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**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, AUGUST 27, 2019 @ 6:00 PM**

Call to Order - 6:00 PM

1. Minutes of Previous Meeting(s) from July 23, 2019
2. Consider a request by the City of Grand Junction for 1) a Comprehensive Plan Amendment from Park to Residential Medium, retaining the Mixed Use Corridor Designation along Patterson Road; and 2) Rezone from CSR (Community Services and Recreation) to R-8 (Residential Medium) and MXOC (Mixed Use Opportunity Corridor) on two properties that total 18.433 acres located at 2980 and 2982 Patterson Road currently known as the undeveloped Burkey Park land.
3. Consider a request by 660 Rood Avenue, LLC for approval of an exemption to the two-story height requirement for a proposed one-story bank building situated within the Greater Downtown Core Central Business District Overlay at 660 Rood Avenue.
4. Consider a request by Monumental Beer Works, LLC for a Conditional Use Permit (CUP) for the property located 2575 Highway 6 & 50 #C to allow a microbrewery and taproom which is categorized as a bar/nightclub use.
5. Consider a request by Club Deal 127 Merk Grand Junction LP to rezone from Mixed Use (MU) to Planned Development (PD) and approve an Outline Development Plan (ODP) for approximately 39.25 acres at 2372 G Road.
6. Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to clarify administrative procedures, remove inconsistencies and modify standards.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
July 23, 2019 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:00 pm by Chairman Christian Reece.

Those present were Planning Commissioners; Chairman Christian Reece, Vice Chairman Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, Steven Tolle and Ken Scissors.

Also present were Jamie Beard, (Assistant City Attorney), Tamra Allen, (Community Development Director), Dave Thornton, (Principal Planner), Scott Peterson, (Senior Planner), and Jace Hochwalt, (Associate Planner).

There were approximately 18 citizens in the audience.

1. Meeting of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the June 25, 2019 meeting.

Commissioner Wade moved to approve the minutes as written. Commissioner Deppe seconded the motion.

The motion passed unanimously by a vote of 7-0.

2. Ramblebine Brewing Conditional Use Permit FILE# CUP-2019-331

Consider a request for a Conditional Use Permit (CUP) for the property located 457 Colorado Avenue, to allow a brewery and taproom which is categorized as a bar/nightclub use.

Staff Presentation

Jace Hochwalt, Associate Planner, introduced the exhibits to the record and presented a PowerPoint presentation detailing the property and the request for a Conditional Use Permit at Ramblebine Brewing Company.

Mr. Hochwalt found that all Conditional Use Permit criteria has been met and concluded his presentation.

Applicant's Presentation

Eli Gearson, Applicant, was present and answered a question regarding the hours of operation of the establishment.

Public Comment

No public comment.

Discussion

Commissioners Gatseos and Wade made comments in support of the request.

Motion and Vote

Commissioner Wade made the following motion: "Madam Chairman, on the application for a Conditional Use Permit for the Ramblebine Brewing Company located at 457 Colorado Avenue, CUP-2019-331, I move that the Planning Commission recommend approval." Commissioner Deppe seconded the motion.

The motion passed with a vote of 7-0.

3. Kiser Annexation**File# ANX-2019-274**

Consider a request to zone approximately 2.89-acres from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-2 (Residential – 2 du/ac) for the Kiser Annexation, located at 136 Vista Grande Road.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and presented a PowerPoint presentation regarding the request to zone approximately 2.89-acres from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-2 (Residential – 2 du/ac) for the Kiser Annexation.

Mr. Peterson stated that Staff recommends approval of the requested Zone of Annexation.

Applicant's Presentation

The applicant, Stan and Judy Kiser, were present and did not wish to make any further comments.

Public Comment

No public comment was made.

Motion and Vote

Commissioner Gatseos made the following motion: "Madam Chairman, on the Zone of Annexation to R-2 (Residential 2 du/ac) zone district, file number ANX-2019-274, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report." Commissioner Wade seconded the motion.

The motion passed with a vote of 7-0.

4. Two Ponies Annexation

File# ANX-2019-269

Consider a request to zone approximately 16-acres from County RSF-R (Residential Single Family – Rural, 1 du/5 ac) to a City R-8 (Residential – 8 du/ac) and City C-1 (Light Commercial for the Two Ponies Annexation, located at 3095 D 1/2 Road.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and presented a PowerPoint regarding the request for a Zone of Annexation from County RSF-R (Residential Single Family – Rural, 1du/5ac) to a City R-8 (Residential – 8 du/ac) for 11.83 acres and City C-1 (Light Commercial) for 3 acres for the Two Ponies Annexation.

Mr. Thornton stated that Staff recommends approval of the requested Zone of Annexation.

Applicant's Presentation

Lisa Cox, Vortex Engineering, represented the applicant and gave a presentation on the proposed annexation.

Commissioner Reece asked the applicant if they felt the 3-acres of C-1 zoned land will be sufficient for commercial uses in this area. Ms. Cox responded that after analysis she believes 3-acres will be sufficient.

Discussion was made about the impact on current resident's services.

Discussion was made on the traffic implications of the proposed rezone.

Public Comment

No public comment.

Motion and Vote

Commissioner Gatseos made the following motion: "Madam Chairman, on the Zone of Annexation for the Two Ponies Annexation to R-8 (Residential 8 du/ac) zone district and C-1 (Light Commercial), file number ANX-2019-269, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report." Commissioner Deppe seconded the motion.

The motion passed with a vote of 7-0.

5. Townhomes at River Park Annexation File# ANX-2019-295

Consider a request by Gato Development LLC to zone 5.72 acres from County RMF-8 (Residential Multi Family – 8 du/ac) to a City R-8 (Residential – 8 du/ac) for the Townhomes at River Park Annexation located at 3178 D Road.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and presented a PowerPoint regarding the request by Gato Development LLC to zone 5.72 acres from County RMF-8 (Residential Multi Family – 8 du/ac) to a City R-8 (Residential – 8 du/ac) for the Townhomes at River Park Annexation located at 3178 D Road.

Mr. Thornton concluded that all five review criteria have been met and therefore Staff recommends approval.

Applicant's Presentation

The applicant, Gato Development LLC, was present and did not wish to make additional comments.

Public Comment

No public comments.

Motion and Vote

Commissioner Wade made the following motion: "Madam Chairman, on the Zone of Annexation for the Townhomes at River Park Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2019-295, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report." Commissioner Deppe seconded the motion.

The motion passed with a vote of 7-0.

6. Brady Comprehensive Plan Amendment and Rezone

File# RZN-2019-263, RZN-2019-256

Consider a request by SLB Enterprises LLC, for a Comprehensive Plan Amendment from Industrial and Commercial/Industrial Future Land Use designations to a Commercial Future Land Use designation and a Rezone from I-1 (Light Industrial) and I-O (Industrial/Office) to C-1 (Light Commercial) for three properties having a total of 12.2 acres and located north of the Colorado River, south of C ½ Road and directly east of Las Colonias Park.

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and presented a PowerPoint regarding the request by SLB Enterprises LLC for a Comprehensive Plan Amendment and Rezone.

Questions for Staff

Commissioner Wade asked about the neighborhood meeting and feedback from surrounding residents.

Discussion was made about the uses allowed in the C-1 (Light Industrial) zone district.

Applicant's Presentation

Ted Ciavonne, Ciavonne & Associates, represented the Applicant who was also present.

Public Comment

Enno Heuscher and Pauline Heuscher spoke in support of the proposed comprehensive plan amendment and rezone.

Commissioner Discussion

Commissioners Reece, Gatseos, Deppe, and Scissors stated support for the proposed rezone.

Motion and Vote

Commissioner Wade made the following motion: "Madam Chair, on the Comprehensive Plan Amendment CPA-2019-259 and Rezone request RZN-2019-256, I move that the Planning Commission recommend approval with the findings of fact as listed in the staff report, to:

1. Comprehensive Plan Amendment on a 7.23-acre parcel located at 347 27 ½ Road from its current Future Land Use designation of Industrial to a designation of Commercial/Industrial and a Comprehensive Plan Amendment from Commercial/Industrial to Commercial for two parcels of land consisting of 5.15 acres addressed 2757 C ½ Road and including the unaddressed parcel adjacent to the west;
2. Rezone a total of 12.38 acres of property to Light Commercial (C-1); including the 7.23-acre property located at 347 27 ½ Road currently zoned Industrial (I-1) zoning and the properties at located 2757 C ½ Road and the adjacent unaddressed parcel with a combined acreage of 5.15 currently zoned Industrial/Office Park (I-O)."

Commissioner Deppe seconded the motion.

The motion passed with a vote of 7-0.

Item 7. Other Business

None

Adjournment

The meeting was adjourned at 7:31pm.

DRAFT



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: August 27, 2019

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a request by the City of Grand Junction for 1) a Comprehensive Plan Amendment from Park to Residential Medium, retaining the Mixed Use Corridor Designation along Patterson Road; and 2) Rezone from CSR (Community Services and Recreation) to R-8 (Residential Medium) and MXOC (Mixed Use Opportunity Corridor) on two properties that total 18.433 acres located at 2980 and 2982 Patterson Road currently known as the undeveloped Burkey Park land.

RECOMMENDATION:

Staff recommends approval of the Comprehensive Plan Amendment and Rezone requests.

EXECUTIVE SUMMARY:

The Applicant, the City of Grand Junction, is requesting multiple actions on two properties that total 18.433 acres located at 2980 and 2982 Patterson Road currently known as the undeveloped Burkey Park land. Both properties are presently vacant. The proposed actions are to: 1) amend the Comprehensive Plan from Park to Residential Medium, retaining the Mixed Use Corridor Designation along Patterson Road; and 2) rezone the properties from CSR (Community Services and Recreation) to MXOC (Mixed Use Opportunity Corridor) along the Patterson Road frontage of 4.0 acres which encompasses area of both parcels and R-8 (Residential 8 units per acre) for the remaining 14.433 acres.

The proposed changes are intended to allow expanded options for future private development and particularly the potential for mixed use projects that optimize the properties' location along the Patterson Road Mixed Use Corridor. The City is

reviewing a concurrent application to subdivide the property which would plat the parcels into two lots that correspond to the areas in which these zone districts are being considered.

BACKGROUND OR DETAILED INFORMATION:

The City currently owns the two parcels that total 18.433 acres located at 2980 and 2982 Patterson Road commonly known as the undeveloped Burkey Park land. In December of 1966, the Burkey family offered to donate approximately 17 acres of land to the City of Grand Junction for a park (2982 Patterson Road). In 2001, the City acquired an adjacent parcel (DuCray property at 2980 Patterson Road) in order to 'square up' the overall site. While the Park is City property and has been annexed into the City, it is in an area predominantly surrounded by unincorporated Mesa County. The proposed Matchett Park property is 1.2 miles to the west of this site, and Long Family Memorial Park is 1.3 miles to the east, thus, development of this site for park space by the City is not anticipated to be a city priority in either the short- or long-term. The property is not currently listed for sale.

The property is currently annexed into the City while much of the surrounding neighborhoods are within County jurisdiction. Any action on this request will not impact the unincorporated status of the surrounding properties.

Pursuant to Article VI, Section 48 of the City Charter, property held or used for park purposes can be sold only with approval by majority of the City's qualified electors. During the recent municipal election on April 2, 2019, voters were asked approval for the City Council to sell approximately 18 acres known as Burkey Park, with proceeds of the sale being used for the development and construction of improvements at Matchett Park. In recognition of the Burkey family, it has been proposed that the main pavilion at Matchett Park commemorate L.W. and Mildred L. Burkey. This sale was approved by the City electorate by a margin of 8,873 for and 7,915 against.

The Burkey Park property is located within the City limits of Grand Junction and has a zoning designation of CSR (Community Services and Recreation), the purpose of which is to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. If the property were to be sold for private development, a rezone would likely be requested.

The Comprehensive Plan Future Land Use Map provides guidance as to the zone districts that could be considered. The property is designated as Park within a designated Mixed Use Corridor along Patterson Road on the Future Land Use Map. The purpose of the Mixed Use Corridor is to provide service, retail and office commercial uses that service the immediate surrounding area. The designation of Park is intended for active park and recreation sites with public access. Based on the intended sale of the property to a private entity with likely future use as something other

than active park and recreation, a change to the Future Land Use Map is also being requested. Staff is recommending that the Comprehensive Plan Future Land Use Map be amended to reflect a Residential Medium (4-8 units per acre) land use category while retaining the designated Mixed Use Corridor along the Patterson Road frontage.

Staff is recommending zoning for the site be split to recognize both the residential nature of the northern portion of the site as well as the Mixed Use Corridor in the southern portion of the site. Staff recommends a zoning of Mixed Use Opportunity Center (MXOC) be considered on the front four acres of the property that abut Patterson Road. The intent of this zone district is to implement the Mixed Use Corridor land use category and create pedestrian-friendly and pedestrian-scaled areas of mixed use that promote neighborhood walkability and would allow neighborhood service, retail and office uses.

On the remaining northern 14.433 acres of the property, City staff is recommending a zone district of R-8 (Residential 8 units per acre) be considered which is consistent with the land use designation for adjacent properties. Neighboring residential densities range from 5 dwelling units per acre to approximately 7 dwelling units per acre. R-8 allows for a minimum lot size of 3,000 square feet and allows the property to develop at a density between 5.5 dwelling units to 8 dwelling units per acre. The zone district R-5 was also considered by Staff. The R-5 zone district allows for minimum lot size of 4,000 square feet and density ranging from 3 dwelling units per acre to 5.5 units per acre. However, most frequently the City sees residential projects develop at or near the minimum densities and staff does not believe that a 3 dwelling unit per acre density is desirable at this central and urban location and thus is recommending the R-8 zone district.

The City is proposing the rezone at this time in order to better market the properties to potential future private developers. The City is concurrently reviewing an application for subdivision of the property to correspond to the areas of these zone districts, including one new lot along the Patterson Road corridor (to be zoned MXOC) and one lot that is the remainder of the property (to be zoned R-8).

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting that was also conducted for the dissemination of information to the broader public as well as for the receive of input was held on June 10, 2019. The meeting conducted was consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. The purpose of the meeting was to reach out to the adjacent neighbors as well as to initiate the required outreach process related to a rezone request. Approximately 60 citizens attended the meeting. While some comments supported the sale of the property and the rezone, comments received were predominately opposed to the sale of the property and many vocalized oppositions to any use of the property beyond a public park space. A summary of comments received

from the meeting is attached.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code for this public hearing. Mailed notice of the Public Hearing, in the form of notification cards was sent to surrounding property owners. The City significantly expanded the notice area for this meeting beyond the 500-foot requirement to include 1,019 neighbors being mailed notice. The subject property was posted with an application sign on August 16, 2019 and notice of the public hearing was published August 20, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

Comprehensive Plan Amendment

Pursuant to section 21.02.130(c)(1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans, and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets at least one of the following review criteria.

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

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies these two properties as Park due to their ownership by a public entity (City of Grand Junction). A subsequent event that has occurred is the passage of Referred Measure 2D, the sale of undeveloped Burkey Park land, in the election held April 2, 2019. This measure was referred to the ballot with the intention that the City would sell the property and thus would no longer be designated for park land or for other community services. The subsequent sale of the property to a private entity may invalidate the original premise of the Plan but, until then, Staff has not found a subsequent event that invalidates the Plan. As such, Staff finds this criterion has not been met.

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

The subject properties are surrounded by residential neighborhoods but with nearby neighborhood-oriented commercial development along Patterson Road (Maverick service station approximately a quarter mile to the west and Rite Aid drugstore and Family Dollar convenience store approximately 300 feet to the east). This redevelopment has occurred and will continue to occur as Patterson Road carries a heavier traffic load such that it is not conducive to single family residential or neighborhood park development and as there is demand for neighborhood-oriented commercial uses in this area of Grand Junction. The commercial uses are consistent with the Comprehensive Plan Future Land Use Map designation that Patterson Road is a Mixed Use Corridor and the recommended Residential Medium designation of the

properties will be consistent with the surrounding residential land use categories. Thus, Staff finds this criterion has been met.

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

The subject property is surrounded by urban development and is located along a Principal Arterial (Patterson Road). Consequently, public and community facilities exist in the area that are adequate to serve the type and scope of land uses that could be developed on this property if designated for Residential Medium and Mixed Use Corridor. The existing utility services include Ute Water, Persigo 201 sewer service, Palisade Irrigation District, Grand Valley Power and Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City. Based on the provision and concurrency of public utilities and community facilities to serve the Comprehensive Plan amendment request, staff finds that this criterion has been met.

(iv) 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

Since it is intended that this property transfer to private ownership, the proposed land uses will likely change to something other than a public park or facility. Thus, its designation as Park on the Future Land Use Map will no longer fit with proposed land use. Proposed uses are likely residential and neighborhood-oriented business. In the case of the residential component, there is an adequate supply of Residential Medium property within the City and there are many areas that are designated as Mixed Use Corridor. Staff finds that this criterion has not been met.

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

Public benefit will be derived from the requested Comprehensive Plan Amendment due to the potential to attract and support future private development that would not otherwise be considered for the property. In addition, the sale of the park was supported by a majority of city residents with the passage of Measure 2D in April 2019. The requested rezone will support the citizens' favorable vote as well as be consistent with the goals of the Comprehensive Plan.

However, significant public sentiment has been received that the sale and rezone of the undeveloped Burkey Park land would be detrimental to the community and surrounding area for a variety of reasons including, but not limited to, access to open space and investments made with the understanding the property would remain available for public purposes.

Staff has not provided an opinion on whether this criterion has or has not been met.

The proposed amendments implement the following guiding principle, goals and policies:

Guiding Principle 1: concentrated Centers – The Comprehensive Plan calls for three types of centers; the City Center, Village Centers, and Neighborhood Centers. The Plan also establishes Mixed Use Corridors along some major corridors. The Subject property is located within the Patterson Road Mixed Use Corridor.

Guiding Principle 2: Sustainable Growth Patterns – Encourage infill and redevelopment.

Goal 1C: The City will make land use decisions consistent with the goal of supporting and encouraging the development of Centers/Mixed Use Corridors.

Goals 3A and 3B: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community. This includes the creation of large and small centers and mixed use corridors with walkable services and commercial areas, thereby reducing the number of trips generated and vehicle miles traveled for shopping and services.

Rezone

Pursuant to the rezoning criteria provided in GJMC 21.02.140, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

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

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies these two properties as Park due to their ownership by a public entity (City of Grand Junction). A subsequent event that has occurred is the passage of Referred Measure 2D, the sale of undeveloped Burkey Park, in the election held April 2, 2019. This measure was referred to the ballot with the intention that the City would sell the property and thus would no longer be designated for park land or for other community services. The subsequent sale of the property to a private entity may invalidate the original premise of the and findings but, until then, Staff has not found a subsequent event that invalidates the Plan. As such, Staff finds this criterion has not been met.

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

The subject properties are surrounded by residential neighborhoods but with nearby neighborhood-oriented commercial development along Patterson Road (Maverick service station approximately a quarter mile to the west and Rite Aid drugstore and Family Dollar convenience store approximately 300 feet to the east). This redevelopment has occurred and will continue to occur as Patterson Road carries a heavier traffic load such that it is not conducive to single family residential or neighborhood park development and as there is demand for neighborhood-oriented commercial uses in this area of Grand Junction. The commercial uses are consistent with the Comprehensive Plan Future Land Use Map designation that Patterson Road is a Mixed Use Corridor. The requested rezoning to R-8 and MXOC will be consistent with the Plan, as well as the current and anticipated future character of the area. Thus, Staff finds this criterion has been met.

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

The subject property is surrounded by urban development and is located along a Principal Arterial (Patterson Road). Consequently, public and community facilities exist in the area that are adequate to serve the type and scope of land uses that could be developed on this property if zoned R-8 and MXOC. The existing utility services include Ute Water, Persigo 201 sewer service, Palisade Irrigation District, Grand Valley Power and Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City. Based on the provision and concurrency of public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

The adequacy of R-8 and MXOC designated lands in the specific Patterson Road Corridor has been used to evaluate this criterion. While Patterson Road is a designated Mixed Use Corridor, there is very little land actually zoned to implement the corridor and no vacant land along the corridor currently zoned for the potential development of uses intended by the Mixed Use Corridor land use designation. The only zone district that implements the Mixed Use Corridor land use category is MXOC.

There is no land in the area in the City and County zoned R-8 but certainly the type of development that could occur in the proposed R-8 zone district (5.5-8 units per acre) is compatible with the residential densities in the area (5 to 7 units per acre). The proposed split of zoning and subsequent corresponding subdivision of the property allows for development of the Patterson Road Mixed Use Corridor but limits the encroachment of non-residential uses in the northern area of the site. As is, since both existing parcels are subject to the Mixed Use Corridor, the entire 18.45 acres could be

zoned and developed for neighborhood-oriented commercial uses. Or, left as CSR, it could be developed by a private entity for a much broader range of land uses from low density single family residential and schools to general offices, correctional facilities and indoor shooting range. Staff believes the split zoning will support future land uses that are more compatible with both surrounding residential neighborhoods as well as the commercial nature of the Patterson Road corridor rather than leaving it as a CSR-zoned property. Based on these considerations, staff has found this criterion has been met.

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

Public benefit will be derived from the requested Comprehensive Plan Amendment due to the potential to attract and support future private development that would not otherwise be considered for the property. In addition, the sale of the property was supported by a majority of city residents with the passage of Measure 2D in April 2019. The requested Comprehensive Plan Amendment will support the citizens' favorable vote as well as be consistent with the goals of the Comprehensive Plan listed below.

However, significant public sentiment has been received that the sale and rezone of the undeveloped Burkey Park land would be detrimental to the community and surrounding area for a variety of reasons including, but not limited to, access to open space and investments made with the understanding the property would remain available for public purposes.

Staff has not provided an opinion on whether this criterion has or has not been met.

The proposed rezone is consistent with the same principles, goals and policies of the Comprehensive Plan that are listed in the Plan Amendment analysis section.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing file number RZN-2019-432, a rezone request from CSR (Community Services and Recreation) to R-8 (Residential 8 units per acre) for 14.433 acres and MXOC (Mixed Use Opportunity Corridor) for 4 acres having a total of 18.433 acres located at 2980 and 2982 Patterson Road, the following findings of fact have been made:

1) The request is consistent with the intent, goals and policies of the Comprehensive Plan and has met one or more of the criteria as required in Section 21.02.130 of the Zoning and Development Code.

2) The request has met one or more of the criteria as required in Section 21.02.140 of the Zoning and Development Code.

Therefore, Staff recommends approval.

SUGGESTED MOTION:

Madam Chair, on the Comprehensive Plan Amendment request CPA-2019-433 and the Rezone request RZN-2019-432, concerning a total 18.433 acres located at 2980 and 2982 Patterson Road, I move that the Planning Commission recommend approval of the actions to:

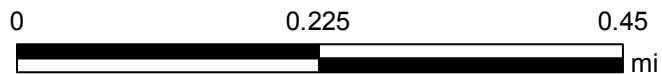
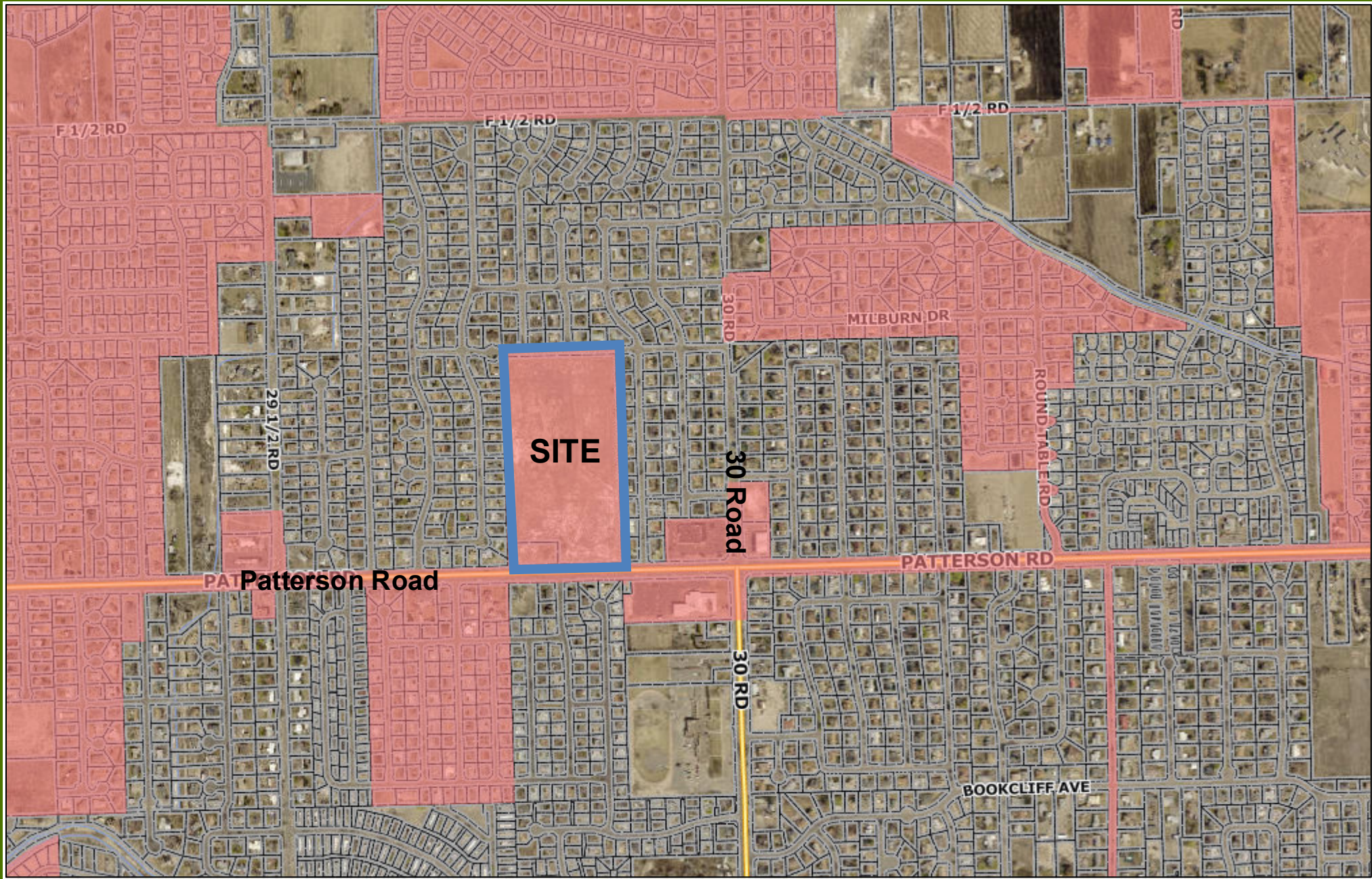
1) amend the Comprehensive Plan from a designation of Park to a designation of Residential Medium, retaining the Mixed Use Corridor designation along Patterson Road; and

2) rezone a total of 18.433 acres located at 2980 and 2982 Patterson Road currently zoned Community Services and Recreation (CSR) to Residential 8 units per acre (R-8, 14.433 acres) and MXOC (Mixed Use Opportunity Corridor, 4 acres).

Attachments

1. 2980 and 2982 Patterson Maps and Photographs
2. Summary of Public Comments
3. Planning Commissioner Question Correspondence
4. Burkey Comp Plan Amendment and Rezone Ordinance

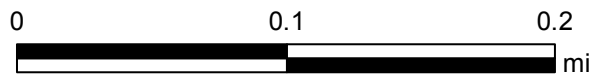
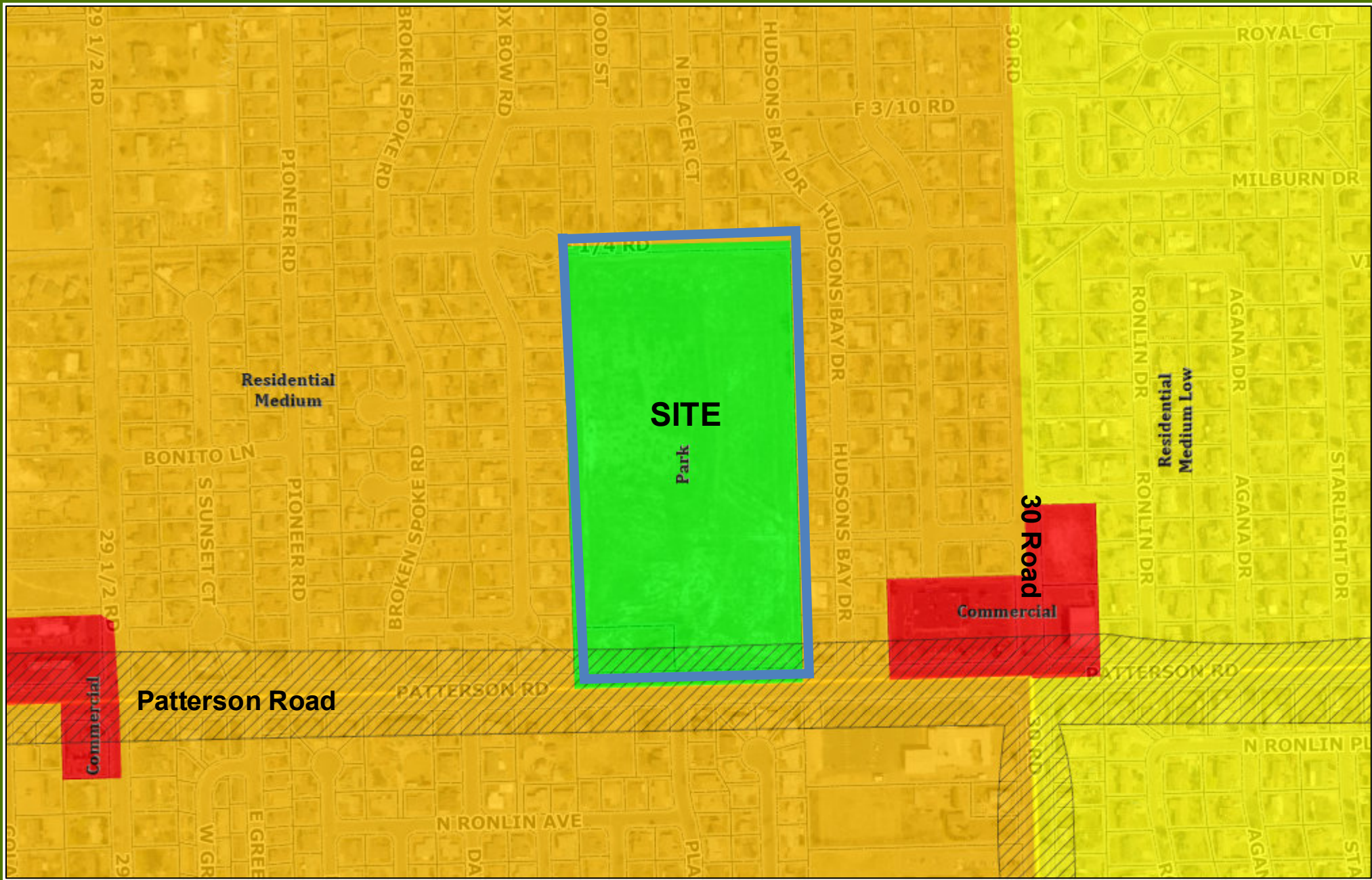
2980 and 2982 Patterson Location Map (City Limits = Pink)



Printed: 8/4/2019

1 inch = 752 feet

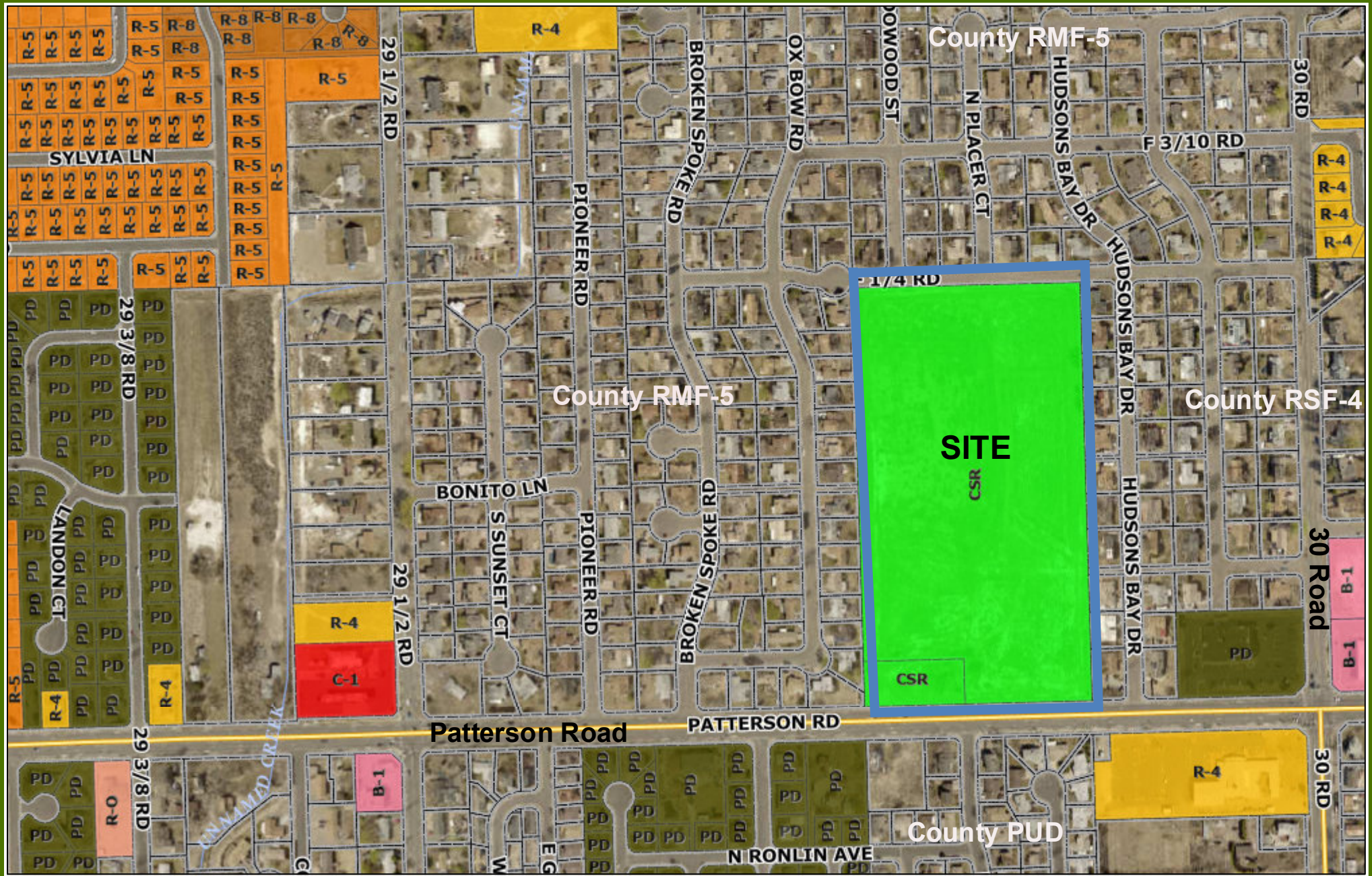
2980 and 2982 Patterson Road Future Land Use Map



Printed: 8/4/2019

1 inch = 376 feet

2980 and 2982 Patterson Road Existing Zoning Map



0 0.1 0.2
mi

Printed: 8/4/2019

1 inch = 376 feet

2980 and 2982 Patterson Road View from East



© 2018 Pictometry



2980 and 2982 Patterson Road – View Across Site From South (Patterson Road)

So unfair we didn't get to vote on something that affects us. A slap in the face for the Burkey's! I don't know why we are here for this meeting. The city have gotten what they wanted & that is that.

Thank you for your dog and pony show. I have no trust in the City of G.J.

We have lived in Oxbow for 40 years. We even had a rep come to the park are are so such a plan! We are very upset with the city! & county.

You should allow county res to vote! Burkey park should be made into entertainment park for kids, or dogs, or a rec center.

Thus meeting was for Matchett Park not Burkey. We did not get to vote on this develop a park. We do not need a liquor store another gas station – we have churches, we have been promised a park. If has to be – single family homes – no apts.

Against the sell as the people and property owners around the land were not aloud to vote on this which effects us.

Concerned about what commercial businesses will build on property. What type of homes ie \$600,000 homes, homeless shelter, low income? Will taxes go up for individual homes? Size of homes & parcel sizes.

It's hard to believe in 50 years Burkey Park has not been developed. I can fully understand the neighbors surrounding the park being upset about not being able to vote on it selling. It send a message "Don't donate to the City, it won't happen". I think it should at least be a large park for the area even if the frontage along Patterson sold.

It is very unfair that a very large population of the "county" this population being Oxbow subdivision, was completely left out of being able to express our desires for Burkey Park all because we don't live within GJ City limits. So you can imagine just how disappointed I was when I found out that Burkey was long ago since 1966 was supposed to be a beautiful recreation area is now going to be sold and will become anything but. We in my area are being cheated and basically being told that we have no say in this matter because we are not City residents and may never have a say so. It's a shame that Burkey "Park" is likely going to turn into yet another crime infested apartment complex thus ruining a nice and peaceful area. The area known as Oxbow Subdivision. It truly is a shame.

Rezone should include a green space requirement that would be used for Burkey plaque of acknowledgement.

Can we appeal this approval??? This sale of property was not right. I was sold my lot to build my house in 1978 and was told the property was to be a park. I have lived in my house all these years raised my children had home daycare for 32 years and now grandchildren and never a park. The sale was not fair my house at 618 Oxbow will have whatever now in my backyard and this sale is very up setting. The family donated this land for the neighborhood to have a park to get and keep kids out of trouble. I am my husband do not want multi level housing behind my house!!! Or commercial only single level housing.

We want absolutely no multi-family homes built on the Burkey Park Property. Single Family Only. Richard Emmert.

Laws state county residents couldn't vote on the sale of Burkey Park even though we live around it. Its time our mayor and other lawmakers decide all residents count not just the ones that help them further their agendas. City residents have no ideas about how county residents may want their communities. We should have all been able to (vote)

So when the city sell the Burkey property are the going to annex the subdivisions around it into City Limits, the Burkey property was donated as a park why not make it so the children around those neighborhood. City does what they want any way.

Thank you for the opportunity to hear directly from speakers possible plans for Burkey Park. Our hope was to develop the area into an actual park. The property is currently utilized as a recreation area.

No multi family housing!! No retail! Single family low density only – single family only! Green space on 3 sides – single family homes in the center – All traffic directed onto Patterson Road only! The neighborhoods are already mobbed with heavy traffic already! Too many little kids moving in!

What was said tonight, This is a true disgrace to the Burke Familys wished along with all the long term & current home owners of the connecting area to the park as known. I have lived and bought my house 1 block away thinking it would someday be as what the Burke Family wanted. I am concerned about out property values & taxes if this is turned into res/bus property. K.Carson. carsonkevin@gmail.com

I have lived in a house on Oxbow Road for 30 years and am not in favor of rezoning Burkey Park. Since I didn't get to vote on the issue for the option of rezoning this parcel of land I am not in favor of this at all. My option is to just keep the land the way it is so our taxes don't go up. It scares me about the property taxes from housing development or

What I feel is: We on the East side of GJ (City or County) are taxed but not given the same consideration as Redlands or west side of Grand Jct – just me feeling

Long Park doesn't have enough parking on the north. Canyon view doesn't have enough parking – it's a real problem. If you develop enough to attract people, please put in enough parking. I live in the county. I realize the City can do what it wants to Burkey. But we aren't making any more park land anymore. It's a shame to dispose of any park property.

From: Eric Farslow <nefarslow@gmail.com>
Sent: Tuesday, June 11, 2019 9:17 AM
To: gjparksandrec
Subject: Burkey Park Public Meeting 6/10/2019

Dear Sirs,

I wish to leave you my comments on this meeting,

First of all I saw no attendees that were glad to see what was happening with the land..

everyone felt betrayed by the City voting on taking the land and setting it up for sale,

To rezone the land from Park to Mixed use residential is not a need the neighborhood has. this is only being done to make the land attractive to developers. This totally disregards the quality of life the residents have enjoyed for years by trying to put a development with **twice** the density of the surrounding subdivisions smack in the middle and taking away the open area of 18 acres they had, , It was obvious to my wife and I that this was not a good faith meeting to get our views, but rather a legal requirement to meet the objective of rezoning the property.

I am familiar with the City County master plan, but there is no need for this rezone .the area should remain zoned a a park.

Good Day

Eric Farslow

613 OxBow Rd

From: Cindie Downs [<mailto:CDowns@grandvalleybank.com>]

Sent: Tuesday, June 11, 2019 7:07 AM

To: Belinda White <belindaw@gjcity.org>

Subject: Burkey Park

Proposal for development of Burkey Park

If and when this property sells to a developer please make part of the condition:

Some open green space with a paved walking path

Thank You for your consideration.

Cindie Downs

Concerned neighbor and citizen

Neighborhood Meeting concerning Burkey Park
June 10, 2019

Response from

Cindie Downs
645 ½ Broken Spoke Rd
Grand Junction Co 81504
970-254-6518
cin61die@gmail.com

The City Council placed a ballot question on the April 2019 ballot that of coarse only Grand Junction city voters could vote on but affected county residents.

Unless a citizen attends every City Council meeting or looks at the agenda on line before each meeting – how were we to be informed this question was going to be discussed for the ballot?

How ironic that this ballot question passed but not the Community Center/Machett Park question. Two issues that are in my neighborhood that I had no vote on.

Will the rezoning of Burkey Park put my neighborhood with in the City Limits?
At least then I will have a voice and vote.

But of course that is the past and now we need to deal the consequences.

The city will sale “Burkey Park”. The ballot language specifically stated the proceeds would be used for “Machett Park”. How are we as citizens to be sure that will take place? Is the city proposing to start development of “Machett Park” as soon as “Burkey Park” sales?

Will part of the new development of Burkey property require at least some green space?
For example a grassy area with a walking trail. This area and streets have few sidewalks for walking safety.

I have lived in Grand Junction all my life and have lived in Oxbow Subdivision for 20 years.
I keep waiting for Burkey Park , Matchett Park and the 29 road/I70 access to be developed- all issues that I have had no access to vote on.

I am close to retirement and would enjoy green space with walking accessibility for my health.

From: Tamra Allen
Sent: Tuesday, August 20, 2019 3:04 PM
To: Kathy Deppe
Subject: Burkey Property

Kathy, the property has not yet been offered for sale. City Council's approach thus far has been to establish zoning first and then sale/market the property.

Thank you,

Tamra Allen, AICP
Community Development Director
City of Grand Junction, Colorado
tamraa@gjcity.org
970-256-4023



From: Kathy Deppe
Sent: Tuesday, August 20, 2019 3:04 PM
To: Tamra Allen <tamraa@gjcity.org>
Subject: Burkey Property

Kristen suggested that you might know if the Burkey Property has been offered for sale? If so, at what price and is there a contract to purchase in a pending position? If you don't know, who might have the answer to that question? If it has not yet been offered for sale, when might that happen?

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From: Kathy Deppe [<mailto:kdeppe47@gmail.com>]
Sent: Tuesday, August 13, 2019 2:21 PM
To: Kristen Ashbeck <kristena@gjcity.org>
Subject: Re: File No. CPA 2019-433 and File No. CPA RZN 2019-432

Kirsten,
Thanks for your quick response.
Few more questions...
Who would know if and/or when the property will be actually for sale and at what price? Additionally, who would know if there is indeed a

"pending sale" for the property? Don't know the answer to these two but Tamra may.

How is an enclave of the city limits established? If an area is completely surrounded by properties that are in the City limits.

If City has determined that densities of the surrounding existing development range are from 5 to 7 units per

acre, then why R-8 for this property. As I stated, R-8 usually develops at 5.5 which is the minimum density in R-8 and R-5 maximum is 5.

There is no other zone district in between so to achieve 5.5 to 7 units per acre that is comparable to surrounding development, R-8 is the zone to apply.

Thanks again,

Kathy Deppe
KFS Realty, LLC
Broker/Owner
970-250-1350

On Tue, Aug 13, 2019 at 8:00 AM Kristen Ashbeck <kristena@gjcity.org> wrote:

Hi Kathy,

Answers as best I can in RED below.

Kris

From: Kathy Deppe [mailto:kdeppe47@gmail.com]

Sent: Monday, August 12, 2019 7:46 PM

To: David Thornton <davidt@gjcity.org>; Kristen Ashbeck <kristena@gjcity.org>

Subject: File No. CPA 2019-433 and File No. CPA RZN 2019-432

David and Kristen,

Since Tamra Allen is out of town, could one of you give me some answers to the following questions regarding the above

referenced files.

I noticed these two items in the weekly activity report which is shared with the Planning Commission so my questions would be:

1. Will these two items come before the Planning Commission before being sent to City Council for final Approval or Disapproval? **Yes, just like any other Plan Amendment and Rezone.**

2. Has the property been offered for purchase to the General Public and if so, what are the details. **Not to my knowledge.**

3. Will the surrounding homes be automatically be annexed into the City as a result of any action that might be taken with regard to the Burkey Property. **No, neither this action nor any future action have anything to do with annexation. Annexation of that area will only be initiated if the area ever becomes part of an enclave of city limits or the neighborhoods/property owners request to be annexed.**

4. Because the existing homes around the Burkey Property are Mesa County, will those homeowners be notified of

any changes that maybe made with regard to the Burkey Property? **Just as they were notified of the Neighborhood Meeting, if the future changes require a Neighborhood Meeting or Public Notice of property owners within 500 feet or HOAs within 1,000 feet, they will be notified, although we used a larger area for the initial meeting in June.**

5. From the request, or file application, requesting R-8 Zoning with the Mixed Use Commercial, it would appear to me that the request at this time is being made by the City in order to satisfy a "contingency" in a Contract to Purchase with that contingency being the zoning change as requested by a Purchaser. True or False? **To the best of my knowledge, False. The Comp Plan Amendment and Rezone are needed so**

that the City may ready the property for sale as mandated by passage of the initiative. The zoning it currently has of CSR best fits public ownership and is not conducive to future private development.

6. If a Contract to Purchase does not exist at this time, can I ask by what evaluation has it been decided that the

"highest and best use" of the property should be R-8. None of the properties, either within Mesa County or the City of Grand Junction, that are close to the same location at the Burkey Property, have that sort of zoning that I am aware of. Please advise in the event I am wrong just so that I know. R-8 is proposed keeping in mind this zone district typically builds out closer to the minimum density of the zone district of 5.5 . We have determined that densities of the surrounding existing development range from 5 to 7 units per acre..

I know you are both very busy, so, an answer, when you have time is acceptable. My City I-Pad still has a "mind of its own" so I am not surprised that my original email to Tamra didn't get to you after her message that she is out of the office.....no way...could NOT be operator error! LOL

Thanks for your time,

Kathy Deppe

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE
MAP DESIGNATION TO RESIDENTIAL MEDIUM RETAINING THE MIXED USED
CORRIDOR AND REZONING TO R-8 (RESIDENTIAL 8 UNITS PER ACRE) and
MXOC (MIXED USE OPPORTUNITY CORRIDOR FOR THE
PROPERTY KNOWN AS BURKEY PARK ON 18.433 ACRES**

LOCATED AT 2980 and 2982 PATTERSON ROAD

Recitals:

The applicant and owner, the City of Grand Junction, of 18.433 acres of vacant land at 2980 and 2982 Patterson Road, (referred to herein and more fully described below as the "Property"), proposes a Comprehensive Plan Amendment from Park to Residential Medium retaining the Mixed Use Corridor and rezone from Community Services and Recreation (CSR) to Residential 8 units per acre (R-8) and Mixed Use Opportunity Corridor (MXOC).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Planning Commission reviewed the request for the proposed Comprehensive Plan Amendment and Rezone, and determined that it satisfies the amendment and rezoning criteria provided in GJMC 21.02.130 and 140; applicable criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies and recommended approval of the amendment to Residential Medium and the rezone request to Residential 8 units per acre (R-8) and Mixed Use Opportunity Corridor (MXOC) and as shown in Exhibit A.

The City Council, after a public hearing and review of the proposed Comprehensive Plan Amendment (CPA-2019-433) Rezone (RZN-2019-432) to Residential 8 units per acre (R-8) and Mixed Use Opportunity Corridor (MXOC), determined that the request satisfies the applicable criteria of the Code and are consistent with the purpose and intent of the Comprehensive Plan.

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

- A. This Ordinance applies to the following described property with land use and zoning designation as noted:

Preliminary Lot 1: Future Land Use Residential Medium with Mixed Use Corridor and Zoned MXOC (2943-054-00-123 and a Portion of 2943-054-00-124) – 2980 and a Portion of 2982 Patterson Road

That certain parcel of land lying in the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range East of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado being more particularly described as follows:

The North 263.70' of the South 313.70 feet of the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East, Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado.

CONTAINING 4.000 Acres, more or less, as described.

Preliminary Lot 2: Future Land Use Residential Medium and Zoned R-8 (a Portion of 2943-054-00-124) – 2982 Patterson Road

That certain parcel of land lying in the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado being more particularly described as follows:

All of the West-half of the Southeast Quarter of the Southeast Quarter (W 1/2 SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, LESS HOWEVER, the Northerly 50.00 feet thereof dedicated to Mesa County as right of way for F-1/4 Road per Book 1167, Page 728, Public Records of Mesa County, Colorado and LESS HOWEVER, the Southerly 313.70 feet thereof.

CONTAINING 14.433 Acres, more or less, as described.

Total of said two parcels containing an area of 18.433 acres, as herein described (the "Property").

Introduced for first reading on this 21st day of August, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

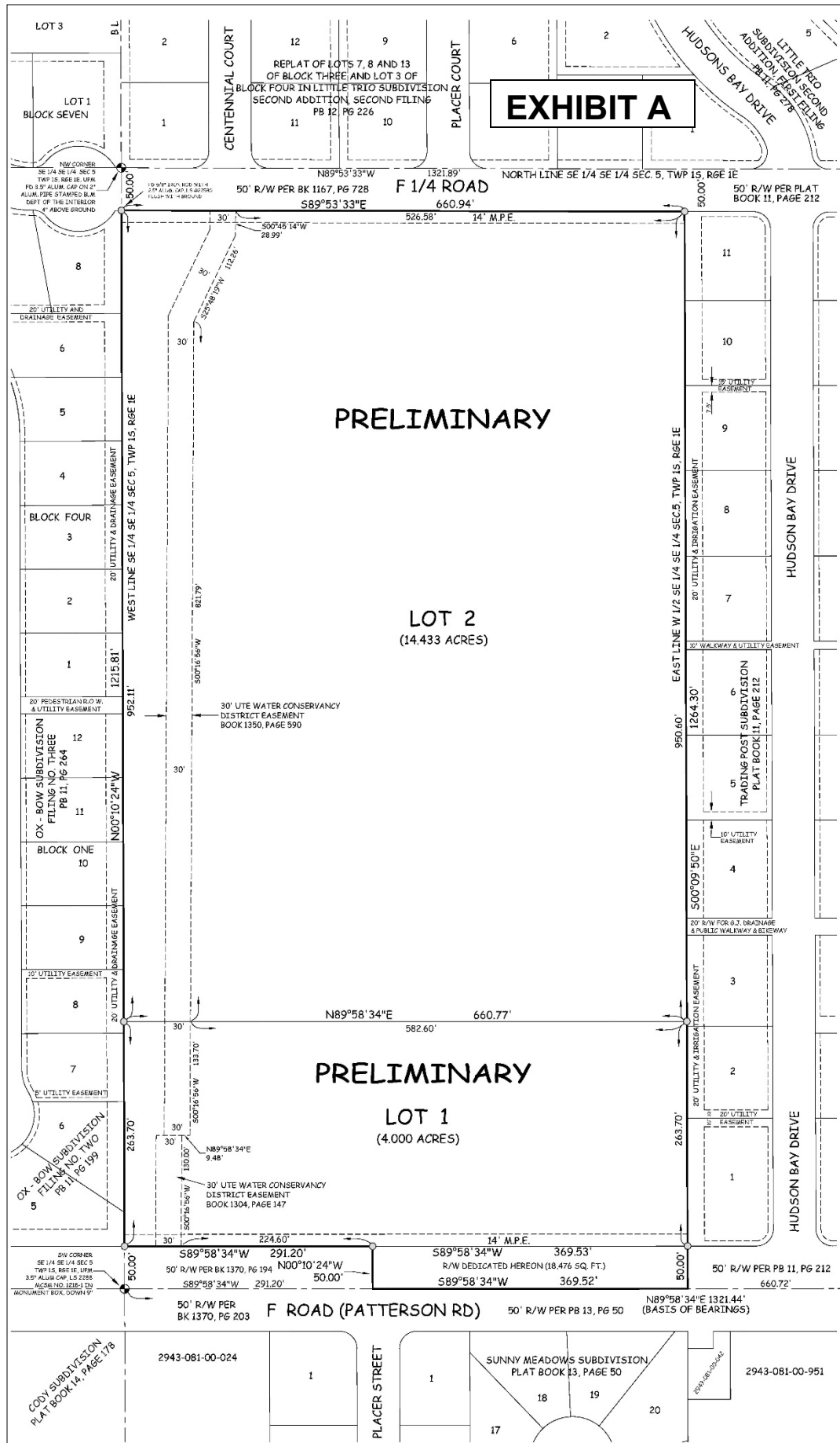


EXHIBIT A



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: August 27, 2019

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

Consider a request by 660 Rood Avenue, LLC for approval of an exemption to the two-story height requirement for a proposed one-story bank building situated within the Greater Downtown Core Central Business District Overlay at 660 Rood Avenue.

RECOMMENDATION:

The Planning Commission should consider the requisite criteria and staff's findings in deliberating this request for an exemption.

EXECUTIVE SUMMARY:

The Applicant, 660 Rood Avenue, LLC is requesting an exemption to the two-story height requirement for a proposed one-story retail bank building situated within the Greater Downtown Core Central Business District Overlay. Within the Central Business District Core Area (which encompasses the subject site) and in accordance with the Code, the minimum height for buildings shall be two stories. There are several uses that are exempt from this two-story requirement, which include schools, day cares, hospitals/clinics, and other uses as identified in Chapter 24.12.100. It should be noted that bank and general office and retail uses are not exempt from the two-story requirement. The Applicant is proposing a ±3,000 square foot, single-story building with a proposed height of approximately 28 feet. The Applicant is proposing an exemption from the two-story requirement, as they have no anticipated or reasonable use for a second level.

BACKGROUND OR DETAILED INFORMATION:

The property at 660 Rood Avenue is located on the northwest corner of 7th Street and

Rood Avenue. The property is currently improved with a single-story office building that measures approximately 18 feet in height and was constructed in 1963. The site was originally constructed as a retail bank branch known as the Valley Federal Savings and Loan Association. The site totals 0.39 acres in size and is zoned B-2 (Downtown Business). In addition to the B-2 zoning designation, the site is also situated within the Greater Downtown Core Central Business District Overlay.

The Applicant is proposing to demolish the existing building on site, and construct a new one-story retail bank building. The proposed building will have a peak height of 28' 6" but will only have one finished floor; thus by Code is only considered a one-story building. The building is proposed to be approximately 3,000 square feet. Within the Greater Downtown Core Central Business District Overlay, there are specific standards that apply, one of which is that minimum building height in the Downtown Core shall be two stories. There are several uses that are exempt from this two-story requirement as indicated in Chapter 24.12.100 which include the following: Schools, colleges and universities; vocational, technical and trade schools; community activity building; all other community service; museums, art galleries, opera houses, libraries; day care; detention facilities; hospital/clinic; parks and open space; religious assembly; funeral homes/mortuaries/crematories; safety services; utility infrastructure and corridors; car wash, gasoline service station, quick lube; and industrial services, contractors and trade shops with indoor operations and storage. Notably, bank and office uses do not fall under the list of exempt uses. The Code provides for other uses to be exempt for the two-story height standard if the Planning Commission, with input from the Downtown Development Authority, conclude that the proposed use/occupancy is not conducive to a vertical organization of operational space. Additionally, certain criteria are considered in a unique exemption review process. The Applicant is applying for an exemption to the two story requirement, as they claim that the current retail banking use is not conducive to a multi-story building, and they have no reasonable use for a second floor.

It is noteworthy to mention that, per the Zoning and Development Code, building height means "the vertical distance between the mean finished grade between the lowest and highest grades along the foundation and the highest point of the roof or façade." Additionally, the code states that story height is "measured from the top of finished floor to the top of the finished floor above." In absence of there being no specific height requirement and only a requirement for two-stories, since the proposed building only has one finished floor, it has been determined the proposed building is one-story in height. Per the Downtown Standards and Guidelines, the Director may make reasonable exceptions to the provisions of the Zoning and Development Code and the Greater Downtown Overlay District to bulk standards (except for building height) for properties within the Central Business District. However, to seek an exemption for building height (number of stories) the proposal is considered and approved by the Grand Junction Planning Commission with input from the DDA (Downtown

Development Authority) upon a review of a conceptual level development proposal. Although the building proposal, as indicated in the conceptual elevation plan, has the visual characteristics of a two-story building, it will not have two finished floors, and as such, does not align with the “two-story” requirement indicated in the Downtown overlay.

ANALYSIS

Pursuant to Section 24.12.100 of the Grand Junction Municipal Code, an exemption to the two-story requirement for uses or occupancies of a building that is not conducive to a vertical organization of operational space may be considered and approved by the Grand Junction Planning Commission with input from the DDA (Downtown Development Authority) upon a review of a conceptual level development proposal.

If the Planning Commission finds that the proposed use/occupancy is not conducive to a vertical organization of operational space, then the criteria below shall be used to consider exemptions from the bulk standards, landscaping, parking, or other use-specific special regulations. It should be noted that this is separate from the City’s variance process, as with a variance, the decision making body is the Zoning Board of Appeals, and all approval criteria need to be met. The Code provides that the Planning Commission consider these criteria when making its decision.

a. Hardship Unique to Property, Not Self-Inflicted. There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zoning district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;

Based on the General Project Report, the Applicant has stated that the requirement for a two-story building is an exceptional requirement for the proposed retail banking use, in that retail banking is a main floor function that cannot take place on a second story. Therefore, the Applicant believes that imposing a second-story requirement for the proposed use poses as a hardship.

The subject property is a rectangular-shaped, corner lot that totals 0.36 acres. There are no topography issues or other issues on site that create a unique and undue hardship on the Applicant. The retail banking industry has evolved over the last decade, with reliance placed more heavily on mobile banking, as well as drive-thru and walk-up ATM machines. Staff agrees that the retail banking industry typically takes place on a single, ground-level. However, like many buildings in a downtown, the first floor of a building is occupied by a retail, restaurant or office space while second floors are often occupied by uses such as offices or residential uses. In theory, a new building could accommodate a variety of uses on a second level if a second floor were constructed.

Staff has been unable to identify exceptional conditions that are applicable only to the property/use involved that do not apply generally to other land area/uses within the same district. Additionally, staff has been unable to find that the condition or hardship is not being created by the action of the Applicant of the property.

b. Special Privilege. The exception shall not confer on the applicant any special privilege that is denied to other lands or structures within similar zone districts;

The Applicant provides that the exemption request does not grant any special privilege to the property that isn't already being utilized by pre-existing and future retail banking functions in the downtown area. These examples include the Community Banks of Colorado branch at 100 Main Street, and the U.S. Bank retail building at 422 White (which is the smaller building on site situated at the southeast corner of 5th Street and White Avenue). Both are zoned B-2 and within the same Downtown Core Overlay as the subject site. While there are a few examples of existing one-story retail bank branches in the downtown area, they were all built prior to the adoption of the current Downtown Overlay standards, which came into effect in 2013 after extensive review from numerous departments and agencies.

The B-2 (Downtown Business) zone district does not prescribe any minimum story requirements, and in regard to height, the only requirement is that the first floor be 15 feet or higher, which is being met by the proposal. In the case of the subject property, it is the Downtown Overlay that is dictating the two-story requirement. Other sites within the B-2 zone district that are outside of the Downtown Core Overlay would allow the construction of a single-story building. An example of this is the Rio Grande Federal Credit Union located at 760 Rood Avenue. This is a single-story retail bank branch that is zoned B-2 and situated one block east of the subject site.

Any new construction with the same proposed use associated with this exemption, located in a B-2 zoned area and within the same overlay (Greater Downtown Core Central Business District Overlay), would be required to meet the same standards, which include a two-story minimum height requirement.

As such, staff finds that special privilege would be conferred with the granting of this exception.

c. Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar zoning districts and would work unnecessary and undue hardship on the applicant;

Based on the General Project Report, the Applicant has supplied that the literal interpretation of the provision would deprive the Applicant of the single-story retail

banking use rights that are already in place at several locations in the downtown area. This includes the Community Banks of Colorado branch at 100 Main Street, and the U.S. Bank retail building at 422 White Avenue. Both of these sites are situated in the same zone and overlay district of the subject site, but both buildings were constructed prior to the adoption of the Greater Downtown Overlay District, which originated in 2013.

The Greater Downtown Core Central Business District Overlay standards apply when completing a substantial addition, or constructing a new building. Although several downtown buildings do not meet all the standards of both the B-2 zone district and Downtown Core Overlay standards, they are allowed to remain, and are classified as nonconforming sites and/or structures.

The literal interpretation of the Code that includes the two-story height requirement does deprive the Applicant of rights commonly enjoyed by properties that were constructed prior to the current overlay standards put in place in 2013. However, it is the opinion of staff that the two-story height requirement does not deprive the Applicant of rights commonly enjoyed by other new and proposed properties in the B-2 zone district within the Downtown Core Overlay.

It appears the intent of the Code was to encourage the physical creation of a second story, thereby increasing the intensity of uses and concentration of floor area within the downtown overlay area. Said differently, it appears that the intent was intended to address more than just the appearance or architectural computability of buildings in this same area. The result being that the actual height measurement is not as important as the actual construction of two floors as usable space.

d. Greater Downtown Plan Goals. The proposal actually meets overall goals of the plan better than if standards are followed;

Based on the General Project Report, the Applicant states that the proposal in its entirety will fall through if not granted the requested exemption, and the site will remain as it exists today. The site currently contains a single-story building that is 18 feet tall, has two access points off Rood Avenue, and is situated on the north end of the site, greatly setback from Rood Avenue. All these existing site features directly conflict with the Greater Downtown Core Central Business District Overlay standards, which require a two-story building (dependent on use), direct access from the alley only, and a building location with minimal setbacks from roadway frontage.

The proposal, as presented, supports Goal 1 of the Greater Downtown Plan, which reads "Maintain and enhance the economic, cultural and social vitality of the Downtown District." More specifically, the proposal is supported by Policy 1b of Goal 1 which reads "Implement infill and redevelopment policies that support downtown". The

existing building on site was developed in the 1960's as a retail bank branch, and currently sits vacant. Upon the time of Site Plan Review, the Applicant will be required to meet all other applicable standards for the B-2 zone district and the Greater Downtown Core Central Business District Overlay. Should the proposed redevelopment move forward, it would be required to conform with today's design standards which is significantly more compliant with the intent of the Overlay regulations than what is currently on site.

Additionally, the proposal supports Goal 3 of the Greater Downtown Plan, which reads "Develop a pedestrian-oriented, walkable Downtown Core". As mentioned, the existing building sits far from Rood Avenue and does not support pedestrian activity. The proposal will replace the existing building with one that will be placed at the southeast corner of the site, minimizing the setbacks on both 7th Street and Rood Avenue. It will also eliminate two curb cuts off Rood Avenue that conflict with the walkability of the site.

Goal 2 of the Greater Downtown Plan states "Require density/intensity in the Downtown District as prescribed by the Comprehensive Plan, primarily in the Central Business District." This goal is supported in part, but not in full, by the exemption request. Policy 2c of Goal 2 reads "Require minimal or no building setbacks within the Downtown Core to maximize site intensity/density". The proposal does meet this policy, as the new building will be placed with minimal setbacks along 7th Street and Rood Avenue. However, Policy 2b of Goal 2 reads "Require minimums in height and density/intensity for new development in the CBD." Although the building height is being increased significantly from the existing building (increasing from 18 feet to over 28 feet) and the building will be visually compatible with the goals of the Plan, there will not be a second story of usable space, and as such, density will not be increased from a floor area ratio standpoint.

Staff has concluded that the proposal is consistent and works to implement many of the goals and policies of the Greater Downtown Plan. However, staff is not able to find that the overall development proposal is better than if the standards of the Greater Downtown Plan were followed.

e. Conformance with the Purposes of the Zoning Overlay and the Zoning and Development Code. The granting of an exception shall not conflict with the purposes and intents expressed or implied in this zoning overlay or the Zoning and Development Code; and

As indicated in the Zoning and Development Code, one of the purposes of establishing zoning regulations is to "conserve and enhance economic, social and aesthetic values." The proposal conforms to this purpose, as substantial redevelopment is proposed for an existing non-conforming building and site with little to no economic activity occurring

on the site. The proposed redevelopment will unquestionably bring in new economic activity to the downtown core. Additionally, the overall proposal conforms to the bulk standards and performance standards of the B-2 zone district. This includes the requirement of a minimum first floor height of 15 feet.

The overlay zoning districts that apply to the entire City are meant to incorporate standards that identify design alternatives and specific design criteria for the visual character and physical treatment of private development within the Greater Downtown area. Although the proposal requests an exemption to the two-story height requirement, the proposal will be visually compatible with a two-story building. Furthermore, the architectural design elements of the entire proposal meet the architectural character of the zoning overlay.

Staff finds that the granting of the proposed exemption does not conflict with the purposes and intents expressed in both the zoning overlay and Zoning and Development Code.

f. Conformance with the Comprehensive Plan. The granting of an exception shall not conflict with the goals and principles in the City's Comprehensive Plan.

The Applicant provides that the exemption request does not conflict with the goals, policies and guiding principles of the City's Comprehensive Plan. Staff also finds that the overall proposal conforms with several goals and policies of the comprehensive plan, and is not directly contradictory to any of the articulated goals and policies.

Goal 4 reads "Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing, and tourist attractions." The proposed development will demolish an existing non-conforming site and building that is currently vacant. A new building will provide the addition of more jobs and bring more vibrancy to the 7th Street and Rood Avenue intersection.

Additionally, Goal 8 of the Comprehensive Plan reads "Create attractive public spaces and enhance the visual appeal of the community through quality development." The existing conditions of the subject site are in direct conflict with many aspects of the Greater Downtown Plan. The new proposal conforms with the goals and policies of the Greater Downtown plan in terms of site access, architecture, and building location on site. This directly relates to Goal 8, Policy F which states, "Encourage the revitalization of existing commercial and industrial areas."

Per the Comprehensive Plan, one strategy to keep the Downtown healthy is to expand retail and services to capture underutilized parcels and create additional pedestrian-oriented retail activity. The proposal is expanding retail banking services in the downtown core, and is enhancing the character of the area by improving the

streetscape and visual appeal of the subject property and surrounding area.

The Comprehensive Plan does not explicitly address zoning and bulk standards on properties, therefore Staff finds that there is not an apparent conflict between the requested exemption and the goals and principles of the Comprehensive Plan.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing VAR-2019-437, a request for an exemption to the two-story height requirement for a proposed one-story retail bank building situated in a B-2 zone district within the Greater Downtown Core Central Business District Overlay, staff finds that some of the exemption criteria have been met, while others have not. As provided, the Planning Commission should consider the requisite criteria and staff's findings in deliberating this request for an exemption.

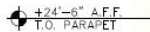
SUGGESTED MOTION:

Madam Chairman, on the request for a height exemption, VAR-2019-437, I move to approve the two-story height exemption request as proposed.

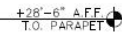
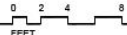
Attachments

1. Maps-Exhibits
2. Application Packet
3. Neighborhood Letters & Meeting Minutes
4. Applicant Criteria Analysis

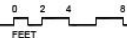
ELEVATION PLAN



1



2 PROPOSED
SCALE: 1/8" = 1'-0"



ROOD AND 7TH

CHASE

660 RHOOD AVE.

APV
ARCHITECTURE PLANNING INTERIORS

T: 480.993.0700
WWW.APM.COM

PRELIMINARY DNOT
FOR CONSTRUCTION
NOR RECORDING

DRAWN JJ
DATE 14.AUGUST.2019
PROJECT 19101.00

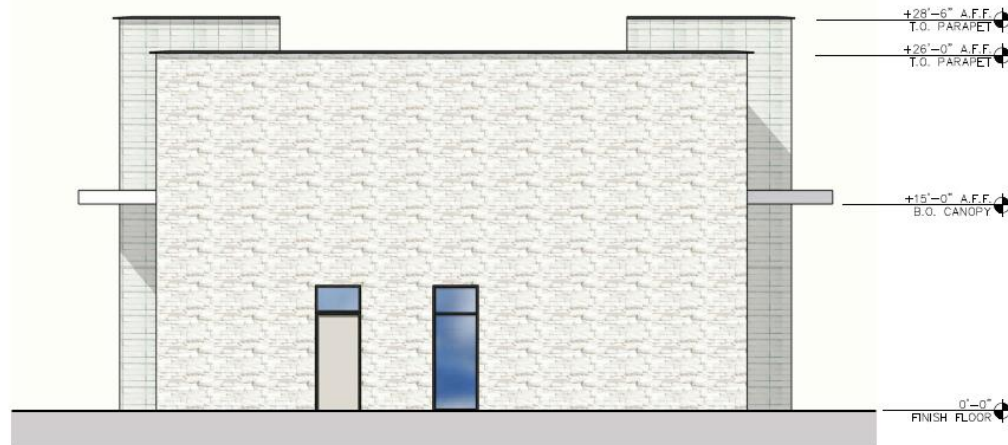
BUILDING ELEVATIONS

A2.1

ELEVATION PLAN

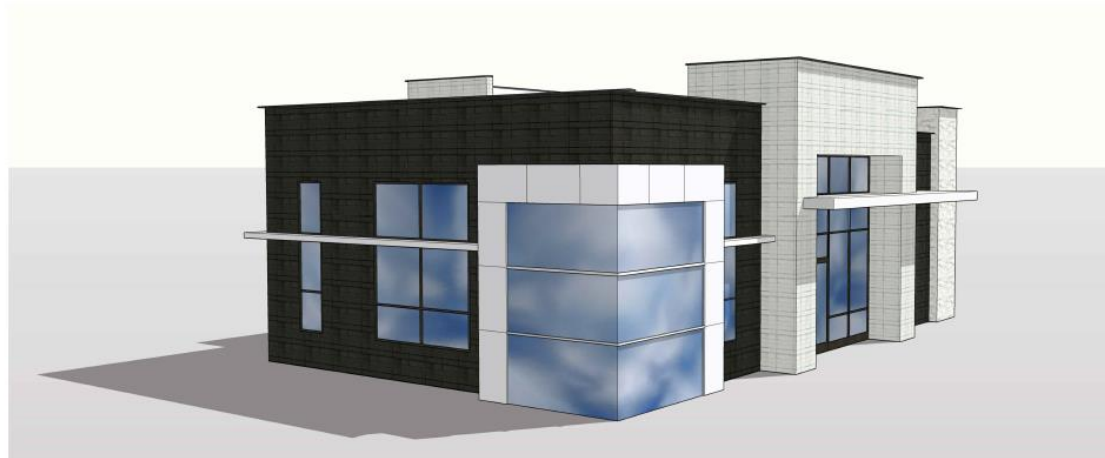


1 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

ELEVATION PLAN



1 PROPOSED PERSPECTIVE □SOUTHEAST
SCALE: N.T.S.



2 PROPOSED PERSPECTIVE □SOUTHWEST
SCALE: N.T.S.

THESE PLANS ARE PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THE PLANS MUST BE APPROVED BY THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER SOURCES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER SOURCES.

ROOD AND 7TH
CHASE
666 ROOD AVE
GRAND JUNCTION CO 81501

APMI
ARCHITECTURE PLANNING INTERIORS
700 N. 1ST AVE
SCOTTSDALE, AZ 85261

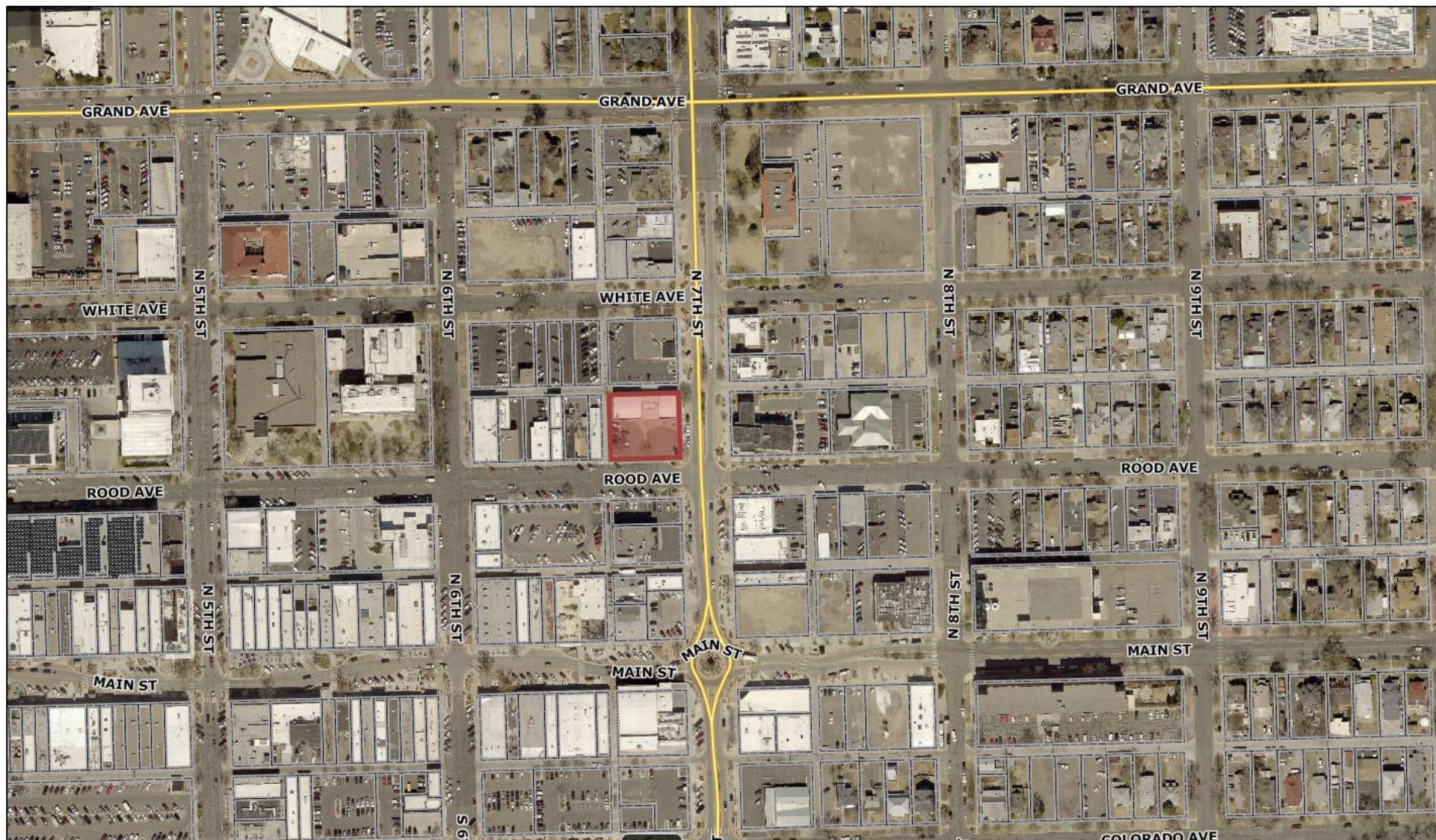
PRELIMINARY (NOT
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NOR RECORDING

DRAWN JJ
DATE 14 AUGUST 2019
PROJECT 19101.00

BUILDING
ISOMETRIC

A2. □

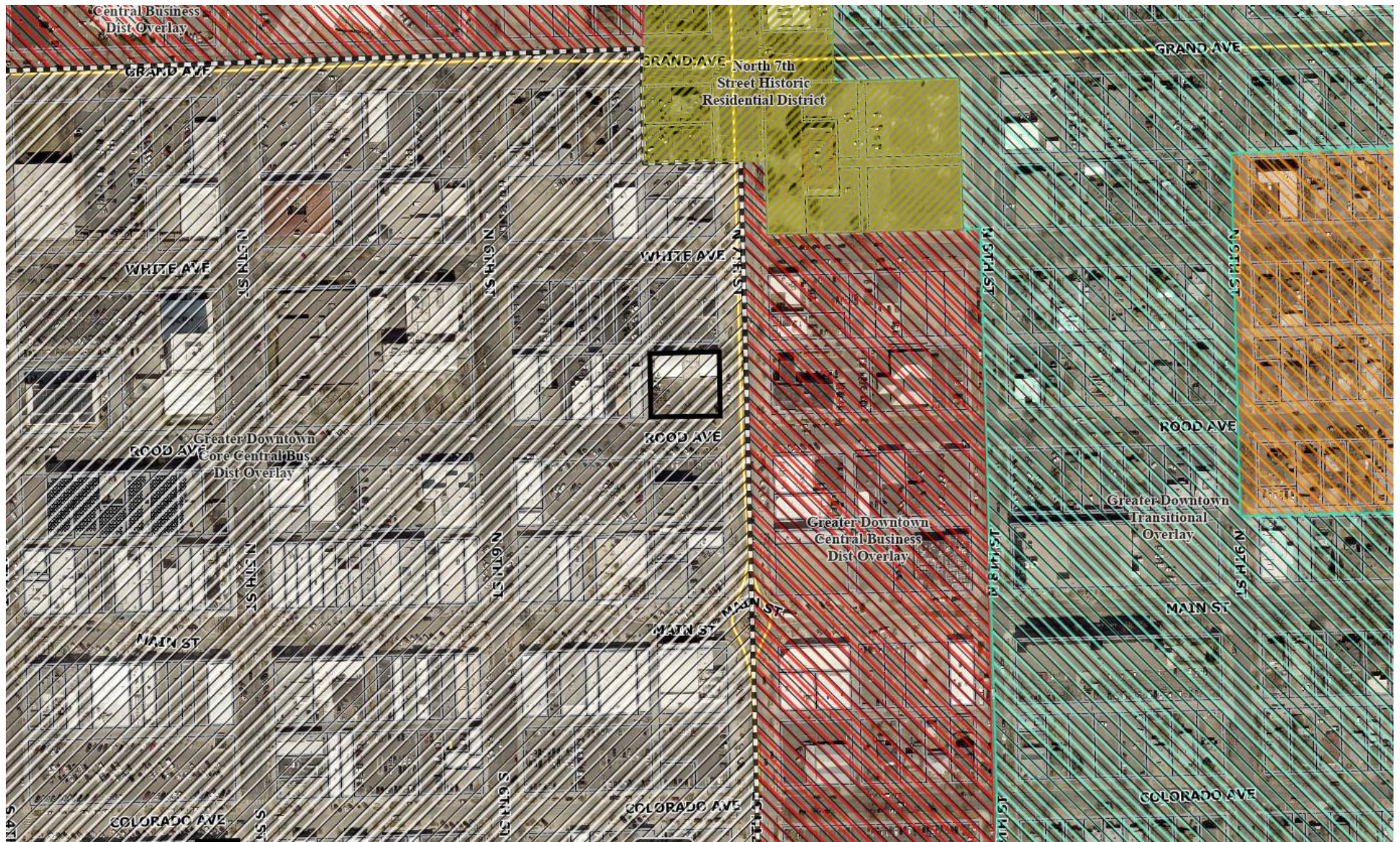
AERIAL PHOTO



ZONE DISTRICTS MAP



ZONING OVERLAY MAP



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below **only** for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Digitally signed by Tracy States
Date: 2019.07.29 12:27:51 -06'00'

Date

Signature of Legal Property Owner

Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) 660 Rood Ave, LLC ("Entity") is the owner of the following property:

(b) 660 Rood Avenue, Grand Junction, CO 81501

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Manager for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Variance/Height Exemption

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) None

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: 

Printed name of person signing: Tim Foster, Manager

State of Colorado)

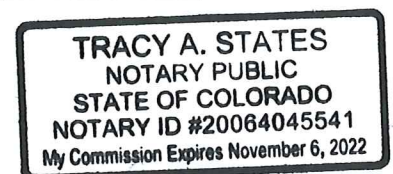
County of Mesa) ss.

Subscribed and sworn to before me on this 29th day of July, 20 19
by Tim Foster

Witness my hand and seal.

My Notary Commission expires on 11/06/2022

Tracy A. States
Notary Public Signature



WHEN RECORDED **660 ROOD AVE, LLC**
 RETURN TO: **301 EAST DAKOTA DRIVE**
GRAND JUNCTION, CO 81507



STATEMENT OF AUTHORITY
 (§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
660 ROOD AVE, LLC
2. The type of entity is a:

☐ Corporation ☐ Nonprofit Corporation ☒ Limited Liability Company ☐ General Partnership ☐ Limited Partnership ☐	☐ Registered Limited Liability Partnership ☐ Registered Limited Liability Limited Partnership ☐ Limited Partnership Association ☐ Government or Governmental Subdivision or Agency ☐ Trust
---	---
3. The entity is formed under the laws of **Colorado**
4. The mailing address for the entity is **301 EAST DAKOTA DRIVE, GRAND JUNCTION, CO 81507**
5. The ☒ name ☒ position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **TIM FOSTER, MANAGER**
6. The authority of the foregoing person(s) to bind the entity: ☒ is² not limited ☐ is limited as follows: None
7. Other matters concerning the manner in which the entity deals with interests in real property: None
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

(Signature and Notary Acknowledgement on Second Page)

¹This form should not be used unless the entity is capable of holding title to real property.

²The absence of any limitation shall be prima facie evidence that no such limitation exists.

³The statement of authority must be recorded to obtain the benefits of the statute.



Executed this 7th day of Dec 2018

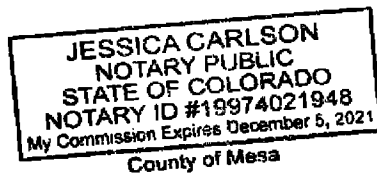

TIM FOSTER, MANAGER

State of **COLORADO**)
)ss
County of **Mesa**)

The foregoing Instrument was acknowledged before me on this 7th day of Dec 2018
by **TIM FOSTER, MANAGER OF 660 ROOD AVE, LLC**

Witness my hand and official seal.
My Commission expires 12-5-21


Notary Public





State Documentary Fee
Date: December 07, 2018
\$76.75

Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

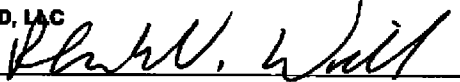
THIS DEED, made on **December 7th, 2018** by **660 ROOD, LLC**, Grantor(s), of the County of **Mesa** and State of **Colorado** for the consideration of **(\$767,500.00) ***Seven Hundred Sixty Seven Thousand Five Hundred and 00/100***** dollars in hand paid, hereby sells and conveys to **660 ROOD AVE, LLC** Grantee(s), whose street address is **301 E DAKOTA, Grand Junction, CO 81507**, County of **Mesa**, and State of **Colorado**, the following real property in the County of **Mesa**, and State of **Colorado**, to wit:

LOTS 16 THROUGH 20, INCLUSIVE, IN BLOCK 94 OF THE CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **660 ROOD AVE, GRAND JUNCTION, CO 81501**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2018 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; Any special assessment if the improvements were not installed as of the date of Buyer's signature on the Contract to Buy and Sell Real Estate, whether assessed prior to or after Closing; and other NONE*

660 ROOD, LLC


RHADD V. WILLER, MANAGER

State of Colorado)

)
)ss.
)

County of MESA)

The foregoing instrument was acknowledged before me on this day of **December 7th, 2018** by **RHADD V. WILLER AS MANAGER OF 660 ROOD, LLC**

Witness my hand and official seal

My Commission expires: 12-5-21


Notary Public

JESSICA CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19974021948
My Commission Expires December 5, 2021

County of Mesa

When recorded return to: **660 ROOD AVE, LLC**
301 E DAKOTA, Grand Junction, CO 81507



THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY APIM, INC., AND/OR ITS CONSULTANT, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. THE DRAWING REMAINS THE PROPERTY OF APIM, INC., AND SHALL BE RETURNED TO THEM UPON COMPLETION OF THE CONSTRUCTION WORK. PURSUANT TO THE ARCHITECTURAL WORKS COPYRIGHT ACT OF 1990, ALL DRAWINGS, SPECIFICATIONS, IDEAS AND DESIGNS, INCLUDING THE OVERALL FORM, ARRANGEMENT AND COMPOSITION OF SPACES AND ELEMENTS APPEARING HEREIN CONSTITUTE THE ORIGINAL COPYRIGHTED WORK OF APIM, INC., AND/OR ITS CONSULTANT. ANY REPRODUCTION, USE, OR DISCLOSURE OF INFORMATION CONTAINED HEREIN WITHOUT PRIOR WRITTEN CONSENT FROM APIM, INC. IS STRICTLY PROHIBITED. ©2019 APIM, INC.

+24'-6" A.F.F.
T.O. PARAPET



+28'-6" A.F.F.
T.O. PARAPET

+15'-0" A.F.F.
B.O. CANOPY

+3'-4" A.F.F.
B.O. WINDOW

0'-0"
FINISH FLOOR

1 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"
0 2 4 8
FEET



+28'-6" A.F.F.
T.O. PARAPET

+24'-6" A.F.F.
T.O. PARAPET

+17'-6" A.F.F.
T.O. WINDOW

+12'-0" A.F.F.
B.O. CANOPY

+3'-4" A.F.F.
B.O. WINDOW

0'-0"
FINISH FLOOR

2 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"
0 2 4 8
FEET

ROOD AND 7TH

CHASE

660 ROOD AVE.
GRAND JUNCTION, CO. 81501

APIM
ARCHITECTURE PLANNING INTERIORS

T: 480.966.0709
WWW.APIM.COM

800 NORTH HAYDEN ROAD, SUITE A209
SCOTTSDALE, ARIZONA 85258

PRELIMINARY NOT
FOR CONSTRUCTION
NOR RECORDING

DRAWN JJ
DATE 14.AUGUST.2019
PROJECT 19101.00

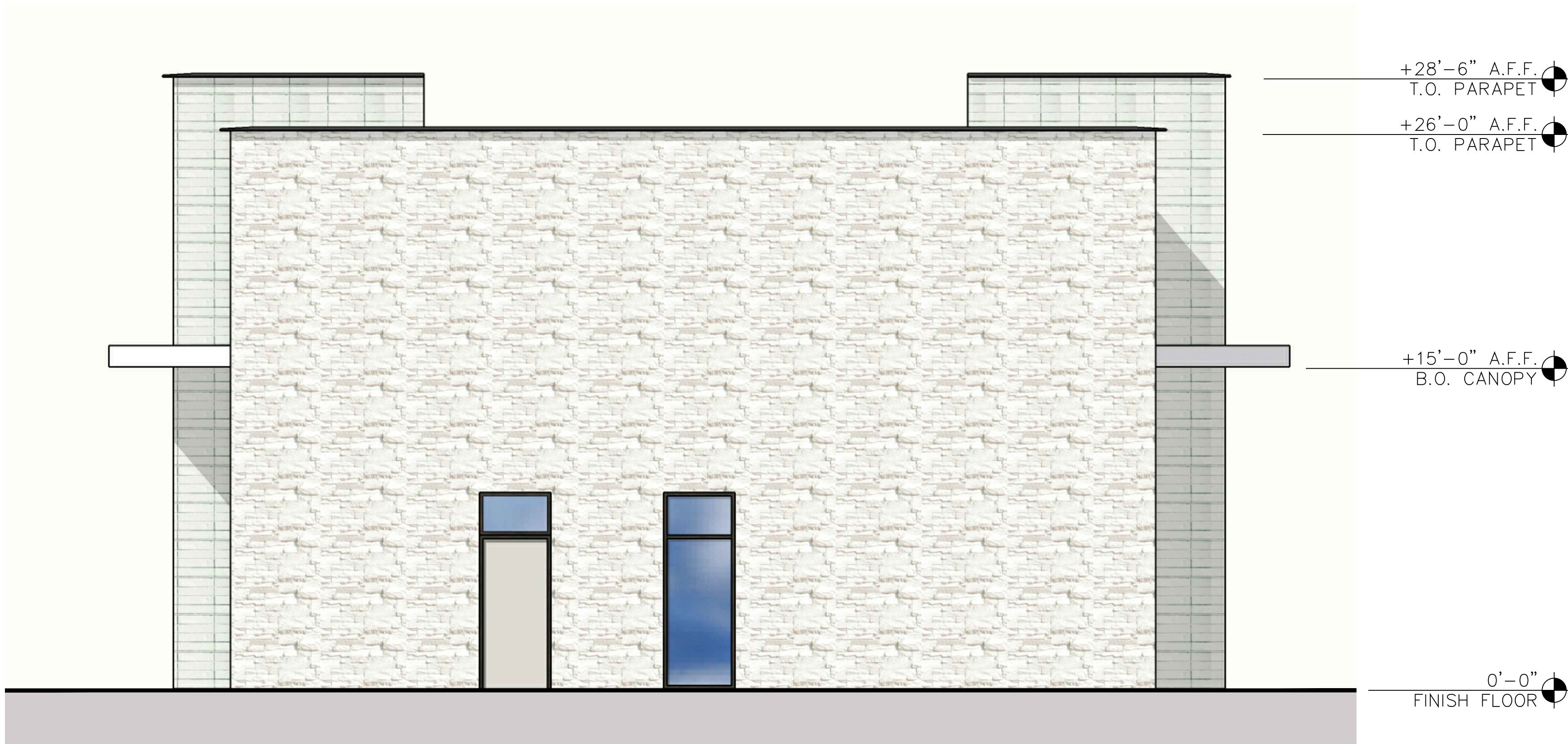
BUILDING
ELEVATIONS

A2.1

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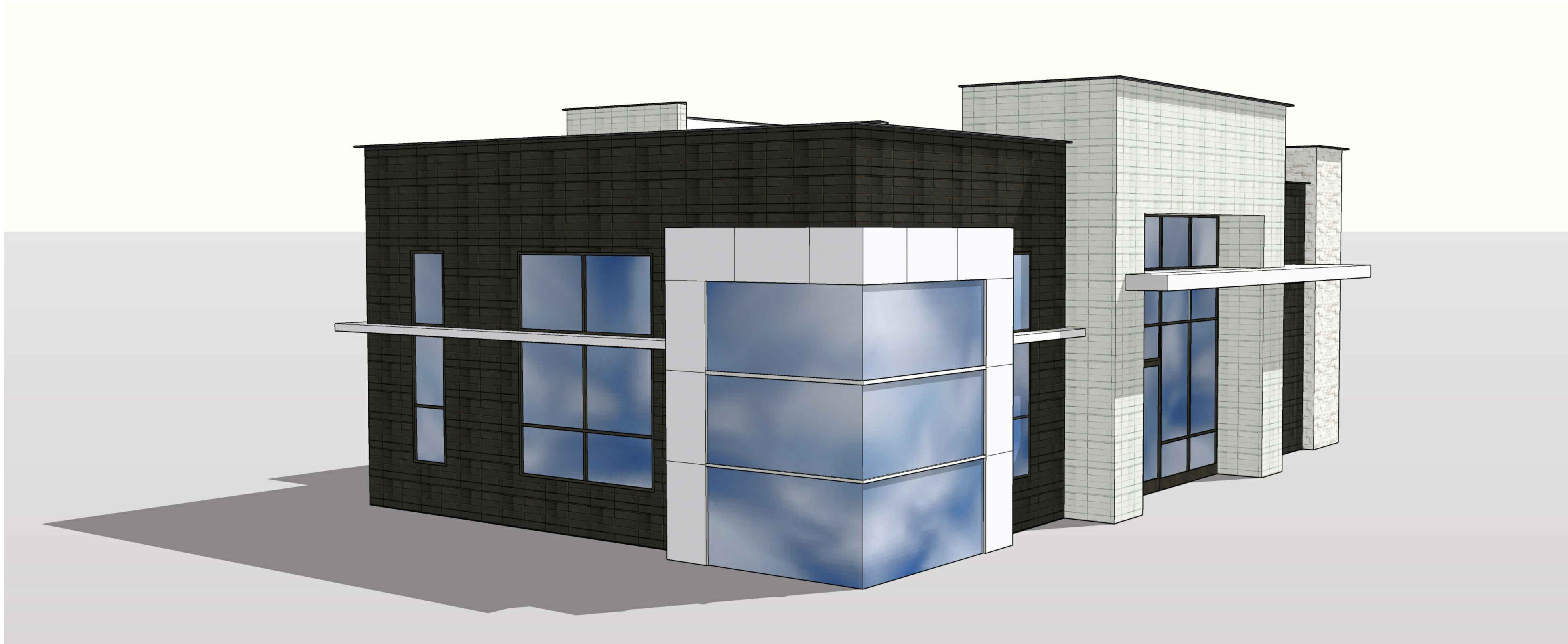


1 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"
0 2 4 8
FEET



2 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"
0 2 4 8
FEET

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1 PROPOSED PERSPECTIVE □ SOUTHEAST
SCALE: N.T.S.



2 PROPOSED PERSPECTIVE □ SOUTHWEST
SCALE: N.T.S.

ROOD AND 7TH

CHASE

660 ROOD AVE.
GRAND JUNCTION, CO. 81501

APIM
ARCHITECTURE PLANNING INTERIORS

800 NORTH HAYDEN ROAD, SUITE A209
SCOTTSDALE, ARIZONA 85258

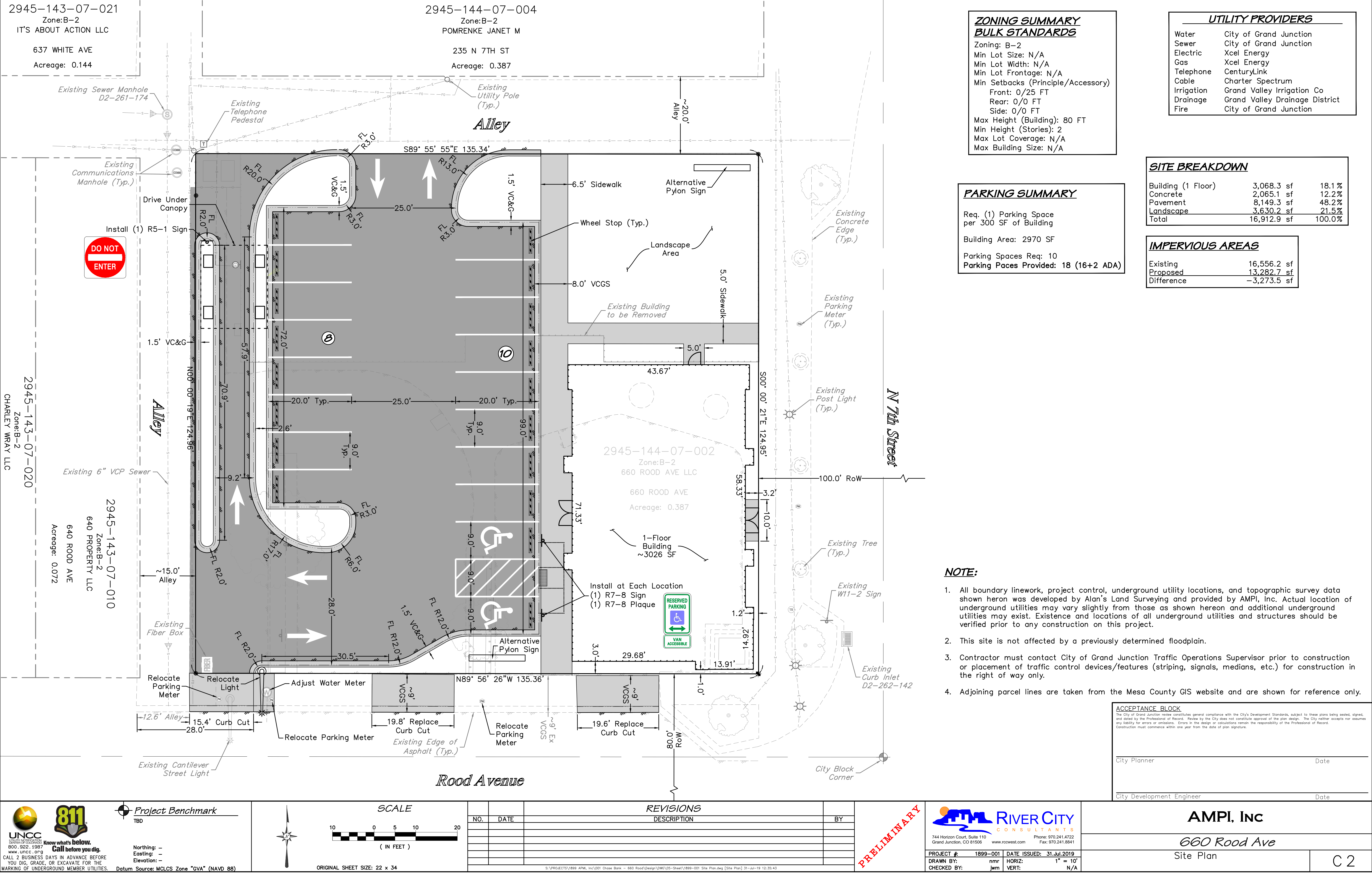
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NOR RECORDING

DRAWN JJ
DATE 14.AUGUST.2019
PROJECT 19101.00

□UILDING
ISOMETRIC

A2. □



ZONING SUMMARY	
BULK STANDARDS	
Zoning:	B-2
Min Lot Size:	N/A
Min Lot Width:	N/A
Min Lot Frontage:	N/A
Min Setbacks (Principle/Accessory):	
Front:	0/25 FT
Rear:	0/0 FT
Side:	0/0 FT
Max Height (Building):	80 FT
Min Height (Stories):	2
Max Lot Coverage:	N/A
Max Building Size:	N/A

UTILITY PROVIDERS	
Water	City of Grand Junction
Sewer	City of Grand Junction
Electric	Xcel Energy
Gas	Xcel Energy
Telephone	CenturyLink
Cable	Charter Spectrum
Irrigation	Grand Valley Irrigation Co
Drainage	Grand Valley Drainage District
Fire	City of Grand Junction

SITE BREAKDOWN		
Building (1 Floor)	3,068.3 sf	18.1%
Concrete	2,065.1 sf	12.2%
Pavement	8,149.3 sf	48.2%
Landscape	3,630.2 sf	21.5%
Total	16,912.9 sf	100.0%

PARKING SUMMARY	
Req. (1) Parking Space per 300 SF of Building	
Building Area: 2970 SF	
Parking Spaces Req: 10	
Parking Paces Provided: 18 (16+2 ADA)	

IMPERVIOUS AREAS	
Existing	16,556.2 sf
Proposed	13,282.7 sf
Difference	-3,273.5 sf

- NOTE:**
- All boundary linework, project control, underground utility locations, and topographic survey data shown hereon was developed by Alan's Land Surveying and provided by AMPI, Inc. Actual location of underground utilities may vary slightly from those as shown hereon and additional underground utilities may exist. Existence and locations of all underground utilities and structures should be verified prior to any construction on this project.
 - This site is not affected by a previously determined floodplain.
 - Contractor must contact City of Grand Junction Traffic Operations Supervisor prior to construction or placement of traffic control devices/features (striping, signals, medians, etc.) for construction in the right of way only.
 - Adjoining parcel lines are taken from the Mesa County GIS website and are shown for reference only.

ACCEPTANCE BLOCK	
The City of Grand Junction review constitutes general compliance with the City's Development Standards, subject to these plans being sealed, signed, and dated by the Professional of Record. Review by the City does not constitute approval of the plan design. The City neither accepts nor assumes any liability for errors or omissions. Errors in the design or calculations remain the responsibility of the Professional of Record. Construction must commence within one year from the date of plan signature.	
City Planner	Date
City Development Engineer	Date

811
UNCC
Know what's below.
Call before you dig.
www.uncc.org
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Project Benchmark
TBD

Northings: —
Eastings: —
Elevation: —
Datum Source: MCLCS Zone "GVA" (NAVD 88)

SCALE

10 0 5 10 20
(IN FEET)

ORIGINAL SHEET SIZE: 22 x 34

NO.	DATE	DESCRIPTION	BY

PRELIMINARY

744 Horizon Court, Suite 110
Grand Junction, CO 81506
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

AMPI, Inc

660 Rood Ave

Site Plan

C 2

PROJECT #: 1899-001
DRAWN BY: nmr
CHECKED BY: jwm

DATE ISSUED: 31.Jul.2019
HORIZ: 1" = 10'
VERT: N/A

General Project Report Height Exemption/Variance

**Chase Bank
Tax Parcel No. 2945-144-07-002
660 Rood Avenue, Grand Junction, CO
July 30, 2019**

A. Project Description

1. The project is located at 660 Rood Avenue. It is proposed to construct a single-story bank with single lane drive through on 0.39 acre. The existing building will be demolished. The parcel is zoned B-2 (Downtown Business) and is subject to the Greater Downtown Core Overlay guidelines. The applicant is requesting an exemption from the requirement that a building be a minimum of two stories.
2. The parcel contains approximately 0.39 acre.
3. The existing B-2 zoning allows for this type use by right.

B. Public Benefit

The public will benefit from this additional banking location downtown within walking distance of shopping and restaurants. The project will aesthetically improve this corner in the downtown core area. The proposed project will make optimal use of the existing infrastructure.

C. Neighborhood Meeting

A neighborhood meeting was held, and minutes and exhibits are included with this submittal.

D. Project Compliance, Compatibility, and Impact

1. **Adopted plans and/ or policies are being met-** The project complies with the adopted codes and zoning requirements for this property with the exception of the requested height exemption.
2. **Land use in the surrounding area-** The land use in the surrounding is a mix of various business and office uses including banks, restaurants, parking lots, etc., typical of a downtown setting. There are several

existing one-story buildings in the immediate vicinity. This proposal is compatible with the current uses in the immediate and surrounding areas.

3. **Site access and traffic patterns-** Access is proposed from the existing alley ways, eliminating vehicular access onto N. 7th Street. Sufficient area exists within the site and alleys for required parking and fire department turn around. The approval of the building Height Exemption will have minimal effect on existing traffic patterns.

4. **Availability of utilities, including proximity of fire hydrants-**

The subject parcel is and/or will be served by the following:

City of Grand Junction Water
City of Grand Junction Sanitation District
Xcel Energy
Spectrum
CenturyLink
City of Grand Junction Fire
Grand Valley Irrigation Company
Grand Valley Drainage District

All utilities are existing in this corridor and extended to the site. A fire hydrant is located on the southeast corner of N. 7th Street and Rood with a flow of 4,962.46 at 20 PSI (Hydrant D2-262-003)

5. **Special or unusual demands on utilities-** The demands of the proposed bank on utilities are similar in nature to that of surrounding development and also the existing building when it was occupied. The infrastructure is in place to meet the demand.
6. **Effects on public facilities-** The effect on public facilities, i.e. police and fire, as a result of the approval of the Height Exemption for the subject parcel will be minimal.
7. **Hours of operation-** The hours of operation are Monday through Friday, 9:00 am to 6:00 pm and on Saturday from 9:00 am to 1:00 pm. The bank will be closed on Sunday.
8. **Number of employees-** To be determined.
9. **Signage plans-** Not applicable for this submittal.
10. **Site Soils Geology-** Not applicable for this submittal.
11. **Impact of project on site geology and geological hazards-** Not applicable for this submittal.

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

24.12.100 Central Business District Core Area (Downtown Core or Core Area) standards. (a) Building Height.

(2) The following criteria shall be used by the Planning Commission to consider exemptions from the bulk standards, landscaping, parking or other use-specific special regulations:

- 1) **Hardship Unique to Property, Not Self-Inflicted** – The requirement for a two-story building is an exceptional requirement for the retail banking use of the property. Retail banking is a main floor function that cannot take place on a second story. Therefore, imposing a second story requirement for the applicants use of the property poses a hardship.
- 2) **Special Privilege** – Providing the exception at this location does not confer on the applicant any special privilege to the applicant that isn't already being utilized by pre-existing and future retail banking functions in the downtown area.
- 3) **Literal Interpretation** – Literal interpretation of the provision would deprive the applicant of the single-story retail banking use rights that have already been granted at the following locations: 1st and Main, 5th and White, 8th and Rood. The original use of the existing building was for Valley Federal Savings and Loan Association (please see attached photos and history card).
- 4) **Greater Downtown Plan Goals** – If the standard is followed then the current 18' tall single-story building will remain in its current location on the lot with two direct curb cut access points to Rood Avenue in contradiction to the Greater Downtown Plan Goals. The proposal calls for a much taller structure that will be placed at the active corner of Rood and 7th and with ingress/egress points that are shared with the alleyways.
- 5) **Conformance with the Purposes of the Zoning Overlay and the Zoning and Development Code** – The exception will not conflict with the purposes and intents expressed or implied in the zoning overlay or the Zoning and Development Code.
- 6) **Conformance with the Comprehensive Plan** – The granting of an exception will not conflict with the goals and principals in the City's Comprehensive Plan.

F. Development Schedule and Phasing
It is desired to construct the bank in 2019.







2945-144-07-002
PARCEL NUMBER

~~10100~~
10200
T.A.C.

~~VALLEY FEDERAL SAV &~~

~~LOAN ASSN~~

~~BOX 1139~~

GR JCT COLO

81501

10108
634 Main St #100 owner
(1/28/86)P

LOTS 16 TO 20 INC BLK 94 GRAND JUNCTION

ETAL: Carroll E. Multz
Harold P. Moore
Ruth L. Moore
Margaret L. Moore

GRANTEE	BOOK	PAGE	DATE	KIND OF INSTRUMENT	REMARKS
FOSTER, STEVE P.	1029	45	2/11/75	WD	\$210,000
CRAIG, CLARENCE D. ETAL	1064	762	5/24/76	WD	\$250,000
SAME	1066	813	7/14/76	WD	NO FEE
SAME	1092	192	3/23/77	QCD	NO FEE
CALLAHAN, WAYNE D. & PATRICIA A.	1109	75	9/8/77	WD	\$13,900
SAME	1237	202	3/17/80	WD	25,000 (14 int)
MULTZ, CARROLL E. ETAL	1413	441	4/19/83	WDTC	\$450,000



EXHIBIT A
CHASE BANK BUILDING HEIGHT EXEMPTION
660 ROOD AVENUE, GRAND JUNCTION, CO

SUMMARY OF NEIGHBORHOOD MEETING
THURSDAY, AUGUST 8, 2019
MESA COUNTY LIBRARY – MESA ROOM
LOCATED AT 442 N. 6TH STREET @ 5:30 PM

A neighborhood meeting for the above-referenced Height Exemption application was held Thursday, August 8, 2019 at the Mesa County Library, located at 442 N. 6th Street at 5:30 PM. A letter notifying the neighboring property owners within the surrounding 500 feet of 660 Rood Avenue was sent on July 29, 2019, per the mailing list received from the City of Grand Junction.

The meeting included a brief presentation and a question and answer session. Tracy States, Project Coordinator with River City Consultants, made introductions of Adam Siros with APMI, the project Architect, Mike Foster, the property owner, and Brad Gubser representing Chase Banks. In attendance for the City was Landon Hawes, Planner. There were five neighboring property owners that attended the meeting. An attendance list and PDFs of the exhibits used at the meeting are provided as part of this Exhibit.

Mr. Siros gave a brief presentation of the proposed bank and explained the intent of Chase Bank to have their first anchor bank in Grand Junction as an important presence along the I-70. He shared the preliminary building elevations and site plan and how the more modern bank and corner location would improve the corner of 6th and Rood and make it more pedestrian friendly. Mr. Gubser shared Chase Bank's vision of the bank being a gathering/meeting place for the general public in addition to providing banking services. Ms. States touched on the height exemption request and why it was being made. Mr. Hawes passed out some handouts regarding the code requirement.

The only concern expressed was with regards to the alley running north and south, and it becoming a one-way travel lane. Mr. Siros explained that the alley is not part of the property and no changes would result because of the construction of the bank and single drive-through lane. The remaining comments made were in support of the project. The anticipated construction schedule was discussed with plans for demolition this fall and construction to begin as soon as possible in the spring of 2020.

The meeting adjourned at approximately 5:50 PM.

**Thursday, August 8, 2019 – Chase Bank Building Height Exemption
Neighborhood Meeting @ 5:30 PM
Mesa County Library, Mesa Room
Located at 442 N. 6th Street, Grand Junction, CO**

Name	Address	Phone #/Email (Optional)
1. Brad Gulasen	4515 Paramount, Colorado Springs	812 205 3148
2. ^{Heiden Homes} KATHY TOMKINS Realty	735 Road Ave GJ	245-7777
3. Landon Hanes	City of Grand Junction	
4. Adam Sings	8200 North Hayden Rd Scottsdale AZ	480-226-0185
5. Shane Altheiliger	602 Main St GJ CO 81501	245-0109
6. STEVE KENDRICK	640 Road	
7. DAVE HUEKAMP	4341 Main St	261-1081
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**Thursday, August 8, 2019 – Chase Bank Building Height Exemption
Neighborhood Meeting @ 5:30 PM
Mesa County Library, Mesa Room
Located at 442 N. 6th Street, Grand Junction, CO**

Name	Address	Phone #/Email (Optional)
1. Tim Haggerty	250 E. Follen Creek Rd	info@timothyhaggerty.com
2. Tracy States	RCC	tstates@rccwest.com
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May 22, 2019

RE: Support for Variance Request for 660 Rood Ave

Downtown Grand Junction (DDA/BID) would encourage the approval of a variance request for 660 Rood Ave, which is slated to be redeveloped into a JP Morgan Chase retail banking branch. The applicant is asking for an exemption from the two-story height requirement outlined in Paragraph A of Chapter 24.12.100 of the City of Grand Junction Zoning and Development Code.

Downtown Grand Junction supports the exemption as it will result in a more aesthetically pleasing building along our 7th Street gateway while also allow providing more employment and services in our Downtown core. The current building is vacant and does not produce any sort of economic benefit to Downtown and is unlikely to be redeveloped in the near future if this project does not go forward. The proposed site would be conducive to a one-story building as it fits the existing site profile and is scaled appropriately in relation to nearby buildings. Furthermore, Downtown has received feedback from neighboring businesses that an exemption would be viewed favorably.

Please do not hesitate to reach out if you have additional questions.

Sincerely,

Brandon Stam

Brandon Stam
Executive Director
Downtown Grand Junction



EXHIBIT A
CHASE BANK BUILDING HEIGHT EXEMPTION
660 ROOD AVENUE, GRAND JUNCTION, CO

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Mesa County Library, Mesa Room
Located at 442 N. 6th Street, Grand Junction, CO**

Name	Address	Phone #/Email (Optional)
1. Tim Haggerty	250 E. Fellen Brook Rd	info@timothyhaggerty.com
2. Tracy States	RCC	tstates@rccwest.com
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Please do not hesitate to reach out if you have additional questions.

Sincerely,

Brandon Stam

Brandon Stam
Executive Director
Downtown Grand Junction

Adam Hobbs
State Farm Insurance
640 Rood Avenue
Grand Junction, CO 81501
6/26/2019

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara:

I am a tenant and hopefully future owner of the building at 640 Rood Avenue where my insurance business is located.

It has come to my attention that a redevelopment of the property located next store to the east at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one story bank on the property with a drive up ATM that will by necessity be directly accessible from Rood Avenue.

From reviewing the site plan for the property, I believe that this redevelopment through its facade reorientation and improvement in exterior materials will promote and protect the identity of the greater downtown and support my business by presenting a positive aesthetic and design impact on the 7th Street and Rood Avenue corridors.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor as well as accommodating bikes and pedestrians by reducing access points to Rood Avenue and improving the pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

Tamara Allen

6/26/2019

Page 2

Additionally it is readily apparent that the downtown overlay presents a hardship for the banking use that is intended for the property as the overlay regulation precludes the vehicle access that is necessary to conduct commercially acceptable banking business at the property, and the overlay imposes a second story requirement that does not correspond to the economically beneficial single story use that is intended there.

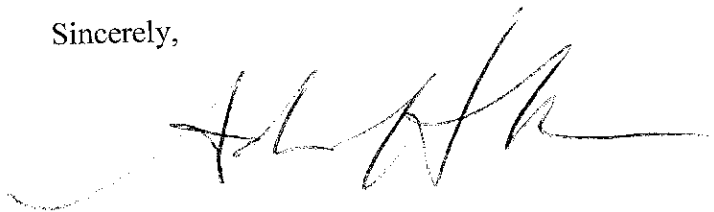
Additionally, it is my observation that the intended design and use of the property is not a special privilege as the main floor banking use with drive up ATM is in place at multiple properties in the downtown area and the literal interpretation of the downtown overlay regulations would deprive the applicant of rights that are commonly enjoyed by other downtown properties.

I am especially excited to see that the site plan provides adequate parking for the business as parking is becoming scarce downtown.

Lastly, because it promotes the continued development of the downtown area with jobs and banking services this redevelopment is not in conflict with the goals and principals of the City's Comprehensive Plan.

In summary I am requesting that the Grand Junction Community Development Department lend its support to this redevelopment proposal at Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Hobbs', with a long horizontal flourish extending to the right.

Adam Hobbs
State Farm Insurance
640 Rood Avenue, Grand Junction, CO.



Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

Re: Development Application for 660 Rood Avenue

Dear Tamara:

I am a long-term tenant at 618 Rood Avenue and I have owned and rented property in downtown Grand Junction for 30 years. My current business is Advanced Title Company.

It has come to my attention that a redevelopment of the property located one-half block to the east at 660 Rood Avenue is in progress and that the planned one-story building may be a cause of concern to City Planning.

I ask that you give due consideration to the benefits of having a first-class development at this very visible corner and what appears to be a correction to the Rood Avenue access points that are problematic to current traffic patterns. I have experience with my own commercial developments in the past and I know that solutions can be found that satisfy private development while meeting the spirit of City regulations and design guidelines. I have no financial connection with this new development. My motive in sending you this letter is the hope that downtown can continue to be the best living and business environment that economic conditions allow.

I ask that the Grand Junction Community Development Department supports this redevelopment proposal.

Yours truly,

Advanced Title Company

A handwritten signature in blue ink, appearing to read "R. Reece", is written over the printed name.

Robert C. Reece

From: [Tim Haggerty](#)
To: [Tracy States](#)
Subject: Brief on new bank project at 7th and Rood
Date: Friday, August 9, 2019 12:11:37 PM

Thanks for setting up the neighborhood briefing yesterday evening. The information was both informative and interesting.

The project work for the new bank looks incredible and will add a lot to the downtown area.

I found it a little ironic that there's a need to seek the variance [regarding the 2013 decision/move by then DDA Director Harry Weis] for something less than a 2 story facility when the list of present 'exemptions' is quite telling. Voc., technical and trade schools are exempt? As are museums, art galleries, opera houses, libraries, schools, colleges and universities? I also saw hospitals/clinics listed on the exemptions. Curious... I mean, on one hand I [guess] I get the wanting to consolidate as much as we can in buildings going up - versus out. But being new to the area [and working to get my consulting business off the ground]. Virtually all of the exempt businesses listed would also be welcome in the downtown area so why not a bank?

I've also talked to a lot of potential 'new' business people who are scrambling to get as close to the downtown area as possible but they'll never be able to do so if they have to have a brick and mortar site two stories high. That puts them in a - somewhat - awkward position of seeking someone to 'share' space and/or overreaching for their immediate needs.

The present work you showed [the bank] is ideal for the area. Banks are needed in and all around the downtown area. We're presently banking at the Credit Union of Colorado down on 1st and main. One story, sleek, in and out... that's all I need to conduct my business and I'm sure that the project you propose will more than meet the needs of the area.

I will be out of town when the planning commission meets on the 27th and would appreciate my support for the variance being added to those already wanting to see this [your] project moving forward.

thanks again, and good luck.

Timothy Haggerty Founder/President
Timothy Haggerty LLC



p: (610) 737-0496

w: www.timothyhaggerty.com

e: info@timothyhaggerty.com

a: 250 East Fallen Rock Road, Grand Junction, CO 81507

Follow me:



From: [Jan Pomrenke](#)
To: [Tracy States](#)
Cc: blubirdben@aol.com; bret.pomrenke@gmail.com; dr.boyer@trailheadclinics.com
Subject: Building Height Exemption-Chase Bank 660 Rood.
Date: Wednesday, August 7, 2019 3:43:51 PM

As the owner of 235 N 7th being Jan Pomrenke I would like to welcome Chase Bank to our neighborhood! Housed in my building, being the adjoining property to the subject, is a medical practice known as **Trailhead Clinics** owned by Dr. Rob Boyer as well as **Mint Health Clinics** owned by Bret Pomrenke. We join with Chase Banks' desire to have a one story building. This downtown area is one of *many walkers* on not only the streets and sidewalks but in the alley as well to get to the various businesses in the area and events at the Avalon and other popular times such as Christmas Lighting and other holiday events where parking is at a minimum. More than one story would create more hazardous walking and driving conditions come cold weather with additional long term icy conditions north or their building in the north shade and south of my property for the folks who come for medical services and the safe enjoyment of all of the surrounding establishments. Please grant their request for all to enjoy for all of our safety and grant their request for a one single story bank building. I respectfully submit these comments to support their and our wishes and request said comments be admitted into the public record emphasizing a safety issue.

Thank you,

Jan Pomrenke
Owner of the former Modern Savings and Loan Bank Building being "one single story".
235 N 7th St. Grand Junction, CO.
970-242-5794

From: [Adam Hobbs](#)
To: [Tracy States](#)
Subject: Chase Bank exemptions
Date: Thursday, August 8, 2019 9:47:03 AM

Tracy,

I have my insurance business next door to the site of the future Chase Bank. Mike Foster presented us with the proposed site plan and I am excited about the lot next door being improved. I think it will be great for the downtown area. I support all exemptions that need to be made in order for the proposed building plan to happen. I unfortunately won't be able to make the meeting. I will try and make all future meetings.

Thanks,
Adam

Adam Hobbs, Agent

640 Rood Ave
Grand Junction, CO
Bus 970-248-9070 Fax 970-242-3680
adam@agenthobbs.com
agenthobbs.com
Licensed: Colorado



Providing Insurance and Financial Services

From: [Keith Killian](#)
To: [Mike Foster](#)
Cc: [Kristin Yorko](#)
Subject: 660 Rood Avenue
Date: Wednesday, May 22, 2019 5:03:42 PM

To Whom This May Concern:

I understand that the owners of 660 Rood Avenue, Grand Junction, Colorado would like to tear down the existing one-story building currently on the property site and build a new one-story building on that same site. The prospect of replacing the outdated 1960s era building with a newer, updated building would be a welcomed addition to the Grand Junction downtown area. I understand that the current downtown plan calls for new construction to include two- stories/floors. In this instance, I do not believe it would be in the best interest of downtown Grand Junction to enforce the two story new construction building plan. It is not logical to forbid the construction of a newer, updated one story building in the downtown area, as that would leave the current outdated one story building standing. As an adjacent property owner located at 202 N. 7th Street, Grand Junction, Colorado (corner of 7th Street and Rood Ave), I would support an exception to the current downtown building plan to allow for the new construction of a one-story building at 660 Rood Avenue.

Cordially,

J. Keith Killian
Killian Davis Richter & Mayle, PC
202 N. 7th Street
Grand Junction, CO 81501
Tele 970.241.0707
Fax 970.242.8375
keith@killianlaw.com

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This communication is intended to be confidential to the addressee. If you are not the addressee or cannot deliver it to that person, please do not read, copy, distribut or use it in any way. Please delete it and all copies, including any reply, and notify the sender at 970-241-0707 or at keith@killianlaw.com.

Tax advice in this communication was not intended to be used to (i) avoid tax penalties, or (ii) promote, market, or recommend any matter discussed in this communication to another party. Tax advice based on your particular circumstances should be obtained from an independent tax advisor.

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FILE COPY

Karen Madsen
123 N. 7th Street
Grand Junction, CO 81501
7/26/2019

Tamara,

*Please share with the planning
commission. Thank —
Kam*

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara: *(and city planning commission)*

I am an office tenant in the building located at 132 N. 7th Street where my financial planning business is located.

It has come to my attention that a redevelopment of the property located directly across the street from my building at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one story bank on the property with a drive up ATM that will by necessity be directly accessible from Rood Avenue.

From reviewing the site plan for the property, I believe that this redevelopment through its facade reorientation and improvement in exterior materials will promote and protect the identity of the greater downtown and support my business by presenting a positive aesthetic and design impact on the 7th Street and Rood Avenue corridor.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor as well as accommodating bikes and pedestrians by reducing access points to Rood Avenue and improving the pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

Additionally it is readily apparent that the downtown overlay presents a hardship for the banking use that is intended for the property as the overlay regulation imposes a second story requirement that does not correspond to the economically beneficial single story use that is intended there.

Additionally, it is my observation that the intended design and use of the property is not a special privilege as the main floor banking use with drive up ATM is in place at multiple properties in the downtown area and the literal interpretation of the downtown overlay regulations would deprive the applicant of rights that are commonly enjoyed by other downtown properties.

Tamara Allen

7/26/2019

Page 2

Lastly, because it promotes the continued development of the downtown area with jobs and banking services this redevelopment is not in conflict with the goals and principals of the City's Comprehensive Plan

In summary I am requesting that the Grand Junction Community Development Department lend its support to this redevelopment proposal at Planning Commission.

Sincerely,

A handwritten signature in cursive script that reads "Karen Madsen".

Karen Madsen
123 N. 7th Street, Grand Junction, CO.

Maria Maestas
Las Marias Mexican Restaurant
118 S. 7th Street
Grand Junction, CO 81501
6/17/2019

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara:

I am the owner of the building located at 118 S. 7th Street where my business Las Marias Mexican Restaurant is located.

It has come to my attention that a redevelopment of the property located one block to the north at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one story bank on the property with a drive up ATM that will by necessity be directly accessible from Rood Avenue.

From reviewing the site plan for the property, I believe that this redevelopment through its facade reorientation and improvement in exterior materials will promote and protect the identity of the greater downtown and support my business by presenting a positive aesthetic and design impact on the 7th Street corridor.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor as well as accommodating bikes and pedestrians by reducing access points to Rood Avenue and improving the pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

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Tamara Allen

6/17/2019

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In summary I am requesting that the Grand Junction Community Development Department lend its support to this redevelopment proposal at Planning Commission.

Sincerely,



Maria Maestas

Las Marias Mexican Restaurant

118 S. 7th Street, Grand Junction, CO.

Matt Clark
Courthouse Place Building LLC
600 Rood Avenue
Grand Junction, CO 81501
6/17/2019

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara:

I am the owner of the multi-tenant office building located at 600 Rood Avenue.

It has come to my attention that a redevelopment of the property located one half block to the east at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one story bank on the property with a drive up ATM that will by necessity be directly accessible from Rood Avenue.

From reviewing the site plan for the property, I believe that this redevelopment through its facade reorientation and improvement in exterior materials will promote and protect the identity of the greater downtown and support my business by presenting a positive aesthetic and design impact on the 7th Street and Rood Avenue corridors.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor as well as accommodating bikes and pedestrians by reducing access points to Rood Avenue and improving the pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

Additionally it is readily apparent that the downtown overlay presents a hardship for the banking use that is intended for the property as the overlay regulation precludes the vehicle access that is necessary to conduct commercially acceptable banking business at the property, and the overlay imposes a second story requirement that does not correspond to the economically beneficial single story use that is intended there.

Tamara Allen

6/17/2019

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Lastly, because it promotes the continued development of the downtown area with jobs and banking services this redevelopment is not in conflict with the goals and principals of the City's Comprehensive Plan

In summary I am requesting that the Grand Junction Community Development Department lend its support to this redevelopment proposal at Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Clark". The signature is fluid and cursive, with the first name "Matt" and last name "Clark" clearly distinguishable.

Matt Clark

Courthouse Place Building LLC

600 Rood Avenue, Grand Junction, CO.



High Point Financial Group, LLC

124 N. 6th St.
Grand Junction, CO 81501
Office: 970-344-4700
Fax: 866-806-8006

Peter Kunisch
Financial Advisor*

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara:

I am the owner of the property located at 124 N. 6th Street, including 603 Rood Ave, where my financial advisory business High Point Financial Group is located as well as several other small businesses.

It has come to my attention that a redevelopment of the property located one block to the east at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one-story bank on the property with a drive-up ATM.

After reviewing the site plan for the property, I believe this redevelopment through its facade reorientation and improvement in exterior materials will promote, protect and enhance the identity of the greater downtown district while supporting my business by presenting a positive aesthetic and design impact on the 7th Street and Rood Avenue corridor.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor. More important, the proposed changes will enhance safety for pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

Currently, the overlay presents a hardship for the banking use that is intended for the property as the overlay regulation precludes the needed vehicle access. Furthermore, the overlay unnecessarily imposes a second story requirement that does not correspond to the economically beneficial single story use that is proposed. In my opinion, the intended design and use of the property is not a special privilege as the main floor banking use with drive up ATM is in place at multiple properties in the downtown area. The literal interpretation of the downtown overlay

Peter Kunisch, Registered Representative offering securities through NYLIFE Securities LLC, Member FINRA/SIPC,
A Licensed Insurance Agency
3200 Cherry Creek South Drive, Suite 700
Denver, CO 80209
Phone: 303-744-2000

* Financial Advisor offering investment advisory services through Eagle Strategies LLC, A Registered Investment Advisor
High Point Financial Group LLC is not owned or operated by NYLIFE Securities LLC or its affiliates

regulations would deprive the applicant of rights that are commonly enjoyed by other downtown properties.

Finally, the proposed development fits in with City's Comprehensive Plan by promoting the continued development of the downtown area with jobs and banking services.

In summary, as a property owner in the immediate vicinity to the 660 Rood Avenue, I am requesting the Grand Junction Community Development Department lend its support to this redevelopment proposal at the Planning Commission. Sustainable businesses willing to invest money in our community to enhance dated and less cared for properties is exactly what we want as a community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Kul", is written below the "Sincerely," text.

Richard Discoe
Cobb Prof Building LLC
769 County Road 10 A
Ridgeway, CO 81432
6/18/2019

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara:

I am the owner of the Cobb Professional building located at ⁵²¹~~621~~ Rood Avenue.

It has come to my attention that a redevelopment of the property located one ½ blocks to the east at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one story bank on the property with a drive up ATM that will by necessity be directly accessible from Rood Avenue.

From reviewing the site plan for the property, I believe that this redevelopment through its facade reorientation and improvement in exterior materials will promote and protect the identity of the greater downtown and support my business by presenting a positive aesthetic and design impact on the 7th Street and Rood Avenue corridors.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor as well as accommodating bikes and pedestrians by reducing access points to Rood Avenue and improving the pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

Additionally it is readily apparent that the downtown overlay presents a hardship for the banking use that is intended for the property as the overlay regulation precludes the vehicle access that is necessary to conduct commercially acceptable banking business at the property, and the overlay imposes a second story requirement that does not correspond to the economically beneficial single story use that is intended there.

Additionally, it is my observation that the intended design and use of the property is not a special privilege as the main floor banking use with drive up ATM is in place at multiple properties in

Tamara Allen

6/18/2019

Page 2

the downtown area and the literal interpretation of the downtown overlay regulations would deprive the applicant of rights that are commonly enjoyed by other downtown properties.

Lastly, because it promotes the continued development of the downtown area with jobs and banking services this redevelopment is not in conflict with the goals and principals of the City's Comprehensive Plan

In summary I am requesting that the Grand Junction Community Development Department lend its support to this redevelopment proposal at Planning Commission.

Sincerely,



Richard Discoe

Cobb Professional Building

From: [Robert Boyer](#)
To: [Mike Foster](#)
Subject: Concerning New Construction south of 235 N 7th St
Date: Wednesday, May 22, 2019 3:44:12 PM

Hi Mike,

As you know, Trailhead Clinics is located at 235 N 7th St. The property you are considering for new construction is just to the south of our parking lot. In the winter time, the shade from the existing building prevents snow and ice from melting readily and causes a hazard for patients entering the building. I'm glad that improvements are being considered, but if at all possible our preference would be to avoid a 2 story building as this would increase the size of the area of parking lot with ice and snow. In addition, the sun helps to heat our building through the south facing windows and a tall building to the south of us might prevent this from occurring leading to increased energy costs.

Best regards,

[Robert Boyer, MD](#)

Founder | Trailhead Clinics

970.644.5999



This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

From: [Ted](#)
To: [Brandon Stam](#)
Cc: [Charles F. Reams](#); [Mike Foster](#)
Subject: 660 Rood Ave.
Date: Wednesday, May 22, 2019 4:36:32 PM

Brandon,

I understand that the owners of 660 Rood want to tear down the existing 1960's building and build a new one story building on that site. Charles Reams and Ciavonne Roberts own the building east across 7th Street, and probably look at that existing building more than most people in this community. I can speak for both firms in saying we would welcome a more attractive building ... it would be a good change/addition to downtown Grand Junction.

Ciavonne Roberts was involved with the DDA and the City on the redesign of 7th Street that coincided with a few new 'modern' buildings, and a few 'facelifts', all of which added to the vitality of the streetscape. At this time we also talked about buildings that needed improvements, empty lots that were like missing teeth in the corridor, and buildings that might be best to be scraped. This is a great opportunity to improve the overall experience for automobiles and pedestrians traveling the 7th Street corridor.

We know that the downtown plan calls for new construction to be two stories. In this instance we would ask for an exception as without one it very possibly means we end up keeping the current unattractive building. As adjacent property owners we support this exception allowing for a newly constructed one story building.

Ted Ciavonne, PLA

Ciavonne Roberts & Associates, Inc.
LAND PLANNING AND LANDSCAPE ARCHITECTURE
222 N. 7th Street
Grand Junction, CO 81501
Ph (970) 241-0745
ted@ciavonne.com
www.ciavonne.com

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Steve Kendrick, Agent

640 Rood Avenue
Grand Junction, CO 81501
Bus 970.242.9951
Fax 970.241.3271
steve.kendrick.mkdf@statefarm.com

June 20, 2019

Tamara Allen
Community Development Director
City of Grand Junction
250 N. 5th Street
Grand Junction, CO

RE: Development Application for 660 Rood Avenue, Grand Junction

Dear Tamara:

I am the owner of the building at 640 Rood Avenue where my insurance business is located.

It has come to my attention that a redevelopment of the property located next store to the east at 660 Rood Avenue is underway and that exceptions to the downtown Grand Junction overlay will be required to build a new one story bank on the property with a drive up ATM that will by necessity be directly accessible from Rood Avenue.

From reviewing the site plan for the property, I believe that this redevelopment through its facade reorientation and improvement in exterior materials will promote and protect the identity of the greater downtown and support my business by presenting a positive aesthetic and design impact on the 7th Street and Rood Avenue corridors.

I also believe the redevelopment will maintain and enhance the economic, cultural and social viability and transportation services of downtown by providing 24 HR banking services and after hours parking on the 7th street corridor as well as accommodating bikes and pedestrians by reducing access points to Rood Avenue and improving the pedestrian and bicycle sight distance at the alley egress onto 7th Street between White and Rood Avenues.

Additionally it is readily apparent that the downtown overlay presents a hardship for the banking use that is intended for the property as the overlay regulation precludes the vehicle access that is necessary to conduct commercially acceptable banking business at the property, and the overlay imposes a second story requirement that does not correspond to the economically beneficial single story use that is intended there.

Additionally, it is my observation that the intended design and use of the property is not a special privilege as the main floor banking use with drive up ATM is in place at multiple properties in

Tamara Allen

June 20, 2019

Page 2

the downtown area and the literal interpretation of the downtown overlay regulations would deprive the applicant of rights that are commonly enjoyed by other downtown properties.

Lastly, because it promotes the continued development of the downtown area with jobs and banking services this redevelopment is not in conflict with the goals and principals of the City's Comprehensive Plan

In summary I am requesting that the Grand Junction Community Development Department lend its support to this redevelopment proposal at Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Kendrick", written in a cursive style.

Steve Kendrick



July 17, 2019

Tamara Allen
Community Development Director
City of Grand Junction
250 No. 5th St.
Grand Junction, CO 81501

Re: Development Application for 660 Rood Avenue, Grand Junction

Dear Ms Allen:

Our firm has been located at 562 White Avenue since the 1960's. It has come to our attention that a redevelopment of the property located one half block to the east at 660 Rood Avenue is underway.

Although we are not fully aware of the details of the proposed development, we support the continued development of the downtown area and believe a bank at the corner of 7th and Rood would positively impact the downtown area.

Sincerely,

Elder & Phillips, P.C.



W. Bruce Phillips

WBP/am

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[Faint, illegible text, likely bleed-through from the reverse side of the page.]

562 White Avenue | Grand Junction, CO 81501 | (970) 243-0946

www.ElderPhillips.com

Jace Hochwalt

From: eBricks! Outlet <ebricksoutletstore@gmail.com>
Sent: Monday, August 19, 2019 10:41 AM
To: Jace Hochwalt
Subject: 660 Rood

Hey Jace,

I won't be able to make the meeting on August 27th regarding this two-story exemption, but I'm in favor of the proposal for whatever that is worth.

Let me know if you need any further feedback.

Happy Monday!

-Kenneth
970-985-2169

--

Best regards,
Kenneth @ eBricks
970-812-8516
7-days a week 10am-6pm



Virus-free. www.avast.com

Jace Hochwalt

From: jay@jamisco.com
Sent: Monday, August 19, 2019 6:02 PM
To: Jace Hochwalt
Subject: Chase Bank exemption

Hello Jace,

I received notice of the banks desire to have an exemption from the two story requirement on their site. I own three properties on Main Street and others in the City and I do NOT support that exemption. That site is a prominent corner and it would be a shame to put a one story building on it.

Thanks for the notice.

Jay

Jay M. Soneff

President

Jamis Companies, Inc.

303-295-1815 – Office

303-292-6440 – Fax

Website: www.jamisco.com

Jace Hochwalt

From: Toni Heiden <toni@heidenhomes.com>
Sent: Tuesday, August 20, 2019 3:44 PM
To: Jace Hochwalt
Subject: 660 Rood Avenue

Dear Jace, as per our conversation August 20, 2019, I support the proposed change/variance of the city 2 story requirement currently in place. The height of the newly constructed building as proposed will fit in nicely with the current surrounding.

I am the owner of the building at 735 Rood Avenue and believe this will be a good neighbor.

Toni

WEICHERT, REALTORS® - Heiden Homes Realty

toni@heidenhomes.com

970-245-7777 Office

970-260-8664 Cell

www.heidenhomes.com

735 Rood Avenue

Grand Junction, Colorado 81501

Weichert | Heiden
REALTORS® Homes Realty

A. The arguments regarding why the use is not conducive to vertical organization of operational space are as follows:

- a. Retail branch banks serve their customers on the main floor. This is why recently built branches at 1st and Main, 5th and White, 8th and Rood, 12th and Patterson, Horizon and G, 24 Rd and Patterson, 24 ½ Road and Patterson, and 12th and Patterson don't include upper stories.
- b. Leasing constructed second floor areas to outside parties presents unwanted security and operational issues that aren't conducive to retail branch bank operations.
- c. Construction and occupancy of a second story will reduce the parking available to customers of the branch bank and the community during non-banking hours.

B. Next we have to address the six criteria used by the Planning Commission to consider exemption from the minimum 2-story requirement:

1. Hardship Unique to the Intended Use, Not Self-Inflicted. There are exceptional conditions creating an undue hardship, applicable only to the intended use of the property that do not apply general land uses within similar zone districts, and such conditions where not created by the actions of the owner of the property.

- a. The hardship was not created by the applicant or the owner as neither the applicant nor the owner imposed a 2-story minimum requirement on the property.
- b. If the conditions of the 2-story requirement weren't exceptional then fifteen use categories including: industrial services, car washes, lube shops, gas stations, funeral homes, churches, and medical offices wouldn't be automatically excluded from the requirement.
- c. The intended use of a retail branch bank is a main floor use that doesn't take place on the second story.
- d. The construction and occupancy of a second story presents a building management and security risk that is counterproductive to the main floor function of a retail branch bank.
- e. The construction and occupancy of a second story reduces parking availability for retail bank branch customers.

2. Special Privilege. The exception shall not confer on the applicant any special privilege that is denied to lands or structures within similar zone districts.

- a. 660 Rood is located in the B-2 Zone District.
- b. The exemption shall not confer a special privilege because 115 Acres of the B-2 zoning district is located outside of the downtown core and is not subject to the 2-Story minimum requirement. Thus the applicant would not be conferred any special privilege that would be denied to lands or structures located in the B-2 Zoning District as the 115 acre portion of the B-2 zoning district located outside of the Core Area contains dozens of lands and structures that are exempt from the 2-Story minimum.

c. The exception shall not confer a special privilege because any property located in the downtown core area may apply to the planning commission for an exemption from the 2-Story requirement with DDA approval.

3. Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar zoning districts and would work unnecessary and undue hardship on the applicant.

a. 660 Rood is located in the B-2 Zone District.

b. The literal interpretation of the provisions of the 2-Story minimum requirement would deprive the applicant of rights commonly enjoyed by hundreds of properties in the 115 acres of the B-2 zone district that is located outside of the downtown core and exempt from the 2-story requirement.

c. There are six one-story retail branch banks located in the B-2 zoning district and two of those retail bank branches (100 Main and 422 White) are located inside of the downtown core. These six properties would enjoy rights to a 1-story use that would be denied to the applicant.

4. Greater Downtown Plan Goals. The proposal actually meets the overall goals of the downtown plan better than if standards are followed.

a. The existing one-story use of the property does not meet the overall goals of the downtown plan.

b. The planned use of the property for a retail branch bank is a higher and more valuable use that allows for redevelopment and redesign of the property in order to meet the overall goals of the downtown plan better than the current 1-story use of the property.

c. If standards are strictly followed and the exemption from the 2-story requirement is denied then the current inferior use of the property will continue, because other potential uses of the property will not be valuable enough to spur redevelopment of the property.

d. Overwhelming Neighborhood support for the proposed use over the existing use is further evidence that the proposed use meets the Greater Downtown Plan and Goals better than the existing use.

e. DDA Support for the proposed use also provides evidence that the use is in conformance with the Greater Downtown Plan and Goals.

5. Conformance with the Purposes of the Zoning Overlay and the Zoning Development Code. The granting of an exception shall not conflict with the purposes and intents expressed or implied in the Zoning Overlay or the Zoning Development Code.

a. The exception does not conflict with purposes and intents expressed or implied in the Zoning Code, because the Zoning Code does not require a 2-story minimum height for properties in the B-2 Zoning District.

b. The exception does not conflict with the purposes and intents expressed and implied in the Downtown Core Overlay as Section 24.12.100 of the overlay specifically provides for exemption of uses that are not conducive to a vertical organization of operational space.

6. Conformance with the Comprehensive Plan. The granting of an exception shall not conflict with the goals and principals in the city's comprehensive plan.

a. Granting the DDA supported exemption to the 2-story requirement will allow redevelopment of the property to meet the remaining downtown development guidelines, increase the height of the building, position the building at the corner and improve pedestrian circulation around the building. All of these changes in the design of the property will promote the goals of the comprehensive plan.

b. Granting the DDA supported exemption to the 2-story requirement will vastly increase the Tax Increment value of the building for DDA, which will improve financing for DDA supported projects that are intended to implement the goals of the comprehensive plan.

c. The intended development and use of the property as a retail branch bank will promote employment and economic vitality in the central business district in accordance with the goals of the Comprehensive Plan.



Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: August 27, 2019

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

Consider a request by Monumental Beer Works, LLC for a Conditional Use Permit (CUP) for the property located 2575 Highway 6 & 50 #C to allow a microbrewery and taproom which is categorized as a bar/nightclub use.

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Applicant is requesting approval of a Conditional Use Permit for the property located at 2575 Highway 6 & 50 #C in a C-1 Zone District, to allow a microbrewery and taproom which is categorized as a bar/nightclub use when sale of alcoholic beverages will comprise more than 25 percent of the gross receipts. The proposed business name is Monumental Beer Works.

BACKGROUND OR DETAILED INFORMATION:

The Applicant is requesting approval of a Conditional Use Permit for a microbrewery and taproom in an existing building that was formerly utilized as a scuba retail shop. The lot is approximately 22,083 square feet (or 0.51 acres) in size with an existing 2,800 square foot building on site. Directly north of the site is Colorado Department of Transportation (CDOT) right-of-way for Highway 6 and 50, to the south and east are commercial/light industrial buildings, with businesses including Foundation Repair and Military Surplus, and to the west is the large Mesa Fitness facility and parking lot. The subject site and all neighboring properties are zoned C-1 (Light Commercial). The Zoning and Development Code requires a Conditional Use Permit for a bar/nightclub

use where the sale of alcoholic beverages will comprise more than 25% of the gross receipts in a C-1 zone district.

The existing building was constructed in 1956 and has been periodically remodeled over the years. The Applicant intends to use the 2,800 square foot building for a microbrewery and taproom. The lot will also be inclusive of fenced outdoor patio space on both the north side and south sides of the building. The Applicant is planning some facade improvements, an extensive interior remodel, and the addition of six paved parking spaces on site. The construction phase for the microbrewery is anticipated by the Applicant to be 4 to 6 months. Operating hours are planned for Monday through Saturday from 11:00am to 10:00pm, and Sunday from 10:00am to 9:00pm.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on May 21st, 2019 consistent with the requirements of Section 21.02.080(e) of the Zoning and Development Code. There were two citizens unaffiliated with the Applicant that attended the meeting. The Applicant discussed the proposed request and plans to operate the business if the CUP is approved. Parking was discussed, but there was no objection by attendees regarding the plan.

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. The subject property was posted with application signs on July 17th, 2019. Mailed notice of the application submittal, in the form of notification cards, was sent to surrounding property owners within 500 feet of the subject property and notice of the public hearing was published in the Grand Junction Sentinel.

ANALYSIS

The review of a Conditional Use Permit is subject to both the General Approval Criteria for all permits requiring a public hearing (Section 21.02.080(d)) as well as the specific review criteria for Conditional Use Permits.

General Approval Criteria. No permit may be approved unless all of the following criteria are satisfied:

- (1) Compliance with the Comprehensive Plan and any applicable adopted plan.

The site is currently zoned C-1 (Light Commercial) with the Comprehensive Plan Future Land Use Map identifying the site as Commercial. The proposed land use furthers Goal 6 of the Comprehensive Plan, which states: "Land use decisions will encourage preservation of existing buildings and their appropriate reuse." The proposed microbrewery would contribute to the vibrancy of the surrounding area by reusing and remodeling an existing building, and providing both a destination and entertainment for residents and visitors.

The subject site is not situated within any overlay zones and no other neighborhood or other applicable plans apply. In conclusion, staff finds this request is in compliance with the Comprehensive Plan.

(2) Compliance with this zoning and development code.

The site meets the standards of the C-1 zone district. The building was constructed in 1956 and continues to meet the bulk standards required for this district, including building setbacks, landscaping standards, and parking standards. Regarding parking, the site will have 16 dedicated parking spaces on site. Per section 21.08.040 (d) "Changes of use that necessitate an increase in the number of parking spaces shall be required to provide the difference between the required parking for the prior use and that required for the proposed use in accordance with this code. Where this calculation results in the addition of less than five spaces, no additional spaces shall be required." Breweries are not an identified use in the use table, and as such, staff has concluded that for parking calculations, the bar/seating space will be categorized as a bar/nightclub use, and the remainder of the building will be classified as the beer production area (industrial manufacturing space). Based on this conclusion, a total of 16 parking spaces is required for the proposed use. Given that the proposal includes a total of 16 spaces, no further parking is needed.

In conclusion, staff finds this request is in compliance with the Zoning and Development Code and that the proposed use is allowable in a C-1 zone with a conditional use permit.

(3) Conditions of any prior approvals.

There are no conditions of prior approvals regarding this site/property therefore staff finds this criterion to be met.

(4) Public facilities and utilities shall be available concurrent with the development.

Public facilities and utilities including water, wastewater, electric, and gas are available to serve this development. Utility agencies were included in the review process and had either no objections or no comments for the proposed CUP. Staff therefore finds this criterion has been met.

(5) Received all applicable local, State and federal permits.

The Applicant will be required to obtain a liquor license through the State and City to operate their business. In order to obtain the license, the Applicant must first obtain a Conditional Use Permit through this application and review process. Should this CUP application be approved, the Applicant may then obtain a liquor license to be in

compliance with the City's Zoning and Development Code and State and Local law. Operation as a bar is subject to their ongoing maintenance of a liquor license under State and Local laws. The Applicant is applying for the CUP at the appropriate point in the process to obtain a liquor license.

The Applicant is also required to obtain a State Highway Access Permit. The primary access for this property is a Colorado Department of Transportation (CDOT) controlled access off Mulberry Street. CDOT is requesting the Applicant obtain an Access Permit for the purposes of documenting the change in traffic patterns based on the new use. A State Highway Access Permit has not been issued at this time, but the Applicant is working through this process with CDOT. As such, as a condition of approval for the proposed CUP, the Applicant will be required to obtain a CDOT Access Permit.

Therefore, staff finds this criterion has been met.

Pursuant to Section 21.02.110 (a) of the Grand Junction Zoning and Development Code, a Conditional Use review is to provide an opportunity to utilize property for an activity which under usual circumstances could be detrimental to other permitted uses, and which normally is not permitted within the same district. A Conditional Use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A Conditional Use is not a use by right; it is one that is otherwise prohibited within a given zone district without approval of a Conditional Use Permit. The application shall demonstrate that the proposed development will comply with the following:

(1) District Standards. The underlying zoning districts standards established in Chapter 21.03 of the Grand Junction Municipal Code, except density when the application is pursuant to GJMC 21.08.020(c) ;

The site is zoned C-1 (Light Commercial). The proposal conforms with and meets the purpose of the C-1 zone district, which is "To provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The C-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses." Transportation access to the site is good, with direct access to Highway 6 & 50 within 400 feet of the subject site. In addition, there is a pedestrian trail adjacent to the north of the subject site, which is within the CDOT right-of-way. This trail continues to the north, along Highway 6 & 50. There are also several bus stops within 2,000 feet of the subject site, including stops south along Mulberry Street, west along Maldonado Street, and north along the Highway 6 & 50 pedestrian path.

Both the use and the site meet all other zone district standards including bulk standards, therefore Staff finds this criterion has been met.

(2) Specific Standards. The use-specific standards established in Chapter 21.04 GJMC;

The use falls under the retail sales and service portion of the Code. There are no use-specific standards for a brewery/bar, therefore staff finds this criterion has been met.

(3) Availability of Complementary Uses. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.

The immediate area of the subject site contains primarily commercial and light-industrial uses. Surrounding uses include the following business: Military Surplus, Foundation Repair, Mesa Fitness, Mattress Firm, Warehouse 2565 (bar/nightclub), Carpet One Flooring, American Furniture Warehouse, and WinSupply. A brewery will be complementary to other uses in the area, many of which are daytime uses. In addition, there are no parks or schools in the immediate area, which are generally not perceived as complementary to a brewery use.

As indicated, the surrounding area has facilities for multiple transportation modes, including bicycle, pedestrian, transit, and automobile. The downtown core is very accessible, located less than one mile southeast of the subject site, which includes the convention center, multiple hotels, and numerous downtown employers, making the proposed brewery use a nearby destination to the downtown area.

Staff therefore finds this criterion has been met.

(4) Compatibility with Adjoining Properties. Compatibility with and protection of neighboring properties through measures such as:

(i) Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;

The subject site contains an existing building constructed in 1956, and is not directly adjacent to residential uses. The subject property is zoned C-1, as are all adjacent properties, with the nearest residential uses located over 1,000 feet south of the site. The Applicant is proposing to include an outdoor seating area for use by its patrons on both the north and south sides of the building. The seating area is proposed to be

fenced (as required by liquor laws). The relatively early closing hours proposed by the Applicant – 10:00 p.m. Monday through Saturday, and 9:00 p.m. Sunday, will prevent late night noise issues.

Staff therefore finds this criterion has been met.

(ii) Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;

The Applicant is proposing a small ±160 square foot addition on the western side of the building for the purposes of a walk-in cooler. Beyond that, the Applicants wish to utilize an existing building which was previously utilized as a scuba sales shop. Most of the neighboring properties are daytime commercial and light industrial uses. While there may be some overlap in hours of operation to the proposed microbrewery, it is determined that this will have minimal negative impact on the adjoining properties. In addition, the Applicant is proposing to fence outdoor patio seating for customers. As indicated, parking standards for the site are also met with the proposal. The Applicant and Staff do not anticipate that the use will have any negative impact on surrounding uses or the enjoyment of adjoining properties.

Staff therefore finds this criterion has been met.

(iii) Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include; buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

The proposed microbrewery will occupy the existing building. The Applicant is proposing to utilize the existing outdoor area on the north and south sides of the building for outdoor seating, and will be required to fence the patio space per the liquor license requirements. The bulk requirements of the building meet the standards of the C-1 zone district, including parking and landscaping.

Staff has found the proposed site to be compatible in design and well integrated into the surrounding area, therefore staff has found this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Conditional Use Permit application, for Monumental Beer Works, CUP-2019-401, the following findings of fact have been made with the following

condition of approval:

1. In accordance with Section 21.02.080(d) of the Zoning and Development Code, the application has satisfied the criteria for general approval.
2. In accordance with Section 21.02.110 of the Zoning and Development Code, the application has demonstrated compliance with the criteria for a Conditional Use Permit, with the following condition of approval

CUP approval is conditioned upon the Applicant obtaining an Access Permit from the Colorado Department of Transportation.

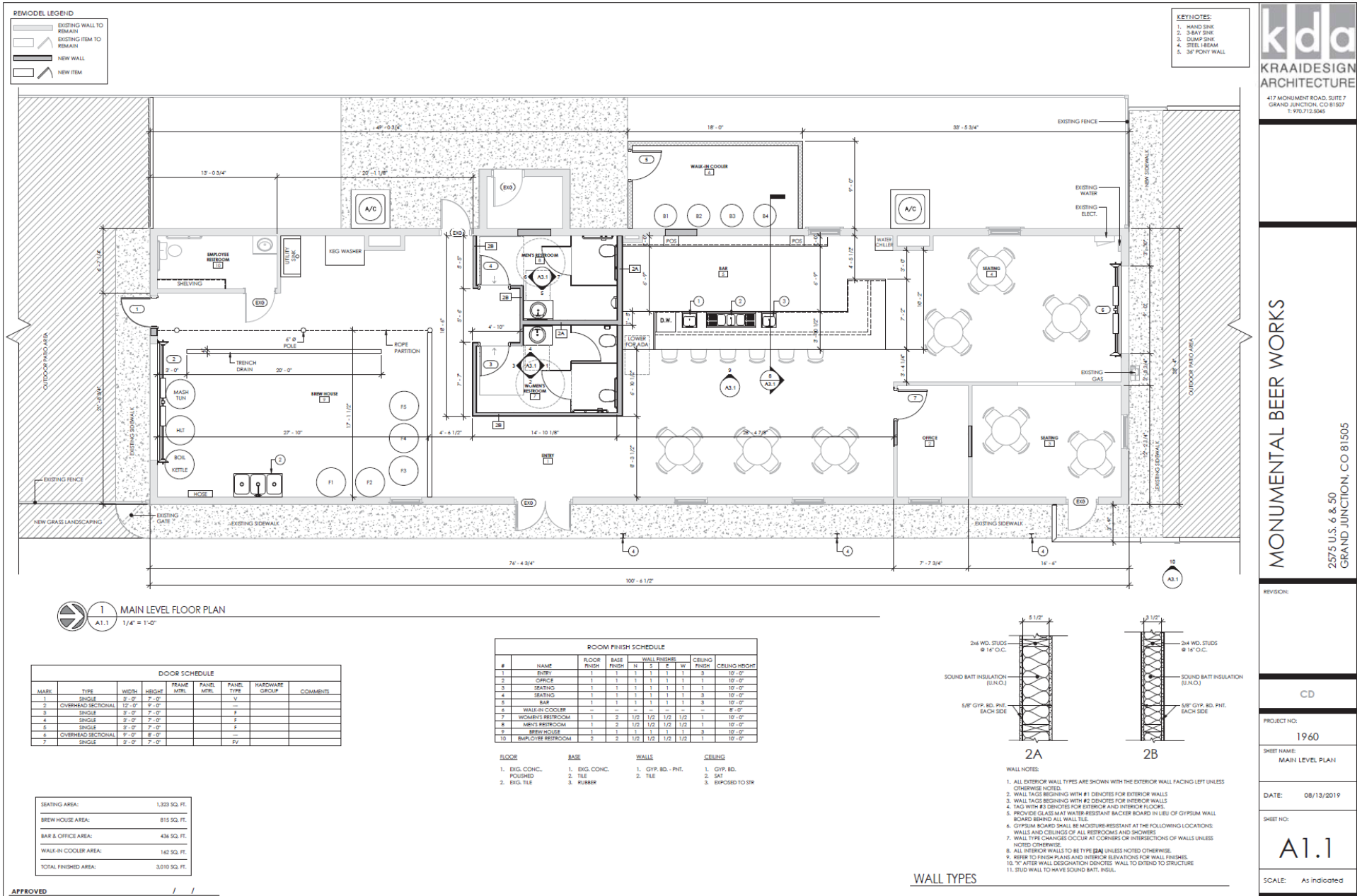
SUGGESTED MOTION:

Madam Chairman, on the application for a Conditional Use Permit for Monumental Beer Works located at 2575 Highway 6 & 50 #C, CUP-2019-401, I move that the Planning Commission recommend conditional approval with the findings of fact and condition as listed in the staff report.

Attachments

1. Maps and Exhibits
2. Application Binder

FLOOR PLAN



kda
KRAAIDESIGN
ARCHITECTURE

417 MONUMENT ROAD, SUITE 7
GRAND JUNCTION, CO 81507
T: 970.712.8045

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:

1960

SHEET NAME:
MAIN LEVEL PLAN

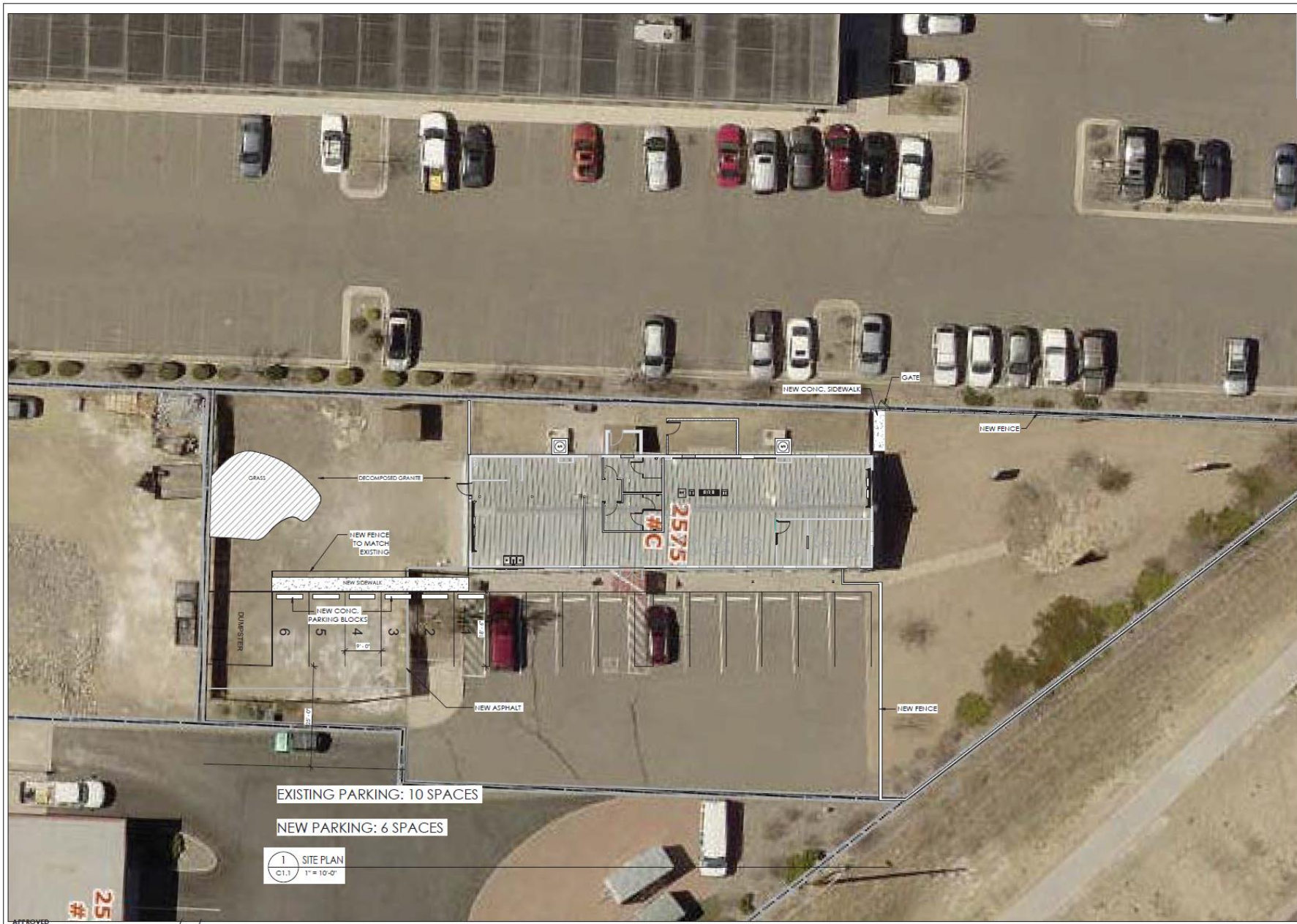
DATE: 08/13/2019

SHEET NO:

A1.1

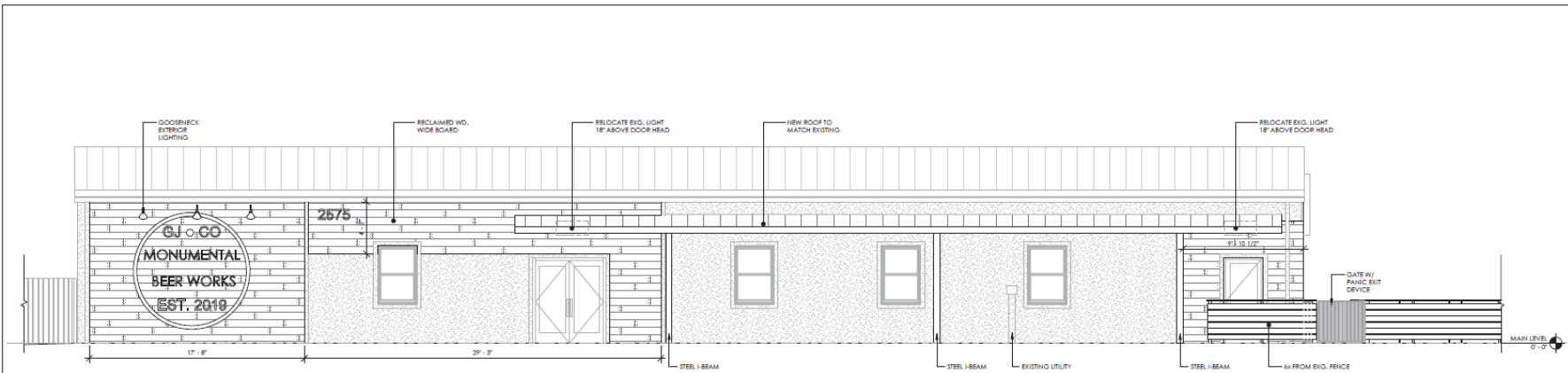
SCALE: As Indicated

SITE PLAN

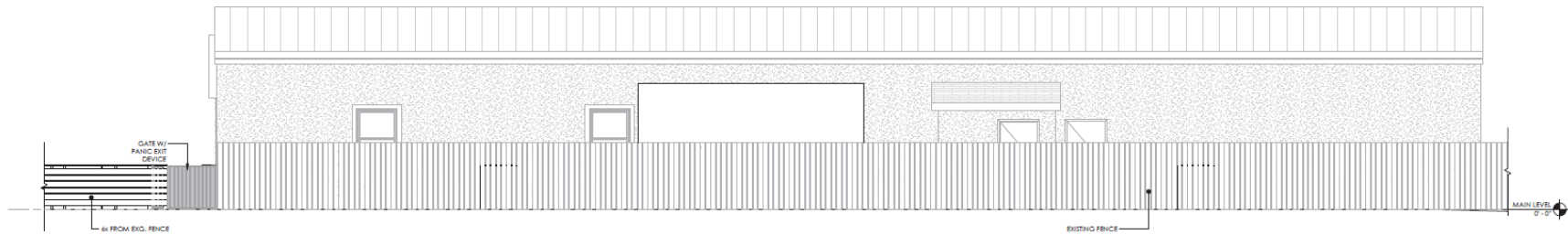


kda KRAAIDESIGN ARCHITECTURE 417 MONUMENT ROAD, SUITE 7 GRAND JUNCTION, CO 81507 T: 970.712.8043	
MONUMENTAL BEER WORKS 2575 U.S. 6 & 50 GRAND JUNCTION, CO 81505	REVISION:
CD	PROJECT NO: 1960
SHEET NAME: SITE PLAN	DATE: 08/13/2019
SHEET NO: C1.1	SCALE: 1" = 10'-0"

ELEVATION PLAN



1 SOUTH ELEVATION
A2.1 1/4" = 1'-0"



2 NORTH ELEVATION
A2.1 1/4" = 1'-0"

APPROVED _____ / /

kda
KRAAIDDESIGN
ARCHITECTURE

417 MONUMENT ROAD, SUITE 7
GRAND JUNCTION, CO 81507
T: 970.712.3045

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:

1960

SHEET NAME:

EXTERIOR ELEVATIONS

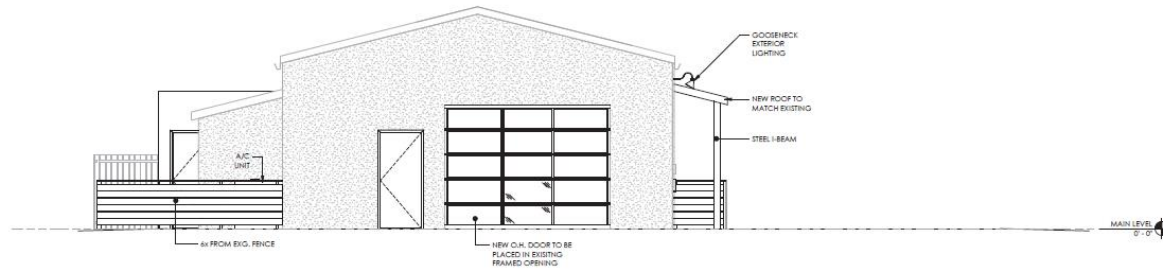
DATE: 08/13/2019

SHEET NO:

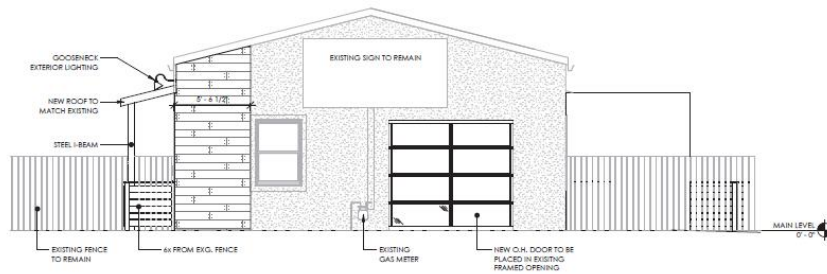
A2.1

SCALE: 1/4" = 1'-0"

ELEVATION PLAN



1 WEST ELEVATION
A2.2 1/4" = 1'-0"



2 EAST ELEVATION
A2.2 1/4" = 1'-0"

kda
KRAAIDesign
ARCHITECTURE
417 MONUMENT ROAD, SUITE 7
GRAND JUNCTION, CO 81507
T: 970.712.5045

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:

1960

SHEET NAME:

EXTERIOR ELEVATIONS

DATE:

08/13/2019

SHEET NO:

A2.2

SCALE:

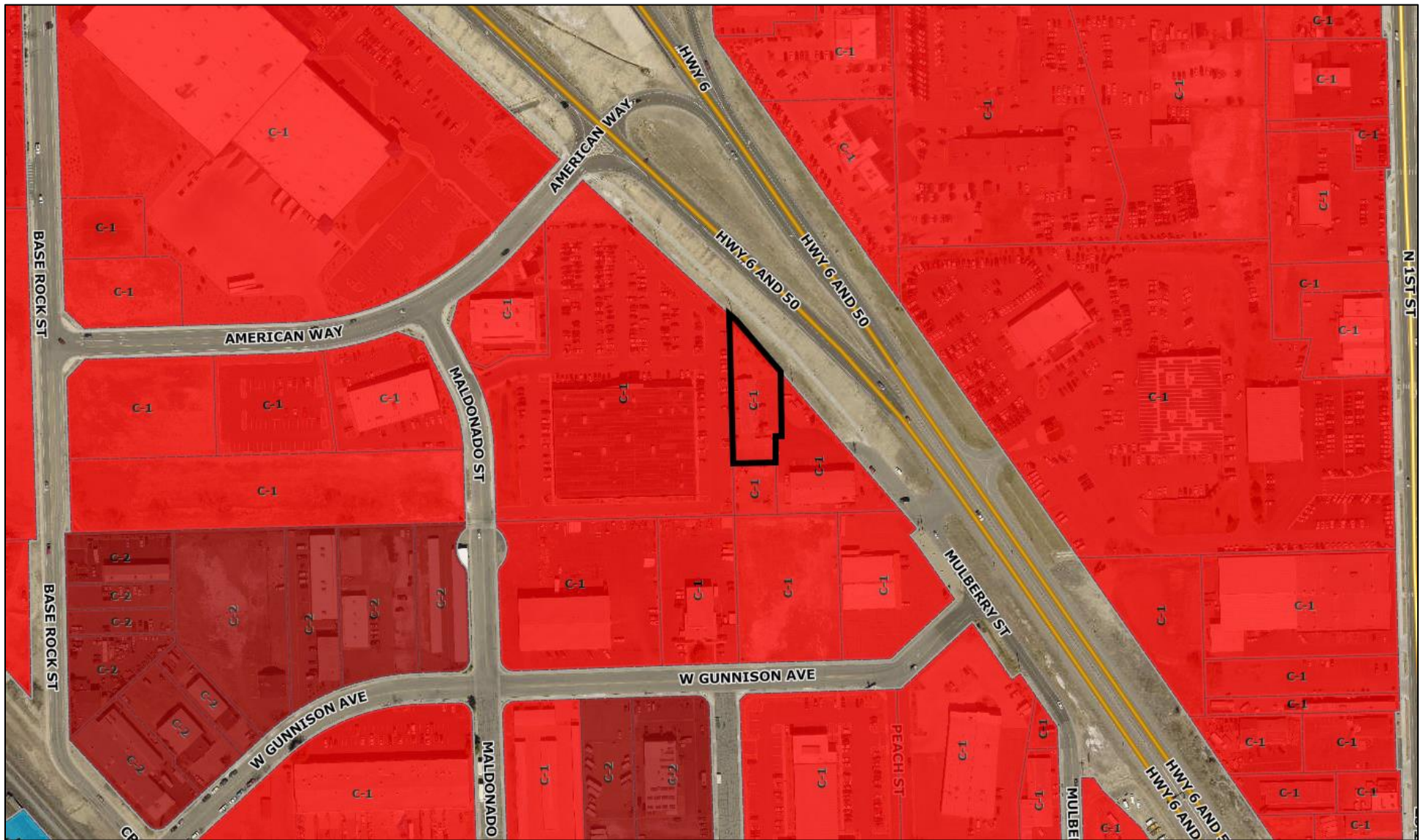
1/4" = 1'-0"

APPROVED

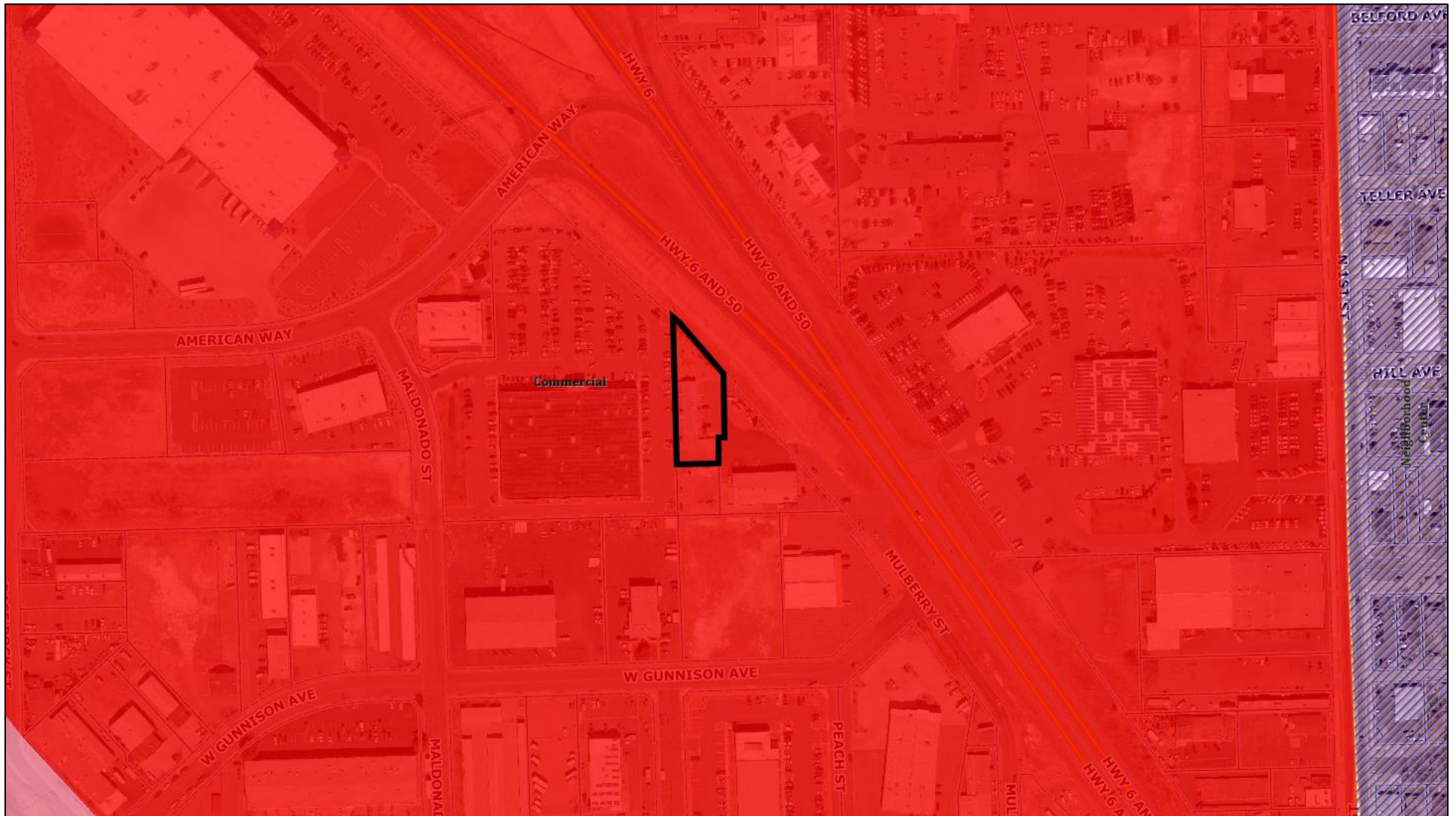
AERIAL PHOTO



ZONING MAP



FUTURE LAND USE MAP



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

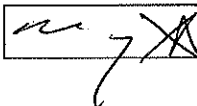
We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Digitally signed by Eric Kraai
Date: 2019.07.08 15:57:04 -06'00'

Date

Signature of Legal Property Owner


Westfall Investments, LLC

Date

Westfall Investments, LLC**Monumental Beer Works, LLC**

General Project Report for Change of Use Permit
2575 Hwy. 6 & 50

Project Description:

This project is to renovate an existing single story retail space at 2575 Hwy. 6 & 50 to house a new “nano brewery” and taproom. The widely accepted definition of a “nano brewery” is a brewery that produces in batches three barrels or smaller. We will be the only “nano brewery” in the Grand Valley. The building requires a conditional use permit due to a significant percentage of alcohol sales per Zoning and Development Code.

1. The use of the property is designated C-1 Light Commercial.
2. The building is currently a scuba diving supply and training center. The project will renovate the interior, façade, and include new restrooms built to code.
3. The project will include the addition of six new parking spots.
4. The nano brewery will meet Persigo requirements for typical nano brewery demands and will be detailed on the Industrial Pretreatment Survey.
5. Taproom operating hours will vary. Initial expected hours are Monday – Thursday 12 – 9, Friday and Saturday 12 – 10, and Sunday 10 – 8.
6. We intend to have a mix of 1-2 salaried employees and 2 – 4 hourly employees.

Approval Criteria:**C – 1 Light Commercial**

To provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The C-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.

- A. A new, nano brewery will provide retail and leisure along the Hwy. 6 & 50 artery. The addition of this brewery and others in Grand Junction will draw the interest of the craft beer community in Colorado to our area. Being near trail systems will also encourage visiting and local trail users to walk and/or ride bikes to this site.
- B. The taproom will seat approximately 80 people.
- C. The project will revitalize an existing structure and beautify the area.
- D. The updated building will improve the overall aesthetic of the 2575 Hwy. 6 & 50 area and provide more reason to visitors to frequent neighboring businesses. The taproom is also a great meeting place for visitors and locals alike. The design will incorporate local materials and inspiration and promote the outdoor recreation tourism efforts of the city and region.
- E. The project will be complementary to the area and local businesses. Visitors and locals will have an opportunity to experience locally crafted beer featuring local ingredients. We are partnering with local food trucks to provide daily food options to patrons.
- F. All patrons will be inside the establishment, or in gated outdoor areas.
- G. The building will comply with all building, waste water, and fire code requirements.

Specific Standards:

- A. Retail Sales and Service. This use is allowed under a Conditional Use Permit.

Availability of Complementary Services:

- A. Complementary services consist of nearby retail businesses, restaurants, hotels, local employees, and regional trail systems.

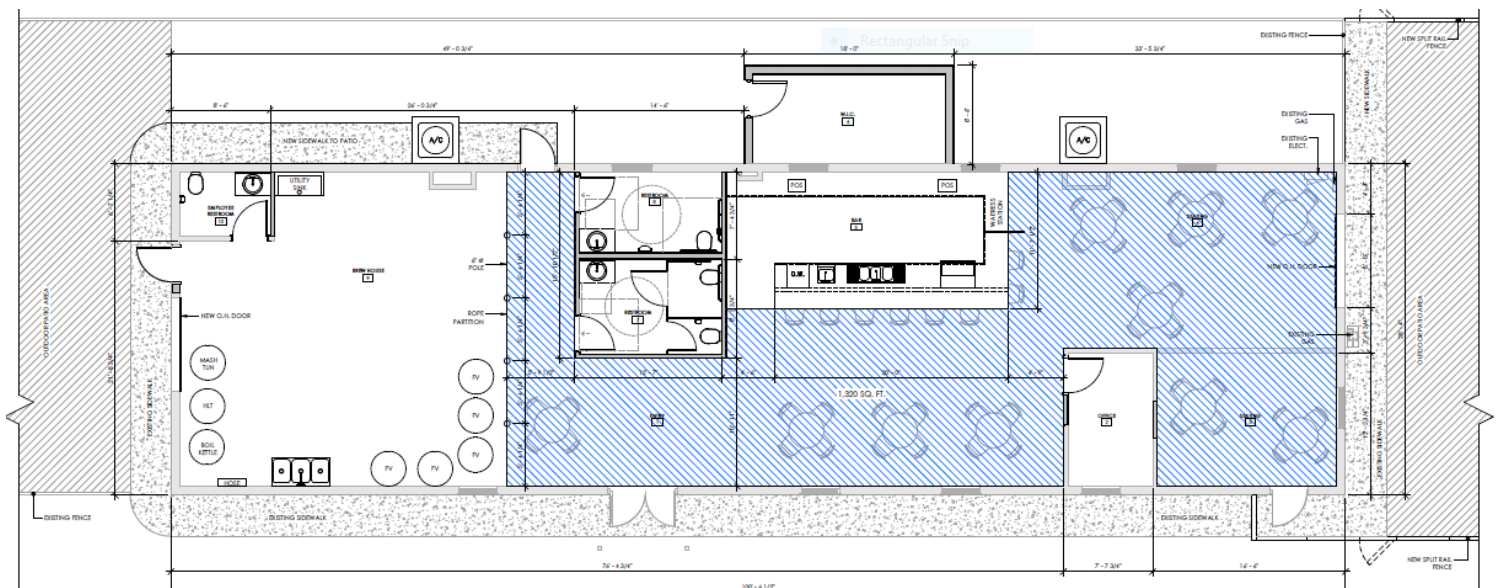
Compatibility w/ Adjoining Properties:

- A. No conflicts with adjacent property owners. The neighboring properties are typically daytime businesses. The majority of brewery visitors will be on evenings and weekends. We will likely promote and enhance nearby businesses through increased visibility and awareness.
- B. The majority of seating is inside the building. There will be minimal impact on privacy. All outdoor areas will be fenced / gated. Project improvements will bring significant aesthetic improvements to the property.
- C. Brewing operations will consist of standard ingredients including grain, hops, water, and yeast. There will be a vent above the brewhouse vessels. Spent grains will be kept in sealed plastic containers and picked up / delivered to local farmers and livestock. Fruita Hop Works and their neighboring livestock property are eager to accept and utilize our spent grain, hops, and yeast for feed and composting.

Schedule:

We are scheduled to close on the building July 10, 2019. Building plans and designs are underway. Light demo of the interior will commence as soon as possible with construction commencing as soon as permits allow. Anticipated construction will take approximately 4 – 6 months.

Building Space Plan: see below



MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:
1940

SHEET NAME:
SITE PLAN

DATE: 08/13/2019

SHEET NO:

C1.1

SCALE: 1" = 10'-0"



APPROVED

Westfall Investments, LLC

Monumental Beer Works, LLC

Neighborhood Meeting Notes for Change of Use Permit
2575 Hwy. 6 & 50

Tuesday, May 21, 2019

City of Grand Junction

Notes:

A neighborhood meeting was conducted at 2565 American Way. The following invitees attended:

- ✓ Ted Moncres
- ✓ Barb Hinze
- ✓ Jace Hochwalt

Comments:

- ✓ Attendees were excited about the business concept and look forward to renovations to improve the visual aesthetic of the property
- ✓ Had positive conversations about the shared use spaces on the property
- ✓ Discussed parking and desire for all involved to be supportive neighbors and community members

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Westfall Investments, LLC ("Entity") is the owner of the following property:

(b) 2575 Highway 6 and SO No. C ; Lot 1 of Anna Barron Subdivision, County of Mesa, State of Colorado

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Owner/Member for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

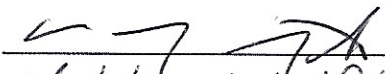
On behalf of Entity, I have reviewed the application for the (d) Conditional Use Permit for Brewery

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) _____

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: 

Printed name of person signing: Nicholas Westfall

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 10 day of July, 20 19

by Nicholas Westfall

Witness my hand and seal.

My Notary Commission expires on 5/12/23



Notary Public Signature



OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Westfall Investments, LLC ("Entity") is the owner of the following property:

(b) 2575 Highway 600 S0 NoC; lot 1 of Anna Barrera Subdivision, County of Mesa, State of Colorado

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Owner / Member for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Conditional Use Permit for Brewery
I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) _____

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: [Signature]

Printed name of person signing: Megan Westfall

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 10 day of July, 20 19

by Megan Westfall

Witness my hand and seal.

My Notary Commission expires on 5/12/23



[Signature]
Notary Public Signature

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 7-03-19

Project Name: Monumental Beer Works

Project Street Address: 2575 Hwy 6 & 50

Assessor's Tax Parcel Number: 2945-151-54-001

Project Owner Name: Brian Fischer

City or County project file #: _____

Name of Water Purveyor: City of Grand Junction

Applicant Name/Phone Number: Eric Kraai 970-640-7898

Applicant E-mail: eric@kraaidesign.com

1. If the project includes one or more one or two-family dwelling(s):

a. The maximum fire area (see notes below) for each one or two family dwelling will be _____ square feet.

b. All dwelling units will ☐, will not ☐ include an approved automatic sprinkler system.

Comments: _____

2. If the project includes a building other than one and two-family dwelling(s):

a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
2,800 square feet.

b. List each building that will be provided with an approved fire sprinkler system:
None

3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code[IFC]):
1,500 gpm @ 2 hours

Comments: _____

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴. Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

6 A.C Pipe

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be used to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow: 04-252-003

3030 gpm @ 20 PSI

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain:

Print Name and Title of Water Supplier Employee completing this Form:

Ron Key Water Service Supervisor

Date: 7-8-19

Contact phone/E-mail of Water Supplier: _____

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

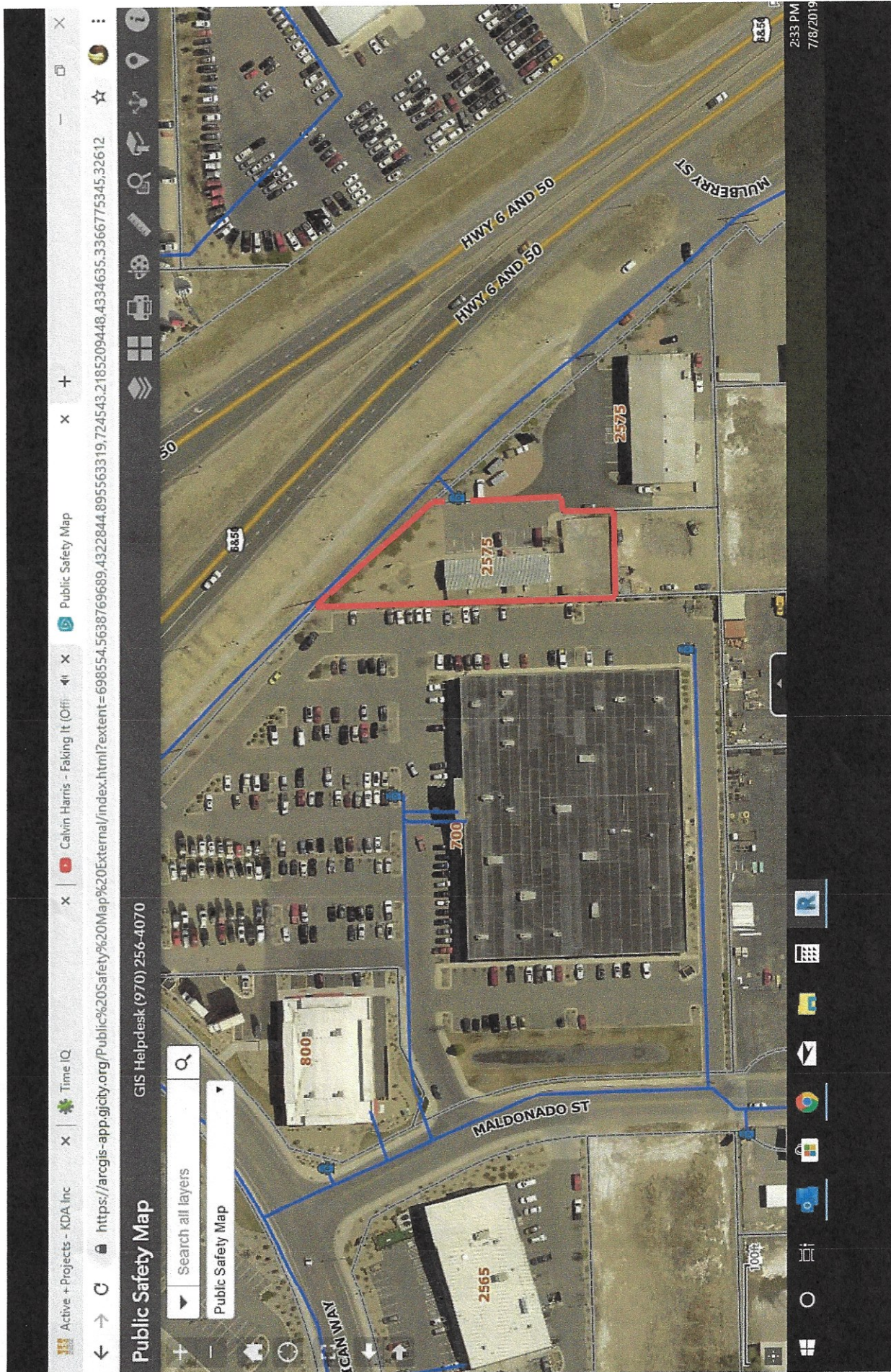
¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.



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5 PAGE DOCUMENT

USE COVENANTS ANNA BANANA SUBDIVISION

WHEREAS, Clint R. Janowitz and Diana L. Janowitz (OWNERS), are the sole owners in fee simple of the following land:

Lots 1 and 2, Tract A, Anna Banana Subdivision, situated in part of the SW ¼ NE ¼ NE ¼ Section 15, T. 1 S., R. 1 W., U.M., City of Grand Junction, Mesa County Colorado.

AND WHEREAS, the above described Owners desire to own, enjoy, protect, sell, convey, or dispose of the property above described, and desire to subject said property to certain Use Covenants to provide a permanent mechanism to:

Maintain, operate, and repair as necessary, the City of Grand Junction required stormwater facilities, as constructed on the described property.

To provide each of the future land Owners within the Anna Banana Subdivision the right to ingress and egress over, upon and across the Subdivision for access to each Lot.

Maintain, operate, and repair as necessary the existing identification sign located adjacent to the highway on Lot 2.

To provide each of the future land Owners within the Anna Banana Subdivision the right to share use of the existing outdoor display area located on Lot 2.

NOW, THEREFORE, the owners hereby make the following declarations as to limitations, restrictions, and uses to which any of the said property described above may be put, hereby specifying that said declarations shall constitute covenants to run with the land, or provided by law, and shall be binding upon it, its successors, and assigns, and all persons claiming under it, and for the benefit of and limitations upon all future owners of lots within the said plat of the Anna Banana Subdivision.

1. Existing Stormwater. The Owner(s) of Lot 1 and the Owner(s) of Lot 2 shall have an easement over Tract A for the purpose of collecting, conducting and discharge of stormwater runoff in accordance with City and State law and the City approved Site Plan. The owners of Lot 1 and of Lot 2 shall be jointly liable and responsible to maintain, operate, and repair as necessary, the existing Stormwater Facilities located within Tract A, until such time as the City of Grand Junction releases such Owners in writing, if ever. The owners of Lot 1 and Lot 2 of Anna Banana Subdivision shall have an equal right to use of Tract A according to the provisions herein.
- a. MAINTENANCE. The owners of Lot 1 and Lot 2 shall maintain and repair the Storm Water Facilities in proper working order at all times. They shall share equally in the expenses for normal maintenance and repair, as follows:

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Lot 1: 50 percent

Lot 2: 50 percent

Except in an emergency, no expense shall be incurred by any lot owner without the consent of all lot owners. Such consent shall be in writing, signed by all parties, with a copy delivered to each party.

- b. **PAYMENT.** The cost for agreed maintenance and repair shall be borne and shared equally by the owners of Lot 1 and Lot 2. In the consent to repair, the parties shall designate a party to be the agent for contracting or undertaking the agreed repair or maintenance and to collect each party's share of the cost thereof.
- c. **UNPAID COSTS OR UNREPAIRED DAMAGE TO BE A LIEN ON LAND.** In the event a party does not pay their pro rata share of the costs for maintenance and/or repairs within thirty (30) days after it is requested the remaining party shall be entitled to claim a lien against the non-paying or non-performing party's parcel of property, and to bring suit for such costs incurred thereby. Said lien shall be foreclosable as a mortgage pursuant to the laws of the state of Colorado.
2. **Ingress and Egress Easement.** The owner(s) of Lot 1 shall have a non exclusive perpetual easement over Lot 2 for ingress and egress as described on the Anna Banana Subdivision plat on file in the records of the Mesa County Clerk and Recorders office, including use by public service providers, including but not limited to postal service, trash collection, fire, police, emergency vehicles and the City of Grand Junction.
 - a. **MAINTENANCE.** The parties shall maintain and repair the surface of the Ingress and Egress Easement. All parties shall share equally in the expenses for normal maintenance and repair. Except in an emergency, no expense shall be incurred by any party without unanimous consent of all other parties hereto. Such consent shall be in writing, signed by all parties, with a copy delivered to each party.
 - b. **PAYMENT.** The cost for agreed maintenance and repair shall be borne and shared equally by the owners of the lots having equal access there from. In the consent to repair, the parties shall designate a party to be the agent for contracting or undertaking the agreed repair or maintenance and to collect each party's share of the cost thereof.
 - c. **UNDERGROUND REPAIRS.** Whenever changes to or emergency repairs are required to the underground servicing systems (gas, water, electricity, sewer, cable and phone) that require breaking the surface of the easement property to conduct repair or change, the property owner and other parties having service systems within the easement area shall be notified immediately. The method used to expose the service system for change or repair shall be agreed to by the property owner prior to initiation.
 - d. **DAMAGE.** It is also understood and agreed that if the owner of the lot having access over this easement damages or disturbs the surface of the roadway over this easement, (other than normal automobile and service ingress and egress.) Then they shall be responsible to immediately restore the surface to as nearly as possible to the condition in which it existed prior to being disturbed.

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- e. **UNPAID COSTS OR UNREPAIRED DAMAGE TO BE A LIEN ON LAND.** In the event that a lot owner(s) does not pay their pro rata share on costs within thirty (30) days after it is requested or a party responsible for damage to the roadway does not immediately correct the damage, then the remaining parties shall be entitled to claim a lien against the non-paying or non-performing party's parcel of property, and to bring suit for such costs incurred thereby. Said lien shall be foreclosable as a mortgage pursuant to the laws of the state of Colorado.
3. **Existing Identification Sign.** located on Lot 2 and shown on the accompanying EXHIBIT A is available for use by the owners of Lot 1 and Lot 2 and/or by any one conducting business within Lot 1 and Lot 2, in accordance with the City of Grand Junction's sign regulations. The owner(s) of Lot 1 hereby granted an easement over Lot 2 for sign maintenance, repair and use.
 - a. **MAINTENANCE.** The parties shall be responsible to maintain, repair and replacement each of their individual sign.
 - b. **DAMAGE.** It is also understood and agreed that if the existing identification sign in its entirety is destroyed and/or replaced, that the total expense will be paid prorated by the size of each of the individual parties' sign.
 - c. **OPERATIONAL FEES.** The owner of Lot 2 shall be responsible to pay the electrical fees, unless alternative mutual agreement is made by the owners of Lot 1 and Lot 2.
4. **Existing Outdoor Display Area.** The existing approximate 2,400 square foot outdoor display area located on Lot 2, as shown on the accompanying EXHIBIT A is available, on shared and/or rotational bases, for use by owners of Lot 1 and Lot 2 in accordance with the City of Grand Junction's outdoor display regulations. The owner(s) of Lot 1 are hereby granted an easement over Lot 2 for use hereunder of the Outdoor Display Area.
 - a. **MAINTENANCE.** The owner of Lot 2 shall be responsible to maintain, repair and the payment of any property taxes incurred from the existing outdoor display area, unless alternative mutual agreement is made by the owners of Lot 1 and Lot 2.
5. **Terms.** These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of ten (10) years from the date they are recorded after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to terminate said covenants, or change them in whole or in part.
6. **Enforcement.** Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages, or both.
7. **Invalidation.** Invalidation of any one of these covenants by judgment or court order shall in no way effect any of the other provisions, which shall remain in full force and effect. All restrictions set forth in title or plat will remain in full force and effect.

RECEPTION #: 2600608, BK 5260 PG 544 02/14/2012 at 03:36:58 PM, 4 OF 5, R
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OWNERS

Clint R. Janowitz
Clint R. Janowitz

Diana L. Janowitz
Diana L. Janowitz

STATE OF COLORADO)
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 31st day of January,
2012 by Clint R. Janowitz and Diana L. Janowitz.

My commission expires: 11/01/2013

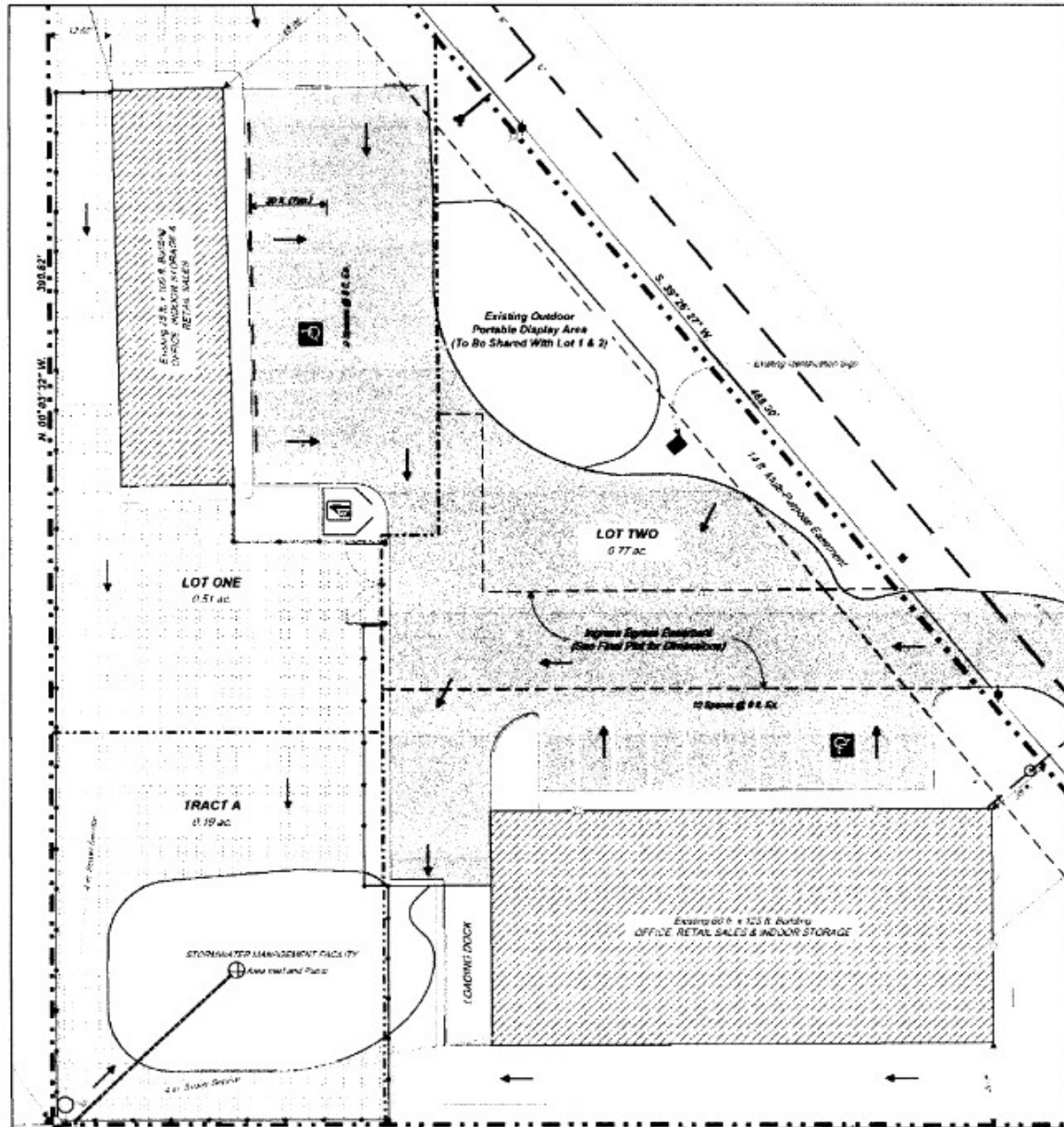
Witness my hand and official seal.

Kathleen A. Bowen
Notary Public



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\$30.00 S \$1.00 Sheila Reiner, Mesa County, CO CLERK AND RECORDER

EXHIBIT A





Industrial Pretreatment Division
 Persigo Wastewater Plant
 2145 River Road
 Grand Junction, CO 81505
 970-256-4180

INDUSTRIAL PRETREATMENT SURVEY FOR ALL INDUSTRIAL and COMMERCIAL (Non-Residential) BUSINESSES

The United States Environmental Protection Agency (USEPA) requires the City of Grand Junction (City) Industrial Pretreatment Program to regulate industrial and commercial facilities in our service area that generate wastewater that may be significant to the Persigo Wastewater Treatment Facility. To support this requirement, the City performs business and facility surveys and inspections to obtain information regarding facility operations and chemical usage, and to evaluate the significance of a facility's wastewater discharge to the publicly owned sewer system. This survey is a screening tool to determine if additional City requirements are required and to add local commercial and industrial businesses to the City's Industrial Pretreatment database.

Facility Name: Monumental Beer Works LLC

Facility Location: 2575 Hwy 6 And 50

Mailing Address: 352 N. Bookcliff Ct, Fruita, CO 81521

Facility Owner: Brian Fischer

Facility Contact: <u>Brian Fischer</u>	<u>Owner</u>	<u>303-910-4792</u>
<u>Name</u>	<u>Title</u>	<u>Phone #</u>

e-mail address: info@monumentalbeerworks.com

Contractor Contact: <u>Mike Zag</u>	<u>970-260-9808</u>	<u>mike@zagbuilt.net</u>
<u>Name</u>	<u>Phone #</u>	<u>e-mail</u>

1. Provide a brief description of new project (ex: new building construction, painting, roofing, remodel, etc.)
Conversion of an existing retail scuba diving shop into a "nano brewery".

2. Provide a brief description of the operations at this facility including primary products and services (ex: restaurant, retail, garage, office, medical, etc.) All spent grain, hops, and yeast will be placed in plastic containers and picked up / delivered to local farmers / livestock. Fruita Hop Works and their neighboring livestock property are eager to accept all of our spent grain, hops, and yeast. Any process water will be pH tested and adjusted to Persigo standards before being released to any drain. Records of this will be kept on site and available for inspection at any time.

3. Please answer the following questions to determine if other Pretreatment applications may be required to be completed for your project or facility. ****All Questions Must Be Answered****

Yes	No	Industrial Pretreatment Survey Form
	x	Is this facility an office or retail store?
		Will this facility discharge only domestic wastewater or sewage that is typically only found in a residential home? (Note: Domestic wastewater is wastewater generated <i>only</i> from typical bathroom and breakroom facilities, such as toilets and breakroom sinks, hand sinks and showers. All other industrial or commercial wastewater is considered process wastewater.)

☒		Will there be any changes to the existing plumbing? If Yes, briefly describe the change: _____
		Is this facility under new ownership or lease agreement?
		Has this facility stopped operation or been closed for a period of 12 months or longer?

Yes	No	Food Service
	☒	Is this a food service or food processing facility (ex: restaurant, coffee shop, fast food, catering, etc.) or has any of the following: bar, bistro, bakery, butcher shop, cannery, etc?
		Does this facility have a commercial kitchen?

Yes	No	Vehicle/Equipment
	☒	Does this facility service or clean any vehicles or equipment (ex: engines, parts, valves)?
	☒	Does this facility do any materials or metal fabrication (ex: grinding, polishing, cutting, welding, forging, tumbling, etc.)?
	☒	Are there any floor drains in the shop area?

Yes	No	Medical
	☒	Does this facility provide medical services?
	☒	Does this facility provide dental services?
	☒	Does this facility operate a laboratory?

Yes	No	Recreational Vehicle Dump Station
	☒	Does this facility provide a Recreational Vehicle Septage Dump Station?

Yes	No	Other Industrial Discharge
	☒	Does this facility discharge or produce any processed industrial or commercial wastewater other than the types listed above?

Yes	No	Material Use
	☒	Will this facility use, store or generate any flammable, toxic, corrosive or hazardous materials?

CERTIFICATION STATEMENT

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. *By submitting this survey, I certify that I am the owner/officer/manager of the property or that I have the authority to submit this survey on behalf of the owner.*

Printed Name & Title: Eric Kraai - Architect

Signature:  Date: 7-8-19



Industrial Pretreatment Division

Persigo Wastewater Plant

2145 River Road

Grand Junction, CO 81505

970-256-4180

Industrial Pretreatment Clearance

This clearance is issued by the City of Grand Junction Industrial Pretreatment Division for approval at the following facility:

Date: July 16, 2019

Facility Name: Monumental Beer Works LLC

Address: 2575 Highway 6&50

City/State/Zip: Grand Junction, CO 81501



Other: Nano Brewery



Other: Based on the information that has been provided there will not be any Industrial Pretreatment installation requirements for this project. Monumental Beer Works must follow the Best Management Practices as stated in the Pretreatment Survey and follow all discharge regulations within the Grand Junction Municipal Code. If there are any significant changes to the operations of the facility this office must be notified to determine any applicable requirements.

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO.

1960

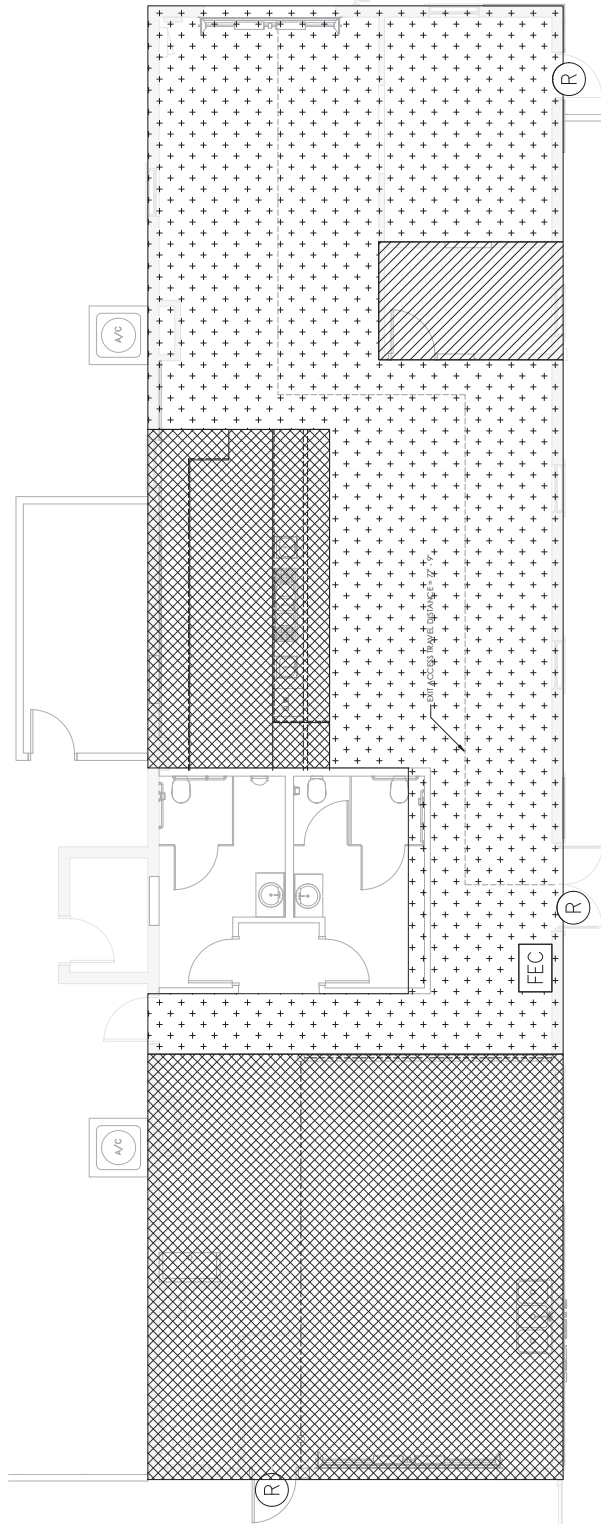
SHEET NAME
LIFE SAFETY PLAN

DATE: 08/13/2019

SHEET NO.

A1.0

SCALE: As indicated



CHAPTER 6 - TYPES OF CONSTRUCTION:

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CHAPTER 7 - FIRE AND SMOKE PROTECTION FEATURES:

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CHAPTER 8 - EGRESS:

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CHAPTER 9 - FIRE PROTECTION AND LIFE SAFETY SYSTEMS:

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CHAPTER 10 - MEANS OF EGRESS:

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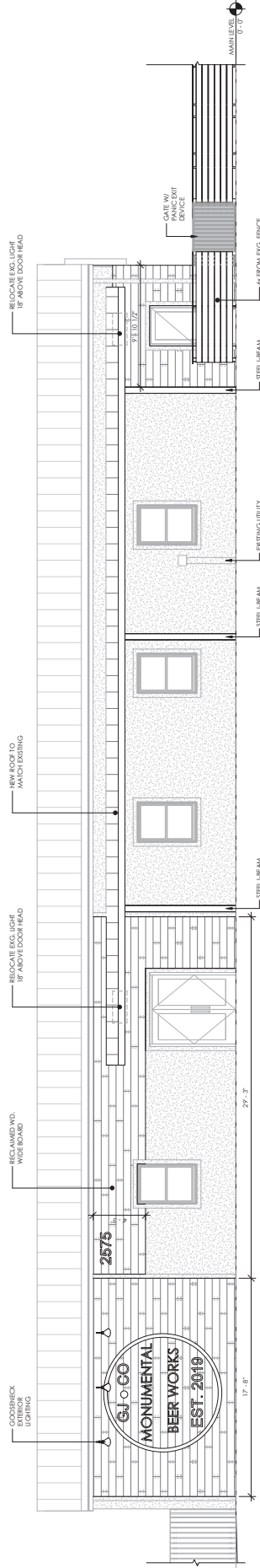
TABLE 1001

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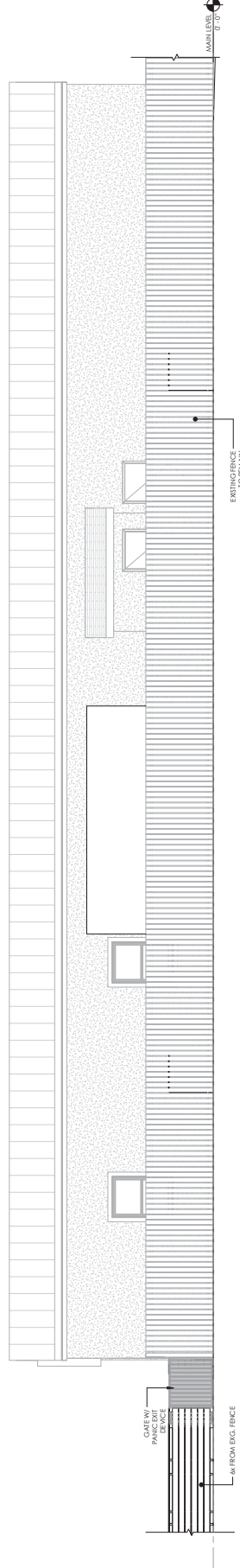
TABLE 1001

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1 SOUTH ELEVATION
A2.1 1/4" = 1'-0"



2 NORTH ELEVATION
A2.1 1/4" = 1'-0"

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:

1960

SHEET NAME:

ROOF PLAN

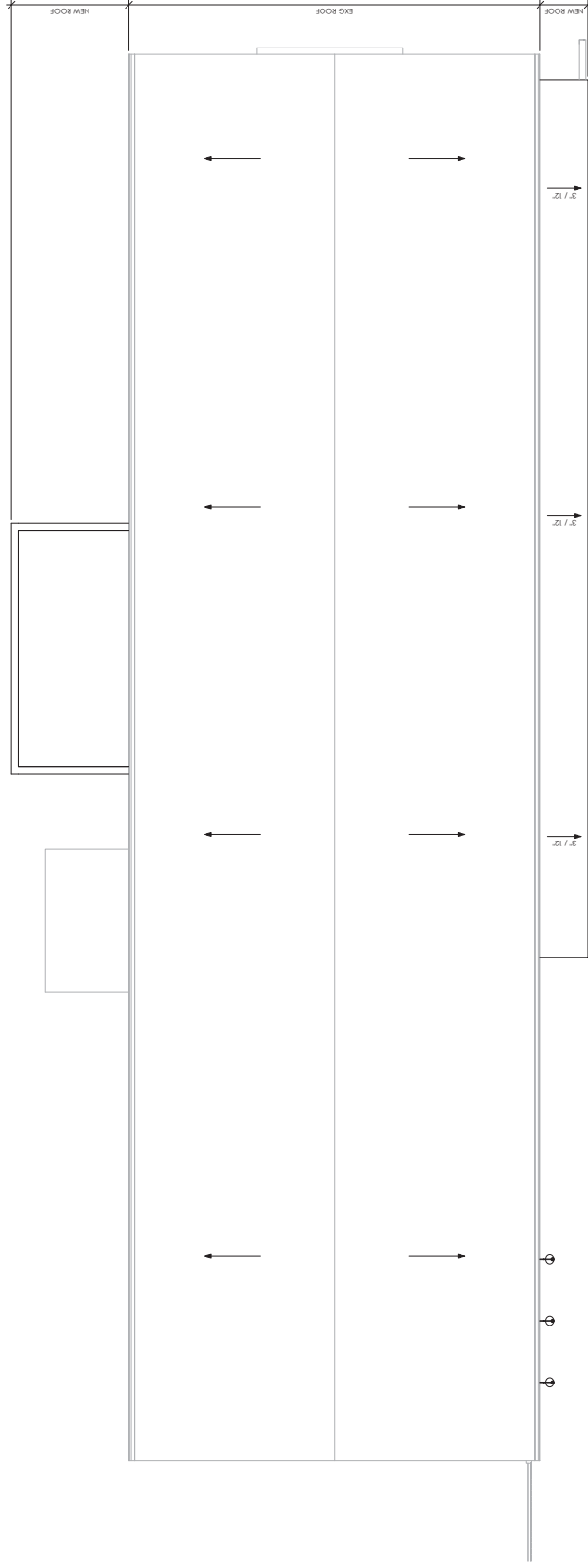
DATE: 08/13/2019

SHEET NO:

A1.3

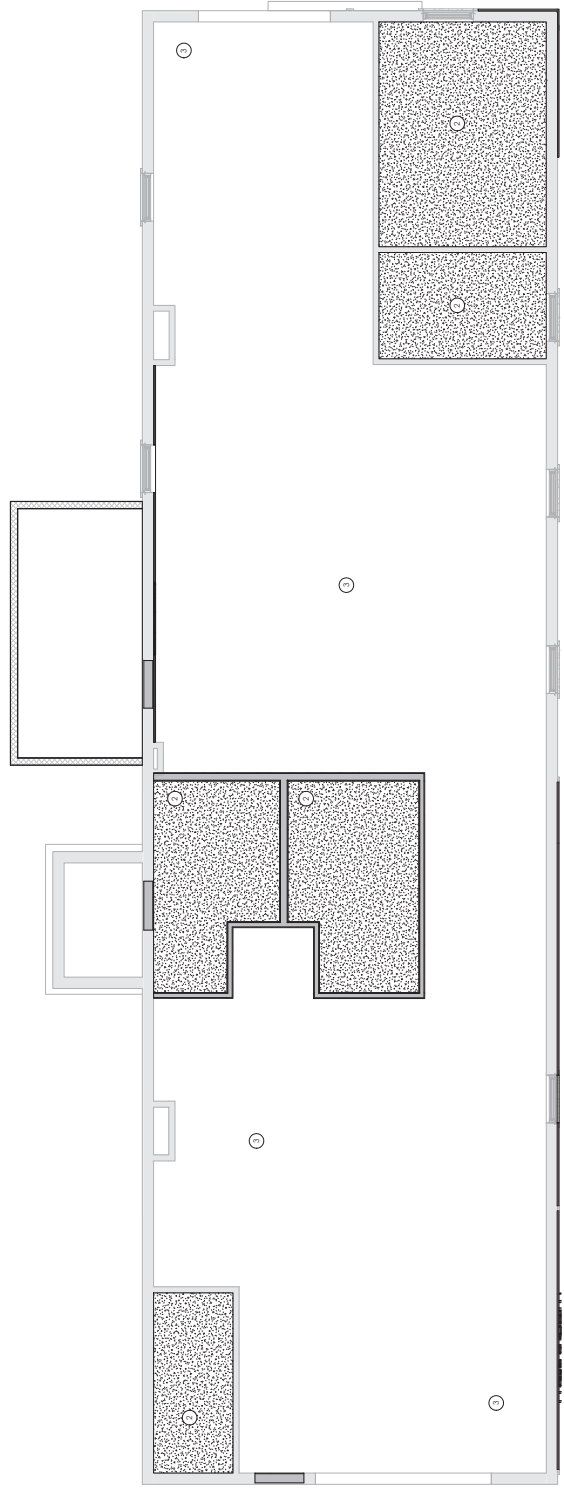
SCALE: 1/4" = 1'-0"

APPROVED



LEGEND

	EXISTING CEILING		4' x 4' RECESSED LINEAR FLUORESCENT, RE: ELEC
	GYPSED PAINT		LINEAR FLUORESCENT, RE: ELEC
	EXPOSED TO EXISTING STRUCTURE PAINT BLACK BY OWNER		LINEAR FLUORESCENT, RE: ELEC
	PENDANT, RE: ELEC		SUPPLY AIR GRILLE, RE: MACH
	DOWNLIGHT, RE: ELEC		EXHAUST FAN, RE: MACH
	WALL SCONCE, RE: ELEC		RETURN AIR GRILLE, RE: MACH
	2' x 2' RECESSED LIGHT, RE: ELEC		EXIT SIGN, INDICATING DIRECTIONAL ARROW & SIGN, RE: ELEC
			SMOKE DETECTOR, RE: ELEC
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1 MAIN LEVEL REFLECTED CEILING PLAN
A1.2 1/4" = 1'-0"

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:

1960

SHEET NAME:

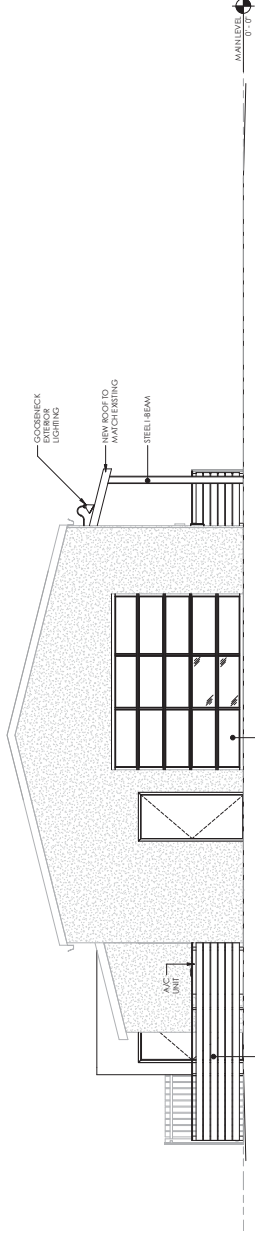
EXTERIOR ELEVATIONS

DATE: 08/13/2019

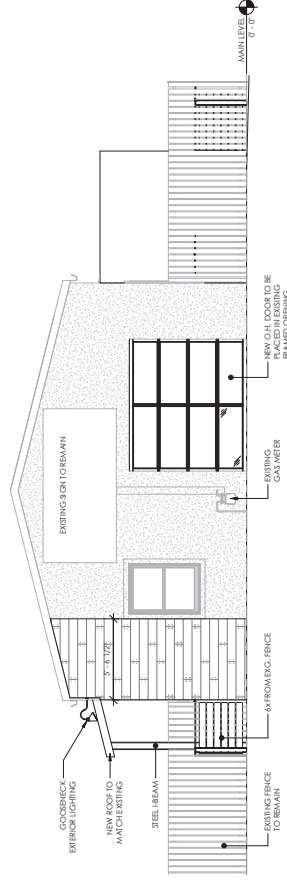
SHEET NO:

A2.2

SCALE: 1/4" = 1'-0"

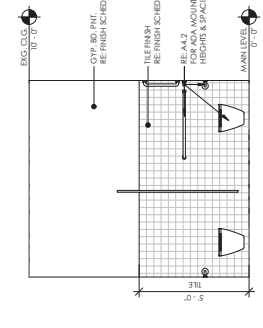


1 WEST ELEVATION
A2.2 1/4" = 1'-0"

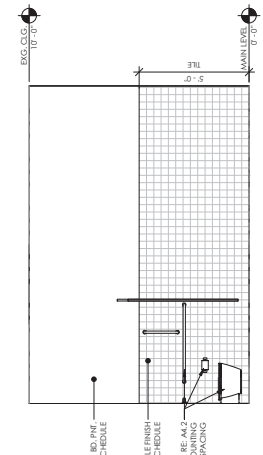


2 EAST ELEVATION
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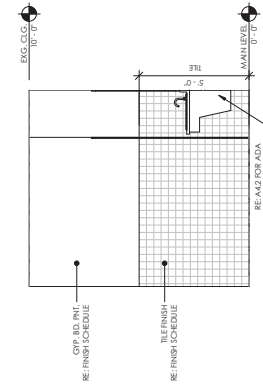
APPROVED



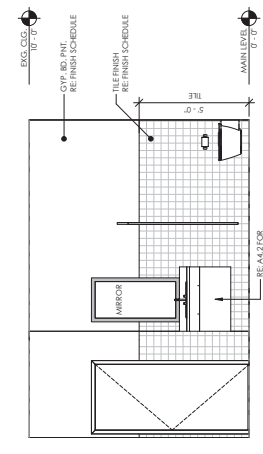
1 I.E. Women's R.R. #1
 A3.1 3/8" = 1'-0"



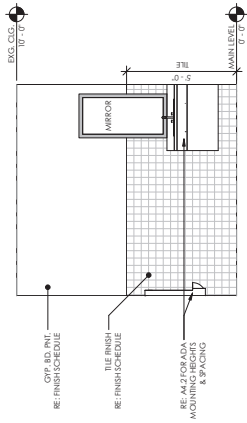
2 I.E. Women's R.R. #2
 A3.1 3/8" = 1'-0"



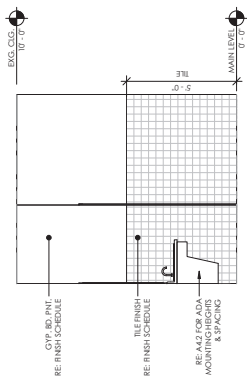
3 I.E. Women's R.R. #3
 A3.1 3/8" = 1'-0"



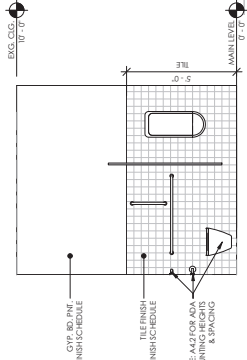
4 I.E. Women's R.R. #4
 A3.1 3/8" = 1'-0"



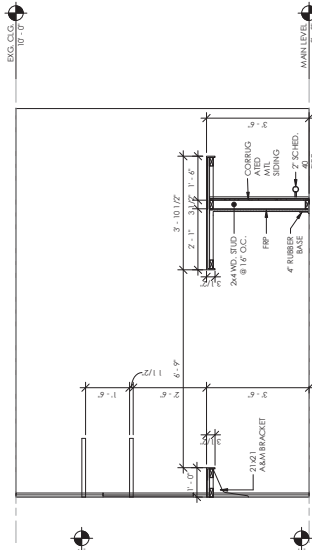
5 I.E. Men's R.R. #1
 A3.1 3/8" = 1'-0"



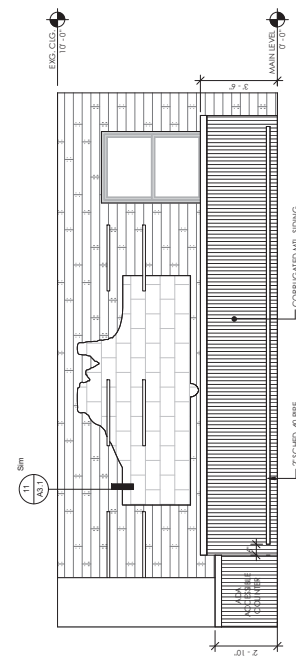
6 I.E. Men's R.R. #2
 A3.1 3/8" = 1'-0"



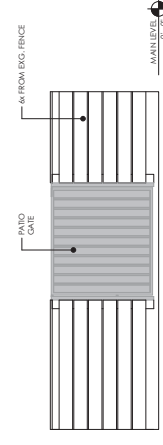
7 I.E. Men's R.R. #3
 A3.1 3/8" = 1'-0"



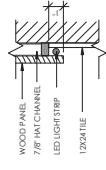
8 SECTION @ BAR
 A3.1 1/2" = 1'-0"



9 I.E. @ BAR
 A3.1 3/8" = 1'-0"



10 EXTERIOR FENCE DETAIL
 A3.1 1/2" = 1'-0"



11 LOGO DETAIL AT INSET
 A3.1 3" = 1'-0"

MONUMENTAL BEER WORKS

2575 U.S. 6 & 50
GRAND JUNCTION, CO 81505

REVISION:

CD

PROJECT NO:
1960

SHEET NAME:
DEMO PLAN

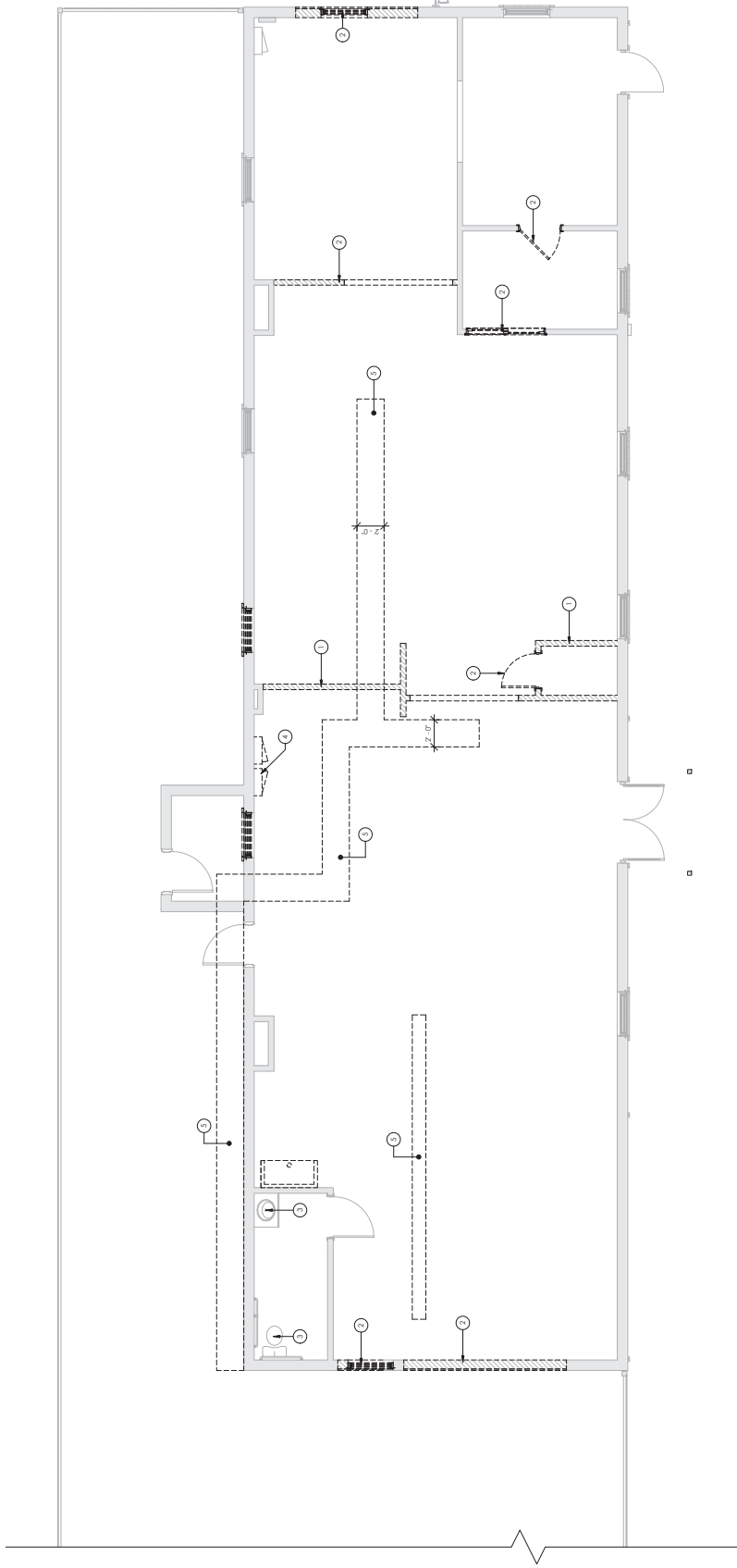
DATE:
08/13/2019

SHEET NO:

D1.1

SCALE:
1/4" = 1'-0"

DEMO LEGEND	
1	EXISTING WALL TO BE DEMOLISHED
2	EXISTING ITEM TO BE DEMOLISHED
3	EXISTING WALL TO REMAIN
4	EXISTING ITEM TO REMAIN
5	EXISTING PLUMBING FEATURE TO REMAIN
6	RELOCATE EXISTING ELECTRICAL PANEL
7	SAW CUTTING CONCRETE FOR NEW PLUMBING FEATURES



1 MAIN LEVEL DEMO PLAN
D1.1 1/4" = 1'-0"

APPROVED



Grand Junction Planning Commission

Regular Session

Item #5.

Meeting Date: August 27, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request by Club Deal 127 Merk Grand Junction LP to rezone from Mixed Use (MU) to Planned Development (PD) and approve an Outline Development Plan (ODP) for approximately 39.25 acres at 2372 G Road.

RECOMMENDATION:

Staff recommends approval of this request.

EXECUTIVE SUMMARY:

The Applicant, Club Deal 127 Merk Grand Junction LP is requesting approval of a Rezone of 39.25 acres located at 2372 G Road to Planned Development (PD) and approval of an Outline Development Plan (ODP) to be known as The Community Pod 5. The property is currently zoned Mixed Use (MU), and this request is to change it to a Planned Development (PD) zone with a default zone of Business Park (BP).

This rezone request to PD is complementary to the "The Community" a mixed use Planned Development that received approval by the City for four development pods on May 15, 2019. Pod 5 is proposed to allow single-family, multi-family, business, and commercial land uses in a mixed use development.

BACKGROUND OR DETAILED INFORMATION:

The Applicant, Club Deal 127 Merk Grand Junction LP is requesting a Rezone to Planned Development (PD) for The Community Pod 5 and approval of an Outline Development Plan (ODP) consisting of 39.25 acres located at 2372 G Road. The property is currently zoned Mixed Use (MU), and this request is to change it to a

Planned Development (PD) zone with a default zone of Business Park (BP). The intent is to create a PD zone with compatible uses as those found in the recently adopted Ordinance No. 4855 approved by City Council on May 15, 2019 for “The Community”, a 4-Pod, 177-acre tract located to the south of this proposed rezone.

Like three of the four Pods in “The Community” Planned Development ODP to the south, Pod 5 is proposed to be a PD Zone with an underlying default zone of Business Park Mixed Use (BP). Specifically, it will be similar to Pod 1 characteristics of “The Community” ODP.

Proposed Rezone/ODP and Phasing Schedule

The Applicant is proposing to zone the property from Mixed Use (MU) to Planned Development (PD) with modifications to allowed uses and bulk standards found in the proposed default zone district of Business Park Mixed Use (BP) and proposes performance standards and a phasing schedule.

The Applicant is requesting zoning changes that are not allowed under the default zone of BP. These changes include adding other housing types, in addition to the multifamily already allowed in BP, including Single Family Detached, Single Family Attached (Townhomes) and Duplexes, reducing the minimum density from 8 to 5.5 du/ac, and to limit the amount of that type of housing in development of Pod 5 to no more than 70% of the land area or 29.4 acres. Further, several additional non-residential land uses are proposed to provide for a greater range of options for the future development of this property. Under the PD zoning the list of authorized uses will be allowed without the need for approval of a conditional use permit for any of the allowed uses.

Specific proposed changes to the default zone of BP for Pod 5 are as follows:

Pod 5:

1. Add Single Family Detached, Single Family Attached (Townhomes) and Duplex Residential as allowed uses at a minimum density of 5.5 units per acre on no more than 70% of the acreage of Pod 1.

2. Add additional land uses as follows:

- a. Accessory Dwelling Units,
- b. Business Residence,
- c. Museums, Art Galleries, Opera Houses, Libraries
- d. Public Safety and Emergency Response Services
- e. Fuel Sales, Automotive/Appliance
- f. General Retail Sales, outdoor Operations, Display or Storage
- g. Government and Public Purpose Facilities,
- h. Parks and Open Space, and

i. Agricultural uses.

3. Reduce the street setback for principal structures from 15 feet to 10 feet (except no change to 30 feet setback for non-residential buildings along Arterial roadways).

4. Reduce minimum lot width from 100 feet to 20 feet.

5. Reduce the minimum lot area from 1 acre to 1,800 square feet.

6. Establish a multi-family density of 12 to 24 du/ac.

Other regulations and performance standards also approved with the “The Community” Planned Development will apply to this PD zone as follows.

1. Title 25, 24 Road Corridor Standards in the current Zoning and Development Code (Code) shall apply, unless otherwise amended by the City.

2. Unless otherwise included in this PD Ordinance, the development regulations, standards and administration contained within Section 21.06 of the Code, as may be amended including any applicable overlay zones apply to this PD and ODP, except the following:

3. There are no hours of operations limitations for uses in Pod 5

4. Loading docks and trash areas or other service areas shall be located only in the side or rear yards and must be screened from adjacent right-of-ways with either a wall, fence or landscaping.

5. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use 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, an 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 occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point along the property line.

c. Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or 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. 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. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director

f. Outdoor Storage and Display: Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC 21.04.040(h).

Proposed Outline Development Plan Map:

The Community Pod 5 has been identified on the ODP as the fifth pod of “The Community”. The proposed number and general location of access points are shown for Pod 5 with two future access points to G Road, one future access point to 23 ½ Road and a future access point to the future 23 ¾ Road adjacent to the east.

The Community Pod 5 ODP proposes a landscaped linear park and trail for pedestrian and non-motorized use that runs east to west on the north side of G Road, in the southern portion of the subject property. This trail network will eventually connect to the east to Canyon View Park and the 24 Road corridor around G Road. The landscaped linear park and trail corridor is much greater in size and scope than what G Road would be constructed as a minor arterial street section, thereby providing a community benefit that satisfies the community benefit requirement of the PD rezone and deviations being requested for the proposed Pod 5. G Road constructed as a minor arterial would typically have either an attached sidewalk or possibly a detached sidewalk with a narrow park strip for street trees within its 80 feet of right-of-way. Please see the attached illustrative graphics of the linear park and trail section.

Proposed Development Phasing Schedule:

The proposed development schedule for The Community Pod 5 states a Preliminary Development Plan for Pod 5 must be approved within six (6) years of the PD Ordinance. A Final Development Plan and plat shall be approved within eight (8) years for Pod 5, or the ODP will expire and the zoning will revert to the original MU. A

regulation of the Zoning and Development Code, a maximum 10 years can be approved for a development schedule.

Default Zones and Deviations:

The Applicant is proposing to utilize the dimensional standards, including maximum nonresidential floor area of the Business Park (BP) zone districts. Under Section 21.05.040 (a) Generally, "Planned Development shall comply with the development standards of the default zone and all other applicable code provisions, except when the City Council specifically finds that a standard or standards shall not be applied." The applicant is requesting a reduction in minimum density from the default zone of BP of 8 du/ac and reducing that minimum to 5.5 du/ac. Under paragraph (b) of that same section it states under Residential Density, "Dwelling unit densities in planned development shall comply with the maximum and minimum densities of the Comprehensive Plan or default zone", which is 8 du/ac. Staff recommends to Planning Commission and City Council that the minimum density of 8 du/ac should not be applied, but reduced to 5.5 du/ac for reasons discussed in this staff report and more specifically the ability of this development to provide for greater housing choice, a Guiding Principle of the Comprehensive Plan. A reduction in the density will provide for housing that includes single family attached, detached and duplexes. The nonresidential intensity as discussed in 21.05.040(c) will default to the BP zone district. Single Family Attached, Single Family Detached, Townhomes, and Duplexes are not allowed in the BP zone. Proposed deviations are shown in the following table:

Dimensional Standards	Default BP	Proposed PD
Minimum Lot Area	1 acre	1,800 s.f.
Minimum Lot Width	100 ft.	20 ft.
Minimum Street Frontage	No Minimum	No change
Minimum Setbacks		
Front-Street (see footnote1)	15	10
Accessory (F/S/R)	25/5/10	No change
Side/Rear	10 / 10	0
Minimum and Maximum Density		
S.F/attached/detached/duplex	8 du/ac	5.5 du/ac
Multi-family	8-24 du/ac	12/du/ac
Maximum Height	65 Ft.	No change

Footnotes: 1. Non-Residential buildings shall be setback a minimum of 30 feet from "Arterial" designated right-of-ways.

For maximum flexibility in the design of this site and to allow for single family detached

and single family attached dwelling units, the Applicant is requesting the following deviations:

1. Reduction in minimum lot size from 1 acre to 1,800 square feet.
2. Reduction of the Minimum Lot width from 100 feet to 20 feet.
3. Reduction of the front (street) yard setback for principal structure from 15 feet to 10 feet.
4. Reduction of the side and rear yard setbacks for a principal structure from 10 feet to 0 feet and for an accessory structure no change.
5. Reduction of the minimum density from 8 dwelling units per acre to 5.5 dwelling units per acre to accommodate the one, two dwelling and townhome housing type.

The requested minimum setback standards will be conditioned to meeting Section 21.05.040(f)(1) of the Zoning Code in that final building plans will demonstrate each building can be safely designed and that the design is compatible with lesser setbacks, to be evaluated under the International Fire Code and any other applicable life, health or safety codes. Also the reduction of setbacks from the PB default zone will be offset by increased screening of residential uses from nonresidential uses through separation and/or building orientation, or primary recreation facilities in private or common open space.

Deviations:

Section 21.05.040 (g) of the Zoning and Development Code allows for the Planning Commission to recommend the City Council deviate from the default district standards subject to the provision of any of the community amenities as identified below. In order for the Planning Commission to recommend and the City Council to approve the deviation, the listed amenities to be provided shall be in excess of what would otherwise be required by the code. These amenities include:

1. Transportation amenities including, but not limited to, trails other than required by multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelter;
2. Open space, agricultural land reservation or land dedication of 20% or greater;
3. Community facilities for provision of public services beyond those required for development within the PD;
4. The provision of affordable housing for moderate, low and very low income

household pursuant to HUD definitions for no less than 20 years; and

5. Other amenities, in excess of minimum standards required by this Code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.

The Applicant is seeking approval of deviations to the default zone district for Pod 5. The proposal is to provide transportation amenities satisfying criterion 1 under Section 21.05.040(g) of the code. Staff finds that this proposal to provide a 25 ft. wide linear park with an 8 to 10 ft. wide concrete path non-motorized transportation trail within “The Community” Pod 5 meets criterion 1 above. Additional discussion of this amenity is found below in the analysis section of the staff report.

NOTIFICATION REQUIREMENTS

As required by § 21.02.080 (e) of the Zoning and Development Code, a Neighborhood Meeting was held on March 7, 2019. Nine (9) people attended the meeting along with City Staff. Generally, those in attendance were supportive of the proposal.

Notice was provided in accordance with §21.02.080 (g) of the Zoning and Development Code. On July 12, 2019 notice of the application was mailed to property owners within 500 feet of the subject property. An application sign was posted on the property on or before July 12, 2019 and notice of the public hearing was published August 20, 2019 in the Daily Sentinel.

ANALYSIS

The Grand Junction Comprehensive Plan does not have a future land use designation that matches well with what The Community Pod 5 Planned Development proposes. There is no individual land use designation that allows the range of land use intensity and density that the proposed 39.25-acre Pod 5 is requesting. Yet everything that is included within the proposed PD zoning embodies the underlying guiding principles, goals and policies of the Comprehensive Plan. It is through compliance and support of the Guiding Principles that Pod 5 is in conformance with the Comprehensive Plan.

The four Guiding Principles from the Comprehensive Plan that support “The Community” include:

- Guiding Principal 2. Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services. Pod 5 with the range of residential density and range of nonresidential development proposed under the PD zoning will allow for a development mixed with residential of a

wide variety of housing choice from single family to multifamily, allowing residents to age in place with medical services within walking distance and live where jobs, neighborhood goods and services are also within walking distance. Pod 5 is 39-acres located in an infill area of Grand Junction adjacent to the 24 Road/Mesa Mall Village Center with a regional mall and shopping including a full service grocery store. Development of Pod 5 along with other four pods located within “The Community” approved to the south of Pod 5, will help lessen pressure of Grand Junction to grow outward as it helps development to infill within the Northwest Grand Junction planning area.

- Guiding Principle 3. Housing Variety—allow/encourage more variety in housing types (besides just large lot single family homes) that will better meet the needs of our diverse population—singles, couples, families, those just starting out, children who have left home, retirees, etc.

Pod 5 is proposing single family detached to apartment living opportunities for residents. Providing a mix of housing types promotes housing choice for each homeowner’s individual needs whether that need is for a small single family detached home, apartment living, a townhome or living in a larger home for families. It gives residents options to age in place where medical facilities are existing and located next door.

- Guiding Principle 4. A Grand Green System of Connected Recreational Opportunities - Take advantage of, and tie together the exceptional open space assets of Grand Junction, including the Colorado River, our excellent park system, trails and our surrounding open spaces.

The Community Pod 5 proposes to construct a non-motorized linear park trail system providing pedestrians and bicycle access along and through the development adjacent to G Road. This park trail corridor will stub to the east with the ability for the property to the east to continue it east to the City’s Canyon View Park area and regional shopping in the 24 Road area. In the future this trail connection will also eventually link with the Leach Creek Active Transportation corridor running north and south along the east side of 24 Road. The Leach Creek Active Transportation corridor links Paradise Hills neighborhood to the north and the Redlands area to the south when the entire corridor is constructed.

- Guiding Principle 5. Balanced Transportation - Accommodate all modes of transportation including: air, transit, freight, auto, bike and pedestrian.

In addition to providing for the required street network established by the Grand Junction Circulation Plan, Pod 5 will provide a safe non-motorized corridor with its linear park trail system providing access to both east and west of the property.

In addition, there are two goals of the Comprehensive Plan that support “The

Community. Each has policy(ies) that further support this proposal. These are included within the analysis under section 21.02.150(b)(2) below.

With the approval of the rezone and ODP for The Community Pod 5, the 39 acres of mixed use will combine with the 177 acres of Pods 1-4 of “The Community” located to the south. Together this creates a large 216 acres of infill development in an area of town between existing commercial and industrial uses on the west and the growing 24 Road corridor/Mesa Mall Village Center area to the east. At 216 acres, it makes it possible to blend land uses and create compatibility between them. For Pod 5, this can be accomplished through a preliminary and final plan that will be required following ODP approval and within the Planned Development zoning.

Proposed Zoning to PD for 39.25 acres

The Zoning and Development Code states the purpose of PD zoning under section 21.05.010, and establishes the need to provide long-term community benefits when used for zoning a proposed development.

21.05.010 Purpose.

The planned development (PD) zone applies to mixed use or unique single-use projects where design flexibility is desired and is not available through application of the standards established in Chapter 21.03 GJMC. Planned development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved. The Director shall determine whether substantial community benefits will be derived. Specific benefits that the Director may find that would support a PD zoning include, but are not limited to:

(a) More effective infrastructure;

The Applicant has stated that the use of geothermal (if local builders accept it) is a much more efficient and environmentally sustainable way to deliver the natural heat of the earth into the homes. Their plans are to use a unique geogrid system and ground source heat pumps inside the homes to heat and cool the homes. Staff finds that creating a true mix of land use where housing, services and jobs are found in a walkable environment also utilizes the infrastructure in an optimal way.

(b) Reduced traffic demands;

This is also true with reducing traffic demands. Allowing people to live close to where they live and obtain their services reduces traffic.

(c) A greater quality and quantity of public and/or private open space;

The pedestrian park system as proposed in the linear park/trail system as shown on the proposed ODP will ultimately tie the G Road corridor to Canyon View Park and will

increase public open space by approximately 0.7 acres, in addition to beautifying the G Road corridor.

(d) Other recreational amenities;

Biking and walking is an important activity in the region and will benefit from the landscaped park/trail system as proposed and the pedestrian amenities such as benches provided for gathering and socializing that are proposed. This will be an important segment in the trail corridor in creating connectivity of the trail system as the larger neighborhood develops..

(e) Needed housing types and/or mix;

The applicant has stated that "clustered residential density that will be accomplished with this PD is badly needed by the city. This project will create more affordable and diversified housing. Because of the proximity to Community Hospital, the PD will allow such needed housing mixes as assisted care and memory care housing as well as age in place homes and extended care facilities. The PD will also allow hotels, apartments and low maintenance townhomes. This variety of housing types will significantly address the needs of the community in this part of the city." Staff concurs that a mix of housing types in one area is a benefit to the city.

(f) Innovative designs;

The proposed formal linear park/trail system is innovative and not seen elsewhere in Grand Junction along minor arterial roadways such as G Road. The propose use of geothermal energy for housing and nonresidential construction is innovative as well.

(g) Protection and/or preservation of natural resources, habitat areas and natural features; and/or.

The applicant states they are working with local builders to introduce more energy efficient homes using geothermal heating and cooling, as well as energy producing solar voltaic on the homes. The result will be housing that is zero energy capable. This type of energy delivery is extremely friendly to the environment and also dramatically reduces outdoor sound pollution by eliminating noisy outdoor condensers. Staff concurs that these methods would greatly benefit the environment.

(h) Public art.

There is no specific public art proposed as a requirement of the ODP and rezone request, however with the development of the linear park/trail corridor future space would be available to introduce art into this development.

21.05.020 Default Standards.

The use, bulk, development, improvement and other standards for each planned development shall be derived from the underlying zoning, as defined in Chapter 21.03 GJMC. In a planned development context, those standards shall be referred to as

default standards or default zone.

The proposed default zone of BP (Business Park) will apply for all bulk standards except for those deviations being requested as discussed in this staff report. There is no straight zone district found in the zoning code that supports the entire range of land uses proposed with this rezone to PD. The BP zone best complies with the intensity of nonresidential land uses proposed and supports the multi-family densities down to 8 du/ac, however the PD zone request is for single family and duplex land uses down to a minimum density of 5.5 du ac, similar to what is allowed in R-8. The R-8 zone district is an allowed zone district for the Business Park Mixed Use Land Use designation, but not for the Commercial/Industrial land Use designation the property is currently designated and proposed to remain. The Business Park Mixed Use land use designation does not allow for C-2 and I-1 zoning, therefore maintaining Commercial/Industrial is the preferred Land use designation.

21.05.030 Establishment of uses.

The same issues and reasoning for default standard deviations applies also to established land uses in the PD; because the BP zone best complies with the intensity of nonresidential land uses proposed and supports the multi-family densities down to 8 du/ac. The Zoning Code states that “the type and density of allowed uses should generally be limited to uses allowed in the default zoning”, but does not prohibit allowing a larger range of land use intensity and density to be allowed within a PD zone district.

21.05.040 Development Standards and Community Benefit.

This section of the code discusses residential density, nonresidential intensity and setback standards. In regards to reducing the minimum density to 5.5 du/ac, clearly this request is unique due to there not being any straight zone that permits the range of density requests coupled with the range of intensity of nonresidential lands uses requested. Because of this wider range of density and intensity requested under one PD zone district, there will be a higher level of compatibility focus when preliminary and final design of Pod 5 is submitted following rezone and ODP approval. Building and fire codes will be followed to ensure safety, increased screening of residential uses from nonresidential uses will be addressed through separation and/or building orientation, etc. Reduced setbacks are needed to provide a single family detached and attached housing product, thereby creating more housing choice. For maximum floor area for nonresidential development, it will be restricted to the default zone of BP which has no maximum building size or lot coverage.

The Community benefit proposed to allow for the approval of the deviations requested as found under section 21.05.040(g) is “bike or pedestrian amenities” that will be provided in the proposed linear park and trail corridor, thus meeting community amenity No. 1: Transportation amenities including, but not limited to, trails other than required

by multi-modal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelter.

The applicant is proposing as part of the Outline Development Plan (ODP) for The Community Pod 5 to establish a linear park and non-motorized trail that will run east to west along the southern portion of the property. It will also provide trail linkage stubbing to the east that will provide a future trail connection to the Leach Creek Active Transportation Corridor (as identified on the Grand Junction Circulation Plan Map) and currently being established along the east side of the 24 Road corridor.

G Road as a minor arterial road is shown on the Active Transportation Map as an active Transportation corridor, but expected to be constructed as a complete street cross section, constructed entirely within right-of-way. Pod 5 is proposing to construct the non-motorized facility outside of the 80 feet of right-of-way and enclose it within a 25 feet wide linear park facility with landscaping and pedestrian amenities, such as benches, trash receptacles, etc.

Pursuant to **Section 21.02.150 (b) (2)** of the Grand Junction Zoning and Development Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The request to approve The Community Pod 5 Outline Development Plan is consistent with the following Goals and Policies of the Comprehensive Plan. It is also in conformance with four of the six Guiding Principal of the Comprehensive Plan as discussed previously in this staff report.

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

Policy A. To create large and small “centers” throughout the community that provide services and commercial areas.

Policy B. Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy B. Encourage mixed-use development and identification of locations for increased density.

Proposed Pod 5 is a mixed use development that provides a large range of land uses including housing, services, retail uses, commercial, and employment; thereby providing the opportunity to reduce trips and housing for a variety of life stages. In addition, this proposed PD will allow a mix of housing types that provides housing choice at the potential of a full range of housing, single family detached to apartments/condos. Therefore, staff finds this criterion has been met.

b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.

(1) Subsequent events have invalidated the original premises and findings; and/or The original premises for the MU (Mixed Use) zone district was to provide for a transition from MU zoning found in the Village Center Future Land Use designation found along the 24 Road corridor and the Commercial/Industrial Future Land Use designation where this property resides and the Industrial Future Land Use designation to the west. Although this PD zone provides a transition between the Village Center zoning to the east and the industrial zoning to the west, the original premises is not invalidated. Therefore, Staff finds that this criterion has not been met.

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

“The Community” Planned Development received PD and ODP approval for mixed use in 2015 which was amended in 2019 to add additional housing types and densities, as well as modify the bulk standards, to allow for additional land uses and zoning deviations providing for a residential and commercial mixed use zoning. The PD zoning “The Community” received in 2019 is the same as proposed for the Pod 5 Rezone request to PD.

The condition of the Mesa Mall/24 Road area continues to change as new projects, such as Community Hospital, office, retail and lodging have come on-line. Housing demand community-wide has accelerated the past few years and is anticipated to be high in the 24 Road area in close proximity to the growing employment center and supportive services. Providing for a wide range of housing types, as proposed with Pod 5 development, allows for more flexibility in housing type that can meet the future demand in the 24 Road area and the Grand Junction community. Therefore, Staff finds that this criterion has been met.

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

All major utilities are available to the property and are adequate to serve the proposed density and intensity of development as proposed. Staff finds that this criterion has

been met.

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

There are limited vacant properties in the Grand Junction city limits that are at the size and scale of the Pod 5 property. This proposed PD development of 39.2 acres is being planned for and will be a compatible addition to the 177-acre "The Community" Planned Development was approved May 15, 2019 by City Council. In addition, this location west of 24 Road is appropriate to have a range of land uses as proposed and in line with the land uses approved for "The Community" to the south. It further provides for infill development within the City limits south of I-70 in an area that has remained largely undeveloped for decades as commercial/industrial development has been built to the west of 23 ½ Road and residential development has been built to the east of 24 Road. The proposed PD zone increases the options of mixed use and will enhance and provide benefit to a new growth area within the city. However, with the recent PD zoning for 177-acre "The Community" to say that there is an inadequate supply, Staff finds this criterion has not been met.

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

Pod 5 development provides a mixed use neighborhood that meets the intent of the Comprehensive Plan. The proposed zoning will allow for additional housing types than the underlying zone district of Business Park allows. The PD will provide for a range and choice of housing opportunity that will appeal to a larger segment of the population. This provides a public benefit by encouraging development in an infill area where there is growth opportunity and providing additional housing types for varying life stages, all in an area near medical facilities, shopping and employment. Therefore, Staff finds that this criterion has been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone.

Reductions to setbacks were also established and approved for the four pods in "The Community". These same reductions are being sought for The Community Pod 5 development. Reduced setbacks for principal structure providing flexibility for residential uses in construction and housing style are proposed. The Applicant is proposing to reduce front yard setbacks from 15 feet to 10 feet for principal structures, except for nonresidential structures along arterial streets such as 23 ½ Road. Setbacks

for accessory structures will not change and remain at 25 ft. Side and rear setbacks will remain at 0 ft.

(2) Open Space. All residential planned developments shall comply with the minimum open space standards established in the open space requirements of the default zone and required in the Zoning and Development Code.

No changes are proposed to open space requirements. Open Space requirements will be determined by the type of use proposed.

(3) Fencing/Screening. Fencing shall comply with GJMC 21.04.040(i).

No changes are proposed. Fencing and screening will be as per Code.

(4) Landscaping. Landscaping shall meet or exceed the requirements of GJMC 21.06.040.

No changes are proposed. Landscaping will be as per Code.

(5) Parking. Off-street parking shall be provided in accordance with GJMC 21.06.050.

No changes are proposed. Parking requirements will be as per Code.

(6) Street Development Standards. Streets, alleys and easements shall be designed and constructed in accordance with TEDS (GJMC Title 29) and applicable portions of GJMC 21.06.060.

All streets located in Pod 5 will be constructed in accordance with City standards.

d) The applicable corridor guidelines and other overlay districts.

The Pod 5 PD development is located with the 24 Road Corridor Zoning Overlay. Requirements of this Zoning Overlay will apply.

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

All major utilities are available to the property and are adequate to serve the density and intensity of development proposed. Staff finds that this criterion has been met.

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

Adequate circulation and access will be provided in accordance with the Grand

Junction Circulation Plan and all applicable Codes, and as proposed with the ODP. Staff finds that this criterion has been met.

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

Screening and buffering will be provided as per Code and as previously discussed in this staff report will be finalized with preliminary and final subdivision development. Staff finds that this criterion has been met.

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

The proposed single family detached, single family attached (townhome), duplex development is proposed with a minimum density of 5.5 du/ac. This is an appropriate minimum density and is the same density found in the City's R-8 zone district. Multi-family uses will be required to have a minimum density of 12 du/ac with no change to the maximum density of 24 du/ac. Pod 5 will allow for the single family housing options, but will be further constrained with a maximum percentage 70% of the acreage can be developed with single family housing types. This provides assurance that the entire pod will not develop as single family housing, providing for a mixed use development to occur.

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

Following are the proposed changes to the dimensional standards proposed for Pod 5 of "The Community". Also included are minimum standards that are not changing from the BP default zone:

	Default BP	Proposed PD
Minimum Lot Area	1 acre	1,800 s.f.
Minimum Lot Width	100 ft.	20 ft.
Minimum Street Frontage	No Minimum	No change
Minimum Setbacks		
Front-Street (see footnote1)	15	10
Accessory (F/S/R)	25/5/10	No change
Side/Rear	10 / 10	0
Minimum and Maximum Density		
S.F/attached/detached/duplex	8 du/ac	5.5 du/ac
Multi-family	8-24 du/ac	12/du/ac
Maximum Height	65 Ft.	No change

Footnotes:

1. Non-Residential buildings shall be setback a minimum of 30 feet from “Arterial” designated right-of-ways.

With these proposed amendments there continues to be appropriate “default” or minimum standards for Pod 5 in this PD zoned district.

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

As noted earlier in this staff report, the proposed development schedule for Pod 5 states a Preliminary Development Plan for Pod 5 must be approved within six (6) years of the PD Ordinance. A Final Development Plan and plat shall be approved within eight (8) years, or the ODP will expire and the zoning will revert to the original MU.

STAFF RECOMMENDATION AND FINDING OF FACT

After reviewing the request for approval to rezone from Mixed Use (MU) to Planned Development (PD) and approve an Outline Development Plan for 39.2 acres, located at 2372 G Road for The Community Pod 5, File number (PLD-2019-328), to include the land uses and deviations to the default zone of BP as outlined in this staff report, the following findings of fact have been made:

1. The Outline Development Plan conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code, including meeting more than one of the rezoning criteria provided in Section 21.02.140.

2. The PD and Plan achieves long-term community benefits by providing needed housing types and mix and reducing traffic demands.

3. Pursuant to 21.05.040(g) Deviation from Development Default Standards, it has been found to provide amenities in excess in what would otherwise be required by the code.

4. The Planned Development is consistent with the vision, guiding principles, goals and policies of the Comprehensive Plan.

SUGGESTED MOTION:

The Planning Commission may approve, approve with conditions, deny or continue this request.

Madam Chairman, on the request to rezone from Mixed Use (MU) to Planned

Development (PD) and approve an Outline Development Plan (ODP) for approximately 39.25 acres as presented in file PLD-2019-328, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report.

Attachments

1. Exhibit 1 - Development Application - Pod 5
2. Exhibit 3 - Maps and Photos
3. Exhibit 4 - ODP Map and Drawings
4. Exhibit 5 - Proposed Ordinance

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Planned Development - ODP

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation Light Commercial

Existing Zoning MU

Proposed Land Use Designation Residential/Health Care/Mixed Use

Proposed Zoning PD

Property Information

Site Location: 2372 G Road

Site Acreage: 39.25

Site Tax No(s): 2701-324-00-097

Site Zoning: MU

Project Description: Rezone to a PD/Anebd the Future Land Use Map

Property Owner Information

Name: Club Deal 124 Merck Grand Junction c/o Taurus of Texas G.P

Street Address: 9285 Huntington Sq.

City/State/Zip: North Richland Hills TX 76182

Business Phone #: 512-615-8818

E-Mail: dgilliland@tiholdings.com

Fax #: n/a

Contact Person: Douglas Gilliland

Contact Phone #: 512-615-8818

Applicant Information

Name: Taurus Investment Holdings LLC

Street Address: 505 East Huntland Drive Suite 560

City/State/Zip: Austin, TX 78752

Business Phone #: 512-615-8818

E-Mail: dgilliland@tiholdings.com

Fax #: n/a

Contact Person: Douglas Gilliland

Contact Phone #: 512-615-8818

Representative Information

Name: Ciavonne, Roberts Assoc

Street Address: 222 Nth 7th St

City/State/Zip: GJ, CO 81501

Business Phone #: 241-0745

E-Mail: ted@ciavonne.com

Fax #: n/a

Contact Person: Ted Ciavonne

Contact Phone #: 241-0745

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Ted Ciavonne

Date

3/15/19

Signature of Legal Property Owner

Douglas Gilliland

Date

3/15/19

Rezone and Outline Development Plan for the Merkel Tract POD 5

General Project Report

Project Overview

The applicant, Club Deal 127 Merk Grand Junction LP (c/o Taurus of Texas), is requesting approval of a Rezone and Outline Development Plan (ODP) for approximately 39 acres of property located at 2372 G Road, Grand Junction, Colorado. The property is currently zoned Mixed Use (MU), and this request is to change it to a Planned Development (PD) zone. The intentions are to create compatible uses of this +39 acre property with the recently amended Ordinance 4676 which is the 177 acre tract to the south known as The Community. This +39-acre property is referred to as The Merkel Tract, Pod 5 (herein referred to as POD 5).

Like three of the four Pods in The Community Planned Development ODP to the south, POD 5 will be a PD Zone with an underlying default zone of Business Park Mixed Use (BP). Specifically it will be similar to Pod 1 characteristics of The Community Planned Development ODP.

The following Code Sections are addressed in this report and/or its attachments:

- o Section 21.02.140 – Rezone from Mixed Use (MU) to Planned Development (PD);
- o Section 21.02.150 – Outline Development Plan (ODP) with underlying zoning of BP.

A. Project Description

Location

- 2372 G Road, Grand Junction, Colorado ... immediately north of Community Hospital across G Road.

Acreage

- Approximately +39 acres.

Proposed Use

- Rezone from MU to PD; the Default zone will be BP;
- POD 5 will allow Medical Office/Clinic, Group Living, Restaurants, General Office, Hotel, Attached, Detached Residential and Multi-Family Residential land uses. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 70% of the acreage in POD 5. Multi-Family residential uses shall have a density between 12 and 24 units per acre. See Item E Below for a more complete list of allowed uses.

B. Public Benefit

The development of Community Hospital is a game changer to the potential types of development that will now want to locate in that area, particularly the types of businesses and the residential support to the hospital and surrounding uses. In addition, the city needs more clustered density residential to provide housing as Grand Junction grows and adds more jobs. Clustered density residential with a minimum of 5.5 units to the acre along with other types of residential uses such as aging in place, extended stay, memory care facilities, hotels and apartments are needed in this area because of the presence of Community Hospital. These types of diverse residential uses will increase the success of the hospital in serving the community. In addition, the proximity of major parks like Canyon View Park and the expansion of the community pedestrian connection program from that park and through this land will enhance the quality of life for the city in this area. Public benefits from this Rezone and ODP include:

- o The development of property within the City 201 boundary;
- o The facilitation of business and residential development that will support the community's newest hospital and existing businesses in the area;
- o the similarity of this POD 5 with the existing 'The Community Planned Development';
- o The provision of a non-motorized trail within a 25' wide pedestrian corridor;
- o Commitment to landscaping, including limited site furniture, within the +/- 1/3 acre pedestrian corridor containing the non-motorized trail through the Merkel Tract Pod 5;
- o The ability to proceed with a destination quality development plan for one of the largest and most strategic vacant parcels in the City;
- o Being the catalyst for new road, drainage, and utility improvements within the City system, in an area that is critical to the growth of the city and has been overlooked for decades.

C. Neighborhood Meeting

A neighborhood meeting was held on March 7, 2019 for both the amendments to The Community ODP (fka One West), and for this POD 5 parcel that would be rezoning with a PD / ODP.

D. Project Compliance, Compatibility, and Impact

Adopted Plans and Policies

The proposed PD /ODP conforms to the Growth Plan, the City Zoning and Development Code, and known City regulations.

Surrounding Land Use

- o NORTH is vacant
- o EAST is vacant
- o SOUTH is Community Hospital
- o WEST is Industrial and Vacant

Adjacent zoning:

- o NORTH is MU
- o EAST is MU
- o SOUTH is BP
- o WEST is I2

Site Access & Traffic Patterns

Access is not modified by the proposed rezone. Access to the acreage includes G Road on the south and 23½ Road on the west. Access within the property is non-existent for the most part.

Availability of Utilities

Some of the necessary infrastructure and utilities are constructed to the perimeter of the project.

- Water – Ute
- Sewer – City
- Drainage – Grand Junction Drainage District
- Irrigation water – Grand Valley Irrigation Company
- Power / gas – Grand Valley Power, Excel gas
- Telephone – Qwest
- Cable TV – Bresnan

Special or Unusual Demands on Utilities

There are no known special or unusual demands on the utilities.

Effects on Public Facilities

The proposed rezone will have no unusual impacts on Public Facilities.

Site Soils

NA to this rezone.

Impact on Geology and Geological Hazards

No known geological hazards exist on this property.

Hours of Operation

NA to this rezone.

Number of Employees

NA to this rezone.

Signage Plans

NA to this rezone.

E. Additional General Report Discussion Items

The following Code Sections are addressed as listed below:

- o Section 21.02.140 – Rezone from Mixed Use (MU) to Planned Development (PD);
- o Section 21.02.150 – Outline Development Plan (ODP) with underlying zoning of BP.

21.02.140 Code amendment and rezoning. (see Outline Development Plan)

The applicant is seeking a rezone of the +39 acre property from MU to Planned Development (PD) which would make it compatible with the zoning of the approximate 177 acres of The Community Planned Development.

(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*
 - We are not seeking a map amendment, only a rezone; however, the adjacent subdivision and PD zoning by One West (recently amended by Taurus) along with the construction of Community Hospital, are both events that invalidate the original premises and findings;
- (2) *The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or*
 - The character of the area has changed with the approval of the One West (now The Community) ODP and the construction of Community Hospital.
- (3) *Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
 - There are no additional demands on Public and community facilities associated with the rezone from MU to PD.
- (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*
 - Large contiguous parcels of property that can be master planned are rare in the community. Residential growth pressure is high throughout the community.
- (5) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
 - These were noted in 'B. Public Benefits' above.

21.02.150 Planned development (PD). (see Outline Development Plan)

The Planned Development (PD) / Outline Development Plan (ODP). With this approval, the land uses in POD 5 will be consistent with the 177 ac planned development to the south and allow the area to be

uniformly zoned PD and overall Outline Development Plan (ODP). This ODP proposes the underlying zoning of BP which correlates to the existing Comprehensive Plan.

*(a) **Purpose.** The planned development (PD) district is intended to apply to mixed use or unique single use projects to provide design flexibility not available through strict application and interpretation of the standards established in Chapter 21.05 GJMC. The PD zone district imposes any and all provisions applicable to the land as stated in the PD zoning ordinance. The purpose of the PD zone is to provide design flexibility as described in GJMC 21.05.010. Planned development rezoning should be used when long-term community benefits will be derived, and the vision, goals and policies of the Comprehensive Plan can be achieved. Long-term community benefits include:*

- (1) More efficient infrastructure;*
 - The Community Planned Development, (the existing PODS 1-4), and this POD 5 is the catalyst for road and utility infrastructure into this underdeveloped area of Grand Junction;
- (2) Reduced traffic demands;*
 - This Planned Development will include on and off-street pedestrian ways that can be interconnected to the larger community, potentially to Canyon View Park, and through The Community to the Colorado Riverfront.
- (3) More usable public and/or private open space;*
 - See (2) above for “usable” open space.
 - PODs 1-5 in their entirety, allow for regional detention that also serves as open space.
- (4) Recreational amenities; and/or*
 - This PD Zone does not in itself provide recreational amenities beyond that noted in (2) above; however, the proposed linear trail corridor will be providing connectivity to the Grand Valley Circulation Plan.
- (5) Needed housing choices.*
 - This POD 5, and the four PODs in The Community Planned Development all include a range of housing types, as noted in the ‘allowed uses’. The PD / ODP allows for product flexibility to respond to market “needs”.

*(b) **Outline Development Plan (ODP).** (see Outline Development Plan)*

- (1) Applicability. An outline development plan is required. The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the approval of a final plat. At ODP, zoning for POD 5 is established. This step is recommended for larger, more diverse projects that are expected to be developed over a long period of time. Through this process, the general pattern of development is established with a range of densities assigned to individual “pods” that will be the subject of future, more detailed planning.*
- (2) Approval Criteria. An ODP application shall demonstrate conformance with all the following:*
 - (i) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;*
 - Approval of demonstrated conformance has been requested as part of this submittal;
 - (ii) The rezoning criteria provided in GJMC 21.02.140;*
 - Approval of demonstrated conformance has been requested as part of this submittal;
 - (iii) The planned development requirements of Chapter 21.05 GJMC;*
 - Approval of demonstrated conformance with Chapter 21.05 has been addressed above, or within the ODP drawing, and is requested as part of this submittal;
 - (iv) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24 and 25;*
 - This PD is subject to the 24 Road Design Standards;
 - (v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;*
 - This is appropriately addressed at time of Final Development Plans;
 - (vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed;*
 - This is appropriately addressed at time of Final Development Plans;

- (vii) *Appropriate screening and buffering of adjacent property and uses shall be provided;*
 - This is appropriately addressed at time of Final Development Plans;
- (viii) *An appropriate range of density for the entire property or for each development pod/area to be developed;*
 - Approval of demonstrated conformance has been requested as part of this submittal, and is specifically addressed on the ODP drawing;
- (ix) *An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed;*
 - Approval of demonstrated conformance has been requested as part of this submittal, and is specifically addressed on the ODP drawing;
- (x) *An appropriate phasing or development schedule for POD 5; and*
 - Approval of demonstrated conformance has been requested as part of this submittal, and is specifically addressed on the ODP drawing and related exhibits;
- (3) *Decision-Maker.*
 - (i) *The Director and Planning Commission shall make recommendations to City Council.*
 - (ii) *City Council shall approve, conditionally approve or deny all applications for an ODP and accompanying planned development rezoning.*
- (4) *Additional Application and Review Procedures.*
 - (i) *Simultaneous Review of Other Plans. An applicant may file an ODP with a final development plan for all or a portion of the property, as determined by the Director at the preapplication conference.*
 - (ii) *Density/Intensity. Density/intensity may be transferred between development pods/areas to be developed unless explicitly prohibited by the ODP approval.*
 - (iii) *Validity. The effective period of the ODP/phasing schedule shall be determined concurrent with ODP approval.*
 - (iv) *Required Subsequent Approvals. Following approval of an ODP, a subsequent final*

F. Development Schedule and Phasing

POD 5 intends on breaking ground for Phase 1 in the next 24 months. It is anticipated that each following Phase will be spread over multiple years. Understanding that the City permits a 10-year Phasing Plan, the applicant will seek the allowed two years between earlier Phases (acknowledging potential extensions), along with some one-year phasing for an estimated eight phases.

Formation of a Metro District (2)

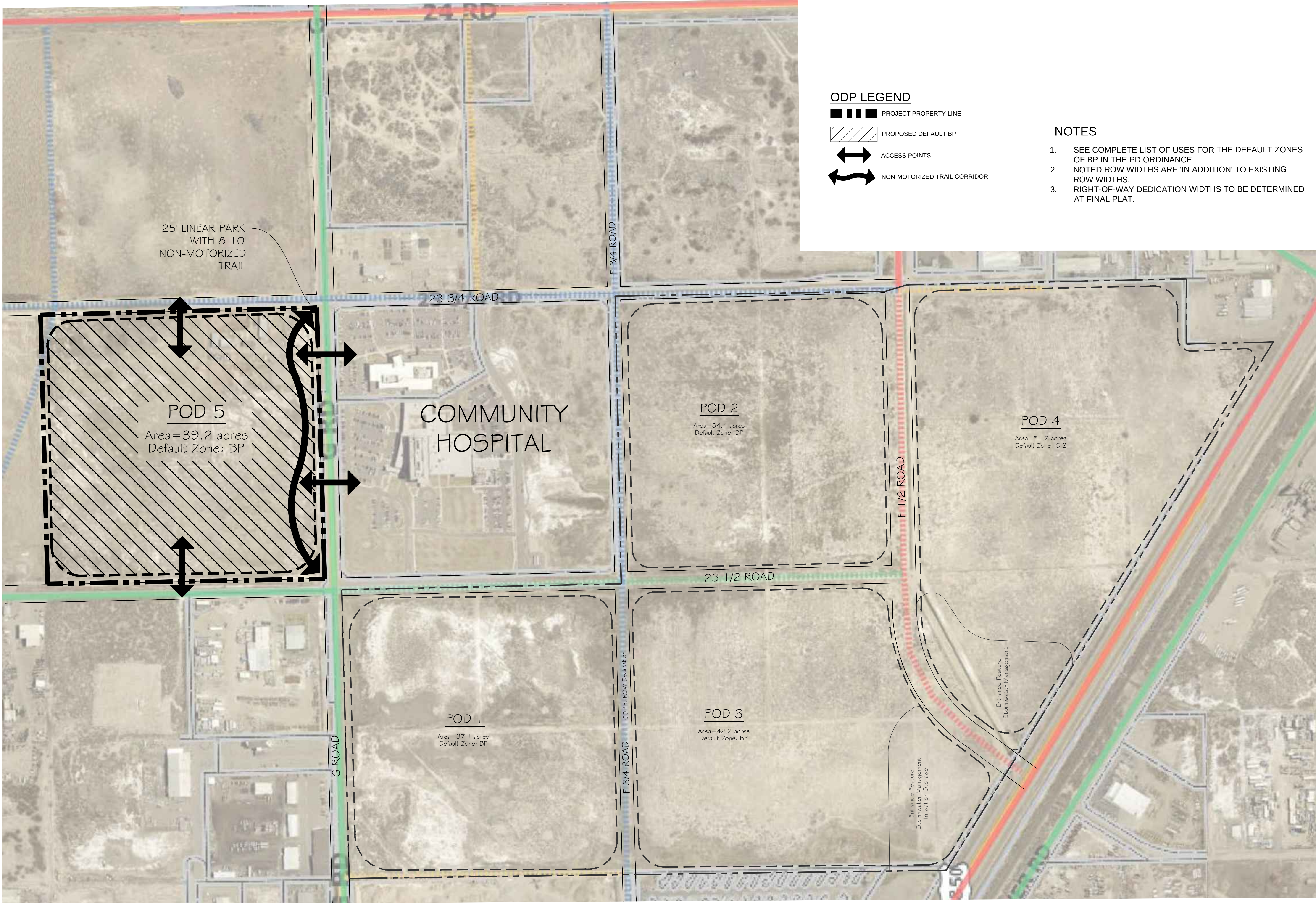
It is anticipated that POD 5 will experience significant development expenses both on site and off site. To help alleviate the burden of these costs the developer may be asking the city to allow a Metro District to be formed along with other possible reimbursement mechanisms to help defray these costs and to provide the best possible community in the most efficient manner.

G. Authorized Uses

1. The list of authorized uses allowed within the BP zone includes only the following, which are allowed without the need for approval of a conditional use permit.
 - a) POD 5 – BP Default Zone
 - 1) Colleges and Universities
 - 2) Multifamily
 - 3) Single Family Detached, Single Family Attached, Townhomes, Accessory Dwelling Units, Duplexes, Business Residences
 - 2) Vocational, Technical and Trade Schools
 - 3) Community Activity Building
 - 4) All other Community Service
 - 5) Museums, Art Galleries, Opera Houses, Libraries
 - 6) General Day Care

- 7) Medical and Dental Clinics
- 8) Physical and Mental Rehabilitation (Resident)
- 9) All other Health Care
- 10) Religious Assembly
- 11) Funeral Homes, Mortuaries, Crematories
- 12) Public Safety and Emergency Response Services
- 13) Hotels and Motels and Lodging
- 14) General Offices
- 15) Health Club
- 18) Drive through Restaurants
- 19) Drive through Retail
- 20) Food Service, Catering
- 21) Food Service, Restaurant (including Alcohol Sales)
- 22) Fuel Sales, Automotive/Appliance
- 23) General Retail Sales, Indoor Operations, Display and Storage
- 24) General Retail Sales, Outdoor Operations, Display or Storage
- 26) Personal Services
- 27) All other Retail Sales and Services
- 28) Mini-Warehouse- Self Storage
- 30) Car Wash, Gasoline Service Station
- 37) Bus/Commuter Stops
- 38) Agricultural Uses*
- 39) Government and Public Use Facilities
- 40) Parks and Open Space

* Agricultural Uses including indoor or outdoor activities primarily involving raising, producing or keeping plants or animals but excluding uses such as industrialized agricultural for example feedlots, pig farming, a use of a scale that requires significant structures or accessory structures, or a use that has the propensity to be a significant nuisance such as pig farming or other particularly odiferous. This use is intended to be interim in nature.



ODP LEGEND

- PROJECT PROPERTY LINE
- PROPOSED DEFAULT BP
- ACCESS POINTS
- NON-MOTORIZED TRAIL CORRIDOR

NOTES

- SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
- NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
- RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.

DRAWN BY	MR
CHECKED	TC
JOB NO.	1917
DATE	08-13-2019
REVISIONS	

THE COMMUNITY POD 5
GRAND JUNCTION, CO

CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0745 P
970-241-0765 F
www.clavonne.com

THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

1-2

SCALE 1"=200'



A REZONE OF POD 5 TO PD

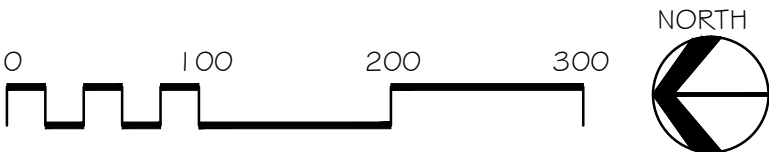
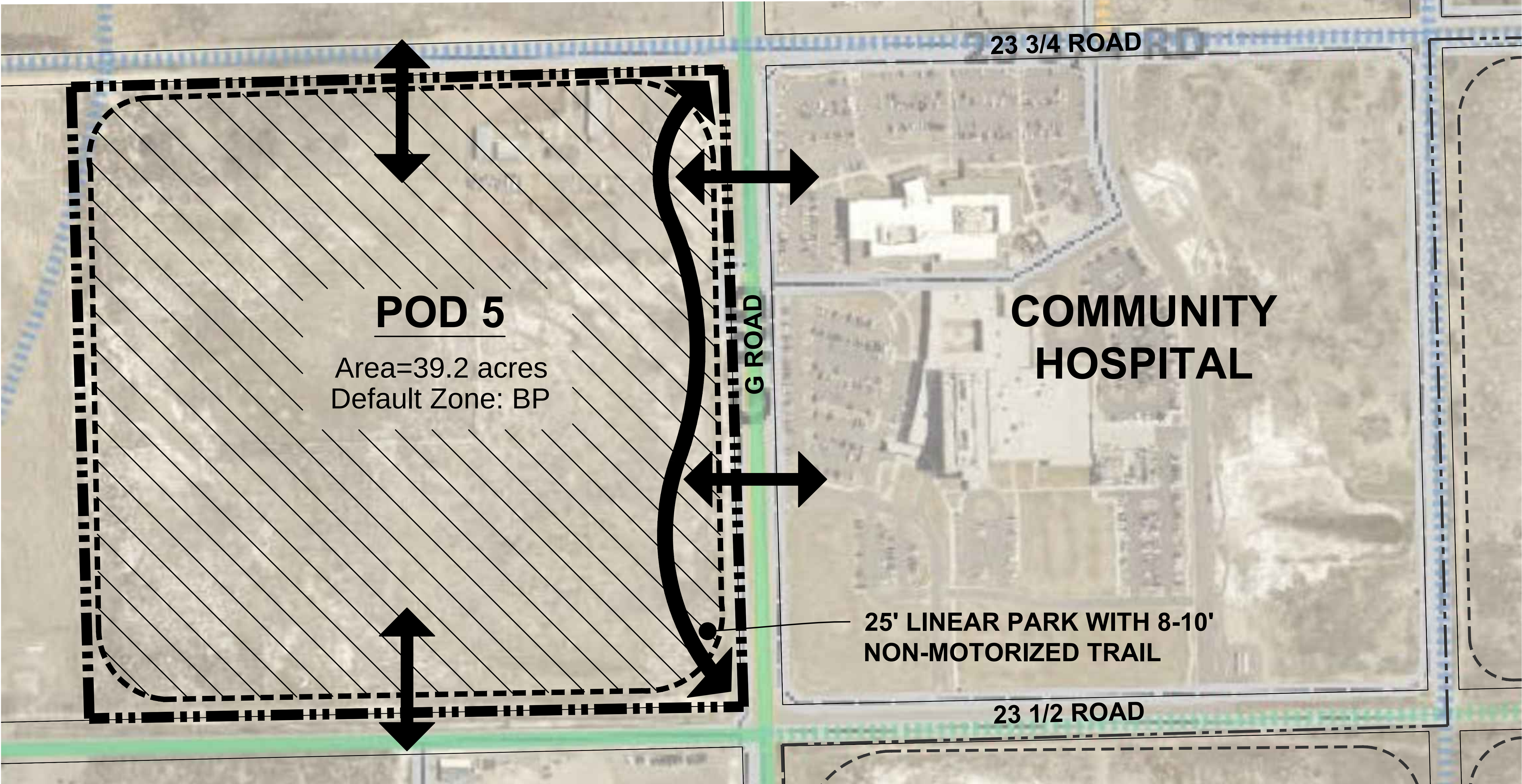


ODP LEGEND

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DRAWN BY	MR
CHECKED	TC
JOB NO.	1917
DATE	08-13-2019
REVISIONS	

THE COMMUNITY POD 5
GRAND JUNCTION, CO

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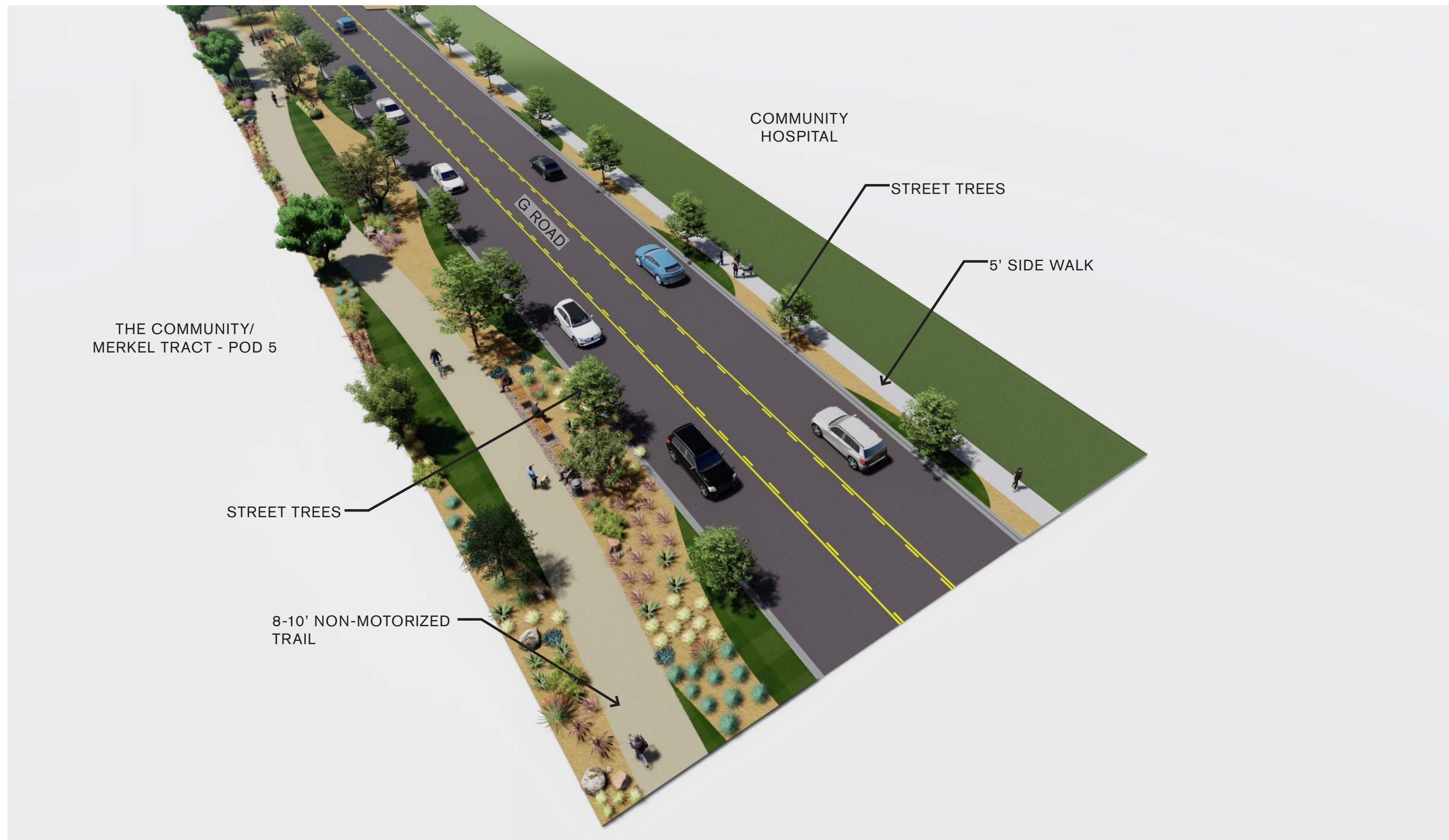
THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

2-2

A REZONE OF POD 5 TO PD



THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign®

STREET TREES

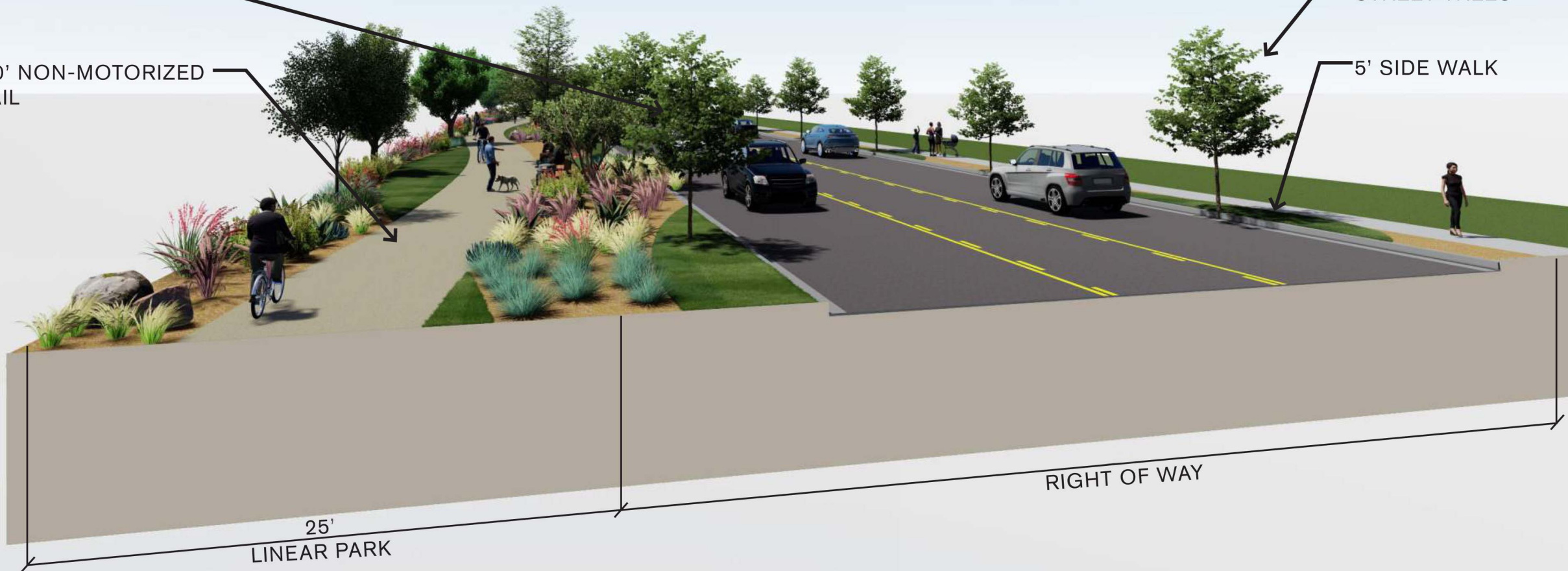
8-10' NON-MOTORIZED
TRAIL

STREET TREES

5' SIDE WALK

RIGHT OF WAY

25'
LINEAR PARK





THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign®



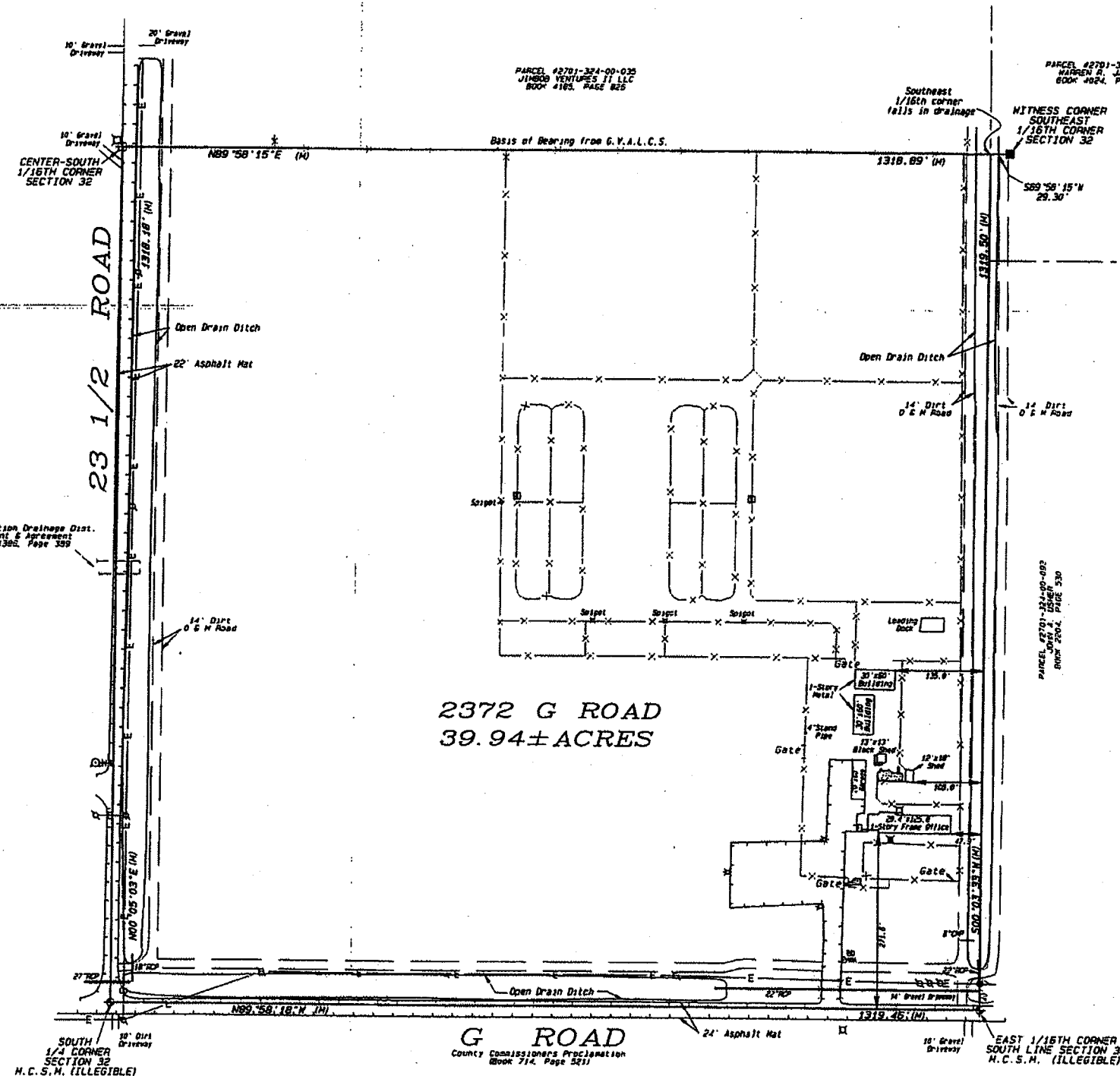
THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign®

ALTA/ACSM LAND TITLE SURVEY

SW 1/4 SE 1/4 SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN



PROPERTY DESCRIPTION AS SHOWN ON TITLE POLICY

The Southwest 1/4 of the Southeast 1/4 of Section 32, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

LEGEND & ABBREVIATIONS

◆ FOUND MESA COUNTY SURVEY MARKER (MCSM)	OW WATER METER
⊕ FOUND 3" ALUMINUM CAP ON 2 7/8" IRON PIPE STAMPED "LS 24943"	⊕ WATER SPIGOT
■ FOUND 3 1/4" ALUMINUM CAP ON #6 REBAR STAMPED "THOMPSON LANGFORD CORP PLS 18478"	✕ ELECTRIC BOX
● FOUND 2" ALUMINUM CAP STAMPED "THOMPSON LANGFORD CORP PLS 18478"	✕ LIGHT POLE
⊞ TELEPHONE PEDESTAL	⊞ ELECTRIC OUTLET
⊞ POWER POLE	CHP = CORRUGATED METAL PIPE
⊞ FIRE HYDRANT	RCP = REINFORCED CONCRETE PIPE
⊞ WATER VALVE	N.C. = WITNESS CORNER
✕ FENCE LINE	O & M = OPERATION & MAINTENANCE
— OVERHEAD POWER LINE	BO = WATER BLOWOFF VALVE
— EDGE ASPHALT ROAD	(M) = MEASURED
	G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM

SURVEYOR'S CERTIFICATE

To Taurus of Texas Holding LP, a Texas Limited Partnership, Club Deal 127 Mark Grand Junction Limited Partnership, a Delaware Limited Partnership, Key Law Offices and Abstract Title Co. of Mesa County, Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes items 1, 2, 3, 6 and 10, of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Colorado, the relative positional accuracy of this survey does not exceed 0.07 feet for 20 msl +50ppm.

Date: July 31, 2007
Registration No. 24306



JULY 31, 2007 REVISION TO CERTIFICATION ONLY.

ALTA/ACSM LAND TITLE SURVEY		
LOCATED IN THE		
SW 1/4 SE 1/4 SECTION 32, T.1N., R.1W., U.M.		
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO		
D H SURVEYS, INC.		
118 OURAY AVE. - GRAND JUNCTION, CO.		
(970) 245-8749		
Designed By: S.L.H.	Checked By: M.W.D.	Job No. 835-06-04
Drawn By: TERRAMODEL	Date: AUGUST, 2006	Sheet: 1 OF 1

LAND SURVEY DEPOSIT

Mesa County Surveyor's Office

Date: _____

Book: _____ Page: _____

Deposit No. _____

PLAT NOTES

Grand Junction Drainage District claims an easement of a width necessary for operation and maintenance of drain ditches on west, east and south sides of property.

Subject property falls within Flood Zone X (Areas determined to be outside 500 year flood plain) as shown on Flood Insurance Rate Map, Community Panel No. 080115 0460 B, Panel 460 of 1000.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of this certification/statement shown hereon.

ZONING INFORMATION

SOURCE: CITY OF GRAND JUNCTION ZONING REGULATIONS
ZONED: MU (Mixed Use)
MINIMUM LOT SIZE: 100.00'
MINIMUM AREA: 1.0 ACRE
MINIMUM SETBACKS
FRONT: 15.0'
SIDE: 15.0'
REAR: 25.0'
MAXIMUM FLOOR AREA RATIO: 0.50
MAXIMUM HEIGHT: 40.0'

Legal Description

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 05-02-19
Project Name: MERKEL G ROAD PROPERTY
Project street address: 2372 G Road
Assessor's Tax Parcel Number: 2701-324-00-097
Property Owner name: Club Deal 127 Merk Grand Junction
City or County project file #: _____
Name of Water Purveyor: Ute

Applicant Name/Phone Number: Mark Austin / 242-7540
Applicant E-mail: mark@austincivilgroup.com

1. If the project includes one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be 3,500 square feet.
 - b. All dwelling units will ☐, will not ☒ include an approved automatic sprinkler system.
Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC]) for all buildings used to determine the minimum fire flow requirements: 5,000 SF Commercial Bldgs -
 - b. List each building that will be provided with an approved fire sprinkler system: _____
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]): 1,500 gpm

Comments: _____

Notes:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1,000 gpm at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012] to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, etc.) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:
See Attached Map

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

See Attached Results

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: _____

Print Name and Title of Water Supplier Employee completing this Form:

Dusty kriegshauser Maintenance I/Hydrants Date: 5/3/2019

Contact phone/E-mail of Water Supplier: 242-7491 hydrant@utewater.org

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Fire Flow Hydrant Master With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



Company Name: Ute Water Conservancy District
Address: 2190 H 1/4 Rd
City: Grand Junction
State: Colorado
Zip: 81505

Work Order: 841
Operator: Dusty K, Cody W

Test Date: 5/3/19 12:00 am

NFPA Classification:

Blue AA
 4491.12

Test did not reach recommended drop of
 25% per NFPA 291

Test Hydrant: 4334
Address: G Rd
Cross Street:
Location:
District:
Sub-Division: Community Health & Wellness Sub

Latitude: 706037.975
Longitude: 4331184.666
Elevation: 4546.63
State X / Y: /

Pumpers:

Nozzles:

Open Dir:

Manuf: Kennedy
Model: Guardian

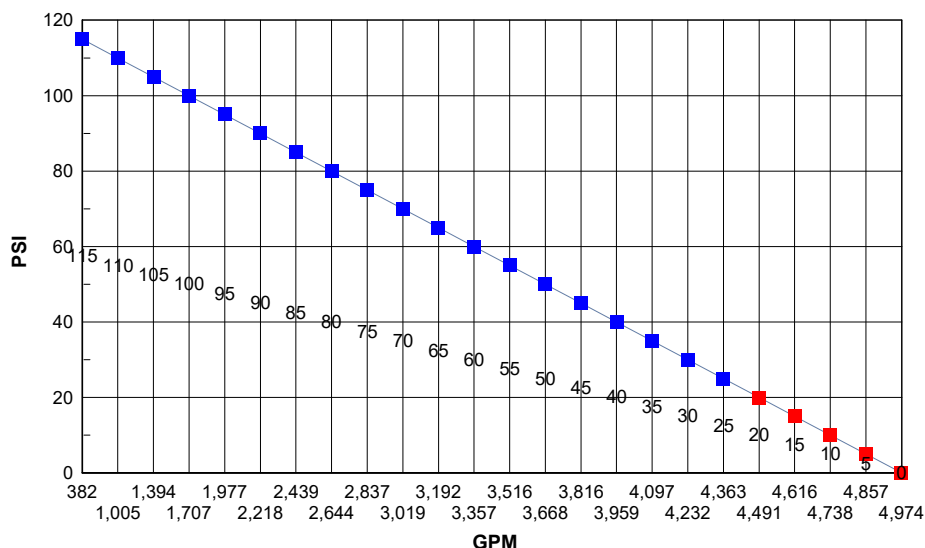
Installed: 01/01/2012
Main Size: 0.00

Vandal Proof:
Bury Depth: 0.00

	Flow Hydrant	Flow Device	Diameter	GPM	Gallon Used
1:	4333	2.5" Hose Monster	2.50	1250.89	6254.45
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 55.00	Total Gallons Used: 6254.45
Static PSI: 116.00	Max GPM during test: 1,250.89
Residual PSI: 107.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 7.76	Predicted GPM @ 20 PSI: 4491.12

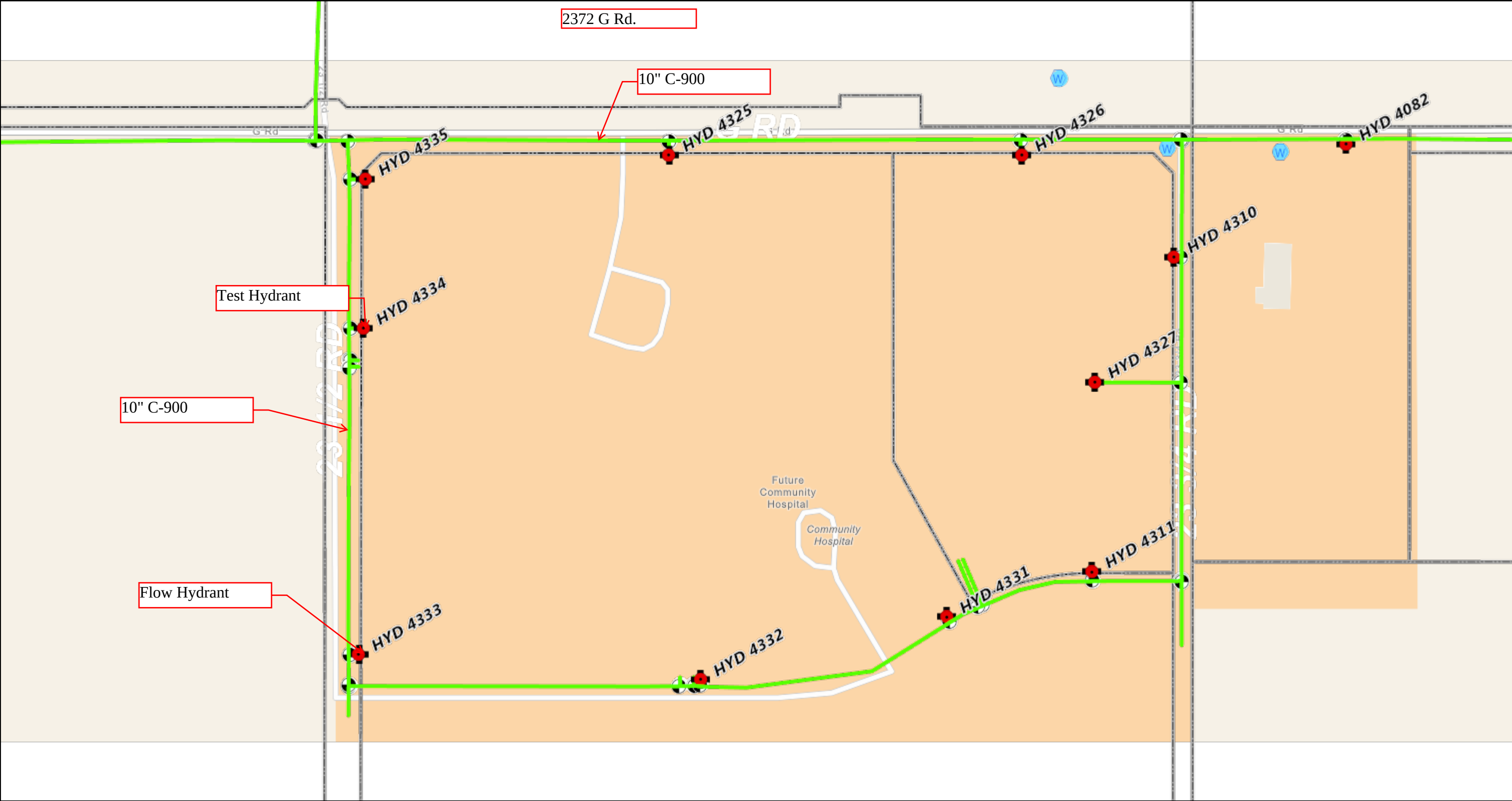
4334 Flow GPM



GPM rounded to nearest gallon

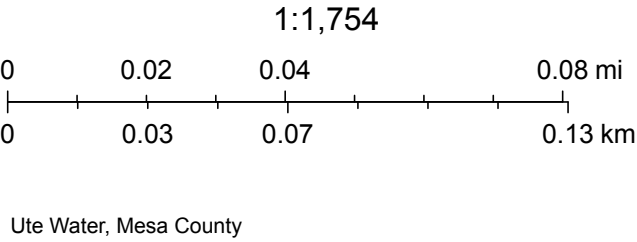
Values inside grid below flow line are PSI @ predicted flow

2372 G Rd



May 3, 2019

- | | | | | |
|------------------------|----------------|------------------|----------------------|--------------|
| Inclusion Area Hatched | Sample Station | 1" thru 4" | System Valves | Regulator |
| Inclusion Boundary | Lateral Lines | Cathodic Station | Gate Valve | Fire Hydrant |
| Tanks | Mains | Control Valve | Ball Valve | Parcels |
| Fill Station | 12" Larger | Curb Stop Valve | Butterfly Valve | Roads |
| | 6" thru 10" | | Meter | |



HALANDRAS NEIGHBORHOOD MEETING
March 7, 2019 @ 5:15pm
NOTES

A Neighborhood Meeting was held on March 7, 2019 regarding an amendment to the ONEWEST Development PD and ODP on property located at 2350 Highway 6 and 50 between 23¼ and 23¾ Roads, from G Road to Highway 6 and 50, Grand Junction, Colorado

In Attendance:

Representatives: Douglas Gilliland (Taurus Investment Holdings LLC)
Ted Ciavonne (Ciavonne, Roberts & Associates Inc.)
Mallory Reams (Ciavonne, Roberts & Associates Inc.)
Dave Thornton (City of Grand Junction)

About 5 Neighbors attended the meeting and had only one question:

- If all goes as planned, when will development start? – As soon as the process allows. If everything goes smoothly, possibly as early as next year. This is a 10-20 year project from start to finish.

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Thursday March 7, 2019 @ 5:15pm

FOR: PD Amendment @ 2350 Highway 6 and 50 between 23 $\frac{1}{4}$ and 23 $\frac{3}{4}$
Roads, from G Road to Highway 6 and 50

NAME	ADDRESS	PHONE # / EMAIL
TED CAVONNE	222 N. 7 th ST.	tedcavonne.com
Dave Marsh	670 23 Road	dmarsh@wsiron.com
Douglas Gilliland	9285 Huntington Sq. N. Richland Hills TX	dougilliland@tiholdings.com
Joe Clemen	2454 Patterson, G.S CO 76183	joecc@lawfirm.net
RICHARD DAVIS	2377 F $\frac{1}{2}$ Rd. G.T. CO 81505	RICK@MUCGT.COM
Ray Rickard	2415 R.R. 1 G.S CO	ray@gtpproperties.com
M-K Singh	2122 Hwy 645	971 245 2175 M.K. Bussell's
DAVID THORNTON	250 N. 5 th ST	244-1450

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

- (a) Club Deal 127 Merit Grand Junction c/o Taurus ^{of Texas GP} ("Entity") is the owner of the following property:
- (b) 2372 G Road GJ CO 81505 (2701-324-00-097)

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Manager for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

- ☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.
- ☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

- ☒ The Entity is the sole owner of the property.
- ☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Rezone, ODP, FLU Map Amendment

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) none

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Doug Gilliland

Printed name of person signing: Doug Gilliland

State of Texas)

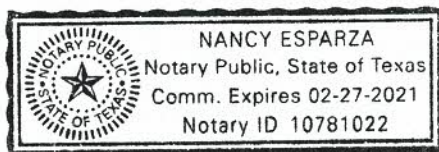
County of Travis) ss.

Subscribed and sworn to before me on this 15th day of March, 2019

by Doug Gilliland

Witness my hand and seal.

My Notary Commission expires on 02-27-2021



Nancy Esparza
Notary Public Signature

Instructions

An ownership statement must be provided for each and every owner of the property.

- (a) Insert complete name of owner as it appears on deed by which it took title. If true name differs from that on the deed, please provide explanation by separate document
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries do not match those on the plat, provide an explanation.
- (c) Insert title/capacity within the Entity of person who is signing.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Insert name of all other owners, if applicable.
- (f) Insert the type of development application request(s) that has/have been made. Include all pending development applications affecting the property.
- (g) Explain the conflict and/or possible conflict and describe the information and/or evidence available concerning the conflict and/or possible conflict. Attach copies of written evidence.

3 PAGE DOCUMENT

WARRANTY DEED

This Warranty Deed made this 16 day of Sept., 2015 by and between **Club Deal 127 Merk Grand Junction, Limited Partnership, a Delaware Limited Partnership, ("Grantor")**, whose address is 610 N. Wymore Road, Suite 200, Maitland, FL 32751, for and in consideration of Ten and 00/100 Dollars, (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to the **City of Grand Junction, a Colorado home rule municipality, ("Grantee")**, whose address is 250 N. 5th Street, Grand Junction, CO 81501, its successors and assigns forever, the following described tract or parcel of land for Public Roadway Right-of-Way purposes, as described on attached Exhibit "A" and depicted in attached Exhibit "B" incorporated herein.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 16th day of September, 2015.

Club Deal 127 Merk Grand Junction, Limited Partnership,
a Delaware Limited Partnership, by CD 127 GP, LLC,
a Delaware Limited Liability Company

By:

Douglas N. Gilliland
Douglas N. Gilliland
Manager of CD 127 GP, LLC

By:

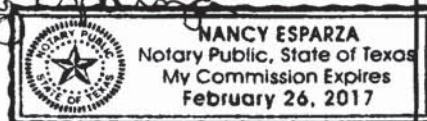
Linda G. Kassof
Linda G. Kassof
Manager of CD 127 GP, LLC

State of Texas)
County of Tarrant)ss

The foregoing instrument was acknowledged before me this 16th day of September, 2015 by Douglas H. Gilliland, as Manager of CD 127 GP, LLC, a Delaware Limited Liability Company, the General Partner of Club Deal 127 Merk Grand Junction Limited Partnership, a Delaware Limited Partnership.

My commission expires 2/26/2017.
Witness my hand and official seal.

Nancy Esparza
Notary Public



State of Florida)
County of Orange)ss

The foregoing instrument was acknowledged before me this 15 day of September, 2015 by Linda G. Kassof, as Manager of CD 127 GP, LLC, a Delaware Limited Liability Company, the General Partner of Club Deal 127 Merk Grand Junction Limited Partnership, a Delaware Limited Partnership.

My commission expires 10/18/2018.
Witness my hand and official seal.

Veronika Davis
Notary Public



VERONIKA DAVIS
MY COMMISSION #FF166488
EXPIRES October 18, 2018
FloridaNotaryService.com

SHEET 1 OF 3

EXHIBIT "A"

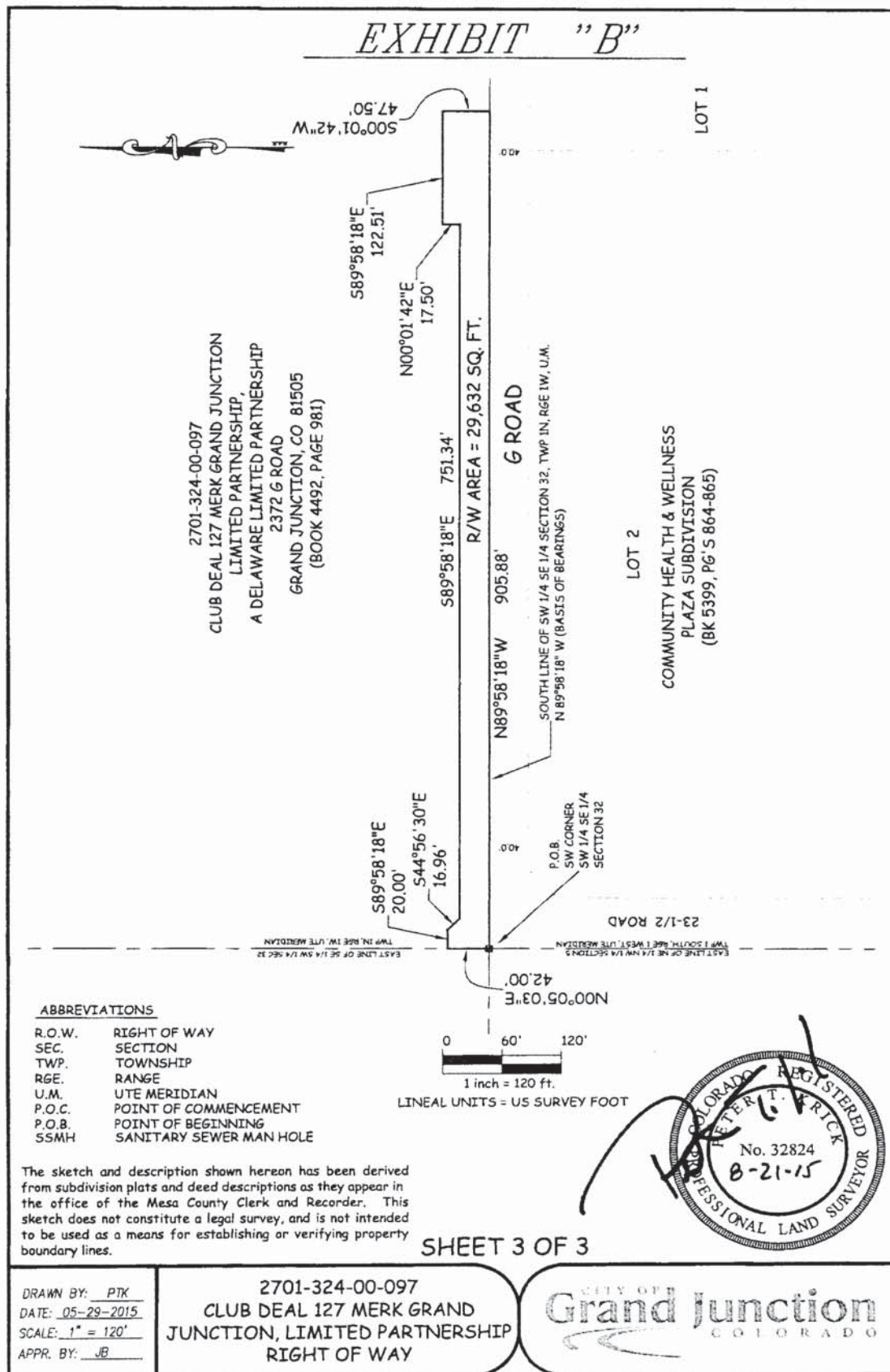
2701-324-00-097
RIGHT OF WAY

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the SW 1/4 SE 1/4 of said Section 32 and assuming the South line of the SW 1/4 SE 1/4 of said Section 32 bears N 89°58'18" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°05'03" E, along the West line of the SW 1/4 SE 1/4 of said Section 32, a distance of 42.00 feet; thence S 89°58'18" E, a distance of 20.00 feet; thence S 44°56'30" E, a distance of 16.96 feet; thence S 89°58'18" E, along a line 30.00 feet North of and parallel with, the South line of the SW 1/4 SE 1/4 of said Section 32, a distance of 751.34 feet; thence N 00°01'42" E, a distance of 17.50 feet; thence S 89°58'18" E, along a line 47.50 feet North of and parallel with, the South line of the SW 1/4 SE 1/4 of said Section 32, a distance of 122.51 feet; thence S 00°01'42" W, a distance of 47.50 feet; thence N 89°58'18" W, along the South line of the SW 1/4 SE 1/4 of said Section 32, a distance of 905.88 feet, more or less, to the Point of Beginning.

CONTAINING 29,632 Square Feet or 0.680 Acres, more or less, as described.

Authorized by: Peter T. Krick
City Surveyor
City of Grand Junction



2 PAGE DOCUMENT

918147

WARRANTY DEED

Grantor(s), **WDM Corporation**, a Colorado corporation whose address is
2525 N 8th Street, Grand Junction, CO 81501, for the consideration of **Seven
Million Nineteen Thousand Six Hundred and no/100s** in hand paid, hereby
sell(s) and convey(s) to **Club Deal 127 Merk Grand Junction, Limited
Partnership**, a Delaware limited partnership

whose legal address is **1350 East Newport Center Drive, Suite 206, Deerfield Beach, FL 33442**, County of **Broward**,
and State of **Florida** the following real property in the County of **MESA**, and State of Colorado, to wit:

**The Southwest 1/4 of the Southeast 1/4 of Section 32, Township 1 North, Range 1 West of
the Ute Meridian, City of Grand Junction, Mesa County, Colorado.**

also known as street and number: **2372 G Road, Grand Junction, CO 81505**

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 2007, payable in 2008 and all subsequent
years and the items shown on Exhibit "A" attached hereto and made a part hereof.

Signed this 3rd day of August, 2007.

WDM Corporation

By: William D. Merkel
By: William D. Merkel, President

STATE OF COLORADO,

County of Mesa

} ss.

The foregoing instrument was acknowledged before me this 3rd day of August, 2007 by **William D. Merkel, President
of WDM Corporation, a Colorado corporation.**

My commission expires: 1/13/2011

Witness my hand and official seal.

Scott D. Williams

Notary Public

*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)



Exhibit "A" Permitted Exceptions

1. Reservation of right of proprietor of any penetrating vein or lode to extract his ore, in U.S. Patent recorded June 24, 1908 in Book 70 at Page 451.
2. Easement and right of way for the installation, operation maintenance of a drain pipe line as granted to the Grand Junction Drainage District recorded August 10, 1982 in Book 1386 at Page 389.
3. Road on the South (G Road) as declared to be a Public Highway by order of the Board of County Commissioners of Mesa County, Colorado dated March 11, 1890 and recorded August 7, 1957 in Book 714 at Page 521.
4. Any and all rights of way for 23 1/2 Road on the West.
5. Any rights of way for Drain Ditches as disclosed on Alta/Acsm Land Survey of D H Surveys Inc., dated August 14, 2006.

2 PAGE DOCUMENT

918147

WARRANTY DEED

Grantor(s), **WDM Corporation** a Colorado corporation whose address is
2525 N 8th Street, Grand Junction, CO 81501, for the consideration of **Seven
Million Nineteen Thousand Six Hundred and no/100s** in hand paid, hereby
sell(s) and convey(s) to **Club Deal 127 Merk Grand Junction, Limited
Partnership, a Delaware limited partnership**

whose legal address is **1350 East Newport Center Drive, Suite 206, Deerfield Beach, FL 33442**, County of **Broward**,
and State of **Florida** the following real property in the County of **MESA**, and State of **Colorado**, to wit:

**The Southwest 1/4 of the Southeast 1/4 of Section 32, Township 1 North, Range 1 West of
the Ute Meridian, City of Grand Junction, Mesa County, Colorado.**

NOTE: This deed has been re-executed and is being re-recorded solely to
correct paragraphs 3, 4 and 5 of Exhibit "A" Permitted Exceptions as
attached to that certain Warranty Deed filed of record in Book 4485 at
Page 756, of the Official Records of Mesa County, Colorado.

also known as street and number: **2372 G Road, Grand Junction, CO 81505**

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 2007, payable in 2008 and all subsequent
years and the items shown on Exhibit "A" attached hereto and made a part hereof.

Signed this 10th day of **August, 2007**.

WDM Corporation

William D. Merkel

By: William D. Merkel, President

STATE OF COLORADO,

County of **Mesa**

} ss.

The foregoing instrument was acknowledged before me this 10th day of **August, 2007** by **William D. Merkel, President
of WDM Corporation, a Colorado corporation.**

My commission expires: **1/13/2011**

Witness my hand and official seal.

Scott D. Williams

Notary Public

*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

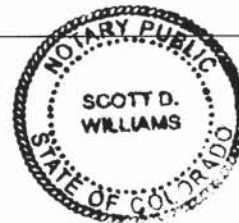


Exhibit "A" Permitted Exceptions

1. Reservation of right of proprietor of any penetrating vein or lode to extract his ore, in U.S. Patent recorded June 24, 1908 in Book 70 at Page 451.
2. Easement and right of way for the installation, operation maintenance of a drain pipe line as granted to the Grand Junction Drainage District recorded August 10, 1982 in Book 1386 at Page 389.
3. Road across the South 30 feet of subject property (G Road) as declared to be a Public Highway by order of the Board of County Commissioners of Mesa County, Colorado dated March 11, 1890 and recorded August 7, 1957 in Book 714 at Page 521.
4. Any and all rights of way for 23 1/2 Road across the West 30 feet of subject property.
5. Easements to Grand Junction Drainage District for Drain Ditches across the West, East and South sides of subject property, as disclosed on Alta/Acsm Land Survey of D H Surveys Inc., dated August 14, 2006.

All references herein are to the Official Records of Mesa County, Colorado unless otherwise noted

Sheila Reiner, Mesa County Treasurer
544 Rood Ave - Grand Junction CO 81501
Dept. 5027 - PO Box 20,000 - Grand Junction CO 81502-5001
Phone Number: (970) 244-1824

Account Number R017823

Parcel 270132400097

Acres 39.260

Assessed To

CLUB DEAL 127 MERK GRAND JUNCTION
C/O:TAURUS OF TEXAS G P
9285 HUNTINGTON SQ
NORTH RICHLAND HILLS, TX 76182

Legal Description	Situs Address
SW4SE4 SEC 32 1N 1W UM EXC R.O.W. RECD B-5773 P-583 R-2737632 MESA CO RECDS - 39.26AC	2372 G RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2018	\$1,157.12	\$0.00	\$0.00	(\$578.56)	\$578.56
Total Tax Charge					\$578.56

First Half Due as of 05/31/2019	\$0.00
Second Half Due as of 05/31/2019	\$578.56

Tax Billed at 2018 Rates for Tax Area 10301 - 10301

Authority	Mill Levy	Amount	Values	Actual	Assessed
COLORADO RIVER WATER CONSER	0.2560000	\$4.16	GRAZING LAND - AG	\$760	\$220
MESA CNTY ROAD & BRIDGE-GRA	0.2215000	\$3.60	FARM/RANCH - IMP	\$94,870	\$6,830
CITY OF GRAND JUNCTION	8.0000000	\$129.92	FARM/RANCH	\$31,690	\$9,190
GRAND RIVER MOSQUITO CONTRO	1.4520000	\$23.58	SUPPORT BLDG		
GRAND VALLEY DRAINAGE DISTR	1.8600000	\$30.21	Total	\$127,320	\$16,240
LIBRARY DISTRICT	3.0590000	\$49.68			
COUNTY - DEVELOP DISABLED	0.2840000	\$4.61			
COUNTY GENERAL FUND	9.2680000*	\$150.49			
COUNTY ROAD & BRIDGE-1/2 LE	0.2215000	\$3.60			
SOCIAL SERVICES	2.3600000	\$38.33			
COUNTY TRANSLATOR TV FUND	0.0020000	\$0.03			
SCHOOL DIST# 51 GENERAL	24.3280000	\$395.08			
SCHOOL DIST# 51 BOND	10.3380000	\$167.89			
SCHOOL DIST# 51 OVERRIDE 96	2.8720000	\$46.64			
SCHOOL DIST# 51 2006 OVERID	2.3730000	\$38.54			
SCHOOL DIST# 51 2017 OVERRI	3.8570000	\$62.64			
UTE WATER CONSERVANCY	0.5000000	\$8.12			

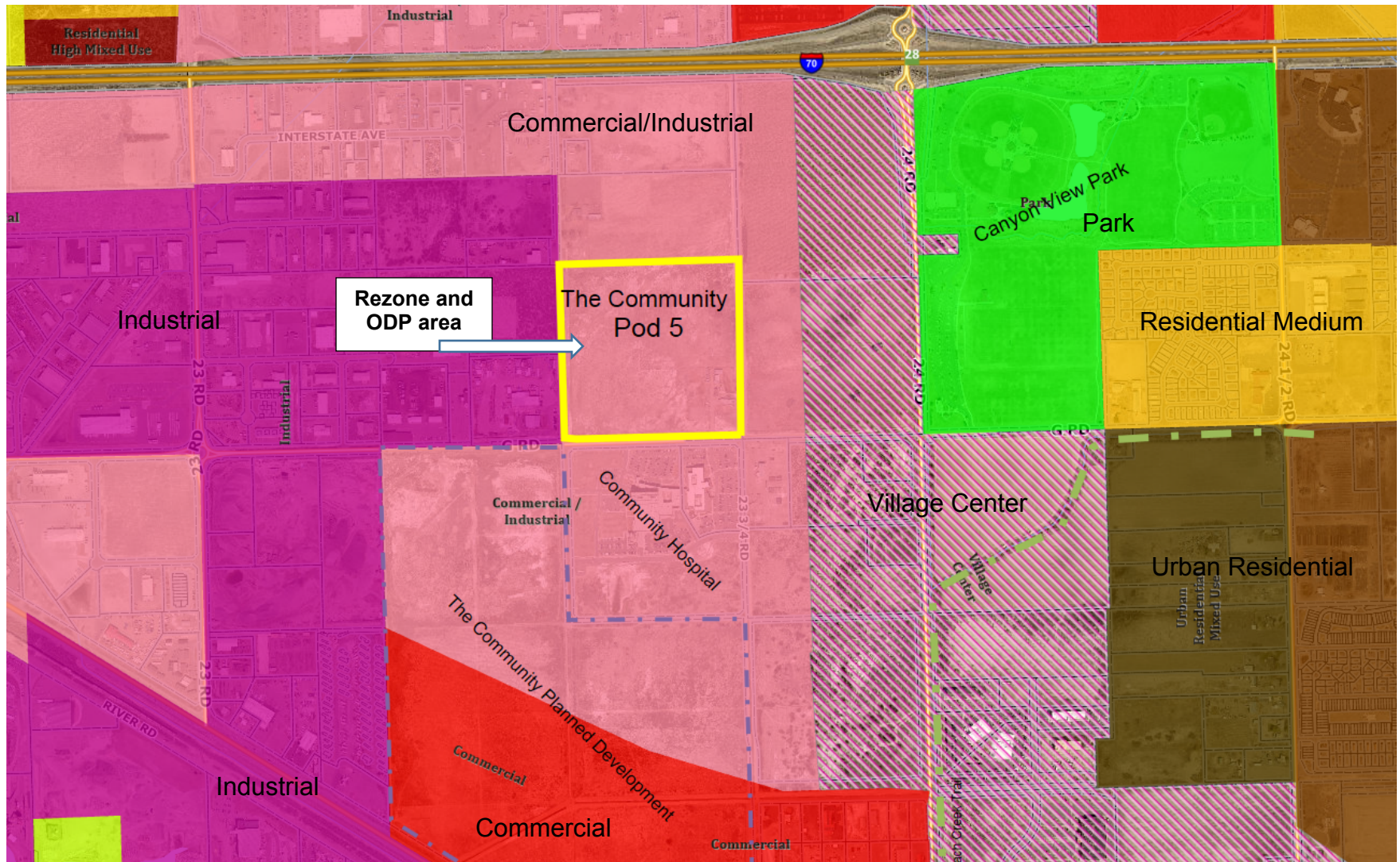
Taxes Billed 2018	71.2520000	\$1,157.12
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* Credit Levy

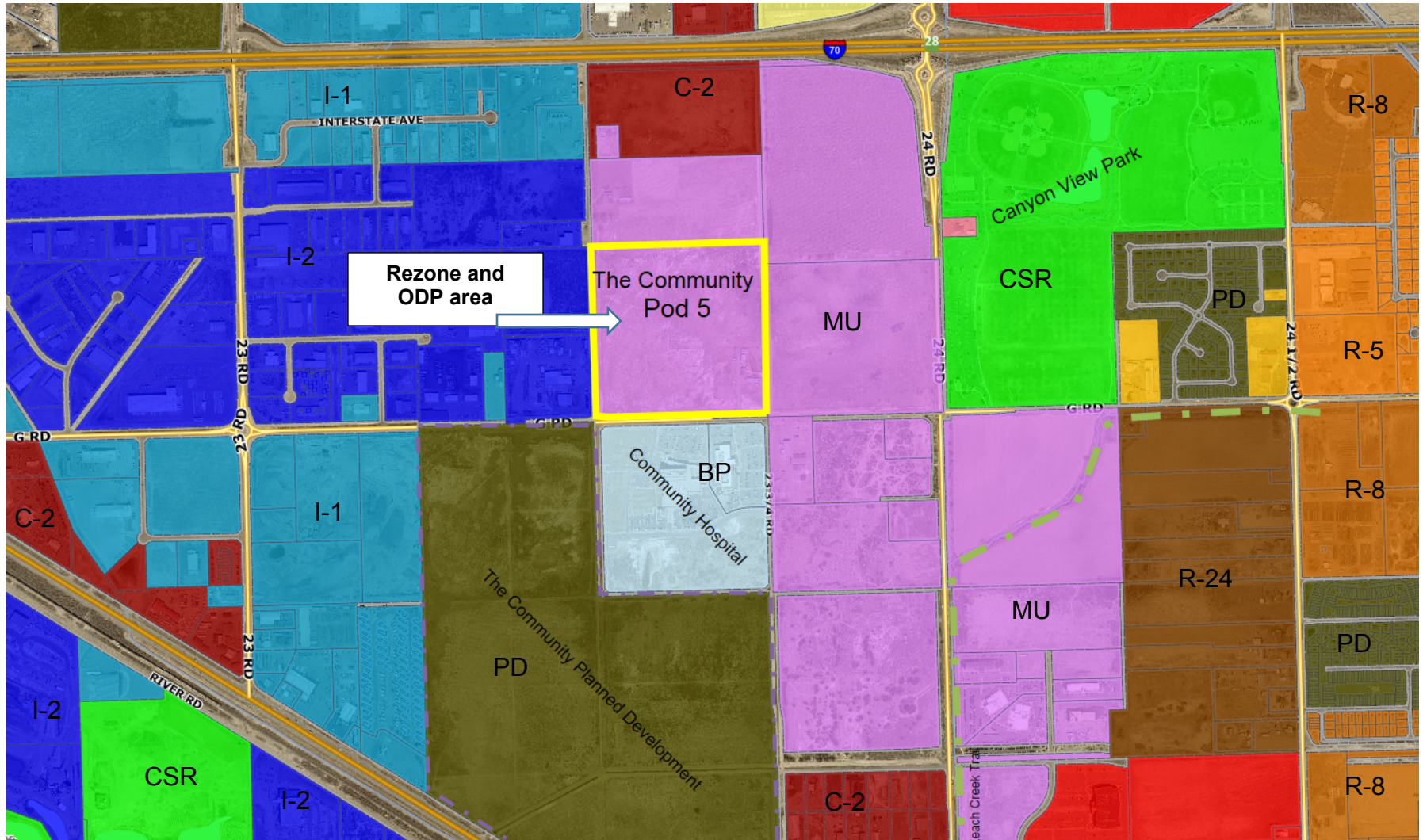
The Community Pod 5 Rezone to PD and ODP Site Location Map



The Community Pod 5 Rezone to PD and ODP Future Land Use Map



The Community Pod 5 Rezone to PD and ODP Existing Zoning Map

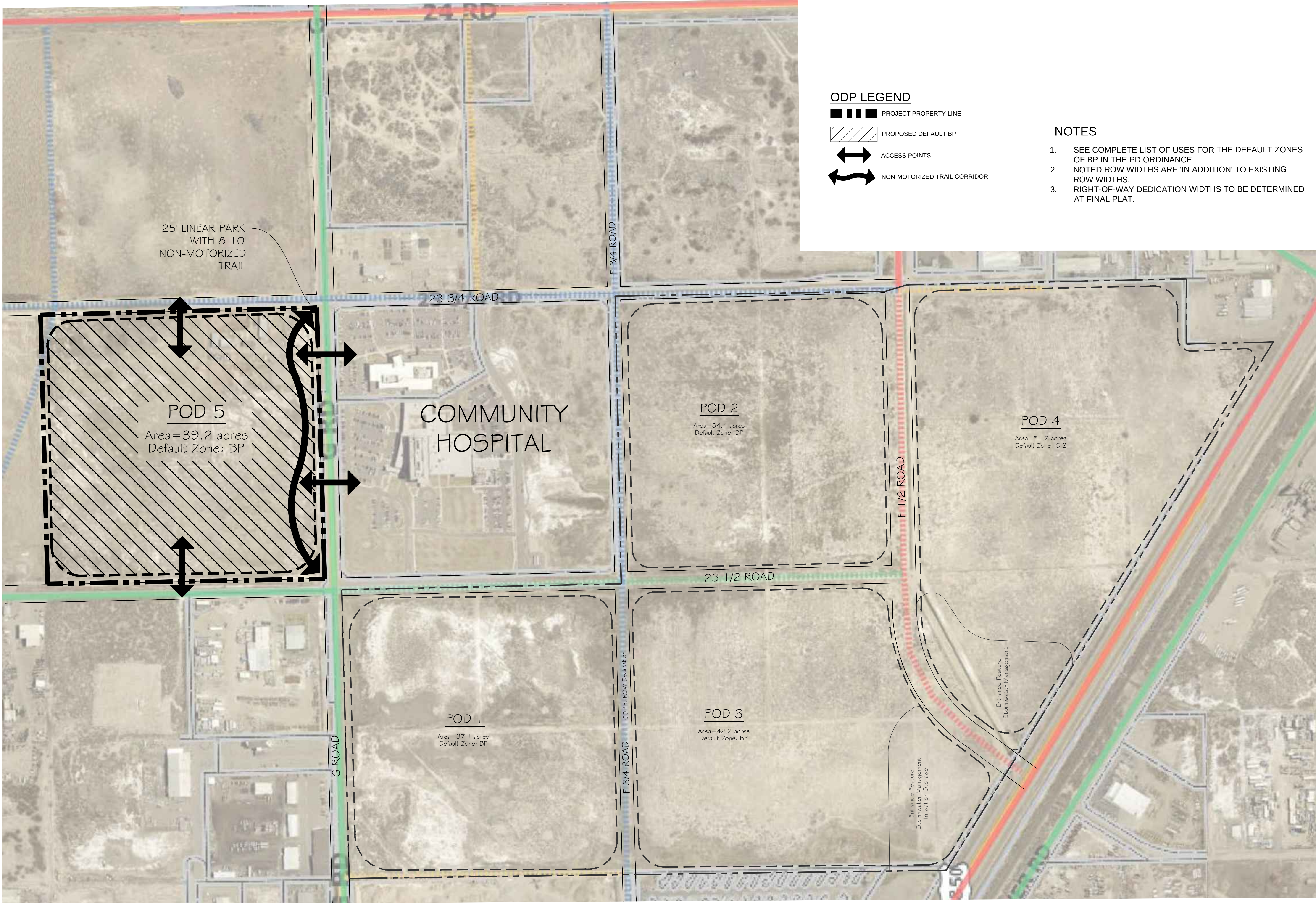


Site Photo - Southwest corner of Site looking Northeast



Site Photo - Southeast corner of Site looking Northwest





ODP LEGEND

- PROJECT PROPERTY LINE
- PROPOSED DEFAULT BP
- ACCESS POINTS
- NON-MOTORIZED TRAIL CORRIDOR

NOTES

- SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
- NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
- RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.

DRAWN BY	MR
CHECKED	TC
JOB NO.	1917
DATE	08-13-2019
REVISIONS	

THE COMMUNITY POD 5
GRAND JUNCTION, CO

CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0745 P
970-241-0765 F
www.clavonne.com

THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

1-2

SCALE 1"=200'



A REZONE OF POD 5 TO PD



ODP LEGEND

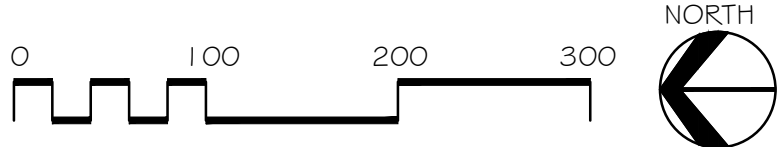
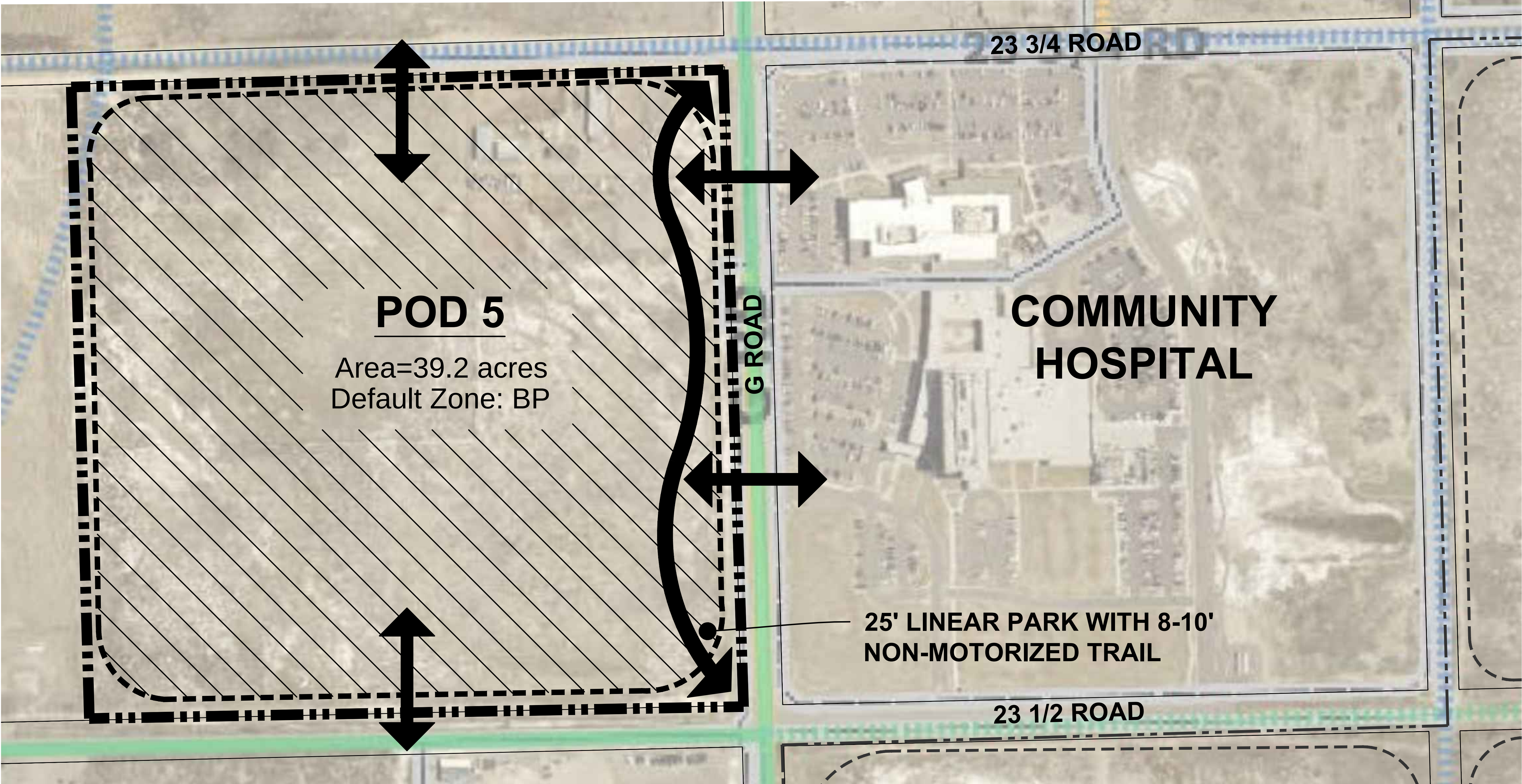
■■■■■ PROJECT PROPERTY LINE

▨ PROPOSED DEFAULT BP

↕ ACCESS POINTS

§§§§§ NON-MOTORIZED TRAIL CORRIDOR

- NOTES**
- 1. SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
 - 2. NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
 - 3. RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.



DRAWN BY	MR
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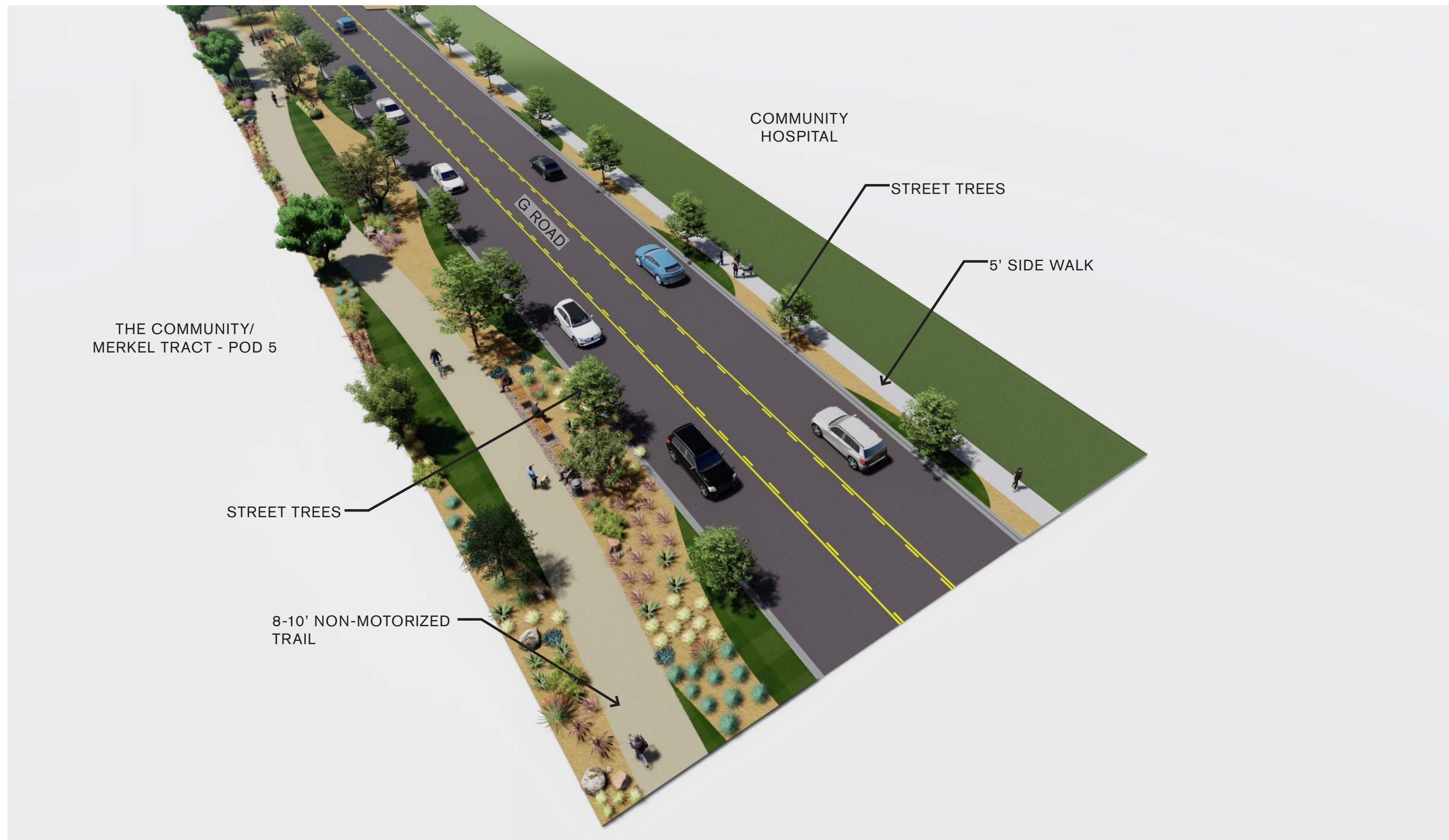


THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.
2-2

A REZONE OF POD 5 TO PD



THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign®

STREET TREES

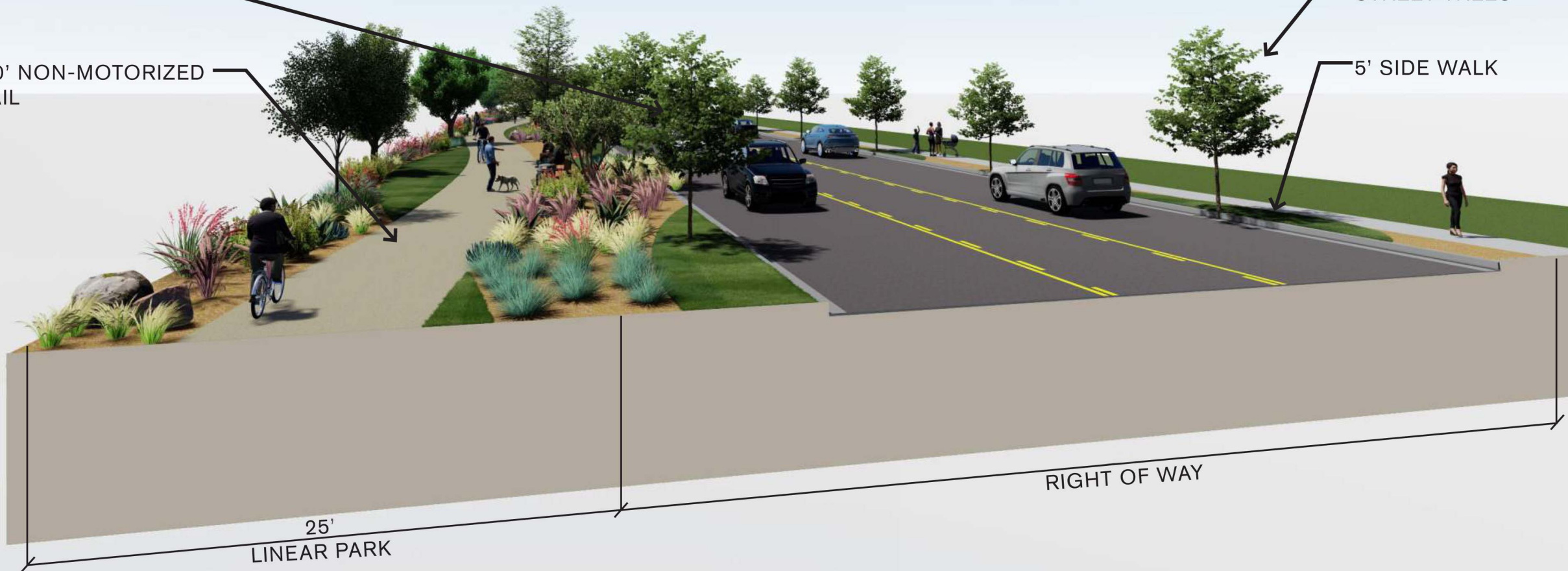
8-10' NON-MOTORIZED
TRAIL

STREET TREES

5' SIDE WALK

RIGHT OF WAY

25'
LINEAR PARK





THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign®



THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign®

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE CLUB DEAL 127- MERK GRAND JUNCTION LP
DEVELOPMENT
TO A PD (PLANNED DEVELOPMENT) ZONE,
BY APPROVING AN OUTLINE DEVELOPMENT PLAN FOR POD 5,
WITH A DEFAULT ZONE OF BP (BUSINESS PARK MIXED USE)**

LOCATED AT 2372 G ROAD

Recitals:

The applicant and owner, CD 127 Merk Grand Junction Development owner of 39.2 acres of land at 2372 G Road, (referred to herein and more fully described below as the "Property"), propose a rezone from Mixed Use (MU) to Planned Development (PD) and approval of an Outline Development Plan (ODP).

A request to rezone to PD and approval of an ODP with default zone of BP (Business Park Mixed Use) and with specific deviations from the default zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning, and adopt the Outline Development Plan for the "Property". If this approval expires or becomes invalid for any reason, the "Property" shall be fully subject to the default standards specified herein.

The City Council finds, after a public hearing and review of the proposed Rezone to Planned Development (PD) with its Outline Development Plan (ODP), determined that they satisfy the applicable criteria of the Code and are consistent with the purpose and intent of the Comprehensive Plan.

The Planning Commission found in a public hearing held on August 27, 2019, and the City Council hereby finds, in recommending and approving this Rezone to Planned Development (PD) and the Outline Development Plan (ODP) adopted therewith, the PD zoning ordinance and ODP satisfied the criteria of the Code, was consistent with the purpose and intent of the Comprehensive Plan, and achieved long-term community benefits through the provision of transportation amenities. They also find the minimum density of the default zone shall not apply. The following findings of fact have been made:

1. The Outline Development Plan conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code, including meeting more than one of the rezoning criteria provided in Section 21.02.140.

2. With an increase in residential housing options the PD and Plan achieves additional long-term community benefits by providing needed housing types and mix and reducing traffic demands.
3. Pursuant to 21.05.040(g) Deviation from Development Default Standards, it has been found to provide amenities in excess in what would otherwise be required by the code.
4. The Planned Development is consistent with the vision, guiding principles, goals and policies of the Comprehensive Plan.

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

- A. This Ordinance applies to the following described property: The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.
- B. The Community Pod 5 Outline Development Plan (ODP) is approved with the Findings of Fact/Conclusions, and Conditions listed in the Staff Report dated **August 27**, 2019 and including attachments and Exhibit A and Exhibit B attached to this ordinance.

C. Purpose

The proposed Planned Development will provide for a mix of office park employment centers, health care facilities, retail services, light manufacturing, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, and other amenities such as common landscape and streetscape character and a transportation corridor for non-motorized transportation within "The Community" Planned Development.

D. Unified Development

The project will be developed over time in a phased fashion, but in a unified manner with similar architectural styles and themes throughout. Pod 5 will be unified with the other four Pods previous approved in "The Community". In addition, detached sidewalks, where appropriate, along the arterial frontages are intended to provide for a safe multi-modal transportation haven and provide access to uses within the development. These detached sidewalks will also provide connectivity from the development to other existing and future points of interest adjacent to the subject property.

E. Default Zones

The default land use zone is BP (Business Park Mixed Use) with deviations contained within this ordinance.

F. Pod Character

The Community Pod 5 will be developed in a manner that is in character to the following primary uses as more particularly detailed in the Pod 5 Use Table:

Pod 5 Uses: Default zone – BP. Pod 5 will generally consist of Multi-Family Residential, Attached and Detached Residential, Hotel/Motel, Restaurants, General Offices, Light Industrial and Medical Office/Clinic. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 70% of the acreage in Pod 5. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

G. Authorized Uses

1. The list of authorized uses allowed within the BP zone includes only the following, which are allowed without the need for approval of a conditional use permit.

a) Pod 5 – BP Default Zone

- 1) Colleges and Universities
- 2) Multifamily
- 3) Single Family Detached, Single Family Attached, Townhomes, Accessory Dwelling Units, Duplexes, Business Residences
- 2) Vocational, Technical and Trade Schools
- 3) Community Activity Building
- 4) All other Community Service
- 5) Museums, Art Galleries, Opera Houses, Libraries
- 6) General Day Care
- 7) Medical and Dental Clinics
- 8) Physical and Mental Rehabilitation (Resident)
- 9) All other Health Care
- 10) Religious Assembly
- 11) Funeral Homes, Mortuaries, Crematories
- 12) Public Safety and Emergency Response Services
- 13) Hotels and Motels and Lodging
- 14) General Offices
- 15) Health Club
- 18) Drive Through Restaurants
- 19) Drive Through Retail
- 20) Food Service, Catering

- 21) Food Service, Restaurant (including Alcohol Sales)
- 22) Fuel Sales, Automotive/Appliance
- 23) General Retail Sales, Indoor Operations, Display and Storage
- 24) General Retail Sales, Outdoor Operations, Display or Storage
- 26) Personal Services
- 27) All other Retail Sales and Services
- 28) Mini-Warehouse- Self Storage
- 30) Car Wash, Gasoline Service Station
- 37) Bus/Commuter Stops
- 38) Agricultural Uses*
- 39) Government and Public Use Facilities
- 40) Parks and Open Space

* Agricultural Uses including indoor or outdoor activities primarily involving raising, producing or keeping plants or animals but excluding uses such as industrialized agricultural for example feedlots, pig farming, a use of a scale that requires significant structures or accessory structures, or a use that has the propensity to be a significant nuisance such as pig farming or other particularly odiferous. This use is intended to be interim in nature.

b) Uses Not Mentioned

- 1) To change uses from those specified above, the developer must request an amendment consistent to the Zoning and Development Code as amended, to allow a use which is not currently an allowed use for this pod.
- 2) If a question or interpretation arises regarding where, how or whether a proposed use fits into the list of uses found in this section, the Director shall decide if a use not specifically mentioned can reasonably be interpreted to fit into a principal use category or a general use category where similar uses are described as found in the Use Table within the City's Zoning and Development Code.

H. Dimensional and Intensity Standards

Minimum Lot Area	
Pod 5	1,800 sf

Minimum Lot Width	
Pod 5	20 feet

Minimum Street Frontage	
Pod 5	No minimum

Minimum Setbacks	Principle Structure / Accessory Structure
-------------------------	--

Pod 5	
Street (see footnote 1)	10' / 25'
Side / Rear yard	0' except identified Buffer Area is 15' / see default zone for accessory setbacks

Density (Minimum/Maximum)	
Pod 5	5.5 du/ac min. density for Single Family Attached, Single Family Detached, Townhomes, and Duplexes 12 du/ac to 24 du/ac max. for Multi-Family

Maximum Height	
Pod 5	65 feet

Footnotes:

1. Non-Residential buildings shall be setback a minimum of 30 feet from "Arterial" designated right-of-ways.
- I. Deviations from bulk standards from default zones.
1. To provide for flexibility necessary for the unique, efficient and effective design of the site, the following deviations from the default zone standards shall be applied to the site:
 - a. Minimum lot size shall be 1800 sf.
 - b. Minimum lot width shall be 20'.
 - c. Front (street) yard setback shall be 10'.
 - d. Rear yard setback shall be 0'.
- J. Development Schedule, Extensions and Lapse of Plan
1. Development and Phasing Schedule - A Preliminary Development Plan for Pod 5 must be approved within six (6) years of the PD Ordinance. A Final Development Plan and plat shall be approved within eight (8) years for Pod 5 approved with a Preliminary Development Plan, or the ODP will expire and the zoning will revert to the original MU.
 2. Should the Development and Phasing Schedule need to be extended, the city shall consider and hear the request consistent with the provisions of the Code in place at that time. A request for extension shall be timely in that the request shall be received by the City prior to the lapse or expiration of one of the established phasing Thresholds.
 3. Failure to develop the PD and ODP as shown in the adopted Development and Phasing Schedule will result in the lapse of approval of the PD and ODP.

Upon lapse, the zoning of the property will revert back to MU (Mixed-Use) as shown in Exhibits A & B.

K. Other Regulations

- 1, Title 25, 24 Road Corridor Standards of the Zoning and Development Code shall apply, unless otherwise amended by the City.
2. Unless otherwise included in this PD Ordinance, the development regulations, standards and administration contained within Section 21.06 of the Code, as may be amended including any applicable overlay zones apply to this PD and ODP, except the following:
 - a. There are no hours of operations limitations for uses in Pod 5
 - b. Loading docks and trash areas or other service areas shall be located only in the side or rear yards and must be screened from adjacent right-of-ways with either a wall, fence or landscaping.
 - c. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials.
 - 1) Vibration: Except during construction or as authorized by the City, an 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.
 - 2) Noise: The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point along the property line.
 - 3) Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - 4) 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. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - 5) 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. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director
 - d. Outdoor Storage and Display: Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or

behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC 21.04.040(h).

3. Signage regulations and standards contained within Section 21.06 of the GJMC shall apply with the following modifications:

a. A sign package will be required as part of each Final Development Plan and/or Site Plan.

b. New Outdoor Advertising Signs (Billboards) within the PD will not be permitted.

L. All applications for the development of the property (subdivision, site plans, etc.) shall be subject to the Code in effect at the time of submittal, including the standards of this ODP and the PD Ordinance as may be amended.

Introduced for first reading on this _____ day of _____, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

STREET TREES

10' NON-MOTORIZED TRAIL

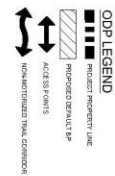
20' SIDE WALK

TULSA PARK

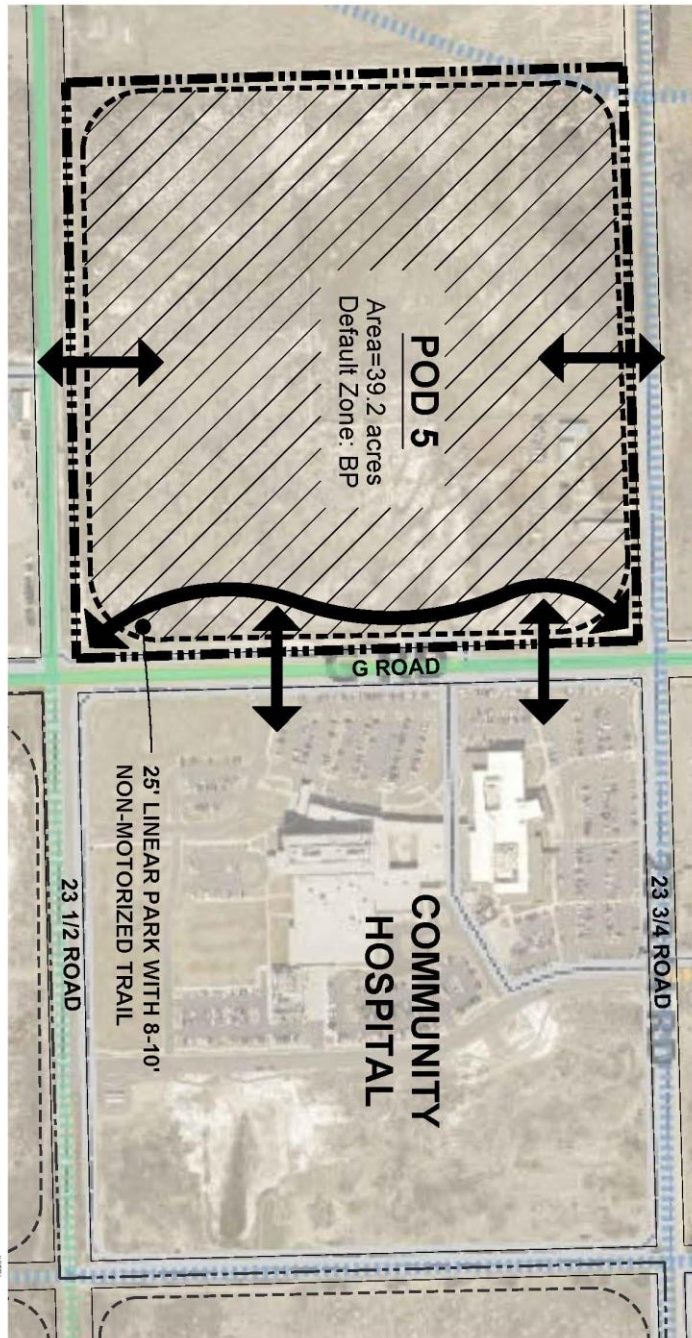
5' STREET

5' SIDE WALK

RIGHT OF WAY



- NOTES**
1. SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
 2. NOTED ROW WIDTHS ARE IN ADDITION TO EXISTING ROW WIDTHS.
 3. RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.



A REZONE OF POD 5 TO PD

THE COMMUNITY POD 5
GRAND JUNCTION, CO



LAND PLANNING AND
LANDSCAPE ARCHITECTURE
200 N. 7TH STREET
GREENSBORO, NC 27401
919-851-8789
919-851-8788 F
WWW.DR-DAVIS.COM

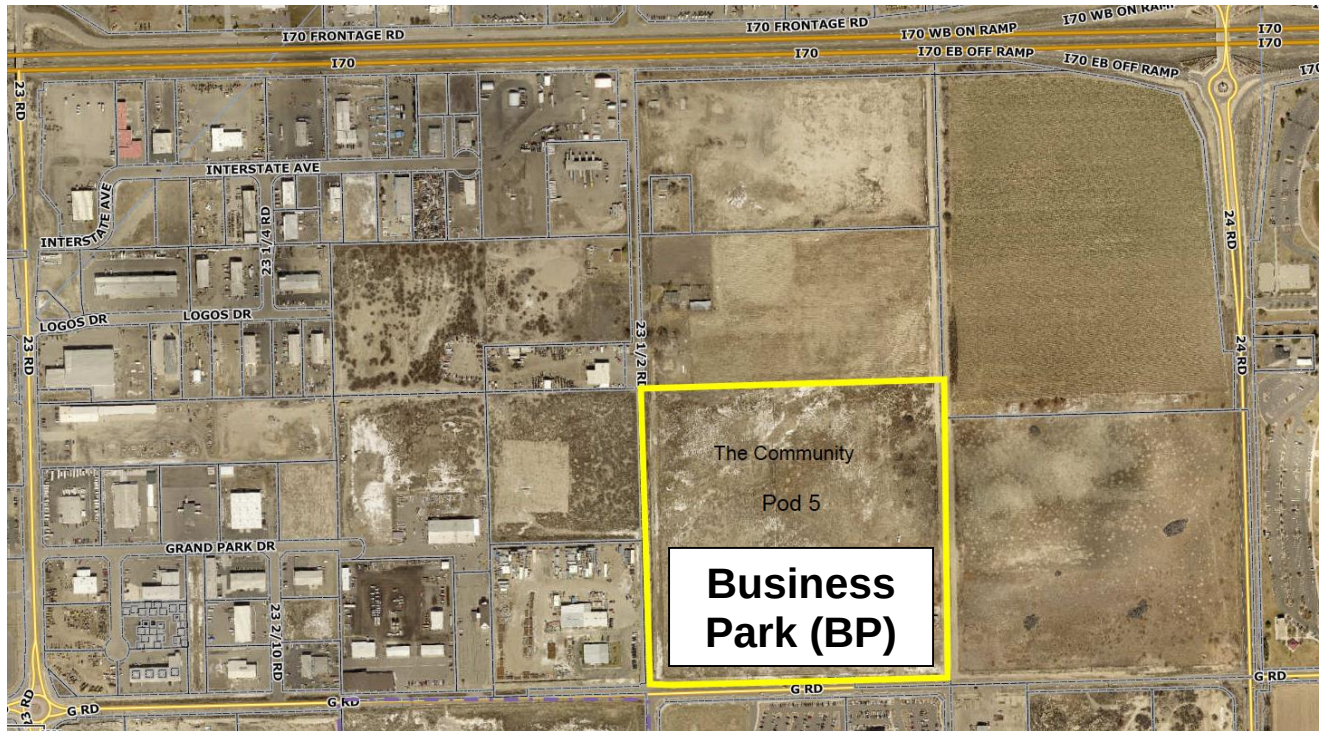
THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT PLAN

SHEET NO.

2-2

EXHIBIT B
Default Zone





Grand Junction Planning Commission

Regular Session

Item #6.

Meeting Date: August 27, 2019

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to clarify administrative procedures, remove inconsistencies and modify standards.

RECOMMENDATION:

Staff recommends approval of the proposed text amendments.

EXECUTIVE SUMMARY:

Staff is proposing amendments to various sections of the Zoning and Development Code (Title 21), the Greater Downtown Overlay (Title 24), the 24 Road Corridor Design Standards (Title 25), and the Transportation Engineering Design Standards (Title 29) to address the following:

1. Organizational changes for the appeals process for ease of administration and location of text regarding garage setbacks in the Downtown;
2. Modification of Bulk Standards for the R-5 zone district rear yard setback, removing minimum lot size for multi-family development, and removing the required 15 foot first floor height in the B-2 zone district;
3. Clarification of parking lot setbacks in the B-2 zone district and sign type in the 24 Road corridor Design Standards; and
4. Clarifying procedures and criteria related to variance criteria, fences requiring special permits, and accessory dwelling units.

BACKGROUND OR DETAILED INFORMATION:

In an effort to keep the Zoning and Development Code current and relevant, staff is proposing a number of amendments to modify standards, clarify sections and processes, and eliminate inconsistencies. The Planning Commission discussed several of these topics at its July 18, 2019 workshop and supported staff proceeding with the proposed changes. The proposed amendments are summarized as follows:

Section 21.02.120. Special Permit

Section 21.02.120(b)(2)(i). provides that fences over 6 feet in height require a Special Permit as issued by the City Council. With recent changes made to the Code by Ordinances 4778 and 4831, fences over 6 feet can now be considered by the Director through an Administrative Adjustment process and requires specific findings related to unique conditions, compatibility and lack of right-of-way/easement/neighboring property encroachments. In order to make the Code consistent between sections specifically the administrative adjustment process, this section needs to be removed.

Section 21.02.120(b)(2). A special permit is allowed in all zone districts for the following uses and shall be required prior to:

- (i) ~~Allowing a fence over six feet in height in any district;~~

Section 21.02.200(c)(3). Variance, Approval Criteria.

This section provides one of the criterion for considering a variance. The language, as shown below appears to have an error in that it is missing a word and as currently reads is nonsensical. Staff is recommending to replace the unclear and confusing text so that the sentence is both grammatically correct and meets the intent of the criteria to be evaluated, as follows:

Section 21.02.200(c)(3). The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would ~~work~~ cause unnecessary and undue hardship on the applicant;

Section 21.02.210 – Administrative Permit, Rehearing and Appeal Procedures

Currently, Section 21.02.070(a)(8) Administrative development permits provides the requisite time period for which one can file and appeal of a decision on an Administrative Permit. The Code in Section 21.02.210 provides a specific section on Appeals, however this section does not include information regarding the requisite time period. This time period should be moved from 21.02.070 to the Appeal section in 21.02.210 to provide for ease of finding and use. The time period and language would remain unchanged. Additional renumbering of subsections would need to occur. The proposed changes are as follows:

Section 21.02.210(b). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.

~~Section 21.02.070(a)(8). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.~~

Re-letter (b) through (e).

21.03.040 Residential districts. Residential District Summary Table

Currently the R-8 and R-12 zone districts have a note that states "Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily." Other zone districts that allow for multi-family including the R-5, R-16, R-24, R-O, B-1, C-1, M-U and BP zone districts do not contain this note and have instead a minimum lot size of designated. This is very limiting for various multi-family developments. For example, if a developer wanted to build a townhome in a R-5 zone district, the townhome would be required to have a minimum lot size of 20,000 square feet and as a result likely precluding townhomes to develop on the property or creating undesirability long narrow lots in order to utilize the shared wall type of construction of a townhome development. See attached Exhibit 2.

Staff recommends adding language to exempt all multi-family from having a minimum lot size. The Code changes would be as follows:

Add note to Residential District Summary Table: Note: Minimum Lot Area, Lot Width and Lot Frontage do not apply to two family dwellings or multifamily.

Remove notes from Residential District Summary Table:

~~R-5: Min. lot area varies by building type; detached single family — 4,000 sf, two-family attached — 6,000 sf, multifamily — 20,000 sf, civic — 20,000 sf. Min. lot width varies by building type; two-family — 60 ft., all other types — 40 ft.~~

~~R-8: Min. lot area varies by building type; detached single family — 3,000 sf and two-family attached — 6,000 sf, multifamily — 20,000 sf, civic — 20,000 sf. Min. lot width varies by building type; two-family — 60 ft., all other types — 40 ft~~

~~R-12: Min. lot width varies by building type; two-family — 45 ft., all other types — 30 ft.~~

Remove text from sections

~~21.03.040(g)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

~~21.03.040(h)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

21.03.040 Residential districts. Residential District Summary Table

The Residential District Summary Table provides for the bulk standards for all residential zone districts. Staff has been approached by members of the development community requesting a reduction in the R-5 rear yard setback dimension. The request has included a reduction from 25 feet to something smaller and has been suggested to be 15 feet. They have cited challenges regarding being able to meet this minimum setback and provide for the size of home they would like to be constructing on these lots. The current R-5 rear yard setback is equivalent to the rear yard setback in the R-4 zone district (25 feet), but is greater than the R-8 zone district rear yard setback of 10 feet. The benefit of reducing the rear yard setback is potentially providing for larger building envelopes on each 4,000 square foot lot (minimum lot size), however there may be undesirable results of this reduction including less yard space and buffering between the rear yards of homes in areas zoned R-5.

Should this reduction be considered the table would be amended to replace R-5, rear yard setback of 25 feet to 15 feet. Other rear yard setback dimensions could also be considered (eg. 20 feet). See attached Exhibit 3.

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, Note: B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft”. This note is confusing in that there are not structures, as defined in the Code, generally related to or a part of a parking lot. Staff has interpreted this section to mean that if parking is being provided as the sole or primary use on a lot in the B-2 Zone District, the lot must be setback 30 feet from the property line. As well, the note includes “for accessory 6 ft.” Staff has interpreted this subsequent section to mean that if the parking lot is accessory to a primary use (usually a building), the parking lot must be setback 6 feet from the property line. See attached Exhibit 4.

Staff recommends clarifying this code language, as follows:

Note: B-2: Parking front setback for principal structure parking as a principal use, 30 feet, for as an accessory use 6 feet.

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard

Summary Table.

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, “B-2: first Floor min. height – 15 ft.” This issue recently arose in a request for a redevelopment project in the downtown area that was unable/uninterested in providing a first floor height of 15 feet. The project sought and ultimately received a variance due to the unique circumstances related to the project, however it brought to light some of the challenges of requiring a 15 foot first floor height for all buildings located in the B-2 zone district. As was provided in the testimony in the variance hearing, most of the buildings on the historic main street do not have a 15 feet first floor height while most range between 10 feet and 14 feet.

It is staff’s understanding that this code provision was put in place for two reasons. The primary reason being the desire for buildings to be constructed that could be repurposed to commercial uses in the future should they be constructed as residential (or other) initially. The 15 feet would allow for higher ceilings as well as necessary building systems such as ventilation, fire sprinkling, or other modifications to the mechanical components in a more cost efficient manner. The second intent of the code provision was aesthetics that were more in line with typical high ceiling and historic building façade elevations. See attached Exhibit 4.

Staff generally recommends that this type of standard is not necessary and may preclude creativity in architectural style and building design and recommends removing this note from the Table.

Note: B-2: first floor min. height — 15 ft.

Section 21.02.070(f)(2)(vi). Accessory Dwelling Units Review process.

Section 21.04.040(f) was recently amended by Ordinance 4831 to update standards for Accessory Dwelling Units. Part of this amendment including removing the requirement for a proposed ADU to be reviewed through a Minor Site Plan Review process and replacing it with a simplified process that requires the review and issuance of a planning clearance. There exists an additional reference to this requirement in Section 21.02.070 that now needs to be removed.

Staff is recommending removal of text as follows:

~~Section 21.02.070(f)(2)(vi) The Director may use this review process if the proposed project is limited to: A proposed residential subunit or accessory unit.”~~

Staff has identified other provisions of the code regarding ADUs that will also be

considered for modification in the future, specifically sections regarding accessory structures allowed to be a maximum of 75 percent of the square foot of the principal structure as well as a standard requiring all ADUs to be located behind a principle structure.

Section 25.05.010 - 24 Road Corridor Design Standards - Sign standards.

The standards for 24 Road Corridor only allow for freestanding signs and flush wall signs. It further provides that all freestanding signs shall be single- or double-faced and constructed of a metal panel with stone or veneer base. In essence, this means that all freestanding signs will be monument style signs. Adding more clear language in the code would benefit the understanding and intent of these sign standards. Staff recommends the following clarification to the code.

Section 25.05.010(a) Only the following sign types are permitted: freestanding monument signs, flush wall signs, exempt signs, and temporary signs as allowed/regulated by GJMC 21.06.070 Sign regulation, except as further restricted in this chapter.

Section 29.56.020 - Alley Standards, Garage Setbacks and Section 24.12.130(a)(2) – Downtown District Standards and Guidelines – Residential Areas

Section 29.56.020 of the TEDS Manual has a standard that requires garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning. The Greater Downtown Plan adopted in 2018 has language that allows any accessory structure to have a zero-foot rear yard setback. The intent was to accommodate and allow for accessory structures to continue to exist and be built in a similar fashion to historical accessory buildings in the downtown area. Because these requirements are in two different sections of the municipal code, they appear contradictory and are confusing as to the interplay between the regulations. As such, staff recommends that the standard in TEDs is moved into the downtown standards which is a more typical location to find setback standards. **The proposed changes are as follows:**

Section 24.12.130(a)(2). The setback for accessory structures is a zero-foot setback from the alley and three feet from neighboring property line(s). Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater.

~~Section 29.56.020 – Building setbacks. – Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for~~

~~backing and turning.~~

IV. NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on August 20, 2019, in the Grand Junction Daily Sentinel.

V. ANALYSIS

In accordance with Section 21.02.140(c), a proposed text amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to decide with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendments to the Zoning and Development Code are useful in that they eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

SUGGESTED MOTION:

Madam Chairman, on the Zoning and Development Code Amendments, ZCA-2019-421, I move that the Planning Commission forward a recommendation of approval finding that the amendments as recommended by staff as well as change the R-5 rear yard setback from 25 feet to ____ feet, work to eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

Attachments

1. Exhibit List - Zoning Code Amendments
2. Staff Report
3. Exhibit 2 - Residential District Summary Table
4. Exhibit 3 - Residential District Summary Table
5. Exhibit 4 - Mixed Use & Industrial Summary Table

[illegible]

PLANNING COMMISSION AGENDA ITEM

Project Name: Zoning Code Text Amendment, Title 21, Chapters 2, 3, 4 and 10; Title 24 Chapter 12, Title 25 Chapter 5 and Title 29 Chapter 56
Applicant: City of Grand Junction
Address: City Wide
Zoning: N/A
Staff: Senta Costello
File No. ZCA-2019-421
Date: August 27, 2019

I. SUBJECT

Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21), Greater Downtown Overlay (Title 24), 24 Road Corridor Design Standards (Title 25), and Transportation Engineering Design Standards (Title 29) to clarify administrative procedures, remove inconsistencies and modify bulk standards.

II. EXECUTIVE SUMMARY

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- 3) Clarification of parking lot setbacks in the B-2 zone district and sign type in the 24 Road corridor Design Standards; and
- 4) Clarifying procedures and criteria related to variance criteria, fences requiring special permits, and accessory dwelling units.

III. BACKGROUND

In an effort to keep the Zoning and Development Code current and relevant, staff is proposing a number of amendments to modify standards, clarify sections and processes, and eliminate inconsistencies. The Planning Commission discussed several of these topics at its July 18, 2019 workshop and supported staff proceeding with the proposed changes. The proposed amendments are summarized as follows:

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Section 21.02.210(b). An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the date of the Director's decision.

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Re-letter (b) through (e).

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Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5
Bulk										
Lot coverage (max.)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max. ft.)	35	35	35	35	40	40	40	60	60	72
Density (min. units per acre)	n/a	n/a	n/a	n/a	2	3	5.5	8	12	16
Density (max. units per acre)	1 unit / 5 acres	1	1	2	4	5.5	8	12	16	n/a
Cluster allowed	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Notes										
*20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure. R-5: Min. lot area varies by building type; detached single-family – 4,000 sf, two-family attached – 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft. R-8: Min. lot area varies by building type; detached single-family – 3,000 sf and two-family attached – 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft. R-12: Min. lot width varies by building type; two-family – 45 ft., all other types – 30 ft.										

Staff recommends adding language to exempt all multi-family from having a minimum lot size. The Code changes would be as follows:

Add note to Residential District Summary Table: Note: Minimum Lot Area, Lot Width and Lot Frontage do not apply to two family dwellings or multifamily.

Remove notes from Residential District Summary Table:

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~~R-12: Min. lot width varies by building type; two-family — 45 ft., all other types — 30 ft.~~

Remove text from sections

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~~21.03.040(h)(2)(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.~~

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Should this reduction be considered the table would be amended to replace R-5, rear yard setback of 25 feet to 15 feet. Other rear yard setback dimensions could also be considered (eg. 20 feet).

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Setback										
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Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5

Section 21.03.070. Mixed use districts. Mixed Use and Industrial Bulk Standard Summary Table

The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, Note: B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft”. This note is confusing in that there are not structures, as defined in the Code, generally related to or a part of a parking lot. Staff has interpreted this section to mean that if parking is being provided as the sole or primary use on a lot in the B-2 Zone District, the lot must be setback 30 feet from the property line. As well, the note includes “for accessory 6 ft.” Staff has interpreted this subsequent section to mean that if the parking lot is accessory to a primary use (usually a building), the parking lot must be setback 6 feet from the property line.

Notes
B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000
B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.
C-1: Min. rear setback – 0 if an alley is present
CSR: Maximum building height abutting residential – 40 ft.

Staff recommends clarifying this code language, as follows:

Note: B-2: Parking front setback for principal structure parking as a principal use, 30 feet, ~~for~~ as an accessory use 6 feet.

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The Mixed Use and Industrial Bulk Standard Summary Table provides a note in the table, “B-2: first Floor min. height – 15 ft.” This issue recently arose in a request for a redevelopment project in the downtown area that was unable/uninterested in providing a first floor height of 15 feet. The project sought and ultimately received a variance due to the unique circumstances related to the project, however it brought to light some of the challenges of requiring a 15 foot first floor height for all buildings located in the B-2 zone district. As was provided in the testimony in the variance hearing, most of the buildings on the historic main street do not have a 15 feet first floor height while most range between 10 feet and 14 feet.

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B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000
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Staff generally recommends that this type of standard is not necessary and may preclude creativity in architectural style and building design and recommends removing this note from the Table.

Note: B-2: first floor min. height — 15 ft.

Section 21.02.070(f)(2)(vi). Accessory Dwelling Units Review process.

Section 21.04.040(f) was recently amended by Ordinance 4831 to update standards for Accessory Dwelling Units. Part of this amendment including removing the requirement for a proposed ADU to be reviewed through a Minor Site Plan Review process and replacing it with a simplified process that requires the review and issuance of a planning

clearance. There exists an additional reference to this requirement in Section 21.02.070 that now needs to be removed.

Staff is recommending removal of text as follows:

~~Section 21.02.070(f)(2)(vi) The Director may use this review process if the proposed project is limited to: A proposed residential subunit or accessory unit."~~

Staff has identified other provisions of the code regarding ADUs that will also be considered for modification in the future, specifically sections regarding accessory structures allowed to be a maximum of 75 percent of the square foot of the principal structure as well as a standard requiring all ADUs to be located behind a principle structure.

Section 25.05.010 - 24 Road Corridor Design Standards - Sign standards.

The standards for 24 Road Corridor only allow for freestanding signs and flush wall signs. It further provides that all freestanding signs shall be single- or double-faced and constructed of a metal panel with stone or veneer base. In essence, this means that all freestanding signs will be monument style signs. Adding more clear language in the code would benefit the understanding and intent of these sign standards. Staff recommends the following clarification to the code.

Section 25.05.010(a) Only the following sign types are permitted: freestanding monument signs, flush wall signs, exempt signs, and temporary signs as allowed/regulated by GJMC 21.06.070 Sign regulation, except as further restricted in this chapter.

Section 29.56.020 - Alley Standards, Garage Setbacks and Section 24.12.130(a)(2) – Downtown District Standards and Guidelines – Residential Areas

Section 29.56.020 of the TEDS Manual has a standard that requires garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning. The Greater Downtown Plan adopted in 2018 has language that allows any accessory structure to have a zero-foot rear yard setback. The intent was to accommodate and allow for accessory structures to continue to exist and be built in a similar fashion to historical accessory buildings in the downtown area. Because these requirements are in two different sections of the municipal code, they appear contradictory and are confusing as to the interplay between the regulations. As such, staff recommends that the standard in TEDs is moved into the downtown standards which is a more typical location to find setback standards. The proposed changes are as follows:

Section 24.12.130(a)(2). The setback for accessory structures is a zero-foot setback from the alley and three feet from neighboring property line(s). Garages with

overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater.

~~Section 29.56.020—Building setbacks.—Garages with overhead doors facing the alley must be set back a minimum of 25 feet from the far edge of the alley or the zoning setback, whichever is greater. This allows adequate maneuver room for backing and turning.~~

IV. NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on August 20, 2019, in the Grand Junction Daily Sentinel.

V. ANALYSIS

In accordance with Section 21.02.140(c), a proposed text amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to decide with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendments to the Zoning and Development Code are useful in that they eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

VII. RECOMMENDED MOTION

Madam Chairman, on the Zoning and Development Code Amendments, ZCA-2019-421, I move that the Planning Commission forward a recommendation of approval finding that the amendments as recommended by staff as well as change the R-5 rear yard setback from 25 feet to ____ feet, work to eliminate inconsistencies within the code, provide necessary clarification for the administration of the code, eliminate unnecessary regulations and modify standards to provide regulations that assist in logical and orderly development.

Attachments:

Proposed Ordinance

Exhibit 2

Residential District Summary Table

[illegible]

Exhibit 3

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5

Exhibit 4

Notes

B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000

B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.

C-1: Min. rear setback – 0 if an alley is present

CSR: Maximum building height abutting residential – 40 ft.