



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, JANUARY 22, 2013, 6:00 PM**

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

If you wish to speak, please sign in prior to coming up to the podium. Sign in sheets are located at the back of the auditorium. In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.

Copies of the agenda and staff reports are located at the back of the auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes of the November 13 and December 11, 2012 regular meetings.

2. Feuerborn Annexation – Zone of Annexation

[Attach 2](#)

Request a recommendation of approval to City Council to zone 2.68 +/- acres from County RSF-R (Residential Single Family - Rural) to a City C-1 (Light Commercial) zone district.

FILE #: ANX-2012-518
APPLICANT: Don Lilyquist – Maverik Inc
LOCATION: 2902 D Road
STAFF: Scott Peterson

3. Colorado Mesa University Rezone – Planned Development – Extension Request

[Attach 3](#)

*****Continued from January 8, 2013 regular meeting*****

Request a recommendation of approval to City Council for an extension of five (5) additional years until December 2017 for the previously approved Outline Development Plan to allow a mixture of residential, commercial and light industrial uses on 154.08 +/- acres in a PD (Planned Development) zone district.

FILE #: ODP-2008-154
APPLICANT: Colorado Mesa University Real Estate Foundation
LOCATION: 2899 D 1/2 Road
STAFF: Scott Peterson

*** * * END OF CONSENT CALENDAR * * ***

*** * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * ***

Public Hearing Items

On the following item(s) the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Planning Division (244-1430) after this hearing to inquire about City Council scheduling.

4. Rock Shop Enclave Annexation – Zone of Annexation – PULLED 1/11/2013

Request a recommendation of approval to City Council to zone 49.82 acres from County RSF-R (Residential Single Family Rural) and County I-2 (General Industrial) to a City I-1 (Light Industrial) zone district.

FILE #: ANX-2012-574
APPLICANT: City of Grand Junction
LOCATION: South of D Road, East of South 15th Street and South of the Riverside Parkway on both sides of 27 1/2 Road north of Las Colonias Park
STAFF: Brian Rusche

5. North Avenue Overlay Zone District – Zoning Code Amendment

[Attach 5](#)

Request a recommendation of approval to City Council of a text amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add the North Avenue Overlay Zone District.

FILE #: ZCA-2012-572
APPLICANT: City of Grand Junction
LOCATION: North Avenue between 1st Street to east I-70 Business Loop
STAFF: Dave Thornton

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
NOVEMBER 13, 2012 MINUTES
5:59 p.m. to 6:45 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 5:59 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), Ebe Eslami, Gregory Williams, Keith Leonard, Loren Couch, Christian Reece and William Wade (2nd Alternate). Commissioner Jon Buschhorn was absent.

In attendance, representing the City's Public Works and Planning Department – Lisa Cox (Planning Manager), Senta Costello (Senior Planner), Scott Peterson (Senior Planner), Lori Bowers (Senior Planner), Brian Rusche (Senior Planner) and Rick Dorris, Development Engineer.

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 14 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Chairman Wall recognized two former Planning Commissioners – Patrick Carlow and Lynn Pavelka – who have served their full eight year terms and he recognized their many experiences they both brought to the table, their wisdom and sense of humor and believed that as a community we were blessed to have them serve our community. He presented them with a plaque in recognition of their service to the Planning Commission. Chairman Wall next welcomed two new Commissioners – Christian Reece and Bill Wade. In addition, as Lynn Pavelka was the Vice Chair, it would now be necessary to elect a new Vice Chair in her stead.

MOTION:(Commissioner Williams) “I would like to nominate Ebe Eslami because of his experience. It would be a good choice.”

Commissioner Wade seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

Consent Agenda

- 1. Minutes of Previous Meetings**
None available at this time.
- 2. River Canyon School CUP – Conditional Use Permit**

Request approval of a Conditional Use Permit to operate a general daycare facility exceeding 12 children on 3.876 acres in an R-4 (Residential 4 du/ac) zone district.

FILE #: CUP-2012-492
APPLICANT: Gisela Ferguson – River Canyon School
LOCATION: 730 25 Road
STAFF: Brian Rusche

3. Still Pour Tavern CUP – Conditional Use Permit

Request approval of a Conditional Use Permit to allow a tavern where the sale of alcoholic beverages will comprise more than 25% of the gross receipts in a C-1 (Light Commercial) zone district.

FILE #: CUP-2012-497
APPLICANT: Mandy Kelly
LOCATION: 1224 North 25th Street
STAFF: Lori Bowers

4. Kirby Subdivision Vacation of Plat and ROW – Vacation

Request a recommendation of approval to City Council to Vacate a Subdivision Plat (Kirby Subdivision), public right-of-way (Claire Drive) and portions of Utility, Drainage and Irrigation Easements, which are no longer needed.

FILE #: VAC-2012-453
APPLICANT: City of Grand Junction
LOCATION: 2856 B-3/4 Road
STAFF: Scott Peterson

5. Weigh Station ROW Vacation - Vacation

Request a recommendation of approval to City Council to vacate a portion of right-of-way granted by Road Petitions to Mesa County crossing the property located at 2195 Highway 6 and 50.

FILE #: VAC-2012-484
APPLICANT: City of Grand Junction
LOCATION: 2195 Highway 6 and 50
STAFF: Senta Costello

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. Jamie Beard, Assistant City Attorney, stated that Commissioner Leonard indicated that he felt he had an appearance of conflict in regards to Item 2 – the River Canyon School CUP – and if there was a motion for the Consent Agenda, he would abstain from voting on that one particular item. Chairman Wall clarified that if there was a motion for the entire Consent Agenda, Commissioner Leonard's vote would only be as to Items 1, 3, 4 and 5. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the Consent Agenda items.

MOTION:(Commissioner Eslami) “Mr. Chairman, I make a motion that we approve the Consent Agenda as read.”

Commissioner Wade seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

Public Hearing Items

6. Grand Junction Regional Airport Master Plan – Institutional & Civic Facilities Master Plan

Request a recommendation of approval to City Council of an Institutional and Civic Facility Master Plan for the Grand Junction Regional Airport.

FILE #: FMP-2012-255
APPLICANT: Rex Tippetts – Grand Junction Regional Airport Authority
LOCATION: 2810 H Road
STAFF: Lori Bowers

Staff's Presentation

Lori Bowers, Senior Planner with the Public Works and Planning Department, addressed the Commission regarding the two-part request – request for approval to forward a recommendation to the City Council on an update of the Grand Junction Regional Airport Civic Facility Master Plan and the second being to amend Ordinance No. 3679.

By way of a PowerPoint presentation, Ms. Bowers outlined the City limits as well as the current boundary of the airport on land the Grand Junction Regional Airport either owned or controlled (nearly 3,000 acres), all of which were included in the update Master Plan. In 2004, there were just over 2,300 acres of land at the airport and in 2011 an additional 614.3 acres were annexed into the City which brought the total to 2,984 acres. Ms. Bowers said that the Walker Field Airport Authority was created in 1971 under the Public Airport Authority Act of 1965 and the airport was renamed from Walker Field Airport to Grand Junction Regional Airport in May 2007.

The Comprehensive Plan included future development of the airport which placed land owned and managed by the airport authority in the airport category and which allowed future expansion. Ms. Bowers said that the existing zoning was Planned Airport Development (PAD) and any land annexed into the City within the airport designation on the Future Land Use Map may be zoned PAD upon annexation. The City first approved a Civic Facility Master Plan for the airport in 2004 and prior to that the airport property had been zoned Planned Development zoning but without a plan or applicable zoning standards. The Airport Civic Master Plan was amended in 2007 when the authority reconfigured the site's traffic circulation, terminal parking lot and storm drainage system. She confirmed that this was the third requested update to the Airport Civic Facility Master Plan.

She next identified the purpose of a Master Plan review process was to provide an opportunity for early review of major institutional and civic facilities that provided a needed service to the community but may impact the surrounding community. The master plan review allowed the City, through a public process, to assess any impacts early in the review process and to direct the applicant on how best to address the impacts. Since the creation of the airport authority in 1971, the first plan was approved

in 2004, most of the major impacts of the surrounding community were already constructed or were addressed at that time.

However, with the continued review of the proposed update she noted five criteria that needed to be evaluated and reviewed for approval. Ms. Bowers identified the criterion, and provided details as to how each would be met, as follows: 1) conformance with the Comprehensive Plan and other area corridor or neighborhood plans which was done in part by its location at the north edge of the City and the runway system being oriented to minimize over flight of residential areas and other sensitive uses as much as possible. Also, according to the applicants, the Grand Junction Regional Airport provided a national airline passenger and air freight service to the City of Grand Junction, Mesa County and the surrounding region; 2) conformance with the Grand Valley Circulation Plan and general transportation planning requirements; 3) adequate parking, adequate storm water and drainage improvements, minimization of water, air and noise pollution, limited nighttime lighting and adequate screening and buffering potential; 4) the adequacy of public facilities and services; and 5) community benefits from the proposal.

Ms. Bowers next addressed the proposed updated Civic Facility Master Plan which included, among other things, the relocation of Runway 1129 and associated taxiway system; potential expansion of general aviation hangar facilities and related apron space; potential new air traffic control tower; relocation of 27 $\frac{1}{4}$ Road around the west end of the new runway protection zone; and to provide the comprehensive drainage plan for more than 3,000 acres; 29 Road connection to be completed per an improved process as development warrants; and construction of a new administration building. In addition, she identified key improvements included in the updated Civic Facility Master Plan were expansion of the terminal building; replacement of the existing passenger terminal building; the addition of a new facility to the southeast of the existing terminal building; the potential construction of a three-story parking structure to the northwest of the existing passenger terminal building; improvement of the unpaved overflow parking area; and expansion of a de-icing pad to the southeast of the existing de-icing pad.

Ms. Bowers spoke to the amendment of Ordinance 3679 which would provide the amended PD District Map to more clearly show the realignment of roads in the area and newly annexed land to the airport. It further defined the development zones within the ordinance. The proposed amendment to PD Ordinance would allow the improvements to be reviewed administratively by utilization of the City's minor site plan review process. She pointed out that the proposed ordinance needed to be corrected to say that it would apply to zones 2 and 3. She concluded that after reviewing the Grand Junction Regional Airport Authority's request to update the Civic Facility Master Plan and amend Ordinance 3679, the findings of fact and conclusions had been determined so that the requested plan was consistent with the Comprehensive Plan; the applicable review criteria of the Code had been met; and the Grand Junction Regional Airport's Civic Facility Master Plan would be valid for 20 years, or until 2032, and may be amended as required during that term.

Questions

Commissioner Williams raised a question regarding the Ordinance 3679 amendment, and asked if staff agreed with the administrative review. Ms. Bowers said they did

because when the Code was rewritten in 2010, the Code was changed to allow for any Planned Developments that had an approved Outline Development Plan to be reviewed administratively and to be approved by the Director. This would bring the ordinance into conformance and in stride with the new times.

Commissioner Couch had a question regarding the change from the 5-year review period to the 20-year review period. Ms. Bowers said that it was a suggestion by staff because they did not see this plan changing much in the next 20 years. She pointed out that they would be required to come back and amend the plan if there were major changes from it. However, at this time, they did not see any changes of any significance that would come forward and anything that would go through a review would have to be in compliance with the plan. Lisa Cox, Planning Manager, added that the recommendation was that this plan would be valid for 20 years which meant that anything that was proposed for development that was consistent with the plan would not necessarily come back before the Planning Commission but rather it would be approved through the normal process because it was in the plan. If it were to be a major change, then the change would come back so that the plan could be updated but if development was consistent with the Master Plan, it was very likely that it would be approved on an administrative level.

Chairman Wall asked if he was correct in his understanding that according to the Grand Valley Circulation Plan, 29 Road would either cross or go under a future runway. Rick Dorris, Development Engineer, said that that runway was existing and 29 Road was proposed to go underneath it. An environmental assessment would be done whenever a new interchange upon an interstate was done and at that time, they would look at taking 29 Road under that runway.

Chairman Wall asked if the airport was okay with the examination of that. Mr. Dorris said that they would participate in the process and part of the process included looking at other alternatives, costs and mitigation, among other things. He went on to state that when an interchange happened at 29 Road and I-70, they expected a substantial amount of commercial development that may be airport related.

Chairman Wall asked if other alternatives were looked at if this was not appropriate. Mr. Dorris said that they had which alternatives would be a lot more circuitous around the south-end of the runway and another being going around the north-end of the new runway. With the circuitous route, people would be less likely to use those connections than they would be in using a direct route that went under the runway. All of the alternatives would need to be fully vetted out with the analysis when looking at the interchange.

Applicant's Presentation

Tim Malloy appeared as a representative of the Grand Junction Regional Airport Authority along with Ryan Hayes who had worked on both the Master Plan and the Terminal Area Plan on behalf of the airport and Amy Jordan, the assistant aviation director for the airport. He appreciated the presentation made by staff and expressed appreciation for staff's work and the opportunity to work with them. Mr. Malloy commented that with respect to the question regarding 29 Road, he pointed out that the only real reference to the 29 Road in the actual terminal area plan or the airport master

plan was in a section that discussed existing conditions, existing planning conditions and reference to the Grand Valley Circulation Plan. They had expressed concerns about how that would work as well as safety concerns, lights and vehicles passing under a runway but they have expressed a willingness to work with staff from both Mesa County and the City of Grand Junction to look at alternatives and although they had some reservations, there would be some difficult issues to resolve. Also, with respect to the question regarding the amendment to the ordinance, they were in full agreement with the staff that it would be more consistent with the code if the change was made. They also fully supported the staff's findings and conclusion and had no issues with either the ordinance or the resolution other than the change mentioned to include zones 2 and 3. Mr. Malloy requested that the Commission consider forwarding a recommendation of approval for the Airport Master Plan.

Questions

Commissioner Eslami asked if he was opposed to the 29 Road going under the runway. Mr. Malloy clarified that there were hurdles that needed to be looked at very carefully. He went on to say that there were much more stringent security standards in terms of vehicles other than approved vehicles passing onto the secure portion of the airport through the security fence and under the facility after 9/11.

Public Comment

There was no public comment.

Jamie Beard said that the motion that was presented was a single motion which normally would have been presented as two separate motions. The main reason separate motions were normally presented was that if someone was agreeable to the Master Plan but not agreeable to the amendment, then it was more clear on who voted in which direction.

Discussion

Commissioner Eslami said that after review he did not see a problem with recommending this to City Council and he commended staff and the airport representatives for their cooperation and understanding for the need for the continuance to this date.

Commissioner Williams agreed with Commissioner Eslami and believed staff had done a wonderful job and it made sense.

Chairman Wall agreed and said that it made perfect sense. He thought that making the adjustment to Ordinance 3679 also made sense.

After discussion, it was agreed that one motion would be sufficient.

MOTION:(Commissioner Williams) “Mr. Chairman, I move that we forward a recommendation of approval to the City Council of the 2012 Grand Junction Regional Airport Civic Facility Master Plan Update and amendment to Ordinance Number 3679 to allow administrative review of site plans and final development plans within the Airport PD zone district for the Grand Junction Regional Airport, File FMP-2012-255, with the findings and conclusions listed in the staff report.”

Commissioner Wade seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

General Discussion/Other Business

Lisa Cox, Planning Manager, announced that there would be no second meeting in November.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:45 p.m.

**GRAND JUNCTION PLANNING COMMISSION
DECEMBER 11, 2012 MINUTES
6:00 p.m. to 6:03 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), Gregory Williams, Keith Leonard, Loren Couch, Jon Buschhorn, Christian Reece and Steve Tolle (1st Alternate). Commissioner Ebe Eslami (Vice Chairman) was absent.

In attendance, representing the City's Public Works and Planning Department – Lisa Cox (Planning Manager) 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, announced that there would not be a second meeting in December with the next workshop would be held on January 3rd and the next meeting would be on January 8, 2013.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the August 28, September 11 and 25, 2012 regular meetings.

2. Clark Auto CUP – Conditional Use Permit

Request approval of a Conditional Use Permit to allow outside storage and display in the front yard in a C-1 zone to allow the construction of a 2240 square foot garage.

FILE #: CUP-2012-473
APPLICANT: Robert Maloney – Clark Auto
LOCATION: 840 Pitkin Avenue
STAFF: Senta Costello

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on either of the Consent Agenda items.

MOTION:(Commissioner Williams) “I move we approve the Consent Agenda as read.”

Commissioner Reece seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

Public Hearing Items

None.

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 6:03 p.m.

**Attach 2
Feuerborn Annexation**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 22, 2013
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Feuerborn Zone of Annexation – ANX-2012-518

ACTION REQUESTED: Recommendation to City Council on a Zone of Annexation

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2902 and 2906 D Road		
Applicants:		Maverik, Inc., Owners Don Lilyquist, Maverik, Inc., Representative		
Existing Land Use:		Single-family detached home and vacant land		
Proposed Land Use:		Maverik convenience store		
Surrounding Land Use:	North	Single-family detached home		
	South	Single-family detached home and large acreage		
	East	Single-family detached home		
	West	Colorado Mesa University owned property, large acreage		
Existing Zoning:		RSF-R (Residential Single Family – Rural) (County)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	RSF-R (Residential Single Family – Rural) (County)		
	South	RSF-R (Residential Single Family – Rural) (County)		
	East	RSF-R (Residential Single Family – Rural) (County)		
	West	PD (Planned Development) (City)		
Future Land Use Designation:		Village Center and Mixed Use Corridor along 29 Road		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to zone the 3.40 acre Feuerborn Annexation, consisting of two parcels located at 2902 and 2906 D Road, to a C-1 (Light Commercial) zone district.

RECOMMENDATION: Recommend approval to the City Council of the C-1 (Light Commercial) zone district.

ANALYSIS:

1. Background:

The 3.40 acre Feuerborn Annexation consists of two parcels located at 2902 and 2906 D Road. The property owners have requested annexation into the City and a zoning of C-1. Under the 1998 Persigo Agreement between the City and Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or with a zone that implements the City's Comprehensive Plan Future Land Use Map. The proposed zoning of C-1 (Light Commercial) implements the Comprehensive Plan Future Land Use Map which has designated the properties as Village Center.

2. Section 21.02.140 (a) of the Grand Junction Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the C-1 (Light Commercial) zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Village Center. The existing County zoning is RSF-R (Residential Single Family - Rural). Section 21.02.160 (f) of the Grand Junction Zoning and Development Code states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Grand Junction Zoning and Development Code must be made per Section 21.02.140 (a) as follows:

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

Subsequent events have not invalidated the original premises and findings. The requested annexation is triggered by the Persigo Agreement between Mesa County and the City of Grand Junction in anticipation of development. The Persigo Agreement states that new development requires annexation of land from unincorporated Mesa County into the City prior to development. Through the zone of annexation the City will apply a zone district that implements the Comprehensive Plan Future Land Map designation of Village Center. The property owner wishes to develop the two properties in the near future for a commercial use which is appropriate development for the Village Center land use designation.

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

The applicant is requesting a zone district that will implement the Comprehensive Plan Future Land Use Map designation of Village Center. The Village Center anticipates a mix of uses to provide a broad range of commercial uses and higher density residential uses. The character or conditions of the area near the intersection of 29 Road and Riverside Parkway/D Road will change in the future as more properties begin to annex and develop with a mix of commercial and high density residential uses that are anticipated by the Comprehensive Plan Village Center. The existing land uses of large acreage, single-family detached homes are not supported by the Comprehensive Plan.

(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, or could be provided at the time of development, to serve the range of allowed commercial and residential uses that are anticipated by the Comprehensive Plan. Ute Water and City Sanitary Sewer facilities are presently located in D Road and 29 Road. The existing street and road network support high traffic commercial land uses as anticipated by the Comprehensive Plan and allowed in the proposed zone district.

(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

There is an inadequate supply of suitably designated land in this area to meet the commercial and high density residential development anticipated by the Comprehensive Plan (Village Center). The request to zone the subject property C-1 is consistent with the Village Center land use designation.

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

The requested zoning supports the following goals of the Comprehensive Plan:

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

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 community will derive benefits from the proposed zoning by implementing land use decisions that are consistent with, and support, the Comprehensive Plan by the creation of “centers” throughout the community that provide services and commercial areas. The proposed zoning will provide the opportunity for a range of commercial development that supports the Comprehensive Plan

designation of Village Center. The Village Center is intended to provide a broad mix of commercial and higher density residential land uses such as those allowed by the C-1 zone district.

Alternative zone district options. In addition to the C-1 zone district, the following zone districts would also implement the Comprehensive Plan designation of Village Center:

- a. B-1 (Neighborhood Business)
- b. MXG – (Mixed Use General – 3, 5)
- c. M-U (Mixed Use)
- d. R-8 (Residential – 8 du/ac)
- e. R -12 (Residential – 12 du/ac)
- f. R-16 (Residential – 16 du/ac)
- g. R-24 (Residential – 24 du/ac)
- h. R-O (Residential Office)
- i. MXR – (Mixed Use Residential – 3, 5)
- j. MXS – (Mixed Use Shop – 3, 5)

Options d through j are zone districts that implement the Village Center designation, however they do not permit the type of proposed commercial land use that is permitted in the C-1, B-1, MXG 3, 5 or M-U zone districts.

If the Planning Commission chooses to recommend an alternative zone designation, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Feuerborn Annexation, ANX-2012-518, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone district of C-1 (Light Commercial) is consistent with the goals and policies of the Comprehensive Plan and implements the Village Center land use designation.
2. The review criteria in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

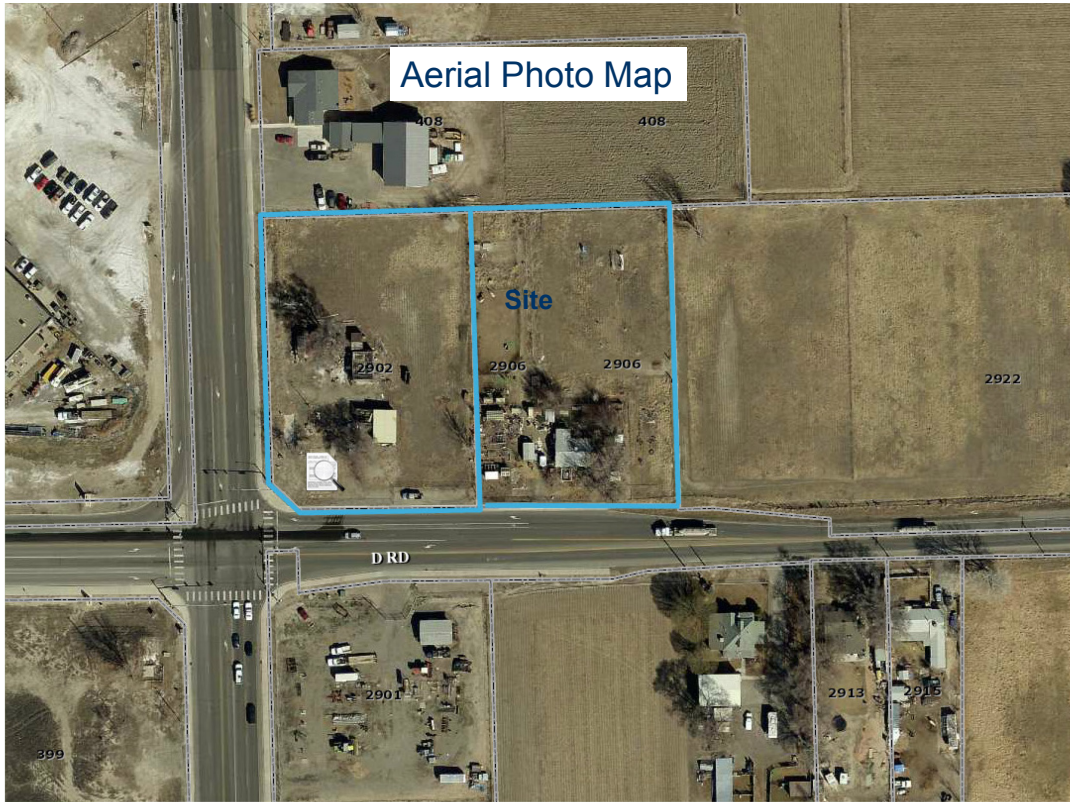
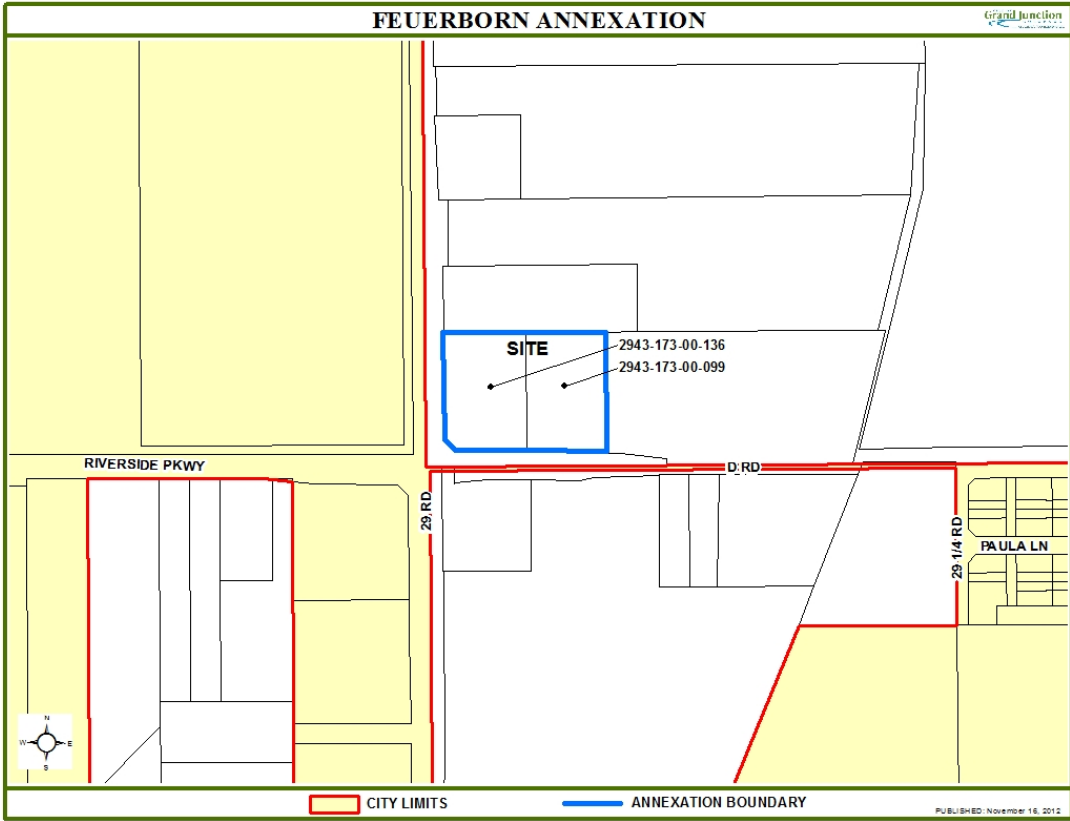
I recommend that the Planning Commission forward a recommendation of approval of the C-1 (Light Commercial) zone district for the Feuerborn Annexation, ANX-2012-518, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

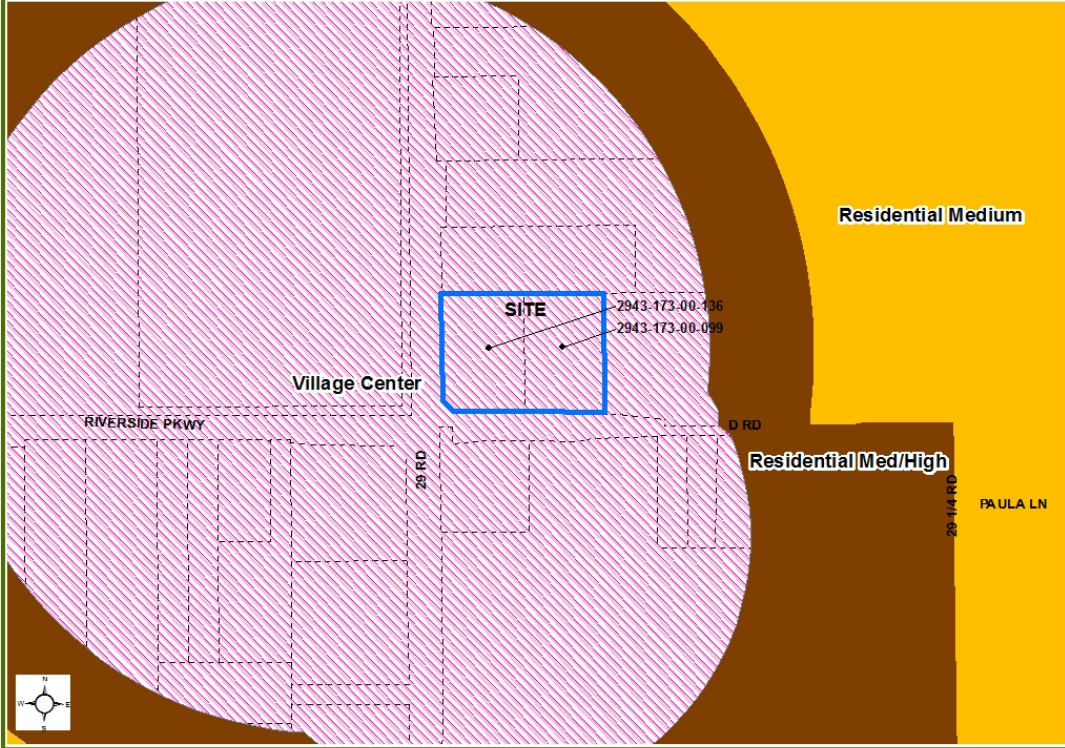
Mr. Chairman, on the Feuerborn Zone of Annexation, ANX-2012-518, I move that the Planning Commission forward to the City Council a recommendation of approval of the C-1 (Light Commercial) zone district for the Feuerborn Annexation with the facts and conclusions listed in the staff report.

Attachments:

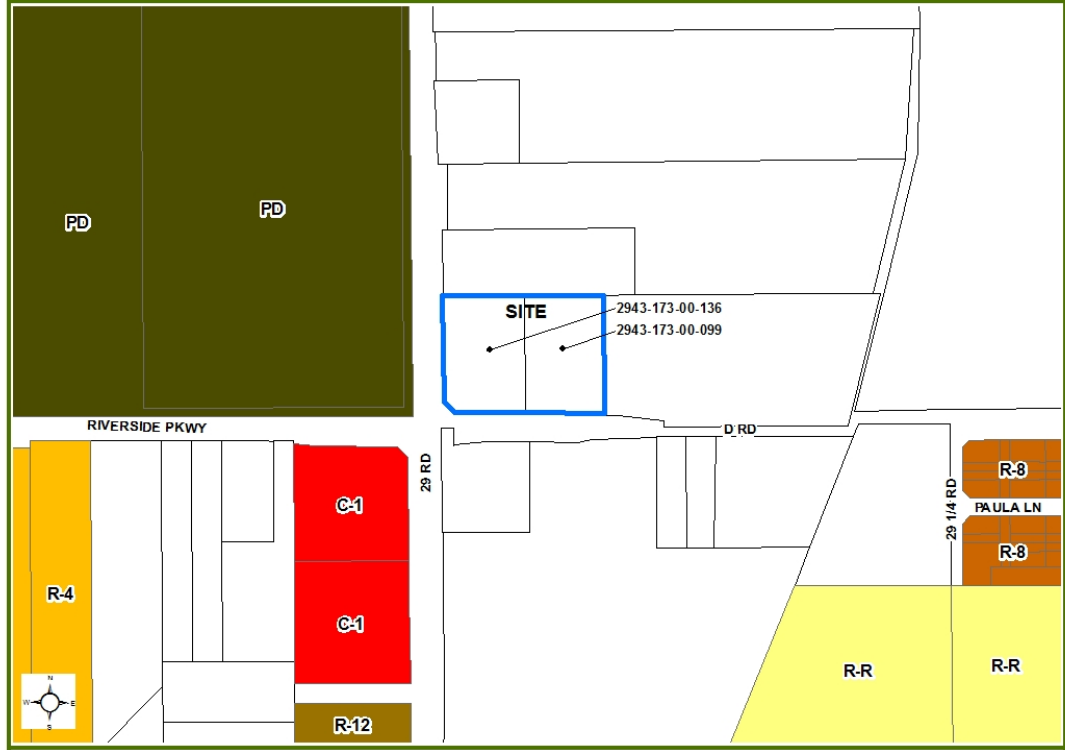
Annexation - Site Location Map / Aerial Photo Map
Comprehensive Plan Future Land Use Map / City Zoning Map
Zoning Ordinance



FEUERBORN ANNEXATION: FUTURE LAND USE



FEUERBORN ANNEXATION: ZONING



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE FEUERBORN ANNEXATION
TO C-1 (LIGHT COMMERCIAL)**

LOCATED AT 2902 AND 2906 D ROAD

Recitals

The 3.40 acre Feuerborn Annexation consists of two parcels located at 2902 and 2906 D Road. The property owners have requested annexation into the City and a zoning of C-1 (Light Commercial). Under the 1998 Persigo Agreement between the City and Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement, the City shall zone newly annexed areas with a zone that is either identical to the current County zoning or with a zone that implements the City's Comprehensive Plan Future Land Use Map. The proposed zone district of C-1 (Light Commercial) implements the Comprehensive Plan Future Land Use Map, which has designated the properties as Village Center.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Feuerborn Annexation to the C-1 (Light Commercial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Comprehensive Plan and the Comprehensive Plan's goals and policies. The zone district meets the criteria found in Section 21.02.140 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 (Light Commercial) zone district is in conformance with the stated 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 be zoned C-1 (Light Commercial).

FEUERBORN ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian and assuming the West line of the SW 1/4 SW 1/4 of said

Section 17 bears S 00°13'10" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, also being the East line of the Mesa State College Property Annexation, City of Grand Junction Ordinance No. 4081, as same is recorded in Book 4454, Page 809, Public Records of Mesa County, Colorado, a distance of 330.00 feet; thence N 89°58'45" E, a distance of 449.14 feet; thence S 00°01'15" E, a distance of 330.00 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 17; thence S 89°58'45" W, along the South line of the SW 1/4 SW 1/4 of said Section 17, also being the North line of Ephemeral Resources Annexation No. 2, City of Grand Junction Ordinance No. 3298, as same is recorded in Book 2765, Page 672, Public Records of Mesa County, Colorado, a distance of 448.00 feet, more or less, to the Point of Beginning.

CONTAINING 148,029 Square Feet or 3.40 Acres, more or less, as described.

INTRODUCED on first reading the ____ day of ____, 2013 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of ____, 2013 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

**Attach 3
Colorado Mesa University Rezone**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 22, 2013
PRESENTATION: Scott D. Peterson

AGENDA TOPIC: Colorado Mesa University Outline Development Plan – ODP-2008-154.

ACTION REQUESTED: Recommendation to City Council to approve a five year extension of the approved Colorado Mesa University Outline Development Plan from December 15, 2012 to December 15, 2017.

BACKGROUND INFORMATION					
Location:		2899 D ½ Road			
Applicant:		Owner: Colorado Mesa University Real Estate Foundation Representative: Derek Wagner, Colorado Mesa University			
Existing Land Use:		Agriculture/Vacant/CSU Facility/Electrical Lineman School			
Proposed Land Use:		Mixed Use: Residential/Commercial/Industrial			
Surrounding Land Use:	North	Vacant land – Railroad Right-of-Way			
	South	Single Family Residential and vacant land			
	East	Single Family Residential			
	West	State of Colorado Offices/Veterans Cemetery			
Existing Zoning:		PD (Planned Development)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	I-1 (Light Industrial)			
	South	County RSF-R (Residential Single Family – Rural), County PUD (Planned Unit Development), City R-4 (Residential - 4 du/ac) City PD (Planned Development) and City C-1 (Light Commercial)			
	East	County RSF-R (Residential Single Family – Rural) and County PUD (Planned Unit Development)			
	West	CSR (Community Services and Recreation)			
Growth Plan Designation:		Village Center, Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request a five year extension, from December 15, 2012 to December 15, 2017, of the approved Colorado Mesa University Outline Development Plan.

RECOMMENDATION: Recommend approval to City Council of a five year extension of the approved Colorado Mesa University Outline Development Plan from December 15, 2012 to December 15, 2017.

Background:

The property was annexed into the City in 2007 but was not zoned pending a decision on a requested Growth Plan Amendment. On March 5, 2008 the City Council amended the Growth Plan – Future Land Use Map from Public to a Mixed Use designation. On December 15, 2008, the City Council approved the Outline Development Plan (ODP) effectively rezoning the property to Planned Development (PD). In 2010, a new Comprehensive Future Land Use Map was adopted by the City and changed the designation for this property from Mixed Use to Village Center, Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial to correspond to the general areas of the different Pods identified on the approved ODP.

The ODP allows multifamily residential, commercial and industrial uses within four pods. The uses for each Pod are defined by Ordinance 4314 (see attached). Pod A allows only commercial and industrial uses and does not allow residential uses. Pods B and C will contain a maximum of 450,000 square feet and 115,000 square feet of commercial respectively. The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum 370 dwelling units and Pod D allows a maximum 754 dwelling units. A maximum density for Pod C has not been established therefore any units located in Pod C would be subject to the maximum overall density and would have to be subtracted from the total 1,124 units. The maximum density of Pods B, C and D is 10.9 dwelling units per acre.

The ODP was approved prior to adoption of the Comprehensive Plan. The Comprehensive Plan Future Land Use Map designations allow additional residential density on the property. To take advantage of the additional density, the applicant would have to amend the Outline Development Plan. No amendment is proposed at this time. The current Comprehensive Plan Future Land Use Map was changed to match the approved ODP for this property and the different Pod configuration, therefore the ODP is consistent with the Comprehensive Plan.

This is the applicant's second request for an extension. In 2010, the City Council approved a two-year extension until December 15, 2012. Since no development proposal has been submitted to date, the applicant is requesting to keep their entitlements active and requesting a second extension until December 15, 2017 in the hopes the market will improve and that development of the property becomes more feasible. The owner is committed to completing the project and the existing ODP will continue to provide public benefits for additional residential and commercial mixed use opportunities within the next five years (See attached letter).

The applicant is also requesting that the ODP extension request be brought under the current 2010 Zoning and Development Code. The only major change between the

different zoning codes is that an applicant does not have to submit a Preliminary Plan under the current 2010 Zoning Code, as the ODP serves as the preliminary application and therefore can go right to final design. Therefore the existing ODP has sufficient detail to comply with the current ODP requirements and approval criteria as identified in the Zoning and Development Code.

Phasing Schedule:

A Preliminary Development Plan was to be submitted within 4 years after approval of the ODP or by December 15, 2012. The Applicant is requesting that the approved schedule be extended from December 15, 2012 to December 15, 2017.

The Developer is only requesting that the submittal schedule be amended. All other conditions, criteria and standards contained within Ordinance 4314 will remain in effect.

Section 21.02.150 (e) (2) states:

Outline Development Plan. The approved outline development plan may be amended only by the same process by which it was approved, except for minor amendments.....

Because the above schedule is part of the approved ODP, the ODP must be amended by the same process by which it was approved. Therefore the Developer requests that the Planning Commission forward a recommendation of approval to City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Colorado Mesa University Outline Development Plan application, file number ODP-2008-154, a request for a five-year extension to the approved development schedule, I make the following findings of fact and conclusions:

1. The requested Planned Development, Outline Development Plan is consistent with the Comprehensive Plan as the Comprehensive Plan Future Land Use Map was changed to match the Pod configuration of the ODP.
2. The Outline Development Plan review criteria in Section 21.02.150 (b) (2) of the Zoning and Development Code have all been met as the criteria has not changed from the previous Zoning and Development Code.
3. The Rezoning review criteria in Section 21.02.140 (a) of the Zoning and Development Code have all been met as the criteria has not changed from the previous Zoning and Development Code.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested five-year extension to the Colorado Mesa University Outline Development Plan, File Number ODP-2008-154, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item number ODP-2008-154, I move that the Planning Commission forward a recommendation of approval of the requested five-year extension until December 15, 2017 for the Colorado Mesa University Outline Development Plan, with the findings of facts and conclusions listed within the Staff Report.

Attachments:

Letter of Extension Request from Applicant
Location Map / Aerial Photo Map
Future Land Use Map / City and County Zoning Map
Letter from Colorado Mesa University Real Estate Foundation
Proposed Ordinance
Ordinance No. 4314
Staff Report from November 10, 2008



COLORADO MESA
UNIVERSITY

REAL ESTATE FOUNDATION

1100 North Avenue • Grand Junction, CO 81501-3122
970.248.1533 (o) • 970.248.1903 (f)

December 3, 2012

Ms. Lisa Cox, Planning Director
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Dear Ms. Cox:

Thank you for taking time recently to visit with us about the status of the CMU Real Estate Foundation's property at the corner of 29 and D Roads. As you know, the City of Grand Junction has been very helpful to our organization in developing our Outline Development Plan (ODP) for the property.

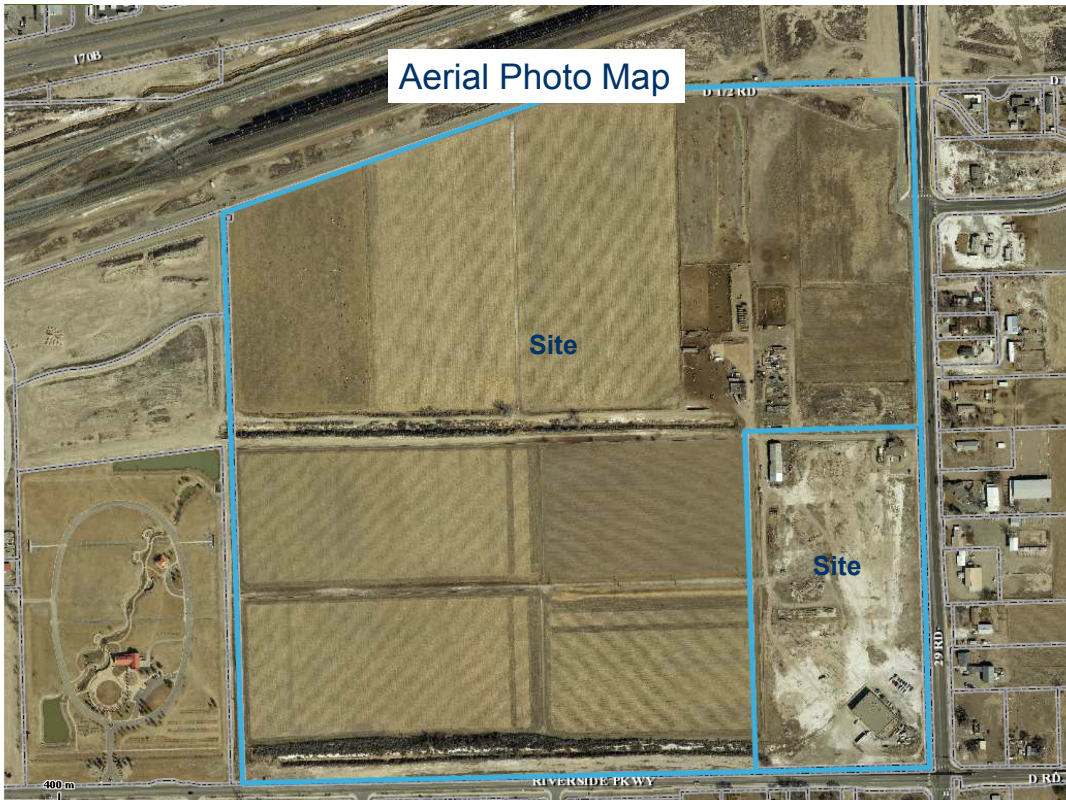
It has come to my attention that the current ODP for the property is set to expire this month. It is the sense of our Board that we would like to extend the current ODP for a period of five more years as we wait for market conditions to improve to the point that development of the property becomes feasible.

We would welcome the opportunity to visit with you about the process needed to accomplish this extension. Please coordinate with Derek Wagner at: 970-248-1553 or via e-mail at: dawagner@coloradomesa.edu.

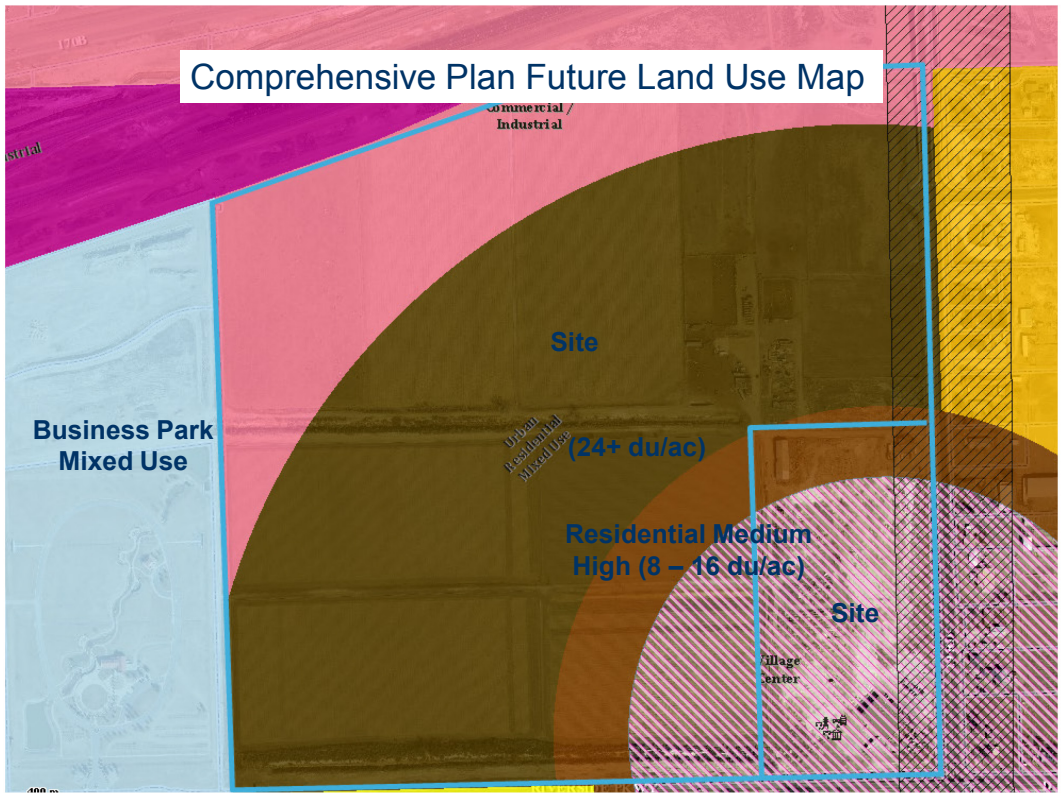
Thank you again for your assistance and I look forward to visiting with you.

Sincerely,

R. Arnold Butler, Chairman
Colorado Mesa University Real Estate Foundation



Comprehensive Plan Future Land Use Map



Existing Zoning Map





REAL ESTATE FOUNDATION

1100 North Avenue • Grand Junction, CO 81501-5122
970.246.1533 (o) • 970.248.1903 (f)

January 11, 2013

Ms. Lisa Cox, Planning Director
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RECEIVED
JAN 11 2013
COMMUNITY DEVELOPMENT
DEPT.

Dear Ms. Cox:

I would like to thank you and Scott Peterson for taking time to visit with us yesterday about the issues surrounding our pending application for an extension of the Outline Development Plan (ODP) for our Foundation's property at 29 and D Roads. As always, we appreciate your open-door policy and your willingness to spend some time with us.

Based on your assurances that the only change associated with approving our extension request under the 2010 Code vs. the 2008 Code is a simplification of the process and the elimination of the need for a preliminary hearing before the Planning Commission once we come forward with an actual project, we are comfortable proceeding with an approval under the new Code.

Thank you again for your assistance and I look forward to seeing you at the Planning Commission meeting on January 22nd.

Sincerely,


R. Arnold Butler, Chairman
Colorado Mesa University Real Estate Foundation

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE AMENDING ORDINANCE NO. 4314 ZONING THE COLORADO
MESA UNIVERSITY DEVELOPMENT TO PD (PLANNED DEVELOPMENT)**

LOCATED AT 2899 D 1/2 ROAD

Recitals:

On December 15, 2008 the City Council approved Ordinance No. 4314 zoning 154.05 +/- acres to PD (Planned Development) with an Outline Development Plan (ODP) (Plan) and a default M-U (Mixed Use) zone district. On April 19, 2010 the City Council approved Ordinance 4421 to extend the development schedule for an additional two years through December 15, 2012.

Ordinance No. 4314 is referred to and incorporated by reference the "Findings of Fact and Conclusions listed in the Planning Commission Staff Report dated November 10, 2008 and City Council Staff Report dated November 17, 2008 including attachments and Exhibits." One of the Findings of Fact and Conclusions in the Staff Reports was a development schedule for the project.

Due to the change in the economy and the Applicant's desire to delay the project, the development schedule for the project is being amended. The applicant also desires to bring the adopted ODP under the 2010 Zoning and Development Code.

Planning Staff has reviewed the Applicant's request to extend the development schedule for an additional five years, to wit, to and through December 15, 2017, and supports the request.

All other aspects of Ordinance No. 4314 shall remain in effect.

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

The development schedule approved by reference in Ordinance No. 4314 is amended to provide for and allow an additional five (5) years (to December 15, 2017) for the development of the project/land described in said Ordinance. The existing ODP shall also be subject to the 2010 Zoning and Development Code.

All other approvals made by and in accordance with Ordinance No. 4314 shall remain the same.

INTRODUCED on first reading on the _ day of , 2013 and ordered published in pamphlet form.

ADOPTED on second reading the _____ day of _____, 2013 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4314

AN ORDINANCE TO ZONE THE MESA STATE DEVELOPMENT TO PD (PLANNED DEVELOPMENT) ZONE, BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH A DEFAULT M-U (MIXED USE) ZONE FOR THE DEVELOPMENT OF A MIXED USE DEVELOPMENT

LOCATED AT 2899 D 1/2 ROAD

Recitals:

A request to zone 154.05 acres to PD (Planned Development) by approval of an Outline Development Plan (Plan) with a default M-U (Mixed Use) zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (M-U) and adopt the Outline Development Plan for the Mesa State Development. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the M-U zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved "long-term community benefits" by proposing more effective infrastructure, needed housing types and innovative design.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED TO PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONE AND STANDARDS:

- A. A certain parcel of land located in the Southeast Quarter of (SE 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 18 and assuming the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18 bears N89°40'51"W with all other bearings contained herein being relative thereto; thence N89°40'51"W along said South line a distance of 1319.50 feet to the Southwest corner of said SE 1/4 SE 1/4; thence N00°21'19"W along the West line of said SE 1/4 SE 1/4 a distance of 30.00 feet to a point on the North line of Riverside Parkway (also known as D Road); thence N89°37'59"W along said North line a distance of 1328.65 feet to a point on the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 18, said North line also being the North line of the Darren Davidson Annexation, City of Grand Junction, Ordinance No. 3205; thence N00°06'35"W along said West line a distance of 1288.69 feet to the Northwest corner of said SW 1/4 SE 1/4;

thence N00°25'09"W along the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 18 a distance of 903.48 feet to a point on the South line of the Southern Pacific Railroad Annexation, City of Grand Junction, Ordinance No. 3158; thence N73°01'14"E along said South line a distance of 1415.51 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18; thence N00°15'05"E a distance of 30.00 feet; thence N89°35'13"E along a line being 30.00 feet North of and parallel with the North line of said NE 1/4 SE 1/4 a distance of 1292.57 feet; thence S00°13'55"E along the East line of said NE 1/4 SE 1/4 a distance of 1350.87 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence S00°13'09"E along the East line of said SE 1/4 SE 1/4, a distance of 1321.23 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 154.05 acres (6,710,387 square feet), more or less, as described.

B. Mesa State Development Outline Development Plan is approved with the Findings of Fact and Conclusions listed in the Staff Reports dated November 10, 2008 and November 17, 2008 including attachments and Exhibits.

C. The default zone is M-U (Mixed Use) with deviations contained within this Ordinance.

D. Unified Development

The project should be developed in a unified manner with similar architectural styles and themes throughout. Detached trails along the arterial frontages are intended to provide for safe multi-modal transportation haven and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

E. Purpose

The proposed development will provide for a mix of light manufacturing, office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

F. Intensity

1. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0.
2. Nonresidential minimum lot size shall be one (1) acre, except commercial lots within a retail center.

3. Maximum building size of a retail commercial use shall be 250,000 square feet.
4. Maximum overall gross residential density shall not exceed twenty-four (24) units per acre.
5. Minimum overall net residential density shall be eight (8) units per acres.
6. The minimum and maximum density shall be calculated utilizing Pods B, C and D. Individual lots or sites do not have to be density compliant.

G. Performance Standards

1. Any applicable overlay zone district and/or corridor design standards and guidelines shall apply, unless otherwise approved by the City, to encourage design flexibility and coordination of uses.
2. Loading docks and trash areas or other service areas when located in the side or rear yards must be screened from adjacent right-of-ways with either a wall or landscaping. Front façade loading docks shall be recessed a minimum of 20 feet behind the front façade of the building.
3. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U zone without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials.
 - a. Vibration: Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - b. Noise: The owner and / or occupant shall regulate uses and activities on a lot so that the Day-Night Average Sound Level does not exceed sixty-five decibels (65 dB) at any point along the property line. This sound level is not intended apply to limited periods of landscape maintenance activity for the subject property.
 - c. Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any other lot, parcel or any right-of-way.
 - d. Solid and Liquid Waste: All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - e. Hazardous Materials: Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the

SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Such information regarding the activity shall be provided to the Director at the time of any proposed change, use or expansion, even for existing uses.

- f. Outdoor Storage and Display: Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display or retail merchandise may be permitted as provided in Chapter four of the Zoning and Development Code.

H. Pod Character

The property will be developed into three distinct areas within the development that have a character similar to the following uses:

1. Pod A – Light Industrial (Commercial is allowed)
2. Pods B and C – Commercial (Multifamily residential is allowed)
3. Pod D – Multifamily Residential (Ground floor commercial is allowed)

I. Authorized Uses

1. The list of authorized uses allowed within the M-U zone is hereby amended to include and exclude the following. The following uses are allowed without the need for approval of a conditional use permit.

a) POD A – LIGHT INDUSTRIAL

- 1) All other community service
- 2) Golf Driving Ranges
- 3) Utility Basic (indoor or outdoor)
- 4) General Offices
- 5) Office with Drive-through
- 6) Commercial Parking
- 7) Skating Rink
- 8) Shooting Range, Indoor
- 9) All other indoor recreation
- 10) Animal Care / Boarding / Sales, Indoor
- 11) Delivery and Dispatch Services
- 12) Fuel Sales, automotive/appliance
- 13) General Retail Sales, outdoor operations, display and storage
- 14) Landscaping Materials Sales/Greenhouse/Nursery
- 15) All other sales and services
- 16) Auto and Light Truck Mechanical Repair
- 17) Body shop
- 18) Car wash
- 19) Gasoline Service Station

- 20) Quick Lube
- 21) All other vehicle service, limited
- 22) Indoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 23) Indoor Operations with Outdoor Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 24) Outdoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 25) Contractors and Trade Shops
- 26) Indoor operations and outdoor storage (heavy vehicles)
- 27) Warehouse and Freight Movement
- 28) Indoor Storage with Outdoor Loading Docks
 - i. Outdoor Storage or Loading
- 29) Sand or Gravel Storage
- 30) Wholesale Sales – allowed
 - i. Wholesale Business
 - ii. Agricultural Products
 - iii. All other Wholesale Uses
- 31) Telecommunications Facilities

b) PODS B & C – COMMERCIAL

- 1) Community Service
- 2) Cultural Uses
- 3) Multi-family residential
- 4) General Day Care
- 5) Entertainment Event,
 - i. Indoor Facilities
 - ii. Outdoor Facilities
- 6) Hotels / Motels
- 7) General Offices
- 8) Office with drive-through
- 9) Commercial Parking
- 10) Health Club
- 11) Movie Theater
- 12) Skating Rink
- 13) Arcade
- 14) Bar / Nightclub
- 15) Alcohol Sales
- 16) Drive-through Uses (restaurants)
- 17) Drive-through Uses (retail)
- 18) Food Service, Catering
- 19) Food Service, Restaurant (including alcohol sales)

- 20) Farmers Market
- 21) General Retail Sales, Indoor Operations, display and storage
- 22) Gasoline Service Station
- 23) Repair, small appliance
- 24) Repair, large appliance
- 25) Personal Service
- 26) All other retails sales and service
- 27) Utility Service Facilities (underground)
- 28) All other Utility, Basic
- 29) Transmission Lines, (above ground)
- 30) Transmission Lines, (underground)

c) POD D – RESIDENTIAL

- 1) Multifamily residential
- 2) Non-residential uses are limited to a combined total of 10,000 square feet in POD D.
 - i. Large Group Living Facilities
 - ii. Unlimited Group Living Facilities
 - iii. General Day Care
 - iv. Bar / Nightclub
 - v. Food Service, Restaurant (including alcohol sales)
 - vi. Farmers Market
 - vii. General Retail Sales, Indoor Operations, display and storage

d) Restricted Uses

The uses below are not allowed within any of the Pods.

- 1) Cemetery
- 2) Golf Course
- 3) Religious Assembly
- 4) Funeral Homes/Mortuaries/Crematories
- 5) Schools – Boarding, Elementary, Secondary
- 6) Transmission Lines (above ground)
- 7) Bed and Breakfast (1 – 3 guest rooms)
- 8) Bed and Breakfast (4 or more guest rooms)
- 9) Amusement Park
- 10) Miniature Golf
- 11) All other outdoor recreation
- 12) Adult Entertainment
- 13) Farm Implement / Equipment Sales / Service
- 14) Fuel Sales, heavy vehicle
- 15) Mini warehouse
- 16) Agriculture
- 17) Winery
- 18) Aviation
- 19) Helipads

J. Dimensional Standards

Minimum Lot Area	
Pod A	1 acre minimum
Pods B and C	No minimum when part of a retail center 1 acre when stand alone
Pod D	No minimum

Minimum Lot Width	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Minimum Street Frontage	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Pod A Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	5' / 5'
Rear	25' / 5' ^a

Pods B and C Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	0' / 0'
Rear	10' / 10'

Pod D Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 20'
Side	5' / 3'
Rear	10' / 5'

Maximum Lot Coverage	
Pod A	N/A
Pods B and C	N/A
Pod D	N/A

Maximum FAR	
Pod A	2.0 FAR
Pods B and C	2.0 FAR
Pod D	N/A

Maximum Height	
Pod A	40'

Pods B and C / Mixed Use Buildings	40'/65'
Pod D	65'

1. Footnotes: The applicable footnotes in Table 3.2 of the Zoning and Development Code shall be referenced including the following:
 - a. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.

K. Other Regulations

1. Fencing: A fence is required along the western most boundary of the property (adjacent to the Department of Military and Veterans Affairs Cemetery).
2. Construction Cessation: During military funerals, services or veterans ceremonies, construction on any and all projects will cease until these funerals, service or ceremonies have ended. Each general contractor will contact the Department of Military and Veterans Affairs to work out details for construction cessation during the requested periods of time.
3. Landscape Buffer:
 - a. A 25 foot wide landscape buffer, including a six (6) foot fence, is required along the western property line of the development. The landscape buffer will count towards the overall landscape requirements of each site.
 - b. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.
4. Parking per Section 6.6 of the Zoning and Development Code with the following modifications:
 - a. Commercial – Per Shopping Center Calculations (1 parking space per every 250 square feet of gross floor area).
 - b. Mixed-use structures – parking calculated per use per floor of structure (Shopping center parking calculation can be used for ground floor commercial uses at 1 parking space per every 250 square feet of gross floor area).
5. Landscaping shall meet Section 6.5 of the Zoning and Development Code.
6. Buildings shall meet Section 4.3 M. of the Zoning and Development Code.
7. Sign Regulations shall meet Section 4.2 with the following exceptions:

- a. Freestanding signs shall be limited to monument type signage.
 - b. Freestanding signs shall not exceed 8' in height – sign face calculated per Section 4.2.
 - c. Only one freestanding monument sign shall be allowed at each intersection along Riverside Parkway and 29 Road.
 - d. A sign package will be required as part of each Preliminary Development Plan.
8. Hours of Operation:
- a. Pod A – unrestricted
 - b. Pods B and C – unrestricted
 - c. Pod D – non-residential uses shall be restricted from 5 am to 11 pm.
9. Mixed-Use Development
- a. The maximum residential densities within Pod C shall not exceed twenty-four (24) dwelling units per acre, minus (1) dwelling unit per 2,000 square feet of nonresidential development or portion thereof. In Pod C, residential uses shall not constitute more than seventy-five percent (75%) of the total floor area. In no case shall the total number of dwelling units in Pod C exceed 370 dwelling units.
 - b. The total number of residential dwelling units on the project shall not exceed 24 dwelling units per acre.
 - c. Mixed-use development in Pod D shall not exceed the plan density minus one (1) dwelling unit per 1,000 square feet of nonresidential development or portion thereof. No more than ten percent (10%) of the land area may be dedicated to commercial uses.
 - d. Multifamily residential development in Pod D is eligible for density bonuses pursuant to Chapter 3.6.B.10.
10. Definitions
- a. Mixed-use structure: Any mix of residential and nonresidential uses in the same building.

INTRODUCED on first reading on the 1st day of December, 2008 and ordered published.

ADOPTED on second reading this 15th day of December, 2008.

ATTEST:

/s/: Gregg Palmer
President of the Council

/s/: Stephanie Tuin
City Clerk

AGENDA TOPIC: Mesa State Outline Development Plan – ODP-2008-154.

ACTION REQUESTED: A recommendation of approval to City Council to zone 154.05 acres to PD (Planned Development) with a default zone of M-U (Mixed Use) and recommendation to City Council of approval of an Outline Development Plan (ODP) for the Mesa State Development.

BACKGROUND INFORMATION			
Location:		2899 D ½ Road	
Applicants:		Owner: Mesa State College Real Estate Foundation Applicant: University of Colorado Real Estate Center Representative: Ciavonne, Roberts and Associates	
Existing Land Use:		Agriculture/Vacant/CSU Facility/Lineman School	
Proposed Land Use:		Mixed Use: Residential/Commercial/Industrial	
Surrounding Land Use:	North	Industrial	
	South	Single Family Residential	
	East	Single Family Residential	
	West	State Offices/Cemetery	
Existing Zoning:		County PUD	
Proposed Zoning:		PD (Planned Development)	
Surrounding Zoning:	North	I-1 (Light Industrial)	
	South	County RSF-R, County RSF-2, County PUD, R-4 (Residential 4 du/ac), PD (Planned Development)	
	East	County RSF-R	
	West	County PUD	
Growth Plan Designation:		Mixed Use	
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: A request for approval to zone property located at 2899 D ½ Road to PD (Planned Development) with a default zone of M-U (Mixed Use) by approval of the Outline Development Plan as a Planned Development.

RECOMMENDATION: Recommend approval to City Council to zone 154.05 acres PD (Planned Development) with a default zone of M-U (Mixed Use) and recommend to City Council approval of an Outline Development Plan for the Mesa State Development.

ANALYSIS

1. Background

The property was annexed into the City on June 6, 2007 but was not zoned pending a decision on the requested Growth Plan Amendment. On March 5, 2008 the City Council amended the Growth Plan – Future Land Use Map from Public to a Mixed Use designation. The requested approval by City Council is for zoning the parcel as a part of the annexation.

Current use of the property includes an electrical lineman training facility, Colorado State University Animal Diagnostic Laboratory and agriculturally cultivated lands. Also existing on the property are miscellaneous vacant buildings. The site is bounded by Riverside Parkway (also known as D Road) to the south, the Union Pacific Railroad and the I-70 Business Loop to the north, 29 Road to the east and land owned by the State and the Department of Military and Veteran's Affairs to the west.

The Applicant is proposing that the property be developed as a PD (Planned Development) with a default zone of M-U (Mixed Use). Section 3.4 J. of the Zoning and Development Code ("Code") states that the purpose of the M-U zone is:

"To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the commercial, commercial/industrial, industrial and mixed use future land use classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas."

Uses and Development Character

The proposal is to allow multifamily residential, commercial and industrial uses within four pods. Pod A would be developed as industrial. Pods B and C would be developed principally as commercial with the ability to include multifamily residential. Pod D would be developed principally as residential allowing limited commercial development. Pods B, C, and D would allow a mix of uses both residential and commercial with commercial uses being the principle uses of Pods B and C and residential use being the principle use of Pod D.

The uses for each Pod are defined in the draft ordinance hereto attached. Pod A only allows commercial and industrial uses and does not allow residential uses. Also Pod A has no limitation in the amount of square footage at buildout. The limitation will be subject to parking and bulk standards. Pods B and C will contain a maximum of 450,000 square feet and 115,000 square feet of commercial respectively. The maximum building size for any commercial structure will be 250,000 square feet. It should be noted that a Traffic Impact Study (TIS) has not been completed for the proposed development. A TIS will determine if additional commercial development (square footage) can occur on the site relative to the capacity of the road system.

Unified development of the site is proposed with similar architectural styles and themes across the four pods including common landscape features and streetscape character. The Applicant is also proposing that detached trails will be located along 29 Road and the Riverside Parkway.

Density

The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum 371 dwelling units and Pod D allows a maximum 754 dwelling units. A maximum density for Pod C has not been established therefore any units located in Pod C would be subject to the maximum overall density and would have to be subtracted from the total 1,124 units. The maximum density of Pods B, C and D is 10.90 dwelling units per acre which is consistent with the density allowed in the M-U zone.

Access

Four access points are being proposed for the development. Two access points are located along 29 Road, one at the new D 1/2 Road intersection and one located further south. In addition to the two access points on 29 Road, two access points are proposed along Riverside Parkway (also known as D Road). One access is proposed at the intersection of Burdock Way and one at the intersection of Skyler Street.

Open Space / Park

No open space or parkland has been proposed as part of the proposed ODP. However the Applicant has proposed a 25 foot landscaped buffer along the west property line to buffer the potential uses of the development with the cemetery. Open space and park dedication requirements will be reviewed as part of the Preliminary Development Plan ("PDP").

Signage

Freestanding signage along 29 Road and Riverside Parkway will be limited to monument signs no higher than eight feet and one per intersection on arterial streets. Sign packages will be submitted as part of the PDP for all internal signage.

Community Benefit

The objective of a mixed use development is to create a mixture of land uses which may include residential, retail, offices, recreational, entertainment, and light industrial within a compatible design. The interaction between the mixed uses and design of the development should create the following benefits:

1. Active urban areas during more hours of the day;
2. Increased housing options and diverse household types;
3. Reduction of auto dependence;
4. A local sense of place;

5. Reduction of traffic congestion and auto pollution;
6. Vibrant and dynamic developments.

The proposed development combines multifamily residential dwelling units, commercial uses and light industrial uses within a 154 acre site. Internal traffic and pedestrian circulation and concentrated development create more efficient use of infrastructure. In addition, the City of Grand Junction is experiencing a rental vacancy rate of less than 2%. The development of up to 1,124 multifamily residential dwelling units will help fill this void. Finally, mixed use sites and buildings encourage innovative building, site and infrastructure design.

Therefore the proposed development meets the following community benefits as outlined in Chapter 5:

1. More effective infrastructure;
2. Needed housing types and/or mix;
3. Innovative designs.

Phasing Schedule

Pursuant to the Code, the PDP will be submitted within 2 years after approval of the ODP, unless a phasing schedule is otherwise approved with the preliminary plan.

Default Zoning

The Applicant is proposing a default zone of M-U, which is consistent with the Growth Plan designation of Mixed Use. The bulk standards for the M-U zone, as indicated in Table 3.2 in the Zoning and Development Code, are as follows:

Density: 8 to 24 dwelling units per acre
Nonresidential FAR: 0.50
Maximum building size: 150,000 square feet (30,000 square feet for retail)
Minimum lot area: one acre
Minimum lot width: 100 feet
Front yard setback: 15 feet for principal structures/25 feet for accessory structures
Side yard setback: 15 feet for principal structures/15 feet for accessory structures
Rear yard setback: 25 feet for principal structures/25 feet for accessory structures
Maximum building height: 40 feet (65 feet is allowed if all building setbacks are 1.5 times the overall height of the building).

The Planning Commission may recommend and the City Council may deviate from the default district standards if the Applicant has provided community amenity from the list under Section 5.4.G of the Code. The Applicant has proposed off-street trails within the Development that are not required by the Urban Trails Master Plan. Furthermore, the Applicant is proposing a 50 foot setback along the western property which is greater than that required by the M-U zone (The M-U zone does not require a landscaped buffer along the west property line and the minimum rear setback is 25 feet).

The Applicant is proposing the following deviations from the M-U bulk standards:

Nonresidential FAR: 2.0
Maximum building size: 250,000 square feet
Minimum lot area: Pod B, C, and D – no minimum requirement

Setbacks (principal structures/accessory structures)

Pod A (Industrial)

Front yard setback: 15'/25'
Side yard setback: 5'/5'
Rear yard setback: 25'/5'

Pod B and C (Commercial and Residential)

Front yard setback: 15'/25'
Side yard setback: 0'/0'
Rear yard setback: 10'/10'

Pod D (Residential and Commercial)

Front yard setback: 15'/20'
Side yard setback: 5'/3'
Rear yard setback: 10'/5'

The Applicant is also proposing a setback of 50 feet for structures along the western property line adjacent to the Cemetery.

Building Heights

The Applicant is proposing the following deviations from the M-U bulk standards:

Pod A shall have a maximum height of 40 feet. Pods B and C, commercial use buildings shall have a maximum height of 40 feet and mixed use building shall have a maximum height of 65 feet. The maximum height for multifamily residential buildings in Pods B, C, and D, shall be 65 feet.

2. Consistency with the Growth Plan:

The Future Land Use Map designates the subject property as Mixed Use. The proposed ODP proposes a default zone of M-U, a density, and a variety of uses that are consistent with the Mixed Use designation.

3. Section 2.12.B.2 of the Zoning and Development Code:

Requests for an Outline Development Plan (ODP) for property zoned Planned Development (PD) must demonstrate conformance with all of the following:

- a. The Growth Plan, Grand Valley Circulation Plan and other adopted plans and policies.

The proposed ODP is consistent with the Growth Plan and the Grand Valley Circulation Plan.

- b. The rezoning criteria provided in Section 2.6 A. of the Zoning and Development Code.

- 1) The existing zoning was in error at the time of adoption;

The property was last zoned in the County to a PUD. A plan was not included as part of the resolution. A Planned Unit Development without a plan is in error. Without more information the zone is not developable.

- 2) There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, redevelopment, etc.;

The character of this neighborhood has been and continues to be developing with urban land uses; specifically medium to medium-low density residential. These types of uses require supporting uses such as high density residential, commercial and industrial. Furthermore there is a need to transition from the residential designated lands to the south and east to the industrial designated lands to the north and west.

- 3) The proposed rezone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations;

The proposed rezone to PD with a default zone of M-U is compatible with the surrounding area and furthers the goals and policies of the Growth Plan.

- 4) Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Adequate public facilities (roads and utilities) are currently available or will be made available that can address the impacts of the proposed development. Central Grand Valley sewer lines and a Ute water line are located adjacent to the property. Furthermore, improvements to the Riverside Parkway and 29 Road have been made that allow for more intense use of the property. In addition, the Central Grand Valley Sanitation District recently replaced the Riverside Parkway (also known as D Road) interceptor with a new 24-inch PVC pipe that will add additional capacity to the system and be able to serve potential uses of the Mesa

State property. It should be noted that a Traffic Impact Study (TIS) has not been completed for the proposed development. A TIS will determine if additional commercial development (square footage) can occur on the site relative to the capacity of the road system.

5) The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs; and

There is an inadequate supply of high density residential and commercially zoned land within the Pear Park area. Furthermore, there is a need to transition the residential land uses from the south and east to the industrial lands to the north and west. The proposed development would accommodate both of these concerns.

6) The community will benefit from the proposed zone.

The proposed PD with a default zone of M-U would create a transition between the existing residential and industrial uses. The proposal would also allow for the development of needed commercial and high density residential uses. This would benefit both the Pear Park area and the City as a whole.

c. The planned development requirements of Chapter Five of the Zoning and Development Code.

The proposed plan is in conformance with the requirements of Chapter Five.

d. The applicable corridor guidelines and other overlay districts in Chapter Seven.

There are no corridor or overlay district guidelines for this property.

e. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

Adequate public facilities are currently available or can be made available and can address the impacts of any development consistent with a Mixed Use designation.

f. Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

The ODP provides graphic representation of four access points and how the internal circulation system will be designed. Detailed access and circulation that serves all of the pods will be identified and designed as part of the PDP.

g. Appropriate screening and buffering of adjacent property and uses shall be provided.

The Applicant has proposed a 25 foot landscaped buffer along the western most property line adjacent to the existing cemetery. Railroad tracks and I-70 Business Loop are located along the north property line and D and 29 Roads are located south and east. The Applicant has proposed detached trails along the arterial frontages which are intended to provide for safe multi-modal transportation and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

h. An appropriate range of density for the entire property or for each development pod/area to be developed.

The proposed residential overall density of 1,124 dwelling units and the range of dwelling units per pod is appropriate and consistent with the Growth Plan designation of Mixed Use.

i. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.

The Applicant has proposed a default zone of M-U with the requested deviations that are outlined in the attached Ordinance.

j. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The development shall be in accordance with the Code, unless a different phasing/development schedule is approved with the PDP. The PDP will be submitted within 2 years after approval of the ODP.

k. The property is at least twenty (20) acres in size.

The subject property is approximately 154.05 acres in size, therefore meeting this criterion.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Mesa State Outline Development Plan application, file number ODP-2007-154 for a Planned Development, Outline Development Plan, I make the following findings of fact and conclusions:

1. The requested Planned Development, Outline Development Plan is consistent with the Growth Plan.
2. The review criteria in Section 2.12.B.2 of the Zoning and Development Code have all been met.

3. The review criteria in Section 2.6 of the Zoning and Development Code have all been met.

PLANNING DIVISION RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested Planned Development, Outline Development Plan, for Mesa State, file number ODP-2007-154 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

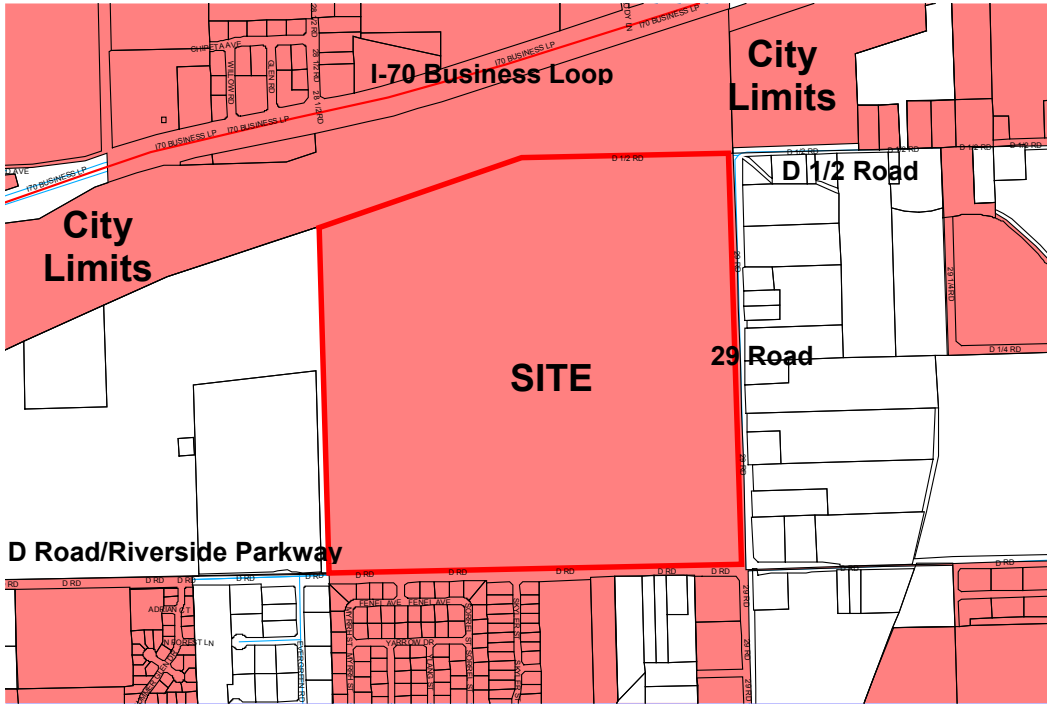
Mr. Chairman, on item number ODP-2007-154, I move that the Planning Commission forward a recommendation of approval for the Mesa State Planned Development, Outline Development Plan, with the facts and findings listed in the project report.

Attachments:

Site Location Map / Aerial Photo
Future Land Use Map / Existing City & County Zoning Map
Site Plan
Landscape Buffer Plan
October 24, 2008 Letter from the Department of Military and Veterans Affairs
Proposed Ordinance

Site Location Map

Figure 1



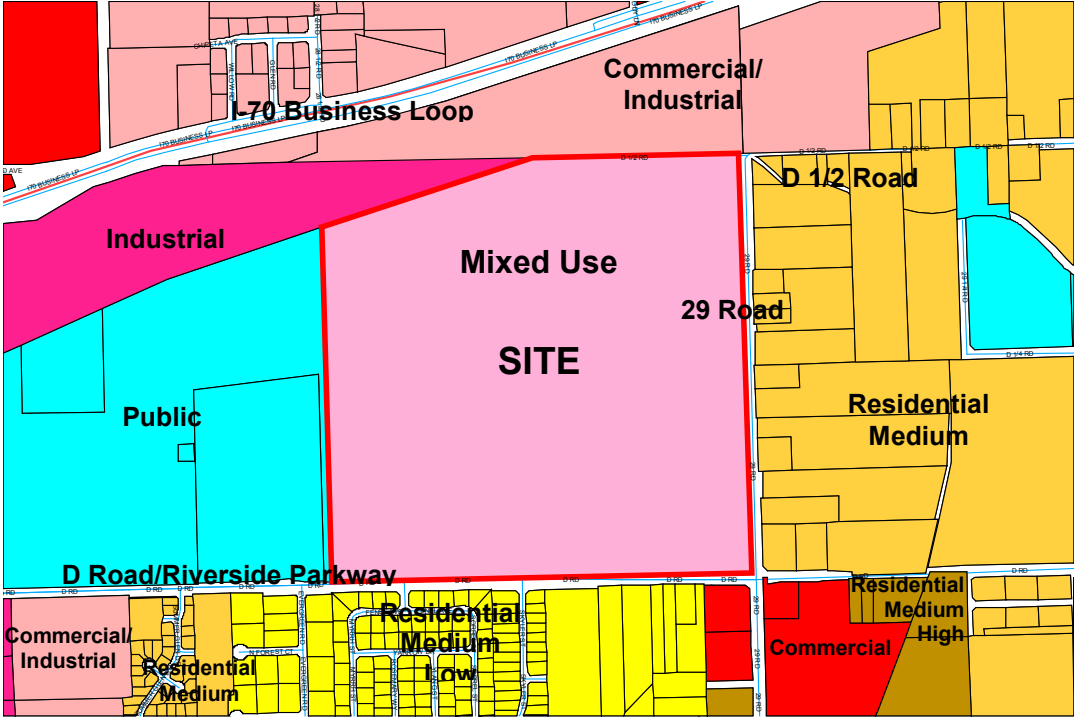
Aerial Photo Map

Figure 2



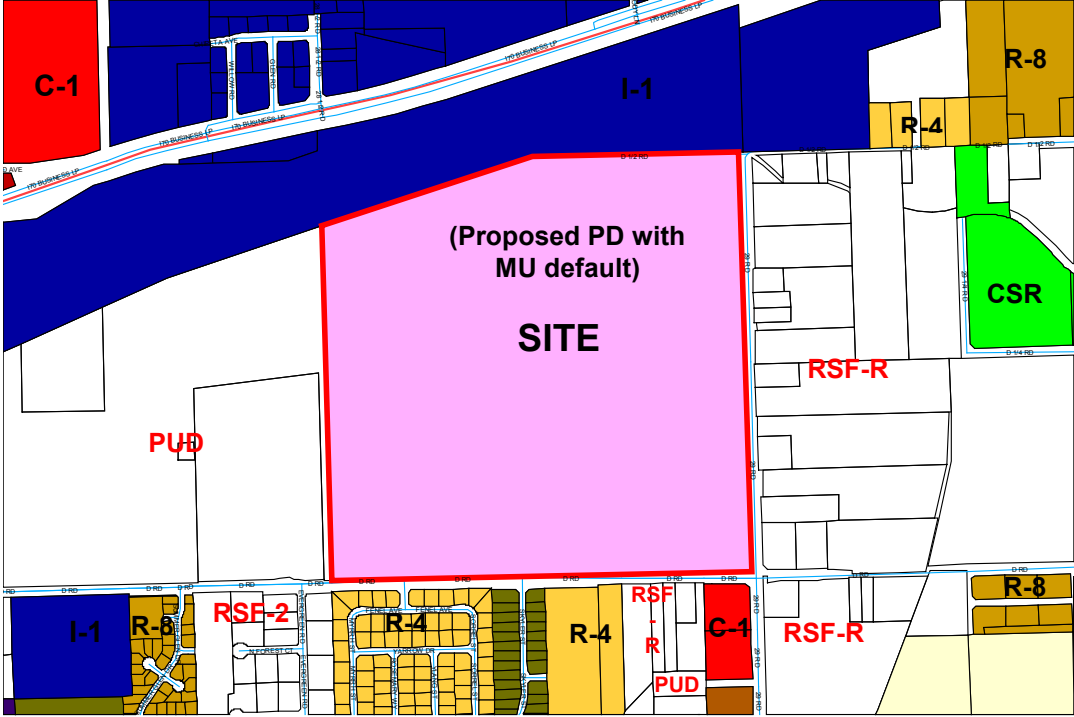
Future Land Use Map

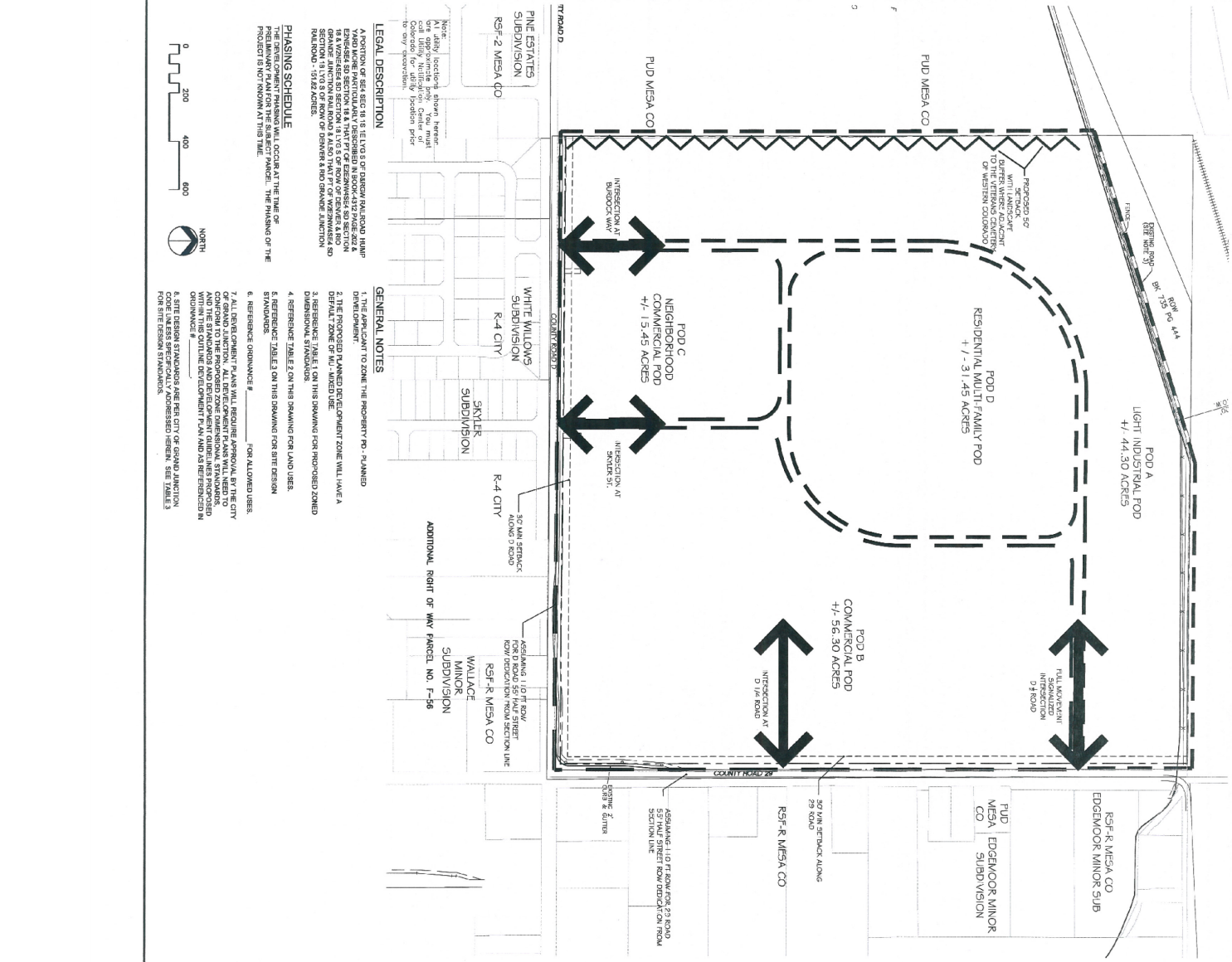
Figure 3



Existing City and County Zoning Map

Figure 4





LEGAL DESCRIPTION

A PORTION OF SEC. 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PHASING SCHEDULE

1. THE PROJECT SHALL BE DEVELOPED IN PHASES AS SHOWN ON THE ATTACHED PRELIMINARY PLAN FOR THE SUBJECT PARCEL. THE PHASING OF THE PROJECT IS NOT KNOWN AT THIS TIME.

GENERAL NOTES

1. THE APPLICANT TO ZONE THE PROPERTY FOR PLANNED DEVELOPMENT.
2. THE PROPOSED PLANNED DEVELOPMENT ZONE WILL HAVE A DEDICATED ZONE FOR MIXED USE.
3. REFER TO THE ZONING CODE FOR THE APPLICABLE ZONING STANDARDS.
4. REFER TO THE ZONING CODE FOR THE APPLICABLE ZONING STANDARDS.
5. REFER TO THE ZONING CODE FOR THE APPLICABLE ZONING STANDARDS.
6. REFER TO THE ZONING CODE FOR THE APPLICABLE ZONING STANDARDS.
7. ALL DEVELOPMENT PLANS SHALL REQUIRE APPROVAL BY THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT. THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT SHALL REVIEW AND APPROVE ALL DEVELOPMENT PLANS AND THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT SHALL REVIEW AND APPROVE ALL DEVELOPMENT PLANS.
8. SITE DESIGN STANDARDS ARE PER CITY OF GRAND JUNCTION CODE UNLESS SPECIFICALLY ADDRESSED HEREIN. SEE TABLE 3 FOR THE CITY DESIGN STANDARDS.

TABLE 1
PROPOSED ZONE DIMENSIONAL STANDARDS (Table 3.2 ZOD)

POD	ZONING DISTRICT	MINIMUM FRONT YARD SETBACK (FT)	MINIMUM SIDE YARD SETBACK (FT)	MINIMUM REAR YARD SETBACK (FT)	MINIMUM BUILDING HEIGHT (FT)	MAXIMUM BUILDING HEIGHT (FT)	MAXIMUM LOT COVERAGE (%)	MAXIMUM LOT AREA (SQ FT)	MAXIMUM LOT AREA (ACRES)
POD A	MU	100	5	5	25	40	40	100,000	2.3
POD B	MU	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
POD C	MU	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
POD D	MU	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

TABLE 2
LAND USE TABLE

LAND USE	GENERAL USES	AREA	% OF SITE	USES	ESTIMATED INTENSITY/DENSITY
RESIDENTIAL	POD A	44.30 ACRES	23%	Light Industrial	N/A
COMMERCIAL	POD B	56.30 ACRES	31%	General Use	N/A
COMMERCIAL	POD C	15.45 ACRES	8%	General Use	N/A
RESIDENTIAL	POD D	31.45 ACRES	17%	General Use	N/A
ARTERIAL RIGHT OF WAY		1.68 ACRES	1%		
GRASS SITE AREA		114.08 ACRES	60%		

TABLE 3
SITE DESIGN STANDARDS

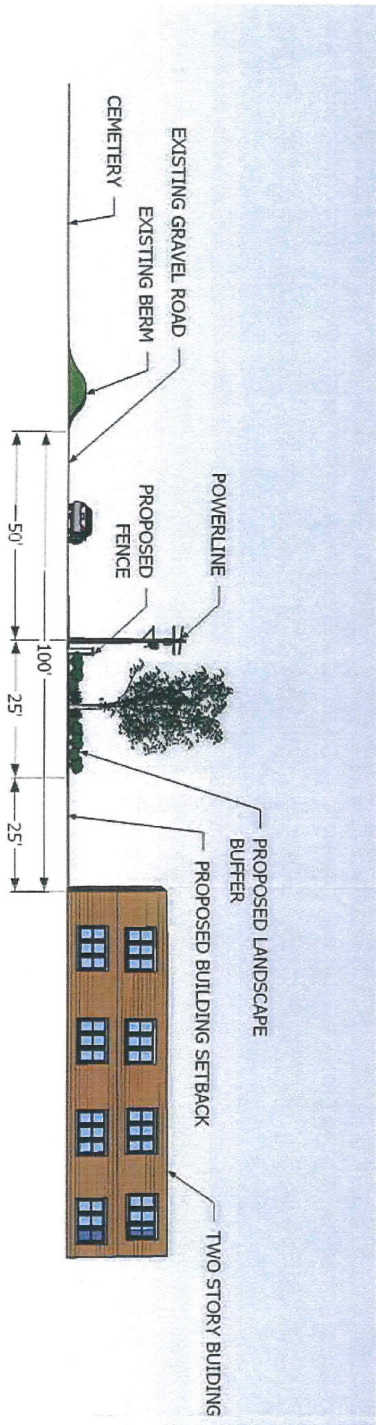
1. THE DESIGNER SHALL PROVIDE A DETAILED SITE PLAN FOR THE PROJECT. THE SITE PLAN SHALL SHOW THE LOCATION OF ALL BUILDINGS, DRIVEWAYS, AND OTHER FEATURES. THE SITE PLAN SHALL ALSO SHOW THE LOCATION OF ALL UTILITIES AND EASEMENTS.
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OUTLINE DEVELOPMENT PLAN

CIYAVONNE ROBERTS & ASSOC., INC.
LANDSCAPE ARCHITECTS
222 NORTH 7TH STREET
GRAND JUNCTION, CO 81501
PHONE: 970-241-0785
EMAIL: info@ciyavonne.com

MESA STATE COLLEGE REAL ESTATE FOUNDATION
29 & D ROAD MIXED-USE DEVELOPMENT

CIYAVONNE ROBERTS & ASSOC., INC.
LANDSCAPE ARCHITECTS
222 NORTH 7TH STREET
GRAND JUNCTION, CO 81501
PHONE: 970-241-0785
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 DATE 8/12/08
 REVISIONS

MSC FOUNDATION
 GRAND JUNCTION, COLORADO



MSC FOUNDATION
 GRAND JUNCTION,
 COLORADO
 PRELIMINARY
 SUBMITTAL

SHEET NO.
L01

Attach 5 North Avenue Overlay

CITY OF GRAND JUNCTION

MEETING DATE: January 22, 2013

PLANNING COMMISSION PRESENTER:

David Thornton, AICP, Principal Planner

AGENDA TOPIC: ZCA-2012-572, Amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add a Section 21.07.070, North Avenue Overlay Zone District.

ACTION REQUESTED: Request a recommendation of approval to City Council of an amendment to the Zoning and Development Code (Title 21, GJMC) to add a Section 21.07.070, North Avenue Overlay Zone District.

RECOMMENDATION: Forward a recommendation of approval of the proposed amendment.

BACKGROUND:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code. City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code. This proposed amendment will add to the Code an overlay zoning that will apply to all property within the City abutting North Avenue from 1st Street on the west to I-70 Business loop on the east. The overlay is primarily incentive-based and encourages redevelopment and revitalization of North Avenue that furthers the vision and goals of the North Avenue corridor plans.

The vision for the North Avenue corridor was established in the 2007 and 2011 North Avenue Corridor Plans (“the Plans”). The North Avenue Overlay Zone encourages development features considered critical to implementing the Plans by establishing guidelines, standards, development incentives and alternative approaches for development and redevelopment. The Plans envision buildings located near the street, front doors that are inviting and readily accessible, signage on the building rather than pole signs, more and safer pedestrian facilities, and an inviting streetscape, which will create an environment of vitality and livability.

The “streetscape” is the area between the street curb and the building façade. The combination of the adjacent land use and the public space of the streetscape can create a dynamic and inviting space. Streetscape features that create a visually interesting corridor and a safer pedestrian and transit experience create a dynamic sense of place inviting activity. The overlay also includes development incentives to encourage design and development of an attractive streetscape.

Advisory Committee Formed

In February of 2012 City Council appointed an Advisory Committee made up of business owners along the corridor. The committee also included a representative

from Planning Commission (Ebe Eslami) and City Council (Sam Susuras). The purpose of the committee was to seek ways to implement the 2007 North Avenue Corridor Plan and the 2011 North Avenue West Corridor Plan and help to revitalize this corridor that has been in decline for many years. The committee has been meeting monthly discussing ways to revitalize the corridor and giving planning staff input on overlay options. The Corridor Plans recommend establishing a Zoning Overlay district that will support the goals and vision of the North Avenue Corridor and provide incentives for business owners to take advantage of the overlay thereby improving their properties and bring additional life and vitality to the corridor.

The North Avenue Corridor Plan identifies the need for a multi-modal approach to transportation for North Avenue. With a large pedestrian population already using the corridor especially at key areas around Colorado Mesa University, near Grand Junction High School and Lincoln Park and Stadium facilities, existing pedestrian facilities are lacking. In some areas of North Avenue sidewalk does not currently exist. An overwhelming desire from the advisory committee is to improve the pedestrian facilities up and down the North Avenue corridor and create a streetscape that supports pedestrian activity. This and other provisions of the Overlay will help to revitalize the corridor, further the goals of the Comprehensive Plan and implement the North Avenue Corridor Plans.

Public Process

In addition to the advisory committee, a public open house was held September 18, 2012 at 2817 North Avenue. Notice of the open house was sent to all property owners/business owners that had frontage along North Avenue. In addition the local newspaper and television media picked up the story and broadcasted news regarding the open house and planning the City was conducting regarding the overlay and revitalization of the corridor. Approximately 90 people came to the open house and reviewed the draft overlay concepts.

Shortly after the North Avenue Advisory Committee was formed and met for the first time, area businesses on their own met to determine what they could do in the effort of revitalizing and promoting North Avenue as a business corridor. From these initial and subsequent meetings, the North Avenue Owners Association (NAOA) was formed. This owners association established itself as a nonprofit that continues to add to its membership today. One of their goals is to become a voice for North Avenue, one voice that will represent the property and business owners on North Avenue, working with the City of Grand Junction and each other to promote and revitalize the North Avenue corridor. This group supports what the North Avenue Advisory Committee and City staff are doing regarding this proposed overlay zone district.

The overlay zone district work of the advisory committee and city staff is complete and the North Avenue Overlay Zone District is ready for review and approval through a public hearing before Planning Commission. Following Planning Commission consideration, City Council will hold a public hearing and be asked to incorporate the North Avenue Overlay Zone District into the Grand Junction Municipal Code as part of Title 21.

This proposed amendment would add Section 21.07 (a subsection of Special Regulations of the Development Regulations) entitled “North Avenue Overlay Zone District” and thereby incorporate standards and guidelines for development within the North Avenue Overlay Zone District boundaries. The proposed amendment provides specific standards intended to implement the 2007 North Avenue Corridor Plan and the 2011 North Avenue West Corridor Plan, elements of the Grand Junction Comprehensive Plan.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation of existing buildings and their appropriate reuse.

Policy A. In making land use and development decisions, the City and County will balance the needs of the community.

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

Policy A. Design streets and walkways as attractive public spaces;

Policy B. Construct streets in the City Center, Village Centers, and Neighborhood Centers to include enhanced pedestrian amenities;

Policy C. Enhance and accentuate the City ‘gateways’ including interstate interchanges, and other major arterial streets leading into the City;

Policy E. Encourage the use of xeriscape landscaping;

Policy F. Encourage the revitalization of existing commercial and industrial areas.

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

Policy E. When improving existing streets or constructing new streets in residential neighborhoods, the City and County will balance access and circulation in neighborhoods with the community’s need to maintain a street system which safely and efficiently moves traffic throughout the community.

Goal 11: Public facilities and services for our citizens will be a priority in planning for growth.

Policy A. The City and County will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

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

Policy A. Through the Comprehensive Plan’s policies the City and County will improve as a regional center of commerce, culture and tourism.

Policy B. The City and County will provide appropriate commercial and industrial development opportunities.

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by creating an implementation tool which establishes specific requirements including mandatory standards for all new development; opt-in standards incentivizing new development to occur in a way that implements the vision of the North Avenue Corridor Plans; and creating a site upgrade point system that all property/business owners can participate in when they improve their site.

CONSISTENCY WITH THE ZONING AND DEVELOPMENT CODE:

21.02.140 Code amendment and rezoning.

(a) **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

Response: Recent growth trends in Grand Junction have brought new commercial growth to the west side of the City and downtown, whereas North Avenue has seen a decline in commercial businesses over the same time period. The City's 2010 Comprehensive Plan and 2007/2011 North Avenue Corridor Plans have identified a new vision and direction for the North Avenue Corridor. The North Avenue Overlay Zone will be an implementation tool for these long range plans in meeting the vision and goals of the community for North Avenue.

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

Response: The amendment is consistent with the Comprehensive Plan and the two North Avenue Corridor Plans. It encourages development features considered critical to implementing the Plans by establishing guidelines, standards, development incentives and alternative approaches for development and redevelopment. The Overlay District amendment allows buildings located near the street, front doors that are inviting and readily accessible, signage on the building rather than pole signs, more and safer pedestrian facilities, and an inviting streetscape, which will create an environment of vitality and livability.

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

Response: The North Avenue Corridor is a major roadway that traverses the City Center area of Grand Junction, an area that the Comprehensive Plan has targeted for major growth and development in the community. It is a corridor that has existing utilities and infrastructure and is ready for developing a new streetscape and accommodates new business and residential development as part of that vision.

(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

Response: This criterion does not apply to this amendment.

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

Response: The North Avenue Corridor including businesses and residents will benefit the most from this proposed amendment. The Overlay District includes an “Opt In” standard where a property/business owner can decide for themselves if they want to develop under the overlay standards or develop under the base zoning of their property. Opting in provides some incentives that the base zone development does not provide.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing ZCA-2012-572, amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to add an Overlay Zone District for North Avenue, the following findings of fact and conclusions have been determined:

1. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan which includes the 2007 North Avenue Corridor Plan and the 2011 North Avenue West Corridor Plan.
2. The proposed amendment is consistent with the approval criteria found in Section 21.02.040 of the Zoning and Development Code (Municipal Code).

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the proposed amendment to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTIONS:

Mr. Chairman, on file ZCA-2012-572, An amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to add an Overlay Zone District for North Avenue, I move that the Planning Commission forward a recommendation of approval of the proposed amendment with the findings, facts and conclusions listed in the staff report.

Attachments:

Proposed Ordinance for City Council

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 21.07
OF THE GRAND JUNCTION MUNICIPAL CODE
TO ADD AN OVERLAY ZONE DISTRICT
FOR PROPERTY ABUTTING NORTH AVENUE
BETWEEN FIRST STREET ON THE WEST AND I-70 B ON THE EAST**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

Section 21.07 provides special regulations in the Code to address zoning requirements that are specific to a defined boundary within the City limits.

The City Council finds that this amendment promotes the health, safety and welfare of the community, implements the North Avenue corridor plans, and contributes to the revitalization of the North Avenue corridor.

The City Council also finds that the amendment is consistent with reasonable business owner, property owner, the community and neighborhood expectations.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that an amendment to add use-specific standards for Racing Pigeons will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

A new Section 21.07.070 is added follows:

North Avenue Overlay Zone District

010 Background and Intent

Overlay Zoning

Overlay zoning creates a special zoning district over a base zone. An overlay adds to or changes the regulations, standards or requirements of the base zone in order to protect or guide development within a specific area or corridor to meet specific needs or objectives. While the base zone determines the permitted land uses, the overlay zone establishes design or other standards that meet the overlay's purposes.

The overlay zone for North Avenue provides direction, vision and incentives for development in the corridor. The purpose of the overlay is to stimulate new development, redevelopment and business and other human activity along the corridor. The overlay supports and implements the Comprehensive Plan goal of making the City a more livable place. The overlay's standards and guidelines are intended to stimulate commercial, pedestrian and other activity in the corridor.

(a) The Vision

The vision for the North Avenue corridor was established in the 2007 and 2011 North Avenue Corridor Plans ("the Plans"). The North Avenue Overlay Zone encourages development features considered critical to implementing the Plans by establishing guidelines, standards, development incentives and alternative approaches for development and redevelopment. The Plans envision buildings located near the street, front doors that are inviting and readily accessible, signage on the building rather than pole signs, more and safer pedestrian facilities, and an inviting streetscape, which will create an environment of vitality and livability.



The "streetscape" is the area between the street curb and the building façade. The combination of the adjacent land use and the public space of the streetscape can create a dynamic and inviting space. Streetscape features that create a visually interesting corridor and a safer



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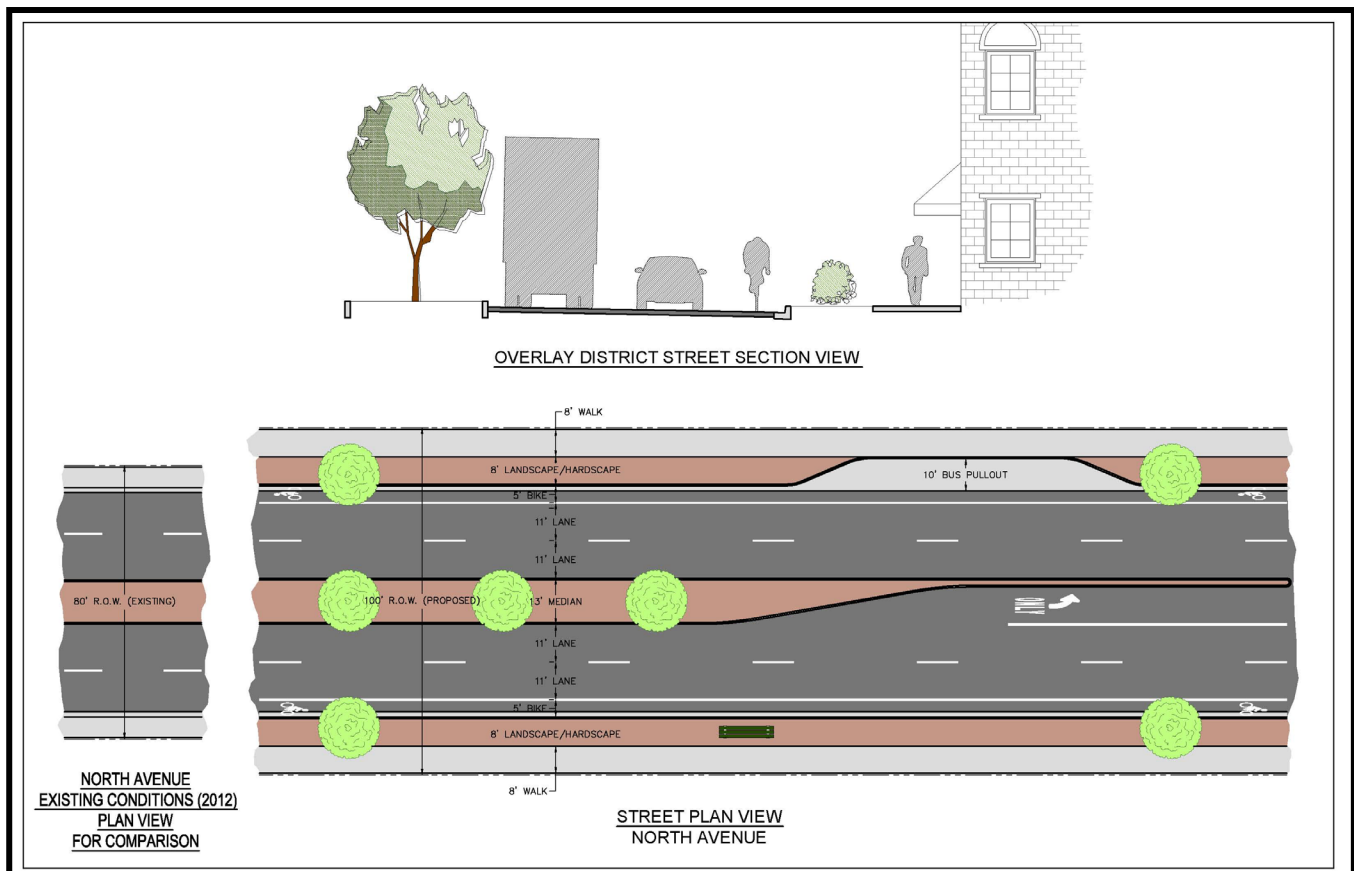
(b) Revitalize North Avenue by establishing it as a “Complete Street”

Development is encouraged to be designed and built according to the Plans, which establish a “Complete Street” vision for North Avenue.

The North Avenue “Complete Street” concept includes:

- A multi-modal corridor designed for not only the vehicle, but also for the pedestrian, bicyclist and the transit user.
- Wide sidewalks detached from the roadway.
- Buildings located close to the street with pedestrian access to the building at the streetscape.
- Safe access to businesses from the street and sidewalks and parcel interconnectivity to minimize multiple access points to North Avenue.
- Safe and efficient transit stops.
- Adequate lighting creating a safer vehicle and pedestrian experience.
- Landscaping, street furniture and other hardscape features and amenities that enhance the pedestrian and motoring public’s experience, but still allow buildings to be near the street.

The diagram below establishes the right-of-way standards for the overlay district.



(c) Definitions

The following definitions apply to this Overlay:

Abutting means directly touching. For example, parcels across a public right-of-way from one another would not be abutting, but would be adjacent to one another.

Adjacent to something means lying within a 100-foot radius of it. For purposes of adjacency, public right-of-way, easements, canals, waste ditches and waterways are not included in the 100-foot calculation.

020 Options for Development within the District

The North Avenue Zoning Overlay establishes mandatory standards, “opt-in” standards, and a point-system for specific site upgrades. Any and all property development within the District must adhere to the mandatory standards, and in addition must choose among the following three options:

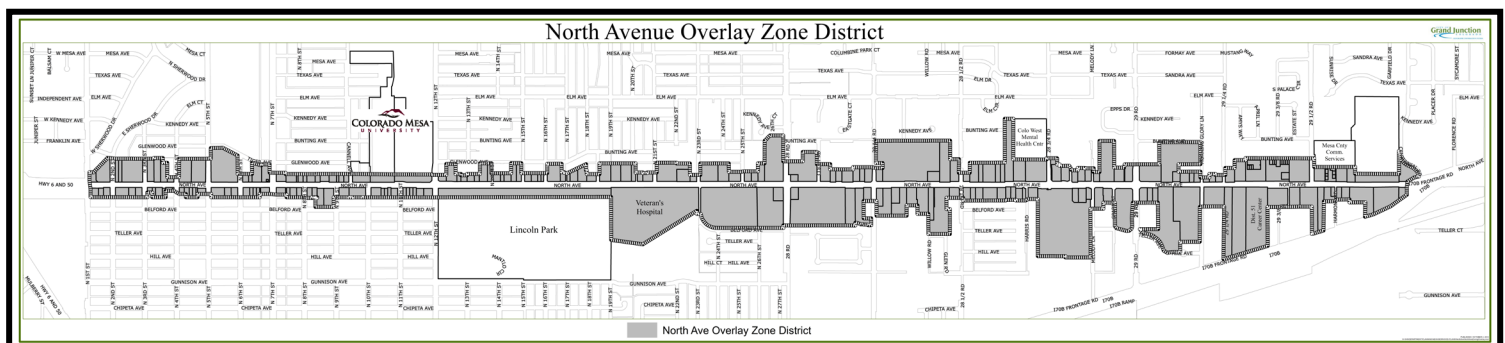
- (1) follow all of the “opt-in” standards,
- (2) develop according to the “base” zone standards, or
- (3) upgrade a site using the point system.

The mandatory standards of the Overlay Zone establish the right-of-way width and streetscape features for the corridor. The opt-in standards include incentives which relax some of the base-zone standards (landscaping requirements, for example) in exchange for meeting specified standards which will shape the desired character of the built environment. The point system allows a landowner to improve the site in specific ways which will help create the desired character of the built environment and provides framework for distribution of financial incentives that may become available. (The Overlay Zone does not establish those financial incentives, but merely establishes a point system for accessing such funds if and when they become available.)



030 Boundaries of the Overlay District

The North Avenue Overlay District applies to all properties abutting the North Avenue right-of-way from First Street on the west to I-70 Business Loop on the east.



040 Overlay Zone District Standards and Guidelines

(a) **Applicability/conflicts.** Where the standards or requirements of this Overlay Zone conflict with another overlay zone, area plan or the balance of the Zoning and Development Code, this Overlay shall control. Where another overlay zone or area plan gives the Director authority to waive, vary or diverge from a development standard, a requirement of a zone district or another land use regulation, that authority shall not apply to property within the boundaries of this Overlay District. The variance procedure and criteria set forth in Section 21.02.200 shall apply.

(b) Mandatory Standards

(1) Right-of-way Standards

All development in the Overlay District shall include dedication of sufficient right-of-way so that there are 50 feet of half right-of-way for North Avenue.

(2) Pedestrian / Sidewalk Standards

The North Avenue standard for public sidewalks is an 8 ft. detached sidewalk with an 8 ft. park strip separating the sidewalk from the street. In connection with any development in the Overlay District, the landowner shall dedicate the appropriate amount of land to meet those standards, and the landowner/developer shall construct the sidewalk and park strip areas to City specifications. Exception: The sidewalk and/or park strip widths may be adjusted if a building existing on the property that is not being demolished or substantially remodeled encumbers all or part of the area 16' from the back of curb of North Avenue, provided that the adjustment is the minimum necessary to accommodate the building. Neither the sidewalk nor the park strip, however, can be eliminated altogether, and the sidewalk shall be the higher priority between the two.

The park strip is part of the streetscape and shall include pedestrian and transit amenities including landscaping and hardscape features. It shall include different features which distinguish it from the sidewalk; in other words, the park strip cannot be solid concrete pavement like the sidewalk.

Hardscape features and materials include, but are not limited to the following:

Benches	Bike Racks	Pedestrian lighting
Transit pullouts	Transit shelters	Trash cans
Planters	Water features	Art / sculptures
News Stands	Mail boxes	Banners, hanging baskets

Landowner/developer may select among these and other appropriate (as approved by the Director) hardscape features to install in the park strip. A minimum of two such features shall be installed in the park strip in front of the parcel being developed, improved or re-developed.

(3) Multipurpose easement

No multi-purpose easement is required along the North Avenue frontage. Utilities shall be located in the street right-of-way, to the rear of the property, in an alley, or in another appropriate location. If public utilities are located on private property, an easement shall be granted or dedicated for those utilities.

All other development standards of the Zoning and Development Code relating to right-of-way, sidewalk and park strip shall apply. Development of property within the District shall in all other respects not addressed in this Overlay meet the requirements of the balance of the Zoning and Development Code.

(c) Opt-In Standards

The Opt-In Section includes guidelines and standards. Guidelines are permissive recommendations for development; standards are mandatory requirements once the developer/landowner has opted in.

- (1) Benefits/incentives. There are significant benefits to opting in to the standards of this section. Opting into **all** these standards entitle a landowner/developer to the following reductions to the base-zone and other Zoning and Development Code standards:

(i) Landscaping and Buffering:

Landscaping is required only in parking areas.

- No landscaping / screening buffer is required between adjacent properties.
- No street-frontage landscaping is required.
- Where all parking is located behind a building, no landscaping along access from North Avenue is required.
- No street trees are required in front of buildings that abut or are within 10 ft. of North Avenue right-of-way. If a parking area abuts the North Avenue right-of-way, street trees are required along the North Avenue street frontage of the parking area.
- A 30 inch tall decorative screen wall may be substituted for the required parking lot screening between the parking lot located at the right-of-way / property line and North Avenue. Shrub planting in front of the wall is not required for this option.



All other landscaping regulations of the Grand Junction Municipal Code shall apply.

Purpose: North Avenue is a major commercial district located within the City Center. Historically its development pattern has been both urban and suburban in scale. The Comprehensive Plan identifies high growth in the City Center area through 2035 as the community nearly doubles in population. The Plans likewise emphasize urban growth along the North Avenue corridor, including more building mass, hardscape areas, less landscaping, and more pedestrian activity.

(ii) Setbacks

The building setback is reduced to zero.

- Minimum building setbacks:
Front = 0 ft.
Side = 0 ft.
Rear = 0 ft.

Purpose: Reducing the setbacks to zero creates more buildable area and creates a more urban built environment. This standard also encourages better site design and compliments the streetscape by emphasizing a pedestrian experience.

(iii) Parking space credits (See below).

(2) Standards:

(i) Maximum Building Setback = 10 ft.

The maximum building setback of 10 feet applies to all building construction including additions with exceptions for public plazas, outdoor seating areas and other pedestrian spaces.

Purpose: A maximum building setback of 10 feet supports the streetscape vision for North Avenue. Buildings close to the street enhance the pedestrian experience and create visual interest along the corridor.

(ii) Drive thru lanes

Drive thru lanes shall not be installed between the North Avenue right-of-way and the building.

Purpose: This standard will reduce conflict between vehicles and pedestrians entering the building from the front and therefore enhance pedestrian activity and safety. In the first two examples pictured below, there are potential conflicts between motorists and pedestrians because a drive lane interferes with pedestrian access from North Avenue. The third picture (Taco Bell) shows a drive thru lane that does not interfere with the front door access into the restaurant reducing pedestrian/vehicle conflicts and making pedestrian access to the building safer.



(iii) Parking

(A) Parking shall not be permitted between the building and the North Avenue right-of-way.

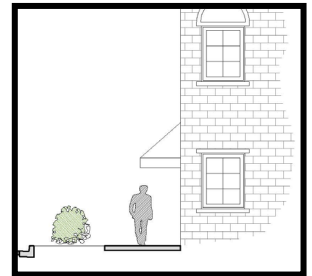
Purpose: The purpose of this standard is to reduce the amount of parking along the North Avenue frontage and to emphasize the buildings and pedestrian friendly streetscape.

(B) All development shall meet the parking requirements established for the use and the base zone with the following exception. Parking space credit shall be allowed under the following conditions:

- a. Providing shared parking between two abutting properties through a recorded, permanent shared parking easement.
- b. When on-street parking is available (for corner lot development only), two on-street spaces may count as one onsite parking space.

(iv) Awning Standards

Awnings and other façade enhancements are encouraged. One or more awnings extending from the building may be erected. Awnings shall be at least 8 feet above the sidewalk and shall be at least 4 feet wide, along the building frontage on North Avenue, and shall not overhang into the right-of-way more than 6 ft. Awnings shall otherwise meet with the requirements of the Grand Junction Municipal Code and Colorado Department of Transportation (CDOT) regulations.



Purpose: Awnings provide visual interest to the corridor and enhance the pedestrian experience.

(v) Building Entry Standards

The main entrance to the building shall be on the North Avenue face of the building. Additional entrance(s) may be provided on the side and/or rear of the building to parking areas or other pedestrian facilities. A front door may be constructed anywhere along the front façade of the building including at the corner of the front façade as shown in the two examples pictured to the right.



Purpose: When an entrance is visible from the North Avenue corridor, it invites in the pedestrian and motorist alike. A front door also provides direct pedestrian access from the public sidewalk within the streetscape, supporting the revitalization of North Avenue as envisioned by the Plans.

(vi) Development of property within the District shall in all other respects not addressed in this Overlay meet the requirements of the balance of the Zoning and Development Code.

(3) Guidelines

Whenever possible North Avenue development/redevelopment should:

- (i) Minimize the number of traffic conflict points into and out of a business.
- (ii) Create pedestrian, bike and transit friendly amenities.
- (iii) Better define and consolidate driveways into businesses and access between/among businesses to minimize vehicle access points onto North Avenue.
- (iv) Provide turn lanes where appropriate.

- (v) Maximize the use of existing local streets and alleys for access to eliminate vehicle access points onto North Avenue.
- (vi) Include awnings or other visually interesting building features on the front of the building to provide visual interest and enhance the pedestrian experience.
- (vii) Include living landscaping within the parkstrip. The use of xeric landscape is encouraged.

Purpose: These guidelines promote pedestrian safety and efficient vehicle movement and provide visual interest along the corridor.

(d) Site Upgrade Point System

- (1) This section is known and may be cited as the “Site Upgrade Point System for the North Avenue Overlay Zone District.” It establishes a rating system whereby points are awarded in the development review process when a developer/owner upgrades a site or structure to meet the standards established by the North Avenue Overlay Zone and/or to achieve the vision of the Plans. An owner may choose to develop under this section in lieu of the “opt-in” section of the Overlay District. Also, an owner who “opts in” can receive points for those aspects of the development that are listed in the “Improvement Table”.
- (2) Purpose. The purpose of this Site Upgrade Point System is to encourage property owners along North Avenue to take steps that will bring their existing structures and sites more into alignment with the vision for the corridor as established by the Plans and by this Overlay.
- (3) Use with nonconformities. When installing only one or more specific site upgrade(s) selected from table below, without making other site improvements, a landowner with a nonconforming use, site or structure is not required to bring the site or structure into conformance with the Code as prescribed in the “non-conformities” section of the Zoning and Development Code. However, if such landowner undertakes a site or structure remodel that includes improvements not listed in the table below, the non-conforming section of the Zoning and Development Code applies, or, if the developer/owner has opted in, the opt-in standards apply.
- (4) Validity of points. Points may be awarded by the Director according to the table below. The points are assignable (subject to any expiration date or time established in the program), but may only be assigned one time. Points can also be shared by two or more landowners (for example, where adjacent owners agree to consolidate and eliminate access points and establish cross-access between or among parcels). If points are shared, the owners must agree in writing to the allocation of points between/among themselves.
- (5) Improvement Table and Point Values. The Improvement Table below establishes the improvements to the right-of-way, streetscape and private property that are encouraged by the Plans and by this Overlay and the points that will accrue upon completion of said improvements. The Improvement

Table may be amended by the City Council by resolution. Regardless of the point values in the Improvement Table, no points shall be awarded for improvements to private property or to right-of-way that are part of a capital improvement program or project of any governmental entity, including but not limited to the City, the County or the Colorado Department of Transportation.

Improvement Table

First Priorities	Points
<p>Construction of detached sidewalk/parkstrip running the entire length of the property along North Avenue and meeting the overlay standards. Total points are determined by dividing proposed streetscape area sq ft by 1600 sq. ft. and multiplying by 30 pts.</p> <p>Benefit: Aesthetics and Pedestrian Safety</p>	30
<p>Right-of-way dedicated along North Avenue for entire frontage sufficient to allow 8 ft. detached sidewalk and 8 ft. park strip. Total points are determined by dividing the dedicated ROW area sq ft by 1000 sq. ft. and multiplying by 30 pts.</p> <p>Benefit: Pedestrian Safety</p>	30
<p>Elimination of a North Avenue street access point¹, including construction of curb and gutter and removing the driveway apron and must include dedication of all required North Avenue right-of-way.</p> <p>Benefit: Pedestrian and Vehicle Safety</p>	20
Second Priorities	Points
<p>Pole or free-standing sign removed and sign placed on building façade</p> <p>Benefit: Aesthetic Value</p>	7
<p>Addition of plaza, fountain or outdoor dining in front of building along North Avenue</p> <p>Benefit: Pedestrian Access and Aesthetic Values</p>	7
<p>Construction of an addition to building that meets maximum setback (10 or fewer feet from property line); shall include the addition of a front door facing North Avenue; and 50 ft. half right-of-way must be dedicated.</p> <p>Benefit: Pedestrian and Aesthetic Values</p>	6
<p>Elimination of parking along North Avenue frontage and placing all parking behind building(s)</p> <p>Benefit: Pedestrian Safety and Aesthetic Values</p>	5
<p>Pole sign removed and replaced with a monument sign</p> <p>Benefit: Aesthetic Value</p>	5
<p>Elimination of parking along North Avenue in front of the building(s) and all parking placed along the side and/or behind the building(s)</p> <p>Benefit: Pedestrian Safety and Aesthetic Values</p>	3
<p>Parking shared with adjacent properties²</p> <p>Benefit: Aesthetic Value</p>	3
<p>Permanent elimination of front yard display or storage³</p> <p>Benefit: Aesthetic Value</p>	2
<p>Two hardscape features installed in park strip (maximum for point system)</p> <p>Benefit: Aesthetic Value</p>	2

One hardscape feature installed in park strip

Benefit: **Aesthetic Value**

1

¹Can be accomplished by sharing access point with neighbor by a cross access easement (which must be reviewed and approved by the City Attorney), or by one property taking access from a lower order street.

²Must be established by recorded permanent easement appurtenant, not by shared parking agreement.

³Must be established by amended site plan, CUP or other land use approval.

- (6) Incentive program. It is anticipated that incentive funds may be made available from various potential funding sources, such as a Tax Increment Financing (TIF) district (only available if an urban renewal plan is properly established for part or all of the corridor), a Business Improvement District (BID), Community Development Block Grant (CDBG), City general fund dollars, or a sales tax rebate. At any given time there may be no incentive program or funds available. The Director shall establish an incentive program annually, describing how the incentive funds (if any) for that year will be distributed according to the point system established in this Section. The program shall include the following elements, at a minimum:
- Site Upgrade Point System application form
 - Total funds available
 - Formula(s) relating points awarded to funds available
 - Award form
- (7) Appeals. Any person aggrieved by a decision of the Director regarding an award of points or incentive funds under this section may appeal that decision to the City Council within 30 days of the decision.

All other provisions of Section 21.07 shall remain in full force and effect.

INTRODUCED on first reading the 6th day of February, 2013 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2013 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk