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

TUESDAY, FEBRUARY 27, 2018, 6:00 PM

Call to Order - 6:00 P.M.

1. Minutes of Previous Meetings

2. The Camp Annexation

[Attach 1](#)

FILE # ANX-2017-611

Consider a request to zone 8.94 acres from County RSF-R (Residential Rural) to City CSR (Community Service and Recreation) and C-1 (Light Commercial) zone district.

Action: Recommendation to City Council
Applicant: Mirror Pond LLC - Kevin Bray
Location: 171 Lake Rd
Staff Presentation: Kathy Portner

3. Other Business

4. Adjournment

Attach 1



EXHIBIT LIST

**CAMP ZONE OF ANNEXATION
FILE NO. ANX-2017-611**

Exhibit Item #	Description
1	Application dated December 7, 2017
2	Staff Report dated February 27, 2018
3	Staff Presentation dated February 27, 2018

**General Project Report
Annexation/Zone of Annexation**

**171 Lake Road Annexation
2945-164-00-290
171 Lake Road, Grand Junction, CO
December 7, 2017**

A. Project Description

1. Location

The project is located at 171 Lake Road, Grand Junction, Colorado (Parcel No. 2945-164-00-290).

2. Acreage

The project consists of approximately 8.625 acres.

3. Proposed Use

It is proposed to annex the parcel into the City of Grand Junction limits and zone the parcel with a split zoning of Community Services Recreational (CSR) and C-1 (Light Commercial), following the recommendation of the Comprehensive Plan and also floodway/floodplain limits associated with the property. The applicant plans to continue the existing use of a primitive campground which was allowed by Mesa County through a Special Use Permit and continue to operate it as it has been operated for the last three years. Campgrounds are allowed uses in both of the proposed zone districts. The annexation and zoning are being requested at this time due to the parcel's location within the 201 boundary, and must occur before further development potential can be investigated.

B. Public Benefit

In addition to providing a convenient lodging option for participants and observers/spectators traveling to Mesa County and Grand Junction for specific events, the use of the property, which has resulted in cleanup, is a benefit to the commercial users that share Power Road, as well as the residential occupants along Lake Road. The clearing of vegetation and the presence of people has successfully eliminated the transient camps that have previously existed on the property and presented concerns for both the commercial and residential neighbors. The current use appears to be changing the perception of the area for many locals and provides a convenient and pleasant setting for visitors.

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C. Neighborhood Meeting

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A neighborhood meeting was held as required and meeting minutes are included with this submittal.

D. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted

Annexation/Zone of Annexation

Annexation and Zoning – Within the City’s Urban Growth Area

Does the annexation meet the requirements of State law (Title 31, Article 12)?

The annexation of the subject property does meet the requirements of Colorado State Law (Title 31, Article 12). The legal description of the annexation and descriptions of the proposed zone districts are included with this submittal

Can the area to be annexed be efficiently served by urban services and facilities (police and fire protection, sanitary sewer service, potable and irrigation water, drainage structures, streets and trails, etc.) and what will the impact be to these urban services and facilities?

Water and sewer services are available adjacent to the property. The continuation of the primitive campground does not require development of infrastructure or services. The campground use has had minimal impact to the provision of police and fire protection services and other municipal services.

Is the area to be annexed contiguous with existing urban development?

The property has the 1/6 contiguity with the City limits required for annexation. Land adjacent to the subject property on the south and east have been annexed and developed with commercial uses.

Is the annexation consistent with the City’s Master Plan?

The annexation and proposed zone districts are consistent with the adopted Comprehensive Plan.

21.02.140 Code Amendment and Rezoning.

Approval Criteria. In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

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

The subject property is within the 201 boundary and must annex into the City of Grand Junction before any future development can occur.

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

The area has changed with annexation and commercial development of properties to the east and south of the subject property. The proposed zone districts are compatible with what is recommended per the Comprehensive Plan.

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

The project is in close proximity to numerous amenities including downtown Grand Junction shopping and restaurants, municipal facilities such as the Mesa County Library and City Hall and entertainment.

(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

The question of whether there is an inadequate supply of land does not seem to apply to an initial zoning of the property. To state that there is an inadequate supply of suitably designated land to accommodate the proposed land use assumes a proposed land use. The applicant is planning to continue the existing use of a primitive camp but does not propose that is the only use that would be allowed on the property under the proposed zoning. The zoning designation does not dictate a use so to predicate a discussion about zoning based on proposed use makes the discussion about use, not zoning. The commercial and CSR zone allow multiple uses therefore a question about the amount of supply of suitably designated land for the proposed use becomes more narrow than the zoning. For example, a commercial zone would allow multifamily development and/or storage units. If an applicant were to annex the property with the intention of building storage units and at a later date decided to build multifamily instead, then what benefit did an answer to this question provide? The future development of the property is naturally dependent on the question of there being an inadequate supply of the intended use. In this specific example what is inadequate is the ability to develop the property for any intended use. The evidence of that is in the Persigo Agreement that dictates that development of the property requires that the land be annexed into the City. For land to be annexed into the City, it has to be zoned. This application is to annex the property so that the future development of the property can be considered in a zoning context.

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

The annexation and zoning of the subject property will allow for the continued use of the primitive campground that has been established. As explained previously, the cleanup and continued use of the property has discouraged the transient camps that previous existed

on the property and imposed concerns. Future development of the property would provide further benefit.

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F. Development Schedule and Phasing

N/A – no change in use is proposed at this time.

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PLANNING COMMISSION AGENDA ITEM

Project Name: Zoning of the Camp Annexation

Applicant: Mirror Pond, LLC, Kevin Bray

Representative: River City Consultants, Inc.

Address: 171 Lake Road

Zoning: Proposed CSR and C-1

Staff: Kathy Portner

File No. ANX-2017-611

Date: February 27, 2018

I. SUBJECT

Consider a request to zone 8.626 acres from County RSF-R (Residential Single Family, Rural) to City CSR (Community Services and Recreation) and C-1 (Light Commercial) zone districts. The property is located at 171 Lake Road.

II. EXECUTIVE SUMMARY

The Applicant, Kevin Bray, is requesting zoning of CSR (Community Services and Recreation) for 4.445 acres and C-1 (Light Commercial) for 4.181 acres of the property located at 171 Lake Road currently being considered for annexation. The proposed split zoning is consistent with the Comprehensive Plan Future Land Use Map and recognizes the constraints of the special flood hazard areas on the property. The property is currently being used as a primitive campground for special events under a Special Use Permit issued by Mesa County. The owner has requested annexation for future development of the property, which is anticipated to constitute “annexable development” and, as such, is required to annex in accordance with the Persigo Agreement.

III. BACKGROUND

The Camp annexation consists of one 8.626 acre parcel of land located at 171 Lake Road, and also includes the right-of-way of the adjacent Power Road, Dike Road and Lake Road. The property is currently used as a primitive campground for special events under a Special Use Permit issued by Mesa County. The owner has requested annexation for future development of the property, which is anticipated to constitute “annexable development” and, as such, is required to annex in accordance with the Persigo Agreement.

Use of the property as a primitive campground for special events was originally approved by Mesa County in 2015 to provide camping facilities during area events, with a calendar of events being approved annually. There is an existing residential structure on the site that is used for an on-site caretaker. The campground operates from April through October and provides temporary toilets, trash, security and on-site personnel. Operation of the campground was approved for 18 events in 2017 by Mesa County and the same number of events are proposed for 2018.

The property was zoned RSF-R (Residential Single Family, Rural) in the County. The Applicant is requesting a split zoning of CSR (Community Services and Recreation) and C-1 (Light Commercial). The CSR zone district allows primitive campgrounds and both the CSR and C-1 zone districts also allow non-primitive campgrounds, amongst other uses. The use as it was approved by Mesa County will be allowed to continue until such time additional development or a major revision is proposed.

The proposed split zoning of CSR for 4.445 acres and C-1 for 4.181 acres is consistent with the Comprehensive Plan Future Land Use Map that dedicates these two areas as Conservation and Neighborhood Center. The CSR zone district is intended for uses such as parks, open space and recreational uses and can be applied to environmentally sensitive lands and in this case would apply to the portion of the property within the Floodway and with a Future Land Use Designation of Conservation. The C-1 zone district is a district for the primary use as Office, retail and services and is proposed for the portion of the property along Power Road, which has a Future Land Use Designation of Neighborhood Center. The area proposed for C-1 zoning is located within the designated 100-year floodplain which requires any proposed buildings to be elevated one foot above the flood elevation.

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on October 10, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Eight citizens attended the meeting along with the Applicant, Applicant's representative and City Staff. The Applicant discussed the proposed annexation and zoning and the plan to continue operating the primitive campground as originally approved. Attendees expressed their concern with transient activity in the area. There was also some discussion of potential future use of the property.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on February 16, 2018. The subject property was posted with an application sign on December 15, 2017 and notice of the public hearing was published February 20, 2018 in the Grand Junction Sentinel.

V. ANALYSIS

Pursuant to Section 21.02.140 (a) of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

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

The current zoning in unincorporated Mesa County is RSF-R (Residential Single Family, Rural), which is inconsistent with the Comprehensive Plan Future Land Use Map designation that was adopted subsequent to the original zoning. The Future Land Use Map adopted in 2010, designated the south half of the property

as Neighborhood Center, which can be implemented by the requested C-1 zone district, and the north half of the property as Conservation, which can be implemented by the requested CSR zone district. Though the current zoning is not in the City, the subsequent event to of adopting the 2010 Comprehensive Plan and its associated land use designations has invalidated the current/original zoning and therefore Staff finds that this criterion has been met.

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

Properties to the north and west of the Camp Annexation are still outside the City limits and zoned RSF-R with single family homes or vacant property. Properties to the east and south are inside the City limits and zoned C-1 and C-2. Development on those properties consist of the Pepsi warehouse and the Safeway Shopping Center that have been there for 20 plus years.

Staff has not found that the character of the area has changed and therefore finds this criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve future development of uses allowed with the CSR and C-1 zone districts. Ute Water and City sanitary sewer are both presently available in Power Road. Property can also be served by Xcel Energy natural gas and electric. Due to the proximity and availability of services and facilities, staff finds this criterion has been met.

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

The portion of this property that is proposed for C-1 zoning is within the Neighborhood Center identified on the Future Land Use Map of the Comprehensive Plan. Neighborhood Centers were identified throughout the community to serve the needs of the immediate neighborhoods with a mix of residential and commercial uses. Though there is C-1 located to the South and east of the property, the Future Land Use Map calls for additional area to designated for a mix of uses, including commercial uses allowed within the C-1 zone district in this area.

The CSR zoning proposed is specific to the constraints of the portion of the property located within the regulated Floodway. Because there exists properties that have significant constraints such as this property from the special flood hazard area Floodway delineation, it could be argued that until all such properties are appropriately zoned that there is an inadequate supply of the CSR zone district designation.

Staff finds that there is an inadequate supply of these zoning designations in this area and, therefore, has found this criterion to have been met.

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

The area and community, in general, would derive benefits from the proposed zoning of this property as it would provide mixed use opportunities in an identified Neighborhood Center and preserve and protect the designated Floodway. This principle is supported and encouraged by the Comprehensive Plan and furthers the goal of promoting infill development. Because the community and area will derive benefits, staff has found this criterion has been met.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

The Comprehensive Plan Future Land Use Map designates the property as Neighborhood Center and Conservation. The request for a C-1 zone district is consistent with the Neighborhood Center designation and the request for a CSR zone district is consistent with the Conservation designation and works to implement the Comprehensive Plan. Further, the zoning request is consistent with the following goal of the Comprehensive Plan:

Goal 3 / Policy A.: To create large and small “centers” throughout the community that provide services and commercial area.

Section 21.02.160(f)

Section 21.02.160(f) of the Grand Junction Municipal Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The Comprehensive Plan shows this area to develop in the Neighborhood Center and Conservation categories. The Applicants’ request to zone the property to C-1 and CSR is consistent with the Comprehensive Plan.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Zoning of the Camp Annexation, ANX-2017-611, a request to zone the 8.626 -acre property to the C-1 zone district (4.181 acres) and CSR zone district (4.445 acres), the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. More than one of the applicable review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met.
3. The applicable review criteria in Section 21.02.160(f) of the Grand Junction Municipal Code have been met.

Therefore, Staff recommends approval.

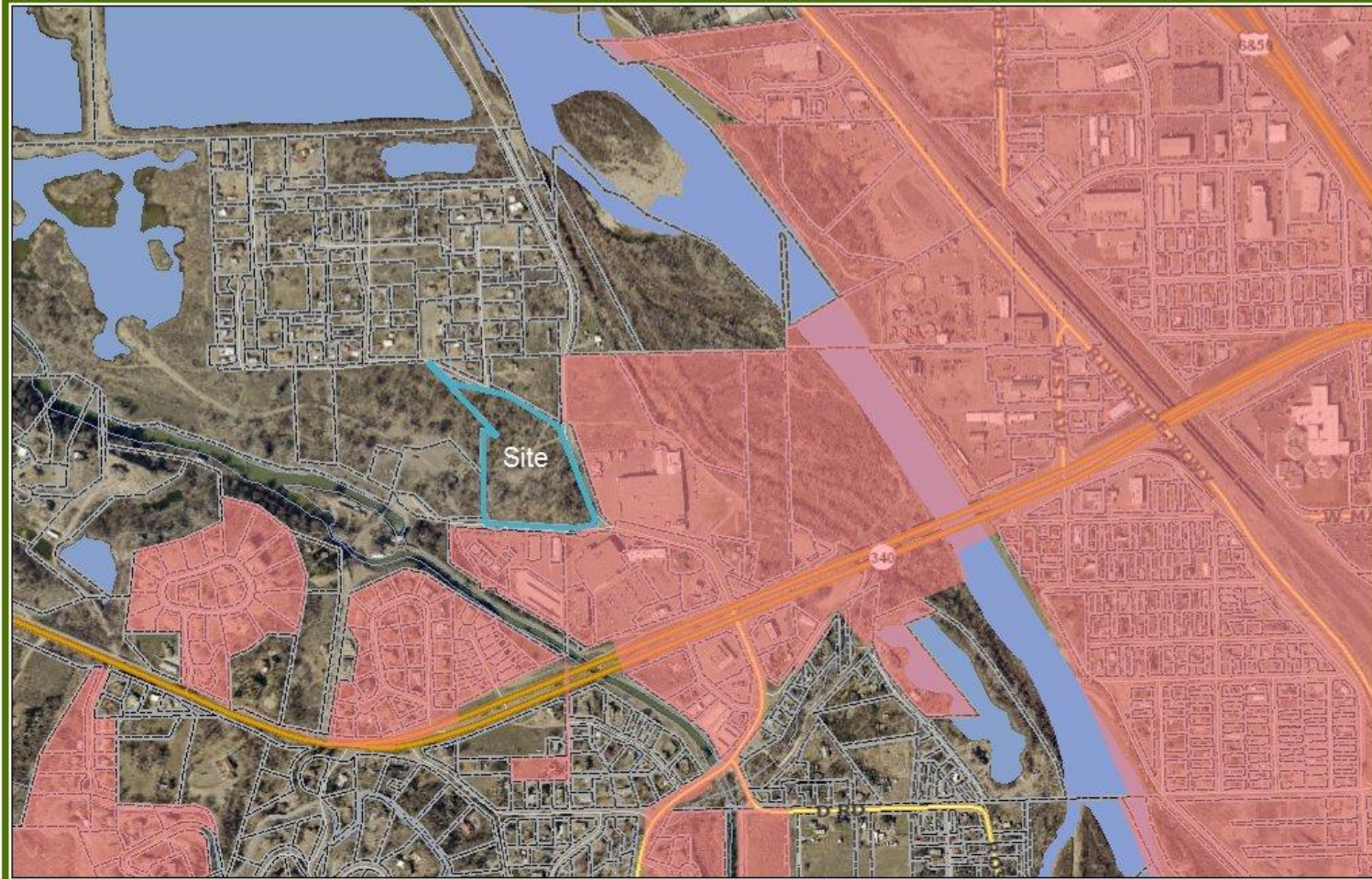
VII. RECOMMENDED MOTION

Madam Chairman, on the Camp Annexation Zoning application, ANX-2017-611, I move that the Planning Commission forward to the City Council a recommendation of approval of the C-1 and CSR zone districts with the findings of facts as listed in the staff report.

Attachments:

1. Site Location Map
2. Aerial Photo Map
3. Comprehensive Plan Future Land Use Map
4. City / County Existing Zoning Map
5. Flood Hazard Map
6. Site Photos

Expanded City Limits Location Map

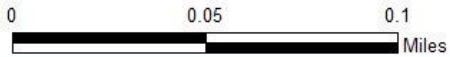
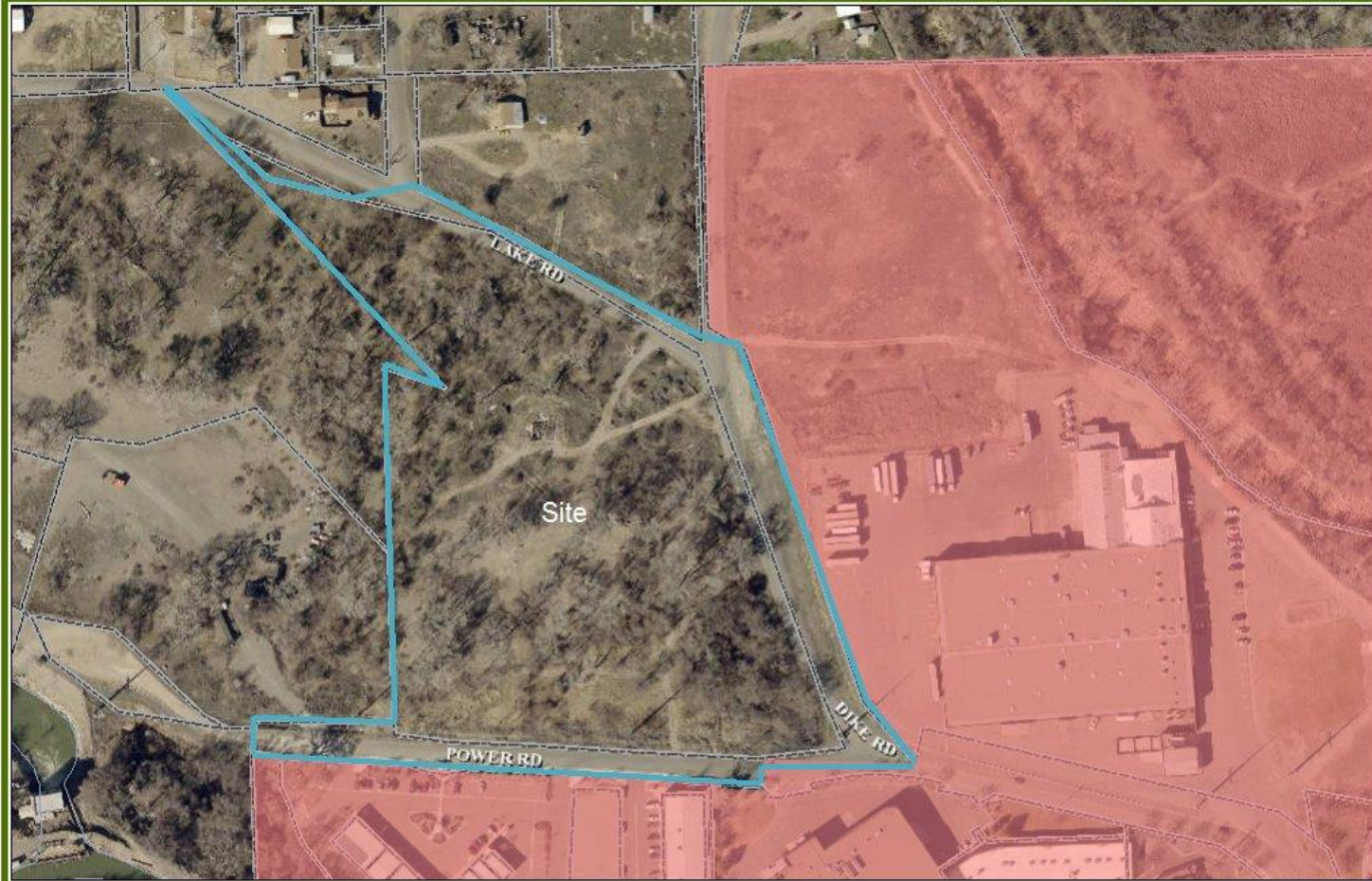


Printed: 1/4/2018

1 inch = 752 feet



Camp Annexation

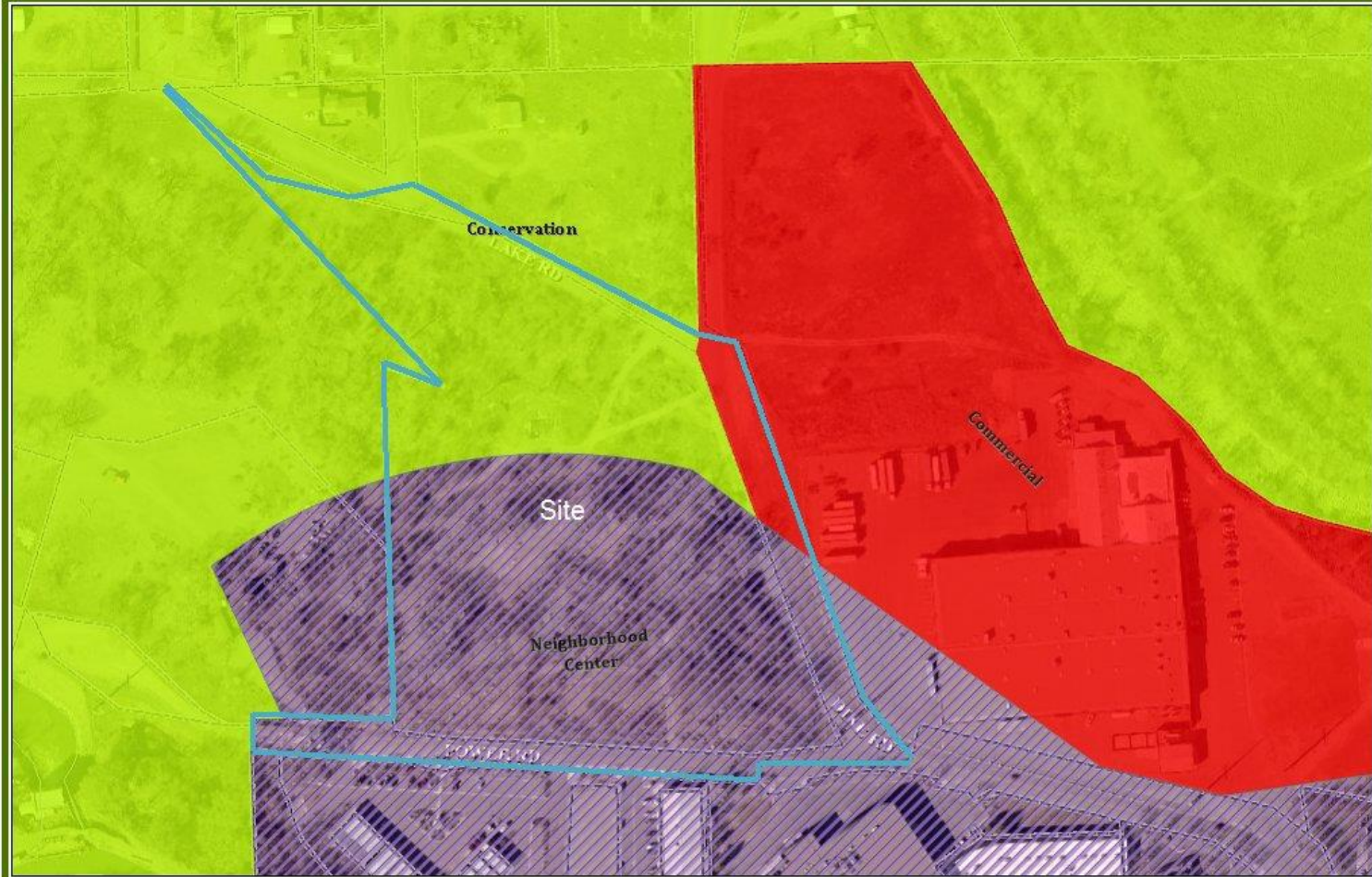


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Future Land Use



Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Zoning

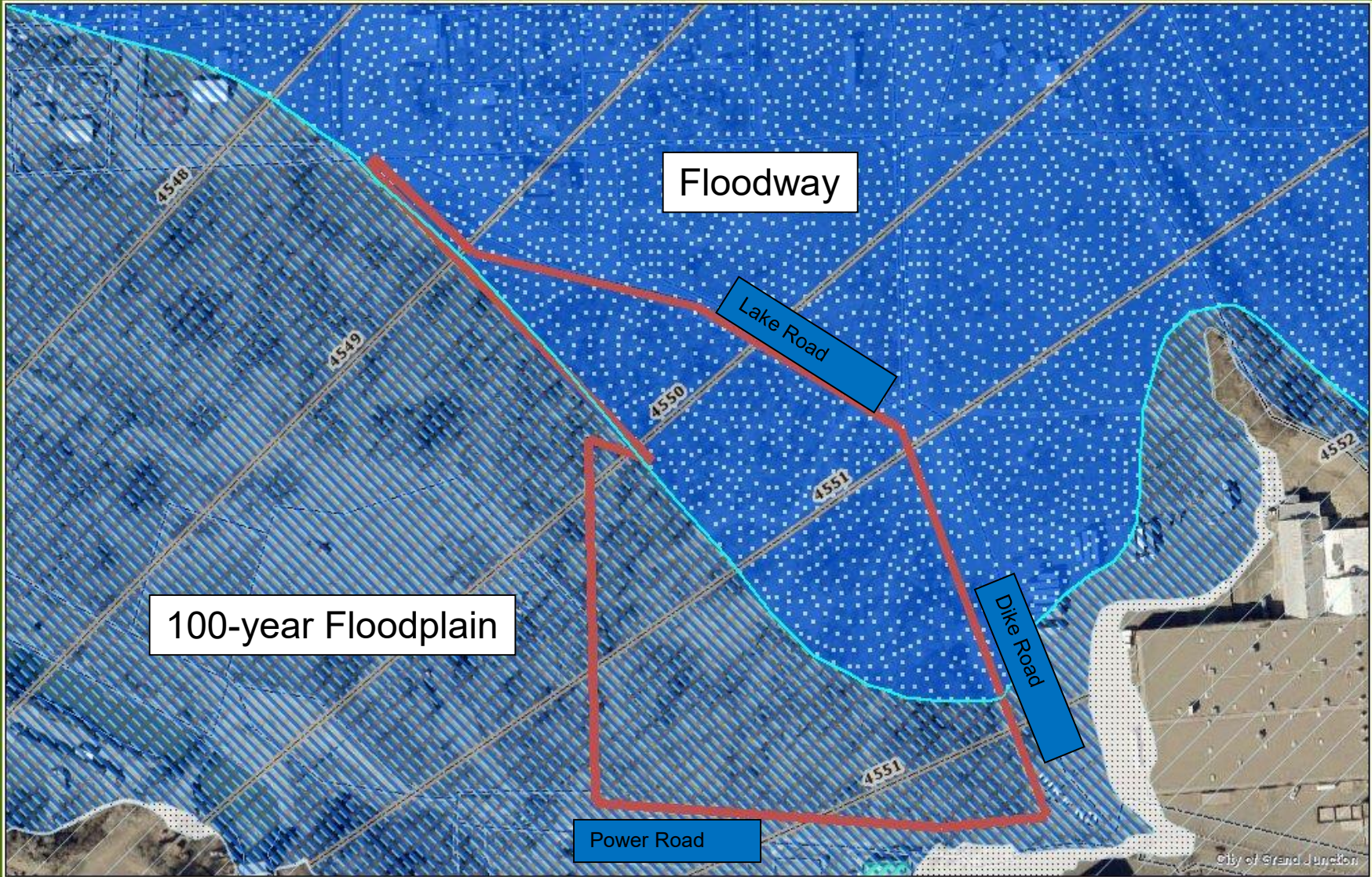


Printed: 1/4/2018

1 inch = 188 feet



Camp Annexation - Flood Hazard Areas



Printed: 2/5/2018

1 inch = 188 feet

The Camp caretaker house along Lake Road



The Camp property along Dike Road



The Camp entrance from Power Road

