

SUBMITTAL CHECKLIST

REZONE

RZ-95-63

Location: ~~8000~~ 514 28¹/₄ Rd.

Project Name: _____

ITEMS		DISTRIBUTION																TOTAL REQD.	
DESCRIPTION	SSID REFERENCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
● Application Fee \$330	VII-1	1																	
● Submittal Checklist*	VII-3	1																	
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
● Application Form*	VII-1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
● 11"x17" Reduction of Assessor's Map	VII-1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
● Evidence of Title	VII-2	1			1	1													
● Appraisal of Raw Land	VII-1	1			1														
● Names and Addresses	VII-3	1																	
● Legal Description	VII-2	1			1														
○ Deed	VII-1	1			1	1													
○ Easement	VII-2	1	1	1	1	1													
○ Avigation Easement	VII-1	1			1	1													
○ ROW	VII-3	1	1	1	1	1													
● General Project Report	X-7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
● Location Map <i>Full-Street Asses. Map</i>	IX-21	1																	
● Vicinity Sketch <i>Site Plan</i>	IX-33	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	

NOTES: 1) An asterisk in the item description column indicates that a form is supplied by the City.
 2) Required submittal items and distribution are indicated by filled in circles, some of which may be filled in during the pre-application conference. Additional items or copies may be subsequently requested in the review process.
 3) Each submitted item must be labeled, named, or otherwise identified as described above in the description column.

GENERAL PROJECT REPORT FOR:

ERNST HARDWARE STORE

GRAND JUNCTION, COLORADO

MARCH, 1995

R2-95-63

LANDesign

PLANNING • ENGINEERING • SURVEYING

200 N. 6th. Street, Grand Junction, Colorado, 81501, 303-245-4099

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R2-95-63

SUMMARY AND CONCLUSIONS

The proposal calls for the development of a new mini-storage facility located on one acre 300 feet north of North Avenue and east of 28 1/4 Road. The primary focal point of the facility includes the construction of three open sided storage sheds. Building materials will be steel. The sheds will provide protection from the weather for lumber, roofing, concrete and insulation products currently sold by Ernst Hardware Store located in the Eastgate Shopping Center. Products stacked on the paved open areas include hardware commodities which are weather resistant, such as, fencing and landscaping products.

The property is currently zoned RSF-8 and adjoins existing non-residential zoned property.

The proposal utilizes landscaping and screened fencing as the primary method of buffering and screening. Additionally, the proposed front yard building setbacks are compatible with those found in the vicinity of the proposal.

Access to the subject site is gained from a fully improved principle collector. Given the current traffic volumes, the design capacity, and projected traffic increases from the proposed use, no adverse affects will occur.

All of the necessary utility services required for development of the type have available capacity. Adequate water supplies for fire protection exist.

Fiscal Impacts, once the site is fully developed are positive. Adverse impacts to public facilities are almost non-existent.

The proposal meets or exceeds the criteria set forth in the City's General Performance Standards for Outdoor Storage.

SITE ANALYSIS

INTRODUCTION

The purpose of this section is to identify the physical and technical characteristics of the property selected for the Ernst Storage Facility.

This section evaluates potential site development assets and constraints.

LOCATION

The subject site is located on approximately one acre, 300 feet north of North Avenue and east of 28 1/4 Road in Grand Junction, Colorado. The site is located in part of the SW 1/4 of Section 7, Township 1 South, Range 1 East of the Ute Meridian.

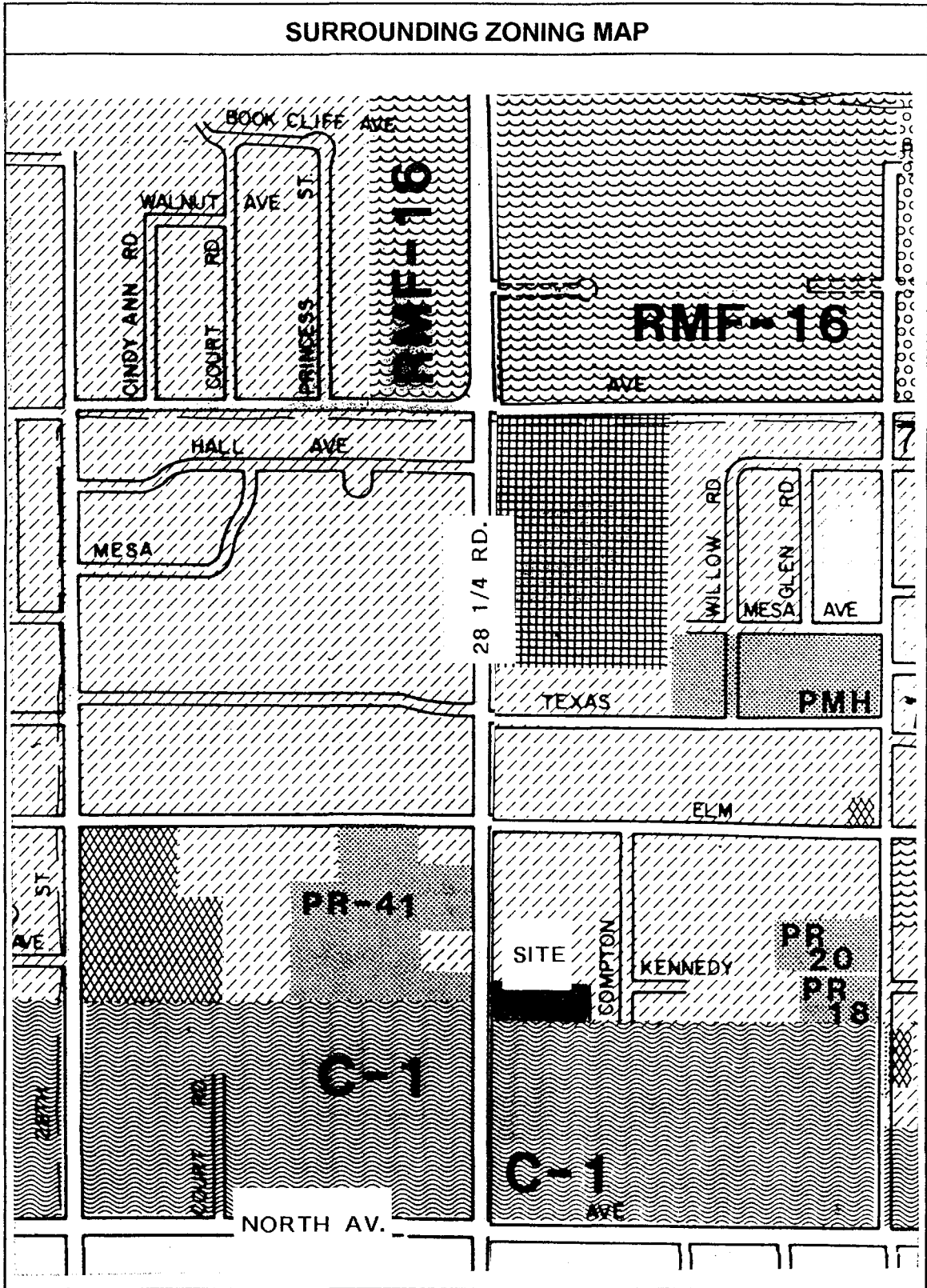
EXISTING LAND USE

The site is rectangular in shape and is approximately 300 feet long east and west and 100 feet north and south. The property is currently occupied by a single family dwelling and out building which is rented from the petitioner. The balance of the property is vacant and barren of any useful ground cover. The topography is flat and slopes to the southwest at a rate less than one percent. An existing piped storm sewer form the south property line. Also, an existing sanitary sewer main crosses the northerly side of the subject site.

The subject property is currently zoned RSF-8 (residential single family, 8 dwelling units per acre) by the City of Grand Junction.

SURROUNDING LAND USE

Surrounding land uses are considered to be of "high" intensity. Most of the land in the surrounding vicinity is developed. The most dominate feature found in the vicinity of the request is the Eastgate Shopping Center. The attached Location Map depicts the configuration of various properties in the area surrounding the Ernst Storage Facility. Uses north of the subject property are generally residential in nature and range from single family dwellings on modest sized parcel to multi-family units. With the exception of the Omega Business Park at 28 Road and Elm Avenue, non-residential uses are located along the North Avenue corridor south of the subject property. The City of Grand Junction owns and operates a public park less than one quarter mile north of the property. A reproduction of the City's zoning map in relationship of the property can be found on the following page:



UTILITY SERVICE

Domestic Water Service is available from the City of Grand Junction. An existing six inch water main is currently being upgraded to an eight inch main as part of the City's reconstruction of 28 1/4 Road. The new eight inch main is sufficient in size to provide adequate water for fire protection to a new fire hydrant which is located near the properties southwest corner. Additionally, an existing six inch water main is located within a driveway along the properties south property line.

Existing eight inch sanitary sewer mains are located within 28 1/4 Road, along the north side of the property, and within an existing driveway adjacent to the properties south property line. All of the mains are currently operating within their design capacity.

New underground communication, electric and natural gas mains will be installed as part of the City's reconstruction efforts for 28 1/4 Road.

ACCESS

Primary access to the site is 28 1/4 Road which is currently under construction as a fully improved collector roadway. 28 1/4 Road affords excellent access to Patterson Road and North Avenue, both of which are major east/west arterials.

SITE DRAINAGE

The subject site is not adversely affected by any off-site drainage influence. Storm water is carried on the surface to an area drain located at the southwest property corner and discharged into an existing 30 and 24 inch storm sewers located along south property line. Storm water is ultimately discharged into the Indian Wash located west of 28 Road one quarter mile to the west of the subject property.

PROPOSED LAND USE

The accompanying development plans indicates the proposed development of a covered and open storage facility to be located on a one acre tract of land 300 feet north of North Avenue and east of 28 1/4 Road in the City of Grand Junction.

The primary focal point of the facility includes the construction of three open sided storage sheds. Building materials will be steel. The sheds will provide protection from the weather for lumber, roofing, concrete and insulation products currently sold by Ernst Hardware Store located in the Eastgate Shopping Center. Products stacked on the paved open areas include hardware commodities which are weather resistant, such as, fencing and landscaping products

The facility will be open during the normal hours that the existing business is open.

Due to the nature of the facility, signage will not be provided.

Security area lighting will be provided throughout the facility and mounted on the front of the storage buildings.

ACCESS - The primary access drive will be from an existing driveway which is served by 28 1/4 Road. Existing driveways to the property will not be used.

Using the Colorado State Highway Department's, *Trip Generator*, for warehousing indicates approximately 61 average weekday trips will be generated.

UTILITY SERVICE - Electric service will be extended from existing facilities which adjoin the site. The facility does not require sanitary sewer, communication or natural gas service.

Domestic water service will utilize an existing water tap and will be used to irrigate the open area along 28 1/4 Road. Estimated water requirements are expected to be low.

GRADING AND DRAINAGE - Grading and drainage of the site will be conducted in a manner to provide positive drainage away from the site. A single drainage discharge point is proposed at the location of an existing area drain near the southwest property corner. If it is determined by the City during the review process for this application, drainage flows in excess of the total historic flow can be detained on-site in the open storage area. All of the drainage water discharged

from the site will ultimately be received by the Indian Wash located along the west side of 28 Road.

BUFFERING AND SCREENING - The proposal utilizes landscaping and screened fencing as the primary method of buffering and screening. A six foot high chain link fence will be constructed along the property lines.

Review of the proposed Site Plan indicates about 2250 square feet of the total site will be left as landscaped open space. A formal landscaped area consisting of "street trees" and upright juniper shrubs is proposed along 28 1/4 Road. Ground cover will be a combination of bark mulch and decorative stone over a fabric weed barrier. Planting areas will be surrounded with wood timber edging. As previously stated, domestic water will be utilized to maintain all of the landscaped areas.

DEVELOPMENT SCHEDULE - At this time it is anticipated that site development will begin immediately upon the City's acceptance of the proposal. It is estimated that the total construction will be completed in 90 days.

REZONE CRITERIA

RR-95-63

The City of Grand Junction has established seven criteria for evaluation of zone change requests. A response to each follows:

A. It does not appear that the existing zone was an error at the time of its adoption.

B. Substantial changes in the character of the surrounding area have occurred since the adoption of the existing zone. Specific changes include:

1. The re-construction of 28 1/4 Road to collector standards.
2. The construction of a major retail facilities along North Avenue.
3. The re-construction of utilities in 28 1/4 Road.
4. The development of a non-residential use at 28 Road and Elm Avenue.

C. It is a widely accepted fact that any community that does not have some new retail activity it will wither and die economically. It is important for any community to encourage development of business endeavors which maintains its economic stability.

D. Other than economic impacts to the City of Grand Junction, the proposed site in its present state, does not present major adverse impact on the adjoining areas. However, once development of the storage facility is completed, some impact of the adjoining properties would most likely be realized. Impacts to the adjoining non-residential zones would be positive, while impact to the adjoining residential zones could be considered negative.

Utilizing the "Planned Unit Development" (PUD) zone concept, any such negative impacts can be minimized. The PUD zone allows for specific site plan reviews of the proposed development plans by the general public and various governmental agencies.

Preparation of the Site Development Plan meets several goals in development of the site:

1. Protect the adjoining residential uses from any adverse impacts.
2. Maintain visibility of the use from users existing retail sales site.
3. Maintain ease of accessibility for customers.
4. Achieve a desirable surrounding for the motorist utilizing 28 1/4 Road.

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Bernice K. West
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Grand Junction, CO 81501-4902

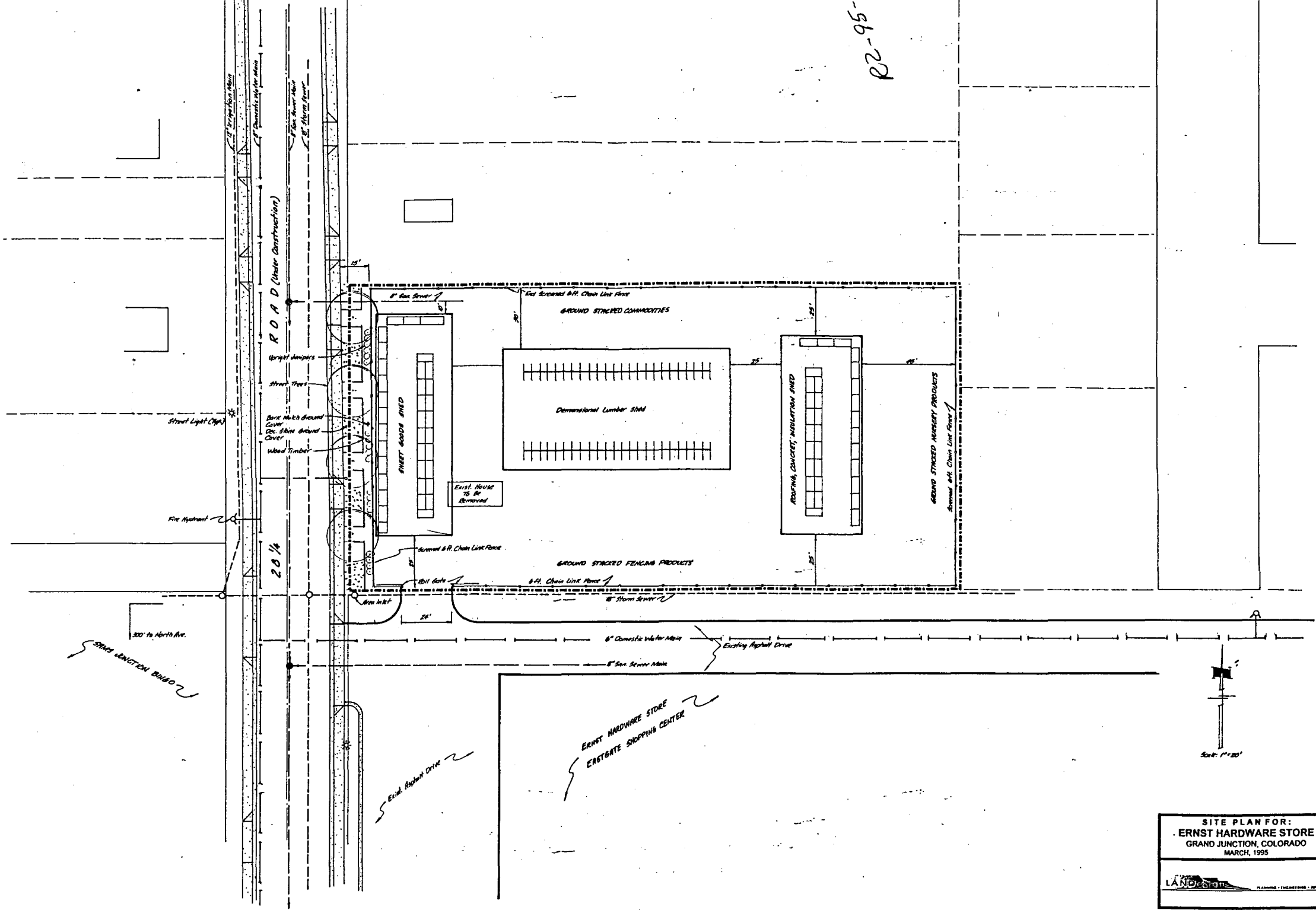
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CHRISTINA SIMMONS
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SAN ANSELMO, CA 94960-1140

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JANET L. GARDNER
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GRAND JUNCTION, CO 81501-4901

22-95-



Scale: 1" = 20'

SITE PLAN FOR:
 ERNST HARDWARE STORE
 GRAND JUNCTION, COLORADO
 MARCH, 1995

LAND DESIGN PLANNING, ENGINEERING, ARCHITECTURE

REVIEW COMMENTS

Page 1 of 2

FILE #RZ-95-63

TITLE HEADING: Rezone from RSF-8 to PB - Ernst Hardware Store

LOCATION: 514 28 1/4 Road

PETITIONER: Ernst Hardware Store - John Clark

PETITIONER'S ADDRESS/TELEPHONE: 721 25 1/2 Road
Grand Junction, CO 81505
970-241-0768

PETITIONER'S REPRESENTATIVE: Tom Logue

STAFF REPRESENTATIVE: Michael Drollinger

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., APRIL 24, 1995.

GRAND JUNCTION FIRE DEPARTMENT 4/6/95
Hank Masterson 244-1414

The Fire Department has no requirements for this proposal - the existing hydrants are adequate and Fire Department access will be adequate as shown.

CITY UTILITY ENGINEER 04/10/95
Bill Cheney 244-1590

No Comments.

CITY DEVELOPMENT ENGINEER 04/14/95
Jody Kliska 244-1591

Need an easement for the sanitary sewer line shown.

Is the proposed new area intended for customer use? If so, show circulation. Transportation Capacity Payment calculation will be based on the usage.

At final plan approval, please provide sufficient detail such as paving, to determine drainage and potential drainage fees.

COMMUNITY DEVELOPMENT DEPT. 04/14/95
Michael Drollinger 244-1439

See attached comments.

STAFF REVIEW

FILE: #RZ 95-63
DATE: April 17, 1995
STAFF: Michael Drollinger
REQUEST: Rezone (RSF-8 to PB)
LOCATION: 514 28 1/4 Road
ZONING: RSF-8

STAFF COMMENTS:

1. If approved, project will require "Final Plan" approval prior to issuance of a Planning Clearance. At the time of "Final Plan" review the following issues will need to be addressed in greater detail:
 - a. drainage
 - b. circulation (proximity of driveway access to 28 1/4 Road)
 - c. if proposed development is accessible to public it will be considered retail sales area and adequate parking will need to be provided.
 - d. additional buffering will be required, especially to east along residential boundary
 - e. a lighting plan will be required to evaluate location and intensity of proposed lighting
 - f. curb cuts along 28 1/4 Road will need to be removed

 2. Planning analysis of rezone criteria will be part of staff report.
-

You are urged to contact the Community Development Department if you require clarification or further explanation of any items.

RESPONSE TO REVIEW COMMENTS

April 24, 1995

Title: ERNST HARDWARE STORE, Rezone RSF-8 to PB

File No: RZ-95-63

Location: 514 28 1/4 Road

The following agency comments were informational in nature, or do not require a response:

**FIRE DEPARTMENT
UTILITY ENGINEER**

RESPONSE TO DEVELOPMENT ENGINEER:

A sewer easement for the existing sanitary sewer main will be provided prior to issuance of a building permit.

The new proposed expansion area is to be used by the customers of ERNST as a pick-up area only. No retail sales will occur on this portion of their operation.

Detailed construction plan will be provided with the final Site Plan review with sufficient detail for paving, grading and drainage.

RESPONSE TO COMMUNITY DEVELOPMENT:

The following will be provided in detail with the Final Plan approval:

Site grading and drainage.
Detail circulation diagrams.
Lighting location plans with intensity calculations.

The proposed use for the subject property is for the storage of building materials. Other than customer pick-up, retail sales will not occur on the site. Purchases of materials and goods will be made in the main store and the customer will then be directed to the site for the pick-up of their purchased items.

A ten foot wide landscaped buffer will be provided outside of the fencing along the east boundary of the property. Landscaping will consist of the planting of upright juniper trees.

The proposal does not request access to 28 1/2 Road, therefore, planned curb cuts will not be required once this request is granted by the City.

STAFF REVIEW

FILE: #RZV-95-63
DATE: April 26, 1995
STAFF: Michael T. Drollinger
REQUEST: Rezone RSF-8 to PC
LOCATION: 518 28 1/4 Road
APPLICANT: Bonnie Clark
721 25 1/2 Road
Grand Junction, CO 81505

EXISTING LAND USE: Residential
PROPOSED LAND USE: Storage Facility - Ernst
SURROUNDING LAND USE:
NORTH: Residential- Single Family
SOUTH: Residential- Single Family/Vacant
EAST: Vacant
WEST: Residential - Single Family

EXISTING ZONING: RSF-8

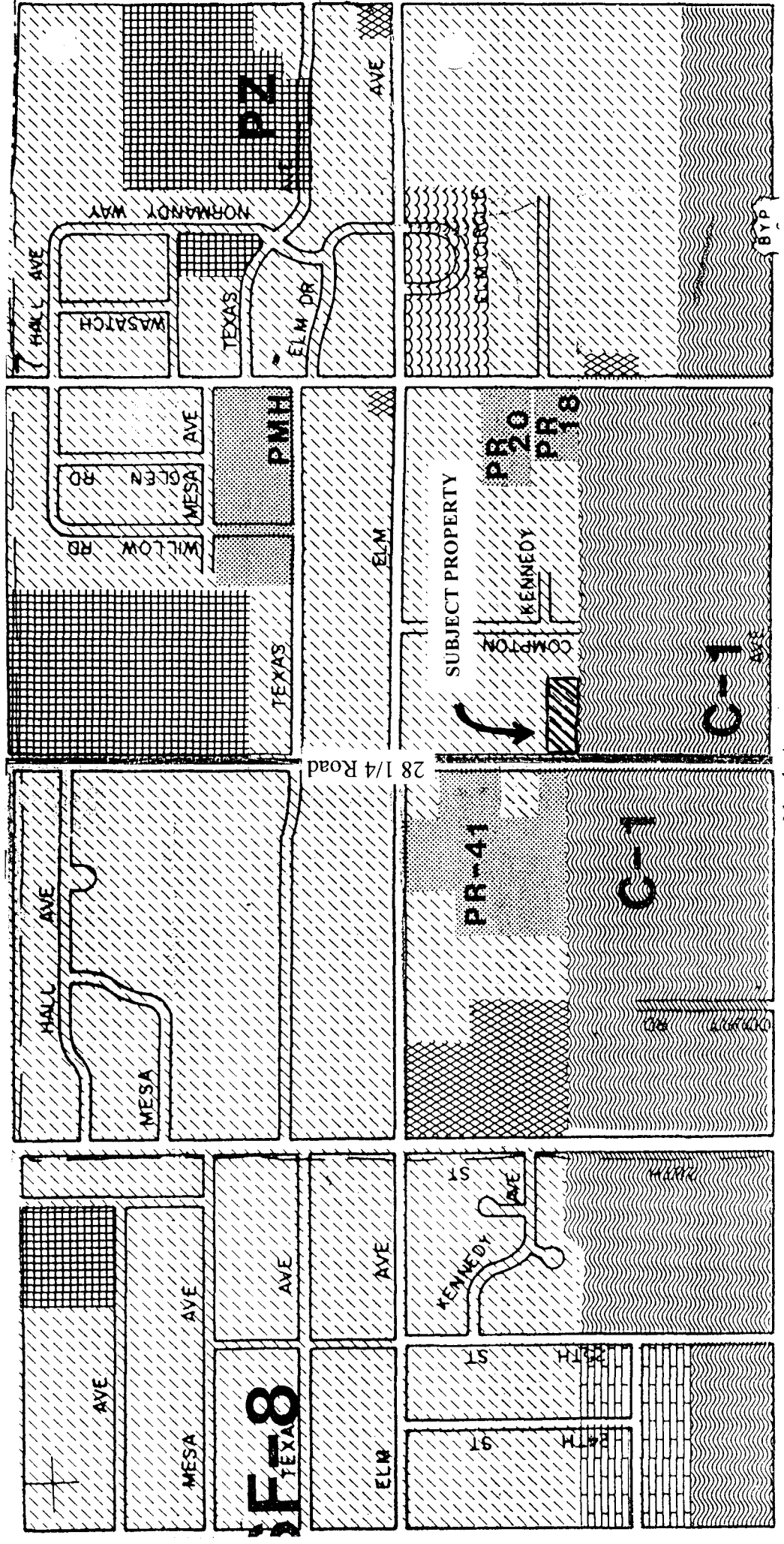
PROPOSED ZONING: PC

SURROUNDING ZONING:
NORTH: RSF-8
SOUTH: C-1
EAST: RSF-8
WEST: RSF-8

RELATIONSHIP TO COMPREHENSIVE PLAN:

No comprehensive plan exists for the area.

FILE #95-63
 REZONE RSF-8 TO PC
 EXISTING ZONING



North Avenue

STAFF ANALYSIS:

The staff analysis is divided into four sections: (1) an overview of the proposal; (2) planning analysis recommending denial of the rezone request; (3) analysis of rezone criteria and (4) suggested conditions of approval should the Commission consider the application favorably.

The Development Proposal

The applicant is requesting a rezone to PC (Planned Commercial) for a site containing approximately one (1) acre located on 28 1/4 Road adjacent to Eastgate Shopping Center. Residential uses surround the subject parcel to the west, north and east with the Eastgate Shopping Center located to the south. The development plans call for the demolition of the existing residence on the property and development of a storage facility consisting of three storage sheds along with outdoor storage. The petitioner has agreed to install landscape buffering in addition to the screened fence on the eastern boundary to provide additional buffering. Site circulation to the facility is proposed via a single driveway located close to 28 1/4 Road.

This application is for preliminary approval only; final planned development approval (a hearing item) will be required.

Planning Analysis

Commercial encroachment into residential areas may have an adverse impact on neighborhood character and the attractiveness and value of an area. The residential development pattern along 28 1/4 Road north of Eastgate Shopping Center is well established and remains cohesive.

The commercial area along the north side of North Avenue in the project vicinity has not encroached upon residential areas to this point. The dividing line between commercial and residential zoning is consistent in the project vicinity (see attached map).

The North Avenue Corridor Guidelines were adopted by the City Council in October 1988 and are intended to ensure consistent decision-making for new development and redevelopment of land uses along North Avenue. *The subject application is not consistent with the North Avenue Corridor Guidelines and the purposes of Zoning as set forth in the Zoning and Development Code.*

The proposed development is not consistent with the established purposes of zoning as set forth in the City Code including:

A. Encourage the most appropriate use of land throughout the City and to ensure a logical and orderly growth and development of the physical elements of the City;

B. . . . guide the orderly transition of urban areas;

D. Protect and maintain the integrity and character of established neighborhoods;

F. Promote the development of convenient and beneficial clusters of uses, including business and shopping facilities where satisfactory proof is made that the same are reasonably necessary and desirable for the public convenience and benefit.

The proposed development is not in keeping with the residential character of the area north of Eastgate Shopping Center and will adversely impact the integrity and character of the residential neighborhood. While the need for the expansion of the business is not disputed, the location of the proposal outside of established business areas with available land for development and/or redevelopment is inappropriate. The applicant has not demonstrated that the site is uniquely suited for the proposed use.

The proposal is not consistent with the following provisions of the North Avenue Corridor Guidelines:

1. "Existing housing in the residentially zoned areas abutting the North Avenue Corridor should be respected and protected whenever possible."
2. "When new non-residential development adjacent to existing residential uses is considered, the impacts of increased traffic, noise and lighting should not adversely affect the existing neighborhoods."
3. "Where nonresidential development may encroach on residential areas, neighborhood discussion is encouraged with the petitioner throughout the development process."

As previously mentioned, the subject proposal represents an encroachment into an established residential neighborhood which results in the nuisance impacts of nonresidential development (e.g. traffic, noise, lighting, etc) being brought closer to existing residences.

In short, it is staffs opinion that the subject application is not supported by City policies and, as discussed below, the rezone criteria of the Zoning and Development Code and recommends denial of the rezone request.

Rezone Criteria

Section 4-4-4 of the Zoning and Development Code contains criteria which must be considered in the review of a rezone request. To minimize repetition, references are made to the previous section where applicable.

- A. **Was the existing zone an error at the time of adoption?**
There is no evidence that the existing zone was an error at the time of adoption.
- B. **Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**
28 1/4 Road north of Eastgate has *not* been an area in transition from residential to commercial. The reconstruction of 28 1/4 Road will be an enhancement to the residential uses along the corridor. Conversion of residential lands to commercial purposes should not be permitted.
- C. **Is there an area of community need for the proposed rezone?**
Significant undeveloped/underdeveloped commercial properties exist in the City limits. The petitioner has not shown how the existing facilities could be modified to accommodate the proposed use or whether other locations for the store have been evaluated which could more readily accommodate Ernst's growth needs.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?**
The proposed use is not compatible with the adjoining residential area and represents encroachment into an established residential neighborhood. Rezoning of the subject parcel will encourage further nonresidential zoning along the corridor.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?**
Benefits of the proposed rezone are not apparent. The benefits of the retail facility could be met elsewhere - where allowed by zoning.
- F. **Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies?**
The proposal is *not consistent* with the North Avenue Corridor Guidelines or the general purposes of zoning as set forth in the Zoning and Development Code and detailed in this staff report. The Guidelines call for protection of existing housing in the residentially-zoned area adjacent to the Corridor; minimizing impacts of non-residential activities on adjoining residential areas; and encouragement of neighborhood discussion with the petitioner throughout the development process.
- G. **Are adequate facilities available to serve development for the type and scope suggested for the proposed zone?**
Adequate facilities are available to serve the proposed development.

Staff feels that the rezone request is *not* supported by the rezone criteria.

Conditions of Approval

Should the Planning Commission and/or City Council choose to favorably consider the subject application, staff believes that at a minimum the conditions below should be met:

1. A Final Plan must be submitted which adequately addresses the issues of drainage, screening, circulation and lighting. Proper drainage facilities must be provided to accommodate stormwater runoff in accordance with City Standards. Site circulation should be modified to minimize vehicular conflicts including the relocation of the proposed access driveway to the east. A lighting plan must be provided which identifies proposed lighting intensities to minimize spillover onto adjoining properties.
2. Hours of operation in the proposed storage facility should be limited to minimize noise impacts on the adjacent properties.

STAFF RECOMMENDATION:

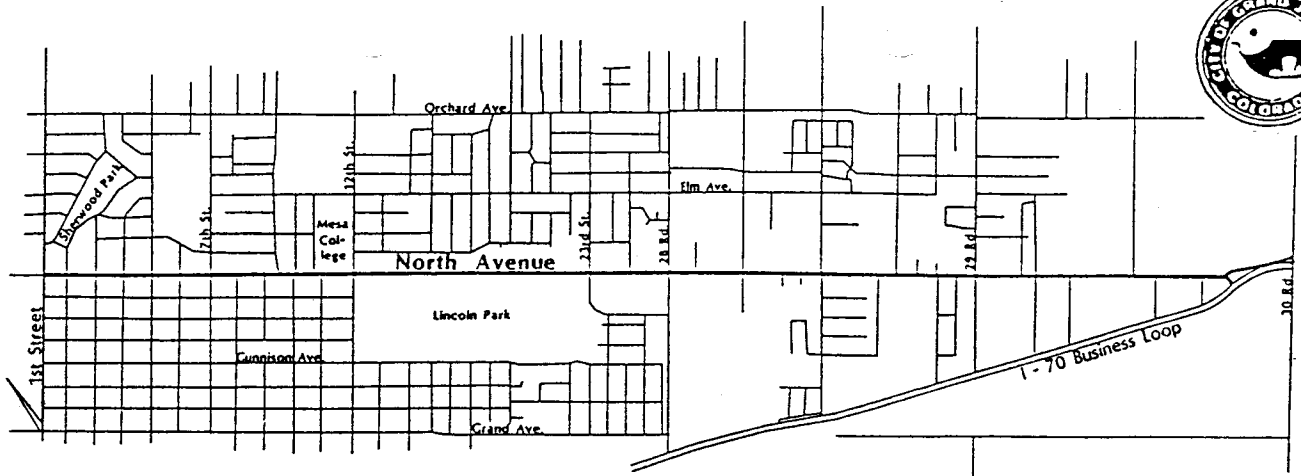
Staff recommends denial of the rezone request and preliminary plan approval for the reasons discussed above. Should Planning Commission consider approval of the rezone request, staff recommends that approval be subject to the conditions (#1 & #2) in the staff report.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #95-65, request for rezone ^{from RSF-B to PC} ~~at 2582~~ ^{Paterson Road}, I recommend that we forward this item to City Council with a recommendation for approval (STAFF RECOMMENDS DENIAL)

h:\cityfil\1995\95-632.wpd

with conditions
in staff report



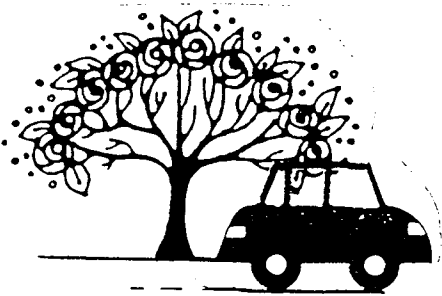
North Avenue Corridor Guidelines First Street East to I-70 Business Loop

North Avenue Status

According to the Functional Urban Classification System, North Avenue is classified as a major arterial.

This means:

- As a major arterial it requires 100 feet of right-of-way.
- It serves as a major east/west traffic route.
- It serves as a major connection for north/south corridors.
- It will have limited access and no on-street parking.
- It serves as a major retail/commercial strip.



NORTH AVENUE CORRIDOR GUIDELINES FIRST STREET EAST TO I-70 BUSINESS LOOP

Intent: The intent of this corridor guideline is to address the existing and future land uses along North Avenue, which serves as a retail/commercial strip and is a primary transportation route through the City.

Goal: As a major east/west corridor, the goal is to carry traffic in the most efficient way possible, minimizing access and traffic hazards and to encourage compatible land uses.

Policy: The policy is to ensure consistent decision making for new development and redevelopment of land uses along North Avenue.

General Guidelines

Anywhere along North Avenue, regardless of the type or scale of development, the projects should accommodate the following:

1) The existing uses and zoning are appropriate to the character of the area. Any new development of vacant land or redevelopment of large parcels is encouraged to consider the use of planned development concepts to help improve the appearance of this corridor.

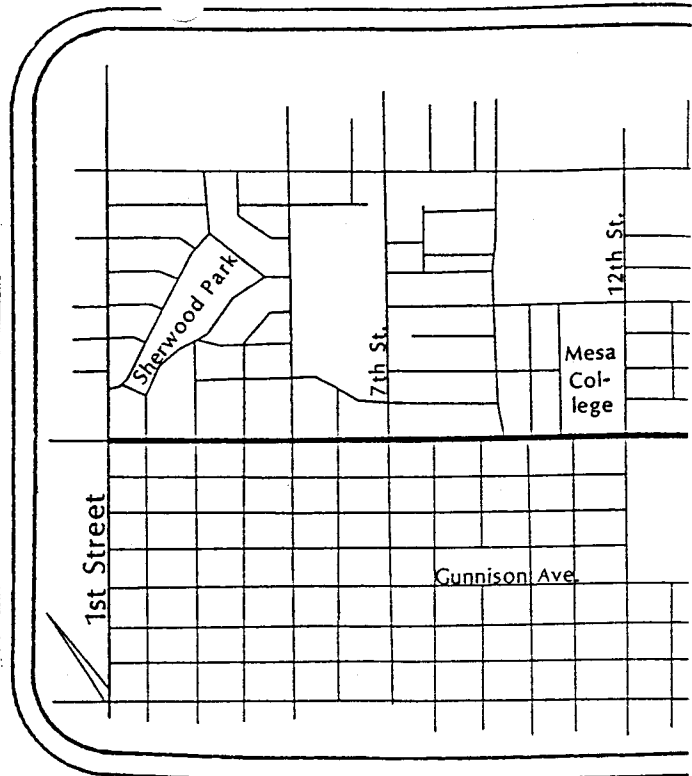
2) Existing housing in the residentially zoned areas abutting the North Avenue Corridor should be respected and protected whenever possible.

3) When new non-residential development adjacent to existing residential uses is considered, the impact of traffic, noise, and light should not adversely affect the existing residential neighborhoods. New development should use alternative access methods to avoid encroachment on the existing residential areas adjacent to the corridor.

4) Office and multifamily uses may be appropriate on the north side of Belford and the south side of North Avenue to buffer the existing residential uses from commercial development.

5) Where non-residential development is proposed to encroach on residential areas, a public hearing and neighborhood discussion is encouraged. The petitioner should participate throughout the development process.

6) Alleys may be preferred accesses for commercial properties to alleviate traffic hazards on North Avenue and increased traffic on residential streets. If alleys are used, the developer is encouraged to contribute to the upgrade and improvements of the alley.



COPIES
OF
CORRIDOR
GUIDELINES

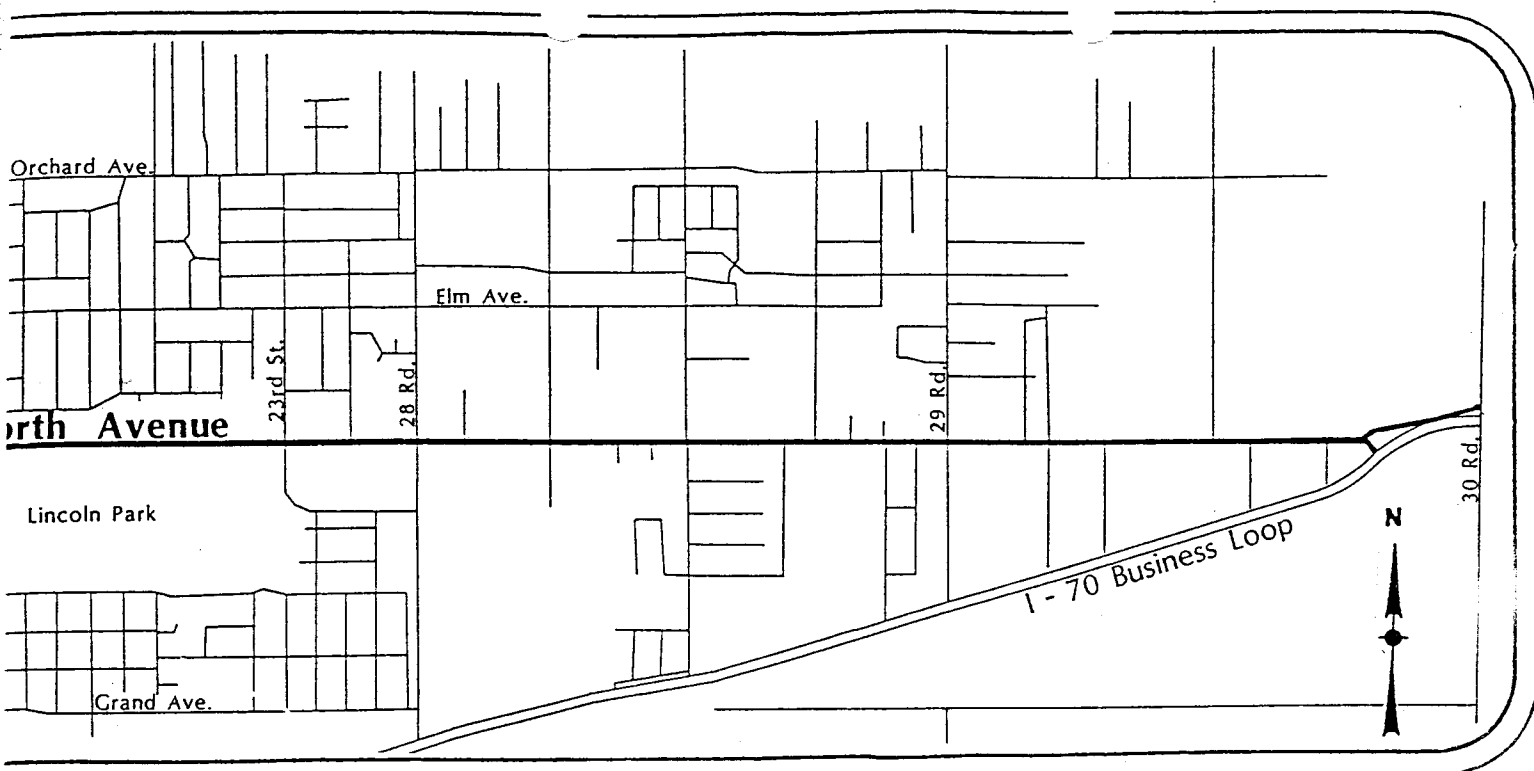
use of the high volume of traffic in this corridor, parking should not be allowed to back directly onto North Avenue or onto connecting streets at or near intersections.

In coordination with the City, County, and other agencies, measures to minimize curb cuts and shared accesses will help improve traffic flow and minimize congestion on this major corridor.

Intersections should be designed to provide clear sight distance for bicyclist and pedestrian traffic.

10) The undergrounding of utilities is encouraged where feasible along this corridor.

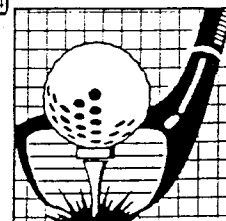
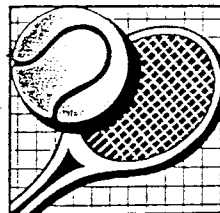
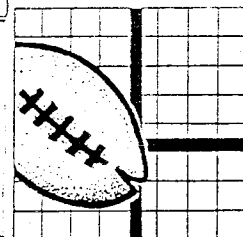
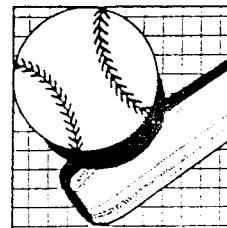
11) Drainage considerations to adequately accommodate runoff should be addressed with all new development.



12) Development should provide adequate setbacks for structures from the public right-of-way to be used in part for landscaping. The intent is to provide attractive surroundings for the tenants, residents, motorists and pedestrians throughout the corridor. Within the setbacks, landscaping amenities such as berms, buffers and streetscapes are encouraged.

13) Landscaping of frontages and medians within the public right-of-way to produce a more positive image of those developments and properties fronting on North Avenue is encouraged.

14) To accommodate the high volume of pedestrian use along the corridor, new development is encouraged to provide adequate sidewalks resulting in a continuous network along North Avenue.



North Avenue - First Street to I-70 Business Loop

For CC

MTD

STAFF REVIEW (City Council)

FILE: #RZV-95-63
DATE: May 10, 1995
STAFF: Michael T. Drollinger
REQUEST: Rezone RSF-8 to PC
LOCATION: 518 28 1/4 Road
APPLICANT: Bonnie Clark
721 25 1/2 Road
Grand Junction, CO 81505

EXECUTIVE SUMMARY:

A request for rezone from RSF-8 (Residential Single Family - 8 units per acre) to PC (Planned Commercial) and preliminary plan approval for a storage facility and yard to be located at 514 28 1/4 Road adjacent to the Eastgate Shopping Center. This item is an appeal of a Planning Commission decision recommending denial of the rezone request and preliminary plan approval.

EXISTING LAND USE: Residential

PROPOSED LAND USE: Storage Facility - Ernst

SURROUNDING LAND USE:

NORTH: Residential- Single Family
SOUTH: Residential- Single Family/Vacant
EAST: Vacant
WEST: Residential - Single Family

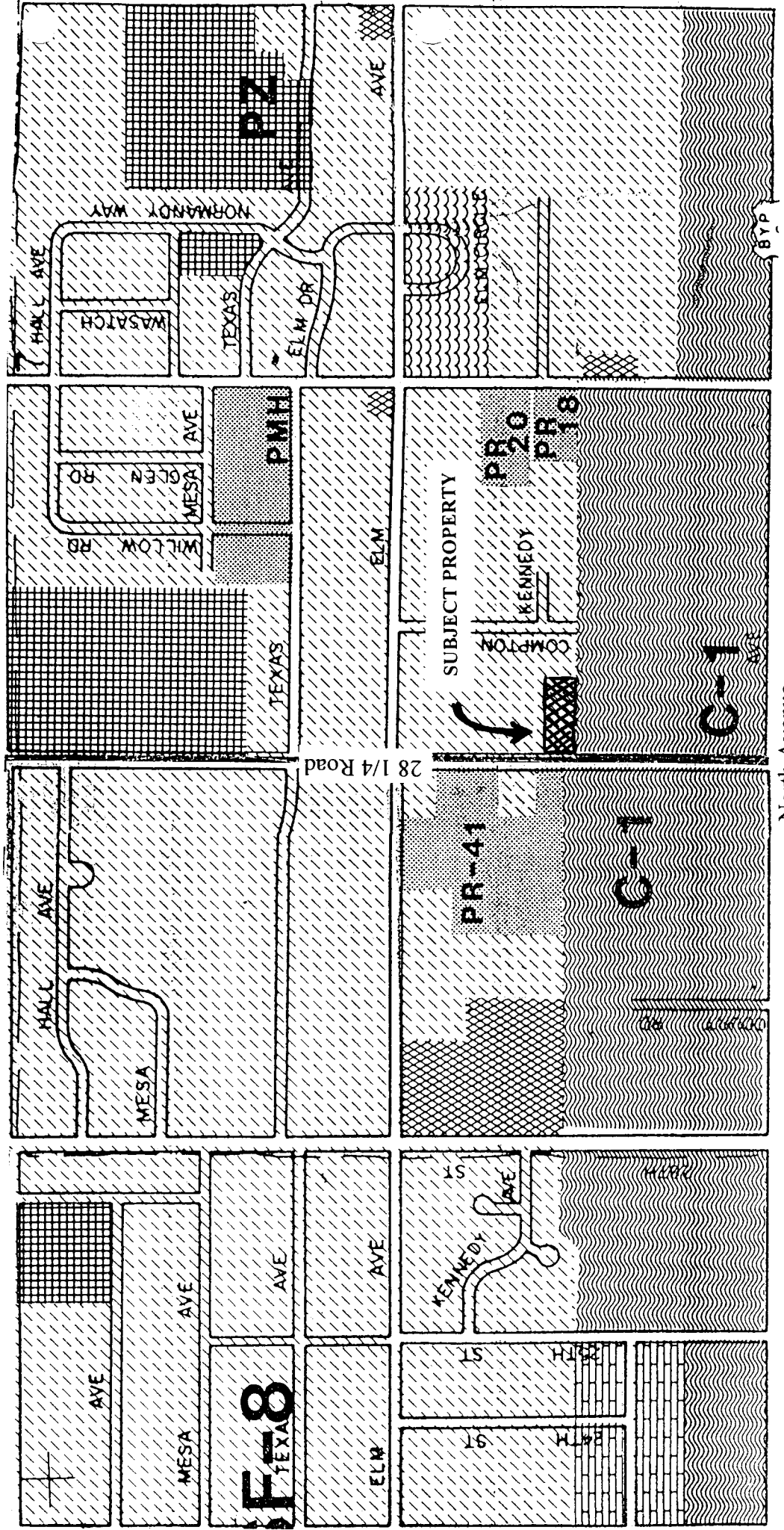
EXISTING ZONING: RSF-8

PROPOSED ZONING: PC

SURROUNDING ZONING:

NORTH: RSF-8
SOUTH: C-1
EAST: RSF-8

FILE #95-63
 REZONE RSF-8 TO PC
 EXISTING ZONING



North Avenue

WEST: RSF-8

RELATIONSHIP TO COMPREHENSIVE PLAN:

No comprehensive plan exists for the area.

STAFF ANALYSIS:

The staff analysis is divided into four sections: (1) an overview of the proposal; (2) planning analysis recommending denial of the rezone request; (3) analysis of rezone criteria and (4) suggested conditions of approval should the Commission consider the application favorably.

The Development Proposal

The applicant is requesting a rezone to PC (Planned Commercial) for a site containing approximately one (1) acre located on 28 1/4 Road adjacent to Eastgate Shopping Center. Residential uses surround the subject parcel to the west, north and east with the Eastgate Shopping Center located to the south. The development plans call for the demolition of the existing residence on the property and development of a storage facility consisting of three storage sheds along with outdoor storage. The petitioner has agreed to install landscape buffering in addition to the screened fence on the eastern boundary to provide additional buffering. Site circulation to the facility is proposed via a single driveway located close to 28 1/4 Road.

This application is ~~for preliminary approval only~~ ^{only}; final planned development approval (a hearing item) will be required.
in front of PC

Planning Analysis

Commercial encroachment into residential areas may have an adverse impact on neighborhood character and the attractiveness and value of an area. The residential development pattern along 28 1/4 Road north of Eastgate Shopping Center is well established and remains cohesive.

The commercial area along the north side of North Avenue in the project vicinity has not encroached upon residential areas to this point. The dividing line between commercial and residential zoning is consistent in the project vicinity (see attached map). *& ID'd on attached zoning map*

The North Avenue Corridor Guidelines were adopted by the City Council in October 1988 and are intended to ensure consistent decision-making for new development and redevelopment of land uses along North Avenue. *The subject application is not consistent with the North Avenue Corridor Guidelines and the purposes of Zoning as set forth in the Zoning and Development Code.*

The proposed development is not consistent with the established purposes of zoning as set forth in the City Code including:

- A. Encourage the most appropriate use of land throughout the City and to ensure a logical and orderly growth and development of the physical elements of the City;
- B. . . . guide the orderly transition of urban areas;
- D. Protect and maintain the integrity and character of established neighborhoods;
- F. Promote the development of convenient and beneficial clusters of uses, including business and shopping facilities where satisfactory proof is made that the same are reasonably necessary and desirable for the public convenience and benefit.

The proposed development is not in keeping with the residential character of the area north of Eastgate Shopping Center and will adversely impact the integrity and character of the residential neighborhood. While the need for the expansion of the business is not disputed, the location of the proposal outside of established business areas with available land for development and/or redevelopment is inappropriate. The applicant has not demonstrated that the site is uniquely suited for the proposed use.

The proposal is not consistent with the following provisions of the North Avenue Corridor Guidelines:

1. "Existing housing in the residentially zoned areas abutting the North Avenue Corridor should be respected and protected whenever possible."
2. "When new non-residential development adjacent to existing residential uses is considered, the impacts of increased traffic, noise and lighting should not adversely affect the existing neighborhoods."
3. "Where nonresidential development may encroach on residential areas, neighborhood discussion is encouraged with the petitioner throughout the development process."

As previously mentioned, the subject proposal represents an encroachment into an established residential neighborhood which results in the nuisance impacts of nonresidential development (e.g. traffic, noise, lighting, etc) being brought closer to existing residences.

For these reasons In short, it is staff's opinion that the subject application is not supported by City policies and, as discussed below, the rezone criteria of the Zoning and Development Code and recommends denial of the rezone request. *discussed on pgs 4 & 5*

The petitioner has also not addressed the issue of whether the requested facilities could be accommodated on the existing property nor has the petitioner supplied information regarding long-term expansion needs and whether these could be accommodated at the present location.

Rezone Criteria

Section 4-4-4 of the Zoning and Development Code contains criteria which must be considered in the review of a rezone request. To minimize repetition, references are made to the previous section where applicable.

- A. **Was the existing zone an error at the time of adoption?**
There is no evidence that the existing zone was an error at the time of adoption.
- B. **Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**
28 1/4 Road north of Eastgate has *not* been an area in transition from residential to commercial. The reconstruction of 28 1/4 Road will be an enhancement to the residential uses along the corridor. Conversion of residential lands to commercial purposes should not be permitted.
- C. **Is there an area of community need for the proposed rezone?**
Significant undeveloped/underdeveloped commercial properties exist in the City limits. The petitioner has not shown how the existing facilities could be modified to accommodate the proposed use or whether other locations for the store have been evaluated which could more readily accommodate Ernst's growth needs.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?**
The proposed use is not compatible with the adjoining residential area and represents encroachment into an established residential neighborhood. Rezoning of the subject parcel will encourage further nonresidential zoning along the corridor.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?**
Benefits of the proposed rezone are not apparent. The benefits of the retail facility could be met elsewhere - where allowed by zoning.
- F. **Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies?**
The proposal is *not consistent* with the North Avenue Corridor Guidelines or the general purposes of zoning as set forth in the Zoning and Development Code and detailed in this staff report. The Guidelines call for protection of existing housing in the residentially-zoned area adjacent to the Corridor; minimizing impacts of non-residential activities on adjoining residential areas; and encouragement of neighborhood discussion with the petitioner throughout the development process.

G. Are adequate facilities available to serve development for the type and scope suggested for the proposed zone?

Adequate facilities are available to serve the proposed development.

Staff feels that the rezone request is *not* supported by the rezone criteria.

Conditions of Approval

Should the City Council choose to favorably consider the subject application, staff believes that at a minimum the conditions below should be met:

1. A Final Plan must be submitted which adequately addresses the issues of drainage, screening, circulation and lighting. Proper drainage facilities must be provided to accommodate stormwater runoff in accordance with City Standards. Site circulation should be modified to minimize vehicular conflicts including the relocation of the proposed access driveway to the east. A lighting plan must be provided which identifies proposed lighting intensities to minimize spillover onto adjoining properties.
2. Hours of operation in the proposed storage facility should be limited to minimize noise impacts on the adjacent properties.

STAFF RECOMMENDATION:

Staff recommends denial of the rezone request and preliminary plan approval for the reasons discussed above. Should Planning Commission consider approval of the rezone request, staff recommends that approval be subject to the conditions (#1 & #2) in the staff report.

PLANNING COMMISSION RECOMMENDATION:

At their May 2, 1995 meeting, Planning Commission recommended denial of the rezone request and preliminary plan approval.

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→ also discuss ordinance provisions
 ① setbacks, etc.
 • 15ft. landscape easement as described on plan

→ Finding that rezone criteria "D" & "E" have been met

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____
REZONING LAND LOCATED ON 28 1/4 ROAD FROM RSF-8 TO PC

Recitals:

A rezone from RSF-8 (Residential Single Family - 8 units per acre) to PC (Planned Commercial) has been requested for a property located on 28 1/4 Road to allow for nonresidential development. The City Council finds that the requirements for a rezone as set forth in Section 4-4-4 of the Zoning and Development Code have been satisfied.

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

That the land described below is hereby rezoned from RSF-8 (Residential Single Family - 8 units per acre) to PC (Planned Commercial):

the S 150 ft. of the W 1/2 of NW 1/4 of the SE 1/4 of the SW 1/4 of Section 7, Township 1 S,
Range 1 E of the Ute Meridian in Mesa County, Colorado

The uses for the PC zone shall be limited to:

Indoor and outdoor storage of building and nursery materials and supplies.

INTRODUCED for FIRST READING and PUBLICATION this __th day of May, 1995.

PASSED on SECOND READING this _____ day of _____, 1995.

ATTEST:

City Clerk

President of City Council

CITY OF GRAND JUNCTION, COLORADO

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the S 150 ft. of the W 1/2 of NW 1/4 of the SE 1/4 of the SW 1/4 of Section 7, Township 1 S,
Range 1 E of the Ute Meridian in Mesa County, Colorado

1. The uses for this PC zone and property shall be limited to:

Indoor and outdoor storage of building and nursery materials and supplies.

2. Minimum setbacks for all structures shall be as follows:

Front yard: 20 feet from property line

Side and rear yards excluding fences (abutting a residential zone or use): 25 feet

Side and rear yard setback for fences: 0 feet

Maximum height of structures: 20 feet

Maximum height of fences: 10 feet

3. All required landscaping shall be located between the property line and fence line.

The above described parcel shall be used, occupied and enjoyed only as an integral part of the existing retail use (an "Ernst" retail outlet) located on the property immediately adjacent and to the north of the described property all located within what is commonly referred to as the Eastgate Shopping Center. At such time as the existing retail use of the existing "Ernst" store and property is terminated, abandoned or otherwise ends, the approval granted herein shall expire. Any further use of the described property shall require that the then owner submit, and obtain approval of, a new plan pursuant to the applicable ordinances of the City. At such time as the existing retail use of the

"Ernst" store or property is terminated, abandoned or otherwise ends, the City staff may initiate a process to revert or otherwise change the zoning from Planned Commercial to another use deemed appropriate by City staff.

INTRODUCED for FIRST READING and PUBLICATION this ___th day of May, 1995.

PASSED on SECOND READING this ____ day of _____, 1995.

ATTEST:

City Clerk

President of City Council