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**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, JULY 23, 2019 @ 6:00 PM**

Call to Order - 6:00 PM

1. Minutes of Previous Meeting(s)
2. Consider a request for a Conditional Use Permit (CUP) for the property located 457 Colorado Avenue, to allow a brewery and taproom which is categorized as a bar/nightclub use.
3. Consider a request to zone approximately 2.89-acres from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-2 (Residential – 2 du/ac) for the Kiser Annexation, located at 136 Vista Grande Road.
4. Consider a request to zone approximately 14.83-acres from County RSF-R (Residential Single Family – Rural, 1 du/5 ac) to a City R-8 (Residential – 8 du/ac) for 11.83 acres and City C-1 (Light Commercial) for 3 acres for the Two Ponies Annexation, located at 3095 D 1/2 Road.
5. Consider a request to zone 5.72 acres from County RMF-8 (Residential Multi Family – 8 du/ac) to a City R-8 (Residential – 8 du/ac) for the Townhomes at River Park Annexation located at 3178 D Road.
6. Consider a request by SLB Enterprises LLC, for a Comprehensive Plan Amendment from Industrial and Commercial/Industrial Future Land Use designations to a Commercial Future Land Use designation and a Rezone from I-1 (Light Industrial) and I-O (Industrial/Office) to C-1 (Light Commercial) for three properties having a total of 12.2 acres and located north of the Colorado River, south of C ½ Road and directly east of Las Colonias Park.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
June 25, 2019 MINUTES
6:30 p.m.

The meeting of the Planning Commission was called to order at 6:30 pm by Chairman Christian Reece.

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

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

1. Meeting of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the May 28, 2019 meeting.

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

The motion pass unanimously by a vote of 6-0.

2. Election of Officers

Commissioner Gatseos nominated Commissioner Wade for Vice-Chair, seconded by Commissioner Deppe. A vote was taken and Commissioner Wade was elected unanimously as Vice-Chair.

Vice-Chair Wade nominated Chairman Reece for Chairman, Commissioner Scissors seconded the motion. A vote was taken and Chairman Reece was elected Chairman unanimously.

3. Pepper Ridge Subdivision Vacation of Right-of-Way and Public Utility Easements FILE# VAC-2019-314 & VAC-2019-315

Consider a request by the Applicant, Ronald Vincent, to Vacate a Portion of undeveloped Public Right-of-Way (1,938 sq. ft.) and to Vacate Four (4) Separate Public Utility, Drainage and Sanitary Sewer Easements Located at the South End of W. Indian Creek Drive as part of the development of the proposed Pepper Ridge Subdivision.

Staff Presentation

Scott Peterson, Senior Planner, presented a PowerPoint presentation regarding the vacation of right-of-way and public utility easements for the proposed Pepper Ridge Subdivision.

Applicant's Presentation

Kim Kerk, representing the applicant Ronald Vincent, answered questions the Planning Commissioners had regarding the proposal.

Public Comment

None

Motion and Vote

Commissioner Wade made the following motion: Madam Chairman, on the Pepper Ridge Subdivision Easement Vacation request located at the south end of West Indian Creek Drive, City file number VAC-2019-314 and VAC-2019-315, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report. Commissioner Ehlers seconded the motion.

The motion passed with a vote of 6-0.

4. Sunshine of Delta Vacation of Right-of-Way File# VAC-2019-107

Consider a request by the Applicant, Sunshine of Delta, to Vacate Right-of-way situated between 383 29 Road and 379 29 Road.

Staff Presentation

Jace Hochwalt, Associate Planner, presented a PowerPoint presentation. Mr. Hochwalt explained that the Applicant, Sunshine of Delta, Inc., is requesting a vacation of a section of unimproved right-of-way between 383 29 Road and 379 29 Road.

Commissioner Questions

Commissioner Ehlers asked about road classifications and intersection spacing. Ms. Allen responded.

Applicant's Presentation

John Moir, applicant, did not wish to add anything to Staff's presentation.

Public Comment

None

Motion and Vote

Commissioner Gatseos made the following motion: Madam Chairman, on the Sunshine of Delta Right-of-Way Vacation request located between 383 29 Road and 379 29 Road, City file number VAC-2019-107, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report. Commissioner Wade seconded the motion

The motion passed with a vote of 6-0.

5. Sunshine of Delta Rezone

File# RZN-2019-263

Consider a request by the Applicant, Sunshine of Delta, to Rezone a Portion of the properties situated at 383 29 Road and 379 29 Road, totaling approximately 0.44 acres, to C-1 (Light Commercial).

Staff Presentation

Jace Hochwalt, Associate Planner, presented a PowerPoint presentation regarding the rezone. Mr. Hochwalt explained that the Applicant, Sunshine of Delta, Inc., is requesting the rezone 19,294 square feet (0.44 acres) to C-1 (Light Commercial), which is comprised of two sections.

Applicant's Presentation

John Moir, applicant, was present and felt the staff covered everything.

Public Comment

None

Commissioner Discussion

Commissioner Gatseos asked when the simple subdivision will get approved. Mr. Hochwalt responded.

Commissioners inquired about the future development of a new Golden Gate fueling center on the property to the north.

Motion and Vote

Commissioner Wade made the following motion: Madam Chairman, on the Rezone request to C-1 (Light Commercial) for the Portion of the properties situated at 383 29 Road and 387 29 Road, City file number RZN-2019-263, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact listed in the staff report. Commissioner Ehlers seconded the motion.

The motion passed with a vote of 6-0.

Item 6. Other Business

None

Adjournment

The meeting was adjourned at 7:19.

DRAFT



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: July 23, 2019

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

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

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant is requesting approval of a Conditional Use Permit for the property located at 457 Colorado Avenue in a B-2 Zone District, to allow a brewery and taproom which is categorized as a bar/nightclub use when sale of alcoholic beverages will comprise more than 25 percent of the gross receipts. The proposed business name is Ramblebine Brewing Company.

BACKGROUND OR DETAILED INFORMATION:

The Applicant is requesting approval of a Conditional Use Permit for a brewery and taproom, a bar/nightclub use in an existing building that is currently vacant but was formerly used as a vacuum sales and repair shop. The lot is approximately 9,405 square feet (or 0.22 acres) in size with an existing 5,750 square foot building. South 5th Street borders the property to the east. To the west are commercial/retail buildings, to the north is Colorado Avenue and a City parking lot, and to the south is the Museum of Western Colorado.

The Ramblebine Brewing Company site and all neighboring properties are zoned B-2

and are within the Greater Downtown Central Business District Overlay. The Zoning and Development Code requires a Conditional Use Permit for a bar/nightclub use where the sale of alcoholic beverages will comprise more than 25% of the gross receipts in a B-2 zone district.

The existing building was constructed in 1919. The Applicant intends to use the 5,750 square feet building for a brewery and taproom. The lot includes another 1,100 square feet of property that will be used as a fenced outdoor patio, which will be located on the east side of the building. The Applicant is planning some facade improvements as well as an extensive interior remodel. The construction phase for the brewery is anticipated by the Applicant to be 4 to 6 months. Operating hours are planned for Tuesday through Thursday from 2:00pm to 9:00pm, Friday and Saturday from 12:00pm to 10:00pm, and Sunday from 12:00pm to 6:00pm.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on May 15th, 2019 consistent with the requirements of Section 21.02.080(e) of the Zoning and Development Code. Four citizens attended the meeting along with the Applicant and city staff. The Applicant discussed the proposed request and plans to operate the business if the CUP is approved. There were no concerns as attendees were excited to see a new use to in the vacant building. No other public comments have been received to date.

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. The subject property was posted with application signs on June 6th, 2019. Mailed notice of the application submittal, in the form of notification cards, was sent to surrounding property owners within 500 feet of the subject property and notice of the public hearing was published in the Grand Junction Sentinel.

ANALYSIS

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

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

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

The site is currently zoned B-2 (Downtown Business) with the Comprehensive Plan Future Land Use Map identifying the site as Downtown Mixed Use. The proposed land use furthers Goal 4 of the Comprehensive Plan, which states: "Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing, and tourist attractions." The proposed brewery would contribute to

the vibrancy of the downtown area by providing both a destination and entertainment for residents and visitors, improving the facade of the building, and operating during afternoon and evening hours.

The proposed land use also furthers Goal 6 of the Comprehensive Plan, which states: "Land use decisions will encourage preservation and appropriate reuse." The renovation and reuse of the building will further this Comprehensive Plan goal by reusing the existing building.

In addition, the proposed land use furthers Goal 3 of the Greater Downtown Plan, Downtown District Goals and Policies, which states: "Develop a pedestrian-oriented, walkable Downtown Core." The proposal will help create an activated space in the ground floor of a building with zero setback street frontage along Colorado Avenue. This is consistent with Goal 3 Policy 3a, which states: "Discourage uses on ground level that do not support pedestrian activity."

The site is within the Greater Downtown Central Business District Overlay. However, the district standards do not apply as the proposal is to remodel an existing building (see Zoning and Development Code 24.12.060(b)).

Staff finds this request is in compliance with the Comprehensive Plan and Greater Downtown Plan.

(2) Compliance with this zoning and development code.

The site meets the standards of the B-2 zone. The building was constructed in 1919 and continues to meet the bulk standards required for this district, including the 15-foot minimum height for the first floor. The proposed bar/nightclub use is allowable in a B-2 zone with a conditional use permit.

As mentioned, the site is within the Greater Downtown Central Business District Overlay. In this overlay, maximum building setback from the abutting street shall be two feet or compatible with the mean setback of the immediately adjoining lots on both sides of the subject lot but in no case greater than 20 feet. Additionally, minimum building height in the Downtown Core shall be two stories. Neither of these standards are met. With that said, the existing building is a non-conforming use per the Greater Downtown Central Business District Overlay. However, the district standards do not apply as the proposal is to remodel the existing building.

Staff finds this request is in compliance with the Zoning and Development Code.

(3) Conditions of any prior approvals.

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

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

Public facilities and utilities are available to serve this development. Utility agencies were included in the review process and had either no objections or no comments for the proposed CUP.

Staff therefore finds this criterion has been met.

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

The Applicant will be required to obtain a liquor license through the State and City to operate their business. In order to obtain the license, the Applicant must first obtain a Conditional Use Permit through this application and review process. Should this CUP application be approved, the Applicant may then obtain a liquor license to be in compliance with the City's Zoning and Development Code and State and Local law. Operation as a bar is subject to their ongoing maintenance of a liquor license under State and Local laws.

The Applicant is applying for the CUP at the appropriate point in the process to obtain a liquor license. Therefore, staff finds this criterion has been met.

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

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

The site is zoned B-2 (Downtown Business). The proposal conforms with and meets the purpose of the B-2 zone by adding to the vitality of the downtown area and promoting pedestrian circulation. Much of the vacant land on the site will utilized for outdoor seating, and because there is no on-site surface parking or park strip, no landscaping is required. Additionally, the proposal meets the outdoor storage and

display performance standards as all of the brewery operations will be indoors.

Staff finds this criterion has been met.

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

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

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

The general atmosphere of the downtown area, with pedestrian oriented retail, services, and entertainment is complimentary to the proposed land use. The brewery fits well with the context of a downtown activity center. Specific nearby complimentary uses include the convention center, multiple hotels, and downtown employers. The downtown area also has facilities for multiple transportation modes, including bicycle, pedestrian, transit, and automobile. The nearest school, which is generally not perceived as complementary, is well over ½ mile away.

Staff therefore finds this criterion has been met.

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

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

The proposed site is an existing building constructed in 1919, and not directly adjacent to residential uses. The subject property is zoned B-2, as are all adjacent properties. The Applicant is proposing to include a 1,100 square foot outdoor seating area for use by its patrons on the east side of the building. The seating area is proposed to be fenced (as required by liquor laws). The relatively early closing hours proposed by the Applicant – 9:00 p.m. (Tuesday through Thursday), 10:00 p.m. (Friday and Saturday), and 6:00 p.m. Sunday, with no proposed operations on Monday, will prevent late night noise issues.

Staff therefore finds this criterion has been met.

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

No building expansion is proposed with this application and the Applicants wish to utilize an existing building that has been vacant for a few years, which was previously utilized as a vacuum sales and repair shop. The neighboring properties are daytime commercial uses that will likely have few overlapping hours of operation with the proposed brewery. The Applicants are proposing to fence the existing outdoor patio area to be used as outdoor seating for its patrons. The Applicant and Staff do not anticipate that the use will have any negative impact on surrounding uses or the enjoyment of adjoining properties.

Staff therefore finds this criterion has been met.

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

The proposed brewery will occupy the existing building. No building expansion is proposed with this application. The Applicant is proposing to utilize the existing outdoor area on the eastern side of the property for outdoor seating and will be required to fence the patio space per the liquor license requirements. The bulk dimensions of the building meet the standards of the B-2 zone district and match the zero setback street frontage of the adjacent buildings (along Colorado Avenue). The orientation of these buildings promotes pedestrian circulation, which is intended by the B-2 zone district. No landscaping is required for an interior remodel in a B-2 zone district.

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

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Conditional Use Permit application, for Ramblebine Brewing Company, CUP-2019-331, the following findings of fact and conclusions have been determined:

1. In accordance with Section 21.02.080(d) of the Zoning and Development Code, the application has satisfied the criteria for general approval.

2. In accordance with Section 21.02.110 of the Zoning and Development Code, the application has demonstrated compliance with the criteria for a Conditional Use Permit.

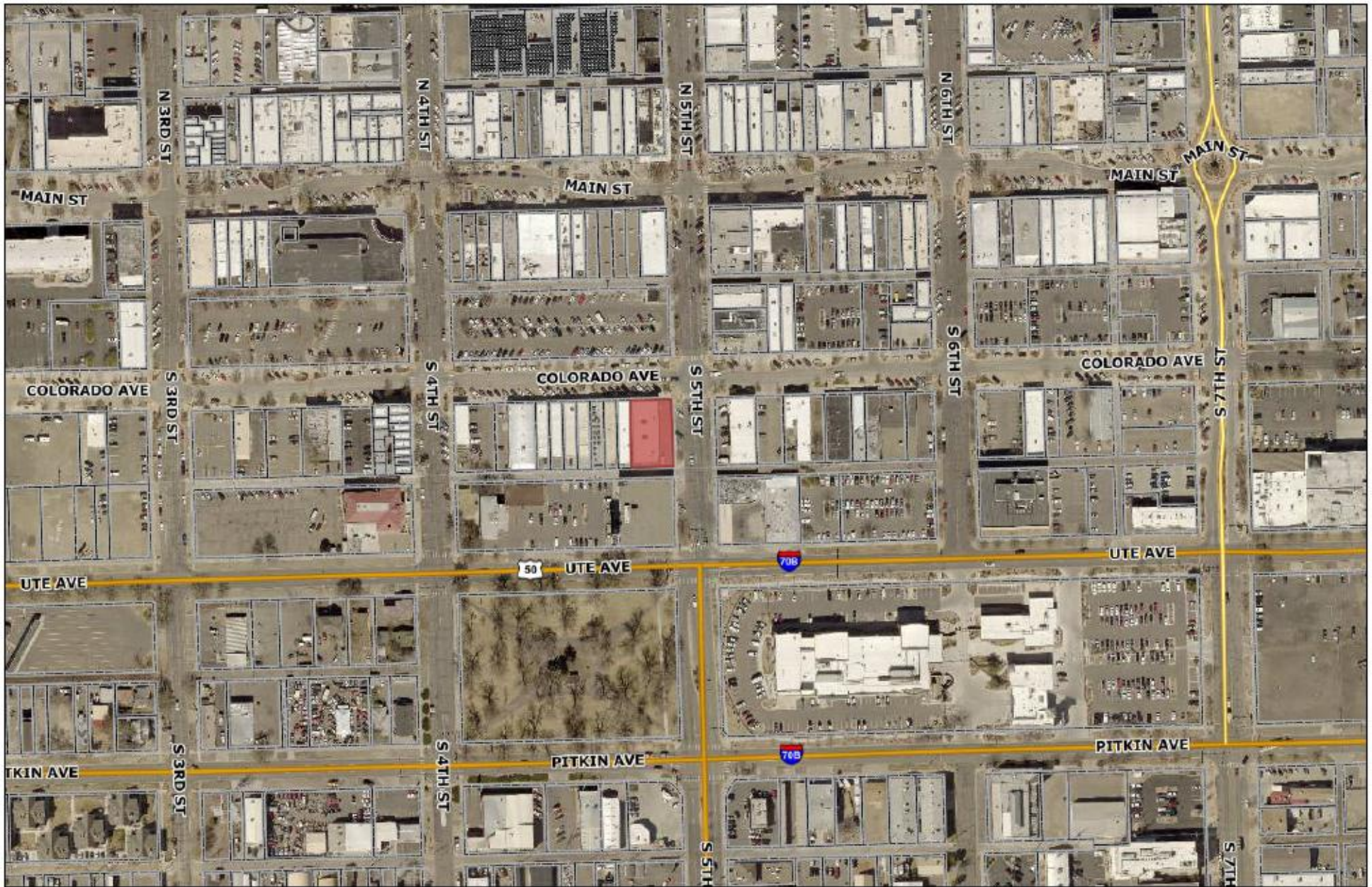
SUGGESTED MOTION:

Madam Chairman, on the application for a Conditional Use Permit for the Ramblebine Brewing Company located at 457 Colorado Avenue, CUP-2019-331, I move that the Planning Commission recommend approval.

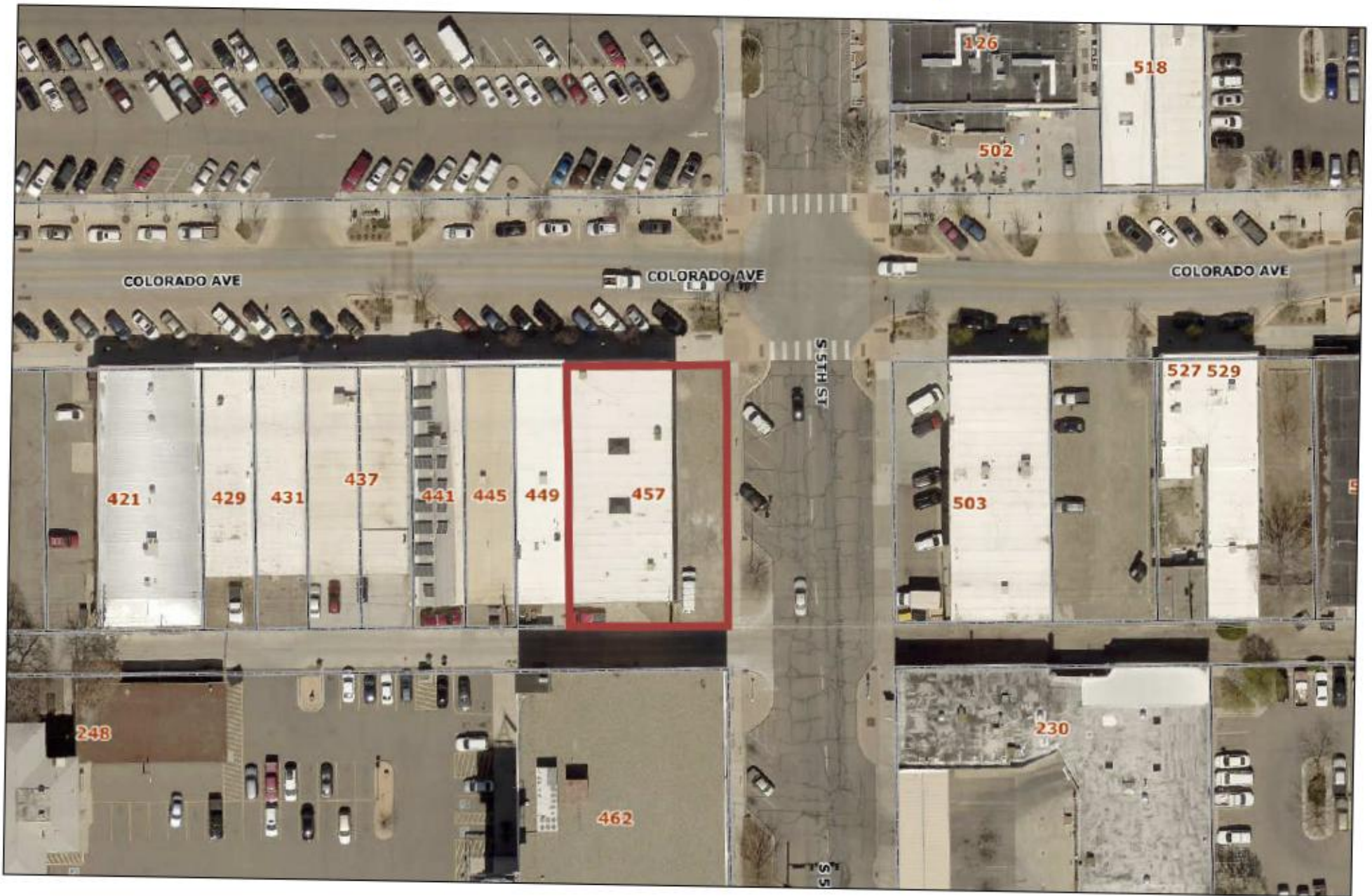
Attachments

1. Maps
2. Application Packet

SITE VICINITY MAP



SITE VICINITY MAP (ZOOMED IN)

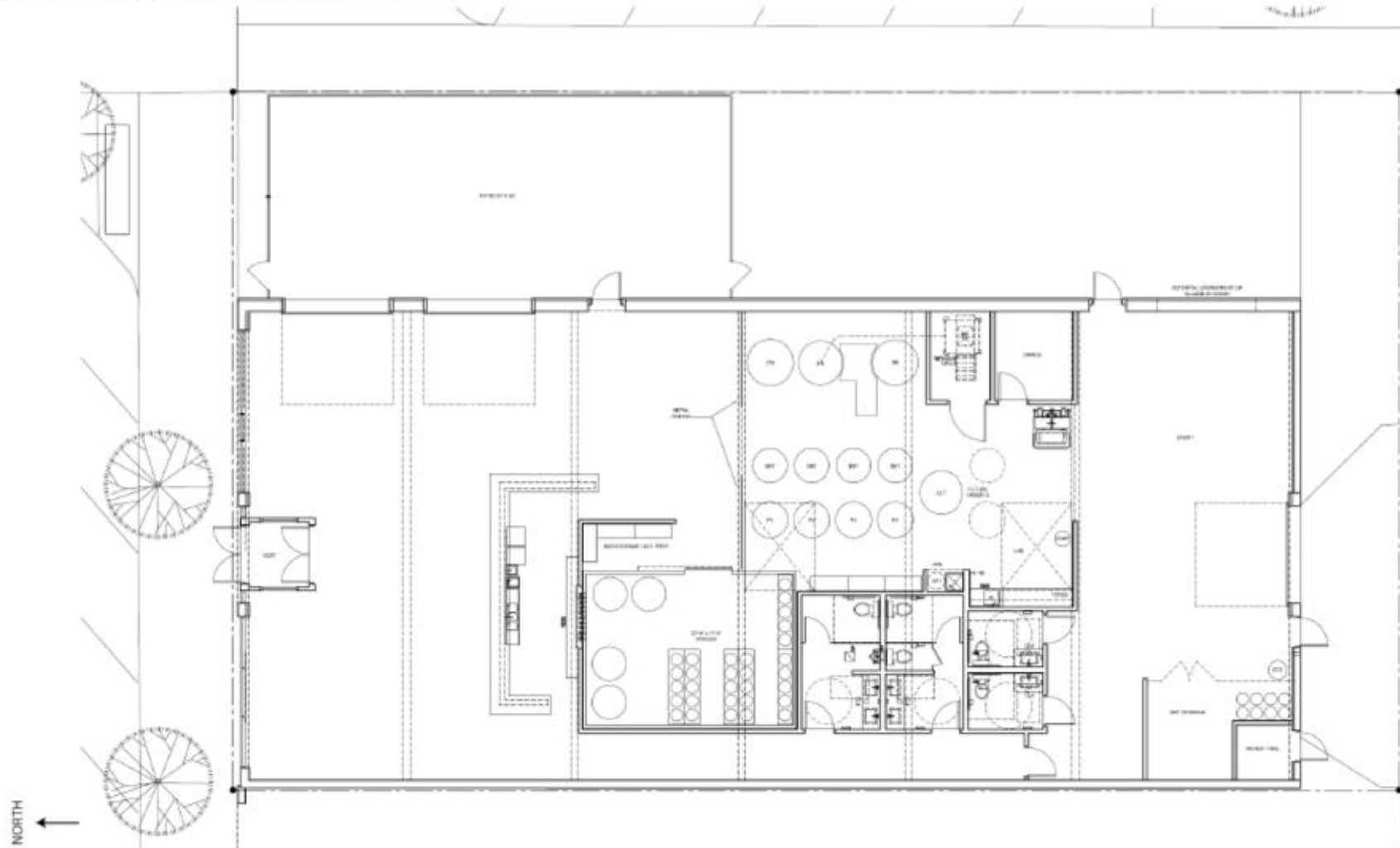


ZONING MAP



SITE/FLOOR PLAN

457 COLORADO | FLOOR PLAN AND SITE SKETCH



Development Application

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

Petition For:

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

Existing Land Use Designation Existing Zoning

Proposed Land Use Designation Proposed Zoning

Property Information

Site Location: Site Acreage:

Site Tax No(s): Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application Digitally signed by Eli Gerson
Date: 2019.05.13 16:40:26 -06'00'

Date

Signature of Legal Property Owner 

Date

Project Description

The proposed project is to renovate an existing downtown, single-story retail building located at 457 Colorado Ave to house a new brewery and taproom. The building requires a conditional use permit due to a significant percentage of alcohol sales per Zoning and Development Code.

1. The lot size is 0.22 acre. The use of the property is designated B-2, Downtown Business.
2. The building is currently a cold box without flooring. The project will renovate the building facade, interiors and include new HVAC, plumbing and electric and public facilities built to code.
3. The project will include opening the east wall facing 5th Street to create access to a new patio space to be built on the empty portion of the lot. Space will be allocated to park a food truck as well.
4. The new facade will include a sign. The east patio wall may have a large, painted mural or sign.
5. The main entrance to the building will be on Colorado Ave. Deliveries will be made via the south alley entrance in the rear of the building. Parking will be on the street and in a public lot directly north of the building on Colorado Ave.
6. The brewery will not have special requirements with Persigo other than typical small brewery demands based on other breweries in the area of a similar size. Excel will install a new electric box from the pole in the rear of the building.
7. Taproom operating hours are planned for Tuesday - Thursday 2-9 pm, Friday - Saturday 12-10 pm, Sunday 12-6 pm.
8. We intend to have a mix of 1-3 salaried employees and 4-6 hourly employees.

Approval Criteria

District Standard B-2: Downtown Business

To provide concentrated downtown retail, service, office and mixed uses not including major/regional shopping centers or large outdoor sales areas. The B-2 district promotes the vitality of the downtown area as provided by the Comprehensive Plan. Pedestrian circulation is encouraged as are common parking areas.

- A. A new, local brewery will encourage increased pedestrian traffic and visitation to Colorado Ave from Main Street and provide an energizing neighborhood gathering place.
- B. The taproom will seat approximately 100 people. The east side of the building will open to a patio space on the empty portion of the east lot along 5th Street to seat an additional 20 people.
- C. The brewery will attract Grand Valley locals, downtown visitors and outdoor tourists to spend time in downtown Grand Junction and sample local beer made on site.

21.03.010 Purpose

- A. The project will revitalize an empty and unkept building at a major downtown corner.
- B. The updated building will improve the overall aesthetic of the corner of Colorado Ave and 5th Street and provide more reason for visitors to walk to Colorado Ave which should help the neighboring retail and restaurant businesses. The taproom is a great meeting place for downtown visitors. The design will be inspired by the Grand Valley natural environment and outdoor activities.
- C. The project is across from a large public parking lot with ample street parking. There should be minimal traffic impact and encourage more pedestrians visiting Main Street to come to Colorado Ave.
- D. This project is going to be a convenient and complimentary use to the area. With the anticipated expansion of Two Rivers Convention Center and hotels, the brewery will be a popular destination for out-of-town visitors looking to get a taste of local fare. The project will not have a kitchen and will look to partner with local restaurants and food trucks to provide food to our customers.
- E. Building restoration will address proper lighting for safety. New HVAC systems will be added for clean, comfortable air.
- F. All patrons will be inside the establishment, or in a gated patio area.
- G. The building will comply with all building and fire code requirements.

Specific Standards.

- A. Retail Sales and Service. This use is allowed under a Conditional Use Permit under table 24.01

Availability of Complementary Services

- A. Complimentary uses consist of the convention center, neighboring restaurants, multiple hotels and downtown employees/patrons.

Compatibility with Adjoining Properties

- A. No conflicts with adjacent property Owners. The neighboring properties are typically daytime businesses. The brewery will primarily be evenings and weekends. Without a kitchen, the brewery will partner with local restaurants.
- B. With one adjoining business and the majority of the seating inside the building, there should be minimal impact to privacy. The patio is adjacent to 5th Street and will have some gating and vegetation to separate it from the sidewalk and street.
- C. The only materials used for brewing will be organic. There will also be a vent stack that extends above the roof line. Spent grains will be stored in sealed plastic containers and picked up weekly. Designating the proposed project under the B2 zoning will meet the criteria with the existing infrastructure.

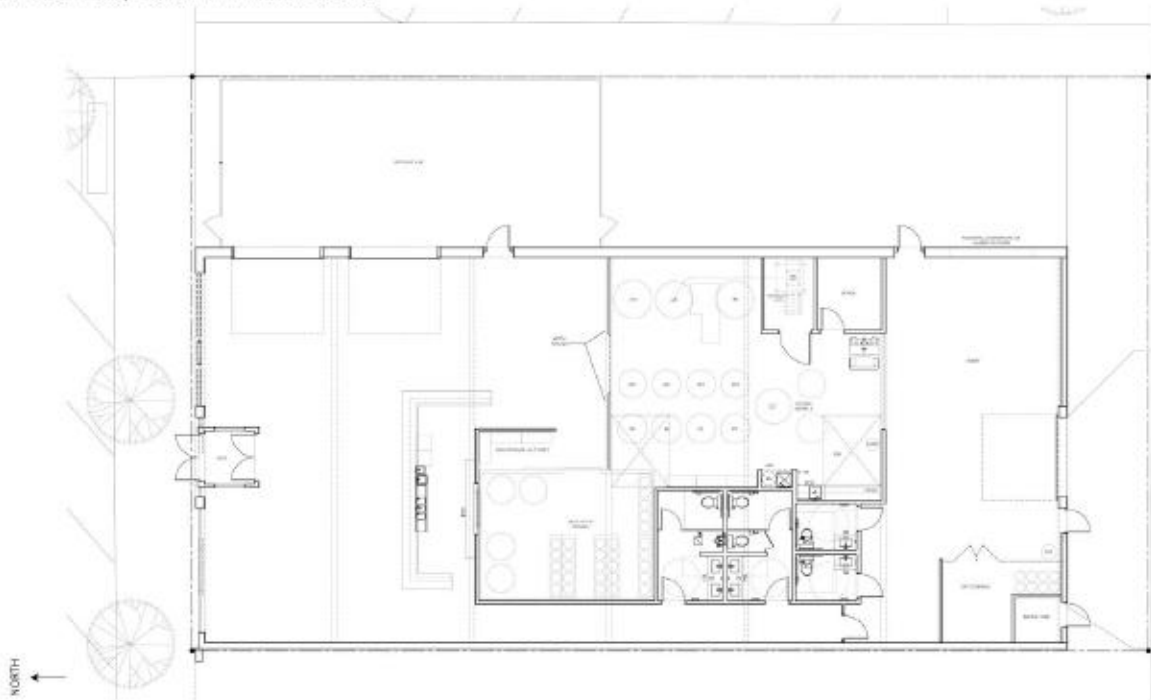
Schedule

The building is currently under contract with an anticipated closing in mid-August. During this time, the buyers are creating initial building plans and designs to inform construction costs. Construction of the brewery will begin following Change of Use approval and planning and building department approval. The anticipated construction period for the brewery is estimated to be 4-6 months.

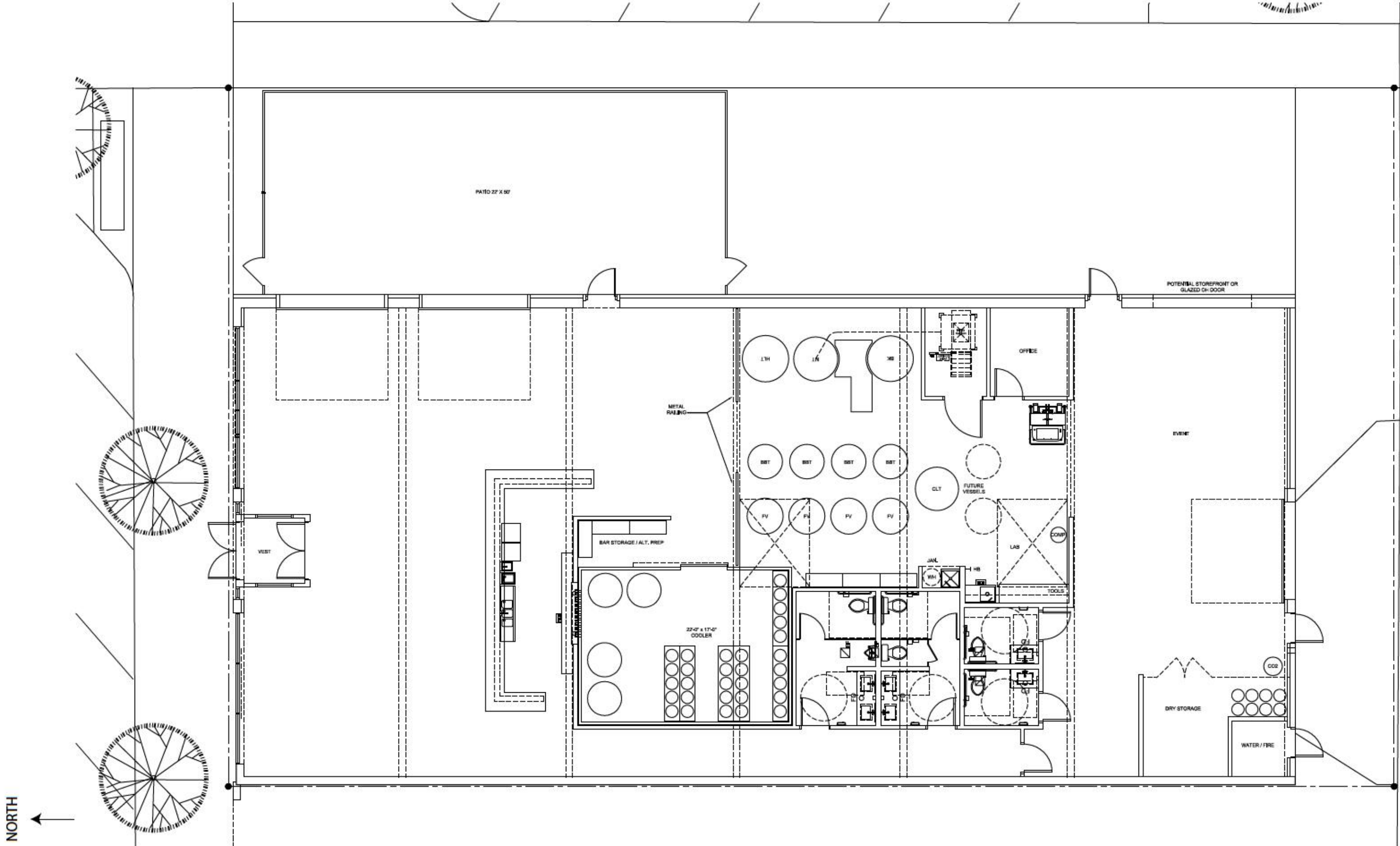
Opening date/date of first Certificate of Occupancy; C/O desired Q1 2020.

Building Space Plans

457 COLORADO | FLOOR PLAN AND SITE SKETCH



457 COLORADO | FLOOR PLAN AND SITE SKETCH




THIS DOCUMENT MAY AFFECT YOUR LEGAL RIGHTS. LEGAL ADVICE SHOULD BE OBTAINED IN THE DRAFTING OF ANY LEGAL DOCUMENT.

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

1. This Statement of Authority relates to an entity¹ named
457 Grand Junction, LLC
2. The type of entity is a:
 corporation
 nonprofit corporation
 limited liability company
 general partnership
 limited partnership

 registered limited liability partnership
 registered limited liability limited partnership
 limited partnership association
 government or governmental subdivision or agency
 trust
3. The entity is formed under the laws of Colorado
4. The mailing address for the entity is 625 E Main St. STE102B-233 Aspen CO 81611
5. The name position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is William Guth
6. The authority of the foregoing person(s) to bind the entity: is²not limited is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. The Statement of Authority amends and supercedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this 21st day of May, 2019


William Guth

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

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

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

State of Colorado)
) ss
County of Pitkin)

The foregoing Statement of Authority was acknowledged before me this 21st day of May, 2019
by William Guth

Witness my hand and official seal.

My commission expires: 6-11-2021

Barbara J D'Autrechy
Notary Public

BARBARA J. D'AUTRECHY
Notary Public
State of Colorado
Notary ID # 20074042687
My Commission Expires 06-11-2021

WHEN RECORDED RETURN TO:

Grand Junction Fire Department New Development Fire Flow Form

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

SECTION A

Date: 05/13/19
Project Name: Brewery and Taproom
Project Street Address: 457 Colorado Ave
Assessor's Tax Parcel Number: 2945-143-28-006
Project Owner Name: Eli Gerson
City or County project file #: _____
Name of Water Purveyor: Grand Junction
Applicant Name/Phone Number: Eli Gerson / 303-349-2634
Applicant E-mail: elijgerson@gmail.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be _____ square feet.
 - b. All dwelling units will , will not include an approved automatic sprinkler system.
Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
5750 square feet in a historic brick construction building. One large box, no rooms.
 - b. List each building that will be provided with an approved fire sprinkler system:
Just the single commercial building
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):

Comments: _____

Note:

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

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

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

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

05/15/19
City of Grand Junction

Notes

A neighborhood meeting was conducted 05/15/19 at 457 Colorado Avenue. The following invitees attended:

- Scott Miller
- Malinda Miller
- Diana Tap
- Brian Tap

Comments

- Attendees were very excited about the business concept and look forward to seeing the building become something more than the 'eye sore' it is now.
- Received some good feedback on the building condition and its needs for renovation.
- Seems to be a good, collaborative atmosphere.
- Could be a good partnership with our business and neighbor winery.
- No concerns from attendees.

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

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

1. Circle the name of the water supplier: Ute Clifton Grand Junction

2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

8" PVC Average Flow 2621 gpm @ 20 PSI

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be used to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow: Hyd # D1-261-016 2211 gpm @ 20 PSI

Hyd # D1-261-009 3031 gpm @ 20 PSI

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

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

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

Ron Key Water Service Supervisor Date: 5-31-19

Contact phone/E-mail of Water Supplier: 970-244-1572 ronkey@gjcity.org

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

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

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

³ International Fire Code, 2012 Edition

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

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



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

Industrial Pretreatment Clearance

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

Date: June 27, 2019

Facility Name: Ramblebine Brewing Company

Address: 457 Colorado Ave

City/State/Zip: Grand Junction, CO 81501

Other: Brewery

Based on the information provided to this office, the facility will be conditionally exempt and/or have no pretreatment requirements. The facility must follow all BMP's including the Spill Response Plan and Waste Procedures that were issued to the Industrial Pretreatment Division from the above business. If there are any significant changes to the facility or operations, this office must be notified to re-evaluate the pretreatment requirements.

City of Grand Junction Review Comments

Date: June 28, 2019 **Comment Round No.** 1 **Page No.** 1 of 3
Project Name: Ramblebine Brewing Company **File No:** CUP-2019-331
Project Location: 457 Colorado Ave

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

Property Owner(s): 457 Grand Junction, LLC

Mailing Address: 625 E Main Street, Suite 10, Aspen, CO 81611

Email: bill@wnggroup.com

Telephone: (970) 300-2120

Date Picked Up: _____

Signature: _____

Representative(s): Whikyben, LLC Attn: Eli Gerson

Mailing Address: 16132 Bluebonnet Drive, Parker CO 80134

Email: elijgerson@gmail.com

Telephone: (303) 349-2634

Date Picked Up: _____

Signature: _____

CITY CONTACTS

Project Manager: Jace Hochwalt, Associate Planner

Email: jaceh@gjcity.org

Telephone: (970) 256-4008

Dev. Engineer: Rick Dorris

Email: rickdo@gjcity.org

Telephone: (970) 256-4034

City of Grand Junction REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING – Jace Hochwalt – jaceh@gjcity.org – 970-256-4008

1. Proposal is for a Conditional Use Permit and Change of Use from a former vacuum shop (currently vacant) to a brewery. Site is located on ±0.22 acres in an existing B-2 (Downtown Business) zoning district in the Greater Downtown Central Business District Overlay. Comprehensive Plan Future Land Use Map identifies this property as Downtown Mixed-Use. Conditional Use Permit required if more than 25% of gross receipts of the business are for alcoholic beverages. There are no outstanding comments from agencies, other than the fire department comment regarding the fire department connection. Based on this, the tentatively scheduled date for this to go in front of Planning Commission is Tuesday, July 23rd.

2. Conditional Use Permit:

Upon approval of Conditional Use Permit by City Planning Commission, a Change of Use letter of approval and Planning Clearance for the remodel for the brewery can be issued.

3. Off-Street Parking Requirements:

In a B-2 zone district there is no parking requirement for the reuse, remodel, or reconstruction of an existing structure that does not increase the available square footage of leasable area.

4. Signage Plans:

If signage is proposed in the future, it must meet requirements in city code. See Zoning and Development Code Section 21.06.070 for more information.

CITY DEVELOPMENT ENGINEER – Rick Dorris– rickdo@gjcity.org – 970-256-4034

Review complete, no comment.

CITY FIRE DEPARTMENT – Steve Kollar – stevenk@gjcity.org – 970-549-5852

1. Fire Department has no objections to the change of use and a detailed assessment will be conducted at time of planning clearance/building permit.

2. Please show FDC (Fire Department Connection) on plan and where the underground fire line is to be installed. Be aware there are no water lines in the alley.

PERSIGO WASTEWATER – Steve Moralez – stevemor@gjcity.org – (970) 256-4178

An Industrial Pretreatment Clearance has been given to Applicant, which was issued on June 27th, 2019.

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: brenda.k.boes@xcelenergy.com

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.

Review Agency: Grand Valley Drainage District

Contact Name: Tim Ryan

Email / Telephone Number: tim.admin@gvdd.org

GVDD has no comment or objection.

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. Due to limited plans provided building code related items will be addressed during plan review.

REVIEW AGENCIES

(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. Century Link
3. Downtown Development Authority
4. Charter



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: July 23, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

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

RECOMMENDATION:

Staff recommends approval of the requested Zone of Annexation.

EXECUTIVE SUMMARY:

The Applicants, Stan and Judy Kiser, are requesting a zone of annexation to R-2 (Residential – 2 du/ac) for the Kiser Annexation. The approximately 2.89-acre parcel of land is located in the Redlands at the intersection of Vista Grande Road and S. San Miguel Drive, north of Broadway (Hwy. 340) and has a Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac). The property currently contains a single-family detached home along with various accessory buildings.

The Applicant is requesting annexation into the City limits per the Persigo Agreement between Mesa County and the City of Grand Junction in order to subdivide their property to create one (1) additional lot and construct another single-family detached home in the near future, in conformance with the requested R-2 zone district. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

The Applicants, Stan and Judy Kiser, have requested annexation of a parcel of land

into the City limits, located at 136 Vista Grande Road, in anticipation of future residential development to create one additional lot. The property currently contains a single-family detached home and various accessory buildings and is approximately 2.89-acres in size. As part of the annexation request an additional 0.67-acres of the adjacent S. San Miguel right-of-way will also be annexed, but not zoned. The Applicants are requesting a zone of annexation to R-2 (Residential – 2 du/ac).

The property is currently in the County and retains a County zoning of RSF-4 (Residential Single Family – 4 du/ac). Surrounding properties are also zoned RSF-4 in the County, ranging in size from 0.27 to 5.09 acres. The subject property has a Comprehensive Plan Future Land Use designation of Residential Medium Low (2 – 4 du/ac). The requested zone district of R-2 is in conformance with the Future Land Use designation for the area.

The surrounding area is largely developed with single-family detached homes on each platted lot or parcel. However, further subdivision development and/or lot splits are possible in the future for other properties in the area that are large enough to accommodate such development.

This area of the Redlands has very few annexed properties, but the properties that are annexed are either zoned R-2 or R-4. Properties in the immediate area that have been annexed into the City include the McHugh Annexation in 2017 (115 & 117 Vista Grande Road) which is zoned R-4 (Residential – 4 du/ac), the Bellhouse Annexation in 2006 (2381 S. San Miguel Drive), zoned R-2 (Residential – 2 du/ac) and the Sycamore Creek Annexation in 2005 located at 2370 Broadway which is also zoned R-2.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on August 16, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with two (2) citizens. No concerns were voiced by the neighbors and to date, City staff has not received any comments from the neighborhood regarding this request. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 1, 2019.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on May 28, 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 July 12, 2019. The notice of this public hearing was published July 16, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review is set forth in Section 21.02.140 (a) and includes 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 as identified:

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

The property owners have petitioned for annexation into the City limits with a requested zoning district of R-2 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac). Since 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. The requested annexation and zoning is also in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which states that all new development shall be annexed into the City limits. Therefore, Staff has found 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 adoption of the Comprehensive Plan in 2010, designated this property as Residential Medium Low (2 – 4 du/ac). The Applicant is requesting an allowable zone district that is consistent with the lower end of the density range allowed by the Residential Medium Low category. The character and/or condition of the surrounding area has not changed in recent years as the area is largely developed with single-family detached homes on each lot or parcel, however, the requested zone district is compatible with the Comprehensive Plan designation. Further subdivision development and/or lot splits are however possible in the future for this and other properties in the area that are large enough to accommodate such development.

Because there has been no apparent change of character and/or condition and the area has not significantly changed, 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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-2 zone district. City Sanitary Sewer & Ute Water are presently both available within the Vista Grande Road & S. San Miguel Drive rights-of-way. Property can also be served by Xcel Energy electric and

natural gas. A short distance away is Scenic Elementary School and further to the southeast at the intersection of Broadway (Hwy. 340) and Monument Road is a Safeway grocery store and associated restaurants and retail/office establishments.

The public and community facilities are adequate to serve the type and scope of the residential land use proposed, therefore, 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

The property and surrounding area to the north, east and west is designated on the Comprehensive Plan Future Land Use Map as Residential Medium Low (2 – 4 du/ac) with Residential Low (.5 – 2 du/ac) to the south. The proposed zoning designation of R-2 meets with the intent of achieving the desired density for the property, with this request, to develop at the low end of the Residential Medium Low (2 – 4 du/ac) category. This area of the Redlands has very few annexed properties, those that are annexed are either zoned R-2 or R-4. Because a majority of this area is zoned County RSF-4, there is currently an inadequate supply of R-2 zoning and Staff therefore finds that the criterion to has 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 request. Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zone district will also provide an opportunity for housing within a range of density that is consistent with the Comprehensive Plan in this area to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types; a key principle in the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though other zone districts could be considered, the R-2 zone district is consistent with the recommendations of the Plan's Future Land Use Map.

In addition to the zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Medium Low (2 – 4 du/ac) for the subject property.

R-R (Residential - Rural)
R-E (Residential - Estate)
R-1 (Residential – 1 du/ac)
R-4 (Residential – 4 du/ac)
R-5 (Residential – 5 du/ac)

In reviewing the other zoning district options for the Residential Medium Low designation, all zoning districts allow single-family detached residential development as an allowed land use. However, the residential zone districts of R-R, R-E and R-1, would have a lower overall maximum density than what the Comprehensive Plan anticipates for this property and area of the community and the R-5 zone district would allow more density.

Further, the zoning request is 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.

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

Policy C: Increasing the capacity of housing developers to meet housing demand.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Kiser Annexation, ANX-2019-274, for a Zone of Annexation from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-2 (Residential – 2 du/ac), the following findings of fact have been made:

1. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
2. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted Comprehensive Plan.

Therefore, Staff recommends approval of the requested Zone of Annexation.

SUGGESTED MOTION:

Madam Chairman, on the Zone of Annexation for the Kiser Annexation to R-2 (Residential – 2 du/ac) zone district, file number ANX-2019-274, I move that the Planning Commission forward a recommendation of approval to City Council with the

findings of fact listed in the staff report.

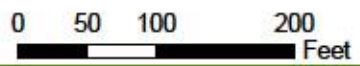
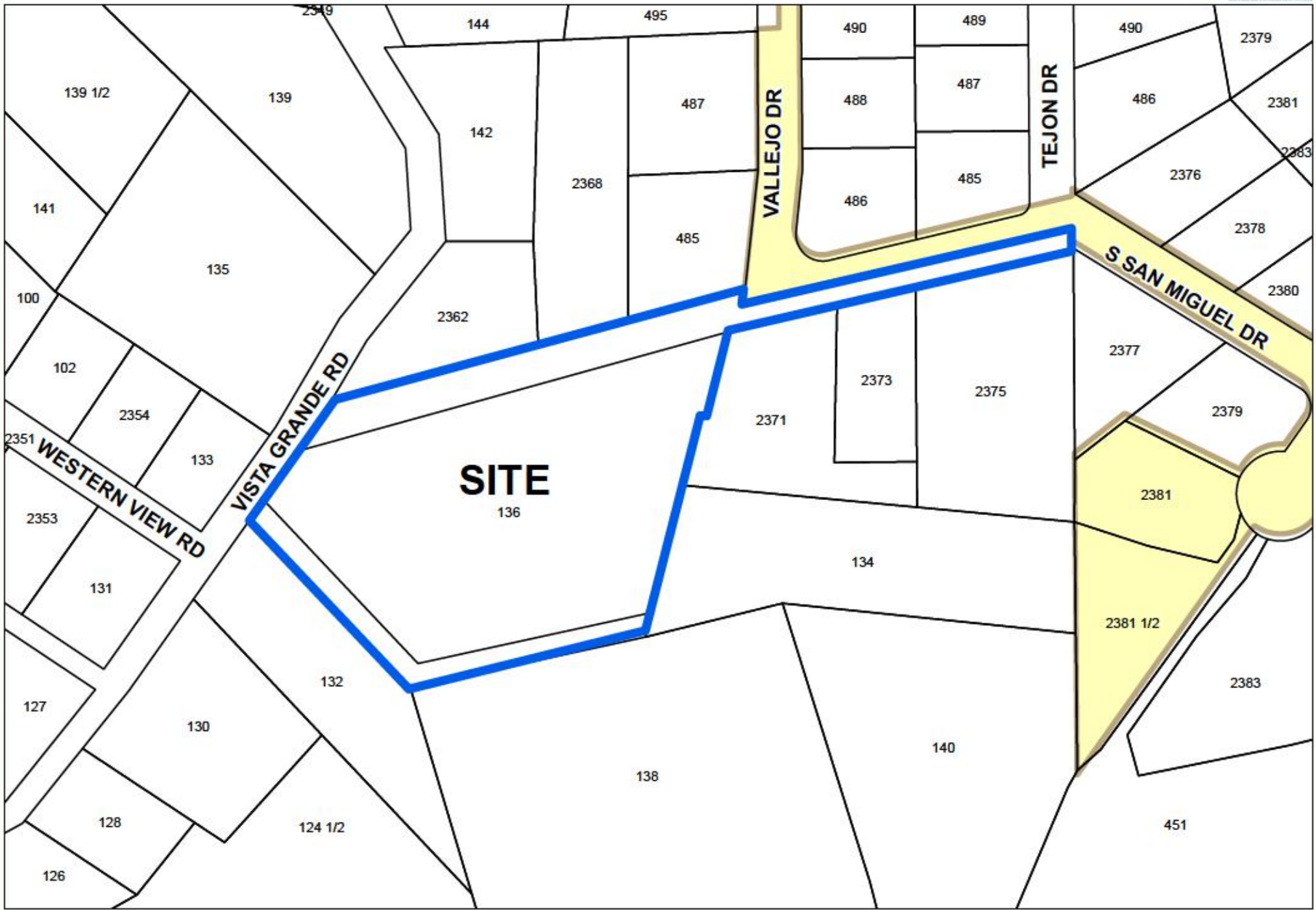
Attachments

1. Exhibit List - Kiser Zone of Annexation
2. Exhibit 2 - Site Location & Zoning Maps, etc.
3. Exhibit 3 - Development Application dated April 30, 2019

Expanded City Limits Location Map



Kiser Annexation




 Annexation Boundary


 City Limits

Kiser Annexation

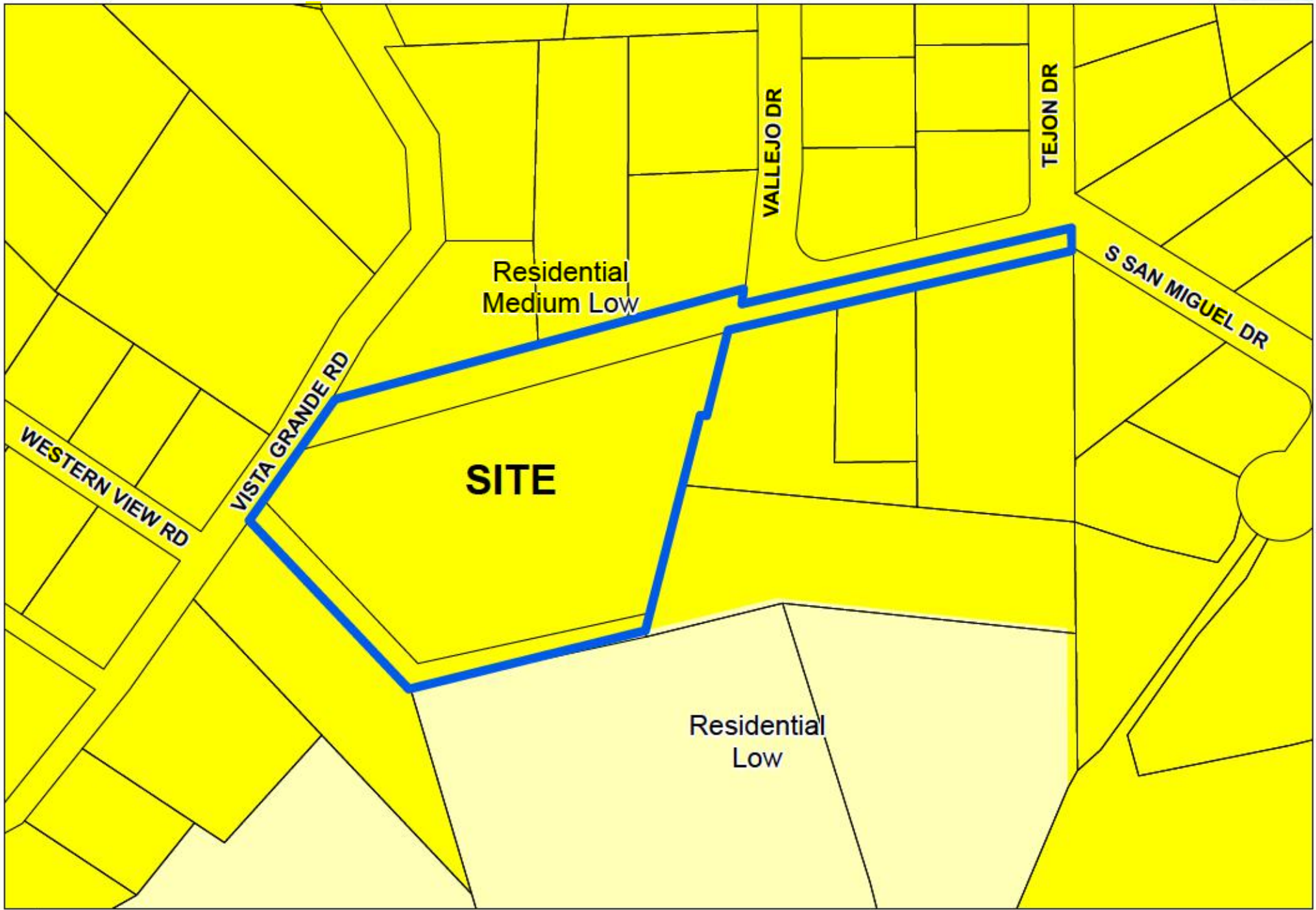


0 50 100 200 Feet

 Annexation Boundary

 City Limits

Kiser Annexation - Future Land Use



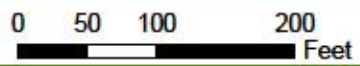
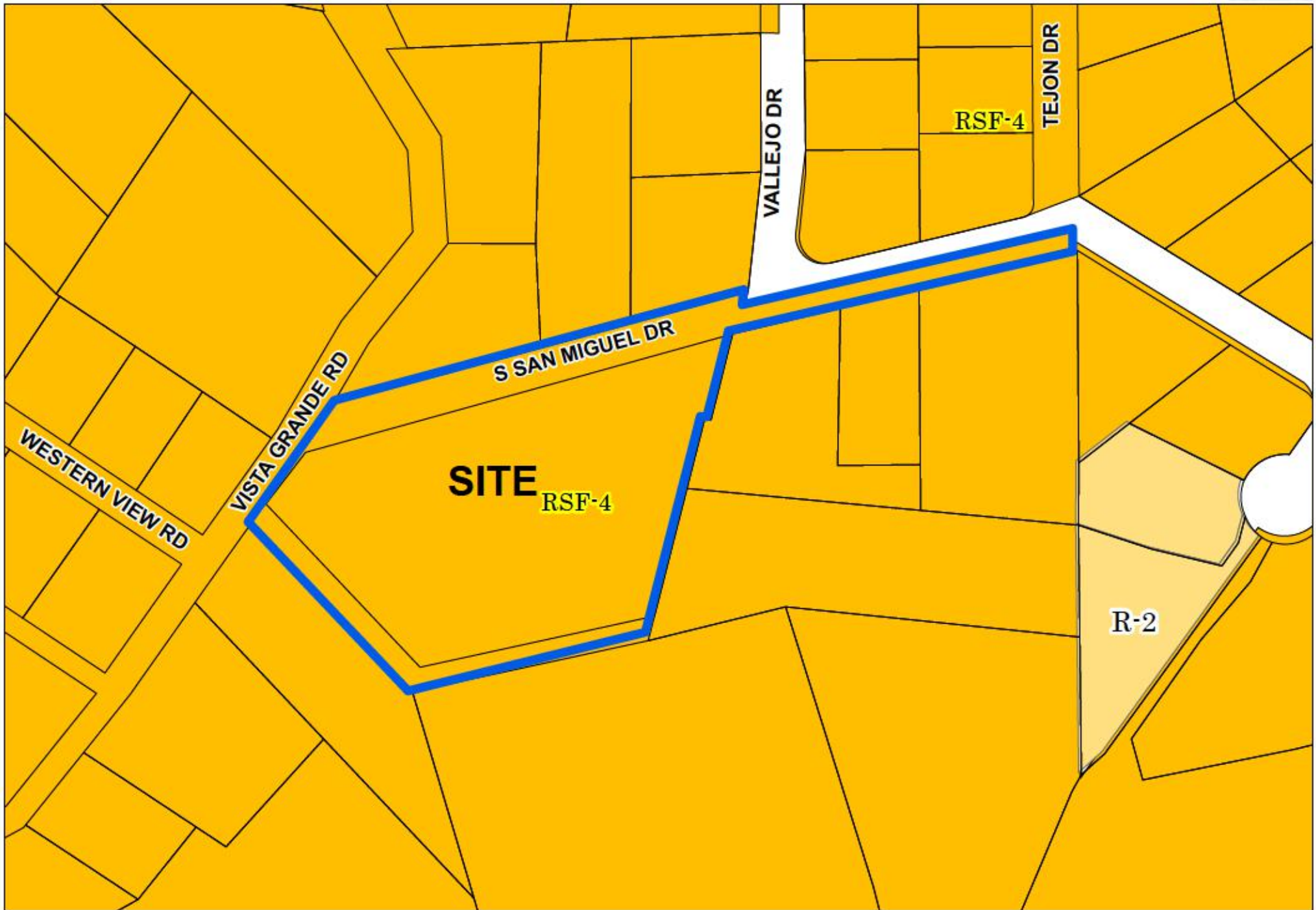
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Feet

 Annexation Boundary

Expanded Comprehensive Plan Future Land Use Map



Kiser Annexation - Zoning

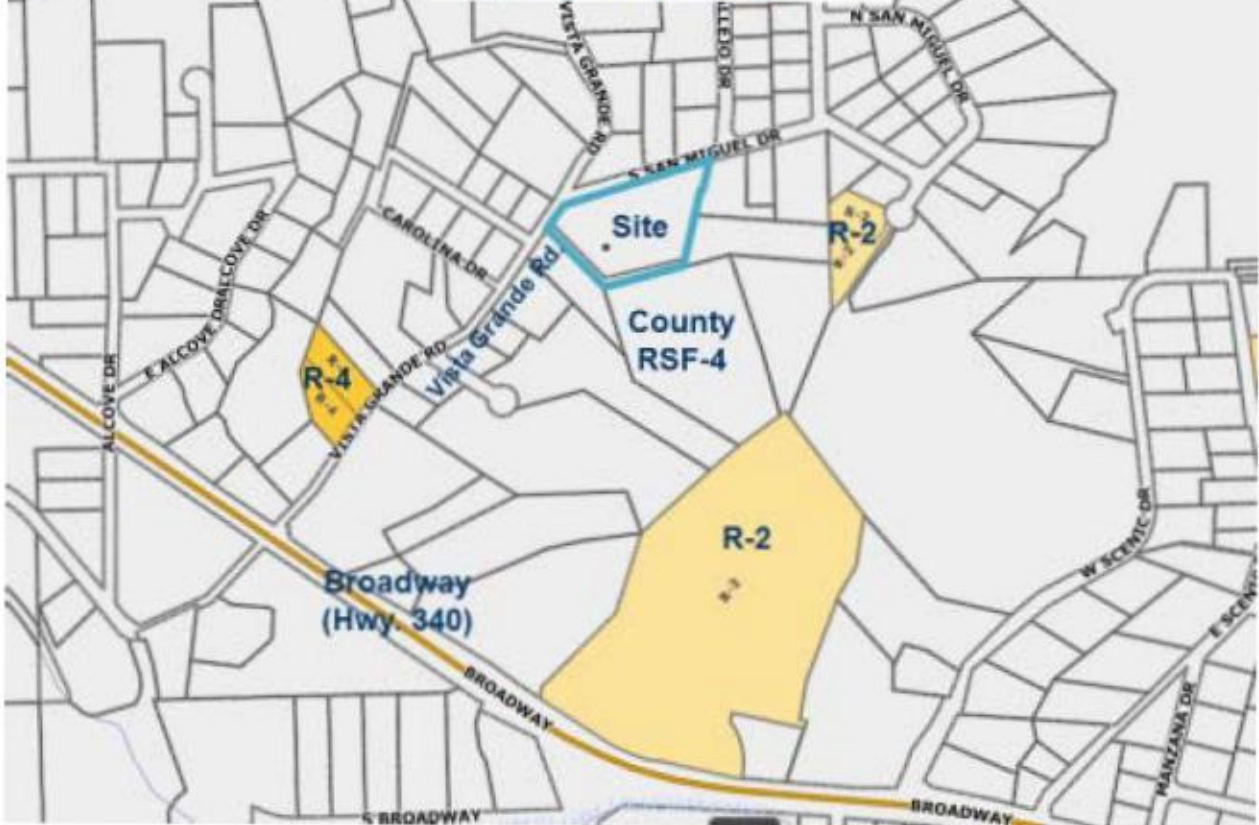


 Annexation Boundary

CITY ZONING

COUNTY ZONING

Expanded Zoning Map





View of Property from Vista Grande & S. San Miguel

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	<input type="text" value="RML"/>	Existing Zoning	<input type="text" value="County RSF4"/>
Proposed Land Use Designation	<input type="text" value="NA"/>	Proposed Zoning	<input type="text" value="City R2"/>

Property Information

Site Location:	<input type="text" value="136 Vista Grande Rd"/>	Site Acreage:	<input type="text" value="2.8"/>
Site Tax No(s):	<input type="text" value="2945-171-00-032"/>	Site Zoning:	<input type="text" value="R2"/>
Project Description:	<input type="text" value="Annexation-Zoning, Simple Subdivision creating one separate lot on the property"/>		

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	<input type="text" value="Stanley C Kiser"/>	Date	<input type="text" value="4-30-2019"/>
Signature of Legal Property Owner	<input type="text" value="Judy L Kiser"/>	Date	<input type="text" value="4-30-2019"/>

OWNERSHIP STATEMENT - NATURAL PERSON

Print Form

I, (a) Stanley C Kiser, am the owner of the following real property:

(b) 136 Vista Grande Rd, Deed recorded Book 2952, page 216-217, Canceled and released Deed of Trust page 2952 pages 234-239, Mesa County Co

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

I am the sole owner of the property.

I own the property with other(s). The other owners of the property are (c):

Judy L. Kiser (Spouse)

I have reviewed the application for the (d) Annexation and Simple Subdivision pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) None

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed: [Handwritten signature of Stanley C Kiser and Judy L Kiser]

Printed name of owner: Stanley C Kiser, Judy L Kiser

State of Colorado)

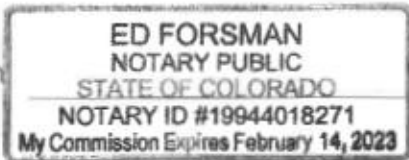
County of Mesa) ss.

Subscribed and sworn to before me on this 30th day of April, 2019

by Stanley C Kiser + Judy L. Kiser

Witness my hand and seal.

My Notary Commission expires on



[Handwritten signature of Ed Forsman]
Notary Public Signature

Instructions

An ownership statement must be provided by each and every owner of the property.

- (a) Insert name of owner as it appears on deed that conveys property to the owner.
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries does/do not match those on the plat, provide an explanation.
- (c) Insert name of all other owners, if any.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Explain actual or possible conflicts you have knowledge of. If none, state "none." Attach copies of related documents and refer to them here.

① 00142815

WARRANTY DEED

2023204 11/02/01 0235PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$10.00
DOCUMENTARY FEE \$27.50

MAR 01/05

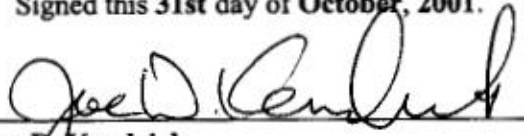
Grantor(s), **Joe D. Kendrick and Kerry L. Kendrick** whose address is , County of **Mesa**, State of **Colorado**, for the consideration of **TWO HUNDRED SEVENTY-FIVE THOUSAND AND 00/100** Dollars in hand paid, hereby sell(s) and convey(s) to **Stanley C. Kiser and Judy L. Kiser**, as **Joint Tenants** whose legal address is **136 Vista Grande Road, Grand Junction, CO 81503** County of **Mesa**, and State of **Colorado**, the following real property in the County of **Mesa**, and State of **Colorado**, to wit: **See Exhibit A attached hereto and made a part hereof.**

Recorded by First American Title

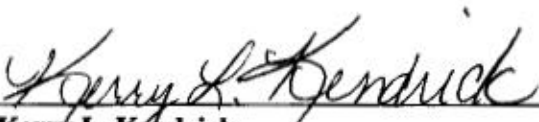
also known by street and number as **136 Vista Grande Road, Grand Junction, CO 81503**
Tax Parcel Number: 2945-171-00-032

with all its appurtenances, and warrant(s) the title to the same, subject to general taxes for 2001, due and payable in 2002, and all subsequent taxes and special assessments; easements, covenants, conditions, restrictions, agreements and reservations of record; building and zoning regulations.

Signed this **31st** day of **October**, **2001**.



Joe D. Kendrick



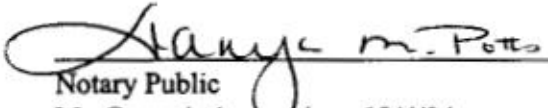
Kerry L. Kendrick

State of **Colorado**)
)ss.
County of **Mesa**)

The foregoing instrument was acknowledged before me this **31st** day of **October**, **2001** by **Joe D. Kendrick and Kerry L. Kendrick**

Witness my hand and official seal.





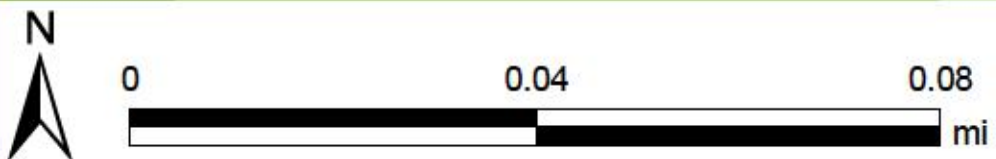
Notary Public
My Commission expires: **12/4/04**

*If in Denver, insert "City and"
No. 897 Rev. 12-85.

Exhibit A

A portion of the NW1/4 of the NE1/4 of Section 17, Township 1 South, Range 1 West of the Ute Meridian, described as follows: Commencing at the Southwest Corner of said NW1/4 of the NE1/4 of said Section 17; thence Easterly (bearing by deed recorded in Book 699 at Page 125 of the records of Mesa County, Colorado, noted as "East"), a distance of 233.4 feet to an iron pipe monument capped and marked "233.4"; thence angle left 54°42' Northeasterly (bearing by deed noted above North 35°18' East), a distance of 234.7 feet to the Point of Beginning of the tract to be described; thence continue Northeasterly on the last mentioned line extended, a distance of 102.71 feet to a point; thence angle right 39°28' Northeasterly (bearing on deed noted above North 74°46' East), a distance of 494.00 feet to a point; thence angle right 119°31' Southwesterly (bearing on deed noted above South 14°17' West), a distance of 101.3 feet to a point; thence angle right 78°12'06" Northwesterly (bearing relative to deed bearings North 87°30'54" West), a distance of 7.26 feet to the Northeast Corner of the first parcel described in deed noted above; thence angle left 78°12'06" Southwesterly (bearing on deed noted above, North 14°17' East), a distance of 248.4 feet to a point on the Northerly line of that tract conveyed by deed to Samuel K. Kerr and Helen I. Kerr and recorded in Book 526 at Page 102 under Reception No. 520767 of the records of said Mesa County, Colorado; thence angle right 62°00' Southwesterly (bearing on deed in Book 699 at Page 125, North 76°17' East) and on the Northerly line of that tract in Book 526 at Page 102, aforesaid distance of 272.00 feet to the Point of Beginning of said tract in Book 526 at Page 102; thence angle right 60°28' Northwesterly (bearing on deed in Book 699 at Page 125 South 43°15' East) on the Northeasterly line of that tract conveyed by deed to E. Leroy Marsh and Eva B. Marsh under Reception No. 428430 of the records of Mesa County, Colorado, a distance of 260.1 feet, more or less to the Point of Beginning; EXCEPT the Westerly and Southerly 25 feet for road and ditch purposes as described in document recorded in Book 572 at Page 216.

Kiser Annexation



Date: 5/6/2019

1 inch = 100 feet

**KISER ANNEXATION
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 136 Vista Grande Road
Tax ID # 2945-171-00-032

A portion of the NW 1/4 of the NE1/4 of Section 17, Township 1 South, Range 1 West of the Ute Meridian, described as follows: Commencing at the Southwest Corner of said NW 1/4 of the NE 1/4 of said Section 17; thence N89°55'57"E, a distance of 233.4 feet to an iron pipe monument capped and marked "233.4"; thence N35°30'31"E along the Southeasterly Right of way for Vista Grande Road as described at Reception Number 428431 of the Mesa County Records a distance of 234.47 feet to the Point of Beginning. thence N35°30'31"E along said Right of way a distance of 102.94 feet to the intersection of said Right of Way with the South Right of Way for South San Miguel Road as described at Reception Number 1074421 of the Mesa County Records; thence N74°58'28"E along said South Right of Way a distance of 491.74 feet to the Point of Terminus of an Agreed Boundary Line as recorded at Reception Number 2873395 of the Mesa County Records; thence along said Agreed Boundary Line the following three (3) courses and distances;
1. S14°12'57"W a distance of 98.39 feet;
2. N87°34'57"W a distance of 7.26 feet;
3. S14°24'05"W a distance of 247.60 feet to the beginning of said Agreed Boundary Line and a point on the Northerly Line of that tract of land as described at Reception Number 520767 of the Mesa County Records;
thence S76°12'57"W along said Northerly Line a distance of 271.90 feet to a point on the Easterly Line of that tract of land as described at Reception Number 428430 of the Mesa County Records;
thence N43°19'03"W along said Easterly Line a distance of 258.95 feet to the Point of Beginning;

County of Mesa, State of Colorado.

Containing 2.891 acres.

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Kiser Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Stanley C Kiser
Stanley C. Kiser
(Print Name)

136 Vista Grande Road


SIGNATURE

5-6-2019
DATE

Judy L Kiser
Judy L. Kiser
(Print Name)

136 Vista Grande Road


SIGNATURE

5-6-19
DATE

STATE OF COLORADO
COUNTY OF MESA


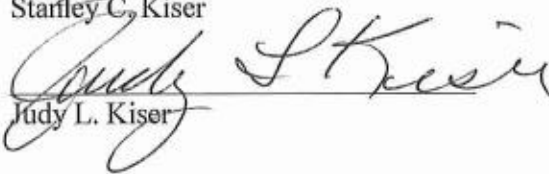
SS

AFFIDAVIT

Stanley C. Kiser & Judy L. Kiser, of lawful age, being first duly sworn, upon oath, deposes and says:

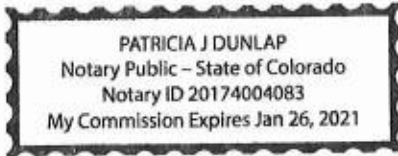
That they are the circulator of the forgoing petition:


That each signature on the said petition is the signature of the person whose name it purports to be.


Stanley C. Kiser

Judy L. Kiser

Subscribed and sworn to before me this 6 day of May, 2019.

Witness my hand and official seal.



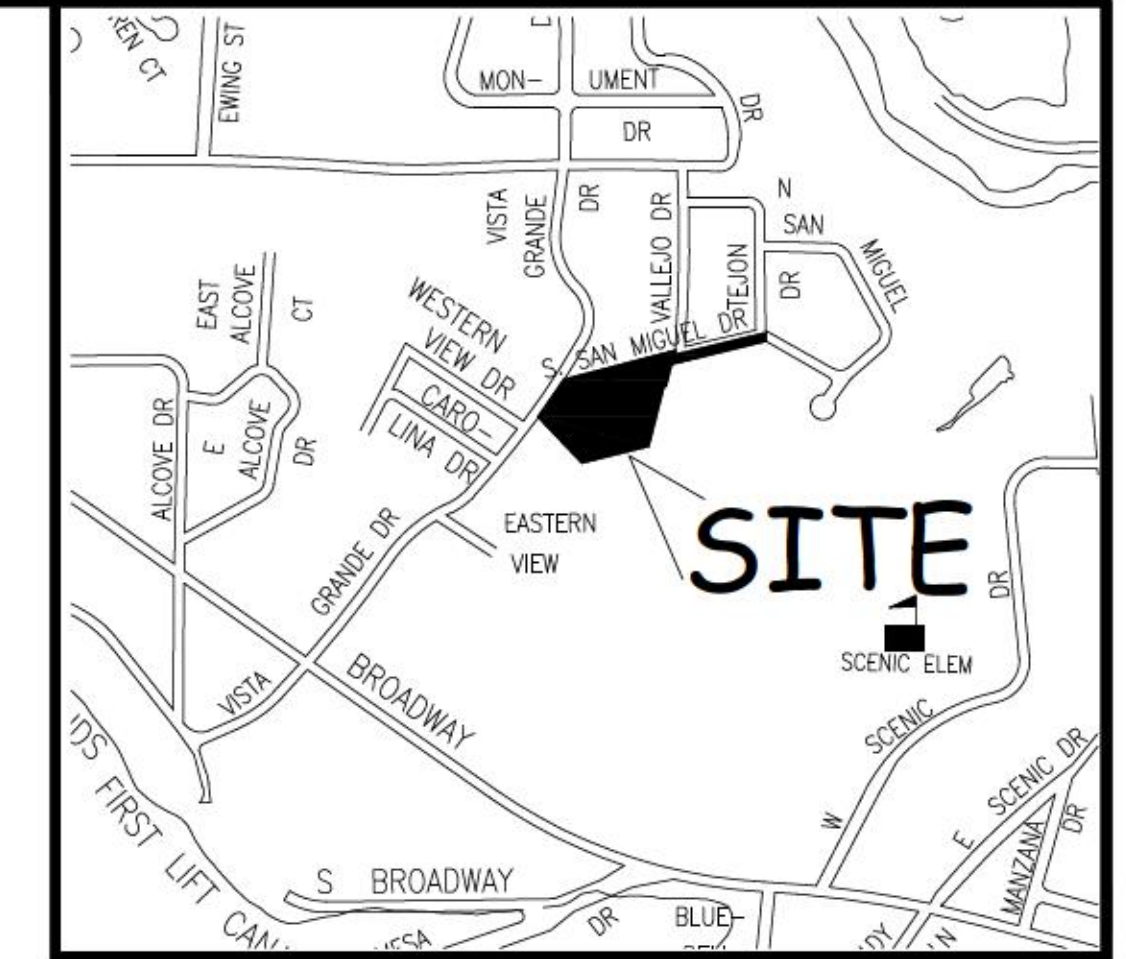

Notary Public

250 N. 5th St, Grand Junction, CO
Address 81501

My commission expires: Jan 26, 2021

KISER ANNEXATION

LYING IN THE NW 1/4 NE 1/4 OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

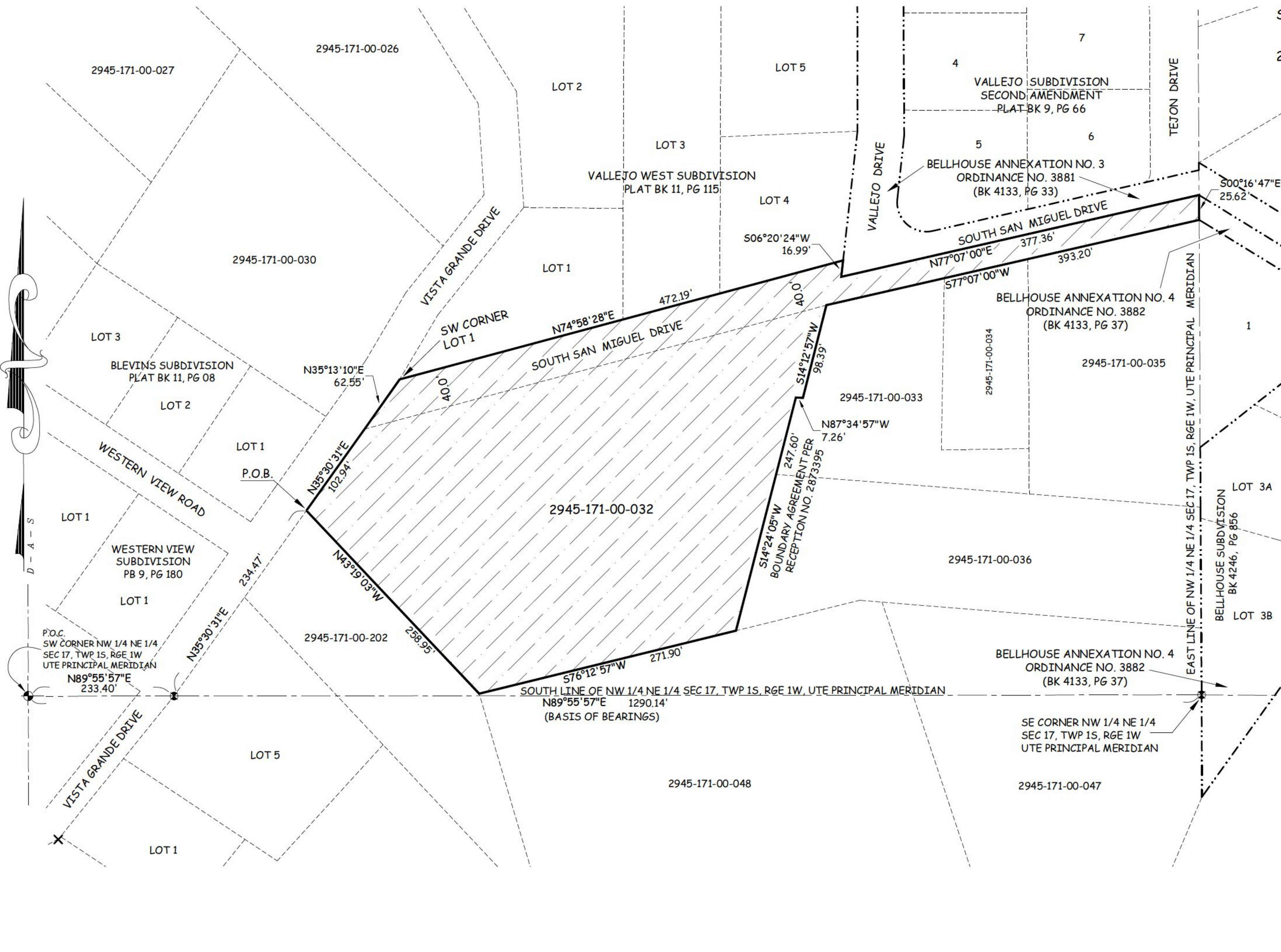
DESCRIPTION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 17, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being a portion of McCune Redlands Subdivision, as same is recorded in Plat Book 4, Page 20, Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 NE 1/4 of said Section 17 and assuming the South line of the NW 1/4 NE 1/4 of said Section 17 bears N 89°55'57" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°55'57" E, along said South line, a distance of 233.40 feet to the Easterly right of way for Vista Grande Drive and being a Witness Corner, Mesa County Survey Monument Number 498-1; thence N 35°30'31" E, along said Easterly right of way, a distance of 234.47 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue along said Easterly right of way, N 35°30'31" E, a distance of 102.94 feet; thence N 35°13'10" E, a distance of 62.55 feet, more or less, to a point being the Southwest corner of Lot 1, Vallejo West Subdivision, as same is recorded in Plat Book 11, Page 115, Public Records of Mesa County, Colorado; thence N 74°58'28" E, along the South line of Lots 1, 3 and 4 of said Vallejo West Subdivision, a distance of 472.19 feet, more or less, to a point on the Westerly right of way for Vallejo Drive and the Westerly line of Bellhouse Annexation No. 3, as same is recorded in Book 4133, Page 33, Public Records of Mesa County, Colorado; thence S 06°20'24" W, along said Westerly line of Bellhouse Annexation No. 3, a distance of 16.99 feet; thence N 77°07'00" E, along a Southerly line of said Bellhouse Annexation No. 3, a distance of 377.36 feet; more or less, to a point on the East line of the NW 1/4 NE 1/4 of said Section 17; thence S 00°16'47" E, along said East line and a Westerly line of Bellhouse Annexation No. 4, as same is recorded in Book 4133, Page 37, Public Records of Mesa County, Colorado, a distance of 25.62 feet; thence S 77°07'00" W, along the South right of way for South San Miguel Drive, a distance of 393.20 feet; thence S 14°12'57" W, a distance of 98.39 feet; thence N 87°34'57" W, a distance of 7.26 feet; thence S 14°24'05" W, a distance of 247.60 feet; thence S 76°12'57" W, a distance of 271.90 feet; thence N 43°19'03" W, a distance of 258.95 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
∠=	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

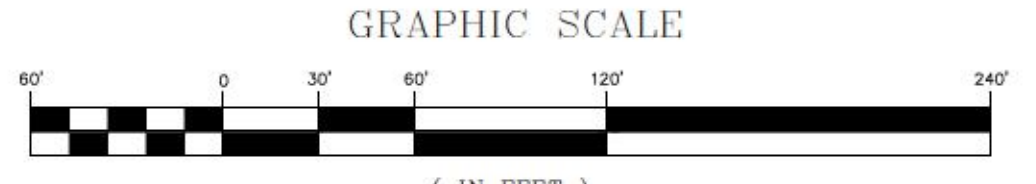
The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



AREA OF ANNEXATION

ANNEXATION PERIMETER	2,334.94 FT.
CONTIGUOUS PERIMETER	419.97 FT.
AREA IN SQUARE FEET	154,951***
AREA IN ACRES	3.557

LEGEND	
	ANNEXATION BOUNDARY
	EXISTING CITY LIMITS



LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

ORDINANCE NO.
????

EFFECTIVE DATE
?????

THIS IS NOT A BOUNDARY SURVEY

PRELIMINARY

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____



Notice:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

DRAWN BY	P.T.K.	DATE	05-07-2019
DESIGNED BY	_____	DATE	_____
CHECKED BY	P.T.K.	DATE	_____
APPROVED BY	_____	DATE	_____

SCALE
1" = 60'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

KISER ANNEXATION

Grand Junction Fire Department New Development Fire Flow Form

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

SECTION A

Date: 4-28-2019

Project Name: J & S Acres

Project Street Address: 136 Vista Grande

Assessor's Tax Parcel Number: 2945-171-00-032

Project Owner Name: Stanley C Kiser

City or County project file #: TBD

Name of Water Purveyor: Ute

Applicant Name/Phone Number: 970-985-0742

Applicant E-mail: stankiser55@gmail.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be 3600 square feet.
 - b. All dwelling units will , will not include an approved automatic sprinkler system.
Comments: They are currently installing a new 8" line that will run adjacent to the property
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:

 - b. List each building that will be provided with an approved fire sprinkler system:

3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):
1000 gpm @ 20 psi

Comments: Ute water is installing a new 8" line down the road and then up Vista Grande tying into the 24" at 340'. This runs right by the property and there will be new fire hydrants that will meet the 1000 gpm requirements.

Note:

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

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

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

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

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

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

1. Circle the name of the water supplier: **Ute** Clifton Grand Junction

2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:
See Attached Map

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

See Attached Results

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

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: There is currently a new line installation in progress on E Rd. Upon completion this will provide more fire protection for the area.

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

Dusty Kriegshauser Maintenance I/Hydrants

Date: 4/30/2019

Contact phone/E-mail of Water Supplier: 242-7491 hydrant@utewater.org

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

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

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

³ International Fire Code, 2012 Edition

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

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

Fire Flow Hydrant Master With Graph



Company Name: Ute Water Conservancy District
 Address: 2190 H 1/4 Rd
 City: Grand Junction
 State: Colorado
 Zip: 81505

Test Date: 4/30/19 12:00 am

<u>NFPA Classification:</u>	
Red	C
231.58	

Work Order: 830
 Operator: Dusty K, Cody W.

Test Hydrant: 5/8 yoke
 Address: 507 VISTA GRANDE DR
 Cross Street: _____
 Location: _____
 District: _____
 Sub-Division: _____

Latitude: _____
 Longitude: _____
 Elevation: _____
 State X / Y: _____ / _____

Pumpers:

Nozzles:

Open Dir:

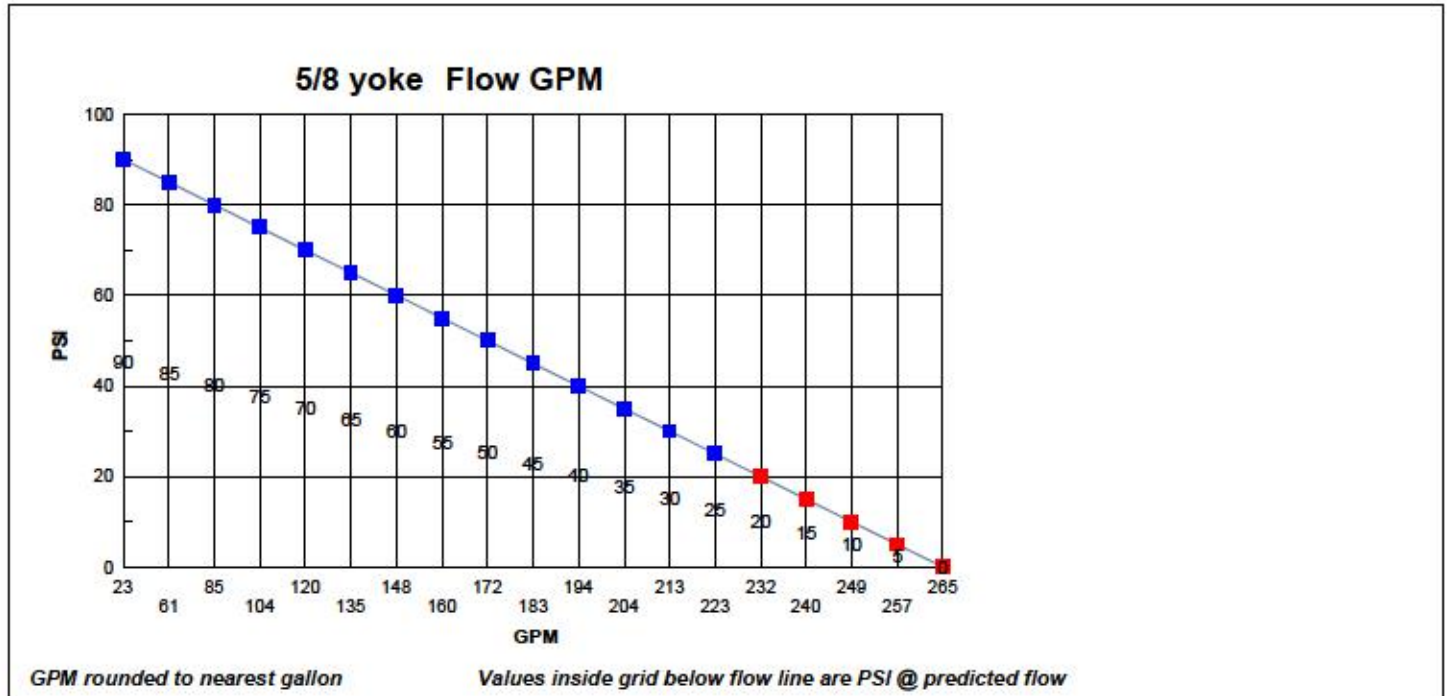
Manuf:
 Model:

Installed: 01/01/2019
 Main Size:

Vandal Proof:
 Bury Depth:

	<u>Flow Hydrant</u>	<u>Flow Device</u>	<u>Diameter</u>	<u>GPM</u>	<u>Gallon Used</u>
1:	3891	2.5" Hose Monster	2.50	238.54	1192.68
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 2.00	Total Gallons Used: 1192.68
Static PSI: 91.00	Max GPM during test: 238.54
Residual PSI: 16.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 82.42	Predicted GPM @ 20 PSI: 231.58

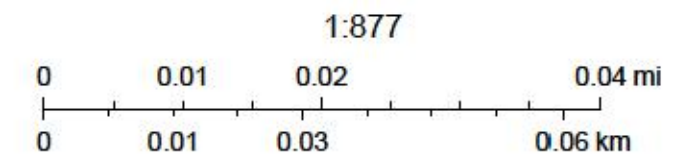


136 Vista Grande Dr.



April 30, 2019

- | | | | | |
|------------------------|----------------|------------------|----------------------|--------------|
| Inclusion Area Hatched | Sample Station | 1" thru 4" | System Valves | Regulator |
| Inclusion Boundary | Lateral Lines | Cathodic Station | Gate Valve | Fire Hydrant |
| Tanks | Mains | Control Valve | Ball Valve | Parcels |
| Fill Station | 12" Larger | Curb Stop Valve | Butterfly Valve | Roads |
| | 6" thru 10" | Meter | | |



Ute Water, Mesa County

GENERAL PROJECT REPORT
FOR
ANNEXATION, ZONING, AND SIMPLE SUBDIVISION OF
136 VISTA GRANDE ROAD

Project Description (Location, Acreage, Proposed Use)

The purpose of this submittal is to annex approximately 2.86 acres of land from Mesa County to the City of Grand Junction, re-zone to appropriate City zoning, and to do a minor subdivision creating one new lot within the 2.86 acres.

The property is currently zoned County RSF-4 and is designated "Residential Medium Low" in the City's comprehensive land plan. The property is located within the 201 Persigo boundary and sanitary sewer is serviced by the Grand Junction 201 Service Area. We are requesting R-2 City Zoning.

A neighborhood meeting was held on August 16, 2018, and the notes and attendees are included in this submittal.

A location map showing the property to be annexed and subdivided is shown below.



Surrounding Land Uses and Zoning

All surrounding properties are zoned Mesa County RSF-4



Future Land Use Designation – Residential Medium Low



Current City of Grand Junction Zoning Map

Annexation Criteria

To meet the City of Grand Junction Code and Zoning Maps on the annexation of the land to the City the following criteria must be met.

1. Subsequent events have invalidated the original premise and findings.

Response: Not applicable to this submittal.

2. The character and/or condition of the area has changed such that the amendment is consistent with the plan.

Response: The 201 Persigo Boundary was established requiring and land development within this area must connect to the public sanitary sewer systems. An agreement was made between Mesa County and the City that any land development within the 201 Persigo Boundary must be annexed into the City. The City of Grand Junction/Mesa County Future Land Use Maps indicate site zoning RML to the North, West and East with RL to the south. We request R-2 zoning for this property. Zoning is consistent with adopted plans and the existing site use.

3. Public and community facilities are adequate to serve the type and scope of the land use proposed.

Response: All public facilities required for the subject site are adjacent to the site.

4. An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.

Response; There is an adequate supply of land available in the neighborhood and surrounding area to accommodate such requested zoning.

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

Response; The area is in the older part of the Redlands. Allowing this minor subdivision will avoid urban sprawl and there is no change to the use of the properties.

Roads and Access

The new lot created by the minor subdivision will be accessed from San Miguel Drive unless access from the adjacent private drive (south side of lot) is allowed, which is unlikely.

Utilities

Water-Ute water provides water service to the property. The nearest fire hydrant is near the intersection of Broadway and Vista Grande.

Sanitary Sewer-The City of Grand Junction has a sewer main in San Miguel Dr.

Stormwater/Drainage- The project is not proposing to construct stormwater detention. The new lot size and area of disturbance will be less than one acre. The majority of the existing irrigated pasture will not be impacted.

Irrigation-There will be no change to the irrigation service to the site.

Gas and Electricity-Existing telephone, gas, and electrical lines are on two sides of the site with some services underground. Exact details of the new service have yet to be determined.

IMPROVEMENT SURVEY PLAT

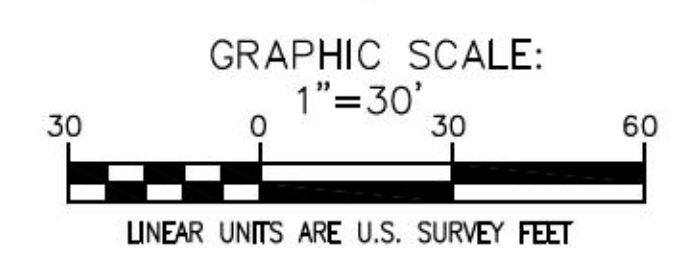
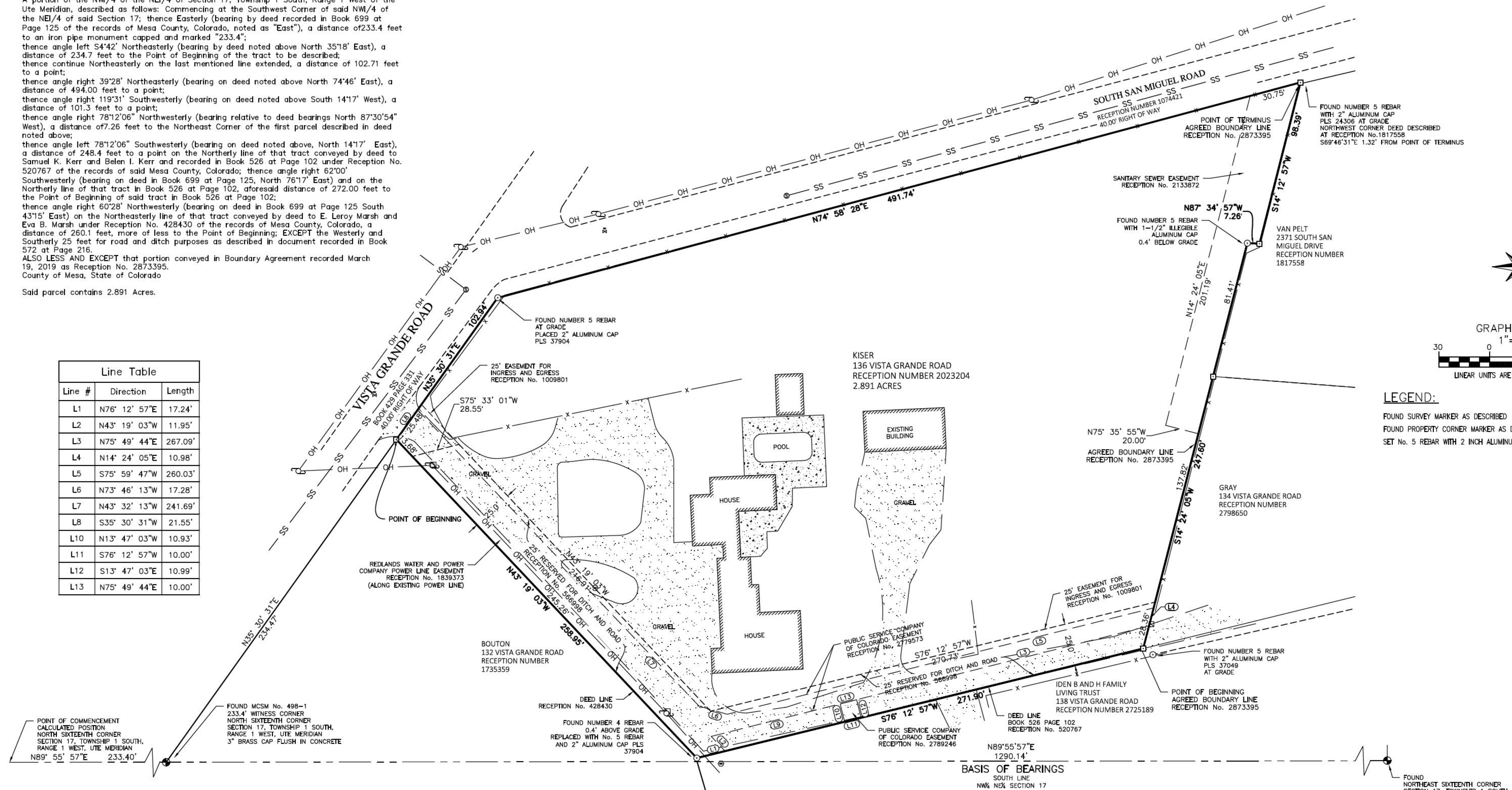
SITUATED IN THE NW¼ NE¼ SECTION 17
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

LEGAL DESCRIPTION:

A portion of the NW¼ of the NE¼ of Section 17, Township 1 South, Range 1 West of the Ute Meridian, described as follows: Commencing at the Southwest Corner of said NW¼ of the NE¼ of said Section 17; thence Easterly (bearing by deed recorded in Book 699 at Page 125 of the records of Mesa County, Colorado, noted as "East"), a distance of 233.4 feet to an iron pipe monument capped and marked "233.4"; thence angle left S4°42' Northeastly (bearing by deed noted above North 35°18' East), a distance of 234.7 feet to the Point of Beginning of the tract to be described; thence continue Northeastly on the last mentioned line extended, a distance of 102.71 feet to a point; thence angle right 39°28' Northeastly (bearing on deed noted above North 74°46' East), a distance of 494.00 feet to a point; thence angle right 119°31' Southwesterly (bearing on deed noted above South 14°17' West), a distance of 101.3 feet to a point; thence angle right 78°12'06" Northwesterly (bearing relative to deed bearings North 87°30'54" West), a distance of 7.26 feet to the Northeast Corner of the first parcel described in deed noted above; thence angle left 78°12'06" Southwesterly (bearing on deed noted above, North 14°17' East), a distance of 248.4 feet to a point on the Northerly line of that tract conveyed by deed to Samuel K. Kerr and Belen I. Kerr and recorded in Book 526 at Page 102 under Reception No. 520767 of the records of said Mesa County, Colorado; thence angle right 62°00' Southwesterly (bearing on deed in Book 699 at Page 125, North 76°17' East) and on the Northerly line of that tract in Book 526 at Page 102, aforesaid distance of 272.00 feet to the Point of Beginning of said tract in Book 526 at Page 102; thence angle right 60°28' Northwesterly (bearing on deed in Book 699 at Page 125 South 43°15' East) on the Northeastly line of that tract conveyed by deed to E. Leroy Marsh and Eva B. Marsh under Reception No. 428430 of the records of Mesa County, Colorado, a distance of 260.1 feet, more or less to the Point of Beginning; EXCEPT the Westerly and Southerly 25 feet for road and ditch purposes as described in document recorded in Book 572 at Page 216. ALSO LESS AND EXCEPT that portion conveyed in Boundary Agreement recorded March 19, 2019 as Reception No. 2873395. County of Mesa, State of Colorado

Said parcel contains 2.891 Acres.

Line #	Direction	Length
L1	N76° 12' 57"E	17.24'
L2	N43° 19' 03"W	11.95'
L3	N75° 49' 44"E	267.09'
L4	N14° 24' 05"E	10.98'
L5	S75° 59' 47"W	260.03'
L6	N73° 46' 13"W	17.28'
L7	N43° 32' 13"W	241.69'
L8	S35° 30' 31"W	21.55'
L10	N13° 47' 03"W	10.93'
L11	S76° 12' 57"W	10.00'
L12	S13° 47' 03"E	10.99'
L13	N75° 49' 44"E	10.00'



LEGEND:
 FOUND SURVEY MARKER AS DESCRIBED
 FOUND PROPERTY CORNER MARKER AS DESCRIBED
 SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

NOTES

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.
- BEARINGS ARE BASED ON THE SOUTH LINE OF NW¼ NE¼ SECTION 17, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN. THE VALUE USED N89°55'57"E, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. MESA COUNTY SURVEY MARKER AS FOUND AT THE EAST AND A WITNESS CORNER FOUND AT THE WEST END OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS BOUNDARY SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2023204, OF THE MESA COUNTY RECORDS. BEARINGS SHOWN HEREON REPRESENT SAID DEED BEARINGS ROTATED TO THE MESA COUNTY LOCAL COORDINATE SYSTEM.

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY PLAT
136 VISTA GRANDE ROAD
SITUATED IN THE NW¼ NE¼ SECTION 17
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

DATE: 3/28/19 JOB #: 2018085 FIELD WORK: SL
DRAWING NAME: J and S Acres DRAWN BY: PC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. 3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE/FAX (970)434-7038

KISER ANNEXATION SCHEDULE

July 17, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
July 23, 2019	Planning Commission considers Zone of Annexation
August 21, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
September 4, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 6, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:		ANX-2019-274
Location:		136 Vista Grande Road
Tax ID Numbers:		2945-171-00-032
# of Parcels:		1
Existing Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		3.557
Developable Acres Remaining:		2.887
Right-of-way in Annexation:		0.67 acres
Previous County Zoning:		RSF-4 (Residential Single Family – 4 du/ac)
Proposed City Zoning:		R-2 (Residential – 2 du/ac)
Current Land Use:		Single-family residence
Future Land Use:		Residential Medium Low (2 – 4 du/ac)
Values:	Assessed:	\$30,810
	Actual:	\$427,950
Address Ranges:		136 Vista Grande Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Redlands Water & Power Company
	School:	Fruita Monument HS / Redlands Middle / Scenic Elementary
	Pest:	Grand River Mosquito Control District

Legal Description

A portion of the NW1/4 of the NE1/4 of Section 17, Township 1 South, Range 1 West of the Ute Meridian, described as follows: Commencing at the Southwest Corner of said NW1/4 of the NE1/4 of said Section 17; thence N89°55'57"E, a distance of 233.4 feet to an iron pipe monument capped and marked "233.4";

thence N35°30'31"E along the Southeasterly Right of way for Vista Grande Road as described at Reception Number 428431 of the Mesa County Records a distance of 234.47 feet to the Point of Beginning.

thence N35°30'31"E along said Right of way a distance of 102.94 feet to the intersection of said Right of Way with the South Right of Way for South San Miguel Road as described at Reception Number 1074421 of the Mesa County Records;

thence N74°58'28"E along said South Right of Way a distance of 491.74 feet to the Point of Terminus of an Agreed Boundary Line as recorded at Reception Number 2873395 of the Mesa County Records;

thence along said Agreed Boundary Line the following three (3) courses and distances;

1. S14°12'57"W a distance of 98.39 feet;

2. N87°34'57"W a distance of 7.26 feet;

3. S14°24'05"W a distance of 247.60 feet to the beginning of said Agreed Boundary Line and a point on the Northerly Line of that tract of land as described at Reception Number 520767 of the Mesa County Records;

thence S76°12'57"W along said Northerly Line a distance of 271.90 feet to a point on the Easterly Line of that tract of land as described at Reception Number 428430 of the Mesa County Records;

thence N43°19'03"W along said Easterly Line a distance of 258.95 feet to the Point of Beginning;

County of Mesa, State of Colorado.

Containing 2.891 acres.

MESA COUNTY CERTIFICATE OF TAXES DUE

Account Number R066084
Parcel 294517100032

Certificate Number 75531
Acres 0.000
Order Number
Vendor ID
STANLEY KISER
136 VISTA GRANDE RD

Assessed To
KISER STANLEY C
136 VISTA GRANDE RD
GRAND JUNCTION, CO 81507-1428

Legal Description	Situs Address
BEG 233.4FT E + N 35DEG18MIN E 234.7FT FR SW COR NW4NE4 SEC 17 1S 1W N 35DEG18MIN E 102.8FT N 74DEG46MIN E 494FT S 14DEG17MIN W 101.3FT N 89DEG16MIN W 7.42FT S 14DEG17MIN W 248.4FT S 78DEG17MIN W 272FT N 43DEG15MIN W 260.1FT M-L TO BEG	136 VISTA GRANDE RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2018	\$1,862.20	\$0.00	\$0.00	(\$1,862.20)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 03/25/2019					\$0.00

Tax Billed at 2018 Rates for Tax Area 11276 - 11276

Authority	Mill Levy	Amount	Values	Actual	Assessed
COLORADO RIVER WATER CONSER	0.2560000	\$6.60	DUPLEX-TRIPLEX	\$130,000	\$9,360
GRAND JUNCTION RURAL FIRE	5.9380000	\$153.08	RES		
GRAND RIVER MOSQUITO CONTRO	1.4520000	\$37.43	DUPLEX-TRIPLEX	\$228,080	\$16,420
LIBRARY DISTRICT	3.0590000	\$78.86	IMP		
MESA COUNTY	11.9140000*	\$307.15	Total	\$358,080	\$25,780
COUNTY ROAD & BRIDGE-FULL L	0.4430000	\$11.42			
GJ RURAL FIRE REDLANDS SUB	4.9040000	\$126.43			
SCHOOL DIST #51 GEN	29.5730000	\$762.40			
SCHOOL DIST# 51 BOND	10.3380000	\$266.51			
SCHOOL DIST# 51 2017 OVERRI	3.8570000	\$99.43			
UTE WATER CONSERVANCY	0.5000000	\$12.89			
Taxes Billed 2018	72.2340000	\$1,862.20			
* Credit Levy					

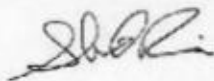
All tax lien sale amounts are subject to change due to endorsement of current taxes by the lienholder or to advertising and distraint warrant fees. Changes may occur and the Treasurer's office will need to be contacted prior to remittance after the following dates: Personal Property and Mobile Homes, Real Property - September 1. Tax lien sale redemption amounts must be paid by cash or cashiers check.

Special taxing districts and the boundaries of such districts may be on file with the board of County Commissioners, the County Clerk, or the County Assessor.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or misc. tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

MESA COUNTY TREASURER, SHEILA REINER




Mesa County Treasurer
PO Box 20020
544 Flood Ave
Grand Junction CO 81502 5027

Product	Name	Extended
CERT	CERTIFICATE OF TAXES DUE R066084	\$10.00
		Account #: R066084
		Effective Date: 3/25/19
		Certificate Number: 75531
		Item ID: R066084/
TAX CERT 10		\$10.00
TAX CERT 10 TO CASH		(\$10.00)
TAX CERTIFICATE REVENUE		\$10.00
<hr/>		
Total		\$10.00
Tender (Cash)		\$20.00
Change (Cash)		(\$10.00)

NEIGHBORHOOD MEETING NOTICE

Concerning the Annexation and Minor Subdivision of

136 VISTA GRANDE RD

Grand junction, CO 81507

August 16, 2018 5:30 PM

Hello Neighbors,

Judy and I are planning to subdivide our 2.8 acers to create a +-one acre lot for my son to build a house on. We are currently in Mesa County but in order to do this minor subdivision this property must be annexed into the city. This annexation has no effect on your property and is mandated by the 1999 Persigo agreement between Mesa Co. and the City of Grand Junction.

As required by the City, we are hosting a neighborhood meeting to answer any questions you may have regarding this minor subdivision:

Location: 136 Vista Grande Rd

Date: August 16, 2018

Time: 5:30 P.M.

Anticipating a few of your questions, our plans are as follows provided we get approval from the City.

1. There will be no change to the irrigation system that provides water to the property.
2. There is no change to the current property lines around the property.
3. Access to the new lot will most likely be off of San Miguel.
4. The lot created will be more or less in between our house and the Gray's property to the east. We are not planning on any lots along San Miguel, only the driveway to the new lot.
5. It Takes several months to go through the Planning/Annexation process, so no work will start in the near future.
6. We are proposing the new lot to be zoned R-2.

Thanks for your time and we hope to see you on August 16th.

Stan C. Kiser

136 Vista Grande Rd.

Grand Junction, CO 81507

NEIBORHOOD MEETING NOTES

August 16, 2018

Attendees

Stan C. Kiser 136 Vista Grande Rd 970-985-0742

Judy L Kiser 136 Vista Grande Rd

Scott Peterson City of GJ Planner

Ruth Sheets 146 Vista Grande 970-361-0042

Judy Gray 134 Vista Grande 970-241-2661

Discussion:

Stan gave a presentation of the project;

- Split a lot off on the south west part of the property for his son to build a house

- New house access would be off of S San Miguel Drive

- No changes to the irrigation water supply to the whole house

No concerns were voiced by the neighbors that attended.

City of Grand Junction Review Comments

Date: June 13, 2019

Comment Round No. 1

Page No. 1 of 6

ANX-2019-274

Project Name: Kiser Annexation & J & S Acres Subdivision

File No:

SSU-2019-275

Project Location: 136 Vista Grande Road

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

Property Owner(s): Stan Kiser

Mailing Address: 136 Vista Grande Road, Grand Junction, CO 81507

Email: Stankiser55@gmail.com

Telephone: (970) 985-0742

Date Picked Up: _____

Signature: _____

Representative(s):

Mailing Address:

Email:

Telephone:

Date Picked Up: _____

Signature: _____

Developer(s):

Mailing Address:

Email:

Telephone:

Date Picked Up: _____

Signature: _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

Email: scottp@gjcity.org

Telephone: (970) 244-1447

Dev. Engineer: Jarrod Whelan

Email: jarrodw@gjcity.org

Telephone: (970) 244-1443

City of Grand Junction REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Applications are for Annexation into the City limits with a proposed zoning designation of R-2 (Residential – 2 du/ac) along with a Simple Subdivision request to subdivide the existing 2.89 +/- acre property into two (2) lots in anticipation of constructing another single-family detached home. Comprehensive Plan Future Land Use Map identifies the property as Residential Medium Low (2 – 4 du/ac). No additional response required.

Applicant's Response:

Document Reference:

2. Planning Commission and City Council Public Hearings:

a. FYI. City Project Manager sent a letter to all adjacent property owners of the annexation area request on May 28, 2019 notifying them that a petition to annex the property located at 136 Vista Grande Road along with applicable rights-of-way has been received in accordance with Colorado State Statutes and if any adjacent property owners wished to join the annexation request, they would have up to 90-days in order to respond. No further response required from applicant.

b. Planning Commission and City Council review and approval required for proposed Annexation and Zoning requests. City Project Manager will **tentatively** schedule application(s) for the following public hearing schedule:

- a. City Council Referral of Petition, Land Use Jurisdiction and 1st Reading of Annexation: **July 17th, 2019** (Consent Agenda – no need to attend meeting).
- b. Planning Commission review of zoning designation to R-2 (Residential – 2 du/ac): **July 23, 2019** (Please plan on attending meeting in case the Planning Commission has any questions).
- c. City Council review of zoning designation to R-2 (Residential – 2 du/ac) (1st Reading): **August 21, 2019** (Consent Agenda – no need to attend meeting).
- d. City Council review of Annexation and R-2 zoning designations (2nd Reading): **September 4, 2019** (Please plan on attending meeting in case the City Council has any questions).

Please plan on attending the July 23rd Planning Commission meeting and the September 4th City Council meeting. The Consent Agenda meetings 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 Planning Commission and City Council meetings begin at 6:00 PM at City Hall in the City Council Chambers.

If applicant cannot make the above scheduled public hearing dates, please notify City Project Manager and we can reschedule for later meeting dates.

Code Reference: Sections 21.02.140 and 160 of the Zoning & Development Code.

Applicant's Response:

Document Reference:

3. Subdivision Plat:

- a. On Sheet 2, according to other recorded subdivision plats in the area, South San Miguel "Road" should be labeled as "Drive." Revise as necessary.
 - b. Please verify that the "flag" portion of Lot 2 (not including the pole) exceeds the minimum lot size of 15,000 sq. ft. for the proposed R-2 zone district (Section 21.06.060 (f) (2) (iii) of the Zoning & Development Code). In applicant's response, please identify what that square footage would be for verification. If not, applicant would need to adjust Lot 2 to exceed the minimum requirement of 15,000 sq. ft.
 - c. On Sheet 1, there are no blank lines to identify documents under the City Use Block. Please add.
- Code Reference: V-15 of the SSIDS Manual.

Applicant's Response:

Document Reference:

4. Site Plan (Sheet C-1):

- a. FYI. Existing Ingress/Egress Easement located on the 136 Vista Grande Road property already serves four (4) properties (132, 134, 138 and 140 Vista Grande Road). In accordance with the City Zoning & Development Code (Section 21.06.060 (f) (1)), an Ingress/Egress Easement shall only be utilized to access not more than one (1) lot with no street frontage. Therefore, proposed Lot 2 must

take drive-way access from S. San Miguel Drive since the existing Ingress/Egress Easement would be in violation of current City Code. Please design house and garage plans accordingly.

b. FYI. Proposed Lot 2 will be classified as a Flag Lot per Section 21.06.060 (f) (2) of the Zoning & Development Code. No additional response required.

c. FYI. Existing detached garage and shed locations as identified on Sheet C-1 meet with the applicable accessory building setbacks for the proposed R-2 zone district in relation to the new property line location. No further response required.

d. Proposed water and sanitary sewer services to Lot 2 will need to be within the boundaries of Lot 2. If not, off-site easements will need to be granted. Please submit dedication document along with legal description and map exhibit for review and approval to be filed with the subdivision plat, if applicable.

e. Is irrigation water being delivered to Lot 2? If so, will need to be within the boundaries of Lot 2, if not, are additional easements being granted, if necessary? Label existing/proposed irrigation line locations on Sheet C-2 (Utility Composite Plan), if applicable.

Code Reference: V-22 of the SSIDS Manual.

Applicant's Response:

Document Reference:

5. Fees:

a. City Park Fee: \$225 per new single family home lot, payable at time of subdivision plat recording.

b. At time of Planning Clearance issuance for new single-family detached home, Transportation Capacity Payment, School Impact Fee and Water and Sanitary Sewer Fees will be required.

Code Reference: Section 21.06.020 (a) of the Zoning and Development Code.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

Annexation & Subdivision: No Exceptions Taken.

Applicant's Response:

Document Reference:

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

Annexation: The annexation map and description has been prepared and submitted to the City Planner.

Subdivision:

Sheet 1 of 2:

No comments.

Sheet 2 of 2:

No comments.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Mike Gazdak – mikega@gjcity.org (970) 549-5854

Annexation: The fire department has no objections to the request for ANNEXATION.

Subdivision: 2018 Edition International Fire Code (IFC) section numbers are shown in parentheses for each comment.

1. Fire flow form dated 4/28/19 indicates a predicted water supply of 231 gpm at 20psi which is UNACCEPTABLE for the proposed 3600 square feet (V-B construction building). Form indicates a new 8 fire line will be installed by Ute Water. Submit new fire flow form for review when project is completed. Minimum required fire flow is 1000 gpm at 20 psi.

2. Show on your site plan/utility composite:

a. Access driveways from public streets into your development (IFC 503); Access shown off South San Miguel Road. Show proposed driveway dimensions.

b. Dead-end streets/fire access roads exceeding 150' length must have an emergency turn-around area for fire trucks (IFC 503 and Appendix D); Private driveway may need an approved turnaround.

c. A fire hydrant is required within 250 feet of the new lot.

3. Educational information concerning Fire Flow Requirements and Fire Department Access Design Standards (e.g. width, construction material, turn-arounds) related to the 2012 International Fire Code may be obtained online at the Grand Junction Fire Department website.

Applicant's Response:

Document Reference:

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

Annexation: New lot to be addressed at time of subdivision.

Subdivision: 1. J and S Acres Subdivision is an acceptable subdivision name.

2. Address for Lot 2 can be provided after final subdivision approval.

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

Annexation: MCBBD has no objections.

Subdivision Plat: MCBBD has no objections.

Any utilities that cross property lines must be in an easement.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

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

Annexation: Xcel has no objections at this time.

Subdivision: Xcel has not 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.
- 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: Mesa County Planning

Contact Name: Greg Moberg

Email / Telephone Number: greg.moberg@mesacounty.us (970) 244-1650

No comment.

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. Mesa County Assessor's Office
2. Mesa County Valley School District #51
3. Mesa County Engineering
4. City Transportation Engineer
5. Regional Transportation Planning Office (RTPO)
6. City Attorney
7. Redlands Water & Power

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

1. **City Planning**
2. **City Fire Department**

Date due: **September 13, 2019**

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



Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: July 23, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request to zone approximately 14.83-acres from County RSF-R (Residential Single Family – Rural, 1 du/5 ac) to a City R-8 (Residential – 8 du/ac) for 11.83 acres and City C-1 (Light Commercial) for 3 acres for the Two Ponies Annexation, located at 3095 D 1/2 Road.

RECOMMENDATION:

After reviewing the Two Ponies Annexation, ANX-2019-269, for a Zone of Annexation from County RSF-R (Residential Single Family – Rural, 1 du/5 ac) to a City R-8 (Residential – 8 du/ac) for 11.83 acres and City C-1 (Light Commercial) for 3 acres for the Two Ponies Annexation, 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. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the request is consistent with the adopted Comprehensive Plan.

Therefore, Staff recommends approval of the requested Zone of Annexation.

EXECUTIVE SUMMARY:

The Applicant, Steven W. and Susan L. Miller, are requesting a zone of annexation to R-8 (Residential – 8 du/ac) and C-1 (light commercial) for the Two Ponies Annexation. The 16-acre property consisting of one parcels is located at the southwest corner of D ½ Road and 31 Road. The Applicant is requesting annexation into the City limits consistent with the requirements of the Persigo Agreement between Mesa County and

the City of Grand Junction in order to zone for future commercial and residential development. The Comprehensive Plan Future Land Use Map designates this property as Neighborhood Center Mixed Use and this request conforms with this designation. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Steven W. and Susan L. Miller have requested annexation of land into the City limits, located at 3095 D ½ Road, in anticipation of future mixed use development envisioned by the Comprehensive Plan identifying their property as a future neighborhood center. The property to be zoned consists of one parcels of land with the applicant requesting a split zoning of R-8 (Residential – 8 du/ac) and C-1 (light commercial) on approximately 16 acres. The parcel currently has one residential home, out-buildings and agricultural uses.

The subject property is currently in the County and retains a County zoning of RSF-R (Residential Single Family–R, allowing 1 dwelling unit per 5 acre). Surrounding properties west, south and east are zoned RSF-R in Mesa County; and zoned RSF-2 and RSF-4 in Mesa County and R-5 in the City to the north of the property. The greater surrounding area is mostly developed, with this property and some other larger adjacent parcels zoned RSF-R still in agricultural production, however seeing continued urbanization of the Pear Park neighborhood. The RSF-R County zoning is a rural residential agricultural zone that is used for properties within the urban area prior to urban development. Rezoning then occurs subject to the Comprehensive Plan's Future Land Use Map. The subject property has a Future Land Use designation of Neighborhood Center Mixed Use. The Applicant's proposed zoning designation of R-8 and C-1 meets with the intent of the Land Use Map, implementing the types of allowed uses envisioned within a neighborhood center.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on February 19, 2019 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with eleven citizens. Comments and concerns expressed by the attendees centered on irrigation, traffic, speeding on D ½ Road and the timing of development for the property.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on May 30, 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 July 12, 2019. The notice of this public hearing was published July 16, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review is set forth in Section 21.02.140 (a) and includes 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 as identified:

(1) Subsequent events have invalidated the original premises and findings; and/or The property owners have petitioned for annexation into the City limits with a requested zoning district of City R-8 (Residential – 8 du/ac) for 11.83 acres and City C-1 (Light Commercial) for 3 acres. The property is currently zoned RSF-R in Mesa County which is a residential/agricultural zone district applied to land in unincorporated Mesa County that is often in agricultural production as it waits for future rezoning to conform to the Comprehensive Plan. Since the property is currently in the County, the annexation of the property is a subsequent event that will invalidate the original premise; the property can no longer have a county zoning designation. With anticipation of urban development within the Neighborhood Center land use designation, rezoning to conform with the plan is a subsequent event that is appropriate. Therefore, Staff has found 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 adopted Comprehensive Plan designated this property with a Future Land Use designation of Neighborhood Center Mixed use. The character and/or condition of the area continues to urbanize in conformance with the Comprehensive Plan. As infill urban development continues to occur, properties within unincorporated Mesa County transition from agricultural to urban land uses throughout the Pear Park neighborhood. The subject property is currently an infill site, part of the urbanization going on around it. Therefore, Staff finds that this criterion has been met.

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

Water and sewer services are available to this property in D ½ Road and 31 Road. This property is within the Clifton Water District service area. An 8-inch water line services the property from D ½ Road and a 3-inch waterline serve the property from 31 Road. The property is currently within the Persigo 201 Sewer Service Area and the Persigo wastewater treatment plant has sufficient capacity to accommodate this development. An 8-inch sewer line is located in D ½ Road and a 10-inch sewer line is located in 31 Road. The property can also be served by Xcel Energy natural gas and electric.

A short distance away is Chatfield Elementary. To the northeast along 32 Road (Hwy 141) are commercial retail centers that includes offices, convenience stores and gas

islands, restaurants, commercial businesses and a grocery store in the Clifton commercial core.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. This property is currently in the Clifton Fire Protection District and fire and emergency medical response is provided from the Clifton Fire Station at 3254 F Road however, with Annexation, the property will be served by the Grand Junction Fire Department. Fire Station #4 at 2884 B ½ Road will provide the primary response to this area and Clifton Fire Protection District will continue to provide secondary response. Response times to this area are longer than other areas due to the distance from existing fire stations. For the immediate future the area will be served by Fire Station #4 at 2884 B ½ Road. However, as a result of the recently passed First Responder

Tax this area is slated to have a closer fire station constructed within the next 5 years.

From input provide by a number of utility and service providers, staff has found that public and community facilities are adequate to serve the type of residential and commercial land uses allowed in the R-8 and C-1 zone districts proposed and therefore, 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 The property has a Comprehensive Plan Future Land Use Map designation of Neighborhood Center Mixed Use. The property is currently used for agricultural purposes and has one residence. The proposed zoning designation of R-8 and C-1 meet with the intent of achieving the desired overall density/intensity for the property. These zone districts implement the Neighborhood Center land use designation. Creating neighborhood centers throughout the community were identified in the Comprehensive Plan and are a key principle of the Plan. Staff finds that there is an inadequate supply of the requested zoning designations within a defined neighborhood center area, currently zoned RSF-R in Mesa County which does not allow for neighborhood center uses, therefore, has 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.

Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zoning will also provide an opportunity for a variety of housing allowed by the R-8 zone district including single family detached, single family attached and multi-family residential land uses, and neighborhood business and commercial uses under the proposed C-1 zoning. These zone districts are consistent with the Comprehensive plan in this area to meet the needs of the growing community. This principle is

supported and encouraged by the Comprehensive Plan and furthers the Plan's goal of promoting a diverse supply of housing types, a key Guiding Principle in the Comprehensive Plan; and compact growth concentrated in neighborhood centers, a key concept of the Plan. The Comprehensive Plan includes an emphasis on mixed-use "centers" as a key growth pattern, accompanied by encouragement of infill and redevelopment more than external expansion. These concepts represent important community efforts to balance the pressures for outward growth with the desire to promote infill. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The proposed R-8 and C-1 zone districts are greater than the existing RSF-R zone district of Mesa County. Though other zone districts could also be considered, as listed below, this zone district comports with the recommendations of the Plan's Future Land Use Map.

Other zone districts permitted within the Neighborhood Center Mixed Use Land Use designation and implement the Comprehensive Plan include:

- R-8
- R-12
- R-16
- R-O
- B-1
- MXR-3
- MXG-3
- MXS-3

Further, the zoning request is 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.

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

SUGGESTED MOTION:

Madam Chairman, on the Zone of Annexation for the Two Ponies Annexation to R-8 (Residential – 8 du/ac) zone district and C-1 (Light Commercial), file number ANX-

2019-269, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Attachments

1. Exhibit 1 - Development Application - dated May 10, 2019
2. Exhibit 3 - Site Plan-Proposed Zoning
3. Exhibit 4 - Maps and Photos
4. Exhibit 5 - Zoning Ordinance



**Project Report
For
Miller Annexation/Zone of Annexation and
Simple Subdivision**

Date: February 21, 2019

Prepared by: Robert W. Jones II, P.E.
Vortex Engineering and Architecture, Inc.
2394 Patterson Road, Suite 201
Grand Junction, CO 81505
970-245-9051
VEI# F18-082

Submitted to: City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Type of Design: Annexation/Zone of Annexation and Simple Subdivision

Owner: Steven and Susan Miller
3095 D ½ Road
Grand Junction, CO 81504-2509

Property Address: 3095 D 1/2 Road
Grand Junction, CO 81504-2509

Tax Schedule No: 2943-164-00-056

1. Project Intent

This application is to request annexation and City zoning for property located at 3095 D ½ Road, and to request approval of a Simple Subdivision for two lots of approximately 14.84 acres.

The property is currently zoned RSF-R (Residential Single Family Rural, 1 du/5 ac) in unincorporated Mesa County. The applicant would like to annex their property into the City with the request that the C-1 and R8 zone districts be applied as the zone of annexation by City Council. The applicant's intent is to develop the subject property consistent with the requirements of the C-1 and R8 zone districts and the goals and objectives of the Grand Junction Comprehensive Plan.

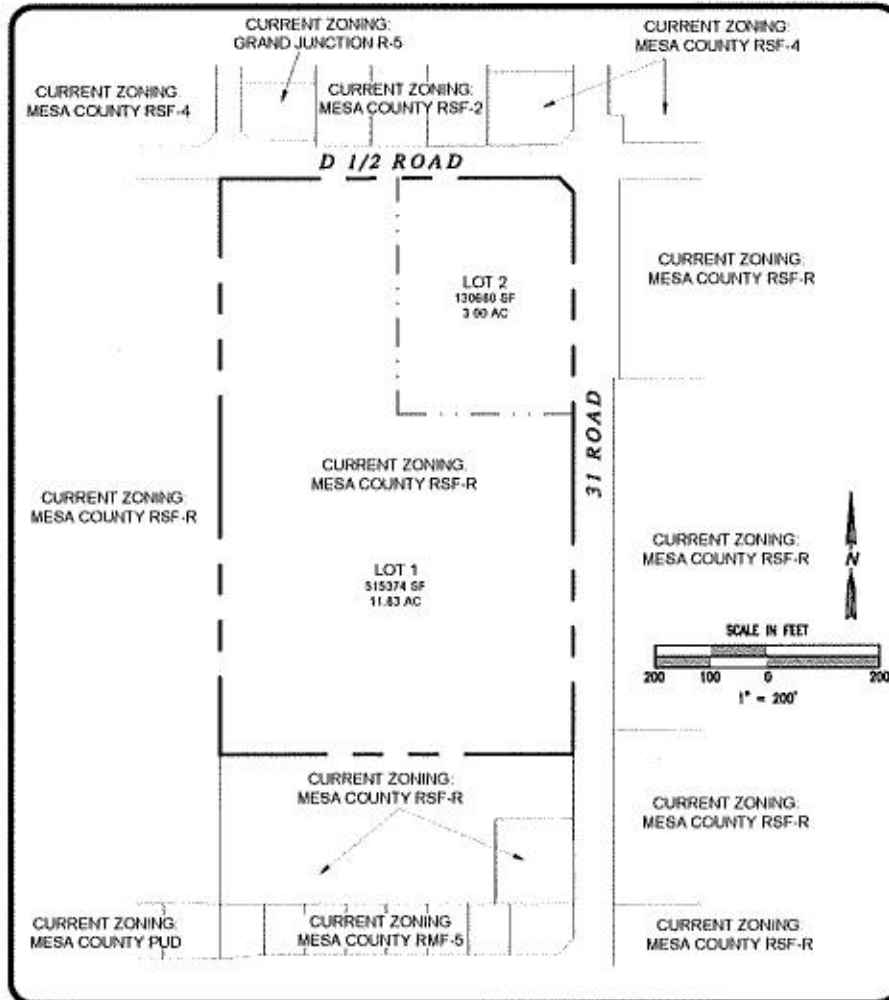


2. Project Description

The site is located at the southwest corner of D ½ Road and 31 Road. A plat has been submitted with this application which divides the property into two parcels so that different zoning can be applied to each parcel upon annexation. The applicant requests that the eastern parcel located at the corner of D ½ Road and 31 Road be zoned C-1 and the remaining property be zoned R8. The requested zone of annexation supports the Comprehensive Plan's Future Land Use Map that shows Village Center Mixed Use for the subject property.

There is one single-family house and several outbuildings located on the subject property which will remain on site upon annexation. Future development of the subject property will be accomplished under separate land development applications.

The site plan below depicts the general location of the two parcels that comprise the Miller Simple Subdivision. The applicant requests that the northeast lot at the corner of D 1/2 Road and 31 Road be zoned C-1 upon annexation and that the balance of the property be zoned R8. The two different zone districts are being requested to better prepare the property for future development that is consistent with the Comprehensive Plan.



Legal description

The legal description of the property is:
N 16A E2NE4SE4 SEC 16 1S 1E EXC ROAD ROW AS DESC IN B-5061 P-767 & EXC
ROAD ROW AS DESC IN B-5262 P-921 & EXC 30FT ROAD ROW ON E PER ROAD B-
1 P-60 MESA CO RECDS - 14.84AC

3. Neighborhood Meeting

In accordance with Sec. 21.02.080(e), a Neighborhood Meeting was held on Tuesday, February 19, 2019 from 5:30 to 6:30 pm at the Pear Park Elementary School library, located at 432 30 ¼ Road, Grand Junction. The owner's representative provided an overview of the annexation, requested zoning, the Simple Subdivision plat and answered questions from area residents. Tom Dixon, City Planner with the City of Grand Junction Community Development Department, also attended the meeting to answer questions about the annexation and subdivision review process.

The meeting was attended by eleven citizens. A list of all those attending the meeting has been included with this application, as well as the primary issues of concern that were discussed during the meeting. Most comments raised during the meeting concerned what will happen to the existing irrigation water, traffic and speeding on D ½ Road and the timing of development on the property. Four citizens left written comments which have been included with this application for the official record.

Public notice for this application will be provided in accordance with Sec. 21.02.070(a)(3) and Sec. 21.02.080(g) of the Grand Junction Municipal Code, including posting the subject property on the public right-of-way.

4. Comprehensive Plan

The Comprehensive Plan Future Land Use Map shows the subject property as Village Center Mixed Use which anticipates a mix of uses with medium to high density residential development combined with commercial, retail and service type businesses in this area of the community. The requested C-1 and R8 zoning of the property implements and supports the Village Center Mixed Use land use classification of the Comprehensive Plan.



The property is located within the area encompassed by the Pear Park Neighborhood Plan, Title 37 of the Grand Junction Municipal Code (GJMC). Future development of the subject property will be consistent with the goals and intent of the Pear Park Neighborhood Plan.

The City of Grand Junction established a local Register of Historic Sites, Structures and Districts in 1994. To date, and since the majority of Pear Park is in unincorporated Mesa County, no properties in the area have been included on the local register. Although there has been no formal designation, the home located at 3095 D ½ Road has been identified in the Pear Park Neighborhood Plan as an eligible structure for designation on the local Register. The applicant intends to retain the home located at 3095 D ½ Road.



The proposed simple subdivision is intended to better position the property for future development as anticipated by the Comprehensive Plan and meets the following Guiding Principles, goals and policies of the Plan:

Guiding Principle 2: Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services.

The Miller Annexation and Simple Subdivision is not leap frog development. The development is located within the 201 Sewer Service area and is near existing residential development that has been constructed with urban density and services. The site is surrounded by urban development on three sides and can be considered infill development of the area.

Goal 1, Policy D: For development that requires municipal services, those services shall be provided by a municipality or district capable of providing municipal services.

The Miller Annexation and Simple Subdivision will extend existing utilities to the site and provide stub streets to adjacent parcels to facilitate development. With development of the site, urban services will be provided by a variety of utility providers such as Clifton Water, Persigo Wastewater

Treatment Facility, Grand Valley Drainage District and will include a street network of urban streets with curb, gutter, sidewalks and street lighting. Other urban services include Police, Fire, schools and park facilities.

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

Goal 12, Policy B: The City and County will provide appropriate commercial and industrial development opportunities.

The proposed Miller Annexation and Simple Subdivision set the stage for a mix of uses in an area anticipated to develop as a Village Center by the Comprehensive Plan. The mix of uses will include medium to higher density residential through the R8 zone district and commercial uses through the C-1 zone district.

5. Zoning and Surrounding Areas

The property is currently zoned RSF-R (Residential Single Family Rural, 1 du/5 ac) in unincorporated Mesa County. The existing RSF-R zone district is not consistent with the Comprehensive Plan's Future Land Use Map classification of Village Center Mixed Use which anticipates a mix of residential and commercial uses with employment opportunities. The proposed C-1 and R8 zone districts will implement the Village Center Mixed Use future land use classification anticipated by the Comprehensive Plan.

Surrounding area zoning and land uses include:

- North** – City R5 (3-5 du/ac) and Mesa County RSF-2 and RSF-4 (Residential with 2-4 du/ac) with single family residential land uses
- South** – Mesa County RSF-R (Residential Single Family Rural, 1 du/5 ac), with single family residential and agricultural land uses
- East** – Mesa County RSF-R (Residential Single Family Rural, 1 du/5 ac), with single family residential and agricultural land uses
- West** – Mesa County RSF-R (Residential Single Family Rural, 1 du/5 ac), with single family residential and agricultural land uses

Zone districts that implement the Village Center Mixed Use land use category include:

- R8 through R24 (5.5 du/ac to no maximum density)
- RO, Residential Office (4 du/ac to no maximum density)
- B-1, Neighborhood Business (8-16 du/ac)
- C-1, Light Commercial (12-24 du/ac)
- MU, Mixed Use (8-24 du/ac)
- MXR, MXG, MXS 3-5 (9 zone district options with density 3-8 du/ac))



6. Floodplain and Wetlands

The subject property is located in Zone X, outside the 2% annual chance floodplain on FEMA Panel #0828F as noted on the map below. There are no known wetlands associated with this property.



7. Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the proposed development have the willingness and capacity to serve the development. All utilities shall be constructed to the current standards and specifications of the service provider.

Utility providers for the site are as follows:

Sewer: City of Grand Junction/Persigo
Water: Clifton Water District
Drainage: Grand Valley Drainage District
Irrigation water: Grand Valley Irrigation Company
Electric/Gas: Xcel Energy

Public facilities such as medical, schools, parks and public safety are available to serve development on this site within a distance of 1 to 2 miles.

8. Approval Criteria

Section 21.02.070(a)(6), **General Approval Criteria**. No permit may be approved unless all of the following criteria are satisfied:

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

Response: The subject property is shown as Village Center Mixed Use. The proposed annexation and development meets the following goal and policy of the Comprehensive Plan:

Guiding Principle 2: Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services.

Goal 1, Policy D: For development that requires municipal services, those services shall be provided by a municipality or district capable of providing municipal services.

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

Goal 12, Policy B: The City and County will provide appropriate commercial and industrial development opportunities.

This criterion has been MET.

- (2) Compliance with this zoning and development code.

Response: The requested C-1 and R8 zone districts implement the Comprehensive Plan's Future Land Use classification of Village Center Mixed Use. The simple subdivision meets the provisions of Sec. 21.03, Zoning Districts; Sec. 21.04, Uses and Sec. 21.06, Development Standards of the Zoning and Development Code.

Futhermore, future development of this property will comply with the provisions of Sec. 21.03, Zoning Districts; Sec. 21.04, Uses and Sec. 21.06, Development Standards of the Zoning and Development Code.

This criterion has been MET.

(3) Conditions of any prior approvals.

Response: There are no conditions of prior approvals that apply to this development application or property.

This criterion is not applicable.

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

Response: All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the subject property have the capacity and willingness to serve future development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site and located within 1-2 miles.

This criterion has been MET.

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

Response: All applicable local, state and federal permits shall be obtained.

This criterion has been MET.

Section 21.02.070(p)(3), Approval Criteria, states that the Director will approve a simple subdivision if the applicant demonstrates that:

(i) Any changes to existing easements or right-of-way have been completed in accordance with this code or otherwise allowed by law (additional easements or right-of-way may be dedicated);

Response: There will be no changes to existing easements with the proposed subdivision. Right-of-way for D ½ Road and 31 Road will be dedicated as required by the City of Grand Junction with the recordation of the simple subdivision plat.

This criterion has been MET.

(ii) The right-of-way shown on the Grand Junction Circulation Plan is not changed; and

Response: The right-of-way shown on the Grand Junction Circulation Plan has not changed. Right-of-way for D ½ Road and 31 Road will be dedicated as

required by the City of Grand Junction with the recordation of the simple subdivision plat. Future development will dedicate right-of-way for new streets as required by the City of Grand Junction and be developed in accordance with the guidelines of the Pear Park Plan.

This criterion has been MET.

- (iii) If a new lot is being created, no portion of the property may have been the subject of a previous simple subdivision creating a new lot within the preceding 10 years or a minor exemption subdivision (see subsection (o) of this section).

Response: The subject property has never been platted, therefore, no portion of the property has been the subject of a previous simple subdivision within the preceding 10 years.

This criterion has been MET.

9. Development Schedule

The proposed simple subdivision will be recorded upon approval of the annexation and zoning of the Miller Annexation.

10. Conclusion

After demonstrating how the request for Annexation, Zone of Annexation and the proposed Simple Subdivision meet the goals and objectives of the Comprehensive Plan and the approval criteria of Section 21.02.070(a)(6) and Section 21.02.070(p)(3), we respectfully request approval of the annexation, zoning request and Simple Subdivision.

11. Limitations/Restrictions

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Grand Junction, affiliates, and review agencies is fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it

becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

Vortex Engineering, Inc. represents this report has been prepared within the limits prescribed by the owner and in accordance with the current accepted practice of the civil engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or in any of our contracts.

Recorded at o'clock M,
Reception No. Recorder.

BOOK 1781 PAGE 675

BETTY J. HOLMES

whose address is
603 LAWRENCE

County of MESA, State of

COLORADO, for the consideration of
SEVENTY-FIVE THOUSAND AND NO/100—(\$75,000.00)
dollars, in hand paid, heroby sell(s) and convey(s) to

1538550 01:51 PM 03/29/90
E. SAWYER, CLK&REC MESA COUNTY CO
DOC # 7.50

STEVEN W. MILLER AND SUSAN L. MILLER, AS JOINT TENANTS

whose legal address is 3095 D-5 ROAD, GRAND JUNCTION, County of
MESA, and State of COLORADO

County of MESA, and State of Colorado, to wit:

THE NORTH 16 ACRES OF THE E 1/2 NE 1/4 SE 1/4 OF SECTION 16, TOWNSHIP 1
SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO

also known as street and number 3095 D.5 ROAD, GRAND JUNCTION, COLORADO 81504

with all its appurtenances, and warrant (s) the title to the same, subject to 1990 TAXES DUE AND
PAYABLE IN 1991 AND SUBSEQUENT YEARS; EASEMENTS, RESTRICTIONS, RESERVATIONS
AND RIGHTS OF WAY OF RECORD IF ANY.

Signed this 27TH day of MARCH, 19 90

Betty J. Holmes By Peter Bredebieter
BETTY J. HOLMES BY PETER BREDEBIEIER
ATTORNEY IN FACT

STATE OF COLORADO

SAID County of MESA

The foregoing instrument was acknowledged before me this 27TH
day of MARCH, 19 90, by PETER BREDEBIEIER ATTORNEY IN FACT FOR
BETTY J. HOLMES

My commission expires 3/25/91
Witness my hand and official seal.

Laura M. Green
LAURA M. GREEN
NOTARY PUBLIC
MESA COUNTY, COLORADO
Notary Public

**MILLER ANNEXATION
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 3095 D 1/2 Road
Tax ID # 2943-164-00-056

PROPERTY DESCRIPTION

A parcel of land situated within Mesa County, Colorado, recorded in Book 1781 at Page 675 in the official records of Mesa County, Colorado, and more particularly described as follows:

The North 16 acres of the E 1/2 NE 1/4 SE 1/4 of Section 16, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Miller Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Steven W. & Susan L. Miller
NAME

3095 D 1/2 Road, Grand Junction, CO 81504
ADDRESS

Steven W. Miller Susan L. Miller
SIGNATURE

4-26-19
DATE

Steven W. Miller Susan L. Miller
Printed name of signatory

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Steve W. & Susan L. Miller, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the forgoing petition:

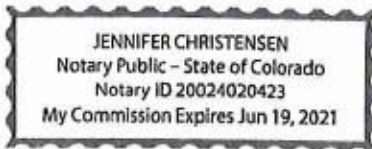
That each signature on the said petition is the signature of the person whose name it purports to be.

Steve W. Miller Susan L. Miller

Subscribed and sworn to before me this 20th day of April, 2019.

Witness my hand and official seal.

Jennifer Christensen
Notary Public



2394 Patterson Rd, Ste 201, Grand Junction,
Address CO 81505

My commission expires: June 19, 2021

February 20, 2019

City of Grand Junction
Tom Dixon, City Planner
Community Development Dept.
250 N 5th Street
Grand Junction, CO 81501

Neighborhood Meeting
RE: Miller Annex/SS – 3095 D ½ Rd
Date: Tuesday, February 19, 2019
Time: 5:30 – 6:30 pm
Location: Pear Park Elementary School

Dear Mr. Dixon,

A Neighborhood Meeting was held on February 19, 2019 in accordance with Section 21.02.080(e), Neighborhood Meeting of the Grand Junction Municipal Code, for the above referenced project. The meeting was called to order at 5:30 pm with Ms. Lisa Cox of Vortex Engineering, Inc., presenting an overview of the annexation and simple subdivision request.

Ms. Cox explained that the applicant would like to annex their property into the City of Grand Junction and subdivide the subject property into two lots. The applicant is requesting C-1, Light Commercial, zoning for the northeast corner of the property, and R8, Residential 8 units per acre zoning for the rest of the property. Ms. Cox noted that the Comprehensive Plan showed the property as Village Center Mixed Use on the Future Land Use map and that the proposed zoning implements the Comprehensive Plan and sets the stage for the type of development that is anticipated by the Plan.

During the meeting, Ms. Cox explained that there were several opportunities for citizen input and comments on the proposed development application, including the following:

1. Written comments could be submitted during the Neighborhood Meeting.
2. After the application was submitted, comments could be sent to the City.
3. Comments can be made during Planning Commission and City Council public hearings.

The meeting was attended by eleven citizens with several questions asked and comments made. Information about the City's review process was addressed by Mr. Dixon, City Planner with the City's Community Development Department. The following is a synopsis of the primary issues and questions posed by the meeting attendees.

1. Questions about subdivision of the property
2. Will there be irrigation water?
3. What will happen with the existing irrigation water/will the ditch be piped?
4. Traffic on D ½ Road has a lot of speeding
5. What is the timeline for development?
6. How long will it take to develop?

7. Will the existing house be removed?
8. Did the City approach the Millers about annexing into the City?

Ms. Cox addressed the citizen's questions with additional information and noted that property owners located within 500' of the site would be notified by mail when the application was received by the City.

With no further questions, Ms. Cox thanked those who attended and called the meeting to a close at 6:20 pm.

Four citizens left written comments which have been attached to this letter to be included in the official record. Upon your review of the meeting notes, should you have any questions or amendments, please do not hesitate to contact me at 970-245-9051.

Sincerely,



Robert W. Jones II, P.E.
Vortex Engineering & Architecture, Inc.

cc: File
Four written citizen comment sheets

Comment Sheet
Miller Annexation and Simple Subdivision
Neighborhood Meeting
Tuesday, February 19, 2019

2/19/19

Strong arm tactics are not appreciated
to get the individual home owner
to go along w/ development

Q. Elliott

Be kind to the new participants, their
pockets won't be as deep as the
developers.

Bob Wallace 970-417-6943
423 ALAMO ST

IRRIGATION —

Comment Sheet
Miller Annexation and Simple Subdivision
Neighborhood Meeting
Tuesday, February 19, 2019

Meadow - Irrigation? Piped from canal - to -
Will it be piped - Between Canal and D's piped and will
not carry enough water for Meadow water

Comment Sheet
Miller Annexation and Simple Subdivision
Neighborhood Meeting
Tuesday, February 19, 2019

My concern is the fear of increased traffic on 31 Rd & possibility of a lower speed limit (hopefully enforced) on 31 Rd

Comment Sheet
Miller Annexation and Simple Subdivision
Neighborhood Meeting
Tuesday, February 19, 2019

I live in Meadowvale Subdivision:

Concern: our main supply of irrigation water to our pump house that supplies our whole neighborhood runs right down 31 road from D1/2 along the property being annexed. What will happen with our water rights and irrigation?

Shannon Bean - 201-6692
HOA Board member for
Meadowvale Subdivision.

**Miller Annexation and Simple Subdivision
Neighborhood Meeting Sign In-Sheet
Tuesday, February 19, 2019**

	Full Name (Printed)	Address	City	Zip
1	Shannon Bean	3078 1/2 Sandpiper Ave	GJ	81504
2	Jennifer Christensen	2394 Patterson Rd	GJ	81501
3	Bob + Sandy Wallace	423 Alamo St.	GJ	81504
4	Lisa Cox	2394 Patterson Rd, Ste. 201	GJ	81505
5	Joy Boyce	3098 Co. Ave	GJ	81504
6	Tom Dixon	City of Grand Jct.	GJ	
7	Ron Eichhorn	4414 Pear Lane GJ	GJ	81504
8	Mark Edstrom	3086 D 1/2 Rd	GJ	81504
9	Wendy Massey	3096 D 1/2	GJ	81504
10	Brian Holten	944 Pioneer Drive	Frisky	81521
11	BILLY MYERS	455 31 RD	GR JCT	81504
12	Merritt Sixbey	2339 promonty cove	Grand Jct	81507
13	AC Elliott	3082 D 1/2 Rd	GJ	81504
14				
15				

MESA COUNTY CERTIFICATE OF TAXES DUE

Account Number R043607

Certificate Number 75552

Parcel 294316400056

Acres 14.840

Assessed To

Order Number

MILLER STEVEN W
3095 D 1/2 RD
GRAND JUNCTION, CO 81504-2590

Vendor ID

VORTEX ENGINEERING INC
2394 F RD STE 201 GRAND JUNCTION CO 81505

Legal Description

Situs Address

N 16A E2NE4SE4 SEC-16 1S 1E EXC ROAD ROW AS DESC IN B-5061 P-767 & EXC ROAD ROW AS DESC IN B-5262 P-921 & EXC 30FT ROAD ROW ON E PER ROAD B-1 P-60 MESA CO RECDs - 14.84AC 3095 D 1/2 RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2018	\$1,078.76	\$0.00	\$0.00	(\$539.38)	\$539.38
Total Tax Charge					\$539.38
First Half Due as of 03/26/2019					\$0.00
Second Half Due as of 03/26/2019					\$539.38

Tax Billed at 2018 Rates for Tax Area 15612 - 15612

Authority	Mill Levy	Amount	Values	Actual	Assessed
CLIFTON FIRE PROTECTION	11.5520000	\$166.35	IRRIGATED LAND - AG	\$18,000	\$5,220
COLORADO RIVER WATER CONSER	0.2560000	\$3.69	GRAZING LAND - AG	\$10	\$10
GRAND RIVER MOSQUITO CONTRO	1.4520000	\$20.91	FARM/RANCH - IMP	\$123,550	\$8,900
GRAND VALLEY DRAINAGE DISTR	1.8600000	\$26.78	FARM/RANCH SUPPORT BLDG	\$930	\$270
LIBRARY DISTRICT	3.0590000	\$44.05			
MESA COUNTY	11.9140000*	\$171.55			
COUNTY ROAD & BRIDGE-FULL L	0.4430000	\$6.38	Total	\$142,490	\$14,400
SCHOOL DIST #51 GEN	29.5730000	\$425.85			
SCHOOL DIST# 51 BOND	10.3380000	\$148.86			
SCHOOL DIST# 51 2017 OVERRI	3.8570000	\$55.54			
UPPER GRAND VALLEY PEST	0.1110000	\$1.60			
UTE WATER CONSERVANCY	0.5000000	\$7.20			
Taxes Billed 2018	74.9150000	\$1,078.76			

* Credit Levy

All tax lien sale amounts are subject to change due to endorsement of current taxes by the lienholder or to advertising and distraint warrant fees. Changes may occur and the Treasurer's office will need to be contacted prior to remittance after the following dates: Personal Property and Mobile Homes, Real Property - September 1. Tax lien sale redemption amounts must be paid by cash or cashiers check.

Special taxing districts and the boundaries of such districts may be on file with the board of County Commissioners, the County Clerk, or the County Assessor.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or misc. tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

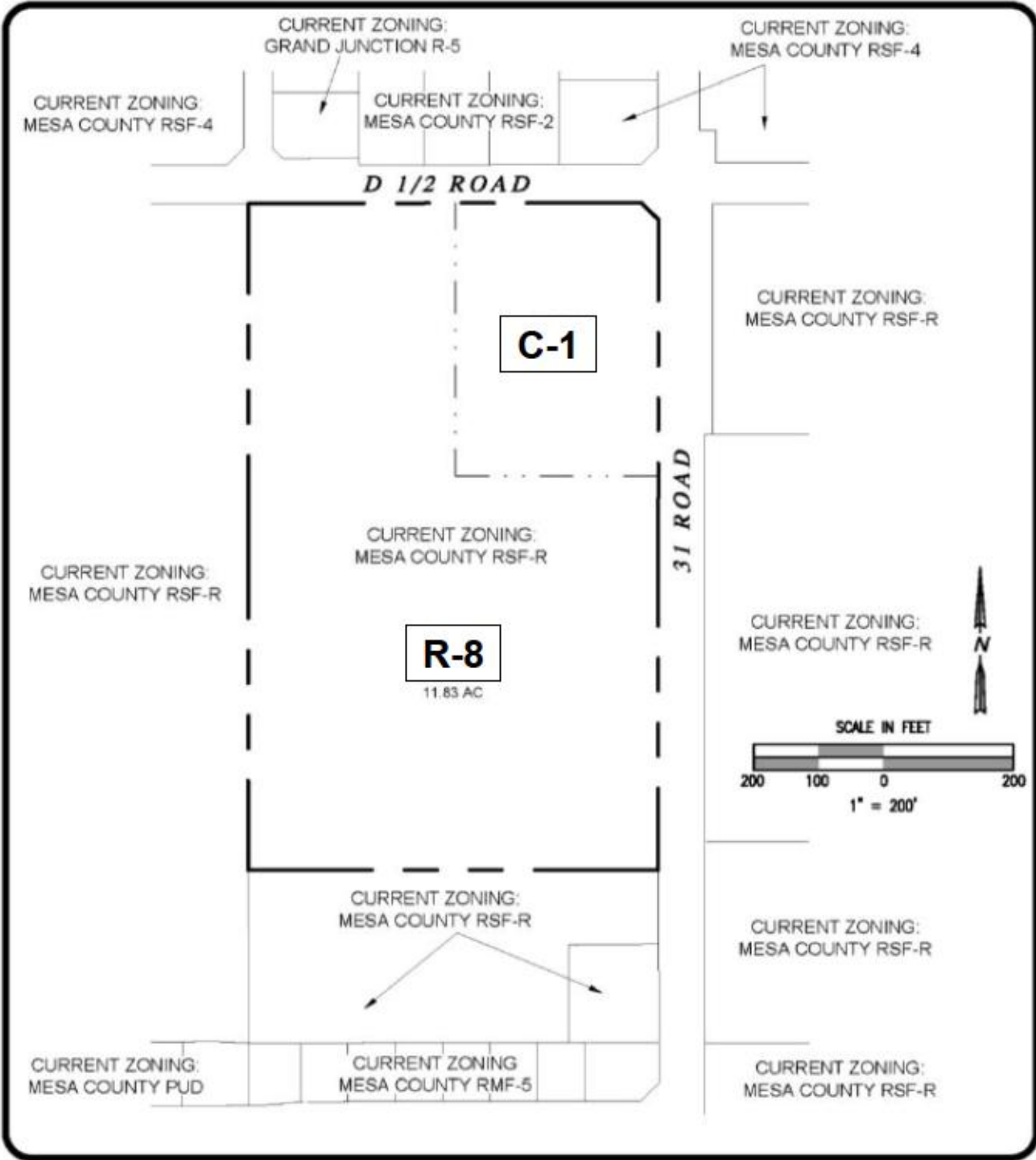
MESA COUNTY CERTIFICATE OF TAXES DUE

MESA COUNTY TREASURER, SHEILA REINER



Mesa County Treasurer
PO Box 20000
541 Road Ave
Grand Junction CO 81512 5627

Site Plan – Proposed Zoning




Two Ponies Annexation



0 50 100 200 Feet

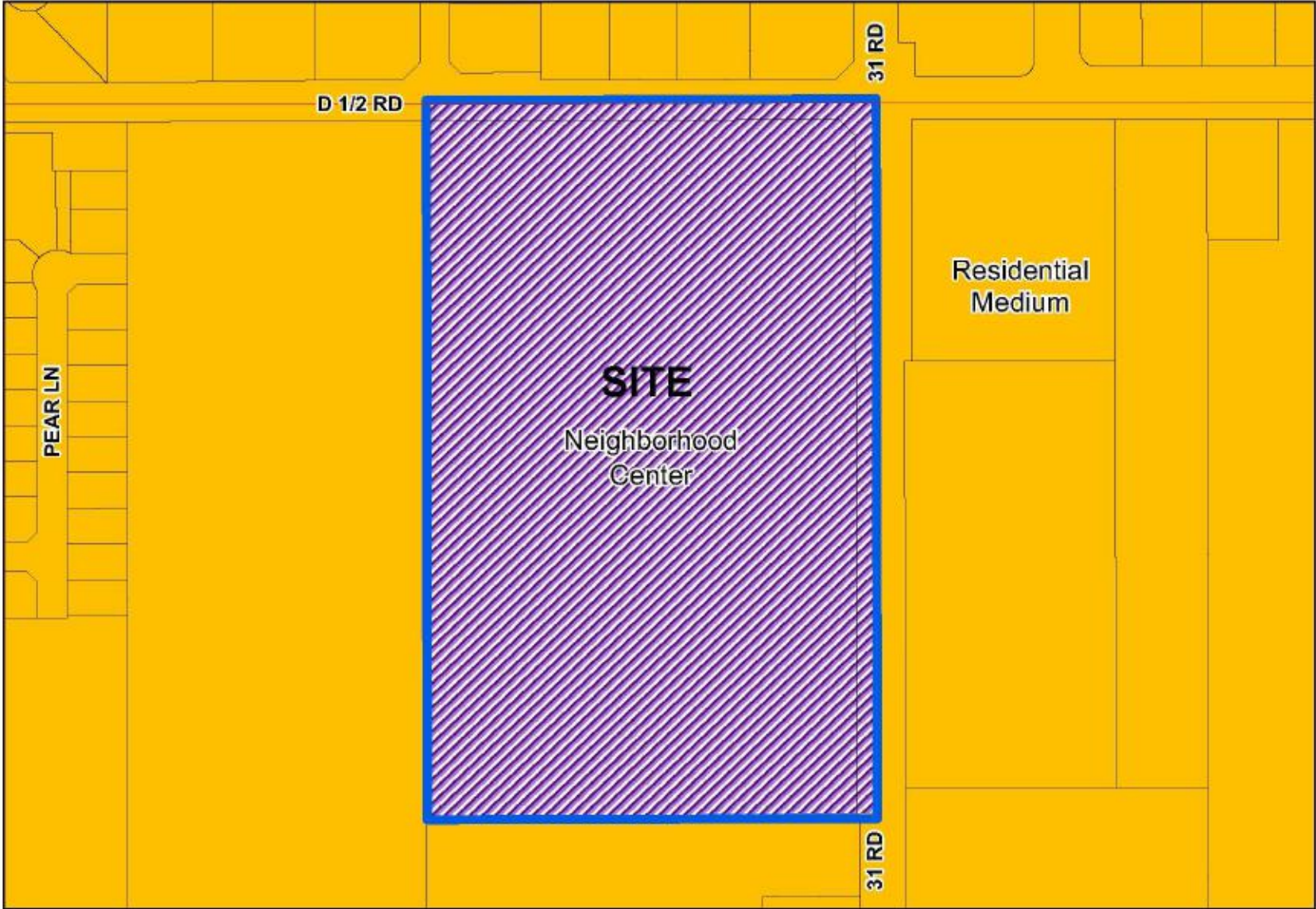
 Annexation Boundary

 City Limits

6/6/2019



Two Ponies Annexation - Future Land Use



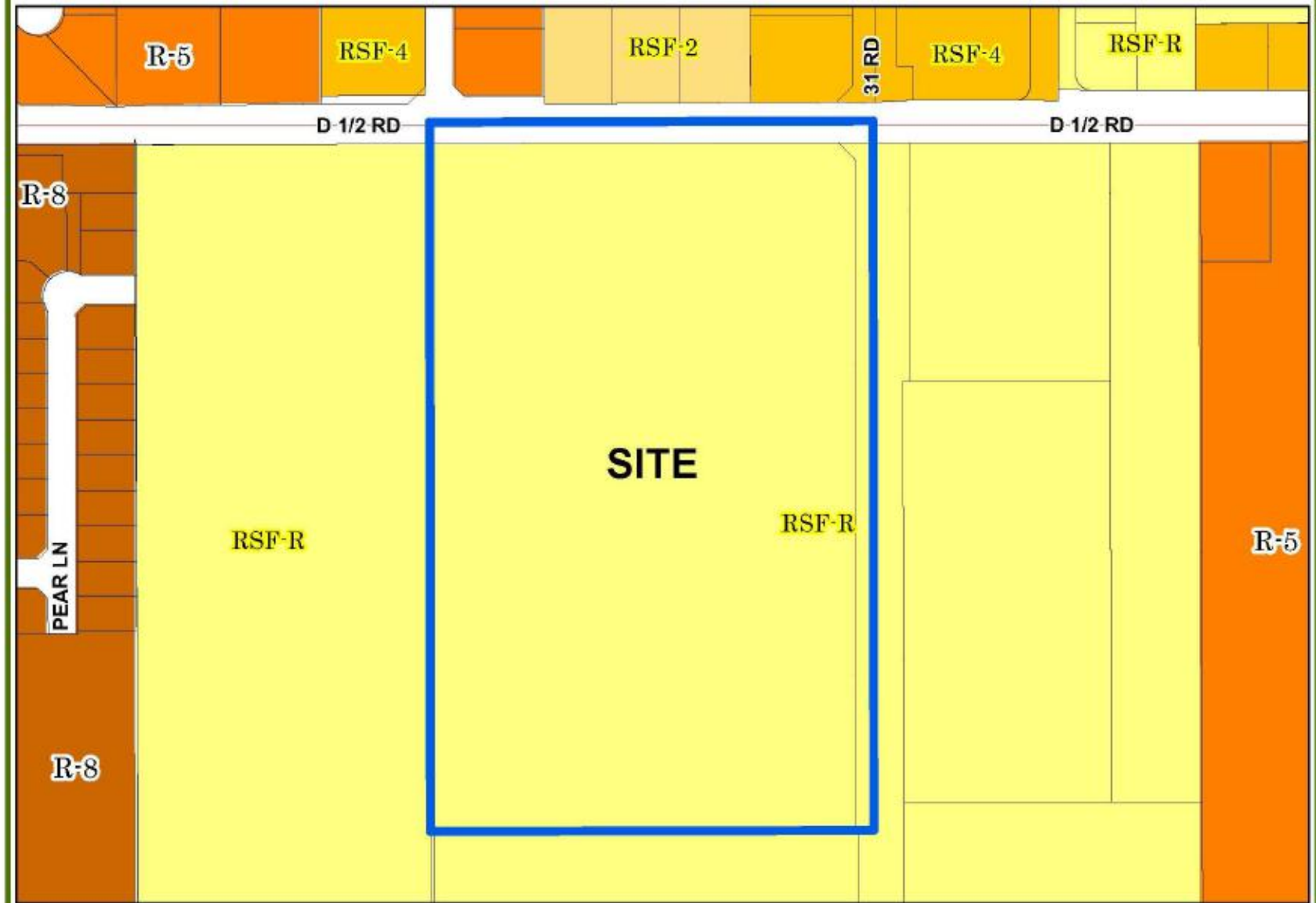
0 50 100 200 Feet

Annexation Boundary

6/6/2019

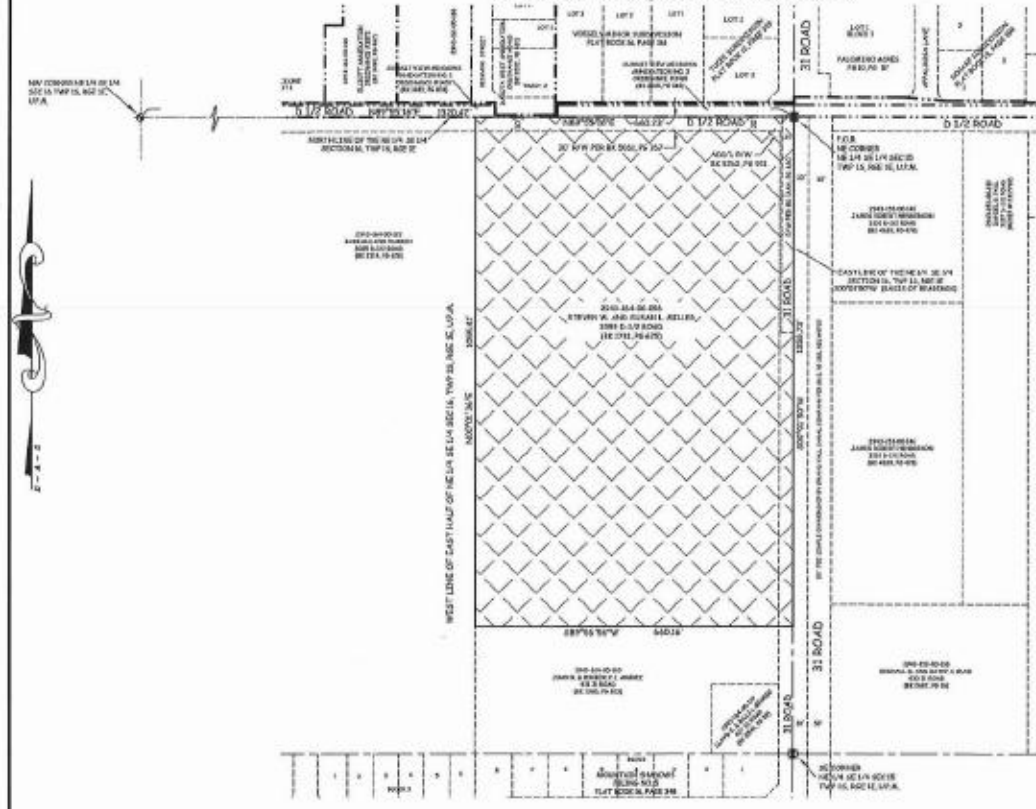
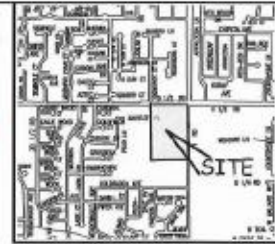


Two Ponies Annexation - Zoning



 Annexation CITY ZONING COUNTY ZONING

TWO PONIES ANNEXATION
 LYING IN THE NE 1/4 SE 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST
 UTE PRINCIPAL MERIDIAN
 COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and running the East line of the NE 1/4 SE 1/4 of said Section 16 being S 00°51'20" W with all other bearings contained herein being relative thereto, thence from said Point of Beginning, S 00°51'20" W, along the East line of the NE 1/4 SE 1/4 of said Section 16, a distance of 1095.71 feet; thence S 89°56'50" W, along the South line of that certain parcel of land described in Book 3781, Page 676, Public Records of Mesa County, Colorado, a distance of 660.63 feet; thence to 00°51'20" E, along the West line of the East half of the NE 1/4 SE 1/4 of said Section 16, a distance of 308.40 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16, thence to 89°56'50" E, along said North line, a distance of 660.63 feet, more or less, to the Point of Beginning.

- ABBREVIATIONS**
- P.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - R.O.B. POINT OF BEGINNING
 - SEC. SECTION
 - TWP. TOWNSHIP
 - RANGE RANGE
 - U.P.M. UTE PRINCIPAL MERIDIAN
 - AL. ALIQUOT
 - S.F. SQUARE FEET
 - C. CENTRAL HEIGHT
 - PA. PAGES
 - AC. ACRES
 - OL. OIL
 - CL. CROWN LENGTH
 - OW. OPEN WORKS
 - SL. SLOPE
 - FB. FLAT BOOK
 - BL. BLOCK
 - PS. PAGES

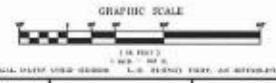
The blocks and descriptions contained herein have been checked from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey and is not intended to be used as a means for establishing or verifying property boundary lines.

AREA OF ANNEXATION

APPROXIMATE AREA: 1.62 AC.
 EXACT AREA: 1.62 AC.
 AREA OF ADJACENT SECTION 16: 640 AC.
 **SECTION 16 OF 36 AND LIES IN 20 AC AND 6-12 AC 4/10

TAXES

APPROXIMATE PROPERTY TAXES: \$1,000.00
 APPROXIMATE PROPERTY TAXES: \$1,000.00



ORDINANCE NO.
 7777

EFFECTIVE DATE
 7777

THIS IS NOT A BOUNDARY SURVEY



NOTE:
 Applicant is advised that this plat does not constitute any legal action and that any action to be taken should be taken by the applicant. This plat does not constitute a legal survey and is not intended to be used as a means for establishing or verifying property boundary lines.

DRAWN BY: J.E.A. DATE: 08.21.2023
 CHECKED BY: J.E.A. DATE: _____
 APPROVED BY: _____ DATE: _____

SCALE: 1" = 40'



PUBLIC WORKS
 ENGINEERING DIVISION
 SURVEY DEPARTMENT

TWO PONIES ANNEXATION

TWO PONIES ANNEXATION – PHOTOS



View of property from D 1/2 Road looking south



View of property from 31 Road looking west

Exhibit 5

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE TWO PONIES ANNEXATION TO C-1 (Light Commercial) AND R-8 (RESIDENTIAL – 8 DU/AC)

LOCATED AT 3095 D ½ ROAD

Recitals

The property owners have requested annexation of the 16-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Two Ponies Annexation to the C-1 (Light Commercial) and R-8 (Residential – 8 du/ac) zone district respectfully, finding that they conform with the Neighborhood Center Mixed Use as shown on the Future Land Use Map 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) and R-8 (Residential – 8 du/ac) zone districts are 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 land shall be zoned C-1 (Light Commercial):

A parcel of land situated in the NE1/4SE1/4 of Section 16, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado, described as:

Commencing at the E1/4 corner of Section 16, from which the CE1/16 corner of Section 16 bears S89°55'12"W 1320.47 feet, running thence along the east-west center of section line S89°55'12"W 333.87 feet, thence S00°04'48"E 30.00 feet to the south right-of-way line of D ½ Road and the Point of Beginning;
Running thence along the south right-of-way line of D ½ Road N89°55'12"E 278.87 feet; thence S45°01'32"E 35.25 feet; thence S00°01'44"W 406.20 feet; thence S89°55'12"W 303.83 feet; thence N00°01'48"E 431.15 feet to the south right-of-way line of D ½ Road and the Point of Beginning, as described hereon. See Exhibit A.

Parcel contains 3.00 acres.

The following land shall be zoned R-8 (Residential – 8 du/ac):

A parcel of land situated in the NE1/4SE1/4 of Section 16, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado, described as:

Commencing at the E1/4 corner of Section 16, from which the CE1/16 corner of Section 16 bears S89°55'12"W 1320.47 feet, running thence along the east-west center of section line S89°55'12"W 660.29 feet, thence S00°04'48"E 30.00 feet to the south right-of-way line of D ½ Road and the Point of Beginning; Running thence along the south right-of-way line of D ½ Road N89°55'12"E 326.42 feet; thence S00°01'48"W 431.15 feet; thence N89°55'12"E 303.83 feet to the west right-of-way line of 31 Road; thence along said west right-of-way line S00°01'44"W 594.56 feet; thence S89°56'59"W 630.26 feet; thence N00°01'48"E 1025.39 feet to the south right-of-way line of D ½ Road and the Point of Beginning.

Parcel contains 11.83 acres, as described hereon. See Exhibit A.

INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction Planning Commission

Regular Session

Item #5.

Meeting Date: July 23, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

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

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Gato Development LLC, is requesting a zone of annexation to R-8 (Residential – 8 du/ac) for the Townhomes at River Park Annexation. The 5.72-acre property consisting of two parcels is located at the northwest corner of D Road and Roberts Road. The Applicant is requesting annexation into the City limits consistent with the requirements of the Persigo Agreement between Mesa County and the City of Grand Junction in order to develop a townhome residential subdivision. The Comprehensive Plan Future Land Use Map designates this property as Residential Medium High (8 – 16 du/ac) and this request conforms with this designation. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant, Gato Development, LLC, has requested annexation of land into the City limits, located at 3178 D Road, in anticipation of future townhome residential development. The property to be zoned consists of two parcels of land and is approximately 5.72 acres in size. The two parcels are currently vacant. The Applicant is

requesting a zone of annexation to R-8 (Residential – 8 du/ac).

Both parcels of land are currently in the County and retain a County zoning of RMF-8 (Residential Multi Family – 8 dwelling units per acre) and surrounding properties east and north are zoned RMF-8, County Residential PUD to the west, and commercial PUD in the County and C-2 in the City south, across D Road. The subject property has a Future Land Use designations of Residential Medium (4 – 8 du/ac). The Applicant's proposed zoning designation of R-8 meets with the intent of the Land Use Map achieving the desired density for the property and is equivalent to the current Mesa County zoning of RMF-8.

See the attached map exhibits for additional information.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on April 26, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with seven citizens. Comments and concerns expressed by the attendees centered on subdivision of the property with general approval and positive feedback and the need to clean up the property.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on June 6, 2018. 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 July 12, 2019. The notice of this public hearing was published July 16, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review is set forth in Section 21.02.140 (a) and includes 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 as identified:

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

The property owners have petitioned for annexation into the City limits with a requested zoning district of R-8 (Residential 8 units/acre). Since the property is currently in the County, the annexation of the property is a subsequent event that will invalidated the original premise; the property can no longer have a county zoning designation. Therefore, Staff has found 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 adopted Comprehensive Plan designated this property with a Future Land Use designation of Residential Medium (4 – 8 du/ac). The character and/or condition of the area was mostly urbanized prior to the adoption of the 2010 Comprehensive Plan, although it has continued to urbanize with the expansion of the Midlands Villages residential development to the west of the subject property, the development of the Pipe Trades Commercial Subdivision, and D Road Commercial Subdivision located on the south side of D Road. The subject property is currently an infill site, part of the urbanization going on around it. Therefore, Staff finds that this criterion has been met.

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

Water and sewer services are available to this property in D Road. This property is within the Clifton Water District service area. A ¾ -inch water line services the property. An 8-inch line terminates at the southern property boundary on Monument View Drive. The property is currently within the Persigo 201 Sewer Service Area and the Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The property can also be served by Xcel Energy natural gas and electric.

A short distance away is Rocky Mountain Elementary. To the north along 32 Road (Hwy 141) are commercial retail centers that includes offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store in the Clifton commercial core.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. This property is currently in the Clifton Fire Protection District and fire and emergency medical response is provided from the Clifton Fire Station at 3254 F Road however, with Annexation, the property will be served by the Grand Junction Fire Department. Fire Station #4 at 2884 B ½ Road will provide the primary response to this area and Clifton Fire Protection District will continue to provide secondary response. Evaluation of fire and EMS incident data, shows no incidents at this location and the annexation and proposed development is not predicted to add substantially to the current fire and EMS incident load. However, response times to this area, including the proposed annexation, are longer than other areas due to the distance from existing fire stations. Grand Junction and Clifton have discussed an additional fire station to serve this area.

On input provide by a number of utility and service providers, staff has found that public and community facilities are adequate to serve the type of residential land use proposed and therefore, 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

The property has a Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). The property is currently vacant. The proposed zoning designation of R-8 meets with the intent of achieving the desired overall density for the property to be developed at the higher end of the Residential Medium designation. Citywide, fifteen (15) percent of existing property in the City limits with a R-8 zoning designation is vacant. The lack of supply for this zone type impedes the ability to provide a diverse supply of housing types; a key principle in the Comprehensive Plan. Staff finds that there is an inadequate supply of the requested zoning designations in the area and, therefore, has 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.

Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zoning will also provide an opportunity for a variety of housing allowed by the R-8 zone district including single family detached, single family attached and multi-family residential land uses, all of which are consistent with the Comprehensive plan in this area to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the Plan's goal of promoting a diverse supply of housing types; a key Guiding Principle in the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. The proposed R-8 zone district is equal to the existing RSF-8 zone district of Mesa County. Though other zone districts could also be considered, as listed below, this zone district comports with the recommendations of the Plan's Future Land Use Map.

Other zone districts permitted within the Residential Medium Land Use designation and implement the Comprehensive Plan include:

- R-4
- R-5
- R-12
- R-16
- R-O

Further, the zoning request is 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.

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

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Townhomes at River Park Annexation, ANX-2019-295, for a Zone of Annexation from County RMF-8 (Residential Multi Family – 8 du/ac) to a City R-8 (Residential – 8 du/ac), 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. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the request is consistent with the adopted Comprehensive Plan.

Therefore, Staff recommends approval of the requested Zone of Annexation.

SUGGESTED MOTION:

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

Attachments

1. Exhibit 1 - Development Application dated 21 March 2018
2. Exhibit 3 - Maps and Photos
3. Exhibit 4 - Zoning Ordinance

Townhomes at River Park Annexation Map



GATO Developments LLC
NAME

PO Box 3123, PJ, CO 81502
ADDRESS

Maria Cameron Taylor
SIGNATURE

5-16-19
DATE

MARIA CAMERON-TAYLOR
Print Name of Signatory

State of Colorado County of mesa
Subscribed and sworn before me on 5/16/19
Shannon L Henderson
(Notary Signature)

(Townhomes at River Park Annexation Petition)

SHANNON L HENDERSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124043475
MY COMMISSION EXPIRES 07/19/2020

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

MARIA CAMERON-TAYLOR of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Maria Cameron-Taylor

Subscribed and sworn to before me this 16 day of MAY, 2019.

Witness my hand and official seal.

SHANNON L. HENDERSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124043475
MY COMMISSION EXPIRES 07/19/2020

Shannon L. Henderson

Notary Public

552 EASTBROOK ST Grand Junction, CO 81504

Address

My commission expires: July 19, 2020

**TOWNHOMES AT RIVER PARK ANNEXATION
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 3178 D Road
Tax ID # 2943-154-55-004 and #2943-154-57-019

LOT 2 WALCHER MINOR SUB SEC 15 1S 1E EXC THAT PT AS DESC IN B-2415 P-260
MESA CO RECDS - 0.72AC

AND

OUTLOT A BLK 2 The Peaks Sec 15 1S 1E

This foregoing description describes the parcels; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Townhomes at River Park Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Kurtis Houston

NAME

DocuSigned by:



SIGNATURE

720 38.2 Rd. Palisade, CO 81526

ADDRESS

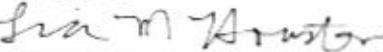
5/21/2019

DATE

Lisa M Houston

NAME

DocuSigned by:



SIGNATURE

720 38 2/10 Rd, Palisade CO 81526

ADDRESS

5/21/2019

DATE

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: Subdivision Plat/Plan - Major Preliminary/Final

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

Existing Land Use Designation RMF 8	Existing Zoning RMF 8
Proposed Land Use Designation R-8	Proposed Zoning R-8-

Property Information LOT 2 WATCHER SUBDIVISION ^{MINOR}

Site Location: 3178 D. ROAD	Site Acreage: 0.7 ACRE
Site Tax No(s): 2943-154-55004	Site Zoning: RMF 8

Project Description: TO ANNEX AND REZONE ~~MATERIAL~~ ROAD APPROVAL FOR 8, TOWNHOUSE UNITS

Property Owner Information	Applicant Information	Representative Information
Name: Kurtis Houston	Name: MARIA CAMERON TAYLOR	Name: TERRY LAWRENCE
Street Address: 720 38¹/₁₀ Rd	Street Address: PO BOX 3123	Street Address: 405 RIDGE BLVD #2 2912 NORTH AVE #2
City/State/Zip: Palisade CO 81526	City/State/Zip: GJ, CO, 81502	City/State/Zip: Grand Junction, CO 81504
Business Phone #: 970-245-6427	Business Phone #: 970-462-6528	Business Phone #: 970-712-9982
E-Mail: desertbloomhydr@yahoo	E-Mail: MCAMERONTAYLOR@YAHOO.COM	E-Mail: ERCCORRECT.COM LAWRENCE.TERRY29@GMAIL.COM
Fax #: 970-245-3594	Fax #: —	Fax #: —
Contact Person: Kurtis	Contact Person: MARIA	Contact Person: TERRY LAWRENCE
Contact Phone #: 970-270-1911	Contact Phone #: 970-462-6528	Contact Phone #: 970-712-9982

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 Terry Lawrence	Date 3/20/18
Signature of Legal Property Owner [Signature]	Date 3/21/18

REPORT CHECKLIST AND OUTLINE

GENERAL PROJECT REPORT

CHECKLIST

GENERAL PROJECT REPORT

Townhomes at River Park

A. Project Description:

1. Location: 3178 D Road. NW corner of D Road and Robert’s Road
2. Project Size: 0.75 Acres
3. Proposed Use: We are requesting annexation and final subdivision approval for R-8 zoning. To develop and build 2, 4-unit townhome buildings. 8 units total, each with 3 bedrooms, 2 bathrooms, and a single car garage. Quality and affordable units for sale in the community under 199K- In a surrounding area of R-4 to R-8 dwelling homes. Meets bulk requirement for R-8 zoning and use.
4. The existing detention basin for The Peaks subdivision, located in Outlot A, Block 2, The Peaks, will be modified to include the stormwater detention requirements for this project and to bring the facility into current code requirements for water quality measures.

B. Public Benefit: This will be an infill project which will show benefit to the community, such as neighborhood beautification and creating affordable single family housing.

C. Neighborhood Meeting: A neighborhood meeting was held at Emmanuel Baptist Church (395 31 5/8 Road) at 5:30pm on the 26th of April, 2018. The meeting was well attended; all comments were positive. Developer has addressed several suggestions and incorporated changes into the plan.

D. Project Compliance, Compatibility, and Impact:

1. This project will meet or exceed criteria designated in the City of Grand Junction zoning and development code. The project keeps with R-8 zoning and use.

The following codes are addressed in this report and/or its attachments:

Section 21.02.070 – Subdivision (Subdivision will be managed by HOA to ensure ongoing quality of improvements. This project will add to the beauty of the surrounding area by improving vacant land and creating green space. We are working closely with engineers to guarantee that this project will not create any undue risks for the occupants or surrounding area related to flood, fire, incorrect building placement, poor building procedures, etc).

Section 21.02.140 – Zone of Annexation from County RMF-8 to City R-8 Zoning (Project will not create any undue strain on public facilities. Project will create quality housing for an affordable price).

Section 21.02.160 – Annexation

2. Surrounding area is existing R-4 and R-8 dwelling homes, single family and townhomes.
 3. This project will create no additional burden for city or county streets. The subdivision will have internal private drive, which will be maintained by the HOA.
 4. We request TCP credits to be used for D Road frontage detached sidewalk design and construction.
 5. There is a fire hydrant located in front of the project on Robert's Road. The water and sewer services will be located within a public utility easement that will be created in the private drive. Gas and electric is available from Xcel Energy. Water is available from Clifton Water. Sanitary sewer is available from the City of Grand Junction. Irrigation water is available from Grand Valley Irrigation District.
 6. Special Demands on utilities: None
 7. There will be no adverse impact on area public safety services or facilities, i.e. fire, sanitation, public works, schools, or irrigation. Access will be from Robert's Road.
 8. No subdivision signage will be utilized.
 9. Soils reports are attached in project submittal.
 10. Impact of project on site geology: None; drainage study has been done and addresses code requirements.
- E. Our development schedule is to construct all improvements in one phase, at the time of subdivision application and construction drawings being approved by the City of Grand Junction staff.

COMMENTS:



April 27, 2018

Re: Neighborhood Meeting
Townhomes at River Park
3178 D. Rd
Grand Junction, CO

Property Owner: Kurtis and Lisa Houston
Developer: Maria Cameron-Taylor, Gato Development, LLC
Engineer: Jason Laible Rolland Consulting Engineers, LLC

Good afternoon,

Last night we held a neighborhood meeting to review the annexation, zoning and preliminary subdivision plan for the River Park Townhomes. We had a lot of positive feedback and the general consensus was everyone approved. Following the presentation, Larry Henry stated, "I think you guys have hit a home run."

In our presentation, we reviewed the features of the townhomes, surrounding common area, and the upgrades necessary for nearby drainage to meet both city and county standards.

Features are to include:

- 3Bedroom/2Bath/Single Car Garage
- HOA responsible for insurance and main trash pick-up.
- Each has own water meter.
- Back patios with privacy 6ft vinyl fencing.
- Dumpsters enclosed with white vinyl fencing.
- Common area with picnic bench and BBQ.
- Upgrade drainage.
- To be annexed into the city of Grand Junction.

*These units will be sold individually for 200K; they will not be rentals.

Many great questions, concerns and suggestions were voiced during the meeting. One of Mr. Henry's main concerns was the safety of the school age children in the area. Concerns included, it being overgrown around the lot, drainage system to be upgraded, heavy equipment traffic during construction, and general traffic once completed. We discussed these concerns and verified we would



be landscaping the entire lot and upgrading the drainage system to meet all standards. Also, we decided to include a stop sign and an elevated speed bump at the main entrance. He requested the heavy equipment come in on D Rd and we agreed that was best. Also, he expressed concern about all the dirt that will be stirred up, and we assured him the county has very strict regulations we will adhere to.

With vertical construction anticipated within 12 months and project completion in 24, this property is in the process of being transformed into a nice addition to the community. "It was just a trash collector," added Joanne Wilcox, a resident at nearby Midland Village. Lori Bowers, our local city planner, showed her approval as well in saying, "It is a doable project perfect for the neighborhood."

Thank you,

Terry Lawrence

Development Consultant

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Kurtis Houston, am the owner of the following real property:

(b) 3178 D Road, Grand Junction, CO 81504
Lot 2 of Walcher Minor Subdivision EXCEPT that parcel as conveyed in
instrument recorded March 12, 1998 in Book 2415 at Page 260.

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

I am the sole owner of the property.

I own the property with other(s). The other owners of the property are (c):

Lisa M Houston

I have reviewed the application for the (d) _____ pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) None

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed: [Signature]

Printed name of owner: Kurtis Houston

State of Colorado)

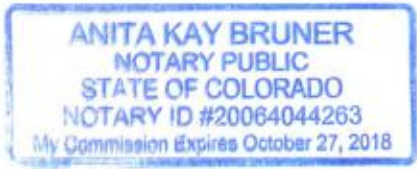
County of mesa) ss.

Subscribed and sworn to before me on this 21 day of March, 20 18

by Kurtis B Houston, Lisa M. Houston

Witness my hand and seal.

My Notary Commission expires on 10-27-18



[Signature]
Notary Public Signature

Instructions

An ownership statement must be provided by each and every owner of the property.

- (a) Insert name of owner as it appears on deed that conveys property to the owner.
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries does/do not match those on the plat, provide an explanation.
- (c) Insert name of all other owners, if any.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Explain actual or possible conflicts you have knowledge of. If none, state "none." Attach copies of related documents and refer to them here.

WARRANTY DEED

Grantor(s), **Tamara K. Green and Steven E. Green** whose address is Grand Junction, County of Mesa, State of Colorado, for the consideration of **ONE HUNDRED THIRTY-NINE THOUSAND NINE HUNDRED AND 00/100** Dollars in hand paid, hereby sell(s) and convey(s) to **Kurtis Houston and Lisa M. Houston** whose legal address is **3178 D Road, Grand Junction, CO 81504** County of Mesa, and State of Colorado, the following real property in the County of MESA, and State of Colorado, to wit:

**Lot 2 of
Walcher Minor Subdivision
EXCEPT that parcel as conveyed in instrument recorded March 12, 1998 in Book 2415 at Page 260.**

also known by street and number as **3178 D Road, Grand Junction, CO 81504**
Tax Parcel Number: 2943-154-55-004

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with Section 8a (Title Review) of the contract dated **November 9, 2003**, between the parties; building and zoning regulations.

Signed this **25th** day of **November**, 2003.

COPY

Tamara K. Green

Steven E. Green

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this **25th** day of **November**, 2003 by **Tamara K. Green and Steven E. Green.**

Witness my hand and official seal.

Notary Public

03/01/2004

TREASURER'S DEED

Know all Men by these presents, That, whereas, the following described property, viz:

OUTLOT A BLK 2 THE PEAKS SEC 15 1S 1E

situated in the County of Mesa, and State of Colorado, was subject to taxation for the year (or years) A.D. 2004,

And, Whereas, the taxes assessed upon said property for the year (or years) aforesaid remained due and unpaid at the date of sale hereinafter named;

And Whereas, the Treasurer of the said County did, on the 16th day of November A.D. 2005, by virtue of the authority vested in her by law, at the sale begun and publicly held on the 16th day of November, A.D. 2005, expose to public sale at the office of the Treasurer in the County aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, the tax lien on the real property above described for the payment of the taxes, delinquent interest, and costs then due and remaining unpaid on said property;

***And, Whereas**, at the time and place aforesaid, ___ whose street address is __, City or Town of __, County of Mesa and State of Colorado, bid on the tax lien on all of the above described property the sum of _____ DOLLARS and _ CENTS, being the whole amount of taxes, delinquent interest, and costs then due and remaining unpaid upon said property for that year and the said Mesa County having offered in his said bid to pay the sum of __ DOLLARS and _ CENTS in excess of said Taxes, delinquent interest, and the said bid being the largest amount which any person offered to pay in excess of the said taxes, delinquent interest, and costs so due upon said property for that year (or those years), and payment of the said sum having been made by him to the said Treasurer, the said tax lien on such property was stricken off to him at that price;

***And, Whereas**, the said _____ whose street address is _____, City or Town of _____, County of _____ and State of _____, did, on the ___ day of _____, A.D. _____, duly assign the certificate of the sale of the tax lien on the property as aforesaid, and all his rights, title, and interest in said property, to _____ whose street address is _____, City or Town of _____, County of _____ and State of _____;

***And, Whereas**, the said _____ whose street address is _____, City or Town of _____, County of _____ and State of _____, did, on the ___ day of __, A.D. __, duly assign the certificate of the sale of the tax lien on the property as aforesaid, and all his rights, title, and interest in said property, to _____ whose street address is _____, City or Town of _____, County of _____ and State of _____;

***And, Whereas**, at the sale so held as aforesaid by the Treasurer, no bids were offered or made by any person or persons for the tax lien on said property, and no person or persons having offered to pay the said taxes, delinquent interest and costs upon the said property for that year, and the Treasurer having become satisfied that no sale of the tax lien on said property could be had, therefore the said tax lien on said property was, by the then Treasurer of the said County, stricken off to the said County, and a certificate of sale was duly issued therefore to the said County in accordance with the statute in such case made and provided;

*** And, Whereas**, the said Mesa County, acting by and through its Treasurer, and in conformity with the order of the Board of County Commissioners of the said County, duly entered of record on the 30th day of July, A.D. 2018 (the said day being one of the days of a regular session of the Board of County Commissioners of the said County), did duly assign the certificate of sale of the tax lien on said property, so issued as aforesaid to said County, and all its rights, title, and interest in said property held by virtue of said sale Gato Developments LLC whose street address is P.O. Box 3123, City of Town of Grand Junction, County of Mesa and State of Colorado, One Thousand Four Hundred Six DOLLARS and Eighteen CENTS;

***And, Whereas**, the said Gato Developments LLC whose street address is P.O. Box 3123, City or Town of Grand Junction, County of Mesa and State of Colorado, has paid subsequent taxes on said property to the amount of Seven Hundred Sixty-Three DOLLARS and Fifteen CENTS;

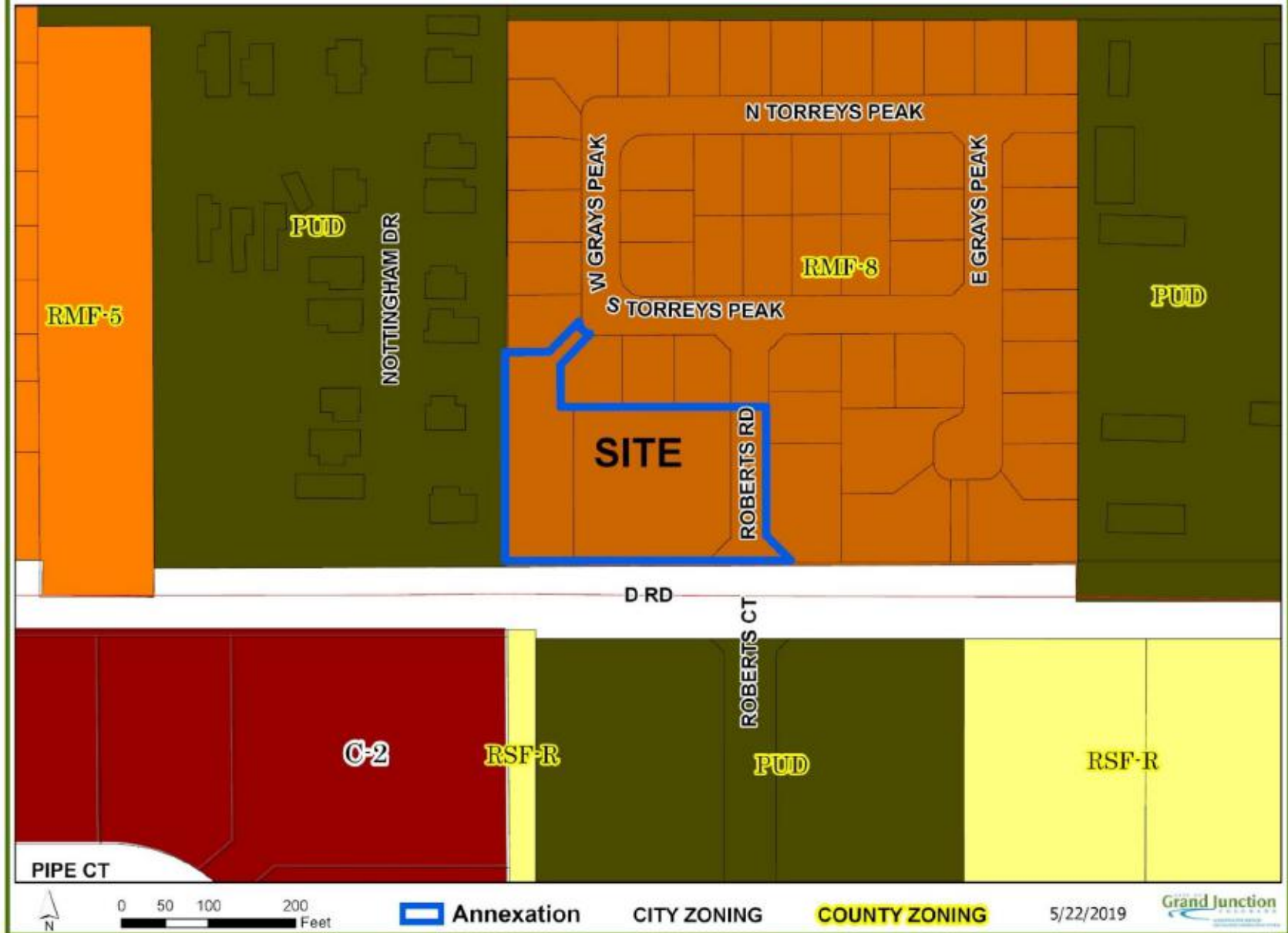
Townhomes at River Park Annexation - City Limits Map



Townhomes at River Park Annexation - Future Land Use



Townhomes at River Park Annexation - Zoning



TOWNHOMES AT RIVER PARK ANNEXATION – PHOTOS



View of property from D Road looking north



View of property from Roberts Road looking west

Exhibit 4

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE TOWNHOMES AT RIVER PARK ANNEXATION TO R-8 (RESIDENTIAL – 8 DU/AC)

LOCATED AT 3178 D ROAD

Recitals

The property owners have requested annexation of the 1.336-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Townhomes at River Park Annexation to the R-8 (Residential – 8 du/ac) zone district respectfully, finding that it conforms with the Residential Medium (4 – 8 du/ac) as shown on the Future Land Use Map 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 R-8 (Residential – 8 du/ac) zone districts are 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:

TOWNHOMES AT RIVER PARK ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, 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 Southwest corner of the SE 1/4 SE 1/4 of said Section 15 and assuming the South line of the SE 1/4 SE 1/4 of said Section 15 bears N 89°53'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'40" W, along the West line of the SE 1/4 SE 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING, said point being the Southwest corner of Outlot A, Block Two of the The Peaks, a subdivision recorded in Plat Book 16, Page 258, Public Records of Mesa County, Colorado; thence from said Point of Beginning, continue N 00°07'40" W, along said West line, a distance of 238.43 feet; thence N 89°50'43" E, a distance of 50.25 feet; thence N 44°50'43" E, a distance of 49.35 feet to a point being the beginning of a 14.14 foot radius curve, concave

Northeast, whose long chord bears S 45°08'27" E, a long chord length of 19.99 feet; thence Southwesterly along the arc of said curve, thru a central angle of 89°57'46", an arc length of 22.20 feet; thence S 44°50'43" W, a distance of 49.82 feet; thence S 00°09'17" E, along the West line of Lot 3 of The Peaks subdivision, a distance of 48.22 feet; thence S 89°53'29" E, along the South line of said Lot 3, a distance of 12.00 feet; thence S 89°53'38" E, along the South line of Lots 1, 2 and 3, Block Two of The Peaks subdivision and its Easterly prolongation, a distance of 224.64 feet to a point on the East right of way for Roberts Road, per The Peaks subdivision; thence S 00°07'40" E, along said East right of way, a distance of 147.65 feet; thence S 44°58'48" E, along said right of way, a distance of 40.20 feet to a point on the North right of way for D Road; thence N 89°53'38" W along said North right of way, being a line 40.00 feet North of and parallel with, the South line of the SE 1/4 SE 1/4 of said Section 15, a distance of 329.07 feet, more or less, to the Point of Beginning.

CONTAINING 58,179 Square Feet or 1.336 Acres, more or less, as described.

INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____, 2019 and ordered published in pamphlet form.

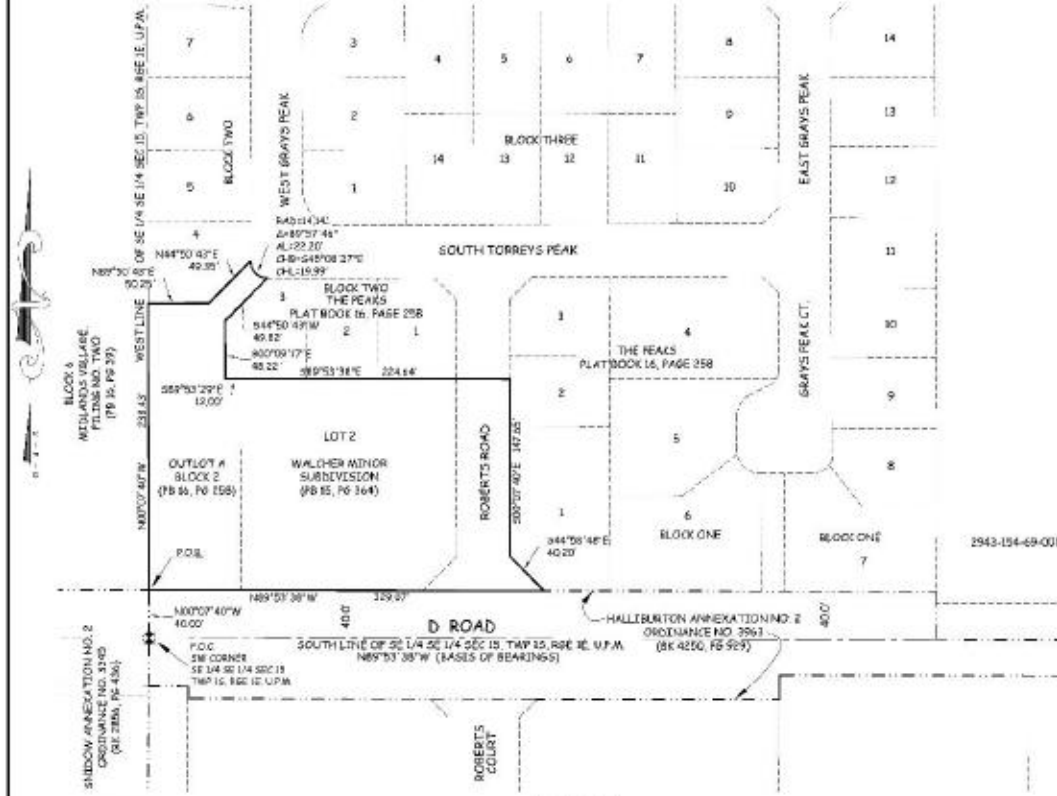
ATTEST:

President of the Council

City Clerk

Exhibit A

TOWNHOMES AT RIVER PARK ANNEXATION LYING IN THE SE 1/4 SE 1/4 OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 1 EAST UTE PRINCIPAL MERIDIAN COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION
A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, 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 Southeast corner of the SE 1/4 SE 1/4 of said Section 15 and following the South line of the SE 1/4 SE 1/4 of said Section 15 bearing N89°53'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°00' 40" W, along the West line of the SE 1/4 SE 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING, and point being the Southwest corner of Colter A, Block Two of The The Peaks, a subdivision recorded in Plat Book 30, Page 258, Public Records of Mesa County, Colorado; thence from said Point of Beginning, continue N 00°00' 40" W, along said West line, a distance of 238.43 feet; thence N 89°00' 43" E, a distance of 30.75 feet; thence N 48°00' 43" E, a distance of 40.75 feet to a point being the beginning of a 38.84 foot radius curve, bearing Northeast, whose long chord bears S 45°03' 27" E, a long chord length of 69.99 feet; thence southeasterly along the arc of said curve, with a central angle of 89°57' 46", or arc length of 32.30 feet; thence S 44°50' 14" W, a distance of 49.80 feet; thence S 00°00' 00" E, along the West line of Lot 3 of The Peaks subdivision, a distance of 40.23 feet; thence S 89°00' 34" E, along the South line of said Lot 3, a distance of 30.00 feet; thence S 89°53' 38" E, along the North line of Lots 1, 2 and 3, Block Two of The Peaks subdivision and its Eastern prolongation, a distance of 224.64 feet to a point on the East right of way for Roberts Road per The Peaks subdivision; thence S 90°00' 40" E, along said East right of way, a distance of 147.83 feet; thence S 44°58' 40" E, along said East right of way, a distance of 40.20 feet to a point on the North right of way for D Road; thence N 89°53' 38" W, along said North right of way, being a line 80.00 feet North of and parallel with, the South line of the SE 1/4 SE 1/4 of said Section 15, a distance of 300.07 feet, more or less, to the Point of Beginning.

2025-2044	PLAT OF SUBDIVISION
1	PLAT OF SUBDIVISION
2	PLAT OF SUBDIVISION
3	PLAT OF SUBDIVISION
4	PLAT OF SUBDIVISION
5	PLAT OF SUBDIVISION
6	PLAT OF SUBDIVISION
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10	PLAT OF SUBDIVISION
11	PLAT OF SUBDIVISION
12	PLAT OF SUBDIVISION
13	PLAT OF SUBDIVISION
14	PLAT OF SUBDIVISION

The South and West lines of the SE 1/4 SE 1/4 of said Section 15, as shown on the map, are shown as being subject to the right of way of the Mesa County and State of Colorado, and the same are shown as being subject to the right of way of the Mesa County and State of Colorado, and the same are shown as being subject to the right of way of the Mesa County and State of Colorado.

NO. OF SHEETS	TOTAL	DATE
1	1	05-20-2025
2	2	05-20-2025
3	3	05-20-2025
4	4	05-20-2025
5	5	05-20-2025
6	6	05-20-2025
7	7	05-20-2025
8	8	05-20-2025
9	9	05-20-2025
10	10	05-20-2025
11	11	05-20-2025
12	12	05-20-2025
13	13	05-20-2025
14	14	05-20-2025
15	15	05-20-2025
16	16	05-20-2025
17	17	05-20-2025
18	18	05-20-2025
19	19	05-20-2025
20	20	05-20-2025

ORDINANCE NO. 2025-001

THIS IS NOT A BOUNDARY SURVEY

DATE: 05-20-2025

CITY OF GRAND JUNCTION COLORADO

PUBLIC WORKS ENGINEERING DIVISION SURVEY DEPARTMENT

TOWNHOMES AT RIVER PARK ANNEXATION

PRELIMINARY

DATE: 05-20-2025

BY: [Signature]





Grand Junction Planning Commission

Regular Session

Item #6.

Meeting Date: July 23, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

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

RECOMMENDATION:

Staff recommends approval of these requests.

EXECUTIVE SUMMARY:

The Applicant, SLB Enterprises LLC, is requesting multiple actions on 3 adjoining parcels consisting of a total of 12.38 acres. These include:

1. Amend the Comprehensive Plan on a 7.23-acre parcel located at 347 27 ½ Road from its current Future Land Use designation of Industrial to a designation of Commercial/Industrial
2. Amend the Comprehensive Plan on 5.15 acres for two parcels from Commercial/Industrial to Commercial located 2757 C ½ Road and the unaddressed parcel adjacent to the west;
3. Rezone the Industrial (I-1) zoning on 7.23 acres to Light Commercial (C-1)
Rezone the Industrial/Office Park (I-O) zoning district on 5.15 acres to Light Commercial (C-1)

The proposed changes are intended to allow expanded options for future development and particularly the potential for mixed use projects that optimize the properties'

location along the Colorado River and its proximity to the Riverfront at Las Colonias Park and Business Park. The properties are currently zoned I-1 and I-0 and do not allow for residential or some tourist-oriented uses in these zone districts.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject properties are located on the north shoreline of the Colorado River and adjacent to Las Colonias Park and its non-motorized pedestrian/bicycle bridge connection to Eagle Rim park and Orchard Mesa Middle School on the south side of the river. Historically, the subject properties were used for industrial-level activities (rendering plant and Brady Trucking) and were joined to the north with other industrial-oriented uses located between the Union Pacific railroad and the river. With the construction of the Riverside Parkway approximately 12 years ago, land use changes and transitions have been occurring in this riverfront area of Grand Junction driven by both City and private investment.

In the vicinity surrounding the subject properties the following land uses and zoning districts are found.

- East - Mostly rural residential in unincorporated Mesa County with RSF-R zoning, a Mesa County district;
- North - Mostly light industrial on smaller properties (with a few exceptions) in the I-1 (Light Industrial district) zone district;
- West - Las Colonias park, a City-owned property in the PD (Planned Development) zone district with land uses encouraging development consistent with activities providing more focus on the Colorado River;
- South - The Colorado River and on the south side of the river, single-family residential in the R-5 zone district and the Eagle Rim Park/Orchard Mesa Middle School in the CSR (Community Services and Recreation) zone district

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on March 19, 2019 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Approximately seven neighbors attended the meeting.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the Public Hearing, in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on July 12, 2019 and was also sent to those in attendance at the neighborhood meeting. The subject property was posted with an application sign on May 10, 2019 and notice of the public hearing was published July 16, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

Comprehensive Plan Amendment

Pursuant to section 21.02.130(c)(1) The City may amend the Comprehensive Plan, neighborhood plans, corridor plans, and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and:

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

The 2010 Comprehensive Plan includes a Future Land Use Map which identifies two of these properties as Commercial/Industrial and the other (the most westerly) as Industrial. The Applicant is requesting a future land use designation of commercial which would allow the City to rezone to a zone district that would allow for light commercial and residential land uses which would work to complement the significant changes to the Colorado River front area the City has seen the last 20 years. Particularly land within proximity to and potential for access to the river, has progressively evolved to more public and traditional commercial uses. The development of the Eagle Rim Park on the south side of the river and its bridge connection constructed in the 1990's to the riverfront trail on the north side of the river has significantly re-shaped the neighborhood as a pedestrian and bicycle use area. The adoption of the Las Colonias Park Master Plan in 2017 and continuing development of the Las Colonias Park, particularly the new amphitheater and the present development of the Las Colonias Business Park with the PD zone district has created a re-assessment of what types of land uses best fit this section of the City and has transformed the Las Colonias area into a multi-use neighborhood.

The original premises for these designations was that the properties would follow a more industrial-oriented type of development based on two main factors. First, the subject property land use for many years was an animal rendering plant that was relatively isolated from other properties. Second, the area to the north had historically been devoted to a mix of light industrial land uses and those remain to the present.

Although the premises for changing the future land uses to light commercial is desired to redevelop the Colorado River front and create neighborhood vitality, this does not constitute subsequent changes that would invalidate the original premises and findings of the 2010 Comprehensive Plan and therefore this criterion is not being met.

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

For decades the character for this area has been industrial-oriented type of development including an animal rendering plant. The rendering plant was ripe with odors and the property to the west (now Las Colonias) was utilized as a uranium mill

tailings stock pile. Salvage yards could be found flanking the riverfront. The animal rendering plant no longer exists on the property and the salvage yards and mill tailings piles have been cleaned up along the river frontage.

Other conditions have changed in the area including the development of Eagle Rim Park on the south side of the river and the pedestrian/bicycle bridge connection to the riverfront trail on the north side of the river. The connection to the riverfront trail system that runs along the north bank of the river has significantly re-shaped the neighborhood as a pedestrian and bicycle use area. The adoption of the Las Colonias Park Master Plan in 2017 and continuing development of the Las Colonias Park, particularly the new amphitheater and the present development of the Las Colonias Business Park with the PD zone district has created a re-assessment of what types of land uses best fit this section of the City and has transformed the Las Colonias area into a multi-use neighborhood.

Staff has found that the character and condition of this area has and is changing and therefore finds this criterion has been met.

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

The subject properties are within an area of transition which is due, in large part, to the creation of the Riverside Parkway and the improved access that is provided to land abutting it, particularly areas between the Colorado River and the parkway. In conjunction with the creation of the parkway, utility upgrades were made in anticipation of future development for the area. At present, availability of services includes City water and sewer, Grand Valley Irrigation District, Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City.

Based on the provision and concurrency of public utilities and community facilities to serve the future land use designation request, staff finds that this criterion has been met.

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

The adequacy of the supply of "Light Commercial (C-1)" designated lands to accommodate the proposed rezone and future land uses is inadequate when defining the "community" as that area established along the riverfront area of the Colorado River within the City Center planning area of Grand Junction. When considering the goals and policies of the City and recent development to revitalize the riverfront and construct Las Colonia Park, including a business park element and recreational amenities, there

is an inadequate supply of suitably designated land that permits a wider range of zoning that allows a mix of business and residential land uses in the riverfront area.

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

The greatest benefits to be derived from the requested changes is the potential to support future growth and development in an area of Grand Junction that fronts along the Colorado River, has proximity to the emerging Los Colonias Business Park, creates a mix of uses relatively close to the downtown, and avails future residents (including commercial users) of outdoor and recreation amenities associated with the riverfront trail and the Riverfront at Las Colonias. The request would eliminate the option for the development of future industrial uses on the subject property that would be less compatible with the ongoing City and private investments in the area.

In addition, the Future Land Use designation of Commercial would provide future flexibility for urban form options in the emerging Las Colonias neighborhood while minimizing conflicts with existing industrial uses to the north of the subject properties, located between C ½ Road and the Riverside Parkway. Based on the cited factors, staff finds that both the community and area would derive benefits from the proposed amendment and thus has found this criterion has been satisfied.

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

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

Goal 1: To implement the Comprehensive Plan in a consistent manner.

Policy 3: The City will make land use decisions consistent with the goal of supporting and encouraging the development of centers. The Subject Property is located within the City Center.

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

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

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

Specifically, this amendment will work to encourage the revitalization of previously used but now vacant industrial sites and will complement with a lesser intense use the

adjoining Riverfront at Las Colonias Park development.

Rezone

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

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

The subject property consists of 3 parcels of land with the western parcel zone I-1 (Light Industrial) and the other two parcels zoned C/I (Commercial/Industrial) The original premises for these designations was that the properties would follow a more industrial-oriented type of development based on two main factors. First, the subject property parcel zoned I-1 housed an animal rendering plant for many years and second, the area to the north had historically been devoted to a mix of light industrial land uses and those remain to the present.

The Applicant is requesting a rezone to a zone district that would allow for light commercial and residential land uses which would work to complement the significant changes to the Colorado River front area the City has seen the last 20 years. Particularly land within proximity to and potential for access to the river, has progressively evolved to more public and traditional commercial and residential uses. The development of the Eagle Rim Park on the south side of the river and its bridge connection constructed in the 1990's to the riverfront trail on the north side of the river has significantly re-shaped the neighborhood as a pedestrian and bicycle use area. The adoption of the Las Colonias Park Master Plan in 2017 and continuing development of the Las Colonias Park, particularly the new amphitheater and the present development of the Las Colonias Business Park with the PD zone district has created a re-assessment of what types of land uses best fit this section of the City. The nearby Edgewater Brewery and the residential development to the west of Las Colonias Park have transformed the Las Colonias area into a multi-use neighborhood.

The Riverside Parkway has greatly improved access to both existing development and future land uses which has altered the dynamics of how the Las Colonias area is to be built out. With much improved traffic circulation capable of handling greater volumes of traffic, special events at the amphitheater now occur and the feasibility of commercial and mixed uses are enhanced. It is these type of diverse, but complimentary uses, that have the potential to happen on the properties on the east side of Las Colonias Park which are subject of the Rezone request.

Although the premises for rezoning to light commercial (C-1) is desired to redevelop the

Colorado River front and create neighborhood vitality, this does not constitute subsequent changes that would invalidate the original premises and findings of the 2010 Comprehensive Plan and therefore this criterion is not being met.

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

The land use character of the area is in significant change as the Las Colonias Business Park is under development and the dynamics of the area are in transition. The Riverside Parkway provides greater access to the subject properties, the creation of the Las Colonias amphitheater to the west gives the area a new focal point, and the more commercial-oriented businesses intended for the new business park all combine to redefine this area and give it expanded opportunities going forward. The proposed rezone fits into this new vision for the Riverfront at Las Colonias and helps refocus the community in viewing the Colorado River as an amenity.

The proposed rezone will support the City's objective to make progressive improvements to the Las Colonias neighborhood and further the already changing character and condition of the area. Staff therefore finds both the condition and the character of the area are changing or have changed such that this rezone to C-1 is consistent with the Plan and therefore finds this criterion has been met.

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

The subject properties are within an area of transition which is due, in large part, to the creation of the Riverside Parkway and the improved access that is provided to land abutting it, particularly areas between the Colorado River and the parkway. In conjunction with the creation of the parkway, utility upgrades were made in anticipation of future development for this area. At present, availability of services includes City water and sewer, Grand Valley Irrigation District, Xcel Energy electricity and natural gas, and cable network links. Public safety, fire, EMS and police services can adequately serve this area of the City.

Based on the provision and concurrency of public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

The adequacy of Commercially designated lands in the specific riverfront area of the Colorado River versus the community at large has been used to evaluate this criterion. There currently exists no commercially zoned land (C-1, C-2 or MU) in this area of the

city; most land is either zoned CSR (Community Services and Recreation) or industrial (I-1 or I-2). Zone districts such as the C-1 and MU allow for a mix of uses of which also include residential which would provide for opportunities for residential and tourism-oriented land uses. Based on these considerations, staff has found this criterion has been met.

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

The greatest benefits to be derived from the requested rezone is the potential to support future growth and redevelopment in an area of Grand Junction that fronts along the Colorado River, has proximity to the emerging Riverfront at Los Colonias Business Park, creates opportunity for a mix of uses relatively close to downtown, and avails future residents (including commercial users) of outdoor and recreation amenities associated with the Riverfront at Las Colonias park.

The proposed zoning of C-1 would provide future flexibility for urban form including mixed use with residential options in this area while minimizing conflicts with existing industrial uses to the north of the subject properties and those located between C ½ Road and the Riverside Parkway. Based on the cited factors, staff believes there is significant opportunity for community benefit should this property be rezoned to C-1 and therefore finds this criterion has been met.

This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan:

Guiding Principle 1: concentrated Centers – The Comprehensive Plan calls for three types of centers; the City Center, Village Centers, and Neighborhood Centers. The Subject property is located within the City Center area.

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

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

Policy C: The City will make land use decisions consistent with the goal of supporting and encouraging the development of centers.

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

Goal 8: Create attractive public spaces and enhance the visual appeal of the

community through quality development.

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

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request for approval to amend the Comprehensive Plan Future Land Use Map, File number (CPA-2019-259), from Industrial and Commercial/Industrial Future Land Use designations to a Commercial Future Land Use designation and a requests to Rezone. File number (RZN-2019-256) from I-1 (Light Industrial) and I-O (Industrial/Office) to C-1 (Light Commercial) for three properties having a total of 12.38 acres and located north of the Colorado River, south of C ½ Road and directly east of Las Colonias Park, the following findings of fact have been made:

On the request for amendments to the Comprehensive Plan, the following findings of fact have been made:

- 1) The requests are in conformance with Section 21.02.130 of the Zoning and Development Code.
- 2) The requests are consistent with the vision, goals and policies of the Comprehensive Plan.

On the request for rezoning, the following findings of fact have been made:

- 1) The requests have met one or more of the criteria as required in Section 21.02.140 of the Zoning and Development Code.
- 2) The requests are consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval.

SUGGESTED MOTION:

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

1. Comprehensive Plan Amendment on a 7.23-acre parcel located at 347 27 ½ Road from its current Future Land Use designation of Industrial to a designation of Commercial/Industrial and a Comprehensive Plan Amendment from Commercial/Industrial to Commercial for two parcels of land consisting of 5.15 acres addressed 2757 C ½ Road and including the unaddressed parcel adjacent to the west;

2. Rezone a total of 12.38 acres of property to Light Commercial (C-1); including the 7.23-acre property located at 347 27 ½ Road currently zoned Industrial (I-1) zoning and the properties at located 2757 C ½ Road and the adjacent unaddressed parcel with a combined acreage of 5.15 currently zoned Industrial/Office Park (I-O).

Attachments

1. Development Application - Brady CPA & Rezone
2. Maps and photos
3. Proposed FLU and Zoning Ordinance



Development Application

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

Petition For: Rezone / Comp Plan Amendment

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

Existing Land Use Designation	Light Industrial/Vacant Land/Light Ind.	Existing Zoning	I-1; I-O; I-O
Proposed Land Use Designation	mixed use/multi-family/commercial	Proposed Zoning	C-1

Property Information

Site Location: 347 27 1/2 Road; 2945-244-00-080; 2757 C 1/2 Rd	Site Acreage: 7.2; 3.3; 1.7 acres
Site Tax No(s): 2945-243-00-081; 2945-244-00-080; 2945-244-00-202	Site Zoning: I-1; I-O; I-O
Project Description: Rezone three properties to C-1 in anticipation for future mixed uses.	

Property Owner Information

Name: SLB Enterprises LLC

Street Address: 5130 S 5400 E

City/State/Zip: Vernal, UT 84078

Business Phone #:

E-Mail:

Fax #: n/a

Contact Person:

Contact Phone #:

Applicant Information

Name: Rain Drop Partners

Street Address: PO Box 102373

City/State/Zip: Denver, CO 80250

Business Phone #: 970-315-2521

E-Mail: zach@raindroppartners.com

Fax #: n/a

Contact Person: Zach Frisch

Contact Phone #: 970-315-2521

Representative Information

Name: Ciavonne, Roberts Assoc

Street Address: 222 Nth 7th St

City/State/Zip: GJ, CO 81501

Business Phone #: 241-0745

E-Mail: ted@ciavonne.com

Fax #: n/a

Contact Person: Ted Ciavonne

Contact Phone #: 241-0745

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

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

Signature of Person Completing the Application

Date 4-18-19

Signature of Legal Property Owner

Date 4-19-19

347 27 ½ Road & 2757 C ½ Road
Comp Plan Amendment/Rezone
April 22, 2019
Project Description

Project Overview

There are 12.2 acres currently in three parcels located on 347 27 ½ Road, a non-addressed property, and 2757 C ½ Road, which are slated to be developed by Rain Drop Partners. At present, SLB Enterprises LLC owns all three parcels.

This is an infill project where three parcels having two differing Industrial zone designations will be rezoned into one Commercial zone district. The consolidated zoning will allow for far more efficient planning of the 12.2 acre property, and encourage better access opportunities and utilizing of existing infrastructure.

347 27 ½ Road is currently zoned I-1 (Light Industrial); the non-addressed parcel and 2757 C ½ Road are currently zoned I-O (Industrial Office Park). Rain Drop Partners is proposing a rezone of both properties to C-1 (Light Commercial).

The FLU promotes Industrial on 347 27 ½ Road and Commercial/Industrial on the other two parcels. Rain Drop Partners is requesting an amendment to the Comp Plan to change the Industrial land use on 247 27 ½ Road to Commercial/Industrial. This requested change is more consistent with the creation of the Las Colonias Business Park, and will allow commercial zoning that preferred by the neighbors over the current industrial zoning.

A. Project Description

Location and Site Features

- The parcels are located on the corner of 27 ½ Road and C ½ Road adjacent to the Las Colonias Business Park. The property is in the City.
- There is an 8" sewer main in 27 ½ Road and C ½ Road. We understand that Ute Water provides sufficient capacity to the properties.
- Surrounding land use /zoning is Planned Development (Las Colonias) and I-1 to the north, County Zoning of RSF-R to the east, R-5 Residential and CSR to the south across the Colorado River, and Planned Development (Las Colonias) to the west.
- There is currently two access points off 27 ½ Road and C ½ Road. These properties have street frontage all along 27 ½ Road and C ½ Road.
- There are a few existing, abandoned buildings that will likely be demolished at some point in the future.
- The site is generally flat, sloping west and south towards the river.
- There is a drainage or irrigation ditch that defines the east boundary of the easternmost property.

Existing Zoning

- The parcels are zone I-1 & I-O
- The proposed plan rezones the existing I-1 & I-O zoning to C-1. This rezone meets the Future Land Use Plan requirement of Commercial/Industrial for the two easternmost parcels. 347 27 ½ Road (abutting Las Colonias Park) is an isolated parcel with the designated “Industrial” under the Future Land Use Plan. Because of adjacency to Commercial / Industrial, along with the change of use / character with the Las Colonias Business Park, this submittal includes a request to change the FLU designation to Commercial / Industrial on this single parcel.
- The purpose of the rezone is to allow a cohesive and efficient commercial/mixed use type development to better compliment the adjacent Las Colonias Business Park.

B. Public Benefit:

- Infill development that utilizes existing infrastructure;
- The cohesive and efficient development of three abutting parcels with similar FLU and zoning designations;
- A zoning designation that is compatible to the Las Colonias Business Park, which is a desirable but new change of character to this area.

C. Neighborhood Meeting

A ‘first’ Neighborhood Meeting was held on March 19, 2019 for the Rezone/Comp Plan Amendment & ROW Vacation (separate submittal to come). About 7 neighbors attended and gave positive feedback overall. Official Neighborhood Meeting notes are included in this submittal.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Land Development Code.

2. Surrounding Land Use

Surrounding land use /zoning is under Planned Development/Industrial to the north, RSF-R to the east; the Colorado River / Residential to the south; and Planned Development to the west (Las Colonias Business Park).

3. Site Access and Traffic

There is currently one access point to C ½ Road, and 27 ½ Road extends into the properties.

4 & 5. Availability of Utilities and Unusual Demands

Sanitary Sewer: Sewer is provided by the City of Grand Junction. It is an existing 8” line located in 27 ½ Road and C ½ Road.

Domestic water will be provided by Ute Water.

6. Effects On Public Facilities

Future development of these properties will have expected, but not unusual impacts on the fire department, police department, and the public school system.

7. Site Soils

No unusual or unexpected soil issues are present at the proposed site.

8. Site Geology and Geologic Hazards

There is 'floodway designation along the river edge of the property, there is 100 year floodplain on much of the property.

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation

E. Development Schedule and Phasing

- Submit Rezone April 2019
- Submit ROW Vacation May 2019
- Submit Major Site Plan Summer 2019

Legal Description

Parcel 1 (2945-243-00-081)

All of Lot 3, EXCEPT the West 10 chains thereof in Section 24, Township 1 South, Range 1 West, Ute Meridian, and being more particularly described as follows:

Commencing at the C $\frac{1}{4}$ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;
Thence along the North line of Government Lot 3 in said Section 24 S89°56'19" W 12.50 feet to a point on the West right-of-way line of 27 $\frac{1}{2}$ Road, being the True Point of Beginning;
Thence continuing along said North line S89°56'19" W 652.12 feet;
Thence S00°06'53" E 534.28 feet to the North bank of the Colorado River, which is also the South line of Government Lot 3 in said Section 24;
Thence along said riverbank the following thirteen (13) courses:

1. S82°64'10" E 17.50 feet;
2. N73°04'18" E 49.98 feet;
3. N82°36'10" E 205.52 feet;
4. N84°59'11" E 36.42 feet;
5. N84°27'00" E 76.02 feet;
6. N75°18'35" E 56.11 feet;
7. N82°35'07" E 9.02 feet;
8. S52°59'28" E 9.53 feet;
9. N61°06'48" E 19.97 feet;
10. N70°44'38" E 63.80 feet;
11. N74°23'15" E 70.58 feet;
12. N81°19'12" E 30.61 feet;
13. N70°38'06" E 23.73 feet to the West right-of-way line of 27 $\frac{1}{2}$ Road;

Thence along said right-of-way line N00°07'57" E 413.77 feet to the point of beginning.

Parcel 2 (2945-244-00-080)

The West 367.65 feet of all that part of Lot 2 in Section 24, Township 1 South, Range 1 West, Ute Meridian lying West of the drainage ditch of the Grand Junction Drainage District, and being more particularly described as follows:

Commencing at the C $\frac{1}{4}$ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;
Thence S89°46'04" E 12.50 feet to a point on the East right-of-way line of 27 $\frac{1}{2}$ Road,
Being the True Point of Beginning;
Thence S00°07'57" W 404.92 feet to the North Bank of the Colorado River, which is also the South line of Government Lot 2 in said Section 24;
Thence along said riverbank the following eight (8) courses;

1. S45°37'16" E 24.34 feet;
2. S62°32'16" E 33.07 feet;
3. N55°25'33" E 33.87 feet;
4. N89°54'00" E 153.40 feet;
5. N85°02'35" E 50.54 feet;
6. S87°09'05" E 12.51 feet;
7. N52°08'39" E 22.53 feet;

8. S84°02'41" E 46.74 feet;
Thence N00°07'57" E 403.55 feet to the North line of said Government Lot 2;
Thence along said North line N89°46'04" W 355.15 feet to the point of beginning

Parcel 3 2945-244-00-202

A parcel of land situated in G.L.O Lot 2, Section 24, Township 1 South, Range 1 West of the Ute Meridian;

And being particularly described as follows:

Beginning at the C ¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian; thence along the North line of the NW1/4SW 1/4 of said Section 24 S89°46'04" E 367.65 feet;
Thence S00°07'57" W 30.00 feet to the South right-of-way of C ½ Road, being the True Point of Beginning;
Thence along said right-of-way S89°46'04" E 335.18 feet;
Thence S 33°58'56" W 457.11 feet to a point on the North bank of the Colorado River;
Thence along and parallel with the Colorado River N55°58'04" W 97.06 feet;
Thence N00°07'57" E 326.08 feet to the point of beginning.

NEIGHBORHOOD MEETING NOTES

March 19, 2019 @ 5:30pm

A Neighborhood Meeting was held on March 19, 2019 regarding a proposed ROW Vacation of 27 ½ Road and proposed Rezone from I-1 & I-O to C-1 at 347 27 ½ Road, 2757 C ½ Road and the adjacent parcel to the west.

In Attendance:

Representatives: Ted Ciavonne & Mallory Reams (Ciavonne, Roberts & Associates Inc.)
Kathy Portner (City of Grand Junction)

About 7 Neighbors attended the meeting and had the following comments:

- So the adjacency allows the comp plan change? –Yes.
- That area is in the floodway/flood plain. Will they have to fill it? – Can't build in the floodway. There will most likely be a trail in that area eventually. As far as the rest of the area, the soil will have to raise least 1' above flood plain grade.
- They still found it unusual that residential would be planned here as it's in the flood plain.
 - Kathy Portner informed them to keep in mind that the entire Riverside Neighborhood is in the flood plain. The city has rules and regulations in place to plan/resolve things like this and minimize risk.
- What about foundations in that type of soil? – A Geotechnical Report will be done at time of Site Plan which will come with recommendations for foundations.
- Has a geotechnical report been done? – Not yet, but that will be the next step after this rezone/ROW vacation submittal.
- Has the price of the land been decided? Under contract? – No idea.
- On the westerly parcel, is that the bike trail that goes up and around it? Will it remain that way when this develops? – The city has a 50' trail easement along these three parcels. That trail will remain, but eventually there will be another trail along the river.
- The neighbors liked that it was going to change from industrial to commercial. They don't want industrial. They are concerned with light pollution and noise that goes along with industrial uses so this is a positive change for them.
- Where will the dog park be for Las Colonias? North of this property? – No, it has moved more to the west.
- What is the maximum density allowed? – Up to 24 units/acre for C-1 with a 40' height restriction
- Are you dealing with a single owner? – We are. It is not clear if there are other investors/owners involved at this time.
- So you don't know what the uses might be? – No, but it will be a mixed use type with office, retail and some sort of residential. The potential owner wants the uses to compliment what is happening at Las Colonias Business Park.

- The neighbors wanted to mention that their neighborhood across the river is very, very quiet with an abundance of different types of wildlife around. They want the potential owner to keep that in mind when deciding what to put here.
- They informed us we should look at the wash to the north and how to improve drainage when this project goes to site plan review.
- The property surrounding Indian Road to the North; what is that going to be? Will they go MU? – It was developed as an industrial park.
- Any landscaping? – Yes there will be. It's too early to tell what the design will look like, but the city has a landscape code that we will follow when the time comes.



Clavonne,
Roberts &
Associates, Inc

LAND PLANNING AND
LANDSCAPE ARCHITECTURE

222 North 7th Street
PH 970-241-0745

Grand Junction, CO 81501
FX 970-241-0765

www.clavonne.com

Neighborhood Meeting Notice Letter

Mailing Date: March 7, 2019

RE: A Neighborhood Meeting for 347 27 ½ Road, 2757 C ½ Road and the adjacent parcel to the west.

Dear Property Owner:

This letter is to notify you that on **Tuesday (March 19th), starting at 5:30 pm**, a neighborhood meeting will be held to update you on a proposed **Rezone from I-1 (Light Industrial) & I-O (Industrial/Office Park) to C-1 (Light Commercial)** at 347 27 ½ Road, 2757 C ½ Road and the adjacent parcel to the west, Grand Junction, Colorado. This meeting will be held at **Western Colorado Botanical Gardens, 641 Struthers Ave Grand Junction, Colorado 81501**, in the library.

The neighborhood meeting is an opportunity for adjacent property owners to learn more about the project, ask questions, and submit written statements to the developer, the developer's representative, and/or the City of Grand Junction staff.

The applicant will be submitting a Rezone application for the three noted properties to the City of Grand Junction. The proposal is a rezone from I-1 & I-O to C-1 in anticipation of future offices, retail, multi-family residential, or mixed uses. As a neighbor of this property you will be notified of pending development applications and public hearings (if any) by mail.

The list of property owners being notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not available to attend this meeting, you can provide written comment to ted@ciavonne.com or the City of Grand Junction Planning Department at kathyp@gjcity.org

We look forward to seeing you at this meeting.

Sincerely,

Ted Ciavonne, PLA

Ciavonne, Roberts and Associates, Inc

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Tuesday March 19, 2019 @ 5:30pm

FOR: REZONE @ 347 27 1/2 Road, 2757 C 1/2 Road and the adjacent parcel to the west.

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE # / EMAIL</u>
Penny Heuscher (Pauline)	24601 Sorento Ln Sorento LA Cedaridge, 81413 (own property on mt view st received notice	pheuscher@gmail.com
Enno Heuscher	"	ephuscher@gmail.com
Janet Magoon	2752 Chayenne Dr.	janetmagoon@live.com
Paul Early	776 23 1/2 Rd	
Bessie Skinner	2773 C 1/2 Rd Skinner Farm 2000	YAHOO.COM
Harry Graf	2636 Chestnut Dr. 91506	harryegllblaw.com
Diane Birmingham	333 Mtn View Ct.	dbbham52@gmail.com
Kathy Portner	City of GS	
Ted Ciavonne + Mallory Reams	Ciavonne, Roberts + Associates	

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) SLB Enterprises LLC ("Entity") is the owner of the following property:

(b) 347 27 1/2 Road (2945-243-00-081); (2945-244-00-80); 2757 C 1/2 Road (2945-244-00-202)

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) _____ 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

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

(e) none

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

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

Signature of Entity representative: Larry E. Brady

Printed name of person signing: _____

State of Utah)

County of Uintah) ss.

Subscribed and sworn to before me on this 18 day of April, 2019

by Larry E Brady

Witness my hand and seal.

My Notary Commission expires on 12-22-2022

[Signature]
Notary Public Signature

2320699 BK 4172 PG 725-727
 06/05/2006 12:11 PM
 Janice Ward CLK&REC Mesa County, CO
 RecFee \$15.00 SurChg \$1.00
 DocFee \$63.69

BARGAIN AND SALE DEED

GRAND VALLEY BY-PRODUCTS COMPANY, a Colorado Dissolved corporation also known as **Grand Valley By-Products, Inc.**, and formerly known as **Grand Valley Rendering Company**, ("Grantor") of 744 Horizon Court, Suite 300, Grand Junction, CO 81506, in consideration of the payment of \$636,922.00 and other valuable consideration, sells and conveys to **SLB ENTERPRISES, L.L.C.**, ("Grantee") a Utah limited liability company, whose legal address is P.O. Box 1874, Vernal, UT 84078., real property in Mesa County, Colorado, legally described as:

Parcel No. 1

All of Lot 3, EXCEPT the West 10 chains thereof in Section 24, Township 1 South, Range 1 West, Ute Meridian, and being more particularly described as follows:

Commencing at the C $\frac{1}{4}$ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;

thence along the North line of Government Lot 3 in said Section 24 S89°56'19" W 12.50 feet to a point on the West right-of-way line of 27 $\frac{1}{2}$ Road, being the True Point of Beginning;

thence continuing along said North line S89°56'19" W 652.12 feet;

thence S00°06'53" E 534.28 feet to the North bank of the Colorado River, which is also the South line of Government Lot 3 in said Section 24;

thence along said riverbank the following thirteen (13) courses:

1. S82°54'10" E 17.50 feet;
 2. N73°04'18" E 49.98 feet;
 3. N82°36'10" E 205.52 feet;
 4. N84°59'11" E 36.42 feet;
 5. N84°27'00" E 76.02 feet;
 6. N75°18'35" E 56.11 feet;
 7. N82°35'07" E 9.02 feet;
 8. S52°59'28" E 9.53 feet;
 9. N61°06'48" E 19.97 feet;
 10. N70°44'38" E 63.80 feet;
 11. N74°23'15" E 70.58 feet;
 12. N81°19'12" E 30.61 feet;
 13. N70°38'06" E 23.73 feet to the West right-of-way line of 27 $\frac{1}{2}$ Road;
- thence along said right-of-way line N00°07'57" E 413.77 feet to the point of beginning.

Parcel No. 2

The West 367.65 feet of all that part of Lot 2 in Section 24, Township 1 South, Range 1 West, Ute Meridian lying West of the drainage ditch of the Grand Junction Drainage District, and being more particularly described as follows:

bmt/b

Commencing at the C¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;

thence S89°46'04" E 12.50 feet to a point on the East right-of-way line of 27½ Road, being the True Point of Beginning;

thence S00°07'57" W 404.92 feet to the North bank of the Colorado River, which is also the South line of Government Lot 2 in said Section 24;

thence along said riverbank the following eight (8) courses:

1. S45°37'16" E 24.34 feet;
2. S62°32'16" E 33.07 feet;
3. N55°25'33" E 33.87 feet;
4. N89°54'00" E 153.40 feet;
5. N85°02'35" E 50.54 feet;
6. S87°09'05" E 12.51 feet;
7. N52°08'39" E 22.53 feet;
8. S84°02'41" E 46.74 feet;

thence N00°07'57" E 403.55 feet to the North line of said Government Lot 2;

thence along said North line N89°46'04" W 355.15 feet to the point of beginning

Together with all appurtenances, and all ditches, ditch rights, carriage rights, water and water rights (whether direct flow, storage, underground, well, certificated, or contractual water rights) appurtenant to or presently or historically used in connection with the Property, if any.

Grantee and anyone claiming by, through, or under Grantee fully and irrevocably releases the Grantor, its officers, directors, shareholders, employees, attorneys and agents, from any and all past, current, and future claims against the Grantor and its officers, directors, shareholders, attorneys and agents for any cost, loss, liability, damage, expense, demand, action, or cause of action arising from or related to any defects, errors, omissions, or other conditions (including, for example, environmental matters) affecting the Property, or any portion of it.

SIGNED: June 2, 2006.

GRAND VALLEY BY-PRODUCTS COMPANY,
a Colorado Dissolved corporation also known as
Grand Valley By-Products, Inc., and formerly
known as **Grand Valley Rendering Company**



By: Judy A. Workman - President
Judy A. Workman, President, Director and Shareholder

By: Donna Bennett - Secretary
Donna Bennett, Secretary/Treasurer, Director and Shareholder

By: Melvin B. Seevers, Jr.
Melvin B. Seevers, Jr., Shareholder

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 2nd day of June, 2006, by Judy A. Workman as President, Director and Shareholder of Grand Valley By-Products Company, a Colorado Dissolved corporation also known as Grand Valley By-Products, Inc., and formerly known as Grand Valley Rendering Company.

WITNESS my hand and official seal.

My commission expires: 8-12-09



STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 2nd day of June, 2006, by Donna Bennett as Secretary/Treasurer, Director and Shareholder of Grand Valley By-Products Company, a Colorado Dissolved corporation also known as Grand Valley By-Products, Inc., and formerly known as Grand Valley Rendering Company.

WITNESS my hand and official seal.

My commission expires: 5/5/2008



Sarah Dufford-Stephens
Notary Public

STATE OF COLORADO)
 My Commission Expires 05/05/2008) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 2nd day of June, 2006, by Melvin B. Seevers, Jr. as Shareholder of Grand Valley By-Products Company, a Colorado Dissolved corporation also known as Grand Valley By-Products, Inc., and formerly known as Grand Valley Rendering Company.

WITNESS my hand and official seal.

My commission expires: 8-12-09



[Signature]
Notary Public

2320698 BK 4172 PG 722-724
 06/05/2006 12:11 PM
 Janice Ward CLK&REC Mesa County, CO
 RecFee \$15.00 SurChg \$1.00
 DocFee \$34.30

PERSONAL REPRESENTATIVE'S DEED
 (Testate Estate)

THIS DEED is made by **MELVIN B. SEEVERS, JR. and JUDY A. WORKMAN**, as Co-Personal Representatives of **The Estate of Melvin B. Seevers**, deceased, Grantors, to **SLB ENTERPRISES, L.L.C.**, a Utah limited liability company, whose legal address is P.O. Box 1874, Vernal, UT 84078.

WHEREAS, the Last Will and Testament of the above-named decedent was made and executed in the lifetime of the decedent, and is dated October 14, 1992, which Will was duly admitted to informal probate on July 20, 2000, by the District Court in and for the County of Mesa, State of Colorado, Probate No. 00 PR 234;

WHEREAS, Grantors were duly appointed Personal Representative of said Estate on July 20, 2000, the appointment was confirmed August 19, 2005, and are now qualified and acting in said capacity,

NOW, THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor hereby sells, conveys, assigns, transfers, and sets over unto said Grantee, in consideration of \$343,008.00, the following described real property ("Property") situate in the County of Mesa, State of Colorado:

Parcel No. 1

The West ½ of the Southwest ¼ of the Southwest ¼ of the Northeast ¼ of Section 24, Township 1 South, Range 1 West of the Ute Meridian;
 EXCEPT the North 132 feet of the West 247.5 feet thereof;
 ALSO EXCEPTING the West 12½ feet and the South 20 feet of the above land for road right-of-way; and being more particularly described as follows:

Commencing at the C¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;
 thence along the North line of the NW¼ SE¼ of said Section 24 S89°46'04"E 12.50 feet and N00°07'57"E to a point on the East right-of-way line of 27½ Road and on the North right-of-way line of C½ Road, being the True Point of Beginning;
 thence continuing along the North line of said C½ Road, S89°46'04"E 317.50 feet;
 thence N00°07'57" E 640.33 feet;
 thence N89°48'56" W 82.50 feet;
 thence S00°07'57" W 132.00 feet;
 thence N89°48'56" W 235.00 feet to a point on the East right-of-way line of 27½ Road;
 thence along said right-of-way line S00°07'57" W 508.07 feet to the point of beginning.

Parcel No. 2

A parcel of land situate in G.L.O. Lot 2, Section 24, Township 1 South, Range 1 West of the Ute Meridian;
 and being more particularly described as follows:

Beginning at the C¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;
 thence along the North line of the NW¼ SW¼ of said Section 24 S89°46'04" E 367.65 feet;
 thence S00°07'57" W 30.00 feet to the South right-of-way of C½ Road, being the True Point

917116

of Beginning;
thence along said right-of-way S89°46'04" E 335.18 feet;
thence S33°58'56" W 457.11 feet to a point on the North bank of the Colorado River;
thence along and parallel with the Colorado River N55°58'04" W 97.06 feet;
thence N00°07'57" E 326.08 feet to the point of beginning.

Together with all appurtenances, and all ditches, ditch rights, carriage rights, water and water rights (whether direct flow, storage, underground, well, certificated, or contractual water rights) appurtenant to or presently or historically used in connection with the Property, if any.

Grantee and anyone claiming by, through, or under Grantee fully and irrevocably releases the Estate, its personal representatives, beneficiaries, employees, attorneys and agents, from any and all past, current, and future claims against the Estate and its personal representatives, beneficiaries, attorneys and agents for any cost, loss, liability, damage, expense, demand, action, or cause of action arising from or related to any defects, errors, omissions, or other conditions (including, for example, environmental matters) affecting the Property, or any portion of it.

EXECUTED June 2, 2006.

THE ESTATE OF MELVIN B. SEEVERS

By: Melvin B. Seevers Jr.
Melvin B. Seevers, Jr., Co-Personal Representative

By: Judy A. Workman RR
Judy A. Workman, Co-Personal Representative

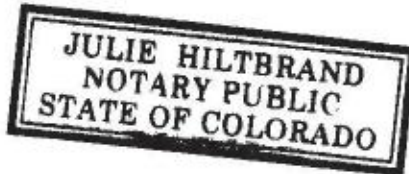
STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 2nd day of June, 2006, by Melvin B. Seevers, Jr., as a Co-Personal Representative of the Estate of Melvin B. Seevers, Deceased.

WITNESS my hand and official seal.

My commission expires: 8-12-09

[Signature]
Notary Public

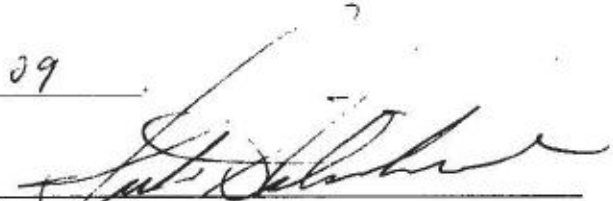


STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 9th day of June, 2006, by Judy A. Workman, as a Co-Personal Representative of the Estate of Melvin B. Seevers, Deceased.

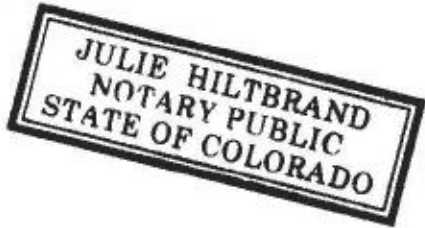
WITNESS my hand and official seal.

My commission expires: 8-12-09

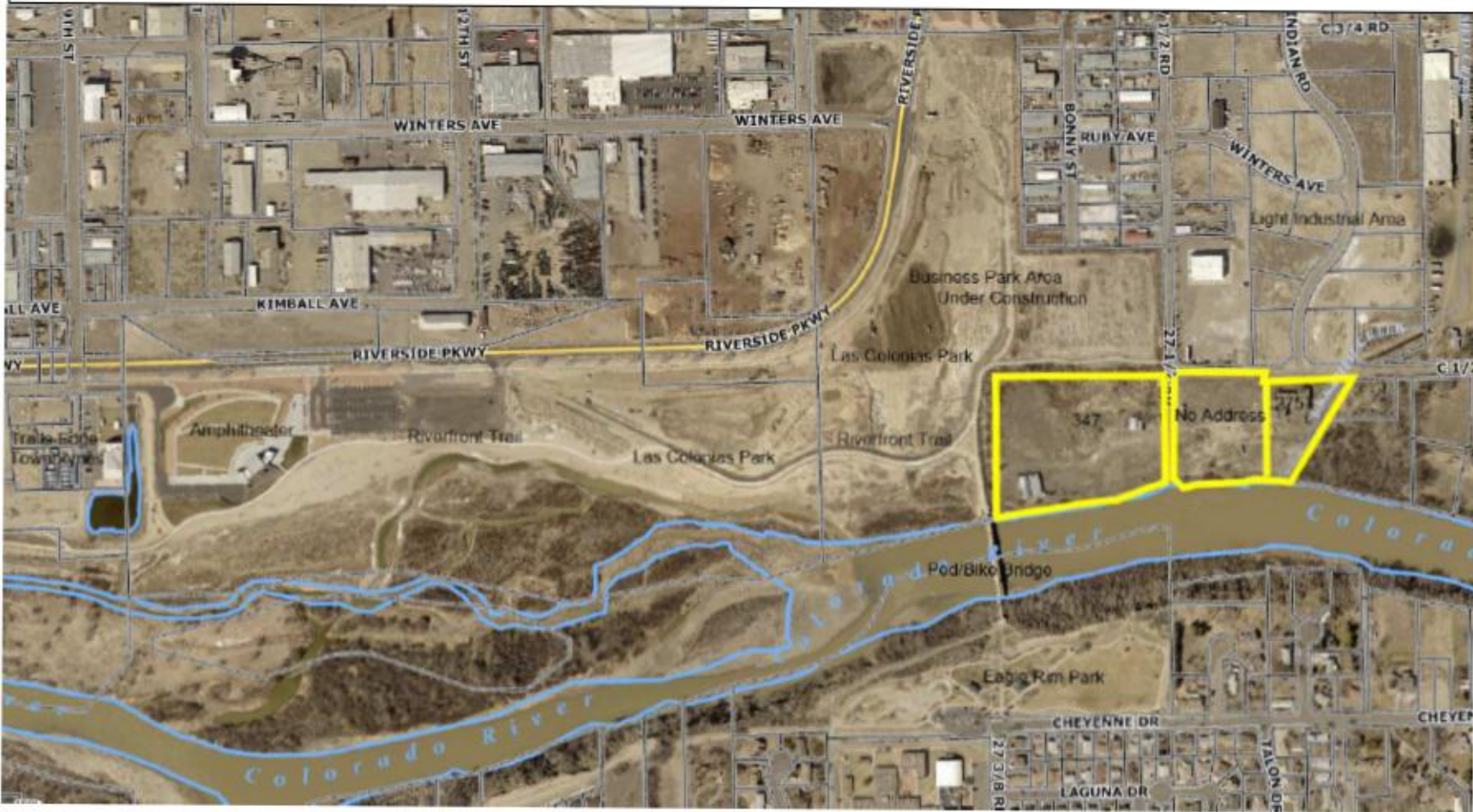


Notary Public

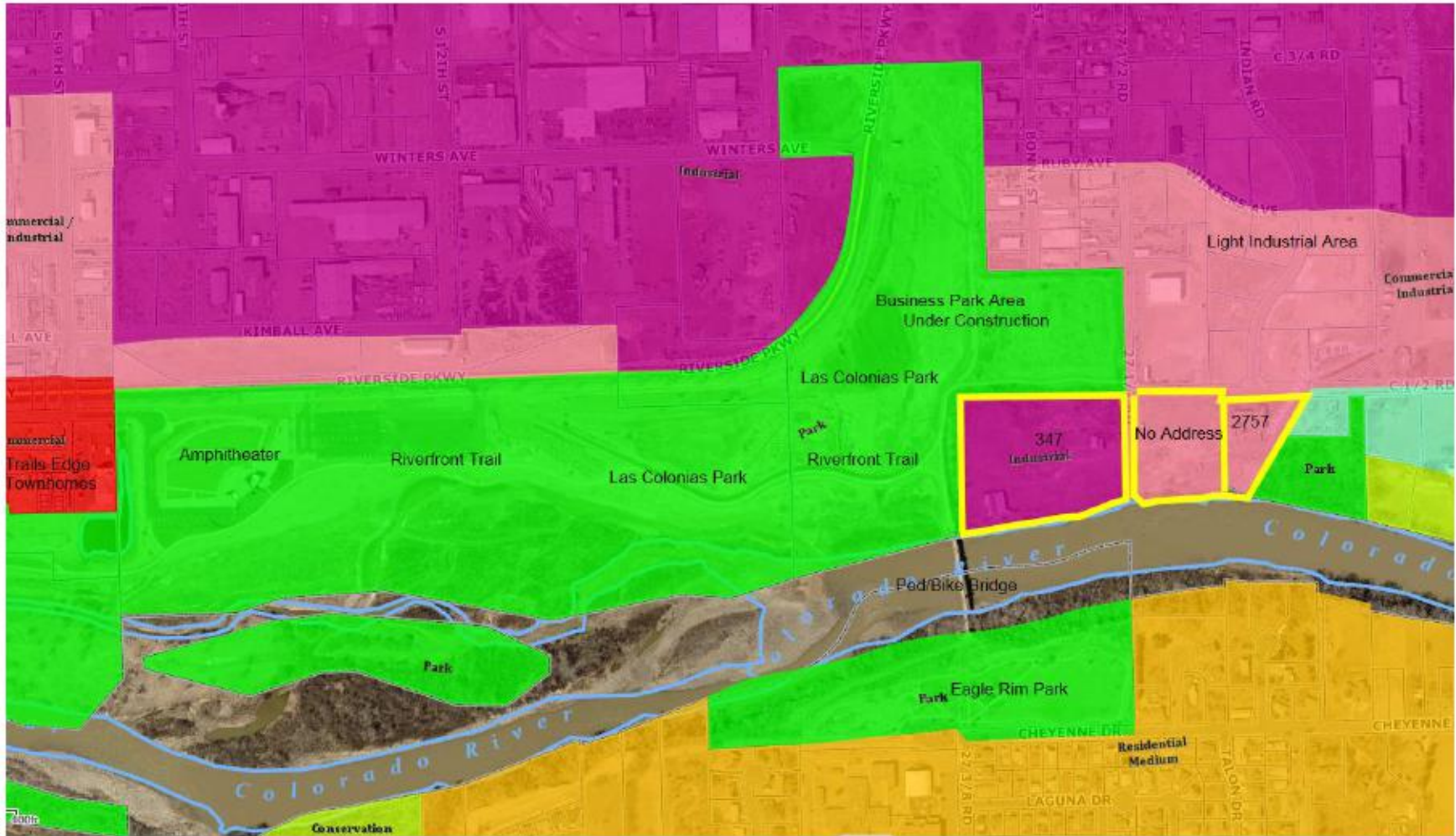
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Brady Trucking Comprehensive Plan Amendment & Rezone Site Location Map



Brady Trucking Comprehensive Plan Amendment & Rezone Future Land Use Map



Brady Trucking Comprehensive Plan Amendment & Rezone Existing Zoning Map





Intersection of 27 1/2 Rd & C 1/2 Rd looking south



Intersection of Indian Rd & C 1/2 Rd looking south

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE
MAP DESIGNATION TO COMMERCIAL AND A REZONE TO C-1 (LIGHT
COMMERCIAL) FOR THE BRADY TRUCKING PROPERTY
ON APPROXIMATELY 12.38 ACRES**

**LOCATED AT 347 27 ½ ROAD, A VACANT PROPERTY ADJACENT TO THE EAST
AND 2757 C ½ ROAD**

Recitals

The applicant and owner, SLB Enterprises LLC owner of 12.38 acres of land at 347 27 ½ Road, a vacant property adjacent to the east, and 2757 C ½ Road, (referred to herein and more fully described below as the "Property"), propose an amendment to the Comprehensive Plan Future Land Use Map from Industrial and Commercial Industrial to Commercial and a rezone from Light Industrial (I-1) and Industrial/Office(I-O) to Light Commercial (C-1).

This ordinance amends the Comprehensive Plan and zones the three Properties to C-1.

The City Council finds, after a public hearing and review of the proposed Comprehensive Plan Future Land Use Map amendments and Rezone to Light Commercial (C-1), determined that they satisfy the applicable criteria of the Code and are consistent with the purpose and intent of the Comprehensive Plan.

The City Council finds that Comprehensive Plan map amendment from Industrial and Commercial/Industrial to Light Commercial on approximately 12.38 acres located at 347 27 ½ Road, a vacant property adjacent to the east, and 2757 C ½ Road, as shown on the attached Exhibit A is consistent with the vision, intent, goals and policies the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, as further described in the Staff report.

The City Council finds that a C-1 zone district, RZN-2019-256, is consistent and conforms with

- 1) the Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies; and
- 2) the rezoning criteria provided in GJMC 21.02.140;
- 3) the applicable corridor guidelines and other overlay districts.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Planning Commission reviewed the request for the proposed Comprehensive Plan Future Land Use Map amendments and Rezone to Light Commercial (C-1), and determined that each satisfies the applicable criteria of the

Zoning and Development Code, is consistent with the purposes, intent, goals and policies of the Comprehensive Plan, and are generally compatible with land uses located in the surrounding area, and recommended approval of:

- 1) A Comprehensive Plan Future Land Use Amendment from Industrial and Commercial Industrial to Commercial on approximately 12.38 acres located at 347 27 ½ Road, a vacant property adjacent to the east, and 2757 C ½ Road;
- 2) A rezone to Light Commercial (C-1) for the same property and as shown on Exhibit A;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AND REZONE IS APPROVED:

A. This Ordinance applies to the following described property:

Parcel 1 (2945-243-00-081) – 347 27 ½ Road

All of Lot 3, EXCEPT the West 10 chains thereof in Section 24, Township 1 South, Range 1 West, Ute Meridian, and being more particularly described as follows:

Commencing at the C ¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;

Thence along the North line of Government Lot 3 in said Section 24 S89°56'19" W 12.50 feet to a point on the West right-of-way line of 27 ½ Road, being the True Point of Beginning;

Thence continuing along said North line S89°56'19" W 652.12 feet;

Thence S00°06'53" E 534.28 feet to the North bank of the Colorado River, which is also the South line of Government Lot 3 in said Section 24;

Thence along said riverbank the following thirteen (13) courses:

1. S82°64'10" E 17.50 feet;
2. N73°04'18" E 49.98 feet;
3. N82°36'10" E 205.52 feet;
4. N84°59'11" E 36.42 feet;
5. N84°27'00" E 76.02 feet;
6. N75°18'35" E 56.11 feet;
7. N82°35'07" E 9.02 feet;
8. S52°59'28" E 9.53 feet;
9. N61°06'48" E 19.97 feet;
10. N70°44'38" E 63.80 feet;
11. N74°23'15" E 70.58 feet;
12. N81°19'12" E 30.61 feet;
13. N70°38'06" E 23.73 feet to the West right-of-way line of 27 ½ Road;

Thence along said right-of-way line N00°07'57" E 413.77 feet to the point of beginning.

Parcel 2 (2945-244-00-080) – No Address Assigned

The West 367.65 feet of all that part of Lot 2 in Section 24, Township 1 South, Range 1 West, Ute Meridian lying West of the drainage ditch of the Grand Junction Drainage District, and being more particularly described as follows:

Commencing at the C ¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian;

Thence S89°46'04" E 12.50 feet to a point on the East right-of-way line of 27 ½ Road, Being the True Point of Beginning;
Thence S00°07'57" W 404.92 feet to the North Bank of the Colorado River, which is also the South line of Government Lot 2 in said Section 24;
Thence along said riverbank the following eight (8) courses;
1. S45°37'16" E 24.34 feet;
2. S62°32'16" E 33.07 feet;
3. N55°25'33" E 33.87 feet;
4. N89°54'00" E 153.40 feet;
5. N85°02'35" E 50.54 feet;
6. S87°09'05" E 12.51 feet;
7. N52°08'39" E 22.53 feet;
8. S84°02'41" E 46.74 feet;
Thence N00°07'57" E 403.55 feet to the North line of said Government Lot 2;
Thence along said North line N89°46'04" W 355.15 feet to the point of beginning

Parcel 3 2945-244-00-202 – 2757 C ½ Road

A parcel of land situated in G.L.O Lot 2, Section 24, Township 1 South, Range 1 West of the Ute Meridian;

And being particularly described as follows:

Beginning at the C ¼ of Section 24, Township 1 South, Range 1 West, of the Ute Meridian; thence along the North line of the NW1/4SW 1/4 of said Section 24

S89°46'04" E 367.65 feet;

Thence S00°07'57" W 30.00 feet to the South right-of-way of C ½ Road, being the True Point of Beginning;

Thence along said right-of-way S89°46'04" E 335.18 feet;

Thence S 33°58'56" W 457.11 feet to a point on the North bank of the Colorado River;

Thence along and parallel with the Colorado River N55°58'04" W 97.06 feet;

Thence N00°07'57" E 326.08 feet to the point of beginning

Said three parcels containing an area of 12.38 Acres, as herein described (the "Property").

Introduced for first reading on this 17 day of July, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

EXHIBIT A

