

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4535

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

LOCATED AT 3000 PATTERSON ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning property located at 3000 Patterson Road from R-O (Residential Office) to the B-1 (Neighborhood Business) zone district for the following reasons:

The Comprehensive Plan Future Land Use designation for the property is Commercial which allows for the R-O, B-1, C-1, C-2, and MU zone districts. The property is also located within a Mixed Use Opportunity Corridor along Patterson Road which adds the Form Based MX zone districts as zoning options.

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

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

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

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

With the amendment of the Future Land Use designation of the Comprehensive Plan to Commercial via the adjacency rule, the B-1 (Neighborhood Business) zone district meets the recommended land use category, and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the B-1 (Neighborhood Business) zone district shall be established.

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

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

The following property shall be rezoned B-1 (Neighborhood Business):

3000 Patterson Road, more particularly described as

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

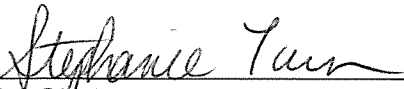
Commencing at a standard Mesa County Survey Marker for the S.W. Corner of said Section 4, from which corner a Mesa County Survey Marker for the S1116 Corner on the west line of said Section 4 bears N00°09'07"W for a distance of 1312.75 feet; thence N00°09'07"W, on said west line, for a distance of 500.00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

Containing 1.65 acres, more or less.

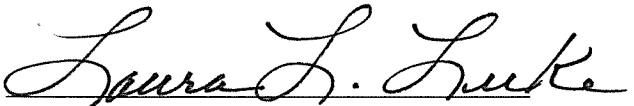
Introduced on first reading this 16th day of May, 2012 and ordered published in pamphlet form.

Adopted on second reading this 6th day of June, 2012 and ordered published in pamphlet form.

ATTEST:



City Clerk



Mayor Pro Tem