



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, JANUARY 10, 2012, 6:00 PM**

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

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

Copies of the agenda and staff reports are available on the table located at the back of the Auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes of the September 27, 2011 Joint City and County Planning Commission Meeting.

2. McDonald's Addition CUP – Conditional Use Permit [Attach 2](#)

Request approval to amend a previously approved Conditional Use Permit (CUP-2004-200) to allow for the expansion of an existing McDonald’s restaurant on 0.894 acres in an C-1 (Light Commercial) zone district.

FILE #: CUP-2011-1281
PETITIONER: McDonald's
LOCATION: 1212 North Avenue
STAFF: Lori Bowers

3. Text amendment to Section 21.08.020(b)(1) 20% expansion limit – Zoning Code Amendment [Attach 3](#)

Text amendment to Section 21.08.020(b)(1) to eliminate the 20% limitation on expansion of nonconforming, nonresidential land uses.

FILE #: ZCA-2011-1313
PETITIONER: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

4. Text amendment to Section 21.06.010(f) – Zoning Code Amendment [Attach 4](#)

Text amendment to Section 21.06.010(f) to eliminate a requirement that a developer underground existing overhead utilities along alleys and clarifies when a fee in lieu of construction can be paid for undergrounding utilities.

FILE #: ZCA-2011-1315
PETITIONER: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

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

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

Public Hearing Items

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

5. Rezone Area 14 – Rezone [Attach 5](#)

Request a recommendation of approval to City Council to rezone two parcels totaling 5.939 acres from an R-2 (Residential 2 du/ac) to an R-4 (Residential 4 du/ac) zone district.

FILE #: RZN-2011-1148
PETITIONER: City of Grand Junction
LOCATION: 355 29 Road and 2892 River Street
STAFF: Brian Rusche

6. Rezone Area 7 – Rezone

[Attach 6](#)

Request a recommendation of approval to City Council to rezone 4.753 acres from an R-8 (Residential 8 du/ac) to an R-24 (Residential 24 du/ac) zone district.

FILE #: RZN-2011-1157
PETITIONER: City of Grand Junction
LOCATION: 3032 North 15th Street
STAFF: Lori Bowers

7. Rezone Area 3 – Rezone

[Attach 7](#)

Request a recommendation of approval to City Council to rezone three parcels totaling 6.79 +/- acres from an R-R (Residential – Rural) to an R-4 (Residential 4 du/ac) zone district and one parcel totaling 1.15 +/- acres from an R-R (Residential – Rural) to an R-8 (Residential 8 du/ac) zone district.

FILE #: RZN-2011-1188
PETITIONER: City of Grand Junction
LOCATION: 708 25 1/2 Road, 2522 F 1/2 Road and 2543 G Road
STAFF: Scott Peterson

8. Rezone Area 10 – Rezone

[Attach 8](#)

Request a recommendation of approval to City Council to rezone 281 parcels from an R-8 (Residential 8 du/ac) to an R-12 (Residential 12 du/ac) zone district located southeast of the North 12th Street and Orchard Avenue intersection.

FILE #: RZN-2011-1156
PETITIONER: City of Grand Junction
LOCATION: Numerous lots between North 12th Street and North 19th Street from Elm Avenue to Hall Avenue
STAFF: Senta Costello

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**MESA COUNTY & GRAND JUNCTION PLANNING COMMISSION
JOINT MEETING
SEPTEMBER 27, 2011 MINUTES
6:02 p.m. to 7:46 p.m.**

The Mesa County & Grand Junction Planning Commission Joint Meeting was called to order at 6:00 p.m. by (Grand Junction) Chairman Reggie Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Lynn Pavelka (Vice Chairman), Patrick Carlow, Rob Burnett, Ebe Eslami, Lyn Benoit and Greg Williams (Alternate). Commissioner Mark Abbott was absent.

In attendance, representing the County Planning Commission, were Christi Flynn (Chair), John Justman (Vice Chair), Phillip Jones (Secretary) and Wesley Lowe (Alternate).

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Dave Thornton (Principal Planner) and Senta Costello (Senior Planner).

Representing Mesa County was Kaye Simonson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 4 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Lisa Cox, Planning Manager, announced that the first meeting in October and the corresponding workshop would not be held. There were, however, agenda items for the second meeting for October 25th.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the August 9, 2011 Regular Meeting.

2. Fuoco Waterline Easement Vacation – Vacation of Easement

Request a recommendation of approval to City Council to vacate a 15' public water line easement.

FILE #: VAC-2011-1099
PETITIONER: Bob Fuoco – Fuoco Investments LLC
LOCATION: 2582 Highway 6 and 50
STAFF: Senta Costello

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

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

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

(County) Chair Christy Flynn called to order the meeting of the Mesa County Planning Commission and announced the hearing item to be heard jointly was the Comprehensive Plan Text Amendment.

Public Hearing

3. Comprehensive Plan Amendment – Comprehensive Plan Text Amendment

The City of Grand Junction and Mesa County are proposing text amendments to the Grand Junction Comprehensive Plan to clarify which zone districts implement the Grand Junction Comprehensive Plan Future Land Use designations and to change the name of the “Agriculture” Future Land Use designation to “Large Lot 35+”.

CITY FILE #: CPA-2011-994
COUNTY FILE #: 2011-0185 MP – Grand Junction Comprehensive Plan Update
PETITIONER: City of Grand Junction
LOCATION: City wide
STAFF: (City) Lisa Cox and (County) Kaye Simonson

STAFF PRESENTATION

(City) Lisa Cox, Planning Manager, stated that she would be working with (County) Kaye Simonson, to make the presentation. Ms. Cox provided some background and said the Grand Junction Comprehensive Plan was adopted by the Mesa County Planning Commission and the Grand Junction City Council. The Grand Junction City Council adopted the Comprehensive Plan on February 17, 2010. After working with the Plan for over a year staff was proposing amendments to the Plan that were intended to maintain the document as a dynamic planning tool for the community.

Part of the Comprehensive Plan includes the Future Land Use Map which provides land use designations to help guide development and growth in the community. When adopted, the Comprehensive Plan included new land use designations in certain areas of the community meant to implement the vision of the Comprehensive Plan.

In reviewing the Comprehensive Plan document and the City and Mesa County development codes, staff noticed there were some inconsistencies between the language of the Comprehensive Plan document and the zone districts that implement the specific land use designations. The City would like to update the text of the Comprehensive Plan so that it would be consistent with the City's Zoning and Development Code.

Amending the text of the Plan document to make it more efficient to find information and to be consistent with the Zoning and Development Code was consistent with the Comprehensive goals and policies. Ms. Cox identified a few of the goals which included the implementation of the Comprehensive Plan in a consistent manner between the City, Mesa County and other service providers. Another goal was that the City and County land use decisions would be consistent with the Future Land Use Map. Ms. Cox noted that the Comprehensive Plan would create order and balanced growth throughout the community.

Ms. Cox reviewed the City's approval criteria and said that amendments to the Comprehensive Plan were required when a requested change significantly altered the land use or the Comprehensive Plan document. She went on to say that the City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change was consistent with the vision, the goals and the policy of the Comprehensive Plan and one of five criteria. She identified those to be: 1) subsequent events invalidated the original premise and findings; and/or 2) the character and/or other conditions of the area had changed such the amendment was consistent with the plan; and/or 3) the public community facilities were adequate to serve the type and scope of the land use proposed; and/or 4) an inadequate supply of suitably designated land was available in the community to accommodate the proposed land use; and/or 5) the community or the area as defined by the presiding body would derive benefits from the proposed amendment. Ms. Cox said that in reviewing the City's criteria, there were inconsistencies identified between the Comprehensive Plan document and the Zoning Code document in terms of the zone districts that implemented each of the land use categories. The proposed amendments would create consistency between the Plan and the Development Codes, and therefore express a clearer vision for the community. The proposed amendments met the last criteria because the conflicting language in the Plan and the development codes would be resolved.

(County) Kaye Simonson, Senior Planner, discussed the Mesa County approval criteria and said that consistency was required with seven criteria. Those included the following: 1) there was an error in the original Master Plan; 2) subsequent to the adoption of the Master Plan the original premises and findings were invalidated; 3) the character and the condition of the area had changed enough that the amendment was acceptable; 4) the change was consistent with the goals and policies of the master plan; 5) adequate community and public facilities were adequate to serve the type and scope of the proposed land use; 6) an inadequate supply of suitably designated land was available in the community; and 7) the community area as planned by the presiding

body would derive benefits from the proposed amendments. Ms. Simonson said that similar to the findings by the City staff, the majority of the above-mentioned criteria were met. She said that the Commission must consider the general approval criteria and this amendment was consistent with the amendment the Mesa County Planning Commission made to the Code last month regarding implementing zoning. Ms. Simonson said that as part of the review and comment process, both Mesa County and the City sent out notification to various review agencies which might have an interest in the proposed amendments. Also, an Open House was held on August 31st for citizens to attend and provide comments. The proposed amendments were also posted to both the City and the County websites.

(City) Lisa Cox clarified that the County had an opportunity to provide comments on the City's proposed amendments and likewise the City had the opportunity to make comments on the County proposals. Ms. Cox also confirmed that although the public review and comment period was formally opened from August 22 through September 2, comments were accepted up to the hearing this evening. Ms. Cox said that in reviewing the proposed text amendments regarding the Comprehensive Plan in terms of vision, the goals and policies, City staff found that the proposed amendments were consistent with the Comprehensive Plan and that they would in fact implement the goals and visions of the Comprehensive Plan. Ms. Cox recommended the Planning Commission make a recommendation to City Council to approve and adopt the text amendments.

(County) Kaye Simonson said that County staff recommended the Planning Commission make a finding that the amendments met a majority of the approval criteria and recommended adoption of the proposed text amendments and to continue the project to the October 27th hearing in order to allow consideration by the Grand Junction City Council prior to final adoption by the Mesa County Planning Commission.

By use of a PowerPoint presentation, (City) Lisa Cox showed a compilation of the various land use designations found in the Comprehensive Plan document which represented the proposed changes. She explained that the basic objectives of the proposals were to correct Chapter One, "Land Use Designations," by (1) including all of the City zone districts that implement the various Comprehensive Plan designations and eliminating those that do not, (2) removing all Mesa County zone districts from each Comprehensive Plan land use designation, (3) adding a footnote reference directing readers to the Mesa County Land Development Code for a description of which County zone districts implement which Future Land Use designation, and (4) renaming the "Agriculture" land use designation "Large Lot 35+".

Ms. Cox gave a brief description of the proposed amendments and noted that the staff report contained a graphic showing the new language as underlined text and the language to be eliminated was shown with strikethroughs. She then asked if any of the Commissioners had any questions concerning the proposed amendments.

QUESTIONS

(City) Chairman Wall asked for clarification regarding the land use designations of Residential Medium, Residential Medium High, Residential High Mixed Use and Urban Residential Mixed Use. He asked what was the difference between Residential Medium and Residential Medium High, and the difference between the Residential High Mixed Use and Urban Residential Mixed Use land use designations. (City) Lisa Cox explained that both land use categories allowed a residential density range of 4 to 16 units per acre because of the Blended Map. She stated that the purpose of the Residential Medium was to encourage single family development with a mix of duplexes with limited low intensity multifamily development. The purpose of the Residential Medium High was to encourage higher residential density with a mix of housing types, particularly attached and multifamily. However, because of the Blended Map, the opportunity for residential density in those two land use categories was the same. Without the Blended Map, the density range in Residential Medium was 4 to 8 units and the zone districts that would implement that range would be limited to R-4, R-5 and R-8. She added that the Blended Map afforded an individual an opportunity to request a rezone to City Council for a broader range of densities.

(City) Chairman Wall asked if there was anything specifically different allowed in Residential Medium High that would not be allowed in Residential Medium. (City) Lisa Cox said that she was not sure without contemplating some of the various opportunities but the Residential Medium High was geared more for larger, multi-family developments. She said that while the Blended Map provided an opportunity to ask for a rezone to a higher density, it did not necessarily guarantee it. The burden of proof to explain why a rezone request might be appropriate would still have to be made by an applicant to City Council.

(City) Commissioner Eslami asked if the R-4, R-5 and R-8 had something to do with the height. (City) Lisa Cox said that because the character of the zone districts that would be part of the analysis if someone were to request a rezone in terms of compatibility and the neighborhood and confirmed that height could be an issue. Zone districts that permitted a higher density had a higher height allowance.

(City) Commissioner Eslami asked if there was a height restriction in each zone. (City) Lisa Cox confirmed there was a height restriction.

DISCUSSION

(City) Chairman Wall said that he thought it made great sense to organize it in this fashion.

CITY MOTION:(Commissioner Pavelka) “Mr. Chairman, on File CPA-2011-994, Grand Junction Comprehensive Plan Text Amendments to Title 31 of the Grand Junction Municipal Code, I move that the Planning Commission forward a recommendation of approval of the proposed amendments with the facts and conclusions listed in the staff report.”

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

MESA COUNTY MOTION:(Commissioner Jones) “Madame Chairman, I move the Mesa County Planning Commission continue Project 2011-0185 MP, Grand Junction Comprehensive Plan update to October 27, 2011, to consider the adoption of Resolution 2011- 07 amending the Grand Junction Comprehensive Plan.”

Commissioner Justman seconded the motion. A vote was called and the motion passed unanimously by a vote of 4 - 0.

Chairman Flynn asked for a motion to adjourn the Mesa County Planning Commission meeting.

MESA COUNTY MOTION: (Commissioner Justman) “So moved.”

Commissioner Jones seconded the motion. A vote was called and the motion passed unanimously by a vote of 4 - 0.

A short recess was taken at the conclusion of the Joint Planning Commission meeting at 6:41p.m. and the Grand Junction Planning Commission meeting was reconvened by Chairman Wall at 6:46 p.m.

4. Comprehensive Plan Future Land Use Map Amendments – Comprehensive Plan Amendment

The City of Grand Junction is proposing to amend the Grand Junction Comprehensive Plan Future Land Use Map in various areas throughout the community to resolve conflicts between the current zoning of certain parcels and the Future Land Use designations. If adopted, the proposed amendments will be reflected as changes to the Comprehensive Plan Blended Residential Land Use Categories Map.

FILE #: CPA-2011-1064
PETITIONER: City of Grand Junction
LOCATION: City wide
STAFF: Lisa Cox

STAFF’S PRESENTATION

Lisa Cox, Planning Manager, provided the Commission with a citizen comment that had been submitted that day and was not included in the Commissioner’s staff report or packets. She pointed out that the staff report included different maps from what had been presented at the Planning Commission workshop. The new maps showed the current land use designation for each property as well as the proposed land use designation. Ms. Cox presented an overview of the proposed amendments and the review process. She identified 19 areas with some being divided into sub-areas so

there were a total of 24 proposed amendments to the Comprehensive Plan Future Land Use Map.

Ms. Cox stated that the Comprehensive Plan was adopted on February 17, 2010 and that the City did not rezone property when the Comprehensive Plan was adopted. She said this was significant because new land use designations to help implement the vision of the Comprehensive Plan were adopted and applied to certain properties in the community. As a result, a conflict was created between the current zoning of some properties and the new land use designation assigned to those properties.

When developing property, the Zoning Code requires to the development to be consistent with the Comprehensive Plan Land Use Designation and with the zone district. Where those were in conflict, either a rezone was needed to be consistent with the Comprehensive Plan or an amendment would be needed to the Future Land Use Map designation.

Ms. Cox said that after analysis, the current zoning of some properties was determined to be appropriate and consistent with the vision of the Comprehensive Plan,. Staff recommended that the conflict between the Comprehensive Plan land use designation and the current zoning be corrected so that when the property was ready for development or expansion/redevelopment, the property owner would not have the burden of having to correct the land use designation. Staff hoped that the proposed amendments would facilitate opportunities for the properties to develop by resolving the conflict between the Comprehensive land use designation and the zoning. The proposed amendments would also protect the current zoning of the properties because the objective of changing the Land Use Map was to maintain the current zoning of the properties.

Ms. Cox explained the jurisdictional approval and said that the Joint Planning Commission meeting was held between the Mesa County Planning Commission and the City Planning Commission to consider potential text amendments to the Comprehensive Plan document. When a decision impacted the overall plan, the Comprehensive Plan stated that both jurisdictions would be involved in the decision-making process. However, for areas located solely within the Persigo 201 boundary the City has sole land use jurisdiction to make changes. When the City has sole jurisdiction for decision making, Mesa County is entitled to review and comment on the City's proposed changes.

Ms. Cox next went through the approval process criteria for City's land use designation changes inside the Persigo 201 area. She noted that according to the Comprehensive Plan only one of the five criteria for plan amendments had to be satisfied in order to make a change. She stated that the City may amend the Comprehensive Plan and other neighborhood plans, corridor plans and area plans if the proposed change was consistent with the vision, the goals and the policies of the Comprehensive Plan and one of the five criteria were met.

Because the City did not rezone property to be consistent with the new land use designations with the adoption of the Comprehensive Plan, there were areas of conflict between the Comprehensive Plan land use designations and the current zoning of certain property. After analysis by City staff, it was determined that the current zoning supported the goals and the policies of the Comprehensive Plan and that the proposed amendments to the Comprehensive Plan Future Land Use Map would resolve the conflict between the current zoning of the property and the new land use designations. The community would benefit from the resolution of the conflicts which would also help to facilitate development of property, therefore the final criterion for approval had been met.

Ms. Cox stated that the review and comment process had been a combined process with the proposed Comprehensive Plan text amendments. Mesa County and various review agencies had had an opportunity to review each of the proposed amendments. Because the City was the applicant, written notice was sent to individual property owners explaining the City's intent to propose an amendment to change the land use designation of property. The notice also explained the reasons for the change as well as what the review process was so that a property owner had an opportunity to communicate their interests or concerns. An Open House was also advertised where citizens and property owners could speak one-on-one with staff as well as complete a comment form.

The proposed amendments were posted on both the City and Mesa County's websites with a formal public review and comment period that was open from August 22 until September 2. Citizen comments were accepted up until the hearing this evening.

Ms. Cox said that many questions were received in one form or another (primarily email or phone calls) about how the proposed change might impact someone's property. Staff did not receive any comments of a negative nature or hear from anyone who objected to the proposed change. Ms. Cox stated that the public was advised that the changes were being proposed to protect the current zoning of their property in an effort to enhance or facilitate their ability to develop their property.

Ms. Cox stated that the proposed amendments were consistent with the goals and policies of the Comprehensive Plan and would implement the vision of the plan. Ms. Cox recommended that the Planning Commission forward a recommendation to City Council to adopt the proposed map amendments.

By way of a PowerPoint presentation, Ms. Cox reviewed each of the areas and sub-areas and identified the location, number of parcels within the area, the existing zoning and discussed the land use designation versus the current zoning. Ms. Cox provided a brief description of each area, including things such as existing neighborhoods, types of residences, types of businesses, the surrounding area and any topographical issues, as well as the reasoning for the requested amendment.

Ms. Cox then requested the Commission make a recommendation of approval to City Council on the proposed map amendments.

DISCUSSION

Commissioner Eslami stated that he appreciated the presentation and thought it was well done.

Commissioner Benoit said the changes would bring some resolution to some of the conflicts and would reduce future conflicts and create more consistency with the goals of the Comprehensive Plan.

Chairman Wall agreed and thought it made sense. He liked that the Planning Department was proactive in this approach. He said that in reading the public comments it was pretty clear that the majority, if not all, agreed with these particular items.

MOTION:(Commissioner Pavelka) “Mr. Chairman, I move that on File CPA-2011-1064, Grand Junction Comprehensive Plan Future Land Use Map Amendments to Title 31 of the Grand Junction Municipal Code, that the Planning Commission forward a recommendation of approval of the proposed amendments with the facts and conclusions listed in the staff report.”

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

General Discussion/Other Business

None.

With no objection and no further business, the public hearing was adjourned at 7:46 p.m.

**Attach 2
McDonald's CUP**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 10, 2012
PRESENTER: Lori V. Bowers

AGENDA TOPIC: McDonald's Restaurant CUP amendment - CUP-2011-1281

ACTION REQUESTED: Approval of an amended Conditional Use Permit (CUP)

BACKGROUND INFORMATION				
Location:		1212 North Avenue		
Applicants:		McDonald's Corporation, c/o King Enterprises, owner; Troy Stephenson, representative.		
Existing Land Use:		Restaurant		
Proposed Land Use:		Restaurant		
Surrounding Land Use:	North	Parking lot and Residential Duplex/Triplex		
	South	Stocker Stadium		
	East	Office and Retail		
	West	Taco John's, Cellular Store, Convenience Store		
Existing Zoning:		C-1 (Light Commercial)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	C-1 (Light Commercial) and R-16 (Residential – 16 du/ac)		
	South	CSR		
	East	C-1 (Light Commercial)		
	West	C-1 (Light Commercial)		
Future Land Use Designation:		Village Center		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request for amendment to a Conditional Use Permit to include additions to McDonalds on North Avenue in a C-1 (Light Commercial) zone.

RECOMMENDATION: Approval of the Amended Conditional Use Permit.

ANALYSIS:

1. Background

McDonald's, located at 1212 North Avenue, had a CUP approved in 1985 (file #23-85) for construction of a drive-through that was completed in 1986, and had a new CUP approved in 2004 for a second drive-through lane. McDonalds is now proposing a face lift of the existing structure, which will include a new architectural façade with a more contemporary curve lowering the "golden arches", some stone work, increased restroom size to better accommodate handicap stalls and meet ADA requirements, and an enlarged playroom area. With the minor expansion the applicant will provide a detached sidewalk along North Avenue to meet one of the goals of the North Avenue Corridor Plan. The 860 square foot expansion does not trigger any additional parking or site improvements and adequate parking and landscaping will continue to be provided on site; the renovations to the structure will not decrease the parking or landscaping.

In 1993 an agreement was entered into between the applicant and the City for the acquisition of a strip of land four feet wide on the south side, adjacent to North Avenue to allow for the construction of a right-turn lane at the intersection of North Avenue and 12th Street. In exchange the City agreed to allow a 10-foot wide landscape strip in lieu of the 14 feet previously dedicated for that purpose.

In 2004 the Zoning and Development Code required a CUP for a drive-through facility in a C-1 zoning district; a 14-foot landscape strip along all street frontages; and buffering between commercial and residential zones. The buffering requirement called for a wall along Glenwood Avenue. Due to overall site constraints (double frontage lot) the City required, as a condition of the approval, a berm with a hedge was provided on the Western most end of the site in lieu of the wall. In addition, the storage/trash enclosure near the access point on Glenwood Avenue was considered to create a wall on the Eastern most end of the site. (Normally it would have been considered a structure in the front yard setback.) These were the conditions of the 2004 CUP.

The 2010 Zoning and Development Code eliminated the requirement for a Conditional Use Permit for a drive-through in the C-1 Zoning District. The applicant requests an amendment to the CUP for this site to include the above-referenced conditions and the renovations to the structure described above.

2. Consistency with the Comprehensive Plan

The site is currently zoned C-1 (Light Commercial) with the Comprehensive Plan Future Land Use Map identifying this area as a Village Center.

3. Section 21.02.110 of the Grand Junction Municipal Code

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

(1) All applicable site plan review criteria in Section 21.02.070(g) of the Grand Junction Municipal Code (GJMC) and conformance with the SSID, TEDS and SWMM Manuals.

The site plan has been reviewed by Staff and shows that the expansion of the building meets the review criteria of the Code and the previously imposed conditions shall continue to be maintained.

(2) District Standards. The underlying zoning districts standards established in Chapter 21.03 GJMC, except density when the application is pursuant to GJMC 21.08.020(c);

The use meets the standards for the C-1 zoning district.

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

No use-specific standard apply to this application.

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

This McDonalds has been in existence since 1986. It is in close proximity to the University and other shopping and eating establishments and is across the street from Lincoln Park and the stadium.

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

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

No complaints have been received over the years regarding screening and/or buffering required under the 2004 CUP. These conditions will be maintained by the amended CUP. The structural renovations will not affect the auditory or visual impacts to the neighborhood.

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

The previously imposed screening and landscaping requirements will continue to be maintained. The proposed new additions, totaling 860 square feet, will not negatively impact the adjoining properties.

(iii) Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include; buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

The small additions and architectural upgrades to the building will remain compatible with the surrounding neighborhood. The use of the site, including parking and hours of operation, remain as they have been for the last 25 years. Site circulation is unchanged from the 2004 CUP.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the McDonald's Restaurant application, file number CUP-2011-1281 for a Conditional Use Permit, I make the following findings of fact, conclusions and conditions:

1. The requested Conditional Use Permit is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.110 of the Grand Junction Municipal have all been met.
3. As part of the Conditional Use Permit application, no changes in signage are being requested from Section 21.02.110(d) of the Grand Junction Municipal Code.
4. Conditions of approval:
 - (1) a detached sidewalk shall be installed along the North Avenue side of the property, with the approved landscaping plan provided in this application.
 - (2) Previous conditions applied to the 2004 CUP including maintaining the following: existing 10-foot wide landscape strip along North Avenue, existing berm with a hedge on the Western most end of the site, and the storage/trash

enclosure in the front-yard setback near the access point on Glenwood Avenue.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the amended Conditional Use Permit, CUP-2011-1281 with the findings, conclusions and condition of approval listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on the request for amendment to a Conditional Use Permit for McDonald's Restaurant Additions, application number CUP-2011-1281 to be located at 1212 North Avenue, I move that the Planning Commission approve the amended Conditional Use Permit with the facts, conclusions and conditions listed in the staff report.

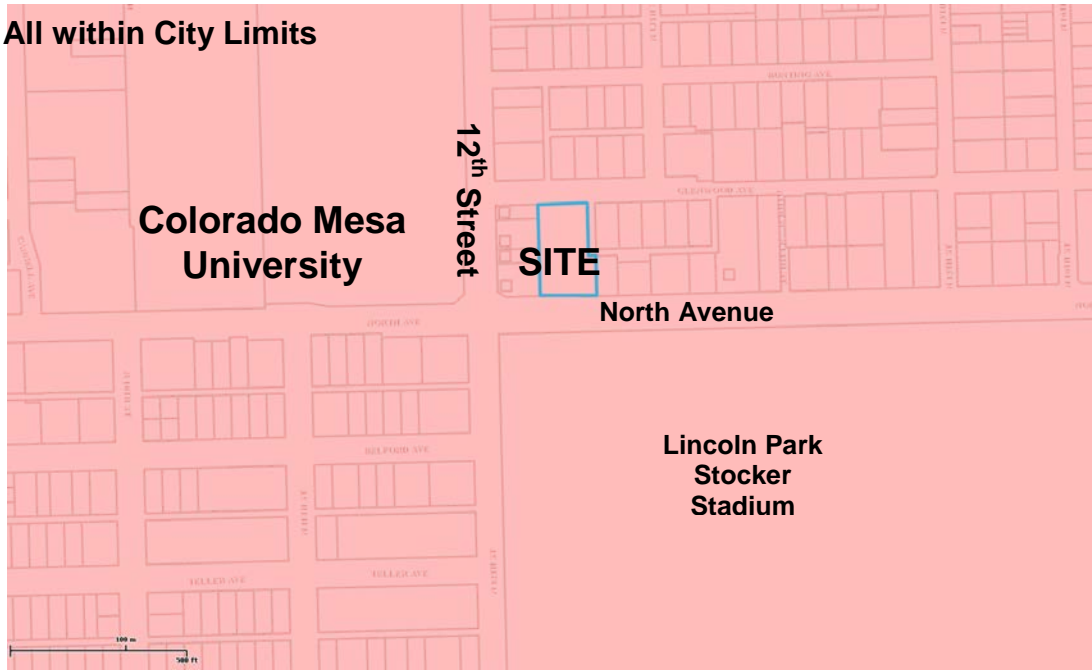
Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Site Plan

Site Location Map

McDonald's Restaurant CUP

All within City Limits



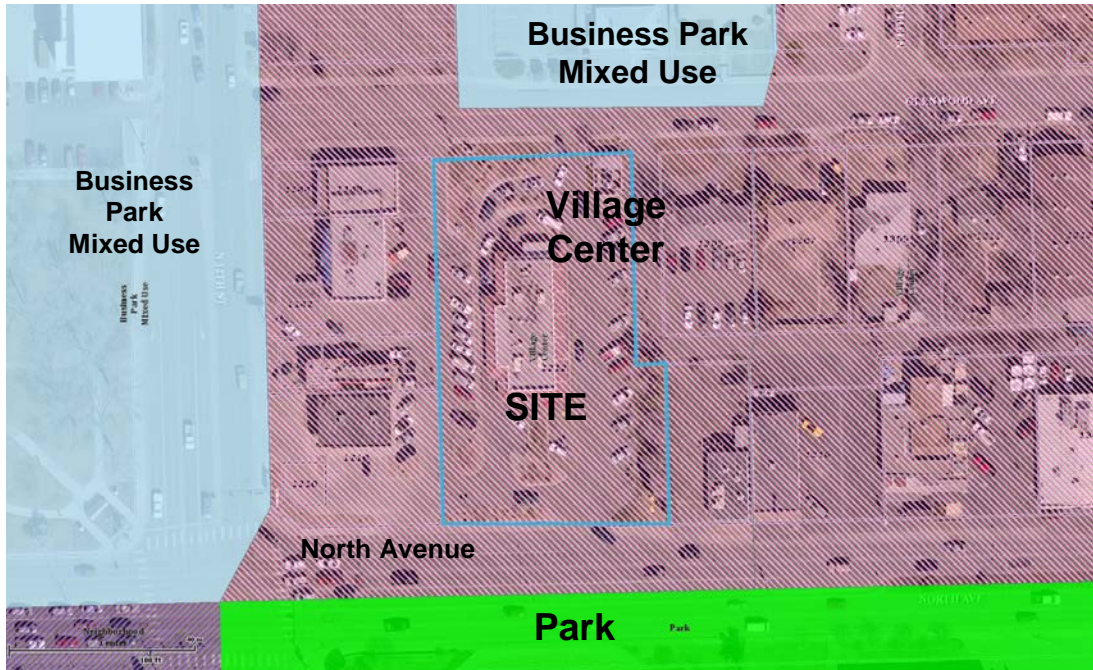
Aerial Photo Map

McDonald's Restaurant CUP



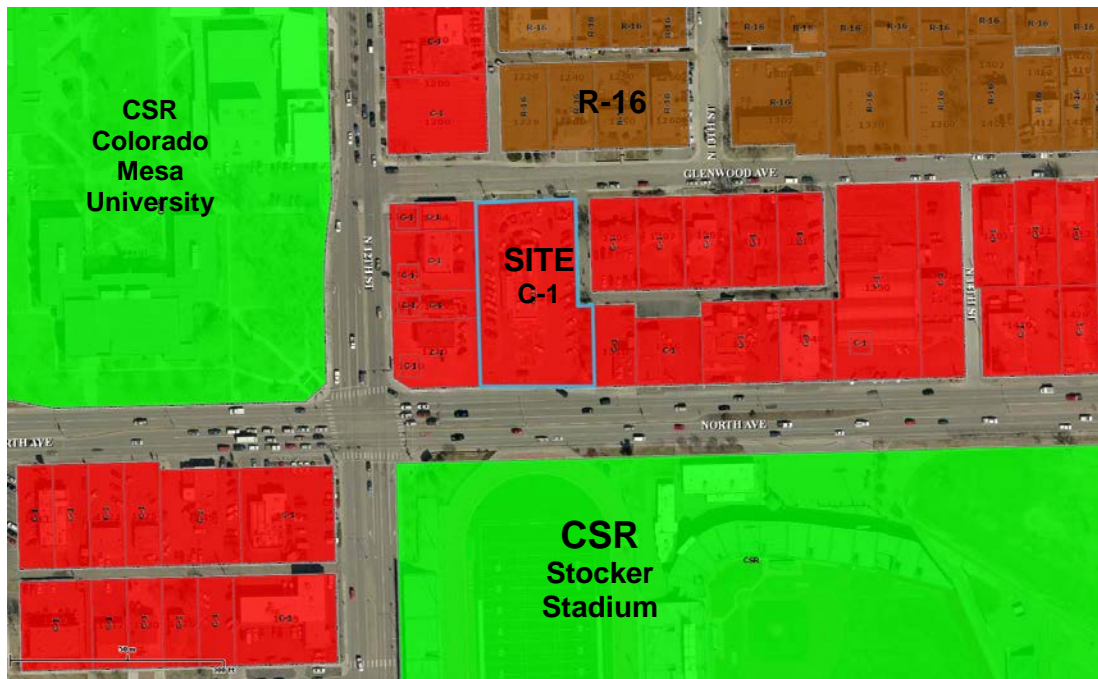
Comprehensive Plan Map

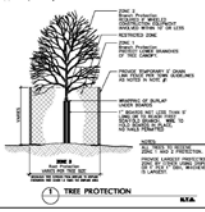
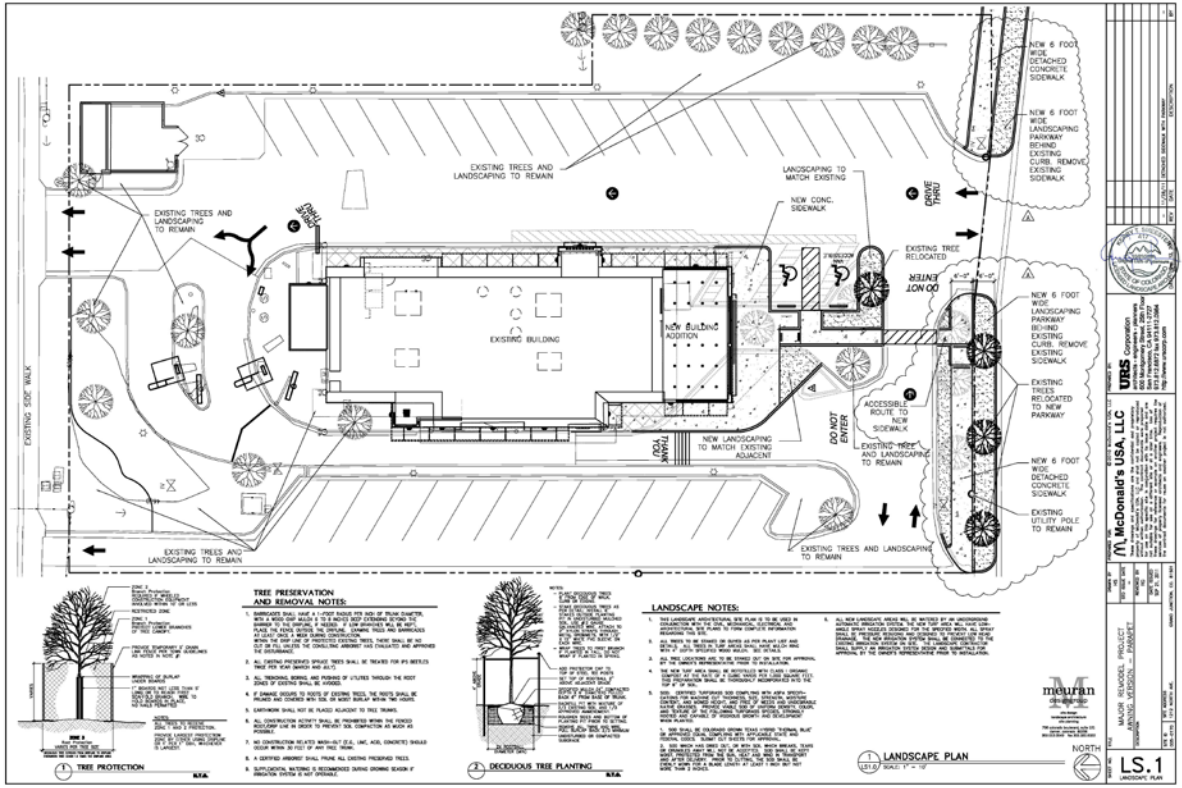
McDonalds Restaurant CUP



Existing City Zoning Map

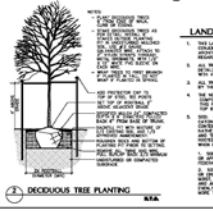
McDonald's Restaurant CUP





TREE PRESERVATION AND REMOVAL NOTES

1. REMOVAL SHALL BE PERFORMED BY A LICENSED TREE REMOVAL CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING.
2. ALL TREES TO BE REMOVED SHALL BE IDENTIFIED BY THE CONTRACTOR AND THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING.
3. ALL TREES TO BE PRESERVED SHALL BE IDENTIFIED BY THE CONTRACTOR AND THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING.
4. ALL TREES TO BE PRESERVED SHALL BE IDENTIFIED BY THE CONTRACTOR AND THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING.
5. ALL TREES TO BE PRESERVED SHALL BE IDENTIFIED BY THE CONTRACTOR AND THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING.
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LANDSCAPE NOTES

1. ALL TREES TO BE PLANTED SHALL BE IDENTIFIED BY THE CONTRACTOR AND THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL REMAINING TREES AND LANDSCAPING.
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LANDSCAPE PLAN
SCALE: 1" = 10'
NORTH

PROJECT: MCDONALD'S RESTAURANT - ADDITION
CLIENT: MCDONALD'S USA, LLC
ARCHITECT: MEURAN ARCHITECTS, INC.
DATE: 11/11/2014
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

MEURAN ARCHITECTS, INC.
1000 W. 10TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.MEURANARCHITECTS.COM

McDonald's USA, LLC
1000 W. 10TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.MCDONALDSUSA.COM

Attach 3
Text amendment to Section 21.08.020(b)(1)

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 10, 2012
PRESENTER: Lisa Cox, AICP

AGENDA TOPIC: ZCA-2011-1313 - Amendment to Zoning and Development Code, Section 21.08.020(b)(1) regarding expansion of nonconforming uses.

ACTION REQUESTED: Request a recommendation of approval to City Council of amendment to Zoning and Development Code, Section 21.08.020(b)(1).

RECOMMENDATION: Approval of the proposed amendment.

BACKGROUND:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code. City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code. This proposed amendment will enhance the responsiveness of the Zoning Code to the concerns of citizens and the development and business communities, as well as enhance its effectiveness.

The proposed amendment to Section 21.08.020(b)(1) eliminates a provision that allows no more than a 20% (based on floor or ground area) expansion of a nonconforming, nonresidential use of land. That limitation was imposed to encourage use of land in accordance with what is allowed in the applicable zone district, with the 20% figure itself being essentially arbitrary. Staff has found, however, that the ability to expand a nonconforming use where the site itself does not constrain such expansion provides a valuable tool for citizens who are not in a position to relocate and, under the current economic constraints, may also support the highest and best use of a given piece of property.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

Policy 6A: In making land use and development decisions, the City and County will balance the needs of the community.

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

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by providing to property and business owners flexibility and the opportunity to maximize use of lands containing a lawful nonconforming use.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the proposed amendments to Section 21.08.020(b)(1) (Zoning and Development Code), the following findings of fact and conclusions have been determined:

1. The proposed amendments are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

STAFF RECOMMENDATION:

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

RECOMMENDED PLANNING COMMISSION MOTIONS:

Mr. Chairman, on ZCA-2011-1313, Amendments to Section 21.08.020(b)(1) (Zoning and Development Code) I move that the Planning Commission forward a recommendation of the approval of the proposed amendments with the facts and conclusions listed in the staff report.

Attachments:

Ordinance

Section 21.08.020(b)(1) as amended – clean text

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 21.08.020(b)(1)
OF THE GRAND JUNCTION MUNICIPAL CODE**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

Section 21.08.020(b)(1) currently limits expansion of otherwise lawful nonconforming, nonresidential uses to 20% of the floor or ground area.

The Grand Junction City Council desires to encourage the highest and best use of the land within its boundaries in accordance with applicable law, and finds that allowing expansion of otherwise lawful nonconforming, nonresidential, uses without imposing an arbitrary limitation thereon, furthers that goal.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that an amendment eliminating the 20% limitation on expansion of otherwise lawful nonconforming, nonresidential uses will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

Section 21.08.020(b)(1) is amended as follows (deletions shown by strikethrough, additions are underlined):

(b) Nonresidential Uses.

(1) Expansion. In a nonresidential zone, on a parcel of land on which there exists an otherwise lawful nonconforming use, an existing structure and/or an outdoor operations/storage/display area may be expanded ~~up to 20 percent of the existing gross floor area as it existed on April 5, 2010,~~ provided all other provisions of this code are met. ~~An outdoor operations/storage/display area may be expanded by up to 20 percent beyond the area of the square footage of the operations/storage/display area as it existed on April 5, 2010, provided all other provisions of this code are met.~~ Nonconforming use shall not be expanded in any residential zoning district.

All other provisions of Section 21.08.020 shall remain in full force and effect.

INTRODUCED on first reading the 16th day of January, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

21.08.020(b)(1) [clean text]

(b) Nonresidential Uses.

(1) Expansion. In a nonresidential zone, on a parcel of land on which there exists an otherwise lawful nonconforming use, an existing structure and/or an outdoor operations/storage/display area may be expanded provided all other provisions of this code are met. Nonconforming use shall not be expanded in any residential zoning district.

Attach 4
Text amendment to Section 21.06.010(f)

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 10, 2012
PRESENTER: Lisa Cox, AICP

AGENDA TOPIC: ZCA-2011-1315 - Amendment to Zoning and Development Code, Section 21.06.010(f) regarding the requirement to install utilities underground.

ACTION REQUESTED: Request a recommendation of approval to City Council of amendment to Zoning and Development Code, Section 21.06.010(f).

RECOMMENDATION: Approval of the proposed amendments.

BACKGROUND:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code. City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code. This proposed amendment will enhance the responsiveness of the Zoning Code to the concerns of citizens and the development and business communities, as well as enhance its effectiveness.

The proposed amendment to Section 21.06.010(f) eliminates a requirement for a developer to remove overhead utilities along alleys abutting the development and install them underground, and also clarifies when underground utilities are required and when payment of a fee in lieu may be acceptable.

City Staff has determined that overhead utilities have less visual impact along alleys than they do along streets, and that it is in many instances more costly to underground utilities in or along alleys than along streets, due to the numerous local connection points of utilities along alleys.

The proposed change is also more consistent with the practice of not requiring undergrounding of utilities in the context of alley improvement districts.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

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

Policy 6A: In making land use and development decisions, the City and County will balance the needs of the community.

Policy 8F: Encourage the revitalization of existing commercial and industrial areas.

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

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by reducing the cost to developers for infill development and thereby encouraging appropriate reuse of land and revitalization of existing commercial areas, and helping to develop and enhance a healthy, diverse economy.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the proposed amendments to Section 21.06.010(f) (Zoning and Development Code), the following findings of fact and conclusions have been determined:

1. The proposed amendments are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

STAFF RECOMMENDATION:

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

RECOMMENDED PLANNING COMMISSION MOTIONS:

Mr. Chairman, on ZCA-2011-1315, Amendments to Section 21.06.010(f) (Zoning and Development Code) I move that the Planning Commission forward a recommendation of the approval of the proposed amendments with the facts and conclusions listed in the staff report.

Attachments:

Ordinance
Section 21.06.010(f) as amended – clean text

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 21.06.010(f)
OF THE GRAND JUNCTION MUNICIPAL CODE**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

Section 21.06.010(f) currently requires a developer to underground existing overhead utilities along streets and alleys that are contiguous with the development, and allows payment of a fee in lieu of undergrounding under certain circumstances.

The Grand Junction City Council finds that it is in the best interest of the community to allow overhead utilities along alleys to remain overhead.

The Grand Junction City Council desires the Zoning and Development Code's infrastructure standards to be clear so that a developer can anticipate with as much accuracy as possible costs associated with a development, and finds that the proposed amendment clarifies the requirement to install utilities underground.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that an amendment eliminating the requirement for undergrounding overhead utilities along alleys will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

Section 21.06.010(f) is amended as follows (deletions shown by strikethrough, additions underlined):

(f) Utilities. Utilities, including, but not limited to, telephone, cable, television, electric, and natural gas, shall be provided ~~by,~~ and paid for, by the developer. All utilities and shall be installed underground. ~~All existing overhead utilities along streets contiguous with the development shall be installed underground prior to street or alley surfacing or construction, except when~~ When the development has less than 700 feet of frontage along a street and/or when half street improvements are not required to be completed along the perimeter of the development as part of the project, then in the discretion of the Public Works and Planning Director has discretion to accept a payment of cash in lieu of requiring the developer to underground the existing overhead utilities ~~construction may be accepted.~~ The payment amount shall be determined as set forth in the adopted fee schedule. Necessary above-ground facilities (e.g., pedestals, transformers, and transmission lines of 50 KV capacity or greater) and temporary overhead lines may be allowed if deemed necessary by the ~~City Engineer~~ Director.

All other provisions of Section 21.06.010 shall remain in full force and effect.

INTRODUCED on first reading the 16th day of January, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Section 21.06.010(f) [clean text]

(f) Utilities. Utilities, including, but not limited to, telephone, cable, television, electric, and natural gas, shall be provided and paid for by the developer and shall be installed underground. All existing overhead utilities along streets contiguous with the development shall be installed underground prior to street construction. When the development has less than 700 feet of frontage along a street the Director has discretion to accept a payment of cash in lieu of requiring the developer to underground the existing overhead utilities. The payment amount shall be determined as set forth in the adopted fee schedule. Necessary above-ground facilities (e.g., pedestals, transformers, and transmission lines of 50 KV capacity or greater) and temporary overhead lines may be allowed if deemed necessary by the Director.

**Attach 5
Rezone Area 14**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 10, 2012
PRESENTER: Brian Rusche, Senior Planner

AGENDA TOPIC: Area 14 Rezone - (RZN-2011-1148)

ACTION REQUESTED: Recommendation to City Council to rezone two (2) parcels located at 355 29 Road and 2892 River Street from an R-2 (Residential 2 dwelling units/acre) to an R-4 (Residential 4 dwelling units/acre) zone district.

BACKGROUND INFORMATION				
Location:		355 29 Road and 2892 River Street (aka C ½ Road)		
Applicants:		City of Grand Junction		
Existing Land Use:		Single Family, Undeveloped		
Proposed Land Use:		No changes to land use(s) proposed		
Surrounding Land Use:	North	Single Family		
	South	Agricultural		
	East	Single Family and Agricultural		
	West	Single Family and Agricultural		
Existing Zoning:		R-2 (Residential 2 du/ac)		
Proposed Zoning:		R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	County RSF-R (Residential Single-Family Rural)		
	South	R-2 (Residential 2 du/ac) County RSF-R (Residential Single-Family Rural)		
	East	R-2 (Residential 2 du/ac) County RSF-R (Residential Single-Family Rural)		
	West	County RSF-R (Residential Single-Family Rural)		
Future Land Use Designation:		Residential Medium		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone approximately 5.939 acres, located at 355 29 Road and 2892 River Street, from R-2 (Residential 2 dwelling units/acre) zone district to R-4 (Residential 4 dwelling units/acre) zone district.

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background

The subject property was annexed into the City of Grand Junction on April 18, 1999 when the Weaver Annexation No. 2 became effective. A subsequent subdivision of the property that same year, known as the Weaver Minor Subdivision, created four lots ranging from 0.5 to 4.56 acres. Lot 1 and Lot 4 of the subdivision are included in the requested rezone.

At the time of their annexation, the property was designated as Residential Medium Low (RML) under the 1996 Growth Plan, which anticipated between 2 and 4 dwelling units per acre. The zoning assigned to the property upon annexation was R-2 (Residential 2 du/ac). The RML designation was reaffirmed in the Pear Park Neighborhood Plan, which was adopted in 2005.

In 2010, the Comprehensive Plan was adopted. The Comprehensive Plan anticipated the need for additional dwelling units based on historic and projected population growth. The adopted Comprehensive Plan – Future Land Use Map changed the designation along the west side of 29 Road to Residential Medium (4-8 du/ac). Refer to the Comprehensive Plan map included in this report.

After adoption of the Comprehensive Plan, it became apparent that there were areas around the City that had conflicts between the Future Land Use designation of the Comprehensive Plan and the respective zone districts associated with the properties. Each area was evaluated to determine what the best course of action would be to remedy the discrepancy.

The requested rezone of Lot 1 and Lot 4 from R-2 to R-4 will bring these two properties into conformance with the Future Land Use designation of Residential Medium. The proposed R-4 zone is also consistent with the Future Land Use designation of Residential Medium Low, which includes Lot 2 and Lot 3 along the north side of C ½ Road.

Property owners were notified of the proposed zone change via a mailed letter and invited to an open house to discuss any issues, concerns, suggestions or support. The open house was held on November 9, 2011. No comment sheets were received regarding the Area 14 proposal. At the open house, one citizen residing on the east side of 29 Road inquired about future annexation(s) along 29 Road.

A representative of the church who owns Lot 4 inquired about future use of the property. Religious Assembly is permitted in the proposed R-4 zone district. The owner of Lot 3 (2896 River Street) also called about the request.

One e-mail has been received and is attached to this report, expressing concern over future development of the property and the proximity of high-voltage overhead power running through the subdivision.

2. Section 21.02.140(a) of the Grand Junction Municipal Code:

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a) as follows:

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

Response: The 2010 adoption of the Comprehensive Plan designated the Future Land Use for these two properties as Residential Medium (4-8 du/ac), rendering the existing R-2 (Residential 2 du/ac) inconsistent. The proposed rezone to R-4 (Residential 4 du/ac) will resolve this inconsistency.

This criterion has been met.

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

Response: Although the effects have yet to be measured, a new bridge on 29 Road opened in November 2011, connecting North Avenue and points north to the Pear Park area and south to US Highway 50 on Orchard Mesa. It is anticipated that this new bridge will change the predominant north/south traffic pattern and, as a result, bring more vehicles onto 29 Road adjacent to these properties. Future development within this corridor will provide opportunity for additional housing, as anticipated by the 2010 Comprehensive Plan.

This criterion has been met.

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

Response: C ½ Road is a minor collector serving the Pear Park neighborhood west of 29 Road. 29 Road is a principal arterial which provides access to significant east/west corridors including Riverside Parkway/D Road, the I-70 Business Loop, North Avenue and Patterson Road to the north and south to B ½ Road and extending to US Highway 50 on Orchard Mesa.

Adequate infrastructure exists in both 29 Road and C ½ Road to accommodate, with upgrades as necessary, additional residential density.

This criterion can be met.

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

Response: The Pear Park neighborhood has historically seen significant residential development, with an anticipated population of about 22,000 people, according to the Pear Park Plan. There is approximately 47 acres of undeveloped land on Pear Park (28 Road to 32 Road between the railroad and the Colorado River) within the city limits currently zoned R-4. The majority of residentially zoned property on Pear Park is R-8 (Residential 8 du/ac).

This criterion is met.

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

Response: The proposed R-4 zone district will provide the opportunity for additional density along an established corridor in an urbanizing area of the valley. Additional density allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 14 Rezone, RZN-2011-1148, a request to rezone the properties from an R-2 (Residential 2 dwelling units/acre) zone district to an R-4 (Residential 4 dwelling units/acre) zone district, the following findings of fact and conclusions have been determined:

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

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2011-1148, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone, RZN-2011-1148, I move that the Planning Commission forward a recommendation of the approval for the Area 14 Rezone from R-2 (Residential 2 dwelling units/acre) to R-4 (Residential 4 dwelling units/acre) with the findings of fact and conclusions listed in the staff report.

Attachments:

Site Location Map

Aerial Photo Map

Future Land Use Map

Existing City and County Zoning Map

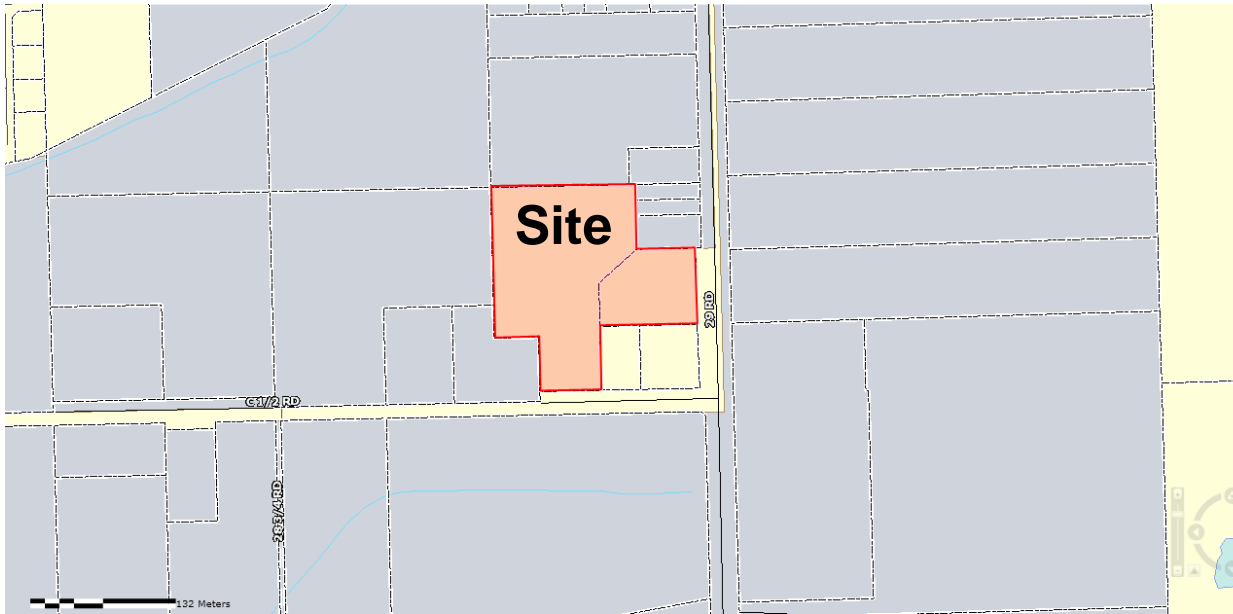
Blended Residential Map

E-mail from adjacent property owner

Proposed Ordinance

Site Location Map

Figure 1



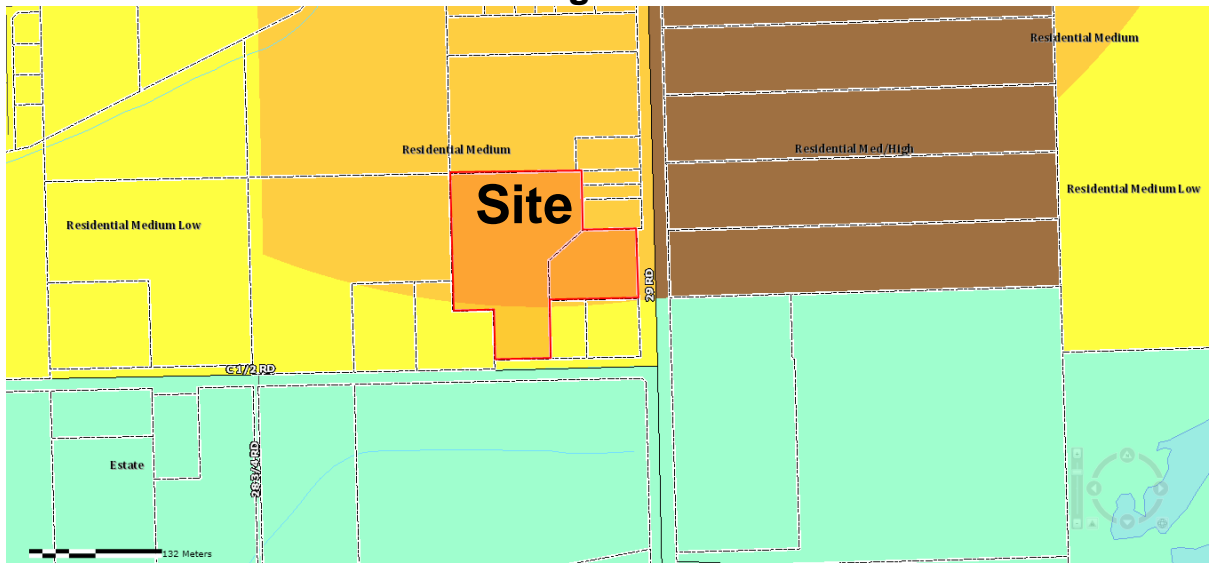
Aerial Photo Map

Figure 2



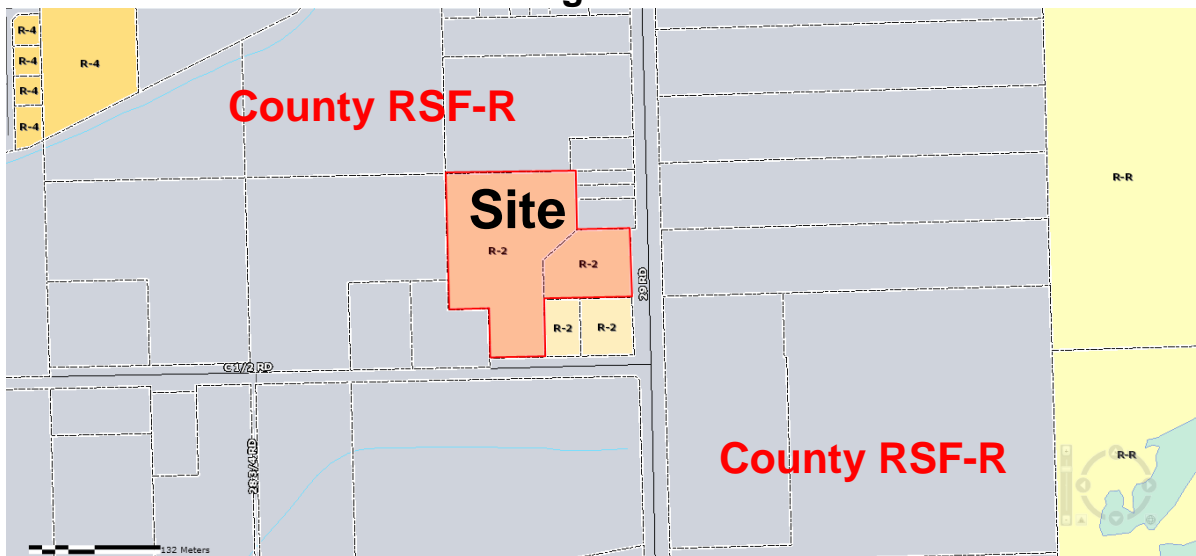
Comprehensive Plan Map

Figure 3



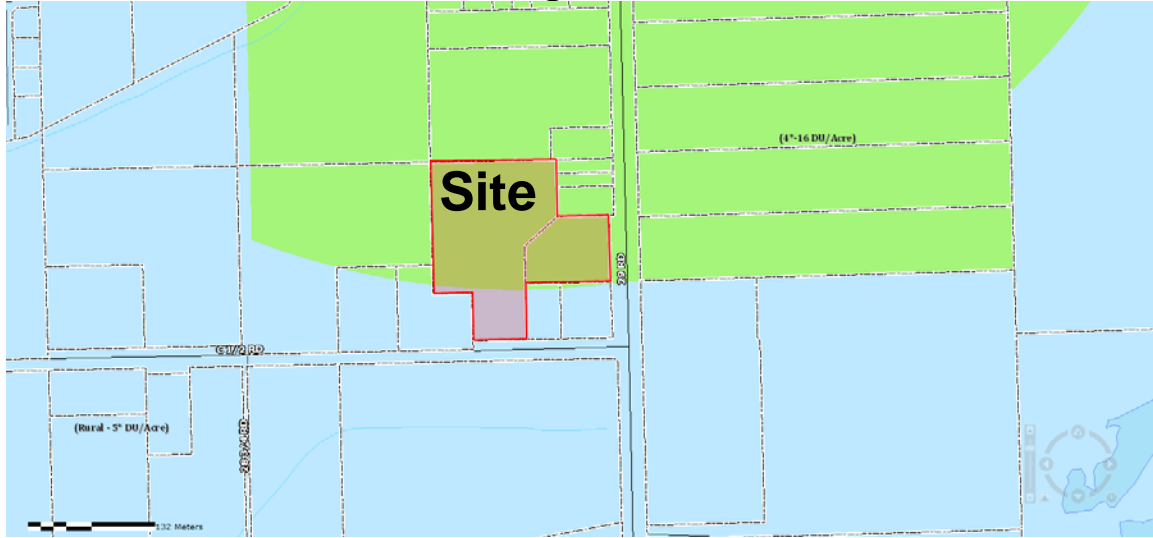
Existing City and County Zoning Map

Figure 4



Blended Map

Figure 5



From: Brian Rusche
To: Aspen Hawk
Date: 12/5/2011 11:05 AM
Subject: Re: RZN-2011-1148 Blue Polygon

Lynn,

Thank you for your interest in the above referenced project.

I believe we already spoke about this request, but I wanted to follow-up your e-mail.

I did not have an opportunity to review the study you are referencing, but I did contact Xcel Energy for some information.

It appears that the line you are referencing is a 69 kW line. Easements are created where possible under these high voltage lines, with the size increasing as the voltage increases. This line currently has a 40' easement, according to the Weaver Minor Subdivision plat, which I have attached.

According to Xcel, EMF studies have shown no valid correlation between high voltage and cancer. Furthermore, while the voltage within a building is typically lower, there is usually more EMF, due to proximity. If you have questions about this information, please contact Fred Eggleston with Xcel.

The proposed rezone does not compel the owner(s) of the property to develop and no development is proposed at this time. Should development be considered for these properties, the review of that development would include a referral to Xcel to determine if there are any impacts.

You may still provide comments prior to the Planning Commission hearing on this request, which is scheduled for January 10, 2012.

If you have any further questions, please contact me.

Sincerely,

Brian Rusche
Senior Planner
City of Grand Junction
Public Works and Planning
(970) 256-4058

>>> "Aspen Hawk" <aspen-hawk@usa.net> 11/3/2011 9:12 AM >>>

I could not copy it but the study shows that living 600 meters from high tension wires is a risk for all. I can mail the study if you would like or go to Google health hazards from high tension wires. It is on the first page; I do not have time to research now because I have to go to work. The Institute of World Health had lots of studies years ago about all types of nasty problems from the wires. Does the City really want to be responsible for setting this up for residents. One would wonder who would be responsible for the health problems if the City knew in advance about the risks.

I received a card last night in the mail giving me today to reply. Rather short notice I would say.

Lynn Vransy
365 29 Road
245-6408

Asian Pac J Cancer Prev. 2010;11(2):423-7.
Living near overhead high voltage transmission power lines as a risk factor for childhood acute lymphoblastic leukemia: a case-control study.
Sohrabi

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING PROPERTIES
LOCATED AT 355 29 ROAD AND 2892 RIVER STREET
FROM AN R-2 (RESIDENTIAL 2 DWELLING UNITS/ACRE) TO
AN R-4 (RESIDENTIAL 4 DWELLING UNITS PER ACRE) ZONE DISTRICT**

Recitals.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of rezoning the properties located at 355 29 Road and 2892 River Street from an R-2 (Residential 2 dwelling units/acre) to an R-4 (Residential 4 dwelling units/acre) zone district for the following reasons:

The zone district meets the recommended land use category of Residential Medium, as shown on the Future Land Use map of the Comprehensive Plan, and the Comprehensive Plan's goals and policies.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the **R-4** zone district to be established.

The Planning Commission and City Council find that the **R-4** zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned R-4 (Residential 4 du/ac):

LOT 1 AND LOT 4 OF WEAVER MINOR SUBDIVISION

See attached map.

INTRODUCED on first reading the ____ day of _____, 2012 and ordered published in pamphlet form.

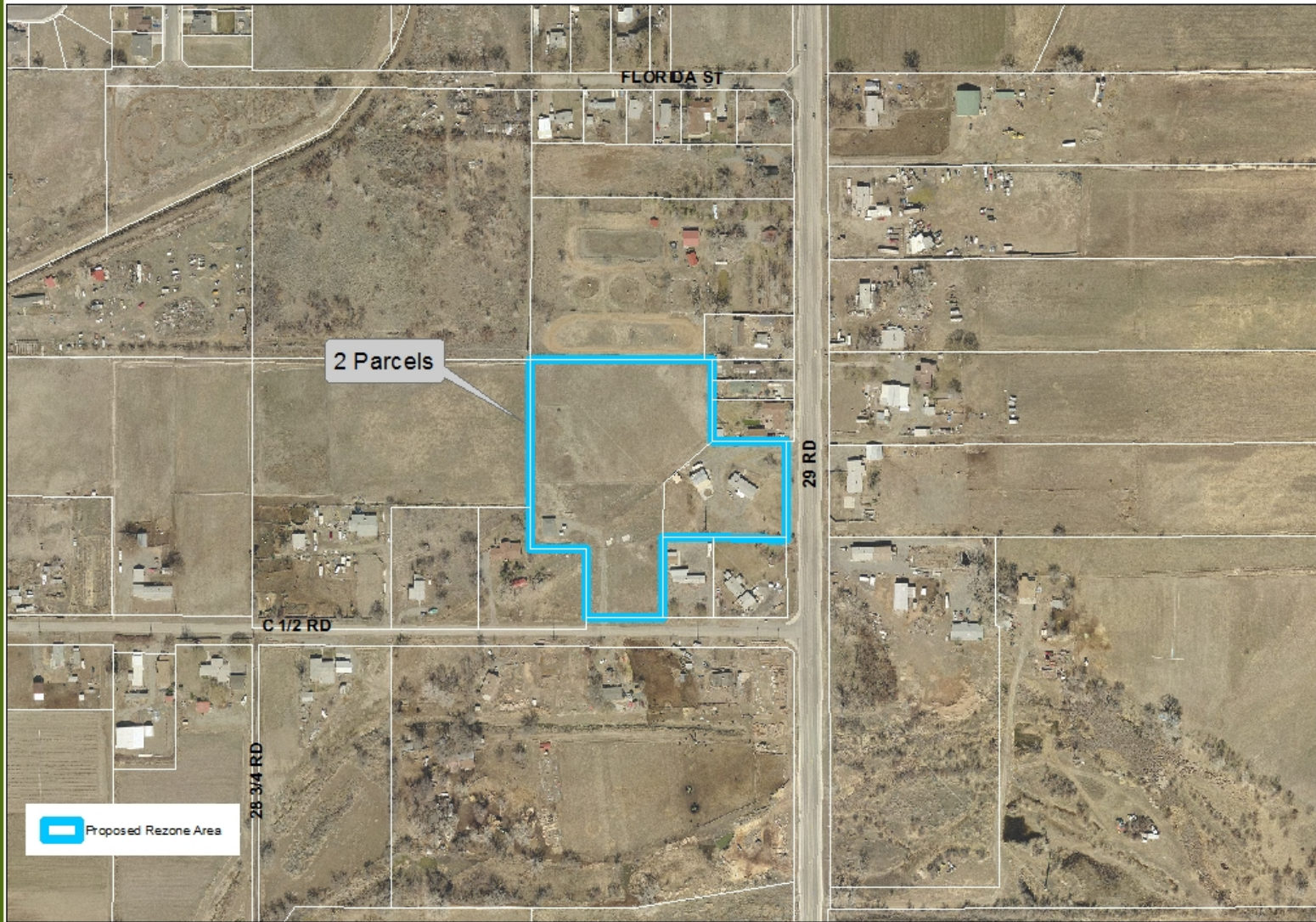
PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Proposed Rezone - Area 14



Rezone Area from R-2 (2 units/acre) to R-4 (2-4 units/acre)

**Attach 6
Rezone Area 7**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 10, 2012
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Area 7 - Nellie Bechtel Apartments Rezone – (RZN-2011-1157)

ACTION REQUESTED: Recommendation to City Council to rezone property located at 3032 N 15th Street from R-8 (Residential – 8 units per acre) to R-24 (Residential - 24 units per acre).

BACKGROUND INFORMATION				
Location:		3032 N 15 th Street		
Applicant:		City of Grand Junction		
Existing Land Use:		Apartments		
Proposed Land Use:		No change		
Surrounding Land Use:	North	Single-family residence and Church		
	South	Assisted living		
	East	Assisted living		
	West	Single-family residential		
Existing Zoning:		R-8 (Residential – 8 units per acre)		
Proposed Zoning:		R-24 (Residential – 24 units per acre)		
Surrounding Zoning:	North	R-8 (Residential – 8 units per acre)		
	South	PD (Planned Development)		
	East	PD (Planned Development)		
	West	R-8 (Residential – 8 units per acre)		
Future Land Use Designation:		Residential High Mixed Use (16-24 dwelling units per acre)		
Zoning within density range?			Yes	X No

PROJECT DESCRIPTION: A request to rezone approximately 4.753 acres, located at 3032 N 15th Street, from R-8 (Residential – 8 units per acre) zone district to R-24 (Residential – 24 units per acre) zone district.

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background:

The subject parcel was annexed into the City in 1972 as part of the 250 acre North Peach annexation. The apartments were constructed in 1983. There are 13 buildings on site that contain 96 apartments. This calculates out to a density of 19.35 dwelling units per acre. The current zoning is R-8. The proposed zoning of R-24 will bring the site into conformance with the zone designation and bring the zoning in line with the Comprehensive Plan for this area which is Residential High Mixed Use (16 – 24 units per acre).

The Comprehensive Plan adopted in 2010 took into account the need for additional dwelling units based on historic and projected population growth. The adopted Comprehensive Plan – Future Land Use Map changed the designation for this property to Residential High Mixed Use (16-24 du/ac.). Please refer to the Comprehensive Plan map included in this report.

After the Comprehensive Plan was adopted, it became apparent that the zoning of many properties were in conflict with the new Future Land Use designations. Many of these properties were grouped together in larger areas of the City; however, some conflicting areas were made up of isolated parcels. Each area or property has been or is being evaluated to determine what the best course of action would be to remedy the conflict. The R-8 zone district is not allowed in areas designated as Residential High Mixed Use on the Comprehensive Plan Future Land Use Map; also, the existing developed density exceeds that allowed in the R-16 zone. To bring the existing density into conformance with the zoning and the Future Land Use designation, it is proposed that the property be rezoned to R-24.

All affected property owners were notified of the proposed change via a mailed letter and invited to an open house to discuss any issues, concerns, suggestions or support. The open house was held on November 9, 2011. There were only a couple of questions relating to this property and those were concerned with increased traffic and the potential for Hilltop to purchase the property and increase the density. A letter of opposition is also attached to this report for review. The Secretary for the Nellie Bechtel Apartments, Inc. sent a letter in support of the rezone as it would eliminate the present nonconformity of the property.

2. Section 21.02.140 of the Grand Junction Municipal Code

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

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

Response: The 2010 adoption of the Comprehensive Plan designated the Future Land Use for these two properties as Residential High Mixed Use (16-24 du/ac), rendering the existing R-8 (Residential 8 du/ac) in conflict with the Future Land Use designation. The proposed rezone to R-24 (Residential 24 du/ac) will resolve this conflict. Approval of the R-24 zone will also alleviate the conflict between the existing density and the existing zoning.

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

Response: The subject parcel is now under-zoned such that the sites and densities are nonconforming. If the structures were destroyed by fire, for example, they could not be re-built to the present because the current zoning would not allow it. Rezoning the property will relieve the nonconformity.

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

Response: The existing parcel is currently adequately served and there is no change of use proposed at this time.

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

Response: N/A

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

Response: The benefit to the community is consistency between the Zoning Map and the Comprehensive Plan; the property will be zoned to suit the actual density of the existing apartments.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Nellie Bechtel Apartments Rezone, RZN-2011-1157, a request to rezone the property from R-8 (Residential -8 units per acre) to R-24 (Residential – 24 units per acre), the following findings of fact and conclusions have been determined:

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

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2011-1157, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

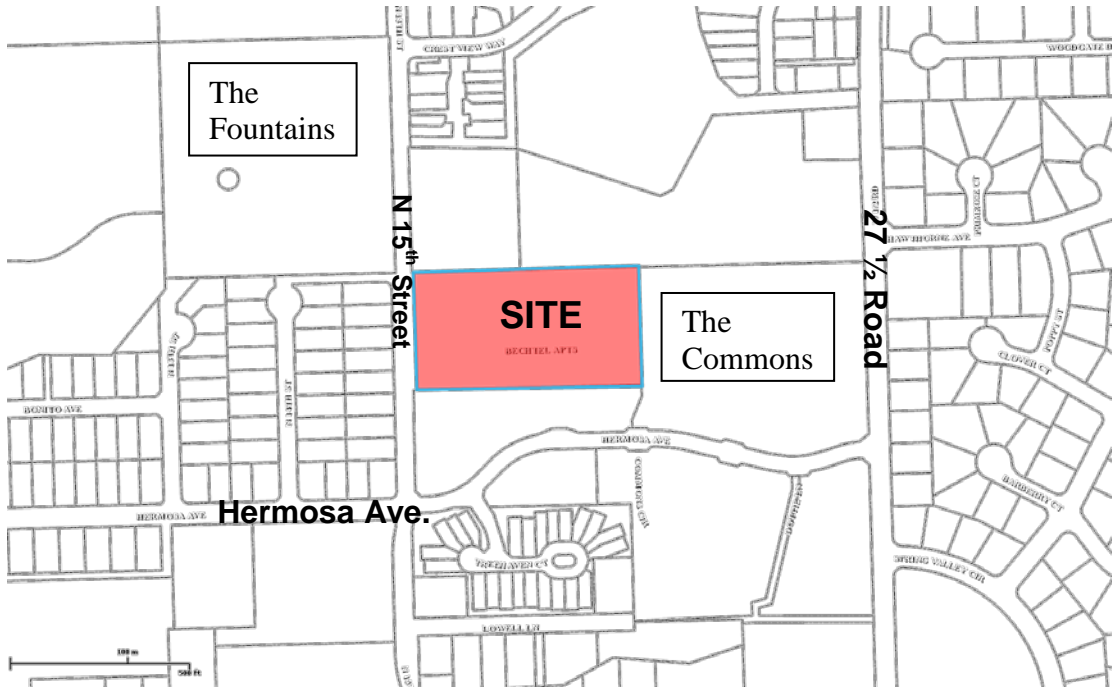
Mr. Chairman, on Rezone, RZN-2011-1157, I move that the Planning Commission forward a recommendation of the approval for the Nellie Bechtel Apartments Rezone from R-8 to R-24 with the findings of fact and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Blended Land Use Map
Letter of opposition
Ordinance

Site Location Map

3032 N 15th Street



Aerial Photo Map

3032 N 15th Street



Comprehensive Plan Map

3032 N 15th Street



Existing City Zoning Map

3032 N 15th Street



Blended Land Use Map

3032 N 15th Street



From: Mike Rarden <mrarden@qwest.net>
To: <lorib@gjcity.org>
Date: 11/8/2011 3:05 PM
Subject: RZN-2011-1157 -Nellie Bechtel Apartments-Opposed to Rezone
Attachments: IMG_1175.jpeg; Part.002

City of Grand Junction
Attn: Lori Bowers and Grand Junction City Council
Planning Division
250 N. 5th Street
Grand Junction, CO 81501

RE: RZN-2011-1157-Nellie Bechtel Apartments Rezone-3032 N. 15th Street from R-8 to R-24 Zone District

We are adamantly opposed to this rezone. We live at 3031 N. 15th Street. Our driveway is directly across the street from the entrance going into and out of Nellie Bechtel, as you can see in the photo below which was taken from the center of our driveway.



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE NELLIE BECHTEL APARTMENTS
FROM R-8 (RESIDENTIAL – 8 UNITS PER ACRE) TO
R-24 (RESIDENTIAL – 24 UNITS PER ACRE)**

LOCATED AT 3032 N 15TH STREET

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Nellie Bechtel Apartments property from R-8 (Residential – 8 units per acre) to the R-24 (Residential – 24 units per acre) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan as Residential High Mixed Use (16-24 dwelling units per acre), and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-24 zone district to be established.

The Planning Commission and City Council find that the R-24 zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned R-24 (Residential – 24 units per acre).

LOT 1 NELLIE BECHTEL GARDENS SEC 1 1S 1W INC VAC ROW AS DESC IN B-
4810 P-294 RECP NO 2479396 MESA CO RECDS - 4.75AC

Introduced on first reading this _____ day of _____, 2012 and ordered published.

Adopted on second reading this _____ day of _____, 2012.

ATTEST:

City Clerk

Mayor

**Attach 7
Rezone Area 3**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 10, 2012
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Area 3 Rezone – (RZN-2011-1188)

ACTION REQUESTED: Recommendation to City Council to rezone three properties located in the area of 25 ½ Road, G Road and F ½ Road from R-R, (Residential – Rural) to R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac).

BACKGROUND INFORMATION				
Locations:		708 25 ½ Road; 2543 G Road; 2522 F ½ Road		
Applicant:		City of Grand Junction		
Existing Land Use:		Single-Family Residential detached		
Proposed Land Use:		N/A		
Surrounding Land Use:	North	Single-Family Residential detached and Church		
	South	Single-Family Residential detached and Century Link office warehouse/shop facility		
	East	Single-Family Residential detached		
	West	Single-Family Residential detached and Church		
Existing Zoning:		R-R, (Residential – Rural)		
Proposed Zoning:		R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac)		
Surrounding Zoning:	North	PD, Planned Development (4.2 +/- du/ac – Diamond Ridge Subdivision) and R-4, (Residential – 4 du/ac)		
	South	R-4, (Residential – 4 du/ac); R-5, (Residential – 5 du/ac); PD, Planned Development (2.3 +/- du/ac – Moonridge Falls Subdivision) and I-O, (Industrial Office)		
	East	PD, Planned Development (4.01 +/- du/ac - Westwood Ranch Subdivision) and R-2, (Residential – 2 du/ac)		
	West	PD, Planned Development (4.2 +/- du/ac – Diamond Ridge Subdivision) and R-4, (Residential – 4 du/ac)		
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone approximately 7.8 acres, located at 708 25 ½ Road; 2543 G Road and 2522 F ½ Road, from R-R, (Residential - Rural) to R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac).

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background:

In 2010, the Comprehensive Plan was adopted. The Comprehensive Plan anticipated the need for additional dwelling units based on historic and projected population growth. The adopted Comprehensive Plan – Future Land Use Map changed the designation in this area to Residential Medium (4-8 du/ac). Refer to the Comprehensive Plan maps included in this report.

After the Comprehensive Plan was adopted it became apparent that the zoning of many properties were in conflict with the new Future Land Use designation. These conflicts were created because the zoning did not match the Future Land Use designation. Many of these properties were grouped together in specific areas of the City. However, isolated properties were also in conflict with the Future Land Use designation. Each area or property has been or is being evaluated to determine what the best course of action would be to remedy the conflict. For the properties which are the subject of this report, Staff recommends rezoning to R-4 and R-8.

All three property owners were notified of the proposed rezone change via mail and invited to an Open House which was conducted on November 9, 2011 to discuss any issues, concerns, suggestions or support for the rezone request. Two of the three property owners gave verbal support of the proposed rezone. Two adjacent property owners submitted a letter and an email opposing the proposed rezone (see attached). Several other individuals contacted planning staff voicing opposition to the proposed rezone due to their concerns that the rezone will result in increased traffic and/or density.

2. Section 21.02.140 of the Grand Junction Zoning and Development Code:

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

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

Response: The three parcels are currently zoned R-R, (Residential - Rural), however the Comprehensive Plan Future Land Use Map identifies these properties as Residential Medium (4 – 8 du/ac). The existing zoning is not in compliance with the Future Land Use Map, therefore, the proposed rezone to R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac) will bring these properties into compliance with the Future Land Use Map.

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

Response: The character of the area has changed over the years with the development of adjacent higher density residential subdivisions. Therefore, the proposed rezone will bring these properties into compliance with the Future Land Use Map and allow development to occur at a density that would be in character with the area.

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

Response: Adequate public facilities and services are currently available to serve the existing properties. Ute Water and City Sewer are located in all rights-of-way serving the properties. Any future residential subdivision development for the property at 708 25 ½ Road would, however, require additional street improvements to 25 ½ Road, which under the current Zoning and Development Code would be provided by the developer.

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

Response: The Comprehensive Plan process identified the need for more residential density for this area. The proposed zoning requests bring these three properties into conformance with the Comprehensive Plan Future Land Use Map designation.

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

Response: The proposed rezones to R-4 and R-8 from R-R will provide the opportunity to develop these properties at a density that matches the current zoning on adjacent properties. Higher densities allow for more efficient use of City services and infrastructure, minimizing costs to the City and also the community.

The proposed rezones will also alleviate and resolve the current conflict between the zoning designation and the Comprehensive Plan Future Land Use Map classification.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 3 Rezone, RZN-2011-1188, a request to rezone three properties totaling 7.8 +/- acres, located at 708 25 ½ Road; 2543 G Road and 2522 F ½ Road, from R-R, (Residential - Rural) to R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac), the following findings of fact and conclusions have been determined:

1. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2011-1188, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone, RZN-2011-1188, I move that the Planning Commission forward a recommendation of approval for the Area 3 Rezone of three properties totaling 7.8 +/- acres, located at 708 25 ½ Road; 2543 G Road and 2522 F ½ Road, from R-R, (Residential - Rural) to R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac), with the findings of fact and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Blended Residential Map
Existing City Zoning Map
Adjacent Property Owner Correspondence
Ordinance

Site Location Map – 708 25 ½ Road

Figure 1



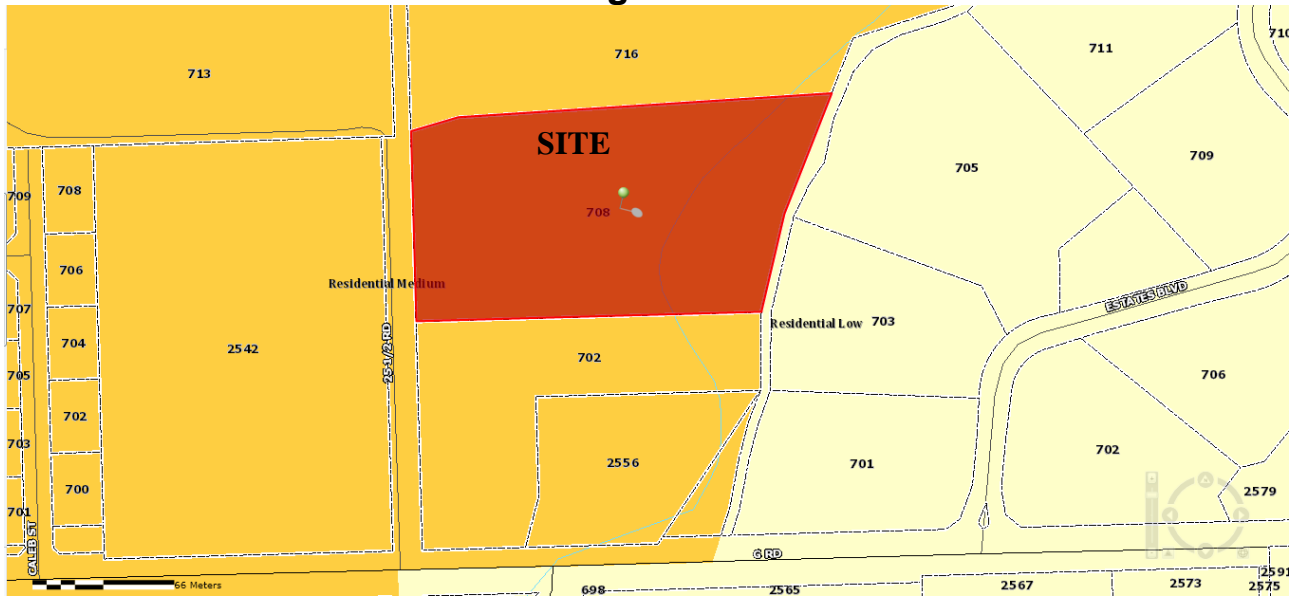
Aerial Photo Map – 708 25 ½ Road

Figure 2



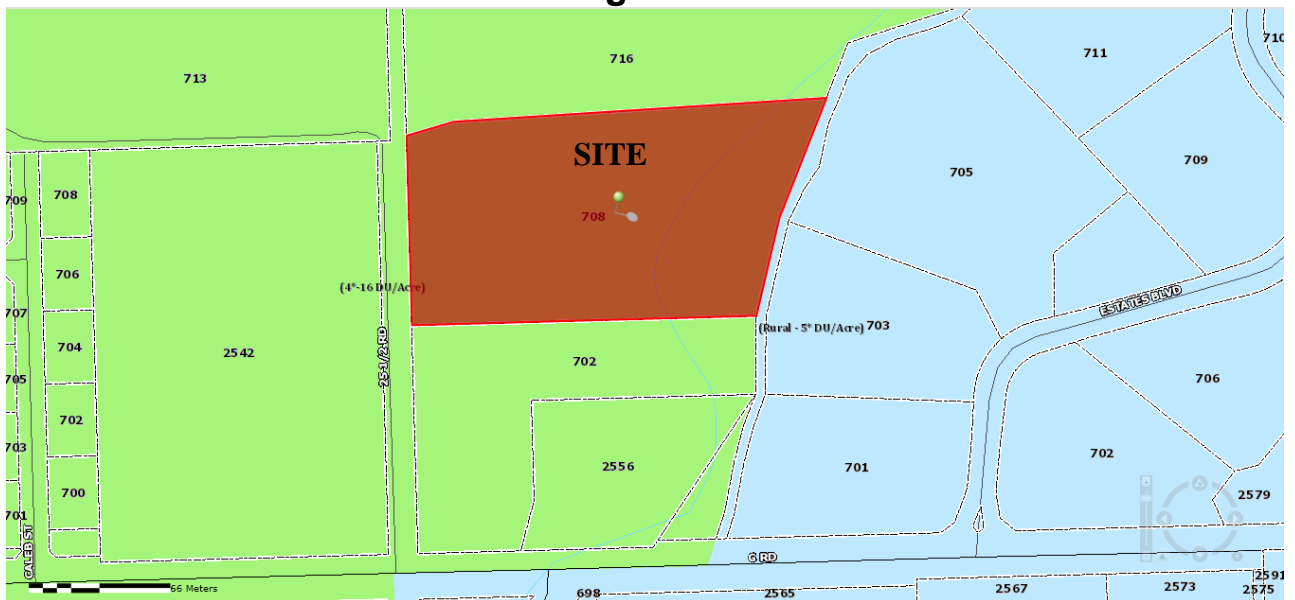
Comprehensive Plan – 708 25 ½ Road

Figure 3



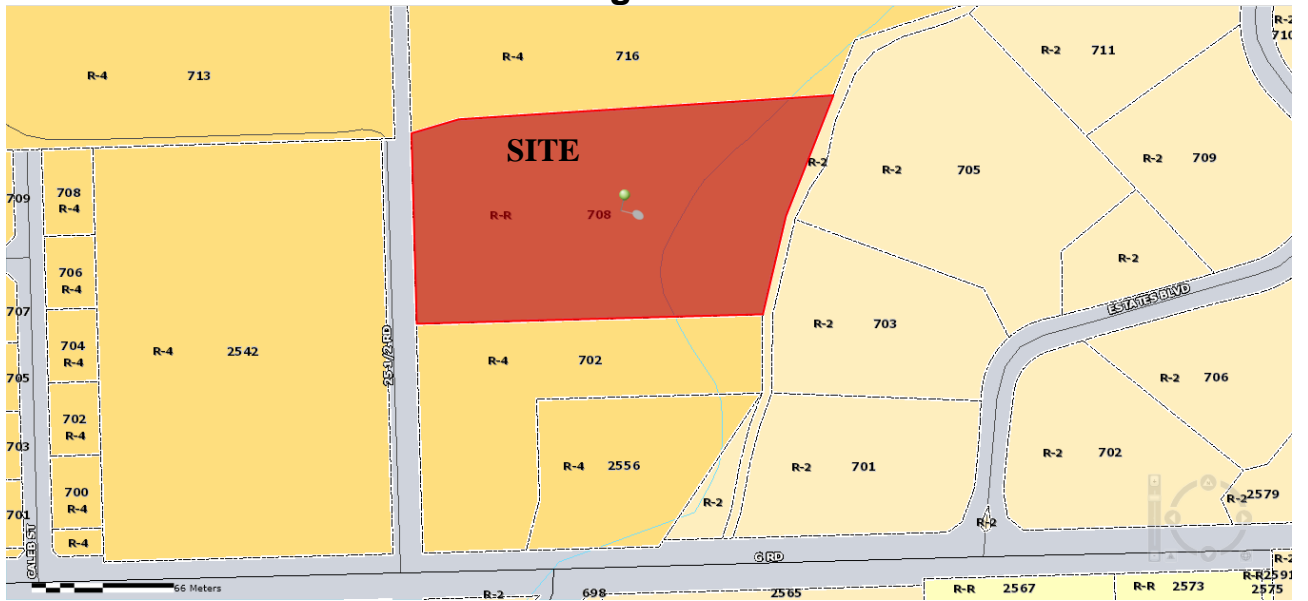
Blended Residential Map – 708 25 ½ Rd.

Figure 4



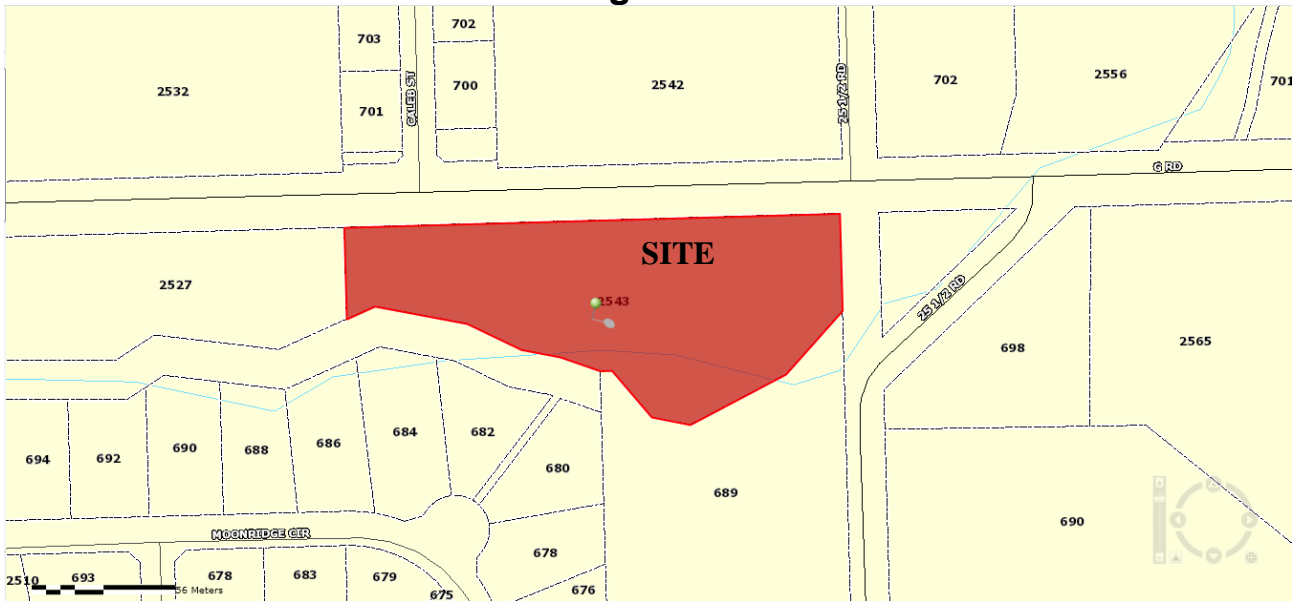
Existing City Zoning – 708 25 ½ Rd.

Figure 5



Site Location Map – 2543 G Road

Figure 1



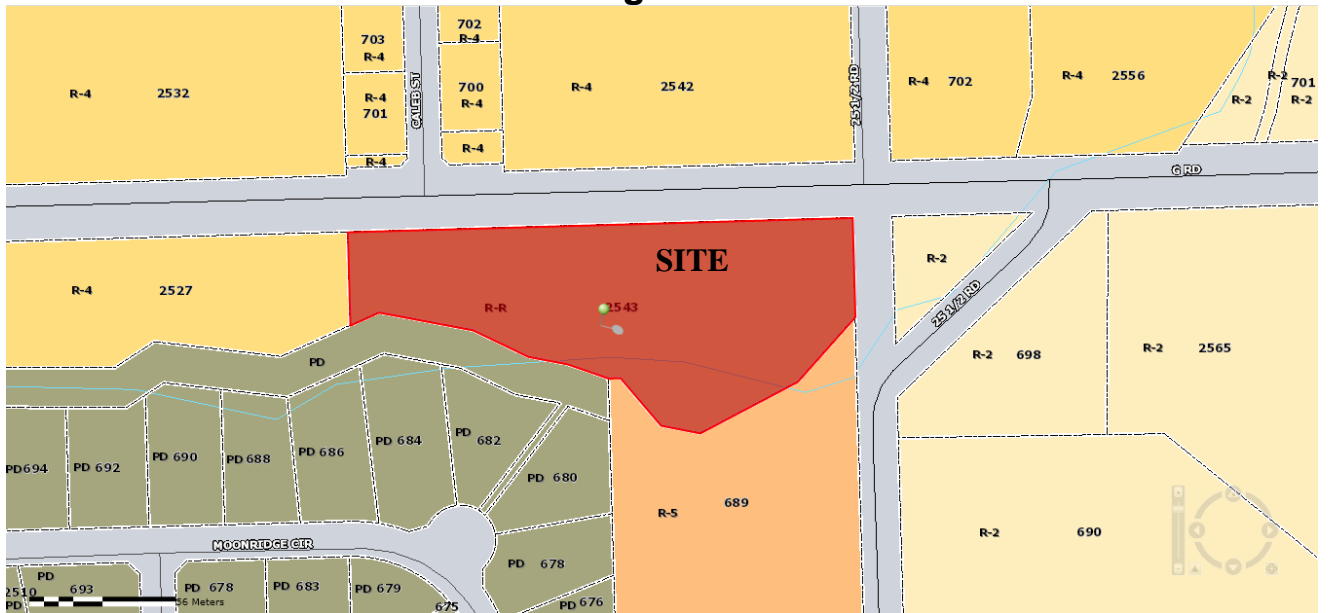
Aerial Photo Map – 2543 G Road

Figure 2



Existing City Zoning – 2543 G Road

Figure 5



Site Location Map – 2522 F ½ Road

Figure 1



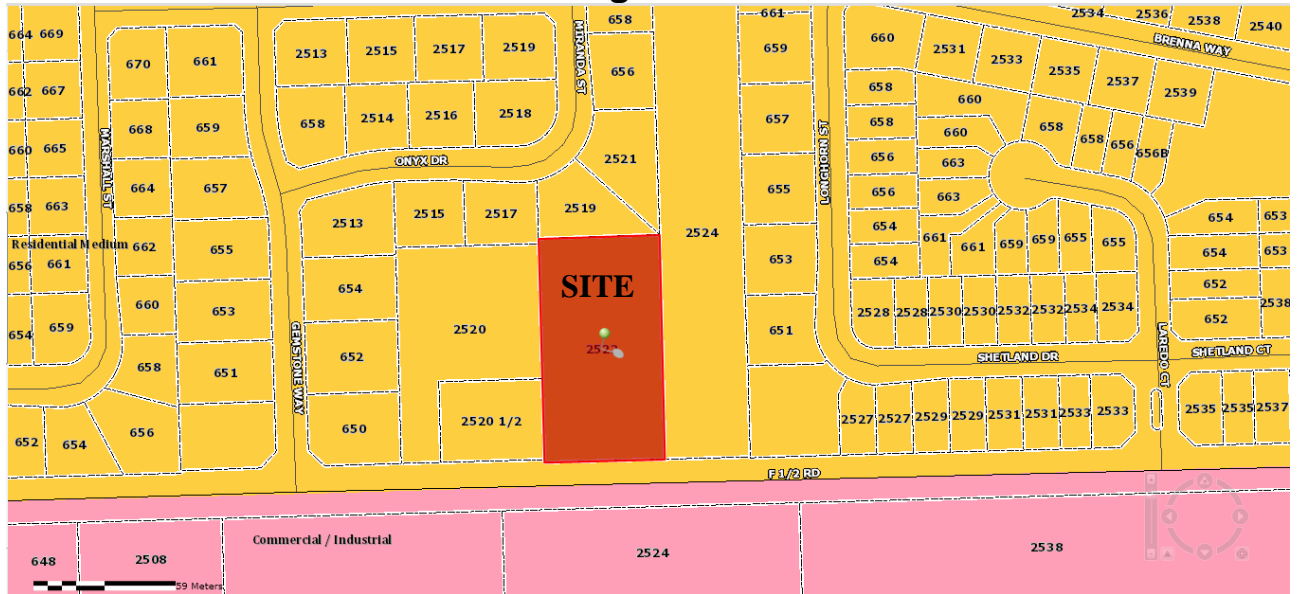
Aerial Photo Map – 2522 F ½ Road

Figure 2



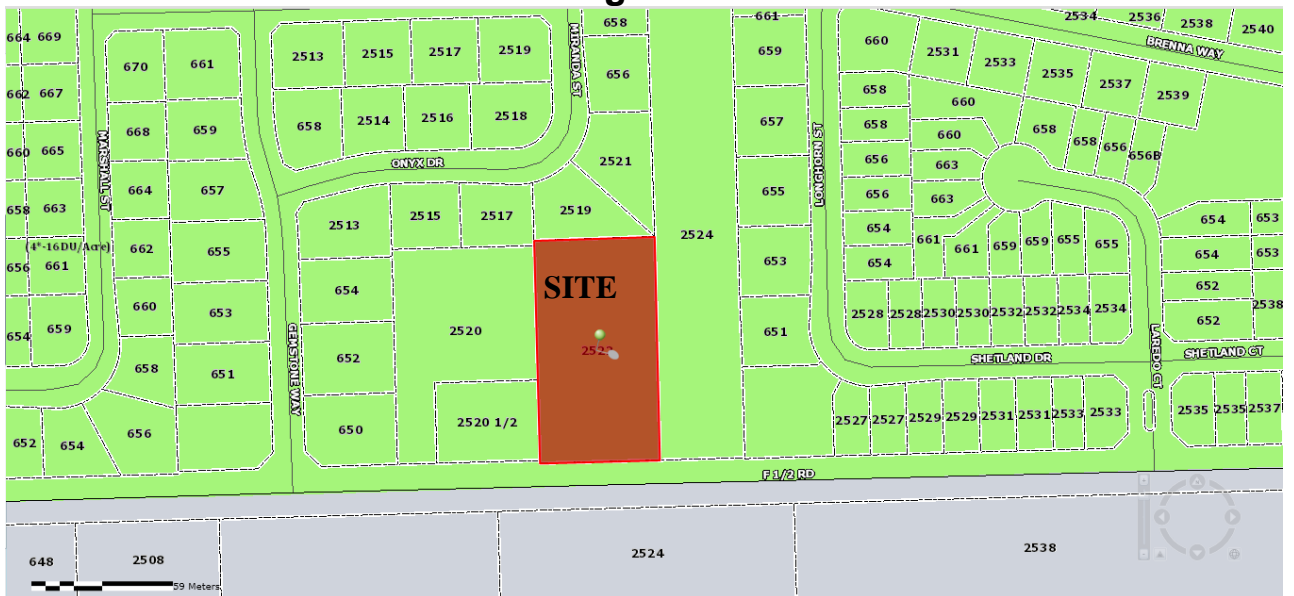
Comprehensive Plan – 2522 F ½ Road

Figure 3



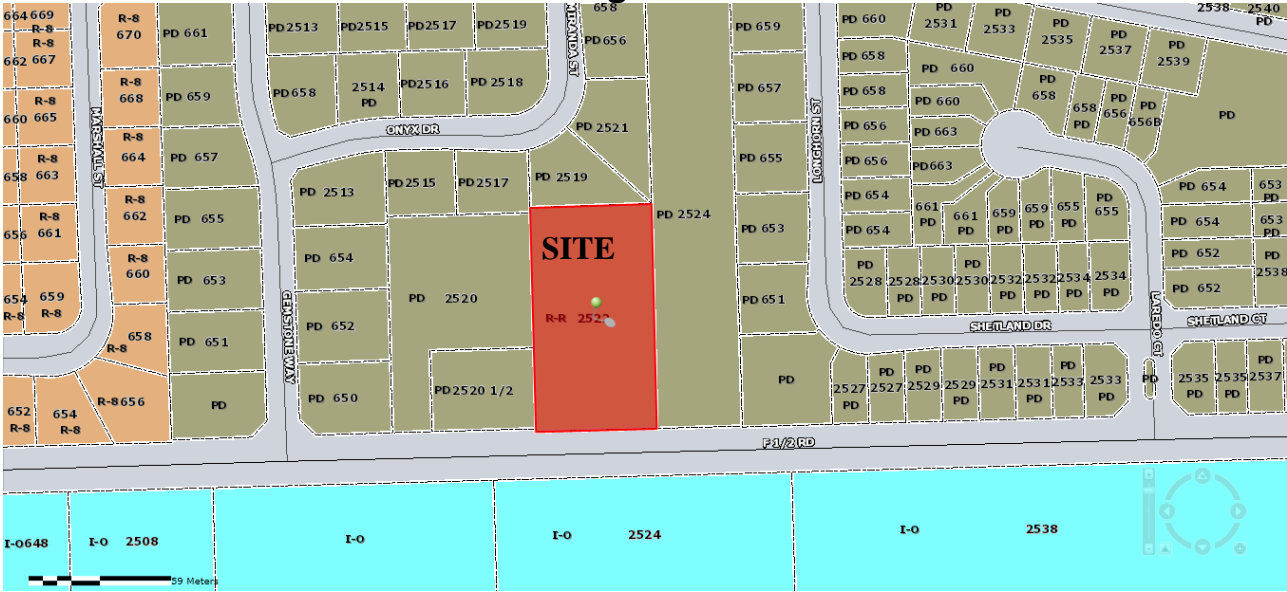
Blended Residential Map – 2522 F ½ Rd.

Figure 4



Existing City Zoning – 2522 F 1/2 Rd.

Figure 5



November 8, 2011

Mr. Scott Peterson
Senior Planner
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RECEIVED
NOV 10 2011
COMMUNITY DEVELOPMENT
DEPT.

RE: RZN-2011-1188 2522 F ½ Road

Dear Mr. Peterson:

My residence is 2520 F ½ Rd., the first lot to the west of the referenced address. I built the home in 2006 with the expectation that it would be my residence for many years. The reality that my future neighbors may be living in 8-plexes, or large multi-family, multi-story dwellings, is not acceptable.

I'm sure you are aware that the parcel containing my two lots was originally part of the Diamond Ridge Subdivision, and was so described when I purchased the parcel. I then subdivided the parcel into lots 1 & 2, Clifton Mays Subdivision, with the belief that the area would remain a single family neighborhood, or at maximum, a few duplexes, since there are several within Diamond Ridge. If a survey were taken of Diamond Ridge owners, I am reasonable sure there would be a majority of support for this belief.

I am aware the strip of land to the east of Diamond Ridge Subdivision and 2522 F ½ Road has recently reverted to an R-8 zone, after being rezoned to a much lower density for a period of time. That strip of land should not, in and of itself, be sufficient reason to include the parcel in question in the R-8 zoning to accommodate the Cities desire to consolidate and correct spot zoning issues.

I respectfully request that you remove this parcel from your rezoning consideration and allow the market to dictate what may be built there in the future. A rezone of this parcel will further devalue my property, which is already suffering heavily from the general down-turn in real estate values in and around our community.

Sincerely,



Clifton L. Mays, Sr.
2520 F ½ Road
Grand Junction, CO 81505
970-261-1557 (Cell)
970-242-9575 (Home)

Cc: Members of the City Council
Laurie Kadrich, City Manager

From: Newton Terry <tdnewton@q.com>
To: <scottp@gjcity.org>
Date: 11/4/2011 10:49 AM
Subject: Rezone Blue Polygon

Thank you for letting us know about this proposed rezone.

We are very much opposed to this rezone in light of the Residential 8 - du/ac) This part of G Road is very upscale and we have ALOT of traffic which never seems to bother you planners, but it will just cause more and more problems in this area.

Please state that we are opposed to this request at this time.

Sincerely,

Terry and Debbie Newton
tdnewton@q.com



OPEN HOUSE
November 9, 2011
4-6:00 p.m.
Grand Junction City Hall

Zoning Change Open House

Blue polygons, Zones 3, 7, 10, 14 and School Districts

Comment Sheet

Are your comments in relation to a certain property? If so, what is the address or general area? _____

May we hear any comments or any concerns you have about proposed zoning changes?

REZONING PROPERTY OFF G RD. TO R4 IS FEASIBLE
BUT MUST CONSIDER TRAFFIC ON RD. WHICH IS
SOMETIMES QUITE BUSY

Name PATRICK MORAN
Address 2454 Home Ranch Ct
GRAND JUNCTION, CO 81505
Phone 243-2070
Email pmoran2070@yahoo.com

Please turn your comments in tonight or mail them to:
Greg Moberg, Planning Service Supervisor
Public Works & Planning
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81506

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING THREE PROPERTIES FROM R-R, (RESIDENTIAL - RURAL) TO R-4, (RESIDENTIAL – 4 DU/AC) AND R-8, (RESIDENTIAL – 8 DU/AC)

LOCATED AT 708 25 ½ ROAD; 2543 G ROAD AND 2522 F ½ ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the three properties from R-R, (Residential - Rural) to R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac), zone district for the following reasons:

The zone district's meet the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium (4 – 8 du/ac) and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac) zone districts be established.

The Planning Commission and City Council find that the R-4, (Residential – 4 du/ac) and R-8, (Residential – 8 du/ac) zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following properties shall be rezoned R-4, (Residential – 4 du/ac).

708 25 ½ Road and 2543 G Road. See attached map.

The following property shall be rezoned R-8, (Residential – 8 du/ac).

2522 F ½ Road. See attached map.

Introduced on first reading this , day of , 2012 and ordered published.

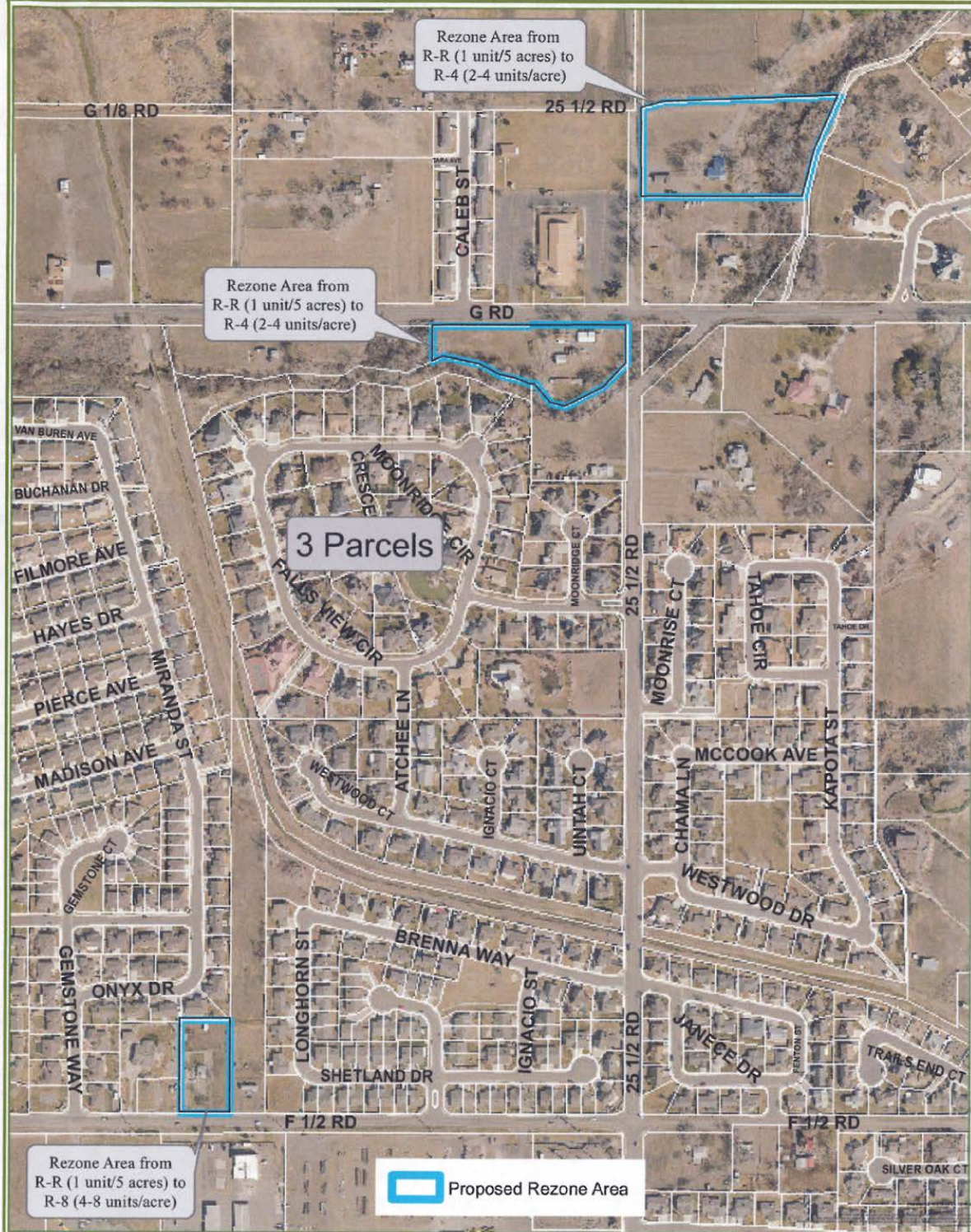
Adopted on second reading this _____ day of _____, 2012.

ATTEST:

City Clerk

Mayor

Proposed Rezone - Area 3



**Attach 8
Rezone Area 10**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 10, 2011
PRESENTER: Senta L. Costello

AGENDA TOPIC: Area 10 Rezone – (RZN-2011-1156)

ACTION REQUESTED: Recommendation to City Council to rezone 281 properties located south and east of North 12th Street and Orchard Avenue from R-8 (Residential 8 dwellings/acre) to R-12 (Residential 12 dwellings/acre).

BACKGROUND INFORMATION				
Location:		South and east of N 12 th Street and Orchard Avenue		
Applicants:		City of Grand Junction		
Existing Land Use:		Single Family, Multi-Family, Small warehousing, Church		
Proposed Land Use:		No changes to land uses proposed		
Surrounding Land Use:	North	Single Family, Multi-Family, Elementary School, Retail, Restaurants		
	South	Single Family, Multi-Family, Retail, Restaurants		
	East	Single Family, Multi-Family		
	West	Colorado Mesa University		
Existing Zoning:		R-8 (Residential 8 du/ac)		
Proposed Zoning:		R-12 (Residential 12 du/ac)		
Surrounding Zoning:	North	C-1 (Light Commercial)/R-8 (Residential 8 du/ac)		
	South	R-16 (Residential 16 du/ac)/B-1 (Neighborhood Business)/CSR (Community Services & Recreation)		
	East	R-8 (Residential 8 du/ac)		
	West	C-1 (Light Commercial)/CSR (Community Services & Recreation)		
Future Land Use Designation:		Residential Medium High		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone approximately 65 acres, located south and east of North 12th Street and Orchard Avenue, from R-8 (Residential 8 dwellings/acre) zone district to R-12 (Residential 12 dwellings/acre) zone district.

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background

This neighborhood began developing residentially in the late 1940's and early 1950's. The University at that time was a small community college and did not have a high level of impact on properties surrounding the campus.

The property has been historically zoned for residential uses with a mix of densities ranging from single family to multi-family densities up to 32 dwellings/acre.

In 2000, the neighborhood was rezoned to the R-8 zone district to implement Residential Medium Future Land Use designation adopted with the Growth Plan in 1996.

In 2010, the Comprehensive Plan was adopted and the Future Land Use designation for the neighborhood changed to Residential High Mixed Use. After adoption of the Comprehensive Plan, it became apparent that the zoning designations of some areas around the City conflicted with the Future Land Use designations of the Comprehensive Plan.

Each area has been or is being evaluated to determine the best course of action to remedy the conflicts. In this neighborhood, Staff recommends amending the Comprehensive Plan Future Land Use designation from Residential High Mixed Use to Residential Medium High and rezoning the properties to the R-12 zone district. The Comprehensive Plan amendment was considered and approved by City Council in October 2011.

Affected property owners were notified of the proposed change via a mailed letter and invited to an open house to discuss any issues, concerns, suggestions or support. The open house was held on November 9, 2011 and 39 citizens attended. Most attendees had questions about the proposed rezones for school district properties. No comments sheets were received regarding the Area 10 proposal. Approximately 6 of the citizens present were there specifically for the Area 10 rezone and voiced a mix of opposition and support. One e-mail has been received and is attached to this report. Overall, a total of 15 property owners have contact me requesting information. Preferences were split: 5 in favor, 5 opposed and 5 either were undecided or did not express a preference.

The area includes one City owned park which is currently zoned CSR; no zoning change is proposed for the City park property.

2. Section 21.02.140(a) of the Grand Junction Municipal Code:

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a) as follows:

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

Response: The R-8 zoning was put in place when the City was rezoned in 2000. With the rapid growth of the University in recent years, a need for more housing close to campus has arisen in the surrounding neighborhoods. The need for higher density in this area was recognized with the adoption of the Comprehensive Plan in 2009.

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

Response: With the growth of the University to the west, a need for more housing close to campus has been seen in the surrounding neighborhoods. This neighborhood has seen an influx of small scale multi-unit housing over the last few decades. The R-12 zone district would enable property owners to provide additional housing with a minimal impact to the existing neighborhood.

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

Response: The area has fully constructed streets, sanitary and storm sewer service, City water service, and trash and recycle pick-up. The area is centrally located for ease of access for emergency and delivery services.

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

Response: There is approximately 108 acres within the city limits currently zoned R-12. This equates to less than 1% of the total acreage of zoned parcels within the city limits (21,200 acres). The Comprehensive Plan process also identified the need for increased housing and density in this area.

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

Response: The proposed R-12 zone district will provide the opportunity for additional density within the central core of the urbanized area of the valley, consistent with Comprehensive Plan. Higher densities allow for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 10 Rezone, RZN-2011-1156, a request to rezone the property from R-8 (Residential 8 dwellings/acre) to R-12 (Residential 12 dwellings/acre), the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.

2. The review criteria in Section 02.140 of the Grand Junction Municipal Code have been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2011-1156, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

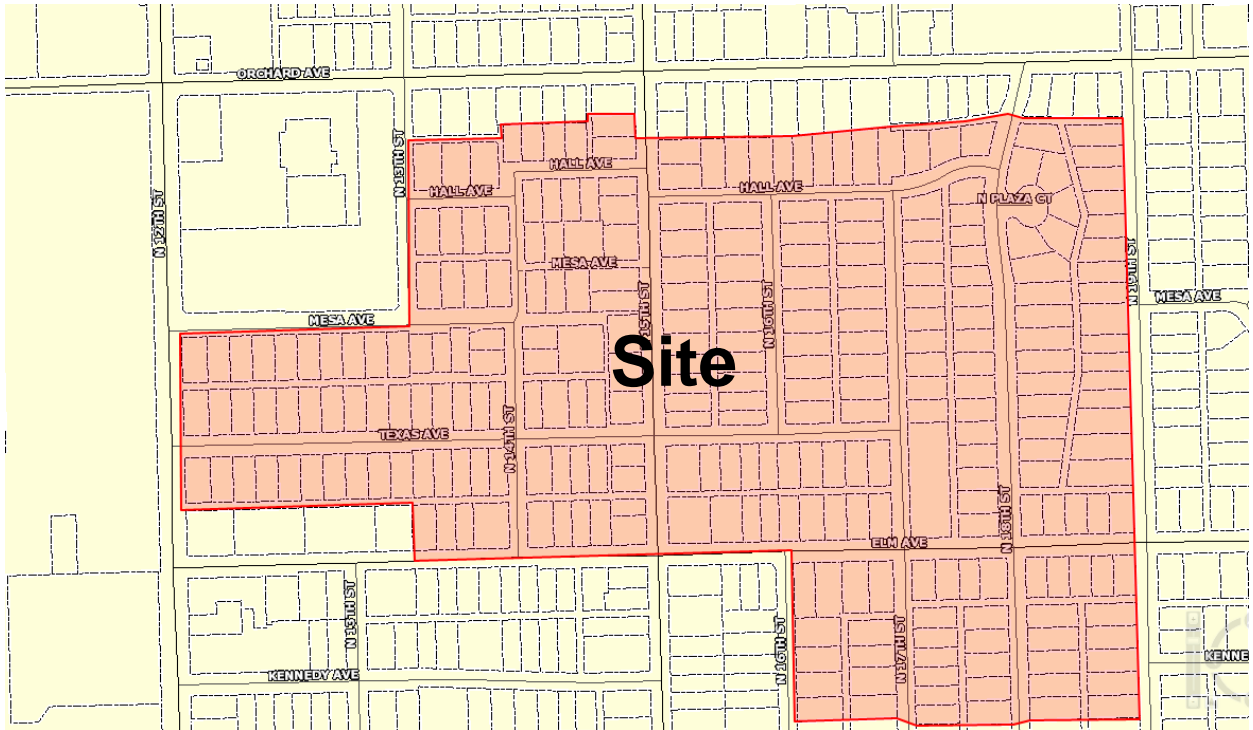
Mr. Chairman, on Rezone, RZN-2011-1156, I move that the Planning Commission forward a recommendation of the approval for the Area 10 Blue Rezone from R-8 (Residential 8 dwellings/acre) to R-12 (Residential 12 dwellings/acre) with the findings of fact, conclusions, and conditions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Blended Residential Map
E-Mail from property owner
Ordinance

Site Location Map

Figure 1



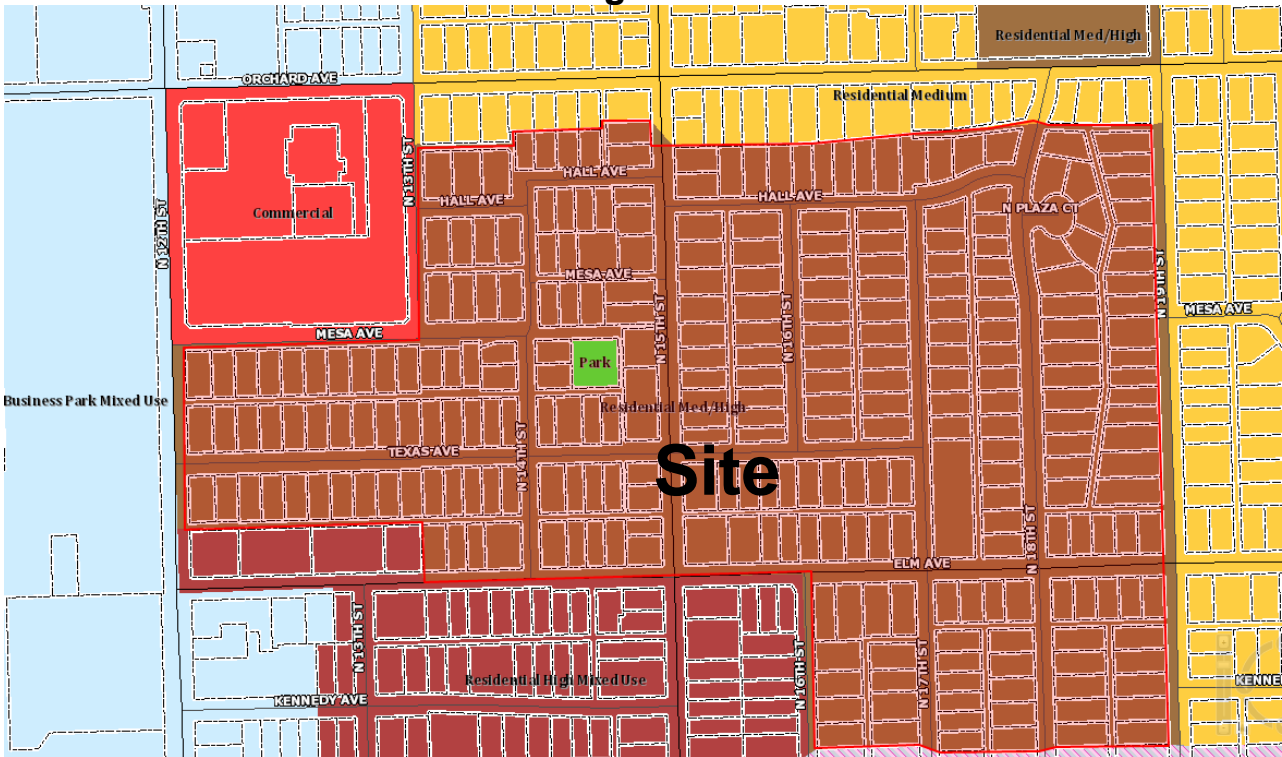
Aerial Photo Map

Figure 2



Comprehensive Plan Map

Figure 3



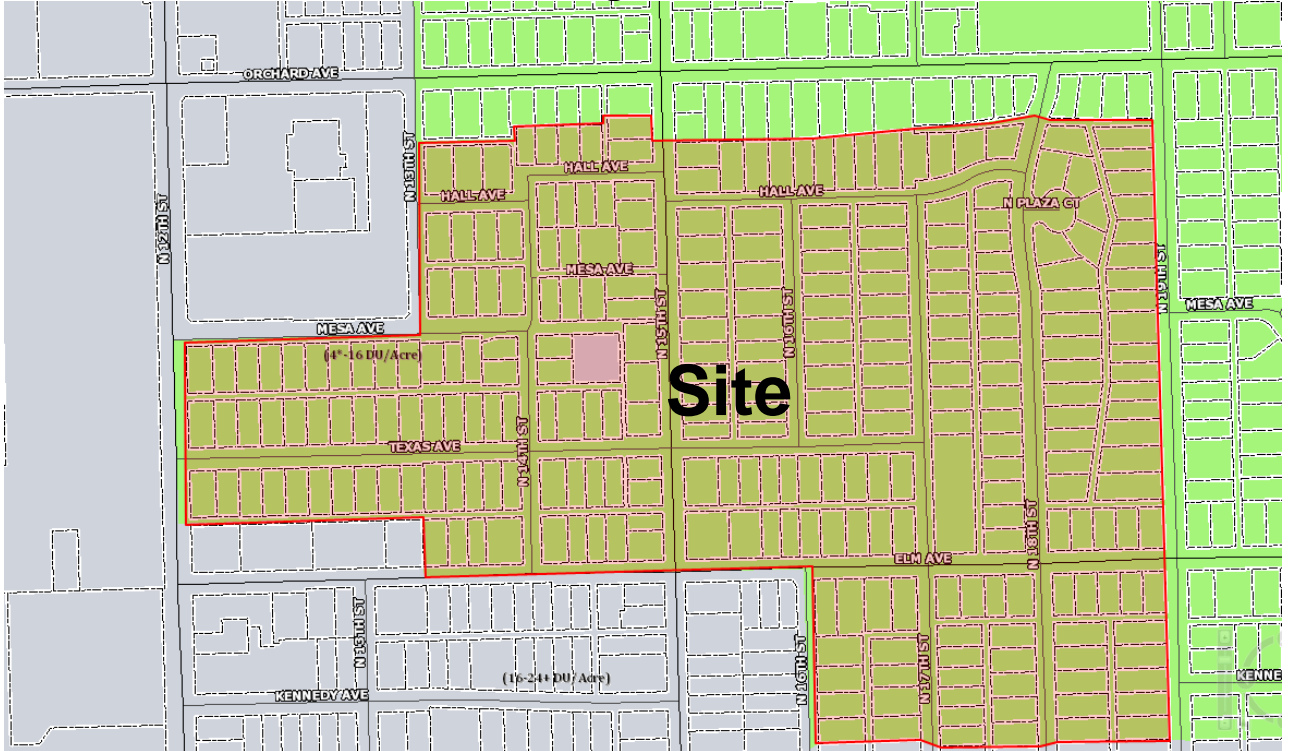
Existing City Zoning Map

Figure 4



Blended Map

Figure 5



From: "Jack Harbottle" <jharbott@coloradomesa.edu>
To: <sentac@gjcity.org>
Date: 11/2/2011 12:44 PM
Subject: proposed rezone

My neighbors and I are concerned about the potential rezoning of the area near 17th street.

What would be the difference in property taxes on our single family houses?

What is the definition and laws of our current classification and the proposed classification and the differences spelled out so we can understand?

Why is the rezoning so large and including so many small single family houses?

Sincerely,
Jack Harbottle

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING 281 PROPERTIES LOCATED FROM R-8
(RESIDENTIAL 8 DWELLINGS/ACRE) TO R-12 (RESIDENTIAL 12
DWELLINGS/ACRE)**

LOCATED SOUTH AND EAST OF N 12TH STREET AND ORCHARD AVENUE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning 281 properties from R-8 (Residential 8 dwellings/acre) to the R-12 (Residential 12 dwellings/acre) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium High and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the **R-12** zone district to be established.

The Planning Commission and City Council find that the **R-12** zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned R-12 (Residential 12 du/ac).

See attached map.

Introduced on first reading this _____ day of _____, 2012 and ordered published.

Adopted on second reading this _____ day of _____, 2012.

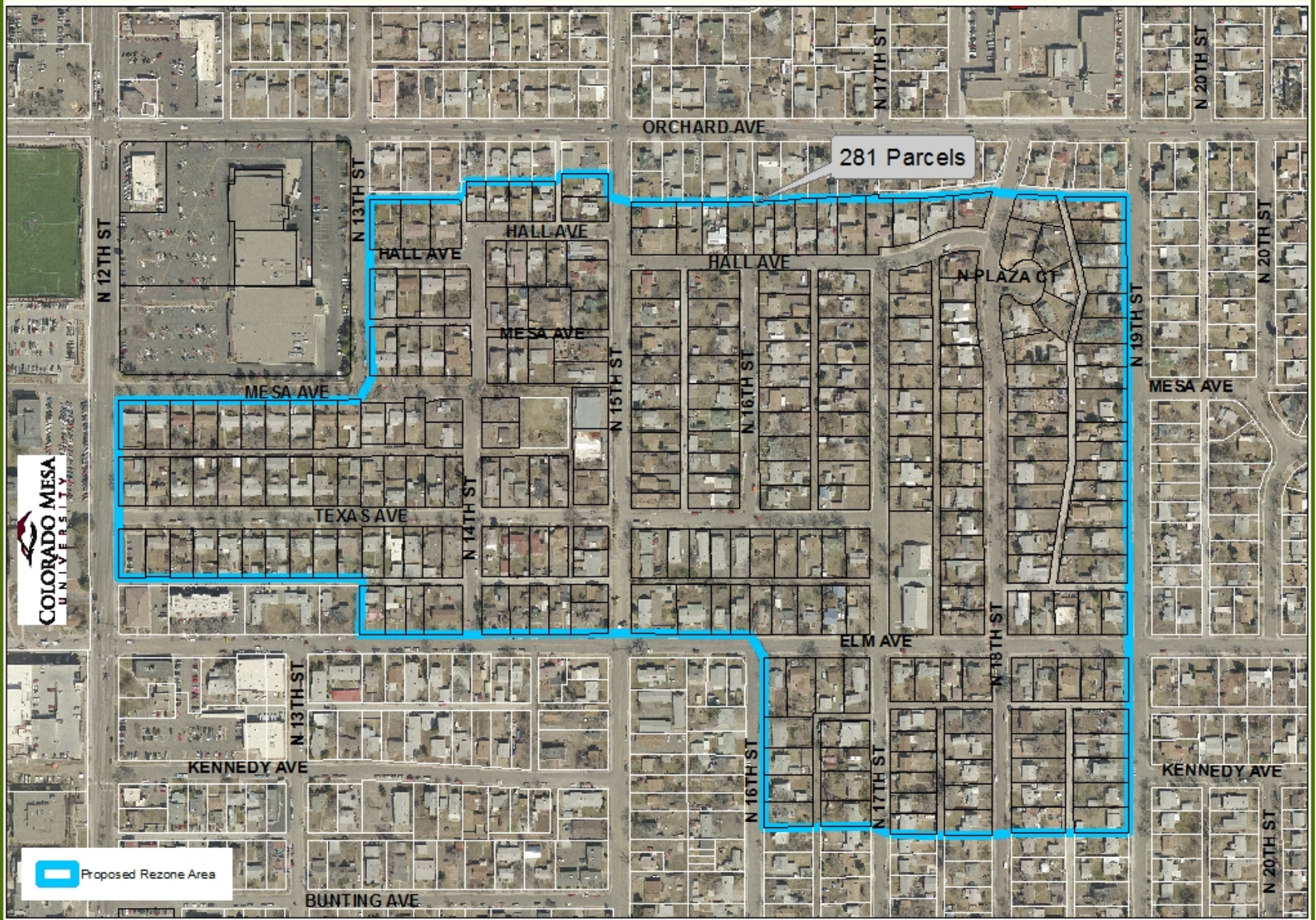
ATTEST:

City Clerk

Mayor

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Proposed Rezone - Area 10



COLORADO MESA UNIVERSITY

281 Parcels

Proposed Rezone Area

Rezone Area from R-8 (4-8 units/acre) to R-12 (8-12 units/acre)



PROPOSED REZONE AREA 10
DATE: 10/15/2019
SCALE: 1" = 100'