

**CITY OF GRAND JUNCTION, COLORADO
PERMIT 2012-01**

**A SPECIAL PERMIT PURSUANT TO SECTION 21.02.120 OF THE GRAND
JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE) FOR AN
INTERIM USE ON PROPERTY LOCATED AT 2476 AND 2476 ½ W. INDEPENDENT
AVENUE IN GRAND JUNCTION, COLORADO**

Findings:

An application for a special permit has been reviewed by staff in accordance with the Zoning and Development Code (Code). Applicant Joan Raser, LLC, is the owner of the property located at 2476 and 2476 ½ W. Independent Avenue in Grand Junction Colorado, consisting of two lots.

The applicant is requesting approval to use the property for RV storage on gravel with no structures on the property and with a chain link fence 6' in height and presently in place.

The property is zoned C-2, which permits the proposed use of commercial outdoor storage. The landowner has submitted a site plan. A special permit provides flexibility when considering a land use that may be less than permanent or temporary in nature, and may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special permit is required only when more flexibility is required beyond that afforded to the Director of Public Works and Planning through the administrative adjustment process.

The Special Permit allows applicant's use as particularly described herein, subject to the stated conditions, while adequately providing for future redevelopment of the property in accordance with the applicable zoning and the Comprehensive Plan. In approving the Special Permit, the City Council has considered the approval criteria for a Special Permit as set forth in the Staff Report. The findings and conclusions in the Staff Report support the issuance of this Special Permit.

Approval of the Special Permit promotes the following goals of the Comprehensive Plan:

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

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

The proposed Special Permit furthers Goals 3 and 12 of the Comprehensive Plan by allowing the interim use of the property for RV storage, a necessary service, without substantial site improvements while keeping the potential for the land to be redeveloped for future commercial businesses with more permanent site features such as landscaping, irrigation, structures and screening, where required, when the market is ripe.

The Special Permit furthers the goals and policies of the Comprehensive Plan.

The Permit complies with the underlying zoning district standards for C-2 established in Chapter 21.03 of the Code. It satisfies the review criteria found in Section 21.02.120(c) including compliance with use-specific standards established in Chapter 21.04.

NOW THEREFORE, BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT A SPECIAL PERMIT IS APPROVED, PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE), ALLOWING THE FOLLOWING USES ON THE PROPERTY DESCRIBED BELOW WITH THE FOLLOWING CONDITIONS, WITH THE ABOVE FINDINGS BEING AN INTEGRAL PART HEREOF:

1) The site is described as follows:

A tract of land in Lot 8 of Riverside Subdivision, more particularly described as follows:
Commencing at a point 1,160.3 feet West of the Northeast corner of the SE ¼ of Section 9, Township 1 South, Range 1 West of the Ute Meridian;
Thence South 61 degrees 22 minutes East 190.5 feet;
Thence South 28 degrees 38 minutes West 330.58 feet to the true point of beginning;
Thence South 56 degrees 26 minutes East 73.58 feet;
Thence North 28 degrees 38 minutes East 173.1 feet;
Thence North 58 degrees 4 minutes West 73.25 feet;
Thence South 28 degrees 38 minutes West 170.58 feet to the point of beginning;
AND

A tract of land in Lot 8 of Riverside Subdivision, more particularly described as follows:
Commencing at a point 1,160.3 feet West of the Northeast corner of the SE ¼ of Section 9, Township 1 South, Range 1 West of the Ute Meridian;
Thence South 61 degrees 22 minutes East 190.5 feet;
Thence South 28 degrees 38 minutes West 330.58 feet;
Thence South 56 degrees 26 minutes East 73.58 feet for the true point of beginning;
Thence South 56 degrees 26 minutes East 60 feet;
Thence North 28 degrees 38 minutes East 175 feet;
Thence North 58 degrees 4 minutes West 60 feet;
Thence South 28 degrees 38 minutes West 173.1 feet to the true point of beginning.

Also known as 2476 and 2476 ½ W. Independent Avenue. The area governed by this Special Permit includes the entire area of the two lots and shall be referred to herein as the Site.

2) Use of the Site is limited to RV storage and shall only be located on the property within the existing fenced area as shown on the Site Plan. No RV sales are to take place within the described area. As used herein, "RV storage" shall mean and include only the following types of vehicles/items: pop-up campers, fifth-wheel camper trailers, motorized recreational vehicles, boats, enclosed or open utility trailers. "RV storage" shall mean and include storage of the vehicles/items only, and shall not include commercial repair, commercial maintenance or commercial washing activities.


- 3) Uses not specifically described herein, regardless of type or classification and regardless of whether such uses appear as "allowed" uses in the zone/use table of the City's Zoning and Development Code, are prohibited on this site during the term of this Special Permit, unless the Director determines that such a use is accessory to and reasonably incidental and necessary for the specified uses, in which case the Director shall so specify in writing.
- 4) The surface will remain gravel, consistent with GJMC Section 21.06.050(b)(5)(i) for a Low Volume Storage Yard.
- 5) Historical drainage patterns shall be maintained on the Site.
- 6) No more than an average of thirty (30) trips per day are permitted under the Special Permit (consistent with low volume storage yard).
- 7) The number of RVs which may be stored on the Site is limited to that shown on the attached Site Plan. The Site Plan is fully incorporated herein.
- 8) The fence shall be permitted to remain at its constructed location upon approval of and for the duration of the Special Permit. The previous fence permits (PMT-2011-77 and PMT-2011-79) are hereby voided. No relocation of the fence shall occur without approval of a new fence permit; any new fence permit shall be in conformance with the conditions and terms of this Special Permit.
- 9) No permanent or temporary, principle or accessory, buildings shall be constructed or installed on the Site.
- 10) Access and site circulation shall be in accordance with the approved Site Plan.
- 11) No new free-standing signs are allowed on the Site. Existing signage affixed to the fence, including two (2) signs approximately 32 square feet in size identifying the business, one for each lot; one (1) nameplate sign approximately three (3) square feet, and one (1) sign approximately 9 square feet in size with hours of operation and emergency contact information, shall remain. Exempt signage as provided for under the Code, such as No Trespassing signs, shall remain. No other signage shall be permitted.
- 12) This Special Permit runs with the land but is valid only for the specific use as described herein. The Special Permit shall terminate if RV storage ceases (by non-use) for six months or longer or if the property is redeveloped into any other use.
- 13) The failure of this permit to specify other applicable local, state or federal laws or regulations shall not be construed to affect the enforcement thereof. A violation of such applicable laws or regulations may constitute a basis for revocation of the Special Permit, in addition to and not in lieu of any other appropriate remedies or penalties.
- 14) The Director may administratively approve minor changes to the Site Plan and this Permit, if he determines that the intent of this Special Permit is maintained, the operational needs of the applicant will be benefitted, and no injury to the public will ensue.

Passed and adopted this 20th day of June, 2012.

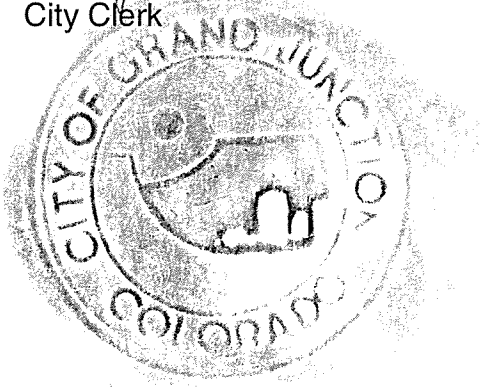
ATTEST:



President of City Council

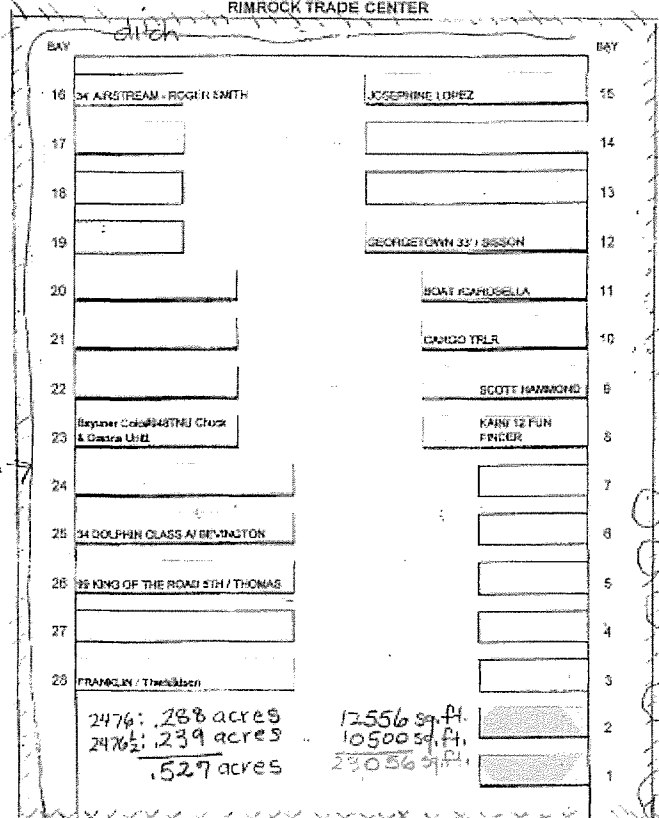


City Clerk



neighbor
C-2 zoning

RIMROCK TRADE CENTER



neighbor
C-2 zoning

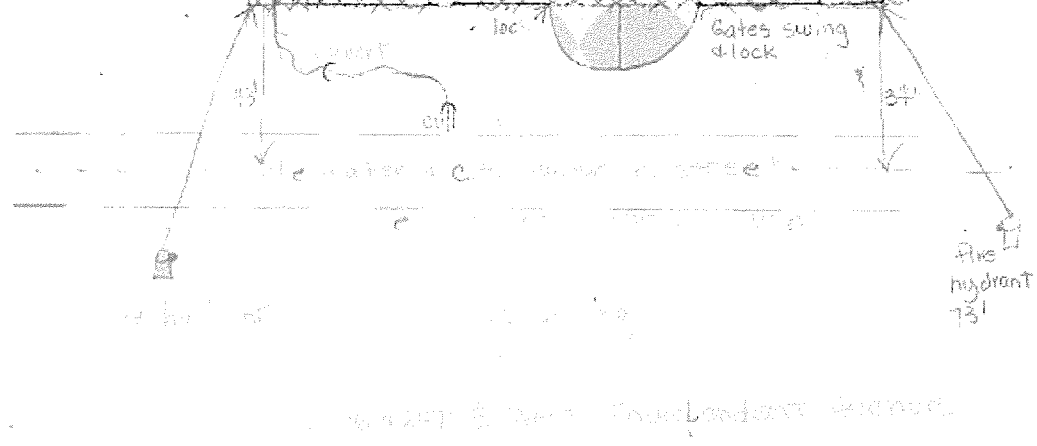
neighbor
C-2 zoning

2474: .288 acres
2476: .239 acres

.527 acres

12556 sq. ft.
10500 sq. ft.

23056 sq. ft.



JOAN RASER, Manager
4/27/2012

- Legend
- - - - - ditch
 - - - - - corner of street
 - /// = property lines
 - xxx = fence