



**PLANNING COMMISSION AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET**

**TUESDAY, OCTOBER 12, 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.

- 2. **Bookcliff Vet Rezone – Rezone** [Attach 2](#)  
 Request a recommendation of approval to City Council to rezone 2.071 acres from an R-8 (Residential 8 du/ac) zone district to an MXG-3 (Mixed Use General Form District – 3 stories) zone district.

**FILE #:** RZ-2010-118  
**PETITIONER:** Bookcliff Land and Building, LLC  
**LOCATION:** 564 29 Road  
**STAFF:** Brian Rusche

- 3. **CB & G Rezone – Rezone and Comprehensive Plan Amendment** [Attach 3](#)  
 Request a recommendation of approval to City Council to change the Comprehensive Plan designation from Residential Medium (4-8 du/ac) to Commercial and rezone from an R-8 (Residential 8 du/acre) zone district to a C-1 (Light Commercial) zone district on 2.38 acres.

**FILE #:** RZ-2010-114  
**PETITIONER:** Gene Taylor – CB & G Partnership  
**LOCATION:** 531 Maldonado Street  
**STAFF:** Scott Peterson

**\*\*\* 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.*

None

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 2  
Bookcliff Vet Rezone**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: October 12, 2010  
PRESENTER: Brian Rusche, Senior Planner

AGENDA TOPIC: Bookcliff Vet Rezone – RZ-2010-118

ACTION REQUESTED: Recommendation to City Council to rezone property located at 564 29 Road from R-8 (Residential – 8 dwelling units per acre) to MXG-3 (Mixed Use General Form District – 3 stories).

BACKGROUND INFORMATION				
Location:		564 29 Road		
Property Owner:		Bookcliff Land and Building LLC		
Existing Land Use:		Abandoned vet clinic		
Proposed Land Use:		Office		
Surrounding Land Use:	North	Multi-family Residential		
	South	Single-family and Multi-family Residential		
	East	Multi-family Residential		
	West	Single-family Residential		
Existing Zoning:		R-8 (Residential 8 du/ac)		
Proposed Zoning:		MXG-3 (Mixed Use General Form District – 3 stories)		
Surrounding Zoning:	North	County RMF-8 (Residential Multi-Family 8 du/ac)		
	South	County RMF-8 (Residential Multi-Family 8 du/ac) PD (Planned Development) – Arbors Subdivision		
	East	County RMF-8 (Residential Multi-Family 8 du/ac)		
	West	County RSF-4 (Residential Single Family 4 du/ac)		
Future Land Use Designation:		Residential Medium (4 – 8 du/ac) Mixed Use Opportunity Corridor (29 Road)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone 2.071 acres, located at 564 29 Road, from R-8 (Residential – 8 dwelling units per acre) to MXG-3 (Mixed Use General Form District – 3 stories).

RECOMMENDATION: Recommend approval to City Council.

## ANALYSIS:

### 1. Background

The property was annexed into the City on November 5, 2007 (ANX-2007-232). Upon annexation the subject parcel was zoned R-8 (Residential – 8 dwelling units per acre). The previous use of the property as a veterinary clinic had been abandoned at the time of annexation.

A neighborhood meeting was held on Monday, August 9, 2010. No neighbors were in attendance, only the prospective tenant and his associates. The owner's representative explained that the prospective tenant would like to utilize the existing structure for an accounting office. Cleanup of the property, which has been unused for some time, was underway. Only minor improvements to the existing structure were necessary for the prospective business. The planner discussed the concept of the Mixed Use Opportunity Corridor as well as the form district provisions, which were adopted in 2010.

Areas within a Mixed Use Opportunity Corridor that are currently zoned for residential purposes may be rezoned for more intense use (including nonresidential uses), provided that Form Districts are utilized and the depth of the lot is at least 150 feet (Grand Junction Municipal Code Section 21.02.140.c.2). The property is approximately 300 feet in depth, excluding right-of-way.

The request to rezone the property to MXG-3 (Mixed Use General Form District – 3 stories) would allow the existing structure to be used for offices, which is currently not permitted within the R-8 zone.

The building types permitted within the Mixed Use General (MXG) districts include general, apartment, townhouse, and civic. The standards for each building type would apply to new structures built upon the property.

### 2. Section 21.02.140 of the Grand Junction Municipal Code (GJMC)

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 premise and findings; and/or

Response: The adoption of the Comprehensive Plan in 2010 created a Mixed Use Opportunity Corridor along 29 Road. The original premise upon annexation of the property in 2007 was that commercial uses were not allowed along the corridor, only at selected locations specifically designated as commercial. The designation as a mixed use corridor dramatically changes the potential for the property.

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

Response: When the property was annexed into the City, it was zoned R-8 in anticipation of residential development. This development has not occurred. While the previous commercial use was abandoned, the structure(s) remained. The adoption of the Comprehensive Plan created an opportunity for mixed uses along the 29 Road corridor. An interested party then approached the City about reestablishing a commercial use of the property.

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

Response: There are public utilities already connected to the existing commercial building. Public utilities, including potable water provided by the Ute Water Conservancy District are adjacent to the subject parcel that can be utilized and have the capacity to facilitate new construction under the proposed form based zoning.

Community facilities, such as a convenience store, a large grocery store, restaurant and other neighborhood facilities and uses are within walking distance of the subject parcel.

(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 is the first property to be considered for a Mixed Use Form Based zoning district. Areas within a Mixed Use Opportunity Corridor that are currently zoned for residential purposes may be rezoned for more intense use (including nonresidential uses), provided that Form Districts are utilized and the depth of the lot is at least 150 feet (Grand Junction Municipal Code Section 21.02.140.c.2).

In addition, the proposed MXG-3 form based zone would permit multi-family development, along with commercial uses, meaning the potential is still available to develop housing on the site.

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

Response: The proposed zoning will implement several goals of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

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

The location of the subject property is within an identified Mixed Use Opportunity Corridor.

In addition to the rezone criteria of Section 21.02.140(a), Section 21.02.140(c)(2) states that during consideration of the application of a Form District, the City Council shall consider the following:

- i) The extent to which the rezoning furthers the goals and policies of the Comprehensive Plan; and

Response: The proposed zoning will implement several goals of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

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

- ii) The extent to which the proposed rezoning would enhance the surrounding neighborhood by providing walkable commercial, entertainment and employment opportunities, as well as alternative housing choices.

Response: There are 120 apartments along Dawn Drive alone, which spans a quarter-mile (1/4 mi) walk from the subject property. While the MXG-3 would permit a variety of uses, including offices, that may not be in demand by the adjacent residents, the potential is still present. In addition, the potential for the property is complemented by the location of other commercial uses to the north, including Graff Dairy (1/10 mile north) and the Patterson Marketplace (Safeway) at 29 Road and Patterson (F Road).

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designation for the subject property.

MXG-5 (Mixed Use General Form District – 5 stories).

MXG-8 (Mixed Use General Form District – 8 stories).

If the Planning Commission chooses to recommend the alternative zone designation, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation the City Council.

## FINDINGS OF FACT/CONCLUSIONS/CONDITIONS:

After reviewing the Bookcliff Vet Rezone, file number RZ-2010-118, a request to rezone the property from R-8 (Residential – 8 dwelling units per acre) to MXG-3 (Mixed Use General Form District – 3 stories), the following findings of fact and conclusions have been determined:

1. The requested MXG-3 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 been met.

## STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the MXG-3 zone, file number RZ-2010-118, to the City Council with the findings of fact and conclusions listed above.

## RECOMMENDED PLANNING COMMISSION MOTION:

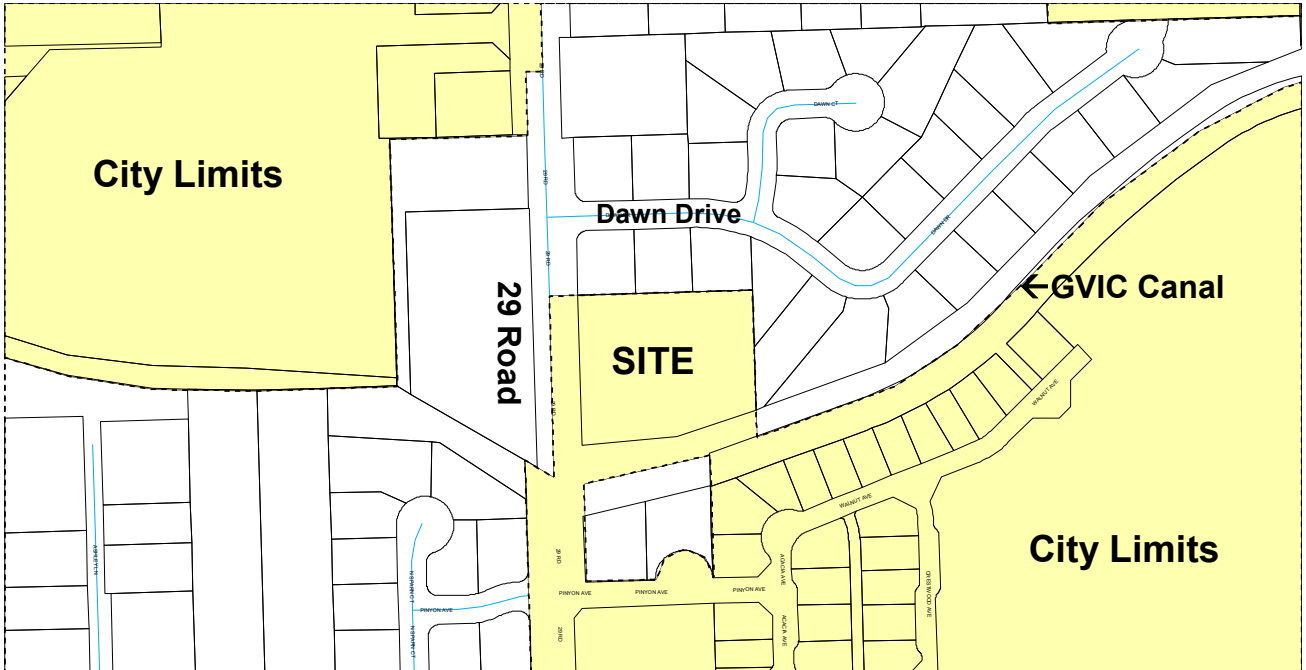
Mr. Chairman, on Rezone, file number RZ-2010-118, I move that the Planning Commission forward a recommendation of approval for the Bookcliff Vet Rezone from R-8 to MXG-3, with the findings of fact and conclusions listed in the staff report.

## Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan Map / Existing City and County Zoning Map  
Blended Residential Map  
Photo of Existing Site  
Proposed Ordinance

# Site Location Map

564 29 Road



# Aerial Photo Map

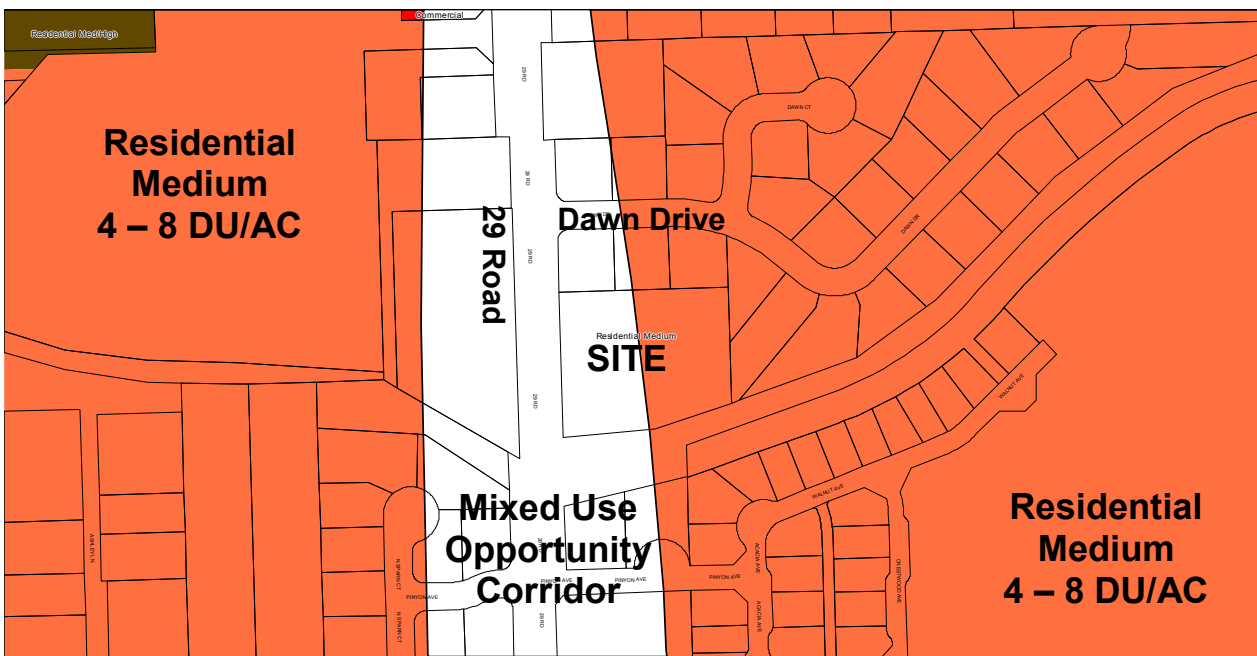
564 29 Road





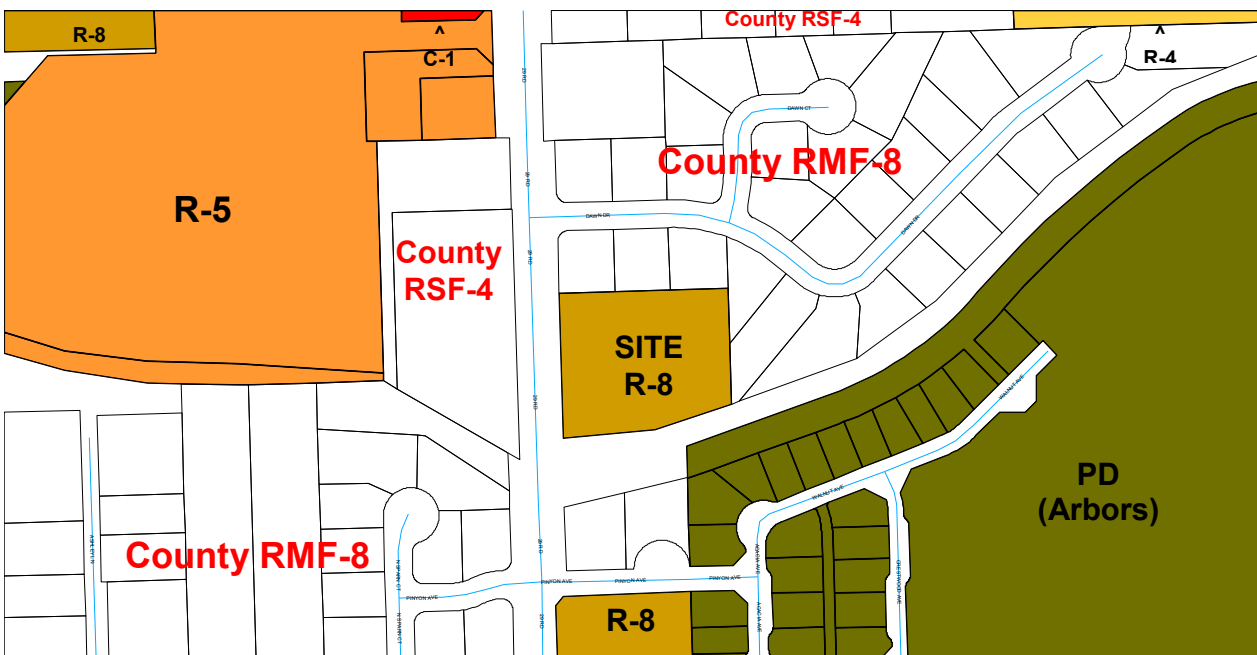
# Comprehensive Plan Map

564 29 Road



# Existing City and County Zoning Map

564 29 Road



# Blended Residential Map

564 29 Road



## Site Photo

564 29 Road (looking east)



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING THE PROPERTY**

**LOCATED AT 564 29 ROAD**

**FROM**

**R-8 (RESIDENTIAL – 8 DWELLING UNITS PER ACRE)**

**TO**

**MXG-3 (MIXED USE GENERAL FORM DISTRICT – 3 STORIES)**

Recitals.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of rezoning the property at 564 29 Road from R-8 (Residential – 8 dwelling units per acre) to the MXG-3 (Mixed Use General Form District – 3 stories) zone district for the following reasons:

The zone district is consistent with the designation of the property as a Mixed Use Opportunity Corridor as shown on the future land use map of the Comprehensive Plan, and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After the public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds that the MXG-3 zone district should be established.

The Planning Commission and City Council find that the MXG-3 zone district is in conformance with the stated criteria of Title 21, Section 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 to MXG-3 (MIXED USE GENERAL FORM DISTRICT – 3 STORIES):

A parcel of land located in the Southwest Quarter of the Northwest Quarter (SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section 8, Township 1 South, Range 1 East, of the Ute Meridian and being more particularly described as follows:

Commencing at the Northwest corner of the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 8, whence the Southwest corner of said SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 8 bears South 00 degrees 04 minutes 07 seconds East, a distance of 1317.71 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 00 degrees 04 minutes 07 seconds East, a distance of 450.00 feet, along the West line of said SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 8; thence North 89 degrees 55 minutes 53 seconds East, a distance of 50.00 feet to a point at the Southwest corner of Sunrise Gardens Subdivision, as shown on plat recorded in Plat Book 12, Page 135, the POINT OF BEGINNING; thence North 89 degrees 55 minutes 53 seconds East, a distance

of 303.00 feet, along the South line of said sunrise Gardens Subdivision, to a point at the intersection of said South line of said subdivision and the most Southerly West line of said Sunrise Gardens Subdivision; thence South 00 degrees 04 minutes 07 seconds East, a distance of 257.84 feet, along said most Southerly West line of said Sunrise Gardens Subdivision to a point on the centerline of the Grand Valley Irrigation Company Canal; thence Southwesterly along said Northerly canal boundary the following three (3) courses: (1) South 72 degrees 49 minutes 02 seconds West, a distance of 152.54 feet; (2) South 81 degrees 07 minutes 59 seconds West, a distance of 113.91 feet; (3) North 90 degrees 00 minutes 00 seconds West, a distance of 44.64 feet, to a point on the East right-of-way line of 29 Road, as described in deed to Mesa County, recorded at Book 1425, Page 769, Mesa County records; thence North 00 degrees 04 minutes 07 seconds West, a distance of 320.10 feet, along said East right-of-way line to the POINT OF BEGINNING.

Said parcel containing an area of 2.071 acres, as described.

ALSO KNOWN AS TAX PARCEL NUMBER 2943-082-00-037

Introduced on first reading this \_\_\_ day of \_\_\_\_\_, 2010 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**Attach 3  
CB & G Rezone and Comprehensive Plan Amendment**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** October 12, 2010  
**PRESENTER:** Scott D. Peterson

**AGENDA TOPIC:** CB & G Rezone – RZ-2010-114

**ACTION REQUESTED:** Recommendation to City Council to amend Comprehensive Plan to Commercial and rezone property located at 531 Maldonado Street from R-8, (Residential – 8 du/ac) to C-1, (Light Commercial).

BACKGROUND INFORMATION					
<b>Location:</b>		531 Maldonado Street			
<b>Applicants:</b>		CB & G Partnership – Gene Taylor, Owner and Grand River Mosquito Control District, Future Owner			
<b>Existing Land Use:</b>		Vacant lot			
<b>Proposed Land Use:</b>		Future location for Grand River Mosquito Control District			
<b>Surrounding Land Use:</b>	<b>North</b>	Multi-unit commercial/warehouse lease space			
	<b>South</b>	Single-family residential			
	<b>East</b>	Single-family residential			
	<b>West</b>	Railroad tracks/Crosby Avenue			
<b>Existing Zoning:</b>		R-8, (Residential – 8 du/ac)			
<b>Proposed Zoning:</b>		C-1, (Light Commercial)			
<b>Surrounding Zoning:</b>	<b>North</b>	C-1, (Light Commercial)			
	<b>South</b>	R-8, (Residential – 8 du/ac)			
	<b>East</b>	R-8, (Residential – 8 du/ac)			
	<b>West</b>	I-1, (Light Industrial)			
<b>Future Land Use Designation:</b>		Residential Medium (4 – 8 du/ac)			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to amend the Comprehensive Plan to Commercial and rezone 2.38 +/- acres, located at 531 Maldonado Street, from R-8, (Residential – 8 du/ac) to C-1, (Light Commercial) zone district.

**RECOMMENDATION:** Recommend approval to City Council.

## **ANALYSIS:**

### **1. Background:**

The existing property (Lot 10, Block 6, Six and Fifty West Subdivision, Filing No. Two – 2.38 +/- acres) located at 531 Maldonado Street is currently vacant. Grand River Mosquito Control District is currently in the process of purchasing the property in anticipation of developing and relocating their facilities and offices at some point in the future at this location. In order for the Mosquito Control District to utilize the property for commercial purposes, a rezone to C-1, (Light Commercial) would be required.

The current property owner, CB & G Partnership, held a Neighborhood Meeting on August 25, 2010 with six (6) area neighbors attending, both residential and commercial, to discuss the proposed rezone/sale of the property and project. No major objections to the commercial zone designation were raised at the Neighborhood Meeting.

### **2. Title 21, Section 02.140 and 02.130 of the Grand Junction Municipal Code:**

Zone and Comprehensive Plan Amendment requests must meet all of the following criteria for approval:

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

Response: The property is designated Residential Medium (4 – 8 du/ac) on the Comprehensive Plan Future Land Use Map. The C-1 district is not a permitted zone district within the Residential Medium category of the Comprehensive Plan. However, the applicant may request the C-1 zone since the adjacent property to the north (685 W. Gunnison) is presently zoned C-1, Light Commercial. Due to new sections of the Code (Adjacency Rule), the Director has the authority to process Comprehensive Plan amendments with rezone applications.

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

Response: This property is a large acreage parcel of land (2.38 +/- acres) adjacent to existing commercial/warehouse and general commercial land uses to the north and east. The use of this property as a commercial land use is a logical extension of this existing commercial designation in this area due its proximity to Crosby/W. Gunnison Avenue and the railroad tracks which could preclude additional residential growth potential.

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

Response: There are adequate public and community facilities existing in the area of the proposed rezone request. City water is available in both Maldonado and Crosby Avenue with sewer available in Maldonado.

(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 request is a logical extension of the adjacent existing C-1 zone located to the north, thus meeting Goal #3 of the Comprehensive Plan in creating an ordered and balanced growth and spreading future growth throughout the community and also Goal #6 regarding land use decisions that will encourage preservation and appropriate reuse.

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

Response: The community or area will derive benefits from the proposed rezone by the potential of a commercial development for a parcel of land that has sat vacant for a number of years with an R-8 zone designation.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan designation for the subject property (Commercial).

- a. R-O
- b. B-1
- c. C-2
- d. M-U

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

#### **FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the CB & G Rezone, RZ-2010-114, a request to amend the Comprehensive Plan to Commercial and rezone the property from R-8, (Residential – 8 du/ac) to C-1, (Light Commercial), the following findings of fact and conclusions have been determined:

- 3. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
- 4. The review criteria in Title 21, Section 02.140 and 02.130 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 C-1 zone, RZ-2010-114, to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on file number RZ-2010-114, I move that the Planning Commission forward a recommendation of approval for the Comprehensive Plan Amendment to Commercial and the Rezone from R-8 to C-1 for the CB & G Rezone application, with the findings and conclusions listed in the staff report.

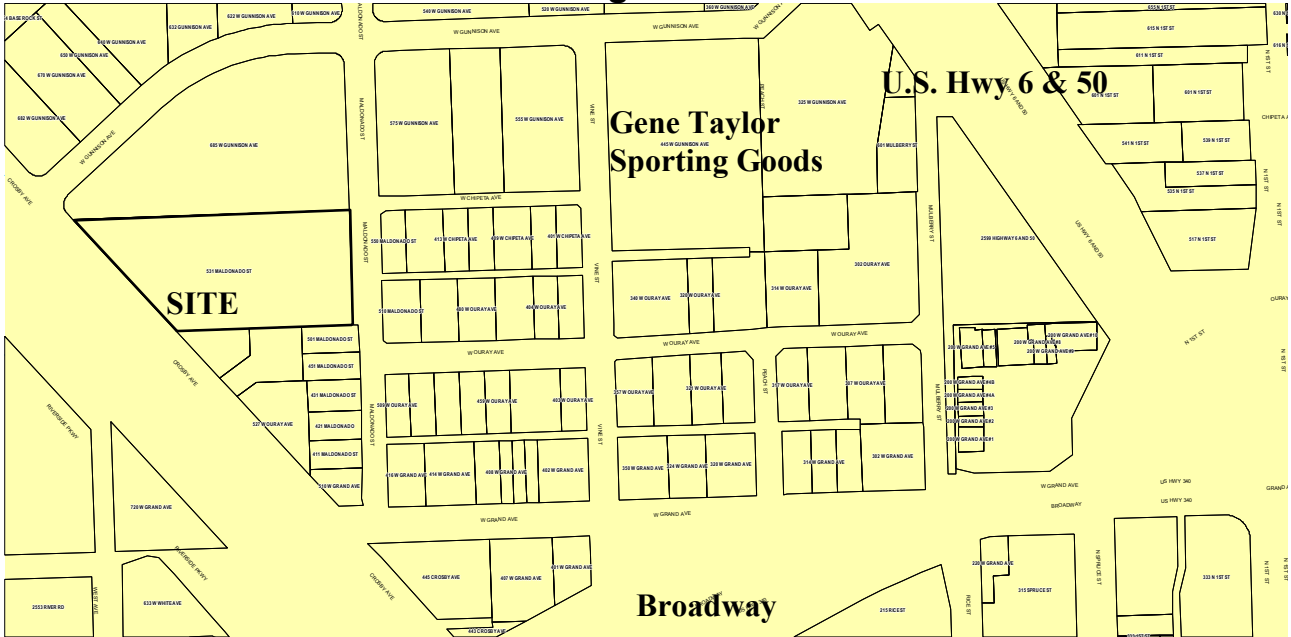
Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan / Blended Residential Map  
Existing City Zoning  
DRAFT Ordinance



# Site Location Map

## Figure 1



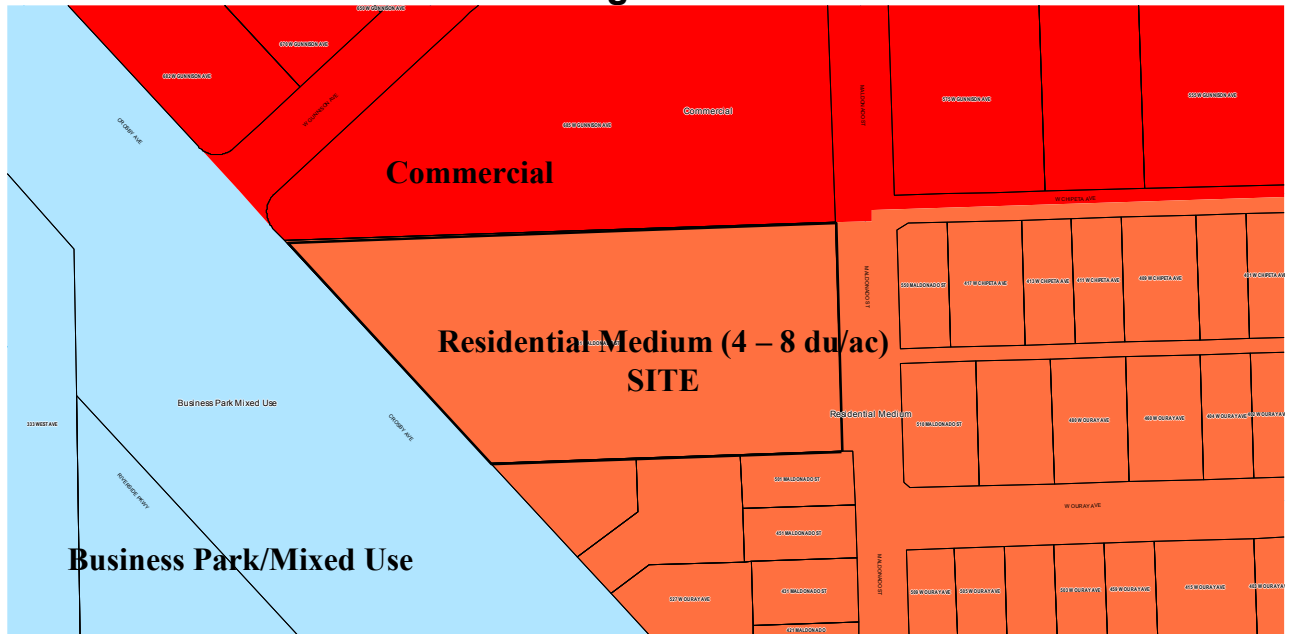
# Aerial Photo Map

## Figure 2



# Comprehensive Plan

## Figure 3



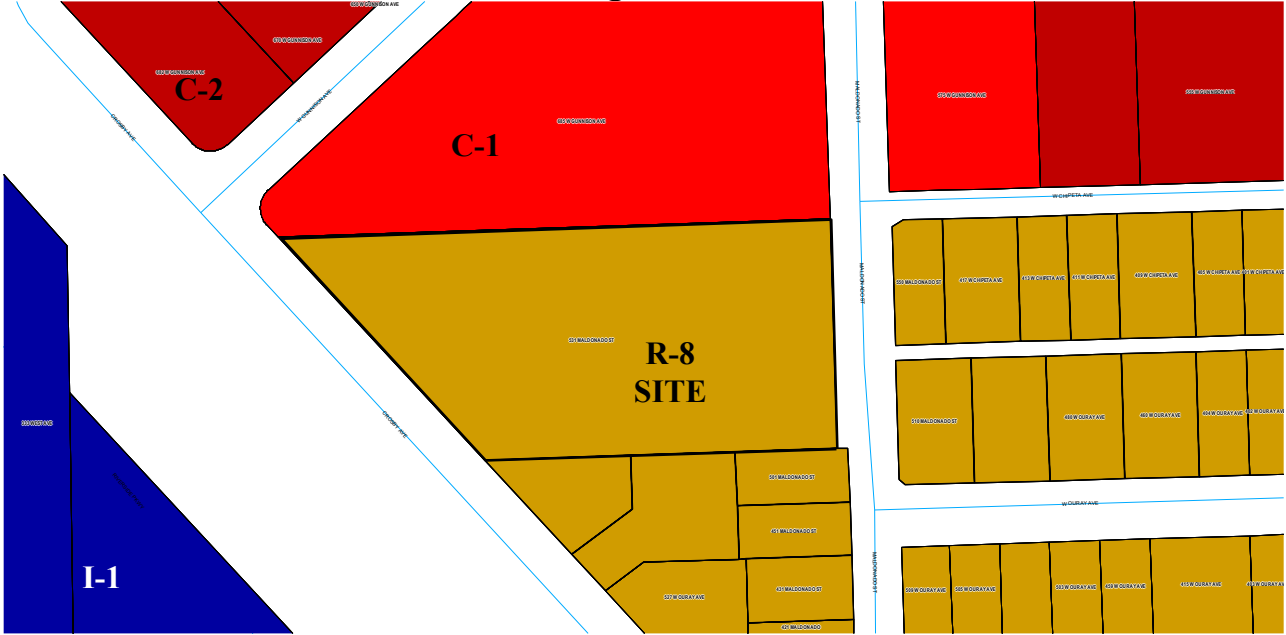
# Blended Residential Map

## Figure 4



# Existing City Zoning

Figure 5



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FROM RESIDENTIAL  
MEDIUM (4 – 8 DU/AC) TO COMMERCIAL AND REZONING  
FROM R-8 (RESIDENTIAL – 8 DU/AC) TO C-1 (LIGHT COMMERCIAL)  
FOR THE CB AND G REZONE**

**LOCATED AT 531 MALDONADO STREET**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the CB and G property from R-8, (Residential – 8 du/ac) to C-1, (Light 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-1 zone district to be established.

The Planning Commission and City Council find that the C-1 zoning is in conformance with the stated criteria of Title 21 Section 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-1, (Light Commercial).

Lot 10, Block 6, Six and Fifty West Subdivision, Filing No. Two, City of Grand Junction, County of Mesa, State of Colorado.

Introduced on first reading this \_\_\_ day of \_\_\_\_\_, 2010 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor