



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, JANUARY 24, 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

Approve the minutes of the December 13, 2011 Regular Meeting.

[Attach 1](#)

2. Suncor Annexation – Zone of Annexation [Attach 2](#)

Request a recommendation of approval to City Council to zone 27.559 acres from County PUD (Planned Unit Development) to a City I-1 (Light Industrial) zone district.

FILE #: ANX-2011-1328
PETITIONER: Douglas Pumphrey - Suncor Energy (USA) Inc.
LOCATION: 2200 Railroad Avenue
STAFF: Brian Rusche

*** * * 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.

3. Blue Polygon – Area 15 Rezone – Rezone [Attach 3](#)

Request a recommendation of approval to City Council to 1) rezone 15.454 acres from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) zone district AND 2) a recommendation of approval to City Council to rezone 27.537 acres from an R-R (Residential Rural) and 2.769 acres from a C-1 (Light Commercial) all to a BP (Business Park) zone district.

FILE #: RZN-2011-1154
PETITIONER: City of Grand Junction
LOCATION: 690 29 1/2 Road and others
STAFF: Brian Rusche

4. Blue Polygon – Area 13 Rezone – Rezone [Attach 4](#)

Request a recommendation of approval to City Council to rezone nine (9) City parcels: five (5) parcels from an R-5 (Residential 5 du/ac) to a B-1 (Neighborhood Business) zone district; one (1) parcel from an R-5 (Residential 5 du/ac) to an R-8 (Residential 8 du/ac) zone district; and, three (3) parcels from an R-1 (Residential 1 du/ac) to an R-4 (Residential 4 du/ac) zone district.

FILE #: RZN-2011-1205
PETITIONER: City of Grand Junction
LOCATION: 2634 1/2 Patterson Road and others
STAFF: Lori Bowers

5. Blue Polygon – Area 9 Rezone – Rezone [Attach 5](#)

Request a recommendation of approval to City Council to rezone one parcel totaling 0.22 +/- acres from an R-16 (Residential 16 du/ac) to C-2 (General Commercial) zone district.

FILE #: RZN-2011-1207
PETITIONER: City of Grand Junction
LOCATION: 513 Independent Avenue
STAFF: Scott Peterson

6. Blue Rezone Area 8 – Rezone

[Attach 6](#)

Request a recommendation of approval to City Council to 1) rezone 4.888 acres consisting of 1 parcel from CSR (Community Service and Recreation) to an R-16 (Residential 16 du/ac) zone district and 2) 6.252 acres consisting of 6 parcels from an R-1 (Residential 1 du/ac) to an R-4 (Residential 4 du/ac) zone district.

FILE #: RZN-2011-1210
PETITIONER: City of Grand Junction
LOCATION: 632 26 Road and others
STAFF: Senta Costello

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
DECEMBER 13, 2011 MINUTES
6:00 p.m. to 6:28 p.m.**

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

In attendance, representing the City Planning Commission, were Reggie Wall (Chair), Lynn Pavelka (Vice Chair), Ebe Eslami, Lyn Benoit, Pat Carlow, Greg Williams, and Keith Leonard.

In attendance, representing the City's Public Works and Planning Department – Planning Division were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), and Lori Bowers (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Pat Dunlap was present to record the minutes.

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

Announcements, Presentations, and/or Prescheduled Visitors

Chairman Wall announced that a change in the Commission had been made – that Rob Burnett and Mark Abbott had resigned their seats from the Commission. Chairman Wall thanked them for their time and service on the Commission. He next stated that Greg Williams and Keith Leonard had moved up from the alternate positions and were now full-time Commissioners and welcomed both of them.

Lisa Cox (Planning Manager) said that there would not be a second meeting on December 27, 2011 and thus this would be the only Planning Commission hearing held this month.

Consent Agenda

- 1. Minutes of Previous Meetings**
Approve the minutes of the October 25 and November 8, 2011 Regular Meetings.
- 2. Redlands Mesa Amended ODP – Planned Development**
Request a recommendation of approval to City Council to amend the Outline Development Plan for Redlands Mesa PD (Planned Development) zone district, and bring the remainder of the undeveloped parcels under the current 2010 Grand

Junction Municipal Code. Included in the recommendation is a request for a ten year extension of the phasing schedule.

FILE #: PLD-2011-1183
PETITIONER: Bill Keogh – BrightStar Redlands Mesa Development LLC
LOCATION: 2299 West Ridges Blvd
STAFF: Lori Bowers

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

Public Hearing Items

3. School District 51 Rezones - Rezone

Request a recommendation of approval to City Council to rezone 22 School District 51 parcels from a City CSR (Community Service and Recreation) to comparable City zone districts to be in conformance with the Comprehensive Plan.

FILE #: RZN-2011-1190
PETITIONER: City of Grand Junction
LOCATION: Various
STAFF: Lori Bowers

STAFF'S PRESENTATION

Lori Bowers, Senior Planner, addressed the Commission regarding the request to bring several School District properties from CSR zoning into conformance with the Comprehensive Plan that was adopted last year. By way of maps, she showed the School District owned properties and what the proposed zoning would be for each of the school sites. Ms. Bowers stated there were 39 properties owned by the school district and that this application affected approximately 22 of the sites. Ms. Bowers stated that 2,581 notification cards had been mailed to property owners and area residents, and that over 100 phone calls and e-mails had been received in response to this project. Entered into the record were the written comments received by e-mail.

Ms. Bowers said that the Comprehensive Plan only allowed CSR zoning in Rural, Conservation, Mineral Extraction and Business Park Mixed Use land designations. The majority of the school sites were located in Residential Medium designations which allowed 4 to 8 units per acre. Ms. Bowers went on to state that the majority of the

rezones were proposed to be rezoned to R-8; however, there were other sites that were proposed to be rezoned to R-2, R-4, R-5 and one site to B-2 (Downtown Business) and C-1 (Light Commercial).

An Open House was held on November 9, 2011 with a turnout of approximately 37 people. During the Open House many people expressed their displeasure with the proposed rezones because they thought the proposed zones did not accurately reflect the character of their neighborhood. However, after the process and theory were explained, the majority did not have a problem with the rezones. Also, many phone calls were received requesting more information.

Ms. Bowers went through each of the rezones and outlined how the rezones would fit with each of the neighborhoods. She concluded that she found the rezones consistent with the goals and policies of the Comprehensive Plan and the pertinent review criteria of the Grand Junction Municipal Code had been met.

QUESTIONS

Commissioner Benoit asked for some background for the reason for the zoning changes. Ms. Bowers answered that when the Comprehensive Plan was adopted it was adopted knowing that there would be some properties that would not be in conformance with the Comprehensive Plan. Consistency would be needed for the Future Land Use Map for someone to develop their property. The School District parcels were part of a larger City-wide rezone that would be coming forward. She added that schools were exempt from local zoning regulations and were allowed in any zoning district and that they had their own set of building codes and requirements from the State.

Commissioner Leonard noticed that on several of the rezonings, there were multiple zonings surrounding the properties. In those cases, he asked if the highest density or the most intensive zone was used. Ms. Bowers said they went with the lowest zoning designation possible.

Commissioner Carlow asked why only 22 out of the 39 parcels were affected. Ms. Bowers said that some of the schools were already zoned with the same zoning of the neighborhood.

PUBLIC COMMENT

Lorentz Haugseth said that he owned property directly east of West Middle School. He asked if there would be any development on either school vacant property or the park vacant property. Chairman Wall stated that what was being proposed was to have the zoning match the surrounding area. The School District owned the property and the least intensive zoning was used to match the properties. Commissioner Carlow confirmed that this was initiated by the City and not by the School District. Lisa Cox, Planning Manager, confirmed that the City had undertaken an effort to bring consistency between the Comprehensive Plan and a series of parcels where the zoning was in conflict with the Comprehensive Plan. The Comprehensive Plan gave the overall

development guidance for how the community would like to see property developed over the next 25 years. Certain zone districts implemented each of the land use designations. The City was proposing to rezone the School District properties so that the zoning and the land use designations of the Comprehensive Plan would be consistent.

QUESTIONS

Commissioner Eslami asked if the School District would be able to subdivide and sell the property. Ms. Cox stated that in some cases there were schools that had surplus property and if the School District decided they wanted to sell surplus property, they would be able to. However, the application now before the Commission had no impact or bearing on that. The School District could subdivide their property or sell it at any time that they thought it was appropriate. If the School District was to subdivide the property and the zoning was not consistent with the Comprehensive Plan, the purchaser would have to bring a separate rezone application to the Planning Commission and City Council prior to development.

Commissioner Carlow asked if this application would make that development process easier. Ms. Cox said that it would be a potential benefit to someone who might want to develop property in the future but it had no bearing on the School District subdividing their property.

Commissioner Carlow asked if he was correct in that the new owner would have to apply for a zone. Ms. Cox said that if nothing was done, then the current zoning would be inconsistent with the Comprehensive Plan and the new owner would then have to bring an application to the Planning Commission and City Council to request a rezone.

Chairman Wall asked for some clarification regarding the West Middle School property. Ms. Bowers showed the park area referred to by Mr. Haugseth and stated that it would remain a park.

DISCUSSION

Commissioner Pavelka said she believed the application would clean up some of the inconsistencies and the request was consistent with what was in the area and, accordingly, would support passing it through.

Chairman Wall said that it made sense to make the zoning consistent with what was in the area. He was glad that the zoning chosen was the least invasive of the zoning in the area. He thought it made sense to continue and improve this project.

MOTION:(Commissioner Pavelka) “Mr. Chairman, I recommend that the Planning Commission forward a recommendation of approval of the requested rezones, File No. RZN-2011-1190, to the City Council with the findings and conclusions listed above.”

Commissioner Williams seconded the motion. Commissioner Pavelka requested that she be allowed to re-read the motion.

MOTION:(Commissioner Pavelka) “Mr. Chairman, on Rezone RZN-2011-1190, I move the Planning Commission forward a recommendation of approval for the School District rezone from CSR to the aforementioned applicable zones with the findings of fact, conclusions and the conditions listed in the staff report.”

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

General Discussion/Other Business

Lisa Cox stated that the Election of Officers to elect a Chair and Vice-Chair was the next item to be considered.

Commissioner Carlow motioned that both Chairman Wall and Vice Chairman Pavelka remain until the expiration of their terms. Ms. Cox advised that there were some terms that would expire in calendar year 2012. Traditionally, the end of a Planning Commissioner’s term was October 31st of each year; however, the Commissioner would serve until the position had been filled by the first Planning Commission Alternate. She stated that there were currently seven members on the Planning Commission and two alternate positions; however, at this time, there were no alternates because Commissioners Williams and Leonard had moved from the alternate positions to full Commissioners. If a vacancy were to occur now and a term expired, the term-limited Commissioner could continue to serve until the alternate positions were filled. Ms. Cox stated that both Commissioners Pavelka and Carlow could continue to serve until their positions were filled because they would both be term limited in 2012.

MOTION:(Commissioner Carlow) “I move that Reggie and Lynn be reappointed as Chairman and Vice Chairman.”

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

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned.

**Attach 2
Suncor Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 24, 2012
PRESENTER: Brian Rusche, Senior Planner

AGENDA TOPIC: Suncor Zone of Annexation – ANX-2011-1328

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		2200 Railroad Avenue	
Applicant:		Suncor Energy (USA) Inc.	
Existing Land Use:		Industrial	
Proposed Land Use:		Industrial	
Surrounding Land Use:	North	Railroad/Highway/Commercial	
	South	Gravel Pit	
	East	Industrial	
	West	Industrial	
Existing Zoning:		County PUD (Planned Unit Development) with a Conditional Use Permit (CUP)	
Proposed Zoning:		I-1 (Light Industrial)	
Surrounding Zoning:	North	C-2 (General Commercial)	
	South	County PUD (Planned Unit Development)	
	East	I -1 (Light Industrial) I-2 (General Industrial)	
	West	County PUD (Planned Unit Development) I-2 (General Industrial)	
Future Land Use Designation:		Commercial/Industrial	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: A request to zone the Suncor Annexation, located at 2200 Railroad Avenue, which consists of one (1) parcel, to an I-1 (Light Industrial) zone district.

RECOMMENDATION: Recommend approval to the City Council of the I-1 (Light Industrial) zone district.

ANALYSIS:

1. Background:

The 45.43 acre Suncor Annexation consists of one (1) parcel of approximately 27.56 acres located at 2200 Railroad Avenue. There are 11.34 acres of public right-of-way, along with 6.53 acres of railroad property, contained within this annexation area.

The property is currently used as a bulk fuel products loading/transfer terminal. This use was established in 1997 by Conoco after approval by Mesa County as a Conditional Use Permit (CUP) with a County Planned Industrial/PUD (County Planned Unit Development) zone. The conditions permitted terminal operations 7 days a week, 24 hours a day, along with site improvements that have been completed. After its acquisition by Suncor Energy (USA) Inc, small building additions were approved in 2010. It is designated as Commercial/Industrial by the Comprehensive Plan - Future Land Use Map.

The applicant has petitioned for annexation to allow for the construction of a covered catwalk structure over the existing railroad spur to comply with safety requirements. This structure will be approximately 66,000 square feet. The proposed structure will not modify the existing operations, but allow the off-loading of rail cars to be done safely in all types of weather. Under the 1998 Persigo Agreement proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

A Neighborhood Meeting was held on December 22, 2011. Only one representative of a neighboring business attended the meeting. The primary points of discussion were continued operations of their respective facilities, which did not appear to interfere with each other.

2. Section 21.02.160 and 21.02.140 of the Grand Junction Municipal Code (GJMC):

Section 21.02.160 of the Grand Junction Municipal Code states: Land annexed to the City shall be zoned in accordance with GJMC Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The requested zone of annexation to an I-1 (Light Industrial) zone district is consistent with the Comprehensive Plan – Future Land Use Map designation of Commercial/Industrial.

Section 21.02.140(a) states: In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

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

Response: The current zoning is County Planned Unit Development (PUD), which was approved in 1982. A Conditional Use Permit for a Products Loading Terminal was approved in 1997.

In 1998, Mesa County and the City of Grand Junction adopted the Persigo Agreement, which requires annexation of the property prior to further development. Under the Persigo Agreement the City has agreed to zone newly annexed areas using either the current County zoning or conforming to the Comprehensive Plan. The proposed zoning of I-I (Light Industrial) conforms to the Comprehensive Plan – Future Land Use Map, adopted in 2010, which has designated the property as Commercial/Industrial.

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

Response: Since the issuance of a Conditional Use Permit for the facility, two smaller building expansions were approved in 2010 to improve efficiency and operations of the facility. The proposed structure, while significant in size, does not modify the operations of the facility, but makes the work of unloading rail cars safer. It is also necessary to maintain compliance with Occupational Safety and Health Administration (OSHA) requirements.

The adjacent industrial lots within the Railhead Industrial Park are already developed with a mix of manufacturing and warehouse/logistics related companies. These properties have been annexed into the City, with the exception of 2175 Railroad Avenue to the west of Suncor. At this time, Suncor is the only user of the rail spur.

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

Response: The terminal is already in operation with the necessary infrastructure. The proposed structure will not necessitate infrastructure. The property is part of an established industrial park, with access to rail, water/sewer services, and major roadways.

- 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 anticipates that the lands bordering River Road between I-70 and 22 ³/₄ Road to be a mix of commercial and industrial uses. In reality, the existing uses within this corridor are primarily industrial and geared toward manufacturing, resource extraction/processing, or warehousing.

The specific location of Suncor is unique and developed especially for the products loading terminal in 1997. Its access to a major highway, daily use of the

rail spur, and sizable acreage allowed it to be designed specifically for its use. This type of use would not have many sites to locate within a community. The proposed zoning will allow the use to continue operations at this location.

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

Response: The annexation of unincorporated areas adjacent to the City is critical to providing efficient urban services. The proposed zoning designation will ensure continued operation of the facility and future improvements to its operation.

After reviewing the criteria for a zoning amendment, I find that the above criteria have been met. Therefore, I recommend approval of the I-1 Zone District.

Alternatives: The following zone districts would also be consistent with the Comprehensive Plan – Future Land Use Map designation for the property:

1. I-O (Industrial/Office Park)
2. BP (Business Park)
3. MU (Mixed Use)
4. C-2 (General Commercial)

These alternatives are not appropriate for the existing land use. However, if the Planning Commission chooses an alternative zone designation, specific alternative findings must be made.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Suncor Zone of Annexation, ANX-2011-1328, I recommend that the Planning Commission make the following Findings of Fact and Conclusions:

1. The proposed I-1 (Light Industrial) zone district 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 I-1 (Light Industrial) zone district for the Suncor Zone of Annexation, ANX-2011-1328, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

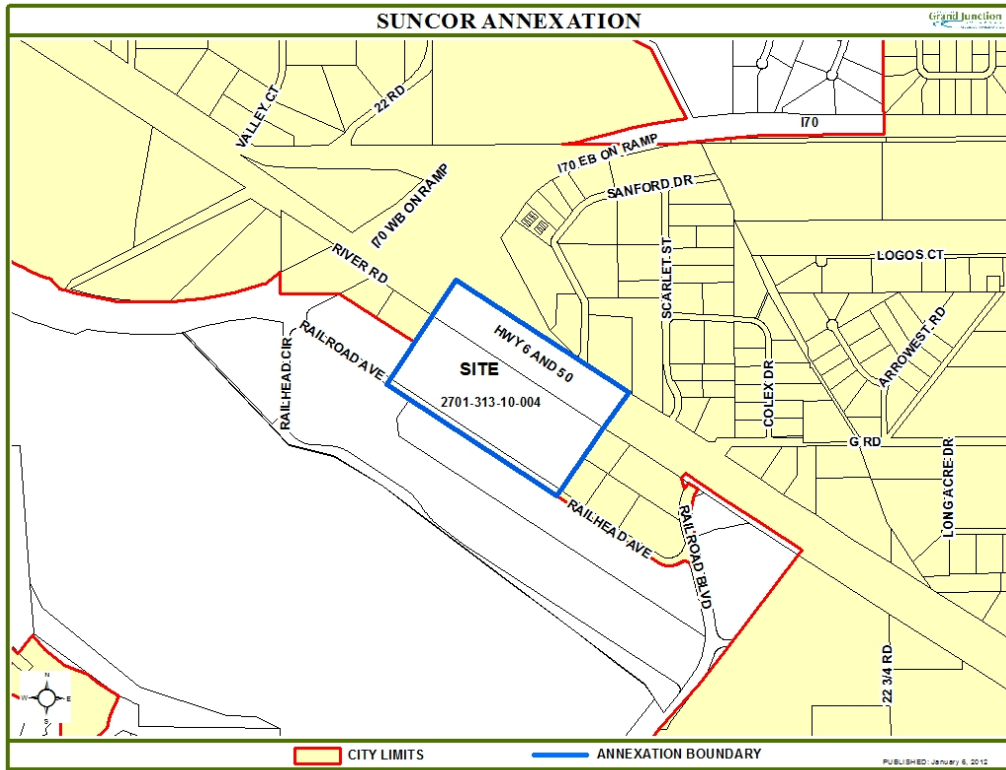
Mr. Chairman, on the Suncor Zone of Annexation, ANX-2011-1328, I move that the Planning Commission forward to the City Council a recommendation of approval of the I-1 (Light Industrial) zone district with the findings and conclusions listed in the staff report.

Attachments:

Annexation Map
Aerial Photo
Future Land Use Map
Existing City and County Zoning Map
Conditional Use Permit from Mesa County
Zoning Ordinance

Annexation / Site Location Map

Figure 1



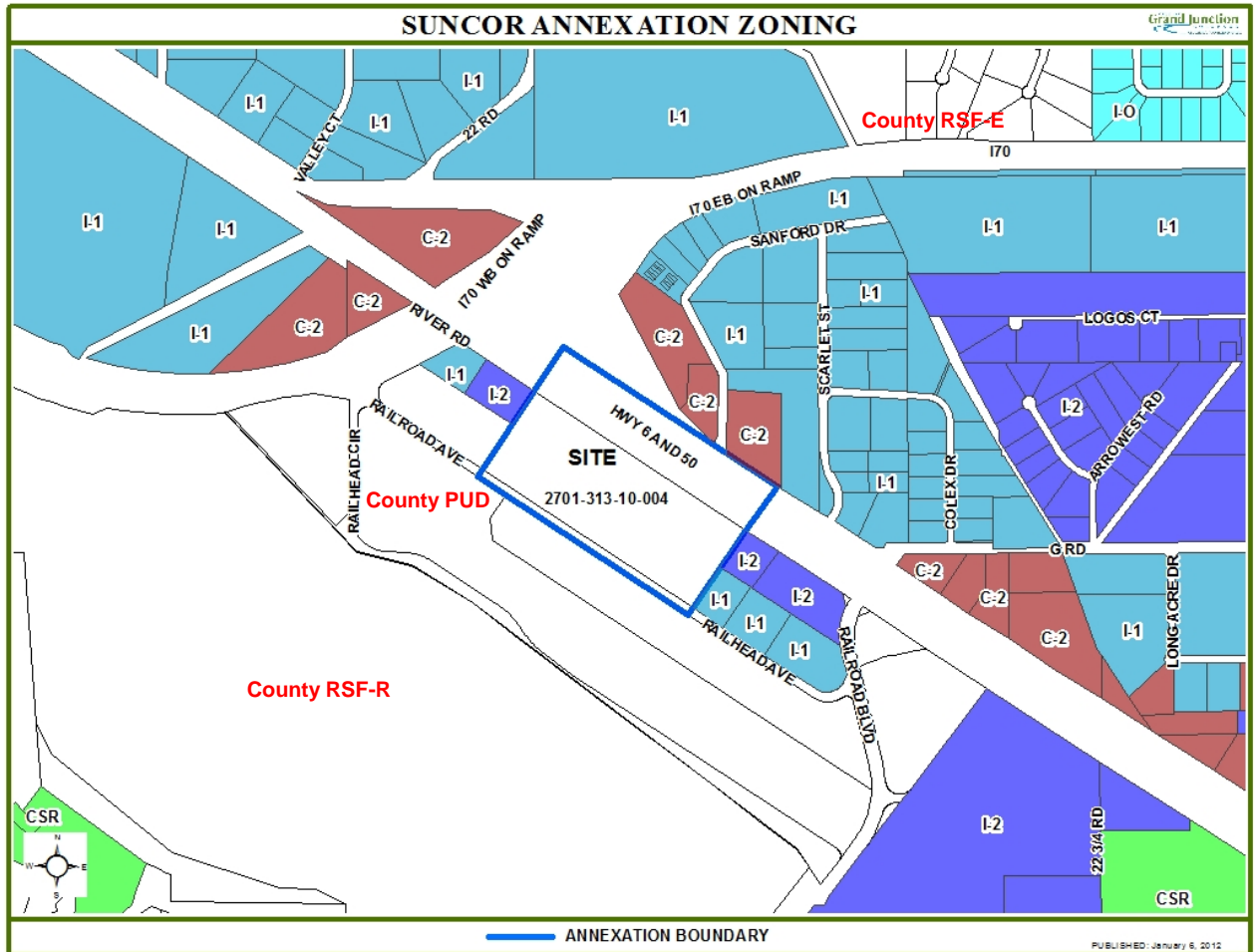
Aerial Photo Map

Figure 2



Existing City and County Zoning Map

Figure 4



RESOLUTION NO. MCM 97-106 1800005 0203PM 05/27/97
Planning Department No. C33-97 MONIKA TODD CLK&REC MESA COUNTY CO

APPROVAL OF A CONDITIONAL USE PERMIT (CUP) FOR THE
CONOCO PRODUCTS LOADING TERMINAL

WHEREAS, Parish Ventures and Conoco, Inc., sought approval of a Conditional Use Permit (CUP) in an Planned Industrial (PI) zone in Mesa County, to wit:

(See Attachment A)

WHEREAS, the public hearing before the Board of County Commissioners were held on May 13, 1997.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

- That the hearings before the Board were held after proper notice;
- That the project recommendation was contained in a project review dated April 4, 1997;
- That the Mesa County Planning Commission made a recommendation for approval on a vote of 5-1 at the public hearing held on May 17, 1997;
- That the Conditional Use Permit met with Section 10.2.1.A through 10.2.1.G of the Mesa County Land Development Code and the Mesa County Countywide Land-Use Plan.
- That the approval is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO:

That the Conditional Use Permit for the Conoco Products Loading Terminal, in a Planned Industrial (PI) zone is approved subject to the following stipulations and review agency comments:

1. Terminal operations will be allowed 7 days a week, 24 hours a day;
2. Submittal and approval of a revised Landscaping/Buffering/Screening Plan meeting the criteria found in Section 4.3, Site Planning Standards, of the Mesa County Land Development Code;
3. Submittal and approval of a revised Traffic Impact Study determining the impact of the rail spur crossing River Road;
4. Review agency comments contained or attached to this project review,
5. Letter from the Colorado Department of Transportation (CDOT) stating that all outstanding issues, including issuance of a Access Permit, have been mitigated; and,
6. Any expansion of the Conditional Use will require full public hearings before the Mesa County Planning Commission and the Board of County Commissioners.

PASSED AND ADOPTED THIS THE 27th DAY OF MAY, 1997.



Dorilyn B. Genova
Dorilyn B. Genova, Chair of the Board of Mesa County Commissioners

ATTEST:
Monika Todd
Monika Todd, County Clerk
Shirley Kelly, deputy

*MEPC
hearing was
held 17, 1997
(not May)*

PROPERTY LEGAL DESCRIPTION

That part of Block One and Block Two of Railhead Industrial Park as Amended, lying in the S.E. ¼ of Section 36, Township One North, Range Two West, and in the S.W. ¼ of Section 31, Township One North, Range One West, and in the N.W. ¼ of Section 6, Township One South, Range One West, all in the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at the southeast corner of that part of said Block Two now or formerly owned by Ralph Seeley, from whence the Southwest Corner of said Section 31 bears S33°13'15"E 699.28 feet; thence S56°31'00"E on the southerly line of said Block Two 1767.92 feet; thence leaving said southerly line N33°29'00"E 670.00 feet to the northwest corner of that part of said Block One now or formerly owned by the Saad Family LLC; thence N56°31'00"W on the northerly line of said Block One 1764.94 feet; thence leaving said northerly line S33°44'18"W 287.88 feet to the northeast corner of said Seeley tract; thence S33°44'18"W 392.12 feet to the beginning, subject to all easements and rights-of-way of record. This description contains 27.17 acres more or less.

Authored by Richard A Mason, Rolland Engineering, 405 Ridges Boulevard, Grand Junction, Colorado.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SUNCOR ANNEXATION
TO I-1 (LIGHT INDUSTRIAL)**

LOCATED AT 2200 RAILROAD AVENUE

Recitals

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Suncor Annexation to the I-1 (Light Industrial) zone district, finding conformance with the recommended land use category as shown on the Future Land Use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 (Light Industrial) zone district 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 be zoned I-1 (Light Industrial):

SUNCOR ANNEXATION

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 31, Township 1 North, Range 1 West, the Southeast Quarter (SE 1/4) of Section 36, Township 1 North, Range 2 West and the Northwest Quarter (NW 1/4) of Section 6, Township 1 South, Range 1 West, all in the Ute Principal Meridian, being a portion of Blocks One and Two of the Railhead Industrial Subdivision, as Amended, as same is recorded in Plat Book 13, Pages 34 and 35, Public Records of Mesa County, Colorado and being more particularly described as follows:

Bounded on the South by the South right of way for Railroad Avenue, as same is shown on said plat of Railhead Industrial Park, as Amended; bounded on the East by the West line of Loggains Annexation, City of Grand Junction Ordinance No. 3821, as same is recorded in Book 3990, Page 987, Public Records of Mesa County, Colorado and the West line of Mesa Moving Annexation, City of Grand Junction Ordinance No. 3306, as same is recorded in Book 2780, Page 17, Public Records of Mesa County, Colorado; bounded on the West by the East line and its Southerly projection that intersects the South right of way of said Railroad Avenue of Steel Inc. Annexation, City of Grand

Junction Ordinance No. 3094, as same is recorded in Book 2564, Page 86, Public Records of Mesa County, Colorado AND bounded on the North by the South line of Grand Junction West Annexation, City of Grand Junction Ordinance No. 2555, as same is recorded in Book 1876, Page 987 and the South line of Grand Junction Persigo Annexation No. 2, City of Grand Junction Ordinance No. 2556, as same is recorded in Book 1876, Page 346, both in the Public Records of Mesa County, Colorado.

CONTAINING 45.43 Acres or 1,979,142 Square Feet, more or less, as described

LESS 494,085 Square feet or 11.34 Acres, more or less, of Road Right-of-way.

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

**Attach 3
Blue Polygon Area 15**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 24, 2012
PRESENTER: Brian Rusche, Senior Planner

AGENDA TOPIC: Area 15 Rezone - (RZN-2011-1154)

ACTION REQUESTED: Recommendation to City Council to:

- 1) Rezone 15.454 acres in two (2) parcels located at 690 and 694 29 1/2 Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district;
- 2) Rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district.

Subarea 1 - BACKGROUND INFORMATION			
Location:		690 and 694 29 ½ Road	
Applicants:		City of Grand Junction	
Existing Land Use:		Single Family, Agricultural	
Proposed Land Use:		No changes to land use(s) proposed	
Surrounding Land Use:	North	Single Family, Agricultural	
	South	Agricultural	
	East	Single Family	
	West	Single Family	
Existing Zoning:		R-R (Residential Rural)	
Proposed Zoning:		R-5 (Residential 5 du/ac)	
Surrounding Zoning:	North	R-5 (Residential 5 du/ac), R-R (Residential Rural)	
	South	R-5 (Residential 5 du/ac)	
	East	R-R (Residential Rural)	
	West	PD (Planned Development)	
Future Land Use Designation:		Residential Medium	
Zoning within density range?		X	Yes
			No

Subarea 2 - BACKGROUND INFORMATION				
Location:		698 29 Road, 2910 Highline Canal Road, 725 29 Road		
Applicants:		City of Grand Junction		
Existing Land Use:		Undeveloped, Social Services, Agricultural		
Proposed Land Use:		No changes to land use(s) proposed		
Surrounding Land Use:	North	Agricultural, Airport		
	South	Undeveloped, Electric Substation		
	East	Undeveloped, Single Family		
	West	Undeveloped		
Existing Zoning:		C-1 (Light Commercial), R-R (Residential Rural)		
Proposed Zoning:		BP (Business Park)		
Surrounding Zoning:	North	PAD (Planned Airport Development)		
	South	R-5 (Residential 5 du/ac), R-R (Residential Rural)		
	East	R-5 (Residential 5 du/ac), R-R (Residential Rural)		
	West	PD (Planned Development)		
Future Land Use Designation:		Business Park Mixed Use		
Zoning within density range?		X	Yes	No

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background

The subject properties were annexed into the City of Grand Junction on December 5, 1999 when the North Glenn/Matchett Enclave Annexation became effective. The properties were assigned a zoning at the time of annexation.

In 2010, the Comprehensive Plan was adopted. 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.

Two distinct subareas exist that encompass the subject properties:

Subarea 1 consists of two large-lot residential/agricultural acreages on 29 ½ Road currently zoned R-R (Residential Rural). The Comprehensive Plan anticipated a need

for additional dwelling units based on historic and projected population growth. The Future Land Use Map assigned a designation of Residential Medium (4-8 du/ac) south of G Road. The requested rezone of 690 and 694 29 ½ Road, also known as Parcel 1 and 2 of the Dorsey Simple Land Division, from R-R to R-5 (Residential 5 du/ac) will bring these two properties into conformance with the Future Land Use designation and is consistent with the existing R-5 zoning further south along 29 ½ Road.

Subarea 2 consists of three unique parcels situated on either side of I-70 accessed via 29 Road. One is currently farmed, one is vacant, and one is the location of a social service facility under the name of Offender Services Inc. The Comprehensive Plan anticipated an opportunity for future development at the intersection of 29 Road and I-70 that would be triggered by the construction of an interchange. The Future Land Use Map assigned a new designation of Business Park Mixed Use (BP) to all of the private acreage surrounding this future interchange. The requested rezone of these properties to BP will bring these properties into conformance with the Future Land Use designation in anticipation of development opportunities associated with the interstate interchange.

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. One letter to the owner of 2910 Highline Canal Road, Offender Services Inc, was returned as undeliverable. The open house was held on November 16, 2011. No comment sheets were received regarding this proposal. Six contacts were made about the proposal, including two owners/representatives of owners. Two e-mails from neighboring property owners are attached to this report.

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

Subarea 1 Response: The 2010 adoption of the Comprehensive Plan designated the Future Land Use for Area 1 as Residential Medium (4-8 du/ac), rendering the existing R-R (Residential Rural) zoning inconsistent. The proposed rezone to R-5 (Residential 5 du/ac) will resolve this inconsistency.

Subarea 2 Response: The 2010 adoption of the Comprehensive Plan created a new Future Land Use designation of Business Park Mixed Use and was applied to Area 2, rendering the existing R-R (Residential Rural) and C-1 (Light Commercial) zoning inconsistent. The proposed rezone to BP (Business Park) 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

Subarea 1 Response: Additional residential development, known as Cattail Creek, has been proposed along 29 ½ Road adjacent to these two properties. Although the current economic conditions have delayed the construction of this development, it demonstrates the desirability of the area for additional residences.

Subarea 2 Response: The 29 Road/I-70 Interchange represents, with the opening of the 29 Road bridge over the Union Pacific Railroad between North Avenue and D ½ Road, the last segment of a long planned transportation loop around the City. Although it may be several years before this vision is realized, the Comprehensive Plan designation of Business Park, along with the proposed zone change, anticipates the opportunity for the type of development appropriate for lands adjacent to the interchange.

This criterion has been met.

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

Subarea 1 Response: 29 ½ Road and G Road are designated as minor collectors, which would funnel traffic from new development to the west and south. Adequate infrastructure exists in 29 ½ Road right-of-way to accommodate, with upgrades as necessary, additional residential density.

Subarea 2 Response: 29 Road is designated as a Principal Arterial, with an interchange proposed at I-70 and a future extension into the Airport and to points east, paralleling I-70. The existing land use is primarily undeveloped or irrigated land, meaning significant infrastructure would be necessary. These improvements, however, would be spurred by the development potential generated by a new interstate interchange.

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

Subarea 1 Response: There is approximately 125 acres of developable land north of F ½ Road east of 29 Road that is presently zoned R-5. This represents the majority of the remaining developable land in this portion of the community, which is constrained on the east by the Airport Critical Zone, a portion of which extends through the property at 694 29 ½ Road; the north by the Highline Canal and I-70, the west by Matchett Park, and the south by existing development.

Subarea 2 Response: There is approximately 250 acres of privately owned land on either side of I-70 between the Highline Canal and the Airport, in addition to the subject properties. All of this additional land is zoned PD (Planned Development).

This criterion is met.

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

Subarea 1 Response: The proposed R-5 zone district will provide the opportunity for additional density as an extension of established and emerging neighborhoods. Additional density allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

Subarea 2 Response: It is anticipated, through the Future Land Use designation of Business Park Mixed Use, that all of the privately owned property located on either side of I-70 at 29 Road, would develop with land uses to serve the proposed interchange, though a portion of this property will be appropriated for the interchange itself. The rezone of these three properties is consistent with this vision and would provide significant business opportunities as a regional provider of goods and services, consistent with Goal 12 of the Comprehensive Plan.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Area 15 Rezone, RZN-2011-1154, a request to:

- 1) Rezone 15.454 acres in two (2) parcels located at 690 and 694 29 1/2 Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district;
- 2) Rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district;

the following findings of fact and conclusions have been determined:

1. The requested zoning 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 rezone, RZN-2011-1154, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone RZN-2011-1154, I move that the Planning Commission forward a recommendation of approval for:

- 1) A rezone of 15.454 acres in two (2) parcels located at 690 and 694 29 1/2 Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district;
- 2) A rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district;

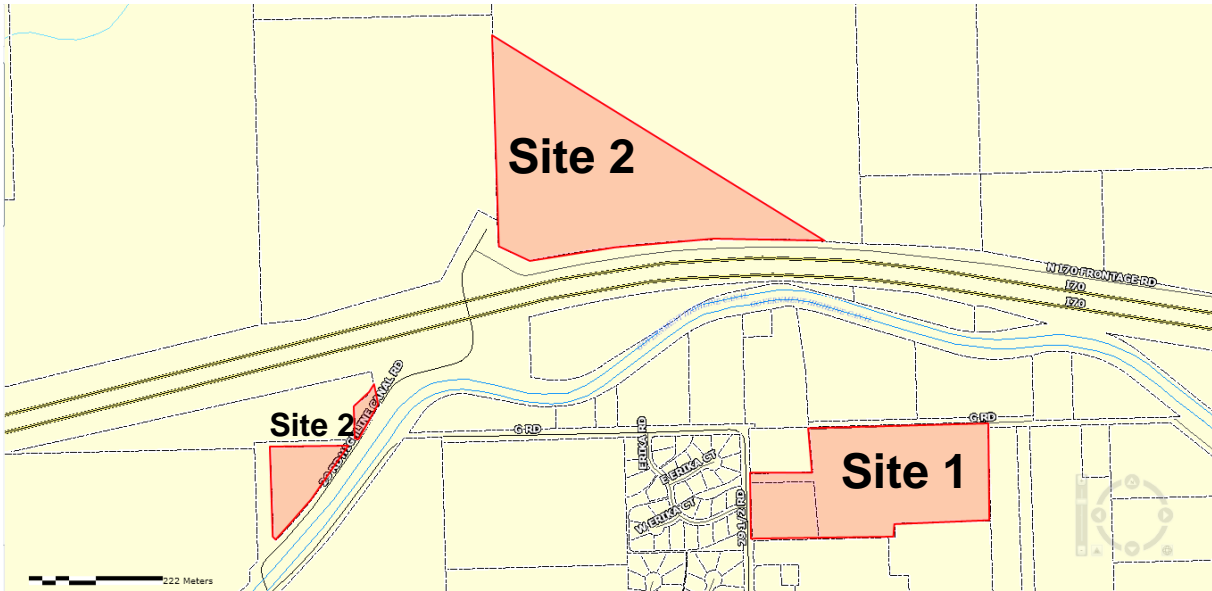
With the findings of fact and conclusions listed in the staff report.

Attachments:

Site Location Map
Aerial Photo Map
Future Land Use Map
Existing City Zoning Map
Blended Residential Map
E-mails from adjacent property owners
Proposed Ordinance

Site Location Map

Figure 1



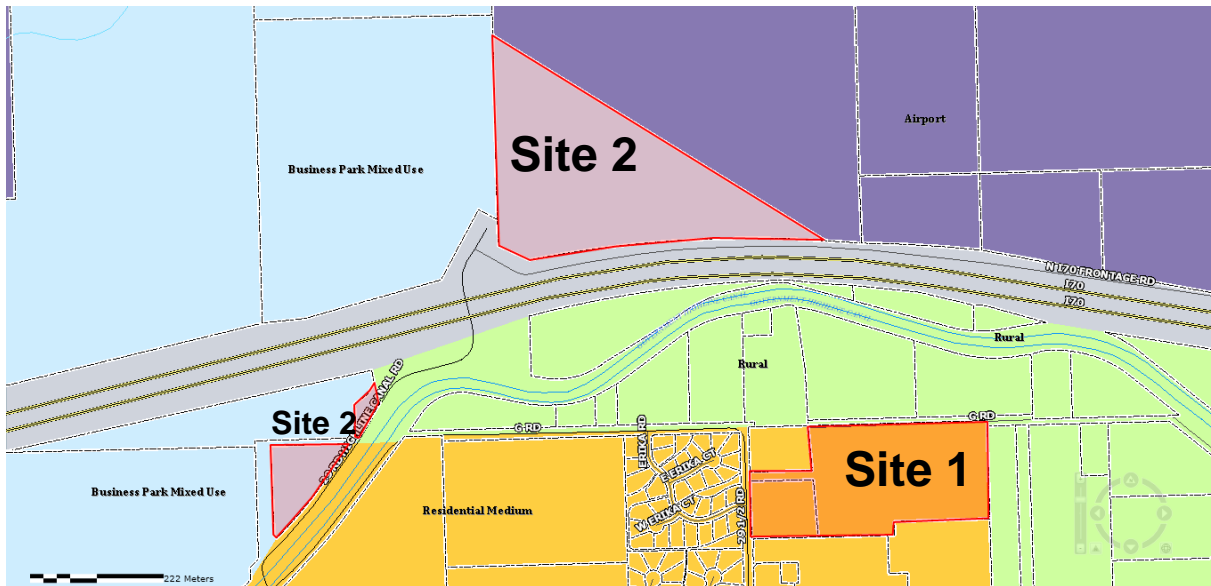
Aerial Photo Map

Figure 2



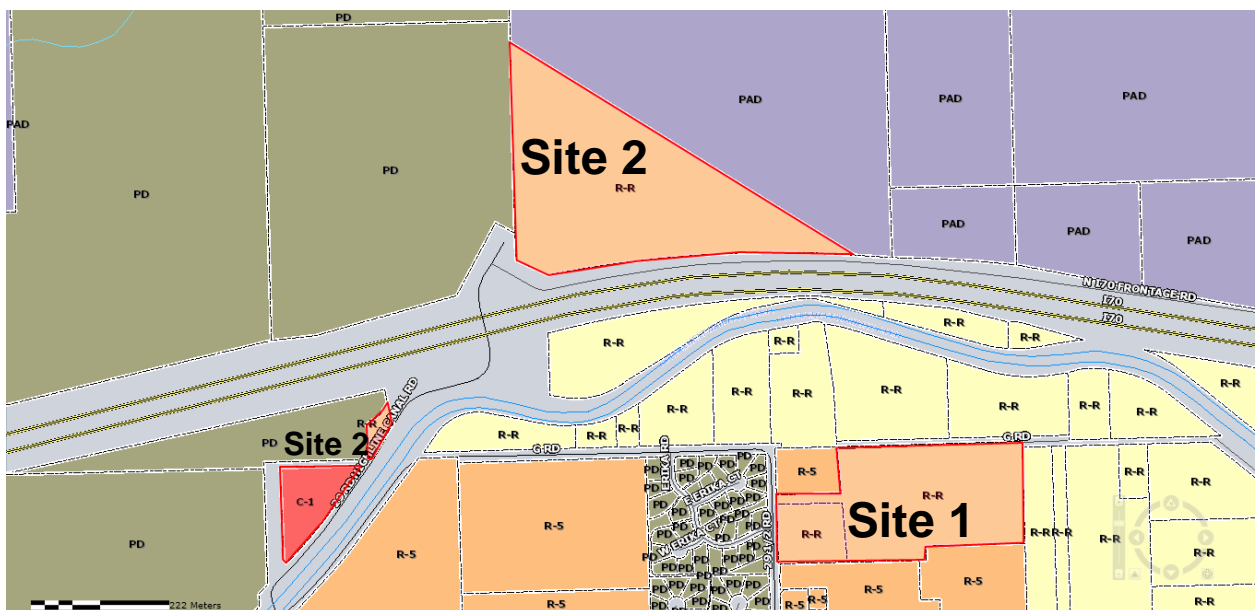
Comprehensive Plan Map

Figure 3



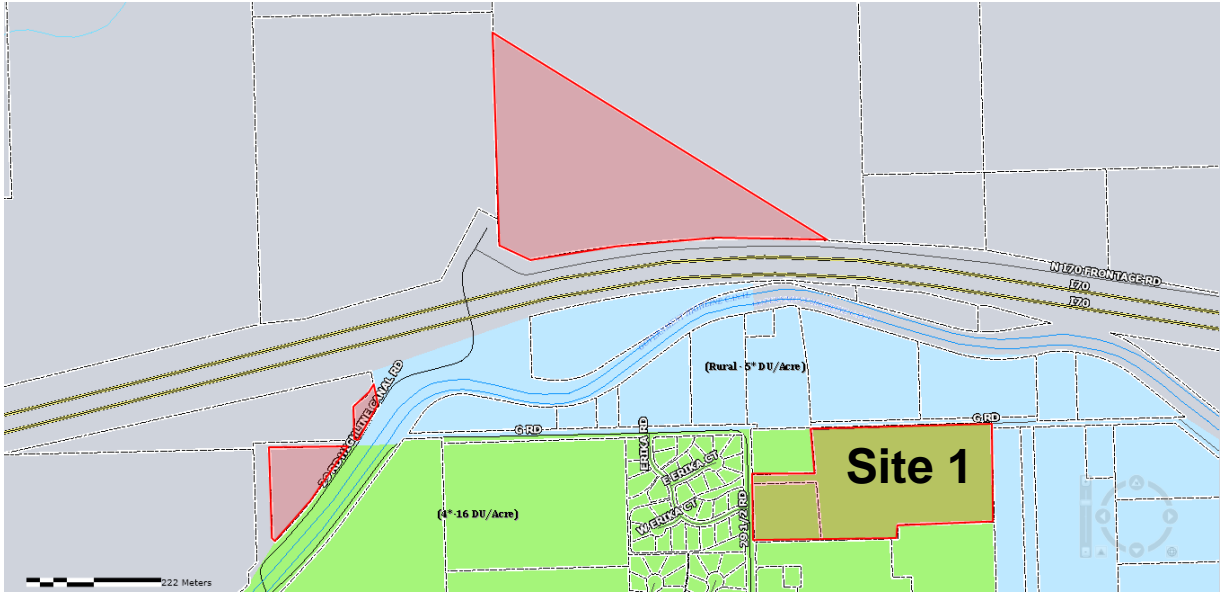
Existing City and County Zoning Map

Figure 4



Blended Map

Figure 5



From: Brian Rusche
To: Dave Leonard
CC: Jeff Stansfield (jstansfieldfamily@gmail.com)
Date: 12/5/2011 8:19 AM
Subject: Re: RZN-2011-1154-Blue Polygon-Area 15 Rezone-690 29 1/2 RD
Attachments: Mailing_15.pdf

Mr. Leonard,

Thank you for your interest in the above referenced project.

There are two groups of properties being considered by the City for a rezone. The properties adjacent to your client's are proposed to be zoned BP (Business Park) in order to be consistent with the Comprehensive Plan designation of Business Park. This is a City initiated rezone and no development is proposed at this time.

I have attached a map of this request, which is also available at the following website:
<http://www.gjcity.org/ProposedRezoneNo2.aspx>

The schedule for this request is also posted. Although the open house has already be held, public comments may be accepted prior to the Planning Commission hearing, scheduled for January 24, 2012.

If you have any further questions regarding this request, please contact me.

Sincerely,

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

>>> Dave Leonard <DaveL@pinnaclewestern.com> 12/2/2011 1:41 PM >>>

Greetings - I am writing in response to a request for comments issued by your department re: above. My client, Horizon View, LLC owns a parcel in close proximity. Can you direct me to a web site or other source of information about what is proposed by Blue Polygon?

Dave Leonard, PE, SE
Registered Geotechnical Engineer

Pinnacle Western, Inc.
3329 NE Stephens St.
Roseburg, OR 97470

541 440 4871
FAX 541 672 0677

E-mail regarding property adjacent to Business Park

From: Brian Rusche
To: Kathy Deppe
Date: 12/5/2011 9:10 AM
Subject: Re: RZN 2011 1154 Blue Polygon
Attachments: Mailing_15.pdf

Kathy,

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.

As you know, there are two groups of properties that are included in this request. A group of three properties are located on either side of I-70 at 29 Road and are proposed to be zoned BP (Business Park).

Your neighbors' properties are proposed to be zoned R-5 (Residential 5 du/ac) in order to be consistent with the Comprehensive Plan. This is a City initiated rezone and no development is proposed at this time. In addition, the existing land uses prior to rezoning may remain. I have already spoken to Mr. Green as well.

These two groups of properties are being considered in one public process simply because of geography, but they are not related to each other. I have included a map which shows the current and proposed zones for each property.

You may still provide comments prior to the Planning Commission hearing on this request, which is scheduled for January 24, 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

>>> Kathy Deppe <kathyd3@earthlink.net> 11/5/2011 5:16 PM >>>

Brian

We received notice of the hearing for the rezone of Area 15-690 29 1/2 Road.

We live at 676 29 1/2 Road and our neighbors, Doug and Patty Green live at 690 29 1/2 Road.

When I look at the City Website, planning and go to this file, the property that I am seeing that is being re-zoned is on the North Side of the canal and on the North side of G Road at 29 Road. Why is the address on the planning card 690 29 1/2 Road?

Please respond. I see we only have until November 7, 2011 to make comments, and yet, we just received this notice by mail, Saturday November 5, 2011.

Would like to have an explanation of the address and the parcels being re-zoned or, am I looking at this all wrong.

Katherine Deppe-Spomer

E-mail from neighbor at 676 29 ½ Road

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING PROPERTIES
LOCATED AT 690 AND 694 29 1/2 ROAD
FROM AN R-R (RESIDENTIAL RURAL) TO
AN R-5 (RESIDENTIAL 5 DWELLING UNITS PER ACRE) ZONE DISTRICT**

AND

**REZONING PROPERTIES LOCATED AT 2910 HIGHLINE CANAL ROAD AND 725
29 ROAD FROM AN R-R (RESIDENTIAL RURAL) TO
A BP (BUSINESS PARK) ZONE DISTRICT**

AND

**REZONING PROPERTY LOCATED AT 698 29 ROAD FROM A C-1 (LIGHT
COMMERCIAL) TO A BP (BUSINESS PARK) 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 certain properties as follows:

- 1) Rezone 15.454 acres in two (2) parcels located at 690 and 694 29 1/2 Road from an R-R (Residential Rural) to an R-5 (Residential 5 dwelling units/acre) zone district;
- 2) Rezone 27.537 acres in two (2) parcels located at 2910 Highline Canal Road and 725 29 Road from R-R (Residential Rural) and 2.769 acres in one (1) parcel located at 698 29 Road from a C-1 (Light Commercial), all to a B-P (Business Park) zone district.

The proposed zone districts meet the recommended land use category 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 proposed zone districts to be established.

The Planning Commission and City Council find that the 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-5 (Residential 5 du/ac):

PARCEL ONE AND PARCEL TWO DORSSEY SIMPLE LAND DIVISION

See attached map.

The following property shall be rezoned BP (Business Park):

LOT 1 TNG SUBDIVISION

Together with a parcel of land described as:

BEG 810FT W & N 1DEG37'28SEC W 30.02FT FR SE COR SW4SW4 SEC 32 1N 1E N 1DEG37'28SEC W 185.04FT N 56DEG36'46SEC E 85.56FT N 33DEG49'06SEC E 74.73FT S 12DEG16' E 106.70FT S 51DEG56' E 7.81FT S 34DEG20'13SEC W 224.10FT W 10.19FT TO BEG

Together with a parcel of land described as:

ALL THAT PTN OF W2NW4SE4 & W2SW4SE4 & E2SW4 SEC 32 1N 1E LYG N OF I-70 & SWLY OF FOLL-DESC LINE BEG S 0DEG12'46SEC W 484.74FT FR NW COR SD E2SW4 SEC 32 S 54DEG48'26SEC E 2011.36FT TO A PT ON N ROW LINE OF I-70

See attached map.

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

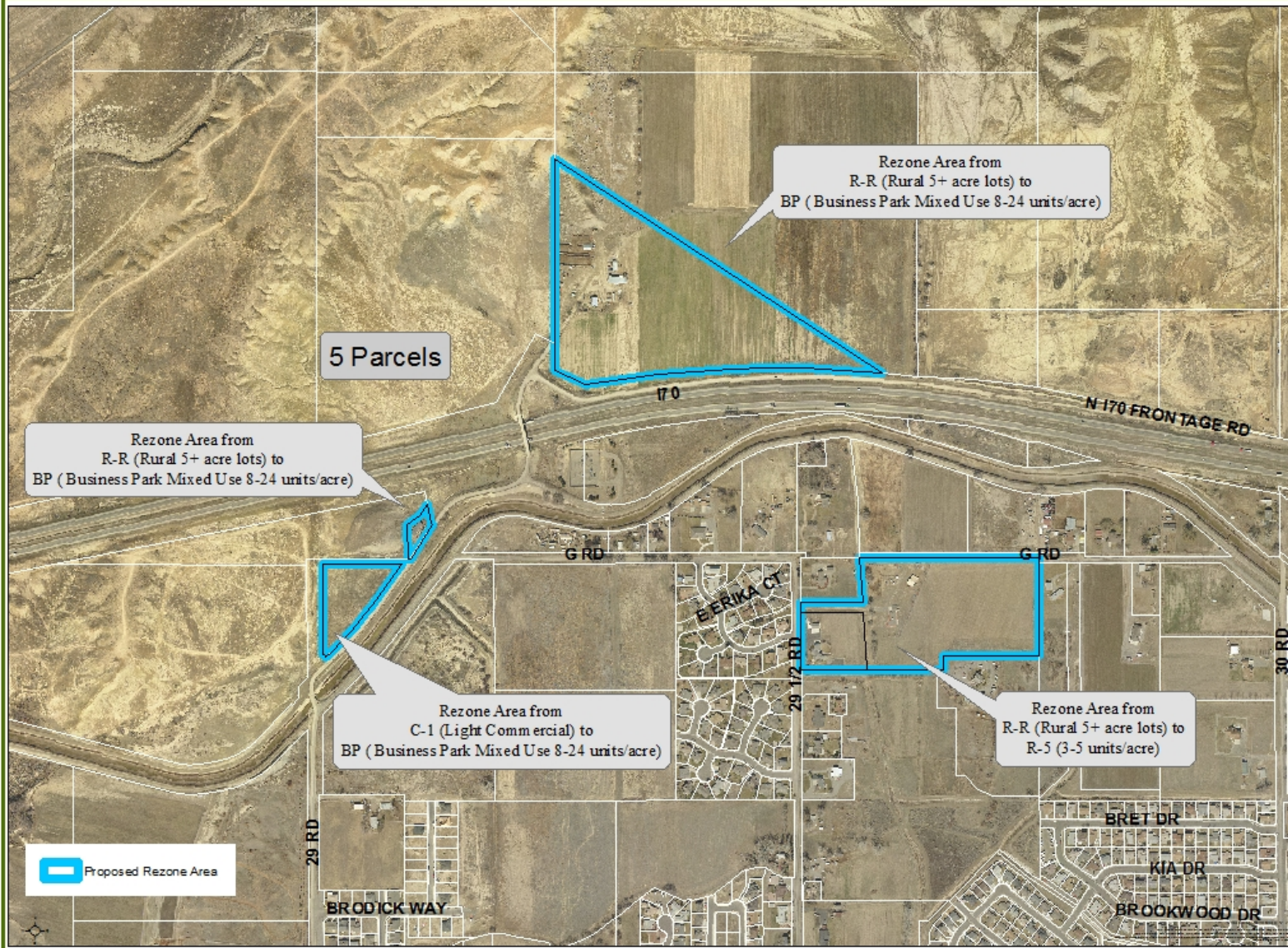
PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

Proposed Rezone - Area 15



**Attach 4
Blue Polygon Area 13**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 24, 2012
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Area 13 Rezone – (RZN-2011-1205)

ACTION REQUESTED: Recommendation to City Council to rezone nine (9) properties located in the area of Patterson and 26 ½ Road from:

- 1) Five (5) parcels from an R-5 (Residential 5 du/ac) to a B-1 (Neighborhood Business) zone district;
- 2) One (1) parcel from an R-5 (Residential 5 du/ac) to an R-8 (Residential 8 du/ac) zone district; and,
- 3) Two (2) parcels from an R-1 (Residential 1 du/ac) to an R-4 (Residential 4 du/ac) zone district.

Northridge Drive Property - BACKGROUND INFORMATION			
Locations:		Not addressed tax parcel 2945-023-00-065	
Applicant:		City of Grand Junction	
Existing Land Uses:		Vacant Land	
Proposed Land Use:		N/A	
Surrounding Land Uses:	North	Single-family residential	
	South	Vacant land	
	East	Single-family residential	
	West	Single-family residential	
Existing Zonings:		R-1 (Residential – 1 unit per acre)	
Proposed Zonings:		R-4 (Residential – 4 units per acre)	
Surrounding Zonings:	North	R-1 (Residential – 1 unit per acre) and R-2 (Residential – 2 units per acre)	
	South	Generally R-4 (Residential 4 units per acre)	
	East	R-2 (Residential 2 units per acre)	
	West	R-4 (Residential 4 units per acre)	
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)	
Zoning within density range?		X	Yes
			No

26 ½ Road Properties - BACKGROUND INFORMATION

Locations:	642 26 ½ Road and 632 26 ½ Road.		
Applicant:	City of Grand Junction		
Existing Land Uses:	Single-family Residential and Church		
Proposed Land Use:	N/A		
Surrounding Land Uses:	North	Single-family residential and vacant land	
	South	Vacant land	
	East	Church	
	West	Church	
Existing Zonings:	R-1 (Residential – 1 unit per acre)		
Proposed Zonings:	R-4 (Residential – 4 units per acre)		
Surrounding Zonings:	North	R-4 (Residential 4 units per acre)	
	South	R-O (Residential – Office)	
	East	R-4 (Residential 4 units per acre)	
	West	Generally R-1 (Residential 1 units per acre) and R-2 (Residential 2 units per acre)	
Future Land Use Designation:	Residential Medium (4 – 8 du/ac)		
Zoning within density range?	X	Yes	No

Patterson Road Properties - BACKGROUND INFORMATION

Locations:	2628 Patterson Road; 2630 Patterson Road; 2632 Patterson Road; 2634 Patterson Road: not addressed tax parcel 2945-023-00-041;		
Applicant:	City of Grand Junction		
Existing Land Uses:	Single-family Residential		
Proposed Land Use:	N/A		
Surrounding Land Uses:	North	Vacant	
	South	Offices	
	East	Single-family residential and offices	
	West	Single-family residential	
Existing Zonings:	R-5 (Residential – 5 units per acre)		
Proposed Zonings:	B-1 (Neighborhood Business)		
Surrounding Zonings:	North	R-5 (Residential – 5 units per acre) and R-4 (Residential 4 units per acre)	
	South	R-4 (Residential 4 units per acre)	

	East	B-1 (Neighborhood Business) and PD (Planned Development)		
	West	R-5 (Residential – 5 units per acre)		
Future Land Use Designation:		Business Park Mixed Use (8 – 16 du/ac)		
Zoning within density range?		X	Yes	No

2634 ½ Patterson Road - BACKGROUND INFORMATION				
Locations:		2634 ½ Patterson Road		
Applicant:		City of Grand Junction		
Existing Land Uses:		Single-family Residential		
Proposed Land Use:		N/A		
Surrounding Land Uses:	North	Single-family residential and vacant		
	South	Single-family residential and offices		
	East	Single-family residential and offices		
	West	Single-family residential and vacant		
Existing Zonings:		R-5 (Residential – 5 units per acre)		
Proposed Zonings:		R-8 (Residential – 8 units per acre)		
Surrounding Zonings:	North	R-5 (Residential – 5 units per acre) and R-4 (Residential 4 units per acre)		
	South	R-5 (Residential – 5 units per acre), B-1 (Neighborhood Business); PD (Planned Development)		
	East	R-4 (Residential 4 units per acre) and PD (Planned Development)		
	West	R-5 (Residential – 5 units per acre) and R-4 (Residential 4 units per acre)		
Future Land Use Designation:		Business Park Mixed Use (8 – 16 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone 13.365 acres, located in the area of Patterson and 26 ½ Road from R-5 (Residential -5 units per acre) to B-1 (Neighborhood Business); from R-5 (Residential -5 units per acre) to R-8 (Residential – 8 units per acre) and R-1 (Residential - 1 unit per acre) to R-4 (Residential – 4 units per acre) zone districts.

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 and the need for new and additional neighborhood services in Mixed Use Corridor areas. The adopted Comprehensive Plan – Future Land Use Map changed the designation in this area to two different categories, Residential Medium (4-8 du/ac) and Business Park Mixed Use (8 – 16 dwelling units per acre). Please 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 nine properties which are the subject of this report, Staff recommends three zoning designations. Each will be discussed in detail below.

Area 13 has nine (9) properties making up three subareas. The first subarea is an unaddressed parcel, identified as tax parcel number 2945-023-00-065. It is vacant land located at the eastern end of Northridge Drive. The Main Line Grand Valley Canal borders the property on the North and the East. It is approximately 0.881 acres in size. The existing zoning of R-1 (minimum lot size should be 1 acre) is proposed to be zoned R-4. R-4 zoning will bring the lot into conformance with the existing Residential Medium designation. The R-4 zoning designation is currently on the west and south sides of the subject parcel. Across the canal the zoning designation is R-2, which fits the Future Land Use Map designation of Residential Low for that area. The property owner (Dr. Merkel) submitted written comments in support of this change, a copy of which is attached. The written comments also include comments on his property that abuts Patterson Road.

The second subarea has two parcels. The first one, a single-family residence, addressed as 642 26 ½ Road, is approximately 0.536 acres in size. R-1 zoning's minimum lot size is one acre; therefore this lot also is non-conforming with the minimum lot size for R-1 zoning as well as the Comprehensive Plan, which is Residential Medium, 4-8 units per acre. The second parcel is addressed as 632 26 ½ Road and is home to St. Paul Evangelical Lutheran Church. This parcel is 1.749 acres. The Comprehensive Plan for this lot is the same, Residential Medium, as the aforementioned parcel, and the proposed zoning is R-4 will bring it into conformance. The properties North and East are currently zoned R-4. The property directly South is zoned R-O (Residential Office) and is vacant. 26 ½ Road borders the subject parcels

on the West side. No written comments were received but the owner of the single-family residence called and asked questions as to why the rezone. Once it was explained it appeared to not be a concern for the property owner.

The third subarea consists of five (5) parcels. The parcels abut Patterson Road and are currently zoned R-5. They are single-family detached houses addressed as 2628, 2630, 2632, 2634 Patterson Road and parcel number 2945-023-00-041, which is a sliver of a lot, approximately .035 acres in size and is used as an access to 2634 ½ Patterson Road. This is owned by the same owner (Van Dover) but is a separate lot. The Comprehensive Plan designates this area as Business Park Mixed Use and Patterson Road is designated as a Mixed Use Corridor. The proposal is for B-1 (Neighborhood Business) zoning. B-1 is the zoning designation directly east of the subject parcels. This area contains general offices and a small shopping center.

The third subarea also includes one large lot, addressed as 2634 ½ Patterson Road, is 9.004 acres in size and is proposed to be zoned R-8. The property owner, Millye Van Dover wishes to “opt out” of the rezone. She spoke with me on the telephone and had her renter provide a written comment sheet requesting that she not be rezoned. Another citizen attended the Open House on November 16, 2011 and expressed his displeasure with the proposed rezone for the VanDover property. R-8 zoning is the least dense residential zoning allowed in a Business Park Mixed Use, which is for business, light industrial, employment-oriented areas with the allowance of multi-family development. R-8 zoning allows for a single-family residence and will not create a non-conforming use for this large lot with a single-family residence on it.

All other property owners did not respond or they were very much in favor of the rezones (see Dr. Merkel’s written comments attached). Dr. Merkel and another citizen pointed out that the property adjacent to and West of 2628 Patterson Road should be included in the rezone (also owned by Dr. Merkel).

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 proposed rezones will alleviate the conflict between the current zoning and the Future Land Use Map of the Comprehensive Plan as well as bring into conformance the minimum lot size standards for two of the lots.

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

Response: Development has occurred around the subject parcels.

(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 currently exist and may be extended for future development of these properties.

(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: This criterion does not apply to these properties or this request as the proposal to rezone, is City initiated, to eliminate the conflict between the Future Land Use designation of the Comprehensive Plan and the existing zoning of the properties.

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

Response: The proposed B-1, R-8, and R-4 zones will provide the opportunity for additional residential density and commercial uses within the urbanized area of the valley, which is consistent with goals and policies of the Comprehensive Plan's. Higher densities and higher intensive commercial uses 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 13 Rezone, RZN-2011-1205, a request to rezone certain properties from R-1 (Residential – 1 unit per acre) to R-4 (Residential – 4 units per acre); R-5 (Residential – 5 units per acre) to B-1 (Neighborhood Business) and R-5 (Residential – 5 units per acre) to R-8 (Residential – 8 units per acre) 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 Municipal Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zones, RZN-2011-1205, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone, RZN-2011-1205, I move that the Planning Commission forward a recommendation of the approval for the Area 13 Rezones, three parcels from R-1 to R-4, five parcels from R-5 to B-1, and one parcel from R-5 to R-8, with the findings of fact, conclusions, and conditions listed in the staff report.

Attachments:

Area 13 Map

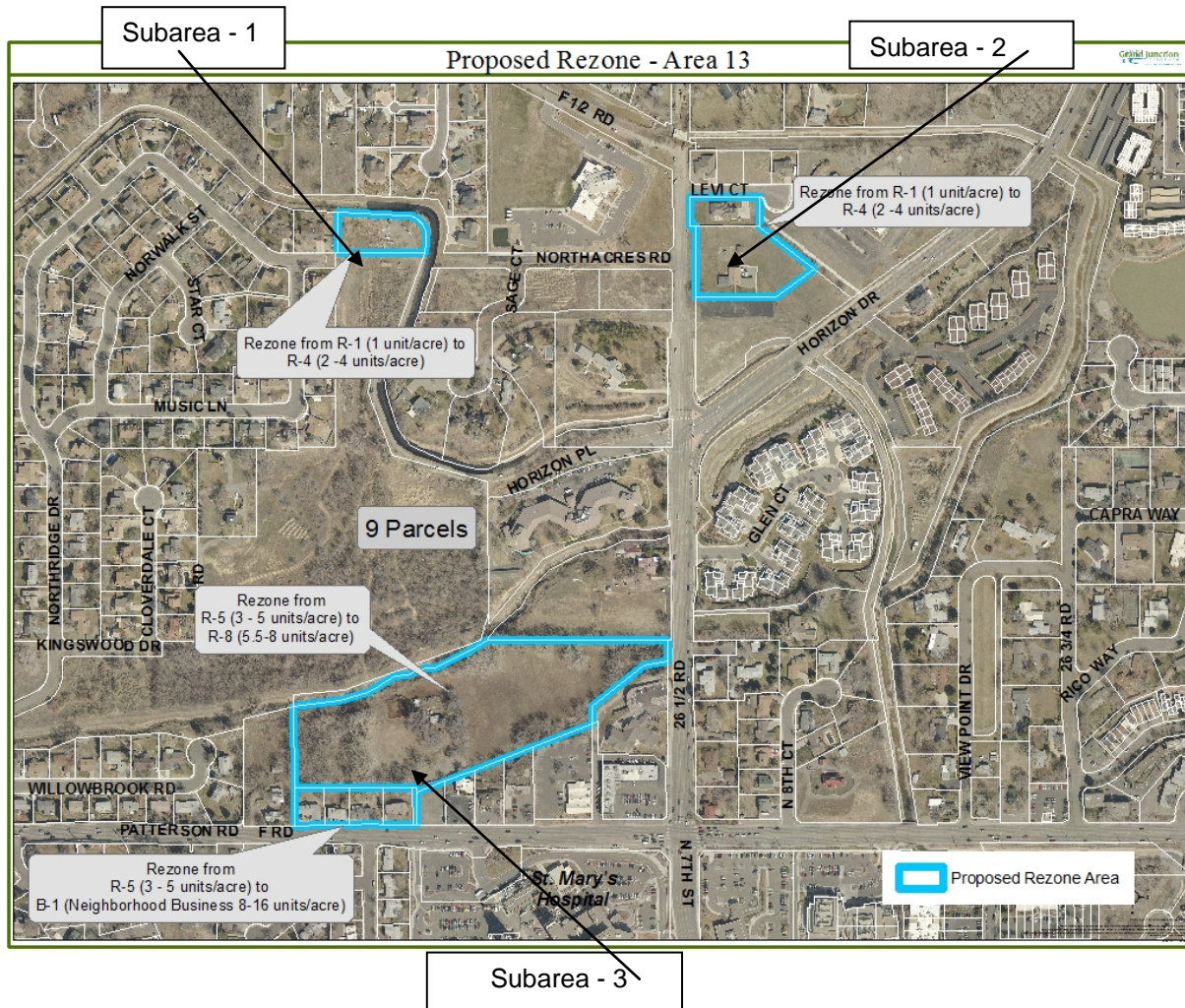
Blended Residential Map

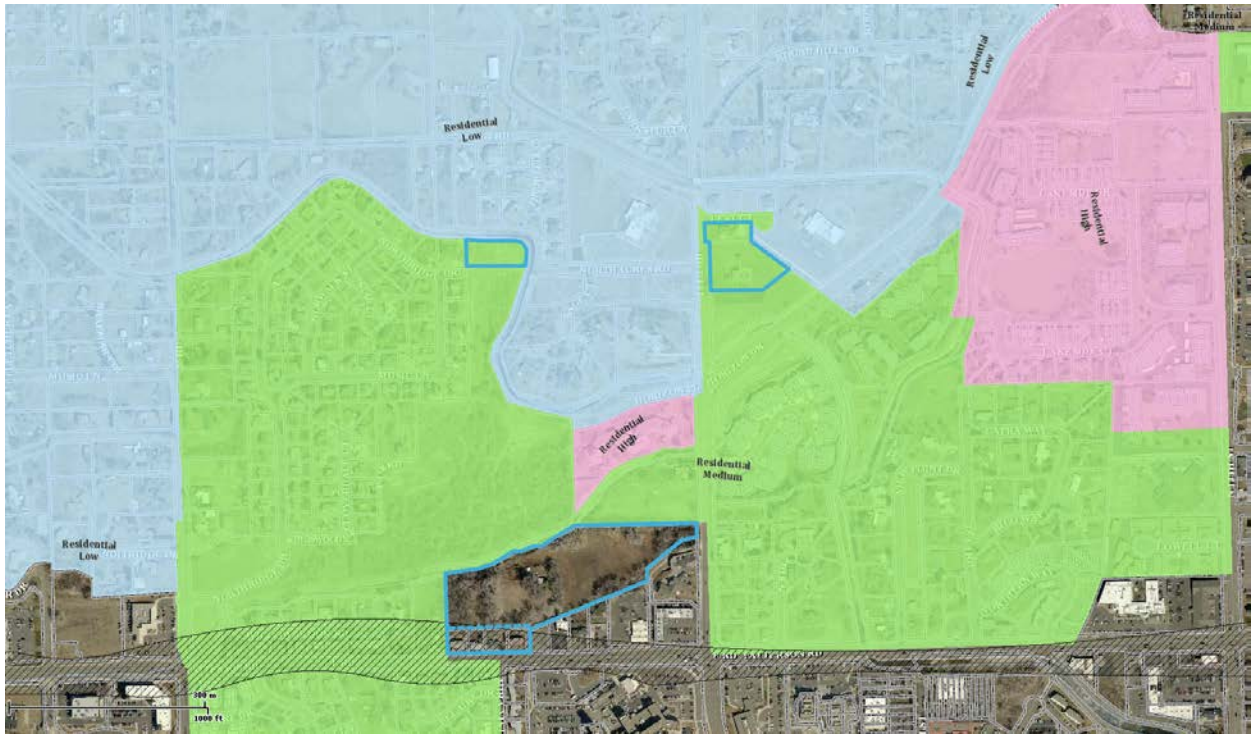
3 - Site Location Maps / Aerial Photo Maps

3- Comprehensive Plan Maps / Existing City and County Zoning Maps

Written Comments

Ordinance





Blended Residential Map for Area 13

Site Location Map

City Limits

Area 13 - 1



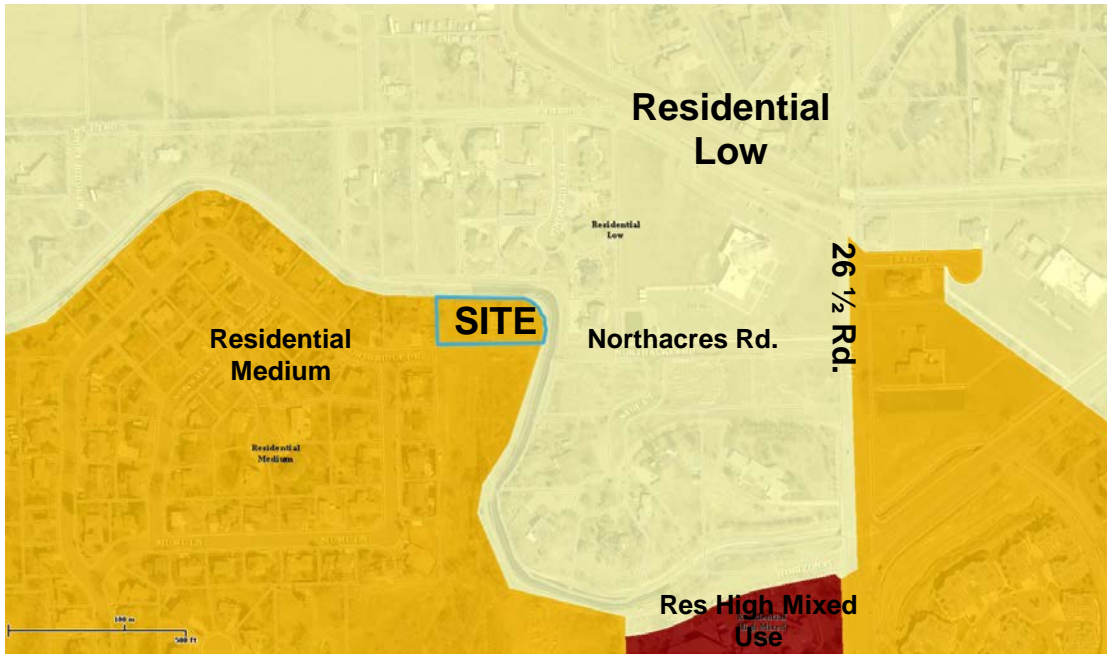
Aerial Photo Map

Area 13 - 1



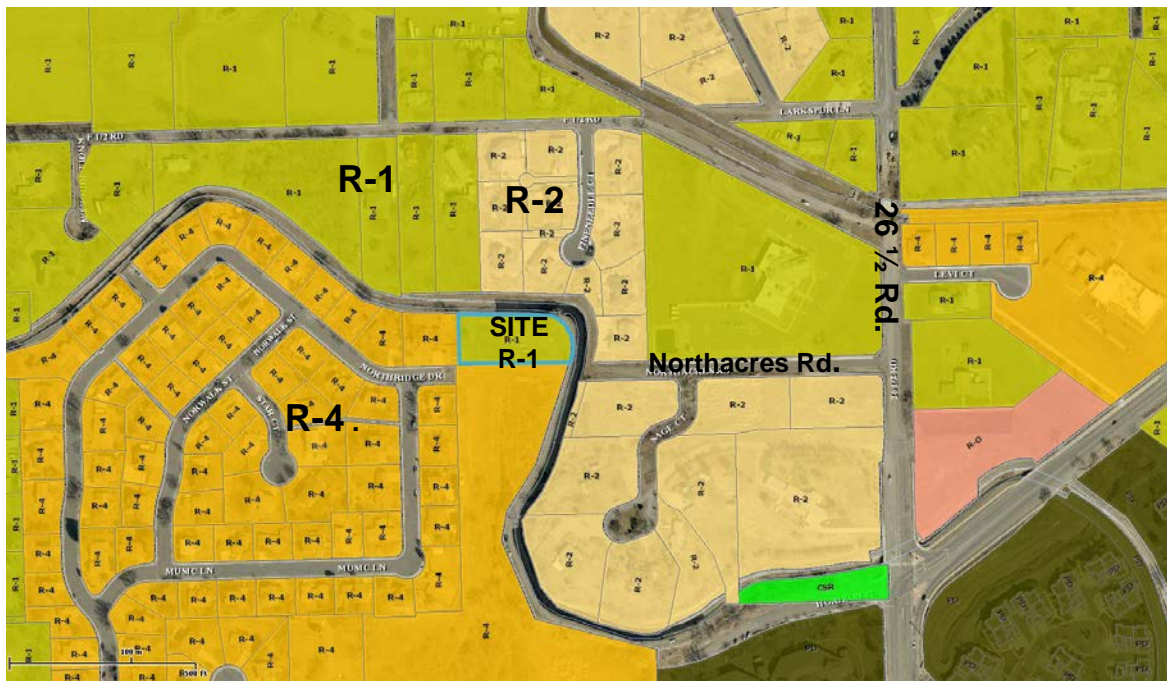
Comprehensive Plan Map

Area 13 - 1



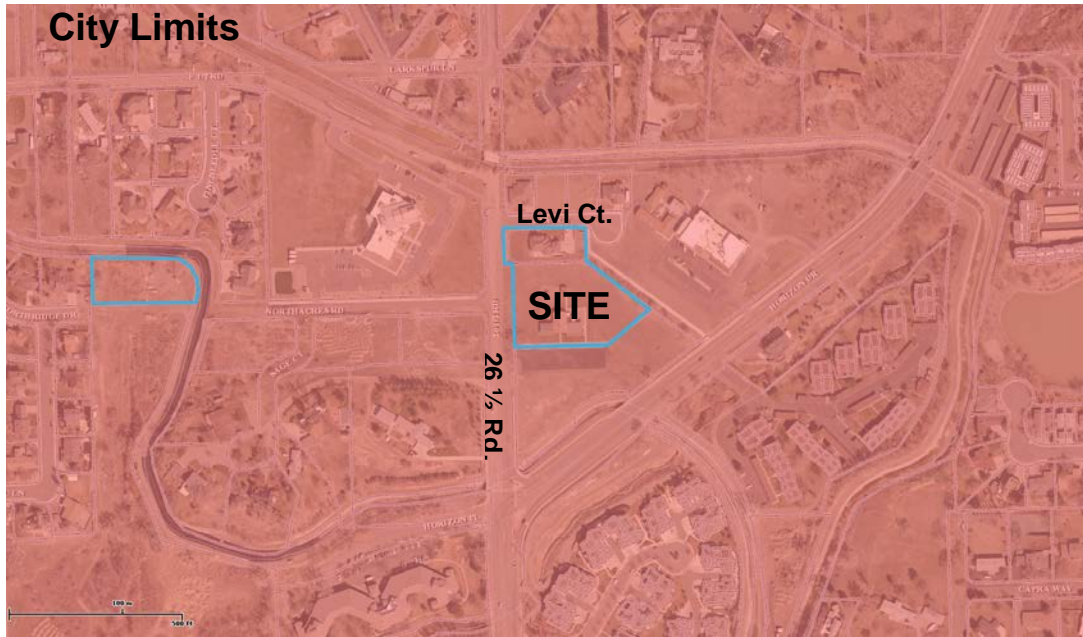
Existing City and County Zoning Map

Area 13 - 1



Site Location Map

Area 13 - 2



Aerial Photo Map

Area 13 - 2



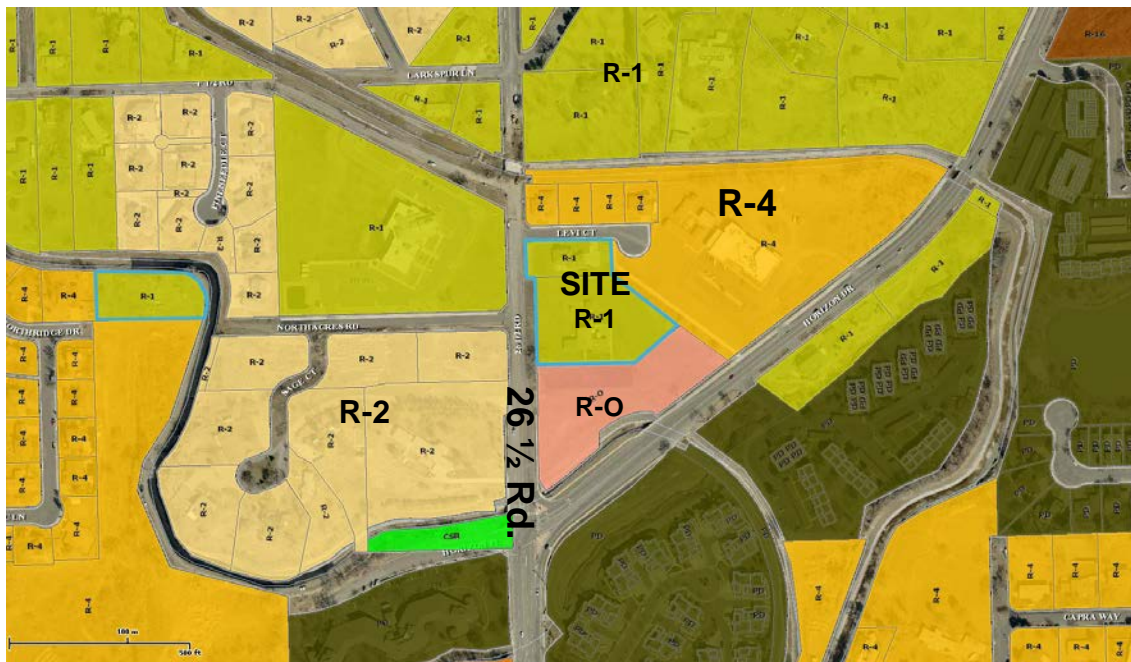
Comprehensive Plan Map

Area 13 -2



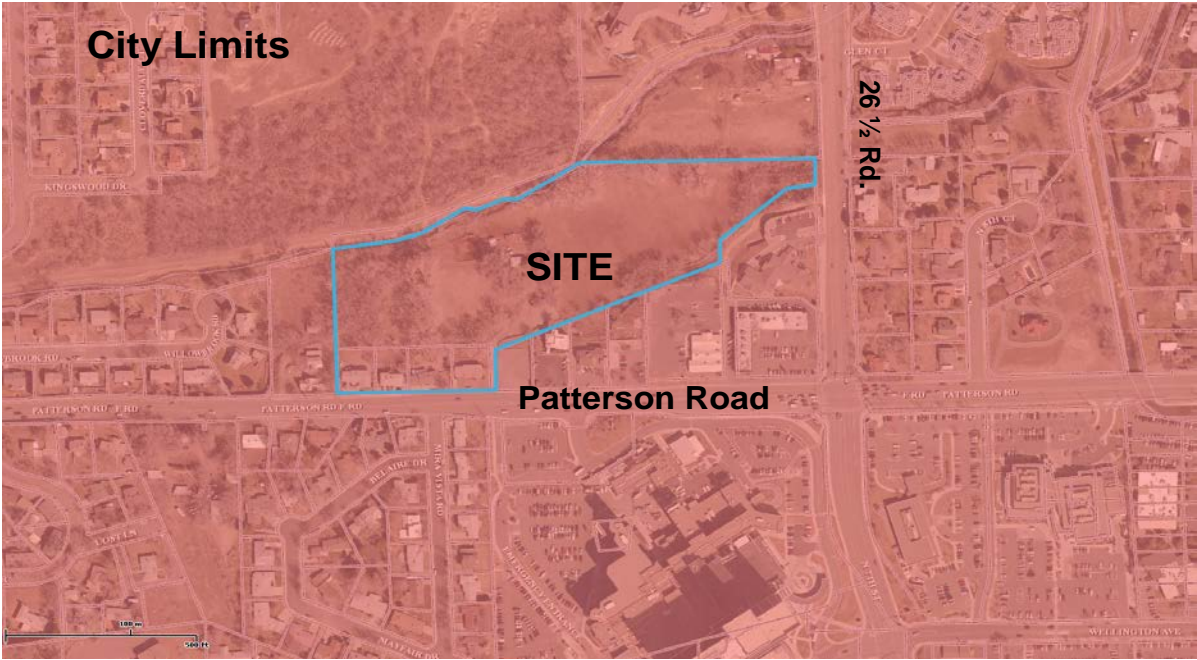
Existing City and County Zoning Map

Area 13 -2



Site Location Map

Area 13 -3



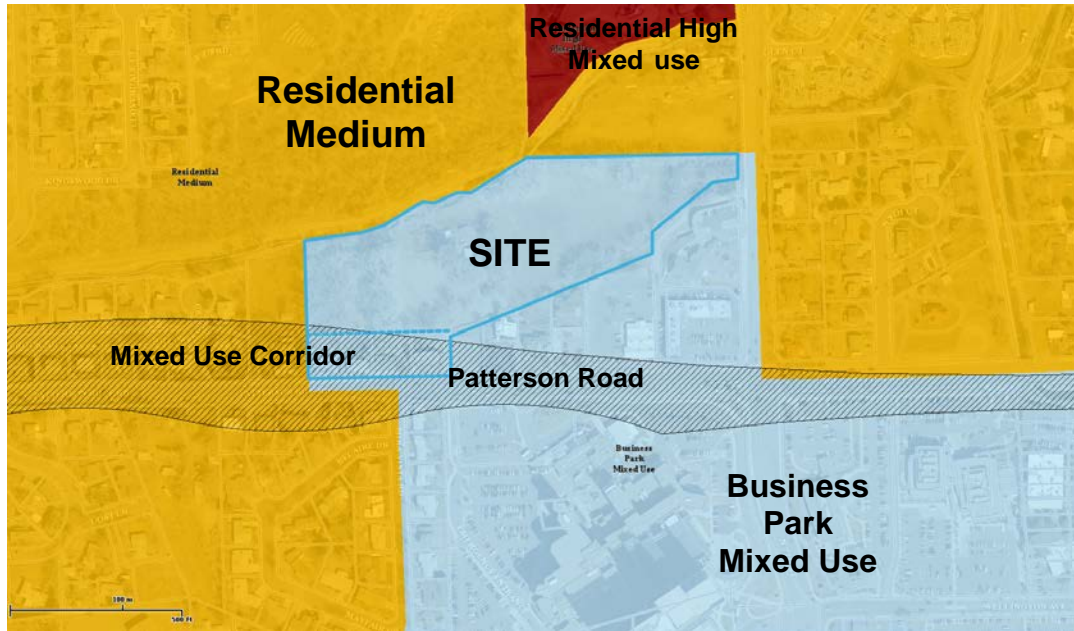
Aerial Photo Map

Area 13 - 3



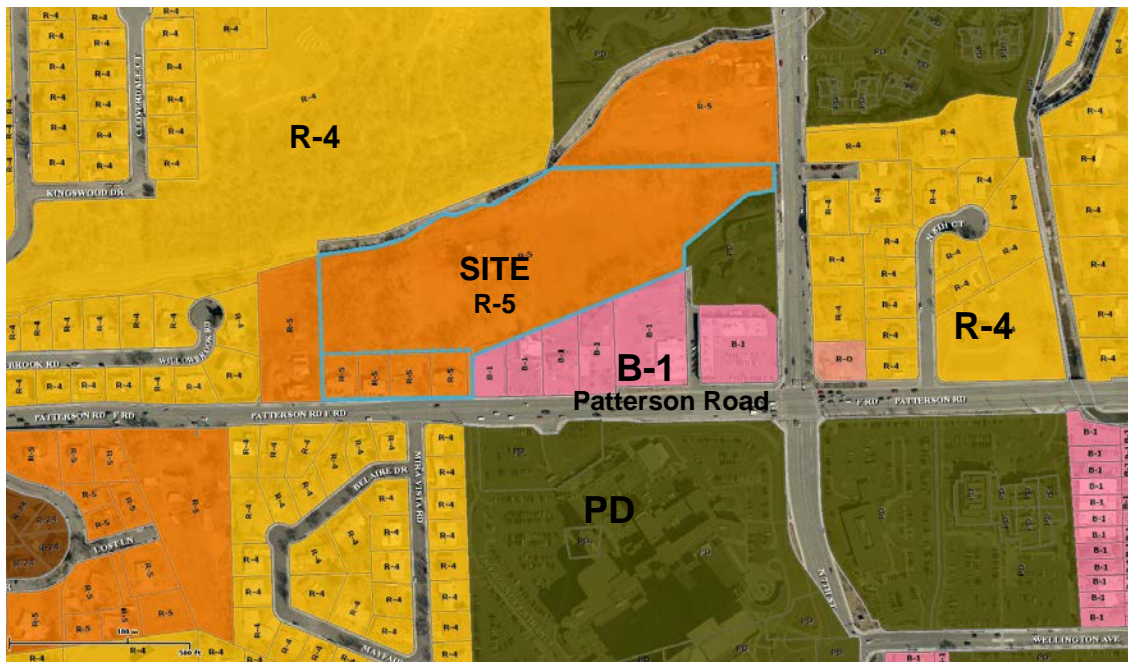
Comprehensive Plan Map

Area 13 - 3



Existing City and County Zoning Map

Area 13 - 3





OPEN HOUSE
November 16, 2011
4-6:00 p.m.
Grand Junction City Hall

Zoning Change Open House

Blue polygons, Zones 8, 9, 13 and 15

Comment Sheet

Thanks to the planning department for having the Open House where the staff was available for Q & A and the giving of their perspectives. The parcels I spoke to Lori Bowers about are:

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

SEE BELOW

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

2945-00-037: This parcel should be included in the same zoning changes as the other 4 parcels which border Patterson Road. Mrs Bowers agreed.

2945-00-065: This parcel is recommended for zoning change from R-1 to R-4 for which I agree, But what I am requesting is that the three lots across the canal to the EAST known as North Acres (2945-13-001, 2945-13-002, 2945-13-003) also be changed from R-2 to R-4. These 3 one acre lots cannot be developed profitably unless the zoning is R-4, and in fact could be an infill development up to R-8 as condos or townhomes.

2945-00-062 NorthRidge: This filing of NorthRidge never developed because the zoning of R-4 will not incite a developer unless the density is increased. All of these parcels will be an INFILL project.

A pre-app was filed with the City of Grand Junction for an increase in zoning. A copy is attached and Lori Bowers was/is the Project Manager.

I bring this report out to support my request to include this property in the current zoning changes from R-4 to R-4-R-16, as this will complete the "loop" of properties to make this infill project much more likely to materialize.

Thank you.

Name William D. Merkel

Address 2345 Yellow Cat Ct
Grand Junction, CO 81507

Phone (970) 260-9260

Email wdmerkell@bresnan.net

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



OPEN HOUSE
November 16, 2011
4-6:00 p.m.
Grand Junction City Hall

Zoning Change Open House

Blue polygons, Zones 8, 9, 13 and 15

Comment Sheet

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

2634 1/2 F Rd or 2636 Patterson Rd.

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

Want to Opt out Rezone - Millye Van Dover
Land Owner

Name Louisa Palmer - Renter

Address 2636 Patterson Rd.

Phone 255-7611

Email _____

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 632 AND 642 26 ½ ROAD AND A PARCEL LOCATED
AT THE EASTERN END OF NORTHRIDGE DRIVE
TAX PARCEL NUMBER 2945-023-00-065**

FROM R-1 TO R-4

AND

**AN ORDINANCE REZONING 2634 ½ PATTERSON ROAD
FROM R-5 TO R-8**

AND

**AN ORDINANCE REZONING 2628, 2630, 2632, 2634 PATTERSON ROAD AND AN
UNADDRESSED LOT LOCATED BETWEEN 2634 AND 490 PATTERSON ROAD
TAX PARCEL 2945-023-00-041**

FROM R-5 TO B-1

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 Area 13 properties from R-1 (Residential – 1 unit per acre) to the R-4 (Residential – 4 units per acre) zone district; R-5 (Residential – 5 units per acre) to R-8 (Residential – 8 units per acre) zone district and from R-5 (Residential – 5 units per acre) to B-1 (Neighborhood business) 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, 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, R-8 and B-1 zone districts are established.

The Planning Commission and City Council find that the R-4, R-8 and B-1 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 properties shall be rezoned R-4 (Residential – 4 units per acre):

632 26 ½ Road

642 26 ½ Road

Tax parcel 2945-023-00-065, located at the Eastern end of Northridge Drive.

The following property shall be rezoned R-8 (Residential – 8 units per acre):
2634 ½ Patterson Road.

The following properties shall be rezoned B-1 (Neighborhood Business):

2628 Patterson Road

2630 Patterson Road

2632 Patterson Road

2634 Patterson Road

Tax parcel 2945-023-00-041, located between 2634 and 490 Patterson Road.

As shown on Exhibit “A” attached.

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:

City Clerk

Mayor

Proposed Rezone - Area 13

Central Junction



Exhibit "A"

**Attach 5
Blue Polygon Area 9**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 24, 2012
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Area 9 Rezone – (RZN-2011-1207)

ACTION REQUESTED: Recommendation to City Council to rezone one property located at 513 Independent Avenue from R-16, (Residential – 16 du/ac) to C-2, (General Commercial).

BACKGROUND INFORMATION					
Location:		513 Independent Avenue			
Applicant:		City of Grand Junction			
Existing Land Use:		Vacant lot			
Proposed Land Use:		N/A			
Surrounding Land Use:	North	Commercial zoned property			
	South	Vacant commercial lot			
	East	Multi-family apartment complex			
	West	Vacant commercial lot			
Existing Zoning:		R-16, (Residential – 16 du/ac)			
Proposed Zoning:		C-2, (General Commercial)			
Surrounding Zoning:	North	C-2, (General Commercial)			
	South	C-2, (General Commercial)			
	East	R-16, (Residential – 16 du/ac)			
	West	C-2, (General Commercial)			
Future Land Use Designation:		Commercial			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request to rezone one property totaling 0.22 +/- acres located at 513 Independent Avenue, from R-16, (Residential – 16 du/ac) to C-2, (General Commercial).

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background:

In 2010, the current Comprehensive Plan was adopted by the City and the corresponding Future Land Use Map designation for this property was designated as Commercial. This property (513 Independent Avenue) is presently zoned R-16, (Residential – 16 du/ac) which does not match the Comprehensive Plan Future Land Use Map designation for this property by having a residential zone in a commercially designated area.

The City has identified numerous areas of the City where the current zoning designation does not match the Comprehensive Plan Future Land Use Map. This area, Area 9, represents one property that totals 0.22 +/- acres that the City, as the applicant for this request, wishes to rezone to bring this property into compliance with the Future Land Use Map. Previously, Area 9 included a total of 55 additional properties that were proposed to be rezoned from R-8, (Residential – 8 du/ac) to R-16, (Residential – 16 du/ac) located to the east along Independent and W. Kennedy Avenues. However, due to overwhelming neighborhood opposition, the City has decided to propose a Comprehensive Plan Future Land Use Map amendment for the 55 properties. The proposed amendment will return the area back to the original classification of Residential Medium (4 – 8 du/ac) leaving the property located at 513 Independent Avenue as the only property that needs to be rezoned. The proposed Future Land Use amendment will come before the Planning Commission and City Council in the near future.

The property owner was notified of the proposed rezone change via mail and invited to an Open House which was conducted on November 16, 2011 to discuss any issues, concerns, suggestions or support for the rezone request. The proposed rezone was discussed with the property owner of 513 Independent Avenue who verbally supported the request. Other property owners in the neighborhood have contacted City Staff but did not have a preference concerning the proposed rezone of this property.

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 existing parcel is currently zoned R-16, (Residential – 16 du/ac), however the Comprehensive Plan Future Land Use Map identifies this property as Commercial. The existing zoning is not in compliance with the Future Land Use Map, therefore, the proposed rezone to C-2, (General Commercial) will bring this property 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 and use of properties to the north, south and west have been commercial for over 30 years and has not changed during that time. The proposed rezone will bring the zoning of the property into compliance with the Comprehensive Plan Future Land Use Map.

(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 property. City water and sewer are located within Independent Avenue and the property is located within the City Center area with access to transportation, shopping and medical facilities.

(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 proposed rezone is in conjunction with a City wide initiated rezone to remove conflicts that were created when the Comprehensive Plan was adopted.

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

Response: The proposed rezone to C-2 from R-16 will provide the opportunity for commercial development, either office and/or general commercial/retail land use and will also match the current zoning on adjacent properties to the north, south and west.

The proposed rezone 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 9 Rezone, RZN-2011-1207, a request to rezone one property totaling 0.22 +/- acres, located at 513 Independent Avenue from R-16, (Residential – 16 du/ac) to C-2, (General Commercial), 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 Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

Project Manager recommends that the Planning Commission forward a recommendation of approval of the requested zone district change to C-2, (General Commercial), RZN-2011-1207, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

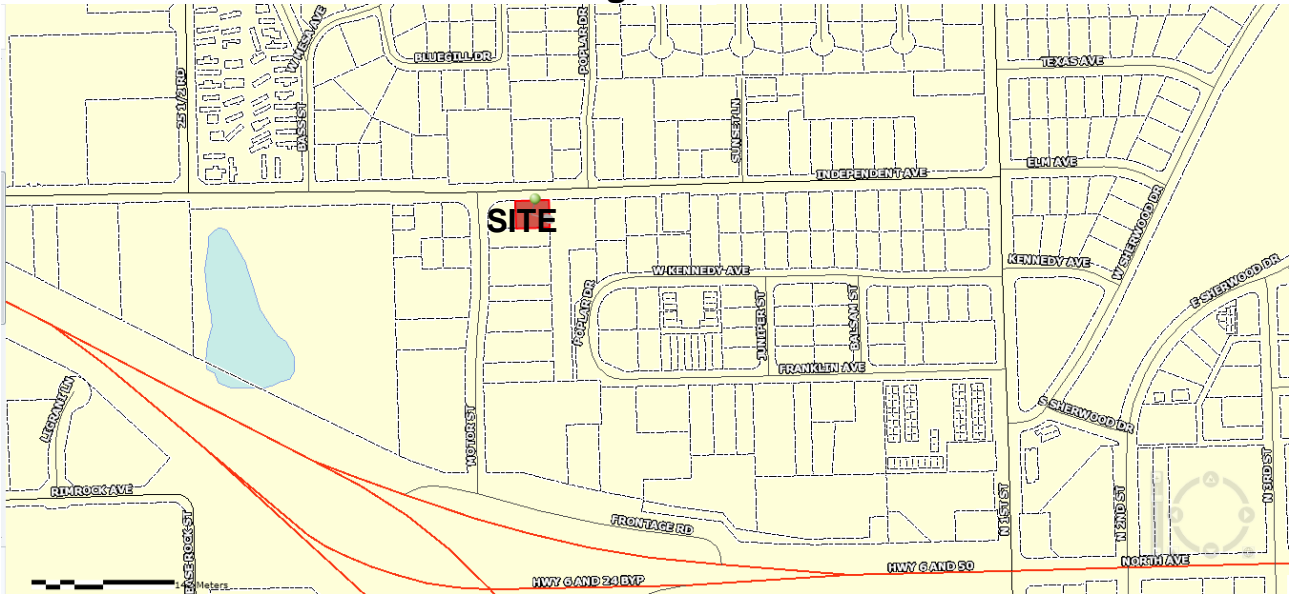
Mr. Chairman, on Rezone, RZN-2011-1207, I move that the Planning Commission forward a recommendation of the approval for the Area 9 Rezone for one property totaling 0.22 +/- acres, located at 513 Independent Avenue from R-16, (Residential – 16 du/ac) to C-2, (General Commercial) with the findings of 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
Ordinance

Site Location Map – 513 Independent Ave.

Figure 1



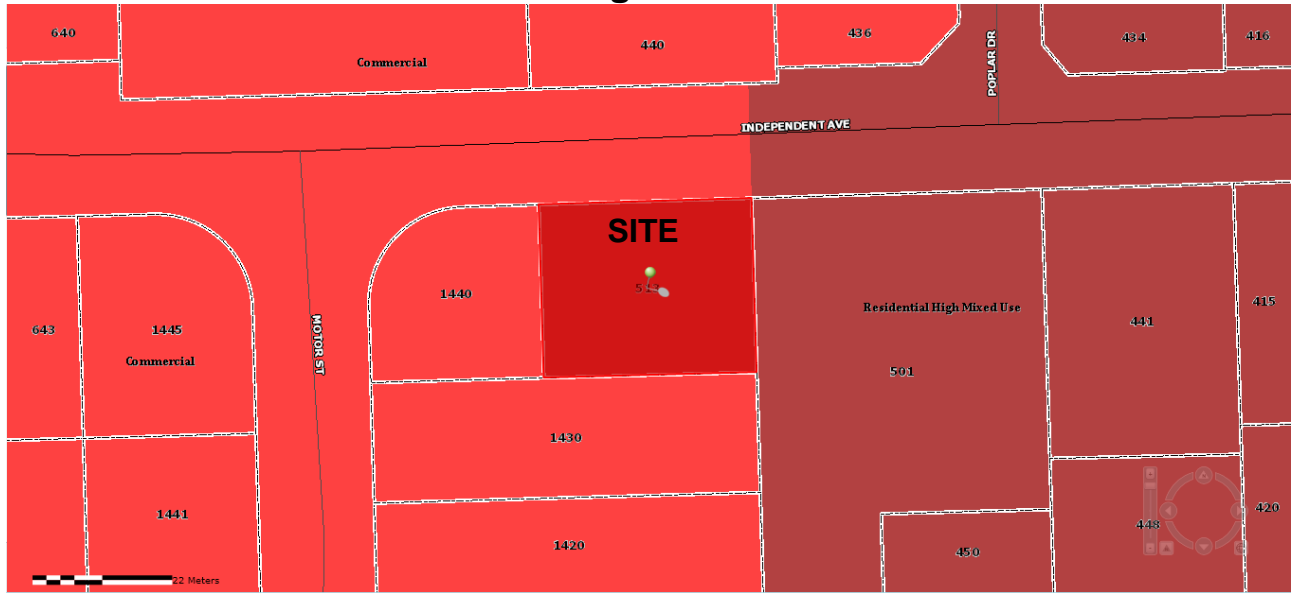
Aerial Photo Map – 513 Independent Ave.

Figure 2



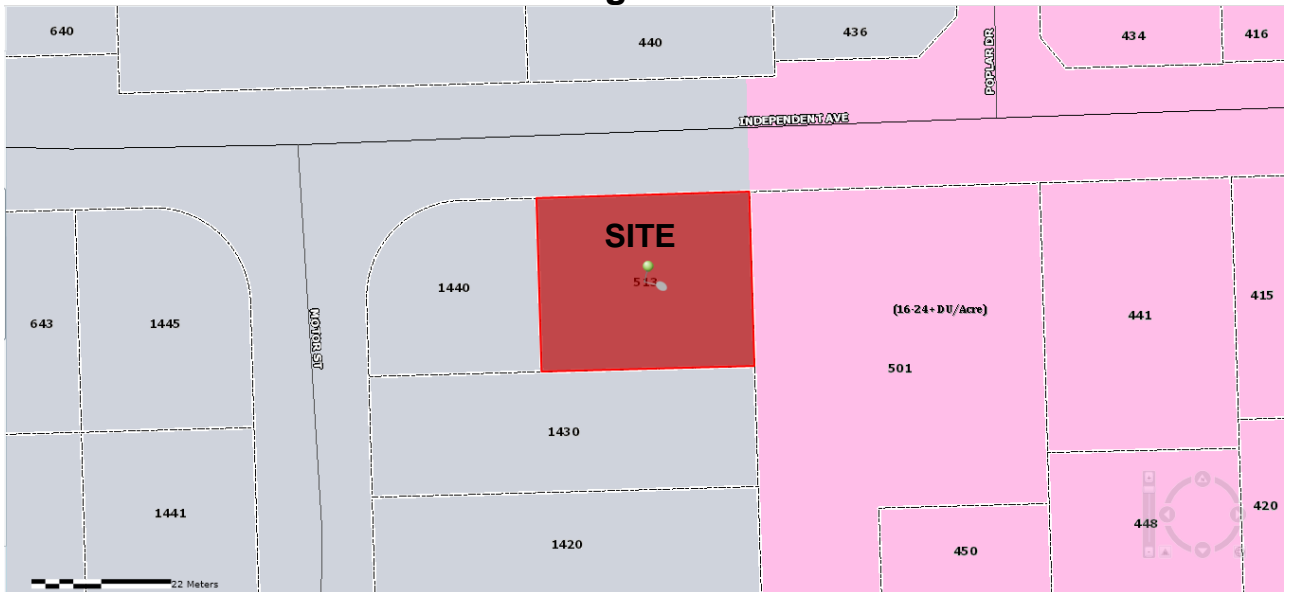
Comprehensive Plan – 513 Independent

Figure 3



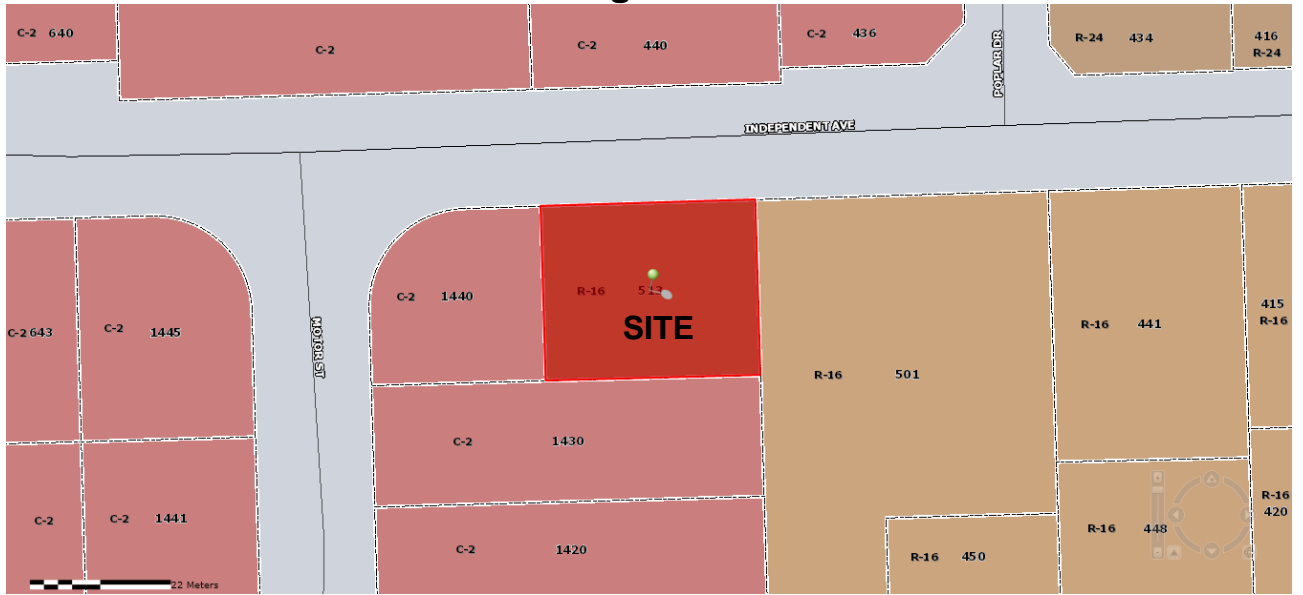
Blended Residential Map

Figure 4



Existing City Zoning – 513 Independent

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING ONE PROPERTY FROM R-16, (RESIDENTIAL – 16
DU/AC) TO C-2, (GENERAL COMMERCIAL)**

LOCATED AT 513 INDEPENDENT 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 the one property from R-16, (Residential – 16 du/ac) to the C-2, (General Commercial) 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, Commercial 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 C-2, (General Commercial) zone district to be established.

The Planning Commission and City Council find that the C-2, (General Commercial) 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 C-2, (General Commercial).

513 Independent Avenue. 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 9



**Attach 6
Blue Polygon Area 8**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 24, 2012
PRESENTER: Senta L. Costello

AGENDA TOPIC: Area 8 Rezone – (RZN-2011-1210)

ACTION REQUESTED: Recommendation to City Council to rezone six (6) properties located on the east side of 26 Road, north of Patterson Rd from R-1 (Residential 1 du/ac) to R-4 (Residential 4 du/ac) and one (1) located east of Foresight Apartments, north and east of the 25 1/2 Road/Patterson Road intersection from CSR (Community Services & Recreation) to R-16 (Residential 16 dwellings/acre).

BACKGROUND INFORMATION – 26 Road Properties				
Location:		East side of 26 Road, north of Patterson Rd		
Applicants:		City of Grand Junction		
Existing Land Use:		Single Family		
Proposed Land Use:		No changes to land uses proposed		
Surrounding Land Use:	North	Single Family Residences		
	South	Single Family Residences		
	East	Single Family Residences		
	West	Single Family Residences		
Existing Zoning:		R-1 (Residential 1 du/ac)		
Proposed Zoning:		R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	R-4 (Residential 4 du/ac)		
	South	R-4 (Residential 4 du/ac)		
	East	R-4 (Residential 4 du/ac)		
	West	R-1 (Residential 1 du/ac)		
Future Land Use Designation:		Residential Medium		
Zoning within density range?		X	Yes	No

BACKGROUND INFORMATION – 25 1/2 Road Property					
Location:		East of Foresight Apartments, north and east of the 25 1/2 Road/Patterson Road intersection			
Applicants:		City of Grand Junction			
Existing Land Use:		Telecommunications facility			
Proposed Land Use:		No changes to land uses proposed			
Surrounding Land Use:	North	Single Family Residences			
	South	Multi-Family			
	East	Single Family Residences			
	West	Multi-Family			
Existing Zoning:		CSR (Community Services & Recreation)			
Proposed Zoning:		R-16 (Residential 16 du/ac)			
Surrounding Zoning:	North	PD (Residential 2.9 du/ac)			
	South	R-24 (Residential 24 du/ac)			
	East	PD (Residential 4.27 du/ac)			
	West	R-24 (Residential 24 du/ac)			
Future Land Use Designation:		Residential Medium High			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request to rezone six (6) properties located on the east side of 26 Road, north of Patterson Rd from R-1 (Residential 1 du/ac) to R-4 (Residential 4 du/ac) and one (1) located east of Foresight Apartments, north and east of the 25 1/2 Road/Patterson Road intersection from CSR (Community Services & Recreation) to R-16 (Residential 16 dwellings/acre).

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background

26 Road Properties –

These properties were annexed in 2000 as a part of the G Road South Enclave. As a part of the annexation, an agreement was made with property owners to zone the properties with a City zone district that was equivalent to the existing County zoning. Therefore, when these six properties were annexed they were zoned R-1, even though the zoning did not conform to the Future Land Use category of the Growth Plan. The current use of all of the properties is single family residential which is an allowed use in the R-4 zone district.

25 1/2 Road Property –

The property was annexed in 1979 and zoned to a single family zone district. In 1984, the property owner received approval of a rezone to PB (Planned Business) for the KEXO radio station tower. The property was rezoned in 2000 to CSR (Community Services & Recreation) as part of the city wide rezone implementing the new Zoning and Development Code . Currently, the site is classified as a telecommunications facility and is a legal non-conforming use . Telecommunication facilities are allowed in all zones upon approval of Conditional Use Permit. Therefore, rezoning this property to R-16 will not create a nonconforming use as the use is already nonconforming.

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: No events have occurred to invalidate the original premise and findings. The zoning of all of the properties in Area 8 have been in conflict with the Future Land Use designation since the zoning was adopted in 2000. When the Comprehensive Plan was adopted in 2010, the Future Land Use designations were updated, but the conflicts still exist.

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

Response: Response: Neither the character nor the conditions in the area have changed. The zoning of all of the properties in Area 8 have been in conflict with the Future Land Use designation since the zoning was adopted in 2000. When the Comprehensive Plan was adopted in 2010, the Future Land Use designations were updated, but the conflicts still exist.

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

Response: Adjacent to all of these properties are improved streets, sanitary sewer service, water service, and trash and recycle pick-up. Furthermore, the properties are located near emergency and delivery services, schools, shopping and public transportation.

(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: This criterion does not apply to the properties on 26 Road as there is adequate supply of R-4 zoned property. The proposal for these properties is to rezone to the R-4 to eliminate the conflict between the Future Land Use designation of the Comprehensive Plan and the zoning on the properties. 26 Road is a logical divider between two Future Land Use designations which differ on either side of the Road. As this criterion relates to the property located near

25 ½ Road, there is approximately 143 acres within the city limits currently zoned R-16. This equates to less than 1% of the total acreage of zoned parcels within the city limits (21,200 acres).

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

Response: The proposed R-4 and R-16 zones will provide the opportunity for additional density within the urbanized area of the valley, which is consistent with goals and policies of the 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 8 Rezone, RZN-2011-1210, a request to rezone six (6) properties located on the east side of 26 Road, north of Patterson Rd from R-1 (Residential 1 du/ac) to R-4 (Residential 4 du/ac) and one (1) located east of Foresight Apartments, north and east of the 25 1/2 Road/Patterson Road intersection from CSR (Community Services & Recreation) to R-16 (Residential 16 dwellings/acre), 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 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-2011-1210, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

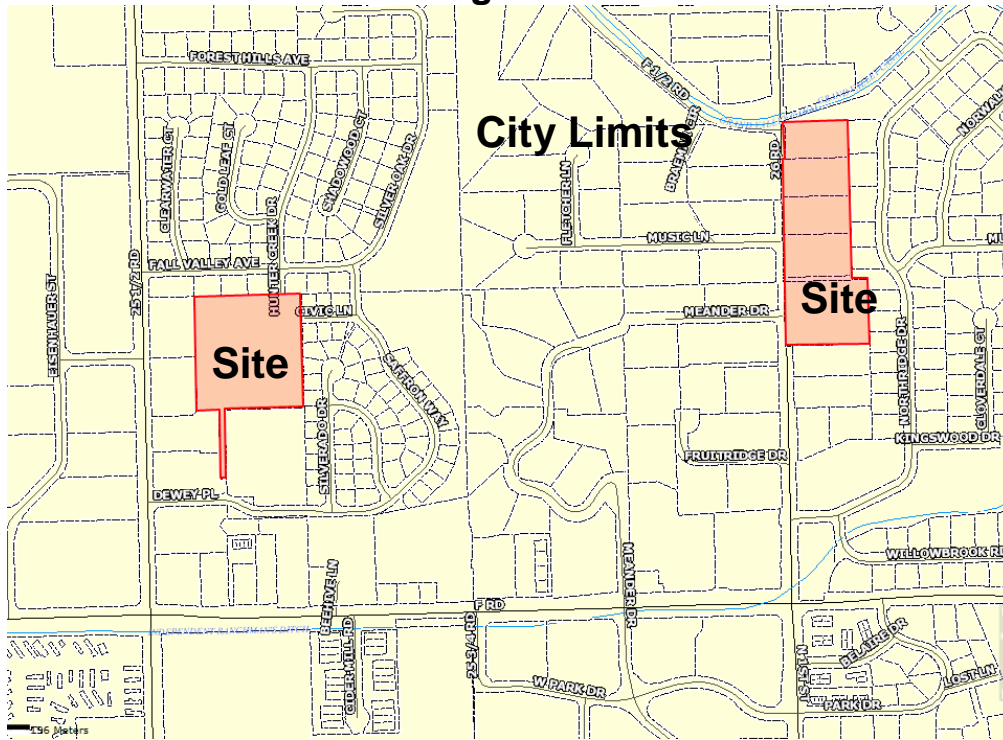
Mr. Chairman, on Rezone, RZN-2011-1210, I move that the Planning Commission forward a recommendation of the approval for the Area 8 Blue Rezone from R-1 (Residential 1 du/ac) to R-4 (Residential 4 du/ac) and CSR (Community Services & Recreation) to R-16 (Residential 16 dwellings/acre) with the findings 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



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING SIX (6) PROPERTIES FROM R-1 (RESIDENTIAL 1 DU/AC) TO R-4 (RESIDENTIAL 4 DU/AC) AND ONE (1) FROM CSR (COMMUNITY SERVICES & RECREATION) TO R-16 (RESIDENTIAL 16 DWELLINGS/ACRE)

LOCATED ON THE EAST SIDE OF 26 ROAD, NORTH OF PATTERSON RD AND EAST OF FORESIGHT APARTMENTS, NORTH AND EAST OF THE 25 1/2 ROAD/PATTERSON ROAD INTERSECTION

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 six (6) properties from R-1 (Residential 1 dwellings/acre) to the R-4 (Residential 4 dwellings/acre) zone district and one (1) from CSR (Community Services & Recreation) to R-16 (Residential 16 dwellings/acre) for the following reasons:

The zone districts meet the respective recommended land use categories as shown on the future land use map of the Comprehensive Plan, Residential Medium and 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-4 and R-16 zone districts be established.

The Planning Commission and City Council find that the R-4 and R-16 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 properties shall be rezoned R-4 (Residential 4 du/ac) and R-16 (Residential 16 du/ac).

See attached map.

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

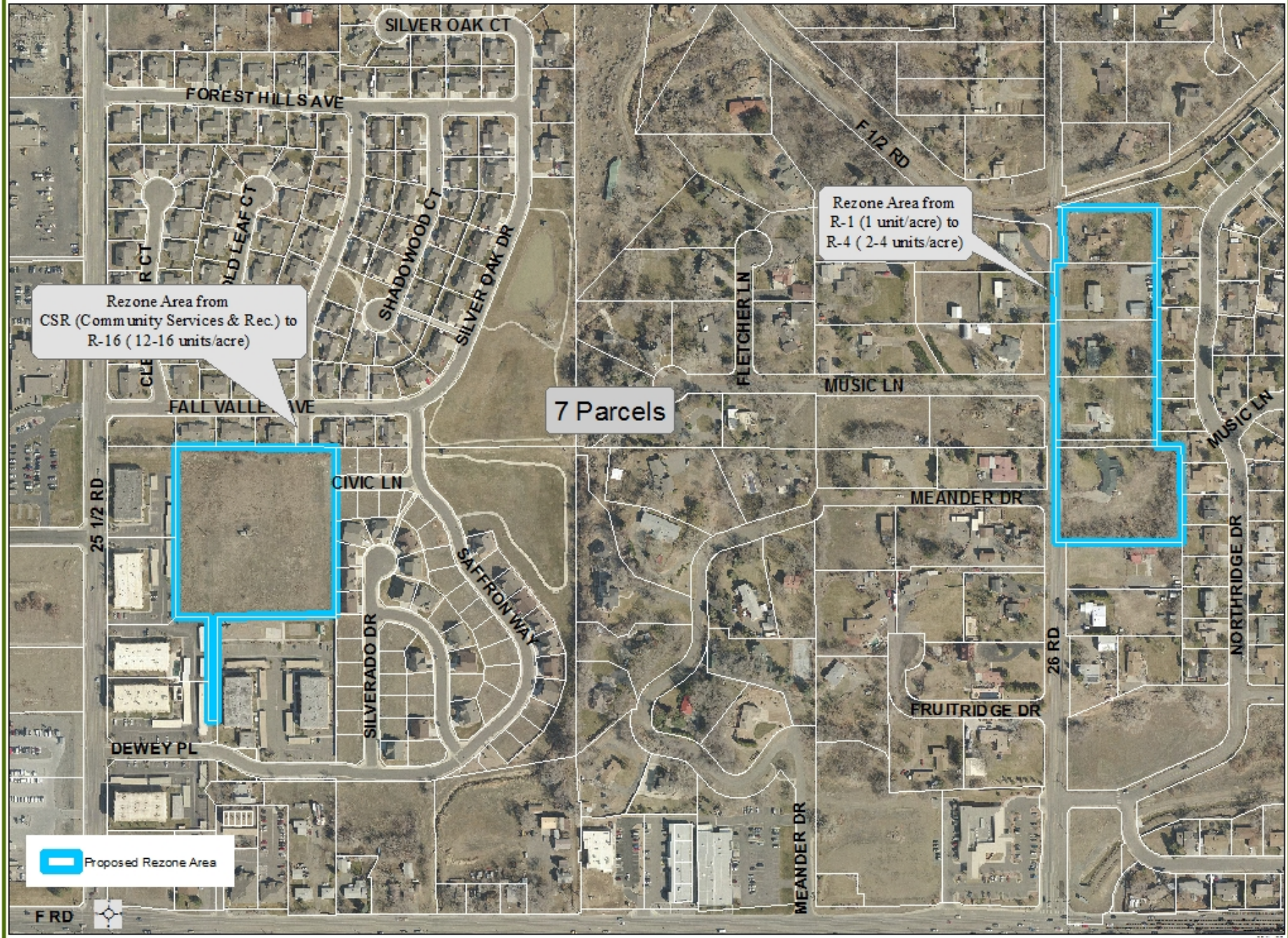
Adopted on second reading this _____ day of _____, 2012.

ATTEST:

City Clerk

Mayor


Proposed Rezone - Area 8



Rezone Area from
CSR (Community Services & Rec.) to
R-16 (12-16 units/acre)

7 Parcels

Rezone Area from
R-1 (1 unit/acre) to
R-4 (2-4 units/acre)

 Proposed Rezone Area

FRD