

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4174**

**AN ORDINANCE AMENDING THE EXISTING PLANNED DEVELOPMENT ZONE BY APPROVING A PRELIMINARY DEVELOPMENT PLAN WITH A DEFAULT R-4 (RESIDENTIAL – 4) ZONE FOR THE DEVELOPMENT OF 362 DWELLING UNITS FOR THE WEEMINUCHE ESTATES SUBDIVISION, LOCATED NORTH OF H ROAD BETWEEN 26 ROAD AND 26 ½ ROAD, WEST OF THE 26 ½ ROAD AND SUMMER HILL WAY INTERSECTION**

Recitals:

A request for an amendment to the existing Planned Development zone on approximately 151.38 acres by approval of a Preliminary Development Plan (Plan) approval with a default R-4 zone, including deviations, has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (R-4) and deviations and adopt the Preliminary Development Plan for Weeminuche Estates Subdivision. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the R-4 zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Preliminary Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the North Central Valley Plan and the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by proposing more usable public open space and recreational amenities throughout the development than required. In addition, the Planning Commission and City Council determined that the request for additional density (60 dwelling units) satisfied the criteria in Section 3.6.B.10. of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE CURRENT PLANNED DEVELOPMENT ZONE IS AMENDED FOR THE AREA DESCRIBED BELOW WITH THE FOLLOWING STANDARDS, DEFAULT ZONE AND DEVIATIONS:

- A. A parcel of land situated in the S ½ NW ¼ and the N ½ SW ¼ of Section 26, Township 1 North, Range 1 West, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows:

Beginning at the N 1/16 corner of said Section 26, the basis of bearing being N89°58'25"E along the north line of said S 1/2 NW 1/4 to the NW 1/16 corner of said Section 26; thence N89°58'25"E a distance of 1317.20 feet to the NW 1/16 corner; thence S00°00'28"W a distance of 40.00 feet to the south right-of-way line of H 3/4 Road as recorded in Book 2139 at Page 647; thence N89°52'41"E a distance of 85.80 feet along said south line; thence S00°15'15"E a distance of 208.66 feet; thence N89°54'37"E a distance of 1043.64 feet; thence N00°13'19"W a distance of 209.24 feet to said south right-of-way line; thence N89°52'41"E a distance of 157.63 feet along said south line; thence S00°02'15"W a distance of 1279.71 feet, running parallel with and 30.00 feet west of the east line of said S 1/2 NW 1/4; thence S00°01'38"W a distance of 659.87 feet running parallel with and 30.0 feet west of the east line of said N 1/2 SW 1/4; thence S89°55'07"W a distance of 10.00 feet; thence S00°01'38"W a distance of 634.65 feet running parallel with and 40.00 feet west of the east line of said N 1/2 SW 1/4; thence along the northerly line of a boundary agreement as recorded in Book 4249 at Page 204 the following six courses: 1) S85°55'46"W a distance of 246.52 feet; 2) N00°01'56"E a distance of 15.00 feet; 3) S86°59'39"W a distance of 23.87 feet; 4) S89°07'14"W a distance of 22.44 feet; 5) S88°22'07"W a distance of 196.46 feet; 6) S13°27'26"W a distance of 16.70 feet to the south line of said N 1/2 SW 1/4; thence S89°54'58"W a distance of 783.60 feet to the SW 1/16 corner of said Section 26; thence S89°55'03"W a distance of 1316.04 feet to the S 1/16 corner of said Section 26; thence N00°01'07"W a distance of 2639.94 feet to the point of beginning.

Said parcel contains 151.38 acres more or less.

- B. Weemuniche Estates Subdivision Preliminary Development Plan is approved with the Findings of Facts and Conclusions listed in the Staff Presentations prepared for the August 28, 2007 and December 12, 2007 meetings including attachments and Exhibits, except for Exhibit F to the August 28, 2007 report which is composed of neighbors' letters with the correction of typographical errors in some attachments. Exhibit C to the December 12, 2007 is a contemplated phasing schedule. Exhibit C to the December 12, 2007 staff report may be changed as proposed by the applicant and as determined appropriate by the City Manager or her designee.

**INTRODUCED** on first reading on the 19<sup>th</sup> day of December 2007 and ordered published.

**ADOPTED** on second reading this 16<sup>th</sup> day of January, 2008.

ATTEST:

/s/ Stephanie Tuin  
City Clerk

/s/ James J. Doody  
President of the Council