

**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.