



**PLANNING COMMISSION AGENDA**

**\*\*\*Temporary Meeting Location\*\*\***

**MESA COUNTY BOARD OF COMMISSIONERS  
PUBLIC HEARING ROOM, 2<sup>ND</sup> FLOOR  
544 ROOD AVENUE**

**TUESDAY, MAY 8, 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 at the back of the room. 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 room.*

**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**

**[Attach 1](#)**

Approve the minutes of the February 28 and March 13, 2012 regular meetings.

2. **North River MPE Vacation – Vacation of Easement** [Attach 2](#)

Request a recommendation of approval to City Council to vacate a portion of a multipurpose easement between South 5th Street (US Highway 50) and the Riverside Parkway, which is no longer needed.

**FILE #:** VAC-2012-248  
**PETITIONER:** City of Grand Junction  
**LOCATION:** North Bound 5th Street off-ramp to Riverside Parkway  
**STAFF:** Brian Rusche

3. **Mountain View Estates – Subdivision – Extension Request** [Attach 3](#)

Request approval of a two-year extension to the Preliminary Subdivision Plan for Mountain View Subdivision, a 61 single-family lot subdivision, on 19.17 acres in an R-4 (Residential 4 du/ac) zone district.

**FILE #:** PP-2008-212  
**PETITIONER:** Bill Ogle – Level III LLC  
**LOCATION:** 2922 B 1/2 Road  
**STAFF:** Senta Costello

**\*\*\* 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.***

4. **Area 15 Rezone – Rezone** [Attach 4](#)

Request a recommendation of approval to City Council to rezone two (2) parcels totaling 9.629 acres from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) zone district.

**FILE #:** RZN-2012-70  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 720 24 1/2 Road and the parcel directly to the south  
**STAFF:** Brian Rusche

5. **Area 21 – Comprehensive Plan Amendment** [Attach 5](#)

Request a recommendation of approval to City Council of a Comprehensive Plan Amendment to change the Future Land Use Designation from Downtown Mixed Use to Commercial on 3.5 acres.

**FILE #:** CPA-2012-178  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 1301, 1315, 1321, 1331, 1345, 1351 Ute Avenue; 340 South 13<sup>th</sup> Street; 1203, 1227, 1315, 1346 Pitkin Avenue  
**STAFF:** Greg Moberg

**6. Area 11 Rezone – Rezone**

[Attach 6](#)

Request a recommendation of approval to City Council to rezone seven (7) parcels totaling 1.676 acres from a C-2 (General Commercial) to a C-1(Light Commercial) zone district.

**FILE #:** RZN-2012-126

**PETITIONER:** City of Grand Junction

**LOCATION:** 488, 490, 492 Melody Ln & 487, 489 1/2, 491 Sparn St + 1 other

**STAFF:** Lori Bowers

**7. Area 23 – Comprehensive Plan Amendment**

[Attach 7](#)

Request a recommendation of approval to City Council for a Comprehensive Plan Amendment to change the Future Land Use Designation from Commercial/Industrial to Industrial on 44.308 acres.

**FILE #:** CPA-2012-210

**PETITIONER:** City of Grand Junction

**LOCATION:** 2259 River Road

**STAFF:** Lori Bowers

**8. Area 22 – Comprehensive Plan Amendment**

[Attach 8](#)

Request a recommendation of approval to City Council for a Comprehensive Plan Amendment to change the Future Land Use Designation from Commercial to Commercial/Industrial on 3.908 acres.

**FILE #:** CPA-2012-208

**PETITIONER:** City of Grand Junction

**LOCATION:** 2892 & 2896 Hwy 6 and 24 and 2886 & 2898 I70 Business Loop

**STAFF:** Senta Costello

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1  
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION  
FEBRUARY 28, 2012 MINUTES  
6:00 p.m. to 7:19 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Pat Carlow, Ebe Eslami, Loren Couch (Alternate) and Jon Buschorn (Alternate). Commissioners Lynn Pavelka (Vice-Chairman), Greg Williams, Lyn Benoit and Keith Leonard were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Brian Rusche (Senior Planner), Senta Costello (Senior Planner), and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 6 interested citizens present during the course of the hearing.

**ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

There were no announcements, presentations and/or visitors.

**Consent Agenda**

**1. Minutes of Previous Meetings**

Approve the minutes of the January 24, 2012 Regular Meeting.

**2. Sturgeon Electric Enclave – Zone of Annexation**

Request a recommendation of approval to City Council to annex 2.375 acres and zone the property from County I-2 (General Industrial) to a City I-1 (Light Industrial) zone district.

**FILE #:** ANX-2011-1314  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 2775 Riverside Parkway  
**STAFF:** Brian Rusche

**MOTION:(Commissioner Eslami) “Mr. Chairman, I move that we approve the Consent Agenda as read.”**

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

### **Public Hearing Items**

Greg Moberg, Public Works and Planning Department, provided an update on the rezone process. He stated that the City and the County jointly adopted the Comprehensive Plan in 2010. Part of the process included approximately 300 public meetings and spanned over 30 months prior to the adoption of the Comprehensive Plan. That plan introduced new land use designations to implement the vision of the Plan which included the concept of growth in centers.

The three proposals on the agenda concerned zoning that was currently inconsistent with the Comprehensive Plan Future Land Use Map. The City had proposed zones that would make them consistent with the Plan. The change in zoning would not increase the taxes on properties. Mr. Moberg outlined the public process undertaken by the City which included individual letters which were sent to property owners that explained why the City had initiated the change of zone; notification cards that were mailed to all residents within 500 feet of the property to be rezoned; an Open House that was held which provided an opportunity for citizens to ask questions or make comments on what was being proposed; the public participation process was outlined in the notification cards; and the proposed public hearing schedule was provided.

Mr. Moberg added that the Planning Commission would make recommendation to City Council on each of the proposed rezones. He stated that there would be another opportunity for citizens to voice concerns either in favor of or against the proposals to City Council as that body would make the final decision.

### **3. Blue Polygon – Area 18 Rezone – Rezone**

Request a recommendation of approval to City Council to rezone 4.846 acres from an R-2 (Residential 2 du/ac) to an R-8 (Residential 8 du/ac) zone district.

**FILE #:** RZN-2011-1152  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 2170 Broadway  
**STAFF:** Brian Rusche

### **STAFF'S PRESENTATION**

Brian Rusche, Senior Planner with the Public Works and Planning Department, addressed the Commission on the proposed rezone from R-2 to R-8 on one property. The property was annexed in 2003 and at that time was designated Residential Medium Low. The Comprehensive Plan created several centers, one of which was centered around the Safeway on Broadway in the Redlands. He advised that the centers were locations for concentrated development and provided a mix of uses. This center existed along Broadway and incorporated the subject church-owned property.

Since the designation in 2010, Mr. Rusche pointed out that the current R-2 zoning was in conflict with the Future Land Use designation of Neighborhood Center. The goal of the Neighborhood Center was to concentrate development and that necessitated a higher density for this property. The request – from R-2 to R-8 – would bring it into

conformance with the Future Land Use designation. The present use of religious assembly would be permitted in the R-8 zone. He had been in contact with four citizens none of whom expressed opposition to this request.

Mr. Rusche said that the criteria for consideration of the rezone included things such as the potential for additional development, which would allow for more efficient use of City services and infrastructure. In addition, there were facilities available to continue to serve the property, including a nearby fire station and middle school along Broadway, which was a major thoroughfare. He recommended the Planning Commission recommend approval of an R-8 zone district for this property to the City Council.

### **QUESTIONS**

Commissioner Couch asked what the nature of the phone call Mr. Rusche had received today with regard to this proposal. Mr. Rusche said the gentleman who called wanted to know what the request was about and more specifically how retail development might occur along Broadway. He explained to the citizen that the Neighborhood Center had been designated along Broadway; however, a majority of those properties were not presently within the City's jurisdiction so each annexation would establish a zoning for those properties and at that time they would be evaluated whether or not they were appropriate in the context of the Neighborhood Center.

Chairman Wall wanted clarification that most of the properties surrounding the subject property were not in the City limits. Mr. Rusche confirmed that was correct.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Chairman Wall said that this project seemed pretty straightforward, made sense and he would vote for it.

**MOTION:(Commissioner Eslami) “Mr. Chairman, on Rezone, RZN-2011-1152, I move that the Planning Commission forward a recommendation of the approval for Area 18 Rezone from R-2 (Residential 2 dwelling units/acre) to an R-8 (Residential 8 dwelling units/acre) with the findings of fact and conclusions listed in the staff report.”**

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

#### **4. Blue Polygon – Area 17 Rezone – Rezone**

Request a recommendation of approval to City Council to rezone 4 parcels totaling 26.28 +/- acres from an M-U (Mixed Use) to an MXG-3 (Mixed Use General) zone district.

**FILE #:** RZN-2011-1215  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 824 22 Road, 2202, 2202 1/2 & 2204 H Road  
**STAFF:** Scott Peterson

## **STAFF'S PRESENTATION**

Scott Peterson, Senior Planner, Public Works and Planning Department, made a PowerPoint presentation regarding the request to rezone 4 properties from M-U to a new Form-Based zone district of Mixed Use General 3. The Future Land Use Map identified Area 17 as being in the northwest quadrant of the City.

With the adoption of the Comprehensive Plan in 2010, these properties were designated as a Neighborhood Center on the Future Land Use Map. These properties, presently zoned Mixed Use, were inconsistent with the Comprehensive Plan Future Land Use Map designation of Neighborhood Center. Mr. Peterson said that the Comprehensive Plan described a Neighborhood Center Mixed Use as an area that included limited employment, residential, open space and limited retail and focused on uses that provided convenience items to the immediate neighborhood.

He went on to state that residential uses were encouraged to integrate with the commercial uses in the Mixed Use General category. Land uses, such as manufacturing and production, industrial services, indoor operations and storage, contractors and trade shops, indoor operations and storage, warehouse and freight movement with indoor operations and storage and wholesale sales with no flammable materials or liquids, were allowed in the Mixed Use zone district; however, none of those uses were deemed appropriate. Therefore, the City proposed that these properties be rezoned to the MXG-3 category.

Mr. Peterson next discussed the Comprehensive Plan Neighborhood Center designation as it would implement up to a maximum of 3 story in height buildings or zone districts. He added that the Village Center designation was implemented with 3 to 5 story districts and the Downtown Mixed Use designation was implemented with 3, 5 and 8 Form-Based districts. There had only been 2 requests to date for the MXG-3 zone district which promoted buildings to be constructed near the front property line with parking lots in the rear of the property. The Mixed Use 3 category would allow multi-family residential development with no maximum density as well as commercial development with the exception of commercial parking and the recreation and entertainment indoor use categories on the land use matrix.

The Form-Based districts were new zone districts which were intended to implement the Neighborhood Center, Village Center, Downtown Mixed Use and the Mixed Use Opportunity Corridors of the Comprehensive Plan. The Form-Based districts were intended to create pedestrian friendly urban areas where higher density and mixed uses and mixed general types promoted less dependence on automobiles. They were intended to be used in combination to create mixed use centers which centers were intended to transition scale to existing neighborhoods.

Mr. Peterson added that the proposed rezone would also bring the zoning and the properties into compliance with the Comprehensive Plan Future Land Use Map and would bring existing single-family homes into conformity with the zoning. He pointed out that presently single-family detached was not an allowed land use in the Mixed Use zoning district; however, single-family detached would be an allowed land use within the

new zone district. Furthermore, the Blended Map indicated acceptable maximum residential densities to the north and east, 4 to 16 dwelling units per acre to the north; and rural to 5 to the east.

Property owners were notified of the proposed zone change and also invited to an open house conducted on December 14, 2011, to discuss any issues, concerns, suggestions or support for the requested rezone. He had contact with only one affected property owner who was in favor of the proposed zone change. Two other adjacent property owners also voiced their support of the proposed zone change so long as the properties remained in a transition area and did not allow the encroachment of industrial development across 22 Road and H Road into this area.

Mr. Peterson concluded that the proposed Area 17 Rezone was consistent with the goals and policies of the Comprehensive Plan and the applicable review criteria had been met. He added that the proposed rezone to the Mixed Use general category would also continue to provide the opportunity to transition and buffer future development from the existing industrial land uses to the south and west from existing residential properties to the north and east.

### **QUESTIONS**

Chairman Wall asked for clarification that 22 Road and H Road was the barrier not to be crossed with industrial. Mr. Peterson said that was correct and added that primarily it was commercial industrial on the west side of 22 Road with rural residential on the east side.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Chairman Wall said that it made sense.

**MOTION:(Commissioner Eslami) “Mr. Chairman, on Rezone, RZN-2011-1215, I move that the Planning Commission forward a recommendation of the approval for the Area 17 Rezone from M-U, (Mixed Use) to MXG-3, (Mixed Use General) with the findings of fact and conclusions listed in the staff report.”**

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

### **5. Blue Polygon – Area 12 Rezone – Rezone**

Request a recommendation of approval to City Council to rezone 92 parcels totaling 13 acres from an R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

**FILE #:** RZN-2011-1221  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 1402 Main Street and 91 other parcels  
**STAFF:** Senta Costello



## **STAFF'S PRESENTATION**

Senta Costello, Senior Planner with the Public Works and Planning Department, spoke to the Commission on the requested rezone for 92 properties located generally in the east-southeastern area of the downtown area. All properties, within the City limits, were located between North 12<sup>th</sup> Street and west of North 17<sup>th</sup> Street, on both sides of Main Street and between 12<sup>th</sup> Street and South 15<sup>th</sup> Street on the north side of Colorado Avenue.

Ms. Costello said that an aerial view showed that a large number of the properties were either existing single-family, existing multi-family with a few home businesses and small offices in the area. The Future Land Use Map showed the properties as Urban Residential Mixed Use with a current zoning of R-8. She said the proposed rezone to R-O (Residential Office) would facilitate the potential for property owners to add additional density. She added that all of the existing single-family homes would remain conforming uses and the homes with existing home occupations would give those owners the potential for expanded uses if desired which would have minimal impacts to the neighborhood.

According to Ms. Costello, the Residential Office zone district had very specific architectural standards and any new structure or remodels to existing structures would have to remain residential in character with any parking associated with any commercial or office-type uses must be in the rear of the property. In addition, the Residential Office zone district had very strict hours of operation to help minimize the impacts to the neighbors.

She said that staff had recommended approval of the requested zone district. She advised that she had heard from a few property owners in the area – three of whom were opposed to the proposal; two were in favor; and one phone call had been received from a property owner just outside of the boundary who was also in support of the proposal.

## **QUESTIONS**

Commissioner Carlow asked if a residential property owner sold to someone who wanted to maintain it as a residence, would the buyer have to go through a process to rezone or obtain a special use permit. Ms. Costello said existing single-family homes could remain so as long as they wanted to and if there was a vacant lot, a new single-family home could be built on the property with only a simple permit much like a traditional subdivision within the City.

Commissioner Eslami asked if someone bought an existing residence and that buyer wanted to make it an office, would that use be allowed. Ms. Costello said that would potentially be allowed; however, they would need to go through the review process and such things as parking, remodel, etc. would have to be conducive with the residential character of the neighborhood.

Commissioner Eslami raised the point that the surrounding area was zoned R-8 and asked why was this R-O. Ms. Costello said the proposed area was determined due to the area of the Future Land Use Map and the only properties in conflict were those within the boundary.

Commissioner Eslami asked if it would be easier to amend the Comprehensive Plan. Ms. Costello said that option was considered; however, as there were already a number of home occupations in the area, it would provide property owners with the potential of converting over to a full office without making the existing uses on the property non-conforming.

### **PUBLIC COMMENT**

Alice Betts, 1260 Main Street, said that she was opposed to the change in the zoning as it was not a business area but rather a residential neighborhood. She pointed out that the houses were very close together, and she would also be opposed to having a parking lot next to her backyard. She was very opposed to seeing her neighborhood changed into a business-type area and she felt it was a residential neighborhood. Chairman Wall asked if she could be more specific and asked if the character of the neighborhood stayed the same with businesses there, would that change how she felt about the rezone. Ms. Betts said that she would still be opposed to it because the feel of the neighborhood was as a family neighborhood and was not a business area and did not think the area was set up at this point to be rezoned as a place that could have businesses.

Gordon Fellman, 1259 Main Street, said he had lived in the same house for 74 years, and was inclined to agree with Ms. Betts that it was a residential zone and did not think all of the change was necessary. He asked what the advantages and disadvantages to the property owners were. Chairman Wall advised that those would be addressed by staff. Mr. Fellman said he believed there was ample area for businesses rather than taking advantage of the residential areas.

### **STAFF'S REBUTTAL**

Ms. Costello identified several advantages to the R-O zone district such as: it was a low intensity type zone district; traffic counts had been looked at which showed that the traffic counts for most businesses that would facilitate work in this type of zone district typically had lower traffic counts than the standard single-family home; no retail was allowed; neighborhood type services would be allowed that could be walked to; residents would also be allowed to work completely out of the home; it was a good buffer between the more intense commercial zoning further to the south and the other residential further to the north; landscaping requirements would need to be met; the architectural standards would have to be maintained or met. She stated the only potential disadvantage would be that there could be commercial-type uses. Furthermore, it increased the potential uses for the existing property owners as well as future property owners without changing what they were allowed to do currently. The existing uses on the property were still conforming uses and would give the opportunity for additional uses for the property if desired.

### **QUESTIONS**

Commissioner Eslami asked if this was not approved would this stay as R-O in the Comprehensive Plan. Ms. Costello said that if it was not approved, it would go forward to City Council with a recommendation from Planning Commission of denial and then it would ultimately be up to City Council to determine whether the rezone would happen or not. If City Council decided to maintain the current zoning, then the direction staff would

look for would be if the Comprehensive Plan should be changed or just left as it was with the understanding that the conflict existed.

Commissioner Eslami asked if it stayed as it was currently and someone bought a house and wanted to turn it into both a residence and office, could they apply for that. Ms. Costello said a rezone could be applied for.

Commissioner Couch asked whether the traffic count for this was lower than a normal residence. Ms Costello said that typically it was.

Commissioner Couch asked how the number of parking spaces would be decided upon. Ms. Costello said that parking for an office use was calculated on one space for every 400 square feet of the office. She gave the example that if one had a 1,200 square foot building, three parking spaces would be required with one of those being handicapped.

Commissioner Carlow asked for clarification that it was 400 square feet of building. Ms. Costello said that if a property had an unfinished basement, that would not be calculated into it.

Chairman Wall asked where the parking would be provided if three spaces were required. Ms. Costello said that typically most single-family homes by Code were required to have two spaces so one additional space would be required. That additional space could be off the alley; an existing garage could be counted; they were allowed to count the parking directly in front of their property; the driveway area behind or beside the building as long as it was not being blocked in. She pointed out that there were a variety of options employed. Lisa Cox, Planning Manager, said that in 2010 when the Zoning Code was amended to revise the standards, an alternative parking option was introduced so that if someone had a particular business plan and they thought the Code requirements for parking were more than what they realistically needed, they would have the ability to submit their alternate plan to the Director along with the basis for why it would be justified. The alternate parking plan would be based on the specific use and the Director has the authority to approve the plan. Ms. Cox pointed out that while there were basic formulas for the calculation of parking but there were also a number of other ways to accommodate that parking need based on actual usage which would be considered during the review process for a proposed development.

Commissioner Couch asked if a business would need to have a dumpster. Ms. Costello said that she had never seen in the change-over conversion to R-O a need or a request for a dumpster.

Chairman Wall believed this had to be a lot more understandable to what R-O really meant with some assurance and wanted to make sure that with this particular zoning, besides having some office uses what things must stay. Ms. Costello said the hours of operation were very limited; no late night or early morning deliveries were allowed; traditional business hours; the character of the structure had to stay intact; similar roof pitches would need to be maintained; front porch type character; and similar type structure elements must be maintained.

Commissioner Eslami asked who controlled that. Ms. Costello said they would have to get approval from their office.

Commissioner Eslami asked if the same requirements would be used in the future. Ms. Costello confirmed the Residential Office architectural standards were detailed in the Code.

Chairman Wall asked if the standards were the Home Occupation standards. Ms. Costello said they were specific to the Residential Office zone district standards. The Home Occupation standards were what any existing Home Occupation had to adhere to. Lisa Cox, Planning Manager, advised that a requirement of the transitional zone district is for new development to have a residential. The zone district includes limitations on office hours, signage, building height, site design and architectural considerations.

Chairman Wall raised a question regarding signage. Ms. Costello said that was also very limited.

### **PUBLIC COMMENT**

An unidentified male speaker raised questions concerning property taxes; water; telephone and electricity and asked if this was to be commercial property would they be charged for them. Chairman Wall confirmed they would remain the same and would only be charged for individual usage.

Alice Betts said that she did not buy a home in an office area. She did not like it and to her it was important that it remained a neighborhood. She believed it important to keep that one remaining part of Main Street be allowed to keep its residential character and residential charm.

### **DISCUSSION**

Commissioner Couch said that he was swayed by the parking issue.

### **STAFF REBUTTAL**

Lisa Cox, Planning Manager, interjected that the change was proposed because there was a conflict between the current zoning of the property and the Comprehensive Plan Land Use designation. The land use designation was based on the Plan that had a 30-year vision and it was meant to acknowledge a neighborhood that was already in transition and located between a commercial district and a residential district.

Ms. Cox stated that long-range planning for the greater good of the community required a long-range view and a long-range vision which the Comprehensive Plan took into account. While the concerns of the residents were appreciated, she said that in some respects it was desirable to have the buffers and transition areas between neighborhoods. Things such as hours of operation, lighting and traffic impacts are considered and help create buffers between neighborhoods. She emphasized the rezone was sought because there was a conflict between the current zoning and the Comprehensive Plan. The rezone was proposed to provide a zone district that implemented the goals and the vision of the Plan and yet protected the neighborhood and provided opportunity for it to continue as residential and/or transition into uses that

supported the existing neighborhood. The proposed zone district had design standards either through architectural control elements or restrictions on business signage, lighting and hours of operation so that the impacts on the existing residential uses would be mitigated. The recommendation was being made to acknowledge that the community was changing and the anticipated growth needed to be planned for. The proposed rezone was based on the long-range planning view.

Commissioner Eslami said that this was a vision of the future and he did not think this would happen in the next few years. It also gave a diversified option to the people to operate businesses out of their homes and he believed the advantages far outweighed the disadvantages. He would be in favor of the rezone.

Chairman Wall said that items such as this were emotional and challenging as far as making it clear and really understood what was allowed in a neighborhood now and what would be allowed in the neighborhood if it were allowed to be changed and what was similar and what would be different. He found it interesting that such things as boarding houses, two-family dwellings, all home occupations, and group living homes were allowed. He pointed out that there were a lot of similarities in both. While Residential-Office promoted some things not allowed in an R-8, there were very few things that were not already allowed. With the R-O zone district, there may be some additional control in place and he believed that the changes were relatively few that would change the character of the neighborhood. He would, therefore, be in favor or recommending this to City Council.

**MOTION: (Commissioner Eslami) “Mr. Chairman, on Rezone, RZN-2011-1221, I move that the Planning Commission forward a recommendation of the approval for the Area 12 Rezone from R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district with the findings of fact and conclusions listed in the staff report.**

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 5 - 0.

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

Lisa Cox, Planning Manager requested that a member of the Planning Commission be appointed or volunteer to serve on the North Avenue Advisory Committee. She said the Committee was a stakeholder group that would be working with staff to develop guidelines and standards meant to implement the North Avenue Corridor Plan. She stated that representative Susuras would be acting as City Council’s representative on the Committee in addition to business owners and property owners along the entire length of the corridor. There were 8 sections or neighborhoods along North Avenue and a person would be selected from each to represent that area. Meetings would likely be held over the next four to six months and open houses would be held with recommendations being made to Planning Commission for recommendation for actual guidelines to be adopted. Commissioner Eslami volunteered.

### **Nonscheduled Citizens and/or Visitors**

Earl Stitt, 2303 Shiprock Road, Monument Valley, said that he did volunteer work in the

City with Parks and Recreation on the trail as well as for the Police Department in a volunteer patrol. He voiced his concern with the transient issue and wanted to find out what the best venue to discuss how things could be improved. Chairman Wall said that there was a plan in place but City Council would have the final say and they would also have more ability on the transient issue as the Planning Commission was more of a recommending body of zoning and planning. Commissioner Eslami commended Mr. Stitt for coming forward and assured that he too thought about a solution day and night and he too would like to see a remedy for this heartbreaking problem from a personal standpoint. Earl Stitt said that he was also concerned with the children and the parks and non-enforcement issues. Commissioner Couch stated that through the Governor's office there was a Vulnerability Index where homeless people would be contacted to determine what their vulnerabilities were and see how they could be addressed particularly mental health issues, substance abuse and health issues. He thought in the County and the City some proactive things were trying to be done so that people could be in a more appropriate setting. Commissioner Couch stated that was a little more focused initiative about dealing with the needs of homeless people. Mr. Stitt said that he would like to see the trails be a place that were maintained and safe.

### **Adjournment**

With no objection and no further business, the Planning Commission meeting was adjourned at 7:19 p.m.

**GRAND JUNCTION PLANNING COMMISSION  
MARCH 13, 2012 MINUTES  
6:00 p.m. to 6:26 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Lynn Pavelka (Vice-Chairman), Pat Carlow, Ebe Eslami, Gregory Williams, Keith Leonard and Loren Couch (Alternate). Commissioner Lyn Benoit was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Scott Peterson (Senior Planner), Brian Rusche (Senior Planner), and Senta Costello (Senior Planner)

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 2 interested citizens present during the course of the hearing.

**ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

Lisa Cox, Planning Manager, reminded the Planning Commission and the public that the next five meetings would be held in a temporary meeting location due to the renovations scheduled for the City Hall Auditorium. The next meeting, Tuesday, March 27<sup>th</sup>, would be held in the Board of County Commissioners Public Hearing Room located on the second floor of the old County Courthouse Building. Information regarding the temporary meeting location would be posted to the City's website in addition to a press release that would be released to the media. The Planning Commission agendas would have the temporary meeting location noted as well. There would be signage both at City Hall directing the public next door as well as at the Courthouse directing citizens to the second floor Public Hearing Room. Ms. Cox said that the meetings would be held there for the March 27<sup>th</sup>, both April meetings and both May meetings.

**Consent Agenda**

**1. Minutes of Previous Meetings**

None available at this time.

**Public Hearing Items**

Lisa Cox, Planning Manager, provided background regarding the Public Hearing items. There were a number of City-initiated rezone applications for consideration by the Planning Commission. The City and the County jointly adopted the Comprehensive Plan in February 2010. The Comprehensive Plan adoption process ran the course of 3

years and more than 300 meetings with a significant amount of public participation and input.

The Plan included some new land use designations that were created for the purpose of implementing the new concepts that went along with the Comprehensive Plan; specifically, the creation of centers – Village Centers, Neighborhood Centers and development of the Downtown City Center area. Ms. Cox said that some of the new land use designations were assigned to areas in the community but at the time of the adoption of the plan the City did not elect to rezone properties that were consistent with those new land use designations. As a result, a conflict was created between the current zoning of some properties and the land use designation for the Comprehensive Plan. The City had initiated certain rezone applications in order to resolve that conflict.

She went on to say that the reasons for the proposed rezones were to support the vision of the Comprehensive Plan and to facilitate development when it was ready to occur. By resolving this discrepancy, the City was taking care of the public hearing process and facilitating the development process by having property ready to go because the zoning would be consistent with the Comprehensive Plan. Ms. Cox reiterated that the change in the zoning would not increase property taxes and said that to their knowledge, that the change of zoning would not have an impact or increase on property taxes. A change of land use, however, could affect property taxes.

She stated that the public process that had been undertaken was designed to be very similar to what a private citizen would go through. In place of a development application, the City sent individual property owners a letter which explained the conflict between the zoning and the Comprehensive Plan and why the City had undertaken this action so each property owner had an understanding of why the rezone action had been undertaken. Notification cards were also sent to residents who lived within 500 feet of an affected property. Those cards included what the application was about; open house information; and the approximate dates of the Planning Commission hearing. Ms. Cox said that the Planning Commission would make a recommendation on each of the proposed rezones to City Council who are the final decision maker.

## **2. Area 4 Rezone - Rezone**

Request a recommendation of approval to City Council to rezone fourteen (14) parcels totaling 17.268 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

**FILE #:** RZN-2011-1322  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 1801 I-70 Business Loop and 13 other parcels  
**STAFF:** Brian Rusche

### **STAFF'S PRESENTATION**

Brian Rusche, Senior Planner with the Public Works and Planning Department, addressed the Commission on the City-initiated rezone for 14 parcels on the south side of I-70 Business Loop from C-2 to I-1. The properties were sandwiched in between the Business Loop and the Union Pacific rail yard. Existing land uses included service oriented industrial type business and Mr. Rusche pointed out there was only one access



to this area at the end of the Main Street. According to the Comprehensive Plan, the land was designated with a Future Land Use of Industrial.

Mr. Rusche said that the 1996 Growth Plan designated the property as industrial as well, primarily due to its location between the highway and the rail yard as well as the existing uses. The proposal was to modify the current C-2 zoning to an I-1, Light Industrial, zoning. Mr. Rusche pointed out that the existing C-2 zoning was inconsistent with the industrial designation and the character of the area did not appear to be conducive to general retail use. As all development under the Code must comply with the Comprehensive Plan and the Code, the conflicts need to be eliminated. He said that one of the primary reasons for the rezone was to bring the property into conformance.

There were some concerns noted from one property owner regarding a limitation on general retail sales within the I-1 zone. Mr. Rusche said that there was a limitation on the percentage of the building and the percentage of the lot that could be used for general retail. He said that did not remove such things as contractor type services which were already permitted and which could continue. He said that the reason general retail would be limited in an industrial zone pertained to the character, compatibility and cost of industrial space compared to commercial property.

Mr. Rusche went on to say that there was little to no landscaping in the area as well as parking constraints and that was partly why he opined it was not conducive for commercial use and, therefore, recommended to the City Council a change of zoning from C-2 to I-1.

### **QUESTIONS**

Commissioner Couch asked a question regarding the e-mail which had requested further review. Mr. Rusche said that he had discussed the performance standard restriction with Mr. Buzz Dopkin, the author of the e-mail, and discussed more on a philosophical level where that restriction came from. He believed it was to moderate the cost of industrial space to ensure compatibility of character. Mr. Rusche thought Mr. Dopkin may be interested in a future conversation about that particular restriction.

Commissioner Carlow asked if Mr. Dopkin would use it for some of the suggested uses, would he encounter a number of problems as related to such things as access, egress and parking. Mr. Rusche answered that if he were to propose general retail despite the restriction, things such as parking, landscaping and other upgrades would be required. Mr. Rusche went on to say that the present use of the property was perfectly acceptable and named a number of other acceptable type of uses that would be available for the property.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Commissioner Leonard said that he did not see this as being conducive to a big box retailer and when considering the railroad tracks and the limited access he could not think of a retailer who would see this as conducive.

Commissioner Pavelka concurred with Commissioner Leonard's comments.

Chairman Wall also concurred.

**MOTION:(Commissioner Pavelka) "Mr. Chairman, on Rezone, RZN-2011-1322, I move that the Planning Commission forward a recommendation of approval for the Area 4 Rezone from C-2 (General Commercial) to an I-1 (Light Industrial) zone district with the findings of fact and conclusions listed in the staff report."**

Commissioner Eslami seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

**3. Area 1 Rezone – Rezone**

Request a recommendation of approval to City Council to rezone one (1) parcel totaling 2.65 +/- acres from an I-2 (General Industrial) to an I-1 (Light Industrial) zone district.

**FILE #:** RZN-2011-1326  
**PETITIONER:** City of Grand Junction  
**LOCATION:** 2189 River Road  
**STAFF:** Scott Peterson

**STAFF'S PRESENTATION**

Scott Peterson, Senior Planner, Public Works and Planning Department, made a PowerPoint presentation regarding the request to rezone 1 property from General Industrial to Light Industrial. Area 1, located in the northwest quadrant of the City, was designated Commercial/Industrial on the Future Land Use Map. The I-2 (General Industrial )zone district is inconsistent with the Commercial/Industrial designation, and in order to facilitate and encourage the types of development and vision by the Comprehensive Plan, City staff recommended a zoning change for the area which would support the vision and goals of the Comprehensive Plan and would also implement the Future Land Use designation of Commercial/Industrial. This change would not impact an existing business and would allow the maximum opportunity to utilize or redevelop the property in the future. Mr. Peterson said the Comprehensive Plan Future Land Use Map identified the property as Commercial/Industrial.

The property owner was notified of the proposed rezone and invited along with adjacent neighbors to an open house held on January 18, 2012 to discuss any issues, concerns or suggestions for the proposed rezone. Mr. Peterson stated that the property owner had recently contacted City staff and was supportive of the proposed rezone request. He added that no other comments from adjacent property owners had been received.

The proposed I-1 (Light Industrial) zone district would allow more uses than what was currently allowed in the I-2 (General Industrial) zone district. Mr. Peterson provided examples of such uses included a business residence, a medical and dental clinic, religious assembly, general offices, health club, drive through uses, restaurants, retail sales and rental services, among others. In addition, the Light Industrial zone allowed several uses upon approval of a Conditional Use Permit not allowed in an I-2 (General

Industrial) zone district. These uses included indoor recreation, bar/nightclub and outdoor animal boarding. He said the current manufacturing use with outdoor storage was an allowed use in both the I-1 (Light Industrial) and I-2 (General Industrial) zoning districts. Mr. Peterson concluded that the proposed rezone was consistent with the goals and policies of the Comprehensive Plan and the applicable review criteria had been met.

### **QUESTIONS**

None.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Commissioner Eslami said that it appeared to be very straightforward.

Chairman Wall said that it made sense.

**MOTION:(Commissioner Pavelka) “Mr. Chairman, on Rezone, RZN-2011-1326, I move that the Planning Commission forward a recommendation of approval for the Area 1 Rezone from I-2 (General Industrial) to I-1 (Light Industrial) with the findings of fact and conclusions listed in the staff report.”**

Commissioner Carlow seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

#### **4. Area 2 Rezone – Rezone**

Request a recommendation of approval to City Council to rezone two (2) parcels totaling 6.569 acres from an I-2 (General Industrial) to an I-1 (Light Industrial) zone district.

**FILE #:** RZN-2011-1331

**PETITIONER:** City of Grand Junction

**LOCATION:** 637 & 681 Railroad Boulevard and 2225 River Road

**STAFF:** Senta Costello

### **STAFF'S PRESENTATION**

Senta Costello, Senior Planner with the Public Works and Planning Department, spoke to the Commission on the proposed City-initiated rezone for 2 properties. All of the property to the northeast and directly to the southwest was located inside the City limits as well as a newly annexed piece to the northwest. The property directly to the southeast is still currently outside of the City limits. She said the property was fully developed and used as a storage facility and vehicle repair and onsite document storage.

The Comprehensive Plan designation for the site was Commercial Industrial and advised that the I-2 zone district did not implement the Commercial Industrial designation of the Comprehensive Plan. The proposed rezone would bring it into compliance with the Comprehensive Plan designation. Ms. Costello identified the existing uses on the

property and said that they would still be conforming uses as they were allowed within the I-1 zone district.

She had not heard from the property owners or any of the adjacent neighbors on this particular item. She advised that the open house was held on January 18<sup>th</sup> and none of the adjoining property owners attended that meeting other the adjoining property owners under consideration for rezones themselves. No concerns were expressed with regard to this requested rezone. Ms. Costello said the rezone was based on analysis and finding it to be consistent with the goals and policies of the Comprehensive Plan as well as the Zoning and Development Code.

### **QUESTIONS**

None.

### **PUBLIC COMMENT**

None.

### **DISCUSSION**

Chairman Wall expressed that it seemed to be a straightforward item.

**MOTION: (Commissioner Pavelka) “Mr. Chairman, on Rezone, RZN-2011-1331, I move that the Planning Commission forward a recommendation of approval for the Black Area 2 Rezone from I-2 to I-1 with the findings of fact and conclusions listed in the staff report.**

Commissioner Williams seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

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

None.

### **Nonscheduled Citizens and/or Visitors**

None.

### **Adjournment**

With no objection and no further business, the Planning Commission meeting was adjourned at 6:26 p.m.

**Attach 2  
North River MPE Vacation**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: May 8, 2012  
PRESENTER: Brian Rusche

AGENDA TOPIC: North River Subdivision Easement Vacation – VAC-2012-248

ACTION REQUESTED: Forward a recommendation to City Council to vacate part of a public multipurpose easement.

BACKGROUND INFORMATION				
Location:		Between S. 5th Street (US Highway 50) and the Riverside Parkway		
Applicants:		City of Grand Junction		
Existing Land Use:		Vacant		
Proposed Land Use:		TBD		
Surrounding Land Use:	North	Riverside Parkway		
	South	Vacant Elam Construction		
	East	Riverside Parkway		
	West	S. 5 <sup>th</sup> Street (US Highway 50)		
Existing Zoning:		C-2 (General Commercial)		
Proposed Zoning:		C-2 (General Commercial)		
Surrounding Zoning:	North	C-2 (General Commercial) I-1 (Light Industrial)		
	South	C-2 (General Commercial) I-1 (Light Industrial)		
	East	C-2 (General Commercial)		
	West	C-2 (General Commercial)		
Future Land Use Designation:		Park		
Zoning within density range?			Yes	X No

PROJECT DESCRIPTION: Vacation of a portion of a multipurpose easement created by Ordinances 4412, 4413, and 4414.

RECOMMENDATION: Forward to City Council a recommendation to vacate easement.

## ANALYSIS

### 1. Background

The City of Grand Junction owns several parcels at the southeast corner of S. 5<sup>th</sup> Street (US Highway 50) and the Riverside Parkway. These parcels were acquired for the construction of the Riverside Parkway. The parcels were originally platted in 1946 as part of the South Fifth Street Subdivision. This plat included right-of-way (ROW) for Noland Avenue as well as north-south alleys.

During the construction of the Riverside Parkway, the acquired properties were cleared. Completion of the Parkway has left surplus right-of-way and property in this location. In 2010 the City Council vacated surplus right-of-way from the original South Fifth Street Subdivision and another parcel acquired for right-of-way purposes while retaining multipurpose easements for utilities, including electric, gas, cable, water, sewer, and storm sewer (reference Ordinances 4412, 4413, and 4414).

The City has been preparing to divest additional surplus property from the Parkway project. As part of this process, a subdivision plat known as North River Subdivision has been prepared to consolidate the parcels and delineate right-of-way corresponding to the built location of the Parkway. In preparing this plat, City Staff determined that portions of the multi-purpose easement retained in 2010 are not needed for utilities. Therefore Staff is proposing to vacate the unneeded portions of the multipurpose easements in order to create a marketable and usable piece of property.

### 2. Section 21.02.100 of the Grand Junction Municipal Code

The vacation of the easement shall conform to the following:

- a. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.
  - Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

The vacation of unnecessary easements will create a marketable piece of property for future development within the Greater Downtown Planning Area. The property, though presently designated as Park, is anticipated to be designated as Commercial/Industrial with the Greater Downtown Plan, providing a wide range of potential uses.

- Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.
  - Policy B – The City and County will provided appropriate commercial and industrial development opportunities.

This vacation will facilitate the sale and future use or development of the property, and create an opportunity for Commercial/Industrial development in the area.

- b. No parcel shall be landlocked as a result of the vacation.
  - Access to Struthers Avenue will be retained and no property will be landlocked as a result of the easement vacation.
- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.
  - The construction of the Riverside Parkway removed access along former streets and alleys, which were subsequently vacated. The vacation of a multipurpose easement will not impact the existing access configuration.
- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).
  - There are no utilities within the portion of the easement to be vacated nor is the area to be vacated needed for future utilities to serve the area. The easement vacation will cause no negative impact on the health, safety or welfare of the general community.
- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.
  - There are no utilities within the portion of the easement to be vacated. All existing utilities will be served by existing or proposed easements.
- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
  - The divesture of the property will create an opportunity for beneficial use of the now vacant property in the area of the Parkway and provide the potential for sale and reuse of the property and the associated tax revenues this may provide. This property is no longer necessary for City purposes, as the Parkway construction is complete.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the North River Subdivision easement vacation application, VAC-2012-248 for the vacation of a multipurpose easement, I make the following findings of fact, conclusions and conditions:

1. Vacation of the easement is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 of the Grand Junction Municipal Code have been met.

## STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation to vacate the easement identified in the exhibits to the Staff Report, VAC-2012-248 to the City Council with the findings, conclusions and conditions listed above.

## RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VAC-2012-248, I move we forward a recommendation to the City Council to vacate a multipurpose easement as identified in the exhibits to the Staff Report with the findings of fact and conclusions included in the staff report.

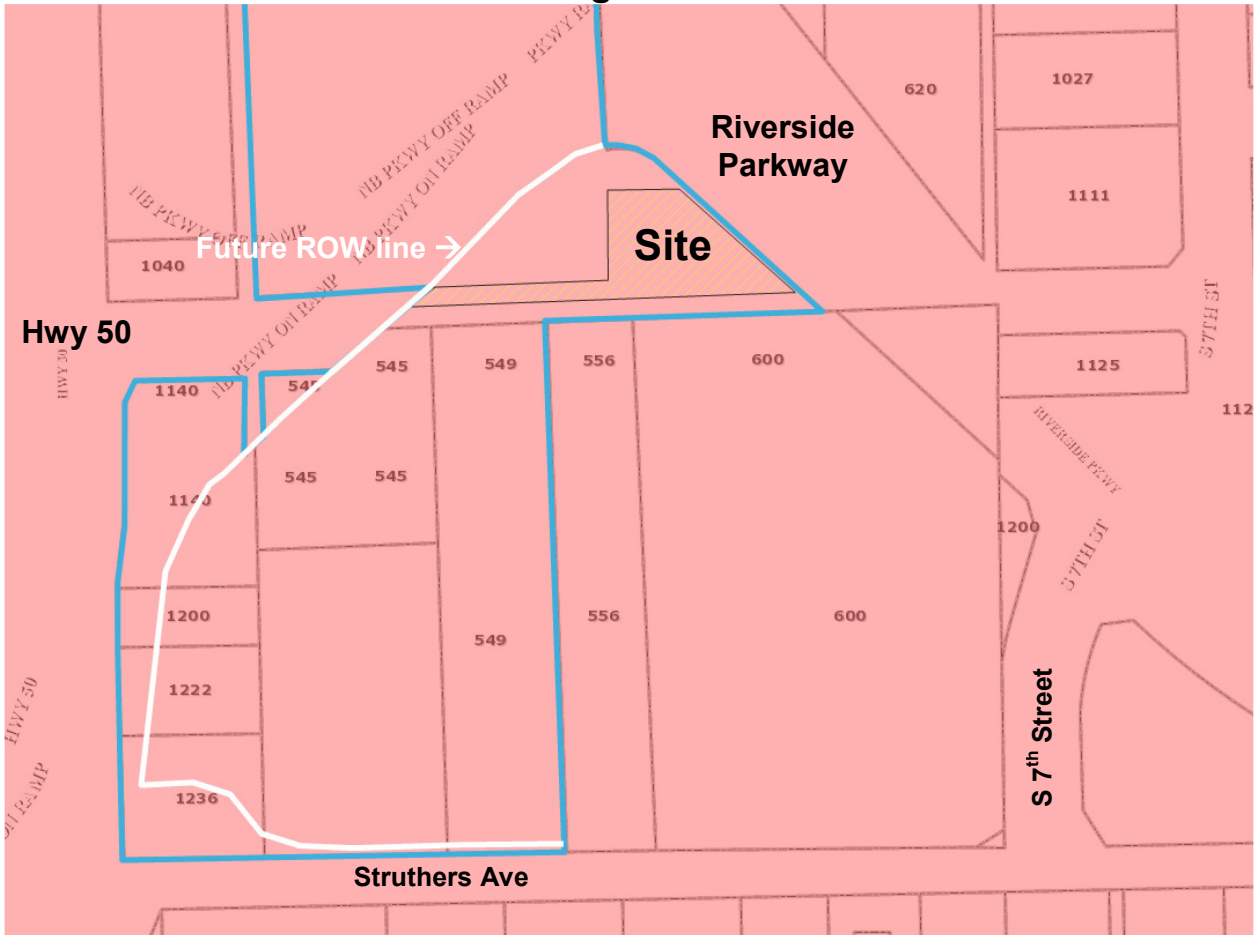
## Attachments:

Site Location Map  
Aerial Photo Map  
Comprehensive Plan Map  
Existing City Zoning Map  
Ordinances 4412, 4413, and 4414  
Resolution



# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2



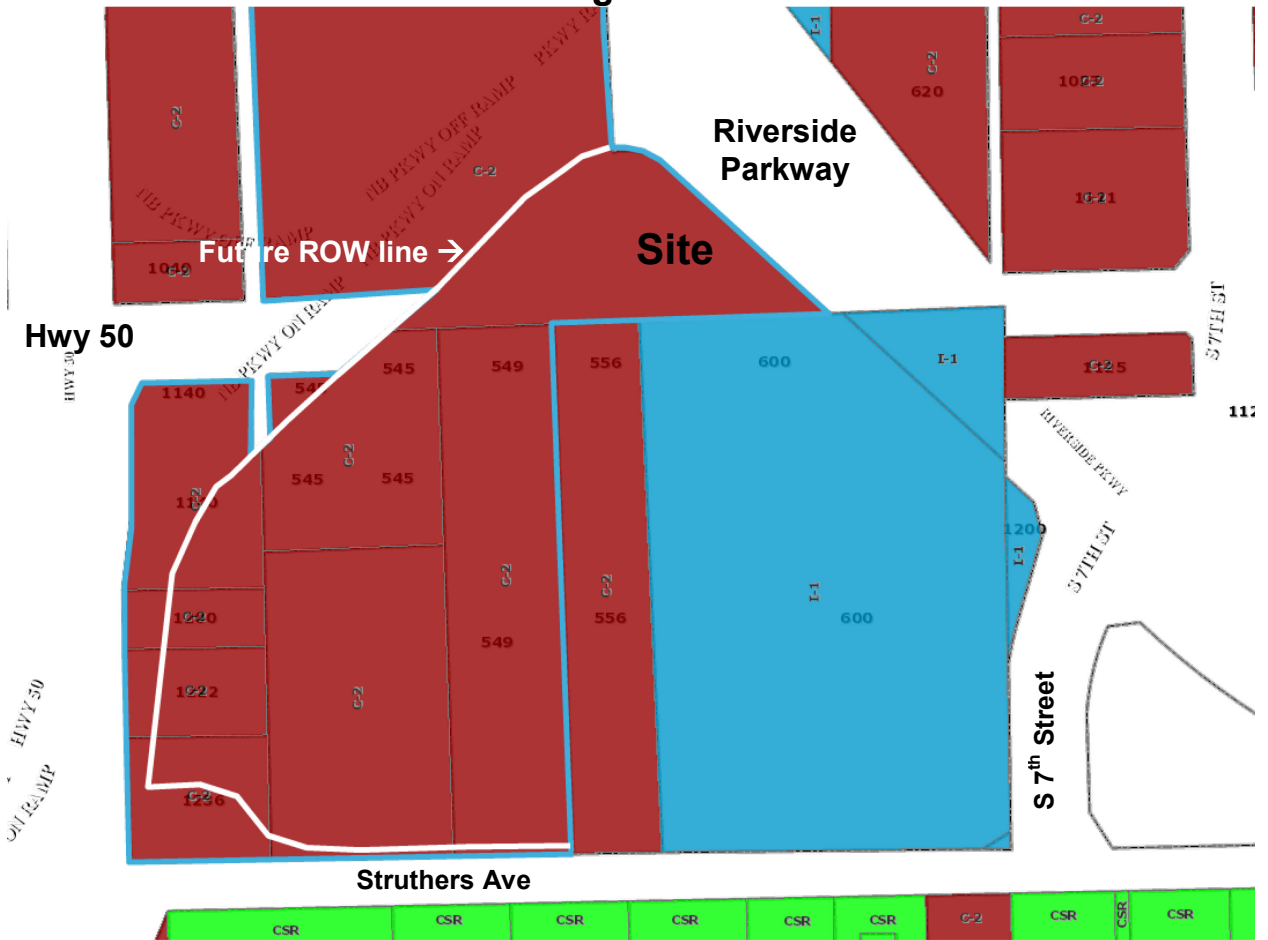
# Comprehensive Plan Map

Figure 3



# Existing City Zoning Map

Figure 4



3 PAGE DOCUMENT\*

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 4412**

**AN ORDINANCE VACATING ALLEY RIGHT-OF-WAY LOCATED WITHIN BLOCK ONE OF THE SOUTH FIFTH STREET SUBDIVISION NORTH OF NOLAND AVENUE AND SOUTH OF THE RIVERSIDE PARKWAY**

**RECITALS:**

A request to vacate an alley right-of-way located within Block One of the South Fifth Street Subdivision north of Noland Avenue and south of the Riverside Parkway, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

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

Dedicated right-of-way to be vacated:

**Vacation # 1**

A parcel of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

ALL of that certain alley right of way, lying north of the line formed between the Southeast corner of Lot 19 and the southwest corner of Lot 20, Block 1, South Fifth Street Subdivision, as same is recorded in Plat Book 7, Page 19, Public records of Mesa County, Colorado, AND South of the following described curve:

Commencing at the Southeast Corner of said Lot 19, and considering the South line of said Lot 20 to bear N89°06'45"W, with all bearings herein relative thereto; thence N00°52'27"W, along the East line of said Lot 19, a distance of 108.75 feet to the POINT OF BEGINNING; thence 17.09 feet along the arc of a 50.00 foot radius curve, concave South, through a central angle of 19°34'53", and which chord bears N87°46'43"E a distance of 17.00 feet to the West line of said Lot 20.

Containing 1,861 square feet, more or less, as described.

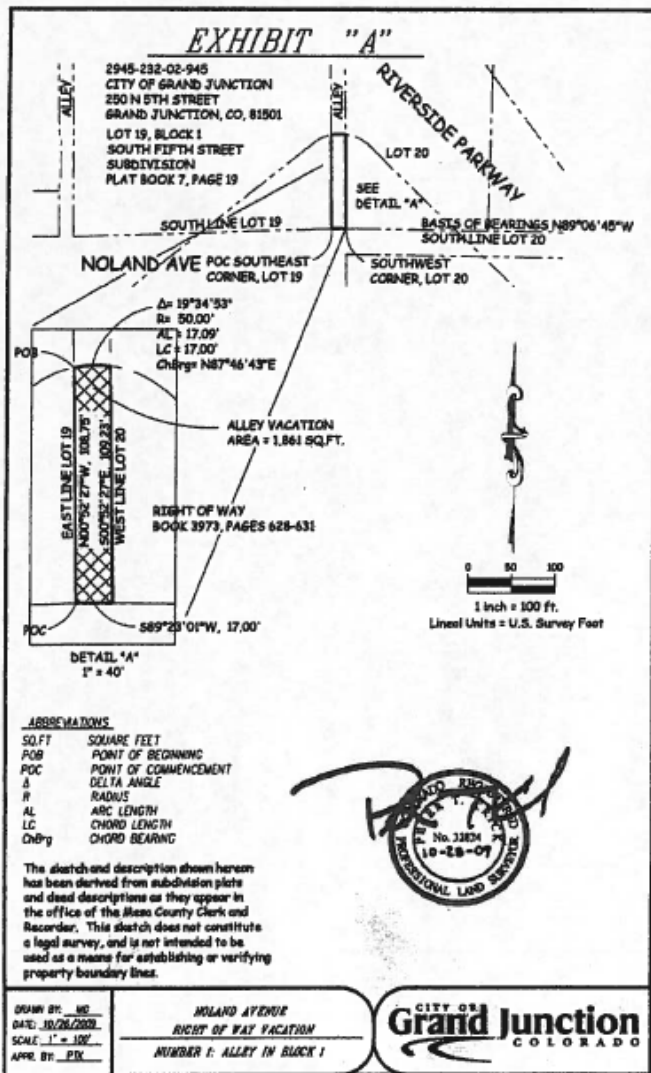
Introduced for first reading on this 1<sup>st</sup> day of February, 2010.

PASSED and ADOPTED this 1<sup>st</sup> day of March, 2010.



  
\_\_\_\_\_  
President of City Council

Vacation #1 Exhibit A



3 PAGE DOCUMENT

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 4413**

**AN ORDINANCE VACATING RIGHT-OF-WAY  
LOCATED WITHIN LOT 20 OF THE SOUTH FIFTH STREET SUBDIVISION  
NORTH OF NOLAND AVENUE ACQUIRED FOR THE RIVERSIDE PARKWAY IN  
BOOK 3973, PAGES 628-631**

**RECITALS:**

A request to vacate a portion of right-of-way located within Lot 20 of the South Fifth Street Subdivision, north of Noland Avenue acquired for the Riverside Parkway in Book 3973, Pages 628-631, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

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

Dedicated right-of-way to be vacated:

**Vacation # 2**

A parcel of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

A portion of that certain right of way, as described in Book 3973, Pages 628-631, as same is recorded in the Public records of Mesa County, Colorado, being that portion of said right of way within Lot 20, Block 1, South Fifth Street Subdivision, recorded in Plat



Book 7, Page 19 in said Public records, lying south and west of the following described line:

Commencing at the Southwest corner of Lot 20, Block 1, South Fifth Street Subdivision, and considering the South line of said Lot 20 to bear N89°06'45"W, with all bearings herein relative thereto; thence N00°52'27"W, along the West line of said Lot 20, a distance of 109.23 feet to the POINT OF BEGINNING; thence 31.71 feet along the arc of a 50.00 foot radius curve, concave southwest, through a central angle of 36°20'05", and which chord bears S64°15'49"E a distance of 31.18 feet to a point of tangency; thence S46°05'46"E a distance of 140.83 feet to the South line of said Lot 20.

Containing 7,718 square feet, more or less, as described.

Introduced for first reading on this 1<sup>st</sup> day of February, 2010.

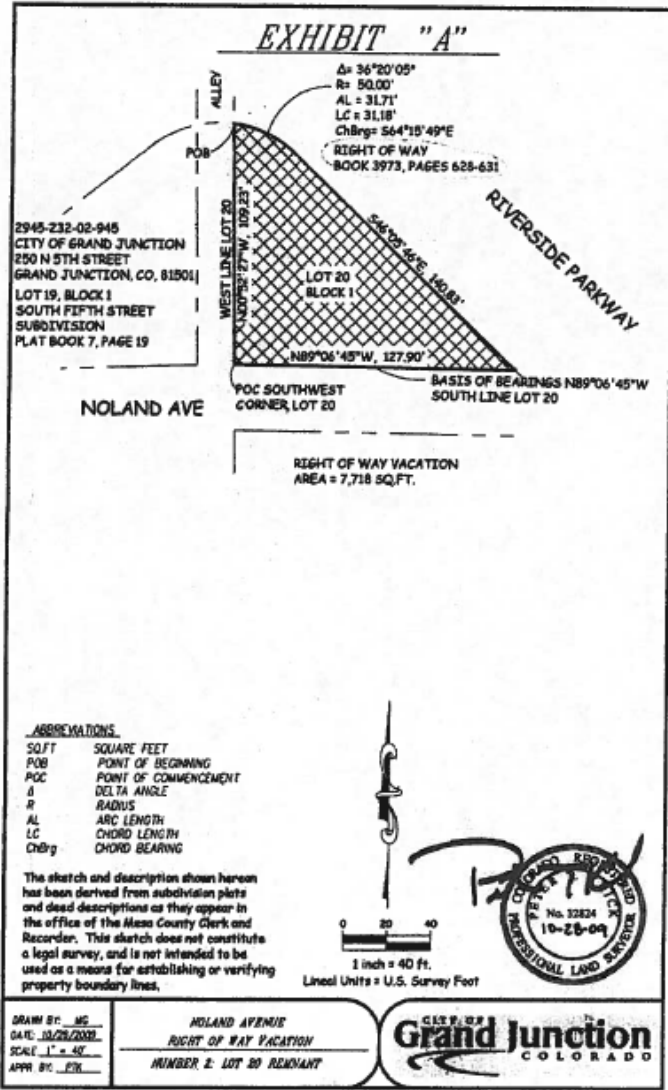
PASSED and ADOPTED this 1<sup>st</sup> day of March, 2010.

ATTEST:



  
\_\_\_\_\_  
President of City Council

Vacation #2 Exhibit A



3

PAGE DOCUMENT

CITY OF GRAND JUNCTION

ORDINANCE NO. 4414

**AN ORDINANCE VACATING A PORTION OF THE NOLAND AVENUE RIGHT-OF-WAY LOCATED BETWEEN 5<sup>TH</sup> STREET AND 7<sup>TH</sup> STREET SOUTH OF THE RIVERSIDE PARKWAY AND AN ALLEY RIGHT-OF-WAY LOCATED WITHIN BLOCK 2 OF THE SOUTH FIFTH STREET SUBDIVISION BETWEEN STRUTHERS AND THE RIVERSIDE PARKWAY**

RECITALS:

A request to vacate a portion of Noland Avenue right-of-way located between 5<sup>th</sup> Street and 7<sup>th</sup> Street south of the Riverside Parkway and an alley right-of-way within Block 2 of the South Fifth Street Subdivision between Struthers and the Riverside Parkway, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

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

Dedicated right-of-way to be vacated:

**Vacation # 3**

Two parcels of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

That portion of Noland Avenue right of way, as depicted in the South Fifth Street Subdivision, recorded in Plat Book 7, Page 19 in the Public records of the Mesa County Clerk and Recorder, lying east of the following described line:

Commencing at the Northwest corner of Lot 14, Block 2, said South Fifth Street Subdivision, and considering the North line of said Lot 14 to bear N89°18'40"E, with all bearings herein relative thereto, thence N89°18'40"E, along the North line of said Lot 14, a distance of 58.65 feet to the POINT OF BEGINNING; thence N51°29'00"E a distance of 108.74 feet to the North line of said Noland Avenue,  
AND west of the following described line:

Commencing at the Southwest corner of Lot 20, Block 1, said South Fifth Street Subdivision; thence S89°06'45"E, along the South line of said Lot 20, a distance of 127.90 feet to the POINT OF BEGINNING; thence S46°05'46"E a distance of 43.97 feet to the South line of said Noland Avenue, TOGETHER WITH

That portion of that sixteen foot wide alley right of way within Block 2 said South Fifth Street Subdivision, lying North of the North line of Struthers Avenue as extended between Lot 5 and lot 6, said Block 2, and South of the following described curve;  
Commencing at the Northwest corner of Lot 14, Block 2, said South Fifth Street Subdivision; thence S00°14'02"W, along the West line of said Lot 14, a distance of 51.44 feet to the POINT OF BEGINNING; thence 24.27 feet along the arc of a 400.00 foot radius curve, concave Southeast, through a central angle of 03°28'35" and which chord bears S41°29'10"W a distance of 24.27 feet to the west line of said alley right of way.

Containing 24,395 square feet, or 0.560 acres, more or less, as described.

Introduced for first reading on this 1<sup>st</sup> day of February, 2010.

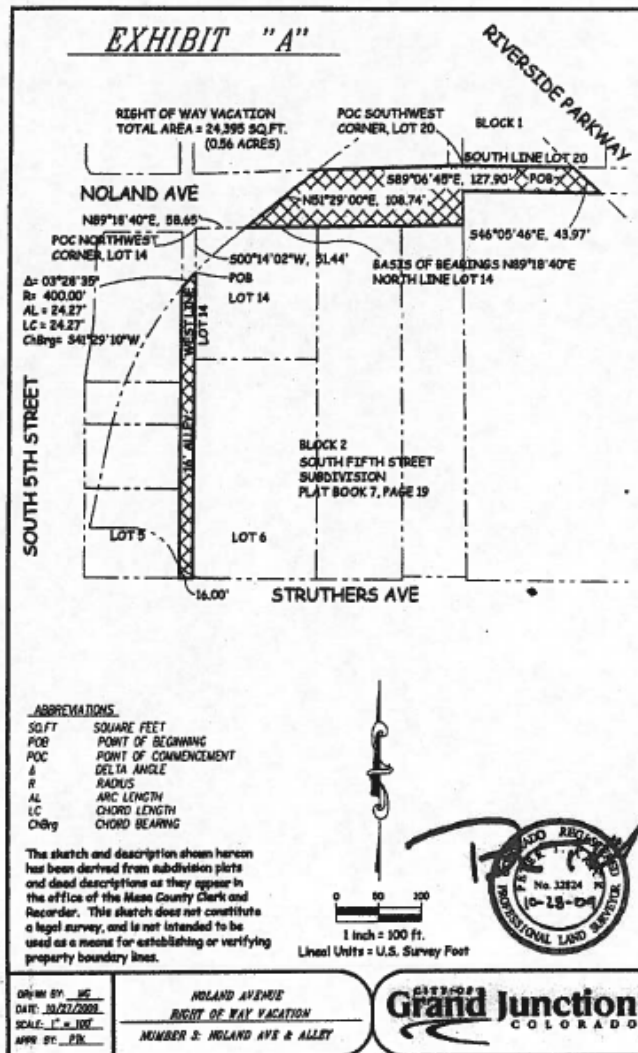
PASSED and ADOPTED this 1<sup>st</sup> day of March, 2010.

ATTEST:

  
\_\_\_\_\_  
President of City Council



Vacation #3 Exhibit A



**CITY OF GRAND JUNCTION**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION VACATING PORTIONS OF MULTIPURPOSE EASEMENTS  
RESERVED AND RETAINED BY THE CITY OF GRAND JUNCTION IN ORDINANCES  
4412, 4413, AND 4414**

**RECITALS:**

Staff has brought the application forward on behalf of the City to vacate portions of the multipurpose easements reserved and retained in Ordinances 4412, 4413, and 4414. These multipurpose easements were reserved and retained when the rights-of-way in which the easements lie were vacated. Since the vacation, staff has determined that not all of the area reserved and retained is necessary to properly maintain and/or install utilities and the like in the multipurpose easements. As not all of the area is needed staff is recommending the vacation of the excess easement areas to allow more opportunities for use of the land.

At its May 8, 2012 hearing the Grand Junction Planning Commission found that the request to vacate the portions of the multipurpose easements that are unnecessary satisfies the review criteria set forth in Section 21.02.100(c) of the Zoning and Development Code and recommended approval.

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

The City Council finds that the vacation meets the criteria set forth in Section 21.02.100(c) of the Grand Junction Zoning and Development Code and is accordance therewith the following described multipurpose easement area is hereby vacated:

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, being a portion of former rights-of-way vacated by the City of Grand Junction, as described and graphically depicted in Ordinance No. 4412 as recorded in Book 4986, Page 945, Ordinance No. 4413 as recorded in Book 4986, Page 948 and Ordinance No. 4414 as recorded in Book 4986, Page 951, all in the Public Records of Mesa County, Colorado, the vacated rights-of-way were retained by said Ordinances as Multipurpose Easements and said portion being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 19, Block 1 of South Fifth Street Subdivision, as same is recorded in Plat Book 7, Page 19, Public Records of Mesa County, Colorado and considering the South line of said Lot 19 bears N 88°08'43" E with all other bearings contained herein being relative thereto; thence from said

Point of Beginning, N 00°52'27" W a distance of 73.57 feet; thence N 88°16'17" E a distance of 65.68 feet; thence S 46°05'46" E a distance of 133.52 feet; thence N 89°06'45" W a distance of 143.61 feet; thence S 00°30'56" E a distance of 8.00 feet; thence S 89°18'39" W a distance of 195.57 feet; thence N 51°29'00" E a distance of 32.47 feet; thence N 88°08'43" E along the South line of said Lot 19, a distance of 153.02 feet, more or less, to the Point of Beginning.

CONTAINING 13,885 Square Feet or 0.319 Acres, more or less, as described.

Attached is Exhibit "A" incorporated herein depicting the area to be vacated.

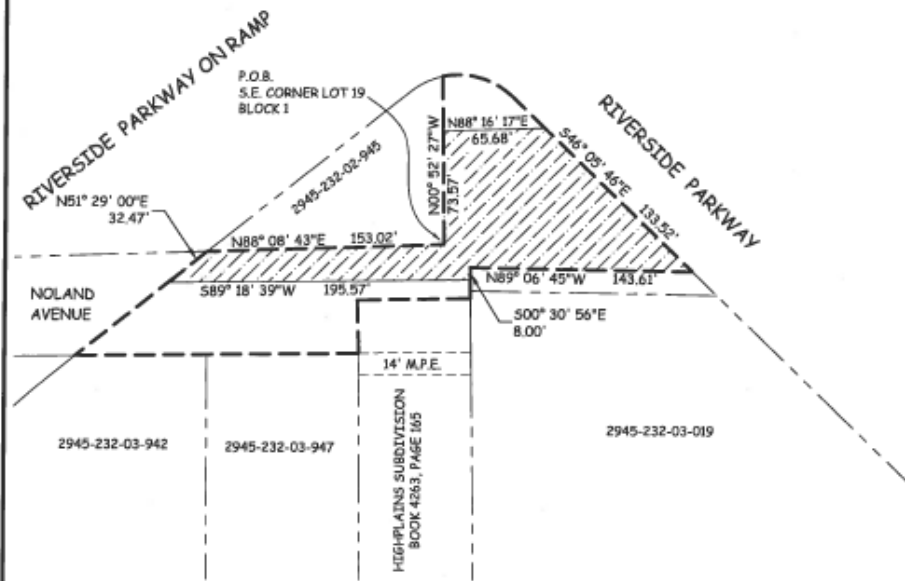
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

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

\_\_\_\_\_  
President of City Council

# EXHIBIT "A"



**ABBREVIATIONS**

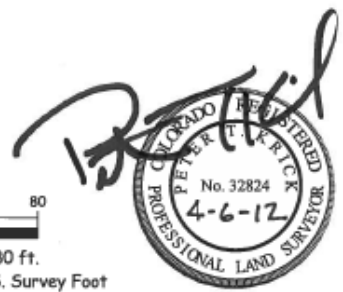
SQ.FT	SQUARE FEET
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
Δ	DELTA ANGLE
R	RADIUS
AL	ARC LENGTH
LC	CHORD LENGTH
ChBrg	CHORD BEARING

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



1 inch = 80 ft.

Lineal Units = U.S. Survey Foot



DRAWN BY: P.T.K.  
 DATE: 04/06/2012  
 SCALE: 1" = 80'  
 APPR. BY: J.B.

PORTION OF  
 ORDINANCE NO'S 4412, 4413 & 4414  
 MULTI-PURPOSE BASEMENT VACATION

**CITY OF**  
**Grand Junction**  
 COLORADO



**Attach 3  
Mountain View Estates**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** May 8, 2012  
**PRESENTER:** Senta Costello

AGENDA TOPIC: Mountain View Subdivision – PP-2008-212

ACTION REQUESTED: A request for a two-year extension of the approved Preliminary Subdivision Plan.

BACKGROUND INFORMATION					
Location:		2922 B½ Road			
Applicants:		Owner: Level III Development, LLC – Bill Ogle Representative: Austin Civil Group – Jim Joslyn			
Existing Land Use:		Single Family Residential/Agricultural			
Proposed Land Use:		Single Family Residential subdivision			
Surrounding Land Use:	North	Single Family Residential subdivision			
	South	Single Family Residential/Agricultural			
	East	Single Family Residential/Agricultural			
	West	Single Family Residential/Agricultural			
Existing Zoning:		R-4 (Residential 4 du/ac)			
Proposed Zoning:		R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	R-4 (Residential 4 du/ac)			
	South	R-4 (Residential 4 du/ac) / County RSF-4			
	East	R-4 (Residential 4 du/ac) / County RSF-R			
	West	County RSF-4 (Residential Single Family 4 du/ac)			
Growth Plan Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		X	Yes		No

**PROJECT DESCRIPTION:**

A request for approval of a two-year extension to the Preliminary Subdivision Plan for Mountain View Subdivision, a 61 single-family lot subdivision on 19.17 acres in an R-4 (Residential 4 du/ac) zone district.

**RECOMMENDATION:** Approval of the two-year extension request.

## ANALYSIS:

A Preliminary Subdivision Plan for the Mountain View Subdivision was approved on May 26, 2009. The Plan consists of 61 single-family lots on 19.17 acres in an R-4 (Residential 4 du/ac) zone. No phasing schedule was proposed as it was the desire of the Developer to construct the entire development in one phase.

In accordance with Section 21.02.070(u)(4) of the Grand Junction Municipal Code (GJMC):

If the applicant does not complete all steps in preparation for recording a final plat within two years of approval of the preliminary subdivision plan, the plat shall require another review and processing as per this Section and shall then meet all the required current code regulations at that time. One extension of 12 months may be granted by the Director for good cause. Any additional extensions must be granted by the Planning Commission. The Planning Commission must find good cause for granting the extension.

On January 2011, the Developer requested a one-year administrative extension. When first approved, the Developer originally planned to plat the entire Development in a single phase. The request for a one year administrative extension was approved on February 28, 2011 extending the validity of the Preliminary Development Plan to May 25, 2012.

The request for extension was submitted prior to the deadline of May 25, 2011 and keeps the approval valid until a decision is made on the extension.

The property is zoned R-4 (Residential 4 du/ac) The proposed density is 3.18 du/ac, which is consistent with the Comprehensive Plan future land use designation of Residential Medium (4-8 du/ac). River View Estates to the north is 3 du/ac, Crista Lee Subdivision to the southeast is 3.5 du/ac and Chipeta West Subdivision also to the southeast is 2.63 du/ac. Goal 3 of the Comprehensive Plan encourages ordered and balanced growth throughout the community, while Goal 7 encourages transition and buffering between new and existing development, both of which are provided for in the Mountain View Preliminary Plan.

The Developer has stated that over the last year they have been marketing the property and have been unable to find a buyer interested in completing the development. Due to the local and national economy, the Developer believes that it will take until 2013 or 2014 before there is any substantial interest in developing new subdivisions.

Upon review of the previously approved Preliminary Subdivision Plan, the Comprehensive Plan and Title 21 of the Grand Junction Municipal Code (GJMC), the following findings for good cause have been found:

1. The proposed use and density are consistent with the Comprehensive Plan.

2. The proposed Preliminary Development Plan for this property is appropriate and meets the standards and requirements of Section 21.02.070(q) and (r) of the GJMC.

If the Planning Commission grants the requested extension, the Developer will have until May 26, 2014 to complete all steps in preparation for recording the final plat.

#### FINDINGS OF FACT AND CONCLUSIONS:

After reviewing the request for a two-year extension to the approved Preliminary Subdivision Plan for Mountain View Subdivision, PP-2008-212, the following findings of fact and conclusions have been determined:

1. The requested is consistent with the goals and policies of the Comprehensive Plan.
2. The request meets the requirements of Section 21.02.070(u)(4) of the Grand Junction Municipal Code.

#### STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the request for a two-year extension for the Mountain View Preliminary Subdivision Plan, file number PP-2008-212, with the findings of facts and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION: Mr. Chairman, I move we approve a two-year extension of the Preliminary Subdivision Plan approval for Mountain View Subdivision, file number PP-2008-212, with the findings of fact and conclusions listed in the staff report.

#### Attachments:

- 1) Request for Preliminary Plan extension
- 2) Preliminary Plan
- 3) Site Location Map / Aerial Photo Map
- 4) Comprehensive Plan Future Land Use Map / Existing Zoning Map
- 5) Blended Map
- 6) Original Staff Report

A ■ X ■ Γ

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## Αυστιν Χιπιλ Γρουπ, Ινχ.

Λανδ Πλαννινγ ■ Χιπιλ Ενγινεερινγ ■ Δεπελοπμεντ Σερπιχεσ

April 10, 2012

Senta Costello  
Senior Planner  
City of Grand Junction

Dear Senta,

This letter is to request two year extension in the final submittal process for Mountain View Estates.

As you are aware in these current economic times investing in the production of final plans for a subdivision is not economically feasible. The owners do not wish their investment in the subdivision to this point to be wasted and have to start over again in the subdivision process.

Thank you for your attention to this matter.

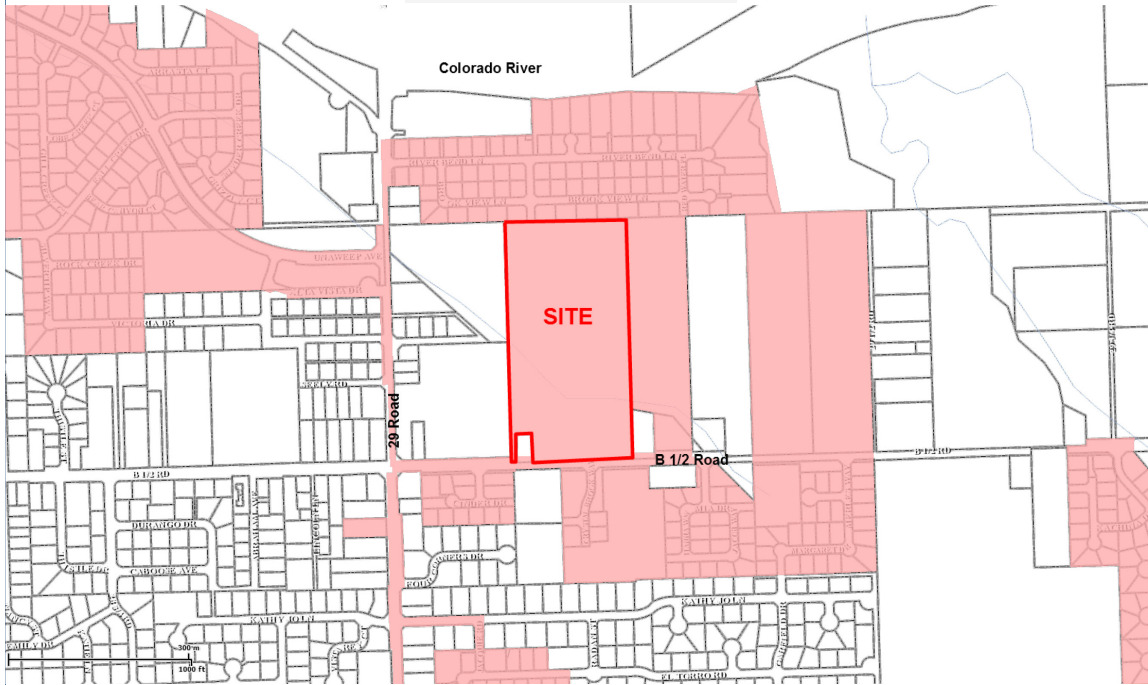
Sincerely,

Austin Civil Group, Inc.

Jim Joslyn



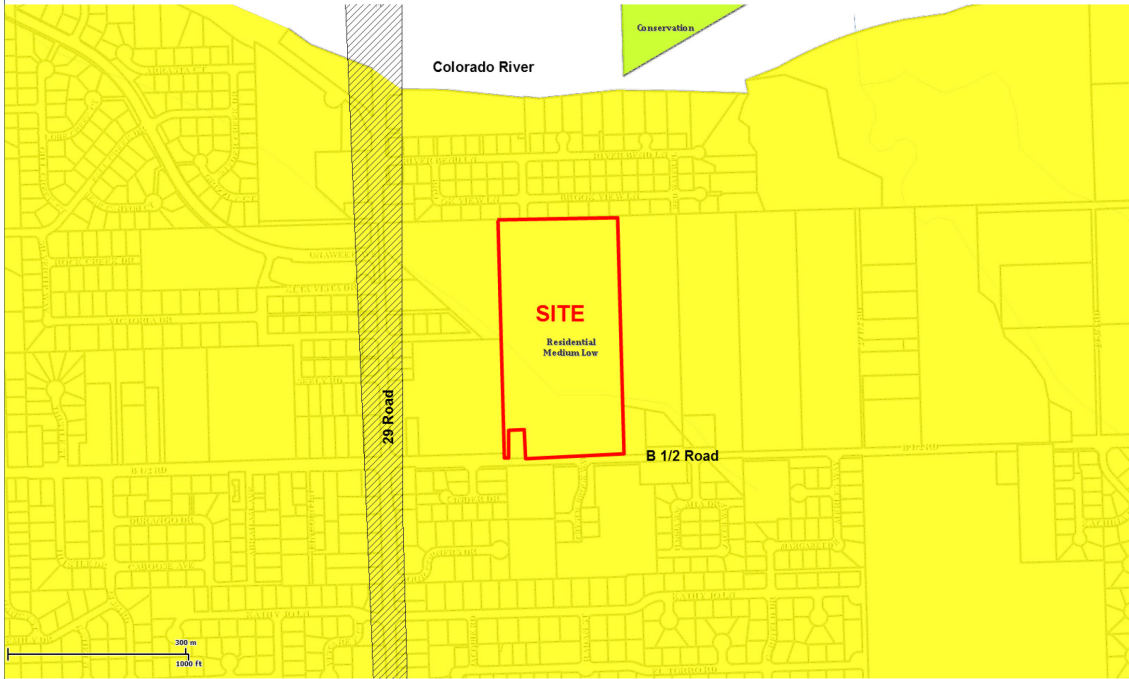
## Site Location Map



## Aerial Photo Map



# Comprehensive Plan Future Land Use Map



# Existing Zoning Map



# Blended Map





AGENDA TOPIC: Mountain View Estates, PP-2008-212

ACTION REQUESTED: Preliminary Subdivision Plan Approval

BACKGROUND INFORMATION					
Location:		2922 B½ Road			
Applicants:		Owner: Level III Development, LLC – Bill Ogle Representative: Austin Civil Group – Jim Joslyn			
Existing Land Use:		Single Family Residential/Agricultural			
Proposed Land Use:		Single Family Residential subdivision			
Surrounding Land Use:	North	Single Family Residential subdivision			
	South	Single Family Residential/Agricultural			
	East	Single Family Residential/Agricultural			
	West	Single Family Residential/Agricultural			
Existing Zoning:		R-4 (Residential 4 du/ac)			
Proposed Zoning:		R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	R-4 (Residential 4 du/ac)			
	South	R-4 (Residential 4 du/ac) / County RSF-4			
	East	R-4 (Residential 4 du/ac) / County RSF-R			
	West	County RSF-4 (Residential Single Family 4 du/ac)			
Growth Plan Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request for Preliminary Subdivision Plan approval for Mountain View Estates on 19.17 acres in a R-4 (Residential 4 du/ac) zone district.

RECOMMENDATION: Approval of the proposed Preliminary Subdivision Plan.

## ANALYSIS

### 1. Background

The property was annexed in 2008 as the Level III Annexation. Two Pre-Application applications were reviewed for the property, one in 2007 and another in 2008. The Preliminary Subdivision Plan application was received July 2, 2008.

Density – The property is classified as Residential Medium Low 2-4 dwelling units/acre on the Future Land Use Map and zoned R-4(Residential 4 du/ac). The proposed subdivision consists of 61 single family dwelling units on 19.17 acres with a density of 3.18 dwellings per acre, conforming to density requirements of both the Growth Plan and zone district.

Access – Proposed access for the subdivision is from B ½ Road on the south and Twin Forks Place located in the River's Edge Subdivision to the north. A stub street is extended to the property to the east. Maroon Peak Street runs along the west property line.

Road Design – Since Maroon Peak Street is adjacent to undeveloped property, the required right-of-way dedication is reduced from 44' to 38'. The developer will need to construct the curb, gutter and sidewalk along the east side of the street and 28' of asphalt. The right-of-way width includes 1.5' right-of-way to back of walk, 6.5' curb, gutter & sidewalk, 28' asphalt, 2' for construction and slope transition to existing grade.

Open Space / Park – The subdivision is not providing open space or Land dedicated for a park ground. The developer will be paying the required 10% Open Space fee for future park land acquisition.

Lot Layout –The development has been designed for single-family detached dwellings on lots ranging from 8,018 square feet to 17,218 square feet. The minimum lot size in the R-4 zone is 8,000 square feet, therefore the minimum lot area requirement has been met. The minimum lot width for the R-4 zone is 75 feet. With the exception of Lot 5, Block 4, all of the proposed lots meet the lot width requirement. Section 3.2 C.2. of the Zoning and Development Code, allows the Planning Commission to vary lot widths for irregularly shaped lots. The Developer has requested that the Planning Commission approve Lot 5, Block 4 as an irregularly shaped lot. The Planning Commission can approve this lot as an irregularly shaped lot, due to the shape required of lots adjacent to cul-de-sac bulbs.

Landscaping – A 14' wide landscape strip will be provided along B ½ Road (Tracts A, C and E). The existing Orchard Mesa Irrigation District pipe will be placed in a Tract with an access easement for the irrigation company (Tracts F and G) and landscaped. Tracts B, D, and H will also be landscaped according to Zoning Code requirements for detention ponds and street frontage. All tracts will be conveyed to and maintained by the Home Owner's Association.

Phasing – The project is proposed to be constructed in one phase.

2. Section 2.8.B.2 of the Zoning and Development Code

A preliminary subdivision plan can only be approved when it is in compliance with the purpose portion of Section 2.8 and with all of the following criteria:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

Response: The proposed Mountain View Estates, with a density of 3.18 dwelling units per acre, is in compliance with the Growth Plan designation of Residential Medium Low (2-4 du/ac).

- b. The Subdivision standards of Chapter Six.

Response: The design and layout of this project meets the standards of Chapter Six of the Zoning and Development Code.

- c. The Zoning standards contained in Chapter Three.

Response: The design of the proposed subdivision complies with the standards required by the Chapter Three of the Zoning and Development Code.

- d. Other standards and requirements of this Code and all other City policies and regulations.

Response: The proposed subdivision has been reviewed by the Development Engineer and meets all requirements of the Transportation Engineering Design Standards (TEDS) and Stormwater Management Manual (SWMM).

- e. Adequate public facilities and services will be available concurrent with the subdivision.

Response: Public facilities and services are adequate to serve the proposed residential density. There is an 18" and a 2" Ute Water line and an 8" sanitary sewer line located within the B ½ Road right-of-way.

- f. The project will have little or no adverse or negative impacts upon the natural or social environment.

Response: The project will have no adverse or negative impacts upon the natural or social environment. The surrounding environment is largely developed or proposed for development in a fashion similar to the proposed development.

- g. Compatibility with existing and proposed development on adjacent properties.

Response: The proposed subdivision is of the same or similar type of residential use and density as exists in the vicinity. Many of the historical agricultural properties in the area have recently been subdivided or are under review for development.

- h. Adjacent agricultural property and land uses will not be harmed.

Response: Compliance with the Stormwater Management Manual requirements as well as with the required stormwater discharge permit will ensure runoff does not harm adjacent uses. The proposed subdivision includes a detention pond in the southwest area of the property adjacent to B ½ Road (Tract D) and another pond (Tract H) along the north property line. The preliminary pond designs have been reviewed by the City Development Engineer and been determined to meet the preliminary plan requirements.

- i. Is neither piecemeal development nor premature development of agricultural land or other unique areas.

Response: The proposed Mountain View Estates will utilize existing sewer, water, and street facilities that are available to the property and have sufficient capacity for the additional lots. It is a logical extension of the adjacent development.

- j. There is adequate land to dedicate for provision of public services.

Response: Adequate land for public services such as road right-of-way and utilities has been provided.

- k. This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

Response: As required by Code, the applicant is responsible for construction of all infrastructure and private improvements for the development as well as payment of applicable impact fees. Burden on the City will amount to typical ongoing maintenance of the added public facilities (streets, utilities) which is not considered to be an undue burden.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Mountain View Estates application, PP-2008-212 for preliminary subdivision plan approval, I make the following findings of fact and conclusions:

1. The proposed preliminary subdivision plan is consistent with the Growth Plan.
2. The preliminary subdivision plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.
3. Lot 5, Block 4, is an irregularly shaped lot that does not meet the minimum lot width of 75 feet as specified in Table 3.2 of the Zoning and Development Code. Pursuant to Section 3.2.C.2 of the Zoning and Development Code, the Planning Commission may vary the minimum lot width on irregularly shaped lots.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission approve the proposed preliminary subdivision plan, PP-2008-212 with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

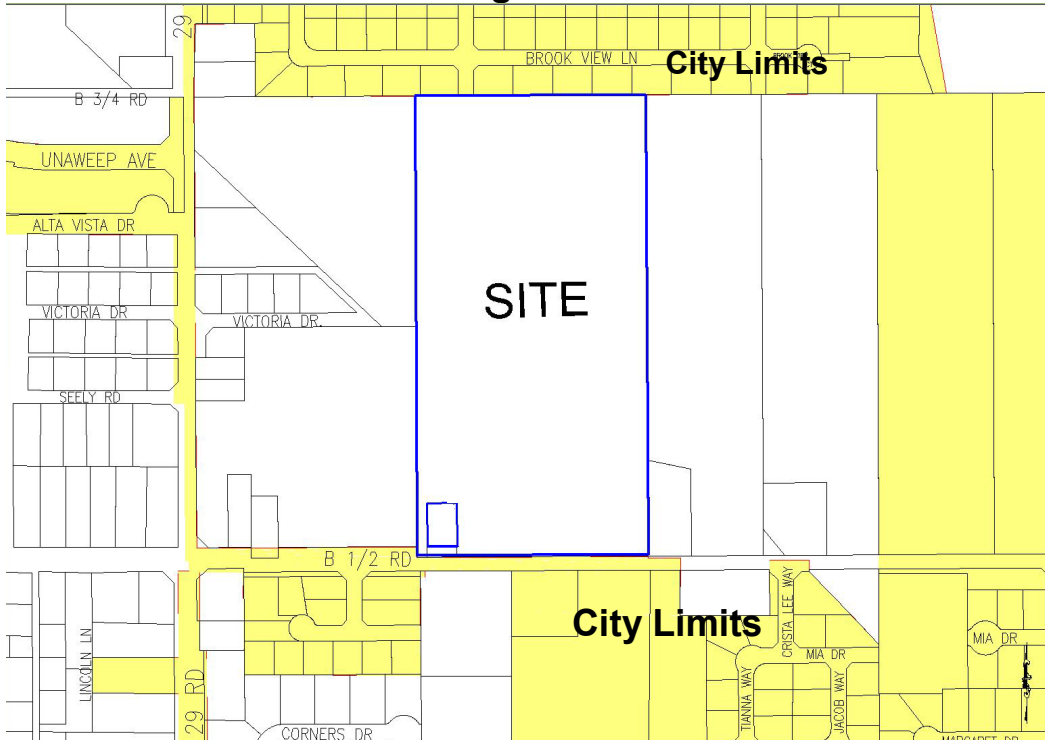
Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for Mountain View Estates, PP-2008-212, with the findings and conclusions listed in the staff report.

**Attachments:**

Site Location Map / Aerial Photo  
Future Land Use Map / Existing City and County Zoning Map  
Preliminary Subdivision Plan

# Site Location Map

Figure 1



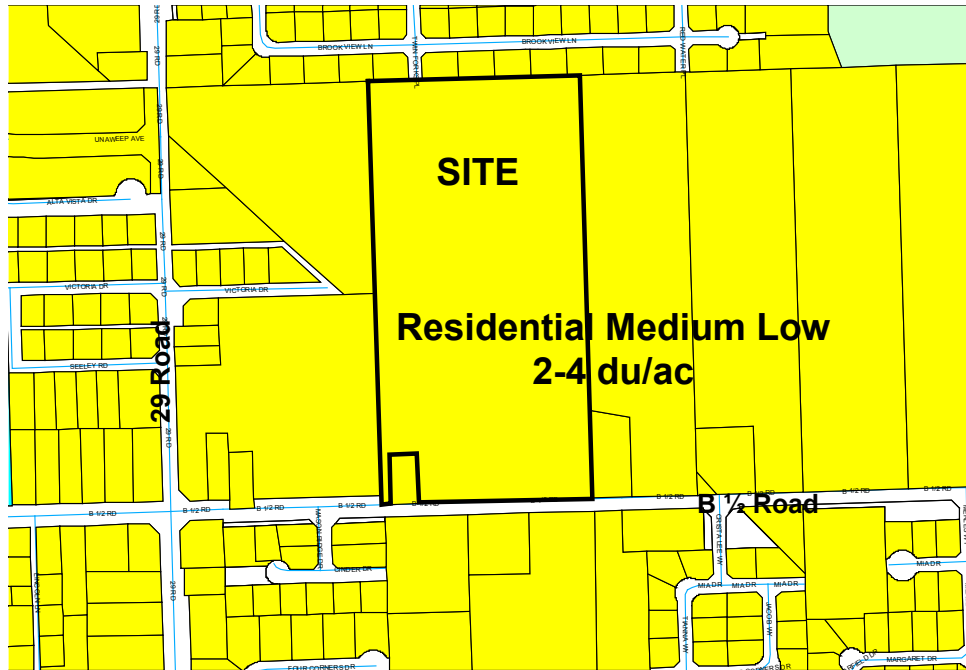
# Aerial Photo Map

Figure 2



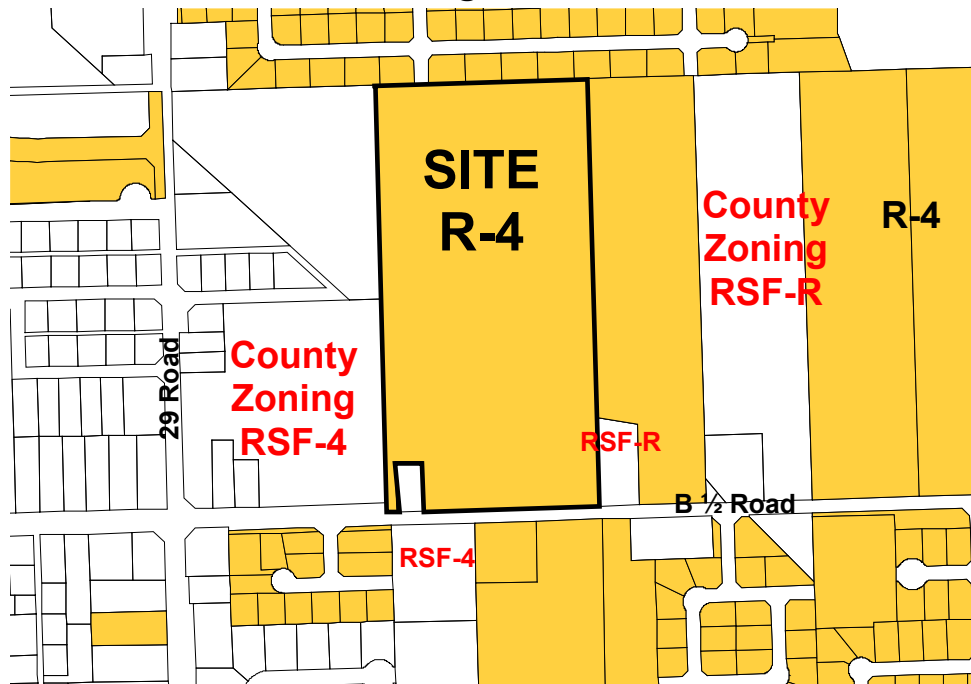
# Future Land Use Map

Figure 3



# Existing City and County Zoning Map

Figure 4



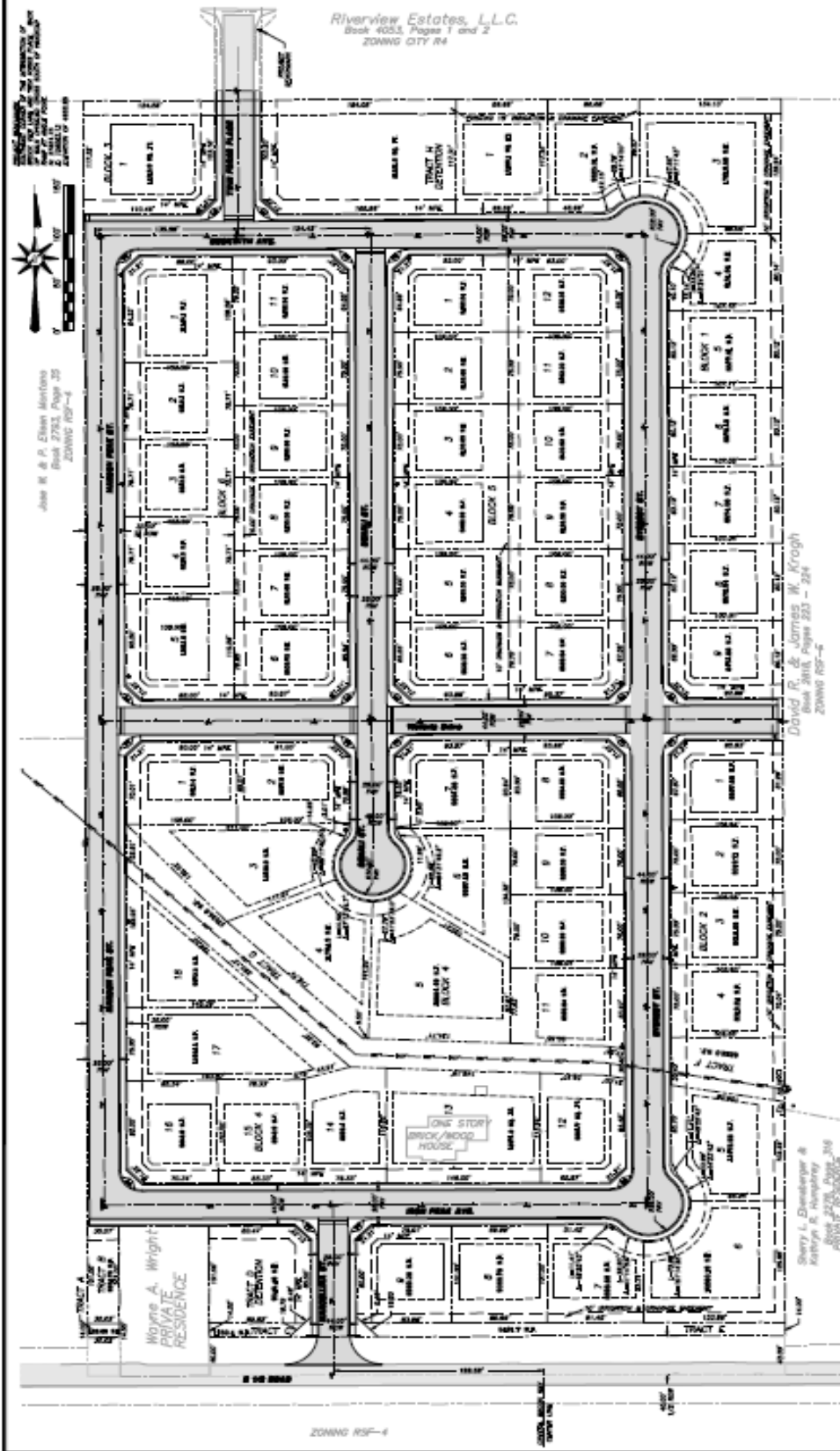
NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLANS	10/18/2022
2	REVISED PLANS	11/14/2022
3	REVISED PLANS	11/14/2022
4	REVISED PLANS	11/14/2022
5	REVISED PLANS	11/14/2022
6	REVISED PLANS	11/14/2022
7	REVISED PLANS	11/14/2022
8	REVISED PLANS	11/14/2022
9	REVISED PLANS	11/14/2022
10	REVISED PLANS	11/14/2022
11	REVISED PLANS	11/14/2022
12	REVISED PLANS	11/14/2022
13	REVISED PLANS	11/14/2022
14	REVISED PLANS	11/14/2022
15	REVISED PLANS	11/14/2022
16	REVISED PLANS	11/14/2022
17	REVISED PLANS	11/14/2022
18	REVISED PLANS	11/14/2022
19	REVISED PLANS	11/14/2022
20	REVISED PLANS	11/14/2022

**A-C-G**  
**AUSTIN CIVIL GROUP, INC.**  
 12000 N. MOULTON BLVD., SUITE 100  
 DALLAS, TEXAS 75243  
 (214) 343-1111  
 www.a-c-g.com

**MORNING VIEW ESTATES**  
 SIZE PLAN  
 LEVEL III DEVELOPMENT

DATE	11/14/2022
BY	11/14/2022
SCALE	1"=40'
PROJECT NO.	10178-0002
DATE	11/14/2022
BY	11/14/2022



John W. & P. Ellen Mortenson  
 Book 2793, Page 25  
 ZONING RSP-4

David R. & James W. Krogh  
 Book 2818, Pages 223 - 224  
 ZONING RSP-4



CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT	DATE
CITY OF GRAND JUNCTION ENGINEERING	DATE
APPROVED FOR CONSTRUCTION FOR THE CITY OF GRAND JUNCTION	DATE
APPROVED FOR CONSTRUCTION	DATE
DATE	DATE

**UTILITIES AND AGENCIES**

UTL. METER DISTRICT 246-7461  
 GRAND JUNCTION DISTRICT 246-5033  
 GRAND JUNCTION DISTRICT 459-1885  
 GRAND JUNCTION DISTRICT 244-2781  
 GRAND JUNCTION DISTRICT 244-4333  
 GRAND JUNCTION DISTRICT 246-8750

LAND USE	AREA	PERCENT	PERCENTAGE
RESIDENTIAL	11.20	81.18	91.82
COMMERCIAL	1.48	10.62	12.18
INDUSTRIAL	18.37	133.20	158.00
TOTAL LOTS	NO.	AVG. DENSITY	1.11 UNITS / ACRE

RF-4 ZONING DISTRICT  
 6,000 SQ. MIN. LOT  
 75-FT. MIN. WIDTH



**Attach 4  
Area 15 Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** May 8, 2012  
**PRESENTER:** Brian Rusche, Senior Planner

**AGENDA TOPIC:** Area 15 Rezone - RZN-2012-70

**ACTION REQUESTED:** Recommendation to City Council rezone 9.629 acres from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) zone district.

BACKGROUND INFORMATION					
<b>Location:</b>		720 24 ½ Road 714 24 ½ Road			
<b>Applicants:</b>		City of Grand Junction			
<b>Existing Land Use:</b>		Single-Family Residential Caprock Academy			
<b>Proposed Land Use:</b>		No changes to land use(s) proposed			
<b>Surrounding Land Use:</b>	<b>North</b>	Church			
	<b>South</b>	Caprock Academy (playgrounds)			
	<b>East</b>	Single-Family Residential			
	<b>West</b>	Single-Family Residential			
<b>Existing Zoning:</b>		R-R (Residential Rural)			
<b>Proposed Zoning:</b>		R-5 (Residential 5 du/ac)			
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential 8 du/ac)			
	<b>South</b>	R-5 (Residential 5 du/ac)			
	<b>East</b>	R-5 (Residential 5 du/ac)			
	<b>West</b>	PD (Planned Development) R-4 (Residential 4 du/ac)			
<b>Future Land Use Designation:</b>		Residential Medium (4-8 du/ac)			
<b>Zoning within density range?</b>		X	Yes		No

**PROJECT DESCRIPTION:** A request to rezone two (2) parcels totaling 9.629 acres from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) zone district.

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

## **ANALYSIS:**

### **1. Background**

The subject properties were annexed in 2000 as the Chamblee/Boydston Enclave Annexation. A Residential Rural (R-R) zone was assigned to the property at the time of annexation.

In 2010, the Comprehensive Plan was adopted, establishing a Residential Medium 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 R-R zoning is in conflict with the Future Land Use designation of Residential Medium (4-8 du/ac). The conflict is because the maximum density for the R-R zone is one dwelling unit per five acres and the minimum density for the Residential Medium designation is four dwelling units per acre. Upon evaluation, it was determined that rezoning these properties from R-R to R-5 would be the best course of action to bring them into conformance with the existing Future Land Use designation.

The smaller parcel at 720 24 ½ Road is a single-family residence owned by the Canyon View Vineyard Church. The larger parcel, approximately 7.683 acres, is home to Caprock Academy, a public charter school constructed in 2011 and serving grades K-8. This use is classified as an elementary school under Section 21.04.010 of the Grand Junction Municipal Code (GJMC).

The property owners were 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 March 7, 2012. No comment sheets were received regarding the Area 15 proposal.

Several contacts have been made with adjacent property owners who, upon explanation for the proposed rezone, expressed no objections. Most of the owners inquired about the process for construction of the Caprock Academy, which began in 2011. As a public charter school the construction was exempt from city review, in accordance with local practice and state law, though some consultation with City staff did take place.

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

The proposed rezone to R-5 (Residential 5 du/ac) meets the following goal from the Comprehensive Plan:

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

Rezoning the property to R-5 (Residential 5 du/ac) will be consistent with the surrounding neighborhood and will augment the existing amenities provided to this neighborhood.

## **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 Area 15 as Residential Medium (4-8 du/ac), rendering the existing R-R (Residential Rural) zoning inconsistent. The proposed rezone to R-5 (Residential 5 du/ac) 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 most recent development has been the construction of Caprock Academy on one of the subject parcels. This construction has altered the previous rural character of the subject parcels.

This criterion is met.

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

24 ½ Road and G Road are designated as minor arterials; future improvements to these roadways would be funded and constructed through the capital improvement process developed by the City. Adequate infrastructure exists in 24 ½ Road right-of-way to accommodate, with upgrades as necessary, additional development.

The construction on one of the properties of Caprock Academy will serve to augment the existing community facilities provided to this neighborhood, including Canyon View Park and two churches.

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 surrounding subdivisions of North Valley and Spanish Trails were developed beginning in 1994 and 2001, respectively and are fully built out. Along G Road are eight (8) properties greater than one acre between Canyon View Park and 25 Road on the north side of the road, but all have at least one single-family dwelling already established. The two subject properties are the last remaining properties with a rural zoning between 24 and 25 Road north of G Road within the city limits. The property adjacent to Caprock on the south, approximately 10 acres, is presently zoned R-5 but a portion is being utilized for recreation fields for Caprock pupils.

This criterion is met.

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

The Comprehensive Plan anticipated the need for additional residential development based on historical patterns of growth. The proposed R-5 zone district will provide the opportunity for additional development as an extension of established and emerging neighborhoods. Additional development within or adjacent to established neighborhoods allows for more efficient use of City services and infrastructure, minimizing costs to the City and therefore the community.

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 15 Rezone, RZN-2012-70, a request to rezone two (2) parcels totaling 9.629 acres from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) 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-2012-70, to the City Council with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

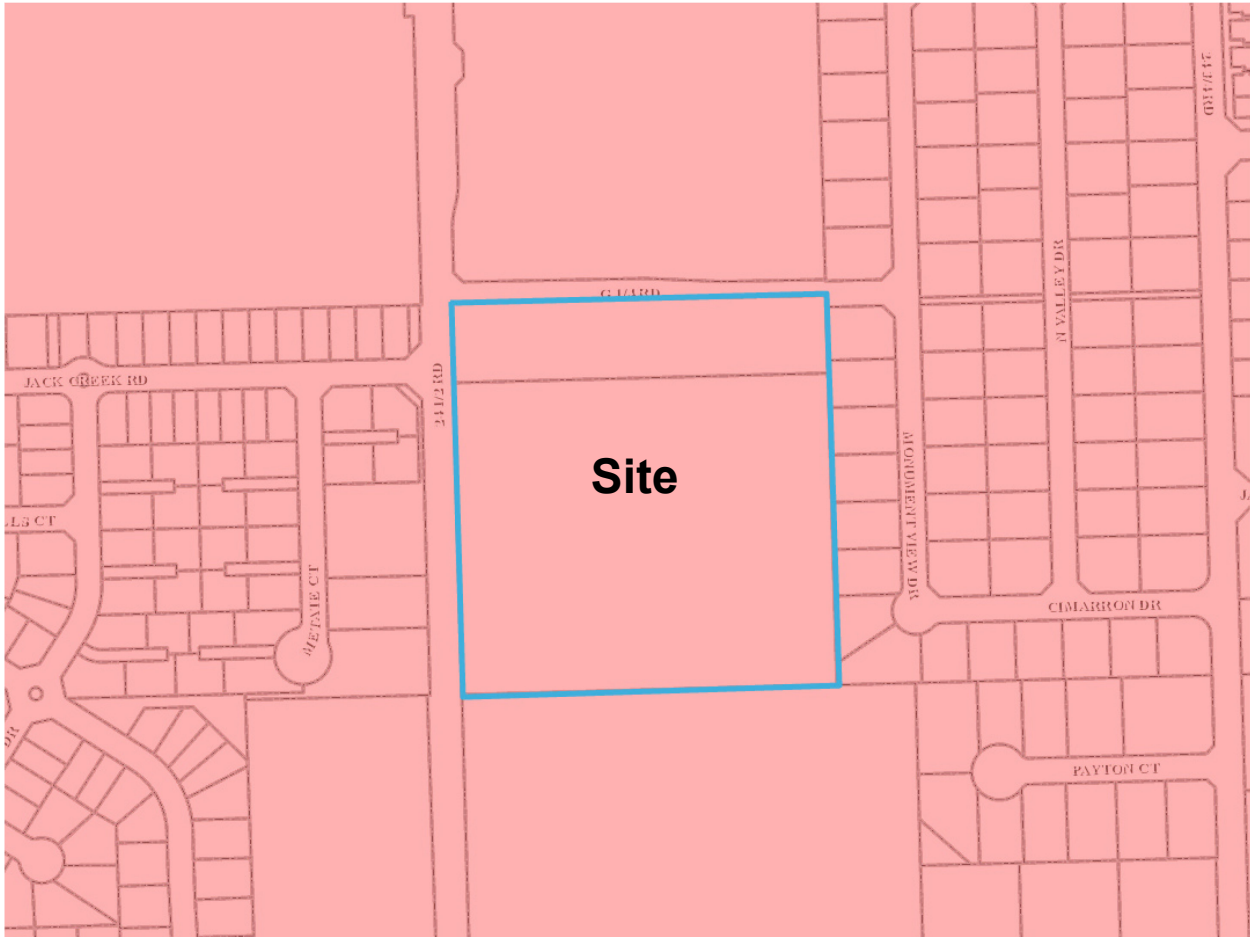
Mr. Chairman, on Rezone, RZN-2012-70, I move that the Planning Commission forward a recommendation of the approval for the Yellow Area 15 Rezone from an R-R (Residential Rural) to an R-5 (Residential 5 du/ac) with the findings of fact and conclusions listed in the staff report.

Attachments:

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

# Site Location Map

Figure 1



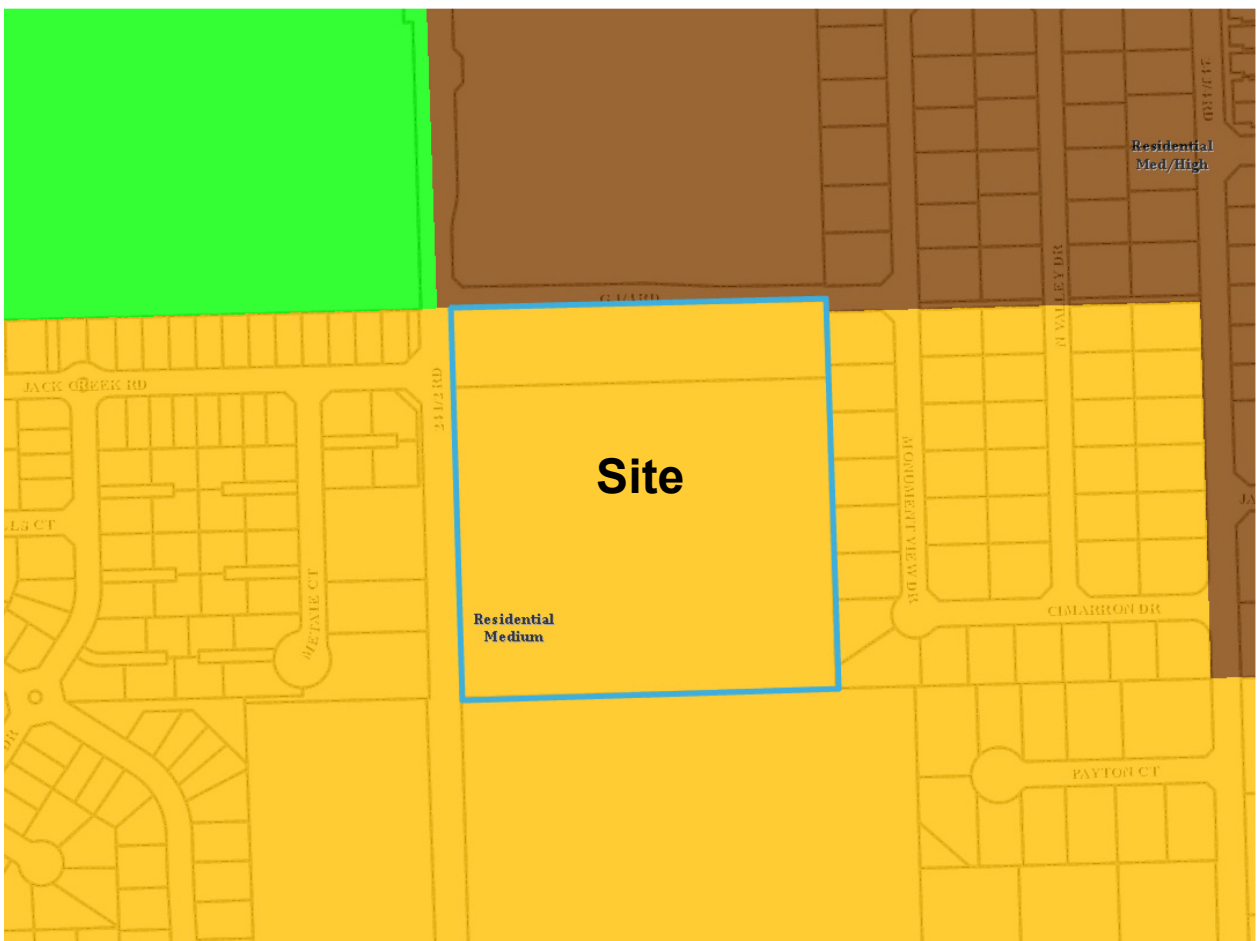
# Aerial Photo Map

Figure 2



# Comprehensive Plan Map

Figure 3





# Existing City Zoning Map

Figure 4



**From:** Brian Rusche  
**To:** Peter Larkowski  
**Date:** 2/27/2012 1:47 PM  
**Subject:** Re: 720 24 1/2 Rd.  
**Attachments:** Mailing\_Area15.pdf

Suzanne and Pete,

Thank you for your interest in the above referenced project.

The proposed rezone (RZN-2012-70) under consideration includes two parcels. The parcel (2701-334-00-048) at 720 24 1/2 Road is currently owned by the Canyon View Vineyard Church and appears to be used for residential purposes. The other parcel is the Caprock site.

These parcels are proposed to be zoned R-5 (Residential 5 dwelling units per acre) in order to be consistent with the Comprehensive Plan designation of Residential Medium, which anticipates a density in the range of 4-8 dwelling units per acre (du/ac). The R-5 zone is also consistent with the adjacent subdivision (North Valley) as well as additional property owned by the church and used by Caprock at the corner of 24 1/2 and G Roads.

This is a City initiated rezone and no additional development is proposed at this time. All of the existing uses (religious assembly, single-family residential, school) are permitted in the proposed R-5 zone.

The construction of Caprock did not require a public hearing. There are no plans that I am aware of to construct housing on the site. Also, while there may be access road(s) to service the school building(s) there are no public streets on the Caprock property.

I have attached a map of this request, which is also available at the following website: <http://www.gjcity.org/Administration-Dept.aspx?pageid=2147528127>

The schedule for this request is also posted. An Open House is scheduled for March 7, 2012 from 4-6 pm at City Hall. Public comments may be accepted prior to the Planning Commission hearing, scheduled for May 8, 2012.

If you have any further questions, please let me know.

Sincerely,

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

>>> Peter Larkowski <jucogjct@hotmail.com> 2/26/2012 5:44 AM >>>  
Good Morning,

I would like some info. on this rezoning. I pulled up the map and it shows the land where Caprock Academy is located and the land south of it that I thought was Caprock's property.

What is Caprock going to do here? Do they plan on building student housing? Can you send me more information on this?

I was never informed of the rezoning of the current Caprock property until they started building it. When did they rezone that property? They have a street running directly behind my property and I would have liked to have had that info before it started.

Thank you,

Suzanne and Pete Larkowski

**From:** Brian Rusche  
**To:** Mike Piechota  
**Date:** 2/28/2012 1:58 PM  
**Subject:** Re: RZN-2012-70  
**Attachments:** Mailing\_Area15.pdf

Mr. Piechota,

Thank you for your interest in the above referenced project !

The proposed rezone under consideration includes two parcels. The parcel (2701-334-00-048) at 720 24 1/2 Road is currently owned by the Canyon View Vineyard Church and appears to be used for residential purposes. The other parcel is the Caprock site.

These parcels are proposed to be zoned R-5 (Residential 5 dwelling units per acre) in order to be consistent with the Comprehensive Plan designation of Residential Medium, which anticipates a density in the range of 4-8 dwelling units per acre (du/ac). The R-5 zone is also consistent with the adjacent subdivision (North Valley) as well as additional property owned by the church and used by Caprock at the corner of 24 1/2 and G Roads.

This is a City initiated rezone and no additional development is proposed at this time. All of the existing uses (religious assembly, single-family residential, school) are permitted in the proposed R-5 zone.

I have attached a map of this request, which is also available at the following website: <http://www.gjcity.org/Administration-Dept.aspx?pageid=2147528127>

The schedule for this request is also posted. If you cannot make the Open House scheduled for March 7, 2012, you may still submit public comments prior to the Planning Commission hearing, scheduled for May 8, 2012.

If you have any further questions, please let me know.

Sincerely,

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

>>> "Mike Piechota" <mike.piechota@bresnan.net> 2/27/2012 6:52 PM >>>

Mr. Rusche

I recently received a notice reference a meeting about RZN-2012-70 at 720 24 1/2 Road. I live nearby but cannot make the meeting. What exactly is being proposed? What does Residential 5 du/ac mean?

Thank you for your time.

Mike Piechota

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING PROPERTIES AT  
714 AND 720 24 ½ ROAD  
FROM AN R-R (RESIDENTIAL RURAL)  
TO AN R-5 (RESIDENTIAL 5 DU/AC) 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 R-5 zone district implements the Future Land Use designation of Residential Medium, 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 March 7, 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 R-5 (Residential 5 du/ac):

714 24 ½ ROAD AND 720 24 ½ 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 15



2 Parcels

Rezone from  
R-R Residential Rural (1 unit/5 acres)  
to R-5 (3-5 units/acre)

**Attach 5  
Area 21 CPA**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 11, 2012  
**PRESENTER:** Greg Moberg

**AGENDA TOPIC:** Comprehensive Plan Amendment – CPA-2012-178

**ACTION REQUESTED:** Recommendation to City Council to amend the Grand Junction Comprehensive Plan Future Land Use Map, Title 31 of the Grand Junction Municipal Code (GJMC).

BACKGROUND INFORMATION		
<b>Location:</b>	Several properties between 12 <sup>th</sup> Street and 14 <sup>th</sup> Street, south of Ute Avenue	
<b>Applicants:</b>	City of Grand Junction	
<b>Existing Land Use:</b>	Various Commercial	
<b>Proposed Land Use:</b>	N/A	
<b>Surrounding Land Use:</b>	<b>North</b>	Various Commercial
	<b>South</b>	Various Commercial and Industrial
	<b>East</b>	Various Commercial and Industrial and Park
	<b>West</b>	Various Commercial
<b>Existing Zoning:</b>	C-2 (General Commercial)	
<b>Proposed Zoning:</b>	N/A	
<b>Surrounding Zoning:</b>	<b>North</b>	C-1 (Light Commercial)
	<b>South</b>	I-1 (Light Industrial) and I-2 (General Industrial)
	<b>East</b>	Park
	<b>West</b>	C-1 (Light Commercial) and C-2 (General Commercial)
<b>Existing Future Land Use Designation:</b>	Downtown Mixed Use	
<b>Proposed Future Land Use Designation:</b>	Commercial	

**PROJECT DESCRIPTION:** A request to amend an area on the Future Land Use Map from Downtown Mixed Use to Commercial.

**RECOMMENDATION:** Recommend approval of the proposed amendment.

## **BACKGROUND:**

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The 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 had zoning designations that did not implement the future land use designation of the Plan.

In October 2011, the City began the process of rezoning areas to implement the future land use designations of the Comprehensive Plan. The City mailed notification letters and cards, held open houses and attended neighborhood meetings. Based on input from citizens and property owners, Staff identified some areas for which the existing zoning is appropriate. To resolve the conflict between the Comprehensive Plan's Future Land Use Map and the zoning of these properties, Staff recommends amendments to the Comprehensive Plan Future Land Use Map. This staff report relates to one such area, containing eleven properties in an area that is designated Downtown Mixed Use. The properties to the south have a Future Land Use designation of Industrial. The Downtown Mixed Use designation is intended to create opportunities for residential, retail, and uses associated with office/business parks. The Industrial designation is to create areas of heavy commercial and industrial operations that may conflict with the uses anticipated with Downtown Mixed Use.

One of the key concepts and values identified by citizens during the Comprehensive Plan process is the need to create transitions between uses of higher density and intensity and lower density and intensity. To further this goal, it is recommended that the Future Land Use Map be amended for this area from a Downtown Mixed Use designation to a Commercial designation. The Commercial designation permits a wider range of heavier commercial uses such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and limited outdoor operations. These types of uses create a better transition between the industrial uses to the south and less intensive commercial uses promoted by the Downtown Mixed Use designation.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

The proposed amendments are consistent with the following goals and policies of the Comprehensive Plan:

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



The types of uses allowed in the zones that would implement the Commercial Future Land Use designation would serve as a transition between the industrial uses to the south and less intensive commercial uses to the north. This transition would create a buffer encouraging the preservation of the existing buildings and uses in the areas designated as Downtown Mixed Use as well as in the areas designated Industrial.

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

**Policy 12B.** The City and County will provide appropriate commercial and industrial development opportunities.

The Commercial designation would provide development opportunities for a wider range of heavier commercial uses such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and limited outdoor operations that are not allowed under the Downtown Mixed Use designation.

### **APPROVAL CRITERIA:**

Chapter One, Amendments to the Comprehensive Plan (document), states that “An amendment is required when a requested change significantly alters the land use or the Comprehensive Plan document.”

The following Criteria for Plan Amendments are found in Chapter One of the Comprehensive Plan document:

#### Criteria for Plan Amendments

The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

1. Subsequent events have invalidated the original premises and findings; and/or
2. The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
3. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
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
5. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

When the Comprehensive Plan was adopted, the City did not rezone properties which had zoning that was inconsistent with the new land use designations. This meant that in many areas there was a conflict between the new land use designation and the existing zoning of the property.

The City recognizes that, in several areas, the existing zoning is appropriate and is consistent with the overall vision of the Comprehensive Plan. Furthermore, by removing the conflicts between the zoning and the Future Land Use designations, a community benefit is derived. Under the current situation, the ability of a property owner or lessee may be prohibited to develop, redevelop or expand an existing use. By processing the proposed amendment, the City has removed a step that would have to be accomplished thus facilitating development, redevelopment, or expansion of property when the market is ready.

Therefore criterion 5 listed under Criteria of Plan Amendments has been met as the community and the immediate area are benefited because the Commercial designation permits wider range of heavier commercial uses which creates a transition between the industrial uses to the south and less intensive commercial uses to the north.

#### **REVIEW AND COMMENT PROCESS:**

The City provided written notice to each property owner informing them of the City's intention to change the Future Land Use designation of property that they owned. An Open House was held on March 7, 2012 to allow property owners and interested citizens to review the proposed amendments, to make comments, and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City and Mesa County websites with information about how to submit comments or concerns. Public review and comments were accepted from February 22, 2012 through April 13, 2012. Several citizen inquiries were received by phone, however no written comments were submitted.

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

After reviewing CPA-2012-178, Grand Junction Comprehensive Plan Future Land Use Map Amendments to Title 31 of the Grand Junction Municipal Code (GJMC), the following findings of fact and conclusions have been determined:

1. The proposed amendments to the Comprehensive Plan Future Land Use Map are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the proposed amendment to the Grand Junction Comprehensive Plan Future Land Use Map, Title 31 of the Grand Junction Municipal Code (GJMC) from Downtown Mixed Use to Commercial.

## **RECOMMENDED PLANNING COMMISSION MOTIONS:**

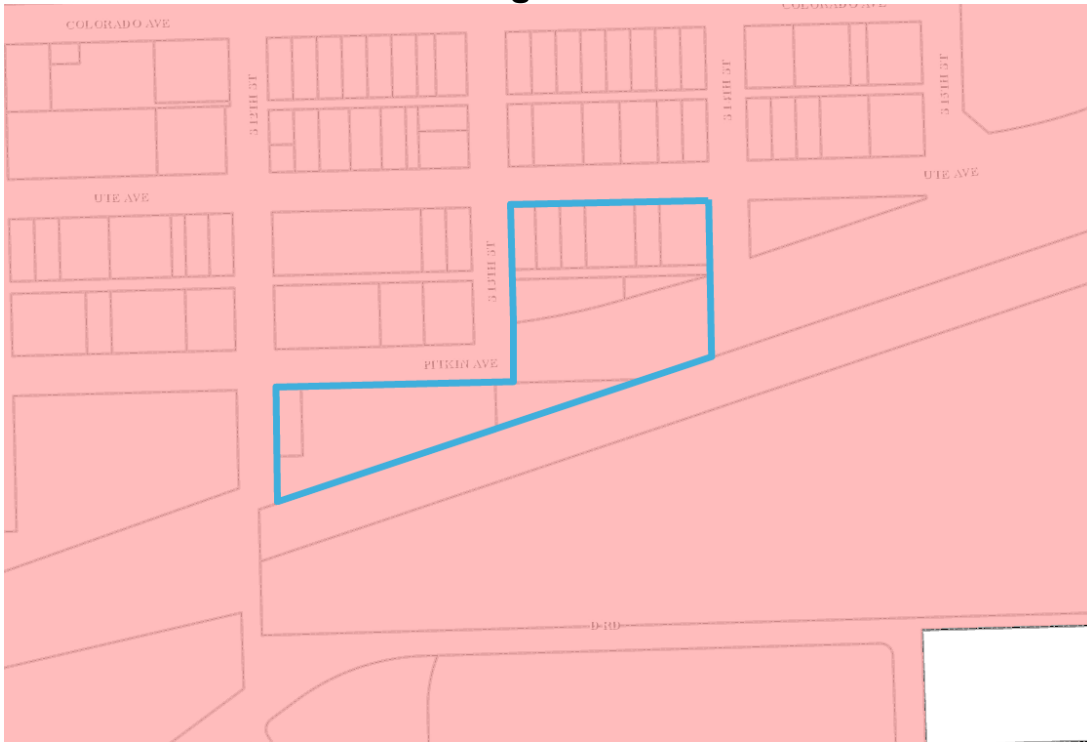
Mr. Chairman, on file CPA-2012-178, Grand Junction Comprehensive Plan Future Land Use Map Amendments to Title 31 of the Grand Junction Municipal Code (GJMC), I move that the Planning Commission forward a recommendation of approval of the proposed amendment to the Grand Junction Comprehensive Plan Future Land Use Map, Title 31 of the Grand Junction Municipal Code (GJMC) from Downtown Mixed Use to Commercial with the facts and conclusions listed in the staff report.

### Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Future Land Use Map / Existing City Zoning Map  
Citizen contacts  
Proposed Ordinance

# Site Location Map

Figure 1



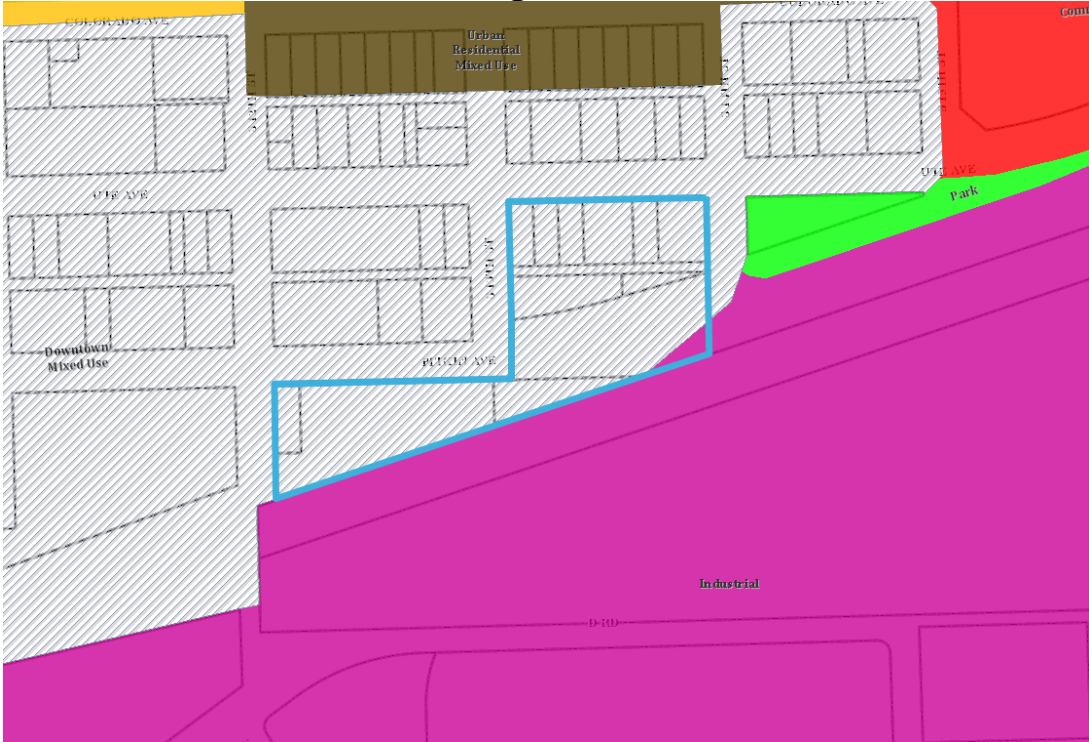
# Aerial Photo Map

Figure 2



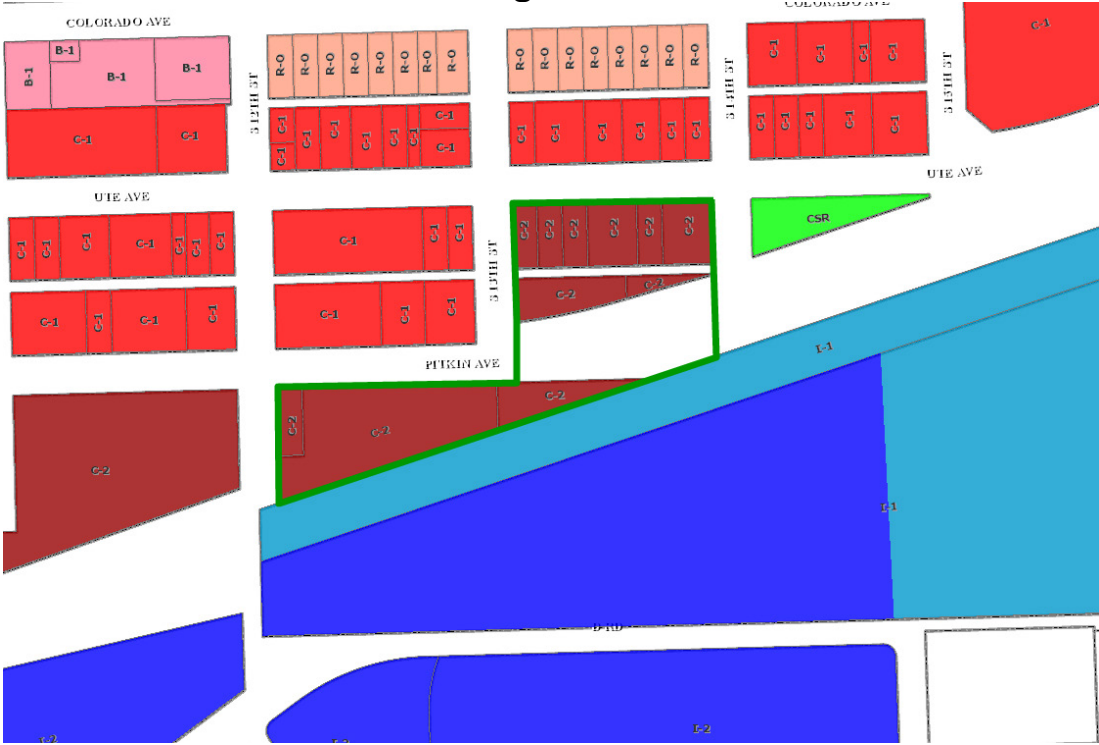
# Comprehensive Plan Future Land Use Map

Figure 3



# Existing City Zoning Map

Figure 4



## **Citizen Contacts by Phone:**

Elizabeth Williams  
Sunshine Taxi  
1321 & 1331 Ute

Shannon  
Hendricks Commercial Properties LLC

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE GRAND JUNCTION COMPREHENSIVE PLAN  
FUTURE LAND USE MAP**

**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. Staff analyzed these areas to consider whether the land use designation was appropriate, or if the zoning was more appropriate, to implement the vision, goals and policies of the Comprehensive Plan.

Upon analysis of this area, Staff has determined that the current zoning is appropriate and consistent with the vision of the Comprehensive Plan and that the current Future Land Use designation does not allow enough commercial intensity.

In order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties, Staff recommends amending the Comprehensive Plan Future Land Use Map to be consistent with the existing zoning.

The proposed Future Land Use Map amendments were distributed to the Mesa County Planning Division and various external review agencies for their review and comment. The City did not receive any comments from Mesa County or external review agencies regarding the proposed Future Land Use Map amendments.

An Open House was held on March 7, 2012 to allow property owners and interested citizens an opportunity to review the proposed 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 was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendments were also posted on the City and

Mesa County websites with information about how to submit comments or concerns. Several citizen inquires were received, by phone, during the review process.

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 amendment for the following reasons:

1. The proposed amendments to the Comprehensive Plan Future Land Use Map are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

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

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

The Grand Junction Comprehensive Plan Future Land Use Map and Blended Residential Land Use Categories Map are hereby amended as shown on the attached area maps.

INTRODUCED on first reading the 20<sup>th</sup> day of July, 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



# Comprehensive Plan Amendment - Area 21



 Area #21 (11 Parcels)

**Attach 6  
Area 11 Rezone**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** May 8, 2012  
**PRESENTER:** Lori V. Bowers

**AGENDA TOPIC:** Area 11 Rezone – RZN-2012-126

**ACTION REQUESTED:** Recommendation to City Council to rezone seven properties located at 488, 490 and 492 Melody Lane; 487, 489 ½ and 491 Sparn Street and Tax Parcel 2943-181-05-026, directly South of 487 Sparn Street, from C-2 (General Commercial) to C-1 (Light Commercial).

BACKGROUND INFORMATION				
<b>Location:</b>		488, 490 and 492 Melody Lane; 487, 489 ½ and 491 Sparn Street and Tax Parcel 2943-181-05-026, directly South of 487 Sparn Street		
<b>Applicants:</b>		City of Grand Junction		
<b>Existing Land Use:</b>		Residential and Business		
<b>Proposed Land Use:</b>		N/A		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial and Residential		
	<b>South</b>	Residential and Industrial		
	<b>East</b>	Hilltop Health Services		
	<b>West</b>	Wal-Mart		
<b>Existing Zoning:</b>		C-2 (General Commercial)		
<b>Proposed Zoning:</b>		C-1 (Light Commercial)		
<b>Surrounding Zoning:</b>	<b>North</b>	C-1(Light Commercial)		
	<b>South</b>	C-2 (General Commercial)		
	<b>East</b>	C-1(Light Commercial)		
	<b>West</b>	C-1(Light Commercial)		
<b>Future Land Use Designation:</b>		Village Center		
<b>Existing Zoning within density range?</b>			Yes	X No

**PROJECT DESCRIPTION:** A City initiated request to rezone seven (7) parcels, totaling 1.67 acres, located at 488, 490 and 492 Melody Lane; 487, 489 ½ and 491 Sparn Street and Tax Parcel 2943-181-05-026, directly South of 487 Sparn Street, from C-2 (General Commercial) to C-1 (Light Commercial) to bring them into conformance with the Comprehensive Plan.

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

## **ANALYSIS:**

### **1. Background**

The subject parcels of this City initiated rezone, referred to as Area 11, were platted in 1946 as part of the Ernest T Sparr Subdivision. The area was annexed into the City in 1961 as part of the Central Fruitvale Annexation. In 2010, the Comprehensive Plan was adopted by the City designating this area as a Village Center on the Future Land Use Map. The Comprehensive Plan was adopted by the City to help guide how future development should occur. The property is presently zoned C-2, (General Commercial) which is inconsistent with the Comprehensive Plan's Future Land Use Map designation of Village Center.

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 Village Center. Changing the zoning will not impact the existing businesses or business residences, but will maximum opportunity to utilize or redevelop the property in the future.

Generally, the difference in purpose between C-1 and C-2 zone districts are: C-1 is to provide indoor retail, service and office uses requiring direct or indirect arterial street access. This may include or provide for some outdoor operations and storage. The C-1 zone district further permits multifamily residential and group living facilities as land uses where appropriate. C-2 zoning is to provide for activities such as repair shops wholesale businesses and warehousing. Only a business residence is allowed as a housing opportunity under the C-2 zone.

There is an existing landscaping business on the southeast corner of the subject area. Landscaping materials, sales, greenhouses and nurseries are allowed uses in both C-1 and C-2 zoning districts. The properties are currently zoned C-2, and with one exception they are listed by the County Assessor as "residential;" the exception is 491 Sparr Street, which is a church, and is listed by the Assessor as "commercial exempt". (The Assessor bases the taxing assessment on the current use of the property and not on the zoning of the property.) All existing uses are allowed under the C-1 zone. Rezoning the properties to C-1 will also allow more opportunities for redevelopment in line with the Village Center concept which encourages employment, residential, service oriented and retail uses.

All property owners were notified of the proposed rezone by mail. They were invited along with other property owners in the area to attend an Open House held on March 7, 2012 to discuss any issues, concerns, suggestions or support for the rezone request. Three property owners/representatives contacted staff by phone and at their request a separate meeting was held to explain the differences between C-1 and C-2 zoning designations and what it would mean to their property. After the meeting, two of those three citizens sent an email (attached) stating that they adamantly opposed and did not want their property rezoned.

One neighboring property owner (adjacent to but not part of the rezone area) phoned to discuss the rezones and how they may impact her. Because her property is already zoned C-1, she did not object to rezoning the neighboring area.

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

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

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

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

The immediate area has benefitted from the completion of 29 Road with a new street configuration and sidewalks for this area being provided. When the economy rebounds this should help to stimulate new growth and redevelopment in this area of the community.

**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

Response: The proposed rezones will alleviate the conflict between the current zoning and the Comprehensive Plan Future Land Use Map designation of Village Center.

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

Response: New road construction has occurred around the subject parcels. The rezone will allow for future development and redevelopment of the subject properties and be consistent with the Comprehensive Plan.

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

Response: Adequate public facilities and services currently exist and may be extended for future development in this redevelopment area.

(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: City water and sewer are currently available in the adjacent right-of-ways, 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 an area with access to transportation, shopping and medical facilities.

(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. The property owners will be allowed to continue their existing uses and will have the opportunity for more uses in possible future redevelopment.

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

After reviewing the Area 11 Rezone, RZN-2012-126, a request to rezone the property 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 Municipal Code have all been met.

### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZN-2012-126, to the City Council with the findings and conclusions listed above.

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

Mr. Chairman, on the Rezone RZN-2012-126, I move that the Planning Commission forward a recommendation of the approval for Area 11 Rezone, from C-2 to C-1 with the findings of fact, and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map

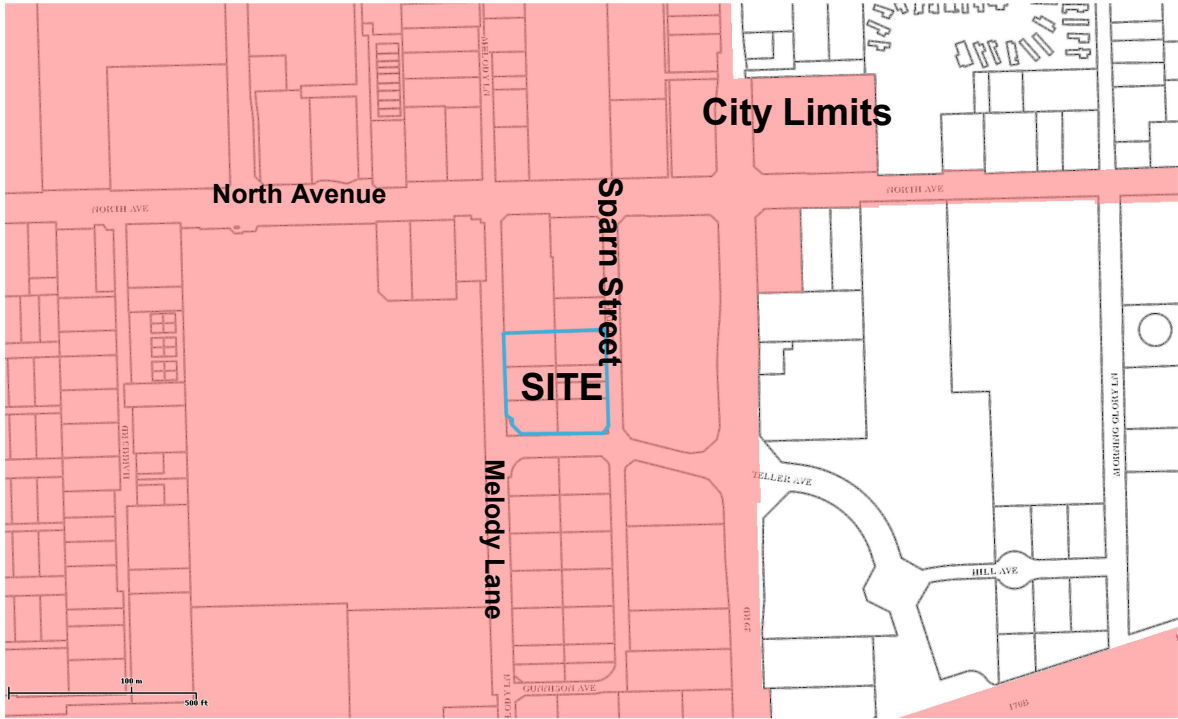
Comprehensive Plan Map / Existing City and County Zoning Map

Email attachments

Ordinance

# Site Location Map

Area 11



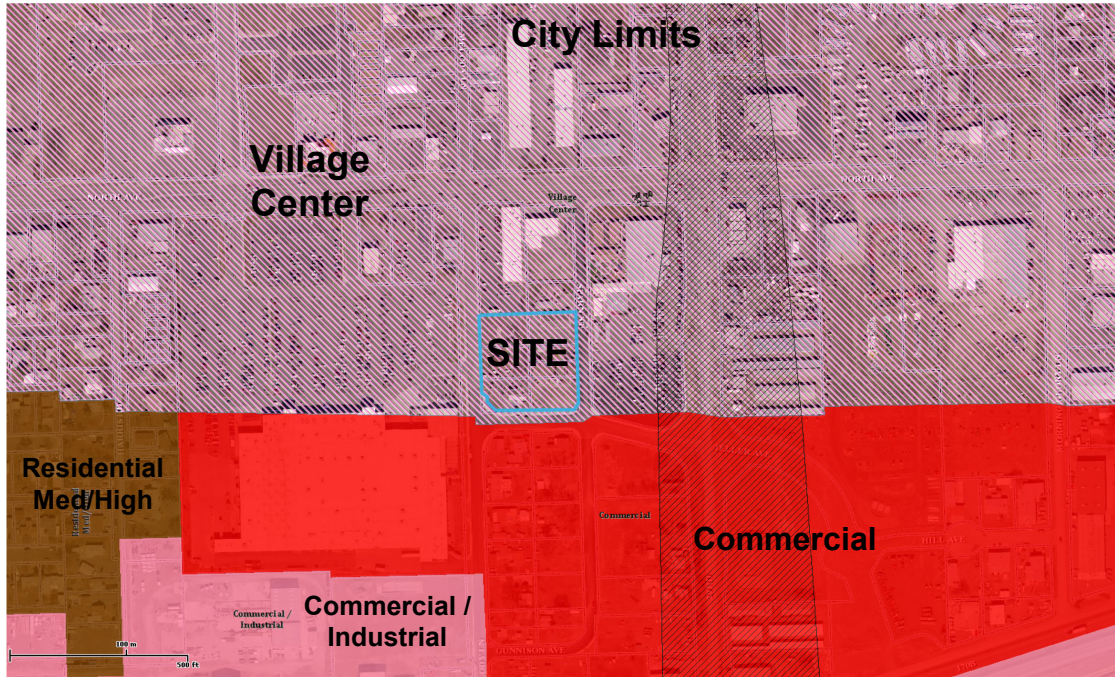
# Aerial Photo Map

Area 11



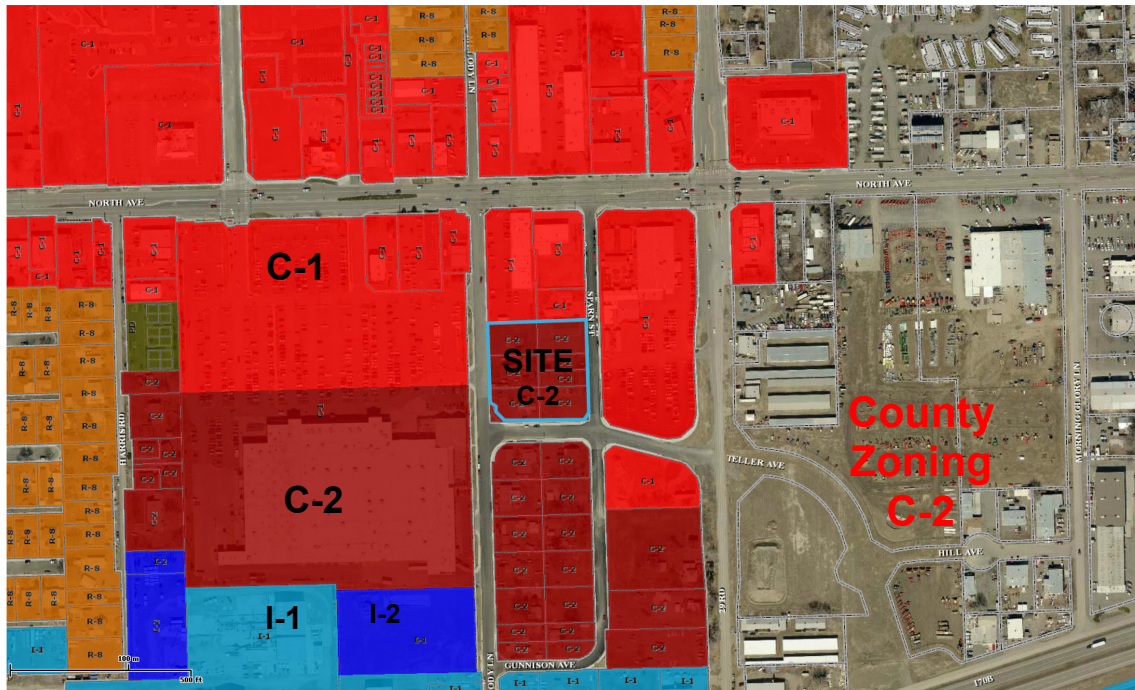
# Comprehensive Plan Map

## Area 11



# Existing City and County Zoning Map

## Area 11



**From:** maria a serafino <mariaaserafino@gmail.com>  
**To:** <lorib@gjcity.org>  
**Date:** 3/7/2012 12:45 PM  
**Subject:** Fwd: proposed rezone melody ln /parcel information

Dear ms. Bowers,  
here is the address of my property : 492 Melody Lane - Grand Junction - CO  
- 81501

----- Forwarded message -----

From: maria a serafino <mariaaserafino@gmail.com>  
Date: Wed, Mar 7, 2012 at 12:25 PM  
Subject: proposed rezone melody ln  
To: lorib@gjcity.org

Dear ms. Bowers,  
in regard to the rezoning of 7 parcels on Melody Ln. from C-2 ( general commercial ) to  
C-1 ( light commercial ) after the pre-meeting on march 6-2012 with you and some of  
the other owners, I have decided to vote against such change.I believe that the  
proposed change would down grade the value of my property.It appears that several  
other owners fills the same.  
Please consider this e-mail as my official vote to go on record.

Respectfully

Maria A. Serafino

---

**From:** Marie Ramstetter <ramstet@gmail.com>  
**To:** <lorib@gjcity.org>  
**Date:** 3/6/2012 8:46 PM  
**Subject:** Downzone

Please note that I adamantly oppose your proposed down zone of parcels owned by  
JVR LLC, parcel numbers 2943-181-05-018 and 026.

I request that you DO NOT go forward with this proposal.



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING AREA 11  
FROM C-2 (GENERAL COMMERCIAL) TO  
C-1 (LIGHT COMMERCIAL)**

**LOCATED AT 488, 490 AND 492 MELODY LANE  
AND  
487, 489 ½ AND 491 SPARN STREET  
AND  
TAX PARCEL 2943-181-05-026  
LOCATED DIRECTLY SOUTH OF 487 SPARN STREET**

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 C-1 zone district implements the Future Land Use designation of Village Center, 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 March 7, 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 properties shown as Area 11 from C-2 (General Commercial) to the C-1 (Light Commercial) zone district for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 zone district to be established.

The Planning Commission and City Council find that the C-1 zoning is in conformance with the stated criteria of 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 properties shall be rezoned C-1 (Light Commercial):

488 Melody Lane

490 Melody Lane

492 Melody Lane

487 Sparn Street

489 ½ Sparn Street

491 Sparn Street

And Tax Parcel 2943-181-05-026, located directly South of 487 Sparn Street

And as shown on Exhibit "A" attached.

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



Exhibit "A"

**Attach 7  
Area 23 CPA**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** May 8, 2012  
**PRESENTER:** Lori V. Bowers

**AGENDA TOPIC:** Comprehensive Plan Amendment – CPA-2012-210

**ACTION REQUESTED:** Recommendation to City Council to amend the Grand Junction Comprehensive Plan Future Land Use Map, Title 31 of the Grand Junction Municipal Code (GJMC).

BACKGROUND INFORMATION		
<b>Location:</b>		2259 River Road
<b>Applicants:</b>		City of Grand Junction
<b>Existing Land Use:</b>		United Companies offices and batch plant
<b>Proposed Land Use:</b>		No change
<b>Surrounding Land Use:</b>	<b>North</b>	Western Slope Ford
	<b>South</b>	Colorado River
	<b>East</b>	Allen Unique Auto car museum
	<b>West</b>	Suncor Energy
<b>Existing Zoning:</b>		I-2 (General Industrial)
<b>Proposed Zoning:</b>		N/A
<b>Surrounding Zoning:</b>	<b>North</b>	C-2 (General Commercial)
	<b>South</b>	I-2 (General Industrial) and CSR (Community Service and Recreation)
	<b>East</b>	I-2 (General Industrial) and CSR (Community Service and Recreation)
	<b>West</b>	County PUD (Planned Unit Development)
<b>Existing Future Land Use Designation:</b>		Commercial / Industrial
<b>Proposed Future Land Use Designation</b>		Industrial

**PROJECT DESCRIPTION:** A request to amend an area of the Comprehensive Plan Future Land Use Map located at 2259 River Road, from Commercial / Industrial to Industrial.

**RECOMMENDATION:** Recommend approval of the proposed amendment.

## BACKGROUND

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The 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 had zoning designations that did not implement the future land use designations of the Comprehensive Plan.

In October 2011, the City began the process of rezoning areas where a conflict existed between the zoning and the Future Land Use Map designation. The City mailed notification letters and cards, held open houses and attended neighborhood meetings. Based on input from citizens and property owners, Staff determined that in some areas the existing zoning is appropriate, and the best way to resolve the conflict between the Comprehensive Plan's Future Land Use Map and the zoning of these properties is to amend the Comprehensive Plan Future Land Use Map. This is one such area.

The subject area is owned by United Companies of Mesa County, Inc. United Companies established their business at this location in 1997 through the City's site plan review process. It was a phased project with an office area constructed in 1999. The entire parcel encompasses a total of 44.9 acres and is currently zoned I-2, General Industrial, with an existing CUP (Conditional Use Permit) for Sand and Gravel Extraction and Processing. The property has been used for sand and gravel extraction as well as processing and a batch plant since 1999. It is anticipated, as United Companies expands their growing business, that basic yard operations and processing of aggregate for off-site use will continue.

The land use designation in the Comprehensive Plan of *Industrial* is described as:

*“Heavy commercial and industrial operations are prominent in industrial areas. Batch plants and manufacturing uses with outdoor operations are appropriate if developed consistently with zoning regulations. Residential uses are not appropriate”.*

United Companies has a batch plant on site, and anticipates future growth which may include another batch plant.

The land use designation in the Comprehensive Plan for *Commercial Industrial* is described as:

*“Heavy Commercial, offices and light industrial uses with outdoor storage, with some outdoor operations (e.g., office/warehouse uses, auto sales, auto repair shops, lumber yards, light manufacturing, oil and gas businesses). Yard operations may be permitted where adequate screening and buffering can be provided to ensure compatibility with existing and planned development in the*

*vicinity of the proposed use. Residential uses are limited to the business park mixed use development”.*

Sand and gravel extraction and/or processing are allowed in both I-1 and I-2 zone districts with a Conditional Use Permit. The Future Land Use Designation of “Industrial” specifically allows batch plants. The I-2 zone implements the Industrial future land use designation, but does not implement the Commercial Industrial future land use designation. The existing batch plant and the potential for a second batch plant at this site present significant economic benefit to the community, and the future land use designation of Industrial best captures the existing and proposed expanded use of the property.

An Open House was held on January 18, 2012 to present for discussion a proposal to downzone the property to I-1 in order to bring the zoning into compliance with the Comprehensive Plan future land use designation of Commercial Industrial. Two representatives from United Companies attended the Open House. They asked about how the down zoning would constrain the future development of their property. Given the situation Staff has concluded it makes sense to leave the property zoned I-2 and change the Comprehensive Plan to Industrial.

#### **CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

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

Retaining the existing zoning and amending the Comprehensive Plan on the property to Industrial will provide the best opportunity for the landowner to maintain and expand a business that is a regional provider of needed building aggregate. This helps to sustain the economy by having local processing of product that will be available for paving, construction and other purposes.

#### **APPROVAL CRITERIA:**

The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

1. Subsequent events have invalidated the original premises and findings; and/or
2. The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
3. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
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

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

When the Comprehensive Plan was adopted, the City did not rezone properties which had zoning that was inconsistent with the new land use designations. This meant that in many areas there was a conflict between the new land use designation and the existing zoning of the property.

In this area the existing zoning is appropriate and is consistent with the overall vision of the Comprehensive Plan. The community will derive benefits from the proposed comprehensive plan future land use map amendment by affording the maximum opportunity for use and development of the property (Criterion 5). The plan amendment also creates an opportunity for heavy industrial uses, for which land is in relatively short supply in the community (Criterion 4). Given the area's proximity to transportation corridors (I-70 and the I-70 the business loop), it is adequately supported by public infrastructure for heavy industrial use. Furthermore, by removing the conflicts between the zoning and the Future Land Use designations, the City facilitates development, redevelopment, and expansion of property when the market is ready. Therefore criterion 3, 4 and 5 listed under Criteria of Plan Amendments have been met.

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

After reviewing CPA-2012-210, map amendment to the Future Land Use Map of the Comprehensive Plan, Title 31, of the Grand Junction Municipal Code, the following findings of fact and conclusions have been determined:

1. The proposed amendment to the Comprehensive Plan Future Land Use Map is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested Comprehensive Plan amendment, CPA-2012-210, to the City Council with the findings and conclusions listed above.

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

Mr. Chairman, on CPA-2012-210, I move that the Planning Commission forward a recommendation of approval of the requested Comprehensive Plan amendment with the findings and conclusions listed above.

Attachments:

Site Location Map / Aerial Photo Map

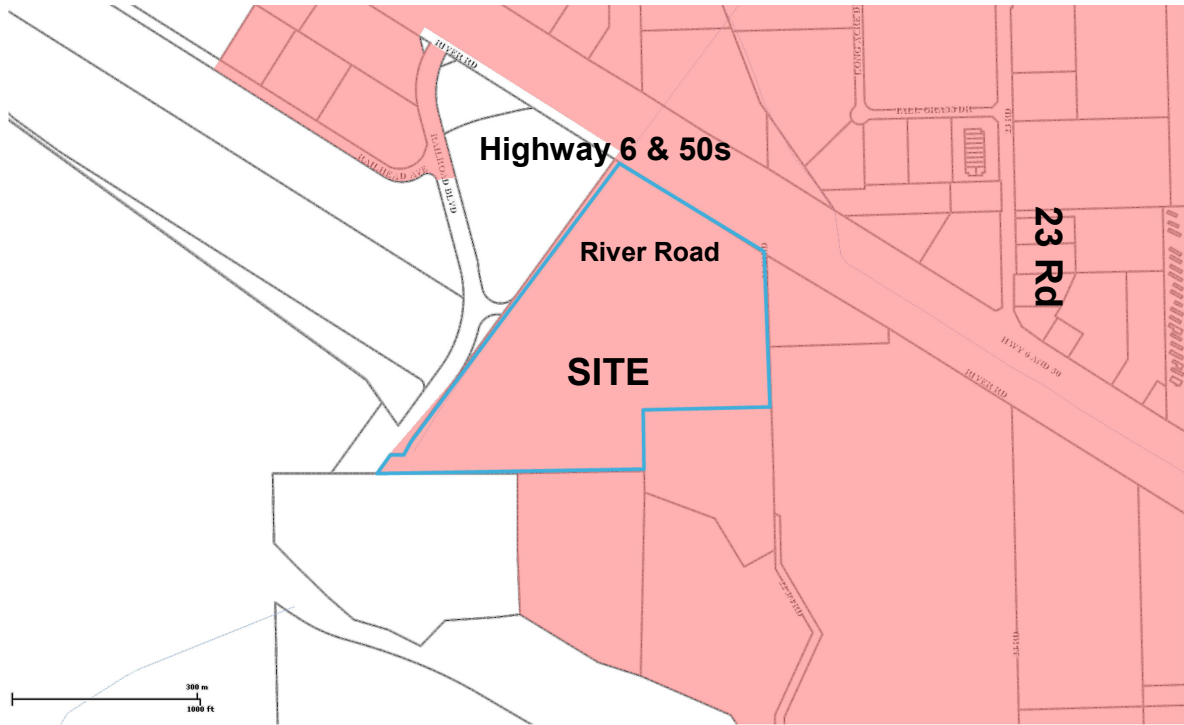
Comprehensive Plan Future Land Use Map / Existing City and County Zoning Map  
Ordinance



# Site Location Map

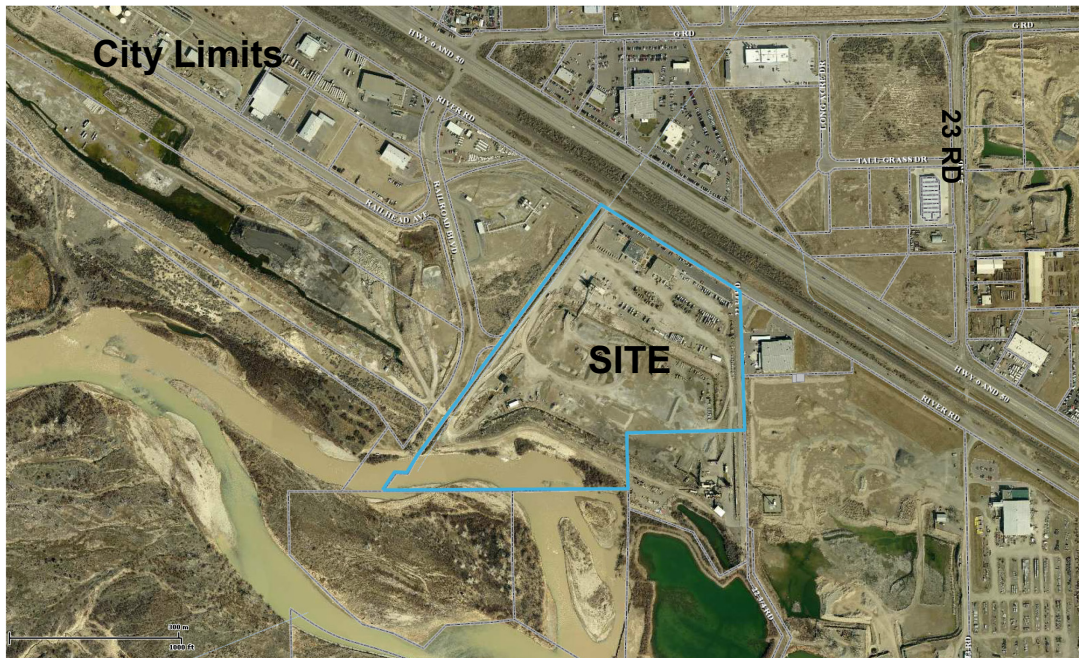
City Limits

Figure 1



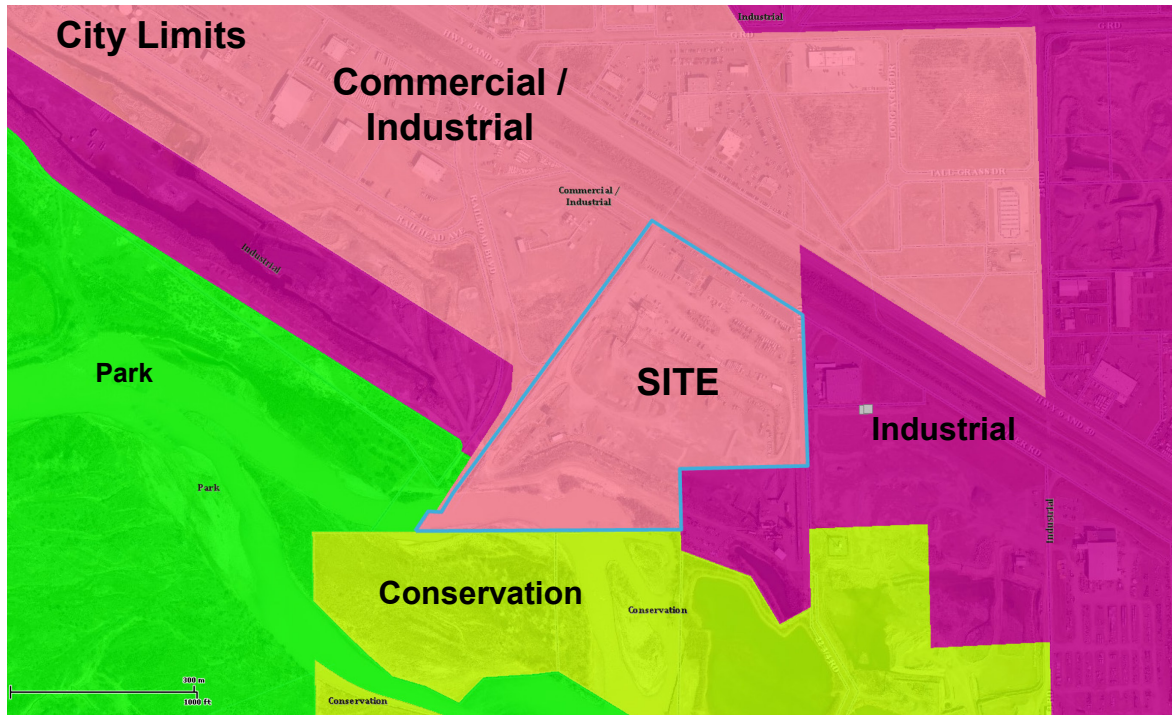
# Aerial Photo Map

Figure 2



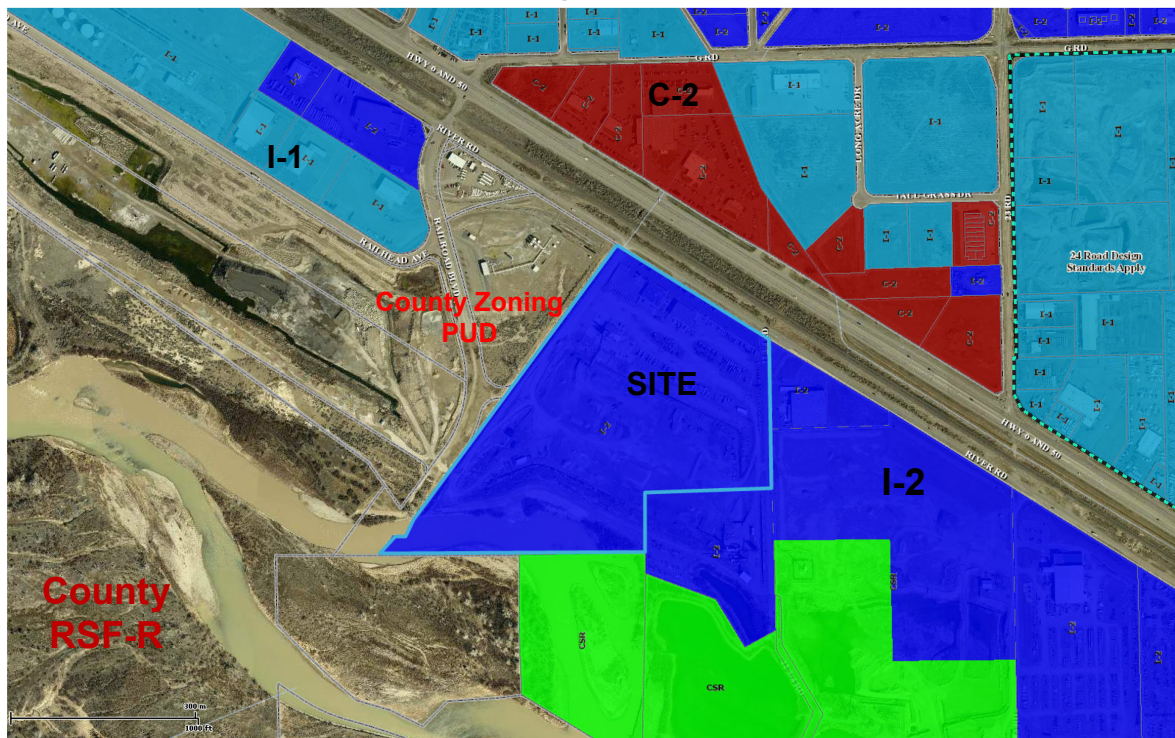
# Comprehensive Plan Future Land Use Map

Figure 3



# Existing City and County Zoning Map

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE  
GRAND JUNCTION COMPREHENSIVE PLAN**

**LOCATED AT 2259 RIVER 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. Staff analyzed these areas to consider whether the land use designation was appropriate, or if the zoning was more appropriate, 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 inappropriate, and that the existing rezoning should remain. It is justified in order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of this property that the Future Land Use Map be amended.

The proposed map amendment to Industrial meets the goals and policies of the Comprehensive Plan and the current zoning of I-2, as an applicable zone and is compatible with the existing land uses located in the surrounding area.

An Open House was held on January 18, 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 was run 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 Future Land Use map amendment for the following reasons:

1. The proposed amendments to Comprehensive Plan Future Land Use Map are consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

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 Future Land Use Map of the Comprehensive Plan, Title 31, is amended to Industrial for the property located at 2259 River Road and as shown on Exhibit "A" attached below.

**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:

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

\_\_\_\_\_  
Mayor

Area 3

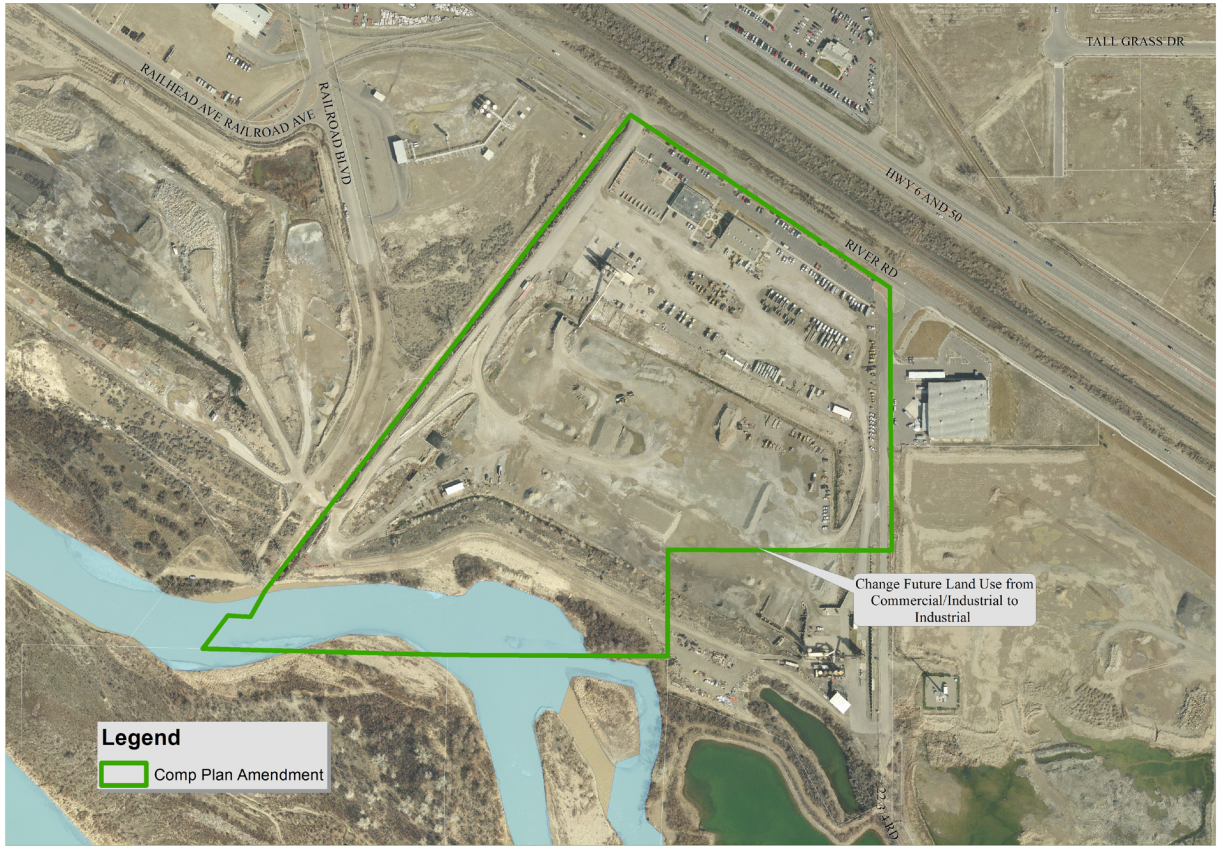


Exhibit A

**Attach 8  
Area 22 CPA**

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** May 8, 2012  
**PRESENTER:** Senta Costello

**AGENDA TOPIC:** Comprehensive Plan Future Land Use Map Amendment - CPA-2012-208

**ACTION REQUESTED:** Recommendation to City Council to amend the Grand Junction Comprehensive Plan Future Land Use Map, Title 31 of the Grand Junction Municipal Code (GJMC).

BACKGROUND INFORMATION		
<b>Location:</b>		2886/2898 I-70 B, 2892/2896 Hwy 6 & 24
<b>Applicants:</b>		Applicant: City of Grand Junction
<b>Existing Land Use:</b>		J&S Fence, Integrity Auto Repair, Lucas Industrial Repair, E&E Door and Window,
<b>Proposed Land Use:</b>		No change proposed
<b>Surrounding Land Use:</b>	<b>North</b>	Residential/Outdoor storage
	<b>South</b>	I-70 B/Railroad
	<b>East</b>	29 Rd overpass, storage units
	<b>West</b>	Office/Shop/Outdoor storage
<b>Existing Zoning:</b>		I-1 (Light Industrial)
<b>Proposed Zoning:</b>		I-1 (Light Industrial)
<b>Surrounding Zoning:</b>	<b>North</b>	C-2 (General Commercial)
	<b>South</b>	I-1 (Light Industrial)
	<b>East</b>	County C-2
	<b>West</b>	I-1 (Light Industrial)
<b>Existing Future Land Use Designation:</b>		Commercial
<b>Proposed Future Land Use Designation:</b>		Commercial/Industrial

**PROJECT DESCRIPTION:** A request to amend an area of the Comprehensive Plan's Future Land Use Map from Commercial to Commercial/Industrial.

**RECOMMENDATION:** Recommend approval of the proposed amendment.

## **BACKGROUND:**

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The 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 had a land use designation that called for a change of the current zoning of the property. In several cases the zoning was to be upgraded to allow for more residential density or commercial/industrial intensity. In other cases the zoning was to be downgraded to reduce commercial/industrial intensity. The City began the process of rezoning areas where a conflict existed between the zoning and the Future Land Use Map designation last October, sending out letters and notification cards, holding open houses and attending neighborhood meetings. It was during this time that Staff began relooking at some of the areas and determined that the current zoning was appropriate and did not need to be modified. However, in order to remove the inconsistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties, the Comprehensive Plan Future Land Use Map needs to be amended.

Staff has identified four (4) properties of the City with a conflict of this nature, which are shown on the map attached to this staff report.

To eliminate the conflict between the current land use designation and zoning of these four properties, Staff recommends and proposes to change to the future land use designation. The attached map and description shows the changes proposed for each of the affected areas.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

The proposed amendments are consistent with the following goals and policies of the Comprehensive Plan:

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

**Policy 1A:** City and County land use decisions will be consistent with the Future Land Use Map. Mesa County considers the Comprehensive Plan an advisory document.

By amending the Comprehensive Plan designation, the conflict between the current land use designation and zoning of these four properties will be eliminated.

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

**Policy 6A.** In making land use and development decisions, the City and County will balance the needs of the community.

The types of uses allowed in the zones that would implement the Commercial/Industrial Future Land Use designation would serve as a transition between the industrial uses to the south and less intensive commercial uses to the north. This transition would create a buffer encouraging the preservation of the existing buildings and uses in both areas.

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

**Policy 12B.** The City and County will provide appropriate commercial and industrial development opportunities.

By designating this area as Commercial/Industrial, the City would be providing additional opportunities for a mix of commercial and light industrial development.

### **APPROVAL CRITERIA:**

Chapter One, Amendments to the Comprehensive Plan (document), states that “An amendment is required when a requested change significantly alters the land use or the Comprehensive Plan document.”

The following Criteria for Plan Amendments are found in Chapter One of the Comprehensive Plan document:

#### Criteria for Plan Amendments

The City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

1. Subsequent events have invalidated the original premises and findings; and/or
2. The character and/or conditions of the area has changed such that the amendment is consistent with the Plan; and/or
3. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
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
5. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

When the Comprehensive Plan was adopted, the City did not rezone properties which had zoning that was inconsistent with the new land use designations. This meant that in many areas there was a conflict between the new land use designation and the existing zoning of the property.

The City recognizes that, in several areas, the existing zoning is appropriate and is consistent with the vision of the Comprehensive Plan. Furthermore, by removing the



conflicts between the zoning and the Future Land Use designations, a community benefit is derived. Under the current situation, the ability of a property owner or lessee may be unable to develop, redevelop or expand an existing use. By processing the proposed amendment, the City has removed a step that would have to be accomplished thus facilitating development, redevelopment, or expansion of property when the market is ready. Therefore criterion 5 listed under Criteria of Plan Amendments has been met.

#### **REVIEW AND COMMENT PROCESS:**

Because the City is requesting to amend the Comprehensive Plan Future Land Use Map, written notice was provided to each property owner to inform them of the City's intention to change the land use designation of property that they owned. Individual letters were mailed to each property owner which informed them of the proposed Future Land Use Map amendments and how they could review the proposed amendments and provide comments.

An Open House was held on March 7, 2012 to allow property owners and interested citizens to review the proposed amendment, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendment was also posted on the City and Mesa County websites with information about how to submit comments or concerns. Public review and comments were accepted from through March 7, 2012. Citizen comments were received by phone and email. No written comments were submitted during the Open House. Comments received are attached to this staff report.

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

After reviewing CPA-2012-208, Grand Junction Comprehensive Plan Future Land Use Map Amendment to Title 31 of the Grand Junction Municipal Code (GJMC), the following findings of fact and conclusions have been determined:

1. The proposed amendment to the Comprehensive Plan Future Land Use Map is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

#### **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the proposed amendment to the City Council with the findings and conclusions listed above.

## **RECOMMENDED PLANNING COMMISSION MOTIONS:**

Mr. Chairman, on file CPA-2012-208, Grand Junction Comprehensive Plan Future Land Use Map Amendment to Title 31 of the Grand Junction Municipal Code (GJMC), I move that the Planning Commission forward a recommendation of the approval of the proposed amendment with the facts and conclusions listed in the staff report.

### Attachments:

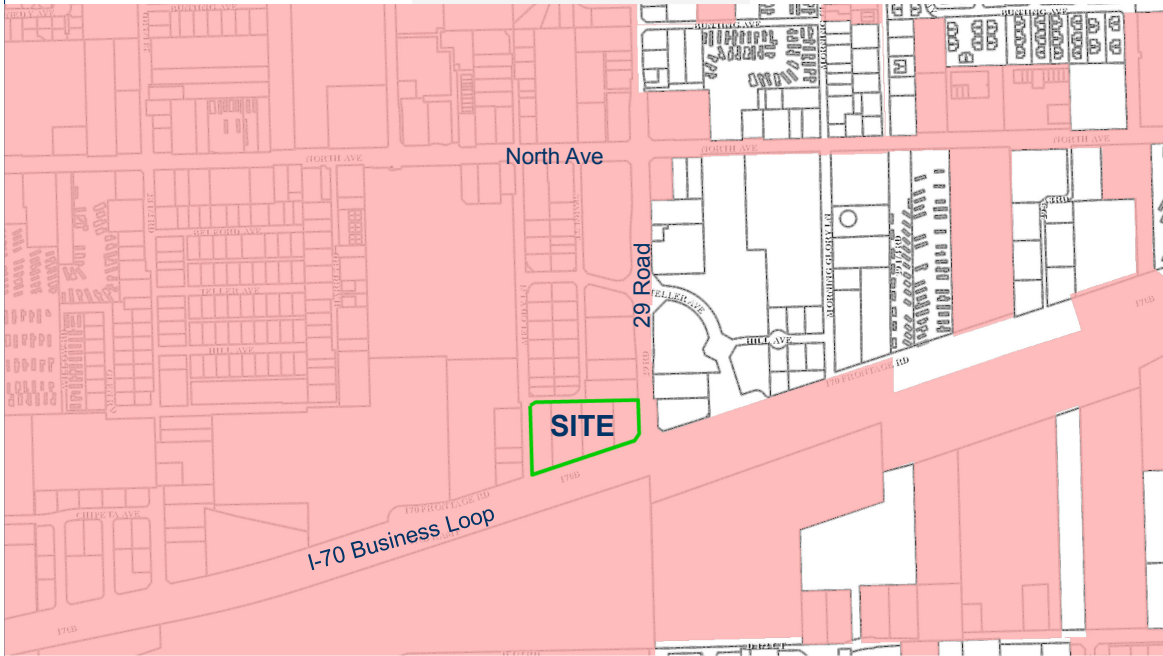
Site Location Map / Aerial Photo Map

Comprehensive Future Land Use Map / Existing City Zoning Map

Map of Areas with Proposed Changes to the Future Land Use Map

Citizen comments

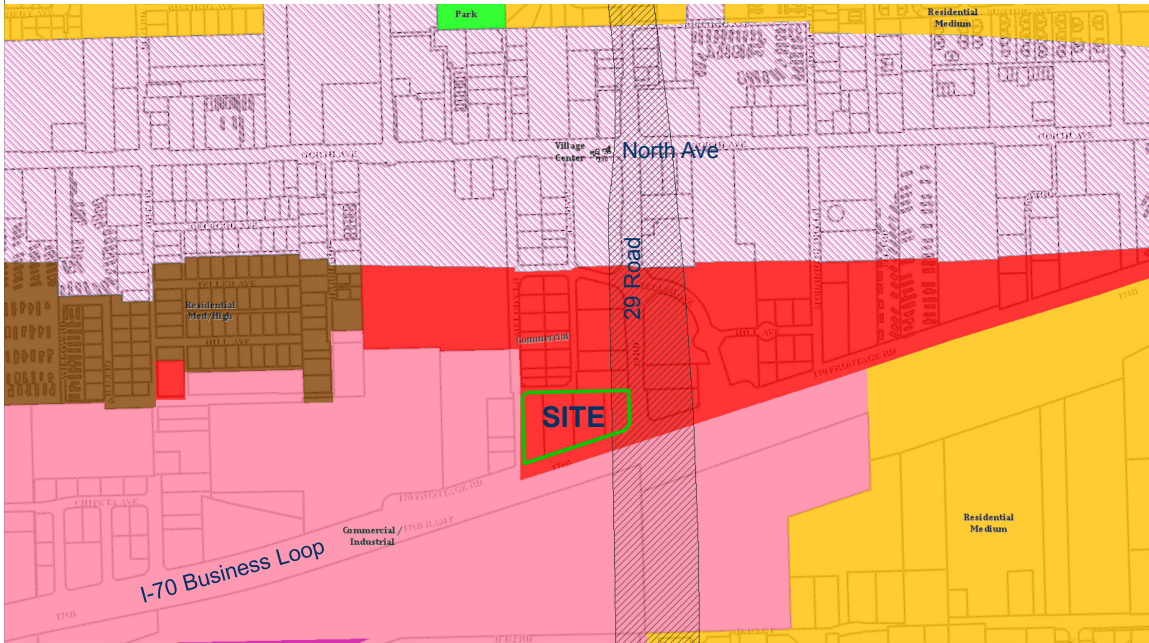
## Site Location Map



## Aerial Photo Map



# Comprehensive Plan Future Land Use Map



# Existing Zoning Map



## Area 22

**Location:** 2886/2898 I-70 B, 2892/2896 Hwy 6 & 24

**Parcels:** 4

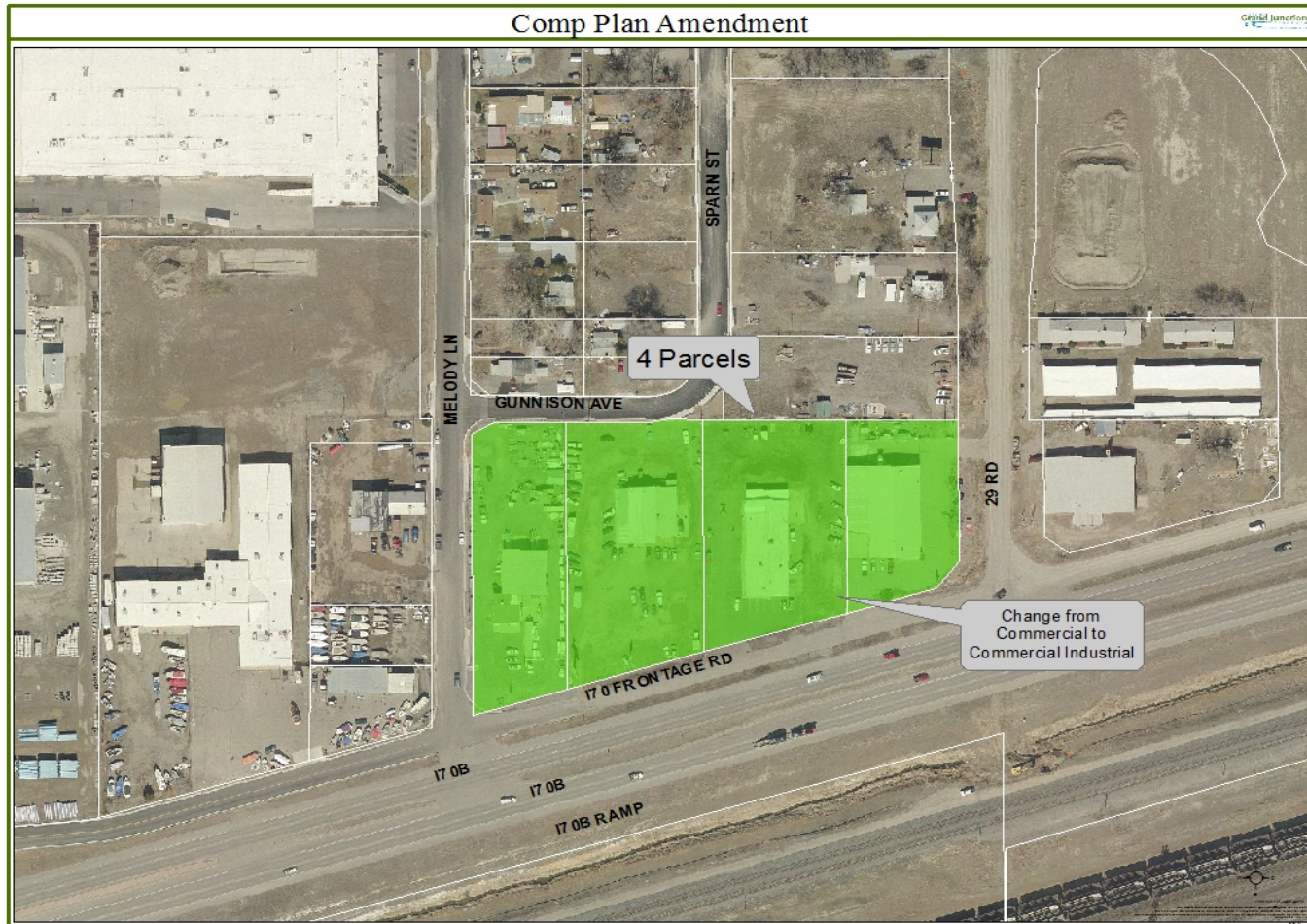
**Existing zoning:** I-1

**Recommended change to future land use designation:**

**From:** Commercial

**To:** Commercial/Industrial

Recommend changing future land use designation with no change to current zoning.



## Citizen Comments

**From:** "Tom Skubic" <tom@eedw.net>  
**To:** <sentac@gjcity.org>  
**Date:** 3/5/2012 1:00 PM  
**Subject:** FW:

---

From: Tom Skubic [mailto:tom@eedw.net]  
Sent: Monday, March 05, 2012 9:41 AM  
To: 'Carol Skubic'  
Subject:

Concerning your comprehensive plan from February 2010. There are no plans for the four properties listed. Who made this decisions and why were these properties picked for de-zoning?

The properties listed are in an industrial area on the I-70 business loop with nothing but train tracks across from all four properties

When i purchased this property it was zoned as I-1, To de-zone is to de-value, how will I be compensated from the city for the decrease in value and the new hardships in selling this property?

When i was negotiating with the city on the purchase of some of my property in regards to the 29 road project i was asked to gift a part of my back lot to make Sparn a commercial street. De-zoning never came up in the negotiations and if it had it may have impacted my decision to gift the property.

I feel that i have have cooperated with all entities in the building of the new bridge and have not complained of the hardships incurred. I hope that you will take this into consideration on your decision of the de-zoning.

Please call me with any questions or concerns that you may have.

Tom Skubic  
Owner  
E & E Door & Window  
2898 I-70 Business Loop  
Grand Junction, CO 81501  
970-242-0208  
970-242-1328 Fax  
970-985-5231 Cell  
www.eedw.net

**From:** <lucasdiesel@aol.com>  
**To:** <sentac@gjcity.org>  
**Date:** 3/6/2012 11:41 AM  
**Subject:** Lucas 2896 I-70 B

When I purchased 2896 I-70 Business loop in 1986 and 2892 in 1996 both properties were zoned (I-1). If the zoning on these properties is changed to (C-2) it will decrease the value of the properties. I would like to see all four of the addresses above remain zoned (I-1).  
Thank you for your consideration

Thank You  
Dennis R Lucas Sr.  
970-241-5011

**J & S Fence Co., Inc.**  
2886 I-70 Business Loop  
Grand Junction, CO 81501  
(970) 243-2723 FAX: (970) 243-2735

Greg Moberg, Planning Service Supervisor  
Public Works & Planning  
City Of Grand Junction  
250 N. 5<sup>th</sup> St.  
Grand Junction, CO 81501

Comment and questions regarding proposed zoning changes - 2886 I-70 Business Loop, Grand Junction, CO.

1. Who decided the change was necessary?
2. What is the reason for the zoning change?
3. Why are the properties west of Melody Lane remaining in the I-1 zoning?
4. Who is going to pay for the devaluation of said property?

J & S Fence Co., Inc. has been at this location since the early 1960's. When the property was purchased, the desired I-1 zoning was in place. We have endured 3 years of hardship due to the construction of the 29 Rd. Project. Now you wish to change the zoning. Is this part of some master plan?

The neighboring properties to the west are zoned I-1. We are blocked on the east by the overpass. To the south are railroad tracks. We are in an industrial area. We hope that you will rethink this zoning change as we do not believe the change is in any way beneficial.

Doris Downey  
970 243-2723  
ddowney@jsfenceco.com



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE GRAND JUNCTION COMPREHENSIVE PLAN  
FUTURE LAND USE MAP**

**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. Staff analyzed these areas to consider whether the land use designation was appropriate, or if the zoning was more appropriate, to implement the vision, goals and policies of the Comprehensive Plan.

In many instances it was determined that the current zoning is appropriate and consistent with the vision of the Comprehensive Plan. In several areas, it was determined the current land use designation called for a change in residential density or commercial or industrial intensity that did not fit the neighborhood.

In order to create consistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties, Staff recommends amending the Comprehensive Plan Future Land Use Map to be consistent with the existing zoning.

The proposed Future Land Use Map amendment was distributed to the Mesa County Planning Division and various external review agencies for their review and comment. The City did not receive any comments from Mesa County or external review agencies regarding the proposed Future Land Use Map amendments.

An Open House was held on March 7, 2012 to allow property owners and interested citizens an opportunity to review the proposed map amendment, to make comments and to meet with staff to discuss any concerns that they might have. A display ad noticing the Open House was run in the Daily Sentinel newspaper to encourage public review and comment. The proposed amendment was also posted on the City and Mesa

County websites with information about how to submit comments or concerns. Several citizen comments were received during the review process.

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 amendment for the following reasons:

1. The proposed amendment to the Comprehensive Plan Future Land Use Map is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendments will help implement the vision, goals and policies of the Comprehensive Plan.

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

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

The Grand Junction Comprehensive Plan Future Land Use Map is hereby amended as shown on the attached area 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

# Comp Plan Amendment



4 Parcels

Change from  
Commercial to  
Commercial Industrial

MELODY LN

SPARN ST

GUNNISON AVE

29 RD

17 0 FRONTAGE RD

17 0B

17 0B

17 0B RAMP