



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

TUESDAY, October 13, 2015 @ 6:00 PM

Call to Order – 6:00 P.M.

*****CONSENT CALENDAR*****

1. Minutes of Previous Meetings

[Attach 1](#)

Action: Approve the minutes from the September 22, 2015 Planning Commission Meeting.

2. LOJO Partnership LLP Alley Rights-of-Way Vacation [File # VAC-2015-289]

[Attach 2](#)

Request to vacate public alley rights-of-way located between S. 7th Street and S. 8th Street on the south side of South Avenue which are no longer needed.

Action: Recommendation to City Council

Applicant: LOJO Partnership LLP

Doug and Jamee Simons, Owner

Location: (Adjacent to) 630 S. 7th Street, 735, 737, 741 & 749 South Ave.

Staff presentation: Scott Peterson, Senior Planner

3. LOJO Partnership LLP Rezone[File # RZN-2015-410]

[Attach 3](#)

Request approval to change the zoning designation from I-1 (Light Industrial) to C-2 (General Commercial) on 0.26 +/- acres.

Action: Recommendation to City Council

Applicant: LOJO Partnership LLP

Doug and Jamee Simons, Owner

Location: 821 1st Avenue

Staff presentation: Scott Peterson, Senior Planner

4. Nonscheduled Citizens and/or Visitors
5. Other Business
6. Adjournment

Attach 1

**GRAND JUNCTION PLANNING COMMISSION
September 22, 2015 MINUTES
6:00 p.m. to 6:07 p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Christian Reece. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

In attendance representing the City Planning Commission were Jon Buschhorn, Kathy Deppe, Steve Tolle and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, were Greg Moberg, (Development Services Manager), Scott Peterson (Senior Planner) and Brian Rusche (Senior Planner).

Also present were Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 9 citizens in attendance during the hearing.

Announcements, Presentations And/or Visitors

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

Action: Approve the minutes from the September 8, 2015 Planning Commission Meeting.

2. Grand Villa Memory Care Addition [File # SPN-2015-338]

Request to construct a 22,840 sf addition to an existing assisted living facility on 2.85 acres in an R-16 (Residential 16 du/ac) zone district.

Action: Approval of the Project

Applicant: BSLC II – Bryan Beamer dba Bethesda Senior Living Communities, Owner
Scott Sorensen, PE, Austin Civil Group, Representative

Location: 2680 N. 15th Street

Staff presentation: Brian Rusche, Senior Planner

3. Morse Zone of Annexation [ANX-2015-343]

Request to zone 39.77 acres from a County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district.

Action: Recommendation to City Council

Applicant: Timothy L. and Christina S. Morse
William L. Morse Trust
Location: 2997 B ½ Road
215, 227, 229 30 Road
Staff presentation: Brian Rusche, Senior Planner

Chairman Reece briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing. Chairman Reece made clear that if anyone would like to speak about one of the Consent Agenda projects, they would need to pull the item off the Consent Agenda for a full hearing.

MOTION:(Commissioner Buschhorn) “I move that we move the public hearing item number 4, the Park Mesa Subdivision Outline Development Plan (PLD-2015-400) to the Consent Agenda.”

Chairman Reece briefly explained the public hearing item listed and asked if there was anyone from the Public that would like to have a public hearing on the item. With no requests from the public, Chairman Reece called for a second to the motion to move the Park Mesa Subdivision Outline Development Plan to the Consent Agenda.

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

With no further amendments to the Consent Agenda, Chairman Reece called for a motion to approve the revised Consent Agenda.

MOTION: (Commissioner Wade) “I move that we approve the items on the Consent Agenda as presented.”

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

*****INDIVIDUAL CONSIDERATION*****

4. Park Mesa Subdivision Outline Development Plan [PLD-2015-400]

Request for an Outline Development Plan and a PD (Planned Development) Ordinance with a default zone of R-2 (Residential – 2 du/ac) zone district.

Action: Recommendation to City Council

Applicant: Ken Scissors, Owner

Location: 323 Little Park Road

Staff Presentation: Scott Peterson, Senior Planner

5. Nonscheduled Citizens and/or Visitors

None

6. Other Business

Greg Moberg, Development Services Manager, reminded the Commission that there will be a meeting of the Planning Commission on October 13th therefore there will be a workshop for that meeting on October 8. Mr. Moberg explained that there will be a joint workshop on October 14th at 6:00 PM at the Mesa County Offices for the City-Scape presentation.

7. Adjournment

The Planning Commission meeting was adjourned at 6:07 p.m.



Date: September 22, 2015
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior
Planner/1447
 Proposed Schedule: October 13,
2015
 File #: VAC-2015-289

Attach 2

PLANNING COMMISSION AGENDA ITEM

<p>Subject: LOJO Partnership LLP Alley Rights-of-Way Vacation, Located between S. 7th Street & S. 8th Street on the south side of South Avenue</p>
<p>Action Requested/Recommendation: Forward a recommendation to City Council to vacate public alley rights-of-way located between S. 7th Street and S. 8th Street on the south side of South Avenue, which are no longer needed.</p>
<p>Presenter(s) Name & Title: Scott D. Peterson, Senior Planner</p>

Executive Summary:

The applicant, LOJO Partnership LLP (Doug & Jamee Simons), requests approval from the City of Grand Junction to vacate north/south, east/west alley rights-of-way located between S. 7th Street and S. 8th Street on the south side of South Avenue, which are no longer needed in anticipation of consolidation of all adjacent properties that the applicant owns.

Background, Analysis and Options:

LOJO Partnership LLP, requests approval from the City of Grand Junction to vacate north/south and east/west alley rights-of-way (approximately 6,786 sq. ft. – 0.156 acres – see attached vacation exhibit) located between S. 7th Street and S. 8th Street on the south side of South Avenue. These alley rights-of-way have never been improved with either asphalt paving or concrete, but rather serve more as a utility easement for an existing sanitary sewer main and Xcel Energy electric and gas line. The applicant is requesting to vacate these existing alley rights-of-way in order to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 acre lot. The requested vacation is in anticipation of marketing or development of the property. A proposed Simple Subdivision application for the consolidation of the seven properties is currently under review (City file number SSU-2015-337).

The proposed alley vacation will not impede traffic, pedestrian movement or access since the applicant owns all the adjacent properties within this block. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy electric and gas line and the City’s sewer line.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on June 16, 2015 with two (2) citizens along with the applicant and City Project Manager in attendance. No objections to the alley right-of-way vacation nor proposed development were received.

How this item relates to the Comprehensive Plan Goals and Policies:

The request to vacate excess alley rights-of-way supports the continued development of the downtown area as the applicant intends to either market or develop the property and also implements and meets the following goals and policies from the Comprehensive Plan.

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goals of supporting and encouraging the development of centers.

Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

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

How this item relates to the Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed alley right-of-way vacation request specifically does not further the goals of the Economic Development Plan, it does allow for the property owner to assemble seven (7) properties together to create one (1), 5.26 +/- acre parcel of land in the downtown area in which to market and/or develop for future general commercial development.

Board or Committee Recommendation:

N/A.

Financial Impact/Budget:

Based on an actual value of the average per square foot of the adjacent properties, \$0.76, as calculated by the Mesa County Assessor's office, the total value of the ROW requested to be vacated is approximately \$5,157.36.

Previously presented or discussed:

This proposal has not been previously discussed.

Attachments:

Staff Report/Background Information
Site Location Map
Aerial Photo Map
Comprehensive Plan Future Land Use Map
Existing Zoning Map
Ordinance

BACKGROUND INFORMATION					
Location:		(Adjacent to) 630 S. 7 th Street, 735, 737, 741 & 749 South Avenue			
Applicants:		LOJO Partnership LLP (Doug and Jamee Simons), Owner			
Existing Land Use:		Dedicated Alley Right-of-Way			
Proposed Land Use:		Consolidation of adjacent properties in anticipation of future development			
Surrounding Land Use:	North	Vacant land			
	South	Former StarTek building			
	East	Light industrial land uses and Single-family detached residential			
	West	Vacant land			
Existing Zoning:		C-2 (General Commercial)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	C-2 (General Commercial)			
	South	C-2 (General Commercial)			
	East	C-2 (General Commercial) and I-1 (Light Industrial)			
	West	C-2 (General Commercial)			
Future Land Use Designation:		Commercial			
Zoning within density range?		X	Yes		No

Section 21.02.100 (c) of the Grand Junction Zoning and Development Code:

The vacation of right-of-way shall conform to the following:

- a. *The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.*

Granting the request to vacate excess right-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. The request meets with Goals 1, 4 and 12 of the Comprehensive Plan and the alleys are not shown on the Grand Valley Circulation Plan as needed right-of-way. A utility easement will be retained for existing utilities as a condition of approval. The requested vacation of right-of-way is in anticipation of the applicant to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 acre lot in anticipation of marketing or development of the property.

Therefore, this criterion has been met.

- b. *No parcel shall be landlocked as a result of the vacation.*

Several parcels will be landlocked as a result of this vacation request. However, the applicant owns all adjacent properties and is requesting to combine all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development (City file # SSU-2015-337).

Therefore, this criterion has been met.

- c. *Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.*

Access will be restricted to any parcel. However, the applicant owns all adjacent properties and is requesting to combine all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development (City file # SSU-2015-337). A Utility Easement will be retained as a condition of approval to cover all existing utility infrastructure.

Therefore, this criterion has been met.

- d. *There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).*

No adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land will not be reduced by the result of this vacation request. The existing alley right-of-way area has never been improved with either asphalt or concrete and serves more as a utility easement for an existing City sanitary sewer line and Xcel Energy electric and gas line. A utility easement will be retained for existing utilities as a condition of approval.

Therefore, this criterion has been met.

- e. *The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.*

Adequate public facilities and services will not be inhibited to any property as a result of this proposed vacation request. The applicant is requesting to vacate this alley right-of-way in order to incorporate the land area within their existing

properties in order to either market or develop. No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process. As a condition of approval, a utility easement will be retained for existing utilities located within the vacated alley rights-of-way. The Grand Valley Circulation Plan does not show future connections for this alley.

Therefore, this criterion has been met.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.*

Maintenance requirements for the City will be reduced as a result of the proposed right-of-way vacation as the City will no longer need to maintain the alley.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the LOJO Partnership LLP alley rights-of-way vacation application, VAC-2015-289 for the vacation of public right-of-way, I as Project Manager make the following findings of fact, conclusions and conditions:

1. The requested alley right-of-way vacation is consistent with the goals and policies of the Comprehensive Plan, specifically, Goals 1, 4 and 12.
2. The review criteria in Section 21.02.100 (c) of the Grand Junction Zoning and Development Code have all been met and/or addressed.
3. As a condition of approval, the City will retain a Utility Easement.
4. Approval of requested right-of-way vacation is contingent upon the finalization, recording and approval of all outstanding items associated with a subdivision plat to consolidate all adjacent parcels of land.

STAFF RECOMMENDATION:

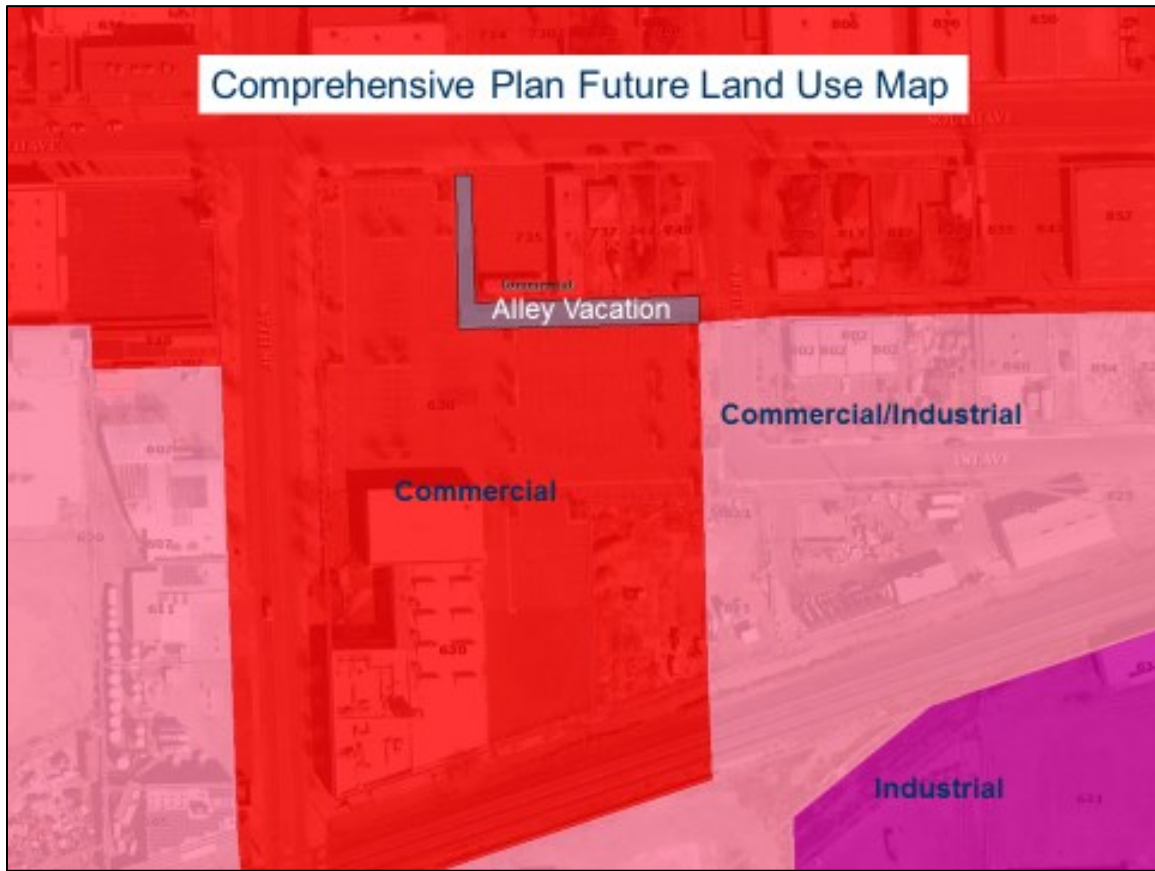
I recommend that the Planning Commission forward a recommendation of conditional approval of the requested alley rights-of-way vacation, VAC-2015-289 to the City Council with the findings, conclusions and conditions listed above.

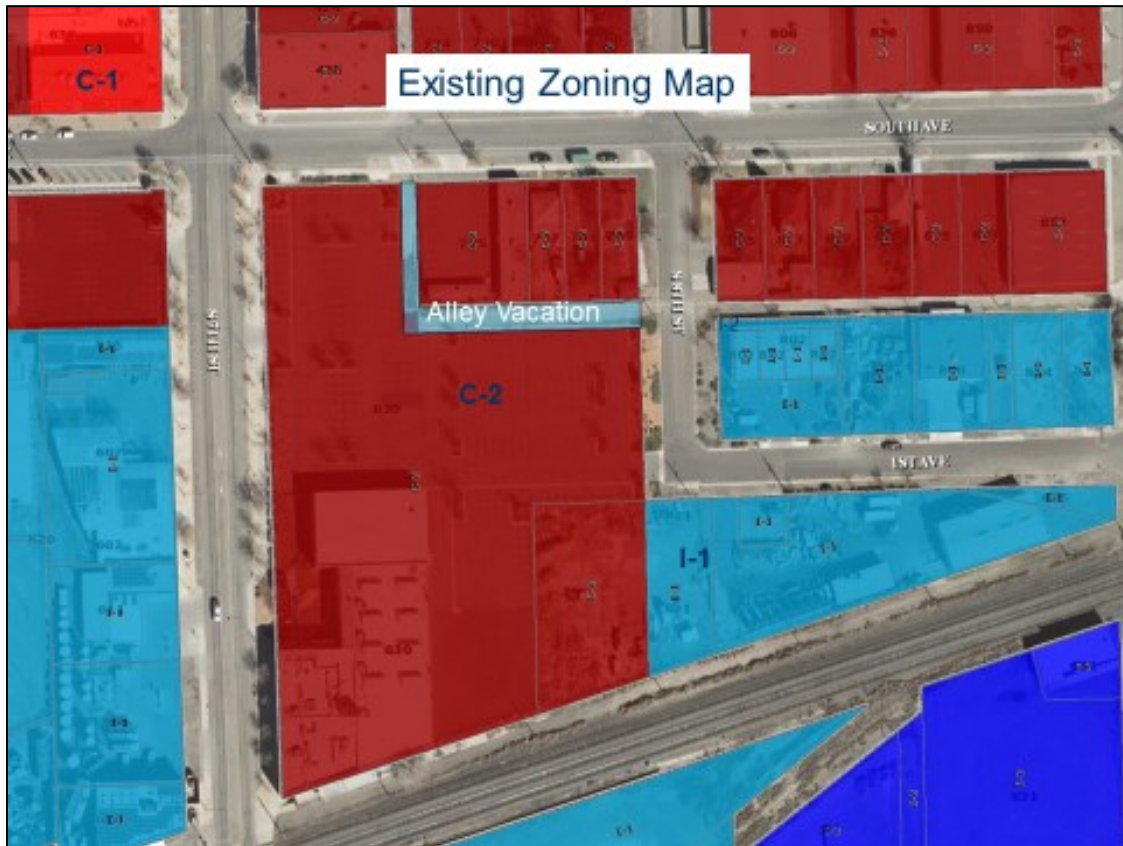
RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, an item VAC-2015-289, I move we forward a recommendation of conditional approval to the City Council on the request to vacate alley rights-of-way, with the findings of fact, conclusions and conditions identified within the staff report.









CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING ALLEY RIGHTS-OF-WAY BETWEEN S. 7TH STREET AND S. 8TH STREET ON THE SOUTH SIDE OF SOUTH AVENUE

LOCATED AT 630 S. 7TH STREET AND 735, 737, 741, 749 SOUTH AVENUE

RECITALS:

The applicant, LOJO Partnership LLP, requests approval from the City of Grand Junction to vacate north/south and east/west alley rights-of-way (6,786 +/- sq. ft. – 0.156 acres – see attached Exhibit A) located between S. 7th Street and S. 8th Street on the south side of South Avenue. These alley rights-of-way have never been constructed with asphalt paving or concrete, but rather serve more as a utility easement for an existing sanitary sewer main and Xcel Energy electric and gas line. The applicant is requesting to vacate these existing alley rights-of-way in order to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development. The proposed Simple Subdivision application for the consolidation of properties is currently under review administratively (City file number SSU-2015-337).

The proposed alley vacation will not impede traffic, pedestrian movement or access since the applicant owns all the adjacent properties within this block. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy electric and gas line and the City's sewer line.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. The City will retain a Utility Easement.

3. Applicant shall also dedicate a utility easement across the consolidated lots between S. 7th Street and S. 8th Street to cover existing utility infrastructure.
4. Applicant shall file a subdivision plat consolidating all existing parcels that will be landlocked as a result of this alley right-of-way vacation.

The following right-of-way is shown on “Exhibit A” as part of this vacation of description.

Dedicated right-of-way to be vacated:

A certain parcel of land lying in the North-half (N 1/2) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

ALL of that certain East-West alley lying South of Block 159, Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado, North of Block 1, Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado, West of the West right of way for South Eighth Street and East of the vacated East-West alley vacated by Ordinance No. 692, as recorded in Book 611, Page 201, Public Records of Mesa County, Colorado TOGETHER WITH that certain North-South alley lying North of the North line of Block 1, Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado, South of the South right of way for South Avenue and lying East of the East line of Lots 6 through 10 (and its Southerly extension), Block 159, Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado.

CONTAINING 6,786 Square Feet or 0.156 Acres, more or less, as described.

Said vacated right-of-way to be retained as a Utility Easement.

Introduced for first reading on this day of , 2015 and ordered published in pamphlet form.

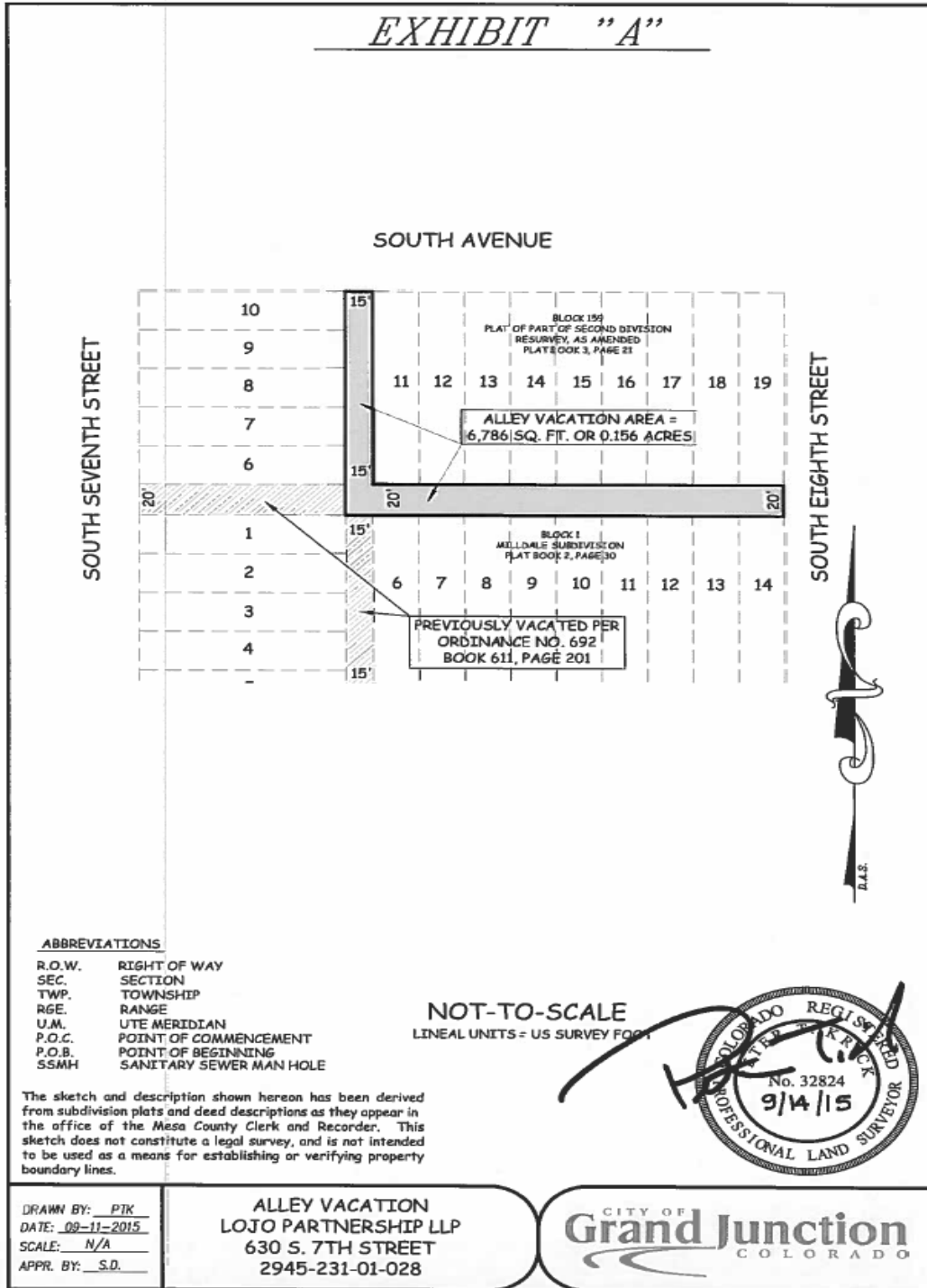
PASSED and ADOPTED this day of , 2015 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

EXHIBIT "A"



ABBREVIATIONS

- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- U.M. UTE MERIDIAN
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- SSMH SANITARY SEWER MAN HOLE

NOT-TO-SCALE
LINEAL UNITS = US SURVEY FOOT

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: PTK
DATE: 09-11-2015
SCALE: N/A
APPR. BY: S.D.

ALLEY VACATION
LOJO PARTNERSHIP LLP
630 S. 7TH STREET
2945-231-01-028

CITY OF
Grand Junction
COLORADO



Date: September 21, 2015
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior
Planner/1447
 Proposed Schedule: October 13,
2015
 File #: RZN-2015-410

Attach 3

PLANNING COMMISSION AGENDA ITEM

Subject: LOJO Partnership LLP Rezone, Located at 821 1 st Avenue
Action Requested/Recommendation: Forward a recommendation of approval to City Council for a Rezone from I-1 (Light Industrial) to C-2 (General Commercial) on 0.26 +/- acres.
Presenters Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

The applicant, LOJO Partnership LLP (Doug & Jamee Simons), requests the City to rezone the property located at 821 1st Avenue from I-1 (Light Industrial) to C-2 (General Commercial) in anticipation of future general commercial development.

Background, Analysis and Options:

The existing 0.26 +/- acre property is located at the intersection of 1st Avenue and S. 8th Street and is currently vacant. The applicant desires to create a subdivision plat to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 acre lot, located between South Avenue and the railroad tracks and from S. 7th Street to S. 8th Street (City file # SSU-2015-337). The applicant also wishes to vacate City alley rights-of-way (City file # VAC-2015-289) located internally to the proposed subdivision in anticipation of marketing or development on the newly created lot. The property to the west (630 S. 7th Street), which is one of the seven properties that the applicant owns, is the former StarTek building which is currently vacant.

As part of the lot consolidation subdivision application, the City is requesting as a housekeeping item, to change the zoning of the subject property (0.26 +/- acres) since it is not recommended planning practice to have two separate zoning districts designated on one (1) property. Therefore, prior to recording of the new subdivision plat, changing the zoning designation for the subject property is requested.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on June 16, 2015 with two (2) citizens along with the applicant and City Project Manager in attendance. No objections to the alley right-of-way vacation nor proposed development were received.

How this item relates to the Comprehensive Plan Goals and Policies:

The requested Rezone will allow the applicant to consolidate properties that he owns into one developable, 5.26 acre lot located in the downtown area in anticipation of future general commercial development opportunities, with a single zoning designation, therefore, meeting with the following goals of the Comprehensive Plan:

Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

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

Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed Rezone meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing business within the community as it either markets or develops the subject property since it is not recommended planning practice to have two (2) separate zoning districts designated on one (1) property.

Board or Committee Recommendation:

N/A.

Financial Impact/Budget:

No direct financial impact on the City budget for this item.

Other issues:

No other issues have been identified.

Previously presented or discussed:

This request has not been previously discussed.

Attachments:

Staff Report/Background Information

Site Location Map

Aerial Photo Map

Comprehensive Plan Future Land Use Map

Existing Zoning Map

Resolution

Ordinance

BACKGROUND INFORMATION					
Location:		821 1 st Avenue			
Applicants:		LOJO Partnership, LLP (Doug and Jamee Simons), Owner			
Existing Land Use:		Vacant land			
Proposed Land Use:		Consolidate property into proposed subdivision development			
Surrounding Land Use:	North	Light industrial land uses			
	South	Railroad tracks			
	East	Light industrial property			
	West	Vacant land & former StarTek building (applicant owned)			
Existing Zoning:		I-1 (Light Industrial)			
Proposed Zoning:		C-2 (General Commercial)			
Surrounding Zoning:	North	I-1 (Light Industrial)			
	South	I-1 (Light Industrial)			
	East	I-1 (Light Industrial)			
	West	C-2 (General Commercial)			
Future Land Use Designation:		Commercial			
Zoning within density range?		X	Yes		No

Sections 21.02.140 of the Grand Junction Zoning and Development Code:

The City may rezone if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets with one or more of the following criteria:

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

The applicant would like to consolidate this property, and several others, into one (1) contiguous parcel. Therefore, subsequent events have now invalidated the original premise and findings since this property will no longer be a standalone parcel. Therefore, prior to recording of the new subdivision plat, changing the zoning designations for the subject property is requested.

Therefore, this criterion has been met.

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

The condition of the property will change as the applicant would like to consolidate this parcel, and several others, into one (1) contiguous parcel. The newly created parcel will have two (2) zoning designations C-2 and I-1. It is not recommended planning practice to have two (2) separate zoning districts on one (1) property. Therefore, prior to recording of the new subdivision plat, changing the zoning designations for the subject property is requested.

Therefore, this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve the proposed land use associated with the C-2 zone district. City water is located within South Avenue, S. 7th Street and through the middle of the property (easement previously dedicated). City sanitary sewer also bisects the property in two locations (easements have been provided or will be provided with the recording of the proposed subdivision plat). The property is located in the downtown area and is in close proximity to public transit connections, retail merchants and restaurants, etc.

Therefore, this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

There is an adequate supply of C-2 zoned land within the community. However, the applicant is requesting to consolidate properties that he owns into one, 5.26 acre lot to either market or develop at some point in the future and it is not recommended planning practice to have two (2) separate zoning districts on one (1) property. Therefore, this criteria is not applicable.

Therefore, this criterion has been addressed.

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

The community will derive benefits from the proposed rezone by the consolidation of existing properties with existing infrastructure making it easier to market or develop.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the LOJO Partnership LLP, application, RZN-2015-410, request to change the zoning from I-1 (Light Industrial) to C-2 (General Commercial), the following findings of fact, conclusions and conditions have been determined:

1. The requested Rezone is consistent with the goals and policies of the Comprehensive Plan, specifically, Goals 4 and 12.
2. The review criteria, items 1 through 5 in Sections 21.02.140 of the Grand Junction Zoning and Development Code have all been met or addressed.
3. Approval of the Rezone request is contingent upon the finalization, recording and approval of all outstanding items associated with the subdivision plat to consolidate properties that the applicant owns and also alley right-of-way vacation applications as identified with City file numbers SSU-2015-337 and VAC-2015-289.

STAFF RECOMMENDATION:

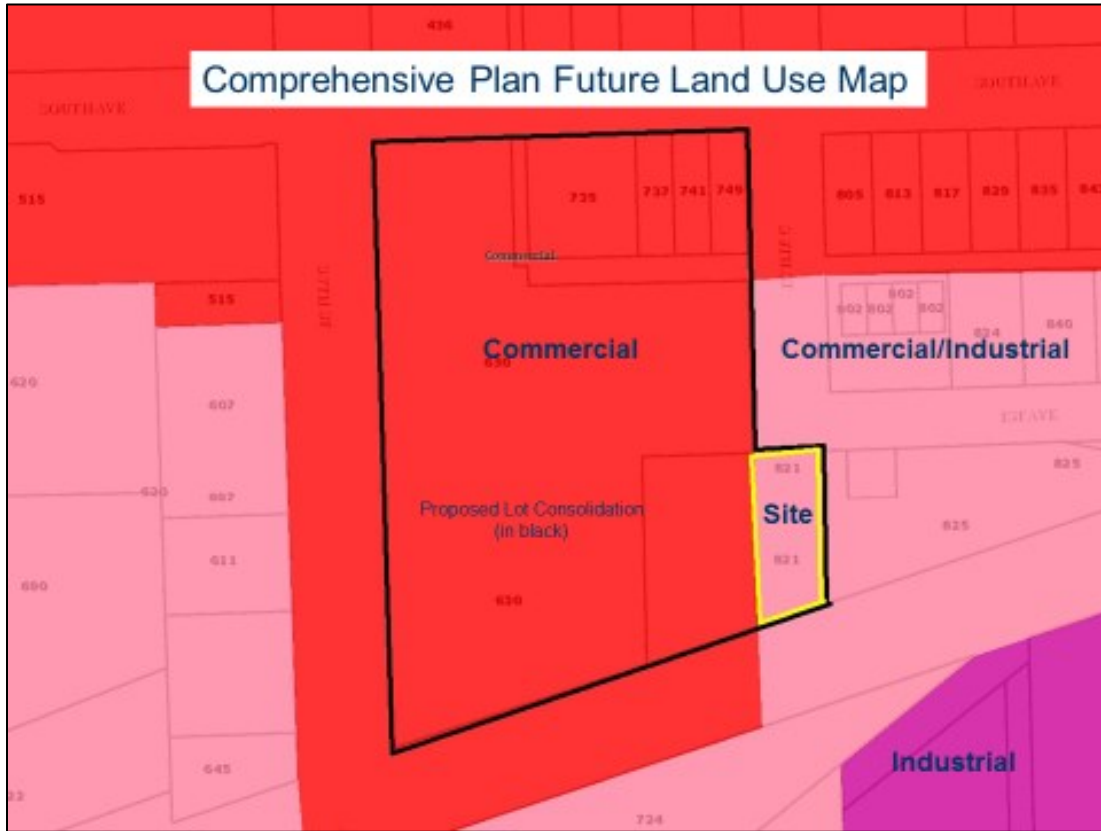
I recommend that the Planning Commission forward a recommendation of conditional approval of the requested Rezone from I-1 (Light Industrial) to C-2 (General Commercial), for LOJO Partnership LLP to the City Council with the findings of fact, conclusions and conditions of approval as stated in the staff report.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on the Rezone, item RZN-2015-410, I move that the Planning Commission forward a recommendation of conditional approval of the Rezone from I-1 (Light Industrial) to C-2 (General Commercial), to the City Council with the findings of fact, conclusions and conditions of approval as stated in the staff report.









CITY OF GRAND JUNCTION, COLORADO**ORDINANCE NO.****AN ORDINANCE REZONING THE LOJO PARTNERSHIP LLP PROPERTY
FROM I-1 (LIGHT INDUSTRIAL) TO C-2 (GENERAL COMMERCIAL)****LOCATED AT 821 1st AVENUE**Recitals:

The applicant, LOJO Partnership LLP, wishes to rezone an unplatted 0.26 +/- acre parcel of land from I-1 (Light Industrial) to C-2 (General Commercial) in anticipation of future general commercial development.

The existing property is located at the intersection of 1st Avenue and S. 8th Street and is currently vacant. The applicant desires to create a subdivision plat to consolidate all seven (7) properties that the applicant owns into one (1), 5.26 +/- acre lot, located between South Avenue and the railroad tracks and from S. 7th Street to S. 8th Street (City file # SSU-2015-337). The applicant also wishes to vacate City alley rights-of-way (City file # VAC-2015-289) located internally to the proposed subdivision in anticipation of marketing or development on the newly created lot.

As part of the lot consolidation subdivision application, the City is requesting as a housekeeping item, to change the zoning of the subject property since it is not recommended planning practice to have two separate zoning districts designated on one (1) property. Therefore, prior to recording of the new subdivision plat, changing the zoning designations for the subject property is requested.

The Comprehensive Plan Future Land Use Map designation is Commercial/Industrial which is compatible with the C-2 (General Commercial) zone district.

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 LOJO Partnership LLP property from I-1 (Light Industrial) to the C-2 (General Commercial) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Commercial/Industrial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the C-2 zone district to be established.

The Planning Commission and City Council find that the C-2 zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be rezoned C-2 (General Commercial).

Beginning at a point whence the Northeast corner of Block 4 of Milldale Subdivision bears N 89°27'30" E 480.8 feet; thence N 89°27'30" E 68.0 feet; thence South 159.34 feet, more or less, to a point on the Northerly right of way line of the Denver and Rio Grande Western Railroad Company; thence Southwesterly along said Northerly right of way line to the intersection of said line with the East line of Block 5 of said Milldale Subdivision; thence North 180.0 feet, more or less, to the Point of Beginning.

Said parcels contain 0.265 +/- acres (11,544 +/- square feet), more or less, as described.

Introduced on first reading this _____ day of _____, 2015 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2015 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor