



**PLANNING COMMISSION AGENDA**  
**\*\*\*Temporary Meeting Location\*\*\***  
**MESA COUNTY BOARD OF COMMISSIONERS**  
**PUBLIC HEARING ROOM, 2<sup>ND</sup> FLOOR**  
**544 ROOD AVENUE**  
**TUESDAY, APRIL 10, 2012, 6:00 PM**

**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.*

*If you wish to speak, please sign in prior to coming up to the podium. Sign in sheets are located on the table in the back of the auditorium. 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 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**

None available at this time.

**\*\*\* END OF CONSENT CALENDAR \*\*\***

**\*\*\* ITEMS NEEDING INDIVIDUAL CONSIDERATION \*\*\***

**Public Hearing Items**

***On the following item(s) 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 Planning Division (244-1430) after this hearing to inquire about City Council scheduling.***

**2. Area 9 Rezone – Rezone [Attach 2](#)**

Request a recommendation of approval to City Council to rezone one (1) parcel totaling 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district.

**FILE #:** RZN-2012-69  
**APPLICANT:** City of Grand Junction  
**LOCATION:** 140 Power Road  
**STAFF:** Brian Rusche

**3. Area 3 Rezone – Rezone [Attach 3](#)**

Request a recommendation of approval to City Council to rezone one (1) parcel totaling 0.996 acres from an I-2 (General Industrial) to an I-1 (Light Industrial) zone district.

**FILE #:** RZN-2012-82  
**APPLICANT:** City of Grand Junction  
**LOCATION:** 681 23 Road  
**STAFF:** Lori Bowers

**4. Area 10 Rezone – Rezone [Attach 4](#)**

Request a recommendation of approval to City Council to rezone nine (9) parcels totaling 3.02 +/- acres from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial) zone district.

**FILE #:** RZN-2012-85  
**APPLICANT:** City of Grand Junction  
**LOCATION:** 492 Harris Road and 8 other parcels  
**STAFF:** Scott Peterson

**5. 3000 Patterson Rezone – Rezone [Attach 5](#)**

Request a recommendation of approval to City Council to amend the Comprehensive Plan Future Land Use designation from Residential Medium to Commercial and rezone 2.3 acres from R-O (Residential Office) to B-1 (Neighborhood Business) zone district.

**FILE #:** RZN-2012-193  
**APPLICANT:** Jason Mathis – JDH Capital  
**LOCATION:** 3000 Patterson Road (aka 3000 F Road)  
**STAFF:** Senta Costello

**6. Area 6 Rezone – Rezone**

[Attach 6](#)

Request a recommendation of approval to City Council to rezone twenty-one (21) parcels totaling 12.5 acres from a C-2 (General Commercial) to a C-1 (Light Commercial) zone district.

**FILE #:** RZN-2012-76

**APPLICANT:** City of Grand Junction

**LOCATION:** 216 North Avenue and 20 other parcels

**STAFF:** Dave Thornton

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 2  
Area 9 Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 10, 2012  
**PRESENTER:** Brian Rusche, Senior Planner

**AGENDA TOPIC:** Area 9 Rezone - RZN-2012-69

**ACTION REQUESTED:** Recommendation to City Council rezone 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district.

BACKGROUND INFORMATION					
<b>Location:</b>		140 Power Road			
<b>Applicants:</b>		City of Grand Junction			
<b>Existing Land Use:</b>		Beverage Distribution			
<b>Proposed Land Use:</b>		No changes to land use(s) proposed			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-Family Residential Undeveloped			
	<b>South</b>	Commercial			
	<b>East</b>	Single-Family Residential Undeveloped			
	<b>West</b>	Single-Family Residential Undeveloped			
<b>Existing Zoning:</b>		I-1 (Light Industrial)			
<b>Proposed Zoning:</b>		C-2 (General Commercial)			
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-R CSR (Community Services and Recreation)			
	<b>South</b>	C-1 (Light Commercial)			
	<b>East</b>	C-1 (Light Commercial)			
	<b>West</b>	County RSF-R			
<b>Future Land Use Designation:</b>		Commercial			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to rezone one (1) parcel totaling 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district.

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

## **ANALYSIS:**

### **1. Background**

The property at 140 Power Road was annexed in 1967 as Western Meat Packers, which, based on aerial photography, appears to be one of the original uses of the property. Approximately 1980, according to Assessor records, a warehouse was added to the original building. The current owner operates a Pepsi distribution business at the facility. No soda bottling takes place at this location.

In 2010, the Comprehensive Plan was adopted, establishing a Commercial designation for these properties. The purpose of the Comprehensive Plan is to outline the vision that the community has developed for its future. After adoption of the Comprehensive Plan, it became apparent that the zoning of several areas around the City were in conflict with the Future Land Use Map. Each area was evaluated to determine what the best course of action would be to remedy the discrepancy. This was necessary to provide clear direction to property owners on what the community envisioned for the areas. It is also important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for landowners to use and/or develop their property.

The current I-1 zoning is in conflict with the Future Land Use designation of Commercial. Upon evaluation, it was determined that rezoning these properties from I-1 to C-2 would be the best course of action to bring them into conformance with the existing Future Land Use designation.

The existing land use is classified as "Warehouse and Freight Movement – Indoor Storage with Outdoor Loading Docks" and is allowed in the C-2 zone district per Section 21.04.010 of the Grand Junction Municipal Code (GJMC).

The property owner was notified of the proposed zone change via a mailed letter and invited to an open house to discuss any issues, concerns, suggestions or support. The open house was held on February 8, 2012. No comment sheets were received regarding the Area 9 proposal.

Several contacts have been made with adjacent property owners who, upon explanation for the proposed rezone, expressed no objections. Most of the owners wished to discuss further development of their properties.

The local manager of the Pepsi facility, Chris Gillespie, was contacted and informed about the proposed change. It was discussed that no bottling currently takes place on the site, but that the proposed C-2 (General Commercial) zone district would permit

“Food Products Manufacturing – Indoor Operations with Outdoor Storage” should bottling resume on the site.

## **2. Consistency with the Comprehensive Plan**

The proposed rezone to C-2, (General Commercial) meets the following goal from the Comprehensive Plan:

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

Rezoning the property to C-2 (General Commercial) will maintain the existing warehouse use on the site and provide additional commercial opportunities identified for this area of the City, for the creation of jobs and maintaining a healthy and diverse economy.

## **3. Section 21.02.140(a) of the Grand Junction Municipal Code:**

In order to rezone property in the City, one or more of the following criteria must be met:

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

The 2010 adoption of the Comprehensive Plan designated the Future Land Use for this area as Commercial, rendering the existing I-1 (Light Industrial) zoning inconsistent with the Plan. The proposed rezone to C-2 (General Commercial) will resolve this inconsistency.

This criterion is met.

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

The 1996 Growth Plan designated this property as Commercial. Since 2000 the area between Broadway and Power Road to the south of the subject property has developed into the Redlands Marketplace, which is anchored by an Albertsons grocery store. Therefore, the condition of the area has changed to a commercial “node” and rezoning the subject property to C-2 is consistent with the character of the area as well as with the Comprehensive Plan.

This criterion is met.

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

Infrastructure necessary for commercial uses is available and is adequate to accommodate the existing uses.

This criterion is 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;

The Comprehensive Plan anticipated the need for additional commercial uses throughout the community. The location of this property, across from a shopping center, with signalized access to Broadway, also known as Colorado Highway 340, makes it ideally located for commercial use.

As stated in Goal 12 of the Comprehensive Plan, the City desires to be a regional provider of goods and services. To meet this Goal, the Future Land Use Map identified several areas that were deemed appropriate for commercial uses. This is such an area. The proposed rezone to C-2 will create consistency with the Comprehensive Plan as well as additional land for commercial uses.

This criterion is met.

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

The proposed zoning amendment will bring the zoning into conformance with the Comprehensive Plan, consistent with the Goals of the Comprehensive Plan.

This criterion is met.

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

After reviewing the Area 9 Rezone, RZN-2012-69, a request to rezone one (1) parcel totaling 14.81 acres from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district, the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. 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 requested zone, RZN-2012-69, to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on Rezone, RZN-2012-69, I move that the Planning Commission forward a recommendation of the approval for the Yellow Area 9 Rezone from an I-1 (Light Industrial) to a C-2 (General Commercial) zone district with the findings of fact and conclusions listed in the staff report.

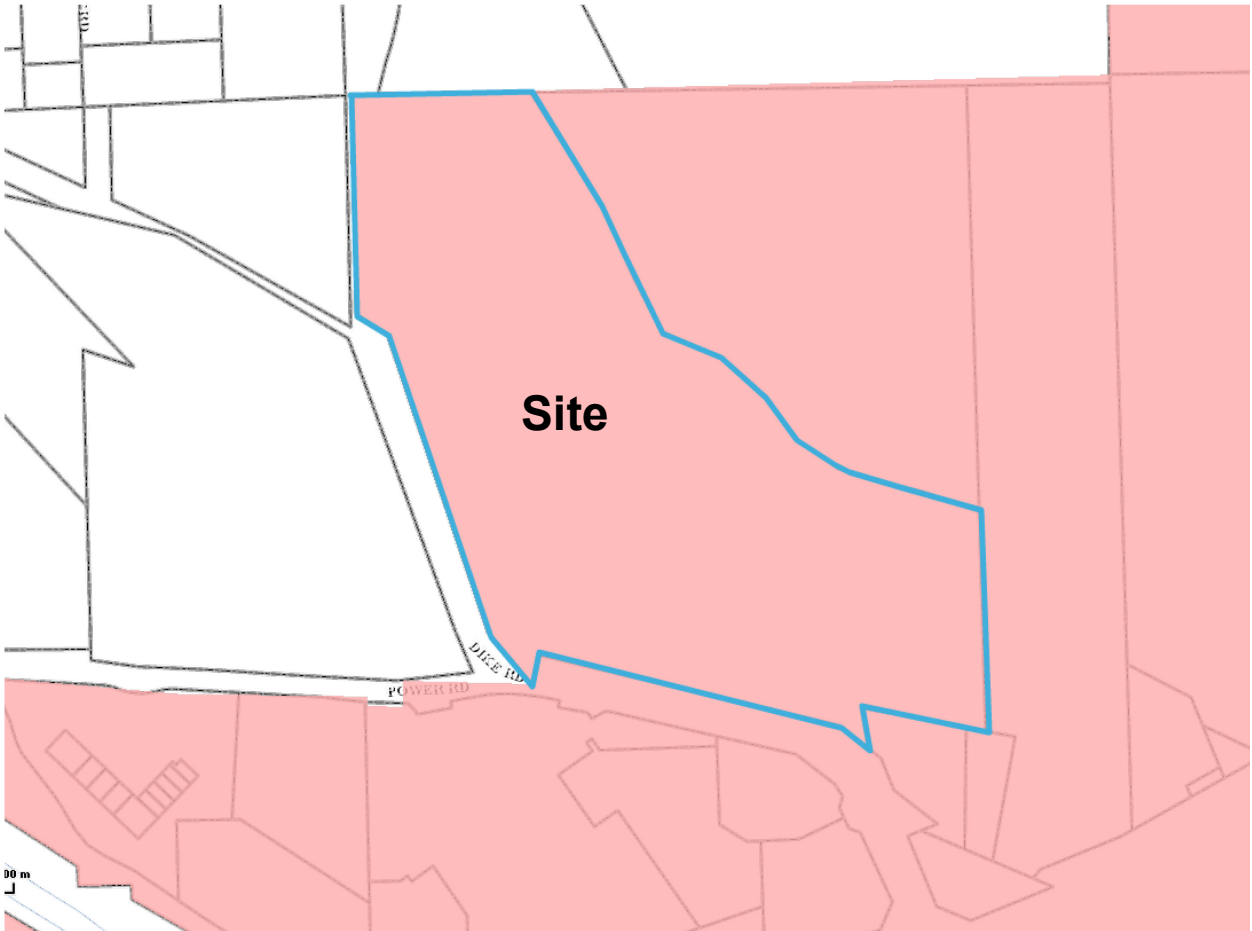
Attachments:

Site Location Map  
Aerial Photo Map  
Comprehensive Plan Map  
Existing City and County Zoning Map  
E-mail Correspondence  
Proposed Ordinance



# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2



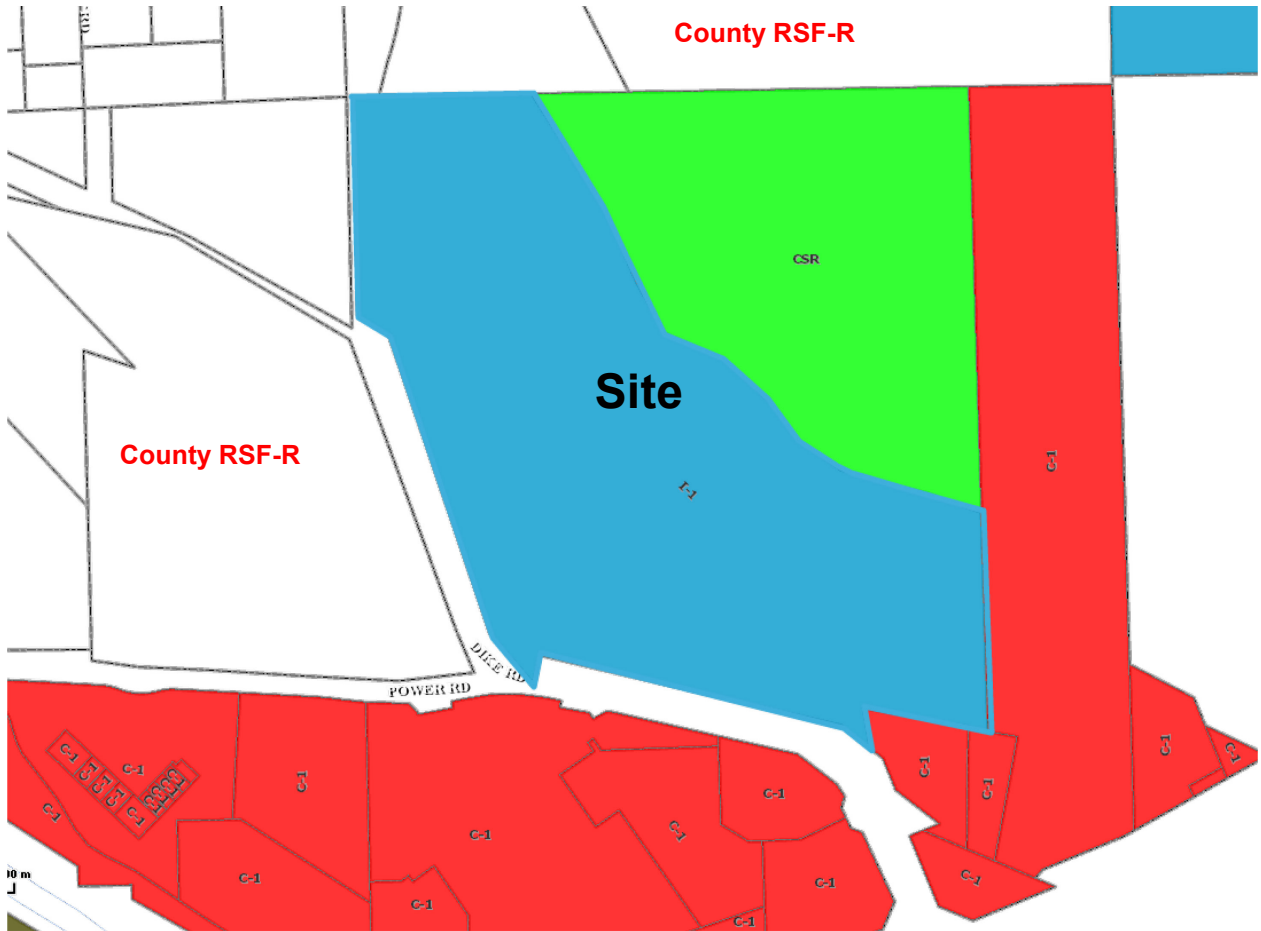
# Comprehensive Plan Map

Figure 3



# Existing City and County Zoning Map

Figure 4



**From:** Brian Rusche  
**To:** chris.gillaspie@pepsico.com  
**Date:** 2/27/2012 2:37 PM  
**Subject:** Grand Junction Facility - zone change  
**Attachments:** Mailing\_Area9.pdf; YellowArea9RezoneMergedMailing2012Jan25.docx

Chris,

Thank you for visiting with me several days ago about the Grand Junction Pepsi facility, located at 140 Power Road.

As you know, the City of Grand Junction is initiating a rezone of the subject property from I-1 (Light Industrial) to C-2 (General Commercial). The purpose of this change is to make the zoning consistent with the Comprehensive Plan, which designates the property as Commercial.

Attached is the letter which was sent to the registered owner of the property, according to the records of the Mesa County Assessor. I have also attached the map which was sent with the letter. This map, along with the proposed public hearing schedule, is available at [http://www.gjcity.org/Proposed\\_Yellow\\_Rezone\\_No.\\_2.aspx](http://www.gjcity.org/Proposed_Yellow_Rezone_No._2.aspx). The Planning Commission will consider this request on April 10, 2012.

The proposed rezone will not require any change to the existing use(s) of the property. As I understood our conversation, the plant is for warehouse and distribution only, with no bottling at this location. The Grand Junction Municipal Code (GJMC) permits warehouse and freight movement, indoors or outdoors, in the C-2 zone (GJMC Section 21.04.010) along with indoor food manufacturing and associated outdoor storage. The entire Municipal Code may be viewed at <http://www.codepublishing.com/co/grandjunction/>

If you have any questions about the impact of this proposal, please contact me.

Sincerely,

Brian Rusche  
Senior Planner  
City of Grand Junction  
Public Works and Planning  
(970) 256-4058

**From:** Brian Rusche  
**To:** lanzbpn@aol.com  
**Date:** 3/5/2012 8:47 AM  
**Subject:** Re: Development proposal  
**Attachments:** Mailing\_Area9.pdf

Thank you for your interest in the proposed rezone !

The City of Grand Junction is initiating a rezone of the property at 140 Power Road from I-1 (Light Industrial) to C-2 (General Commercial). The purpose of this change is to make the zoning consistent with the adopted Grand Junction Comprehensive Plan, which designates the property as Commercial. The Comprehensive Plan may be found at <http://www.gjcity.org/ComprehensivePlan.aspx>

I have attached a map of the property. This map, along with the proposed public hearing schedule, is available at [http://www.gjcity.org/Proposed\\_Yellow\\_Rezone\\_No.\\_2.aspx](http://www.gjcity.org/Proposed_Yellow_Rezone_No._2.aspx). The Planning Commission will consider this request on April 10, 2012.

The proposed rezone does not require any change to the existing use of the property, which is owned by a subsidiary of Pepsi. I have visited with the manager of the plant, which is presently used for warehouse and distribution only, with no bottling at this location. The Grand Junction Municipal Code (GJMC) permits warehouse and freight movement, indoors or outdoors, in the C-2 zone (GJMC Section 21.04.010) along with indoor food manufacturing and associated outdoor storage. The entire Municipal Code may be viewed at <http://www.codepublishing.com/co/grandjunction/>

Your property, known as Parcel # 2945-152-00-097, is not a part of this rezone. The property is currently outside the city limits. The Comprehensive Plan designates your property as Conservation. If you would like to discuss your property further, please contact me.

Thank you again for your interest. If you have any questions, please contact me.

Sincerely,

Brian Rusche  
Senior Planner  
City of Grand Junction  
Public Works and Planning  
(970) 256-4058

>>> <lanzbpn@aol.com> 3/4/2012 2:21 PM >>>

Dear Brian,

We apologize for making this inquiry at such a late date. We received a notice in the mail regarding an application for the development proposal titled RZN-2012-69-Yellow Area 9 Rezone-140 Power Rd. This request of approval to rezone 14.81 acres from an I-1 to a C-2 zone district is near property we own. All three of us are siblings who no longer live in the Grand Junction area. It would be most helpful, and appreciated, if you would kindly forward any information in regards to what is happening with the above said proposal.

We will be grateful for any assistance you can offer us in this matter.

Sincerely,

Neila R. Dial  
Becky G. Lanzisera  
Scott J. Hammond

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PROPERTIES AT  
140 POWER ROAD  
FROM AN I-1 (LIGHT INDUSTRIAL)  
TO A C-2 (GENERAL COMMERCIAL) ZONE DISTRICT**

Recitals.

On February 17, 2010 the Grand Junction City Council adopted the Grand Junction Comprehensive Plan which includes the Future Land Use Map, also known as Title 31 of the Grand Junction Municipal Code of Ordinances.

The Comprehensive Plan established or assigned new land use designations to implement the vision of the Plan and guide how development should occur. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community and included land use designations that encouraged more intense development in some urban areas of the City.

When the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for a different type of development than the current zoning of the property. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, Staff has determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties and to allow maximum use of the property in the area consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The C-2 zone district implements the Future Land Use designation of Commercial, furthers the Comprehensive Plan's goals and policies and is generally compatible with land uses in the surrounding area.

An Open House was held on February 8, 2012 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to

make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House ran in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed zoning map amendment for the following reasons:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. Review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have been met.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that the proposed zoning map amendment will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

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

140 POWER ROAD

SEE ATTACHED MAP.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

**PASSED and ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
President of the Council

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



Rezone - Area 9



**Attach 3  
Area 3 Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 10, 2012  
**PRESENTER:** Lori V. Bowers

**AGENDA TOPIC:** Yellow Area 3 Rezone – (RZN-2012-82)

**ACTION REQUESTED:** Recommendation to City Council to rezone property located at 681 23 Road from I-2 General Industrial to I-1 (Light Industrial) zone district.

BACKGROUND INFORMATION				
<b>Location:</b>		681 23 Road		
<b>Applicants:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Commercial warehouse with outdoor storage		
<b>Proposed Land Use:</b>		No change		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial condominiums		
	<b>South</b>	Vacant land		
	<b>East</b>	Sand and gravel operations		
	<b>West</b>	Vacant land		
<b>Existing Zoning:</b>		I-2 (General Industrial)		
<b>Proposed Zoning:</b>		I-1(Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	C-2		
	<b>South</b>	C-2		
	<b>East</b>	I-1(Light Industrial)		
	<b>West</b>	C-2		
<b>Future Land Use Designation:</b>		Commercial / Industrial		
<b>Zoning within density range?</b>			Yes	X No

**PROJECT DESCRIPTION:** A request to rezone 0.99 acres, located at 681 23 Road, from I-2 (General Industrial) zone district to I-1 (Light Industrial) zone district.

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

## **ANALYSIS:**

### **1. Background**

In 2010, the Comprehensive Plan was adopted. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community. The adopted Comprehensive Plan – Future Land Use Map shows the designation of the subject area as Commercial / Industrial. Please refer to the Comprehensive Plan maps included in this report.

After the Comprehensive Plan was adopted it became apparent that some properties were in conflict with the new Future Land Use designations because the zoning did not match. Some of these properties were grouped together in specific areas of the City. However, isolated properties were also in conflict with the Future Land Use designation. Each area or property has been or is being evaluated to determine what the best course of action would be to remedy the conflict. For the subject property of this report, Staff recommends the zoning designation of I-1 (Light Industrial) to meet the Comprehensive Plan's Future Land Use designation of Commercial Industrial. I-1 zoning allows the use of the property to continue since outdoor operations and outdoor storage are an allowed use in this zoning district along with wholesale sales.

An Open House was held on February 8, 2012. No one at the Open House spoke about the proposed rezone, and to date there has been no phone calls or inquires regarding the subject parcel. The parcel has a single Quonset hut on the property placed in 1964. No other improvements, other than fencing exist on site. Outside storage is an allowed use in the I-1 zone district and the property currently provides for that use.

### **2. Consistency with the Comprehensive Plan**

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

**Goal 6:** Land use decisions will encourage preservation and appropriate reuse.

The proposed rezone will bring the subject parcel into conformance with the Comprehensive Plan. The proposed rezone will allow the existing use to continue on the property and will be zoned appropriately for any possible future reuse.

### **3. Section 21.02.140 of the Grand Junction Municipal Code**

Zone requests must meet all of the following criteria for approval:

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

The proposed rezone will alleviate the conflict between the current zoning and the Future Land Use Map of the Comprehensive Plan.

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

The proposed rezone will bring the subject parcel into conformance with the Comprehensive Plan. The area is slowly changing as evidenced by the commercial condominiums constructed directly north in 2009.

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

Adequate public facilities and services currently exist and are adequate to serve the existing use and any future re-development of this property.

(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: N/A

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

Response: The proposed amendment will bring the zoning into conformance with the Comprehensive Plan.

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

After reviewing the Yellow Area 3 Rezone, RZN-2012-82, a request to rezone the property from I-2 (General Industrial) to I-1 (Light Industrial), the following findings of fact and conclusions have been determined:

1. The requested zone 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 all been met.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2012-82, to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on Rezone, RZN-2012-82, I move that the Planning Commission forward a recommendation of the approval for the Yellow Area 3 Rezone from I-2 to I-1 with the findings of fact, conclusions, and conditions listed in the staff report.

Attachments:

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING ONE PARCEL  
FROM I-2 (GENERAL INDUSTRIAL) TO  
I-1 (LIGHT INDUSTRIAL)**

**LOCATED AT 681 23 ROAD**

Recitals.

On February 17, 2010 the Grand Junction City Council adopted the Grand Junction Comprehensive Plan which includes the Future Land Use Map, also known as Title 31 of the Grand Junction Municipal Code of Ordinances.

The Comprehensive Plan established or assigned new land use designations to implement the vision of the Plan and guide how development should occur. In many cases the new land use designation encouraged higher density or more intense development in some urban areas of the City.

When the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for a different type of development than the current zoning of the property. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, City Staff determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property and to allow for maximum use of the property consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The I-1 zone district implements the Future Land Use designation of Commercial / Industrial, is consistent with the Comprehensive Plan's goals and policies, and is generally compatible with land uses in the surrounding area.

An Open House was held on February 8, 2012 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A

display ad noticing the Open House ran in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

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 subject property shown as Area 3 from I-2 (General Industrial) to the I-1 (Light Industrial) 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 I-1 zone district to be established.

The Planning Commission and City Council find that the I-1 zoning is in conformance with the stated criteria of Section 21.02.140 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 I-1 (Light Industrial) and as shown on Exhibit "A" attached.

681 23 Road

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

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

\_\_\_\_\_  
Mayor

Proposed Rezone - Area 3



Exhibit "A"



**Attach 4  
Area 10 Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 10, 2012  
**PRESENTER:** Scott D. Peterson

**AGENDA TOPIC:** Area 10 Rezone – RZN-2012-85

**ACTION REQUESTED:** Recommendation to City Council to rezone nine properties located along the east side of Harris Road from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial).

BACKGROUND INFORMATION					
<b>Location:</b>		492, 490, 488, 488 1/2, 486, 486 1/2, 482 Harris Road plus two other un-addressed parcels			
<b>Applicants:</b>		City of Grand Junction			
<b>Existing Land Use:</b>		Single-family residential detached, multi-family residential and outside storage areas for GJ Pipe and Supply			
<b>Proposed Land Use:</b>		N/A			
<b>Surrounding Land Use:</b>	<b>North</b>	Multi-family residential – 12 units			
	<b>South</b>	Grand Junction Pipe and Supply			
	<b>East</b>	Wal-Mart			
	<b>West</b>	Single-family residential detached			
<b>Existing Zoning:</b>		C-2 (General Commercial) and I-2, (General Industrial)			
<b>Proposed Zoning:</b>		R-O (Residential Office) and I-1, (Light Industrial)			
<b>Surrounding Zoning:</b>	<b>North</b>	PD (Planned Development) – (Multi-family residential 23 du/ac existing)			
	<b>South</b>	I-1 (Light Industrial)			
	<b>East</b>	C-1 (Light Industrial) and I-1 (Light Industrial)			
	<b>West</b>	R-8 (Residential – 8 du/ac)			
<b>Future Land Use Designation:</b>		Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to rezone nine properties totaling 3.02 +/- acres, located at 492, 490, 488, 488 1/2, 486, 486 1/2, 482 Harris Road plus two other un-addressed parcels, from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial) zone districts.

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

## **ANALYSIS:**

### **1. Background:**

In 2010, the Comprehensive Plan was adopted by the City designating these properties as Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial on the Future Land Use Map. The properties are presently zoned C-2, (General Commercial) and I-2, (General Industrial) which are inconsistent with the Comprehensive Plan Future Land Use Map. The Comprehensive Plan was adopted by the City to help guide how future development should occur.

When the City adopted the Comprehensive Plan, properties were not rezoned at that time to be consistent with the land use designations. This means that in certain areas there is a conflict between the land use designations and the zoning(s) of the properties. These nine properties are in one of these areas. It is important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a) (6) (i) and 21.02.080 (d) (1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for existing and future landowners to use and develop their property.

In order to facilitate and encourage the types of development envisioned by the Comprehensive Plan, City Staff recommends a change of zoning for this area. The City is proposing to rezone these properties from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial) to support the vision and goals of the Comprehensive Plan and to implement the future land use designation of Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial. Presently, single-family residential detached is not an allowed land use in the C-2 zone district and thus some of the nine properties are considered a legal non-conforming land use. However, single-family residential detached is allowed under the R-O zone district. The southern two parcels of land to be considered in this rezoning request are owned by Grand Junction Pipe and Supply and are utilized for outside storage of materials. Outside storage of materials is an allowed land use in both the I-1 and I-2 zone districts.

The proposed rezoning to R-O (Residential Office) and I-1 (Light Industrial) will allow additional opportunity to redevelop these properties in the future to allow for more multi-family residential, general office and light industrial land uses, etc. See Section 21.04.010, Use Table, of the Zoning and Development Code for applicable land uses within each specified zoning district.

The property owners were notified of the proposed rezoning change via mail and invited, along with other property owners in the area, to attend an Open House that was held on February 8, 2012 to discuss any issues, concerns, suggestions or support for the rezoning request. To date, Project Manager has heard from only one property owner who was not against the proposed rezoning while several other adjacent property owners have

contacted staff inquiring with questions about any potential land use changes or development at this time. No opposition to the proposed rezone(s) has been recorded. At the time of the Open House, the northern two properties in this rezone request (492 and 490 Harris Road) were identified to be rezoned from C-2 to C-1, however, upon further analysis by City staff, it was determined that the R-O zone district would be a better fit for these properties since they are already developed as single-family residential detached.

## **2. Consistency with the Comprehensive Plan:**

The proposed rezone(s) implements the respective future land use designations and meets the following goals from the Comprehensive Plan:

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

The existing properties are located within an area designated as Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial on the Future Land Use Map. The proposed zone changes to R-O and I-1 would provide the opportunity for future multi-family residential, general office and light industrial land uses etc., for this area of the community.

**Goal 5:** To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

The proposed R-O zone district allows multi-family development which would provide increased density and a broader mix of housing types that would meet the needs of a variety of incomes, family types and life stages.

**Goal 7:** New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.

The proposed R-O zone district provides a transition zone between the existing C-1, Light Commercial zoning to the east and the existing single-family residential development to the west. One of the purposes of the R-O zone district is to provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment.

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

The R-O and I-1 zone districts could possibly create the opportunity for future general office, multi-family residential and light industrial development, enhancing the health and diversity of the City's economy. Therefore, the R-O, and I-1 zone districts implements

the Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial designations of the Comprehensive Plan Future Land Use Map.

**3. Section 21.02.140 of the Grand Junction Zoning and Development Code:**

In order to rezone property in the City, one or more of the following criteria must be met:

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

The existing properties are currently zoned C-2 (General Commercial) and I-2 (General Industrial), however the Comprehensive Plan Future Land Use Map identifies these properties as Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial. The existing zoning(s) are not in compliance with the Future Land Use Map designations, therefore the proposed rezone(s) to R-O and I-1 will bring these nine properties into compliance with the Future Land Use Map.

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

The character and/or condition of the area has changed little over the years as the area has developed as single-family residential detached, multi-family residential and light industrial. The proposed rezone(s) will bring the zoning of the properties into compliance with the Comprehensive Plan Future Land Use Map and still maintain the transition and buffer between the existing light commercial to the east and the single-family residential development to west.

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

General access to the area is somewhat limited as Harris Road is currently a dead-end street with the only access provided from North Avenue. However, future street connection possibilities could include Gunnison and/or Hill Avenues upon redevelopment in the area. City water and sewer are currently available in Harris Road, therefore public and community facilities are adequate, or can be made available, to serve the properties at the time when future development would occur. The properties are also located within the City Center area with access to transportation, shopping and medical facilities.

(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;

The proposed rezones are in conjunction with a City wide initiated rezone to remove conflicts that were created when the Comprehensive Plan was adopted.

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

The proposed rezone to R-O and I-1 from C-2 and I-2 will provide the opportunity for future multi-family, general office and light industrial development and also continue to provide the opportunity to transition and buffer future development from the existing light commercial land use to the east to the existing residential properties to the west.

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

After reviewing the Area 10 Rezone, RZN-2012-85, a request to rezone nine properties from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial), the following findings of fact and conclusions have been determined:

1. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested zone(s), RZN-2012-85, to the City Council with the findings and conclusions listed above.

#### **RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on Rezone, RZN-2012-85, I move that the Planning Commission forward a recommendation of the approval for the Area 10 Rezone from C-2 (General Commercial) and I-2 (General Industrial) to R-O (Residential Office) and I-1 (Light Industrial) 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  
Ordinance

# Site Location Map – Harris Road

Figure 1



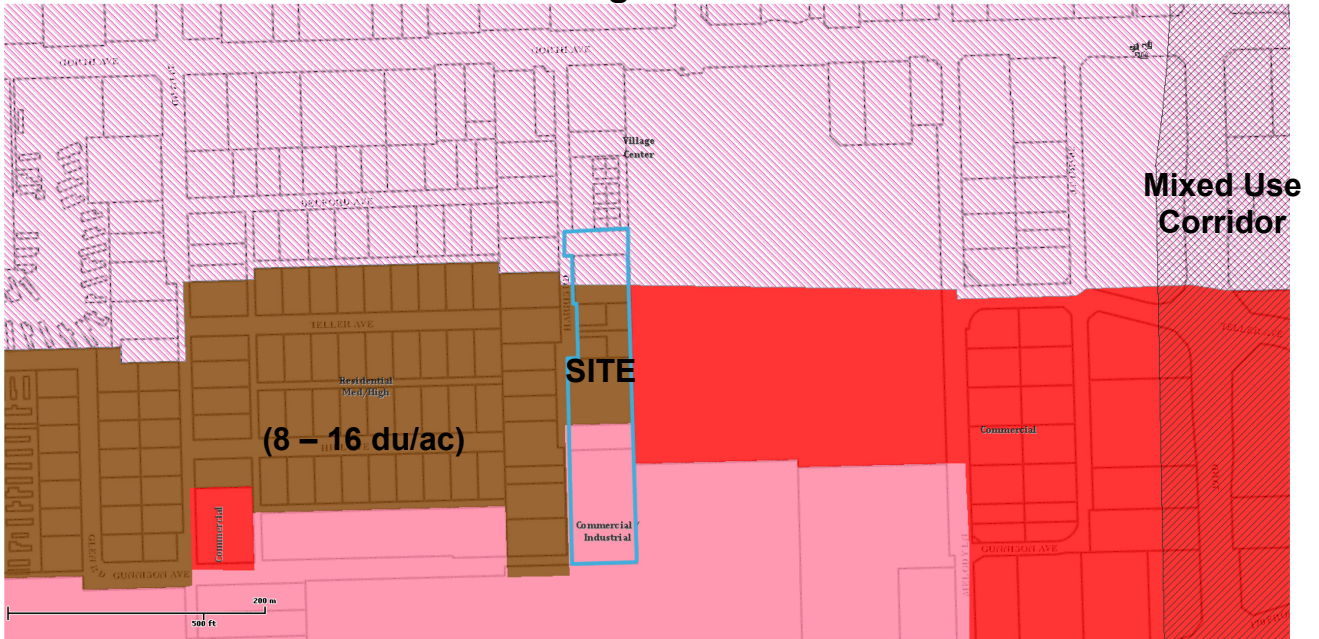
# Aerial Photo Map – Harris Road

Figure 2



# Comprehensive Plan – Harris Road

Figure 3



# Existing City Zoning – Harris Road

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING NINE PROPERTIES FROM C-2, (GENERAL COMMERCIAL) AND I-2, (GENERAL INDUSTRIAL) TO R-O, (RESIDENTIAL OFFICE) AND I-1, (LIGHT INDUSTRIAL)**

**LOCATED AT 492, 490, 488, 488 1/2, 486, 486 1/2, 482 HARRIS ROAD PLUS TWO OTHER UN-ADDRESSED PARCELS**

Recitals.

On February 17, 2010 the Grand Junction City Council adopted the Grand Junction Comprehensive Plan which includes the Future Land Use Map, also known as Title 31 of the Grand Junction Municipal Code of Ordinances.

The Comprehensive Plan established or assigned new land use designations to implement the vision of the Plan and guide how development should occur. In many cases the new land use designation encouraged higher density or more intense development in some urban areas of the City. The Comprehensive Plan anticipated the need for additional commercial, office and industrial uses throughout the community.

When the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for a different type of development than the current zoning of the property. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, City Staff determined that the current Comprehensive Plan Future Land Use Map designations are appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties and to allow for maximum use of the property consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The R-O and I-1 zone districts implement the Future Land Use Designation of Village Center, Residential Medium High (8 – 16 du/ac) and Commercial/Industrial and are consistent with the Comprehensive Plan's goals and policies and are generally compatible with land uses in the surrounding area.



An Open House was held on February 8, 2012 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House ran in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed zoning map amendments for the following reasons:

1. The requested zones are consistent with the goals and policies of the Comprehensive Plan.
2. The applicable review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code are met.

After public notice and a public hearing, the City Council hereby finds and determines that the proposed zoning map amendments will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

The following properties shall be rezoned R-O (Residential Office).

492, 490, 488, 488 1/2, 486, 486 1/2, 482 Harris Road  
(Parcel #'s: 2943-181-00-025, 2943-181-08-001, 2943-181-08-008, 2943-181-08-005, 2943-181-08-006, 2943-181-08-007 and 2943-181-08-027)  
(See attached map)

The following properties shall be rezoned I-1 (Light Industrial)

Un-addressed parcels adjacent to Harris Road  
(Parcel #'s: 2943-181-00-079 and 2943-181-00-096)  
(See attached map)

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

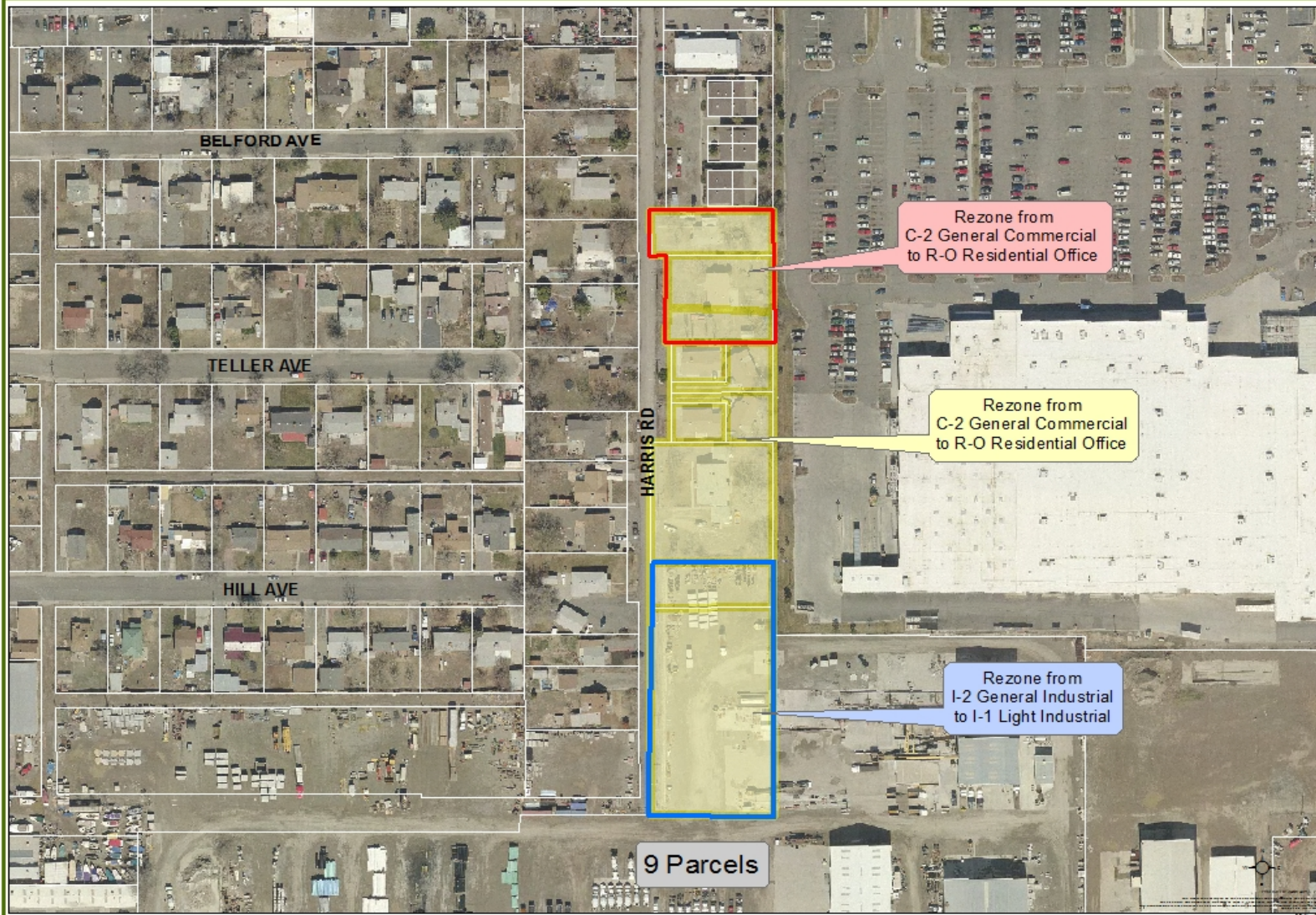
Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

# Rezone - Area 10



**Attach 5  
3000 Patterson Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 10, 2012  
**PRESENTER:** Senta Costello

**AGENDA TOPIC:** 3000 Patterson Rezone – RZN-2012-193

**ACTION REQUESTED:** Recommendation to City Council to amend Comprehensive Plan future land use designation from Residential Medium to Commercial and rezone property located at 3000 Patterson Road from R-O (Residential Office) to B-1 (Neighborhood Business).

BACKGROUND INFORMATION					
<b>Location:</b>		3000 Patterson Road			
<b>Applicants:</b>		Owner: Pamela Fox Representative: Rolland Consulting Engineers – Kent Shaffer Applicant: JDH Capital – Jason Mathis			
<b>Existing Land Use:</b>		2 single family houses			
<b>Proposed Land Use:</b>		Construction of an approximately 8000 sf retail building			
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family residences			
	<b>South</b>	Single Family residences			
	<b>East</b>	Single Family residences			
	<b>West</b>	Rite-Aid			
<b>Existing Zoning:</b>		R-O (Residential Office)			
<b>Proposed Zoning:</b>		B-1 (Neighborhood Business)			
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4			
	<b>South</b>	County RSF-4			
	<b>East</b>	County RSF-4			
	<b>West</b>	PD – Commercial/County RSF-4			
<b>Future Land Use Designation:</b>		Residential Medium			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to amend the Comprehensive Plan to Commercial and rezone 2.3 acres, located at 3000 Patterson Road, from R-O (Residential Office) zone district to B-1 (Neighborhood Business) zone district.

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

## **ANALYSIS:**

### **1. Background**

The property was annexed in 2006. At that time, a Growth Plan Amendment changed the Future Land Use designation from Residential Medium Low to Residential Medium High and the property was zoned R-O.

When the Comprehensive Plan was adopted in 2010, the Future Land Use designation was changed to Residential Medium.

A neighborhood meeting was held December 15, 2011 at Fruitvale Elementary. At that time the proposal was to rezone to the MXG-3 zone district. Six neighbors attended the meeting and voiced concerns regarding the potential uses and site layout that the MXG-3 zone district could generate. The neighbors present preferred a zone that would limit the hours of operation and the size and placement of building(s) for any commercial development of the property. Other zone districts were discussed and the neighbors preferred either the existing R-O or the B-1 zone districts to the MXG-3.

The form districts are intended to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile. Staff has discussed the mixed use form district in relation to this area. Initially it seemed that this area was an appropriate one for the form district; however, upon closer analysis the area is too suburban in nature to lend itself well to redevelopment as a form district. Although some pedestrian traffic can be expected along Patterson and 30 Road, it is not likely to generate the high level of pedestrian traffic envisioned for the form based district neighborhoods. Following further discussions with staff and the applicant, it has been decided the B-1 zone district is a more appropriate request for this property. It allows for development of the property for commercial purposes, meeting the needs of the applicant and help mitigate the potential negative impacts of a commercial development to the residential neighborhood by limiting the hours of operation and allowing for building placement that will help buffer the use from the residential area.

Although B-1 is not one of the zones that implements the current future land use designation, the adjacency rule allows an amendment to a commercial designation. Therefore the applicant seeks to amend the Comprehensive Plan from Residential Medium to Commercial, which allows a B-1 zone district, using the adjacency rule.

Municipal Code Section 21.02.130(d) (Zoning and Development Code) allows for the processing of a rezone application without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district.

### **2. Consistency with the Comprehensive Plan:**

This project is consistent with the following Goals and Policies of the Comprehensive Plan:

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

**Policy B:** Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

The request creates the opportunity for neighborhood businesses thus reducing the amount of trips generated for shopping and decreasing vehicle miles traveled.

**Goal 6:** Land use decisions will encourage preservation and appropriate reuse.

**Policy A:** In making land use and development decisions, the City and County will balance the needs of the community.

The B-1 zone district allows for development of the property for commercial purposes, meeting the needs of the applicant and helps mitigate the potential negative impacts of a commercial development to the residential neighborhood by limiting the hours of operation and allowing for building placement that will help buffer the use from the residential area.

**Goal 7:** New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.

**Policy A:** In making land use and development decisions, the City and County will balance the needs of the community.

Traffic volumes along Patterson Road have steadily increased since the adoption of the current residential designation. Higher traffic volumes lower the desirability for residential uses directly abutting the high volume right-of-way. A transitional commercial use would help buffer residential uses located further north along 30 Road and the neighborhood to the east. The B-1 zone district furthers the compatibility with the neighborhood by reducing the hours of operation which minimizes commercial impacts (i.e. noise, light, odors) on the residential neighborhood.

### **3. Section 21.02.140(a) of the Grand Junction Municipal Code:**

In order for the zoning to occur, one or more of the following criteria must be met and a finding of consistency with the Grand Junction Municipal Code must be made per Section 21.02.140(a).

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

The property is designated Residential Medium (4 – 8 du/ac) on the Comprehensive Plan Future Land Use Map. The B-1 district is not a permitted zone district within the Residential Medium category of the Comprehensive Plan. However, the applicant may request the B-1 zone since the adjacent property to the west (2992 Patterson Road) is presently zoned PD (Planned Development).

Pursuant to Section 21.02.130(d)(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;*

Traffic volumes along Patterson Road have steadily increased since the adoption of the current residential designation. Higher traffic volumes lower the desirability for residential uses directly abutting the high volume right-of-way. A transitional commercial use would help buffer residential uses located further north along 30 Road and the neighborhood to the east. The B-1 zone district furthers the compatibility with the neighborhood by reducing the hours of operation which minimizes commercial impacts (i.e. noise, light, odors) on the residential neighborhood.

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

A 4" Clifton water line and 8" sanitary sewer line exists in Patterson Road and an 8" Clifton water line and 8" sanitary sewer line exists in 30 Road adjacent the subject property. With development, it will be determined if upgrades are necessary and the applicant at that time will be responsible for making the required improvements.

*(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;*

There is an adequate supply of land in the community to accommodate the proposed use.

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

Traffic volumes along Patterson Road have steadily increased since the adoption of the current residential designation. Higher traffic volumes lower the desirability for residential uses directly abutting the high volume right-of-way. A transitional commercial use would help buffer residential uses located further north along 30 Road and the neighborhood to the east. The B-1 zone district furthers the compatibility with the neighborhood by reducing the hours of operation which minimizes commercial impacts (i.e. noise, light, odors) on the residential neighborhood.

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

After reviewing the 3000 Patterson Road Rezone, RZN-2012-193, a request to amend the comprehensive plan future land use designation from Residential Medium to Commercial and rezone the property from R-O (Residential Office) to B-1

(Neighborhood Business), the following findings of fact and conclusions have been determined:

1. The requested comprehensive plan future land use designation and rezone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Sections 21.02.130(e)(1) and 21.02.140 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 comprehensive plan amendment and rezone, RZN-2012-193, to the City Council with the findings and conclusions listed above.

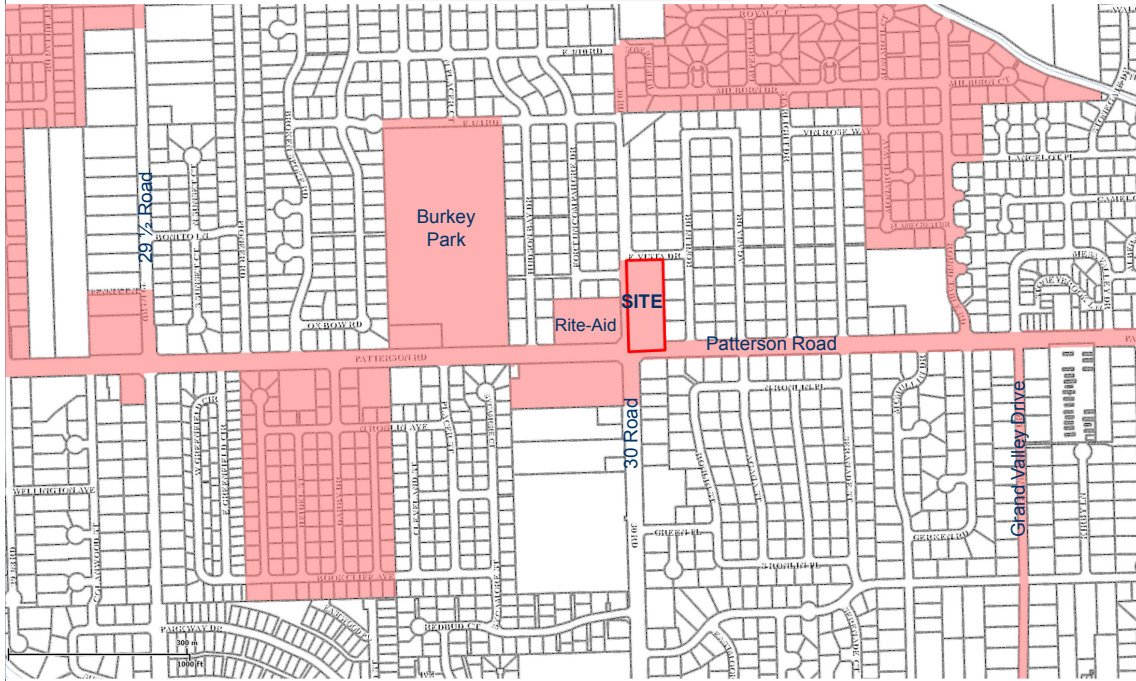
**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on Rezone, RZN-2012-193, I move that the Planning Commission forward a recommendation of the approval for the 3000 Patterson Road comprehensive plan future land use designation from Residential Medium to Commercial and Rezone from R-O (Residential Office) to B-1 (Neighborhood Business) with the findings of fact, conclusions, and conditions listed in the staff report.

**Attachments:**

Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City and County Zoning Map  
Ordinance

## Site Location Map

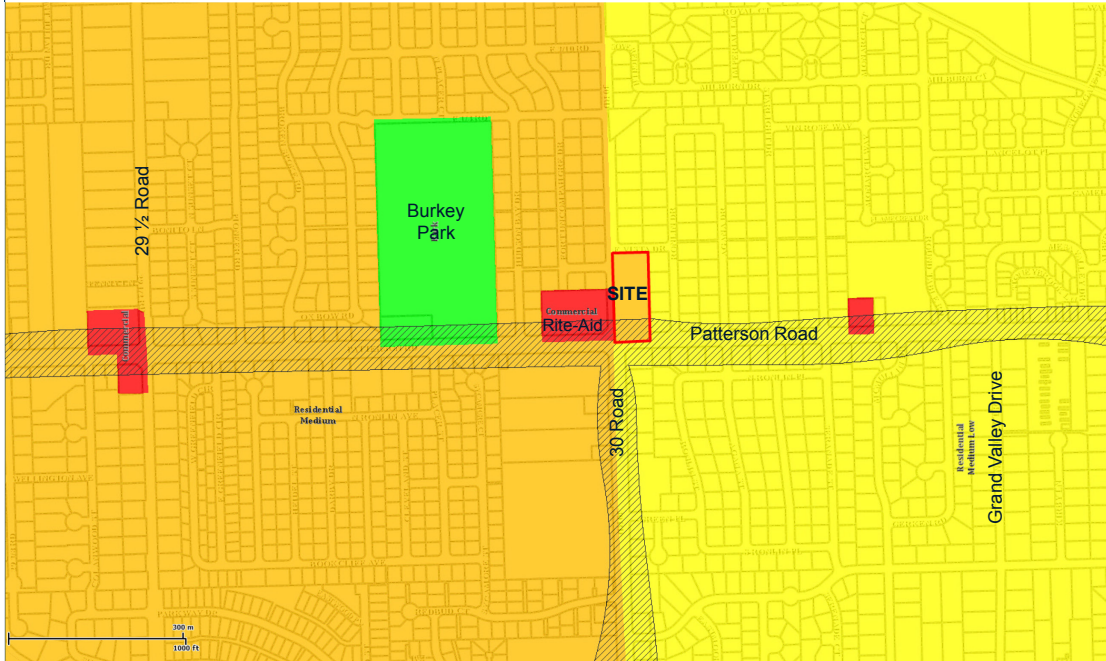


## Aerial Photo Map





# Comprehensive Plan Future Land Use Map



# Existing Zoning Map



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING ONE PARCEL  
FROM R-O (RESIDENTIAL OFFICE) TO  
B-1 (NEIGHBORHOOD BUSINESS)**

**LOCATED AT 3000 PATTERSON ROAD**

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 amending the Comprehensive Plan Future Land Use designation from Residential Medium to Commercial and rezoning property located at 3000 Patterson Road from R-O (Residential Office) to the B-1 (Neighborhood Business) zone district for the following reasons:

The Comprehensive Plan Future Land Use designation for the property is Residential Medium which allows for the R-4, R-5, R-8, R-12, R-16, and R-O zone districts. The property is also located within a Mixed Use Opportunity Corridor along Patterson Road which adds the Form Based MX zone districts as zoning options.

The form based districts in the Zoning and Development Code are intended to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile. Staff has discussed the mixed use form district in relation to this area. Initially it seemed that this area was an appropriate one for the form district; however, upon closer analysis the area is too suburban in nature to lend itself well to redevelopment as a form district. Although some pedestrian traffic can be expected along Patterson and 30 Road, it is not likely to generate the high level of pedestrian traffic envisioned for the form based district neighborhoods. Following further discussions with staff and the applicant, it has been decided the B-1 zone district is a more appropriate request for this property. It allows for development of the property for commercial purposes, meeting the needs of the applicant and help mitigate the potential negative impacts of a commercial development to the residential neighborhood by limiting the hours of operation and allowing for building placement that will help buffer the use from the residential area.

Although B-1 is not one of the zones that implements the current future land use designation, the adjacency rule allows an amendment to a commercial designation. Therefore the applicant seeks to amend the Comprehensive Plan from Residential Medium to Commercial, which allows a B-1 zone district, using the adjacency rule.

Municipal Code Section 21.02.130(d) (Zoning and Development Code) allows for the processing of a rezone application without a plan amendment when the proposed

zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district.

With the amendment of the Future Land Use designation of the Comprehensive Plan to Commercial via the adjacency rule, the B-1 (Neighborhood Business) zone district meets the recommended land use category, 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 B-1 (Neighborhood Business) zone district shall be established.

The Planning Commission and City Council find that the B-1 (Neighborhood Business) zoning is in conformance with the criteria of Section 21.02.140 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 B-1 (Neighborhood Business).

All that certain part of the SW1/4 of Section 4, Township One South, Range One East of the Ute Meridian in Mesa County, Colorado, being more particularly described as follows:

Commencing at a standard Mesa County Survey Marker for the S.W. Corner of said Section 4, from which corner a Mesa County Survey Marker for the S1116 Corner on the west line of said Section 4 bears N00°09'07"W for a distance of 1312.75 feet; thence N00°09'07"W, on said west line, for a distance of 500.00 feet; thence S89°55'14"E for a distance of 40.00 feet to the easterly right-of-way of 30 Road and the Point of Beginning; thence S89°55'14"E, parallel with the southerly line of said Section 4, for a distance of 160.00 feet; thence S00°09'07", parallel with the westerly line of said Section 4, for a distance of 450.00 feet to the northerly right-of-way line of Patterson Road; thence N89°55'14"W, on said right-of-way line, for a distance of 135.00 feet; thence N45d02'11"W, on said right-of-way line, for a distance of 35.43 feet to the easterly right-of-way line of said 30 Road; thence N00°09'07"W, on said easterly right-of-way line, for a distance of 425.00 feet to the Point of Beginning.

Containing 1.65 acres, more or less.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

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

\_\_\_\_\_  
Mayor

**Attach 6  
Area 6 Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 10, 2012  
**PRESENTER:** David Thornton, AICP

**AGENDA TOPIC:** Area 6 Rezone – RZN-2012-76

**ACTION REQUESTED:** Recommendation to City Council to rezone twenty one properties located generally between 2<sup>nd</sup> Street and 5<sup>th</sup> Street north of North Avenue and south of Glenwood Avenue from C-2 (General Commercial) to C-1 (Light Commercial).

BACKGROUND INFORMATION			
<b>Location:</b>	Between 2 <sup>nd</sup> Street and 5 <sup>th</sup> Street north of North Avenue and south of Glenwood Avenue		
<b>Applicants:</b>	City of Grand Junction		
<b>Existing Land Use:</b>	Commercial Retail, Services, Office		
<b>Proposed Land Use:</b>	N/A		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential and Commercial	
	<b>South</b>	North Avenue and Office /Retail	
	<b>East</b>	Grand Junction High School and Martin Mortuary	
	<b>West</b>	Residential and Commercial	
<b>Existing Zoning:</b>	C-2 (General Commercial)		
<b>Proposed Zoning:</b>	C-1 (Light Commercial)		
<b>Surrounding Zoning:</b>	<b>North</b>	B-1	
	<b>South</b>	C-1	
	<b>East</b>	C-1 and R5	
	<b>West</b>	C-1 and B1	
<b>Future Land Use Designation:</b>	Neighborhood Center Mixed Use		
<b>Zoning within density / Intensity range?</b>	X	Yes	No

**PROJECT DESCRIPTION:** A request to rezone twenty one properties totaling 12.5 +/- acres, located between 2<sup>nd</sup> Street and 5<sup>th</sup> Street north of North Avenue and south of Glenwood Avenue, from C-2 (General Commercial) to C-1 (Light Commercial) zone district.

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



## **ANALYSIS:**

### **1. Background:**

In 2010, the Comprehensive Plan was adopted by the City designating this property as Neighborhood Center on the Future Land Use Map. The property is presently zoned C-2, (General Commercial) which is inconsistent with the Comprehensive Plan Future Land Use Map designation of Neighborhood Center Mixed Use. The Comprehensive Plan was adopted by the City to help guide how future development should occur.

When the City adopted the Comprehensive Plan, properties were not rezoned at that time to be consistent with the land use designations. This means that in certain areas there is a conflict between the land use designation and the zoning of the property. This property is in one of these areas. It is important to eliminate conflicts between the Comprehensive Plan Future Land Use Map and the zone district applied to a given property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan. Eliminating the conflict will therefore create the greatest opportunity for landowners to use and develop their property.

In order to facilitate and encourage the types of development envisioned by the Comprehensive Plan, City Staff recommends a change of zoning for this area. The City is proposing to rezone this property from C-2 (General Commercial) to C-1 (Light Commercial) to support the vision and goals of the Comprehensive Plan and to implement the future land use designation of Neighborhood Center Mixed Use. Changing the zoning will not impact the existing business and will allow the maximum opportunity to utilize or redevelop the property in the future.

Generally the differences between C-1 and C-2 include the following. The C-2 zone district provides for some outdoor operations and storage for manufacturing uses,

warehouse and freight movement with outdoor storage and loading, and wholesale businesses that sell to commercial, institutional and industrial businesses. The C-1 zone district permits multifamily and group living facilities as land uses that are appropriate.

The proposed C-1 zone district will allow mixed use opportunities with the allowance of multi-family densities of up to 24 units per acre. The existing C-2 zoning does not allow mixed use and therefore does not implement the vision the Comprehensive Plan has for this area as a mixed use center located along the North Avenue Corridor. None of the existing land uses including the manufacturing of counter tops, automotive service & Tire repair, even the two vacant sites previously used as lumber yards are or would be allowed in the C-1 zone district, therefore there are no nonconforming issues for area businesses being created by this change in zoning.

Off premise signage which includes one billboard sign in the affected area will be nonconforming in the proposed C-1 zone district. There are other billboard signs on North Avenue that have been in existence for years, that are legally nonconforming. The one located near 2<sup>nd</sup> Street and North Avenue will be included in this status with this proposed change in zoning to C-1.

All property owners were notified of the proposed rezone via regular mail. They were invited, along with other property owners in the area, to attend an Open House held on February 8, 2012 to discuss any issues, concerns, suggestions or support for the rezone request. Eight property owners/representatives have contacted staff by phone and a neighboring property owner came to the open house and filled out a comment sheet stating they were in favor of the rezone to C-1. Three of the businesses that called included Best Tops which manufactures counter tops, all in an indoor operation, owner of the Harbert Lumber property and a representative from the TDS Automotive/Tire Store. These property owners expressed their concerns with possibly becoming nonconforming in the C-1 zone. After Staff let them know that the C-1 zone allowed their particular land uses they were comfortable with the rezone to C-1. This includes lumber yards if either of the two lumber yards within this area that have closed were to reopen. At the date of this report, no one has objected to the change in zoning.

## **2. Consistency with the Comprehensive Plan:**

The proposed rezone to C-1, (Light Commercial) implements the future land use designation of Neighborhood Center Mixed Use and meets the following goals from the Comprehensive Plan:

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

This property is located on the North Avenue corridor identified as a mixed use Neighborhood Center Mixed Use. The 2011 North Avenue Corridor Plan also established a vision for North Avenue that encourages office, retail and residential land

uses up and down the corridor with this area of the corridor emphasizing neighborhood and regional services and retail. All existing land uses are supported by the corridor plan. The surrounding area is mixed use with multi-family residential land uses, a city park and well established residential single family neighborhoods nearby. The proposed zone change to C-1 will sustain the existing use of the land and maintain neighborhood stability limiting more intense outdoor manufacturing, freight movement and outdoor storage land uses from occurring on this site in the future.

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

The current land uses are allowed land uses in the C-1 zone district. Changing the zoning from C-2 will not impact the existing operations of these businesses and may allow greater opportunity to utilize or redevelop their properties at some point in the future such as adding residential uses on the site.

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

Rezoning the property to C-1, (Light Commercial) will maintain and potentially help spur the current and anticipated type of development identified for this area of the City, for the creation of jobs and maintaining a healthy and diverse economy.

**3. Section 21.02.140(a) of the Grand Junction Zoning and Development Code:**

In order to rezone property in the City, one or more of the following criteria must be met:

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

The existing property is currently zoned C-2, (General Commercial) which is the zoning that was placed on the property many years ago. The Comprehensive Plan Future Land Use Map identifies this property as Neighborhood Center Mixed Use and the vision of the Comprehensive Plan is to transform the North Avenue Corridor from what has been a heavy commercial district with the potential for outdoor operations and a heavy commercial/industrial blend to a mixed use commercial retail, office and residential blend of land uses. The existing zoning of C-2 is not in compliance with the Future Land Use Map designation because it does not adequately promote mixed use opportunities, therefore the City is proposing a rezone to C-1, (Light Commercial). The C-1 zone district will bring this property into compliance with the Future Land Use Map.

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



The character of the surrounding area will continue to change under the vision of the Comprehensive Plan. This change will include a mix of uses that complement each other and sustain the area as part of the growth and development of the City. For example the area along 3<sup>rd</sup> Street has been identified as a potential core area for the neighborhood center. This core area could be transformed over the next 30 years into an area of mixed use consisting of retail shops, offices and residential land uses. Its proximity to Sherwood Park makes it an ideal location for this. The proposed rezone to C-1 will bring the zoning of the property into compliance with the Comprehensive Plan Future Land Use Map.

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

The area has direct and indirect access North Avenue. All utilities are present and available for future development. GVT bus service provides a transit stops along North Avenue. Public and community facilities are adequate to realize the mixed use vision of the Comprehensive Plan.

(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;

As stated in Goal 12 of the Comprehensive Plan, the City desires to be a regional provider of goods and services and residential neighborhoods. To meet this Goal, the Future Land Use Map identified several areas that were deemed appropriate for mixed use centers, areas of higher density and commercial intensity to accommodate the future growth of the community and create a livable community to live in. The properties that are the subject of this rezone are in such an area. Therefore the proposed rezone, being consistent with the Comprehensive Plan, will create additional land zoned for mixed land uses. The C-1 Zone district allows for a mix of uses.

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

The proposed rezone to C-1 from C-2 will help limit land uses that are less compatible with surrounding residential uses and help create a North Avenue corridor that encourages mixed use where people can live, shop, and work in close proximity.

The proposed rezone will also alleviate and resolve the current conflict between the zoning designation and the Comprehensive Plan Future Land Use Map classification, thereby creating a greater opportunity for the land to be redeveloped or the use expanded or changed in the future.

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

After reviewing the Area 6 Rezone, RZN-2012-76, a request to rezone nineteen properties from C-2, (General Commercial) to C-1, (Light Commercial), the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code have all been met.

## **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2012-76, to the City Council with the findings and conclusions listed above.

## **RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on Rezone, RZN-2012-76, I move that the Planning Commission forward a recommendation of the approval for the Area 6 (Yellow) Rezone from C-2 (General Commercial) to C-1 (Light Commercial) with the findings of fact, conclusions listed in the staff report.

### Attachments:

Public Comments/Correspondence  
Site Location Map / Aerial Photo Map  
Comprehensive Plan Map / Existing City and County Zoning Map  
Ordinance

## **Public Comments/Correspondence Open House Sign in Sheet / Comments**

### Phone Log

#### Week of January 23, 2012

1. Bill Pitts - Asked about the location. It is a 3 block area across from property he owns at 333 North Avenue.
2. Dan Wilson, Salvation Army - His questions centered on what the allowed uses are under C-1 vs. C-2. He discussed future land uses the Salvation Army may propose and all uses would also be allowed in the C-1, thus the rezone will not adversely affect them.
3. Paul Reed - 139 2nd Street. I explained to him what the rezone request was and he was glad it did not affect him.

#### Week of January 30, 2012

4. Rod Powers - owner of 216 North Avenue. I answered his questions letting him know that his property land uses are conforming in the C-1 zone as well.
5. Maria @ Best Tops which manufactures counter tops - all in an indoor operation. manufacturing indoors is allowed in both the C-1 and C-2 zone district. She was happy about that.
6. Gordon Harbert - Let him know that lumberyards are now allowed in C-1 zoning which is different than in the past, thus the reason that C-2 zoning has been in place in this neighborhood for many years.

#### Week of January 30<sup>th</sup>

7. Bill Milius - owner of property at 401 thru 425 North Avenue. (242-2651). I spoke to him about the differences between C-1 and C-2. His property is not within the rezone area. He understood the proposal and is ok with the change in zoning.

#### Week of February 13<sup>th</sup>

8. Tim called from TDS Automotive/Truck Repair and Tire Sales and Service - He asked about the C-1 zoning knowing that in the past it did not allow all of their business operations as it is today. I explained to him that the C-1 zoning has been changed and now allows for all of the uses they have onsite including automotive repair and the screened tire storage they have in the back area of their property.
-



Grand Junction City Hall

4:00 to 6:00 p.m.

### Zoning Change Open House

Yellow Areas 3, 6, 9, 10

February 8, 2012

Name (please print)	Organization (if applicable)	Name (please print)	Organization (if applicable)
Michael Klach		Dean Van Courdy	
Mailing Address 1306 E. Sherwood Dr.		Mailing Address 1531 High Street	
City, State, Zip Grand Jct, CO 81501	Phone 970-245-5876	City, State, Zip Grand Junction, CO 81503	Phone 261-4777
Email address:		Email address:	

Name (please print)	Organization (if applicable)	Name (please print)	Organization (if applicable)
Mailing Address		Mailing Address	
City, State, Zip	Phone	City, State, Zip	Phone
Email address:		Email address:	

Name (please print)	Organization (if applicable)	Name (please print)	Organization (if applicable)
Mailing Address		Mailing Address	
City, State, Zip	Phone	City, State, Zip	Phone
Email address:		Email address:	

Total \_\_\_\_\_



OPEN HOUSE  
February 8, 2012  
4-6:00 p.m.  
Grand Junction City Hall

## Zoning Change Open House

Yellow polygons, Zones 3, 6, 9 and 10

### Comment Sheet

Are your comments in relation to a certain property? If so, what is the address or general area? \_\_\_\_\_

Re Zone Area 6

May we hear any comments or any concerns you have about proposed zoning changes?

I am pleased with the change. I prefer less outdoor industrial in this area.

Name Michael Klaich  
Address 1306 E. Sherwood Dr  
Grand Jct. CO 81501  
Phone 970-245-5678  
Email mklaich@bresnan.net

Please turn your comments in tonight or mail them to:  
Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81501

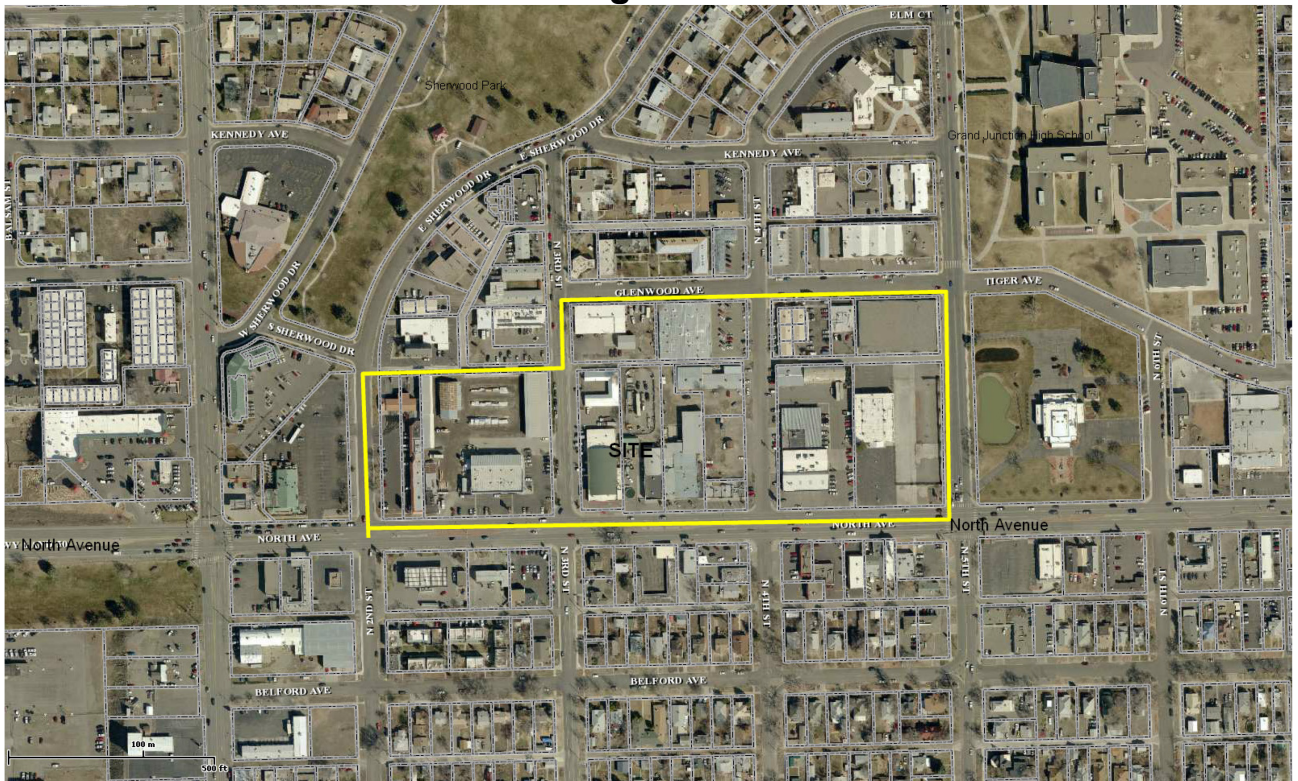
# Site Location Map – 510 29 ½ Road

Figure 1



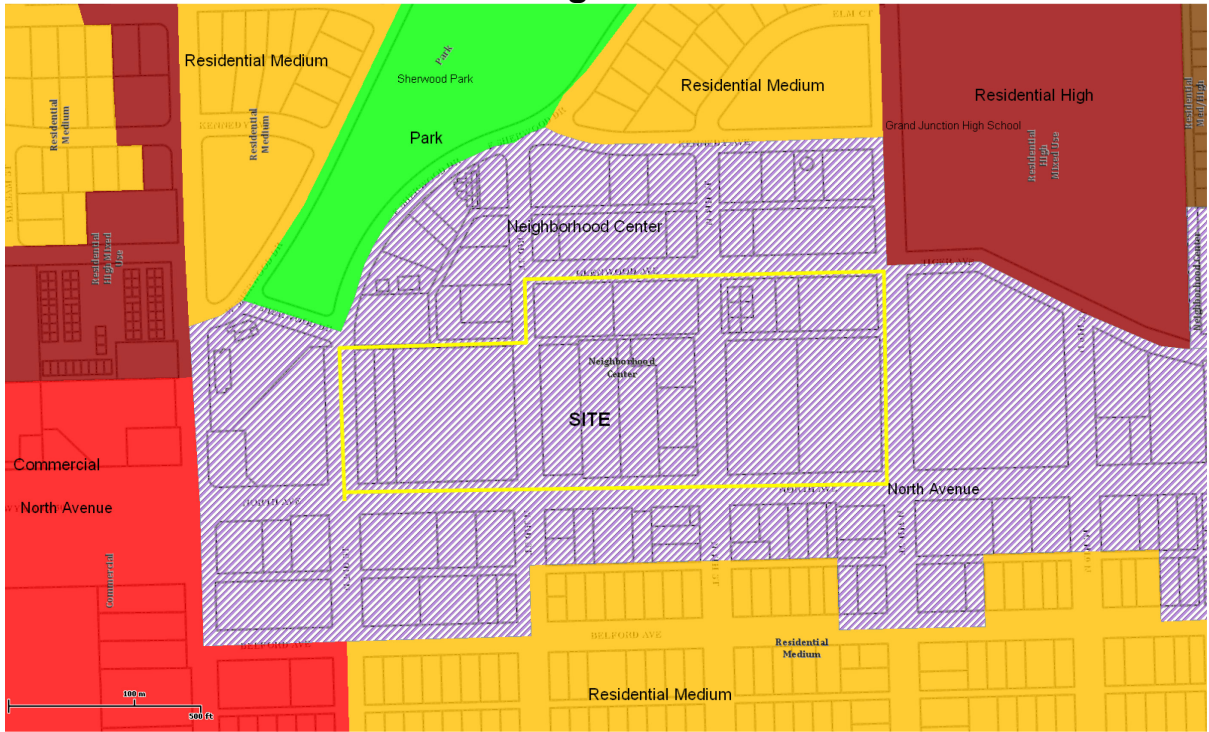
# Aerial Photo Map – 510 29 ½ Road

Figure 2



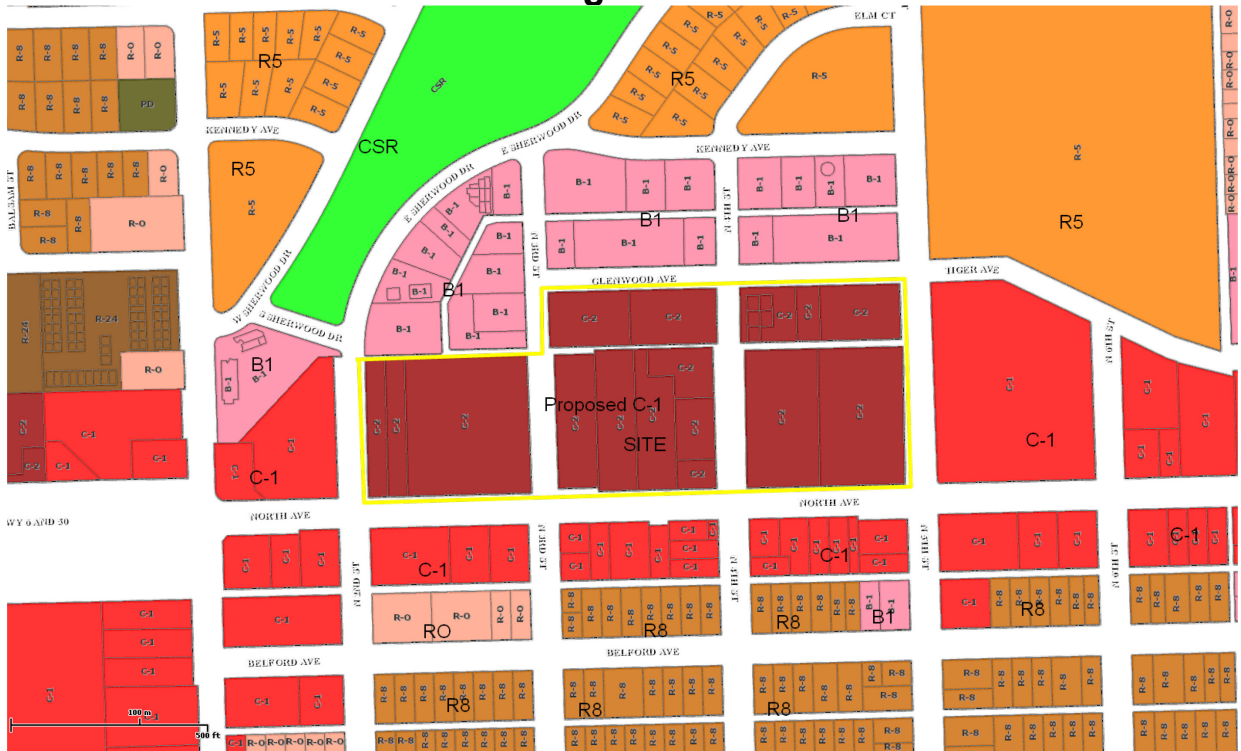
# Comprehensive Plan

## Figure 3



# Existing City and County Zoning

## Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING TWENTY ONE PROPERTIES  
FROM C-2, (GENERAL COMMERCIAL) TO C-1, (LIGHT COMMERCIAL)**

**GENERALLY LOCATED BETWEEN 2<sup>nd</sup> STREET AND 5<sup>th</sup> STREET NORTH OF  
NORTH AVENUE AND SOUTH OF GLENWOOD AVENUE**

Recitals.

On February 17, 2010 the Grand Junction City Council adopted the Grand Junction Comprehensive Plan which includes the Future Land Use Map, also known as Title 31 of the Grand Junction Municipal Code of Ordinances.

The Comprehensive Plan established or assigned new land use designations to implement the vision of the Plan and guide how development should occur. In many cases the new land use designation encouraged higher density, more intense development in some urban areas of the City or a different type of land uses than what had historically been sought.

When the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas now carry a land use designation that calls for a different type of development than the current zoning of the property. City Staff analyzed these areas to consider how best to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, City Staff determined that the current Comprehensive Plan Future Land Use Map designation is appropriate, and that a proposed rezone is the most appropriate way to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property and to allow for maximum use of the property consistent with the Comprehensive Plan.

Consistency between the Comprehensive Plan's future land use designation and the zone district of a given area is crucial to maximizing opportunity for landowners to make use of their property, because the Zoning and Development Code, in Sections 21.02.070 (a)(6)(i) and 21.02.080(d)(1), requires that all development projects comply with the Comprehensive Plan.

The C-1 zone district implements the Future Land Use Designation of Neighborhood Center Mixed use, is consistent with the Comprehensive Plan's goals and policies and is generally compatible with land uses in the surrounding area.

An Open House was held on February 8, 2012 to allow property owners and interested citizens an opportunity to review the proposed zoning map amendments, to



make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House ran in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City website with information about how to submit comments or concerns.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed zoning map amendment for the following reasons:

1. The requested zone(s) are consistent with the goals and policies of the Comprehensive Plan.
2. The applicable review criteria in Section 21.02.140 of the Grand Junction Zoning and Development Code are met.

After public notice and a public hearing, the City Council hereby finds and determines that the proposed zoning map amendment will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

The following property shall be rezoned C-1, (Light Commercial).

See attached map.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

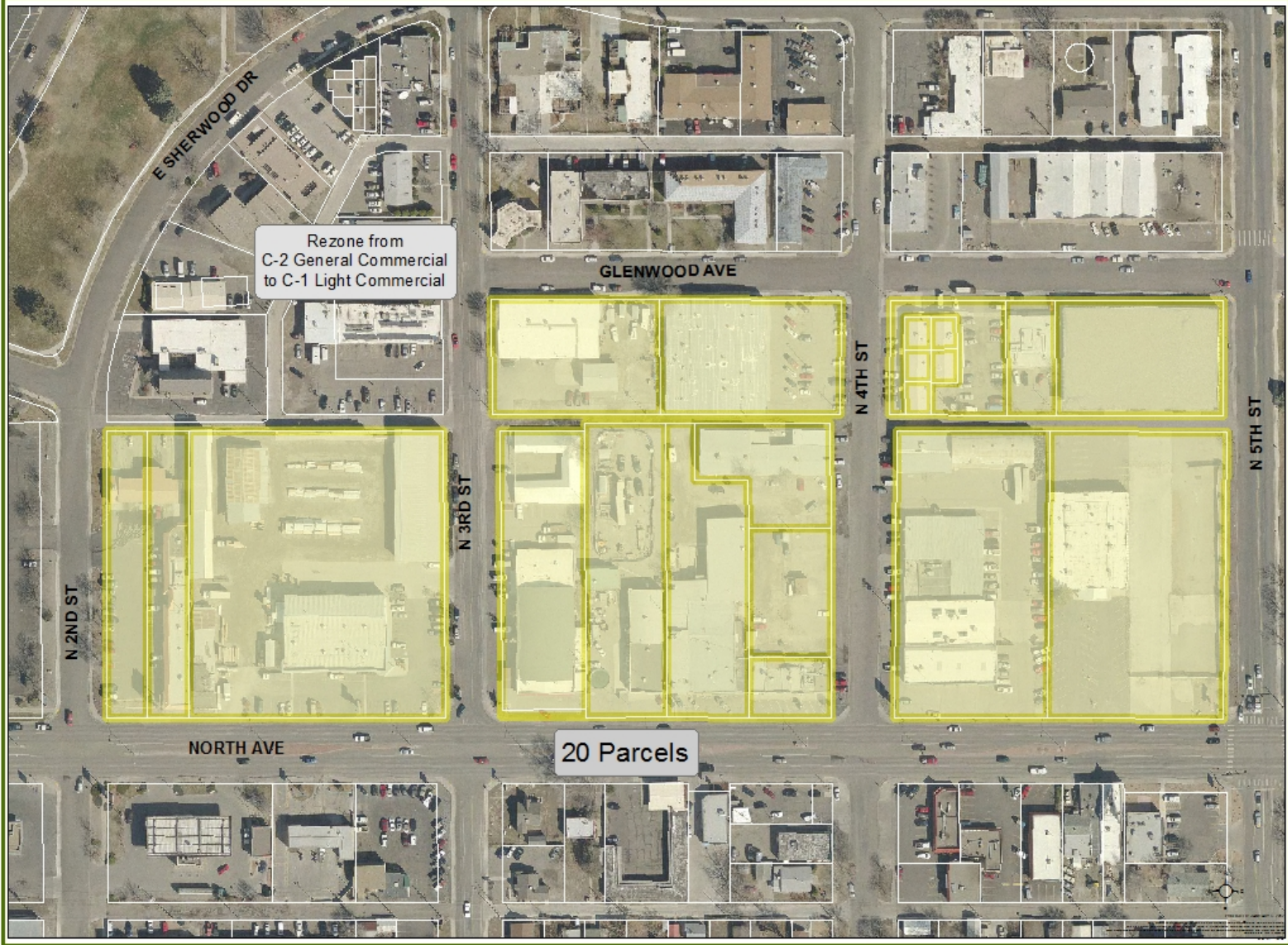
Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012 and ordered published in pamphlet form.

ATTEST:

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

\_\_\_\_\_  
Mayor

# Rezone - Area 6



Rezone from  
C-2 General Commercial  
to C-1 Light Commercial

20 Parcels