



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

TUESDAY, JUNE 22, 2010, 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. 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

Not available at this time.

***** 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. Gentleman’s Club CUP – Conditional Use Permit – Continued from June 8, 2010 Planning Commission Hearing [Attach 1](#)

Request approval of a Conditional Use Permit that would allow the hours of operation, from a previous approval, to be changed from 5:00 PM thru 2:00 AM to 10:00 AM thru 2:00 AM.

FILE #: CUP-2010-050
PETITIONER: Kevin Eardley – 2257, LLC
LOCATION: 2258 Colex Drive
STAFF: Senta Costello

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Gentleman's Club**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: June 22, 2010
STAFF PRESENTATION: Senta L. Costello

AGENDA TOPIC: Gentleman's Club Conditional Use Permit – CUP-2010-050

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

BACKGROUND INFORMATION				
Location:		2256 Colex Drive		
Applicants:		Owner: Kevin Eardley Representative: Design Specialists, PC – Rob Rowlands		
Existing Land Use:		Vacant		
Proposed Land Use:		Bar/Nightclub; Office/Warehouse		
Surrounding Land Use:	North	Vacant / Industrial		
	South	Western Slope Ford		
	East	Non-Conforming Residential		
	West	Vacant / Industrial		
Existing Zoning:		I-1 (Light Industrial)		
Proposed Zoning:		I-1 (Light Industrial)		
Surrounding Zoning:	North	I-1 (Light Industrial)		
	South	C-2 (General Commercial)		
	East	I-1 (Light Industrial)		
	West	I-1 (Light Industrial)		
Comprehensive Plan Designation:		Commercial/Industrial		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Applicant is requesting approval of a Conditional Use Permit to change the hours of operation under an approved Conditional Use Permit for a Bar/Nightclub in an I-1 (Light Industrial) zone district.

RECOMMENDATION: Approval of the Conditional Use Permit

ANALYSIS

1. Background

The property under consideration was annexed in 1992 (Grand Junction West Annexation) and is part of the High Desert Commercial Park Subdivision recorded in 2006. On November 25, 2009, the Planning Commission approved a Conditional Use Permit to allow a bar/nightclub which was to be operated between the hours of 5:00 p.m. and 2:00 a.m.

The applicant is requesting to change the Club's hours of operation from the 5 p.m. – 2 a.m. approval granted in April 2009 to 10 a.m. -2 a.m.

3. Section 21.02.110 of the Zoning and Development Code

To obtain a Conditional Use Permit, the Application must demonstrate that the proposed development will comply with the following:

- a. All applicable site plan review criteria in Section 21.02.070(g) and conformance with Submittal Standards for Improvements and Development, Transportation Engineering Design Standards, and Stormwater Management Manual manuals;

Section 21.02.070(g)

- 1) Adopted plans and policies such as the Comprehensive Plan, applicable corridor or neighborhood plans, the major street plan, trails plan and the parks plan

The proposal is consistent with the goals and policies of the Comprehensive Plan. The area does not have other applicable neighborhood or corridor plans associated with it and the street plan and trails plan requirements were addressed with the subdivision.

- 2) Conditions of any prior approvals

The required subdivision improvements have been completed and accepted. The improvements required with the Site Plan Review approval are currently under construction. No requirements for the project have changed, only requested hours of operation.

- 3) Public facilities and utilities shall be available concurrent with the Development.

All public facilities and utilities were installed with the construction of the subdivision.

- 4) Received all applicable local, state and federal permits.

All required stormwater and construction permits were issued with the approval of the original Conditional Use Permit and Site Plan Review. The hours of operation does not affect any of the requirements or conditions of the permits.

- b. The underlying zoning districts standards established in GJMC Section 21.03, except density when the application is pursuant to Section 21.08.020(c);

The I-1 zone district standards of Section 21.03 have been met.

- c. The use-specific standards established in GJMC Section 21.04.030;

The use specific standards of Section 21.04.030 have been met. This Section does not have specific standards regarding hours of operation.

- d. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.

This area offers many complementary and supportive uses including multiple office/warehouse and manufacturing facilities.

- e. Compatibility with and protection of neighboring properties through measures such as:

- 1) Protection of privacy

The building is located along the eastern property line with the main entrance on the western face of the building. The eastern property line also has a 10'-15' landscape strip adjacent the parking area which includes shrubs ranging in height from 3'-6' in height to help maintain privacy of the neighboring property. The neighboring property to the east has historically been used residentially. However, both houses on the property are uninhabitable and the property is currently for sale, being marketed as industrial land, consistent with its present zone designation.

- 2) Protection of use and enjoyment

The building is located along the eastern property line with the main entrance on the western face of the building. The eastern property line also has a 10'-15' landscape strip adjacent the parking area which includes shrubs ranging in height from 3'-6' in height. The neighboring property to the east has historically been used residentially. However, both houses are uninhabitable and the property is currently for sale, being marketed as industrial land, consistent with its present zone designation.

The Police Department has reviewed the plan thoroughly and suggested modifications to reduce secondary effects and prevent crime in the neighborhood. The modifications, which have all been incorporated into the plan by the applicant, include different shrub heights in some areas that may be prone to loitering in order to provide better visibility to those areas and defensive landscaping to discourage any attempts to access or travel through certain areas.

At the August 12, 2008 Planning Commission hearing, the owner of Western Slope Auto expressed concerns about having a bar across the street from his property. I believe the following effectively mitigate this property owner's concerns. The Code requires a buffer of either a 25' landscape strip or a fence between I-1 development and an adjacent C-2 zoned property. When a right-of-way other than a local or collector street separates the zone districts, buffer requirements can be waived if the buffering objectives are met without them. The proposed bar site is approximately 90' from the Western Slope property, separated by G Road which is classified as a Minor Arterial. The subdivision provided a 6' wood privacy fence and a 14' landscape tract along the southern property line, which serves as a buffer to the C-2 property to the south and exceeds the buffer requirements of the Code. The site will also have internal parking lot landscaping and security lighting to maintain safe light levels within the parking lot. The Western Slope site also already has a 6' chain-link perimeter fence with 3 strands of barb wire along the top.

3) Compatible design and integration

- The building and site layout are consistent with the surrounding commercial industrial park.
- Appropriate defensive and safe level landscaping, and security lighting should mitigate any potential secondary effects to the neighboring properties.
- A majority of the other bars/nightclubs within the City operate with similar hours of operation being requested by the applicant.

FINDINGS OF FACT and CONCLUSIONS

After reviewing the Bar/Nightclub application, CUP-2010-050 for a Conditional Use Permit, I make the following findings of fact and conclusions:

1. The requested Conditional Use Permit is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.110 of the Grand Junction Municipal Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the requested Conditional Use Permit, CUP-2010-050 with the findings of fact and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

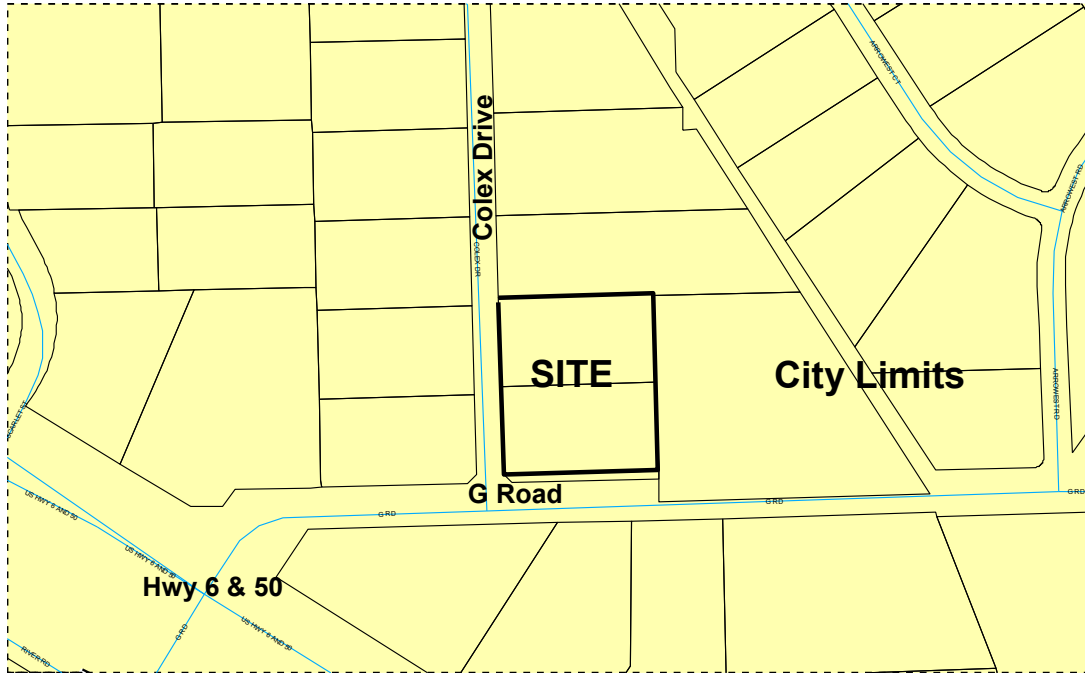
Mr. Chairman, on Gentleman's Club Conditional Use Permit, CUP-2010-050 I move that the Planning Commission approve the Conditional Use Permit with the findings of fact and conclusions listed in the staff report.

Attachments:

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

Site Location Map

Figure 1



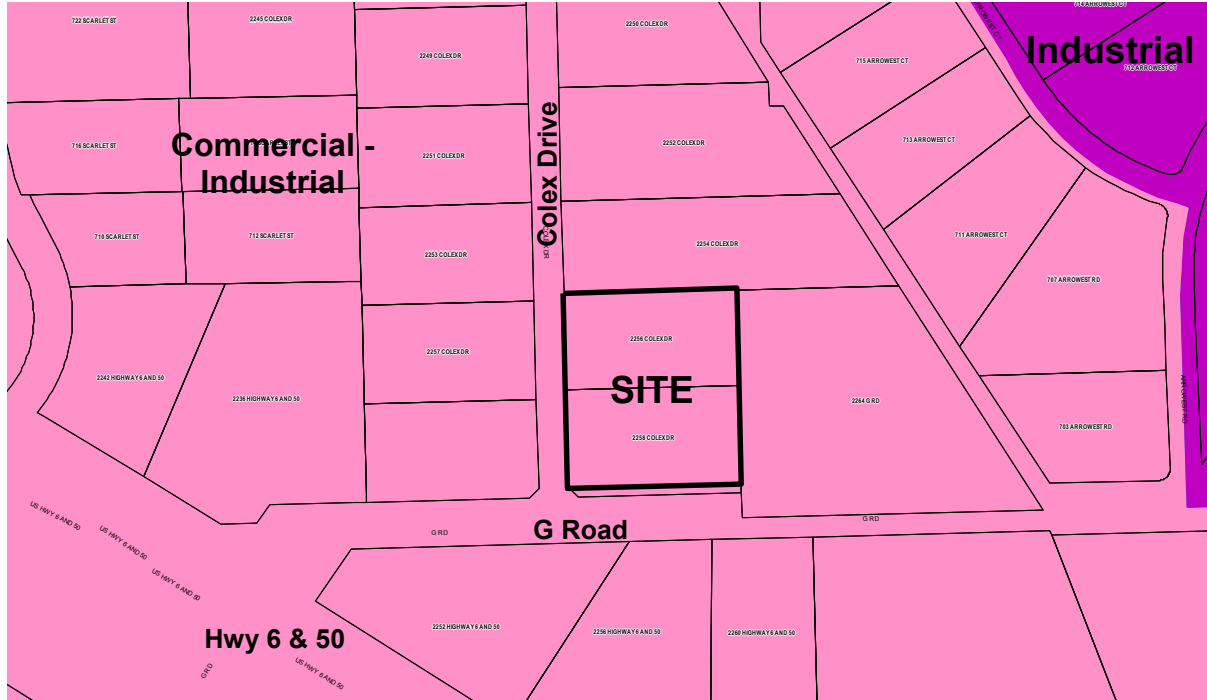
Aerial Photo Map

Figure 2



Comprehensive Plan Map

Figure 3



Existing City Zoning Map

Figure 4

