



**GRAND JUNCTION ZONING BOARD OF APPEALS AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

WEDNESDAY, JANUARY 11, 2012, 12:00 P.M.

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Zoning Board of Appeals. 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 report(s) are available on the table located at the back of the Auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Election of Officers

Consideration of Minutes

None

Public Hearing Items for Consideration by the Board

On the following item(s) the Grand Junction Zoning Board of Appeals 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.

1. **GJ Canyon View Car Wash Sign Variance – Variance** [Attach 1](#)
Request approval for a Variance from the free-standing sign standards to allow for an increase in height from the required 25' to 40' on 0.65 +/- acres in a C-1 (Light Commercial) zone district.

FILE #: VAR-2011-1273
PETITIONER: Mikel and Roxanne Lewis
LOCATION: 1110 North 6th Street
STAFF: Scott Peterson

General Discussion/Other Business

Adjournment

Attach 1

GJ Canyon View Car Wash Sign Variance

**CITY OF GRAND JUNCTION
BOARD OF APPEALS**

MEETING DATE: January 11, 2012
PRESENTER: Scott D. Peterson

AGENDA TOPIC: GJ Canyon View Car Wash – VAR-2011-1273

ACTION REQUESTED: Request for a variance to Section 21.06.070 (g) (3) (vii) (B) a. of the Grand Junction Zoning and Development Code.

BACKGROUND INFORMATION					
Location:		1110 N. 6 th Street			
Applicants:		G. J. Canyon View Car Wash LLC, Owner			
Existing Land Use:		Car Wash			
Proposed Land Use:		N/A			
Surrounding Land Use:	North	Grand Junction High School			
	South	Commercial – The Hanger Dry Cleaners and Hair & Nail Salon			
	East	Commercial – REI and commercial/retail complex			
	West	Commercial – Martin Mortuary			
Existing Zoning:		C-1, (Light Commercial)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	CSR, (Community Services and Recreation)			
	South	C-1, (Light Commercial)			
	East	C-1, (Light Commercial)			
	West	C-1, (Light Commercial)			
Future Land Use Designation:		Neighborhood Center			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request approval for a Sign Variance from the maximum height limitation of 25' to accommodate a proposed 40' free-standing sign.

RECOMMENDATION: Recommend approval.

ANALYSIS

1. Background:

The applicants, GJ Canyon View Car Wash, LLC and Mikel and Roxanne Lewis, are requesting a variance from the 25' height limit for a sign on a two-lane street ("Sign Variance") to be able to install a 40' sign. (A 40' sign would be allowed on a four or more traffic lane street such as North Avenue). The property, Lot 1, Baby Boggs Subdivision, lies at the intersection of N. 6th Street and Tiger Avenue (two-lane streets) and is separated from North Avenue to the south by Lot 2, Baby Boggs Subdivision and Lot 3, Boggs Minor Subdivision, which are home to The Hanger dry cleaners and a hair and nail salon.

In January 2011, the applicants purchased this property from the owner of those adjacent lots. They subsequently renovated the existing car wash and upgraded the site, resulting in improved traffic movement, additional vacuum islands and new car wash equipment. The applicants have reported that they tried to coordinate a sign package with the seller and owner of the adjacent properties abutting North Avenue for one free-standing sign on The Hanger property (604 North Avenue) to advertise all three commercial properties. A Sign Package review by the City allows the review and approval of signage on a developed site and/or abutting developed sites that function as one through the sharing of vehicular access and parking, much like a shopping center. The three properties operate in such a manner, sharing of parking and accesses. Sign Packages tend to reduce signage clutter. The property owners could not agree, however, on a sign package.

The applicants assert that a 25' sign on their property is not visible from westbound traffic on North Avenue, but that a 40' sign would be visible over the REI building for west bound traffic movement on North Avenue (see applicants' photos, attached). The Zoning and Development Code would allow installation of a roof-mounted sign with a height limitation of 40' above grade provided that no guy wires, braces or secondary supports are visible. The applicants assert, however, that it would be difficult to attach a sign and engineer such a sign from wind and snow loads without providing guy wires and braces that would be visible, and that the structural integrity of the roof could be compromised. I have spoken to a representative of Bud's Signs, who confirms these challenges.

I am supportive of the proposed variance because of the property's proximity to North Avenue.

The proposed free-standing sign may also be subject to the Colorado Department of Transportation (CDOT) regulations since the sign can be seen from a CDOT right-of-way. If this sign variance is approved, the applicants will be required to make an application with CDOT for a sign permit and meet all of CDOT's requirements prior to the installation of the sign.

2. Consistency with the Comprehensive Plan:

The area is zoned C-1, Light Commercial, with a Comprehensive Plan Future Land Use designation of Neighborhood Center. The C-1 zone district is an allowed zoning district within the Neighborhood Center designation. The Comprehensive Plan does not specifically address signage requirements on individual properties.

3. Sections 21.02.200 and 21.06.070 of the Grand Junction Zoning and Development Code:

The Board must find that the following criteria have been met in order to grant the requested variance.

- a. **Undue and Unnecessary Hardship.** The literal interpretation and strict applications of the sign regulations would cause undue and unnecessary hardship to the sign owner because of unique or unusual conditions pertaining to the specific building or property in question.

The applicants' property is situated in a small commercial subdivision in which all the buildings are close together. The property is separated from North Avenue by only 125' feet. The property abuts two lower order streets. Ideally a sign package would serve this small commercial subdivision, but that has proved unworkable for the property owners, who cannot agree. If the property was adjacent to North Avenue, the free-standing sign could be up to 40' in height.

The option of a roof sign, which could be as tall as 40' from ground level according to the Zoning and Development Code, is also not workable for this property because of the need for visible guy wires, braces and/or secondary supports.

Although these factors do not constitute a classic example of "hardship," I am supportive of the variance request because of the property's proximity to North Avenue, and because it provides a safer alternative to a 40' roof sign.

The applicants assert that a literal interpretation and strict application of the sign regulations would cause undue and unnecessary hardship for the applicants because the viability of the business depends upon the visibility from North Avenue that is afforded to other properties similarly situated.

- b. **Not contrary to Property Values.** The granting of a variance would not be materially detrimental to the property owners in the vicinity.

The granting of a variance to increase the free-standing sign height from 25' to 40' would not be materially detrimental to the adjacent property owners in the vicinity. All adjacent properties with the exception of the High School are commercial in nature. The applicant is also proposing to install the sign 35' +/- from the N. 6th Street right-of-way, on the east side

of the existing building (see Site Plan). The properties to the south that are adjacent to North Avenue are allowed to install free-standing signs to a maximum height of 40'. Therefore, a proposed free-standing sign height of 40' on this property would not be contrary for adjacent property values.

- c. **Hardship Unique to Property, Not Self- Imposed.** The unusual conditions applying to the specific property do not apply generally to other properties in the City.

Applicants assert that the hardship is unique to the property and not self-imposed. Applicants assert that they acted in good faith by trying to negotiate a sign package. Applicants state they have tried to operate their business with a smaller sign that can be seen only from the lower order streets it abuts, but not from North Avenue, and have found that the lack of visibility significantly impairs their business. Applicants have also considered other signage options, including designing a roof sign on the building, but that type of sign would require visible supports that the Code does not allow, and could also compromise the structural integrity of the roof.

Arguably these hardships are self-imposed (applicants bought the property with the car wash on it in this subdivision, and have other advertising means at their disposal); however, I am supportive of the variance request because of the property's proximity to North Avenue.

- d. **Conformance with Character of Area, Corridor Plans.** The granting of a variance shall not be contrary to the goals and objectives of any applicable corridor overlay district or to the general objective of moderating the size, number, and obtrusive placement of signs and the reduction of clutter.

The City has recently adopted the North Avenue Corridor Plan for the area from 12th Street west to the I-70 Business Loop. This Corridor Plan does not specifically address signage standards for properties along North Avenue.

Since this property is a corner lot, the applicant could construct two free-standing signs, one on each street frontage per the current Zoning and Development Code (Section 21.06.070 (g) (3) vii (A)). However, in order to reduce signage clutter and to further address this sign variance review criteria, Project Manager supports the alternative of only one free-standing sign on this property to further the general objective of moderating the size, number and placement of signs on a property.

As mentioned previously, properties along North Avenue can install free-standing signs up to 40' in height. The applicants only request a 40' sign, which would match what is allowed for a roof sign on this property and for a free-standing sign on North Avenue.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the GJ Canyon View Car Wash application, VAR-2011-1273 for a variance to Section 21.06.070 (g) (3) (vii) (B) a. and 21.02.200 (c) (2) of the Grand Junction Zoning and Development Code, Project Manager makes the following findings of fact/conclusions and conditions:

1. The requested variance is consistent with the Comprehensive Plan.
2. The applicants assert that the criteria in Sections 21.02.200 and 21.06.070 of the Grand Junction Zoning and Development Code have been met, and the Project Manager supports the requested variance because of the property's proximity to North Avenue and because a 40' free-standing sign represents a safer alternative to the 40' roof sign allowed by the Code.
3. If the sign variance is approved by Board of Appeals, applicant must obtain applicable approval from the Colorado Department of Transportation (CDOT) prior to construction of the sign.
4. If this sign variance is approved by Board of Appeals, only one free-standing sign would be allowed to be constructed on this property, up to a maximum height of 40', and subject to the sign-face area limitations of the Code.

STAFF RECOMMENDATION:

Project Manager recommends that the Zoning Board of Appeals approve the requested variance to Sections 21.06.070 and 21.02.200 of the Grand Junction Zoning and Development Code, VAR-2011-1273 with the findings/conclusions and conditions listed above.

RECOMMENDED BOARD OF APPEALS MOTION:

Mr. Chairman, on variance request, VAR-2011-1273, I move that the Board of Appeals approve the request to increase the height of a free-standing sign from 25' to 40' with the findings of facts/conclusions and conditions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Applicant's General Project Report
Proposed sign view street scenes
Proposed Sign Rendering
Site Plan – Proposed free-standing sign location

Site Location Map

Figure 1



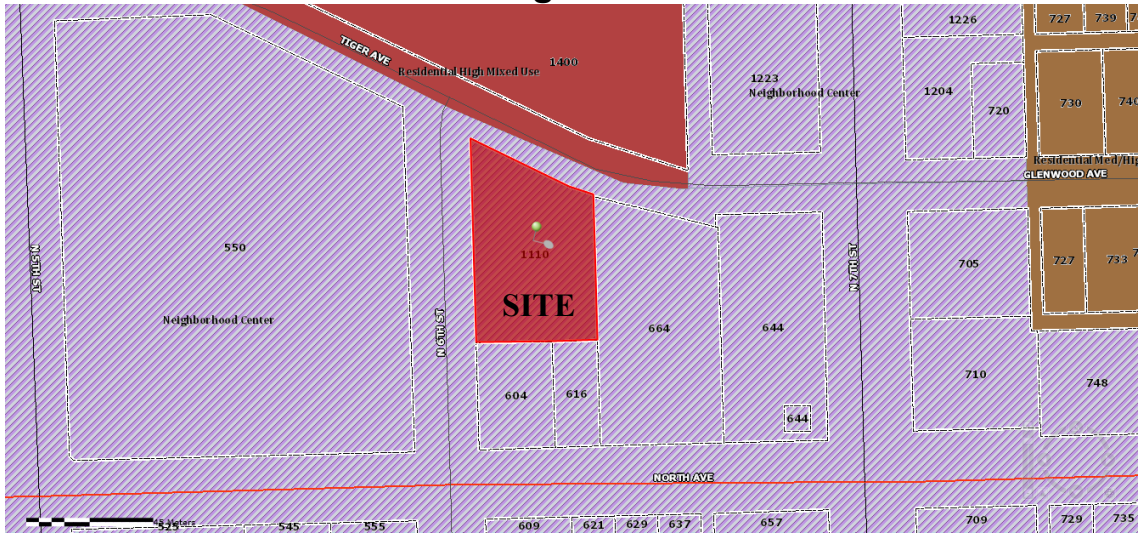
Aerial Photo Map

Figure 2



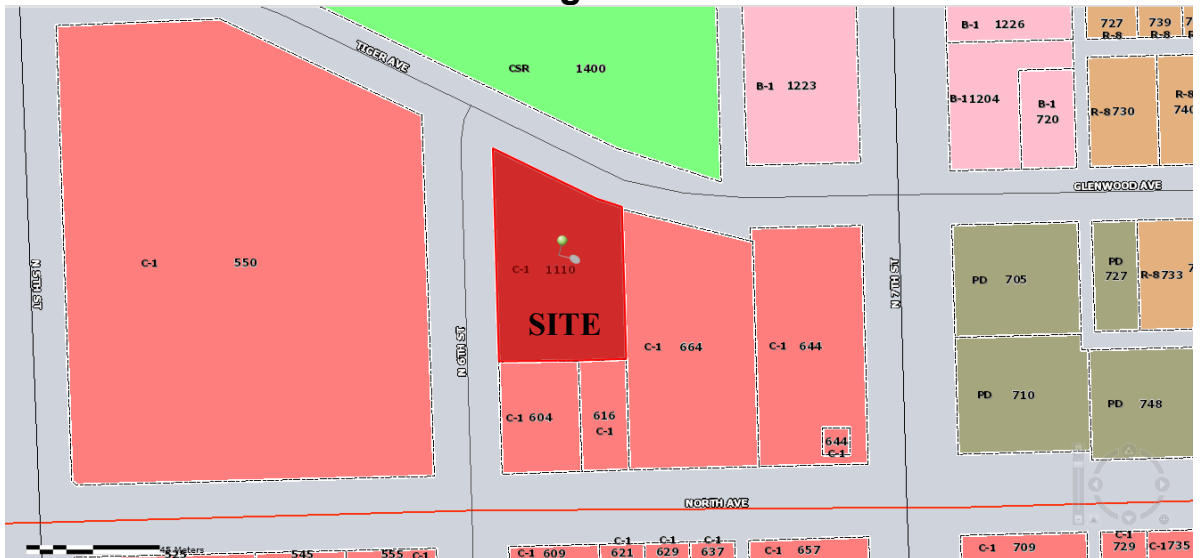
Comprehensive Plan

Figure 3



Existing City Zoning

Figure 4



GENERAL PROJECT REPORT

REQUEST FOR A SIGNAGE VARIANCE

G.J. CANYON VIEW CAR WASH

A. Project Description

This land use application is for a Request for Signage Variance as part of a proposed freestanding sign to be constructed at the G.J. Canyon View Car Wash located at 1110 N. 6th Street. The new owners re-opened this car wash earlier this summer after making significant improvements to both the building and the site. The area of the site that comprises this car wash is 0.65-acres. Now that the new car wash has been opened for approximately six months, the owners need to improve the business by installing a freestanding sign at the site. The Zoning and Development Code allows for a 25-foot high sign, however, a sign of this height would not provide any additional visibility from the East, West or South in time to allow customers to make their decision to slow and turn. Therefore, this land use application is to request a variance from the Code to allow a 40-foot freestanding sign.

B. Public Benefit

1. The owners, by reopening this commercial car wash that had been bank owned and in receivership for the past 2 years, will assist in starting a renewal of the North Avenue Corridor, **if it is successful**. In the past 10 to 15 years, the existing North Avenue business corridor has seen significant business closures and a westward exodus to Rim Rock and the 24 Road Corridor. *Pay'n Pak* closed and *Star Tek* moved in only to close along with *City Market* in the East Gate shopping center, the loss of *Hobby Lobby* moving westward to Rim Rock, the closure of *Valley Lumber* and most recently *Harbert Lumber*, *American Furniture*, *Car County* and *Good Time Burgers* to name a few along with even more closures along 1st Street.
2. The investment Colorado Mesa University has made along 12th Street, as well as Stocker Stadium Box improvements, the announcement of the Grand Junction Rockies Minor League baseball club and St. Mary's expansion is the beginning of the core nucleus. Service businesses are necessary to support the people who will visit and now work for these venues. This redevelopment **must be assisted and nurtured** to reinvent this area just as downtown Grand Junction has once again completed their renewal just as they did 50 years earlier with the outside shopping mall in the 1960's.
3. The owners, who built Redlands Canyon View Car Wash in 2008, improved a dilapidated corner there and created a useful community service center while maintaining the visual character of the area with thoughtful xeri-scaping, mitigated a remediation of a contaminated wetlands while clearing a Federal Wetlands Citation against Mesa County at no cost to the county. During construction they utilized solar thermal heating cells to preheat their water and solar thermal panels to create grid tied electricity that feeds electricity back into the solar grid. The Redlands car wash recycles and reuses 20% of their water, uses bio-degradable soaps, offers recycling to their customers, and recycles all their plastic wash containers. The

General Project Report
Request for a Signage Variance
GJ Canyon View Car Wash – 1110 N. 6th Street
Page 2

owners are proud to be recognized through the car care industry as a “CERTIFIED GREEN” car washing facility.

4. This new business will continue caring for the community through their annual support of the “Free Veteran’s Day Car Wash” the Redlands Canyon View Car Wash ran for the past three years and the Grand Junction car wash recently ran as they doubled the number of Veteran’s they washed in a day from 280 to 500 and plan to continue their semi-annual facility support of Roice-Hurst “No Kill Facility” with donations from their dog washing facility. All donations received during the annual Free Wash are rewarded to the national “Wounded Warrior” program and our local “Veteran’s Memorial Bell” which toils for any and all Veteran’s families requesting this service.

C. Neighborhood Meeting

A Neighborhood Meeting was held on November 14, 2011 at 5:30 pm in the business office of G.J. Canyon View Car Wash at 1110 N. 6th Street, Grand Junction. Only those in attendance were the Applicant, Roxanne Lewis, and the City Planner, Scott Peterson. No minutes of the meeting were prepared as there were no residents or business owners in attendance.

D. Project Compliance, Compatibility, and Impact

In preparing this Request for a Signage Variance, review criteria will fall under the City of Grand Junction's Zoning and Development Code, latest version adopted in April of 2010. This parcel would fall within the area being studied as part of the North Avenue Corridor Plan, however, that plan has yet to be adopted. This site has a current zone classification of C-1, which is the same as the surrounding uses that include the *Martin Mortuary* to the west, across N. 6th Street, *The Hanger* to the south between this site and North Avenue and next to it is a small hair/nail salon. Further to the east is the *REI Recreational Equipment* store as well as several smaller businesses on the south of the building facing North Avenue.

Improvements to the site were completed in mid 2011 which included improving the ingress/egress to the site, replacing all washing equipment, adding new modern vacuum cleaners and the removal of an oil tank unearthed during excavation. The majority of this remediation was completed on the adjacent property, within a shared access easement, with all contaminated soils transported to a certified site in Utah and at no cost to the owners of the Hangar and hair salon.

Currently, there is signage affixed to the building which complies with Section 21.06.070(g)(3)(v) of the Zoning and Development Code. In order to make this request to construct a 40-foot high freestanding sign, the owners must demonstrate that the following review criteria are satisfied:

(i) *Undue and Unnecessary Hardship.*

The sign regulations state that, for this location, the height of a freestanding sign would have to be 25 feet, however if a sign were to be placed on the roof of the building, then it could be

40 feet in height. The Owners have investigated the use of a 25-foot freestanding sign at this location by having a local sign company pose a 'cherry picker' at this height and then observed the resulting view angles along various street corridors. The results show that the surrounding buildings and trees block most of the view of a 25-foot sign, a higher sign would be necessary to increase its visibility. The proposed location of the freestanding sign is on the backside of the building and setback approximately 35 feet from the street right-of-way. Much of the sign, 20-25 feet of the post, at this proposed location would be hidden from view due to the building. Given this location, it is felt that the sign would act much in the same manner as a roof mounted sign which could be built at the requested 40-foot height. In addition, it should be stated that this renovated low profile business is hidden behind the large medium box store *R.E.I.* This renovated car wash has been operational for six months and is not meeting the costs associated with its operation. It is the owner's opinion that the reason this business had previously failed was that it lacked vertical signage visible in all four directions. Signage experts state that adequate signage could easily double business traffic and the owners agree that without this requested sign variance this business will again fail and be closed. Another option would be to place the pole sign inside the proposed expansion area of the car wash, which is also on the backside of the wash. When the addition is completed (the foundation is already in place) the sign would appear to be a roof sign inside the confines of the new addition.

(ii) Not Contrary to Property Values.

As this business is located just off of North Avenue in a strictly business area, it is felt that the proposed 15-foot height variance would not be contrary to property values and there would be a benefit placing the sign back 35 feet from the street behind the building. There are no other freestanding signs on any of the lots that make up the Baby Boggs subdivision that this sign would conflict with.

(iii) Hardship Unique to Property, Not Self-Imposed.

Improvements to properties such as this which are part of larger developments or subdivisions often have freestanding signs that include all of the businesses. The owners have attempted to do this in this case as well, however they have not had any response or cooperation from the adjacent business owner on working on a shared sign. The owners believe, after talking with signage experts, that without adequate visual signage this property will again fail. The stability of the North Avenue corridor has been questioned by businesses for some 10 years. Another failure along this East to West thoroughfare will further erode the viability in the eyes of other businesses. The question becomes should investment be spent in an area where businesses are renovating and then failing over and over again in a decaying area of the city.

(iv) Conformance with Character of Area, Corridor Plans.

It is felt that this variance request does not hinder or obstruct any other businesses as there are no other freestanding signs on this site. Numerous signs of this height are located along

General Project Report
Request for a Signage Variance
GJ Canyon View Car Wash – 1110 N. 6th Street
Page 4

North Avenue. As the owners of the other two lots in this subdivision are uninterested in placing signage on their lots, the owners of G.J. Canyon View Car Wash feel as though they have no other option than to construct their own freestanding sign and request this variance. The City of Grand Junction is working on the North Avenue Corridor Plan, however, it has yet to be adopted and recommendations are still being formulated before adoption.

E. Development Schedule and Phasing

Construction work to install the proposed freestanding sign will commence as soon as possible following the review and approval of this application.



Photo 1 – View looking east along North Avenue, approximately 400-feet west of site.



Photo 2 – View looking west from intersection of North Avenue and N. 7th Street

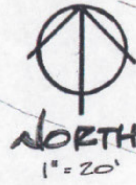
Proposed Sign Rendering

G.J. Canyon View Car Wash
1110 N. 6th Street



N. 6th STREET

WAGER WAY



Right-of-Way

EXISTING BUILDING

20' x 50' ADDITION

Proposed Sign Location

35'

40' FUTURE BLDG. PAD 40'

Road Base

Main Entrance Exit

