

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, JANUARY 28, 2020 @ 6:00 PM**

Call to Order - 6:00 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from December 10, 2019.

Regular Agenda

1. Consider a request by Mays Rental Properties LLC to rezone a 3.64-acre lot from PD (Planned Development) to C-1 (Light Commercial) located at 2389 Riverside Parkway.
2. Consider a request by Old Rascal LLC to zone approximately 0.521-acres from County PUD (Planned Unit Development) to a City I-1 (Light Industrial) for the Barnes Electric Annexation, located at 2806 1/2 Perry Drive.
3. Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21) to increase the height limit in the C-1 and C-2 Zone Districts from 40 to 65 feet.
4. Consider a request by the Horizon Drive Business Improvement District to add a Horizon Drive Zoning Overlay as Title 27 of the Zoning and Development Code. **WITHDRAWN.**
5. Consider a request by the City of Grand Junction to amend the North Seventh Street Historic Residential District Guidelines and Standards (Section 26.32 of the Zoning and Development Code) regarding demolition of structures. **WITHDRAWN.**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
December 10, 2019 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:00pm by Vice Chair Bill Wade.

Those present were Planning Commissioners; Vice Chair Bill Wade, George Gatseos, Kathy Deppe, Keith Ehlers, Sam Susuras and Ken Scissors.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Kristen Ashbeck (Principal Planner), Scott Peterson (Senior Planner), Landon Hawes (Senior Planner), Senta Costello (Associate Planner), and Jace Hochwalt (Associate Planner).

There were approximately 11 citizens in the audience.

CONSENT AGENDA

Commissioner Susuras moved to adopt Consent Agenda items #1-6. Commissioner Gatseos seconded the motion. Motion carried unanimously 6-0.

1. Approval of Minutes

- a. Minutes of the November 12, 2019 Regular Meeting.

2. Rivertown Center – Vacation of Utility Easement **File # VAC-2019-562**

Consider a request by DRK Associates to vacate the south 4 feet of the 14-foot Multi-Purpose Easement along Dewey Place located on a property at 2566 Patterson Road.

3. Court on G Road Subdivision – Vacation of Public Right-of-Way **File #VAC-2019-646**

Consider a request by Anatum, LLC to vacate the undeveloped Westcliff Drive Public Right-of-Way of 322.19 lineal feet as part of the development of the proposed Court on G Subdivision located south of G Road and east of 27 Road.

4. Court on G Road Subdivision – Vacation of Utility Easement **File # VAC-2019-647**

Consider a request by Anatum, LLC, to vacate two 10-foot public utility easements located at 2711 G Road.

5. Hoffman III Subdivision – Vacation of Utility Easement **File # VAC-2019-589**

Consider a request by Habitat for Humanity to vacate a public utility easement located on parcel 2943-212-06-100 and Hoffman Subdivision Filing II.

6. Grand Falls Townhomes – Vacation of Public Easements File # VAC-2019-652

Consider a request by Corey Bendetti to vacate public easements on a 1.26-acre parcel located at 588 North Grand Falls Court.

REGULAR AGENDA

1. Grand Falls Townhomes – Rezone File # RZN-2019-649

Consider a request by Corey Bendetti to rezone 1.26-acres from PD (Planned Development) to R-8 (Residential 8 units per acre).

Staff Presentation

Kristen Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant's Presentation

Jim Atkinson, Vortex Engineering, spoke on behalf of the Applicant regarding the request.

Public Comment

The public hearing was opened at 6:13pm.

None.

The public hearing was closed at 6:14pm.

Motion and Vote

Commissioner Susuras made the following motion, "Mister Chairman, on the Rezone request RZN-2019-649 I move that the Planning Commission forward a recommendation of approval with the findings of fact listed in the staff report."

Commissioner Gatseos seconded the motion. The motion carried 6-0.

2. Casas de Luz – Planned Development Amendment File # PLD-2010-259

Consider a request by Dynamic Investments Inc., to amend the phasing schedule for the Casas de Luz Planned Development and associated Outline Development Plan.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Ehlers asked Staff for clarification regarding the request and a versus editing the original approved plan.

Commissioner Wade asked Staff for clarification regarding PD extensions.

Applicant's Presentation

The Applicant, Robert Stubbs, Dynamic Investments, Inc., was present and did not make a comment.

Public Comment

The public hearing was opened at 6:26pm.

Russ Carson and Patricia McVane made comments in opposition of the request.

The Applicant, Robert Stubbs, Dynamic Investments, Inc., responded to public comment.

Commissioner Deppe asked a question regarding the Planned Development.

The public hearing was closed at 6:38pm.

Discussion

Commissioner Gatseos, Ehlers, and Wade made comments in support of the request.

Motion and Vote

Commissioner Gatseos made the following motion, "Mister Chair, on the Casas de Luz request to amend the phasing schedule of the previously approved Planned Development, located at West Ridges Boulevard and School Ridge Road, City file number PLD-2010-259, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as provided within the staff report."

Commissioner Susuras seconded the motion. The motion carried 6-0.

3. 1221 Wellington Avenue – Rezone File # RZN-2019-598

Consider a request by John Poorey, Baseline Capital Investments, LLP, to rezone 1.81-acres from R-24 (Residential 24 units per acre) to B-1 (Neighborhood Business).

Staff Presentation

Landon Hawes, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant's Presentation

Bill Plock, Baseline Capital Investments, LLP, owner, was present and did not make a comment.

Public Comment

The public hearing was opened at 6:52pm.

None.

The public hearing was closed at 6:52pm.

Questions for Staff

None.

Discussion

None.

Motion and Vote

Commissioner Gatseos made the following motion, "Mister Chair, on the Rezone request to B-1 for the property located at 1221 Wellington Avenue, City file number RZN-2019-598, 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 Susuras seconded the motion. The motion carried 6-0.

4. Drinking Establishment/Brewery – Zoning Code Amendment File # ZCA-2019-644

Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21) related to drinking establishments.

Staff Presentation

Jace Hochwalt, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Ehlers asked a question regarding the absence of a "winery, tasting room" component in the proposed definition.

Tamra Allen, Community Development Director, explained the use of “winery” being consistent with an agricultural use, and tasting room could be categorized with “drinking establishment.”

Commissioner Scissors asked a question regarding the necessity of the CUP process being required in the I-O, I-1 and I-2 zone districts.

Mr. Hochwalt and Ms. Allen responded to Commissioner Scissors.

Public Comment

The public hearing was opened at 7:19pm.

None.

The public hearing was closed at 7:20pm.

Discussion

Commissioner Gatseos made a comment in support of this request.

Motion and Vote

Commissioner Ehlers made the following motion, “Mister Chairman, on the Zoning and Development Code Amendments, ZCA-2019-644, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report.”

Commissioner Scissors seconded the motion. The motion carried 6-0.

5. Other Business

None.

6. Adjournment

The meeting was adjourned at 7:22pm.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: January 28, 2020

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request by Mays Rental Properties LLC to rezone a 3.64-acre lot from PD (Planned Development) to C-1 (Light Commercial) located at 2389 Riverside Parkway.

RECOMMENDATION:

Staff recommends approval of the requested rezone.

EXECUTIVE SUMMARY:

The Applicant, Mays Rental Properties LLC, is requesting a rezone of a 3.64-acre lot located at 2389 Riverside Parkway from PD (Planned Development) to C-1 (Light Commercial) in anticipation of future commercial development. The requested C-1 zone district is consistent with the Comprehensive Plan Future Land Use Map designation of Village Center.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject 3.64-acre property is situated west of Redlands Parkway and south of Riverside Parkway. The property which is Lot 1 of the C. L. M. River Road I Subdivision currently contains four (4) manufactured homes that have been on the property for many years. At one time, the property contained five (5) manufactured homes. The property was annexed into the City limits in 1992 as part of the Blue Heron Annexation and zoned PI (Planned Industrial). The PI zoning district at the time was a continuation of previous County zoning of PUD (Planned Unit Development) which permitted the five (5) rental manufactured homes. The PI zoning designation in 1992 allowed the property owner to continue the land use of the rental manufactured

homes.

The Applicant has expressed the intent to redevelop the property with a commercial land use(s) and remove the remaining four (4) manufactured homes. The Applicant seeks the C-1 zone due to the allowable land uses provided within the district such as general office, self-service storage, general retail sales and automobile mechanical repair, etc. The Comprehensive Plan Future Land Use Map identifies the property as Village Center. The proposed C-1 (Light Commercial) Zone District is a zone district that implements the Village Center future land use designation. In addition to C-1 (Light Commercial) the following zone districts would also work to implement the Village Center designation.

- a. R-8 (Residential – 8 du/ac)
- b. R-12 (Residential – 12 du/ac)
- c. R-16 (Residential – 16 du/ac)
- d. R-24 (Residential – 24 du/ac)
- e. R-O (Residential Office)
- f. B-1 (Neighborhood Business)
- g. M-U (Mixed Use)
- h. MXR, G & S (Mixed Use Residential, General and Shopfront)

The purpose of the C-1 (Light Commercial) zone district 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 zone 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. This property has access to the Riverside Parkway which is classified as a Minor Arterial and proximate to Redlands Parkway which is classified as a Principal Arterial.

Properties adjacent to the subject property to the east and south, across Redlands Parkway are also owned by the Applicant. These properties contain the office, associated shop buildings and outside storage areas for Mays Concrete and is zoned PD (Planned Development). Properties to the west are zoned with I-1 (Light Industrial) and contain a commercial self-storage building along with a multi-tenant office building for contractor and trade shops. To the southwest is the Junior Service League Park and the Blue Heron Riverfront Trail adjacent to the Colorado River that are zoned CSR (Community Services and Recreation). To the north, across Riverside Parkway, Union Pacific Railroad and Highway 6 & 50 rights-of-way is the Mesa Mall area and associated retail stores, restaurants and offices, etc., zoned C-2 (General Commercial) and C-1 (Light Commercial).

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed rezone request was held on November 5, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant, Applicant's Representative and City staff were in attendance, however no members from the public attended the meeting. To date, the City has not received any public comment concerning the proposed rezone application. The application for the rezone request was submitted to the City on November 15, 2019.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on November 22, 2019. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 17, 2020. The notice of this public hearing was published January 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review of a rezone application is set forth in Section 21.02.140 (a). The criteria provides that 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 rezone criteria.

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

The property was originally zoned Planned Unit Development (PUD) in the County and was annexed into the City limits with the Blue Heron Annexation in 1992. At the time of annexation, a Planned Industrial (PI) zone was applied in order to allow the existing land use of a manufactured home park to continue. In 2010, the present Comprehensive Plan was adopted which designated this area as a Village Center. That action invalidated the original premises of the PI zone district since there are no industrial zone districts identified that implement the Village Center. Therefore, staff finds this criterion has 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 character and/or condition of the area has continued to change over the last 28 years including the completion and upgrade of the Riverside Parkway which provides for additional traffic capacity in the area and is classified as a Minor Arterial; and development of more commercial/industrial uses in the area have made the property no

longer conducive to continued single family residential use. Based on changes that have occurred in the vicinity of this property, staff has found this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the C-1 zone district. City sanitary sewer is presently available within Riverside Parkway and Ute Water is presently available in both Riverside Parkway and the Redlands Parkway Ramp to the west of the site. The property can also be served by Xcel Energy electric and natural gas. To the north, across Riverside Parkway, Union Pacific Railroad and Highway 6 & 50 rights-of-way is the Mesa Mall area and associated retail stores, restaurants, banks and offices, etc. A short distance away, further to the north, on G Road is Community Hospital. The adjacent street network of Riverside Parkway and Redlands Parkway are classified as Minor Arterial and Principal Arterial respectfully, which are adequate to serve any type of commercial development proposed for the property.

In general, staff has found public and community facilities are adequate to serve the type and scope of the commercial land use(s) proposed. As such, staff finds 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

C-1 zoned properties presently comprise approximately 5% of the total acreage within the City limits. Currently, no C-1 zoning exists on the west side of the Riverside Parkway and most C-1 is concentrated at or near the Mesa Mall, near the intersection of North Avenue and 1st street, along the North Avenue corridor with smaller pockets of C-1 near the intersection of SH 340 and Monument Road as well as flanking portions of Ute Avenue. Though there appears to be a deficit of C-1 in the area west of the Riverside Parkway and Redlands Parkway interchange, staff has been unable to determine if there is an inadequate supply of this zone district and therefore has not found this criterion to have been met. 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.

The community and area will benefit from this proposed rezone request by creating the potential for commercial land uses that are more compatible with the surrounding existing light industrial and commercial properties in the immediate area than the existing single-family homes. The community and area will also benefit from the potential for redevelopment of this underutilized site that, should it develop, will be

required to meet current code standards for such site improvements as landscaping and other on-site improvements. Therefore, Staff finds that this criterion has been met.

The rezone criteria provide the City must also find the request is consistent with the vision, goals and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

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 commuting and decrease vehicle miles traveled thus increasing air quality.

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

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Mays Rental Property rezone request, RZN-2019-660, from PD (Planned Development) to C-1 (Light Commercial) for the property located at 2389 Riverside Parkway, the following findings of fact have been made:

1. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the request meets one or more of the rezone criteria.
2. The request is consistent with the goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the requested rezone to C-1 (Light Commercial).

SUGGESTED MOTION:

Madam Chairman, on the Mays Rental Property rezone request to C-1 (Light Commercial) for the property located at 2389 Riverside Parkway, City file number RZN-2019-660, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Attachments

1. Exhibit List - Mays Rental Property Rezone

2. Exhibit 2 - Site Location, Aerial, Zoning Maps
3. Exhibit 3 - Development Application Dated 11-15-19
4. Exhibit 4 - Zoning Ordinance

EXHIBIT LIST

MAYS RENTAL PROPERTY REZONE – REZONE TO C-1 (LIGHT COMMERCIAL) FILE NO. RZN-2019-660

Exhibit Item #	Description
1	Staff Report dated January 28, 2020
2	Site Location, Aerial, Zoning Maps
3	Development Application dated November 15, 2019
4	City Council Zoning Ordinance
5	Staff Powerpoint Presentation dated January 28, 2020





Comprehensive Plan Future Land Use Map

The map displays several land use zones: **Industrial** (purple), **Commercial** (red), **Park** (green), and **Village Center** (yellow). A specific **Site** is outlined in blue within the Industrial zone. Major roads shown include **RIVER RD**, **HWY 6 AND 50**, **REDLANDS PKWY**, and **RIVERSIDE PKWY**. The map also indicates **PRKLY RAMP** and **OFF RAMP** locations.

Village Center

Site

Park

Park

RIVER RD

RIVER RD

HWY 6 AND 50 OFF RAMP

RIVERSIDE PARK



Figure 6

Y-6 AND 50

2000-2001

Village Center

HWY 6 AND 5

RIVERSIDE PK
Industri

Industria

ANDS PKWY

Ado River

Existing Zoning 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 #:

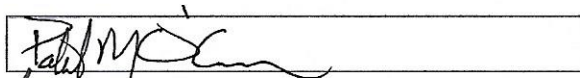
Contact Person:

Contact Phone #:

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

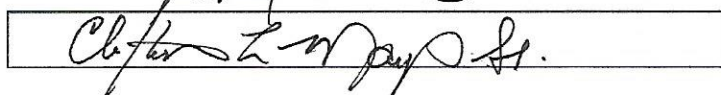
We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application 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



Date

Signature of Legal Property Owner



Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) MAYS RENTAL PROPERTIES, LLC ("Entity") is the owner of the following property:

(b) 2389 RIVERSIDE PARKWAY, G.J. CO, MESA COUNTY, TAX # 2945-081-29-001, REC # 2428252
LOT 2 OF ~~CLM~~ CLM RIVER ROAD 1 SUBDIVISION

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 TO C-1

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

(e) N/A

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: X *Clifton L. Mays Sr*

Printed name of person signing: Clifton L. Mays Sr

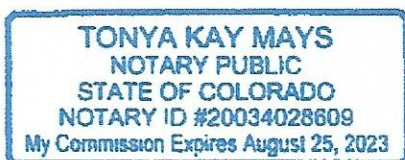
State of Colorado)

County of mesa) ss.

Subscribed and sworn to before me on this 15th day of November, 20 19
by Clifton L. Mays Sr

Witness my hand and seal.

My Notary Commission expires on 8/25/23



Tonya Kay Mays
Notary Public Signature

SPECIAL WARRANTY DEED

THIS DEED, dated March 7th, 2008

Between Clifton L. Mays, Sr.

Of the *County of Mesa and State of Colorado,
grantor(s) and

Whose legal address is Mays Rental Properties, LLC, a
Colorado limited liability company
PO Box 4209
Grand Junction, CO 81502

of the County of Mesa and State of Colorado, grantee(s):

WITNESS, that the grantor(s), for and in consideration of the sum of Ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee(s), its heirs and assigns forever, all the real property, together with improvements, if any, located in the County of Mesa and State of Colorado, described as follows:

Lots 1, 2 and 3 C.L.M. River Road I Subdivision
Grand Junction, Mesa County, Colorado

as more particularly described on the Plat filed May 9, 2002 in the Mesa County Clerk and Recorder's Office in
Plat Book Number 18 at Page 397, Reception Number 2055429, Drawer Number LL-137.

Also known by street and number as: 2395 River Road, Grand Junction, CO 81505
Assessor's schedule or parcel number: 2945-081-29-002

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), its heirs and assigns forever. The grantor(s), for itself, its heirs, personal representatives, successors and assigns, does covenant and agree that it shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

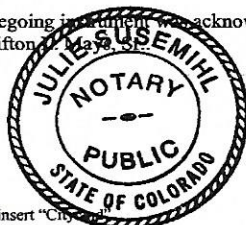
SUBJECT TO real property taxes and assessments for the year 2008 and subsequent years, all easements, reservations, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities appearing of record, if any, including, but not limited to that certain Deed of Trust in favor of Trula A. Mays, concerning Lot 2, dated February 1, 2005 and recorded March 1, 2005 in Book 3845 at page 912 Reception Number 2241268 of the records of the Clerk and Recorder for Mesa County, Colorado, and such matters as would be disclosed by a proper inspection or accurate ALTA survey of the Property; laws, ordinances, and regulations of any governmental entity related to environmental protection, and hazardous waste or substance control; existing soils and geological conditions, topography, area and configurations; and applicable planning, zoning and subdivision statutes, ordinances, regulations and permits.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Clifton L. Mays, Sr.
Clifton L. Mays, Sr.

STATE OF COLORADO)
COUNTY OF MESA) ss.

The foregoing instrument was acknowledged before me this 7th day of March, 2008, by Clifton L. Mays, Sr.



Witness my hand and official seal.

My commission expires: 10/2/2008
Julie Sussemuhl
Notary Public

*If in Denver, insert "City"

General Project Report

November 7, 2019

Mays Rental Properties Rezone

2389 Riverside Parkway

Grand Junction, CO

Prepared for:

Mays Rental Properties

Prepared by:

O'Connor Design Group, Inc.

P.O. Box 501

Fruita, CO

Mays Rental Properties

General Project Report - Rezone

The site is contained within Mesa County Tax Parcel 2645-081-29-001 and consists of approximately 3.64 acres located on the south side of Riverside Parkway and the west side of Redlands Parkway. The address is 2389 Riverside Parkway. A vicinity map is included in the Appendix. Four single family homes (mobile homes) currently exist on the site which at one time contained five. The petitioners are currently requesting a rezone from PD (Planned Development) to C-1 (Light Commercial) to allow development of a commercial building in the northern portion and mini-warehouse storage units in the southern portion.

The mobile homes which have existed on the site for many years have become somewhat of an eyesore and the remainder of the lot is generally vacant and used for material storage for Mays Concrete Construction (main office located on the other side of the Redlands Parkway). Development of a modest commercial building with 5 office/warehouse spaces and a number of self-storage units seems to fit a growing need for the area.

The PD zoning which currently exists seems an odd fit for an area which has steadily become a commercial hub. The proposed C-1 zone will allow development of the type described above and be more compatible with the surrounding area which is almost completely commercial in nature. Mesa Mall exists to the northeast (across the Riverside Parkway and Highway 6 & 50), Mays Concrete Construction to the east, a commercial building and storage unit complex to the west, and a small public park which borders the Colorado River to the south.

Access to the site is excellent with Riverside Parkway bordering the north side and Redlands Parkway wrapping around the south and east sides. A ramp from Redlands Parkway to Riverside Parkway borders the west side creating a site which is enveloped by roadways. Project access would come from Riverside Parkway and possibly the western ramp as Redlands Parkway itself is elevated above the developable property and not directly accessible.

Existing utilities include a sewer main along Riverside Parkway and the site is surrounded by large water mains with two existing fire hydrants along the north and another to the west. Gas, electric, and telephone services are all also available along Riverside Parkway. No unusual demands on these services are foreseen for the proposed development which might require

upgrading or pre-treatment methods. Irrigation water is available to the site which will be used for the future landscaping requirements. There are no known soils or geological hazards at this time which is evident by the number of existing buildings and roadways located in the area.

In compliance with the review criteria contained in the Zoning and Development Code the following issues are noted: the existence of single family homes (allowed by the PD Zone) in an area completely surrounded by commercial activity is out of character for the area; vehicular access and utilities service is very well suited for the proposed commercial development; the proposed project will provide additional office/warehouse space and self-storage units which are in short supply and high demand; and the construction of such a facility will provide a benefit to the area by provision of needed additional facilities as proposed.

Timing for the development of this project would begin as soon as possible, after approval of the site plan review. Projected phasing would initially involve construction of the commercial building and a portion of the self-storage units with additional units and completion as dictated by demand over the next two to five years.

Mays Rental Prop. - Vicinity Map 2



Printed: 11/15/2019
1 inch equals 752 feet
Scale: 1:9,028

LEGAL DESCRIPTION

Lot 1 of the C. L. M. River Road 1 Subdivision

2389 Riverside Parkway - Rezone

NEIGHBORHOOD MEETING - SIGN IN SHEET

11/5/2019

	Name	Address	Phone #	Email Address
1	PATRICK O'CONNOR	901 CROWN CT. - FRUITA 81521	970-250-6393	PAT@ODGINGC.NET
2	SCOTT O'BERGREN	CITY PLANTERS	970-244-1447	SCOTT@GTCITY.ORG
3	CLIFF MAYS SR	2399 RIVERSIDE PKWY	970-270-1780	CMAYS@MAYS CONCRETE, COM
4	CLIFF MAYS SR	2399 973 22 RD	970 261-1557	CLIFF AND CHLOE MAYS@MAYS CONCRETE, COM
5				CMAYS SR. @ MAYS CONCRETE, COM
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

Neighborhood Meeting Notes

November 5, 2019

Mays Rental Properties Rezone

2389 Riverside Parkway

Grand Junction, CO

The meeting was held at the office of Mays Concrete Construction located at 2399 Riverside Parkway in the upstairs conference room and began at 5:30 p.m. on Tuesday, November 5, 2019.

In attendance were: **Cliff Mays, Sr. and Cliff Mays, Jr.** representing the petitioner, **Scott Peterson** of the City of Grand Junction Planning Department, and **Patrick O'Connor** of O'Connor Design Group, Inc. (project engineer).

No other persons attended although all property owners listed on documents provided by the City were notified by mail.

General issues involved in the rezone and site plan review processes were discussed by the attendees with no major obstacles noted. The meeting was adjourned at 6:00 p.m. as no other invitees had arrived.

City of Grand Junction Review Comments

Date: December 10, 2019 **Comment Round No.** 1 **Page No.** 1 of 4
Project Name: Mays Rental Properties Rezone **File No:** RZN-2019-660
Project Location: 2389 Riverside Parkway

Check appropriate ☒ if comments were mailed, emailed, and/or picked up.

Property Owner(s): Mays Concrete Inc. – Attn: Cliff Mays Jr.

Mailing Address: 2399 Riverside Parkway, Grand Junction, CO 81505

☒ **Email:** cmays@maysconcrete.com **Telephone:** (970) 243-5669

☐ **Date Picked Up:** _____ **Signature:** _____

Representative(s): O'Connor Design Group Inc. – Attn: Pat O'Connor

Mailing Address: 2350 G Road, Suite 113, Grand Junction CO 81505

☒ **Email:** pat@odginc.net **Telephone:** (970) 241-7125

☐ **Date Picked Up:** _____ **Signature:** _____

Developer(s):

Mailing Address:

Email:

Telephone:

☐ **Date Picked Up:** _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott Peterson, Senior Planner

Email: scottp@gjcity.org

Telephone: (970) 244-1447

Dev. Engineer: Rick Dorris

Email: rickdo@gjcity.org

Telephone: (970) 256-4034

City of Grand Junction REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Application is for a Rezone from PD (Planned Development) to C-1 (Light Commercial) in anticipation of future commercial development. Existing property is 3.64 +/- acres in size. Comprehensive Plan Future Land Use Map identifies the property as Village Center. The proposed C-1 (Light Commercial) Zone District is an applicable zone district within the Village Center category. No additional response required.

Applicant's Response:

Document Reference:

2. Public Correspondence Received:

As of this date, City Project Manager has not received any public correspondence concerning the proposed rezone application. If any future correspondence is received, City Project Manager will forward to the applicant and representative for their information and file.

Applicant's Response:

Document Reference:

3. Planning Commission and City Council Public Hearings:

Planning Commission and City Council review and approval required for proposed Rezone request. City Project Manager will **tentatively** schedule application for the following public hearing schedule:

- a. Planning Commission review of request: January 28, 2020.
- b. First Reading of request by City Council: February 5, 2020.
- c. Second Reading of request by City Council: February 19, 2020.

Please plan on attending the January 28th Planning Commission meeting and the February 19th City Council Meeting. The February 5th meeting you do not need to attend as that is only scheduling the hearing date and the item is placed on the Consent Agenda with no public testimony taken. Both the January 28th and February 19th meetings begin at 6:00 PM at City Hall in the Council Chambers.

If for some reason, applicant cannot make these proposed public hearing dates, please contact City Project Manager to reschedule for the next available meeting dates.

Code Reference: Sections 21.02.140 of the Zoning and Development Code.

Applicant's Response:

Document Reference:

4. Outdoor Storage:

As an FYI, outdoor storage related to contractor and trade shops, etc., is prohibited within the proposed C-1 zone district. Indoor operations and storage only. Please keep this in mind when leasing proposed/future office space units, if applicable. Please review Section 21.04.010 of the Zoning & Development Code for a list of other "allowed" and/or "conditional" land uses for your information in developing the site within the proposed C-1 zone district.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

No engineering concerns with the rezone.

Applicant's Response:

Document Reference:

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

No comments or suggestions.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Matt Sewalson – mattse@gjcity.org (970) 549-5855

The Grand Junction Fire Department's Fire Prevention Bureau has no objections to the rezoning. All applicable Fire Codes will be addressed through the building permit process. A final inspection by the Fire Department will be required before business operations begin. For questions call the Fire Prevention Bureau at 549-5800.

Applicant's Response:

Document Reference:

CITY ADDRESSING – Pat Dunlap – patd@gjcity.org (970) 256-4030

No comments.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

MCBD has no objections to this project.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections at this time.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

- No objection to rezone.
- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response:

Review Agency: Grand Valley Drainage District

Contact Name: Tim Ryan

Email / Telephone Number: tim.admin@gvdd.org (970) 242-4343

GVDD has no comment or objection.

Applicant's Response:

REVIEW AGENCIES

(Responding with "No Comment" or have not responded as of the due date)

The following Review Agencies have not responded as of the comment due date.

1. Grand Valley Irrigation Company
2. Regional Transportation Planning Office (RTPO)

The Petitioner is required to submit electronic responses, labeled as "**Response to Comments**" for the following agencies:

1. **N/A.**

Date due: **N/A. Application will proceed to public hearing schedule.**

Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

Date

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING MAYS RENTAL PROPERTY
FROM PD (PLANNED DEVELOPMENT)
TO C-1 (LIGHT COMMERCIAL)**

LOCATED AT 2389 RIVERSIDE PARKWAY

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Mays Rental Property to the C-1 (Light Commercial) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Village Center of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-1 (Light Commercial) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned C-1 (Light Commercial):

Lot 1, C.L.M. River Road I Subdivision

Introduced on first reading this _____ day of _____, 2020 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: January 28, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Consider a request by Old Rascal LLC to zone approximately 0.521-acres from County PUD (Planned Unit Development) to a City I-1 (Light Industrial) for the Barnes Electric Annexation, located at 2806 1/2 Perry Drive.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Old Rascal LLC, is requesting to annex 0.521 acres located at 2806 1/2 Perry Drive, and requests a zone of annexation from County PUD (Planned Unit Development) to City I-1 (Light Industrial) Zoning. The subject property contains a temporary modular structure but is otherwise vacant. The owner is requesting annexation in anticipation of a future office/storage building being constructed on the site, which constitutes "Annexable Development" and as such is required to annex in accordance with the Persigo Agreement.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Barnes Electric Annexation consists of one 0.521-acre parcel of land located at 2806 1/2 Perry Drive. The property contains a temporary modular structure but is otherwise vacant. The Applicant is requesting annexation of the property into the City limits in anticipation of a future office/storage building being constructed on the site. The Applicant is requesting a zoning for the property of I-1 (Light Industrial).

Annexation will be considered in a future action by City Council and requires review and recommendation of the zoning by the Planning Commission. The proposed office/storage use is allowed in the I-1 zone district.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed zone of annexation request was held on October 3, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant, engineer, and staff planner attended the meeting. Several acquaintances of the applicant attended and asked questions regarding the future development and annexation process.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on January 2, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1,000 feet, on January 17, 2020. The notice of this public hearing was published on January 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review of a zone of annexation are the same as for a rezone request as set forth in Section 21.02.140 (a) of the Zoning and Development Code. The criteria provide that 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 criteria identified below:

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

The applicant has petitioned for annexation into the City limits with a requested zone district of I-1, which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Industrial. Because the property is currently in the County, the annexation of the property is a subsequent event that will invalidate the original premise - a county zoning designation. Further, staff does not believe that a Planned Development (equivalent to the County's PUD zone district) is an appropriate designation, as the purpose of the Planned Development zone district is to create development standards that maximize community and applicant benefit in ways that the standard Zoning and Development Code would not be able to do. Because the I-1 zone is sufficient to accomplish the applicant's objectives, staff finds that the PD district has been invalidated and that this criterion has been met.

(2) The character and/or condition of the area has changed such that the amendment

is consistent with the Plan; and/or

Apart from some new nearby commercial/industrial development along the Riverside Parkway, there has been limited new commercial and industrial development proximate to the applicant's property. However, this development has not been found to have changed the character or condition of the area. Staff finds that this criterion has not been met.

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

Required utilities are available for service to this property which include City sewer and Ute Water lines within the Riverside Parkway right-of-way and electric and natural gas services provided by Xcel Energy. The property is also adjacent to Riverside Parkway which is designated as both a principal arterial and an active transportation corridor which provides adequate access and multimodal opportunities. Staff finds adequate public and community facilities and services are available to serve the type and scope of the uses associated with the I-1 zone district. Therefore, 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

This property sits next to the Greater Downtown Industrial Corridor Overlay, which has many properties designated as I-1 that could be used for office/warehouse uses like the one proposed by the Applicant. Staff finds that there is an adequate supply of land designated as I-1 and therefore has not found this criterion to have been met.

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

The zoning of this property is intended to allow for expansion of the Applicant's business. Further, the zone of annexation will act to implement the Comprehensive Plan and provide a suitable area for the development of a structure/use consistent with the I-1 zoning district. Therefore, Staff finds this criterion has been met.

Consistency with Comprehensive Plan

The rezone criteria provide that the City must also find the request is consistent with the vision, goals and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

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

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

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the annexation request by Old Rascal LLC, File No. ANX-2019-627, for the property located at 2806 ½ Perry Drive, the following findings of fact have been made:

1. The request meets one or more of the rezone criteria in accordance with Section 21.02.140(a) of the Zoning and Development Code.
2. The request is consistent with the Comprehensive Plan.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Madam Chairman, on the zone of annexation request for the property located at 2806 ½ Perry Drive, City file number ANX-2019-627, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

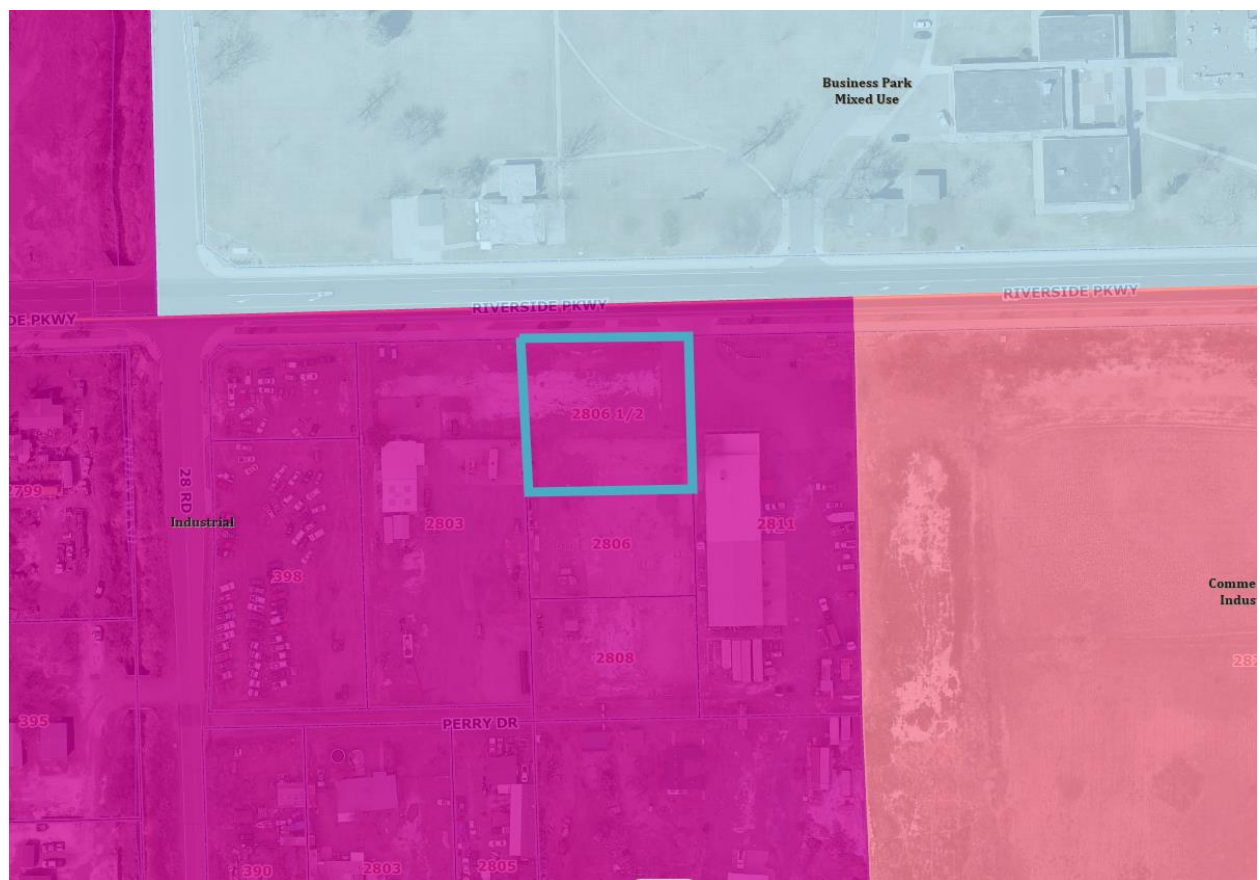
Attachments

1. Barnes Electric map exhibits
2. Neighborhood meeting minutes
3. Barnes Electric Annexation Schedule Summary
4. Resolution - Referral of Petition (Land Use Control)- Barnes Electric Annexation
5. Barnes Electric Annexation Ordinance









2806½ Perry Drive Annexation Application

Neighborhood Meeting Minutes

Date: October 03, 2019 5:30 p.m.

Held: Barnes Electric 2811 Riverside Parkway

Attendance included Don Barnes of Barnes Electric, Jace Hochwalt of City of Grand Junction Public Works & Planning and Kent Shaffer of Rolland Consulting Engineers. There were no attendees from the surrounding neighborhood, therefore no questions or comments to address.

There was a general discussion of the planned development and the steps of the annexation approval process. The meeting lasted approximately one hour. The other attendees were acquaintances of Don Barnes but did not reside or own property in the invited neighborhood.

2806 1/2 Perry Drive Annexation Neighborhood Meeting

Date: October 03, 2019

NAME

ADDRESS

PHONE/EMAIL

Merritt S. Gray	2339 Promontory Ct	970-261-1463
Dave Mantlo	2857 Piccad Dr	970-216-2570
Kent Shaffer Rolland Consulting Engineers	405 Ridges Blvd	970-243-8300
Jace Hochwalt City of GS	—	970-256-4008
Don Barnes	2811 Riverside	970-242-6473

BARNES ELECTRIC ANNEXATION SCHEDULE

December 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
January 14, 2020	Planning Commission considers Zone of Annexation
January 15, 2020	Introduction of a Proposed Ordinance on Zoning by City Council
February 5, 2020	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
March 8, 2020	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2019-627
Location:	2806 ½ Perry Drive
Tax ID Numbers:	2943-192-00-018
# of Parcels:	1
Existing Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	0.521
Developable Acres Remaining:	0.521
Right-of-way in Annexation:	0
Previous County Zoning:	PUD (Planned Unit Development)
Proposed City Zoning:	I-1 (Light Industrial)
Current Land Use:	Modular building
Future Land Use:	Industrial
Values:	Assessed: \$42,380
	Actual: \$146,130
Address Ranges:	2806 ½ Perry Drive
Special Districts:	Water: Ute Water Conservancy District
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural Fire District
	Irrigation/Drainage: Grand Valley Irrigation Company
	School: Grand Junction HS / East Middle / Chipeta Elementary
	Pest: Grand River Mosquito Control District

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 18th day of December 2019, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

BARNES ELECTRIC ANNEXATION

APPROXIMATELY 0.521 ACRES LOCATED AT 2806 ½ PERRY DRIVE

WHEREAS, on the 18th day of December 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BARNES ELECTRIC ANNEXATION

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°39'11" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°39'11" E, along the North line of the NW 1/4 NW 1/4 of said Section 19, a distance of 342.71 feet; thence S 00°16'49" E, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°16'49" E, a distance of 145.00 feet; thence S 89°39'06" E, a distance of 156.51 feet; thence N 00°16'49" W, a distance of 145.00 feet; thence N 89°39'11" W, a distance of 156.51 feet, more or less, to the Point of Beginning.

CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 5th day of February, 2020, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the 18th day of December, 2019.

President of the Council

Attest:

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
December 20, 2019
December 27, 2019
January 4, 2020
January 11, 2020

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

BARNES ELECTRIC ANNEXATION

APPROXIMATELY 0.521 ACRES LOCATED AT 2806 ½ PERRY DRIVE

WHEREAS, on the 18th day of December 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of February 2020; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

BARNES ELECTRIC ANNEXATION

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°39'11" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°39'11" E, along the North line of the NW 1/4 NW 1/4 of said Section 19, a distance of 342.71 feet; thence S 00°16'49" E, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°16'49" E, a distance of 145.00 feet; thence S 89°39'06" E, a distance of 156.51 feet; thence N 00°16'49" W, a distance of 145.00 feet; thence N 89°39'11" W, a distance of 156.51 feet, more or less, to the Point of Beginning.

CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 15th day of January, 2020 and ordered published in pamphlet form.

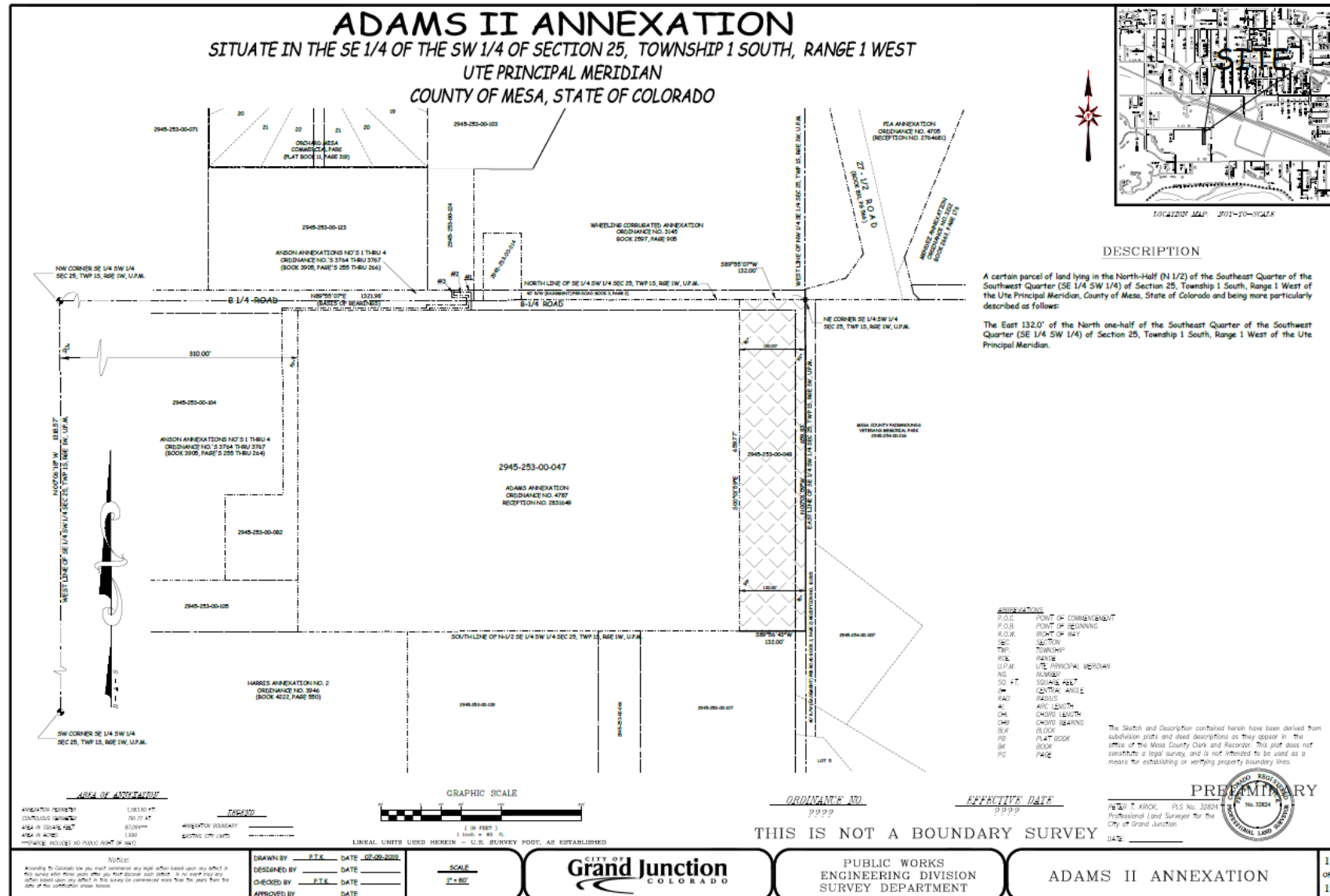
ADOPTED on second reading the 5th day of February, 2020 and ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A





Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: January 28, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Consider a request by the City of Grand Junction to amend various sections of the Zoning and Development Code (Title 21) to increase the height limit in the C-1 and C-2 Zone Districts from 40 to 65 feet.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

City staff recommend amending the height requirements in the C-1 and C-2 Zone Districts. The proposed amendment is designed to create greater flexibility for commercial developers and to bring the C-1 (Light Commercial) and C-2 (General Commercial) Zone Districts in line with similar Grand Junction zones by increasing the height allowance in C-1 and C-2 from 40 feet to 65 feet. The proposed amendment would modify Section 21.03.070 and the Mixed Use and Industrial Bulk Standards Summary Table in the Zoning and Development Code. It would also remove Section 21.03.070(d)(4), which duplicates regulations pertaining to height allowances in the Horizon Drive area.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Staff believes increasing height allowances in the C-1 and C-2 zone districts will work to establish greater flexibility and promote additional infill and redevelopment within those zone districts. These two zone districts currently allow structures up to 40 feet in

height, while many commercial uses may desire to construct taller buildings, especially as the cost of land increases. Some of the predominant land uses seen in the C-1 zone district include hotels, office, and retail, while the C-2 zone district sees similar uses with additional heavier commercial and light industrial uses. Several zone districts in Grand Junction already allow buildings up to 65 feet in height including Community Services and Recreation (CSR), Mixed Use (M-U), Business Park Mixed Use (BP), and Industrial/Office Park (I-O). Increasing the height limit in C-1 and C-2 would match those zones with the four that already allow 65-foot buildings. Similarly, Section 21.03.070(d)(4) of the Code already allows 65-foot buildings in the C-1 zone along Horizon Drive.

There have been recent development projects that have brought to light this opportunity to consider additional height in these zone districts, including the new Timberline Bank office located near 24 Road and Market Street as well as the recently approved Railyard at Baserock Apartment project. Both projects were located in C-1 zone districts and desired extra building height to construct the type of building they desired. For Timberline Bank, the solution became seeking a rezone from C-1 to M-U to build the proposed four-story building of 64 feet on their site. For the The Railyard at Baserock project, a 196-unit apartment project located just south of the Rimrock Walmart, the applicant desired to construct buildings with a height of 44 feet. The applicant represented that this height allowed them to accommodate higher ceilings in their proposed three-story apartment buildings. However, due to the limitation of the height requirement, they have since modified their building plans and their roof pitch/architecture to fit within the height requirement but would still prefer to be able to exceed the 40-foot height limitation.

For an example of building height in excess of 40 feet includes the existing Highlands Apartments located at 805 Bookcliff Avenue. This property is zoned PD. The buildings are 54 feet tall and there has been some indication that this is an aesthetically appropriate and visually desirable project.

According to the Development Code, the purpose of the C-1 zone 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.” Similarly, the purpose of the C-2 zone is “To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations.”

In contrast, the purpose of the R-O (Residential Office) zone is “To provide low intensity, nonretail, neighborhood service and office uses that are compatible with

adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment.”

The C-1 and C-2 zone districts are intended to accommodate a range of commercial development of varying intensities, as well as increase density and intensity, while the R-O zone is intended to provide residential-compatible, low-intensity commercial uses. These are distinctly different goals. However, the height limit for these zones is the same. Staff believes that increasing the height limit for C-1 and C-2 will help differentiate these zones from R-O and will remove a barrier to the development of appropriate uses (as provided in the Use Table) for the C-1 and C-2 zones.

Staff has attached the Mixed Use and Industrial Bulk Standards Summary Table that demonstrates how approval of the proposed amendment would bring the C-1 and C-2 zones in line with other zones in the city that have a 6 feet height allowance.

Should the height for C-1 be increased to 65 feet, Section 21.03.070(d)(4) of the Code would become superfluous. This section currently provides the following:

(4) Height. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.

This section duplicates the “Applicability” section of the Code, 21.02.120(b)(1), which reads:

(1) A special permit is allowed in those areas designated Neighborhood Center, Village Center, City Center (which includes Downtown) or Mixed Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan or in the C-1 and I-O zone districts along Horizon Drive north of G Road including Crossroads Boulevard and Horizon Court. A special permit shall be required prior to:

- (i) Allowing additional height beyond that permitted by a district’s bulk standards; or
- (ii) Allowing additional building area beyond that permitted by a district’s bulk standards.

Because special permits already allow additional height, a separate special permit section for structures along Horizon Drive is not needed, nor would the section need to make a specific allowance for heights of 65 in the Horizon Drive area – an area zoned C-1. Staff therefore proposes removal of Section 21.03.070(d)(4) by this code amendment.

NOTIFICATION REQUIREMENTS

The notice of this public hearing was published on January 21, 2020 in the Grand Junction Daily Sentinel.

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 amend the Code with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction's request for amendment of sections 21.03.070 and the Mixed Use and Industrial Bulk Standards Summary Table of the Development Code, File No. ZCA-2019-715, the following findings of fact have been made:

1. The request is useful in that it refines standards to provide regulations allowing for logical and orderly development, providing for greater opportunity for infill and redevelopment, and works to eliminate regulations that are functionally obsolete or superfluous.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Madam Chairman, on the request to amend the Zoning and Development Code regarding height in the C-1 and C-2 zone districts, City file number ZCA-2019-715, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. C-1 and C-2 Height Allowance Increase Bulk Standards Table, Exhibit 1
2. C-1 and C-2 height ordinance

EXHIBIT 1

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
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.

C-1: Light Commercial.

(1) Purpose. 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.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Service Entrances. Building entrances to service yard and loading areas shall be located only in the rear and side yard.

(ii) Outdoor Storage and Display. Outdoor storage is not allowed within the front yard. Outdoor display of retail merchandise is permitted subject to GJMC [21.04.040\(h\)](#).

~~(4) Height. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.~~

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 21.03.070 AND THE MIXED USE AND INDUSTRIAL BULK STANDARDS SUMMARY TABLE OF THE ZONING AND DEVELOPMENT CODE, INCREASING THE HEIGHT ALLOWANCE FOR STRUCTURES IN THE C-1 AND C-2 ZONE DISTRICTS AND REMOVING AN EXTRANEOUS CODE PROVISION

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

The amendments to the Zoning and Development Code increase the height allowance for structures in the C-1 and C-2 zone districts from 40' to 65', allowing citizens the opportunity to develop and utilize their commercial property more effectively, and encouraging more business activity in some of Grand Junction's primary commercial zones. They also remove an extraneous provision that duplicates the special permit section of the Development Code.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the proposed Code amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed Code amendments are necessary to maintain effective regulations to implement the Comprehensive Plan.

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

The Mixed Use and Industrial Bulk Standards Summary Table is amended as follows (changes highlighted):

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
--	------------	------------	------------	------------	------------	------------	------------	-----------	------------	------------	------------

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
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.

Section 21.03.070 is amended as follows (deletions struck through):

~~(4) Height. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.~~

Introduced on first reading this 5th day of February, 2020, and ordered published in pamphlet form.

Adopted on second reading this 19th day of February, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: January 28, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Consider a request by the Horizon Drive Business Improvement District to add a Horizon Drive Zoning Overlay as Title 27 of the Zoning and Development Code. **WITHDRAWN.**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

Business owners in the Horizon Drive Business Improvement District (BID) have requested the creation of a zoning overlay that would improve Horizon Drive's ability to maintain itself as a premier commercial area for Grand Junction. This overlay would enhance walkability, create a unifying architectural theme, and help to beautify the properties within the Horizon Drive BID.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Horizon Drive District is comprised of commercial properties within the general geographic area of Horizon Drive between G Road and H Road. The District was formed in 2004 and is overseen by the City of Grand Junction, which appoints the staff and Board of Directors. The District is supported by a mil levy of no more than 5.0 mils (.005) upon every dollar of the valuation assessment of taxable property within the District.

The District's mission statement is: "Committed to build community, enhance the beauty and advocate the economic vitality of the Horizon Drive District." The properties within the Horizon Drive District fall into two zoning classifications. Those with frontage onto Horizon Drive, Crossroads Boulevard, Horizon Court or similar streets, are classified as Light Commercial (C-1) and those nearest H Road and north-west of Horizon Drive are classified as Industrial Office (I-O).

The Grand Junction Regional Airport, adjacent to the Horizon Drive District on the north and east, is the single largest adjoining property. The zoning classification for the airport is Planned Airport Development (PAD).

Horizon Drive is a busy arterial thoroughfare, five lanes wide. The roadway system is dedicated to swift vehicular movement. Buildings are generally large, set back from the roadway and fronted by large parking areas. Signs for the buildings are inconsistent in size and location. Landscaping is sparse. There are intermittent sidewalks and pedestrian crossings located at lighted intersections and three mid-block locations.

The overall planning concept for the Horizon Drive District encourages development of (or continuity of existing) neighborhood centers. The neighborhood center approach will provide a framework for distinctive image and organizing elements for public and private (re)development of the Horizon Drive District.

The Horizon Drive Center supports the Horizon Drive corridor to retain its commercial land use designation. Crossroads Boulevard and Horizon Court areas are identified as Business Park Mixed Use and Commercial/Industrial. The Business Park Mixed Use provides more options including multi-family residential development within the corridor. These community development objectives for the District support and integrate with the development plans of the Grand Junction Regional Airport.

Horizon Drive is one of four gateways into Grand Junction for travelers coming to the community using I-70 and the primary gateway for those flying into Grand Junction Regional Airport. The primary objective is to develop a distinct identity for the Horizon Drive District, as a "Gateway to Grand Junction." This identity should reflect a high quality of site design, site improvements, building architecture, and pedestrian safety. Additionally, the corridor seeks to accommodate multiple modes of travel, making it a "Complete Street" that allows for the development of both publicly and privately owned pedestrian spaces that emphasize public interaction in gathering areas and around public art. This reinforces the Horizon Drive District as the central "gateway" to Grand Junction. As such, the visual character of the District properties should reflect the District's desire to set itself forward as a welcoming, clean, modern and a safe area that not only provides traveler amenities but is a segue to a multi-faceted and desirable community. Design standards for development will reinforce this overall theme and sense of quality. As a complete street it supports the City's adopted Complete Street

Policy which provides an approach to corridor development that integrates people and places in planning, design, construction, operation, and maintenance of transportation networks. The policy also helps to ensure streets are safe for people of all ages and abilities, while balancing the needs of different modes, thereby supporting local land use, economy, culture and the natural environment.

According to Vara Kusal, the executive director of the BID, “The Horizon Drive District was formed in 2004 because the property owners and business owners wanted a voice to represent their interests to local government.” As such, the proposed zoning overlay represents the desired outcome for stakeholders from the district. The Horizon Drive District Board has recommended approval of the overlay and business/property owners who have given feedback have uniformly been in favor of it as well.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed overlay zone was held on December 4, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. BID and Community Staff representatives were in attendance. Eight people attended the neighborhood meeting and asked questions about applicability of the zoning overlay, when it would come into effect, and signage. All citizens in attendance were in favor of the proposed overlay.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to all property owners within the Horizon Drive Business Improvement District on January 17, 2020. The notice of this public hearing was published on January 21, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

The proposed zoning overlay is intended to improve visual quality, create a unifying architectural theme, and increase walkability in the Horizon Drive Business Improvement District. This is done by the implementation of architectural design standards, installation of street trees and detached sidewalks, and emphasis on high-quality building materials, among other regulations.

Consistency with Comprehensive Plan

The overlay would help implement several Comprehensive Plan policies.

Goal 8 states that the city will “Create attractive public spaces and enhance the visual appeal of the community through quality development.” The overlay does this by

mandating streetscape improvements for new development and emphasizing high-quality building materials.

Goal 9 states that the city will “Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.” The overlay helps to implement this goal by integrating the existing Horizon Drive Corridor Improvement Project into its text. This currently ongoing CIP includes detached sidewalks, transit stops, and parcel inter-connectivity as part of its vision.

Guiding Principle 5 of the Plan is “Balanced Transportation,” which this plan helps to implement as described above.

Zoning overlays such as the proposed Horizon Drive standards are designed to implement specific policy and zoning objectives such as the creation of a specific visual theme. The city has already adopted similar zoning overlays for North Avenue, the Greater Downtown Area, and 24 Road. Thus, there is precedent for meeting design objects such as those desired by the Horizon Drive BID through implementation of a zoning overlay.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Horizon Drive Business Improvement District’s request for the creation of a Horizon Drive Zoning Overlay, ZCA-2019-717, the following findings of fact have been made:

1. The request would enhance Horizon Drive’s ability to serve as a premier commercial area and community gateway for the City of Grand Junction.
2. The request is consistent with the goals and policies of the Comprehensive Plan
3. The request is recommended and supported by the Horizon Drive Business Improvement District Board.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Madam Chairman, on the Horizon Drive Zoning Overlay, City file number ZCA-2019-717, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Proposed Overlay Zoning District - Horizon Drive District
2. Combined neighborhood meeting notes
3. Zoning Overlay Ordinance



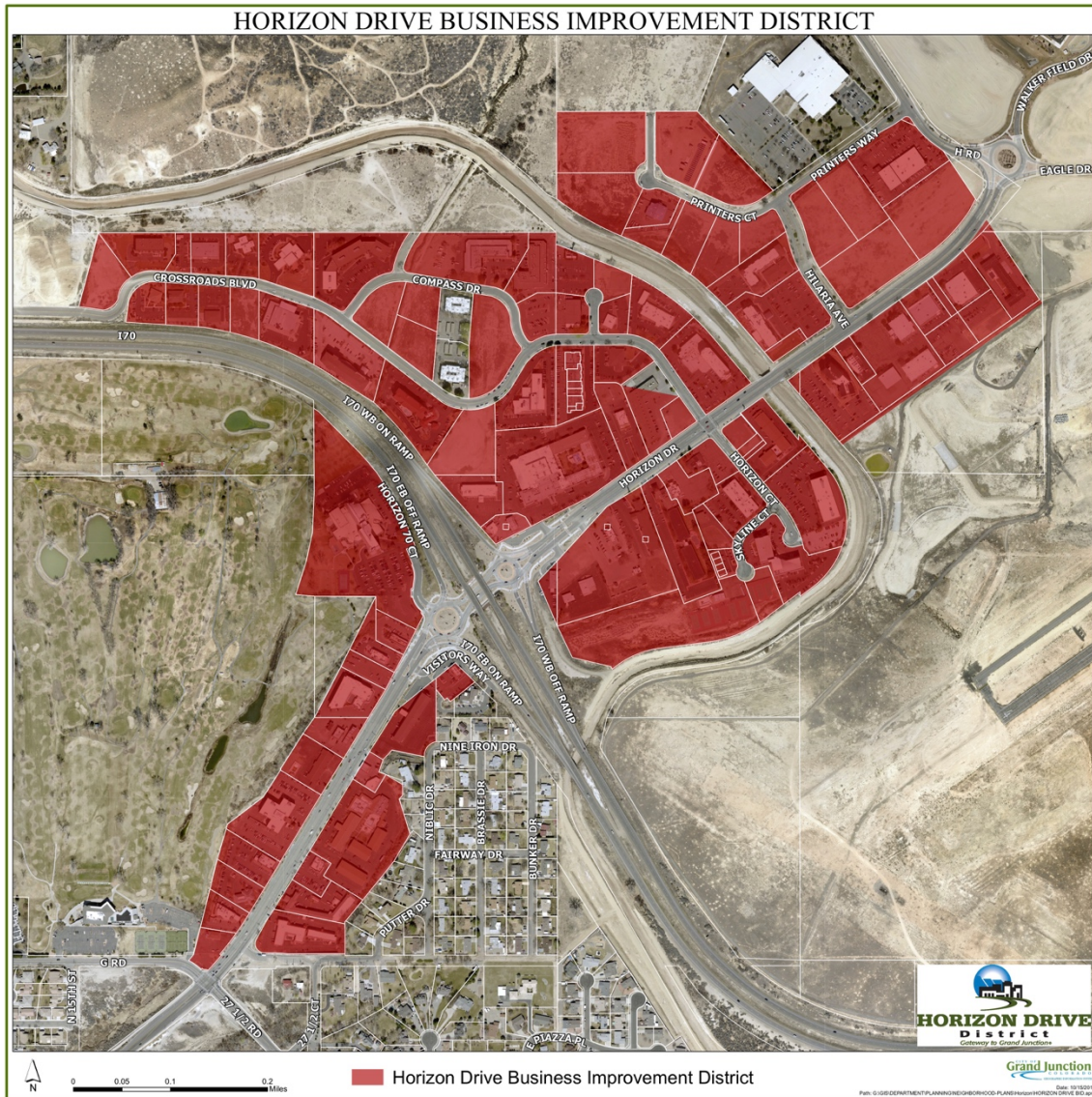
Plan and Overlay Zoning District

I. Introduction to Horizon Drive District Plan

The Plan area and the Overlay Zoning District area comprise the Horizon Drive District boundary as defined by the Horizon Drive Business Improvement District boundary as it stands at the time of adoption of this Plan and Overlay District and includes any subsequent modifications in the future as properties are annexed into the Business Improvement District.

The Horizon Drive District is comprised of commercial properties within the general geographic area of Horizon Drive between G Road and H Road. The District was formed in 2004 and is overseen by the City of Grand Junction, which appoints the Board of Directors. The District is supported by a mil levy of no more than 5.0 mils (.005) upon every dollar of the valuation assessment of taxable property within the District.

The District's mission statement is: "Committed to build community, enhance the beauty and advocate the economic vitality of the Horizon Drive District."



II. Background

The properties within the Horizon Drive District fall into two zoning classifications. Those with frontage onto Horizon Drive, Crossroads Boulevard, Horizon Court or similar streets, are classified as light commercial (C-1) and those nearest H Road and north-west of Horizon Drive are classified as Industrial Office (I-O).

The Grand Junction Regional Airport, adjacent to the Horizon Drive District on the north and east, is the single largest adjoining property. The zoning classification for the airport is Planned Airport Development (PAD).

Horizon Drive is a busy arterial thoroughfare, five lanes wide. The roadway system is dedicated to swift vehicular movement. Buildings are generally large,

set back from the roadway and fronted by large black-top parking areas. Signs for the buildings are inconsistent in size and location. Landscaping is sparse. There are intermittent sidewalks and pedestrian crossings are located only at lighted intersections.

The overall planning concept for the Horizon Drive District encourages development of (or continuity of existing) neighborhood centers. The neighborhood center approach will provide a framework for distinctive image and organizing elements for public and private (re)development of the Horizon Drive District.

The Horizon Drive Center supports the Horizon Drive corridor to retain its commercial land use designation. Crossroads Blvd. & Horizon Court areas are identified as Business Park Mixed Use and Commercial/Industrial. The Business Park Mixed Use provides more options including multi-family residential development within the corridor.

These community development objectives for the District will support and integrate with the development plans of the Grand Junction Regional Airport.

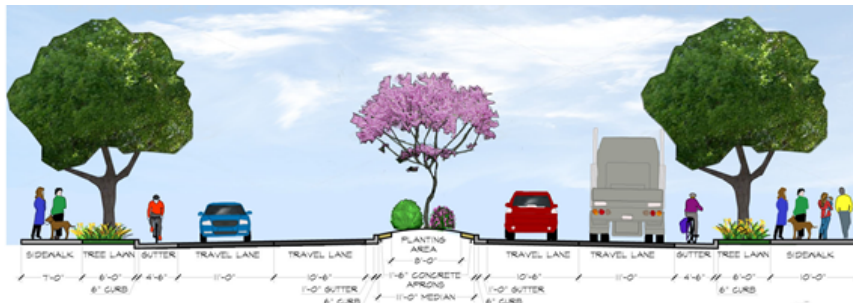
III. “Gateway to Grand Junction”

Horizon Drive is one of four gateways into Grand Junction for travelers coming to the community using I-70 and the primary gateway for those flying into Grand Junction Regional Airport. The primary objective is to develop a distinct identity for the Horizon Drive District, as a “Gateway to Grand Junction.” This identity should reflect a high quality of site design, site improvements, building architecture, and pedestrian safety.

Additionally, the corridor should accommodate multiple modes of travel making it a “Complete Street” allowing for the development of both publicly and privately owned pedestrian spaces emphasizing public interaction in gathering areas and around public art. This reinforces the Horizon Drive District as the central “gateway” to Grand Junction. As such, the visual character of the District properties should reflect the District’s desire to set itself forward as a welcoming, clean, modern and a safe area that not only provides traveler amenities but is a segue to a multi-faceted and desirable community. Design standards for development will reinforce the overall theme and sense of quality. As a complete street it supports the City’s Complete Street Policy adopted July 18, 2018 which provides an approach to corridor development that integrates people and places

in planning, design, construction, operation, and maintenance of transportation networks, helping to ensure streets are safe for people of all ages and abilities, while balancing the needs of different modes, thereby supporting local land use, economy, culture and the natural environment.

IV. Corridor Improvement Project – A “Complete Street”



PURPOSE

To better provide for the safe and convenient movement of both pedestrians and motor vehicles.

The Horizon Drive Corridor Improvement Project will be constructed in phases due to financial necessity (see “Conceptual Plan” graphic). Phase 1 addressed the Horizon Drive / Interstate-70 interchange and was completed in 2016. Future phases, south of the interchange and north of the interchange, will be completed as funding is secured. Currently, Phase 2 is planned to be the section south of Visitor’s Way to G Road. In 2019, three crosswalks were added to this section with center refuge medians and yellow LED pedestrian-activated flashing warning lights.

The corridor will be designed as a “Complete Street” to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. The vision for the Horizon Drive corridor includes:

- Create circulation plans promoting traffic calming and pedestrian safety.



- Encouraging future development to include civic areas, open space (parks), walking trails, bike lanes, ease of access to public transportation and connectivity.
- Connectivity with other districts in the community including way-finding signage.
- Wide sidewalks detached from the roadway.
- Safe access to businesses from the street and sidewalks and parcel interconnectivity to minimize multiple access points to Horizon Drive.
- Safe and efficient transit stops.
- Adequate lighting creating a safer vehicle and pedestrian experience.
- Landscaping, street furniture and other hardscape features and amenities that enhance the pedestrian and motoring public's experience, but still allow buildings to be located near the street.

Increased safety is of primary importance to the establishment of the design character of the Horizon Drive District. Interstate 70 bisects the District and provides primary access to Horizon Drive via on ramp/off ramps from both east and west. Vehicular movement is important to the District. Additionally, the properties along Horizon Drive serve a temporary population of visiting travelers, who would prefer greater pedestrian access to other District properties as well as connections to downtown, the Colorado riverfront and other destinations. The standards set forth in this document are to better provide for the safe and convenient movement of both pedestrians and motor vehicles.

V. Horizon Drive Master Trails Plan

PURPOSE

To provide for the safe and convenient movement of non-motorized (pedestrians and bicycles) between Horizon Drive District businesses and to other areas of Grand Junction.

Connecting Horizon Drive Hotels and business to downtown, Mesa Mall and the Colorado riverfront is desired by many visitors staying on Horizon Drive and the Horizon Drive business community. Access to trails will benefit the local tourism industry and help stimulate economic development. In 2017, the District

contracted with the Colorado Department of Local Affairs (DOLA) and the University Technical Assistance Program (UTAP) to produce the Horizon Drive Master Trails Plan. The Plan was approved by the Grand Junction Planning Commission in April of 2019. Ordinance No. 4851 amended the Comprehensive Plan to include the Horizon Drive BID Trail Network Plan as part of the Grand Junction Circulation Plan was approved by the Grand Junction City Council May 1, 2019.

VI. Overlay Zoning

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

The overlay zone for the Horizon Drive District provides direction and vision for development in the corridor. The purpose of the overlay's standards and guidelines is to stimulate new development as well as redevelopment in the District, increasing business and pedestrian activity along the corridor. The overlay supports and implements the Comprehensive Plan vision and goals of making the City a more livable place.

VII. Design Elements

GENERAL PURPOSE

To provide a consistent level of architectural character and quality, vehicular access, parking and circulation, pedestrian access and safety, and aesthetics for the Horizon Drive District.

A consistent level of architectural character and quality is of primary importance to the establishment of the design character of the Horizon Drive District. Building form, scale and material for commercial building will create a distinct identity. Flexibility will be provided within the standards to allow for design alternatives and design creativity.

Building entries should have a strong visual and pedestrian relationship to the street. Clearly visible and direct pedestrian paths should be established between

neighboring buildings, between buildings and outlying parking areas, and between buildings and transit facilities.

ARCHITECTURAL DESIGN

PURPOSE

To provide consistent design standards of building scale, massing and materials for the Horizon Drive District.

These design standards will regulate exterior scale; building massing, arrangement, texture and materials in order to promote compatibility with the existing and future character of the Horizon Drive District. Buildings should be designed to meet site and context design objectives, such as providing edges or enclosure to streets or open space, creating linkage and gateways, as well as framing or terminating views within the built environment, with the highest level of architectural detail occurring at entry areas and pedestrian areas, near streets and on the ground floor.

Variations in massing, such as simple shifts in building form and roof shape, may be important to providing light, air, and transitions to nearby properties and should be utilized to emphasize pedestrian activities. Buildings shall be designed to provide human scale, interest, and variety and shall attempt to minimize vehicular orientation. Buildings should instead reinforce the quality of street, civic and open spaces. Additional criteria for architectural design are included in the Grand Junction Zoning and Development Code.

A. Building Form and Scale.

The following five (5) architectural design elements are required:

1. Building facades facing Horizon Drive shall either be the primary entry facade or shall be of comparable quality in terms of architecture, materials and detailing. Primary building entries must be easily and directly accessible from a street. Ground floors shall have direct pedestrian entries onto public streets, sidewalks, parks, or plazas and be easily visible.
2. Primary building entries shall be connected to the public street sidewalk by the most direct route practical. Corner buildings need only provide public entry on one street oriented facade.
3. Building form shall incorporate projected and recessed elements to provide architectural variety, such as entryways, awnings, special

functional areas, roof-lines, and other features. Entryways and awnings shall be at least 8 feet above the sidewalk and shall be at least 4 feet wide along the building frontage and can overhang into the right-of-way no more than 6 feet.

4. Facade articulation/variation such as recessed or projecting bays or pilaster/column projections shall occur at a minimum of every 30 feet for all sides of the building.
5. Ground floor restaurant and retail areas shall have windows along sidewalks to create visual interest to pedestrians and provide views from inside of buildings to the street.

In addition, the site shall exhibit a minimum of three (3) of the following six (6) architectural design elements:

1. Variation in materials, material modules, expressed joints and details, surface relief and texture to break up building forms and wall surfaces. Such detailing may include sills, headers, belt courses, reveals, pilasters, window bays or similar features for all sides of the building.
2. Variation in roof lines/roof materials in order to add interest to and reduce the scale of buildings or expanses of blank wall. This can be accomplished through design elements such as overhangs, eaves, recesses, projections, raised cornice parapets over doors or bays and peaked roof forms.
3. Facade features on the primary street (corridor) that emphasize the primary building entrance through projecting or recessed forms, detail, color and/or material.
4. Outdoor patio in combination with or without outdoor seating located between the building and the primary street (corridor).
5. Ground story transparency of at least 50 percent in the form of windows and/or door(s) for facades facing all public street frontages.
6. Other architectural and landscaping features that achieve the goals of the overall Horizon Drive District overlay vision or concept, as determined by the Director.

B. Building Material.

Standards.

1. All buildings facing Horizon Drive shall use materials that are durable, economically maintained, and of a quality that will retain appearance over time, including but not limited to stone, brick, precast concrete

and architectural metals.

2. The following material shall be prohibited for any building facing Horizon Drive:
 - Metal prefabricated buildings
 - Pre-cast concrete and tilt up wall systems that are primarily structural in appearance.

SITE DESIGN

PURPOSE

To provide adequate parking and shared access between land uses. To maximize safe motorized and non-motorized circulation and connectivity. To ensure appropriate landscaping improvements and public amenities that enhance the design character of the District reducing the visual impacts of the vehicular environment.

The Horizon Drive District is an auto dependent commercial and employment center. Providing adequate parking is paramount to all users. The needs for access and mobility for non-motorized users is also key. Providing multiple transportation options also requires development to implement access in a safe environment for all areas of the District.

Comprehensive, multi-site parking strategies are encouraged and should minimize redundant access and maximize open space and landscaping, as well as offer convenient auto and pedestrian circulation within the Horizon Drive District and between individual businesses. Limiting access points with multi-site parking will reduce conflict points along Horizon Drive. Public and private development along all corridors in the District can improve safety and access by minimizing curb cuts and providing shared access.

Providing safe and proper site circulation for vehicular traffic once it leaves the public street. Adjoining developments should create opportunities for interconnection and facilitate pedestrian and bicycle access within and between sites. Site design shall accommodate a logical and safe vehicular and pedestrian circulation pattern throughout the site that minimizes conflicts. Internal circulation among adjoining properties shall be provided when possible.

To provide landscape improvements that are of importance to the design character of the Horizon Drive District. The intent is to enhance the appearance of the District through the use of common material, promote water conservation, and to promote a well maintained appearance in all areas not covered by

buildings or parking areas. A tree lined street combined with medians containing trees and naturalized landscaping is desired.

Naturalized concepts using xeric (low water use) plants are strongly encouraged and should mimic the “desert” character of Grand Junction’s setting. Water wise designs shall employ the seven basic principles of xeric design which include “comprehensive planning and design for low water use, creating practical turf areas, selecting low water use plants and organizing plants by water usage, using adequate soil prep, using water conserving mulches, irrigating efficiently and maintaining the landscape appropriately” (source: Denver Water Board).

To reduce the visual impact of auto oriented uses and surface parking lots is an important element for establishing the design character of the Horizon Drive District.

A. Vehicular Access and Safety.

Standards.

1. Adjacent tracts sharing access are required to reduce points of potential conflict with traffic on Horizon Drive. A shared access agreement shall be required for all access easements.
2. Access location and turning movements will be limited to those which can be safely accommodated as determined by City of Grand Junction traffic engineers. Closing redundant access points will be required to minimize conflict points.
3. Bicycle parking shall be provided at locations that do not obstruct the flow of pedestrians, are easily identifiable and visible and convenient to customer entrances.
4. Where pedestrian circulation paths cross vehicular routes, a change in paving materials, textures, or colors shall be provided to emphasize the conflict point, improve visibility, enhance safety and provide added aesthetic appeal.
5. A 6-foot wide concrete sidewalk is required from the street to the front of the building main entrance.
6. Onsite signage and traffic markings as necessary to facilitate circulation and improve public safety and awareness are required.
7. Pedestrians routes shall be direct, avoiding circuitous routes that are not easily understood.

8. As sites redevelop in the District, auto oriented uses (such as drive up windows, drive through facilities, gasoline service islands, car wash bays, and bank teller windows) shall move toward the side or rear of a building and away from street views.

B. Landscaping.

Standards.

1. Drought tolerant plant species that are native to the region or otherwise suitable to the climate shall be used.
2. Street trees are required along the public right-of-way.
3. For landscaped areas in front of buildings along the Horizon Drive corridor, ground cover shall be visually similar to existing landscape rock (crushed red granite) as found in the Horizon Drive right-of-way improvements, to provide a uniform look.

C. Public Amenities and Aesthetics.

Standards.

1. Art, sculpture, transit shelters, benches, planters, bike racks, trashcans and other hardscape feature, plazas, landscaping and other amenities shall be included where appropriate.

Business Signage

PURPOSE

To provide businesses the ability to communicate information to the motorized and non-motorized visitor while protecting and complimenting the vision of the Horizon Drive District.

Signs should communicate information and not add to visual clutter. Signs within the Horizon Drive District should be similar relative to size, number, placement and illumination, consistent in design with the business they are advertising to create a uniform appearance and consistency in style and detail. Continuity should be maintained with color, typeface, materials and construction details for each project.



The following sign types are permitted, including Projecting Signs, Freestanding Signs, Flush Wall Signs, and signs that do not require a permit as regulated by the City's Sign Code (Section 21.06.070), except as further restricted with these sign standards for the Horizon Drive District.



Standards.

1. Freestanding signs shall comply with the following requirements.
 - (A) No more than one freestanding sign shall be permitted for any parcel for each street frontage. In addition, up to two additional freestanding signs per street frontage, not greater than three square feet in area and no more than 30 inches in height, are allowed. The sign allowance per frontage can only be used on that frontage and shall not be transferred to any other frontage.
 - (B) Maximum sign height shall be measured from finished grade and sign allowance shall be calculated as per the City's Sign Code and shall not exceed the following maximums:
 - *Properties with frontage on Horizon Drive between G Road (27 ½ Road) and H Road:*
 - a. Maximum height of 40 feet;
 - b. Up to 150 linear feet of frontage = 100 square feet;
 - c. Between 150 to 200 linear feet of frontage = 120 square feet;
 - d. Between 201 to 300 linear feet of frontage = 160 square feet;
 - e. Greater than 300 linear feet of frontage = 200 square feet.
 - *Properties with frontage on Horizon Drive between 7th Street and G Road (27 ½ Road):*
 - a. Maximum area of sign per face is 100 square feet;
 - b. Maximum height is 12 feet.
 - *Properties without frontage on Horizon Drive:*
 - a. Maximum area of sign per face shall be 75 square feet;
 - b. Maximum height is 20 feet.

- *properties with Interstate-70 frontage:*
 - a. Signage along I-70 is not subject to the above height and square footage limitations, but shall adhere to the City's Sign code (Section 21.06.070)
- 2. Freestanding Signs shall be placed perpendicular to the right-of-way.
- 3. Freestanding Signs shall be either externally or internally illuminated with only the graphics and topography to be illuminated.
- 4. Freestanding Signs shall be constructed of a metal panel with stone or veneer base. The sign may be single or double faced, if single the backside painted the same color as the cabinet and poles.
- 5. Freestanding Signs and signs that do not require a permit as defined in the Zoning and Development Code shall not be located closer than 10 ft. from property line and no closer than 6 ft. from the curb of a street or drive.
- 6. The height of freestanding signs shall be measured from finished grade.
- 7. Flush Wall Signs may be either non-illuminated or internally illuminated.
- 8. Continuity of signs within a project shall be maintained by use of standard color, typeface, material and construction details.
- 9. No off premise signs or outdoor advertising shall be permitted, except where existing at the time of adoption of this document, provided such signs are appropriately permitted through the City of Grand Junction.
- 10. Projecting signs shall be permitted as per section 21.06.070 of the Zoning and Development Code.
- 11. Roof signs are not allowed.

Horizon Drive District Open House
Proposed District Plan and Overlay Zone District
Wednesday, Dec. 4, 2019 @ Clarion Inn

Comments – Please provide any written comments here.

MORE OPEN & GREEN SPACE IS
EXTREMELY IMPORTANT IN THE MODERN
WORLD + AFFORDABLE HOUSING
THE WALK ALONG YOUR CANALS CAN
BE MADE SAFE WITH ROPE BARRIERS
& WOULD ADD TO THE ENJOYMENT OF
VISITOR & LOCALS ALIKE

Horizon Drive District Open House
Proposed District Plan and Overlay Zone District
Wednesday, Dec. 4, 2019 @ Clarion Inn

Comments – Please provide any written comments here.

If the trail concept could be expanded to include usage by Adrenaline Adventures to Access the 29th Desert Recreational Area it would promote the tourism to Grand Junction as an offroad Destination.

Boeschon Family LP is working with Adrenaline Adventures to provide land for the expansion of their Rental Activities

Sincerely,
Louis Boeschon
BFLP

Horizon Drive District Open House
Proposed District Plan and Overlay Zone District
Wednesday, Dec. 4, 2019 @ Clarion Inn

Comments – Please provide any written comments here.

MORE OPEN & GREEN SPACE IS
EXTREMELY IMPORTANT IN THE MODERN
WORLD + AFFORDABLE HOUSER
THE WALK ALONG YOUR CANALS CAN
BE MADE SAFE WITH ROPE BARRIERS
& WOULD ADD TO THE ENJOYMENT OF
VISITOR & LOCALS ALIKE

Comments:

Access from 2741 Skyline Ct to 29rd.
from south side of Airport. ReZone the
Buesher property to recreational.

Lewis Baker

Name

Lewis@adacgj.com

email address

Comments:

It would be great to see recreational zoning on Louis Buesher's
property. Also, I am excited to see the planning for the Horizon
District Trail & Walkway proposal. That would really change
Horizon for the better! Much more of a friendly environment.

David Hazleton

Name

ADCustomzGtJ@gmail.com

email address

Comments:

Would love to see more recreation
and parks on this side of town.

I think this would bring more attention
to business + Land value to the surrounding area.

I ~~wish~~ wish this was an opportunity zone.

Brett

CutProductions@gmail.com

Name

email address

PUBLIC MEETING

December 4, 2019

Clarion Inn - 755 Horizon Drive

NO.	NAME	PHONE	ADDRESS	EMAIL
1	Bett Biesner			Coffproduction75@gmail.com
2	Lewis Baker			Lewis@adacgi.com
3	Louis Biescher		749 Goffman Ave. G-1-Ce	BLimitedpt@AOL.com
4	Ben Buescher		714 Golfman Dr.	bmbuescher@gmail.com
5	David Hazleton			ADewstanzGRT@gmail.com
6	Brian Burford		748 Horizon Dr	bburford100@yahoo.com
7	Brian DiMarzio		1049 Lakeside Ct	dmarzio@yahoo.com
8	DAVID SKORENSKY		16000 HWY 131	NONE
9				
10				
11				
12				
13				
14				
15				

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE GRAND JUNCTION MUNICIPAL CODE
RELATING TO ZONING AND DEVELOPMENT IN THE HORIZON DRIVE DISTRICT**

Recitals:

The City Council desires that the City's zoning and development regulations be amended as needed so that they will be dynamic and responsive to the demands of the community and development trends, without compromising health, safety and welfare.

The City Council desires the Horizon Drive Business Improvement District to incorporate consistent standard for the area, in order to:

- Achieve high-quality development in the corridor in terms of land use, site planning and architectural design;
- Provide market uses that complement existing and desired uses and benefit the Grand Junction community;
- Take advantage of and expand upon existing public facilities in the corridor to create a "civic" presence;
- Achieve a distinctive character along the roadway that can serve as a gateway to the Grand Junction community;
- Establish a transportation network that interconnects to create a logical urban pattern;
- Establish a high-quality image through zoning, design standards, and public improvements.

For the past two years the Horizon Drive BID Board have worked to develop standards for site development, building architecture, landscaping, business access and site circulation.

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

Title 27 of the Grand Junction Municipal Code is amended to incorporate the Horizon Drive District Plan and Overlay Zone District.

Introduced on first reading this 19th day of February, 2020 and ordered published in pamphlet form.

Adopted on second reading this 4th day of March, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction Planning Commission

Regular Session

Item #5.

Meeting Date: January 28, 2020

Presented By: Landon Hawes, Senior Planner

Department: Community Development

Submitted By: Landon Hawes

Information

SUBJECT:

Consider a request by the City of Grand Junction to amend the North Seventh Street Historic Residential District Guidelines and Standards (Section 26.32 of the Zoning and Development Code) regarding demolition of structures. **WITHDRAWN.**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

Staff finds that the current North Seventh Street Historic Residential District Guidelines and Standards, Section 26.32 of the Zoning and Development Code pertaining to demolition of accessory structures, are onerous for applicants and potentially time-consuming for the City Council. Therefore, staff is submitting an amendment to the guidelines and standards to simplify the application process for demolition of historic and non-historic structures. This amendment also removes some irrelevant requirements that an application for a Certificate of Appropriateness (COA) for demolition in the historic district must currently meet.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

In October 2019, a resident within the North Seventh Street Historic Residential District applied for a Certificate of Appropriateness to demolish a detached accessory structure (shed) on his property. The shed was constructed in the 1980s and is not historic. However, by the current regulations of the historic district, any application for Certificate

of Appropriateness for demolition of a structure (principal or accessory, historic or non-historic) must be reviewed by the Historic Preservation Board and a final decision rendered by City Council. Additionally, the submittal requirements for such an application include such irrelevant items as 26.32.020(g), which requires the applicant to list the remaining balance on the mortgage for the property, and (k), which requests the real estate taxes on the property for the past two years. The applicant is waiting to see whether staff's amendment will pass before continuing with the COA process.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting is not required for a Code Amendment request. However, the City did solicit comment from property owners within the Historic District via a letter. Only three or four emails were received in reply; none expressed opposition to the proposal. In addition, the property owners were again noticed of the hearing dates for this Code amendment via mailed notice on January 17, 2020. The notice of this public hearing was published on January 28, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

Staff's opinion is that many of the submittal requirements for a Certificate of Appropriateness for demolition are unnecessary and cumbersome for applicants to meet and is therefore requesting that these be eliminated. Similarly, staff believes that the requirement that City Council review of demolition permits for non-historic structures in a historic district is burdensome and unnecessary.

Because of this, staff is proposing changes to the way demolition permits for accessory structures in the North Seventh Street Historic District are reviewed. Under this proposal, staff would determine historicity when an applicant submits for a Certificate of Appropriateness for demolition of an accessory structure. If the accessory structure is determined to be non-historic, staff makes a final decision on the COA demolition application. The Historic Preservation Board would serve as the appeal body in this case. Conversely, if the structure is historic, staff would make a recommendation to the Historic Preservation Board, which would render a final decision on the case. The City Council would serve as the appeal body in this case. The COA process for demolition of all or part of a principal structure will remain the same with a recommendation by staff to the Historic Preservation Board and a recommendation by the Board to City Council, which renders the final decision.

Staff believes these revisions will improve the COA process for the demolition of accessory structures in the North Seventh Street Historic Residential District. The proposed process would engage the expertise of the Historic Preservation Board rather than unnecessarily burden the City Council's docket.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction's request for revision of regulations regarding accessory structure review in the North Seventh Street Historic Residential District, ZCA-2019-716, the following findings of fact have been made:

1. The request will streamline review of Certificates of Appropriateness for demolition of accessory structures in the North Seventh Street Historic Residential District.
2. The request will remove regulations that burden applicants.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Madam Chairman, on the request for revision of Section 26.32 of the North Seventh Street Historic Residential District Guidelines and Standards regarding review of demolition of accessory structures in the Historic District, City file number ZCA-2019-716, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. 7th Street Historic District Proposed Revisions
2. 7th Street demolition regs ordinance

Proposed Revisions - North Seventh Street Guidelines and Standards Demolition

ADD INTRODUCTORY SECTION – APPLICABILITY:

- A. Any applicant/owner requesting demolition of all or part of a non-historic accessory structure, shall make application for a Planning Clearance for demolition to be approved Administratively by Community Development Department staff upon determination that the structure is non-historic. An appeal of staff's decision shall be to the Historic Preservation Board.
- B. Any applicant/owner requesting demolition of all or part of a historic accessory structure, shall apply for a Certificate of Appropriateness to be reviewed by staff and a recommendation and final decision made by the Historic Preservation Board. An appeal of the Board's decision shall be to City Council.
- C. Any applicant/owner requesting demolition of all or part of a principal structure within the North Seventh Street Historic Residential District shall demonstrate that the demolition is warranted. Approval of a certificate of appropriateness for the demolition may only be issued upon consideration by the City Council

26.32.010 Review criteria.

Approval of a Certificate of Appropriateness for a demolition may only be issued upon consideration by the Historic Preservation Board and/or City Council of the following:

NO CHANGE PROPOSED TO REVIEW CRITERIA

26.32.020 Submittal requirements.

1. The applicant/owner for demolition of part or all of a structure that requires review by the Historic Preservation Board (demolition of all or part of a historic accessory structure shall provide information including but not limited to the following items in order for the Board to evaluate the application:
 - (a) A report from a licensed engineer, contractor or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for rehabilitation.
 - (b) Current photographs of the building and land from the front street showing as much of the land and building as possible.
 - (c) Current photographs of all exterior elevations from rooftop to ground.
 - (d) Current photographs of all interior rooms.

(e) A narrative description of all special architectural features and details and materials used throughout the interior and exterior of the structure.

2. The applicant/owner for demolition of part or all of a structure that requires review by the City Council (demolition of all or part of a principal structure) shall provide information including but not limited to items (a) through (e) above and the additional following items in order for the Board and City Council to evaluate the application:

(a) An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Board.

(b) Estimated current market value of the property prepared by a Colorado licensed real estate appraiser, for the property in its current condition and after completion of the proposed demolition or removal.

26.32.030 Procedure.

(a) Upon submittal of the application for a Certificate of Appropriateness for demolition to the City, the Community Development Department shall review all the documentation submitted for completeness. The Department staff shall prepare a report with findings. If the structure to be demolished is determined by staff to be historic, the Historic Preservation Board will then review the report and make a final decision and/or recommendation to City Council, depending on the type of structure to be demolished.

(b) If final decision is by City Council, the application, with the findings and recommendations of the Department and the Historic Preservation Board, shall be presented to the City Council in accordance with the administrative procedures and notice requirements. The City Council will have 90 calendar days to consider and render its decision. If approved, the Community Development Department shall issue a Certificate of Appropriateness in order for the applicant/owner to obtain a building permit for the demolition.

(c) If the City Council finds that all reasonable possibilities for saving a part or all of the structure have been exhausted and approves the demolition, all salvageable building materials shall be collected and then the waste should be removed as provided by the permit and asbestos or other hazardous material disposal procedures. The site shall then be planted and maintained until a new use goes into effect

26.32.040 Penalty.

NO CHANGE PROPOSED TO PENALTY

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 26.32 OF THE ZONING AND DEVELOPMENT CODE,
AMENDING REGULATIONS REGARDING DEMOLITION OF STRUCTURES**

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

The amendments to the Zoning and Development Code remove onerous and time-consuming regulations that burden applicants for Certificates of Appropriateness for demolition of an accessory structure in the North Seventh Street Historic Residential District, as well as the City Council.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the proposed Code amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed Code amendments are necessary to maintain effective regulations to implement the Comprehensive Plan.

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

Section 26.32 is amended as follows (additions underlined, deletions struck through):

26.32.010 Applicability

A. Any applicant/owner requesting demolition of all or part of a non-historic accessory structure, shall make application for a Planning Clearance for demolition to be approved Administratively by Community Development Department staff upon determination that the structure is non-historic. An appeal of staff's decision shall be to the Historic Preservation Board.

B. Any applicant/owner requesting demolition of all or part of a historic accessory structure, shall apply for a Certificate of Appropriateness to be reviewed by staff and a recommendation and final decision made by the Historic Preservation Board. An appeal of the Board's decision shall be to City Council.

C. Any applicant/owner requesting demolition of all or part of a principal structure within the North Seventh Street Historic Residential District shall demonstrate that the demolition is warranted. Approval of a certificate of appropriateness for the demolition may only be issued upon consideration by the City Council

26.32.020 Review criteria.

~~Any applicant/owner requesting demolition of part or all of a structure within the North Seventh Street Historic Residential District shall demonstrate that the demolition is warranted. Approval of a certificate of appropriateness for the demolition may only be issued upon consideration by the City Council of the following:~~

Approval of a Certificate of Appropriateness for a demolition may only be issued upon consideration by the Historic Preservation Board and/or City Council of the following:

- (a) Whether the applicant has made a good-faith effort to pursue reasonable, cost effective alternatives to demolition.
- (b) Whether the loss of part or all of the subject property would be detrimental to the quality and continuity of the site, District or surrounding neighborhood.
- (c) Whether denial of the application would result in an undue economic hardship for the owner/applicant. Based on a thorough analysis of the financial, economic, and engineering information described below, the City Council may determine that there is an undue economic hardship if the following criteria are met:
 - (1) No economically viable use consistent with zoning of the property will exist unless the demolition is approved. (Note: inability to put the property to its most profitable use does not constitute an undue economic hardship.)
 - (2) The hardship is peculiar to the building or property in question and must not be in common with other properties.
 - (3) The hardship is not self-imposed, caused by action or inaction of the owner, applicant or some other agent.
 - (4) The applicant/owner has attempted and exhausted all reasonable alternatives which would eliminate the hardship, such as offering the property for sale.

(Ord. 4508, 3-21-12)

26.32.030 Submittal requirements.

The applicant/owner for demolition of part or all of a structure shall provide information including but not limited to the following items in order for the City Council to evaluate the application:

- (a) ~~An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Historic Preservation Board.~~
- (b) ~~A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for economic rehabilitation.~~
- (c) ~~Estimated current market value of the property by a licensed real estate appraiser of the property both in its current condition and after completion of the proposed demolition or removal and all appraisals obtained within the previous two years by the applicant or owner in connection with the purchase, financing or ownership of the property.~~
- (d) ~~An estimate of the cost of restoration prepared by an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation or reuse of like structures in the District.~~
- (e) ~~Amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased and any terms of financing between the seller and buyer.~~
- (f) ~~If the property is income producing, the annual gross income from the property for the previous two years; and the depreciation deduction and annual cash flow before and after debt service, if any, during the same period.~~
- (g) ~~Remaining balance on the mortgage or other financing secured by the property owner and annual debt service, if any, for the previous two years.~~
- (h) ~~All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property.~~
- (i) ~~Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two years.~~
- (j) ~~Assessed value of the property according to the two most recent Mesa County assessments.~~
- (k) ~~Real estate taxes for the previous two years.~~

~~(l) Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, etc.~~

~~(m) Current photographs of the building and land from the front street showing as much of the land and building as possible.~~

~~(n) Current photographs of all exterior elevations from rooftop to ground.~~

~~(o) Current photographs of all interior rooms.~~

~~(p) A narrative summary of all special architectural features and details and materials used throughout the interior and exterior of the structure.~~

1. The applicant/owner for demolition of part or all of a structure that requires review by the Historic Preservation Board (demolition of all or part of a historic accessory structure shall provide information including but not limited to the following items in order for the Board to evaluate the application:

(a) A report from a licensed engineer, contractor or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for rehabilitation.

(b) Current photographs of the building and land from the front street showing as much of the land and building as possible.

(c) Current photographs of all exterior elevations from rooftop to ground.

(d) Current photographs of all interior rooms.

(e) A narrative description of all special architectural features and details and materials used throughout the interior and exterior of the structure.

2. The applicant/owner for demolition of part or all of a structure that requires review by the City Council (demolition of all or part of a principal structure) shall provide information including but not limited to items (a) through (e) above and the additional following items in order for the Board and City Council to evaluate the application:

(a) An estimate of the cost of the proposed demolition or removal and an estimate of any additional cost that would be incurred to comply with recommendations of the Board.

(b) Estimated current market value of the property prepared by a Colorado licensed real estate appraiser, for the property in its current condition and after completion of the proposed demolition or removal.

(c) An appraisal obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property.

(d) Assessed value of the property according to the two most recent Mesa County assessments.

(e) Real estate taxes for the previous two years.

(f) Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, etc.

(Ord. 4508, 3-21-12)

26.32.040 Procedure.

~~(a) Upon submittal of the application for a certificate of appropriateness for demolition to the City, the Public Works and Planning Department shall review all the documentation submitted for completeness. The Department staff shall prepare a report with findings. The Historic Preservation Board will then review the report and make a recommendation to City Council.~~

~~(b) The application, with the findings and recommendations of the Department and the Historic Preservation Board, shall be presented to the City Council in accordance with the administrative procedures and notice requirements. The City Council will have 90 calendar days to consider and render its decision. If approved, the Public Works and Planning Department shall issue a certificate of appropriateness in order for the applicant/owner to obtain a building permit for the demolition.~~

~~(c) If the City Council finds that all reasonable possibilities for saving a part or all of the structure have been exhausted and approves the demolition, all salvageable building materials shall be collected and then the waste should be removed as provided by the permit and asbestos or other hazardous material disposal procedures. The site shall then be planted and maintained until a new use goes into effect.~~

(a) Upon submittal of the application for a Certificate of Appropriateness for demolition to the City, the Community Development Department shall review all the documentation submitted for completeness. The Department staff shall prepare a report with findings. The Historic Preservation Board will then review the report and make a final decision and/or recommendation to City Council, depending on the type of structure to be demolished.

(b) If final decision is by City Council, the application, with the findings and recommendations of the Department and the Historic Preservation Board, shall be presented to the City Council in accordance with the administrative procedures and notice requirements. The City Council will have 90 calendar days to consider and render its decision. If approved, the Community Development Department shall issue a Certificate of Appropriateness in order for the applicant/owner to obtain a building permit for the demolition.

(c) If the City Council finds that all reasonable possibilities for saving a part or all of the structure have been exhausted and approves the demolition, all salvageable building materials shall be collected and then the waste should be removed as provided by the permit and

asbestos or other hazardous material disposal procedures. The site shall then be planted and maintained until a new use goes into effect.

(Ord. 4508, 3-21-12)

26.32.050 Penalty.

If the applicant/owner of a structure within the North Seventh Street Historic Residential District abates or demolishes part or all of a building without first obtaining the certificate of appropriateness by following the procedures detailed herein, the applicant/owner shall pay a fine of \$250.00 per square foot of the affected area.

Introduced on first reading this 5th day of February, 2020, and ordered published in pamphlet form.

Adopted on second reading this 19th day of February, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor