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

TUESDAY, MARCH 22, 2011, 6:00 P.M.

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. P lease 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. I nappropriate 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. I tems removed from the consent agenda will be reviewed as a part of the regular agenda. C onsent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. <u>Minutes of Previous Meetings</u> Approve the minutes of the February 22, 2011 Regular Meeting. Attach 1

* * * 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.

2. GJ Metal Movers – Conditional Use Permit

Attach 2

Request approval of a Conditional Use Permit for a salvage yard on 5.09 acres in an I-1 (Light Industrial) zone district.

| FILE #: | CUP-2010-412 |
|-------------|---|
| PETITIONER: | Chuck Myers – Grand Junction Metal Movers, Inc. |
| LOCATION: | 711 South 6 th Street |
| STAFF: | Scott Peterson |

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

<u>Adjournment</u>

Attach 1 Minutes of Previous Meetings

GRAND JUNCTION PLANNING COMMISSION FEBRUARY 22, 2011 MINUTES 6:00 p.m. to 6:04 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), Pat Carlow, Ebe Eslami, Rob Burnett and Greg Williams. Commissioners Mark Abbott and Lyn Benoit were absent.

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

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

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

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

1. <u>Minutes of Previous Meetings</u>

There were no minutes available for review at this time.

2. <u>Text Amendment to 21.02.110, CUP – Zoning Code Amendment</u>

Text amendment to Section 21.02.110, Conditional Use Permit, to allow an amendment to a CUP and to correct a scrivener's error that deleted specific terms related to Compatibility with Adjoining Properties.

| FILE#: | ZCA-2011-630 |
|-------------|------------------------|
| PETITIONER: | City of Grand Junction |
| LOCATION: | Citywide |
| STAFF: | Lisa Cox |

3. <u>Text Amendment to Section 21.04.030(i)(2)(iv) – Zoning Code Amendment</u> Text Amendment to Section 21.04.030(i)(2)(iv), Business Residence, to clarify the number of required parking spaces for a Business Residence. FILE#: ZCA-2011-631 City of Grand Junction PETITIONER: LOCATION: Citywide STAFF: Lisa Cox

<u>Columbine Caregivers – Rezone (continued from 2/8/11)</u> 4.

Request a recommendation of approval to City Council to rezone 0.42 acres from R-4 (Residential 4 du/ac) to R-O (Residential Office) zone district.

| FILE #: | RZN-2011-483 |
|-------------|--|
| PETITIONER: | Michael McCormick – Mesa Management, LLC |
| LOCATION: | 602 26 1/2 Road |
| STAFF: | Scott Peterson |

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 remaining Consent Agenda items.

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

Commissioner Eslami seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

Public Hearing Items

None.

General Discussion/Other Business

None.

Nonscheduled Citizens and/or Visitors None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:04 p.m.

CITY OF GRAND JUNCTION PLANNING COMMISSION

MEETING DATE: March 22, 2011 **PRESENTER:** Scott D. Peterson

AGENDA TOPIC: GJ Metal Movers – CUP-2010-412

ACTION REQUESTED: Approval of a Conditional Use Permit (CUP)

| BACKGROUND INFORMATION | | | | | |
|------------------------------|-------|--|---------------------------|--|-------------------------|
| Location: | | 711 \$ | S. 6 th Street | | |
| Applicants: | | Grand Junction Metal Movers, Inc., Developer Aaron Thompson, Representative | | | |
| Existing Land Use: | | 20,500 sq. ft. warehouse building and associated outdoor storage yard (5.09 +/- acres), currently vacant | | | |
| Proposed Land Use: | | Salvage yard, automotive recycling, recycled materials collection point | | | |
| Surrounding Land | North | Xcel electrical substation | | | |
| | South | Railroad corridor | | | |
| Use: | East | Industrial warehouse | | | |
| | West | 5 th Street viaduct (Hwy. 50) | | | |
| Existing Zoning: | | I-1, (Light Industrial) | | | |
| Proposed Zoning: | | N/A | | | |
| Surrounding Zoning: | North | I-1, (I | _ight Industrial) | | |
| | South | I-1, (Light Industrial) | | | |
| | East | I-1, (Light Industrial) | | | |
| | West | I-1, (Light Industrial) and I-2, (General Industrial | | | 2, (General Industrial) |
| Future Land Use Designation: | | Downtown Mixed Use | | | |
| Zoning within density range? | | Х | Yes | | No |

PROJECT DESCRIPTION: A request for approval of a C onditional Use Permit to develop a salvage yard (Junk Yard) in an I-1, (Light Industrial) zone district in accordance with Table 21.04.010 of the Grand Junction Zoning and Development Code.

RECOMMENDATION: Denial of the Conditional Use Permit.

ANALYSIS:

1. <u>Background and Summary</u>:

The Applicant, Grand Junction Metal Movers, has applied to locate a salvage yard at 711 S. 6th Street (Lots 4, 5 and 6, D & R G W Railroad Subdivision, Filing 6). The property is zoned I-1 (Light Industrial) and is located adjacent to the 5th Street bridge (Hwy. 50) and the South 6th Street cul-de-ac.

A. <u>Comprehensive Plan Prohibits Proposed Use</u>

The Comprehensive Plan classification for the property and surrounding area is Downtown Mixed Use. As explained in more detail below, a salvage yard on this site would be prohibited by the Comprehensive Plan.

B. <u>Conditional Use Permit Required</u>

According to the Zoning and Development Code, (Section 21.04.010, Use Table) a junk yard is allowed in the I-1 (Light Industrial) Zoning District only with a Conditional Use Permit. Therefore, the proposed use is not a use by right; it is one that is otherwise prohibited within the given zone district, but which may be per mitted under certain circumstances particular to the proposed location and subject to conditions that provide protection to or alleviate detriment to adjacent land uses. Where appropriate protections or conditions cannot be attained or the proposed use remains detrimental, such use may be denied.

C. <u>Screening and Buffering Requirements Not Met</u>

A junk yard is subject to specific performance standards set forth in Section 21.04.030(d) of the Code. These standards include screening, and the requirement that **stored items shall not project above the screening**. Because the part of 5th Street adjacent to the property is elevated, the 6-8 foot wall described in Section 21.04.030(d)(1) is insufficient to screen the junk yard from 5th Street.

The Site Plan submitted by the applicant provides no screening whatsoever, neither fence nor landscaping, adjacent to or from 5th Street. According to the Applicant, a typical 6-8 foot wall screening will not be seen from the elevated roadway. That, however, begs the question. Screening is required such that stored items on the junk yard will not project above the screening. (Section 21.04.030(d)(iii)(2)). There are other types of screening that the Applicant could propose and construct that would meet the Code's screening requirement, yet <u>none is proposed</u>.

The Site Plan proposed by the applicant includes landscaping along the north property line (adjacent to Xcel electrical substation), an additional oversized landscaping island located at the northwest corner of the property, an 8' tall solid fence and 14' wide landscaping strip adjacent to S. 6th Street, none of which provides screening from 5th Street.

The Applicant has been made aware of the Code's screening requirement. In response, the Applicant represented that it has asked the Colorado Department of Transportation (CDOT) if some type of screening could be attached to the 5th Street bridge and viaduct. CDOT rejected attaching screening to the bridge due to risks from additional weight and wind-loads to the bridge structure (see attached email from CDOT). CDOT's position does not rule out other types of on-site screening. City Staff has asked the Applicant to propose alternative solutions, but none has been presented to CDOT. Screening options suggested by the Planner, including a pole system with attached screening or installation of roof areas or enclosure of the storage areas of the site, <u>have been rejected by the Applicant</u> due to cost.

Screening of the site from the 5th Street viaduct is required by the Code and is moreover a priority, because this area, and in particular the 5th Street Bridge, forms the main entrance into the City from the south and the gateway into the City's downtown area for residents, visitors and t ourists. The recently constructed Riverside Parkway in this very area incorporates many design features which enhance this important "gateway" image. In addition, considerable time, money and other resources have been devoted to enhancing and improving the look of this gateway to the community over the past few years, including coordinated relocation of previously existing salvage yard businesses and clean-up of those sites in this area. Therefore, to protect the area and adjacent uses, screening of the site from 5th Street is of paramount importance if a salvage yard operation were to be conditionally approved on this property.

D. Further Information Required for Meaningful Review

The Applicant also proposes to utilize the property for vehicle repair and body work, tire sales and outdoor storage, including heavy vehicles. The applicant has not, however, specified whether the vehicle repair will include large truck repair. Other than large truck repair, which is permitted in the I-1 zone district only with a Conditional Use Permit, the Applicant's other proposed land uses are allowed in the I-1 zone district, however <u>all outdoor storage must have solid screening from all street frontages</u>. (Section 21.04.040 (h) (2), Zoning and Development Code). Such screening is not provided.

The Applicant has also requested a variance to allow the height of stored recycling materials to exceed that allowed by the Code for ninety days per year. The Applicant has not, however, demonstrated a need or any other reasonable basis for the request and therefore denial is recommended.

E. No Legal Right to Use the Access Shown on the Site Plan

The Applicant has also failed to satisfy City Staff that it has a legal right to use the access shown in the Site Plan. F or a detailed description of the proposed salvage yard operations, see attached General Project Report from the applicant and proposed Site and Landscaping Plans.

2. <u>Consistency with the Comprehensive Plan:</u>

The Applicant's proposal is not consistent with the Comprehensive Plan. On the Future Land Use Map this area is classified as Downtown Mixed Use.¹ None of the zone districts in this classification allow salvage yard operations. The use is therefore incompatible.

Although I-1 (Light Industrial) is the zone district applied to the site, I-1 is not a permitted zoning district within the Downtown Mixed Use category. By designating this area as Downtown Mixed Use, the policy makers sought to eliminate the I-1 zoning district in this area. Therefore, a salvage yard on this property is prohibited by the Comprehensive Plan. By designating the property as Downtown Mixed Use, the policy makers have already determined that a salvage yard is an <u>incompatible</u> use in this area, making approval of a conditional use permit for a salvage yard on this property impossible without a Comprehensive Plan amendment.

3. <u>Section 21.02.110 of the Grand Junction Zoning and Development Code:</u>

To obtain a Conditional Use Permit, the Applicant must demonstrate compliance with all of the following criteria:

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

The project does not meet the screening and buffering standards and requirements of the Zoning and Development Code in regards to screening of the site.

The Applicant has failed to provide information sufficient to show that it has the right to use the access shown on the Site Plan. Without legal documentation of access, the site cannot function as shown on the Site Plan.

There are no corridor/neighborhood plans, trails plans or park plans that apply to this neighborhood or property. With the exception of the lack of access, the project complies with the SSID (Submittal Standards for Improvements and Development), TEDS (Transportation Engineering Design Standards) and SWMM (Stormwater Management Manual) Manuals.

(2) District Standards. The underlying zoning districts standards established in Chapter <u>21.03</u> of the Zoning and Development Code;

A junk yard may be permitted in the I-1 (Light Industrial) Zoning District under certain circumstances particular to the proposed location and subject to conditions that provide

¹ The current Downtown Mixed Use designation allows for the R-16, (Residential – 16 du/ac) R-24, (Residential – 24 du/ac) B-2, (Downtown Business) C-1, (Light Commercial) and the Form Based Mixed Use Zoning Districts of MXR, (Mixed Use Residential) MXG, (Mixed Use General) and MXS, (Mixed Use Shopfront) zoning districts. The Form Based districts are intended to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile.

protection to or alleviate detriment to adjacent land uses. Zoning and Development Code Section 21.02.110(a), because of the Comprehensive Plan designation of Downtown Mixed Use, would disallow the proposed use. Therefore, the established district standards are not met.

(3) Specific Standards. The use-specific standards established in Chapter <u>21.04</u> of the Zoning and Development Code;

Junk yards are required to have a Conditional Use Permit in the I-1, (Light Industrial) Zoning District, meaning that they must include conditions that provide protection to and alleviate detriment to adjacent land uses. Salvage and junk storage operations must also be screened as required in Section 21.04.030 (d) of the Zoning and Development Code. As described above (Background and Summary Section), in the opinion of the Project Manager, these requirements have not been satisfied. Screening of the site from the elevated 5th Street viaduct in such a manner that stored items will not project above the screening is required but not provided in the Applicant's proposed Site Plan. S uch screening could be accomplished by the use of poles with screening material(s), roof structures and/or enclosures constructed on-site.

The Applicant is also requesting permission to store items at 30' in height for 90 days per calendar year for the recycled and scrap metal storage area and the materials storage, loading and staging areas only. The Zoning and Development Code indicates a maximum height of 20' for the purpose of storing recyclable material, except for "integral units".² (Recycled materials piles are not integral units.) The Code does not impose a time limitation or an exception to the maximum height for limited periods of time; therefore the Planning Commission has in the past determined that it has the discretion to approve such limited and temporary diversions from the 20' height limitation. In this case, however, the Applicant has provided no information that such annual temporary variances from stacking limitations is needed, nor any other information on which a decision on the request can be based. The Project Manager recommends denial of the requested variance from stacking limitations because there is no basis for granting it.

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

The property is adjacent to a rail spur, which the Applicant intends to utilize as part of their operation to ship recycled materials to end users. Also the site is close to downtown restaurants, hospitals and other industrial commercial and business facilities.

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

² Integral units means items, equipment, or machinery which are assembled or constructed to function as a single unit, such as, but not limited to, large cranes, drilling rigs or other large vehicles, large diameter pipes or culverts, large scale motors or transformers, etc., or, in the case of salvage or junkyards, shelving or other storage units, not to exceed 20 feet in height, which are used to store and display salvage items.

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

There are no dwelling units located on or adjacent to the site requiring privacy. The Site Plan includes screening from the neighboring Xcel electrical substation.

<u>Protection of Use and Enjoyment</u>. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;

All adjacent properties are zoned I-1 (Light Industrial) and all existing land uses in the area are industrial in nature, however, the property is also adjacent to and highly visible from 5th Street and an elevated viaduct which serves as the southern gateway into the community. The use and enjoyment of the public users of this attractive gateway viaduct recently improved as part of the Riverside Parkway project is not protected by the applicant's proposal. Screening of the site from 5th Street still needs to be addressed by the applicant. In addition, the Comprehensive Plan designation of Downtown Mixed Use would disallow the proposed use.

In addition, the Applicant proposes to access its site through an adjacent parcel without sufficient evidence of an easement or other right to use that neighbor's property for access. In the determination of Staff, therefore, the Site Plan does not demonstrate sufficient protection of the use and enjoyment of the adjacent property.

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

The applicant is proposing outdoor storage areas in three different areas on the property. Automobile storage will be on the north and west side of the property with recycled and scrap metal area in the southwest corner and materials storage, loading and staging area at the southeast corner. Views from motorists entering the City from the south at this major, upgraded gateway are not protected, because no screening of the site from 5th Street is proposed by the Applicant.

Signage:

Applicant is proposing three building signs, east and west building facade signs of 206 sq. ft. each and a south building sign is of 240 sq. ft., for a total of 652 sq. ft. of signage. Total signage (free-standing and building) for the site cannot exceed 824 sq. ft., so the proposed signage is well within the Code's sign limitations.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the GJ Metal Movers application, CUP-2010-412, for a Conditional Use Permit, I make the following findings of fact, conclusions and conditions:

- 1. The proposed use of the property by the Applicant is not consistent with the Comprehensive Plan. The applicable Plan designation does not allow the use.
- 2. The review criteria in Section 21.02.110 of the Grand Junction Zoning and Development Code have not all been met.
- 3. Sign Plans proposed by the applicant meet with all the requirements in Section 21.02.110 (d) of the Grand Junction Zoning and Development Code.
- 4. Approval shall be conditioned upon the following;
 - Amendment of the Comprehensive Plan
 - Signed and recorded permanent Ingress/Egress Easement across adjacent property to serve the site
 - All stacking height restrictions of the Zoning and Development Code must be continuously observed
 - Approval and finalization of all outstanding items associated with the Site Plan Review
 - Large vehicle repair is not approved as part of this application; if large vehicle repair is to be am ong the uses on the site, a new or amended Conditional Use Permit shall be required

STAFF RECOMMENDATION:

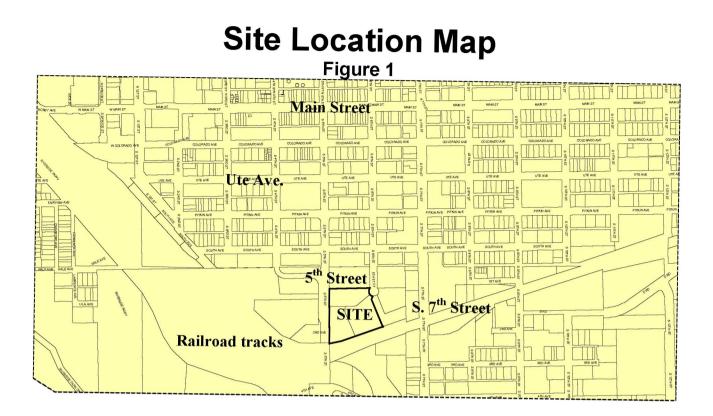
I recommend that the Planning Commission deny the requested Conditional Use Permit, CUP-2010-412, based on the findings included in this Staff Report.

RECOMMENDED PLANNING COMMISSION MOTION:

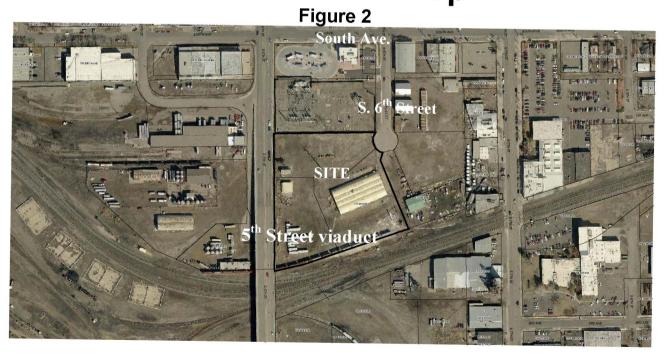
Mr. Chairman, on the request for a C onditional Use Permit for GJ Metal Movers application, number CUP-2010-412 to be located at 711 S. 6th Street, I move that the Planning Commission approve the Conditional Use Permit with the facts, conclusions and conditions listed in the staff report.

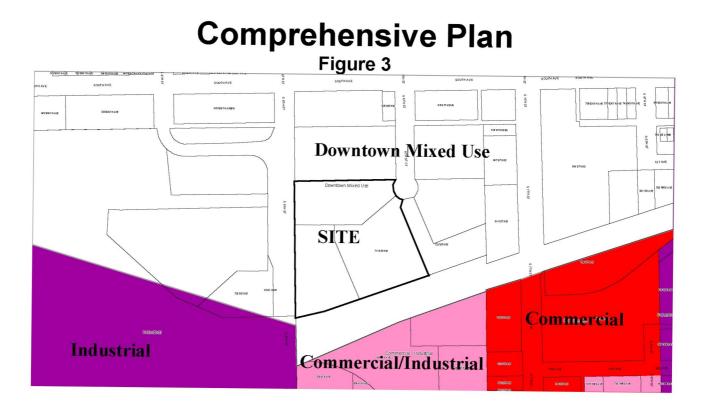
Attachments:

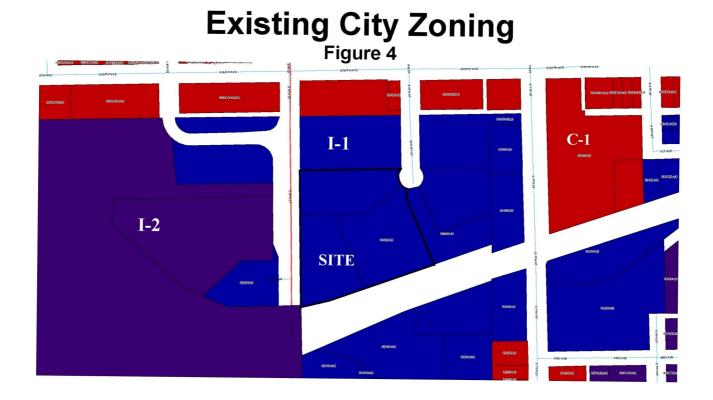
Site Location Map / Aerial Photo Map Comprehensive Plan / Existing City Zoning Site Plan/Sign Plan Landscaping Plan Proposed metal storage building with roof top murals Pictometry Air Photo of 5th Street viaduct Pictures of Site from 5th Street viaduct CDOT Email Applicant's General Project Report Letters of Support Specific Performance Standards, Code Section 21.04.030(d)

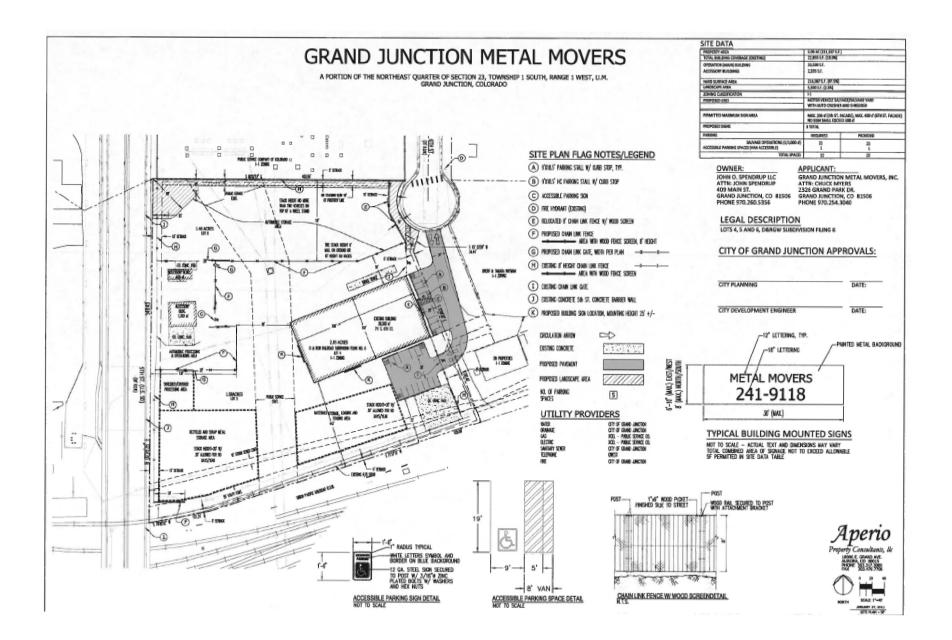


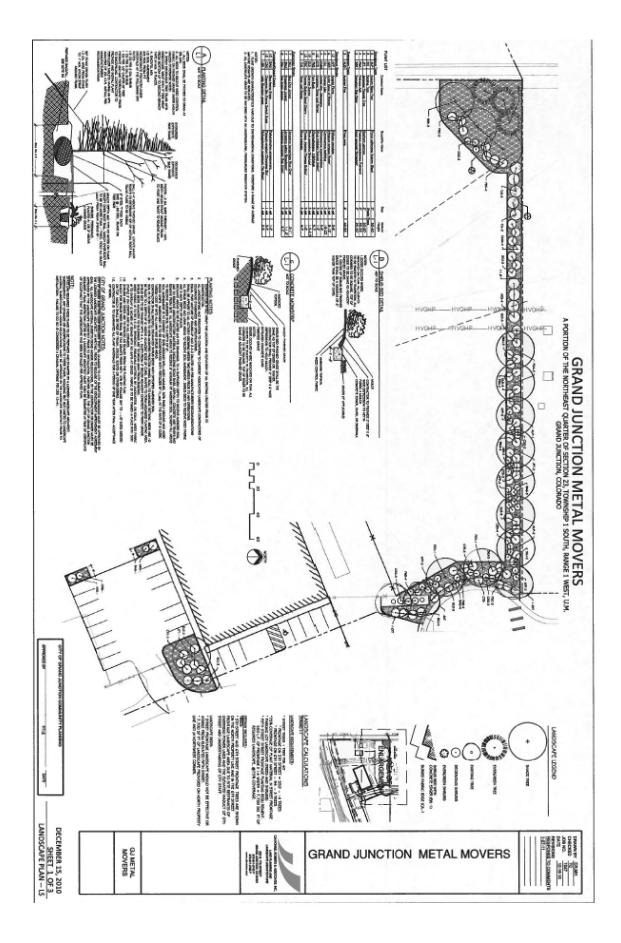
Aerial Photo Map

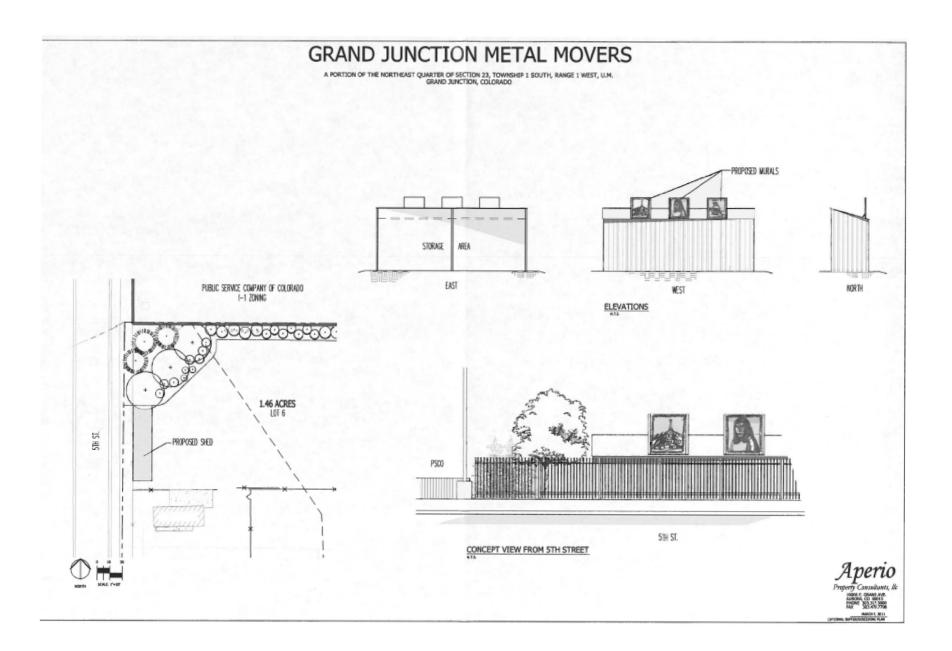


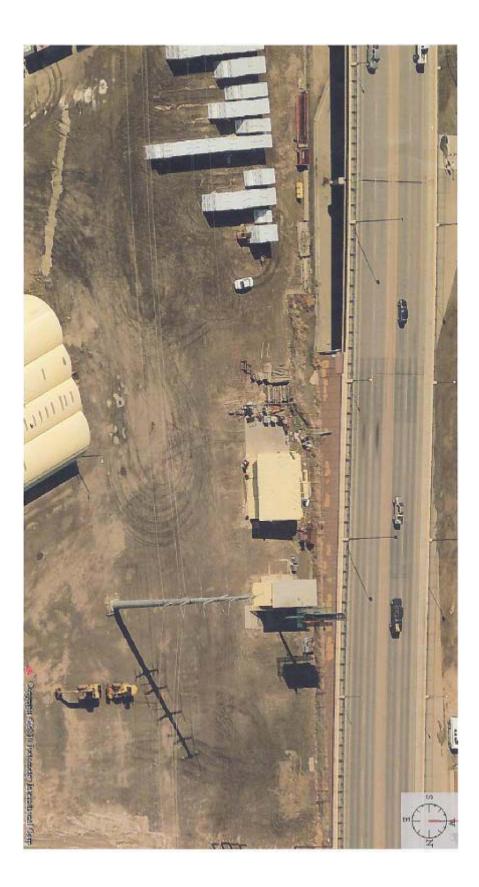












Pictures taken from sidewalk on 5th Street bridge and viaduct, at top of bridge (looking northeast):





Picture taken of site from sidewalk ½ way down on 5th Street bridge and viaduct showing middle of property (looking east).



Picture taken of site from sidewalk ½ way down on 5th Street bridge and viaduct looking northeast.



Picture taken of site from sidewalk ½ way down on 5th Street bridge and viaduct showing middle of property (looking east).



Picture taken of site from sidewalk at bottom of 5th Street bridge and viaduct showing property (looking east).



Picture taken from sidewalk at bottom of 5th Street bridge and viaduct (looking northeast).



Views from passenger seat of Ford Windstar minivan from top of 5th Street bridge (looking east):





View from passenger seat of Ford Windstar minivan ½ way down from top of 5th Street bridge (looking east):



View taken from passenger seat of Ford Windstar minivan at bottom of 5th Street bridge and viaduct showing property (looking east).



Aaron Thompson

Subject:

FW: 5th Street Viaduct, Grand Junction, re: GJ Metal Movers

From: Smith, John M (Mike) [mailto:Mike.Smith@dot.state.co.us] Sent: Tuesday, January 18, 2011 1:41 PM To: Aaron Thompson Subject: RE: 5th Street Viaduct, Grand Junction, re: GJ Metal Movers

Aaron,

We have reviewed the information you submitted, and while there are no drawings to look at, I can tell you that CDOT is not interested in reviewing plans or requirements that add additional weight and wind-loading considerations to the bridge structure. In addition, the installation of sound barrier to the bridge would negatively detract from the architectural railing of the structure. There is also a concern with adding unnecessary shading to the roadway. This area already experiences issues with drainage and ice buildup.

CDOT has invested a great deal of time and money into keeping the view open as the Grand Mesa and Mt. Garfield are a large asset to the Grand Valley.

I have discussed this request with the Region 3 Engineering West Program Engineer and the Region 3 Environmental Manager. It is our position that installations such as the one you described would negatively impact the structure and aesthetics of the bridge.

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If you have any further concerns or questions, please do not hesitate to contact me directly,

Regards,

Mike Smith, Operations and Outdoor Advertising Colorado Department of Transportation Region 3 Traffic and Safety 222 South 6th Street, Room 100 Grand Junction, CO 81501 (970) 683-7531 (37531) (970) 250-4355 Cell

GENERAL PROJECT REPORT

GRAND JUNCTION METAL MOVERS Lots 4, 5 and 6, Second Amended Plat D & RGW Railroad Subdivision Filing 6 Grand Junction, CO

PREPARED FOR:

Grand Junction Metal Movers, Inc. 2326 Grand Park Dr. Grand Junction, CO 81506 Phone 970.241.9118 Contact: Chuck Myers

PREPARED BY:

Aperio Property Consultants, LLC 18006 E. Grand Ave. Aurora, CO 80015 Phone 303.317.3000 Contact: Aaron Thompson

> December 15, 2010 Rev. January 20, 2011

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E. DEVELOPMENT SCHEDULE AND PHASING

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A. PROJECT DESCRIPTION

1. Location

The proposed development is located in Northwest ¼ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado. More specifically, the site is located at 711 S. 6th St. The site has been previously platted as Lots 4, 5 and 6, Second Amended Plat, D & RGW Railroad Subdivision Filing 6. A Location Map of the project location is included in the application materials for this project.

The site is bounded on the north by an XCEL (Public Service Company of Colorado) substation (zoned I-1), on the east by an industrial warehouse site (owned by DN Properties, also zoned I-1), to the south by the D & RGW railroad corridor, and to the west by the 5th Street viaduct.

2. Acreage

The site area is 5.09 ac (221,587 sf), Mesa County Tax Parcels 2945-232-07-010, 011 and 012.

3. Proposed Development

The site has historically been used for a variety of industrial uses, including outdoor materials storage, auto salvage, rail car on-and-off loading, The site is covered by clean, hard packed gravel with varied light vegetation, including a landscaped area recently installed near the entry from S. 6th Street.

The project proposal is to utilize the site as an automotive recycling (with self-serve auto parts sales), salvage yard for scrap metal, and recycled materials collection point. An existing 20,500-sq. ft. building will be used for inside operations of recyclable materials collection and separation.

B. PUBLIC BENEFIT

Grand Junction Metal Movers enhances a niche market demand for scrap metals, recyclable materials (including retail drop-off for area residents), and fills a gap in a largely non-existent marketplace for the self-serve auto parts industry in the Grand Junction area. Currently the company employs 12 people in the Grand Junction area, with expectations of increasing that number to 20-24 employees within two-years of operation at the proposed site, due to the ability to expand their business operations. The City will also realize retail sales tax collected from the self-serve auto parts portion of the operation.

C. NEIGHBORHOOD MEETING

A neighborhood meeting was conducted onsite on October 26, 2010. Notices/invitations to the meeting were mailed to property owners within 500-feet of the subject site on October , 2010. A list of the names and addresses to whom notices were mailed is included with the CUP

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application materials.

In attendance were the property owner, representatives of Grand Junction Metal Movers, and representatives from the City of Grand Junction. None of the neighboring property owners that were notified within 500 feet were in attendance or responded to the meeting notice.

D. PROJECT COMPLIANCE, COMPATIBILITY, AND IMPACT

1. Adopted plans and/or policies

The subject site lies within an area consisting of industrial uses, surrounded by I-1 zoned property as designated on the City of Grand Junction zoning map.

2. Land use in the surrounding area

Surrounding area land uses are moderate to heavy industrial, including but not limited to an XCEL substation, industrial warehousing and rail shipping, oil companies, chemical tank storage, railyard operations, and scrapyard operations.

3. Site access and traffic patterns

Site access is via the existing drive from the S. 6th St. cul-de-sac that has been utilized to access the property for more than 50 years, commonly shared by and located on the property at 722 S. 6th St., and will continue to be used by traffic to enter and exit the property in the same pattern. The existing parking area in front (east) of the building will be enhanced with pavement and defined parking stalls per City criteria, with additional customer and employee parking developed on the south side of the building. The existing gates immediately north of the building and south of the building will continue to be used for vehicular access interior to the property, primarily for truck-based materials and auto deliveries, in addition to access for the parking area south of the building.

4. Availability of utilities

All necessary utilities are located on the subject property; no additional utility extensions or improvements are required for this project as the existing utilities on site serve the operation needs of the business.

 Special or unusual demands on utilities No special or unusual demands on utilities will be incurred by the project.

6. Effects on public facilities

Potential additional effects on public facilities incurred by this project will be negligible, as the proposed land use is consistent with past industrial uses on the subject site and in the surrounding area.

 Site soils and geology According to the SCS Soil Survey, the site soils consist almost entirely of Sagers-Urban



land complex (BcU). This is type B hydrologic soil. The soils on site are moderately well drained, are somewhat susceptible to erosion and have low shrink/swell potential. Soils south of the property consist of Massadona silty clay (Ba) and saline Massadona silty clay (BaS). These soils have a hydrologic soil type of D.

Impact of project on site geology and geological hazards No impact upon site geology will be realized, as the site will remain almost entirely in present condition. No known geological hazards exist on the property.

 Hours of operation
Standard hours of operation are Monday through Friday, 8 am to 6 pm, Saturday 9 am – 5pm.

 Number of employees Currently, Grand Junction Metal Movers employees 12 people. Projected employment is an increase to 20-24 employees based on growth potential of the business due to relocation to the subject property.

 Signage plans
Signage plans are included with the application materials, consisting of three potential building mounted signs.

12. Conditional Use Review Criteria

8.

(1) Site Plan Review Standards. All applicable site plan review criteria in GJMC 21.02.070(g) and conformance with Submittal Standards for Improvements and Development (GJMC Title 22), Transportation Engineering Design Standards (GJMC Title 24), and Stormwater Management Manual (GJMC Title 26) manuals;

Standards for improvements and development have been adhered to via the addition of the paved parking areas pursuant to the 1 space/1,000-sf of usable building area on the project site, as required for an industrial use. No additional public street improvements are required with this project, therefore the Transportation Engineering Design Standards are limited to the site access and parking as well. A Final Drainage Report and Stormwater Management Plan have been prepared and submitted with this application demonstrating compliance with the drainage requirements for the site, including discussion of offsite regional water quality treatment and the negligible effect of imperviousness of the proposal upon the subject property as compared to its historic condition. Additionally, a State Stormwater Discharge Permit associated with the Recycling Industry will be applied for with the Colorado Department of Health and Environment (CDPHE). Furthermore, Grand Junction Metal Movers will employ the best management practices for Automotive Salvage Yard Waste Management Practices in Colorado as required by the CDPHE.

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



21.08.020(c);

District Standards for the I-1 zoning are satisfied in regard to the following:

| Std. | Requirement/Max. | Actual | |
|-------------------------|------------------|---------|--|
| Lot area: | 1 ac | 5.09 ac | |
| Setbacks (principal str | ucture) | | |
| Front | 15' | 25' | |
| Side | 5′ | 143' | |
| Rear | 10' | 223' | |
| Bulk Height | 50' | 30'+/- | |
| Stories | 4 | 1 | |
| Building Size | 150,000 | 20,500 | |

Additionally, I-1 District Standards are met by 1) purpose, which is compatible with neighboring properties and complementary to the available transportation modes in the immediate area, 2) street design is not affected as existing streets serve the property, 3)(ii) loading areas are in side or rear yards, 3)(iii) the conditional use criteria for the site coupled with requirements of the State of Colorado in regard to the recycling industry will dictate that nuisance and hazardous conditions be controlled, A) vibration impacts will be limited to the rail loading and auto shredder areas, B) noise will be minimized by the existing building and the 5th St. bridge wall, which isolate the operative area of the site primarily between these two structures, C) glare will be low as site lighting is minimal, D)solid and liquid waste from the recycling operations will be collected and disposed of in a manner consistent with the requirements set forth by the State of Colorado, E) likewise, hazardous materials associated with the auto recycling operations will be handled and disposed of per State regulations. 3)(iv) outdoor storage will be in the side and rear yard areas with existing and proposed screening measures in place, consisting of the 5th St. wall, the existing screen fence of XCEL Energy's substation, and proposed screen fence along the 6th St. cul-de-sac.

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

The proposal is governed by 21.04.0X for New Car/Auto Recycler, End Recycler (Salvage Yard), Wrecking Yards, Appliance Recycler, Impound Lots. This project meets the requirements of 21.06.04(i) for (1) and (2) screening via the existing concrete barrier wall along 5th St., the existing opaque screen fence on the XCEL Energy substation, and the proposed additional screening along the frontage of the 6th St. cul-de-sac. The height of the barrier wall along 5th street far exceeds the 6' and 8' screening requirements which otherwise limit stacking heights. Stacking heights of the vehicles in the self serve auto parts lots will be limited per City code to no more than two vehicles on top of a wheel stand. (4) Compaction and/or shredding of material and autos on the site will be conducted in the vicinity of the 5th St. barrier wall which will greatly minimize audible impacts to the surrounding area. (5) All items on the property are intended to

4

be disposed of as is the inherent nature of the scrap and recyclable materials business operation. (6) Tire stacking will be implemented for display presentation and customer selection as for-sale used items. (7) Best management practices including regular disposal of domestic waste by a qualified trash collection company and proper handling and disposal of parts from scrapped vehicles will be employed, per the CDPHE manual, including but not limited to switches known to contain mercury, batteries, tires, and fluid collection/disposal by a qualified fluids recycling company.

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

Rail line service and in particular the rail spur that exist on the subject site are of very significant and complementary relevance, as this will be a primary method for shipping recyclable metals and other materials to the end users, thereby increasing the efficiency of the business operations for delivery of product. Area businesses for customers and employees alike are near the project area, including restaurant, retail, gas/convenience, etc. School and parks services are not applicable to this particular project.

(5) Compatibility with Adjoining Properties.

(a) Protection of Privacy. Reasonable visual and auditory privacy will here again be achieved via the existing barrier wall of 5th St. and the dense wrought iron fencing installed by CDOT which offers angular screening to both the north and south for travelers across the viaduct. Existing screen fence adjacent to the XCEL substation and the proposed installation of screen fence along the 6th St. cul des sac will provide additional required screening from public view. Here again, because of the isolation of the property on its west boundary by 5th St., the XCEL substation on the north, and the rail tracks on the south, the site is largely protected from other properties by its inherent location and placement relative to surrounding uses.

(b) Protection of Use and Enjoyment. The configuration of the property with minimal shared use/access to the adjoining property (the railyard to the south, XCEL substation to the north, and 5th St. viaduct to the west) inherently secures the protection of use and enjoyment of neighboring properties. The property located to the east, also of industrial use, will experience little to no negative impact due to the similarity of historical land uses at 711 S. 6th St. compared to the present application, and the long term sharing of common access from 6th St., coupled with the minimal change to physical improvements to the property from its present condition.

(c) Compatible Design and Integration. The existing building onsite, being constructed in 1951, is comparable in design to the multitude of other industrial buildings in the immediate vicinity. Additional landscape elements added to the

5

property in key and beneficial locations along the north boundary (particularly the northwest corner of the property), and at the 6th St. cul de sac will enhance the integration of the property to the area, especially considering landscape elements on surrounding properties are negligible. Paving of the access and parking areas will assist in reducing dust generated by site traffic and neighboring property traffic which also utilize the common access point from 6th Street. Overall, lighting, noxious emissions, dust generation and potential noise concerns are comparable to the surrounding area, as the neighborhood consists of moderate to heavy industrial land uses. Therefore, the potential for detriment to neighboring properties is minimal.

6

E. DEVELOPMENT SCHEDULE AND PHASING

Because very few improvements are required and proposed with this project, and due to the urgency of Grand Junction Metal Movers need to occupy the property for continued and expansion of the business enterprise, development will commence immediately upon approval and is anticipated to be completed within 60 days thereafter. No project phasing is proposed.

City of Grand Junction Planning Department Attn: Scott Peterson 250 N. 5th St. Grand Junction, CO 81501

RE: Grand Junction Metal Movers, CUP Application City Project Number CUP-2010-412

Dear Mr. Peterson,

Please accept this letter of support and recommendation for approval by the City Planning Commission of CUP-2010-412, Grand Junction Metal Movers.

Sincerely, en MAS

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Rea.

Sincerely, ichand to Hon

February 11, 2011

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N jot

Wyatt[']E. Popp Grand Junction Resident

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Jamie Popp Jamie Popp Grand Junction

Resident

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Richard Richmond

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Carel Stafford

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William Nyland

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Linda ammerman

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SUPERVISOR - WEST STAR AVIATION

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Robert Lobersnige Owner Blades Lown and lond scope L.C.C. OWNER LAGRANGE AND REPAIR L.L.C.

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Jordan Clumleigh, Hose and Rubber Supply

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Nom Catt Wagner Equipment Co. 970-242-2834

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Robert L.Schlauger

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Director of Business Development Precision Air Drilling Services

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Sincerely, n Car Tech 1853 B I-70 Business Loop Grand Junction, Co 81501 (970) 255-Tech (8324)

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Sincerely,

Powert in Dirtel High Country Das

City of Grand Junction Planning Department Attn: Scott Peterson 250 N. 5th St. Grand Junction, CO 81501

RE: Grand Junction Metal Movers, CUP Application City Project Number CUP-2010-412

Dear Mr. Peterson,

Please accept this letter of support and recommendation for approval by the City Planning Commission of CUP-2010-412, Grand Junction Metal Movers.

Thank you for inclusion of this letter into the City's file and Planning Commission report and packet.

Sincerely, Scott D. Beach @ Polar Bear Automotive

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Carol J. Robinson

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Sincerely, Munuelly I putty Presided & CEO Precision Air Drilling Servers, Inc.

Section 21.04.030 (d) of the Zoning and Development Code:

(d) New Car/Auto Recycler, End Recycler (Salvage Yard), Wrecking Yards, Appliance Recycler, Impound Lots. (For existing uses see GJMC <u>21.04.040</u>(h)(2)(iii).) New car/auto recycler, end recycler (salvage yard), wrecking yards, appliance recycler and impound lots shall be allowed to operate only with an approved conditional use permit and are subject to the following requirements. Salvage, dismantling, recycling or impound lot uses as accessory uses are permitted under the same status as the principal use and are subject to all requirements of the principal use in addition to the following requirements:

(1) Recycling/wrecking/salvage yards and impound lots shall provide the screening and buffering required by GJMC <u>21.06.040</u>(i) and provide a six-foot-high wall along the street frontage and along the first 50 feet of the side perimeter from the street. The wall shall be increased to eight feet if the yard will contain any stored items in excess of six feet. The required wall shall meet the required front yard setback with landscaping in the setback area.

(2) The wall shall be of solid, 100 percent opaque construction of wood, masonry, or other material approved in writing by the Director (unless the screening and buffering required by GJMC <u>21.06.040</u>(i) allows for only masonry or wood).

(3) All outdoor yards or storage lots shall comply with the following:

(i) No yard or storage lot shall be placed or maintained within a required yard setback.

(ii) Stored items shall not project above the screening except for integral units as defined in Chapter 21.10, Definitions; and stacking of no more than two vehicles on top of a wheel stand. Integral units shall include shelving up to 20 feet in height for the purpose of storing recyclable materials. Integral units shall not be stored within the first 20 feet of the property from any street frontage property line.

(iii) All screening shall be installed in a professional and workmanlike manner, and maintained in good condition.

(4) All compaction, cutting and/or other material volume reducing operations shall be conducted to minimize the noise generated by the operation.

(5) Unusable items shall be disposed of and not be allowed to collect on the premises.

(6) All tires not mounted on operational vehicles shall be neatly stacked or placed in racks. If stacked, the stacks shall not be over six feet in height; if on racks, the top of any tire on any rack shall not be over 10 feet in height.

(7) No garbage or other putrescent waste, likely to attract vermin, shall be kept on the premises. Gasoline, oil, or other hazardous materials which are removed from scrapped vehicles or parts of vehicles kept on the premises shall be disposed of in accordance with applicable federal, State and local regulations. All other regulations of the City such as, but not limited to, building codes, fire codes, weed regulations and health regulations shall apply to the operation of all such uses.