

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4940

AN ORDINANCE ZONING MAGNUS COURT SUBDIVISION TO PD (PLANNED DEVELOPMENT) WITH A DEFAULT ZONE OF R-2 (RESIDENTIAL - 2 DU/AC) AND AN OUTLINE DEVELOPMENT PLAN FOR 74 RESIDENTIAL UNITS ON 69.67 ACRES

LOCATED AT MAGNUS COURT & 2215 MAGNUS COURT #A

Recitals:

The applicants, CR Nevada Associates LLC, JLC Magnus LLC and Bonds LLC, proposes to develop 74 single-family detached lots to be located at the west end of Magnus Court and 2215 Magnus Court #A on a total of 69.67-acres to be constructed within up to four phases.

The request for an Outline Development Plan as a Planned Development with a default R-2 (Residential—2 du/ac) has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning, and conditions of approval for the Outline Development Plan for Magnus Court Subdivision.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by providing;

#1. Greater quality and quantity of public and/or private open space. The Applicant is proposing over 46-acres as open space or 65% of the project site. The minimum requirement in order to be considered as a cluster development would be 20%, the applicant is therefore providing an additional 45% of open space. The Applicant is proposing for the open space to either be granted to the homeowner’s association or to be considered for acceptance as public open space by either the City of Grand Junction or the Museum of Western Colorado. The abutting open space is owned and maintained by the Museum of Western Colorado and is 43 acres in size.

#2. Other recreational amenities. The site currently contains numerous hiking trails that have been created over the years that have been utilized by the public but are located on private property. As part of the ODP request, the Applicant is proposing to grant public access to the existing trail network through the conveyance of easements or open space tracts throughout the project. Further, connections to the trail system will include both connections that are internal and external to the project. The project is proposing construction and dedication of 1.62 miles of public trail system.

#3. Protection and/or Preservation of natural resources, habitat areas and natural features.
With over 46-acres remaining as open space intended to be open to the public the proposed development preserves environmentally sensitive areas, natural features and rock-outcroppings.

After reviewing the application for a rezone to PD with an R-2 default zone district and an Outline Development Plan for the proposed Magnus Court Subdivision, 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. The Planned Development is in accordance with all criteria in Section 21.02.150(b)(2) of the Grand Junction Zoning and Development Code.
3. Pursuant to Section 21.05.010, the Planned Development has been found to have long term community benefits including:
 - a. Greater quality and quantity of public and/or private open space,
 - b. Other Recreational Amenities; and
 - c. Protection and/or Preservation of natural resources, habitat areas and natural features.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE OUTLINE DEVELOPMENT PLAN AS A PLANNED DEVELOPMENT FOR MAGNUS COURT SUBDIVISION IS APPROVED WITH THE FOLLOWING STANDARDS AND DEFAULT ZONE:

- A. This Ordinance applies to the following described properties:

PARCEL 1

WARRANTY DEED RECORDED JULY 31, 2008 AT RECEPTION NO. 2451023:

A PARCEL OF LAND SITUATED IN THE NW1/4 OF THE NW 1/4 OF SECTION 18,
TOWNSHIP 1 SOUTH, RANGE 1
WEST

OF THE UTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST COMER OF THE N1/2 OF LOT 1 IN SAID SECTION 18;
THENCE NORTH 00°12' WEST 339.68 FEET;
THENCE SOUTH 55°55' EAST 314.35 FEET;
THENCE SOUTH 163.54 FEET
THENCE WEST 259.1 FEET TO THE POINT OF BEGINNING.

INCLUDING THE PORTION LYING WESTERLY OF LINE DESCRIBED IN BOUNDARY LINE AGREEMENT AS RECORDED AT RECEPTION NUMBER 2756698 OF THE MESA COUNTY RECORDS.
COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2

WARRANTY DEED RECORDED AUGUST 30, 2016 AT RECEPTION NO. 2772258:

A TRACT OF LAND LOCATED IN THE N½ OF LOT 1 IN SECTION 18, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 25 FEET WEST AND 267.8 FEET SOUTH 51°38' WEST AND 31.9 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1 OF SAID SECTION 18 AND RUNNING THENCE SOUTH 51°38' WEST 92.1 FEET;
THENCE SOUTH 73°53' WEST 88.9 FEET;
THENCE WEST 136.3 FEET;
THENCE SOUTH 41°00' WEST 181.7 FEET;
THENCE SOUTH 55°00' WEST 108.6 FEET;
THENCE SOUTH 80°00' WEST 168.8 FEET;
THENCE NORTH 85°00' WEST 149.1 FEET;
THENCE SOUTH TO THE SOUTH BOUNDARY LINE OF THE N½ OF SAID LOT 1;
THENCE EAST ALONG THE SAID SOUTH BOUNDARY OF LOT 1 TO A POINT DUE SOUTH OF THE POINT OF BEGINNING;
THENCE NORTH TO THE POINT OF BEGINNING,

INCLUDING THE PORTION LYING EASTERLY OF LINE DESCRIBED IN BOUNDARY LINE AGREEMENT AS RECORDED AT RECEPTION NUMBER 2756698 OF THE MESA COUNTY RECORDS.
COUNTY OF MESA, STATE OF COLORADO.

PARCEL 3

WARRANTY DEED RECORDED JULY 21, 2005 IN BOOK 3947 AT PAGE 217 AT RECEPTION NO. 2265192:

The S1/2. of Lot 1 in Section 18, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado,

EXCEPTING THEREFROM that portion lying within the lines of South Broadway;
AND ALSO EXCEPT A parcel of land for road right-of-way and utility purposes situated in Lot 1, Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at the Mesa County Survey Monument for the Southeast Corner of said Lot 1, thence South 89°34'25' West, (Bearings based on North 00°08'18' West on the East line of said Lot 1) 24.79 feet along the South line of said Lot 1 to a point on the Easterly right-of-way

line of South Broadway as constructed, being on a 705.00 foot radius non-tangent curve to the left, the radius point of which bears North 53°06'40' West, thence 42.75 feet along the arc of said curve, the chord of which bears North 35°09'06" East 42.74 feet through a central angle of 03°28'28" along said right-of-way line to a point on the East line of said Lot 1, thence South 00°08'18" East 34.77 feet to the Point of Beginning.

PARCEL 4

Lot 1 Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado

Said parcels contain 69.67-acres more or less.

- B. This Property is zoned PD (Planned Development) with the following standards and requirements of the Outline Development Plan ("Plan"):

Default Zone & Zone District Standards:

The Plan establishes of a default R-2 zone district. However, the development also utilizes the Cluster Development provisions and under this code section would apply the R-8 bulk standards for building setbacks, etc., based on the applicant providing over 65 percent open space (46-acres) within the ODP. The ODP will meet or exceed all other Zoning Code requirements as identified.

Establishment of Uses:

The Plan allows only single-family detached dwelling units and associated accessory land uses.

Density:

The Plan density is 1.06 dwelling units per acre (74 dwelling units on 69.67-acres). The Comprehensive Plan Future Land Use Map designates these properties as Residential Low (.5 – 2 du/ac) and Rural.

Access:

The main external access points are Highway 340 (Broadway) and Reed Mesa Drive and South Broadway and Redlands Parkway. An access permit from CDOT will be required. All interior intersections to the existing County subdivision including the intersections at 22 ¼ Road and Mowry Drive, Dixon Avenue, Mudgett Street and Reed Mesa Drive will continue to operate at a level of service A in 2040 after the full build-out of the project. Stop signs will be installed at intersections in coordination with the County.

The Plan will provide public access from Magnus Court. Three (3) separate Alternative Street Requests were reviewed and approved by the City regarding the proposed Plan for this site as follows:

- 1) Develop the streets with 31.5 feet of right-of-way, sidewalk on one side only, 21 feet of asphalt width and parking only on one side.

- 2) Allowance of 72 lots from a single point of access by constructing three (3) dedicated fire turn-around locations, a divided entrance (median) street with a 16-foot lane width on each side (50-foot ROW) to the first loop street, a widened street section (40-foot ROW) past the second intersection, and a structurally sufficient street section for all areas. All homes will provide sprinkler fire suppression systems.
- 3) Provide street-lights at street and shared driveway intersections.

Open Space and Pedestrian Amenities:

The Plan includes over 46-acres as open space or 65 percent of the project site. The open space will be granted to either the homeowner's association or to a public entity such as the City of Grand Junction or the Museum of Western Colorado, in full or in part. Final determination of any dedication will be made at time of Final Subdivision Plan review and any request for the City to accept dedication of open space would be a decision of City Council with a recommendation from the City's Parks and Recreation Board. The Plan provides public access/trail easements through the project allowing approximately 1.62 miles of trail as part of the development. The alignment of the trails are consistent with a number of the existing trail alignments.

Consistent with the City's Active Transportation Corridor Plan the project will grant an access/trail easement of 90 lineal feet in this area as required by the City's Active Transportation Corridor Plan along the Redlands First Lift Canal at the northwest corner of the property.

The Plan includes a total of 1.62 miles of trails. The trail system will be internal to the subdivision as well as connect into the Riggs Hill area trail system which is presently owned and maintained by the Museum of Western Colorado.

Trails will be maintained by their respective owner(s).

Phasing:

The following is the Plan phasing schedule based on the City's approval of a final plat:

- Filing One (20 Lots): By December 31, 2023
- Filing Two (20 Lots): By December 31, 2026
- Filing Three (17 Lots): By December 31, 2028
- Filing Four (17 Lots): By December 31, 2030

Lot Layout:

The Plan includes 74 lots ranging in size between 10,095 square feet and 18,413 square feet.

Individual lot-specific grading and drainage plans, which will include designating building envelopes, are required for all lots within the development at the time of final plat.

The Applicant will utilize the Cluster Development standards as provided in Section 21.03.060 that allows for the application of the R-8 bulk standards (Residential – 8 du/ac).

Landscaping:

Landscaping per Code requirements with the use of xeric plant materials will be provided within proposed center medians and homeowners association tracts of land as appropriate.

Introduced for first reading on this 3rd day of June 2020 and ordered published in pamphlet form.

PASSED and ADOPTED this 15th day of June 2020 and ordered published in pamphlet form.



President of City Council

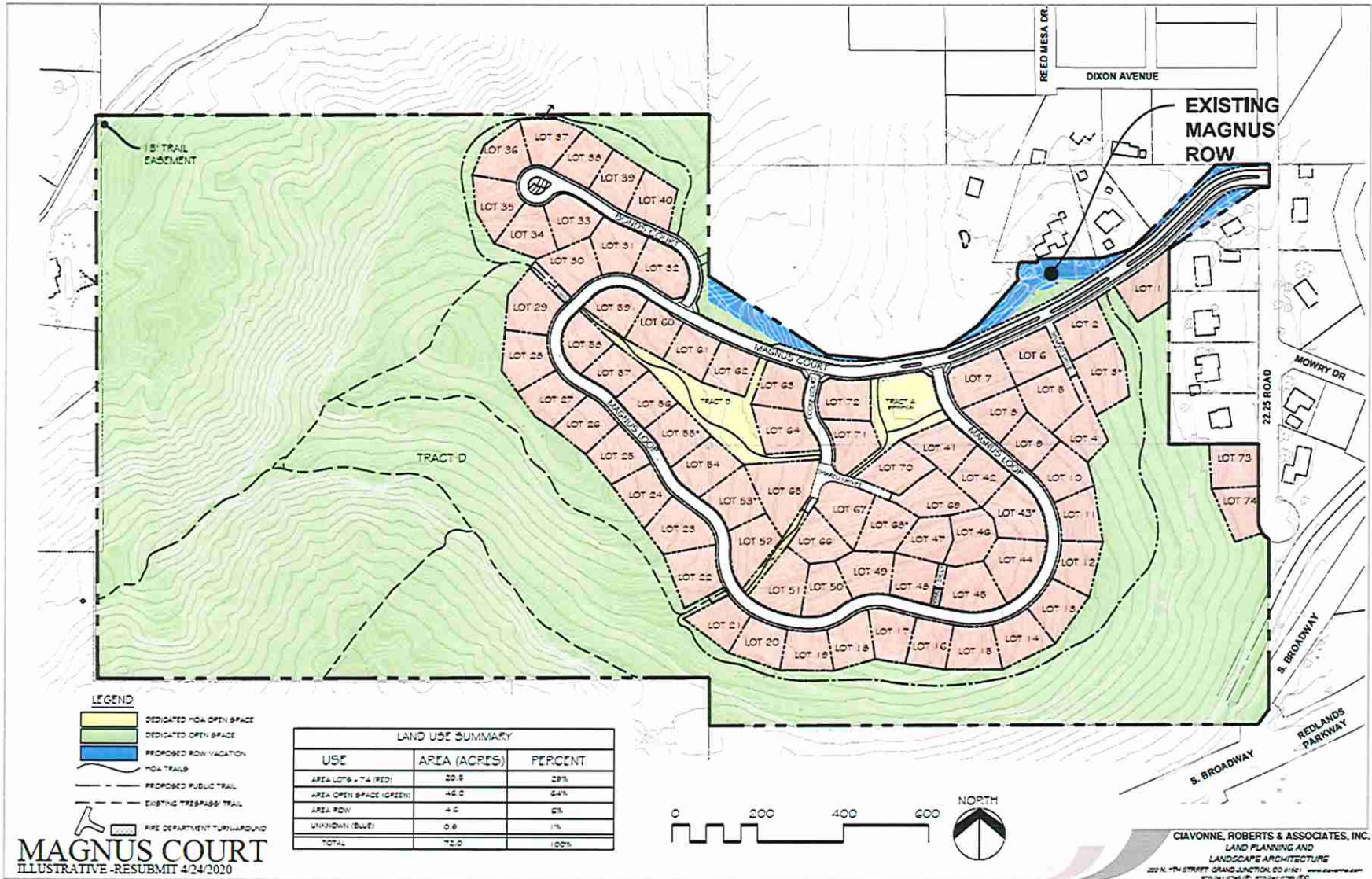
ATTEST:



City Clerk



EXHIBIT A – OUTLINE DEVELOPMENT PLAN



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4940 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 3rd day of June 2020 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 15th day of June 2020, at which Ordinance No. 4940 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 17th day of June 2020.



Deputy City Clerk

Published: June 05, 2020
Published: June 17, 2020
Effective: July 17, 2020

