZ
2537 FALLS VIEW CIR
GRAND JUNCTION, CO 81505-1073

F BING JOHNSON
ROSE W
636 HORIZON DR APT 808
GRAND JUNCTION, CO 81506-1990

DOROTHY E HOWARD
REVOCABLE TRUST
625 27 1/2 RD UNIT 163 EAST
GRAND JUNCTION, CO 81506

PHYLLIS L SAFFORD
KAWNA L
636 HORIZON DR APT 810
GRAND JUNCTION, CO 81506-0901

MOLLY L STUCKER
TRUSTEE
636 HORIZON DR APT 401
GRAND JUNCTION, CO 81506-1983

RUTH ALLINE HALL
636 HORIZON DR APT 403
GRAND JUNCTION, CO 81506-1983

NORMA F LOWE
636 HORIZON DR APT 404
GRAND JUNCTION, CO 81506-1983

RONALD LYNN UNFRED
LEE ANN UNFRED
638 HORIZON DR
GRAND JUNCTION, CO 81506-1977

INTERNATIONAL CHURCH OF
FOUR S
1100 GLENDALE BLVD
LOS ANGELES, CA 90026-3200

NICHOLAS M MAYER
PO BOX 1265
CASTROVILLE, TX 78009-1265

MARVIN L AESCHLIMAN
JANA L AESCHLIMAN
712 GLEN CT UNIT 20
GRAND JUNCTION, CO 81506-8276

FRANK N LEATHERWOOD
MARY ANN LEATHERWOOD
PO BOX 3302
SOUTH PADRE ISLAND, TX 78597-3302

SHARON L SHINER
732 GLEN CT UNIT 20
GRAND JUNCTION, CO 81506-8278

NOTICE OF DEVELOPMENT APPLICATION

An application for the development proposal described below, located near property you own, has been received by the Grand Junction Community Development Department. The Department encourages public review of proposed development prior to public hearings. The application, including plans, reports and supporting documentation, is available for review during normal business hours (7:30 A.M. - 5:30 P.M. Monday-Thursday and 7:30 A.M. - 5:00 P.M. on Friday) at City Hall, 250 North 5th Street. City Planning staff is also available to answer questions and explain the development review process.

RZ-2003-096 – LUTHERN CHURCH REZONE – 628

26½ Road

Request approval to rezone 4.08 acres currently zoned PD (Planned Development) to a zoning of RO (Residential Office)

Planner Senta Costello

Courtesy notification cards will be mailed to adjoining property owners prior to a public hearing on this item. However, we encourage you to also verify scheduling in one of the following ways:

- ◆ call the Community Development Department at (970) 244-1430
- ◆ look for a display ad in the Daily Sentinel one day prior to the public hearing (held on the second and sometimes the third Tuesday of each month)
- ◆ You may receive a FAX copy of the Planning Commission agendas by calling CITY DIAL at (970) 244-1500 ext. 211.
- ◆ Agendas for Planning Commission, City Council, and Board of Appeals items are available prior to the hearing at City Hall, 250 North 5th Street.

Department at (970) 244-1430 if you have any questions.



CITY OF GRAND JUNCTION
 COMMUNITY DEVELOPMENT DEPARTMENT
 250 N 5TH STREET
 GRAND JUNCTION, CO 81501

PRESORTED
 STANDARD



BCMO

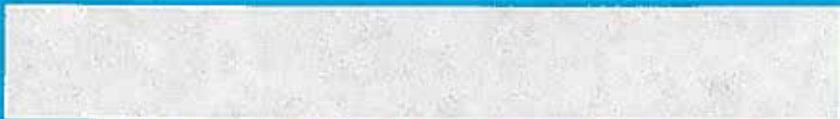
ISS #11 DENVER, CO. P&DC 11:38 06/14/03 ISS #11

FRANK N LEATHERWOOD
 MARY ANN LEATHERWOOD
 PO BOX 3302
 SOUTH PADRE ISLAND, TX 78597-3302



**NOT DELIVERABLE
 AS ADDRESSED**

NOTICE OF DEVELOPMENT APPLICATION



78597+3302 12



CITY OF GRAND JUNCTION
 COMMUNITY DEVELOPMENT DEPARTMENT
 250 N 5TH STREET
 GRAND JUNCTION, CO 81501

PRESORTED
 STANDARD



CITY OF GRAND JUNCTION
 COMMUNITY DEVELOP
 250 N 5TH ST
 GRAND JUNCTION, CO 81501-2628

NOTICE OF DEVELOPMENT APPLICATION

J S GORDON & COMPANY
PO BOX 3525
GRAND JUNCTION, CO 81502-3525

CYNTHIA A EDMUNDS
732 GLEN CT UNIT 40
GRAND JUNCTION, CO 81506-8278

GLEN @ HORIZON DRIVE II LLC
LAWRENCE F C
739 GLEN CT UNIT 30
GRAND JUNCTION, CO 81506-8283

REBECCA L ROLLAND
739 GLEN CT UNIT 40
GRAND JUNCTION, CO 81506-8283

LAWRENCE P BROOKMAN
DORIS ANN M BROOKMAN
5031 S ZINNIA CT
MORRISON, CO 80465-1501

JAMES M SILCOX
TRUSTEE
747 GLEN CT UNIT 40
GRAND JUNCTION, CO 81506-8285

W THOMAS BECKNER
BEVERLY S BECKNER
1101 ILSELY DR
FT WAYNE, IN 46807

GLORIA M FOWLER
742 GLEN CT UNIT 30
GRAND JUNCTION, CO 81506-8280

GLEN @ HORIZON DRIVE II LLC
418 E COOPER AVE STE 204
ASPEN, CO 81611-1892

JEFFREY A BELL
752 GLEN CT UNIT 30
GRAND JUNCTION, CO 81506

WILLIAM N RICHARDSON
RHONDA L RICHADSON
2019 ROSETTE CT
GRAND JUNCTION, CO 81503

APPLICATION COMPLETENESS REVIEW

Use "N/A" for items which are not applicable

Date: 5/15/03

Project Name: _____ (if applicable)

Project Location : 628 26 1/2 Rd (address or cross-streets)

Check-In Staff _____ Community Development: PC initials of check-in
Development Engineer: _____ staff members

APPLICATION TYPE(S): Rezone
(e.g. Site Plan Review)

FEE PAID: Application: 330⁰⁰ BALANCE DUE:
Acreage: _____ Yes amount \$ _____
Public Works: _____ No

COMPLETENESS REVIEW:

Originals of all forms received w/signatures? Yes No, list is missing items below

- _____
- _____
- _____

Missing drawings, reports, other materials: No Yes, list missing items below
Note: use SSID checklist

- _____
- _____
- _____

Incomplete drawings, reports, other materials? No Yes, list missing items below
Note: Attach SSID checklist(s) w/incomplete information identified

- _____
- _____
- _____

Professional stamp/seal missing from drawings/reports?

No

Yes, list missing items below

- _____
- _____
- _____

Other: Please list below

PROJECT ASSIGNMENT AND PROCESSING

Project Manager: _____

Sento

Special Processing Instructions:

**Table 1
BULK REQUIREMENTS FOR THE RO ZONE**

Minimum Lot Size	5,000 square feet
Minimum Lot Width	50-feet
Maximum Height of Structures	35 feet
Minimum Front Yard Setback	20 feet - Principal Structure 25 feet - Accessory Structure
Side Yard Setback	5 feet - Principal Structure 5 feet - Accessory Structure
Rear Yard Setback	10 feet - Principal Structure 5 feet - Accessory Structure
Maximum Lot Coverage	70%
Maximum Floor Area Ration (FAR)	0.40

Source: 2000 City of Grand Junction Zoning and Development Code

Design, Layout and Operational Considerations to insure compatibility. The subject property is currently developed with a church and its associated parking. This application for a Residential Office (RO) zone is the least intensive business/office zone available in the City of Grand Junction. This zone was chosen since no retail development can take place, and that by its very nature, this zone district is intended to be a “transitional” zone between single family residential and higher intensity land use.

The RO zone requires that the maximum building size shall not exceed 10,000 square feet, unless a conditional use permit is issued, and non-residential intensity will not exceed a floor area ratio (FAR) of 0.4. Construction, including additions, remodels, and new, in the RO district must be designed to look residential and shall be consistent with existing buildings along a street. According to the *Code*, consistent means the operational, site design and layout, and architectural considerations described in the RO zone must be used in the design of the property improvements. The Site Design, Layout and Operational Considerations, which are considered in the site development are found in the *Code* in Chapter 3, on Page 18 of the RO zone (Section 3.4.A.5), which are as follows:

- a. **Parking.** Business uses in the RO District shall be designed and operated not to increase on-street parking in front of dwellings in the neighborhood. On-site parking shall be provided pursuant to the parking rules. On-site parking spaces shall only be located in the side and rear yards; and screened from adjacent dwellings by a solid wall, fence or vegetation having a height of not less than four (4) feet nor more than six (6) feet (vegetation may exceed six (6) feet in height).
- b. **Service Entrances.** Service entrances, loading areas and dumpster areas shall be located only in the rear or side yard. Each loading area shall be screened from each adjacent residential use or zone.

- c. Use of Front Yard. Front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage.
- d. Hours of Business. No uses in this district shall open earlier than 7:30 a.m. and shall close no later than 8:00 p.m.
- e. Outdoor Storage and Display. Outdoor storage and display areas associated with non-residential uses are prohibited.
- f. Mixed Use. Any mix of residential and non-residential uses on the same lot shall be located in the same structure.
- g. Outdoor Lighting. Outdoor lighting shall comply with the lighting provisions in this Code."

The proposed joint use of the church and professional offices makes use of the performance standards required by the RO zone. First, the subject property is accessed from both 7th Street (26½ Road) and Horizon Drive. Nestled between these two major roadways, the professional office buildings buffer the existing church use from traffic and noise while maintaining the integrity of residential scale and context of the surrounding urban mixed use neighborhood.

Second, parking is shared and located between the professional office and church uses, since times of operation are compatible thus minimizing paved surfaces and creating a synergistic use of the site. A sculpture piece is proposed to provide a focal point and helps orient visitors to the church and the office complex.

Lastly, by utilizing low maintenance finishes such as stucco, stone and tile, the buildings provide a tiered roof massing that steps away from the street and pedestrian spaces to provide shade and architectural drama. Colors are intended to compliment existing uses in the surrounding neighborhood without duplicating them.

If the rezone to RO is approved, a Site Plan will be submitted for review to determine if the proposed development meets the performance criteria found in Section 3.4.A, RO – Residential Office zoning district. Although the Site Plan is not proposed for review with this application, the preliminary design of the property was completed for the Neighborhood Meeting, which was held on Tuesday, April 29, 2003. Conceptually, four (4) office buildings are proposed with approximately 24,600 square feet, with no building larger than 10,000 square feet. Parking for 109 vehicles is to be provided, with 103 spaces required by the Code.

Neighborhood Meeting

As required in Table 2.1 of Section 2.1, Review and Approval Required, of Chapter 2, Procedures, of the City of Grand Junction *Zoning and Development Code* (2000), a Neighborhood Meeting was held. This meeting took place on Tuesday, April 29, 2003, 7:00 p.m. to 7:50 p.m. at the St. Paul Evangelical Lutheran Church, 632 26 ½ Road, Grand Junction, CO. Seventy-two (72) notices were mailed out, with 20 neighbors attending the meeting.

Representatives of the owners, St. Paul's Evangelical Lutheran Church, Jim West, the developer, architect Marc Maurer of Genesis Designs, PC, planner Mike Joyce, AICP of

Development Concepts, Inc., engineer Mark Young, PE and Travis Cox of MDY Consulting Engineers, Inc., and Kathy Portner of the Community Development Department were present to make the presentation and answer any questions from the neighborhood residents.

The following questions were asked and the responses given at the meeting are as follows:

1. Q. Is there room for a right turn lane on Horizon?
A. Horizon is an 80 ft. right-of-way and the City has plans to make Horizon three lanes from 7th St. to 12th St.
2. Q. How does the agreement with Dr. Merkel and the City for future alignment of Sage Ct. affect the church's access?
A. We learned of this agreement tonight. It is something that will need to be considered.
3. Q. Residents on the west of Horizon Drive are going to have trouble if the sites access is too close to theirs and would like 7th Street access as far north as possible.
A. Neighboring accesses will be considered when positioning the access for this site.
4. Q. How high can buildings be?
A. The maximum per the code is 35 foot but must also be compatible with surrounding area.
5. Q. Will the building obstruct the intersection?
A. What looks like part of the building in the south corner is an overhang for a patio. Setback requirements keep the building from being too close to the street.
6. Q. Will the all of the buildings be built at once or will the project be phased?
A. We would like to build all of the buildings at once, but that will depend on finances and demand for the office space.
7. Q. Is the building square footage locked down?
A. No, the square footage of the building is not locked down. We planned to use the land as well as possible. We are currently looking at 24,600 square feet to make the project work financially.
8. Q. Some neighbors didn't get a notice of the meeting.
A. We sent out 72 notices based on the list provided by the city. Notices only went to residents who are within 500 ft. of the subject property.
9. Q. When will there be any action for the rezone?
A. We can submit anytime between 2 weeks or 180 days from the neighborhood meeting.

10. Q. Does the rezone stay with the church? What happens if the church leaves?
 A. The RO zoning would stay with the land and could be developed as an office or 4-8 Units/Acre residential.
11. Q. I wonder if RO fits in this residential area?
 A. The purpose of RO is to act as a transition from residential to commercial or high density. This question is what the Planning Commission and City Council will have to decide.

Rezone Criteria

The following questions/criteria, found in Section 2.6 of the 2000 *Grand Junction Zoning and Development Code (Code)*, must be answered in reviewing rezone and/or zone of annexation applications. The Rezone request is to Residential Office (RO) from Residential (RSF-1) and Planned Development (PD). Section 2.6.A, Approval Criteria, is used in order to determine consistency between the *Code* and the Zoning Maps, map amendments. The criteria is as follows:

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

No evidence can be found to indicate that an error in zoning occurred for either of the two parcels. The subject property has been developed with a church for many years, which is an allowed or conditional use in all zone districts of the City of Grand Junction.

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 transitions, etc.;

The proposed rezone to RO is proposed due to the purpose stated in Section 3.4.A, of the 2000 *City of Grand Junction Zoning and Development Code* which is:

“To provide low intensity, non-retail, 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. RO implements the medium, medium-high and high residential density and Commercial future land use classifications of the GROWTH PLAN in transitional corridors between single-family residential and more intensive uses.”

The recommended land use classification has recently been revised in 2003 from a “Public” land use to “Residential -- Medium Density” land use, which recommends residential density of 4 to 8 dwelling units per acre. The current zoning is RSF-1, which does not implement the recommended *Growth Plan* land use plan. The RO zone implements the *Growth Plan* recommended “Residential – Medium” land use.

The subject property is located in an area of transitioning residential densities such as large lot single family to the north, and single family attached/multiple family development to the south. Also in the surrounding area are other quasi-public uses (church) and the Mesa View Retirement Center. There has been a change of character in the area due to new growth trends, and development transitions. The character and/or condition of the area has changed that the proposed rezone to RO **MEETS** this review criterion.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: reduced capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;

The RO zone by its very nature is a transitional zone, which is indicated by the performance standards. These Performance Standards dictate the operational, site design and layout, and architectural considerations of the site and buildings improvements. As noted in the review of Criterion 1, the surrounding area is a transition area between single family detached development and higher intensity land uses. Using the Performance Standards, the proposed rezone to RO can use design to be compatible with the neighborhood and will not create adverse impacts such as: reduced capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The proposed rezone to RO **MEETS** this review criterion.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;

Overall, the rezone to Residential Office (RO) **MEETS** numerous goals and polices, and the Land Use map of the *Growth Plan*. The goals and policies of the *Growth Plan*, which are **MET** by the application are as follows:

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

Policy 1.3 - The City and County will use Exhibit V.3: Future Land Use Map in conjunction with the other policies of this plan to guide zoning and development decisions.

*The Growth Plan future land use designation for the subject property is **Residential – Medium Density** (4 to 8 dwelling units per acre). Earlier this year, the Planning Commission and the City Council revised the future land use from the "Public" land use to the "Residential – Medium" land use designation. The proposed RO zone implements the "Residential – Medium" land use designation.*

Goal 4 - To coordinate the timing, location and intensity of growth with the provision of adequate public facilities

Policy 4.4 - The city and county will ensure that water and sanitary sewer systems are designed and constructed with adequate capacity to serve the proposed development.

All utility providers have indicated that adequate capacity is available for water and other utilities.

Goal 5 - Efficient Use of Investments in Streets, Utilities and other Public Facilities

Policy 5.2 - Encourage development that uses existing facilities and is compatible with surrounding development

All urban services are available to the property and the proposed rezone can be designed to be compatible with the surrounding area due to the Performance Standards in the RO zone. These factors will allow for a transition land use between higher intensity land uses and the surrounding residential neighborhood.

Goal 9 - To recognize and preserve valued distinctions between different areas within the community.

Policy 9.2 - The city and county will encourage neighborhood designs which promote neighborhood stability and security.

The use of a transition zone, such as the RO zone, will promote neighborhood stability and security.

Goal 11 - Promote stable neighborhoods and land use compatibility throughout the neighborhood

Policy 11.1 - Promote compatibility between adjacent land uses, addressing traffic, noise, lighting, height/bulk ...

The use of a transition zone, such as the RO zone, will promote neighborhood compatibility through the use of the Performance Standards .

Goal 13 - To enhance the aesthetic appeal of the community.

Policy 13.3 - The city and county will foster improved community aesthetics through improved development regulations addressing landscaping, screening of outdoor storage and operations, building orientation, building design signage, parking lot design, and other design considerations.

The RO zone will promote neighborhood compatibility through the use of the Performance Standards. These Performance Standards dictate the operational, site design and layout, and architectural considerations of the site and buildings improvements. Using the Performance Standards, the proposed rezone to RO can use design to be compatible with the neighborhood and will not create adverse impacts such as: reduced capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

Goal 21 - To minimize the loss of life and property by avoiding inappropriate development in natural hazard areas.

Policy 21.1 - The City and County will coordinate with appropriate agencies to

regulate development in areas threatened by flood waters, unstable Slopes, land slides and wildfires.

No part of the subject property is located in any natural hazard areas.

Goal 22 - To preserve agricultural land

The rezone is taking place in the Urbanizing Area of Mesa County designated for urban development. No prime farm ground outside the urbanizing area is proposed to be taken out of production.

Goal 24 - To develop and maintain a street system which effectively moves traffic throughout the community

According to the traffic counts provided by the City GIS, the following traffic counts are provided.

Location	Station Number	Count	Date of Count
7 th Street – North of Patterson Road	111	10,254	February 2003
7 th Street – North of Horizon Drive	330	4,274	February 2003
Horizon Drive – East of 7 th Street	112	6,720	June 2001

As shown by the traffic counts, a majority of the traffic traveling on 7th Street use Horizon Drive to go between downtown and the airport. This again indicates that land uses which front Horizon Drive should be a "transitional" use such as allowed in the RO zone. With the improvements of Horizon Drive to three lanes between the roundabout at 12th Street and 7th Street, traffic will only increase for the Horizon Drive corridor, which is the main route between the airport and downtown.

Overall, the rezone to Residential Office (RO) **MEETS** the numerous goals, and the Land-Use Plan map of the *Growth Plan*.

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

All urban services are available to the site, and have sufficient capacity for the urban density allowed by the proposed Residential Office (RO) zone. The subject property is currently served by:

Xcel Energy – Electric and Natural Gas
Grand Valley Water Users – Irrigation Water
Persigo 201 District – Sanitary Sewer
Grand Junction Fire Dept. – Fire Protection
Grand Junction Police – Police Protection

Qwest – Telephone
Bresnan Communications – Cable Television
Ute District – Potable Water
Grand Junction Drainage District – Drainage

This application **MEETS** this criterion by being provided with public and community facilities that are adequate to serve the type and scope of the future land use proposed.

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

No other property in the surrounding neighborhood is zoned Residential Office (RO). The location of the proposed rezone at the northeast corner of 26½ Road and Horizon Drive is an area of increasing traffic and an area of transitional land use intensity. A shared use of a church and office in proximity to both low and high intensity residential uses is an ideal transitional use. Due to an inadequate supply of suitably designated land being available in the neighborhood or surrounding area, the proposed rezone **MEETS** this review criterion.

7. The community or neighborhood will benefit from the proposed zone.

The proposed rezone to RO is consistent with many of the goals and policies of the *Growth Plan*. By meeting these goals and policies the implementation of the *Growth Plan* occurs, which benefits the community as a whole. **This is an in-fill project** in an already densely populated area. The existing land use of a church and the proposed land use of professional offices are complementary. The use of shared parking and landscaping provides buffering from the Horizon Drive and 7th Street intersection to the lower intensity land uses to the north of the subject property.

The location of the professional offices, which is proposed to include medical offices, is in close proximity to St. Mary's Hospital and the Mesa View Retirement Center. This location will allow quick access to both emergency and non-emergency medical services for residents in the surrounding area. The proposed rezone **MEETS** this review criterion by the community and/or neighborhood benefitting from the proposed rezone to RO.

Conclusion

This application for the two parcels, which contain approximately 4.08-acres, proposes a rezone to Residential Office (RO) from RSF-1 and Planned Development (PD). The current use of property is a church. The proposed use is for the joint/shared use of the existing church and a low intensity professional office complex. The rezone to Residential Office (RO) **MEETS** Section 2.6, Rezone found in the 2000 *City of Grand Junction Zoning and Development Code*. This application also meets numerous goals and policies of the *City of Grand Junction Growth Plan*. We respectfully request your approval of the rezone to Residential Office (RO).



CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5th Street • Grand Junction, CO 81501

May 19, 2003

ACCEPTANCE LETTER

A submittal for the Lutheran Church Rezone (RZ-2003-096) has been accepted for review.

If you have any questions regarding the status of this project review, please contact Senta Costello, the project planner, at 244-1442 or sentac@ci.grandjct.co.us.

Review comments for the project will be available on 6/17/03 after 4:00 P.M., approximately 5 weeks from the application submittal date.

If this project requires a public hearing, a sign must be posted on the property a minimum of ten (10) days in advanced of the hearing. There will be a \$50.00 refundable deposit required at the time the sign is picked up from Community Development.

cc: RZ-2003-096

City of Grand Junction
Community Development Department
250 North 5th Street
Grand Junction CO 81501

Telephone: (970) 244-1430
Fax: (970) 256-4031
Email: CommDev@ci.grandjct.co.us



Review Agency Comment Sheet

(Petitioner: Please fill in blanks in this section only unless otherwise indicated)

Date: 4/4/03

To Review Agency: City Community Development

File No: R2-2003-096
(To be filled in by City Staff)

Staff Planner: Senta Costello
(To be filled in by City Staff)

Project Name: ST PAUL Evangelical Lutheran Church Rezone

Location: 632 AND 1028 26 1/2 Road

Development Review Meeting Date: 6/10/03
(To be filled in by City Staff)

COMMENTS *(For Review Agency Use)*

Outside Review Agencies: Please email comments to: CommDev@ci.grandjct.co.us, FAX comments to (970) 256-4031 or mail written comments to the above address. **NOTE:** If this form is not returned, additional review information will not be provided.

City Review Agencies: Please type your comments in Impact AP.

**All comments must be returned to the
Community Development Department no later than**

(To be filled in by City Staff)

6/9/03

NOTE: Please identify your review comments on plan sets by printing the date, your name and company/agency for future reference.

Reviewed By _____

Date _____



CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5th Street • Grand Junction, CO 81501

Date: July 29, 2003

Applicant: Jim West
Representative:

The following item (Lutheran Church Rezone – RZ-2003-096) has been scheduled for Planning Commission on August 12, 2003.

A sign(s) advertising the Public Hearing will be required to be posted no later than this Friday, 8/1/03. The signs are available at the Community Development Department. A \$50.00 deposit is required for a Public Hearing sign. The deposit will be refunded, in full, if the sign(s) is/are returned within 5 working days after the final meeting. A sign is required to be placed facing each road(s) that abuts the project site.

The Staff Report for the project will be available for pick-up after 4 P.M. on Thursday, July 31, 2003.

Please contact the project planner, Senta Costello, at (244-1442, sentac@ci.grandjct.co.us) if you have any questions relating to this notice.

cc: RZ-2003-096

7000 1670 0010 0684 8237

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To <u>Jim West</u>	
Street, Apt. No., or P.O. Box No. <u>759 Horizon Dr</u>	
City, State, ZIP+4 <u>Grand Junction, Co 81506</u>	

PS Form 3800, May 2000 See Reverse for Instructions

REVIEW COMMENTS

Page 1 of 2
June 17, 2003

FILE #RZ-2003-096

TITLE HEADING: **Luthern Church Rezone**

LOCATION: 628 26½ Road

PETITIONER: St. Paul Evangelical Lutheran Church – Ron Crist

PETITIONER'S ADDRESS/TELEPHONE: 632 26½ Road
241-5466

PETITIONER'S REPRESENTATIVE: Jim West
242-4310

STAFF REPRESENTATIVE: Senta Costello

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT & LABEL A RESPONSE TO COMMENT FOR EACH AGENCY OR INDIVIDUAL WHO HAS REQUESTED ADDITIONAL INFORMATION OR REVISED PLANS, & A COPY FOR THE CITY, ON OR BEFORE 5:00 P.M., SEPTEMBER 17, 2002

COMMUNITY DEVELOPMENT

6/10/03

Senta Costello

244-1442

1. Staff is concerned about rezoning the northern lot to an RO zone district due to the fact that it opens up the potential of office uses encroaching even further into the residential area to the north. Due to these concerns, staff will probably not support rezoning the northern lot.
2. The parking for the offices would not be allowed on the northern lot because the offices and associated parking proposed for the southern lot are not allow uses in the RSF-1 zone district.
3. Staff would prefer the simple subdivision to be done first to define the area that is needed to provide the shared parking area on the southern lot. Then rezone only the southern lot to the RO zone district.
4. Staff feels that it would be beneficial for the developer, church representatives, and City staff to meet to find some solution that resolves the conflicts listed above. Please feel free to contact me to set up a meeting.

CITY DEVELOPMENT ENGINEER

5/19/03

Laura Lamberty

256-4155

Rezone does not present engineering issues. When the applicant submits a Site Plan or Plat, the plan will be reviewed by engineering for conformance with our standards.

CITY FIRE DEPARTMENT

6/6/03

Norm Noble

256-4034

No comments or objections to the rezone.

Comments not available as of 6/17/03:

City Attorney

Parks & Recreation Department

City Property Agent

City Utility Engineer

MDY CONSULTING ENGINEERS, INC.

HORIZON PARK PLAZA

743 HORIZON COURT, SUITE 311

GRAND JUNCTION, CO 81506

PHN: (970) 241-2122

FAX: (970) 241-2662

FAX COVER

DATE: 7/14/03 APPROXIMATE TIME: 4:45 P.M.

TO: SENTA COSTELLO

RECEIVING FAX NO.: (970) 256-4031

FROM: TRAVIS COX

NO. OF PAGES INCLUDING COVER: 2

RE: 02-719 - ST. PAUL'S LUTHERAN CHURCH SITE

COMMENTS: *HERE IS THE LEGAL DESCRIPTION OF THE PARCEL SUBJECT TO THE REZONE REQUEST. PLEASE NOTIFY OUR OFFICE WHEN THIS HAS BEEN SCHEDULED FOR A PLANNING COMMISSION PUBLIC HEARING. THANKS.*

SIGNED: _____



MDY CONSULTING ENGINEERS, INC.

IF YOU DO NOT RECEIVE ANY OF THE PAGES SENT, OR THEY ARE ILLEGIBLE, PLEASE CONTACT US IMMEDIATELY.

LEGAL DESCRIPTION OF SUBJECT PARCEL (S)

Legal Description for change to RO Zoning

A parcel of land in the NW 1/4 SE 1/4 Section 2, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado described as follows:

Commencing at a point on the west line of said NW 1/4 SE 1/4 whence the C-S 1/16 corner of said Section 2 bears S00°01'24"W, 367.15 feet with all other bearings contained herein being relative thereto;

thence, S89°58'36"E, 47.00 feet to the easterly right-of-way line of N. 7th Street and the TRUE POINT OF BEGINNING;

thence, S89°58'36"E along the northerly right-of-way line of said N. 7th Street, 3.00 feet;

thence, N00°01'24"E along the easterly right-of-way line of N. 7th Street, 142.18 feet;

thence, S89°58'36"E, 269.83 feet;

thence, N53°57'44"E, 161.16 feet;

thence, S52°21'45"E, 162.55 feet;

thence, S53°57'44"W, 250.41 feet to the northerly right-of-way line of the Grand Valley Canal;

thence along said northerly right-of-way line on the following six courses:

(1) N41°28'54"W, 14.36 feet;

(2) N87°21'23"W, 32.02 feet;

(3) S80°08'46"W, 28.48 feet;

(4) S69°48'00"W, 30.63 feet;

(5) S63°23'03"W, 39.20 feet;

(6) S52°03'36"W, 33.18 feet;

thence leaving said right-of-way line, S00°01'24"W, 44.29 feet to the centerline of said Grand Valley Canal;

thence along said centerline on the following five courses:

(1) S52°01'55"W, 4.52 feet;

(2) S52°04'52"W, 53.42 feet;

(3) S50°43'17"W, 73.20 feet;

(4) S55°38'12"W, 42.62 feet;

(5) S58°16'35"W, 16.97 feet to the easterly right-of-way line of N. 7th Street;

thence leaving said centerline to following the said easterly right-of-way line on the following two courses:

(1) N30°28'36"W, 35.46 feet;

(2) N00°01'24"E, 179.55 feet to the TRUE POINT OF BEGINNING;

containing 2.37 acres.

Legal description prepared by:

Merritt LS, L.L.C.

743 Horizon Ct., Suite 100B

Grand Junction, CO 81506

Robert A. Larson, PLS 31160

PRELIMINARY FOR CITY OF GRAND JUNCTION REVIEW

**RESPONSE TO
REVIEW COMMENTS
7/10/03**

**Lutheran Church Rezone
File #RZ-2003-096**

Location: 628 26 ½ Road

Petitioner: St. Paul Evangelical Lutheran Church – Ron Crist

Petitioners Address/Telephone: 632 26 ½ Road
241-5466

Petitioners Representative: Jim West
242-4310

Staff Representative: Senta Costello

City Community Development 6/10/03

Senta Costello **244-1442**

Response to Review Comments 1 – 4

We are requesting the rezone for 628 26 ½ Road (southern parcel). The proposed property line for parcel 1 (see attached zoning change proposal 6/10/03) will be increased to include all of the required parking for the RO zoned property. In conjunction with the RO zone, we will initiate the simple subdivision application to adjust these property lines as per the proposed map, as soon as preliminary approval of the southern parcel rezone is completed.

Jim West – Petitioners Representative

RECEIVED
JUL 10 2003
COMMUNITY DEVELOPMENT
DEPT.

NEIGHBORHOOD MEETING NOTES

7:00 P.M. Tuesday, April 29, 2003

Held at: St. Paul Evangelical Lutheran Church
632 26 ½ Road, Grand Jct. CO 81506

Application Requested: Rezone 632 26 ½ Road from RSF-1 to RO zone (Residential-Office) and rezone 628 26 ½ Road from PD to RO zone.

As required in Table 2.1 of Section 2.1, Review and Approval Required, of Chapter 2, Procedures, of the City of Grand Junction *Zoning and Development Code (2000)*, a Neighborhood Meeting was held on Tuesday, April 30, 2003. The meeting was held at one of the subject properties, 632 26 ½ Road. The meeting began at 7:00 PM and concluded at 7:50 PM. Jim West, Marc Maurer and Mike Joyce made a presentation of the rezone request, the desired use of the property if the rezone is granted and addressed questions and concerns of the audience.

Notification of the Neighborhood Meeting was sent to the 72 households on the City of Grand Junction prepared "Adjacent Property Owner" list by a mailed letter. In addition to the twenty people who signed the included sign-in sheet, church members, a representative of the City and personnel associated with the developer also attended the meeting.

The following questions and the responses given at the meeting are as follows:

1. **Q. Is there room for a right turn lane on horizon?**
A. Horizon is an 80 ft. right-of-way and the City has plans to make Horizon three lanes from 7th St. to 12th St.
2. **Q. How does the agreement with Dr. Merkel and the City for future alignment of Sage Ct. affect the church's access?**
A. We learned of this agreement tonight. It is something that will need to be considered.
3. **Q. Residents on the west of Horizon Drive are going to have trouble if the sites access is too close to theirs and would like 7th Street access as far north as possible.**
A. Neighboring accesses will be considered when positioning the access for this site.
4. **Q. How high can buildings be?**
A. The maximum per the code is 35 foot but must also be compatible with surrounding area.

5. **Q. Will the building obstruct the intersection?**
- A. What looks like part of the building in the south corner is an overhang for a patio. Setback requirements keep the building from being too close to the street.
6. **Q. Will the all of the buildings be built at once or will the project be phased?**
- A. We would like to build all of the buildings at once, but that will depend on finances and demand for the office space.
7. **Q. Is the building square footage locked down?**
- A. No, the square footage of the building is not locked down. We planned to use the land as well as possible. We are currently looking at 24,600 square feet to make the project work financially.
8. **Q. Some neighbors didn't get a notice of the meeting.**
- A. We sent out 72 notices based on the list provided by the city. Notices only went to residents who are within 500 ft. of the subject property.
9. **Q. When will there be any action for the rezone?**
- A. We can submit anytime between 2 weeks or 180 days from the neighborhood meeting.
10. **Q. Does the rezone stay with the church? What happens if the church leaves?**
- A. The RO zoning would stay with the land and could be developed as an office or 4-8 Units/Acre residential.
11. **Q. I wonder if RO fits in this residential area.**
- A. The purpose of RO is to act as a transition from residential to commercial or high density. This question is what the Planning Commission and City Council will have to decide.



RECEIVED MAR 07 2003

CS-719: *[Signature]*

First American Heritage Title Company

330 Grand Avenue Grand Junction, CO 81501
 (970) 241-8555 Fax (970) 241-0934

TO: 1 - Mark Young
 MDY Consulting Engineers, Inc.
 CALL TO PICK UP
 Phone # 241-2122 Fax # 241-2662

DATE: March 5, 2003
 ORDER NO: 00150373
 SELLER/BUYER: St. Paul Evangelical
 ADDRESS: 628 and 632 26 1/2 Road

TAX PARCEL: 2945-024-00-951
 2945-024-00-952

PLEASE FIND ATTACHED:

- TITLE COMMITMENT
- TAX CERTIFICATE
- REVISION : _

CHARGES (\$)	COPIES OF THE ENCLOSED DOCUMENTS HAVE BEEN DELIVERED TO;
130.00 Owner's Policy TBD Lender's Policy Tax Certificate(s) Additional Parcel Fee Form 100 Form 8.1 Form 103.1 Form 100.29 Form 100.30 Form OEC LEC Other:	1 - Escrow
\$ 130.00TBD TOTAL	

Thank You for Choosing First American Heritage Title Company

Your Title Examiner is: *Nicolle Lewis*

Your Closer is: *Nancy A. Flint*

PRIVACY PROMISE FOR CUSTOMERS

We will not reveal nonpublic personal customer information to any external non-affiliated organization unless we have been authorized by the customer, or are required by law.

Devoted
 "Satisfied Customers through Superior Service by People Who Care"

COMMITMENT FOR TITLE INSURANCE

ISSUED BY
FIRST AMERICAN HERITAGE TITLE COMPANY

agent for

FIRST AMERICAN TITLE INSURANCE COMPANY

AGREEMENT TO ISSUE POLICY

FIRST AMERICAN TITLE INSURANCE COMPANY, referred to in this Commitment as the Company, through its agent, identified above, referred to in the Agreement as the Agent, agrees to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment date, our obligation under this Commitment will end. Also our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the reverse side of this page.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.

First American Title Insurance Company

BY *Gary L. Keruecht* PRESIDENT

BY *Mark L. Arnesen* SECRETARY

BY *Jenny Johnson* COUNTERSIGNED



The Title Insurance Commitment is a legal contract between you and the company. It is issued on the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.
The Company will give you a sample of the Policy form, if you ask.
The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.
The Commitment is subject to its Requirements, Exceptions and Conditions.
THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

CONDITIONS

1. DEFINITIONS

- (a) "Mortgage" means mortgage, deed of trust or other security instrument.
- (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B - Section 2 may be amended to show any defects, liens or encumbrances that appear for the first time in public records or are created or attached between the Commitment Date and the date on which all of the Requirements of Schedule B - Section 1 are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements shown in Schedule B - Section 1

or

eliminate with our written consent any Exceptions shown in Schedule B - Section 2.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms.

SCHEDULE A

1. **Effective Date: January 31, 2003 at 8:00 a.m.**

Commitment No.: 00150373

2. **Policy or Policies to be issued:** **Amount**

(a) **ALTA 1992 Owner's Policy** **\$TO COME**

Proposed Insured:

To Be Determined

(b) **None** **\$**

Proposed Insured:

(c) **None** **\$**

Proposed Insured:

3. **The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:**

St. Paul Evangelical Lutheran Church, a Colorado non-profit corporation

4. **The land referred to in this commitment is situated in the State of Colorado, County of Mesa, and is described as follows:**

See Exhibit A attached hereto and made a part hereof.

Exhibit A

Parcel 1

A parcel of land situated in the NW1/4 of the SE1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows:

Beginning 1681.8 feet North of the South Quarter Corner of said Section 2;

thence East 74.7 feet;

thence South 84°05' East 143 feet;

thence South 50 feet (measured 64.00 feet) to the Grand Valley Canal;

thence Westerly along said canal to the West line of the NW1/4 of the SE1/4 of said Section 2;

thence North to the Point of Beginning;

EXCEPT Road Right-of-Way as set forth in instrument recorded September 15, 1969, in Book 939 at Page 68;

AND EXCEPT Road Right-of-Way as set forth in instrument recorded April 19, 1984, in Book 1478 at Page 511.

Parcel 2

A parcel of land situated in the NW1/4 of the SE1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows:

Beginning at a point on the West line of the NW1/4 of the SE1/4 of said Section 2 from whence the South Quarter Corner of said Section 2 bears South 1681.8 feet;

thence North 376.71 feet;

thence East 265.32 feet;

thence South 52°33' East 393.47 feet to the Northerly right-of way of Horizon Drive;

thence South 53°51' West along said Northerly right-of way 250.0 feet to the Northerly right-of way of the Highline Lateral of the Grand Valley Canal;

thence North 89°09' West 73.7 feet;

thence South 57°18' West 101.24 feet;

thence leaving said right-of way North 48.5 feet;

thence North 84°05' West 143.0 feet;

thence West 74.7 feet to the Point of Beginning;

EXCEPT for road right-of-way along the West for 26.5 Road (North 7th Street).

**SCHEDULE B - Section 1
Requirements**

No. 00150373

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. Statement of Authority of St. Paul Evangelical Lutheran Church, a Colorado non-profit corporation, disclosing the name(s) of all authorized to execute instruments affecting title to real property on behalf of said Non-Profit.
2. Deed from St. Paul Evangelical Lutheran Church, a Colorado non-profit corporation to grantees to be determined.
NOTE: This Commitment is subject to such additional Requirements and/or Exceptions which may be necessary once the identity of the Purchaser is disclosed.

Item (c) Delivery of the following documents, if any, to the Company for its review and approval, which documents are not required to be filed of record.

1. Certified copy of Resolution of the governing board of the St. Paul Evangelical Lutheran Church, a Colorado non-profit corporation authorizing the sale of subject property and the execution of necessary documents and reciting that the board has been duly authorized in the premises by the congregation. Said Resolution must be properly certified by an Officer of the corporation with Corporate Seal affixed.

SCHEDULE B - Section 2
Exceptions

No. 00150373

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company.

Any loss or damage, including attorney fees, by reason of the matters shown below:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Easements or claims of easement which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments and any other facts which a correct survey would disclose, and which are not shown by public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Taxes and assessments, now a lien or payable.
7. Any water rights or claims or title to water in, on or under the land.
8. Any and all unredeemed tax sales.
NOTE: This exception to coverage will not appear on the policy(ies) to be insured hereunder if a Certificate of Taxes Due discloses that there are no unredeemed tax sales for this property.
9. Any assessments not certified to the Treasurer.
10. Easement as granted to Grand Valley Irrigation Company by instrument recorded November 16, 1894 in Book 48 at Page 87.
11. Right of the Proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as reserved in United States Patent recorded October 9, 1916, in Book 197 at Page 501 and recorded November 18, 1924, in Book 279 at Page 302.
12. The effect of Quit Claim Deed recorded November 22, 1935, in Book 355 at Page 118.
13. Right of way for 26 1/2 Road as evidenced by instrument recorded September 15, 1959, in Book 939 at Page 70. (30')
14. Right of way for 26 1/2 Road as evidenced by instrument recorded December 3, 1975, in Book 1053 at Page 288. (20')
15. Easement as granted to the Grand Junction Drainage District in instrument recorded March 14, 1979, in Book 1191 at Page 38. *Bury Drainage Ditch*
16. Terms, conditions, provisions and restrictions of that certain Water Contract recorded March 9, 1998, in Book 2413 at Page 778.
17. Right of way for Horizon Drive over the Southerly side of subject property.

**SCHEDULE B - Section 2(continued)
Exceptions**

No. 00150373

18. Right of way for 26 1/2 Road over the Westerly side of subject property.
19. Right of way for Grand Valley Mainline Canal over the southerly side of subject property.
20. Any loss of or adverse claim to that portion of subject property adjoining the Grand Valley Mainline Canal, based on the uncertainty of the exact location of the boundaries of said canal.
21. Any lease not of record but in existence, and any and all assignments of interest therein.
22. Deed of Trust from St. Paul Evangelical Lutheran Church of Grand Junction to the Public Trustee of Mesa County for the benefit of WELS Church Extension Fund, Inc. to secure an original principal indebtedness in the amount of: \$135,748.59 dated : April 25, 2000 recorded : April 26, 2000, in Book 2702 at Page 586.

TYPE LEGAL DESCRIPTION(S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE.

Parcel 1

A parcel of land situated in the NW1/4 of the SE1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows:

Beginning 1681.8 feet North of the South Quarter Corner of said Section 2;

thence East 74.7 feet;

thence South 84°05' East 143 feet;

thence South 50 feet (measured 64.00 feet) to the Grand Valley Canal;

thence Westerly along said canal to the West line of the NW1/4 of the SE1/4 of said Section 2;

thence North to the Point of Beginning;

EXCEPT Road Right-of-Way as set forth in instrument recorded September 15, 1969, in Book 939 at Page 68;
AND EXCEPT Road Right-of-Way as set forth in instrument recorded April 19, 1984, in Book 1478 at Page 511.

Parcel 2

A parcel of land situated in the NW1/4 of the SE1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows:

Beginning at a point on the West line of the NW1/4 of the SE1/4 of said Section 2 from whence the South Quarter Corner of said Section 2 bears South 1681.8 feet;

thence North 376.71 feet;

thence East 265.32 feet;

thence South 52°33' East 393.47 feet to the Northerly right-of way of Horizon Drive;

thence South 53°51' West along said Northerly right-of way 250.0 feet to the Northerly right-of way of the Highline Lateral of the Grand Valley Canal;

thence North 89°09' West 73.7 feet;

thence South 57°18' West 101.24 feet;

thence leaving said right-of way North 48.5 feet;

thence North 84°05' West 143.0 feet;

thence West 74.7 feet to the Point of Beginning;

EXCEPT for road right-of-way along the West for 26.5 Road (North 7th Street).

NEIGHBORHOOD MEETING SIGN-IN SHEET

7:00 P.M. Tuesday, April 29, 2003
Held at: St. Paul Evangelical Lutheran Church
632 26 1/2 Road, Grand Jct. CO 81506

Sign in is **NOT MANDATORY**, but will help us learn the names of active neighborhood residents. Thank you.

Application Requested: Rezone 632 26 1/2 Road from RSF-1 to RO zone (Residential-Office) and rezone 628 26 1/2 Road from PD to RO zone.

Name:	Address	Phone #:
Mary Steins	636 Horizon Dr-503	243-3829
James Lane	" " " 404	242-6243
Phyllis Safford	" " 810	242-6009
Marko Alexandri	505 36 3/4 Rd (Palmer)	464-1234
St. Paul Fl. Ester Saunders	J. J.	245-5702
St. Paul Betty Perry		
SOAN GORDON	629 1/2 26 1/2 Rd	245-1958
Sheron A Gordon	"	"
ROONEY CHRIST	2677 CONTINENTAL DR.	245-8391
Virginia Marshall	438 Mesa Lakes Clifton	434-9234
Kathryn Postman	City of 29 250 N. 5th St.	244-1446
K K Webster	629 Sage Ct.	242-5933
Philip Rostkowski	630 Sage Ct.	284-8272
BOB GILLESPIE	627 1/2 SAGE CT. GJ	245-5376
BOB HOOVER	636 HORIZON DR. #402 GJ	241-3830
JEAN HOOVER	636 HORIZON DR. #402 GJ.	241-3830
MARK Ziegler	1405 Road ave	248-8050
SCOTT KOPSSELL	1140 WALNUT AVE APT 51	250-6580
CAROL BERGMAN	628 SAGE COURT	242-3007
Walt Bergman	628 Sage Ct.	242-3007

AGENDA TOPIC: #RZ-2003-096 – Lutheran Church Rezone

ACTION REQUESTED: Rezone the property located at 628 26 ½ Road from PD to R-O and a portion to the property at 632 26 ½ Road from RSF-1 to R-O. The total rezone area consists of 2.37 acres. The Planned Development portion is .59 acres and the RSF-1 portion is 1.78 acres.

BACKGROUND INFORMATION			
Location:		628 26 ½ Road	
Applicants:		Jim West	
Existing Land Use:		Vacant / Church	
Proposed Land Use:		Offices	
Surrounding Land Use:	North	Church	
	South	Residential @ 5.88 du/ac	
	East	Church & Residential @ 8.95 du/ac	
	West	Residential @ 1.13 du/ac	
Existing Zoning:		PD (no plan) & RSF-1	
Proposed Zoning:		R-O	
Surrounding Zoning:	North	RSF-1	
	South	PD 7.4 du/ac	
	East	RSF-1 / PD 12 du/ac	
	West	RSF-2	
Growth Plan Designation:		Residential Medium 4-8 du/ac	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: Petitioner is requesting a rezone from RSF-1 and PD (Planned Development) zone districts to an R-O (Residential Office) zone district. The PD portion is on one .59 acre lot. The RSF-1 zone district is a portion of 632 26 ½ Road. If the rezone is approved, the applicant will request a Simple Subdivision to make the property line match the new zoning line and a Site Plan Review to construct an office building.

RECOMMENDATION: Recommendation to City Council of approval of the rezone request.

ANALYSIS:

1. Background:

The northern portion of the area of the rezone request was zoned RSF-1 when the property was annexed August 6th of 2000. This zone district matched the county zoning in place at the time. The southern portion was zoned to PD – 12 (Planned Development) at some point in the 1980's. A specific plan for development was not approved.

2. Consistency with the Growth Plan:

The proposed zone district is consistent with the Growth Plan Goals and Policies and the Future Land Use Map for the properties.

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

Rezone requests must meet 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. However, the character of this corner has changed since the zoning was put in place and the portion that is zoned Planned Development never completed the process to provide a plan for the property or develop as such.

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

This corner has changed in character over the last few years. 7th Street and Horizon Drive have been improved and widened in this area so there is an increase in traffic through the area. This corridor serves as one of the primary routes to access the businesses along Horizon Dr. There has also been additional higher density residential development built to the south of this property.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

The proposed rezone to R-O is within the allowable density range recommended by the Growth Plan. This criterion must be

considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the R-O zone district, therefore this criterion is met. Any new construction in an R-O zone district must have a residential design.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code and other City regulations and guidelines.

Staff feels that this proposal does further the goals and policies of the Growth Plan, other adopted plans, policies, regulation, guidelines, and Zoning and Development Code requirements.

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

Adequate public facilities are currently available and can address the impacts of development consistent with the R-O zone district.

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

There are not any other properties in the area that are zoned R-O.

7. The community or neighborhood will benefit from the proposed zone

The community and neighborhood will benefit from the proposal by providing a location for medical offices for medical needs and potential jobs that can be easily accessed by nearby residents. It will also clean up a property that has been undeveloped and weed covered.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Lutheran application, RZ-2003-096 for a rezone, staff recommends that the Planning Commission 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:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested rezone, RZ-2003-096 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Zone Amendment RZ-2003-096, I move that we forward a recommendation of approval of the rezone request to the City Council with the findings and conclusions as listed in the staff report.

Attachments:

General Project Report

Vicinity Map

Aerial Photo

Growth Plan Map

Zoning Map

- c. Use of Front Yard. Front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage.
- d. Hours of Business. No uses in this district shall open earlier than 7:30 a.m. and shall close no later than 8:00 p.m.
- e. Outdoor Storage and Display. Outdoor storage and display areas associated with non-residential uses are prohibited.
- f. Mixed Use. Any mix of residential and non-residential uses on the same lot shall be located in the same structure.
- g. Outdoor Lighting. Outdoor lighting shall comply with the lighting provisions in this Code.”

The proposed joint use of the church and professional offices makes use of the performance standards required by the RO zone. First, the subject property is accessed from both 7th Street (26½ Road) and Horizon Drive. Nestled between these two major roadways, the professional office buildings buffer the existing church use from traffic and noise while maintaining the integrity of residential scale and context of the surrounding urban mixed use neighborhood.

Second, parking is shared and located between the professional office and church uses, since times of operation are compatible thus minimizing paved surfaces and creating a synergistic use of the site. A sculpture piece is proposed to provide a focal point and helps orient visitors to the church and the office complex.

Lastly, by utilizing low maintenance finishes such as stucco, stone and tile, the buildings provide a tiered roof massing that steps away from the street and pedestrian spaces to provide shade and architectural drama. Colors are intended to compliment existing uses in the surrounding neighborhood without duplicating them.

If the rezone to RO is approved, a Site Plan will be submitted for review to determine if the proposed development meets the performance criteria found in Section 3.4.A, RO – Residential Office zoning district. Although the Site Plan is not proposed for review with this application, the preliminary design of the property was completed for the Neighborhood Meeting, which was held on Tuesday, April 29, 2003. Conceptually, four (4) office buildings are proposed with approximately 24,600 square feet, with no building larger than 10,000 square feet. Parking for 109 vehicles is to be provided, with 103 spaces required by the *Code*.

Neighborhood Meeting

As required in Table 2.1 of Section 2.1, Review and Approval Required, of Chapter 2, Procedures, of the City of Grand Junction *Zoning and Development Code (2000)*, a Neighborhood Meeting was held. This meeting took place on Tuesday, April 29, 2003, 7:00 p.m. to 7:50 p.m. at the St. Paul Evangelical Lutheran Church, 632 26 ½ Road, Grand Junction, CO. Seventy-two (72) notices were mailed out, with 20 neighbors attending the meeting.

Representatives of the owners, St. Paul’s Evangelical Lutheran Church, Jim West, the developer, architect Marc Maurer of Genesis Designs, PC, planner Mike Joyce, AICP of

Development Concepts, Inc., engineer Mark Young, PE and Travis Cox of MDY Consulting Engineers, Inc., and Kathy Portner of the Community Development Department were present to make the presentation and answer any questions from the neighborhood residents.

The following questions were asked and the responses given at the meeting are as follows:

1. Q. Is there room for a right turn lane on Horizon?
A. Horizon is an 80 ft. right-of-way and the City has plans to make Horizon three lanes from 7th St. to 12th St.
2. Q. How does the agreement with Dr. Merkel and the City for future alignment of Sage Ct. affect the church's access?
A. We learned of this agreement tonight. It is something that will need to be considered.
3. Q. Residents on the west of Horizon Drive are going to have trouble if the sites access is too close to theirs and would like 7th Street access as far north as possible.
A. Neighboring accesses will be considered when positioning the access for this site.
4. Q. How high can buildings be?
A. The maximum per the code is 35 foot but must also be compatible with surrounding area.
5. Q. Will the building obstruct the intersection?
A. What looks like part of the building in the south corner is an overhang for a patio. Setback requirements keep the building from being too close to the street.
6. Q. Will the all of the buildings be built at once or will the project be phased?
A. We would like to build all of the buildings at once, but that will depend on finances and demand for the office space.
7. Q. Is the building square footage locked down?
A. No, the square footage of the building is not locked down. We planned to use the land as well as possible. We are currently looking at 24,600 square feet to make the project work financially.
8. Q. Some neighbors didn't get a notice of the meeting.
A. We sent out 72 notices based on the list provided by the city. Notices only went to residents who are within 500 ft. of the subject property.
9. Q. When will there be any action for the rezone?
A. We can submit anytime between 2 weeks or 180 days from the neighborhood meeting.

10. Q. Does the rezone stay with the church? What happens if the church leaves?
A. The RO zoning would stay with the land and could be developed as an office or 4-8 Units/Acre residential.
11. Q. I wonder if RO fits in this residential area?
A. The purpose of RO is to act as a transition from residential to commercial or high density. This question is what the Planning Commission and City Council will have to decide.

Rezone Criteria

The following questions/criteria, found in Section 2.6 of the 2000 *Grand Junction Zoning and Development Code (Code)*, must be answered in reviewing rezone and/or zone of annexation applications. The Rezone request is to Residential Office (RO) from Residential (RSF-1) and Planned Development (PD). Section 2.6.A, Approval Criteria, is used in order to determine consistency between the *Code* and the Zoning Maps, map amendments. The criteria is as follows:

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

No evidence can be found to indicate that an error in zoning occurred for either of the two parcels. The subject property has been developed with a church for many years, which is an allowed or conditional use in all zone districts of the City of Grand Junction.

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 transitions, etc.;

The proposed rezone to RO is proposed due to the purpose stated in Section 3.4.A, of the 2000 *City of Grand Junction Zoning and Development Code* which is:

"To provide low intensity, non-retail, 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. RO implements the medium, medium-high and high residential density and Commercial future land use classifications of the GROWTH PLAN in transitional corridors between single-family residential and more intensive uses."

The recommended land use classification has recently been revised in 2003 from a "Public" land use to "Residential -- Medium Density" land use, which recommends residential density of 4 to 8 dwelling units per acre. The current zoning is RSF-1, which does not implement the recommended *Growth Plan* land use plan. The RO zone implements the *Growth Plan* recommended "Residential – Medium" land use.

The subject property is located in an area of transitioning residential densities such as large lot single family to the north, and single family attached/multiple family development to the south. Also in the surrounding area are other quasi-public uses (church) and the Mesa View Retirement Center. There has been a change of character in the area due to new growth trends, and development transitions. The character and/or condition of the area has changed that the proposed rezone to RO MEETS this review criterion.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: reduced capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;

The RO zone by its very nature is a transitional zone, which is indicated by the performance standards. These Performance Standards dictate the operational, site design and layout, and architectural considerations of the site and buildings improvements. As noted in the review of Criterion 1, the surrounding area is a transition area between single family detached development and higher intensity land uses. Using the Performance Standards, the proposed rezone to RO can use design to be compatible with the neighborhood and will not create adverse impacts such as: reduced capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The proposed rezone to RO MEETS this review criterion.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;

Overall, the rezone to Residential Office (RO) MEETS numerous goals and polices, and the Land Use map of the *Growth Plan*. The goals and policies of the *Growth Plan*, which are MET by the application are as follows:

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

Policy 1.3 - The City and County will use Exhibit V.3: Future Land Use Map in conjunction with the other policies of this plan to guide zoning and development decisions.

*The Growth Plan future land use designation for the subject property is **Residential – Medium Density** (4 to 8 dwelling units per acre). Earlier this year, the Planning Commission and the City Council revised the future land use from the "Public" land use to the "Residential – Medium" land use designation. The proposed RO zone implements the "Residential – Medium" land use designation.*

Goal 4 - To coordinate the timing, location and intensity of growth with the provision of adequate public facilities

Policy 4.4 - The city and county will ensure that water and sanitary sewer systems are designed and constructed with adequate capacity to serve the proposed development.

All utility providers have indicated that adequate capacity is available for water and other utilities.

Goal 5 - Efficient Use of Investments in Streets, Utilities and other Public Facilities

Policy 5.2 - Encourage development that uses existing facilities and is compatible with surrounding development

All urban services are available to the property and the proposed rezone can be designed to be compatible with the surrounding area due to the Performance Standards in the RO zone. These factors will allow for a transition land use between higher intensity land uses and the surrounding residential neighborhood.

Goal 9 - To recognize and preserve valued distinctions between different areas within the community.

Policy 9.2 - The city and county will encourage neighborhood designs which promote neighborhood stability and security.

The use of a transition zone, such as the RO zone, will promote neighborhood stability and security.

Goal 11 - Promote stable neighborhoods and land use compatibility throughout the neighborhood

Policy 11.1 - Promote compatibility between adjacent land uses, addressing traffic, noise, lighting, height/bulk ...

The use of a transition zone, such as the RO zone, will promote neighborhood compatibility through the use of the Performance Standards .

Goal 13 - To enhance the aesthetic appeal of the community.

Policy 13.3 - The city and county will foster improved community aesthetics through improved development regulations addressing landscaping, screening of outdoor storage and operations, building orientation, building design signage, parking lot design, and other design considerations.

The RO zone will promote neighborhood compatibility through the use of the Performance Standards. These Performance Standards dictate the operational, site design and layout, and architectural considerations of the site and buildings improvements. Using the Performance Standards, the proposed rezone to RO can use design to be compatible with the neighborhood and will not create adverse impacts such as: reduced capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

Goal 21 - To minimize the loss of life and property by avoiding inappropriate development in natural hazard areas.

Policy 21.1 - The City and County will coordinate with appropriate agencies to

regulate development in areas threatened by flood waters, unstable Slopes, land slides and wildfires.

No part of the subject property is located in any natural hazard areas.

Goal 22 - To preserve agricultural land

The rezone is taking place in the Urbanizing Area of Mesa County designated for urban development. No prime farm ground outside the urbanizing area is proposed to be taken out of production.

Goal 24 - To develop and maintain a street system which effectively moves traffic throughout the community

According to the traffic counts provided by the City GIS, the following traffic counts are provided.

Location	Station Number	Count	Date of Count
7 th Street – North of Patterson Road	111	10,254	February 2003
7 th Street – North of Horizon Drive	330	4,274	February 2003
Horizon Drive – East of 7 th Street	112	6,720	June 2001

As shown by the traffic counts, a majority of the traffic traveling on 7th Street use Horizon Drive to go between downtown and the airport. This again indicates that land uses which front Horizon Drive should be a "transitional" use such as allowed in the RO zone. With the improvements of Horizon Drive to three lanes between the roundabout at 12 the Street and 7the Street, traffic will only increase for the Horizon Drive corridor, which is the main route between the airport and downtown.

Overall, the rezone to Residential Office (RO) **MEETS** the numerous goals, and the Land-Use Plan map of the *Growth Plan*.

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

All urban services are available to the site, and have sufficient capacity for the urban density allowed by the proposed Residential Office (RO) zone. The subject property is currently served by:

Xcel Energy – Electric and Natural Gas
 Grand Valley Water Users – Irrigation Water
 Persigo 201 District – Sanitary Sewer
 Grand Junction Fire Dept. – Fire Protection
 Grand Junction Police – Police Protection

Qwest – Telephone
 Bresnan Communications – Cable Television
 Ute District – Potable Water
 Grand Junction Drainage District – Drainage

This application **MEETS** this criterion by being provided with public and community facilities that are adequate to serve the type and scope of the future land use proposed.

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

No other property in the surrounding neighborhood is zoned Residential Office (RO). The location of the proposed rezone at the northeast corner of 26½ Road and Horizon Drive is an area of increasing traffic and an area of transitional land use intensity. A shared use of a church and office in proximity to both low and high intensity residential uses is an ideal transitional use. Due to an inadequate supply of suitably designated land being available in the neighborhood or surrounding area, the proposed rezone **MEETS** this review criterion.

7. The community or neighborhood will benefit from the proposed zone.

The proposed rezone to RO is consistent with many of the goals and policies of the *Growth Plan*. By meeting these goals and policies the implementation of the *Growth Plan* occurs, which benefits the community as a whole. **This is an in-fill project** in an already densely populated area. The existing land use of a church and the proposed land use of professional offices are complementary. The use of shared parking and landscaping provides buffering from the Horizon Drive and 7th Street intersection to the lower intensity land uses to the north of the subject property.

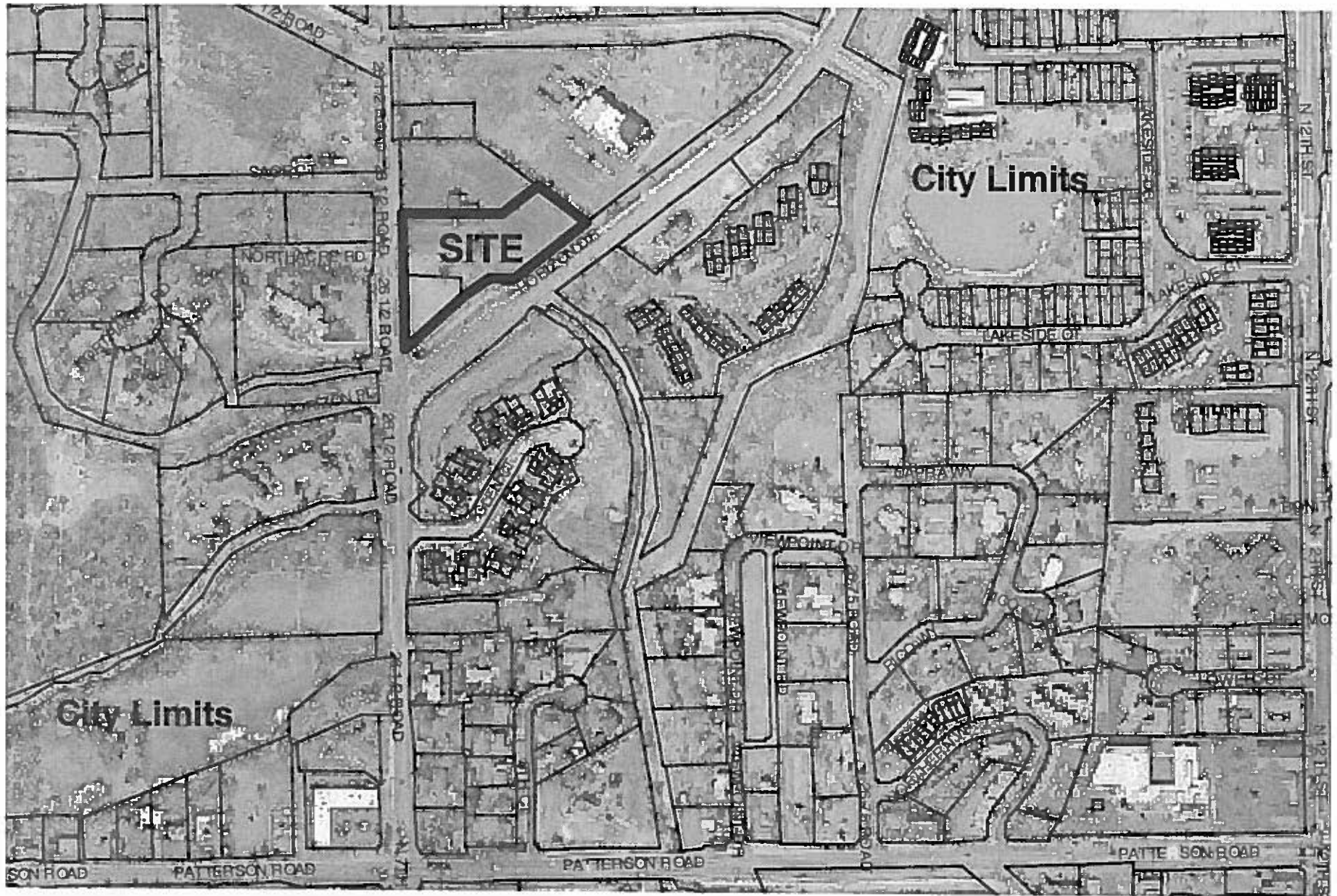
The location of the professional offices, which is proposed to include medical offices, is in close proximity to St. Mary's Hospital and the Mesa View Retirement Center. This location will allow quick access to both emergency and non-emergency medical services for residents in the surrounding area. The proposed rezone **MEETS** this review criterion by the community and/or neighborhood benefitting from the proposed rezone to RO.

Conclusion

This application for the two parcels, which contain approximately 4.08-acres, proposes a rezone to Residential Office (RO) from RSF-1 and Planned Development (PD). The current use of property is a church. The proposed use is for the joint/shared use of the existing church and a low intensity professional office complex. The rezone to Residential Office (RO) **MEETS** Section 2.6, Rezone found in the 2000 *City of Grand Junction Zoning and Development Code*. This application also meets numerous goals and policies of the *City of Grand Junction Growth Plan*. We respectfully request your approval of the rezone to Residential Office (RO).

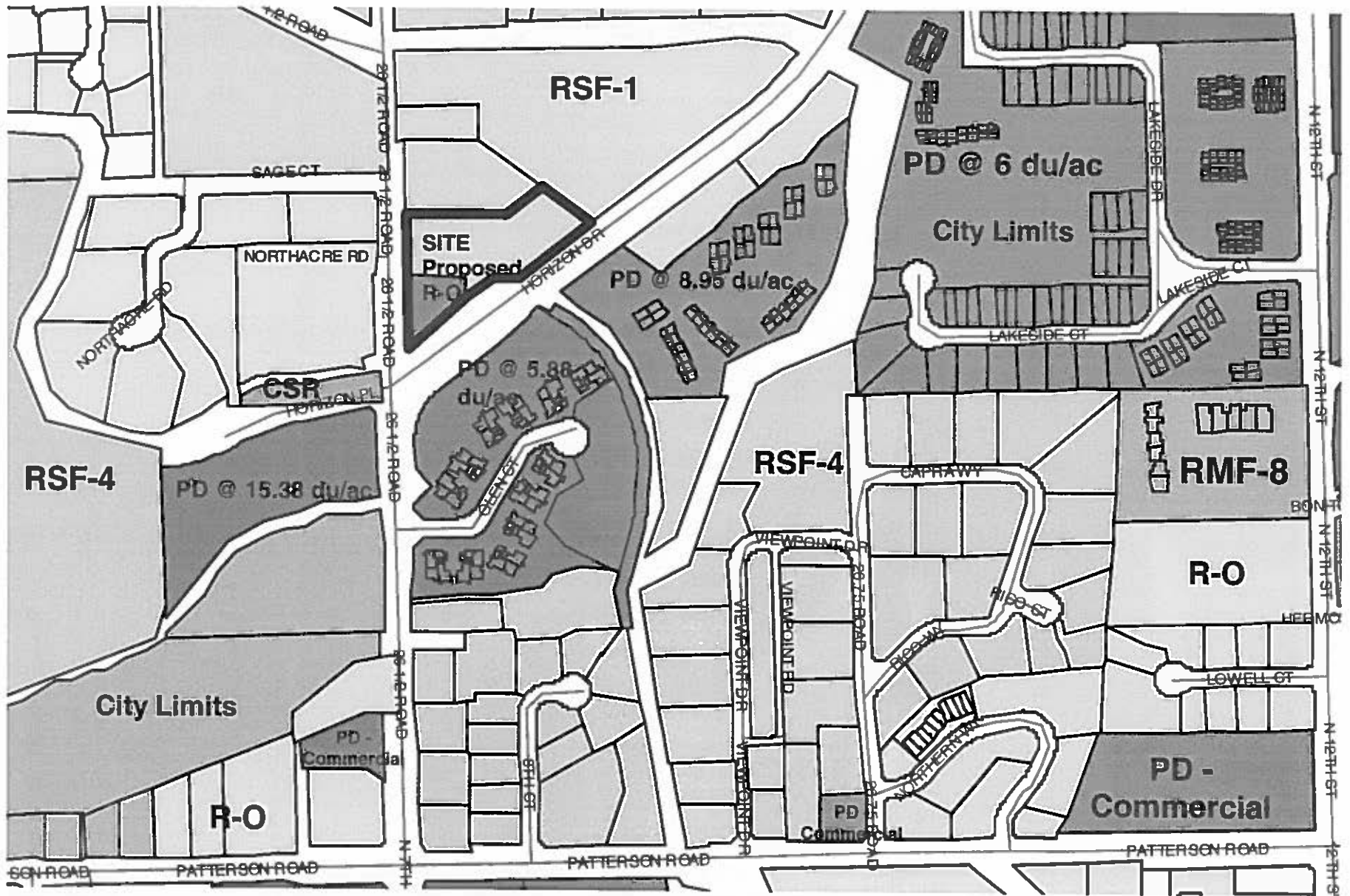
Aerial Photo Map

Figure 2



Existing City Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

**GRAND JUNCTION PLANNING COMMISSION
AUGUST 12, 2003 MINUTES
7:00 P.M. TO 8:55 P.M.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), John Redifer, Richard Blosser, William Putnam, Bill Pitts, Travis Cox (alternate) and John Paulson (alternate). Roland Cole and John Evans were absent.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor), Ronnie Edwards (Associate Planner), Senta Costello (Associate Planner), and Scott Peterson (Associate Planner).

Also present was Dan Wilson (City Attorney) as well as Eric Hahn and Rick Dorris (Development Engineers).

Terri Troutner was present to record the minutes,

There were approximately nine interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Available for consideration were the minutes from the July 8, 2003 public hearing.

MOTION: (Commissioner Pitts) "Mr. Chairman, I move we approve the minutes of July 8, 2003 as written.

Commissioner Blosser seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Commissioners Paulson and Cox abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. CONSENT AGENDA

The proposed Consent Agenda items were read: RZ-2003-096 (Rezone--Lutheran Church Rezone), FPP-1999- 184EX (Summer Hill Extension), RZ-2003-106 (Rezone--Village Park Amendment to PD), CUP-2003-029 (Conditional Use Permit--Hughes Triplex) and TAC-2003-01.03 (Text Amendment--TEDS Manual Update). At planning commissioner request, item RZ-2003-096 was pulled from Consent and placed on the Full Hearing Agenda.

Pat Cecil requested that item PP-2003-067 (Preliminary Plan--Forrest Glen Subdivision), originally placed on the Consent Agenda, be continued to the next regularly scheduled Planning Commission public hearing (August 26, 2003).

MOTION: (Commissioner Blosser) "Mr. Chairman, I move that we approve the Consent Agenda as modified."

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

IV. FULL HEARING

Due to the potential for conflict of interest, Commissioner Cox recused himself from consideration of the following item.

RZ-2003-096 REZONE--LUTHERAN CHURCH REZONE

A request for approval to rezone 2.37 acres currently zoned PD and RSF -I (Planned Development and Residential Single Family, 1 unit/acre) to a zoning of RO (Residential Office).

Petitioner: St. Paul Evangelical Lutheran Church, Jim West

Location: 628 26 1/2 Road

PETITIONER'S PRESENTATION

Jim West, representing the petitioner, noted on an overhead map that portion of the property to which the RO zoning request applied. The RO zone, he said, was fairly restrictive and required that any proposed non-residential use reflect residential characteristics (*e.g.*, limitations in building size, residential design) and be consistent in design with other buildings along a street. Approval of the rezone would permit construction of an office building. The St. Paul Evangelical Lutheran Church and a parking lot currently existed on the site. The parking lot would be expanded and shared by both uses.

QUESTIONS

Commissioner Putnam asked for clarification on the present zoning of the parcel, which was given.

Chairman Dibble asked if the church intended to use any portion of the office building for expansion, to which Mr. West replied negatively. He added that only the parking area would be jointly used.

Commissioner Putnam asked if there were any plans to construct residences on the property, to which Mr. West replied negatively. Mr. West said that the RO zone was transitional, and given the mixed uses of the area, he felt it to be an appropriate zone for the property. He added that the RO zone restricted the size of the office building to no more than 10,000 square feet.

Mike Joyce, also representing the petitioner, read the Code's criteria for an RO zone into the record and explained that it had been selected because of the changing character of the area, with higher intensity uses having been developed near to and along the Horizon Drive corridor (*e.g.*,

The Glen Subdivision, Safeway, and Mesa View). The RO zone would permit construction of an office building while preserving the residential character of the area. The zone further restricted the use to exclude outdoor storage, limit business hours, and prohibit retail sales.

Commissioner Putnam observed that while the use would look residential, it wouldn't be residential. He noted that with the exception of Cedar Square, everything on both sides of 7th Street from F Road to G Road was residential. Mr. Joyce said that the exception to this, in his opinion, was Mesa View which, while residential in character, was in business to make money. The RO zone, he said, was permitted within residential zones to both provide for the type of use being proposed and to provide a transition between residential and higher intensity uses. Commissioner Putnam noted that the Safeway store was located to the east of 12th Street almost a half-mile away from the subject parcel and should not be used to justify the current proposal.

Mr. West remarked that traffic at the 7th Street/F Road intersection had greatly increased as a result of increased development in the area. That corner, he maintained, was unsuitable for single-family residential homes and noted that the rezone was only being proposed for that parcel located closest to the intersection.

Commissioner Putnam asked why so many parking spaces had been proposed. Mr. Joyce said that the number of spaces proposed were in response to Code requirements. He reiterated that the parking area would be shared by both the office and the church buildings. Mr. Joyce added that should the church wish to expand, the extra parking spaces would be needed.

STAFF'S PRESENTATION

Senta Costello offered a PowerPoint presentation containing the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use map; and 4) Existing City and County Zoning map. She briefly overviewed the request and said that because the request met Code requirements and Growth Plan recommendations, staff recommended approval of the request.

QUESTIONS

Chairman Dibble asked staff about the underlying zoning of the PD-zoned property. Ms. Costello was unsure but thought it may have been zoned PD-12 (Planned Development, 12 units/acre).

Commissioner Putnam asked if the 7th Street Corridor Plan was still in effect. He recalled that the Plan designated the entire 7th Street corridor between F and G Roads as strictly residential. Dan Wilson said that while he recalled the same restriction, the Growth Plan had replaced individual corridor plans. Thus, any decision on the current request should be based on Growth Plan recommendations.

PUBLIC COMMENTS

Sharon Gordon (629 1/2, 26 1/2 Road, Grand Junction) objected in general to area-wide traffic increases but more specifically to the traffic increases in front of her home. Noting the close proximity of her home to the 7th Street/Horizon Drive intersection, she said that when 7th Street had been widened, no deceleration lane had been provided into her property. Since traffic did not typically expect to have to stop so quickly after an intersection to allow for turning vehicles,

several accidents had occurred at the entrance to her property. She said that if the current request were approved, she asked that the entrance be located off Horizon Drive as far to the east of 7th Street as possible. Either that or she wanted the City or developer to provide her with a safer access into her property.

PETITIONER'S REBUTTAL

Commissioner Putnam disagreed with staff's assessment and recommendation. He felt that the petitioner had not met the Code's criterion 2.6.A.2 regarding the change in character of the area. Even though 7th Street had been widened and traffic had increased, the overall character of the area remained constant. Seventh Street from F Road to G Road was currently residential in character and he felt it should remain that way. Commissioner Putnam also disagreed with the "mixed use" reference made by Mr. West and clarified for the developer the concept of mixed-use development. He expressed strong opposition to the rezone request.

Commissioner Blosser said that good arguments could be made for either approval or denial. He agreed that traffic had been steadily increasing along Horizon Drive and at the 7th Street/Horizon Drive intersection, and he personally couldn't imagine single-family homes being constructed so close to that busy intersection.

Commissioner Pitts felt that given the significant increases in traffic along both 7th Street and Horizon Drive, the presence of the canal nearby, and the configuration and location of the subject parcel, a transitional use made sense. He felt that the RO zone was appropriate for the site, noting that the parcel's proximity to St. Mary's Hospital made it an ideal location for medical offices.

Chairman Dibble agreed that parcel would not be suitable for residential development given the high volume of traffic on both 7th Street and Horizon Drive. He expressed support for the rezone.

Commissioner Putnam clarified that multi-family residential development could be situated on the parcel; residential development didn't include just the construction of single-family homes.

Commissioner Redifer remarked that the only thing before the Planning Commission was the rezone request. No development proposal had yet been submitted. He agreed that the character of the area had changed, with significant increases in development and traffic having occurred. He agreed with staff's recommendation for approval.

Commissioner Paulson lived only a mile from the subject parcel and acknowledged that while there were still a number of older homes on larger lots in the area, newer residential development was recurring on smaller parcels and at higher densities. Traffic had increased substantially. He agreed that the RO zone would provide the area with a good transition.

MOTION: (Commissioner Redifer) "Mr. Chairman, on zone amendment RZ-2003-096, I move that we forward a recommendation of approval of the rezone request to the City Council with the findings and conclusions as listed in the staff report."

Commissioner Pitts seconded the motion, Commissioner Putnam opposing. A vote was called and the motion passed by a vote of 5-1, with

Commissioner Cox returned and was present for deliberations on the remaining item

CUP-2003-081 CONDITIONAL USE PERMIT/FENCE--BURKE/WARREN FENCE

A request for approval of a Conditional Use Permit in order to construct an 8-foot fence on the rear property line in an RSF-4 (Residential Single Family, 4 unit/acre) zone district.

Petitioners: Leo Warren and Michael Burke

Location: 2539 and 2579 Applewood Place

PETITIONER'S PRESENTATION

Michael Burke, representing the petitioners, referenced an overhead plat of the subdivision and said that the request applied just to Lots 1 and 3 of Block 1. Lot 1 sloped along the rear of the property at an almost six percent grade. The top of the existing fence along the rear property line was only 36 inches in height from the patio pad. Mr. Burke presented photos of Lot 1 taken from various angles, both inside and outside of the home. Even with a 6-foot-high fence, the sloping surface of the lots and the fact that the fence had been constructed in a drainage swale resulted in a very minimal fenceline and little or no privacy. Referencing a photo taken of a chair placed on the patio slab at 2786 Cortland Avenue, he noted that anyone sitting in the chair could easily be seen by persons from the backyard of Lot 1. The existing fence did little to obstruct views into the windows of either home, and it did nothing to buffer the noise originating from Cortland Avenue. The same problems, he said, existed with Lot 3.

Mr. Burke said that he'd circulated a petition to each homeowner in the subdivision explaining his request for an 8-foot-high fence, and without exception, all had signed and had given their approval. He'd also presented his request before the homeowners association and Mr. Warren, all of whom were residents of the subdivision and/or property owners. Again, all were in agreement that an 8-foot-high fence was warranted for the subject properties. Moving the existing fence was not an option since backyards were already very small. He'd sent a letter to the Grand Valley Water Users Association requesting its permission to erect a raised foundation for the 8-foot fencing along the property line, which was given contingent upon the retention of the drainage swale and slope, and provided that the retaining wall foundation did not extend any further than eight inches on either side of the property line. The Association had even stated that the short retaining wall foundation would benefit them since it would facilitate the stacking of dirt necessitated as a result of repair work without damaging fencing materials.

QUESTIONS

Commissioner Paulson asked Mr. Burke if he was also representing the owner of Lot 2 in Block 1, to which Mr. Burke responded negatively. That homeowner's particular backyard view was towards the side yard property line of an adjacent property and he'd had a variety of vegetation planted and trellises erected as screening, so privacy was not as significant an issue for him. The homeowner also didn't want to go to the time and expense of removing his existing fence and constructing a new one. Mr. Burke added that he would be mindful of both City requirements and homeowner wishes in designing and constructing replacement fencing.

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Lutheran Church Rezone, located at 628 26 ½ Road and a portion of 632 26 ½ Road						
Meeting Date	August 20, 2003						
Date Prepared	August 8, 2003				File #RZ-2003-096		
Author	Senta Costello		Associate Planner				
Presenter Name	Senta Costello		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Petitioner is requesting to rezone approximately 2.37 acres from PD (Planned Development) (.59 acres) and RSF-1 (Residential Single Family not to exceed 1 du/ac) (1.78 acres) to R-O (Residential Office).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map
3. Aerial Photo
4. Growth Plan Map
5. Zoning Map
6. Zoning Ordinance

BACKGROUND INFORMATION					
Location:		628 26 ½ Road			
Applicants:		Jim West			
Existing Land Use:		Vacant / Church			
Proposed Land Use:		Offices			
Surrounding Land Use:	North	Church			
	South	Residential @ 5.88 du/ac			
	East	Church & Residential @ 8.95 du/ac			
	West	Residential @ 1.13 du/ac			
Existing Zoning:		PD (no plan) & RSF-1			
Proposed Zoning:		R-O			
Surrounding Zoning:	North	RSF-1			
	South	PD 7.4 du/ac			
	East	RSF-1 / PD 12 du/ac			
	West	RSF-2			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Petitioner is requesting a rezone from RSF-1 and PD (Planned Development) zone districts to an R-O (Residential Office) zone district. The PD portion is on one .59 acre lot. The RSF-1 zone district is a portion of 632 26 ½ Road. If the rezone is approved, the applicant will request a Simple Subdivision to make the property line match the new zoning line and a Site Plan Review to construct an office building.

RECOMMENDATION: Recommendation to City Council of approval of the rezone request.

ANALYSIS:

1. Background:

The northern portion of the area of the rezone request was zoned RSF-1 when the property was annexed August 6th of 2000. This zone district matched the county zoning in place at the time. The southern portion was zoned to PD – 12 (Planned Development) at some point in the 1980's. A specific plan for development was not approved.

2. Consistency with the Growth Plan:

The proposed zone district is consistent with the Growth Plan Goals and Policies and the Future Land Use Map for the properties.

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

Rezone requests must meet 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. However, the character of this corner has changed since the zoning was put in place and the portion that is zoned Planned Development never completed the process to provide a plan for the property or develop as such.

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

This corner has changed in character over the last few years. 7th Street and Horizon Drive have been improved and widened in this area so there is an increase in traffic through the area. This corridor serves as one of the primary routes to access the businesses along Horizon Dr. There has also been additional higher density residential development built to the south of this property.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

The proposed rezone to R-O is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the R-O zone district, therefore this criterion is met. Any new construction in an R-O zone district must have a residential design.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code and other City regulations and guidelines.

Staff feels that this proposal does further the goals and policies of the Growth Plan, other adopted plans, policies, regulation, guidelines, and Zoning and Development Code requirements.

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

Adequate public facilities are currently available and can address the impacts of development consistent with the R-O zone district.

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

There are not any other properties in the area that are zoned R-O.

7. The community or neighborhood will benefit from the proposed zone

The community and neighborhood will benefit from the proposal by providing a location for medical offices for medical needs and potential jobs that can be easily accessed by nearby residents. It will also clean up a property that has been undeveloped and weed covered.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Lutheran application, RZ-2003-096 for a rezone, staff recommends that the Planning Commission 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:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested rezone, RZ-2003-096 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Zone Amendment RZ-2003-096, I move that we forward a recommendation of approval of the rezone request to the City Council with the findings and conclusions as listed in the staff report.

Attachments:

General Project Report

Vicinity Map

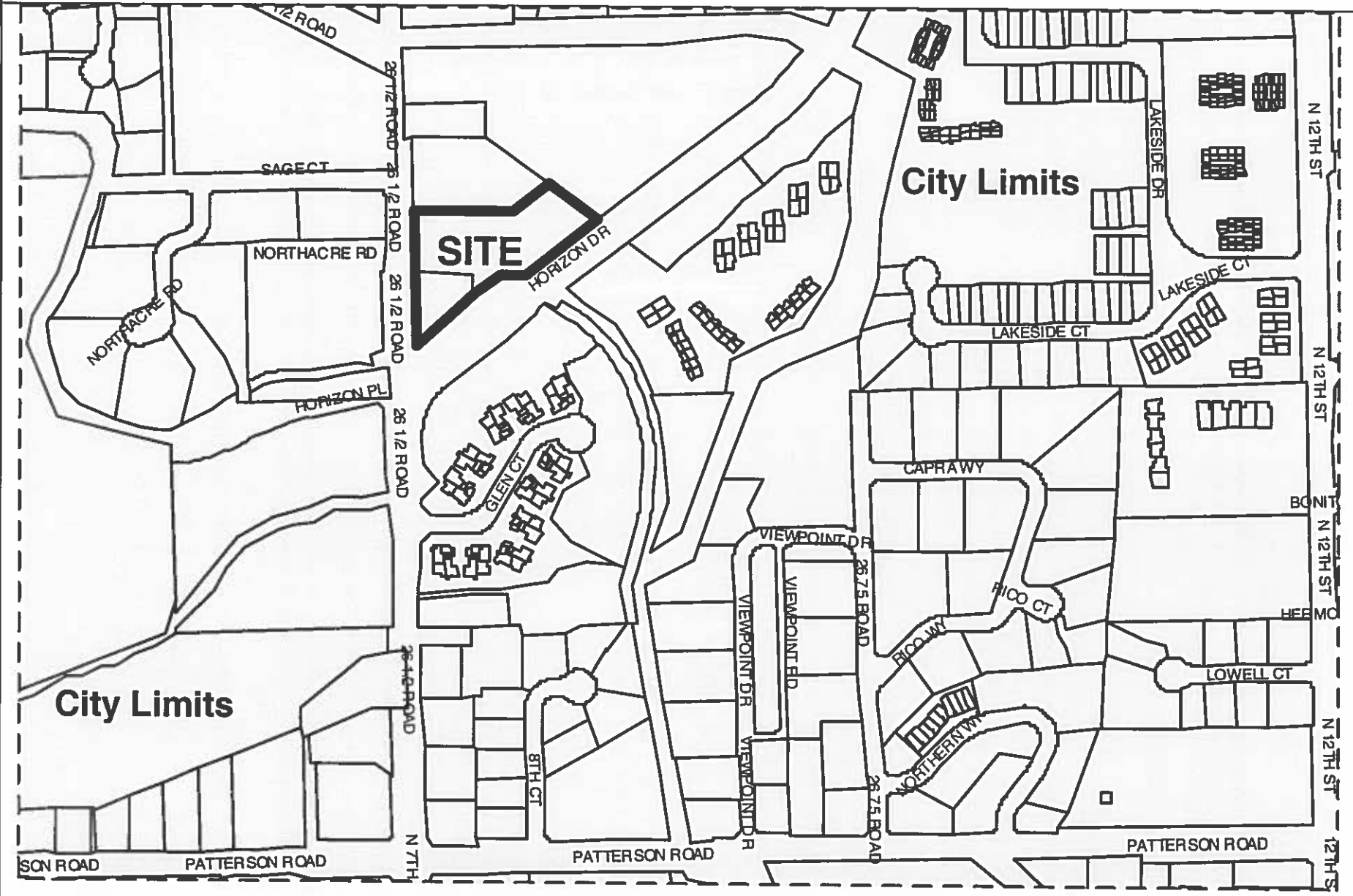
Aerial Photo

Growth Plan Map

Zoning Map

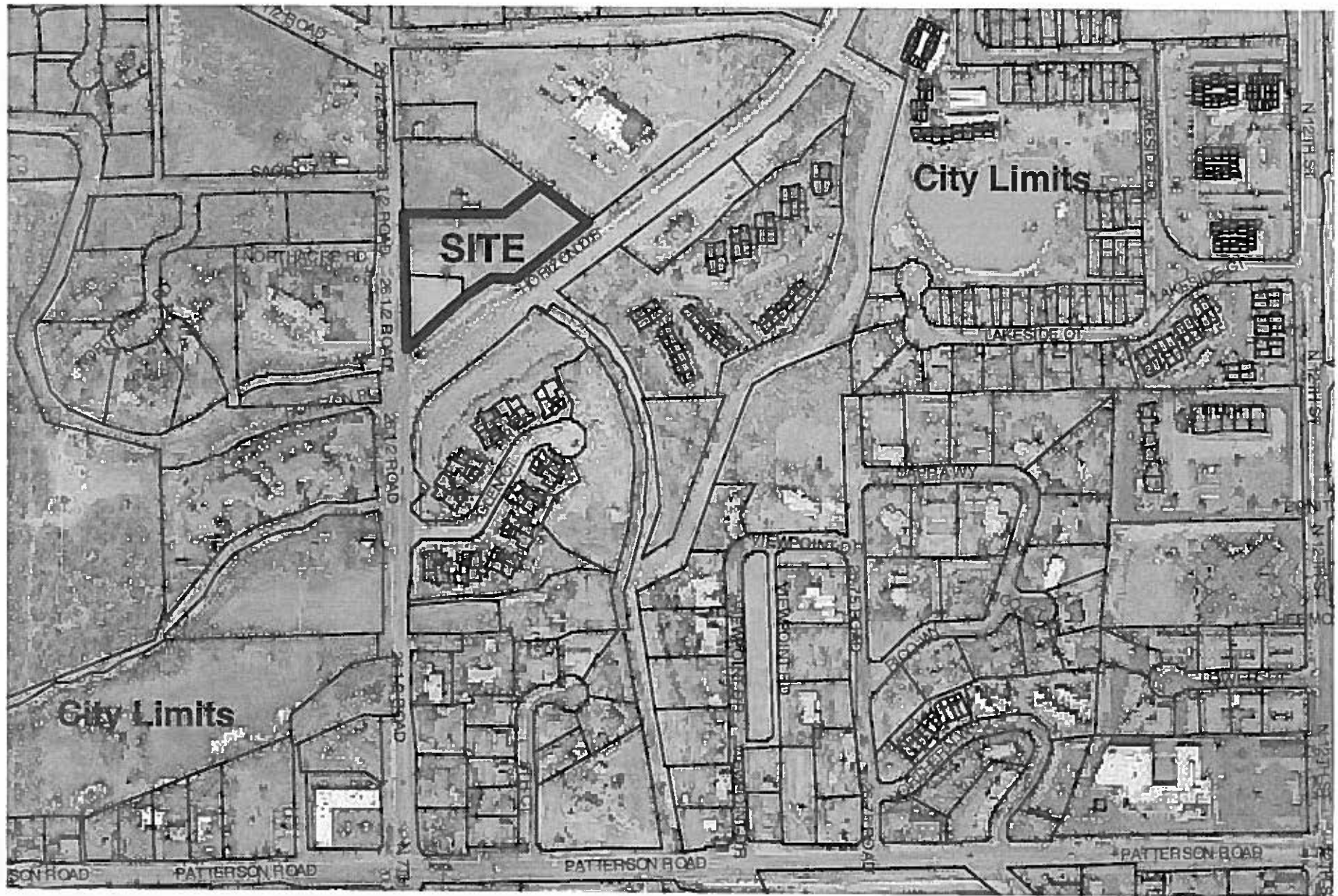
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____

ZONING THE PROPERTY KNOWN AS LUTHERAN CHURCH
LOCATED
AT 628 26 ½ ROAD and a portion of 632 26 ½ ROAD TO R-O

Recitals.

The Grand Junction Planning Commission, at its August 12, 2003 hearing, recommended approval of the rezone request from the PD and RSF-1 zone districts to the R-O district.

A rezone from the PD (Planned Development) and RSF-1 (Residential Single Family not to exceed 1 du/ac) zone districts to the R-O (Residential Office) district has been requested for the property located at 628 26 ½ Road and a portion of 632 26 ½ Road. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Medium 4-8 du/ac). 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 (S) DESCRIBED BELOW IS HEREBY ZONED TO THE R-O (RESIDENTIAL OFFICE) DISTRICT:

A parcel of land in the NW1/4SE1/4 Sec 2 T1S, R1W of the Ute Meridian, City of Grand Junction, Mesa Co, Colorado described as follows: Commencing at a point on the W line of said NW1/4SE1/4 whence the C-S 1/16 cor of said Sec 2 bears S00°01'24"W, 367.15' with all other bearings contained herein being relative thereto; thence S89°58'36"E, 47.00' to the easterly r-o-w line of N 7th St and the true POB; thence S89°58'36"E along the northerly r-o-w line of said N 7th St, 3.00'; thence N00°01'24"E along the easterly r-o-w line of N 7th St, 142.18'; thence, S89°58'36"E, 269.83'; thence, N53°57'44"E, 161.16'; thence, S52°21'45"E, 162.55'; thence, S53°57'44"W, 250.41' to the northerly r-o-w line of the Grand Valley Canal; thence along said northerly r-o-w line on the following six courses: (1) N41°28'54"W, 14.36'; (2) N87°21'23"W, 32.02'; (3) S80°08'46"W, 28.48'; (4) S69°48'00"W, 30.63'; (5) S63°23'03"W, 39.20'; (6) S52°03'36"W, 33.18'; thence leaving said r-o-w line, S00°01'24"W, 44.29' to the centerline of said Grand Valley Canal; thence along said centerline on the following five courses: (1) S52°01'55"W, 4.52'; (2) S52°04'52"W, 53.42'; (3) S52°43'17"W, 73.20'; (4) S55°38'12"W, 42.62'; (5) S58°16'35"W, 16.97' to the easterly r-o-w line of N 7th St; thence leaving said centerline to following the said easterly r-o-w line on the following two courses: (1) N30°28'36"W, 35.46'; (2) N00°01'24"E, 179.55' to the true POB; containing 2.37 acres.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of August, 2003.

PASSED on SECOND READING this _____ day of _____, 2003.

ATTEST:

City Clerk

President of Council

Resolution No. 77-03 - A Resolution Authorizing an Intergovernmental Agreement Between the City of Grand Junction and Mesa County Regarding the Performance of Construction Use Tax Audits

Action: Adopt Resolution No. 77-03

3. **Setting a Hearing on Lutheran Church Rezone, Located at 628 26 ½ Road and a Portion of 632 26 ½ Road** [File #RZ-2003-096]

Petitioner is requesting to rezone approximately 2.37 acres from PD (Planned Development) (.59 acres) and RSF-1 (Residential Single Family not to exceed 1 du/ac) (1.78 acres) to R-O (Residential Office).

Proposed Ordinance Zoning the Property Known as Lutheran Church Located at 628 26 ½ Road and a Portion of 632 26 ½ Road to R-O

Action: Introduction of Proposed Ordinance and Set a Hearing for September 3, 2003

4. **FAA Grants for Airport Improvements**

AIP-27 is for (1) installation of new electronic access system at the passenger terminal building and air carrier apron, (2) expansion of the air carrier apron, and (3) engineering and design for the relocation of a large water line. Estimated grant amount is \$1,550,000. AIP-28 is for the acquisition of approximately 16 acres of property bordering Landing View Lane as part of future air cargo development. Estimated grant amount is \$565,200. No funds are being requested of the City of Grand Junction.

Action: Authorize the City Manager to Sign FAA AIP Grants 27 and 28 for Capital Improvements at Walker Field and Related Supplemental Co-Sponsorship Agreements for AIP-27 and 28

5. **Purchase of Wheeled Loader**

This purchase is being requested by the Fleet Department to replace one old outdated wheeled loader with a new wheeled loader in the Streets Department.

Action: Authorize the City Purchasing Manager to Purchase One Volvo Wheeled Loader (L90E) from Power Equipment Company in the Amount of \$81,471.00 Including Trade-In

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Lutheran Church Rezone, located at 628 26 ½ Road and a portion of 632 26 ½ Road					
Meeting Date	September 3, 2003					
Date Prepared	August 25, 2003			File #RZ-2003-096		
Author	Senta Costello		Associate Planner			
Presenter Name	Senta Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Petitioner is requesting to rezone approximately 2.37 acres from PD (Planned Development) (.59 acres) and RSF-1 (Residential Single Family not to exceed 1 du/ac) (1.78 acres) to R-O (Residential Office).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map
3. Aerial Photo
4. Growth Plan Map
5. Zoning Map
6. Zoning Ordinance

BACKGROUND INFORMATION					
Location:		628 26 ½ Road			
Applicants:		Jim West			
Existing Land Use:		Vacant / Church			
Proposed Land Use:		Offices			
Surrounding Land Use:	North	Church			
	South	Residential @ 5.88 du/ac			
	East	Church & Residential @ 8.95 du/ac			
	West	Residential @ 1.13 du/ac			
Existing Zoning:		PD (no plan) & RSF-1			
Proposed Zoning:		R-O			
Surrounding Zoning:	North	RSF-1			
	South	PD 7.4 du/ac			
	East	RSF-1 / PD 12 du/ac			
	West	RSF-2			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Petitioner is requesting a rezone from RSF-1 and PD (Planned Development) zone districts to an R-O (Residential Office) zone district. The PD portion is on one .59 acre lot. The RSF-1 zone district is a portion of 632 26 ½ Road. If the rezone is approved, the applicant will request a Simple Subdivision to make the property line match the new zoning line and a Site Plan Review to construct an office building.

RECOMMENDATION: Recommendation to City Council of approval of the rezone request.

ANALYSIS:

1. Background:

The northern portion of the area of the rezone request was zoned RSF-1 when the property was annexed August 6th of 2000. This zone district matched the county zoning in place at the time. The southern portion was zoned to PD – 12 (Planned Development) at some point in the 1980's. A specific plan for development was not approved.

2. Consistency with the Growth Plan:

The proposed zone district is consistent with the Growth Plan Goals and Policies and the Future Land Use Map for the properties.

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

Rezone requests must meet 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. However, the character of this corner has changed since the zoning was put in place and the portion that is zoned Planned Development never completed the process to provide a plan for the property or develop as such.

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

This corner has changed in character over the last few years. 7th Street and Horizon Drive have been improved and widened in this area so there is an increase in traffic through the area. This corridor serves as one of the primary routes to access the businesses along Horizon Dr. There has also been additional higher density residential development built to the south of this property.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

The proposed rezone to R-O is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the R-O zone district, therefore this criterion is met. Any new construction in an R-O zone district must have a residential design.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code and other City regulations and guidelines.

Staff feels that this proposal does further the goals and policies of the Growth Plan, other adopted plans, policies, regulation, guidelines, and Zoning and Development Code requirements.

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

Adequate public facilities are currently available and can address the impacts of development consistent with the R-O zone district.

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

There are not any other properties in the area that are zoned R-O.

7. The community or neighborhood will benefit from the proposed zone

The community and neighborhood will benefit from the proposal by providing a location for medical offices for medical needs and potential jobs that can be easily accessed by nearby residents. It will also clean up a property that has been undeveloped and weed covered.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Lutheran application, RZ-2003-096 for a rezone, staff recommends that the Planning Commission 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:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested rezone, RZ-2003-096 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Zone Amendment RZ-2003-096, I move that we forward a recommendation of approval of the rezone request to the City Council with the findings and conclusions as listed in the staff report.

Attachments:

General Project Report

Vicinity Map

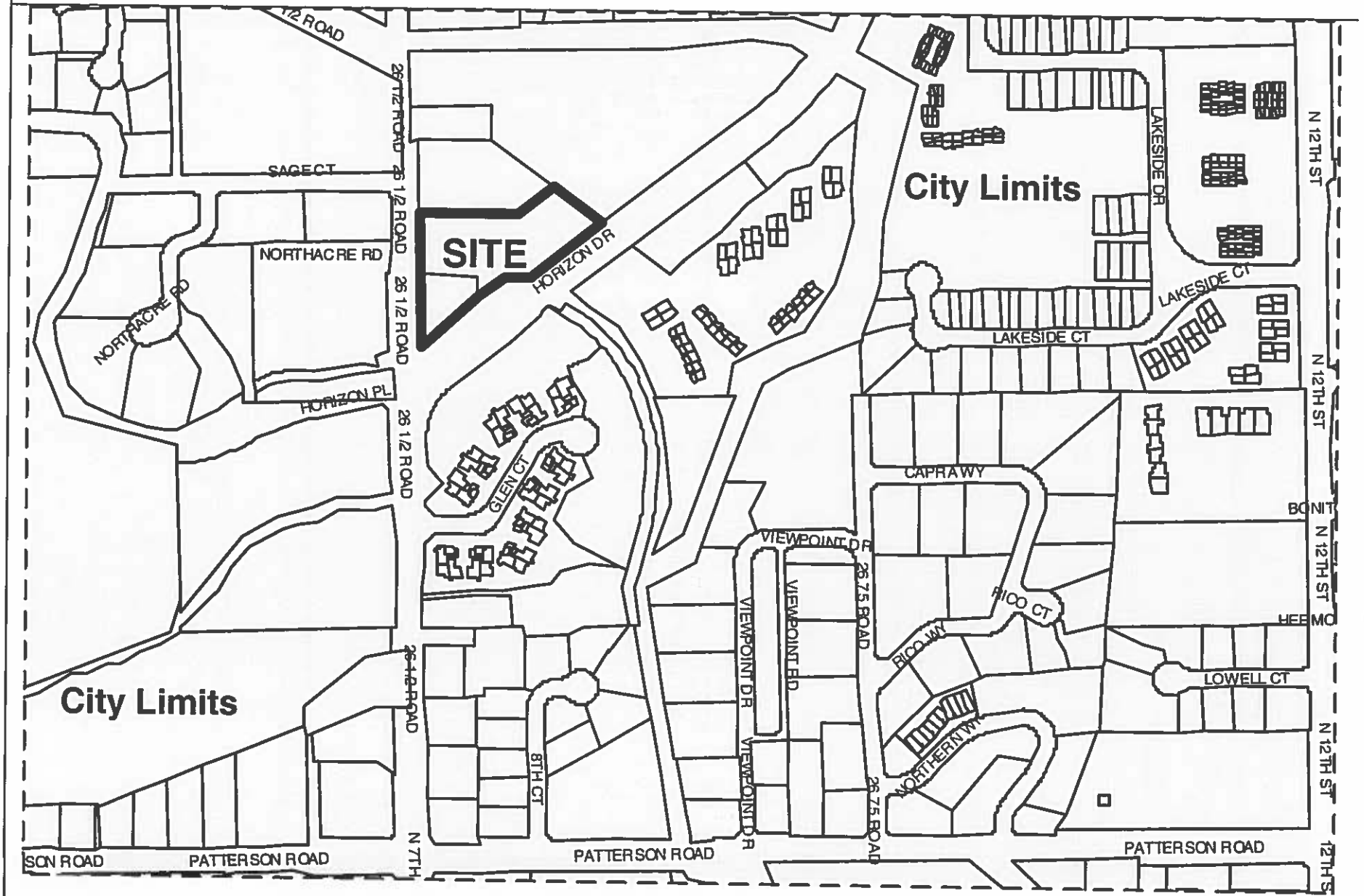
Aerial Photo

Growth Plan Map

Zoning Map

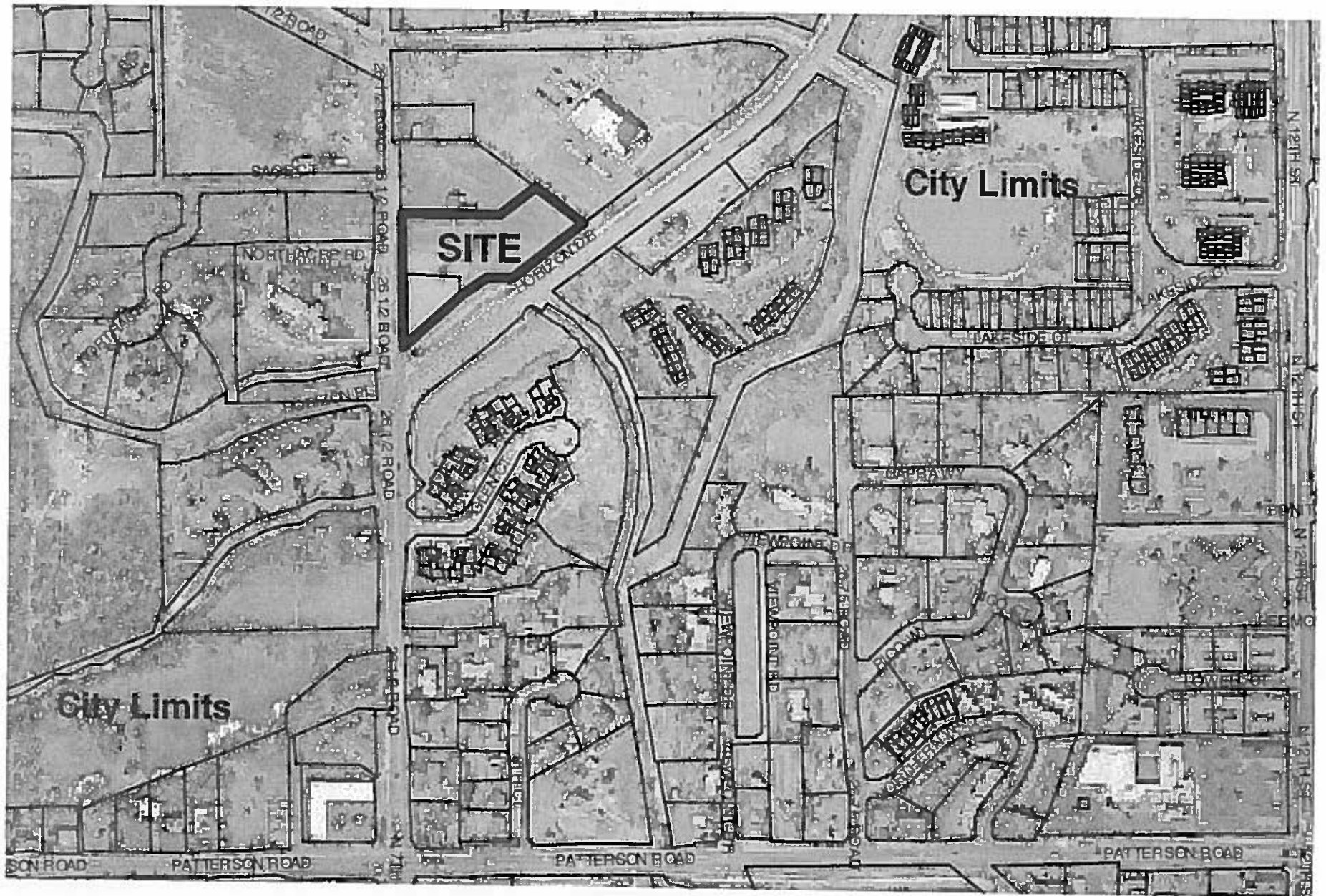
Site Location Map

Figure 1



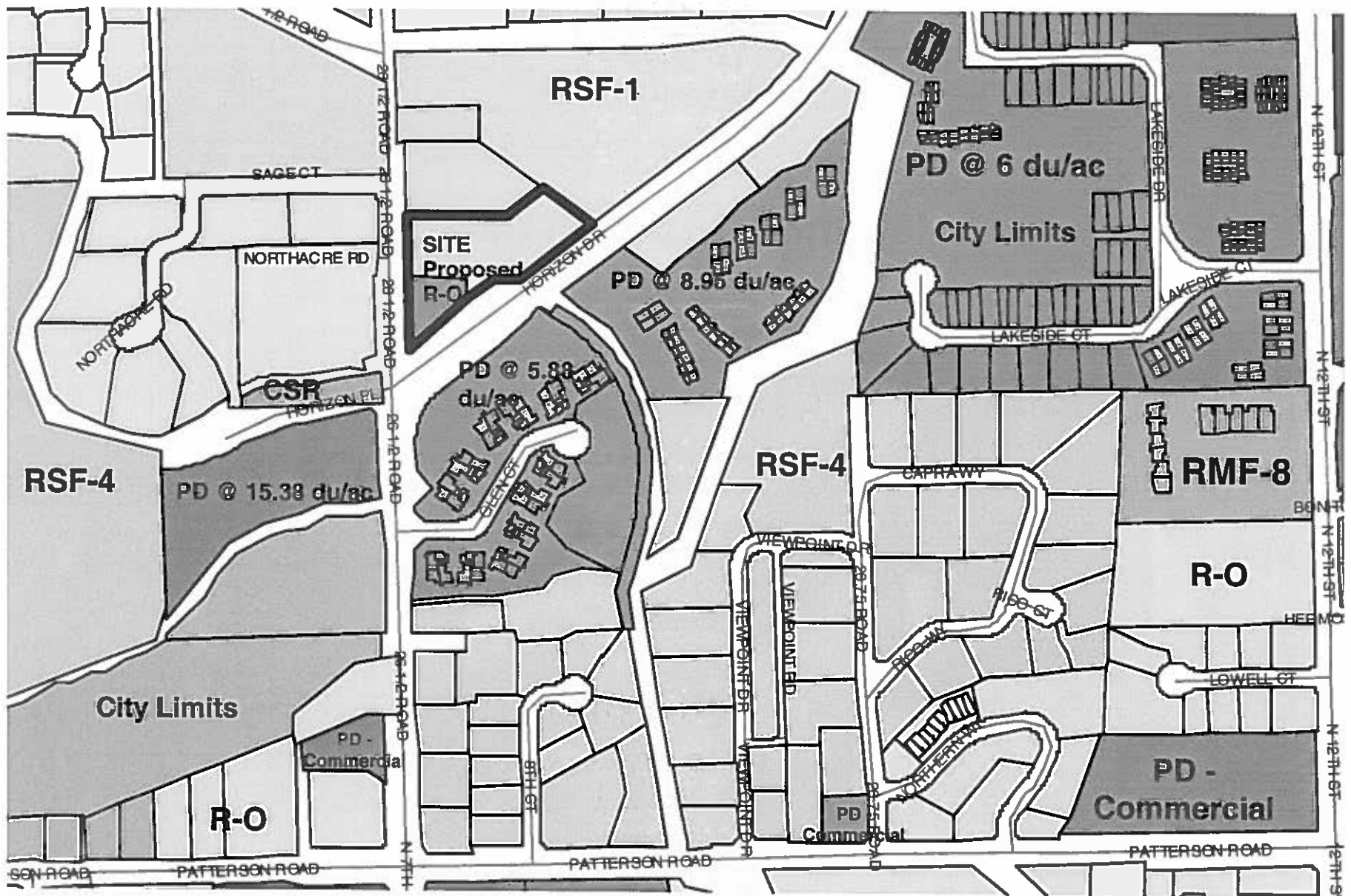
Aerial Photo Map

Figure 2



Existing City Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____

ZONING THE PROPERTY KNOWN AS LUTHERAN CHURCH
LOCATED
AT 628 26 ½ ROAD and a portion of 632 26 ½ ROAD TO R-O

Recitals.

The Grand Junction Planning Commission, at its August 12, 2003 hearing, recommended approval of the rezone request from the PD and RSF-1 zone districts to the R-O district.

A rezone from the PD (Planned Development) and RSF-1 (Residential Single Family not to exceed 1 du/ac) zone districts to the R-O (Residential Office) district has been requested for the property located at 628 26 ½ Road and a portion of 632 26 ½ Road. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Medium 4-8 du/ac). 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 (S) DESCRIBED BELOW IS HEREBY ZONED TO THE R-O (RESIDENTIAL OFFICE) DISTRICT:

A parcel of land in the NW1/4SE1/4 Sec 2 T1S, R1W of the Ute Meridian, City of Grand Junction, Mesa Co, Colorado described as follows: Commencing at a point on the W line of said NW1/4SE1/4 whence the C-S 1/16 cor of said Sec 2 bears S00°01'24"W, 367.15' with all other bearings contained herein being relative thereto; thence S89°58'36"E, 47.00' to the easterly r-o-w line of N 7th St and the true POB; thence S89°58'36"E along the northerly r-o-w line of said N 7th St, 3.00'; thence N00°01'24"E along the easterly r-o-w line of N 7th St, 142.18'; thence, S89°58'36"E, 269.83'; thence, N53°57'44"E, 161.16'; thence, S52°21'45"E, 162.55'; thence, S53°57'44"W, 250.41' to the northerly r-o-w line of the Grand Valley Canal; thence along said northerly r-o-w line on the following six courses: (1) N41°28'54"W, 14.36'; (2) N87°21'23"W, 32.02'; (3) S80°08'46"W, 28.48'; (4) S69°48'00"W, 30.63'; (5) S63°23'03"W, 39.20'; (6) S52°03'36"W, 33.18'; thence leaving said r-o-w line, S00°01'24"W, 44.29' to the centerline of said Grand Valley Canal; thence along said centerline on the following five courses: (1) S52°01'55"W, 4.52'; (2) S52°04'52"W, 53.42'; (3) S52°43'17"W, 73.20'; (4) S55°38'12"W, 42.62'; (5) S58°16'35"W, 16.97' to the easterly r-o-w line of N 7th St; thence leaving said centerline to following the said easterly r-o-w line on the following two courses: (1) N30°28'36"W, 35.46'; (2) N00°01'24"E, 179.55' to the true POB; containing 2.37 acres.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of August, 2003.

PASSED on SECOND READING this _____ day of _____, 2003.

ATTEST:

City Clerk

President of Council

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

DATE:

AUG 1, 2 2003

TIME: 7:00 p.m.

PLACE: City Hall Auditorium, 250 North 5th Street

A petition for the following request has been received and tentatively scheduled for a public hearing on the date indicated above.

If you have any questions regarding this request or to confirm the hearing date, please contact the Grand Junction Community Development Department at (970) 244-1430 or stop in our office at 250 North 5th Street.

**RZ-2003-096 – LUTHERAN CHURCH REZONE – 628
26½ ROAD**

Request approval to rezone 2.37 acres currently zoned PD
& RSF-1 (Planned Development & Residential Single
Family-1 unit/acre) to a zoning of RO (Residential Office).
Planner **Senta Costello**

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
PS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Community Development Dept.
250 North 5th Street
Grand Junction, CO 81501

RECEIVED
JUL 31 2003
COMMUNITY DEVELOPMENT
DEPT.

order to allow participation in the 2003 Coordinated Election. Councilmember Hill seconded the motion. Motion carried.

Public Hearing – Lutheran Church Rezone, Located at 628 26 ½ Road and a Portion of 632 26 ½ Road [File #RZ-2003-096]

Petitioner is requesting to rezone approximately 2.37 acres from PD (Planned Development) (.59 acres) and RSF-1 (Residential Single Family not to exceed 1 du/ac) (1.78 acres) to R-O (Residential Office).

The public hearing was opened at 8:33 p.m.

Senta Costello, Associate Planner, reviewed this item. She discussed the plans for the property, and stated that the rezone request met the rezone criteria for the surrounding zoning.

Councilmember Hill asked what R-O stood for. Ms. Costello explained R-O was the code designation for Residential Office, and that designation wouldn't allow retail businesses. She said there are specific standards for landscaping, parking, etc. Councilmember Hill asked her if a PD designation would also work. Ms. Costello replied it would but the site didn't warrant that designation. Councilmember Hill asked if the request must meet all criteria, but felt it didn't meet the first criteria, and asked why the zoning designation was not in error as outlined in the Staff Report.

Ms. Costello explained said the property was zoned as a PD-12 with no particular plan on the books. Councilmember Hill asked her why then the designation was not in error. Ms. Costello replied there only was a change in character.

Bob Blanchard, Community Development Director, explained the PD Zone was not in error but had evolved since the 1980's, and that the PD District didn't mean anything without a plan.

Councilmember Hill asked if the developer could have done a plan. Mr. Blanchard said yes, but the plan then would have had to be amended.

John Shaver, Assistant City Attorney, explained that the criterion was very subjective and problematic in this case. He said it was appropriate to rezone the site.

Councilmember Hill asked what the change in character was. Ms. Costello said the designation would still be residential, but at a higher density to provide a buffer zone. She said R-O districts are along Patterson Road and are already developed. She said the applicant wanted to build medical offices at the site.

Councilmember Kirtland asked what some of the restrictions in R-O were. Ms. Costello said the building cannot exceed 10,000 square feet, the maximum height was 35 feet, the building must be two-and-a-half stories or less, must be compatible with the surrounding neighborhoods, have the same roof pitch, and the same character.

Council President Spehar asked if the applicant was present.

Mike Joyce, Development Concepts, 2764 Compass Drive, said he represents the applicant and Section 3.4 states the purpose of an R-O district, and that they understood the intent of the Code, that it must be compatible with surrounding residential neighborhoods. He said the requirements for an R-O zone are pretty much the same as for a PD zone designation. He then detailed their thought process for requesting an R-O zoning. He next introduced the developer, Jim West, and the engineer. Mr. West said the reason they selected the R-O zone designation was because of the restrictions, and that they wanted the building to be a single story with a residential look, and for the exterior to match the adjacent residential areas. He said the plan was to share the parking area with the church.

Mike Joyce said a neighborhood meeting was held, with 20 neighbors attending. He said the attendees were more interested in traffic patterns and access issues, and the neighbors were satisfied that they took their comments to heart.

Councilmember Hill wanted to know why a transition was wanted.

Mr. Joyce explained that the area to the south was developed as a high-density residential area, where to the north there were low-density one-acre lots. He felt this designation would be a transition between those two areas and the high-density use designation of the church.

Councilmember Kirtland pointed out that the canal was a natural barrier and that there was also a substantial change in grade.

There were no public comments.

The public hearing was closed at 8:55 p.m.

Ordinance No. 3570 – An Ordinance Rezoning the Property Known as Lutheran Church Located at 628 26 ½ Road and a Portion of 632 26 ½ Road to R-O

Councilmember Enos-Martinez moved to adopt Ordinance No. 3570 on Second Reading and order it published. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote with Councilmember Hill voting NO.

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. 3570**

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS LUTHERAN CHURCH
LOCATED
AT 628 26 1/2 ROAD and a portion of 632 26 1/2 ROAD TO R-O**

Recitals.

The Grand Junction Planning Commission, at its August 12, 2003 hearing, recommended approval of the rezone request from the PD and RSF-1 zone districts to the R-O district.

A rezone from the PD (Planned Development) and RSF-1 (Residential Single Family not to exceed 1 du/ac) zone districts to the R-O (Residential Office) district has been requested for the property located at 628 26 1/2 Road and a portion of 632 26 1/2 Road. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Medium 4-8 du/ac). 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 (S) DESCRIBED BELOW IS HEREBY ZONED TO THE R-O (RESIDENTIAL OFFICE) DISTRICT:

A parcel of land in the NW1/4SE1/4 Sec 2 T1S, R1W of the Ute Meridian, City of Grand Junction, Mesa Co, Colorado described as follows: Commencing at a point on the W line of said NW1/4SE1/4 whence the C-S 1/16 cor of said Sec 2 bears S00°01'24"W, 367.15' with all other bearings contained herein being relative thereto; thence S89°58'36"E, 47.00' to the easterly r-o-w line of N 7th St and the true POB; thence S89°58'36"E along the northerly r-o-w line of said N 7th St, 3.00'; thence N00°01'24"E along the easterly r-o-w line of N 7th St, 142.18'; thence, S89°58'36"E, 269.83'; thence, N53°57'44"E, 161.16'; thence, S52°21'45"E, 162.55'; thence, S53°57'44"W, 250.41' to the northerly r-o-w line of the Grand Valley Canal; thence along said northerly r-o-w line on the following six courses: (1) N41°28'54"W, 14.36'; (2) N87°21'23"W, 32.02'; (3) S80°08'46"W, 28.48'; (4) S69°48'00"W, 30.63'; (5) S63°23'03"W, 39.20'; (6) S52°03'36"W, 33.18'; thence leaving said r-o-w line, S00°01'24"W, 44.29' to the centerline of said Grand Valley Canal; thence along said centerline on the following five courses: (1) S52°01'55"W, 4.52'; (2) S52°04'52"W, 53.42'; (3) S52°43'17"W, 73.20'; (4) S55°38'12"W, 42.62'; (5) S58°16'35"W, 16.97' to the easterly r-o-w line of N 7th St; thence leaving said centerline to following the said easterly r-o-w line on the following two courses: (1) N30°28'36"W, 35.46'; (2) N00°01'24"E, 179.55' to the true POB; containing 2.37 acres.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of August, 2003.

PASSED on SECOND READING this 3rd day of September, 2003.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s/ Jim Spehar
President of Council

REZONE LUTHERAN CHURCH FROM PD TO R-O



SCALE 1 : 2,592



N

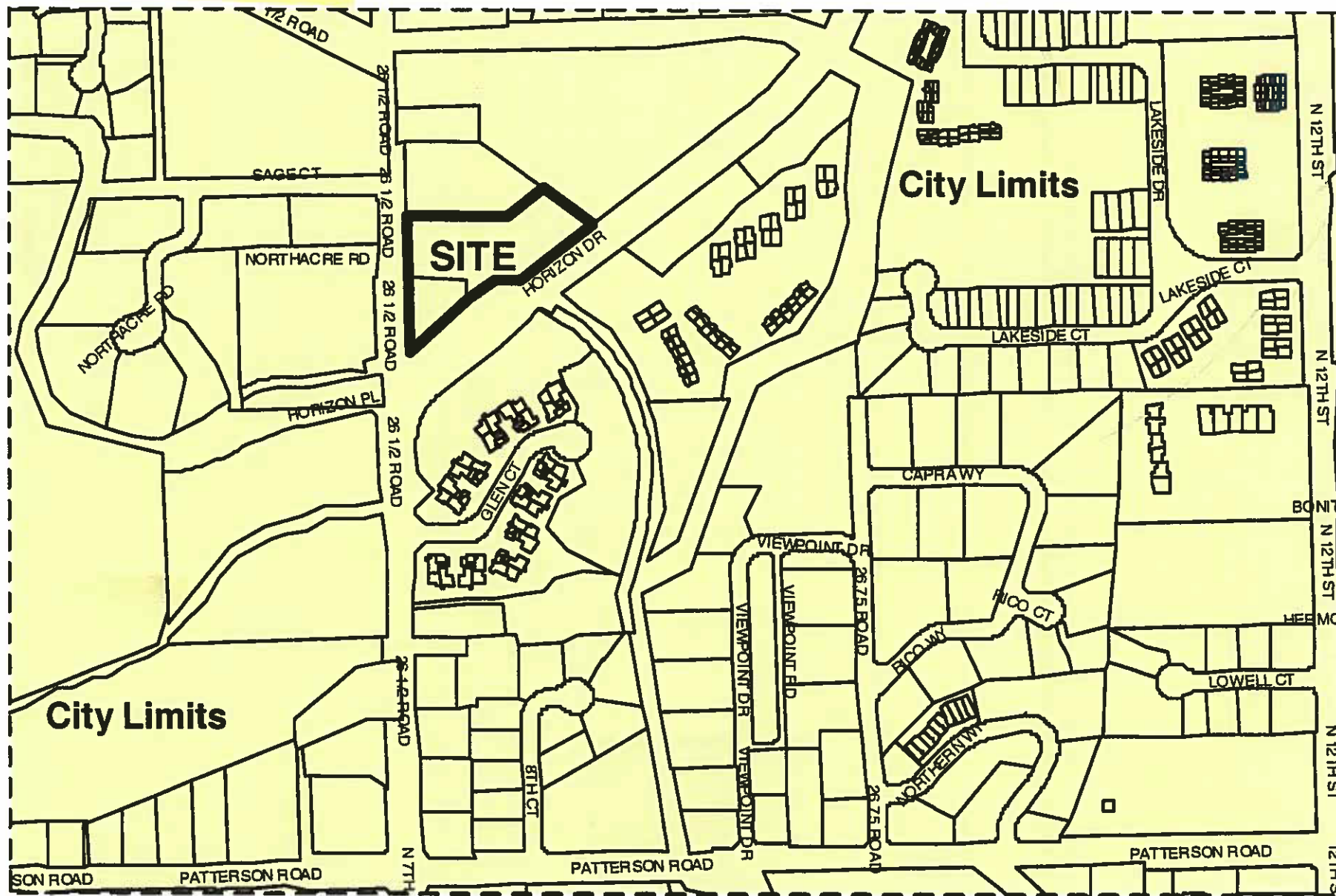


Santa

R2-2003-096

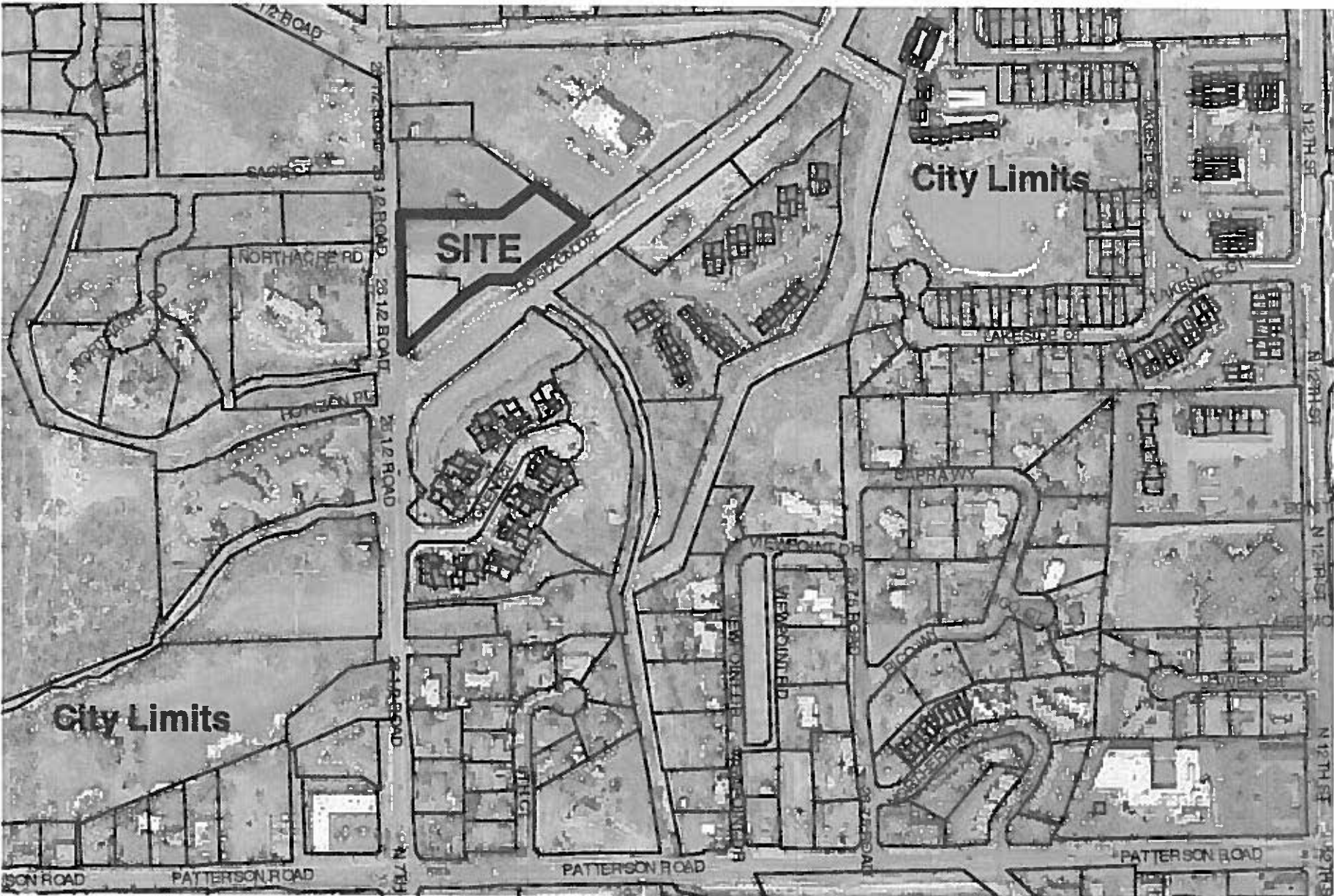
Site Location Map

Figure 1



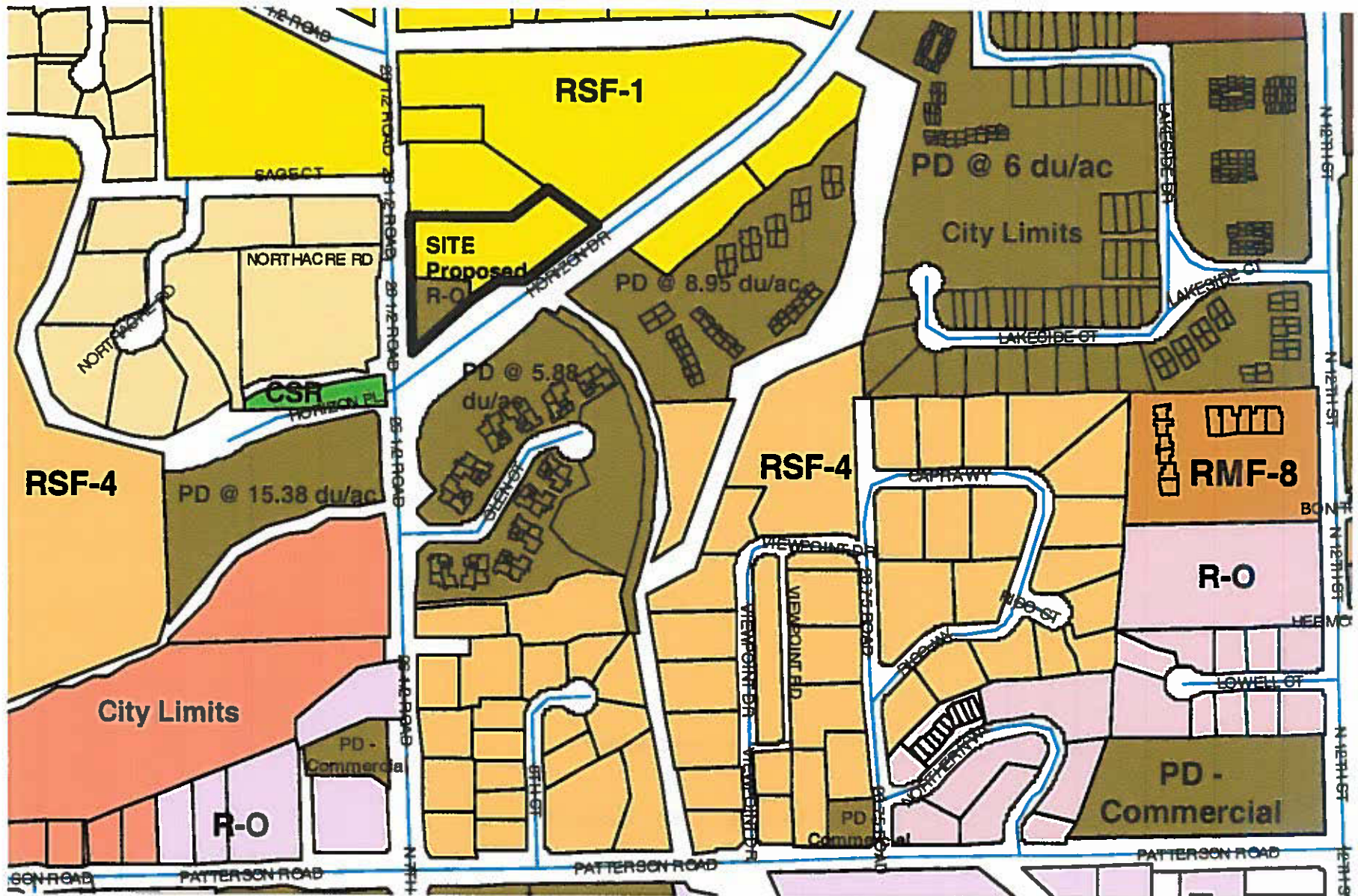
Aerial Photo Map

Figure 2



Existing City Zoning

Figure 4

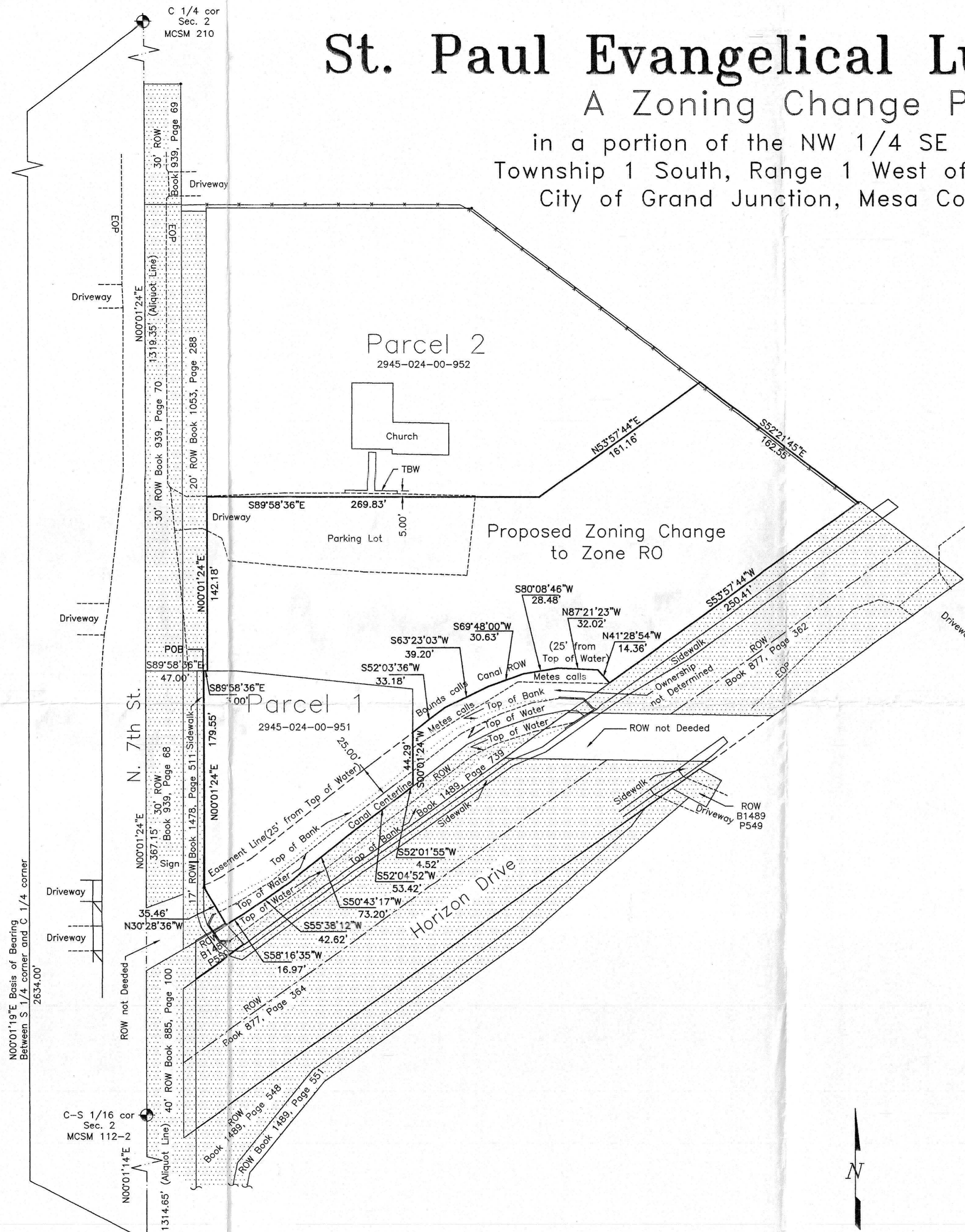


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

St. Paul Evangelical Lutheran Church

A Zoning Change Proposal

in a portion of the NW 1/4 SE 1/4 Section 2,
Township 1 South, Range 1 West of the Ute Meridian
City of Grand Junction, Mesa County, Colorado



LEGAL DESCRIPTION

A parcel of land in the NW 1/4 SE 1/4 Section 2, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado described as follows:

Commencing at a point on the west line of said NW 1/4 SE 1/4 whence the C-S 1/16 corner of said Section 2 bears S00°01'24"W, 367.15 feet with all other bearings contained herein being relative thereto;
thence, S89°58'36"E, 47.00 feet to the easterly right-of-way line of N. 7th Street and the TRUE POINT OF BEGINNING;
thence, S89°58'36"E along the northerly right-of-way line of said N. 7th Street, 3.00 feet;
thence, N00°01'24"E along the easterly right-of-way line of N. 7th Street, 142.18 feet;
thence, S89°58'36"E, 269.83 feet;
thence, N53°57'44"E, 161.16 feet;
thence, S52°21'45"E, 162.55 feet;
thence, S53°57'44"W, 250.41 feet to the northerly right-of-way line of the Grand Valley Canal;
thence along said northerly right-of-way line on the following six courses:
(1) N41°28'54"W, 14.36 feet;
(2) N87°21'23"W, 32.02 feet;
(3) S80°08'46"W, 28.48 feet;
(4) S69°48'00"W, 30.63 feet;
(5) S63°23'03"W, 39.20 feet;
(6) S52°03'36"W, 33.18 feet;
thence leaving said right-of-way line, S00°01'24"W, 44.29 feet to the centerline of said Grand Valley Canal;
thence along said centerline on the following five courses:
(1) S52°01'55"W, 4.52 feet;
(2) S52°04'52"W, 53.42 feet;
(3) S50°43'17"W, 73.20 feet;
(4) S55°38'12"W, 42.62 feet;
(5) S58°16'35"W, 16.97 feet to the easterly right-of-way line of N. 7th Street;
thence leaving said centerline to following the said easterly right-of-way line on the following two courses:
(1) N30°28'36"W, 35.46 feet;
(2) N00°01'24"E, 170.55 feet to the TRUE POINT OF BEGINNING;
containing 2.37 acres.

CITY PLANNING COMMISSION'S CERTIFICATE

Approved this _____ day of _____ A.D. 20____ by the
Planning Commission, City of Grand Junction, County of Mesa, State of Colorado.

Chairperson

CITY COUNCIL'S CERTIFICATE

Approved this _____ day of _____ A.D. 20____ by the
City Council of the City of Grand Junction, County of Mesa, State of Colorado.

Mayor, City of Grand Junction

City Manager

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF MESA }SS

I hereby certify that this instrument was filed in my office

at _____ o'clock _____ M. this _____ day of _____ A.D., 20____,

and is duly recorded in Plat Book No. _____, Page _____,

Reception No. _____, Drawer No. _____.

Clerk and Recorder

Deputy

Fees

RECEIVED

JUL 10 2003

COMMUNITY DEVELOPMENT
DEPT.

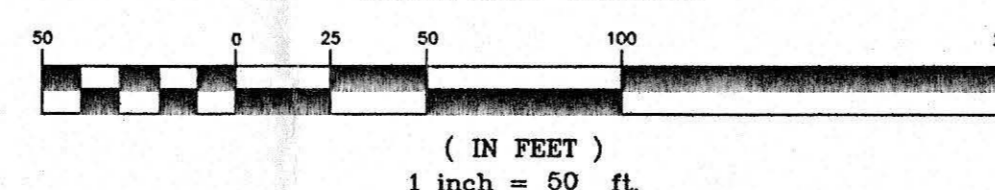
NOTICE:

According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

BASIS OF BEARING:

The bearing between the found MCSM # 55 at the S 1/4 corner of Section 2 and the found MCSM # 210 at the C 1/4 corner of Section 2, both in T. 1 S., R. 1 W., U.M. is assumed to be N00°01'19"E as derived from the published Mesa County Local Coordinate System coordinates for the respective monuments.

GRAPHIC SCALE



Preliminary for City Review

Merritt LS, L.L.C.	
743 Horizon Ct., Suite 100B, Grand Junction, CO. 81506 PHONE (970) 255-7386 FAX (970) 241-2662	
St. Paul Evangelical Lutheran Church A Zoning Change Proposal	
in a portion of the NW 1/4 SE 1/4 Section 2, Township 1 South, Range 1 West of the Ute Meridian City of Grand Junction, Mesa County, Colorado	
DATE: July 7, 2003	SCALE: 1" = 50'
DRAWN: TWS	CHK: RAL
PROJECT NO: 0315Z	SHEET 1 OF 1