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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET**

TUESDAY, AUGUST 24, 2021 @ 5:30 PM

Register for the meeting using the link below:

<https://attendee.gotowebinar.com/register/611946807507551503>

After registering, you will receive a confirmation email containing information about joining the webinar.

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from July 27, 2021.
2. Consider a request by Kraig Andrews to vacate right-of-way of Tonto Lane between 2632 and 2635 Cottonwood Drive. | [Staff Presentation](#) | Phone-in comments dial **7003**.
3. Consider a request by McCurter Land Company LLC and Five Star Homes and Development Inc., to Vacate a Portion of the Public Right-of-Way of G 1/8 Road, Located near 2524 G Road and 716 25 Road. | [Staff Presentation](#) | Phone-in comments dial **3487**.

Regular Agenda

1. Consider a request by EDKA Land Co LLC to annex and zone 6.73 +/- acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) zone district in anticipation of future residential subdivision development. | [Staff Presentation](#) | Phone-in comments dial **6049**.
2. Consider a request by Richard and Marianne Traver to annex and zone approximately 19.41-acres from County PUD (Planned Unit Development) and County RSF-R (Residential Single Family – Rural – 5-acre lot sizes) to a City R-8 (Residential – 8 du/ac) zone for the Westland Meadows Annexation, a property located at 2973 D ½ Road, west of 30 Road in Pear Park. | [Staff Presentation](#) | Phone-in comments dial **9231**.

3. Consider a request by Faith Heights to rezone one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use) located at 600 28 ¼ Road. | [Staff Presentation](#) | Phone-in comments dial **5860**.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
July 27, 2021 MINUTES
5:30 p.m.

The meeting of the Planning Commission was called to order at 5:33 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, George Gatseos, Ken Scissors, Keith Ehlers, Sandra Weckerly, Andrea Haitz, and Shanon Secrest.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Kristen Ashbeck (Principal Planner), and Jace Hochwalt (Senior Planner).

There were 0 members of the public in attendance.

CONSENT AGENDA

Commissioner Scissors moved to adopt Consent Agenda Item #1. Commissioner Ehlers seconded the motion. The motion carried 7-0.

1. Approval of Minutes

Minutes of Previous Meeting(s) from July 13, 2021.

REGULAR AGENDA

1. Monument Waste Conditional Use Permit Amendment File # CUP-2021-333

Consider a request by Monument Waste for changes to a Conditional Use Permit for a Recycling Facility on 6.5 acres in an I-2 (General Industrial) zone district.

Staff Presentation

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

Questions for Staff

None.

Applicant Presentation

The applicant's representative, Ted Ciavonne, Ciavonne Roberts and Associates, was present and available for questions.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, July 20, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at 5:47 p.m. on July 27, 2021.

Questions for Applicant or Staff

None.

Discussion

None.

Motion and Vote

Commissioner Gatseos made the following motion, "Chairman, on the Monument Waste request to amend a Conditional Use Permit, file number CUP-2021-333, I move that the Planning Commission approve the expansion/change to site of the Material Recovery Facility with the findings of fact listed in the staff report."

Commissioner Scissors seconded the motion. The motion carried 7-0.

2. GJ Blackout Rezone File # RZN-2021-447

Consider a request by Peterson Bros Holdings, LLC to rezone one parcel totaling approximately 9.98 acres from I-2 (General Industrial) to I-1 (Light Industrial) located at 715 23 ½ Road.

Staff Presentation

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

Questions for Staff

None.

Applicant Presentation

The applicant was available for questions.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, July 20, 2021 via www.GJSpeaks.org.

None.

The public hearing was closed at 5:57 p.m. on July 27, 2021.

Questions for Applicant or Staff

None.

Discussion

None.

Motion and Vote

Commissioner Scissors made the following motion, “Chairman, on the GJ Blackout Rezone request from an I-2 (General Industrial) zone district to an I-1 (Light Industrial) zone district for the 9.98-acre property located at 715 23 ½ Road, City File Number RZN-2021-447, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.”

Commissioner Haitz seconded the motion. The motion carried 7-0.

3. Other Business

None.

4. Adjournment

Commissioner Scissors moved to adjourn the meeting. Commissioner Ehlers seconded. The meeting adjourned at 5:58 p.m.



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: August 24, 2021
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, AICP, Principal Planner

Information

SUBJECT:

Consider a request by Kraig Andrews to vacate right-of-way of Tonto Lane between 2632 and 2635 Cottonwood Drive. | [Staff Presentation](#) | Phone-in comments dial **7003**.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Kraig Andrews, is requesting the vacation of the Tonto Lane right-of-way, a roadway which begins from Cottonwood Drive heading north for approximately 200 feet located between 2632 and 2635 Cottonwood Drive that was never constructed and terminates into I-70 Interstate right-of-way. Tonto Lane dedicated in 1955 is no longer needed to provide access to properties to the north. A utility easement will be reserved and retained that will cross over and line up with the existing 15 ft. utility easement running east to west across the northern portion of the right-of-way vacation area.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The North Rolling Acres Subdivision approved and platted in 1955 dedicated the Tonto Lane right-of-way. The Applicant, Kraig Andrews, is requesting the vacation of the Tonto Lane right-of-way, a roadway which begins from Cottonwood Drive heading north for approximately 200 feet located between 2632 and 2635 Cottonwood Drive. The road was never constructed, and the northern portion became part of the Interstate 70 right-of-way. Cottonwood Drive which Tonto Lane ties into was constructed and provides the necessary access to the residential lots in the subdivision. Tonto Lane no longer provides access to properties to the north with the construction of I-70.

The Tonto Lane right-of-way is not shown on the Grand Valley Circulation Plan and is not needed to provide future access and/or connectivity.

A utility easement will be reserved and retained in the area of Tonto Lane to include the overhead utilities that exist. It extends immediately from the existing 15' utility easement on Lot 4 of the North Rolling Acres and cross over and line up with the existing 15' utility easement on Lot 5 of the North Rolling Acres plat so that it will be a continuous utility easement. Additional area will be reserved as the overhead utilities border or go just outside that area where the original utility easement was granted.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed vacation request was held virtually on May 27, 2021, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There was one neighbor in attendance at the meeting. He was supportive of the vacation request.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject right-of-way areas, as well as neighborhood associations within 1000 feet, on August 13, 2021. The notice of this public hearing was published on August 17, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS

The vacation of the right-of-way or easement shall conform to the following:

(1) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies of the City;

The vacation is in conformance with the 2020 Comprehensive Plan, Grand Valley Circulation Plan and all other policies of the City. The vacation helps by removing rights-of-way that are not necessary and do not further a safe, balanced and well-connected transportation system.

(2) No parcel shall be landlocked as a result of the vacation;

The right-of-way proposed for vacation is not constructed and will not provide future access and/or connectivity to lands adjacent to it nor to I-70 which Tonto Lane terminates into. No parcels will be landlocked as a result of the vacation.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

There are two lots fronting Tonto Lane, however, both lots have access to Cottonwood Drive, therefore these properties are not devalued by the vacation request. Additionally, both properties will receive half the vacated right-of-way for ownership purposes. Access to I-70 utilizing Tonto Lane is not permitted.

(4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services); The existing Cottonwood Drive provides the necessary and quality public facility to the properties affected by the vacation request. There is no adverse impacts on the health, safety and/or welfare of the general community nor the residents in this subdivision.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

Public facilities and services will not be affected by the proposed vacation for the reasons stated above.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

The proposal will provide benefits to the City by eliminating the potential for a stub street that cannot be continued north due to I-70. This will also eliminate confusion and or expectations of a road or access where one is not intended to be located.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the City of Grand Junction, Community Development right-of-way vacation request, VAC-2021-392, the following findings of fact have been made:

1. The request conforms with Section 21.02.100 of the Zoning and Development Code.

Therefore, Staff recommends approval of the request.

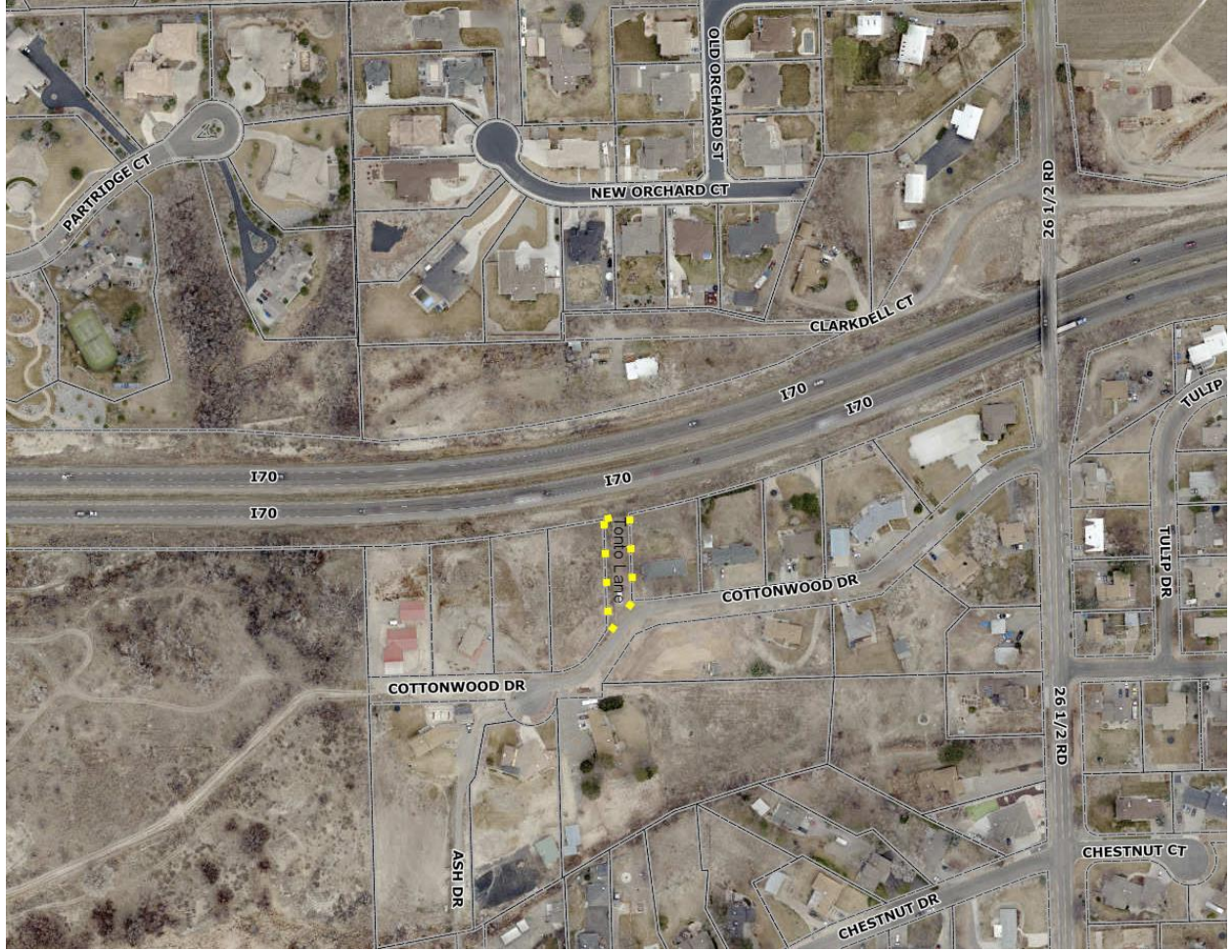
SUGGESTED MOTION:

Mr. Chairman, on the right-of-way vacation request, City file number VAC-2021-392, I move that the Planning Commission forward a recommendation of approval to City Council with the condition that a utility easement be reserved and the findings of fact as listed in the staff report.

Attachments

1. Location Map
2. Development Application dated 6 May 2021

3. Ordinance



Location Map



Photo of Area

Planner's Name: Scott D. Peterson	SUBMITTAL CHECKLIST	Date: Feb 22, 2021
	Vacation of Easement	Expiration Date: Aug 22, 2021
Location: 2701-352-02-004	Project Name:	
ITEMS - DESCRIPTION		
<input checked="" type="checkbox"/> Application Fee \$575.00 <input checked="" type="checkbox"/> Development Application <input checked="" type="checkbox"/> Ownership Statement w/ Deed <input checked="" type="checkbox"/> General Project Report <input type="checkbox"/> Annexation Information Sheet <input type="checkbox"/> Annexation Petition <input type="checkbox"/> Appraisal of Vacant Land <input type="checkbox"/> Articles of Incorporation <input type="checkbox"/> Avigation Easement <input type="checkbox"/> Boundary Agreement <input type="checkbox"/> Building Elevations <input type="checkbox"/> City of GJ Sales Tax Lic (copy) <input type="checkbox"/> County Treasurer's Tax Cert <input type="checkbox"/> CC&R/Condo Declarations <input type="checkbox"/> CDOT Access Permit <input checked="" type="checkbox"/> Composite Plan <input type="checkbox"/> Conveyances/Easements - Existing <input type="checkbox"/> Conveyances/Easements - New <input type="checkbox"/> Delineate Wetlands/404 Permit <input type="checkbox"/> Detail Sheet <input type="checkbox"/> Development Imp Agrmt Exh B <input type="checkbox"/> Fence/Wall Plans <input type="checkbox"/> Final Drainage Report <input type="checkbox"/> Final Drainage Letter	<input type="checkbox"/> Final Geotechnical Report <input type="checkbox"/> Fire Flow Form* <input type="checkbox"/> Fire Site Plan <input type="checkbox"/> Floodplain Elev. Cert (FEC) <input type="checkbox"/> Floor Plan <input type="checkbox"/> Grading Plan <input type="checkbox"/> Improvement Survey <input type="checkbox"/> Industrial Pretreatment Survey <input type="checkbox"/> Inside Cover Sheet <input type="checkbox"/> Institutional Master Plan <input type="checkbox"/> Landscape Plan <input checked="" type="checkbox"/> Legal Description <input type="checkbox"/> Letter from Property Owner <input type="checkbox"/> Lighting Plan <input type="checkbox"/> Materials Testing Plan <input type="checkbox"/> Neighborhood Meeting Notes <input type="checkbox"/> Outline Development Plan (ODP) <input type="checkbox"/> Plat <input type="checkbox"/> Preliminary Drainage Report <input type="checkbox"/> Preliminary Geotechnical Report <input type="checkbox"/> Preliminary Landscape Plan <input type="checkbox"/> Preliminary Subdivision Plan <input type="checkbox"/> Road Cross Sections <input type="checkbox"/> Roadway Plan & Profile	<input type="checkbox"/> Sewer System Design Report <input type="checkbox"/> Sign Plan/Sign Package <input type="checkbox"/> Site Data Table <input type="checkbox"/> Site Plan <input type="checkbox"/> Site Sketch <input checked="" type="checkbox"/> Sketch for Descriptions <input type="checkbox"/> Post Const Stormwater Agmt <input type="checkbox"/> Stormwater Mgmt Plan/Permit <input type="checkbox"/> Surveyor Verification <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Transaction Screen Process <input type="checkbox"/> Utilities Plan & Profile <input type="checkbox"/> Water System Design Report <input type="checkbox"/> Cell Site Inventory <input type="checkbox"/> Coverage Area Map <input type="checkbox"/> FCC License (copy) <input type="checkbox"/> Haul Route <input type="checkbox"/> Dredge & Fill Permit <input type="checkbox"/> Reclamation Plan <input type="checkbox"/> Photographs of Property <input type="checkbox"/> Colo. Historical Society Inventory Record Form*
DISTRIBUTION		
<input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Development Engineer <input checked="" type="checkbox"/> City Surveyor <input type="checkbox"/> City Parks & Recreation <input checked="" type="checkbox"/> City Attorney <input checked="" type="checkbox"/> City Fire Dept <input type="checkbox"/> Clifton Fire Dept <input type="checkbox"/> Lower Valley Fire Dept <input type="checkbox"/> City Police Dept <input checked="" type="checkbox"/> City Addressing <input type="checkbox"/> City Code Enforcement <input type="checkbox"/> City Sanitation <input type="checkbox"/> Persigo WWTF <input type="checkbox"/> 911 <input type="checkbox"/> City Transportation Engineer <input checked="" type="checkbox"/> Mesa Co Building Dept <input type="checkbox"/> Mesa Co Public Works <input type="checkbox"/> Mesa Co Health Dept <input type="checkbox"/> Mesa Co Planning <input type="checkbox"/> Mesa Co Assessor	<input type="checkbox"/> Mesa Cty Stormwater <input checked="" type="checkbox"/> Grand Valley Drainage Dist <input type="checkbox"/> Redlands Water & Power <input checked="" type="checkbox"/> Grand Valley Irrigation Dist <input type="checkbox"/> Mesa Co Irrigation Dist <input type="checkbox"/> Palisade Irrigation Dist <input type="checkbox"/> Orchard Mesa Irrigation Dist <input checked="" type="checkbox"/> Grand Valley Water Users <input type="checkbox"/> Highland Park Lateral Ditch Co <input type="checkbox"/> Water Users of Lateral Ditch 110 <input type="checkbox"/> Fruitvale Lateral & Waste Ditch <input checked="" type="checkbox"/> Ute Water <input type="checkbox"/> Clifton Water <input type="checkbox"/> Clifton Sanitation Dist No. 2 <input checked="" type="checkbox"/> Xcel <input checked="" type="checkbox"/> Grand Valley Power <input checked="" type="checkbox"/> Spectrum <input checked="" type="checkbox"/> Century Link <input type="checkbox"/> School District #51	<input type="checkbox"/> CO Dept of Transportation <input type="checkbox"/> CO Dept of Public Health & Environment <input type="checkbox"/> CO Div of Reclamation Mining & Safety <input type="checkbox"/> CO Geological Survey <input type="checkbox"/> CO Division of Wildlife <input type="checkbox"/> CO National Monument <input type="checkbox"/> CO State Parks <input type="checkbox"/> Federal Aviation Administration <input type="checkbox"/> Dept of Military & Veterans Affairs <input type="checkbox"/> US Postal Service <input type="checkbox"/> Army Corp of Engineers <input type="checkbox"/> Bureau of Reclamation <input type="checkbox"/> Downtown Development Authority <input type="checkbox"/> Historic Board <input type="checkbox"/> Grand Valley Transit <input type="checkbox"/> RTPO <input type="checkbox"/> Urban Trails/Riverfront Commission <input type="checkbox"/> Grand Junction Regional Airport Authority
Notes: * An asterisk in the item description column indicates that a form is supplied by the City and available on the City website.		



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: Vacation - Easement - R. O. W.

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: 2632 Cottonwood Dr Site Acreage: .62

Site Tax No(s): 2701-352-02-004 Site Zoning: R2

Project Description: New Single Family Residence

Property Owner Information

Name: Kraig Andrews

Street Address: 2991 Debra St #B

City/State/Zip: Grand Junction, Co. 81504

Business Phone #: 970-201-4242

E-Mail: andrews1201@msn.com

Fax #: _____

Contact Person: Kraig Andrews

Contact Phone #: 970-201-4242

Applicant Information

Name: Kraig Andrews

Street Address: 2991 Debra St #B

City/State/Zip: Grand Junction, Co. 81504

Business Phone #: 970-201-4242

E-Mail: andrews1201@msn.com

Fax #: _____

Contact Person: Kraig Andrews

Contact Phone #: 970-201-4242

Representative Information

Name: _____

Street Address: _____

City/State/Zip: _____

Business Phone #: _____

E-Mail: _____

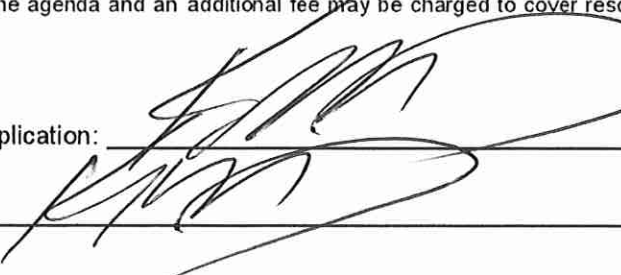
Fax #: _____

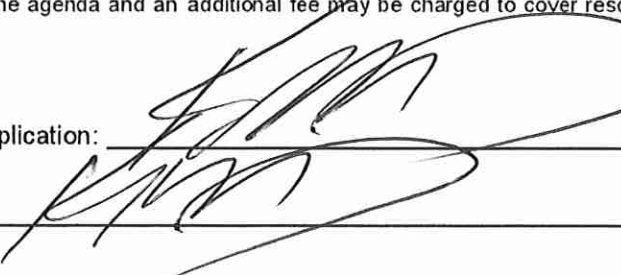
Contact Person: _____

Contact Phone #: _____

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

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

Signature of Person Completing the Application:  Date: 5-6-21

Signature of Legal Property Owner:  Date: 5-6-21

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Kraig M Andrews, am the owner of the following real property:

(b) 2632 Cottonwood Drive Grand Junction, CO 81506
Parcel # 2701-352-02-004

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):


Jennifer D Andrews

I have reviewed the application for the (d) Vacation - Easement pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) _____

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: 

Printed name of owner: Kraig M. Andrews

State of Colorado)

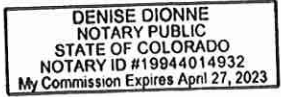
County of Mesa) ss.

Subscribed and sworn to before me on this 6 day of May, 2021

by Kraig M Andrews

Witness my hand and seal.

My Notary Commission expires on 4-27-2023




Notary Public Signature

2632 Cottonwood Dr



03/18/2020

Exhibit A

A Parcel of land situated the Southeast Quarter of the Northwest Quarter of Section 35, Township 1 North, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, described as follows:

That portion of Tonto Lane as shown on the North Rolling Acres Subdivision, Mesa County, Colorado as recorded at Reception Number 645847 of the Mesa County Records lying North of a line between the Southwest Corner of Lot 5 and the Southeast Corner of Lot 4 both in said North Rolling Acres Subdivision and lying South of the Department of Highways, State of Colorado Right of Way for Interstate 70 and being further described as follows

Commencing at the West Sixteenth Corner of said Section 35 from whence the Center Quarter Corner bears N 89°58'53" E a distance of 1314.79 feet; thence N 89°58'53" E along the South line of the Southeast Quarter of the Northwest Quarter of said Section 35 a distance of 456.72 feet; thence leaving said line N 0°01'07" W a distance of 111.47 feet to the Southeast Corner of said Lot 4 and the Point of Beginning; thence N 0°01'07" W along the East line of said Lot 4 a distance of 202.34 feet to the Southeast Corner of that State of Colorado Right of Way for Interstate 70 as described at Reception Number 849966 of the Mesa County Records; thence 50.76 feet along a non-tangent curve to the left with a radius of 2965.00 feet and a central angle of 0°58'51" whose chord bears N 80°01'59" E a distance of 50.76 feet to the Southwest Corner of that State of Colorado Right of Way for Interstate 70 as described at Reception Number 844384 of the Mesa County Records and a point on the West line of said Lot 5; thence S 0°01'07" E along said West line a distance of 153.02 feet to the Southwest Corner of said Lot 5; thence S 40°42'05" W a distance of 76.64 feet to the Point of Beginning.

Said Parcel contains 0.204 acres as described.

EXHIBIT B

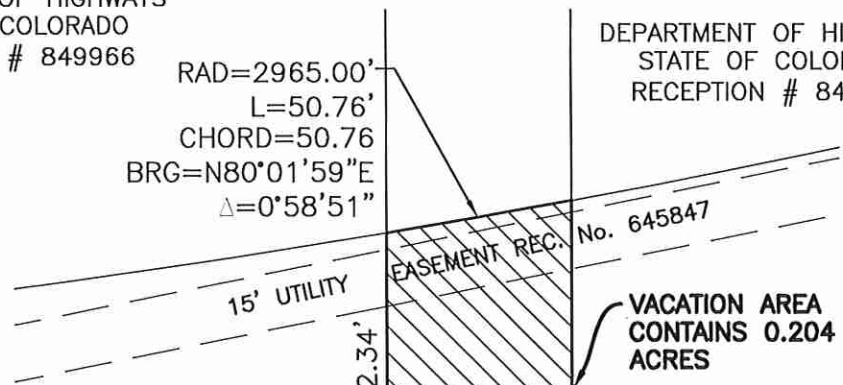
RIGHT OF WAY
DEPARTMENT OF HIGHWAYS
STATE OF COLORADO
RECEPTION # 849966

DEPARTMENT OF HIGHWAYS
STATE OF COLORADO
RECEPTION # 844384

RAD=2965.00'
L=50.76'
CHORD=50.76
BRG=N80°01'59"E
Δ=0°58'51"



GRAPHIC SCALE:
1"=50'



2632 COTTONWOOD DRIVE
LOT 4
NORTH ROLLING ACRES
2701-352-02-004
RECEPTION # 645847

NO° 01' 07"W 202.34'

TONTO LANE

50' R.O.W.
RECEPTION # 645847

S0° 01' 07"E 153.02'

2635 COTTONWOOD DRIVE
LOT 5
NORTH ROLLING ACRES
2701-352-02-005
RECEPTION # 645847

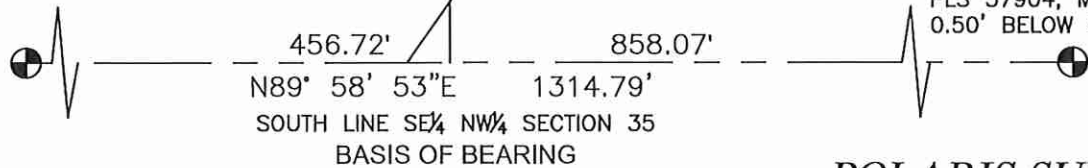
POINT OF BEGINNING

COTTONWOOD DRIVE
R.O.W. VARIES
RECEPTION # 645847

POINT OF COMMENCEMENT
WEST 1/16 CORNER
SECTION 35,
T1N, R1W, UTE
3.25 INCH ALUMINUM CAP
BLM 1986 0.25'
BELOW SURFACE

NO° 01' 07"W
111.47'

CENTER 1/4 CORNER
SECTION 35,
T1N, R1W UTE
3-1/4 INCH ALUMINUM CAP
PLS 37904, MCSM No. 1268-2
0.50' BELOW SURFACE IN BOX



N89° 58' 53"E 456.72'
1314.79'
858.07'
SOUTH LINE SE 1/4 NW 1/4 SECTION 35
BASIS OF BEARING

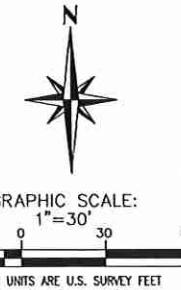
POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

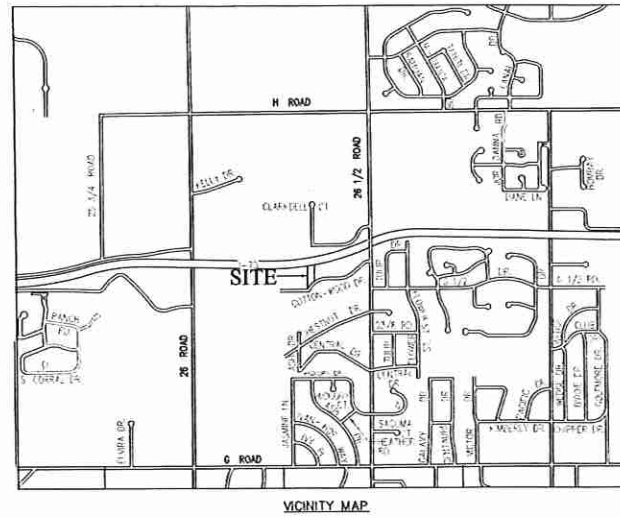
3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

RIGHT of WAY VACATION
SITUATED IN THE SE 1/4 NW 1/4 SECTION 35
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

BOUNDARY SURVEY
 SITUATED IN THE SE¼ NW¼ SECTION 35
 TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
 CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



LEGEND:
 FOUND SURVEY MARKER AS DESCRIBED
 SET No. 6 REBAR WITH 3 1/4 INCH ALUMINUM CAP PLS 37904
 SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904



FOUND 2.00' WITNESS TO
 NORTHWEST 1/16 CORNER
 SECTION 35 T1N, R1W UTE
 2 INCH ALUMINUM CAP LS27279
 IN CONCRETE FLUSH WITH SURFACE

BASIS OF BEARINGS
 WEST LINE SE¼ NW¼ SECTION 35
 N0° 02' 45"W 1313.38'

FOUND
 WEST 1/16 CORNER
 SECTION 35 T1N, R1W UTE
 3.25 INCH ALUMINUM CAP
 BLM 1986 0.25' BELOW SURFACE



LEGAL DESCRIPTION:

LOT 4 NORTH ROLLING ACRES
 SOUTH OF INTERSTATE 70
 AS RECORDED AT RECEPTION No. 645847 OF THE MESA COUNTY CLERK AND
 RECORDER'S OFFICE CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF
 COLORADO
 Said parcel contains 0.62 ACRES.

NOTES

- OWNERSHIP, RECORDED RIGHTS--OF--WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.
- BEARINGS ARE BASED ON WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, SECTION 35, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN. FOUND IN PLACE WAS A BLM ALUMINUM CAP AT THE SOUTH END OF SAID LINE AND A 2.00 FOOT WITNESS CORNER 2" ALUMINUM CAP PLS 27279 MARKING THE NORTH END OF SAID LINE. THE BEARING USED N0°02'45"W IS BASED ON GPS OBSERVATIONS WHILE USING THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.
- 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 No. 2778653, OF THE MESA COUNTY RECORDS.

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

SET
 CENTER ¼ CORNER
 SECTION 35 T1N, R1W UTE
 3-1/4 INCH ALUMINUM CAP PLS 37904
 STAMPED MCSM No. 1268-2
 0.50' BELOW SURFACE IN BOX

LAND SURVEY DEPOSIT
 MESA COUNTY SURVEYORS OFFICE
 DATE: 06-12-2017
 BOOK 1 PAGE 160
 DEPOSIT No. 5398-17

BOUNDARY SURVEY		
STEVEN J. & BONNIE J. KEEP		
SITUATED IN THE SE¼ NW¼ SECTION 35		
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN		
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO		
DATE: 1/25/2017	JOB #: 2016140	FIELD WORK: SL
DRAWING NAME: COTTONWOOD DRIVE		DRAWN BY: OM
POLARIS SURVEYING		
PATRICK W. CLICK P.L.S.		
3194 MESA AVE. #B GRAND JUNCTION, CO 81504 PHONE/FAX (970)434-7038		

DEPOSIT No. 5398-17

CITY OF GRAND JUNCTION

Ordinance No.

VACATING TONTO LANE RIGHT-OF-WAY

RECITALS:

A vacation of right-of-way has been requested by Kraig Andrews to vacate right-of-way that abuts property owned by he and his wife, Jennifer. The right-of-way was dedicated to the public with the North Rolling Acres subdivision plat which is found in Mesa County's Records Reception No. 645847. A road was never built in the area being requested for vacation or it has not been used for such time that there is no indication of the road having been built. The vacation request is limited only to the 50' wide Tonto Lane right-of-way. The vacation area contains 0.204 acres.

A utility easement will be reserved and retained in the area of Tonto Lane to include the overhead utilities that exist. It extends immediately from the existing 15' utility easement on Lot 4 of the North Rolling Acres and cross over and line up with the existing 15' utility easement on Lot 5 of the North Rolling Acres plat so that it will be a continuous utility easement. Additional area will be reserved as the overhead utilities border or go just outside that area where the original utility easement was granted.

The City Council finds that the request is consistent with the 2020 Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommended that the vacation be approved with the reservation of the utility easement.

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

The following described right-of-way is hereby vacated:

A Parcel of land situated the Southeast Quarter of the Northwest Quarter of Section 35, Township 1 North, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, described as follows:

That portion of Tonto Lane as shown on the North Rolling Acres Subdivision, Mesa County, Colorado as recorded at Reception Number 645847 of the Mesa County Records lying North of a line between the Southwest Corner of Lot 5 and the Southeast Corner of Lot 4 both in said North Rolling Acres Subdivision and lying South of the Department of Highways, State of Colorado Right of Way for Interstate 70 and being further described as follows

Commencing at the West Sixteenth Corner of said Section 35 from whence the Center Quarter Corner bears N 89°58'53" E a distance of 1314.79 feet; thence N 89°58'53" E along the South line of the Southeast Quarter of the Northwest Quarter of said Section 35 a distance of 456.72 feet: thence leaving said line N 0°01'07" W a distance of 111.47 feet to the Southeast Corner of said Lot 4 and the Point of Beginning; thence N 0°01'07" W along the East line of said Lot 4 a distance of 202.34 feet to the Southeast Corner of that State of Colorado Right of Way for Interstate 70 as described at Reception Number 849966 of the Mesa County Records; thence 50.76 feet along a non-tangent curve to the left with a radius of 2965.00 feet and a central angle of 0°58'51" whose chord bears N 80°01'59" E a distance of 50.76 feet to the Southwest Corner of that State of Colorado Right of Way for Interstate 70 as described at Reception Number 844384 of the Mesa County Records and a point on the West line of said Lot 5; thence S 0°01'07" E along said West line a distance of 153.02 feet to the Southwest Corner of said Lot 5; thence S 40°42'05" W a distance of 76.64 feet to the Point of Beginning.

Said Parcel contains 0.204 acres as described and graphically shown on Exhibit C.

A utility easement is reserved and retained in the area of Tonto Lane as shown on Exhibit A and Exhibit B.

Introduced for first reading on this 18th day of August, 2021.

PASSED and ADOPTED this ___ day of _____, 2021.

ATTEST:

President of City Council

City Clerk

Exhibit A

A Parcel of land situated the Southeast Quarter of the Northwest Quarter of Section 35, Township 1 North, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, described as follows:

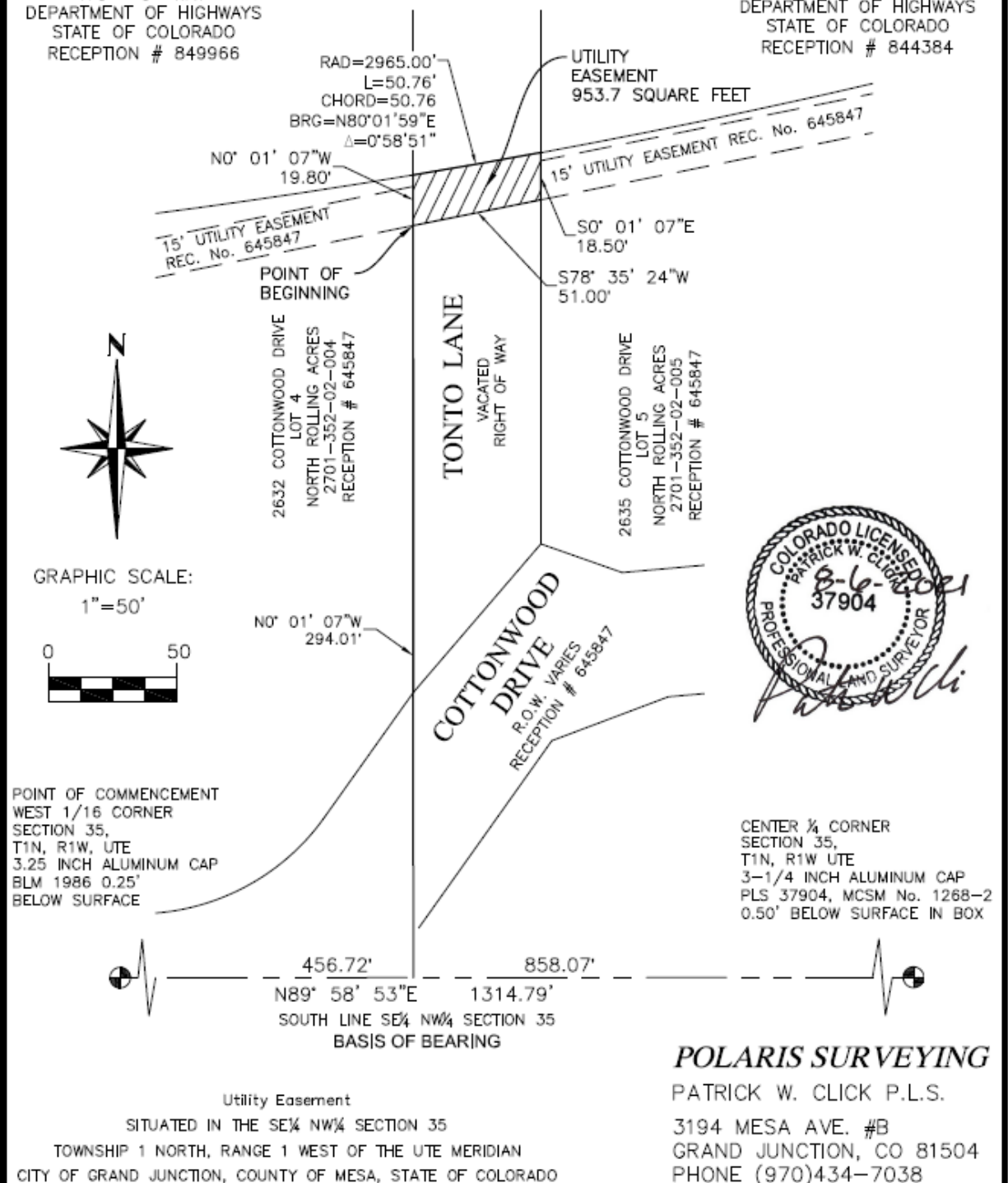
Commencing at the West Sixteenth Corner of said Section 35 from whence the Center Quarter Corner bears N 89°58'53" E a distance of 1314.79 feet; thence N 89°58'53" E along the South line of the Southeast Quarter of the Northwest Quarter of said Section 35 a distance of 456.72 feet: thence leaving said Line N 0°01'07" W a distance of 294.01 feet to the intersection of the East Line of Lot 4 North Rolling Acres Subdivision, Mesa County, Colorado as recorded at Reception Number 645847 and the South Line of a 15 foot Utility Easement as shown on said North Rolling Acres Subdivision and the Point of Beginning; thence N 0°01'07" W along the East Line of said Lot 4 a distance of 19.80 feet to the start of a non-tangent curve to the left at the North end of vacated Right of Way for Tonto Lane; thence 50.76 feet along said non-tangent curve to the left with a radius of 2965.00 feet and a central angle of 0°58'51" whose chord bears N 80°01'59" E a distance of 50.76 feet to the West Line Lot 5 of said North Rolling Acres Subdivision; thence S 0°01'07" E along the West Line of said Lot 5 a distance of 18.50 feet to the South Line of said Utility Easement; thence S 78°35'24" W a distance of 51.00 feet to the Point of Beginning.

Said Parcel contains 953.7 square feet as described.

RIGHT OF WAY
DEPARTMENT OF HIGHWAYS
STATE OF COLORADO
RECEPTION # 849966

EXHIBIT B

DEPARTMENT OF HIGHWAYS
STATE OF COLORADO
RECEPTION # 844384



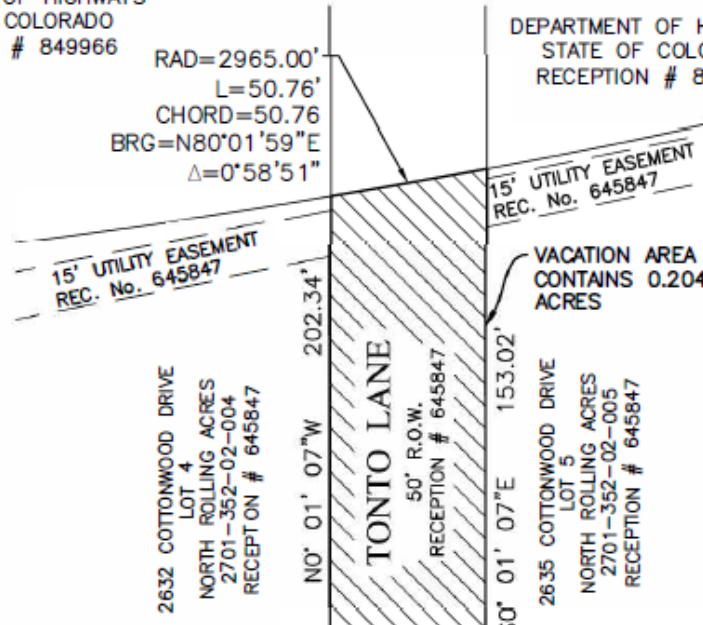
POLARIS SURVEYING
PATRICK W. CLICK P.L.S.
3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

RIGHT OF WAY
DEPARTMENT OF HIGHWAYS
STATE OF COLORADO
RECEPTION # 849966

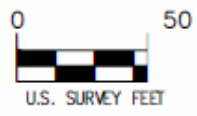
EXHIBIT C

DEPARTMENT OF HIGHWAYS
STATE OF COLORADO
RECEPTION # 844384

RAD=2965.00'
L=50.76'
CHORD=50.76
BRG=N80°01'59"E
Δ=0°58'51"



GRAPHIC SCALE:
1"=50'



POINT OF COMMENCEMENT
WEST 1/16 CORNER
SECTION 35,
T1N, R1W, UTE
3.25 INCH ALUMINUM CAP
BLM 1986 0.25'
BELOW SURFACE

CENTER ¼ CORNER
SECTION 35,
T1N, R1W UTE
3-1/4 INCH ALUMINUM CAP
PLS 37904, MCSM No. 1268-2
0.50' BELOW SURFACE IN BOX

RIGHT OF WAY VACATION
SITUATED IN THE SE¼ NW¼ SECTION 35
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

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



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: August 24, 2021
Presented By: Scott Peterson, Senior Planner
Department: Community Development
Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a request by McCurter Land Company LLC and Five Star Homes and Development Inc., to Vacate a Portion of the Public Right-of-Way of G 1/8 Road, Located near 2524 G Road and 716 25 Road. | [Staff Presentation](#) | Phone-in comments dial **3487**.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The applicants, McCurter Land Company LLC and Five Star Homes and Development Inc., are requesting vacation of a portion of public right-of-way known as G 1/8 Road in anticipation of future development of the adjacent sites. The existing G 1/8 Road right-of-way was originally dedicated by the Pomona Park subdivision plat in 1900 and further identified on the Powell Estates subdivision plat in 1992 and the Thunderidge Subdivision in 2007. The applicants are requesting the vacation of a 30-foot wide by 286-foot-long portion of this right-of-way (0.19-acres) in anticipation of future residential subdivision development for the Aspen Leaf Estates and Liberty Ranch Subdivision's which are currently in the development review process. The requested vacation is consistent with the City's Comprehensive Plan and Circulation Plan.

BACKGROUND OR DETAILED INFORMATION:

The existing right-of-way for G 1/8 Road was originally dedicated by the Pomona Park subdivision plat in 1900 and further identified on the Powell Estates subdivision plat in 1992 and the Thunderidge Subdivision in 2007. The applicants are currently in the process of subdividing their 5.28 and 24.17-acre parcels of land respectfully into platted subdivisions which are currently in the development review process (City files SUB-

2020-767 & SUB-2021-276) to develop 18 single-family detached lots for Aspen Leaf Estates and 44 single-family detached lots for Filing 1 of Liberty Ranch Subdivision. At this time, the applicants are requesting to vacate a portion of the existing right-of-way of G 1/8 Road that extends over the Grand Valley Canal in anticipation of these new subdivision proposals. With this request, the Applicants are requesting to vacate a 30-foot wide by 286-foot-long portion of this right-of-way (0.19-acres). The remaining portions of the G 1/8 Road right-of-way that extends out to 25 Road to the west and Woody Creek Drive to the east that are not requested to be vacated will remain in place in accordance with the proposed subdivision layouts which identifies and utilizes this existing right-of-way within this area as part of their developments. Outside of the vacation area, at time of subdivision development and future filings, additional right-of-way will be granted for the complete build-out of G 1/8 Road that was/will be approved as a 44' wide right-of-way as identified on the respective subdivision plans, per City standards.

To date, no development has taken place and no utility infrastructure have ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way location of G 1/8 Road and the surface is presently vegetation and gravel.

Upon future development of the sites, new rights-of-way and/or multi-purpose easements for the proposed development will be dedicated as necessary on a new subdivision plat or by separate instrument.

The Active Transportation Corridor includes a pedestrian trail along the canal that runs through the properties of the applicants and crosses G 1/8 Road in the area requested for vacation. A public pedestrian trail easement will be reserved as part of the request over the vacation area for the trail along the canal in accordance with the Active Transportation Corridor Plan.

NOTIFICATION REQUIREMENTS

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject properties were posted with an application sign on December 28, 2020 and April 28, 2021 respectfully. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards were sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on August 13, 2021. The notice of the Planning Commission public hearing was published on August 17, 2021 in the Grand Junction Daily Sentinel.

A Neighborhood Meeting regarding the proposed subdivision developments were held on February 2, 2021 for the Liberty Ranch Subdivision and September 1, 2020 for Aspen Leaf Estates in accordance with Section 21.02.080 (e) of the Zoning and Development Code. No concerns were expressed regarding this right-of-way vacation request since the vacation does not impact any adjacent properties and is currently undeveloped.

ANALYSIS

The criteria for review are set forth in Section 21.02.100 (c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

(1) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies of the City;

The vacation of this portion of right-of-way for G 1/8 Road does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. The proposed vacation of right-of-way will have no impact on public facilities or services provided to the general public since to date, the right-of-way is not required for development and no utility infrastructure has ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way. Upon future development of the sites, new internal rights-of-way and easements will be required to be granted to the City or other utility agencies as part of the development review process, as applicable. As part of the vacation process, the City will retain a public pedestrian trail easement over the vacation area for the trail along the canal in accordance with the Active Transportation Corridor Plan.

Further, the vacation requests are consistent with the following goals and policies of the Comprehensive Plan:

Plan Principal 3: Responsible and Managed Growth:

Goal 2: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principal 5: Strong Neighborhoods and Housing Choices:

Goal 1: Promote more opportunities for housing choices that meet the needs of people of all ages, abilities and incomes.

Therefore, staff has found the request to vacate a portion of existing public right-of-way does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation;

The existing dedicated right-of-way for G 1/8 Road in this area has never been developed nor infrastructure installed. As noted, the applicants are currently in the process of subdividing their 5.28 and 24.17-acre parcels of land respectfully into platted subdivisions which are currently in the development review process (City files SUB-2020-767 & SUB-2021-276) to develop 18 single-family detached lots for Aspen Leaf Estates and 44 single-family detached lots for Filing 1 of Liberty Ranch Subdivision. As

stated previously, to date, no present development which requires the right-of-way and no utility infrastructure have ever been installed (water, sewer, streets, utilities, etc.) within the existing right-of-way location of G 1/8 Road. Since this right-of-way has never developed, access to any developed existing residential lot will not be landlocked as a result of the vacation request and thus staff has found this criterion has been met.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

As provided in (2) above, the portion of G 1/8 Road requested to be vacated will not impact access to any parcel and as such, staff finds this criterion has been met.

(4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services;

This portion of G 1/8 Road has not been developed or utilities installed. No comments were received from utilities or other service providers that this vacation request would impact any existing utilities, create any adverse impacts, or that facilities or services would be diminished, therefore staff has found that this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

This portion of G 1/8 Road has never been developed nor utilities installed. Therefore, neither staff nor utility providers have identified that the requested right-of-way vacation would not inhibit the provision of adequate public facilities and services, therefore staff finds that this criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not change as a result of the proposed vacation requests since no right-of-way nor utility infrastructure has ever been installed. With the elimination of this portion of G 1/8 Road, the applicants can make ready for the new subdivision development proposals and develop their properties in accordance with their approved subdivision plans. Upon concurrent development of the site, new rights-of-way and/or multi-purpose easements for the proposed subdivision developments will be dedicated as necessary on a new subdivision plat or by separate instrument. As such, Staff finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request to vacate a portion of the right-of-way of G 1/8 Road as set forth in the attached description and sketch, City file number VAC-2021-539, located

near 2524 G Road and 716 25 Road, the following findings of fact have been made:

1. The request conforms with Section 21.02.100 (c) of the Zoning and Development Code.
2. Reservation of Pedestrian/Trail Easement over the vacation area in accordance with the Active Transportation Corridor Plan.

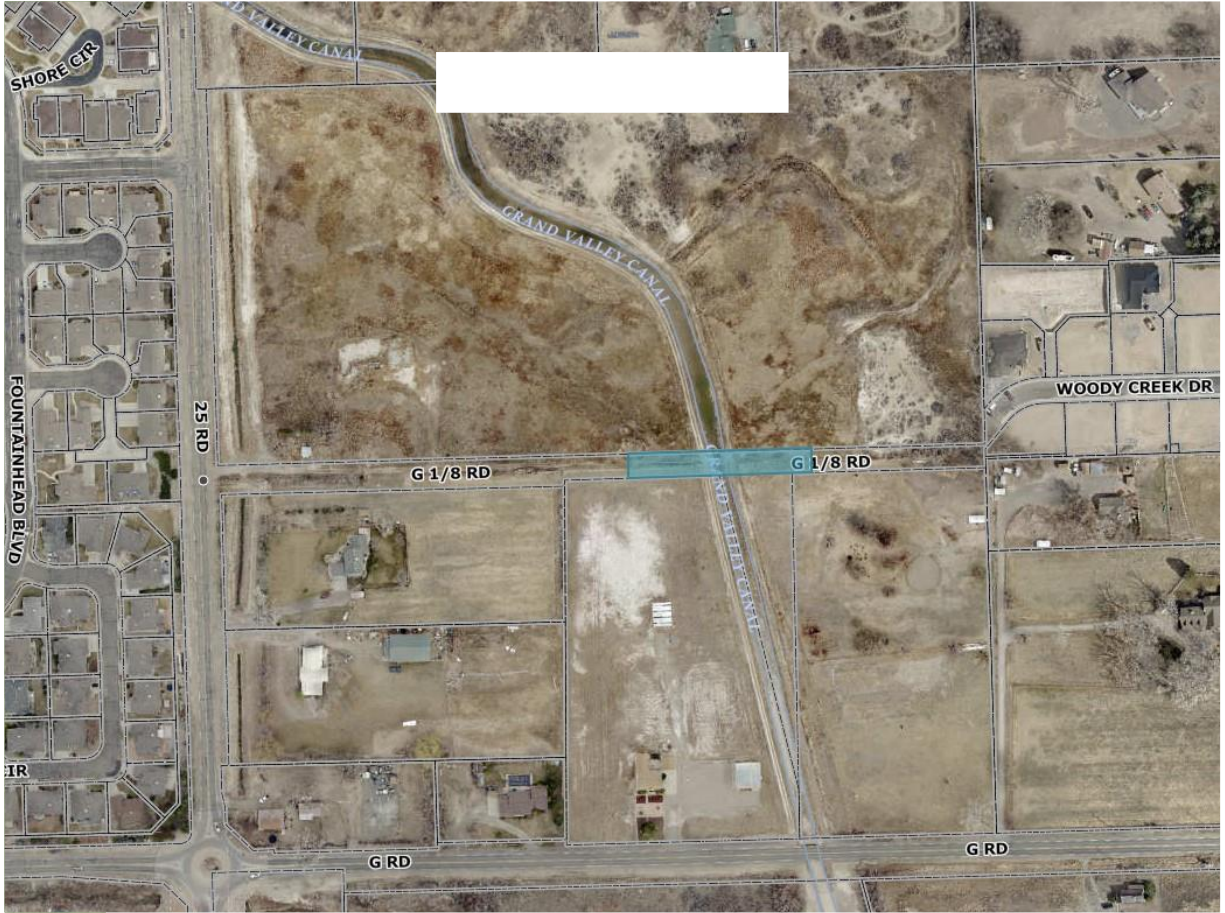
Therefore, Staff recommends conditional approval of the request.

SUGGESTED MOTION:

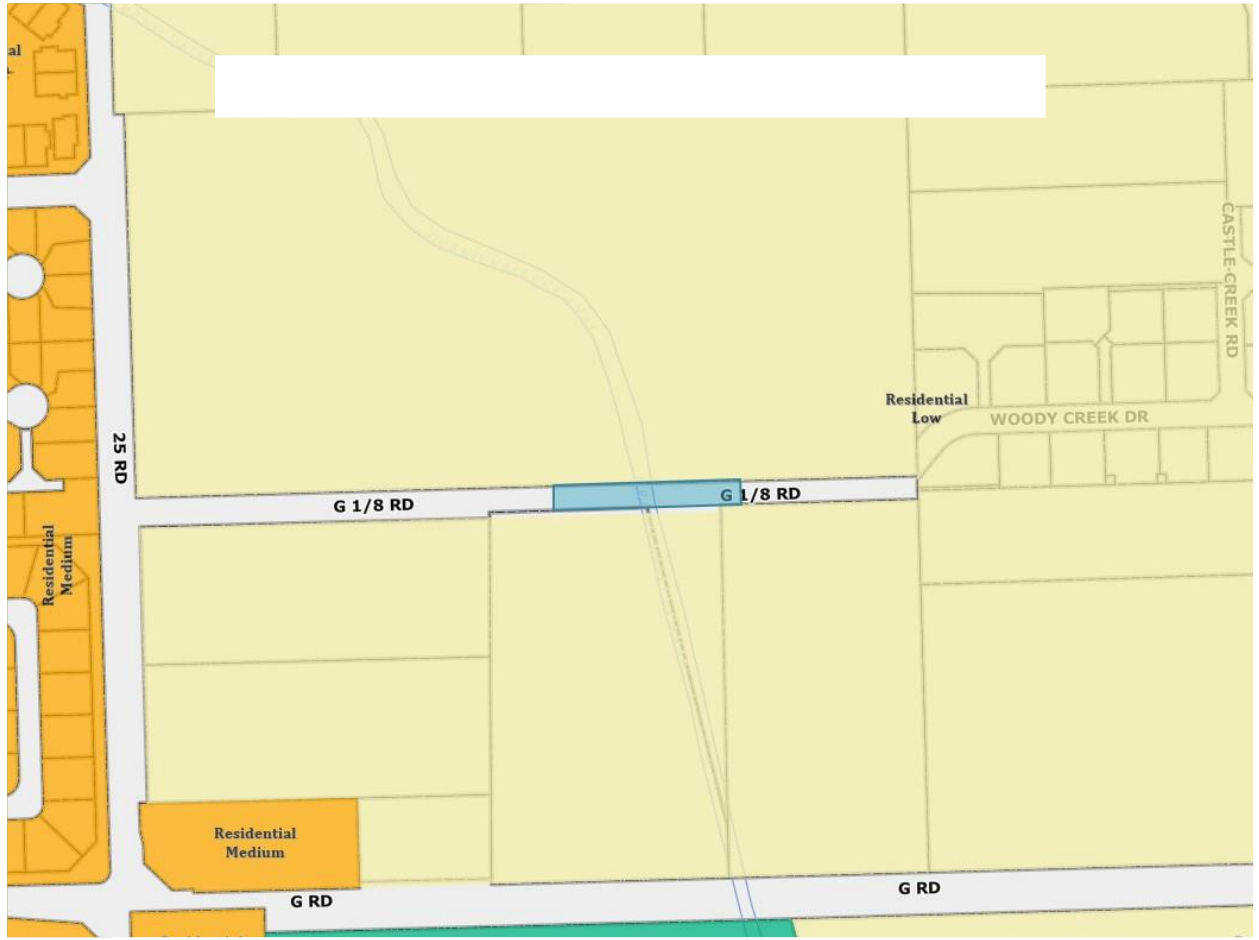
Mr. Chairman, on the request to vacate a portion of public right-of-way of G 1/8 Road as set forth in the attached description and sketch, City file number VAC-2021-539, located near 2524 G Road and 716 25 Road, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact as listed in the staff report.

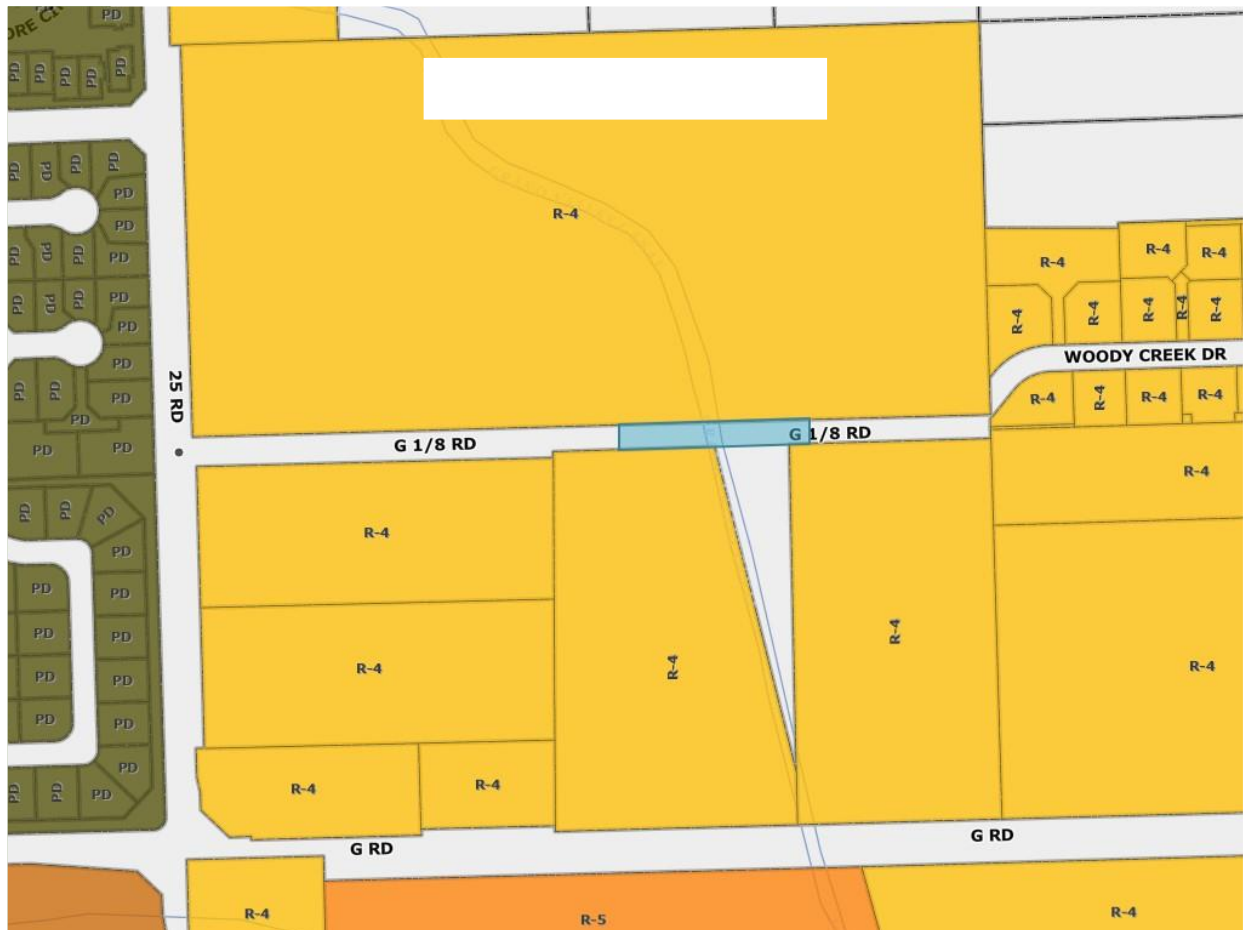
Attachments

1. Site Location, Aerial and Zoning Maps
2. Vacation Ordinance

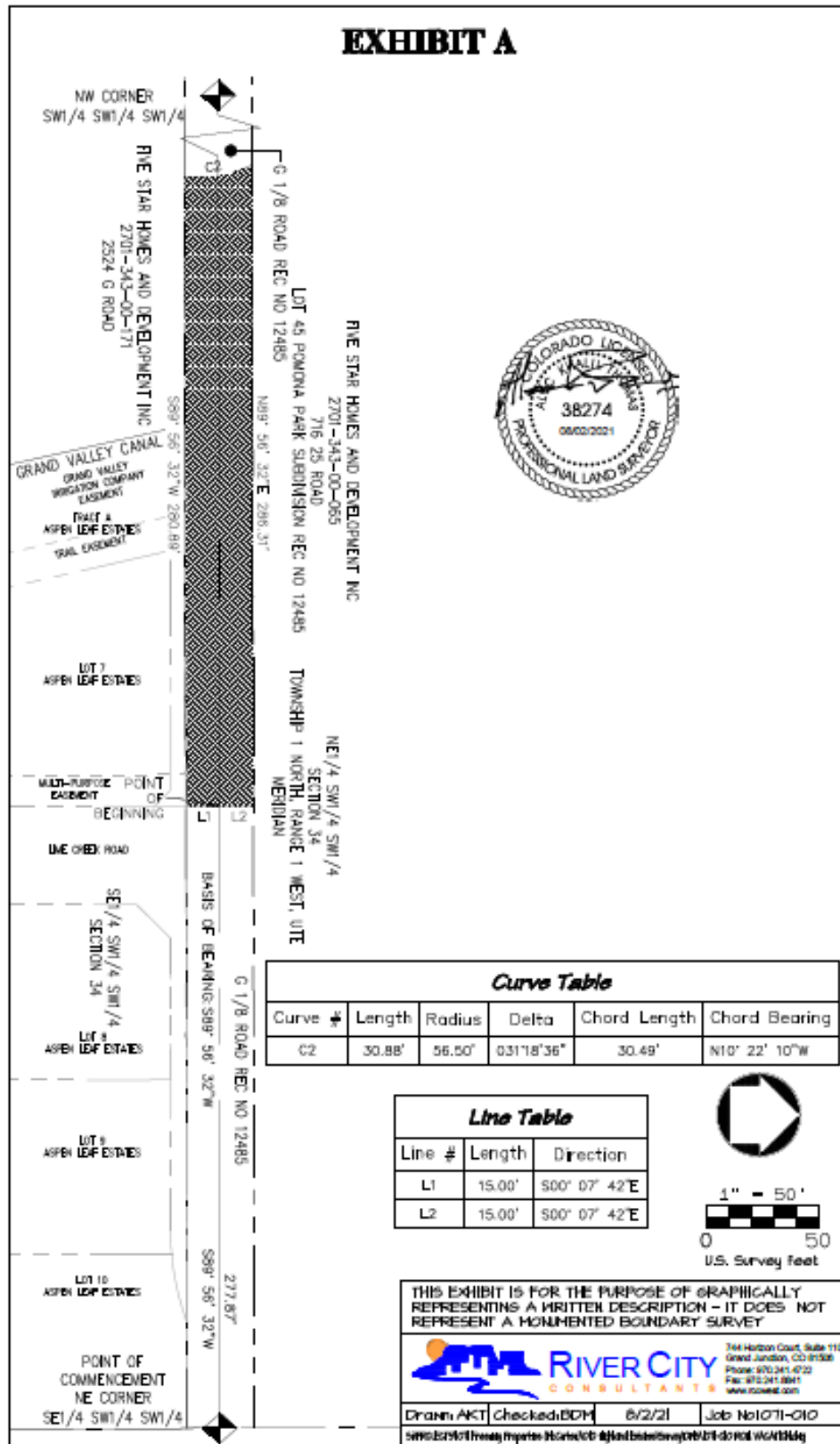








Proposed Vacation Area:



Google Street View of undeveloped G 1/8 Road looking east from 25 Road (Photo dated July, 2019)



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF G 1/8 ROAD RIGHT-OF-WAY

LOCATED NEAR 2524 G ROAD AND 716 25 ROAD

Recitals:

A vacation of a portion of public right-of-way known as G 1/8 Road has been requested by the adjacent property owners, McCurter Land Company LLC and Five Star Homes and Development Inc., in anticipation of future residential subdivision development. The existing G 1/8 Road right-of-way was originally dedicated by the Pomona Park subdivision plat in 1900 and further identified on the Powell Estates subdivision plat in 1992 and the Thunderidge Subdivision in 2007. The portion of G 1/8 Road requested to be vacated has never been constructed and this right-of-way contains no existing utility infrastructure. The Active Transportation Corridor includes a trail along the canal that runs through the properties of the applicants and crosses G 1/8 Road. An easement will be reserved for the trail along the canal for the Active Transportation Corridor. The trail has already been constructed south of 716 25 Road.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval (reserve and retain a pedestrian/trail easement in the area vacated) by the Planning Commission, the Grand Junction City Council finds that the request to vacate a portion of public right-of-way for G 1/8 Road, is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code with the reservation of the pedestrian/trail easement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED RIGHT-OF-WAY IS HEREBY VACATED SUBJECT TO THE LISTED CONDITIONS:

A portion of right-of-way as dedicated by Pomona Park as recorded at Reception Number 12485, at the Mesa County Clerk and Recorder, situated in the southwest quarter of the southwest quarter of Section 34, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said portion being more particularly described as follows:

Commencing at the northeast corner of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 34, whence the northwest corner of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of said Section 34 bears South 89°56'32" West with all bearings herein relative thereto,

thence South 89°56'32" West a distance of 277.87 feet to the Point of Beginning,
thence South 00°07'42" East, a distance of 15.00 feet;

thence South 89°56'32" West, a distance of 280.89 feet to a point of cusp on a
curve concave to the west having a radius of 56.50 feet and a central angle of
31°18'36" and being subtended by a chord which bears North 10°22'10" West
30.49 feet;

Thence northerly along said curve, a distance of 30.88 feet to a point of cusp;

Thence North 89°56'32" East, a distance of 286.31 feet;

thence South 00°07'42" East, a distance of 15.00 feet to the Point of Beginning,
said parcel containing 8465 square feet or 0.19 acres more or less.

A perpetual easement is reserved and retained by the City in that portion of right-of-way being vacated for the use of the public forever, subject to the rules and regulations of the City, for purposes including but not limited to, constructing, installing, maintaining and repairing a trail and appurtenant facilities and for ingress, egress and access for the public with accompanying pets, if any, for use as pedestrians, and/or with wheelchairs (motorized and non-motorized), bicycles, motorized bicycles (a vehicle having two or three wheels, cylinder capacity not exceeding 50 C.C., and an automatic transmission which does not exceed thirty miles per hour), electric scooters (an electric powered vehicle having two or three wheels and does not exceed thirty miles per hour), and other non-motorized forms of transportation for commuting and recreational purposes.

See Exhibit A attached hereto which depicts the area to be vacated and reserved for the benefit of the public for the trail.

Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

Introduced on first reading this _____ day of _____, 2021 and ordered published in pamphlet form.

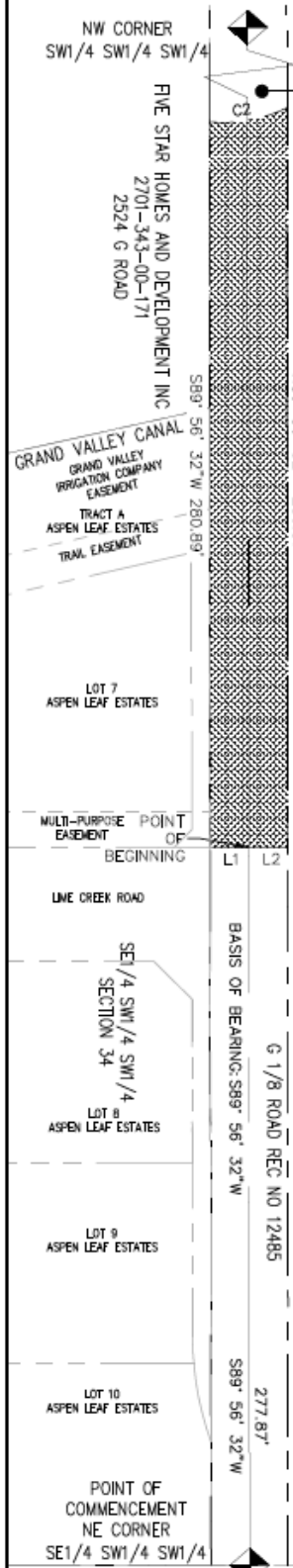
Adopted on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

EXHIBIT A

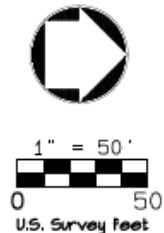


FIVE STAR HOMES AND DEVELOPMENT INC
 2701-343-00-065
 716 25 ROAD
 LOT 45 PONOMA PARK SUBDIVISION REC NO 12485
 TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN
 NE1/4 SW1/4 SW1/4 SECTION 34



Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C2	30.88'	56.50'	031°18'36"	30.49'	N10° 22' 10"W

Line #	Length	Direction
L1	15.00'	S00° 07' 42"E
L2	15.00'	S00° 07' 42"E



THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY


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

Drawn: AKT | Checked: BDM | 8/2/21 | Job No: J071-010
 S:\PROJECTS\071 Freeway Properties (McCarte)\010 Highway Estates\Survey\071-010 ROW VACATION.dwg



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: August 24, 2021

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, AICP, Principal Planner

Information

SUBJECT:

Consider a request by EDKA Land Co LLC to annex and zone 6.73 +/- acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) zone district in anticipation of future residential subdivision development. | [Staff Presentation](#) | Phone-in comments dial **6049**.

RECOMMENDATION:

Staff recommends approval of the requested Zone of Annexation.

EXECUTIVE SUMMARY:

The Applicant, EDKA Land Co LLC, is requesting a zone of annexation to R-5 (Residential – 5 du/ac) for the Reece Annexation. The approximately 6.73-acre property is located south of 3035 and 3043 F ½ Road in Fruitvale. The property has a Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). The subject property is currently vacant.

The properties are Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the City limits in anticipation of future residential subdivision development. The zone district of R-5 is consistent with the Comprehensive Plan. The request for annexation will be considered separately by City Council, but concurrently with the zoning request.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant, EDKA Land Co LLC, has requested annexation of 6.73-acres of land into the City limits, located on property south of 3035 and 3043 F ½ Road in Fruitvale, in anticipation of future residential subdivision development. The Reece Annexation

consists of one property of 5.65-acres in addition to a parcel of land containing the Price Ditch consisting of 1.07 acres. The Applicant is currently requesting a zone of annexation to R-5 (Residential – 5 du/ac).

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – August 18, 2021
- Planning Commission considers Zone of Annexation – August 24, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – September 15, 2021
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 6, 2021
- Effective date of Annexation and Zoning – November 7, 2021

The Applicant's property is currently in the County and has a County zoning of RSF-R (Residential Single Family – Rural – 5-acre minimum lot sizes). Surrounding properties to the west and south are zoned R-4 in the City ranging in size from 0.21 to 0.33-acres for the developed lots and larger acreage lots located to the north and east include lots sizes of 3 acres to 4.6 acres. These properties to the north and east from the proposed annexation are zoned R-SFR in Mesa County. The subject property has a Comprehensive Plan Land Use designation of Residential Low (2 - 5.5 du/ac). The requested zone district of R-5 is in conformance with the Land Use designation for the area.

The greater surrounding area both within the city limits and County are largely developed with single-family detached homes each on a platted lot or parcel. Further subdivision development and/or lot splits are possible in the future for other properties in the area, especially to the north of this property and are large enough to accommodate such development.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on April 29, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Public comment was also offered through the GJSpeaks platform. The Applicant, Applicant's Representative and City staff were in attendance along with seven (7) citizens.

Questions at the Neighborhood Meeting centered mainly on the proposed future subdivision of the property, regarding using Round Table Road as the only access into the subdivision and whether or not having only one access road was acceptable. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 24, 2021.

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 August 13, 2021. 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 August 13, 2021. The notice of this public hearing was published August 17, 2021 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 owner has petitioned for annexation into the City limits with a requested zoning district of R-5 which is compatible with the existing Comprehensive Plan Land Use Map designation of Residential Low (2 - 5.5 du/ac). Since the Applicant's properties are currently in the County, the annexation of the properties is a subsequent event that will invalidate the original premise; a county zoning designation. In addition, the 2020 One Grand Junction Comprehensive Plan defined the density range for the Residential Low Land Use category with a range of 2 to 5.5 du/ac. The existing County RSF-R zone district at a maximum density of one dwelling unit per five acres does not implement the Residential Low Land Use category. The proposed R-5 zone district does implement the Residential Medium Land Use category. 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 2020, designated these properties as Residential Low (2 - 5.5 du/ac). The Applicant is requesting an allowable zone district that is consistent with the upper end of the density range allowed by the Residential Low category. Adjacent properties to the west and south are annexed and zoned R-4. The character and/or condition of the surrounding area has not changed in recent years as the area continues to be largely developed with single-family detached homes on each lot in similar density ranges.

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 properties and are sufficient to serve land uses associated with the R-5 zone district. City

Sanitary Sewer and Clifton Water are both presently available within the Round Table Road right-of-way. Properties can also be served by Grand Valley Power electric and Xcel Energy natural gas. A short distance away, about a half mile is Thunder Mountain Elementary School, about a mile and one half is Grand Mesa Middle School and Grand Junction Central High School is just over 2 miles away. A Regional Park is just over a mile from this proposed annexation. A little further to the south and west groceries are available and a gas station/convenience store just over a mile away. Major shopping is just over 2-miles to the east and includes a City Market grocery store and other associated restaurants, retail/office establishments along with a branch of the Mesa County Library. Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed and therefore has found 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 properties and surrounding area is designated on the Comprehensive Plan Land Use Map as Residential Low (2 - 5.5 du/ac). A neighborhood center has been identified at the intersection of 30 Road and Patterson Road. The proposed zoning designation of R-5 meets the intent of achieving the desired density for the properties, with this request, to develop at the high end of the Residential Low (2 - 5.5 du/ac) category. For properties already annexed into the City limits, this area of Fruitvale is predominately zoned R-4 with some R-5 further west. Because a majority of this area in the Fruitvale Planning Area is currently zoned R-4, staff finds that there is an inadequate supply of R-5 zoning in this area of the City and therefore finds this criterion has 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 properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated area that is surrounded by the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district will provide an opportunity for housing within a range of density that is consistent with the Comprehensive Plan 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 that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the 2020 One Grand Junction 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 the R-4 zone district could be considered, the R-5 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surround neighborhood and provide for housing on a smaller residential lot thereby providing more housing choice to the community.

In addition to the zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Low (2 - 5.5 du/ac) for the subject properties.

- a. R-4 (Residential – 2 to 4 du/ac)
- b. CSR (Community Services and Recreation)

Further, the zoning request is consistent with the following chapters, goals and principles of the Comprehensive Plan:

Chapter 2

Plan Principle 3: Responsible and Managed Growth

Goal: Support fiscally responsible growth and annexation policies that promote a compact pattern of growth...and encourage the efficient use of land.

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.

Chapter 3

Intensification and Tiered Growth Plan. Subject property is located within Tier 2 – In Tier 2, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Reece Annexation, ANX-2021-365, for a Zone of Annexation from County RSF-R (Residential Single Family – Rural) to a City R-5 (Residential – 5 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 2020 One Grand Junction Comprehensive Plan.

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

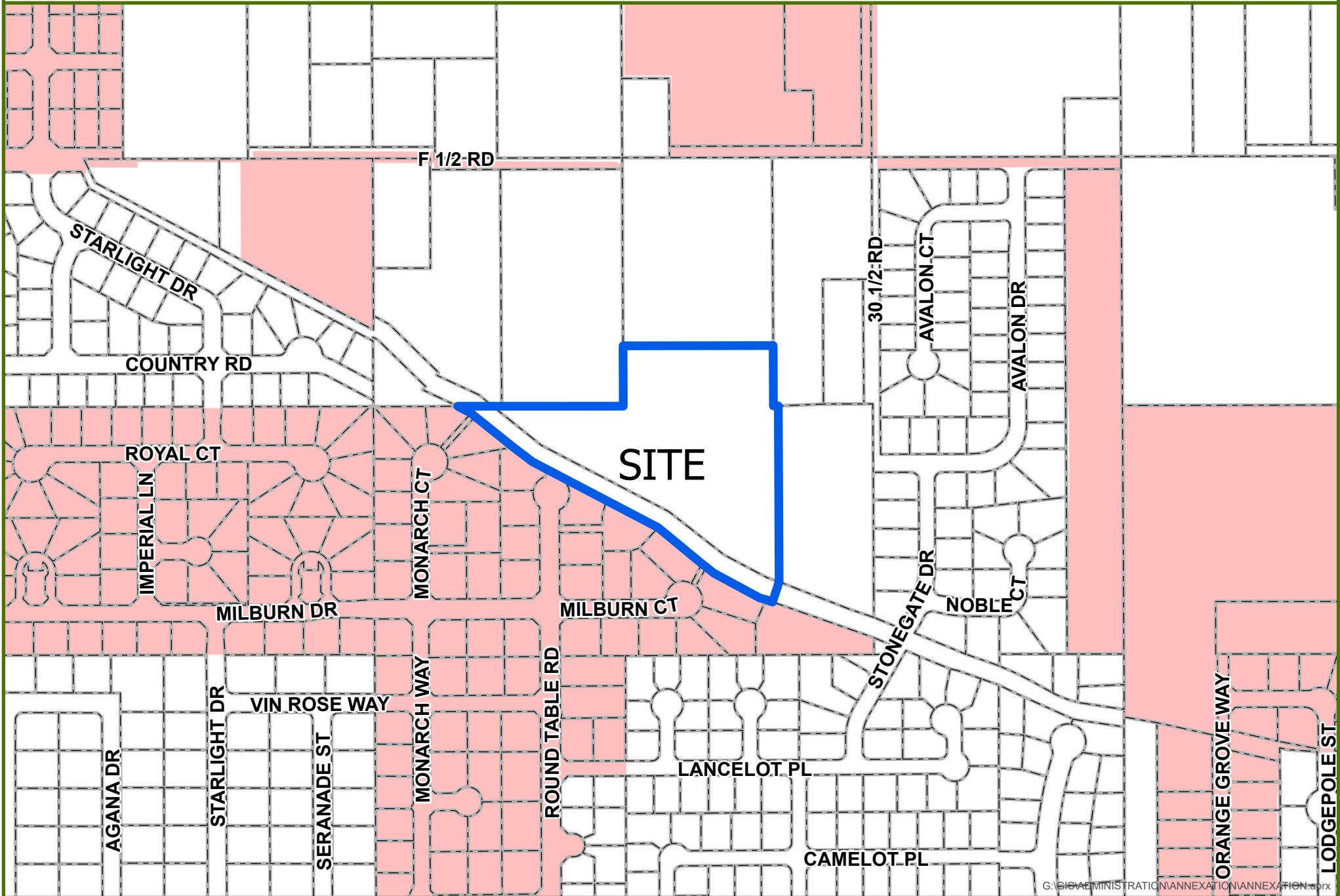
SUGGESTED MOTION:

Mr. Chairman, on the Zone of Annexation for the Reece Annexation to R-5 (Residential – 5 du/ac) zone district, file number ANX-2021-365, 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. Site Location and Zoning Maps and Photo
2. Neighborhood Meeting notes
3. Reece Annexation Plat
4. Zone of Annexation Ordinance - Reece Annex

REECE ANNEXATION



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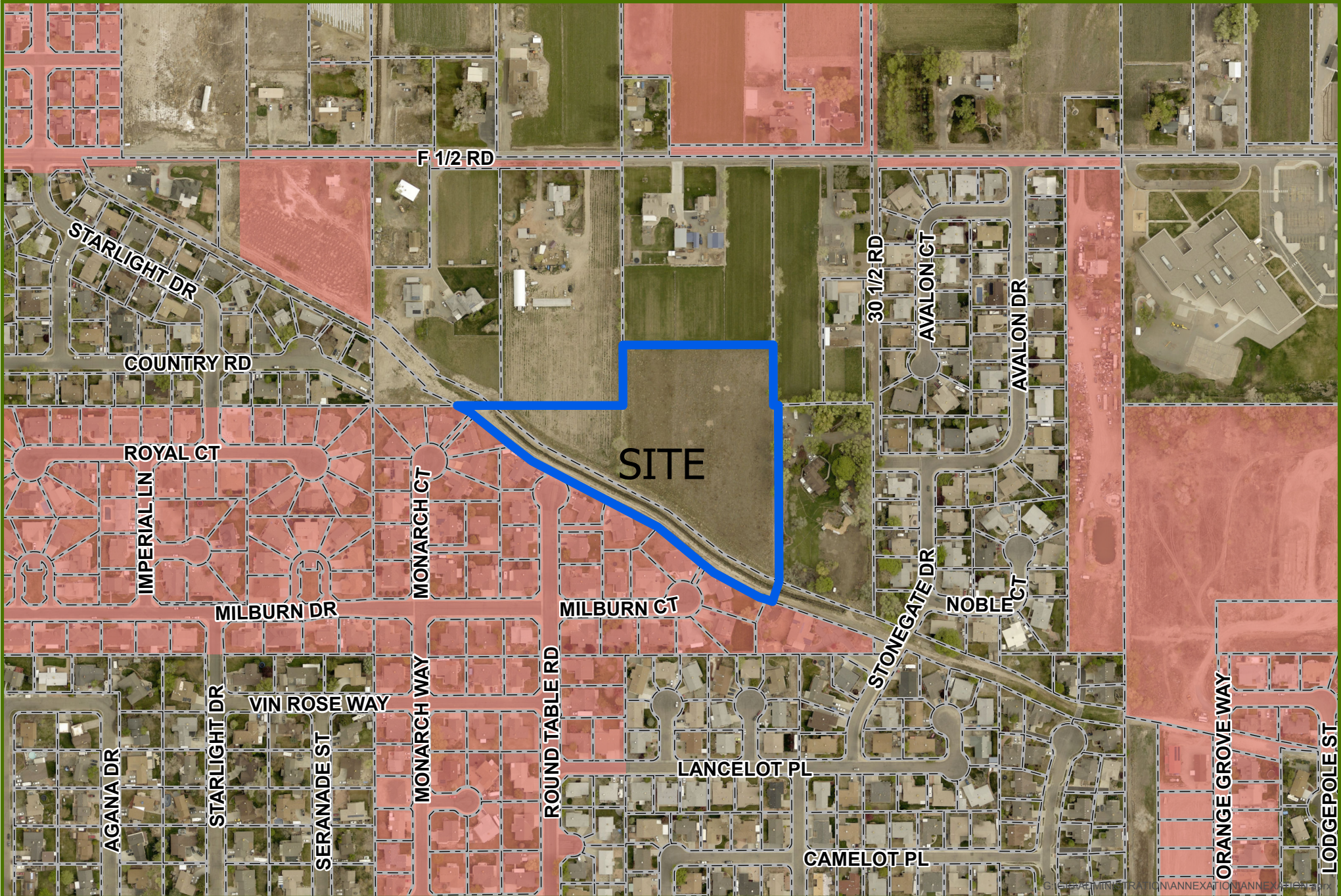


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 Annexation

 City Limits

REECE ANNEXATION



0 0.05 0.1 Miles



Annexation

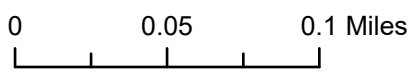



City Limits

REECE ANNEXATION - LAND USE

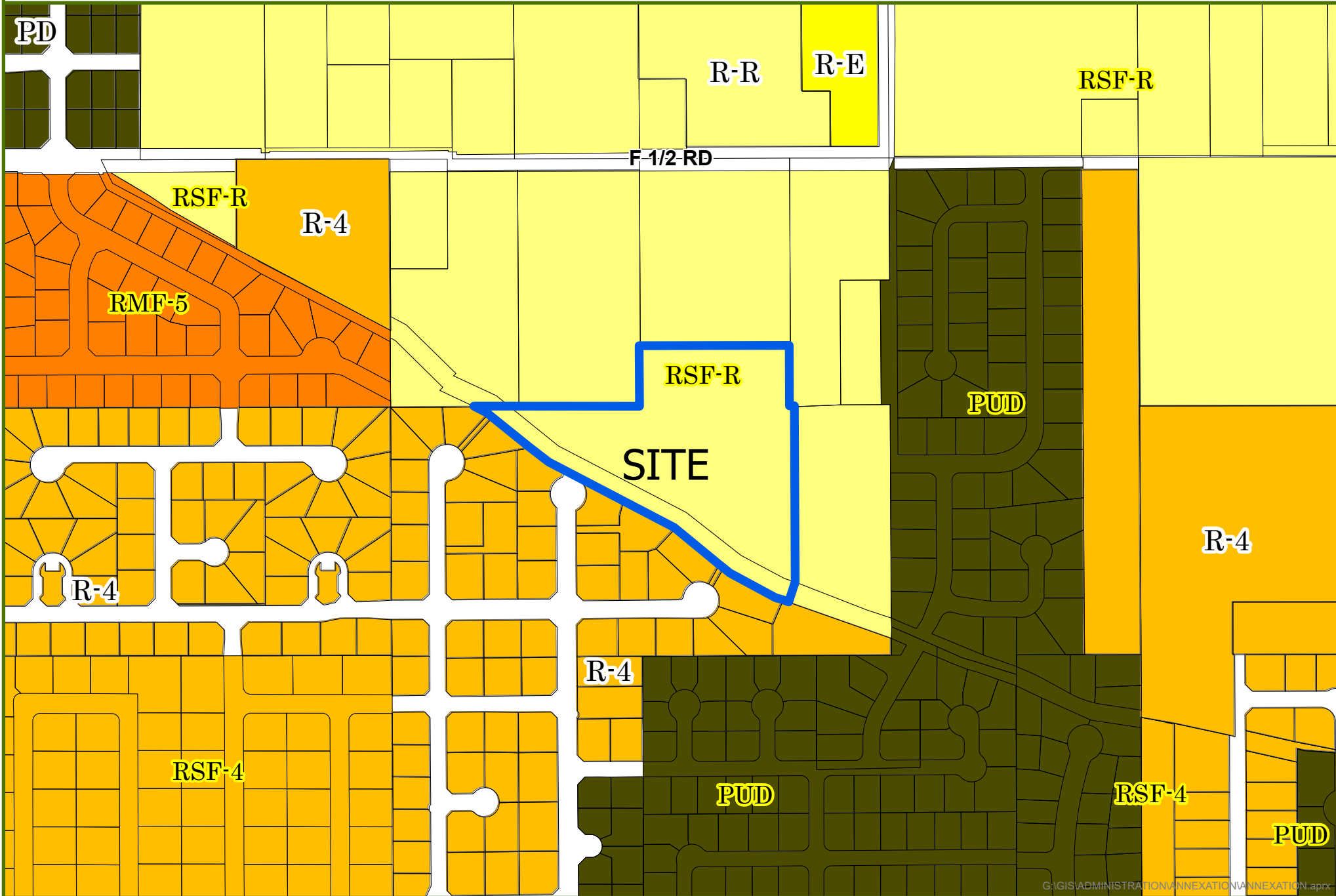


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 Annexation Boundary

REECE ANNEXATION - ZONING



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0 0.05 0.1 Miles

 Annexation

City Zoning
Packet Page 47

County Zoning

Date Created: 7/27/2021



GEOSPATIAL INFORMATION SYSTEMS



Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

April 29, 2021

Mr. Scott Peterson
City of Grand Junction Planning Department
250 North 5th Street
Grand Junction, CO 81502

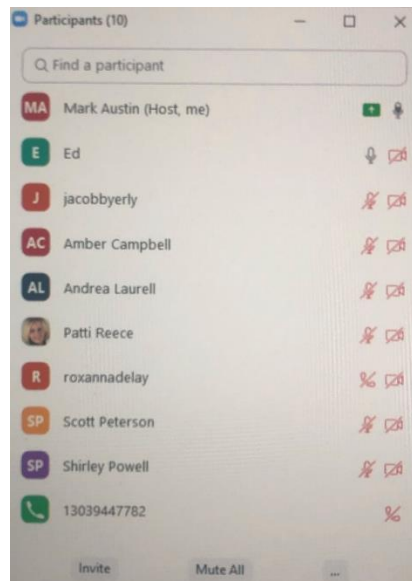
**Re: Reece Property Annexation/Rezone/Major Subdivision
Neighborhood Meeting Summary**

Dear Mr. Peterson:

The purpose of this letter is to summarize neighborhood meeting discussions conducted for the Reece Property April 29, 2021 via a Zoom call at 5:30 PM. The purpose of the meeting was to discuss the annexation, rezone of a 6.7-acre property to R-5, and proposed major subdivision with 31 lots, for a property located at the north end of Round Table Road.

Listed below is a summary of the discussion items:

1. The meeting was attended by 9 callers. A copy of the zoom participant list is below



2. Mark Austin provided an overview of the annexation process and how the Persigo Agreement requires properties to annex into the City of Grand Junction if they develop and the how the Growth Plan map provides the framework for determining options for zoning properties. The 2020 growth plan identifies the subject property as Residential Low which allows for zoning choices from R-2 to R-5.5. The applicant is requesting a zoning designation of R-5 with 31 lots, for an average density of 4.6 units per acre.
3. Mark Austin anticipates the annexation documents being submitted to the City of Grand Junction next month. The annexation process requires 3-4 months to complete and property owners within 500-ft of the property will receive a notice in the mail on how to comment or attend planning commission or city council hearings on the annexation and zoning.
4. Mark Austin explained that annexing and zoning this property does not require annexation of any other property and does not change anything with surrounding parcels that are zoned in Mesa County.
5. The property only has public access from Round Table Road and this roadway would be used for access into the development.
6. Mark Austin explained that Round Table Road was specifically designed to be extended into this property. It was designed as a residential collector and is 8-ft wider than surrounding residential streets in this neighborhood. The existing curb/gutter/sidewalk returns to the north and end of roadway markers are placed at the end of this street. If this were a cul-de-sac that was not designed to be extended, the cul-de-sac would have continuous curb and gutter and sidewalk around the perimeter.
7. The project will provide stub streets to the adjacent parcels, which is typically a requirement by the City of Grand Junction for neighborhood connectivity and for providing additional means of access for emergency response.
8. Mark Austin indicated the project will be required to construct a pedestrian path along the Price Ditch. It will also more than likely include sidewalk connections to two existing sidewalks on cul-de-sac streets in the adjacent neighborhood.
9. The project is located in area of influence for the Airport. This will require an aviation agreement that provides notice to property owners they should expect noise and vibration from airplanes if they purchase. It also requires the project to use insulation on the homes that complies with the Sound Insulation of Residences Exposed to Aircraft Operations, publication AD-A258 O32.
10. Mark Austin indicated the property is within the Mesa County Irrigation District and information is currently being gathered to determine if the property has irrigation water rights and where the water rights will come from.

Mr. Scott Peterson
April 29, 2021
Page 3 of 3

11. Mark Austin indicated irrigation tailwater from three locations crosses the property. Most of these irrigation tailwater facilities will be piped through the development and discharge into the Price Thayer Drain which is a GVDD facility.
12. The Price Thayer Drain crosses along the south property line and is managed by the Grand Valley Drainage District. The applicant intends to leave the drain open at this time and pipe the areas where we need to cross for roads or pedestrian walks.
13. Mark Austin indicated the final design information for the subdivision is anticipated to take a few months to complete. Once this information is completed and submitted to the City, the city will again issue a card in the mail notifying property owners within 500 ft of the application and their ability to review and make comment on it. Scott Peterson indicated the subdivision approval process is administrative, but the public has the opportunity to provide comments. The subdivision approval process typically takes six months to complete.
14. There were only two questions/comments from the public. The first comment was the concern with using Round Table Road as the only access and the amount of traffic on the roadway. They feel this street already has too much traffic and the turning movements on Patterson may be restricted in the future. Mark Austin responded that Round Table Road was specially designed to be the main travel route for development in this area. Mark Austin stated that traffic impact fees, approximately \$8,000 per home, will be paid to the City and the City uses these funds to make offsite street improvements when impacts are warranted.
15. The second question from the public asked if having only one access was acceptable. Scott Peterson responded that the subdivision does have other access available from Milburn Road and the project will provide stub streets to adjacent parcels and as some point will provide other means of access to the property.
16. Mark Austin stated that everyone on the call should have his contact information and he's available to meet and discuss any specific concerns you may have.
17. The meeting concluded at approximately 6:00 PM.

If you have any comments or notes that I may have missed, please contact me at 970-242-7540.

Sincerely,

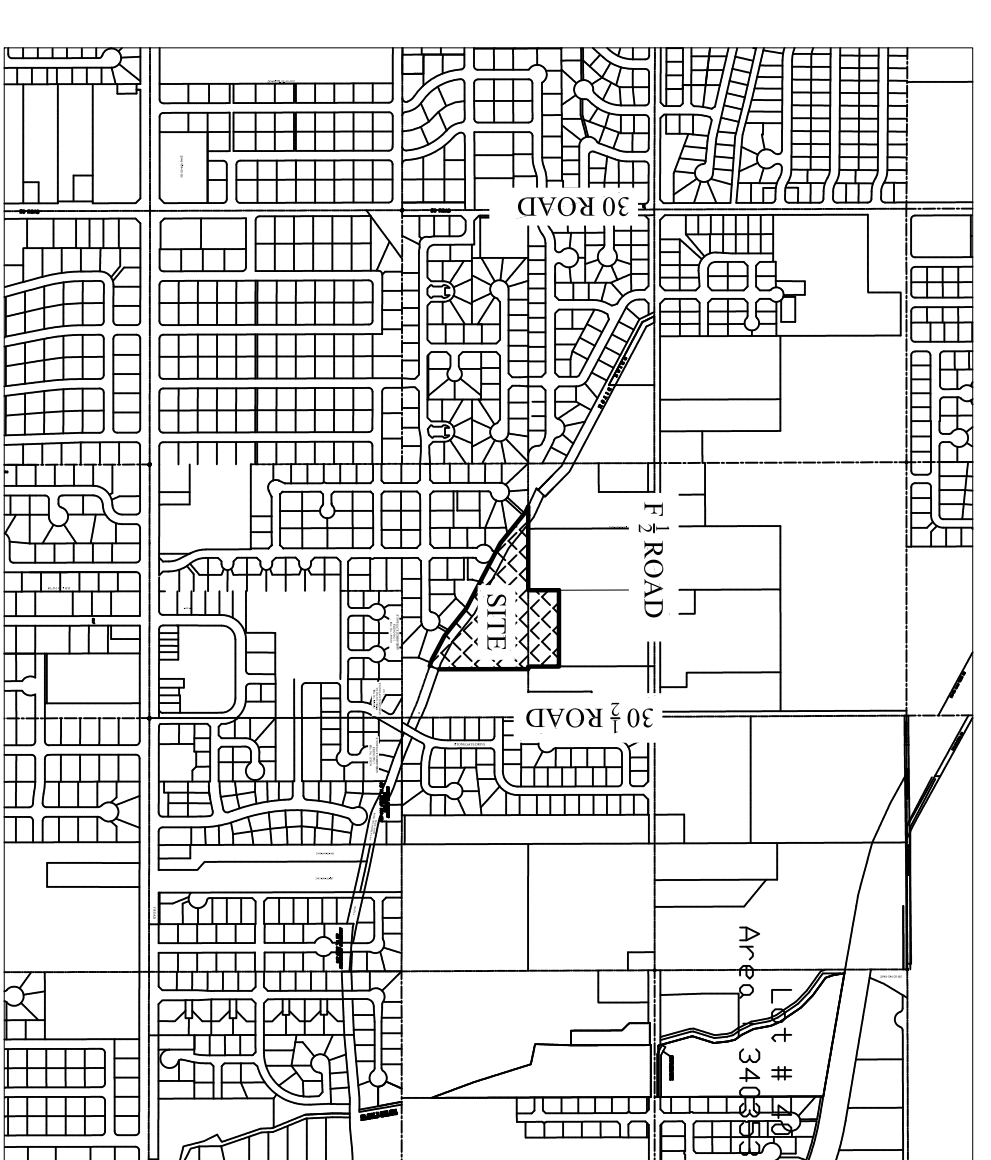
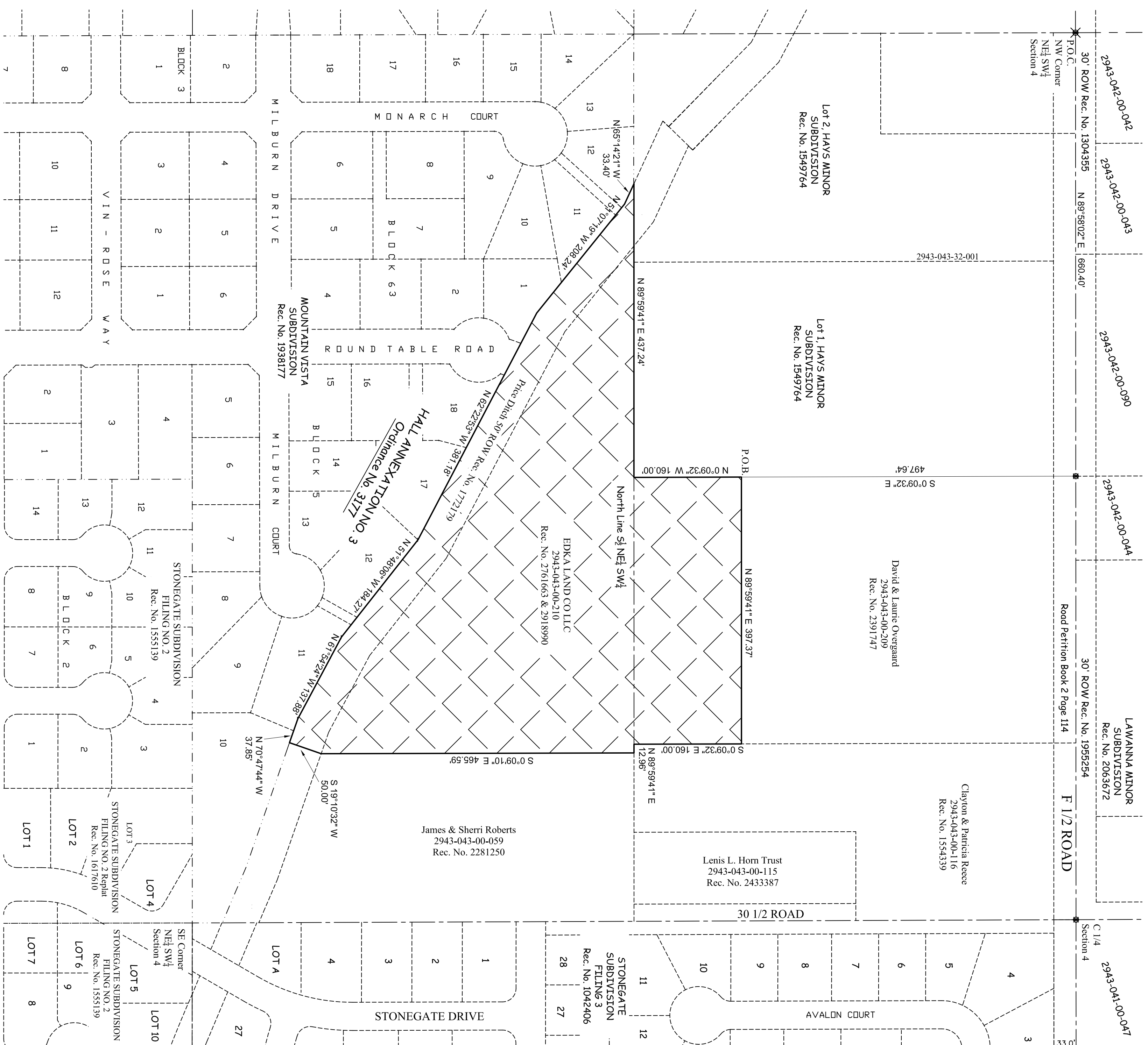


Austin Civil Group, Inc.

Mark Austin, P.E.
President

REECE ANNEXATION

Located within the NE 1/4 SW 1/4 SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado being those parcels described in deeds filed under Reception Number 2761663 and Reception Number 2919990 and being more particularly described as follows:

Commencing at the Northwest Corner of said NE1/4 SW1/4 Section 4 and assuming the North line of said NE1/4 SW1/4 bears N89°58'02"E with all other bearings contained herein being relative thereto; thence N89°58'02"E along said North line NE1/4 SW1/4 a distance of 660.40 feet; thence S0°09'32"E a distance of 497.64 feet to the Point of Beginning; thence N89°59'41"E a distance of 397.37 feet; thence S0°09'32"E a distance of 160.00 feet to the north line of the S1/2 NE1/4 SW1/4; thence N89°59'41"E a distance of 12.96 feet along said north line; thence S0°09'10"E a distance of 465.59 feet to the northerly right-of-way of the Price Ditch; thence S19°10'32"W a distance of 50.00 feet, crossing said 50 foot Right-of-Way to the Southerly line of said 50 foot Price Ditch Right-of-Way also being the northerly line of HALL ANNEXATION NO. 3, Ordinance No. 3177; thence along said Southerly right-of-way line and said northerly annexation line for the following six (6) courses: 1) N70°47'44"W a distance of 37.85 feet; 2) thence N61°54'24"W a distance of 137.88 feet; 3) thence N51°48'06"W a distance of 184.27 feet; 4) thence N62°22'53"W a distance of 381.18 feet; 5) thence N51°07'19"W a distance of 208.24 feet; 6) thence N65°14'21"W a distance of 33.40 feet to a point on said north line of the S1/2 NE1/4 SW1/4; thence N89°59'41"E along said north line a distance of 437.24 feet; thence N0°09'32"W a distance of 160.00 feet to the Point of Beginning.

CONTAINING 6.73 Acres or 292943 Square Feet, more or less, as described.

The Description(s) 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.

- 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.M. UTE MERIDIAN
 - NO. NUMBER
 - REC. RECEPTION
 - SQ. FT. SQUARE FEET
 - ∠= CENTRAL ANGLE
 - RAO. RADIUS
 - AL. ARC LENGTH
 - CHL. CHORD LENGTH
 - CHB. CHORD BEARING
 - BLK. BLOCK
 - PB. PLAT BOOK
 - BK. BOOK
 - PG. PAGE
 - HORIZ. DIST. HORIZONTAL DISTANCE

Renée B. Parent, PLS No. 38266
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

FOR REVIEW

THIS IS NOT A BOUNDARY SURVEY



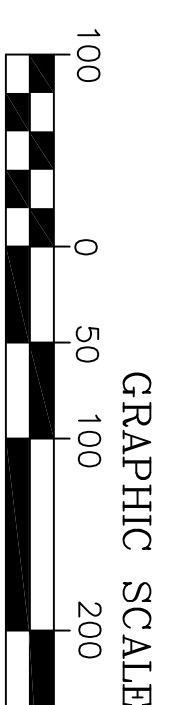
PUBLIC WORKS

REECE ANNEXATION

AREA OF ANNEXATION

ANNEXATION PERIMETER 266598 FT.
CONTIGUOUS PERIMETER 98282 FT.
AREA IN SQUARE FEET 292943
AREA IN ACRES 6.73

ANNEXATION BOUNDARY
EXISTING CITY LIMITS



GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

ORDINANCE NO. _____

EFFECTIVE 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 said 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: R.B.P. DATE: 07-14-2021
UPDATED: R.B.P. DATE: 07-28-2021
CHECKED BY: M.G. DATE: 07-16-2021
APPROVED BY: _____ DATE: _____

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE REECE ANNEXATION
TO R-5 (RESIDENTIAL – 5 DU/AC) ZONE DISTRICT**

**LOCATED ON A PROPERTY SOUTH OF 3035 AND 3043 F ½ ROAD
Tax Parcel Number 2943-043-00-210 and a Parcel containing Price Ditch ROW**

Recitals

The property owner has requested annexation of one property that totals 0.73-acres into the City limits.

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 Reece Annexation to the R-5 (Residential – 5 du/ac) zone district, finding that it conforms with the designation of Residential Low (2 - 5.5 du/ac) as shown on the 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-5 (Residential – 5 du/ac) zone district, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

REECE ANNEXATION

The following property be zoned R-8 (Residential – 8 du/ac) zone district.

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado being those parcels described in deeds filed under Reception Number 2761663 and Reception Number 2918990 and being more particularly described as follows:

Commencing at the Northwest Corner of said NE1/4SW1/4 Section 4 and assuming the North line of said NE1/4 SW1/4 bears N89°58'02"E with all other bearings contained herein being relative thereto; thence N89°58'02"E along said North line NE1/4SW1/4 a distance of 660.40 feet; thence S0°09'32"E a distance of 497.64 feet to the Point of Beginning; thence N89°59'41"E a distance of 397.37 feet; thence S0°09'32"E a distance of 160.00 feet to the north line of the S1/2NE1/4SW1/4; thence N89°59'41"E a

distance of 12.96 feet along said north line; thence S0°09'10"E a distance of 465.59 feet to the northerly right-of-way of the Price Ditch; thence S19°10'32"W a distance of 50.00 feet, crossing said 50 foot Right-of-Way to the Southerly line of said 50 foot Price Ditch Right-of-Way also being the northerly line of HALL ANNEXATION NO. 3, Ordinance No. 3177; thence along said Southerly right-of-way line and said northerly annexation line for the following six (6) courses: 1) N70°47'44"W a distance of 37.85 feet; 2) thence N61°54'24"W a distance of 137.88 feet; 3) thence N51°48'06"W a distance of 184.27 feet; 4) thence N62°22'53"W a distance of 381.18 feet; 5) thence N51°07'19"W a distance of 208.24 feet; 6) thence N65°14'21"W a distance of 33.40 feet to a point on said north line of the S1/2NE1/4SW1/4; thence N89°59'41"E along said north line a distance of 437.24 feet; thence N0°09'32"W a distance of 160.00 feet to the Point of Beginning.

CONTAINING 6.73 Acres or 292943 Square Feet, more or less, as described.

INTRODUCED on first reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: August 24, 2021
Presented By: Felix Landry, Planning Supervisor
Department: Community Development
Submitted By: Felix Landry, Planning Supervisor

Information

SUBJECT:

Consider a request by Richard and Marianne Traver to annex and zone approximately 19.41-acres from County PUD (Planned Unit Development) and County RSF-R (Residential Single Family – Rural – 5-acre lot sizes) to a City R-8 (Residential – 8 du/ac) zone for the Westland Meadows Annexation, a property located at 2973 D ½ Road, west of 30 Road in Pear Park. | [Staff Presentation](#) | Phone-in comments dial 9231.

RECOMMENDATION:

Staff recommends approval of the requested zone of annexation.

EXECUTIVE SUMMARY:

The Applicants, Richard and Marianne Traver are requesting a zone of annexation to R-8 (Residential – 8 du/ac) for the Westland Meadows Annexation. The approximately 19.41-acre property is located at 2973 D ½ Road, just west of 30 Road, in Pear Park. The property has a Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 12 du/ac). The subject property currently has an existing single-family residence.

The properties are Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the City limits in anticipation of future residential subdivision development. The zone district of R-8 is consistent with the Comprehensive Plan. The request for annexation will be considered separately by City Council, but concurrently with the zoning request.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicants have requested annexation of 19.41-acres of land into the City limits, located in the Pear Park section of Grand Junction south of D½ Road approximately one quarter mile west of 30 Road. The largely undeveloped parcel carries the address of 2973 D½ Road. The Westland Meadows Annexation consists of one property of 19.41-acres. The Applicant is currently requesting a zone of annexation to R-8 (Residential – 8 du/ac).

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – August 18, 2021
- Planning Commission considers Zone of Annexation – August 24, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – September 15, 2021
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 6, 2021
- Effective date of Annexation and Zoning – November 7, 2021

The Applicant's property is currently in the County and has a County zoning of PUD and a portion is RSF-R (Residential Single Family – Rural – 5-acre minimum lot sizes). The PUD zoning was established by a previous owner covering the annexed property as well as an adjacent property. The portion of the PUD under consideration for annexation remains undeveloped. Surrounding properties to the north and west are zoned County RSF-R ranging in size from 0.29 to 4.78-acres. These properties consist of large lot single family homes. To the east resides a single large lot residence with County RSF-R zoning, and a collection of single-family residences along Marianne Drive with City R-4 zoning. Most of these lots range from 0.18 to 0.28 acres in size. Property to the south has City R-8 zoning and consists primarily of a residential subdivision which has been mostly developed. The city owns a triangular lot between the developing subdivision and the subject property. The subject property has a Comprehensive Plan Land Use designation of Residential Medium (5.5 - 12 du/ac). The requested zone district of R-8 is in conformance with the Land Use designation for the area.

The greater surrounding area both within the city limits and County are largely developed with single-family detached homes each on a platted lot or parcel. Further subdivision development and/or lot splits are possible in the future for other properties in the area, especially to the north of this property and are large enough to accommodate such development. Most of the zoning for the greater surrounding area consists of City R-8 zoning.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on March 31, 2021 in accordance with Section 21.02.080 (e) of the Zoning and

Development Code. Public comment was also offered through the GJSpeaks platform. The Applicant, Richard Traver, Applicants' Representative and City staff were in attendance along with three (3) citizens.

Questions at the Neighborhood Meeting centered mainly on the proposed future subdivision of the property regarding phasing, access, whether the zoning might change during the process, and how tall the future homes might be. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 17, 2021.

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 July 15, 2021. 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 August 13, 2021. The notice of the Planning Commission public hearing was published August 17, 2021 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 which is compatible with the existing Comprehensive Plan Land Use Map designation of Residential Medium (5.5 - 12 du/ac). The surrounding area has developed in a manner largely conforming with the 2010 and 2020 Comprehensive Plans. The 2020 One Grand Junction Comprehensive Plan defined the density range for the Residential Medium Land Use category with a range of 5.5 to 12 du/ac. While the proposed R-8 zone district implements the Residential Medium Land Use category, no events since the adoption of the 2010 Comprehensive plan have occurred which would invalidate the original premises. 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 2020, designated these properties as Residential Medium (5.5 - 12 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 category. Many of the adjacent properties in the greater area to the north, west, and south also have a Residential Medium land use designation and have been annexed and zoned R-8. The character and/or condition of the surrounding area has not changed much and continues to develop with residential uses. Due to the

lack of significant change in the character and/or condition of the area Staff finds that this criterion has not been met.

Because there has been apparent change of character and/or condition and the area has significantly changed, 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

Adequate public and community facilities and services are available to the properties and are sufficient to serve land uses associated with the R-8 zone district. City Sanitary Sewer and Ute Water are both presently available within the D ½ Road right-of-way. Properties can also be served by Xcel Energy electric and natural gas. A short distance away, about two thirds of a mile is Pear Park Elementary School. Las Colonias Park is just over three miles from this proposed annexation and a future park site borders the subject property to the south. Groceries and gas are available within one and a half miles. Major shopping resides within two miles with a Wal-Mart and commercial services and restaurants along North Avenue between 23rd Street and 29 Road. Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed and therefore has found 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 Comprehensive Plan and the future land use map comprise two of the primary tools the City uses to establish an adequate supply of land available for different types of development. Using these tools the city has designated the subject property for the Residential Medium land use, which allows a range of zoning districts designed to meet the future demand for housing. The adequate supply of Residential Medium land uses is established by the amount of land designated for that land use in the future land use map. The Residential Medium classification of the subject property identifies the subject property as an essential component for providing an adequate supply of land designated for Residential Medium development. Therefore, Staff finds that this criterion has 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 properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated area that is surrounded by the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement.

The 2020 Comprehensive Plan describes the projected residential needs of the community and proposes the future land use plan as a means to achieve an appropriately diverse supply of housing types that meet the needs of all ages, abilities, and incomes. The land use plan component of the 2020 Comprehensive Plan uses a variety of residential land use classifications to establish a variety of housing types available for development in different areas of the City. This location has been assigned

for Residential Medium land uses, which includes the requested zoning of Residential-8. Therefore, the plan identifies Residential-8 zoning as an appropriate designation for this property to meet the housing objectives described in the 2020 Comprehensive Plan and derive benefits from its development for the community. 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. The R-8 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surrounding neighborhood.

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 (5.5 - 12 du/ac) for the subject properties.

- a. R-12 (Residential – 8 to 12 du/ac)
- b. CSR (Community Services and Recreation)
- c. Mixed-Use Residential (MXR-3)
- d. Mixed-Use General (MXG-3)
- e. Mixed-Use Shopfront (MXS-3)

Further, the zoning request is consistent with the following chapters, goals and principles of the Comprehensive Plan:

Chapter 2

Plan Principle 3: Responsible and Managed Growth

Goal: Support fiscally responsible growth and annexation policies that promote a compact pattern of growth...and encourage the efficient use of land.

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.

Chapter 3

Intensification and Tiered Growth Plan. Subject property is located within Tier 1 – In Tier 1, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to

implement the Comprehensive Plan.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Westland Meadows Annexation, ANX-2021-343, for a Zone of Annexation from County PUD-RSF-R (Planned Unit Development & Residential Single Family – Rural) 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 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 2020 One Grand Junction Comprehensive Plan.

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

SUGGESTED MOTION:

Mr. Chairman, on the Zone of Annexation for the Westland Meadows Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2021-343, 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. ANNEXATION SCHEDULE & SUMMARY TABLE
2. Neighborhood Meeting Minutes
3. Site Location and Zoning Maps
4. Westland Meadows Annexation Plat
5. Zone of Annexation Ordinance - WestlandMeadows Annex

Westland Meadows Annexation			
18 August 2021	Referral of Petition, Intro Proposed Ordinance, Exercise Land Use		
24 August 2021	Planning Commission Considers Zone of Annexation		
15 September 2021	City Council Intro Proposed Zoning Ordinance		
6 October 2021	City Council Accept Petition/Annex and Zoning Public Hearing		
	Effective date of Annexation and Zoning		
ANNEXATION SUMMARY			
File Number	ANX-2021-343		
Location	2973 D ½ Rd		
Tax ID Number(s)	2943-174-00-249		
Number of Parcel(s)	1		
Existing Population	2		
No. of Parcels Owner Occupied	1		
Number of Dwelling Units	1		
Acres Land Annexed	19.41		
Developable Acres Remaining	19.41		
Right-of-way in Annexation	0		
Previous County Zoning	PUD - RSF- R		
Proposed City Zoning	R-8		
Surrounding Zoning:	North:	County RSF-R	
	South:	City R-8	
	East:	City R-4 and County RSF-R	
	West:	County RSF-R	
Current Land Use	Single-family residential/vacant land		
Proposed Land Use	Residential Subdivision		
Surrounding Land Use:	North:	Residential Medium	
	South:	Parks and Open Space	
	East:	Residential Low	
	West:	Residential Medium	
Comprehensive Plan Designation:	Residential Medium		
Zoning within Comprehensive Plan Designation:	Yes:	<input checked="" type="checkbox"/>	No: <input type="checkbox"/>
Values:	Assessed	\$23,840	
	Actual	\$333,450	
Address Ranges			
Special Districts:	Water	Ute Water District	
	Sewer	Grand Junction 201 Service Area Boundary	
	Fire		
	Irrigation/Drainage	Grand Valley Irrigation Company	
	School	Mesa County School District 51	
	Pest	Grand River Mosquito Control District	

WESTLAND MEADOWS SUBDIVISION

INITIAL NEIGHBORHOOD MEETING 3-31-2021 via ZOOM

Attendees:

Scott Peterson, Senior Planner – City of Grand Junction
Pat O'Connor Design Group, Inc. (Jim JoJslyn, Engineer)
Richard and Marianne Traver, owners.
Molly Nelson
Tammy Hayzlett
Micah Berg, builder: MIB Constr.

Meeting began at 5:30 pm.

Pat O'Connor provided an introduction of the plans and of the people involved.

The overall drawing was pulled up for all to see and was described by Mr. O'Connor. The initial Filing One was shown to be 9 lots, and was to be rezoned to R-8 which was about 5.5 units per acre. The whole subdivision covers about 19.4 acres which meant there will be 107+ lots with some 'single family attached' dwellings described as two units with a common wall on two separate lots. Mr. O'Connor did mention that there was a property/pasture between the Wexford Subdivision to the West of the proposed subdivision. No plans are pending to develop that separating acreage.

Questions/Comments:

Tammy Hayzlett: She was concerned about the zoning/rezoning and asked if it will stay the same throughout the rest of the filings. Scott Peterson said that it will all stay the same and that no further zoning will happen. The size of the lots would be about 4,500 to 5,000 square feet each. Rich Traver mentioned that the lots will be a little larger than the ones in Wexford Subdivision. In Filing One, the lots will be larger, around 7,000 square feet. Tammy asked about the time frame. Mr. O'Connor said it depends on many factors, one of which could be the sales volumes in the area. It was mentioned that Filing One will be started as soon as possible after the Final Plan submittal is approved, possibly a few months out. Tammy asked about which direction it will be done, whether it will start at the East and work West toward Wexford. The answer was that it will work South, then West, that there are five filings/phases. Tammy asked about the time frame of all five filings. It was mentioned maybe three years. Tammy asked about the roads to be connecting through. Pat O'Connor mentioned that Inishmore is intended to connect through to Wexford on the Northwest side of the planned subdivision. (That future connection being dependent on the disposition of the owner of the in-between parcel.) He mentioned that the subdivision will be annexed into the City with the preliminary submittal of Filing One. Scott Peterson mentioned the order of submittals, that there will be public hearings in front of the City Council, and that cards will be sent out for notification to those who had received the present notice of this initial meeting.

Molly Nelson: She asked about the southern access for exiting of the subdivision. Pat O'Connor pointed out the road to the South which will be D $\frac{1}{4}$ Road, that it will connect East into Westland Estates along the Ditch which now exists there. Pat O'Connor also mentioned that D $\frac{1}{4}$ Rd. might extend West, and could possibly connect with Broken Arrow Dr. to the South. Pat O'Connor also added his opinion that Grand Valley Irrigation Company might not agree to D $\frac{1}{4}$ Rd. going west across the canal. Rich Traver mentioned that he talked with the President of GVI, Phil Bertrand, and that he might be more amenable to the Broken Arrow St. crossing. Molly mentioned her concern about duplexes, and it was mentioned again that they will be 'single family attached' homes, each owned by occupying homeowners, and Rich Traver mentioned that there are only four of those planned. They will be similar to those that exist to the south in Flint Ridge Subdivision.

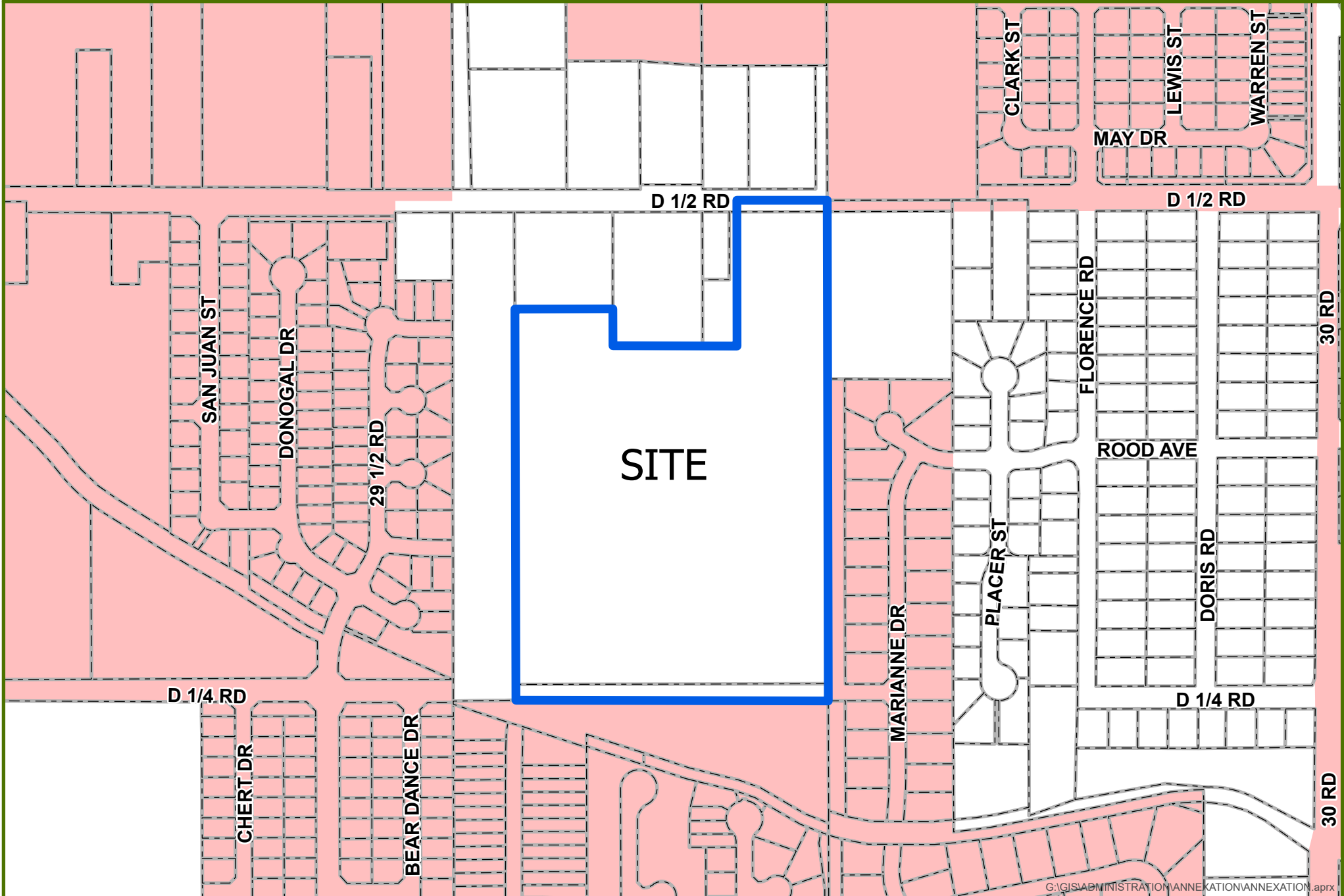
Tammy Hayzlett: She asked if there will be any two-story dwellings, that she didn't want her view to be obstructed. It was mentioned that they can be one story.

Scott Peterson mentioned that the market now is driving with one story dwellings anyway.

MIB Construction: He mentioned about possibly building some homes there.

Meeting adjourned at 5:55 pm. Written by M Traver

WESTLAND MEADOWS ANNEXATION



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0 0.05 0.1 Miles

 Annexation  City Limits

WESTLAND MEADOWS ANNEXATION



 Annexation

 City Limits

WESTLAND MEADOWS ANNEXATION - LAND USE



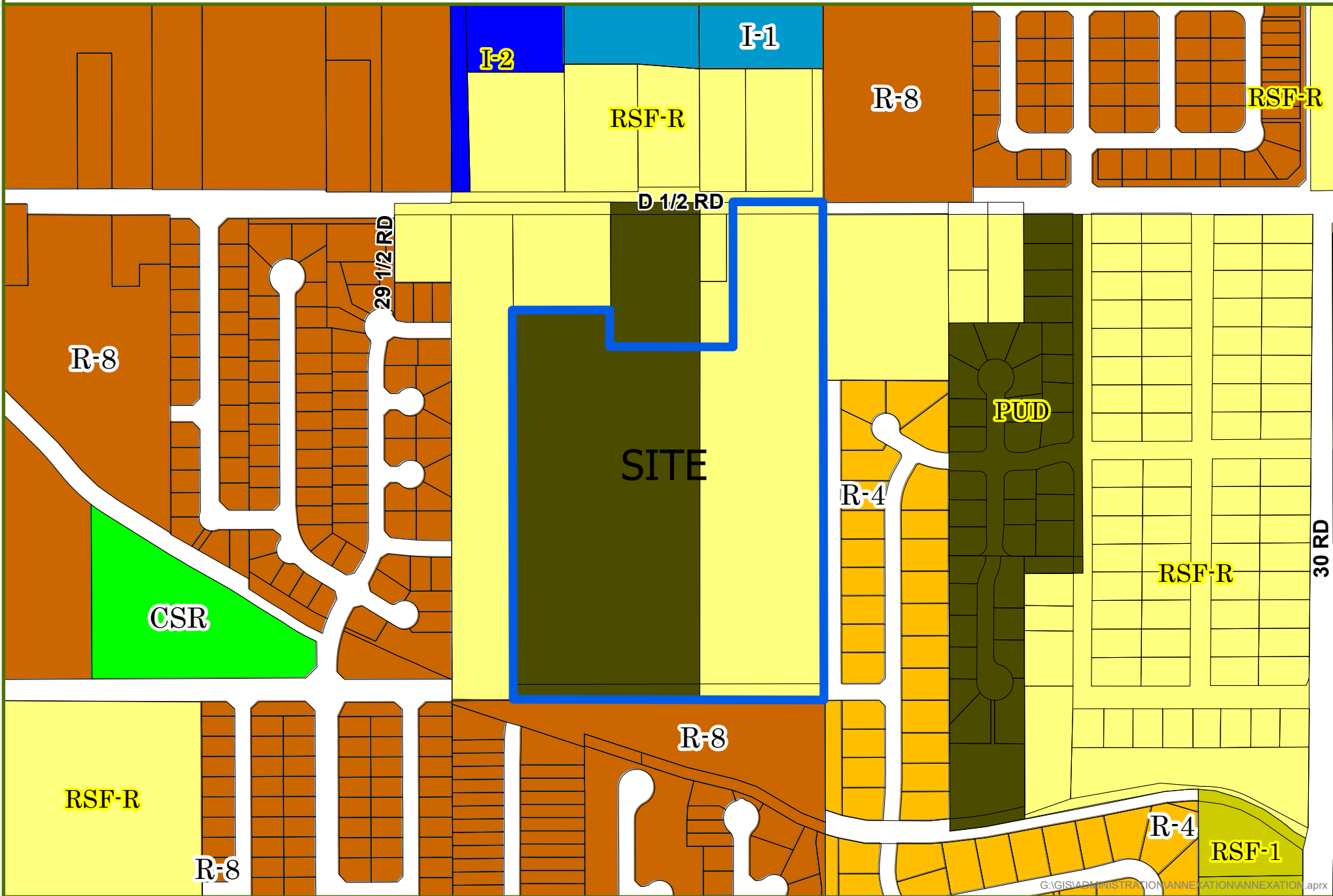
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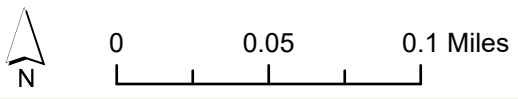
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 Annexation Boundary

WESTLAND MEADOWS ANNEXATION - ZONING



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Annexation

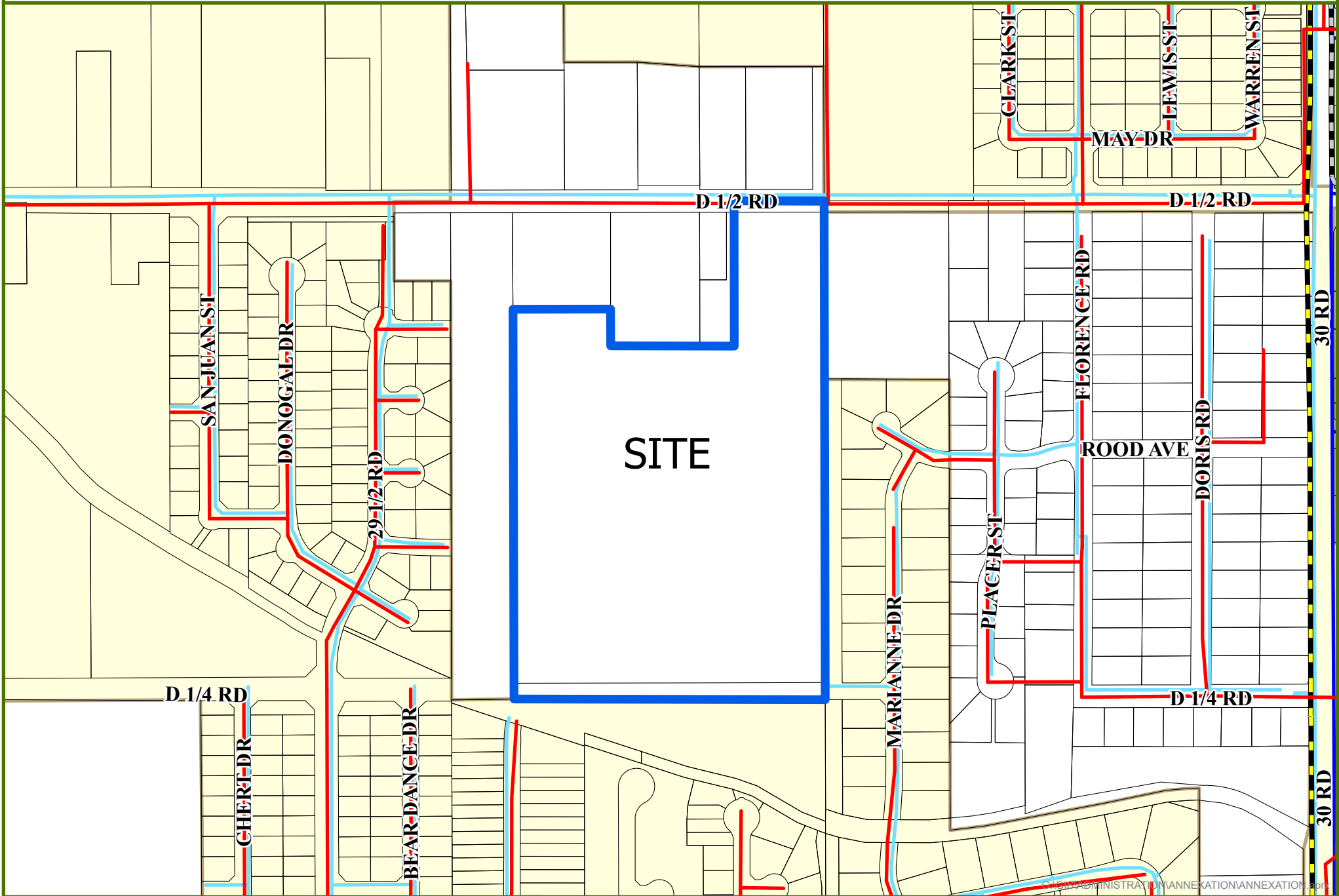
City Zoning
Packet Page 66

County Zoning

Date Created: 7/22/2021



WESTLAND MEADOWS ANNEXATION - UTILITIES

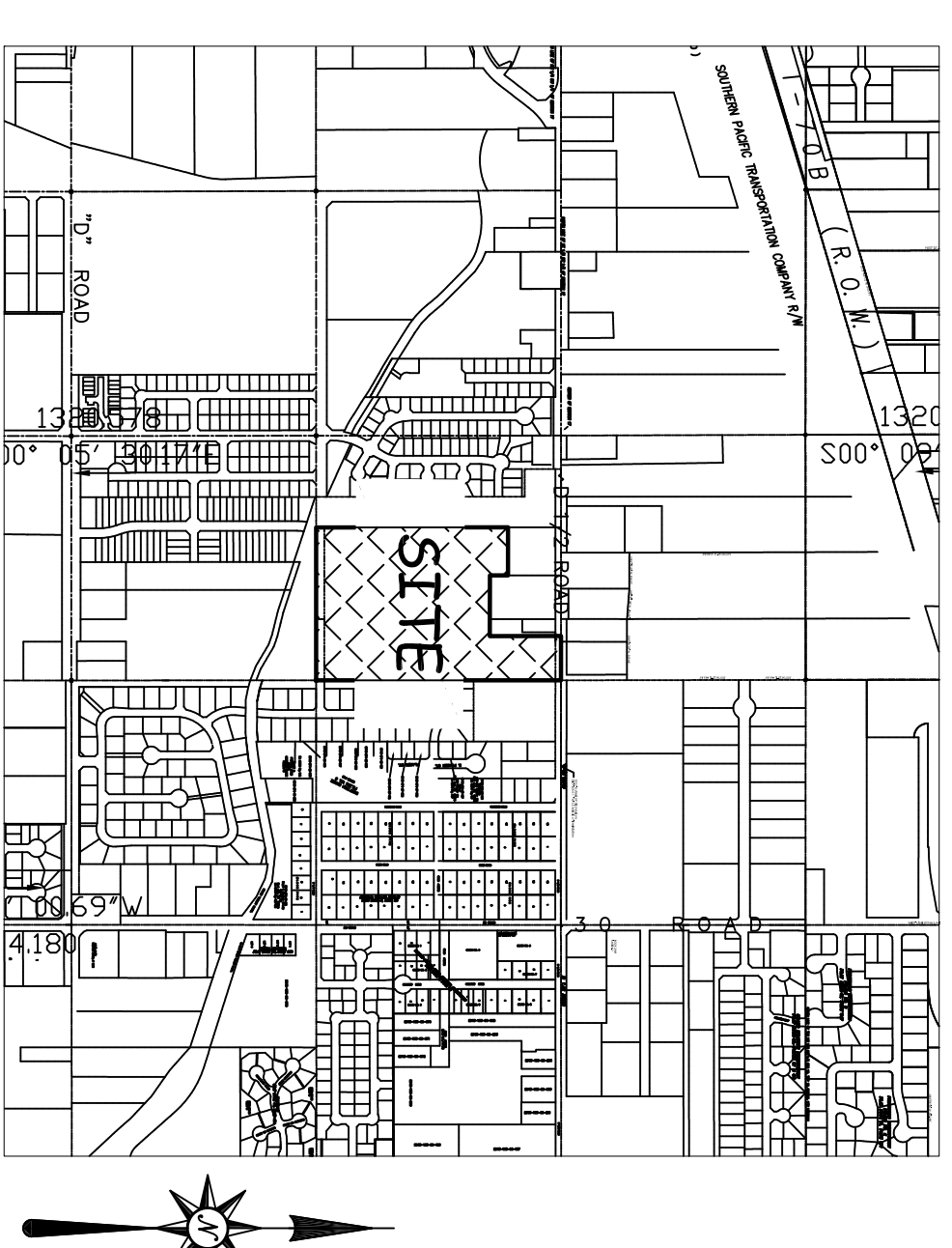


0 0.05 0.1 Miles

- CITY FIBER
- SEWER
- CLIFTON WATER
- NON-CITY FIBER
- UTE WATER
- CITY LIMITS

WESTLAND MEADOWS ANNEXATION

Located within the NW 1/4 SE 1/4 SECTION 17, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION

A parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado said parcel being more particularly described as follows:

Commencing at the Northeast Corner of said NW1/4SE1/4 Section 17 and assuming the North line of said NW1/4 SE1/4 bears N89°58'57" W with all other bearings contained herein being relative thereto; thence S0°00'20" W along the east line of the NW1/4 SE1/4 also being a portion of the west line of ISBE ANNEXATION NO. 2 ORDINANCE 3464 a distance of 30.00 feet to the southeast corner of a Right of Way parcel described in a deed filed under Reception Number 2918336; thence continuing S0°00'20" W along said east line NW1/4SE1/4 a distance of 441.09 feet to the Northwest corner of TRAYVER ANNEXATION NO. 2 ORDINANCE 3333; thence continuing S0°00'20" W along said east line NW1/4SE1/4 a distance of 30.00 feet to the southwest corner of a Right of Way parcel described in a deed filed under Reception Number 2918336; thence continuing S0°00'20" W along said east line NW1/4SE1/4 to the Southeast corner of said NW1/4SE1/4 also being a portion of the west line of said TRAYVER ANNEXATION NO. 2 ORDINANCE 3333 a distance of 804.96 feet to the Northeast corner of a Right of Way parcel described in a deed filed under Reception Number 2048396; thence continuing S0°00'20" W along said east line NW1/4SE1/4 to the Southeast corner of said NW1/4SE1/4 also being the north line of PARHAM ANNEXATION ORDINANCE 3349 a distance of 329.72 feet to the Southwest corner of said Reception Number 2048396; thence continuing S89°58'51" W along the south line of said NW1/4SE1/4 a distance of 494.59 feet to the Southeast corner of said Reception Number 2048398; thence continuing S89°58'51" W along the south line of said NW1/4SE1/4 a distance of 494.59 feet to the Southwest corner of said Reception Number 2048398; thence continuing S0°00'20" W a distance of 97.19 feet; S89°47'08" E a distance of 990.72 feet; thence along the boundary of said Parcel 1 for the following five (5) courses: N0°00'57" W a distance of 990.72 feet; S0°00'20" W a distance of 258.64 feet; S0°00'20" W a distance of 97.19 feet; S89°47'08" E a distance of 327.38 feet; N0°00'11" W a distance of 354.31 feet to the Southwest corner of said Right of Way parcel described in a deed filed under Reception Number 2918336; thence continuing S0°00'11" W a distance of 30.00 feet to the Northwest corner of said Reception Number 2918336 being a point on the north line of said NW1/4SE1/4; thence S89°58'57" E along said north line said NW1/4SE1/4 a distance of 728.76 feet to the Point of Beginning.

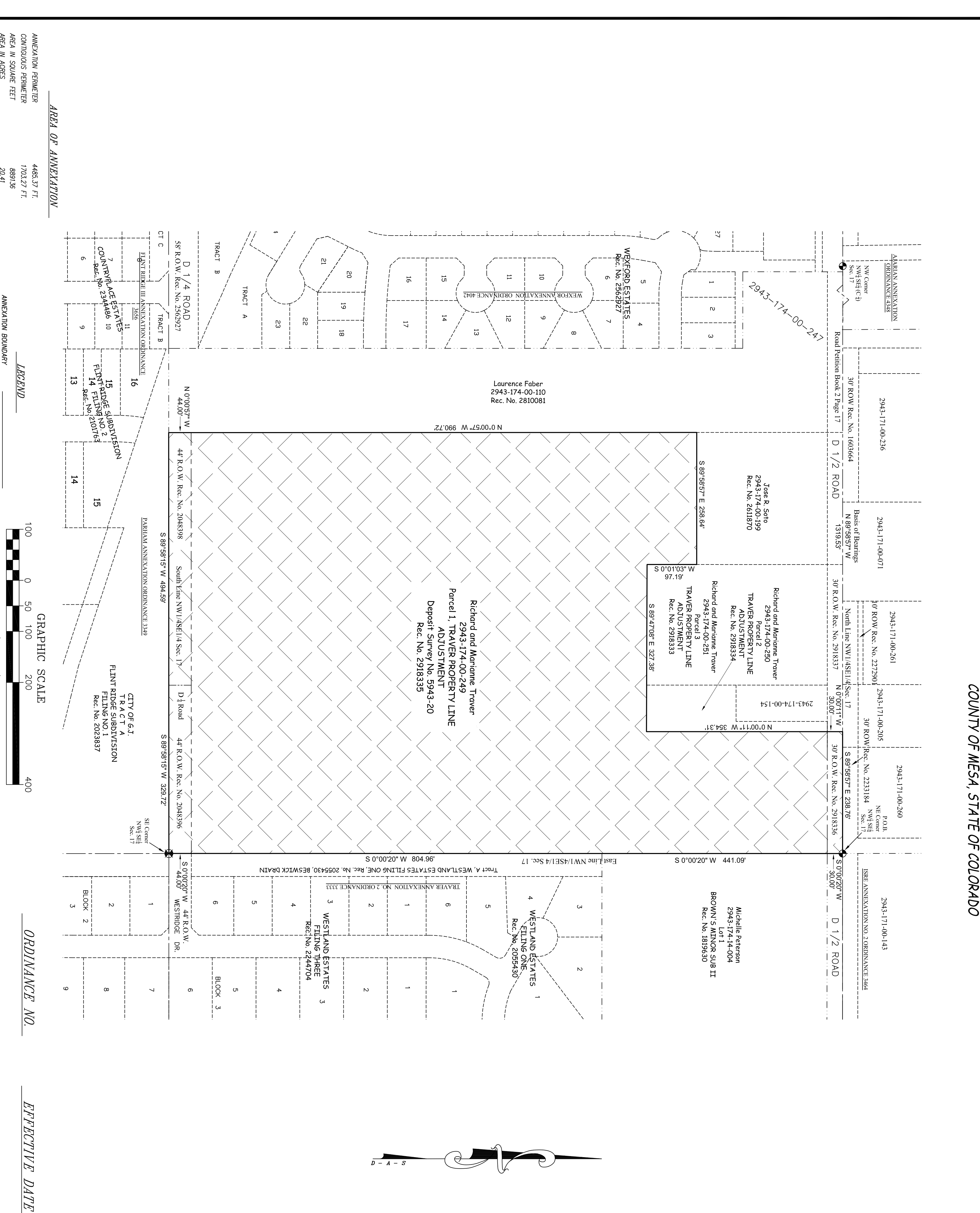
CONTAINING 20.41 Acres, more or less, as described.

The Description(s) 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.

Renée B. Parent, PLS No. 38266
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

ABBREVIATIONS:
P.O.C. POINT OF COMMENCEMENT
R.O.W. RIGHT OF BEGINNING
SEC. SECTION
TWP. TOWNSHIP
RGE. RANGE
UTM. UTE MERIDIAN
NO. NUMBER
REC. RECEPTION
SQ. FT. SQUARE FEET
L= CENTRAL ANGLE
RAD. RADIUS
AL. ARC LENGTH
CHL. CHORD LENGTH
CHB. CHORD BEARING
BLK. BLOCK
PL. PLAT BOOK
BK. BOOK
PG. PAGE
HORIZ. DIST. HORIZONTAL DISTANCE



ANNEXATION PERMETER 4485.37 FT
CONTIGUOUS PERMETER 17032.77 FT
AREA IN SQUARE FEET 8891.36
AREA IN ACRES 202.4
ANNEXATION BOUNDARY 3020 SQ.FT. or 0.83 ACRES
AREA IN D 1/2 ROAD ROW 7164 SQ.FT. or 0.16 ACRES
EXISTING CITY LIMITS

ORDINANCE NO. _____ EFFECTIVE DATE _____

GRAPHIC SCALE (IN FEET)
1 inch = 100 ft

SCALE
1" = 100'

THIS IS NOT A BOUNDARY SURVEY

PUBLIC WORKS

WESTLAND MEADOWS ANNEXATION

1 OF 1

FOR REVIEW

Packet Page 68

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

DRAWN BY: R.B.P. DATE: 07-12-2021
DESIGNED BY: M.G. DATE: 07-14-2021
CHECKED BY: DATE: _____
APPROVED BY: DATE: _____

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING WESTLAND MEADOWS ANNEXATION
TO R-8 (RESIDENTIAL – 8 DU/AC) ZONE DISTRICT**

**LOCATED ON A PROPERTY WEST OF 30 Road at 2973 D ½ Road
Tax Parcel Number 2943-174-00-249**

Recitals

The property owner has requested annexation of one property that totals 19.41-acres into the City limits.

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 Westland Meadows Annexation to the R-8 (Residential – 8 du/ac) zone district, finding that it conforms with the designation of Residential Medium (5.5 - 12 du/ac) as shown on the 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 district, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

WESTLAND MEADOWS ANNEXATION

The following property be zoned R-8 (Residential – 8 du/ac) zone district.

A parcel located in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, being more particularly described as follows:

(Deed Reception 1848411, Reception 1855530 and (Deed Reception 1848411, Reception 1855530 and Reception 2316875, EXCEPT those parcels described for Rights-of-Way described in Reception 2048396 and Reception 2048398). Parcel 1 Traver Property Line Adjustment Reception 2918335. COMMENCING at the Northeast corner of the NW¼ SE¼ of said Section 17, Township 1 South, Range 1 East of the Ute Meridian, whence the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, bears North 89°59'03" West, a distance of 1319.69 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence

South 00°00'14" West, a distance of 30.00 feet, along the East line of said NW¼ SE¼ of said Section 17 to the POINT OF BEGINNING; thence South 00°00'14" West, a distance of 1246.05 feet, along the East line of said NW¼ SE¼ of said Section 17, to the North line of that 44.00 foot wide right-of-way for D½ Road, as described in Reception 2048396, Mesa County records; thence South 89°58'09" West, a distance of 329.73 feet, along said right-of-way to the West line of the East Half of the East Half (E½ E½) of said NW¼ SE¼ of said Section 17, and the beginning of the North line of that 44.00 foot wide right-of-way for D¼ Road, as described in Reception 2048398, Mesa County records; thence South 89°58'09" West, a distance of 494.60 feet, along said North right-of-way line to the West line of the East Half of the East Half of the West Half (E½ E½ W½) of said NW¼ SE¼ of said Section 17; thence North 00°01'03" West, a distance of 990.72 feet, along said West line of said E½ E½ W½ NW¼ SE¼ of said Section 17; thence South 89°59'03" East, a distance of 258.64 feet; thence South 00°00'57" West, a distance of 97.19 feet; thence South 89°47'14" East, a distance of 327.38 feet; thence North 00°00'17" West, a distance of 354.31 feet; thence South 89°59'03" East, a distance of 238.76 feet to the POINT OF BEGINNING.

CONTAINING an area of 19.41 Acres or 845,500 Square Feet, as herein described.

INTRODUCED on first reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: August 24, 2021
Presented By: Felix Landry, Planning Supervisor
Department: Community Development
Submitted By: Felix Landry AICP, Planning Supervisor

Information

SUBJECT:

Consider a request by Faith Heights to rezone one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use) located at 600 28 ¼ Road. | [Staff Presentation](#) | Phone-in comments dial **5860**.

RECOMMENDATION:

Staff recommends approval of the request to rezone.

EXECUTIVE SUMMARY:

The Representative, Kim Kerk Land Consulting and Development, acting on behalf of the property owner, Faith Heights, is requesting the rezone of one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use) located at 600 28 ¼ Road.

The requested M-U zone district conforms with the Comprehensive Plan Land Use Map designation of Residential High and Mixed Use.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one parcel totaling 13.92 acres situated at 600 28 ¼ Road, northeast of the Patterson Road and 28 ¼ Road intersection. The parcel has not been subdivided or developed further since the construction of the church currently occupying the site. To the north resides an Alzheimer's special care facility, and large tracts of undeveloped property with Residential Low and Parks and Open Space comprehensive plan land use designations. Across 28 ¼ Road to the west resides a medical office complex, an apartment complex, and a single-family neighborhood. On the south side of Patterson Road resides Grand Junction Fire Station #2, Mantey

Heights Rehabilitation and Care Center, The Retreat at Harbor Cove and a variety of residential neighborhoods.

As indicated, the subject site is currently zoned R-8 and has an existing structure with a church operating within it. In late 2020, the 2020 One Grand Junction Comprehensive Plan was adopted, which classified the subject property as Mixed Use along the Patterson Road frontage, and Residential High along 28 ¼ Road. Implementing zone districts for the Mixed-Use land use classification includes the following zoning districts:

- Residential - 16 (R-16 du/ac)
- Residential - 24 (R-24 du/ac)
- Community Services and Recreation (CSR)
- Residential Office (R-O)
- Neighborhood Business (B-1)
- Downtown Business (B-2)
- Mixed Use (M-U)
- Business Park (B-P)
- Mixed Use Residential (MXR-3, 5, 8)
- Mixed Use General (MXG-3, 5, 8)
- Mixed Use Shopfront (MXG-3, 5, 8)
- Mixed Use Opportunity Corridors (MXOC)

Implementing zone districts for the Residential High land use classification includes the following zoning districts:

- Residential - 16 (R-16 du/ac)
- Residential - 24 (R-24 du/ac)
- Community Services and Recreation (CSR)
- Residential Office (R-O)
- Neighborhood Business (B-1)
- Mixed Use (M-U)
- Mixed Use Residential (MXR-3, 5, 8)
- Mixed Use General (MXG-3, 5, 8)
- Mixed Use Shopfront (MXG-3, 5, 8)

As such, the Comprehensive Plan land use classifications of Mixed Use and Residential High support the rezone request to M-U (Mixed Use).

The Applicant is proposing the rezone to M-U to provide more flexibility of allowed uses for the site. Currently, the church operates out of a 32,000 sq/ft office building. The current zoning would not allow the building to convert to an office use. The M-U zoning would also allow for a wider range of development opportunities for the rest of the site in the future.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held on May 27th, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present. Members of the public attended

the meeting and the Applicant team and City Staff discussed the proposal and anticipated timeline of the proposal with the attendees. Attendees brought up a few concerns for discussion primarily regarding traffic impact of the zoning change and future development of the site, potential for increase in crime and transient activity, and about future tenants of the existing structure if the church should move.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on June 30, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on August 13, 2021. The notice of the Planning Commission public hearing was published on August 17, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

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

The 2020 One Grand Junction Comprehensive Plan designates the subject property for Residential High and Mixed-Use land uses. The applicant's requested zoning of M-U facilitates the desired development pattern planned for in the 2020 One Grand Junction Comprehensive Plan. Moreover, the 2020 One Grand Junction Comprehensive Plan does not identify R-8 as a suitable zoning district for the designated land uses. Additionally, the Faith Heights church has developed with a 32,000 sq ft office style building. While use as a church is allowed in R-8, the type of building that has been constructed fits much better in the Mixed Use Zoning District, which also allows churches. If the church were to relocate and vacate the building, the R-8 zoning prohibits many of the potential uses that would typically occupy a 32,000 sq/ft office style building. However, the requested Mixed Use zoning provides much more potential for other uses to occupy the site. Therefore, staff finds that subsequent events have invalidated the original premises and findings.

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

The development patterns in the surrounding area have largely followed the existing zoning patterns and the Land Use Classification which haven't changed much since the 2010 comprehensive plan. No prior or recent development projects have occurred that staff would characterize as a change of character or condition. The character and condition of the area has not changed in such a manner to alter the consistency of the amendment with the Plan. Therefore, Staff find that's 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

The subject property is within an urbanizing area in the north-central portion of the City of Grand Junction, in the Horizon planning zone. Adequate public and community facilities and services are available and sufficient to serve uses associated with the M-U zone district. The type and scope of land-use allowed within the M-U zone district is similar in character and extent to the existing land-use of many nearby properties, which include 3 story apartments, medical offices, civic uses, as well as other institutional uses. The subject site is currently served by Ute Water, Grand Valley Power (electricity), and Xcel (natural gas).

The site is located within 2/3 of a mile of a Safeway grocery store, and just over a mile from the new City Market at Patterson Road and N 12th Street. Additionally, multi-modal access to the site is sufficient with striped bike lanes along Patterson Road and 28 ¼ Road. Also, Grand Valley Transit (GVT) routes run along Patterson Road with stops within ¼ mile of the site. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate 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 2020 One Grand Junction Comprehensive Plan designates most of the northern frontage along Patterson Road between 28 ¼ Road and 28 ¾ Road for Mixed Use development. However, only 13% of the zoning along the northern frontage of Patterson between 28 ¼ and 28 ¾ Roads allows for Mixed Use development. This request would establish a greater amount of Mixed Use zoning along this section of Patterson Road, which the comprehensive plan calls for. Therefore, staff finds this criterion has been met.

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

The current R-8 zone district would not allow for many of the Mixed Use development patterns the 2020 One Grand Junction Comprehensive Plan calls for. Furthermore, Mixed Use zoning would complement the surrounding development as well as the future development of Matchett Park to the northeast. As such, staff finds this criterion has been met.

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

Plan Principle 3.6.b. MIX OF USES Support the creation of a mix of uses as in neighborhood centers (this site is a neighborhood center) and along prominent corridors (such as Patterson Road) that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including, but not limited to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

Plan Principle 3.6.c WALKABLE CENTERS Support the development of walkable community/neighborhood commercial centers that provide a variety of services and amenities to the immediate area, expand housing options, and/or provide live-work opportunities. Centers will vary in size and type but should be located consistent with the Commercial and Industrial Areas Framework Map.

Plan Principle 5.1.c. HOUSING TYPES Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods, such as duplexes, triplexes, multiplexes, apartments, townhomes, and accessory dwelling units, while maintaining neighborhood character.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Faith Heights Rezone, RZN-2021-427, rezoning one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use) located at 600 28 ¼ Road, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Chairman, on the Faith Heights Rezone request from an R-8 (Residential - 8) zone district to an M-U (Mixed Use) zone district for one parcel totaling approximately 13.92 acres located at 600 28 ¼ Road, City file number RZN-2021-427, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Exhibit 2 Neighborhood Meeting Notes
2. Exhibit 3 Maps and Exhibits
3. Exhibit 1 Application Packet

Faith Heights Neighborhood Meeting Notes:

Date: May 27th, 2021

Location: Faith Heights Church

Proposal: Requesting a rezone on the property of Faith Heights Church.

Currently deciding whether or not to request to change the current zoning of R-8 (Residential) to either the Neighborhood Business (B-1) or the Mixed Use (M-U) designation.

R-8: Residential – 8.

- (1) Purpose. To provide for medium-high density attached and detached dwellings, two-family dwelling and multifamily. R-8 is a transitional district between lower density single-family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district. (2) Performance Standards.
- (i) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.
 - (ii) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling.
 - (iv) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure.

(b) B-1: Neighborhood Business.

- (1) Purpose. To provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses.
- (2) Performance Standards.
- (i) Parking. Business uses shall be designed and operated so as not to increase on-street parking in front of neighborhood dwellings. On-site parking shall be provided.
 - (ii) Service Entrances. Business service entrances, service yards and loading areas shall be located only in the rear or side yard.
 - (iii) Outdoor Storage and Display. Outdoor storage is prohibited. Outdoor display of retail merchandise is permitted subject to GJMC [21.04.040\(h\)](#).

g) M-U: Mixed Use.

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

(2) Performance Standards. Development shall conform to the standards established in this code.

(i) Refer to any applicable overlay zone district and/or corridor design standards and guidelines.

(ii) Loading/Service Areas. Loading docks and trash or other service areas shall be located only in the side or rear yards.

(iii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site whether on a full-time or part-time basis that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iv) Outdoor Storage and Display. Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in Chapter [21.04](#) GJMC.

Meeting Discussion Summary

- Concerns with overall increase in traffic on 28 ¼ rd. with a change of zoning
- Expressed concerns of increased traffic = Increase in crime, transient activity
- Concerns with building and businesses context
 - Discussion about what is being built and how it would impact community and residents in area
 - What businesses are going into the space if sold?
- Ideas for future
 - Potential issues with existing building size for rezone as B1- needs to be MU to meet requirements. 30,000SQFT
 - Existing building is 32000 sq ft

Neighborhood Meeting Sign In Sheet

Date:	May 27th, 2021		
Project Name:	Faith Heights Church		
<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Comments</u>
Charles Jones	pastor@drcmjones.com	985-2771	
WANCY JONES	" " " "	985-2771	
BOOTS WARREN	SPW81506@outlook.com	303 668-5743	
GORDON McFERRAN	gordon700@bresnan.net	970-370-2516	
KAREN NELSON	wancebug@centurylink.net	970-257-7445	
Kristi Beak	kristibeak@bresnan.net	landline (970)434-3969	
J. Perrin			
K. Perrin	Kperrin@coloradomesa.edu	243-7734	
Janet Grant	booenm@gmail.com	2458813	
Diane Lucero		243-9549	
DIETER HEINRICH	PHOTO.TODAY@HEINRICH-CO.COM	970-232-8700	
Jane Hochwalt	city Rep. —————		
Dan H. Buck	dbuck@gjha.org	970-208-9557	
Kim Verk	kmk355@outlook.com	(970)6406913	
Grace Kelley	gracek355@outlook.com	(406)241-0000	



Adjacent Property Owner
Grand Junction, CO
RE: 600 28 1/4 Rd.
Grand Junction, CO 81506

Dear Property Owner:

The above referenced property will soon be subject of a Rezone Application request(s) with the City of Grand Junction's Community Development Department. Prior to application submittal, a Neighborhood Meeting is to be held to introduce the proposed rezone to area residents, in accordance with the Grand Junction Zoning and Development Code.

The parcel at 600 28 ¼ Road encompasses approximately 13.92 acres, located north of Patterson Road and east of 28 ¼ Road. The current zoning of the property is R-8 (Residential 8 units/acre). The proposed zoning is B-1 (Neighborhood Business) or Mixed Use (M-U). The Comprehensive Plan Land use Map identifies the property as a split between Residential High on the north, and Mixed Use on the south. Both these designations support the request for B-1 (Neighborhood Business) or the Mixed Use (M-U) zoning districts. While the B-1 and M-U Zones are very similar, discussion is still ongoing as to a final decision as to which is the most appropriate.

The Neighborhood Meeting is held to allow the neighborhood an opportunity to see the area to be rezoned and to answer questions about the request. The property owner's representative, Kim Kerk, and a City Planner will attend the meeting to discuss the proposed rezone.

A Neighborhood meeting will be held in-person and in compliance with the City of Grand Junction's Neighborhood Meeting process. The meeting is designed to present information for you to learn more about the proposed project in a safe meeting environment and will be held at **Faith Heights Church on May 27th, 2021 at 5:30pm.**

A Site Location Map below shows the location of the property to be rezoned.

Location:
Faith Heights Church
600 28 1/4 Road Grand Junction, CO 81506

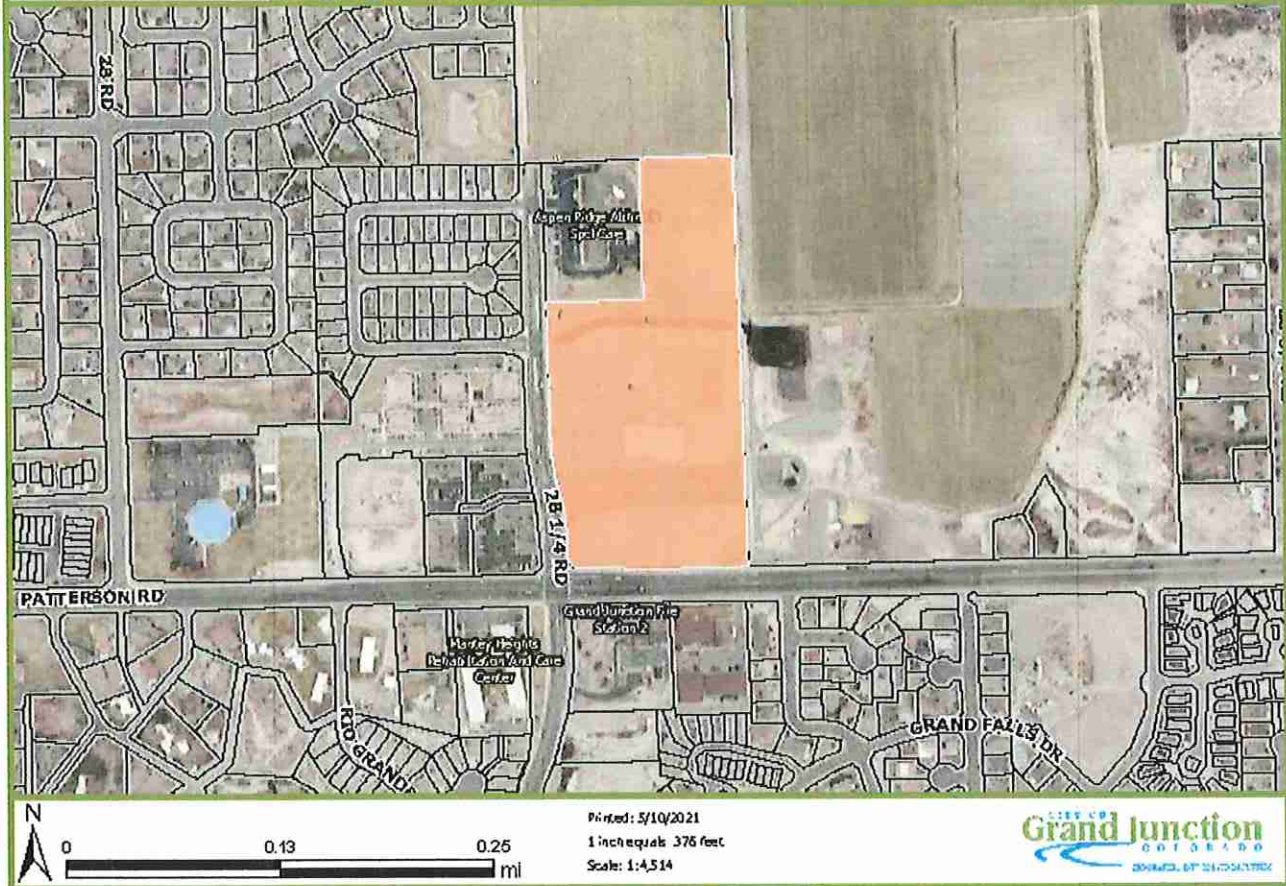
Topic: Rezone
Time: May 27th, 2021 @ 5:30 PM

Please do not hesitate to contact me by phone or email should you have any questions about this project.

Sincerely,
Kim

Kim Kerk Land Consulting and Development
kimk355@outlook.com
(970) 640-6913

City of Grand Junction





Future
Matchett
Park

Aspen Ridge Alzheimer's
Special Care

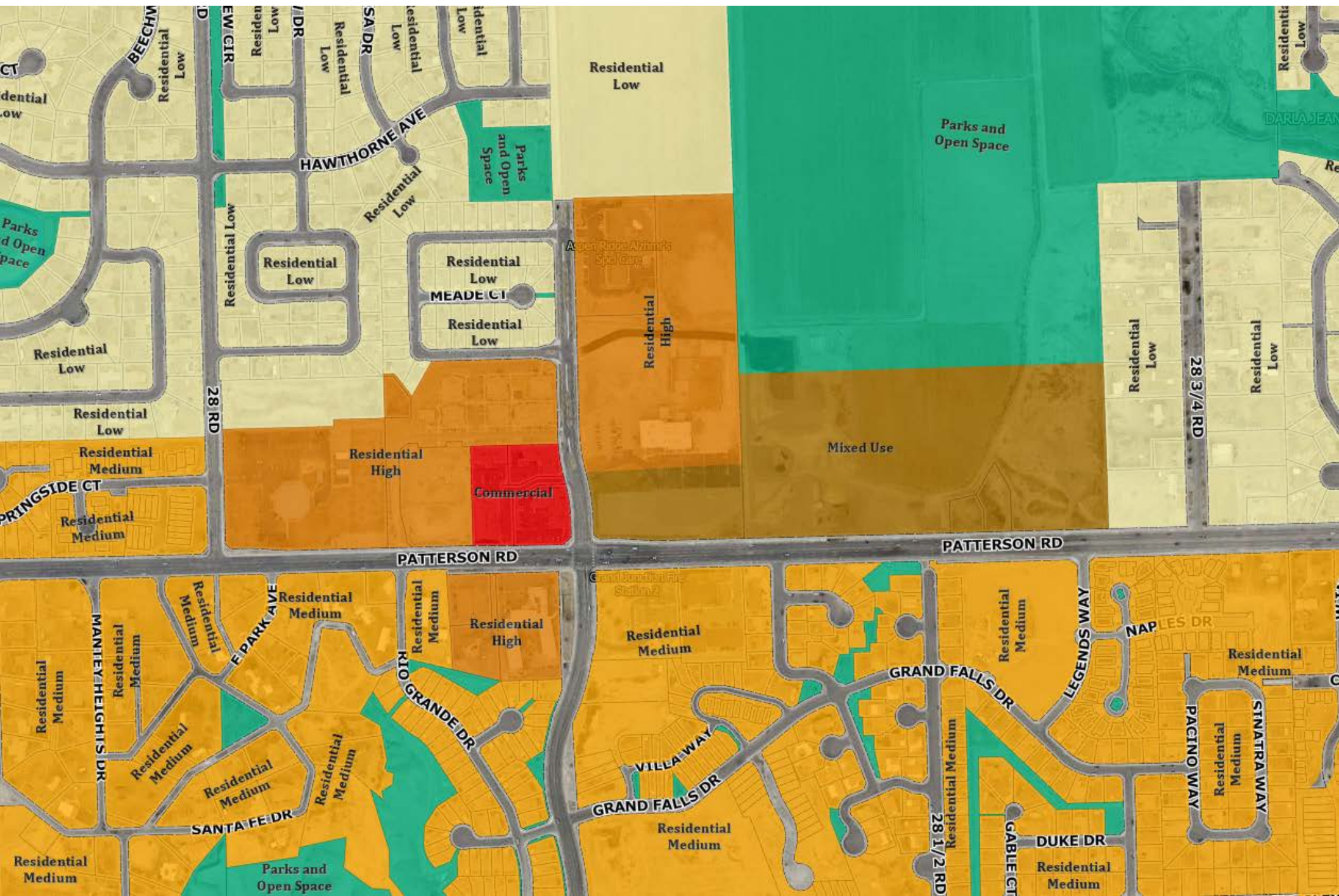
Village Park
Apartments

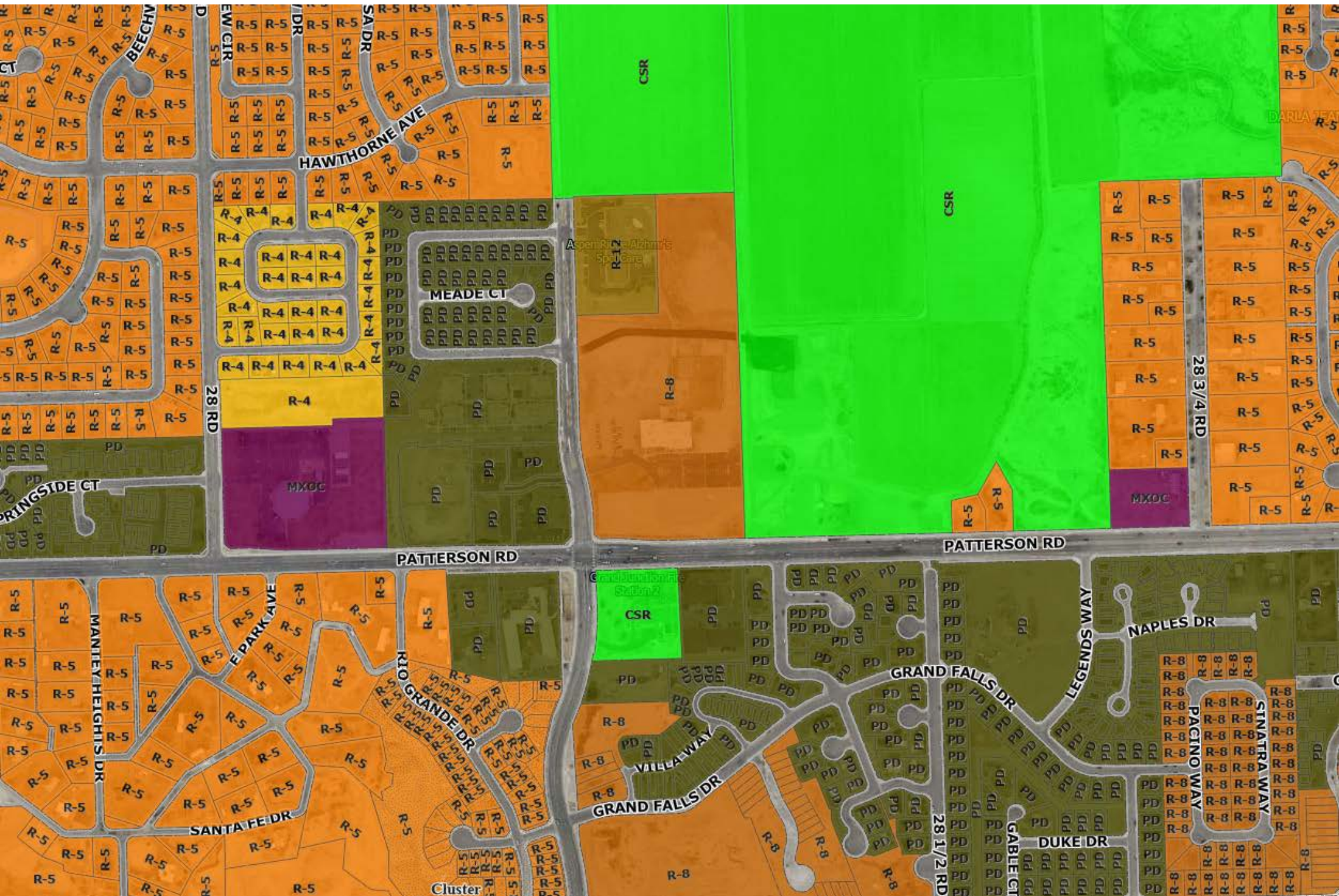
Medical
Offices

#2 Fire
Station

Grand Junction Fire
Station #2

VILLA WAY
GRAND FALLS DR







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="Faith Heights Church"/>	Existing Zoning	<input type="text" value="R-8"/>
Proposed Land Use Designation	<input type="text" value="Mixed Use"/>	Proposed Zoning	<input type="text" value="M_U"/>

Property Information

Site Location:	<input type="text" value="600 28 1/4 Rd"/>	Site Acreage:	<input type="text" value="13.92"/>
Site Tax No(s):	<input type="text" value="2943-063-47-003"/>	Site Zoning:	<input type="text" value="R-8"/>
Project Description:	<input type="text" value="This request is to rezone the property from R 8 (R8) to Mixed Use (MU)"/>		

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="John Cappelto"/>	Date	<input type="text" value="5/10/21"/>
Signature of Legal Property Owner	<input type="text" value="John Cappelto"/>	Date	<input type="text" value="5/10/21"/>

Faith Heights Church

Rezone Narrative 600 28 1/4 Rd. Grand Junction, Colorado

Date: June 9th, 2021

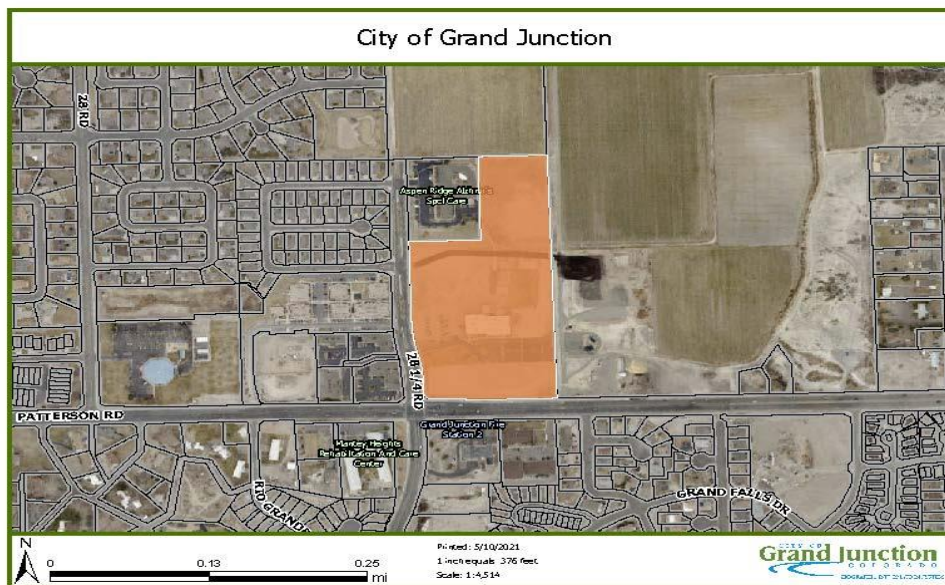
Prepared by: Kim Kerk, PM

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

Project: Faith Heights Church
Request to Rezone from R-8 (5-8 du/acre) to M-U (Mixed Use)

Property Address: 600 28 ¼ Rd Grand Jct., CO 81501

Tax Schedule No.: #2943-164-00-122



Introduction

Property Locations/Zonings and Legal

This 13.9-acre property is located at the NE corner of the intersection at 28 ¼ Rd. and Patterson Rd. It is located inside the City Limits of Grand Junction, CO. The Parcel # is 2943-063-47-003. Existing City of Grand Junction Zoning is R-8 (Residential 8- 8 units/acre).

The legal description of this site is as follows:

LOT 1 HARVEST SUBDIVISION SEC 6 1S 1E - 13.93AC

Petitioners Intent:

Applicant is requesting to rezone 13.9 acres at 600 28 ¼ Rd. from R-8 (Residential 8- 8 units/acre) to M-U (Mixed Use) Zone District.

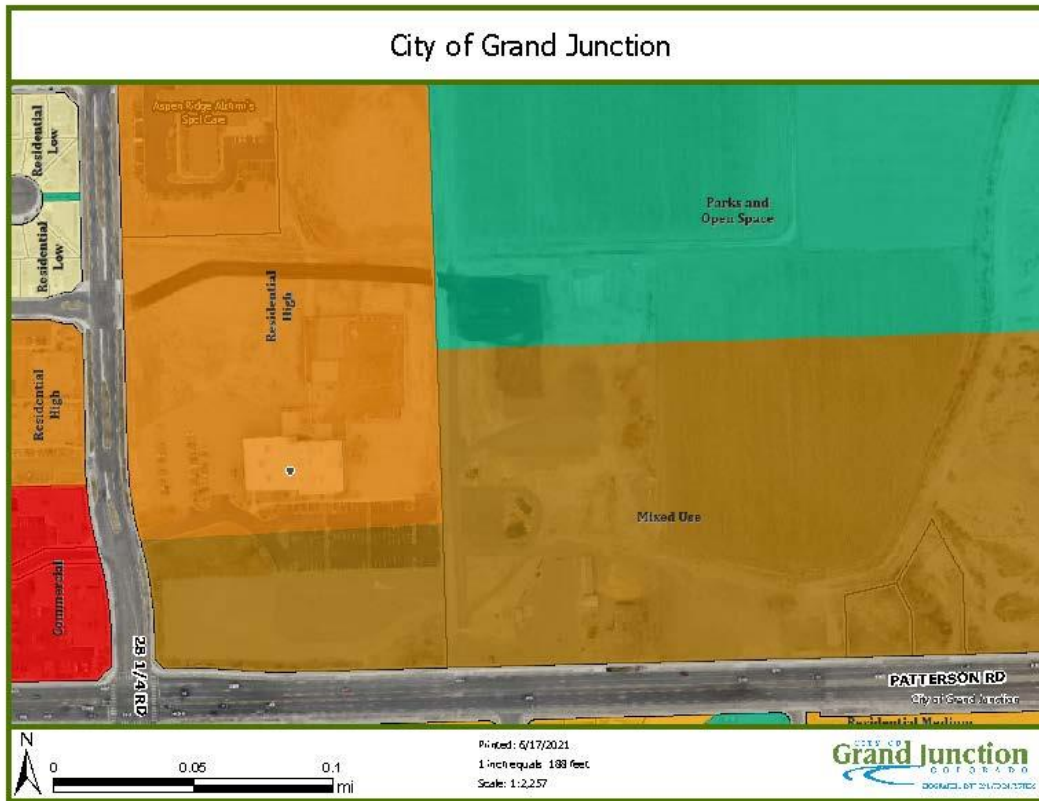
The 2020 Comprehensive Plan Future Land Use Map identifies the front portion of the property as Mixed Use which allows the following commercial zone districts; B-1 (Neighborhood Business), M-U (Mixed Use) or B-P (Business Park). The Mixed-Use Zone District effectively implements the vision of the Comprehensive Plan. (See attached 2020 Comprehensive Plan Map attached).

Mixed Use is the most appropriate designation for the entire property as the range of uses and density includes a wide variety of options from residential, recreational, and business, which are all appropriate to the area, now and in the future. In addition, because the existing Church building is 32,000 SF, the M-U Zone is a more favorable option to avoid any square footage restrictions should the ownership of Faith Heights Church change in the future.

M-U: Mixed Use: Purpose:

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

Mixed Use Range of Density: Greater than 8 dwelling units per acre. Land Uses • Primary: commercial, retail, employment, and service-oriented uses, higher density housing. • Secondary: parks, schools, places of worship, other public/institutional uses. Characteristics • Provides opportunities for higher density/intensity of development with a mix of uses along transportation corridors and within districts such as the University District to serve adjacent neighborhoods and the broader community. • Provides residential uses with a range of higher densities and types. • Located in areas within walking distance of services and amenities where pedestrian- and transit-oriented development is desired. Implementing Zone Districts • Residential-16 (R-16 du/ac) • Residential-24 (R-24 du/ac) • Community Services and Recreation (CSR) • Residential Office (R-O) • Neighborhood Business (B-1) • Downtown Business (B-2) • Mixed Use (M-U) • Business Park (B-P) • Mixed Use Residential (MXR-3, 5, 8) • Mixed Use General (MXG-3, 5, 8) • Mixed Use Shopfront (MXS-3, 5, 8) • Mixed Use Opportunity Corridors



2020 Comprehensive Plan Zoning Map

Zoning Review and Criteria: 21.02.140 Code amendment and rezoning

(a) **Approval Criteria.** In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- (1) Subsequent events have invalidated the original premises and findings; and/or
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
- (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 adequate to serve land uses associated with the Mixed -Use zone district. City Sanitary Sewer and Ute Water are both presently available. The property is served by Xcel Energy electric and natural gas. Grocery stores, Walmart, etc. are all in close vicinity. Grand Junction Fire Station is directly south of this property on Patterson Rd.

Hence 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 requested zone district will provide an opportunity for housing and business opportunities within a range of density that is consistent with the Comprehensive Plan 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 that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the 2020 One Grand Junction Comprehensive Plan.

Hence this criterion has been met.

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

The rezone, should it be approved, creates a benefit for future growth that is specifically identified for this property with the One Grand Junction 2020 Comprehensive Plan. Considering this property has been very underutilized and is centrally located, growth in this area results in a more attractive infill City project.

Hence this criterion has been met.

In summary, the applicant respectfully submits this Rezone Request to Mixed Use to the City of Grand Junction.

Thank you,

Kim Kerk

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Faith Heights Church ("Entity") is the owner of the following property:

(b) Copy of the Deed is attached.

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

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

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

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

The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Faith Heights Church

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

(e) _____

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

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

Signature of Entity representative: _____

Printed name of person signing: John and Carla Cappetto

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 2ND day of June, 20 21

by John and Carla Cappetto Faith Heights Church

Witness my hand and seal. _____

My Notary Commission expires on 04/14/2022

