

**GRAND JUNCTION PLANNING COMMISSION**  
**October 13, 2015 MINUTES**  
**6:00 p.m. to 6:18 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, Ebi Eslami, George Gatseos, 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).

Also present were Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 7 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 22, 2015 Planning Commission Meeting.*

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

Request to vacate public alley rights-of-way located between S. 7<sup>th</sup> Street and S. 8<sup>th</sup> 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. 7<sup>th</sup> Street, 735, 737, 741 & 749 South Ave.

Staff presentation: Scott Peterson, Senior Planner

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

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 1<sup>st</sup> Avenue  
Staff presentation: Scott Peterson, 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.

Commissioner Wade requested that in light of the visitors present, he would like items two and three be pulled for a full hearing.

**MOTION: (Commissioner Wade) “Madam Chairman, I move that items two and three be pulled for a full hearing.”**

Commissioner Tolle 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 amended Consent Agenda.

**MOTION: (Commissioner Wade) ““Madam Chairman I move that we approve Consent Agenda with the approval of the minutes from the previous meeting.”**

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

**\*\*\*INDIVIDUAL CONSIDERATION\*\*\***

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

**Staff Presentation**

Scott Peterson (Senior Planner) stated that the applicant requests to vacate public rights-of-way located between S. 7<sup>th</sup> Street and S. 8<sup>th</sup> Street on the south side of South Avenue.

Mr. Peterson stated that 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.

Mr. Peterson displayed the site location map and explain that 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. 7<sup>th</sup> Street and S. 8<sup>th</sup> Street on the south side of South Avenue.

Mr. Peterson explained that 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.

Mr. Peterson noted that 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 administratively by City Staff.

Mr. Peterson stated that the surrounding land use is zoned C-2 (General Commercial) and the future land use in the Comprehensive Plan is Commercial.

Mr. Peterson displayed an exhibit of the proposed right-of-way vacation and noted that the proposed alley vacation will not impede traffic, pedestrian movement or access since the applicant owns all the adjacent properties within this block. Mr. Peterson explained that 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.

### **Findings of Fact/Conclusions**

Mr. Peterson stated that after reviewing this request following findings of fact, conclusions and conditions have been determined:

1. The requested 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 or addressed.
3. City will retain Utility Easement along with finalization, recording and approval associated with an accompanying subdivision plat to consolidate properties.

### **Questions for Staff**

Mr. Peterson noted that the applicant had a previous commitment for this evening and was not able to attend. Mr. Peterson offered to answer any questions regarding the request.

Commission Wade asked Mr. Peterson to explain how the request meets Goals 1, 4 and 12 of the Comprehensive Plan.

Mr. Peterson stated that **Goal number 1** is to implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Mr. Peterson explained that Policy C states that “The City and Mesa County will make land use and infrastructure decisions consistent with the goals of supporting and encouraging the development of centers” and this project is in the downtown area.

Mr. Peterson stated that **Goal number 4** is to “Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions, “ and **Goal number 12** is “Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.”

Mr. Peterson reiterated that the purpose of the right-of-way vacation is to consolidate the properties that the applicant owns into one large piece to either develop or to sell to someone to develop which meets the City’s goals of economic development and future development of the property.

### **Questions/Comments from Public**

Chairman Reece asked if there were any questions or comments from the Public regarding this request. Hearing none, Chairman Reece asked for a motion.

**MOTION: (Commissioner Wade)** “Madam Chairman, I recommend, that regarding the request (VAC-2015-289) the Planning Commission forward a recommendation of approval to the City Council.

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

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

### **Staff Presentation**

Scott Peterson (Senior Planner) stated that the applicant requests to rezone property located at 821, 1<sup>st</sup> Avenue.

Mr. Peterson stated that he 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 rezone nor proposed development were received.

Mr. Peterson displayed the site location map and explained that the property and noted that it is currently 0.26 acres is currently vacant and is located at the intersection of 1<sup>st</sup> Avenue and S. 8<sup>th</sup> Street in the downtown area.

The existing 0.26 +/- acre property is located at the intersection of 1<sup>st</sup> Avenue and S. 8<sup>th</sup> 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.

Mr. Peterson stated that 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.

Mr. Peterson displayed and aerial photo of the property to the west (630 S. 7<sup>th</sup> Street), which is one of the seven properties that the applicant owns, is the former StarTek building which is currently vacant.

Mr. Peterson displayed the Comprehensive Plan's Future Land Use Map of the area. The requested zoning is compatible with the Future Land Use Map, therefore no change to the Future Land Use Map is anticipated.

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.

Mr. Peterson stated that his review finds that 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.

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. Therefore, prior to recording of the new subdivision plat, changing the zoning designations for the subject property is requested.

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. 7<sup>th</sup> Street and through the middle of the property. City sanitary sewer also bisects the property in two locations. The property is located in the downtown area and is in close proximity to public transit connections, retail merchants and restaurants, etc.

## **Findings of Fact/Conclusions**

Mr. Peterson stated that 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.

## **Questions for Staff**

Commissioner Eslami asked Mr. Peterson to explain, for the benefit of the attending public, what rezoning means.

Mr. Peterson stated that every property in the City of Grand Junction is zoned which outlines the permitted land uses for that property. Mr. Peterson noted that the subject property is zoned Light Industrial, however the request is to rezone it to the C-2 zone district so it is compatible with the property. It is not good practice to have two different zoning designations for one property.

Chairman Reece asked if there were any questions or comments from the Public regarding this request. Hearing none, Chairman Reece asked if the Planning Commission had any future questions. Commissioner Tolle noted, for the benefit of the public in attendance, that all of the plans discussed tonight are available on the City's Website.

**MOTION: (Commissioner Wade)** "Madam Chairman, 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."

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

### **General Discussion/Other Business**

Commissioner Wade asked if there was a joint meeting with the County Planning Commission on Thursday evening. Chairman Reese stated that she would find out if it was Wednesday or Thursday and get back with the Commissioners.

### **Adjournment**

The Planning Commission meeting was adjourned at 6:18 p.m.