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**PLANNING COMMISSION AGENDA
TUESDAY, JUNE 14, 2022 - 5:30 PM
CITY HALL AUDITORIUM - 250 N 5th STREET
VIRTUAL MEETING**

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider a Request by EN-SIM Partnership LLC, Oxford Select Investors – Grand Junction LLC, and Mesa Junction, LTD to Rezone Three Parcels Totaling Approximately 8.27 acres from I-O (Industrial Office) to C-1 (Light Commercial) Located at the Northeast Corner of Horizon Drive and Hilaria Avenue

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
May 24, 2022, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:32 p.m. by Vice Chair Ken Scissors

Those present were Planning Commissioners; Ken Scissors, Sandra Weckerly, George Gatseos, and Shanon Secret.

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Tamra Allen (Community Development Director), Scott Peterson (Senior Planner), Nicole Galehouse (Senior Planner), and Kalli Savvas (Planning Technician).

There were members 13 of the public in attendance, and 6 virtually.

CONSENT AGENDA

1. **Approval of Minutes**

Minutes of Previous Meeting(s) from May 10, 2022.

REGULAR AGENDA

1. **2370 Broadway Rezone**

Staff Presentation

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

Applicant Presentation

Applicant Steven Swindell was present and available for questions.

Questions for staff or applicant

Commissioner Weckerly asked if apartment style units are allowed.

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, May 17, 2022, via www.GJSpeaks.org.

1. *Dan sellers, who has a property adjacent asked if the property was in the county or city. He also asked if the council knew about the Presigo agreement. Dan also stated that he did not have adequate input in the 2020 comprehensive plan due to the pandemic. He stated he cannot subdivide his property to his family in the county without annexation due to the Presigo wash agreement. He stated that county residents were not informed of the 2020 Comprehensive plan.*

He stated that no landowners in the area agree with the R-5 zoning change.

- 2. Julie Mathas a neighbor stated that the reason she moved to the area was because it was less dense. She stated that the property would be much better suited staying as a R-2. She is concerned about where the local wildlife that lives on the property and where they will relocate to. She also asked how many lots are intended to go into the lot.*
- 3. Ted Pircee lives in the property directly in front of parcel, he stated that much of the lot is undevelopable and would result in putting 80 homes on 10 acres. He asked if they could have three units per dwelling. He stated that it is an increase of 160 vehicles impacting traffic. He stated that the property needs to stay R-2 since it is surrounded by all R-2 county.*
- 4. Jeff Geiger, adjacent property owner stated that there is too much traffic on the road without a stoplight. He asked what the count of cars in through the property and when enough is enough. He stated that R-2 is the best zoning. He wants to know how traffic from this subdivision is going to impact the intersection/340.*
- 5. Keith Schenkelberg adjacent property owner asked if anyone had visited the property, since there is a 70ft wash that runs through the site. He stated that he moved out to his property in the county because it is rural. He asked why that property was annexed. He stated the public should be able to ask questions and should be able to receive answers. He does not want an apartment building or bright lights.*
- 6. Bonnie Geiger stated she has not heard any answers to questions that have been raised. She stated that traffic studies will be done after the decision of rezoning has already taken place. She stated there has been no studies on the wildlife impact or traffic. She stated we do not have a definitive answer on how many homes are being planned. She stated that she lives in a rural area and when individuals from larger cities come with their own agenda. She would like us to be reasonable in the decisions we make that impact the land around us.*
- 7. Sara Woods, virtual attendee, who lives west of the property. Is concerned about her children education because the adjacent schools can not handle the influx of students. She stated that she moved to a rural area to avoid the city. She opposes the rezone. She also stated that there is a wash that runs in the property which has wetlands and work would disturb it. She asked to confirm that there would be erosion control. The development will affect wildlife. She wants to know how trespassing will be avoided on her property with 80 units going in.*
- 8. Brian Iden, virtually attendee, adjacent property owner stated he bought his property to stay rural. He is against the R-5 density. He does not think three story is a good fit for this area. There is too much traffic on Broadway. The topography of the subdivision is not ideal for traffic entering and exiting. He would like to stay R-2.*

The public hearing was closed at 6:42 p.m. on May 24, 2022.

Discussion

Applicant made responses to comments.

Commissioners Ken Scissors, Sandra Weckerly, George Gatseos, and Shanon Secrest discussed the rezone.

Motion and Vote

Commissioner Gatseos made the following motion Chairman, on the Rezone request for the 2370 Broadway Rezone for the property located at 2370 Broadway in the Redlands, City file number RZN-2022-212, I move that the Planning Commission forward a recommendation of denial of the R-5 zone to City Council with the findings of fact as listed in the staff report.

Commissioner Weckerly seconded; motion denied 0-4.

2. SBA Telecommunication Tower **CUP-2022-266**

Consider a request by SBA Network Services, LLC for a Conditional Use Permit for a 100 foot Concealed Cell Tower (Telecommunication Facility) on 12.4 acres at 542 28 ¼ Road.

Staff Presentation

Nicole Galehouse, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for staff

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, May 17, 2022, via www.GJSpeaks.org.

1. *Diane Colle made a comment about the health risks.*
2. *Roy High made a comment about the health risks.*
3. *Elizabeth High made a comment*

The public hearing was closed at 7:39 p.m. on May 24, 2022.

Discussion

Commissioner Weckerly asked about the health issues associated with cell towers. Applicant responded.

Motion and Vote

Commissioner Secrest made the following motion on the request to approve a Conditional Use Permit (CUP) for a 100 ft. tall, concealed telecommunication tower facility on 12.4 acres as presented in file CUP-2022-266, I move that the Planning Commission approve the Conditional Use Permit with the findings of fact, conclusions and conditions listed in the staff report.

Commissioner Weckerly seconded motion passed 4-0.

3. Other Business

4. Adjournment

Commissioner Secret moved to adjourn the meeting; Weckerly seconded.
The vote to adjourn was 4-0.

The meeting adjourned at 8:35 p.m.

DRAFT



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: June 14, 2022
Presented By: Jace Hochwalt, Senior Planner
Department: Community Development
Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

Consider a Request by EN-SIM Partnership LLC, Oxford Select Investors – Grand Junction LLC, and Mesa Junction, LTD to Rezone Three Parcels Totaling Approximately 8.27 acres from I-O (Industrial Office) to C-1 (Light Commercial) Located at the Northeast Corner of Horizon Drive and Hilaria Avenue

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

Kaart Planning, acting on behalf of three property owners, EN-SIM Partnership LLC, Oxford Select Investors – Grand Junction LLC, and Mesa Junction, LTD, is requesting the rezone of three parcels totaling approximately 8.27 acres from I-O (Industrial Office) to C-1 (Light Commercial) located at the northeast corner of Horizon Drive and Hilaria Avenue. The requested C-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

BACKGROUND OR DETAILED INFORMATION:

The proposed rezone comprises three parcels totaling 8.27 acres situated at the northeast corner of Horizon Drive and Hilaria Avenue. Two parcels are addressed (2805 Printers Way and 768 Hilaria Avenue), while one parcel is not currently addressed but sits at the southwest corner Horizon Drive and H Road roundabout. The subject site has sat vacant for several decades and was annexed into the Grand Junction city limits in 1981 as part of the Currier Annexation. The site has a current zoning designation of I-O (Industrial-Office) which allows for a variety of light industrial, commercial/office, and institutional uses. Notably, the I-O zone district does not allow for multi-family residential uses. The site is also situated within the Horizon Drive

District Overlay. The purpose of the Horizon Drive Zone District Overlay is to provide a consistent level of architectural character, quality and aesthetics of the Horizon Drive area as well as to improve and enhance pedestrian access, vehicular access, parking and circulation.

The 2020 Comprehensive Plan identifies the site as having a Commercial land use designation, which is slightly different from the 2010 Comprehensive Plan Future Land Use Designation of Business Park Mixed Use. The characteristics of the Commercial Land Use designation in the 2020 Comprehensive Plan were to provide for concentrated areas of retail, services, and employment located near areas along major local, state, and interstate roadways. Given the subject location along a minor arterial located one block south of the Grand Junction Regional Airport, two blocks north of the Interstate 70 Interchange, and within close proximity to existing commercial uses, the Commercial designation was an appropriate designation for the site given the elimination of the Business Park Mixed Use designation from the 2010 Comprehensive Plan.

The site is situated at the northeast corner of the Horizon Drive and Hilaria Avenue intersection and surrounded by several different uses. Adjacent to the north is the Bureau of Land Management Grand Junction Field Office followed by a multi-tenant office/industrial facility. To the south are office buildings and hotels. To the north and east is the Grand Junction Regional Airport, and to the west are hotels including the Residence Inn and Courtyard by Marriott. Adjacent zoning to the north and west is I-O (Industrial Office), while zoning to the south is C-1 (Light Commercial), and zoning to the east is PAD (Aeronautical zoning for the airport).

While no development is currently proposed for the site, if the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held virtually on March 15, 2022 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present, as well as three members of the public. The rezone request was discussed with attendees, and questions regarding proposed uses came up. There was also discussion about the City process moving forward. No objections were expressed at the meeting related to the rezone.

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 April 14, 2022. 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 June 3, 2022. The notice of the Planning Commission public hearing was published on June 7, 2022 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 Comprehensive Plan Land Use Map identifies the subject property as Commercial. Both the Applicant's proposed zoning of C-1, as well as the existing zoning of I-O implement the Land Use Designation of Commercial per the 2020 Comprehensive Plan. While the 2020 Comprehensive Plan Land Use designation of the property did change from the prior 2010 Comprehensive Plan (going from Business Park Mixed Use to Commercial), the change was spurred by a consolidation and simplification of Land Use designations (which included the elimination of the Business Park Mixed Use designation), and not necessarily a change in the character of the area or other factors that would warrant a change in the Land Use designation. In conclusion, staff finds this criterion has not been met.

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

As previously indicated, the subject site has remained vacant for several decades. There is still a sizable amount of vacant or underdeveloped land in the surrounding area, albeit some of the vacant land does have some topographical challenges. New development has been fairly limited in the area immediately adjacent to the subject site with the exception of the Grand Junction Soccer Club facility and a multi-unit mini-storage facility, both which are adjacent to the northwest and constructed in 2018. The proposed C-1 zoning district is less restrictive than the current I-O zone district, particularly as it pertains to retail and residential uses. However, staff has determined that it is premature to conclude that the character of the area has changed in such a way that warrants a zoning change. As such, staff finds 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 urbanized area in the north portion of the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the C-1 zone district. The type and scope of land-use allowed within the C-1 zone district is similar in character and extent to the existing land-use of many nearby properties, which include hotels, offices, gas stations, and restaurants. The subject site is currently served by Ute Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). Additionally, multi-modal access to the site is sufficient, with multiple bus stops within close proximity of the subject site. The application packet was sent out to applicable utility companies for this

rezone 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 subject site has a I-O zoning designation, which allows for a variety of industrial, office, and institutional uses. The current I-O zone district accounts for approximately 1.9% of City zoned land, whereas the C-1 zone district accounts for approximately 5.6% of City zoned land. While the site has been vacant for several decades, staff believes that there is land throughout the City available to accommodate the diversity of uses allowed within the C-1 zone district. Based on these considerations, staff finds that this criterion has not been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to commercial and employment centers. In addition, a designation of C-1 would allow for additional commercial and residential uses not allowed within the current I-O zone district. The community and area will benefit from the potential for development of vacant parcels of underutilized land with excellent accessibility and exposure, being located along a Minor Arterial (Horizon Drive) and within half a mile of the Interstate 70 interchange and the Grand Junction Regional Airport. As such, staff finds this criterion has been met.

The rezone criteria provide the City must also find the request 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 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority).

Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

Plan Principle 3.6.b. Mix of Uses - Support the creation of a mix of uses as in neighborhood centers and along prominent corridors 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.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Landing on Horizon rezone request, RZN-2022-228, rezoning three parcels totaling 8.27 acres from I-O (Industrial Office) to C-1 (Light Commercial) for the property located at the northeast corner of Horizon Drive and Hilaria Avenue, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
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 rezone request from an I-O (Industrial Office) zone district to a C-1 (Light Commercial) zone district for 8.27 acres located at the northeast corner of Horizon Drive and Hilaria Avenue, City File Number RZN-2022-228, 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.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Neighborhood Meeting Notes
3. Exhibit 3 - Maps and Exhibits
4. Exhibit 4 - Draft Ordinance



Landing on Horizon

Rezone

2805 Printers Way, 768 Hilaria Ave

& parcel #2705-312-03-002 Grand Junction, CO 81506.

03-29-2022

General Project Report

A. Project Description

1. 2805 Printers Way, 768 Hilaria Ave & parcel #2705-312-03-002 Grand Junction, CO 81506.
2. 1.99 acres; 3.00 acres; and 3.28 acres = 8.27 acres
3. The applicant is proposing to Rezone the three parcels stated above from I-O (Industrial Office) to (C-1) Light Commercial. Anthony Properties is the applicant and developer. The applicant is pursuing a rezone intending to then submit a site plan review for multi-family apartments.

B. Public Benefit

- the development of property adjacent to existing City services;
- the creation of developable lots;
- the development of vacant land within the City.

C. Neighborhood Meeting

A Neighborhood Meeting was held on Tuesday, March 15, 2022. The Neighborhood Meeting was held virtually, via Zoom. Neighborhood Meeting Notes are attached to the submittal package.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The 2020 Comprehensive Plan supports Commercial

2. Surrounding Land Use

To the north is Government Services zoned (I-O); to the south schools/education and Government Services zoned (C-1); to the west is Vacant Land & Hotel/Motels zoned (I-O) and to the east is the airport designated as transportation and zoned (PAD).

3. Site Access and Traffic

Currently, there are no constructed accesses to the three parcels. There will be two proposed accesses. One access on Printers Way and one access on Horizon Drive.

4 & 5. Availability of Utilities and Unusual Demands

- Sanitary Sewer: There is sewer available in Hilaria Ave, Printers Way and two sewer mains available on the northeast end of Horizon Drive by the H Road roundabout
- Water: There is water available in Printers Way, Hilaria Ave and Horizon Drive
- Storm Sewer: There is storm sewer available in Hilaria Ave, Horizon Drive, and Printers Way.
- Gas:
- Other:

6. Effects on Public Facilities

This Rezone Submittal won't have any effects on Public Facilities.

7. Hours of Operation

N/A

8. Number of Employees

N/A

9. Signage Plans (required with Conditional Use Permits and Planned Development)

N/A

10. Site Soils and geology (such as Soils Conservation Service (SCS) soils mapping)

N/A

11. Impact of project on site geology and geologic hazards, if any

N/A

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

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

Yes, Future Land Use Overlays have been put in place such as the Horizon Drive District Overlay Zone. Also, the 2020 Comprehensive Plan supports the Commercial Zone and the Commercial Zone supports high density residential.

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

This area is currently zoned I-O (Industrial Office), but has remained vacant land. The surrounding area has developed into a mixed use area of office, industrial, hotel, restaurant, etc. This area is in the Horizon Drive District Overlay and the purpose of this is to provide a consistent level of architectural character, quality and aesthetics of Horizon Drive area as well as to improve and enhance pedestrian access, vehicular access, parking and circulation.

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

Yes, public and community facilities are adequate to serve a proposed multi-family development.

(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

Yes, code and guiding documents want mixed-use in this area.

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

This area will benefit from a zone change to C-1 from I-O, because it will allow additional multi-family housing for the community (especially the workforce in that area) as well as add residents to that area and help the growth of the Horizon Drive District.

F. Development Schedule and Phasing

Rezone - March 2022

Simple Subdivision - April 2022

Site Plan Review - May 2022

Project to be built in one phase

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="Vacant Land"/>	Existing Zoning <input type="text" value="Multi-Family Residences"/>
Proposed Land Use Designation <input type="text" value="I-O"/>	Proposed Zoning <input type="text" value="C-1"/>

Property Information

Site Location: Site Acreage:

Site Tax No(s): Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Signature of Legal Property Owner

Date

Date

Development Application

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

Petition For:

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

Existing Land Use Designation <input type="text" value="Vacant Land"/>	Existing Zoning <input type="text" value="Multi-Family Residences"/>
Proposed Land Use Designation <input type="text" value="I-O"/>	Proposed Zoning <input type="text" value="C-1"/>

Property Information

Site Location: <input type="text" value="2805 PRINTERS WAY Grand Junction, CO 81506"/>	Site Acreage: <input type="text" value="1.99"/>
Site Tax No(s): <input type="text" value="2705-312-08-002"/>	Site Zoning: <input type="text" value="I-O"/>
Project Description: <input type="text" value="Rezoning parcel to C-1 with anticipation of developing apartments"/>	

Property Owner Information

Applicant Information

Representative Information

Name: <input type="text" value="MESA JUNCTION LTD"/>	Name: <input type="text" value="Anthony Properties"/>	Name: <input type="text" value="Kart Planning"/>
Street Address: <input type="text" value="3055 S BRIDLE DR"/>	Street Address: <input type="text" value="12770 Coit Rd #970"/>	Street Address: <input type="text" value="734 Main Street"/>
City/State/Zip: <input type="text" value="JACKSON, WY 83004"/>	City/State/Zip: <input type="text" value="Dallas, TX 75251"/>	City/State/Zip: <input type="text" value="G.J. CO 81501"/>
Business Phone #: <input type="text"/>	Business Phone #: <input type="text" value="214-432-9514"/>	Business Phone #: <input type="text" value="241-0745"/>
E-Mail: <input type="text"/>	E-Mail: <input type="text" value="brian@anthonyproperties.com"/>	E-Mail: <input type="text" value="ted.ciavonne@kart.com"/>
Fax #: <input type="text"/>	Fax #: <input type="text" value="n/a"/>	Fax #: <input type="text" value="n/a"/>
Contact Person: <input type="text"/>	Contact Person: <input type="text" value="Brian Shiu"/>	Contact Person: <input type="text" value="Ted Ciavonne"/>
Contact Phone #: <input type="text"/>	Contact Phone #: <input type="text" value="214-803-2678"/>	Contact Phone #: <input type="text" value="241-0745"/>

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

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

Signature of Person Completing the Application <input style="width: 90%;" type="text" value="Ted Ciavonne"/>	Date <input style="width: 80%;" type="text" value="3/28/22"/>
Signature of Legal Property Owner <input style="width: 90%;" type="text" value=""/>	Date <input style="width: 80%;" type="text"/>

Development Application

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

Petition For: Rezone

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

Existing Land Use Designation Vacant Land	Existing Zoning Multi-Family Residences
Proposed Land Use Designation I-O	Proposed Zoning C-1

Property Information

Site Location: 2705-312-03-002	Site Acreage: 3.28
Site Tax No(s): 2705-312-03-002	Site Zoning: I-O
Project Description: Rezone parcel to C-1 with anticipation of developing apartments	

Property Owner Information

Name: Oxford Select Investors - Grand Junction LLC

Street Address: 2545 Railroad St #300

City/State/Zip: Pittsburgh, PA 15222

Business Phone #: 412-395-3473

E-Mail: jdeitrick@oxfordrealtyservices.com

Fax #: n/a

Contact Person: Jeffrey Deitrick

Contact Phone #: 412-395-3473

Applicant Information

Name: Anthony Properties

Street Address: 12770 Coit Rd #970

City/State/Zip: Dallas, TX 75251

Business Phone #: 214-432-9514

E-Mail: brian@anthonyproperties.com

Fax #: n/a

Contact Person: Brian Shiu

Contact Phone #: 214-803-2678

Representative Information

Name: Kart Planning

Street Address: 734 Main Street

City/State/Zip: G.J. CO 81501

Business Phone #: 241-0745

E-Mail: ted.ciavonne@kart.com

Fax #: n/a

Contact Person: Ted Ciavonne

Contact Phone #: 241-0745

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

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

Signature of Person Completing the Application

Signature of Legal Property Owner

Date 3-16-22

Date 3-16-22

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) EN-SIM PARTNERSHIP LLP ("Entity") is the owner of the following property:

(b) 768 HILARIA AVE Grand Junction, CO 81506 (2705-312-08-003)

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:

[Empty box for limited authority details]

The Entity is the sole owner of the property.

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

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) Rezone

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

(e) none

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

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

Signature of Entity representative: [Signature]

Printed name of person signing: Doug Simons

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 17 day of March, 20 22

by [Signature]

Witness my hand and seal.

My Notary Commission expires on 11-08-2023

LUPITA E GARCIA
Notary Public
State of Colorado
Notary ID # 20194042422
My Commission Expires 11-08-2023

Lupita E Garcia
Notary Public Signature

Reception No. 904483 Recorder
Recorded at _____ o'clock _____ M., _____

WARRANTY DEED

Grantor(s), **Thomas J. Daly** whose address is **1590 Homesteake Dr, Aspen CO 81611**, for the consideration of **Nine Hundred Eighty-Five Thousand Four Hundred Ninety-Three And 00/100** in hand paid, hereby sell(s) and convey(s) to **EN-SIM Partnership L.L.P., A Colorado limited liability partnership** whose legal address is **653 Round Hill Dr, Grand Junction CO 81506**, the following real property in the County of **Mesa**, and State of Colorado, to wit:
See Exhibit A attached hereto and made a part hereof.

2049691 04/08/02 1251PM PM
MONIKA TODD CLK® MESA COUNTY Co
REC FEE \$10.00
DOCUMENTARY FEE \$98.55

also known as street and number: **Vacant Land, Grand Junction, CO 81506**

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 2002, payable in 2003 and all subsequent years, easements, rights of way, reservations and restrictions of record.

Signed this **3rd** day of **April, 2002**.

Thomas J. Daly

Thomas J. Daly

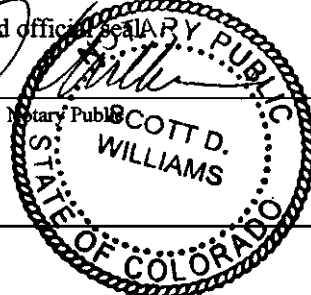
STATE OF COLORADO, }
County of Mesa } ss.

The foregoing instrument was acknowledged before me this **3rd** day of **April, 2002** by **Thomas J. Daly**.

My commission expires: **1/13/2003**

Witness my hand and official seal
Cott D. Williams

Notary Public



*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

Exhibit A

Lot 2 of

C H FOUR COMMERCIAL PARK FILING NO. 1;

EXCEPT Beginning at the Northeast corner of said Lot 2,

thence along the five following courses:

- 1. South 35°13'30" East 7.50 feet along the Northeast line of said Lot 2;**
 - 2. South 54°46'30" West 355.80 feet along a line 7.50 feet Southeast of and parallel to the Northwest line of Lot 2;**
 - 3. along the arc of a tangent circular curve deflecting to the left with a radius of 25.00 feet, a central angle of 87°10'39", a length of 38.04 feet, and a chord bearing South 11°11'11" West 34.47 feet to a point of osculation;**
 - 4. along the Northeast right of way line of Hilaria Avenue and along the arc of a circular curve deflecting to the left with a radius of 635.00 feet, a central angle of 02°49'21", a length of 31.28 feet, and a chord bearing North 33°48'49" West 31.28 feet to a point of nontangency;**
 - 5. North 54°46'30" East 380.00 feet along the Northwest line of Lot 2 to the beginning;**
- as conveyed to City of Grand Junction by instrument recorded May 28, 1985 in Book 1540 at Page 596.**

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

("Entity") is the owner of the following property:

(a) MESA JUNCTION LTD

(b) 2805 PRINTERS WAY Grand Junction CO 81506 (2705-312-08-002)

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

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

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

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

The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Rezone

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

(e) none

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

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

Signature of Entity representative: _____

Printed name of person signing: _____

State of _____)

County of _____) ss.

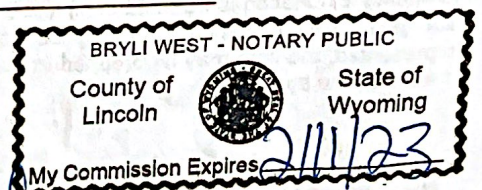
Subscribed and sworn to before me on this 28 day of March, 20 22

by David Cadenhead

Witness my hand and seal.

My Notary Commission expires on _____

2/11/23



Bryli West
Notary Public Signature



State Documentary Fee
Date: January 25, 2018
\$49.50

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

THIS DEED, made on January 25th, 2018 by **EN-SIM PARTNERSHIP L.L.P., A COLORADO LIMITED LIABILITY PARTNERSHIP** Grantor(s), of the County of Mesa and State of Colorado for the consideration of (\$495,000.00) ***Four Hundred Ninety Five Thousand and 00/100*** dollars in hand paid, hereby sells and conveys to **MESA JUNCTION LTD.** Grantee(s), whose street address is **3055 S BRIDLE DR, JACKSON, WY 83001**, County of Teton, and State of Wyoming, the following real property in the County of Mesa, and State of Colorado, to wit:

LOT 2 OF H & H SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.


also known by street and number as: **TBD PRINTERS WAY, GRAND JUNCTION, CO 81506**

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

EN-SIM PARTNERSHIP L.L.P., A COLORADO LIMITED LIABILITY PARTNERSHIP

By: 
DOUGLAS S. SIMONS, AS PARTNER

EN-SIM PARTNERSHIP L.L.P., A COLORADO LIMITED LIABILITY PARTNERSHIP

By: 
JAMEE E. SIMONS, AS PARTNER

JENNIFER BROWNWELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19984002418
My Commission Expires February 5, 2022

State of Colorado)
) ss.
County of MESA)

County of Mesa

The foregoing Instrument was acknowledged before me on this day of January 25th, 2018 by **DOUGLAS S. SIMONS, AS PARTNER AND JAMEE E. SIMONS, AS PARTNER OF EN-SIM PARTNERSHIP L.L.P., A COLORADO LIMITED LIABILITY PARTNERSHIP**

Witness my hand and official seal

My Commission expires: _____


Notary Public

When Recorded Return to: **MESA JUNCTION LTD.**
3055 S BRIDLE DR, JACKSON, WY 83001



WARRANTY DEED

Grantor(s), **Thomas J. Daly and Judith J. Daly** whose address is **1590 Homestake Drive, Aspen, 81611**, for the consideration of **TWO MILLION DOLLARS** in hand paid, hereby sell(s) and convey(s) to **Oxford Select Investors-Grand Junction, LLC, A Colorado Limited Liability Company**

whose mailing address is **One Oxford Centre, Suite 4500, Pittsburgh, 15219**, the following real property in the County of **MESA**, and State of Colorado, to wit:


**Lot 2
CH FOUR COMMERCIAL PARK-FILING NO. 3**

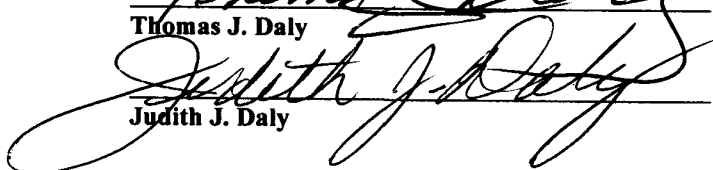
Excepting therefrom that portion deeded to the City of Grand Junction recorded September 24, 2007 in Book 4520 at Page 159, Reception No. 2403199

also known as street and number: **Vacant Land, Grand Junction, Grand Junction, CO**

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 2008, payable in 2009 and all subsequent years, easements, rights of way, reservations and restrictions of record.

Signed this 28 day of March, 2008.



Thomas J. Daly


Judith J. Daly

STATE OF COLORADO,
County of Pitkin } ss.

The foregoing instrument was acknowledged before me this 28 day of _____ March, 2008 by **Thomas J. Daly and Judith J. Daly**.

My commission expires: 11/21/2008

Witness my hand and official seal.

**SPENCER MAY
NOTARY PUBLIC
STATE OF COLORADO**



Notary Public

*If in Denver, insert "City and"

My Commission Expires 11/21/2011

Name and Address of Person Creating Newly Created Legal Description (§ 3-35-106.5, C.R.S.)

Rezone for Landing on Horizon

A parcel of land situated in Lots 1 and 2 of Section 31, Township 1 North, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado described as:

Lot 2 and Lot 3, H & H Subdivision (Reception No. 2824156)

and also,

Lot 2, C H Four Commercial Park, Filing No. 3 (2432388), excepting therefrom that portion deeded to the City of Grand Junction recorded September 24, 2007 in Book 4520 at Page 159, Reception No. 2403199.

Boundary description prepared by:

Alexandre B. Lheritier

Kaart Surveying, LLC

734 Main St.

Grand Junction, CO 81501



Landing on Horizon Neighborhood Meeting
03-15-2022 @ 5:30pm
Notes

A Neighborhood Meeting was held on Tuesday, March 15, 2022 at 5:30pm for a proposed Rezone at 2805 Printers Way, 768 Hilaria Ave & parcel # 2705-312-002. The applicant is proposing to Rezone from I-O (Industrial Office) to C-1 (Light Commercial). This meeting was held virtually, via Zoom.

In Attendance:

Representatives: Ted Ciavonne & Mallory Reams (Kart Planning)
Jace Hochwalt (City of Grand Junction)
Brian Shiu (Anthony Properties)
Neighbors: Sarah Russell (Sarah.Russell@aimhosp.com)
Jeff Deitrick (JDeitrick@oxfordrealtyservices.com)
Dan Thurlow (dan.thurlow@cpcneutek.com)

20 notices were sent out and 3 neighbors attended. Sarah Russel was attending as a representative for Courtyard and Residence Inn by Marriot. Jeff Deitrick is the current land owner of one of the parcels for this rezone (parcel #2705-312-03-002).

Ted Ciavonne with Kart Planning is the representative for Anthony Properties (Developer). Ted explained that these three properties needed to be rezoned in order to design a multi-family housing development similar to The Railyard on Base Rock Street. He also disclosed that the properties need to go through a Simple Subdivision to consolidate the three lots down to one lot.

The three neighbors in attendance were supportive of the idea of additional housing in that area. The neighbors did not have any concerns, but were curious what the site plan for the multi-family development would look like, how many total units would there be, where the access points would be and how many parking spaces are required for this type of development.

The neighbors were also interested in how the Rezone Process worked as well as when the Site Plan submittal would take place. They asked if there were public hearings. Ted explained that yes, there would be public hearings for the Rezone, but not for the Site Plan Review. Ted explained that they will receive cards in the mail when the public hearing dates will be as well as seeing the development signs on the property.

The three neighbors that attended were in favor of this project moving forward with the rezone.

Since the Neighborhood Meeting, we have not received any opposition from neighbors that could not attend.

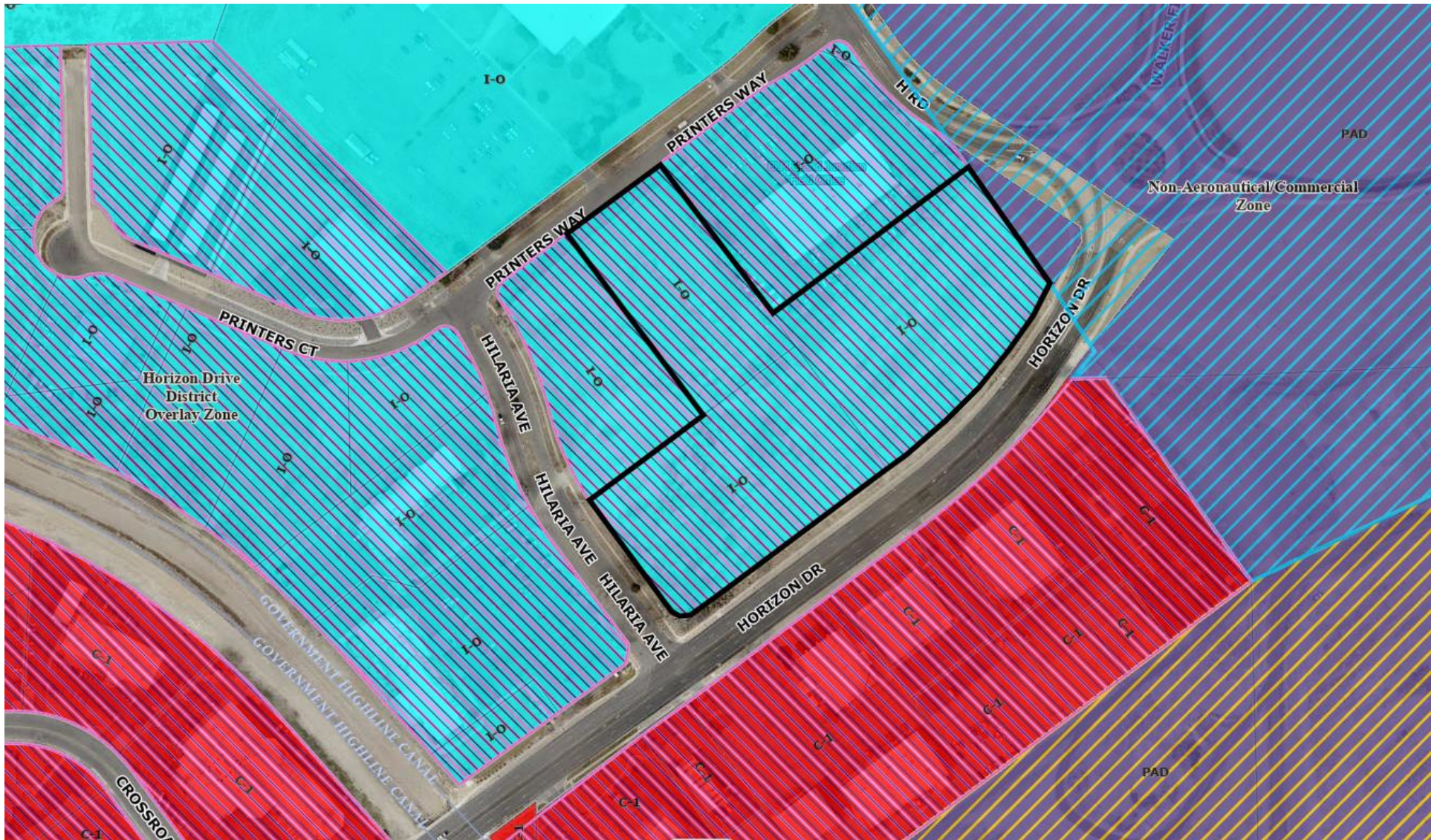
Immediate Vicinity Map



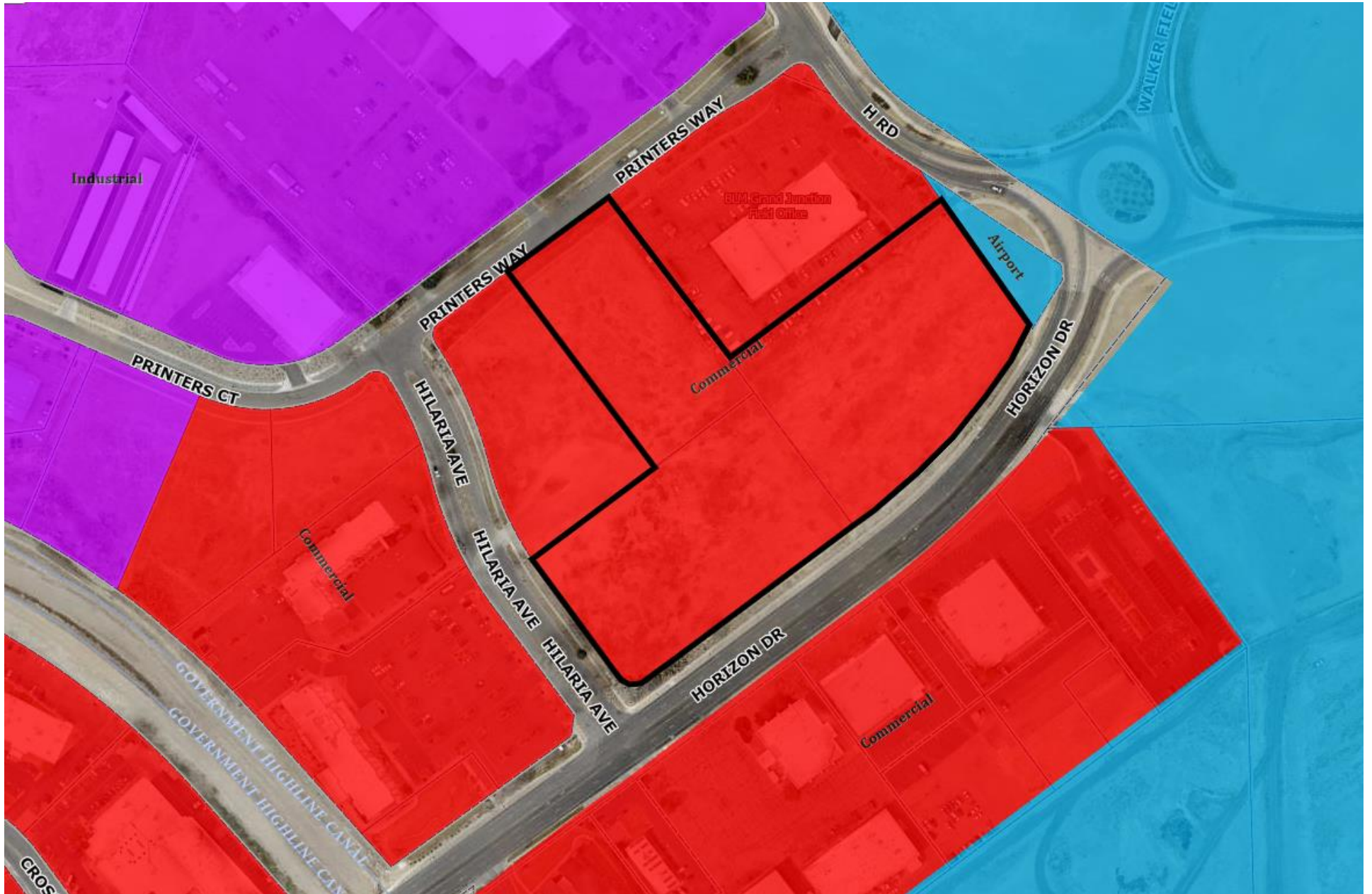
Expanded Vicinity Map



Zoning Map



Comprehensive Plan Land Use Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE REZONING A 8.27 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF HORIZON DRIVE AND HILARIA AVENUE FROM I-O (INDUSTRIAL OFFICE TO C-1 (LIGHT COMMERCIAL))

Recitals:

EN-SIM Partnership LLC, Oxford Select Investors – Grand Junction LLC, and Mesa Junction, LTD (Owners) own three parcels totaling approximately 8.27 acres (Property) located at the northeast corner of Horizon Drive and Hilaria Avenue. The Property is designated by The Comprehensive Plan Land Use Map as *Commercial*. The Owner proposes that the Property be rezoned from I-O (Industrial Office) to C-1 (Light Commercial).

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

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

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

The Property, described as follows, shall be zoned C-1 (Light Commercial):

A parcel of land situated in Lots 1 and 2 of Section 31, Township 1 North, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado described as:

Lot 2 and Lot 3, H & H Subdivision (Reception No. 2824156)

and also,

Lot 2, C H Four Commercial Park, Filing No. 3 (1431629), excepting therefrom that portion deeded to the City of Grand Junction recorded September 24, 2007 in Book 4520 at Page 159, Reception No. 2403199.

Introduced on first reading this 15th day of June, 2022 and ordered published in pamphlet form.

Adopted on second reading this 6th day of July, 2022 and ordered published in pamphlet form.

ATTEST:

Amy Phillips
City Clerk

Anna Stout
President of City Council

DRAFT