



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

TUESDAY, MAY 13, 2014, 6:00 PM

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

Copies of the agenda and staff reports are located at the back of the auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes from the March 25 and April 8, 2014 regular meetings.

2. Bella Dimora - Planned Development

[Attach 2](#)

Forward a recommendation to City Council of an Outline Development Plan to develop 108 residential properties that contains a mix of single-family detached/attached units and 4-plex townhomes on 13.9 acres in an existing PD (Planned Development) zone district.

FILE #: PLD-2013-455

APPLICANT: Ron Abeloe - Legends Partners LLC

LOCATION: 598 Sinatra Way and 2850 Grand Falls Drive

STAFF: Scott Peterson

*** * * END OF CONSENT CALENDAR * * ***

*** * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * ***

Public Hearing Items

On the following items the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Planning Division (244-1430) after this hearing to inquire about City Council scheduling.

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
March 25, 2014 MINUTES
6:00 p.m. to 6:54 p.m.**

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Reece. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

In attendance, representing the City Planning Commission, were Christian Reece (Chairman), Ebe Eslami (Vice-Chairman), Jon Buschhorn, Loren Couch, Kathy Deppe, Steve Tolle and Bill Wade.

In attendance, representing the City's Administration Department - Planning Division, were Lisa Cox (Planning Manager) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Darcy Austin was present to record the minutes.

There were nine citizens present during the course of the public hearing.

Announcements, Presentations And/or Visitors

Commissioner Couch stated that he teaches classes at CMU as part of the Veteran's Upward Bound Program which is administered out of Metro State University in Denver.

Jamie Beard stated that Mr. Couch relayed that information because of the item that involves the Colorado Mesa University. His disclosure was to put everyone on notice that there is a possibility of conflict. Because Mr. Couch was not an actual employee of Colorado Mesa University there was no actual conflict of interest. If a Commissioner had any concerns they could address then or when the item came up under public hearing items.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes from the February 20, 2014 Joint City of Grand Junction and Mesa County special meeting and the February 25, 2014 regular meeting.

MOTION: Commissioner Wade "I move that we approve the Consent Agenda as read."

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

* * * END OF CONSENT CALENDAR * * *

Public Hearing Items

2. Cannell Avenue ROW Vacation - Vacation

Forward a recommendation to City Council to vacate portions of public right-of-way of Cannell Avenue, Elm Avenue and associated alleys between Kennedy and Texas Avenue as part of Colorado Mesa University expansion projects.

FILE #: VAC-2014-40
APPLICANT: Kent Marsh - Colorado Mesa University
LOCATION: Cannell Avenue
STAFF: Scott Peterson

Applicant Presentation

Derek Wagner, Vice President for Inner Governmental and Community Affairs at Colorado Mesa University, 1100 North Avenue, and Mr. Wagner stated he wished to thank Lisa Cox and her team for their great work. They have worked with her staff on several projects, Scott Peterson on this project, and want to reiterate what a great job they do.

Mr. Wagner presented a Powerpoint presentation and stated that he wanted to take everyone back to the late 1990's, early 2000's to get a view of what the campus looked like at that time. On the map presented, the campus was book ended by 12th Street on the East and the western end of campus was College Place, running by the library, up to Elm Avenue. At that time there was a series of streets that bisected campus, Elm Avenue ran all the way through campus to 12th Street and College Place ran down to North Avenue. Houston and Bunting ran down to North Avenue as well. During the decade of the 90's there was a conversation about how the campus would grow and the consensus was that the campus should grow to the West.

Mr. Wagner stated that Ray Kieft had the idea to jump across North Avenue and develop in Lincoln Park but the neighbors in that area didn't like that idea so they stepped back and asked the community what the growth of the campus should look like. At that time the City and County stepped up and stated that they would make donations every year for the University to buy property so the campus could grow to the West, recognizing the importance of having a thriving and growing campus. The partnership has survived, to the credit of the City Council members and Board of County Commissioners.

As a public entity, CMU Board of Trustees is appointed by the Governor and approved by the State Senate and the Board of Trustee's hires the President who hires the Staff and carries things out. The campus can't just grow for the sake of growing, there has to be a Master Plan. On their website you can find the West Program Expansion Plan which lays out CMU's need to grow to the West and what precipitates that need and how they are going to do it.

Mr. Wagner stated that after talking to staff it seemed it would be beneficial to lay out their Master Plan to give a sense of predictability in terms of what the campus is doing as they attempt to grow. With the caveat that most Master Plans are out of date once

you take them off the printer, this is really an idea of what facilities and uses they have planned as they continue to grow. For example at the top of the campus where the athletic facilities are currently located the idea was, as they acquire more property they would than expand the athletic facilities. The rest of the area is a mix of academic buildings and resident's halls.

The purpose of this is what campus could look like in 2020, 2025 or 2030. Graphics have been posted at Neighborhood Meetings that are held several times a year. It is awkward because they are talking about putting a building where there is currently an existing property. To date all of their property acquisitions have been a willing seller arrangement, CMU does not want to force people out of their property they just want to be ready when they are ready to sell. When you go through these Master Planning exercises, as most public entities realize, it presents an awkward conversation.

From the graphic shown, taken in the late 1990's of the bird's eye view of campus, the area highlighted in red was a residential neighborhood about ten or twelve years ago between Cannell and College Place and from Texas to North Avenue. This essentially doubled the size of their campus giving them two academic buildings, resident's halls and Little Mav's Daycare Center. All of these things made possible because of CMU's local government partnerships. The sections on the graphic in yellow are properties that they have come back to the City and stated that they needed the City to vacate certain Right-Of-Ways so they could build another campus improvement. Every time they've acquired properties around the area they've had to come back to the City to vacate certain Right-Of-Ways. To the west of Cannell Avenue, the maroon colored properties on the graphic are properties that CMU has acquired in the last six years.

Mr. Wagner stated that they are growing their campus because enrollment has doubled in the last seven to eight years. When he attended CMU there were about 4,500 students there and now they have about 10,000 students. Their campus is changing, their academic programs are changing, their facility is changing, their investment in quality is changing and they are becoming more of a Residential Campus. If you go back ten years they had less than 1,000 beds on campus and now the number is up to approximately 2,200 beds on campus. What this does for the community is it provides a vibrant village in the middle of our City with a population of 10,000 when you add facility, staff and visitors.

CMU deals with a lot of the same issues as the City, with law enforcement, entertainment, recreation and food service that have really transformed the place to be much more of a vibrant facility in the middle of this community. The reason they are here tonight largely centers on the resident's hall construction project that is currently underway. Right at the intersection of Cannell and Elm is where their most recent cluster of resident's halls is currently under construction. Garfield Hall, the first phase of it opened up last August and the next phase of Garfield Hall, which is the north/south phasing addition, is under construction currently. The next phase of that runs east/west and will get started next summer with hopes of opening in the spring of next year. They have the older resident's halls that you can see from 12th Street, across from Albertsons which houses about 1,000 students. The resident's hall at North and Cannell, that has the retail on the first floor, as well as the resident's hall behind it, holds about 1,000 students as well. They are trying to get the next pod for their residential

development for their students in the north section of the campus because it doesn't make sense to cluster too many college students together in one section of campus. The full build out of Garfield Hall will be the two opposing C's, which is currently Cannell Avenue. This build up will probably house about 1,000 students and that is largely the reason they have come to the City.

Mr. Wagner stated he would like to reiterate a few things as the Commission considers this project. CMU is a public entity with the campus being open to the public. They have community meetings where they invite people in the neighborhood to campus, two or three times a year, to discuss general updates on what is happening on campus, what their academic programs are doing, what they are doing construction wise and get a general feel for any questions that come up. They ask that people sign in so they can send them emails with regular updates. If there are specific things that are happening in the neighborhood that they know is going to impact people they try to give them advanced notice. When there are issues that arise such as people parking and blocking driveways, people littering or the lights in the parking lot are too bright the neighbors do know how to get a hold of us and as those issues come up they try to be responsible and address them as best as they can.

Mr. Wagner stated his intent was to give the Commission a little bit more context about why they are coming to us with this and some of the history that has developed over time to get us to this point.

Staff Presentation

Scott Peterson, Senior Planner presented a Powerpoint and stated this is a request to vacate portions of Cannell and Elm Avenue and adjacent alley Right-Of-Way. The Site Location Map shows that the proposed Rights-Of Way vacation is located along Cannell Avenue between Kennedy and Texas Avenue, which is adjacent to the CMU campus to the East, North Avenue is to the South. Mr. Peterson presented an aerial photo of the area taken in 2012 and as Mr. Wagner noted, much has changed in this area. CMU wishes to vacate portions of Cannell and Elm Avenue, between Kennedy and Texas and adjacent alley Rights-Of-Way in order to facilitate the continued westward expansion efforts at the university, specifically to develop new resident's halls, new rugby field, and new parking lots and in the future construct new campus improvements in this area. All properties within the section requested to be vacated are currently owned by CMU.

Comprehensive Plan Future Land Use Map for this area shows half of the Right-Of-Way designated as business/park mixed use and the other as residential medium/high at 8 to 16 dwelling units to the acre. Current zoning in the area is R8, which are 8 units to the acre and some existing CSR Zoning within the CMU campus. Mr. Peterson showed the proposed exhibit for the realignment for the north/south connection between Kennedy and Texas Avenue as proposed by CMU. City staff does not expect that the proposed vacations would impede traffic, pedestrian movement or access to private property in the area.

As a condition of approval CMU will construct a new 20 foot wide north/south circulation drive, which would also be considered as the fire access lane at the termination of Elm,

and the adjacent allies that will connect Texas and Kennedy Avenues, which the public could also utilize. CMU is not proposing to dedicate an access easement nor Right-Of-Way or construct a sidewalk within this new north/south connection but it will be constructed to meet City standards for fire access. The driving surface treatment would be recycled asphalt, however it is proposed by the applicant that it would be at CMU's discretion when this north/south connection would be closed or modified in the future provided that new fire access lanes are provided.

Mr. Peterson stated that this exhibit shows the proposed connections in the larger context that would be utilized by the public, trash trucks and emergency vehicles. Trash collection and general circulation to the area may be impacted if CMU decides they will close the new north/south connection however it is anticipated that CMU, as a good neighbor, will keep all access ways open to the public and continue to provide fire access, which is also a condition of approval.

Mr. Peterson showed a an illustration of a future point in time when the new dormitories would be constructed and how the north/south connection would be modified as proposed by CMU, as a condition for approval of this vacation that all new fire access lanes are provided and constructed. Technically you will still be able to drive from North Avenue to Orchard Avenue, you would just go up Cannell Avenue and traverse through CMU property.

Mr. Peterson showed the current CMU Ownership Map and all the properties currently owned by CMU in the area. The applicant did hold a community meeting on February 25, 2014, with nine citizens attending, along with City Staff and CMU Representatives and no one in attendance indicated any dissatisfaction with the proposed interim circulation pattern as presented.

Mr. Peterson showed the Campus Emergency Access Plan for the existing main campus. Access and maneuverability for fire and other emergency equipment will be accommodated using the extensive network of emergency lanes currently existing on the campus. The red hash lines identified on the slide indicate a 20 foot wide access lane that would be within 20 feet of all parts of buildings. The orange lines on the slide indicate 26 feet of access for aerial apparatus that would be used on one side of the building which are 30 feet high.

Mr. Peterson showed the proposed Right-Of-Way exhibit for the vacation with the City retaining an easement over the existing infrastructure which includes utilities for electric, gas, water, sewer and storm drain lines that exist in the current Rights-Of-Way. No adverse comments were received by City Staff from the respective utility agencies during the staff review process. The City would retain utility easement over those entire existing infrastructure.

Mr. Peterson stated that after reviewing the CMU ROW Vacations, VAC-2014-40, a request to vacate portions of Cannell and Elm Avenue and adjacent alley rights-of-way, he finds that the proposed vacation is consistent with our goals and policies for the Comprehensive Plan. The review criteria in Section 21.02.100 of the Grand Junction Zoning and Development Code have been met. The City would retain an Utility Easement over all vacated areas. With the vacation CMU shall construct a new 20 foot

wide north/south circulation drive and allow usage of the circulation drive by the public, trash collection trucks and fire/emergency vehicles. With the vacation CMU shall supply fire and other emergency vehicle access utilizing the extensive network of emergency lanes currently throughout the campus. Within the staff report there were 2 emails voicing concerns about this proposed vacation and four letters of support of the vacation. Mr. Peterson also handed out two additional letters and emails of support for the vacation that were received prior to the meeting.

Questions for Staff

Commissioner Reece asked if the north/south circulation drive would be kept open as a requirement of approval.

Mr. Peterson stated that the City is requiring fire access lanes, so technically it won't be a public access easement but looking at the requirement that they maintain a fire access lane that the public could utilize.

Commissioner Reece asked if they were to close that north/south area, is there any recourse on part of the City or the residents.

Mr. Peterson stated that the recourse would be that the City Fire Chief could contact CMU because it is stated that they are required to have fire access lanes, so the fire department could contact CMU to open up those lanes. With CMU being a good neighbor he gets the sense that they would do that.

Commissioner Wade stated that in the condition for the recommendation that the 20 foot drive lane be constructed, if CMU chose to stop allowing that access, could they stop allowing it to the public and in the City's opinion it would still function as the fire access.

Mr. Peterson stated that with the modification of fire access lanes with the construction of the new dormitory in the future, that proposed access lanes would have to go away or be modified. If there were problems with CMU not allowing public access, he would anticipate that CMU would have to come back to vacate additional rights-of-way farther west in the future and Planning Commission and City Council could look at that again. To get adjacent to all the buildings, the Fire Dept. requires access lanes to get there and be able to go around those structures.

Commissioner Wade stated he doesn't believe CMU would do this either but, not looking at the second phase of construction, assume they have the 20 foot lane, it's within CMU's privity to restrict public access to that but would still meet the City's requirements of being a fire access lane.

Mr. Peterson stated that it could be a condition that is emphasized in the recommendation that CMU also allow the public access.

Commissioner Couch stated it seems with the fluidity and pace of activity that making this request without a real commitment from the University could leave the residents in the lurch as far as trash collection. Is there another review of this particular vacation

request in the future or a way the City can look on a regular basis at what is going on over at the University.

Mr. Peterson stated that the next public hearing for this specific vacation request will be on April 16th in front of City Council.

Commissioner Couch asked if there was a regular scheduled meeting for the City of Grand Junction to look at what is going on over at CMU.

Mr. Peterson stated that there isn't however CMU does come in every so often because as they expand they have a need to vacate another easement, redoing a subdivision plat or vacating rights-of-way and at that time there would be a review. Mr. Peterson stated that there is a working relationship with CMU from the City side and expects that to move forward.

Commissioner Couch asked if there was a festival of some kind at the University and the area between Texas and Kennedy Avenue was closed off and it happened to be a trash collection day for the City. The festival would go on because it is University property but then the residents would be on their own to have their trash collected.

Mr. Peterson stated he would let Derek Wagner address this issue.

Mr. Wagner stated that they would first notify the neighbors in the area that would be affected and second we would notify the City and try to figure out a way to do trash collection on the following day or the day before. It is in CMU's interest to keep the neighbors happy so they aren't calling and complaining about what bad neighbors we are, as a public entity they have a responsibility to do that. In regards to the vacation, in the two neighborhood meetings that they have had this year in January and February wasn't the first time we've broached this subject with the neighbors. The reason you're not being overwhelmed with negative calls is because people have seen this coming and understand they are growing to the west. They have been having these conversations for a long time with the neighbors.

Commissioner Couch stated there are fewer neighbors all the time, so their voice may be diminished in some way.

Commissioner Wade stated that CMU has granted access to public use of this access route, and though it would be more difficult there would still be access to get to Albertsons. Given that CMU has a good strategic plan and know when the next phase of construction would be, would it be uncomfortable putting a time limit on this or is there enough uncertainty about the next phase of construction that CMU wouldn't feel comfortable doing that.

Mr. Wagner stated there is a lot of uncertainty in the next phases of when those resident's halls would actual go into construction. It depends on a lot of factors, from their budget to enrollment and demand for housing on campus. He could not say when they would actually launch the next phase of construction.

Public Comment

Commissioner Reece asked that anyone in favor of the proposal come forward.

Kelly Flenniken, Executive Director at the Grand Junction Economic Partnership (GJEP), they have the mission of recruiting, attracting, expanding and retaining primary business thereby growing our economy and those high quality primary jobs and improving the quality of life for all of us in the community. CMU presented this to their Board and received unanimous support from that group for this vacation. They believe the University is good for the community and for the economy. It is the fastest growing University in the State of Colorado which provides them with some really great information as we work to recruit new businesses. They truly hope the students that are getting their education there will stay in the community and have these good jobs when they finish. Another piece that is important in this is through the past couple of years when we have been in an economic downturn, the construction and improvements at CMU have brought in a lot of construction jobs and this project will also provide a need for these workers in a time where we still need that. CMU has become a real jewel in our community and something that we can really market. They believe that this expansion will allow CMU to invest in facilities that allow them to grow at this rate the past couple of years and their Board would encourage that the Commission support the proposal as well.

Commissioner Reece asked that anyone against or with concerns regarding the proposal to please come forward.

Keith Larsen, owns a property at 834 Elm Avenue but resides at 925 22 ½ Road, stated that he is “not” in favor of this proposal just had concerns about emergency access. Wanted to know how students would be kept from parking in it and concerned that if CMU had a festival what would be done for emergency access. Mr. Larsen is concerned about ambulance access to the home because his renter has pretty severe health issues. Stated that he does support what the college is doing, just worried about the emergency access piece.

Commissioner Reece asked that Mr. Wagner address some of these concerns, how will you stop students from parking in it, what if there is a festival and how will you regulate people in this area from parking in it.

Mr. Wagner stated that working with City staff the temporary access between Kennedy and Texas would be recycled asphalt, which is the standard in parking lots across campus. With respect to emergency access, we spent a lot of time going back and forth with GJFD to make sure that a plan is in place that meets their needs. When it comes to a specific event or festival our internal process would be to make sure all needs are met for law enforcement, porta-potties, and emergency access. His expectation would be that there would already be ambulances staged at the event, all things on a case by case basis would be addressed.

Commissioner Reece asked about student’s parking in that area.

Mr. Wagner stated they have large parking enforcement staff that does a good job of

putting tickets on my windshield on a regular basis and they would do the same thing here. If a vehicle is blocking an access aisle they would be towed, there is no tolerance for that. They are a public entity; we are different than a private development asking you for a vacation.

Commissioner Wade asked if the parking lots will be lined and have bumper blocks.

Mr. Wagner stated there will be parking similar to the rest of the campus with parking blocks. What streets they'll use to park will likely be based off where they are going, whether it's Houston Hall or to work out at the Recreation Center, so which streets get the most use is going to depend on where students are going and where there is parking available.

Commissioner Buschhorn stated where you create the access point, whether it's created on the circulation drive or created along Elm or Texas on the North, if that access is Texas they are not on the circulation drive at all. If this isn't there, there is a pretty good chance you may close that.

Mr. Wagner stated the access to the parking lot is going to vary, largely because the existing curb and gutter have cuts for where the house and driveway used to be. Each of these parking lots has different accesses, some of which we control and can avoid hazards with an alley or a blind corner. The access for the parking lots is going to vary based on what's already in place in the curb cuts.

Commissioner Buschhorn stated because it's temporary and you don't want to invest too much into this.

Commissioner Discussion

Commissioner Couch stated CMU and the City have hammered out most of the details and construction on this scale is a fluid thing. The ability to get from North Avenue to Orchard Avenue and to access both the streets and the alley way, which the school owns much of the property right up against this right-of-way. He doesn't believe that the access would be significant, seems like a solid proposal.

Commissioner Reece stated that there is a certain level of trust for these types of programs to continue to move forward and CMU has done a good job of maintaining that trust for trash collection and EMS is called and it appears that it won't be an issue. She would encourage that if it becomes an issue that the public go to the City so they can address that issue. It is a solid proposal and these are good faith partners.

Commissioner Wade stated CMU has been a good neighbor and he hopes that we could look forward to a conversation with updates to the CMU process. He would appreciate it if CMU would come visit us in a workshop setting once a year or every six months.

Mobility and safety and all this increased parking, concerned about the students, there is something so that the students can bike, walk, etc. Have no doubt there is a solution to it but feel there are some safety issues here that need to be addressed.

MOTION: Commissioner Eslami Madam Chairman, on item VAC-2014-40, I move we forward a recommendation of conditional approval to the City Council on the request to vacate portions of rights-of-way of Cannell and Elm Avenue and adjacent alley rights-of-way with the findings of fact and conclusions in the staff report and with the retention of a utility easement over all of the rights-of-way being vacated for the existing utilities, construction of a new 20' wide north/south circulation drive (fire access lane) and that CMU shall continue to provide fire and other emergency vehicle access throughout the main campus. All access roads shall meet City standards for fire access.

Commissioner Wade seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

*** * * END OF CONSENT CALENDAR * * ***

General Discussion/Other Business

None

Nonscheduled Citizens and/or Visitors

None

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:54 p.m.

GRAND JUNCTION PLANNING COMMISSION
April 8, 2014 MINUTES
6:00 p.m. to 6:04 p.m.

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Reece. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

In attendance representing the City Planning Commission were Christian Reece (Chairman), Ebe Eslami (Vice-Chairman), Jon Buschhorn, Loren Couch, Kathy Deppe, Steve Tolle, and Bill Wade.

In attendance, representing the City's Administration Department - Planning Division, were Lisa Cox (Planning Manager), Brian Rusche (Senior Planner) and Senta Costello (Senior Planner).

Shelly Dackonish (Senior Staff Attorney) was present. Jamie Beard (Assistant City Attorney) was absent.

Darcy Austin was present to record the minutes.

There were five citizens present during the course of the hearing.

Announcements, Presentations And/or Visitors

Lisa Cox, Planning Manager, stated that there would not be a second Planning Commission meeting held in April. The next workshop was scheduled for Thursday, May 8th and the next Planning Commission meeting was scheduled for Tuesday, May 13th.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes from the March 11, 2014 regular meeting.

2. Crestwood Highlands Easement Vacation - Vacation

Forward a recommendation to City Council to vacate a public easement, located at 695 Cascade Drive, which is no longer needed.

FILE #: VAC-2014-77
APPLICANT: Charles Reams
LOCATION: 695 Cascade Drive
STAFF: Brian Rusche

3. Mountain View Subdivision- Preliminary Subdivision Plan - Extension Request

Request approval of a two year extension to the Preliminary Subdivision Plan for Mountain View Subdivision, a 61 single-family lot subdivision, on 19.17 acres in an R-4 (Residential 4 du/ac) zone district.

FILE #: PP-2008-212
APPLICANT: Bill Ogle - Level III LLC
LOCATION: 2922 B 1/2 Road
STAFF: Senta Costello

MOTION: (Commissioner Wade) "I move that we approve the Consent Agenda as read."

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

*** * * END OF CONSENT CALENDAR * * ***

General Discussion/Other Business

None

Nonscheduled Citizens and/or Visitors

None

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:04 p.m.

Attach 2

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: May 13, 2014
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Bella Dimora - Outline Development Plan, PLD-2013-455

ACTION REQUESTED: Recommendation to City Council to approve an Outline Development Plan (ODP) and a PD (Planned Development) Ordinance with a default zone of R-8 (Residential - 8 du/ac).

| BACKGROUND INFORMATION | | | | |
|-------------------------------------|--------------|---|-----|----|
| Location: | | 2850 Grand Falls Drive and 598 Sinatra Way | | |
| Applicants: | | Greedy Group LLC, Owners | | |
| Existing Land Use: | | Vacant land and three single-family detached homes | | |
| Proposed Land Use: | | Mix of single-family detached/attached dwelling units and four-unit townhomes | | |
| Surrounding Land Use: | North | Matchett Park (undeveloped) and single-family detached dwelling units | | |
| | South | Single-family detached dwelling units | | |
| | East | Single-family detached and attached dwelling units | | |
| | West | Single-family detached dwelling units | | |
| Existing Zoning: | | PD (Planned Development) | | |
| Proposed Zoning: | | N/A | | |
| Surrounding Zoning: | North | R-5 (Residential – 5 du/ac), CSR (Community Services and Recreation) and R-O (Residential Office) | | |
| | South | PD (Planned Development) and R-8 (Residential – 8 du/ac) | | |
| | East | PD (Planned Development) | | |
| | West | PD (Planned Development) | | |
| Future Land Use Designation: | | Residential Medium High (8 – 16 du/ac) | | |
| Zoning within density range? | | X | Yes | No |

PROJECT DESCRIPTION: A request for approval of an Outline Development Plan (ODP) as a Planned Development with a default zone of R-8 (Residential - 8 du/ac) for the proposed Bella Dimora subdivision. The total project encompasses

13.8 +/- acres and will contain a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes.

RECOMMENDATION: Recommend approval.

ANALYSIS:

Background:

The applicant, Greedy Group LLC, wishes to develop a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes for a proposed residential subdivision to be located south of Patterson Road and north of Grand Falls Drive between Legends Way on a total of 13.8 +/- acres. The total number of dwelling units proposed for the Bella Dimora subdivision is 108 and constructed in three (3) phases.

In 1999, the City Planning Commission approved a Preliminary Plan for The Vistas Subdivision. The approved plan included 80 four-plex townhouse lots and 72 single-family detached lots. The proposed 80 four-plex townhouse lots were never developed.

In 2000, the City Planning Commission approved a revised Preliminary Plan for The Vistas, renamed The Legends that included more single-family detached lots and a revision to develop 80 four-plex units, rather than townhouse lots that were previously approved in the prior year. The proposed 80 four-plex units again were never developed by the applicant. Also in 2000, the City Council rezoned The Legends Subdivision to PD (Planned Development).

In 2000 and 2001, the applicant received Final Plat approval for The Legends, Filing One and Two. The area where the 80 four-plex units were to be developed was platted as Lot 1, Block 1, The Legends, Filing Two and contained 9.44 acres.

The applicant now wishes to develop this 9.44 acre area and incorporate it with the currently vacant adjacent 4.43 acres known as Lot 18, Block 3, Legends East, Filing Three. In 2009, the City Planning Commission and City Council approved the Outline Development Plan for Bella Dimora which was proposed to have 114 two-family and single-family stacked dwelling units. However, no development took place and the ODP approval expired in 2012. The applicant now proposes to develop a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on September 24, 2013 with seven citizens attending the meeting along with City Staff and the applicant's representative. No one in attendance indicated any dissatisfaction with the proposed Outline Development Plan for the Bella Dimora Subdivision as presented.

How this item relates to the Comprehensive Plan Goals and Policies:

The requested Outline Development Plan for Bella Dimora meets the following goals and policies from the Comprehensive Plan by encouraging higher density development near a Neighborhood Center (located at the intersection of 29 and D Roads) to help reduce vehicle miles driven, and provides a broader mix of housing types to meet the needs of a variety of incomes, family types and life stages.

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

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

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

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

Density: The proposed density for Bella Dimora will be approximately 7.82 dwelling units per acre. The Future Land Use Map indicates this area to be Residential Medium High (8 - 16 du/ac). However, because the applicant previously developed single-family detached homes in The Vistas/Legends/Legends East Subdivisions at a density lower than the required densities required by the Growth Plan at the time, the applicant must now make-up for those lower densities in this "phase" of the Planned Development, more specifically to develop a minimum of 108 dwelling units. Currently there are 155 dwelling units (platted lots) within The Legends/Legends East (108 + 155 = 263 dwelling units divided by 47.81 acres (Legends/Legends East and Bella Dimora) = 5.50 dwelling units an acre). The minimum density requirement for the R-8 Zoning District is 5.5 dwelling units/acre.

Access/Parking: The proposed development has three (3) access points; Legends Way, Naples Drive and Verissimo Drive. All proposed streets, with the exception of Legends Way were approved as an Alternate Residential Streets right-of-way design per Chapter 15 of the TEDS Manual (Transportation

Engineering Design Standards). For an alternate street design, no on-street parking will be allowed except in designated parking areas with the exception of Naples Drive which allows parking on both sides of the street from Ravenna/Teatro Court to Verissimo Drive. However, for streets that provide 23' of width from flowline to flowline, parking would be allowed on one-side of the street per Fire Department regulations (Milan Lane, Verissimo Drive and Ravenna Court, etc.). Parking spaces in the centers of cul-de-sacs are allowed, but they must be located within HOA tracts separate from public right-of-way and distinguished by vertical curbing and/or islands. Landscaping is not required in the islands; concrete surface of islands is allowed (See Parking Plan).

Open Space / Park: The applicant is proposing a series of 4' wide off-street pedestrian trails that will meander throughout the subdivision for the benefit of the residents and public (see Site Plans). Open space areas are proposed in each phase of development that will include landscaping, pedestrian paths, park benches and a gazebo (6.35 +/- acres total of open space – minimum 1 tree per 2,500 sq. ft. and 1 shrub per 300 sq. ft. in accordance with Section 21.06.040 of the Zoning and Development Code). A Pedestrian Easement will be dedicated to the City of Grand Junction at the time of Final Plan approval for ingress and egress by the public on all pedestrian paths. The City's Attorney Office has reviewed the applicant's proposal to construct a 4' wide trail system and has found the proposed trail to be compliant with ADA (American with Disabilities Act) since the proposed surface of 4" compacted decomposed granite will be firm and stable.

Lot Layout: The proposed subdivision will contain a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes. The building footprint for each dwelling unit would be the "lot" with the exception of some potential outside building expansion square footage. All areas outside of the building footprint would be designated as "Tracts" for maintenance responsibilities by the homeowner's association (upon recording of a plat, these tracts would become common elements or limited common elements).

Phasing: The proposed Bella Dimora subdivision is to be developed in three phases. The proposed phasing schedule is as follows (see attached Site Plans – Sheets 2 through 7):

Phase 1: To be reviewed and approved by December 31, 2017.

Phase 2: To be reviewed and approved by December 31, 2020.

Phase 3: To be reviewed and approved by December 31, 2023.

Long-Term Community Benefit: The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be

achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

1. More effective infrastructure;
2. Reduced traffic demands;
3. A greater quality and quantity of public and/or private open space;
4. Other recreational amenities;
5. Needed housing types and/or mix;
6. Innovative designs;
7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The proposed development has met the following long-term community benefits:

1. Effective infrastructure design and in-fill project with higher density development that provides for better utilization of streets, water and sewer services.
2. Recreational amenities that include a network of off-street pedestrian trails, benches, a gazebo and landscaped park open spaces, throughout the subdivision.
3. A needed mix of housing types for the community.

Default Zone: The dimensional standard for the R-8 (Residential – 8 du/ac) zone, as indicated in Section 21.03.040 (g) of the Zoning and Development Code, are as follows:

Density: Maximum of 8 dwelling units to the acre. Minimum 5.5 du/ac.
Minimum lot area/width: 3,000 sq. ft./40'. (see deviation below)
Front yard setback (Principal/Accessory): 20/25' (see deviations below)
Side yard setback (Principal/Accessory): 5/3' (see deviations below)
Rear yard setback (Principal/Accessory): 10/5' (see deviations below)
Maximum building height: 40'

Deviations:

1. **Building Setbacks:**

20' Front Yard
15' Adjacent Side Street (Corner Lot)
10' Rear Yard
14' Rear Yard Setback (Adjacent to Patterson Road)
15' Rear Yard Setback (Adjacent to Legends Way)
Standard setbacks apply unless otherwise noted.

2. Six foot (6') tall masonry screen wall required to be located a minimum five feet (5') from north property line adjacent to Patterson Road per Section 21.06.040 (g) (5) (v) of the Zoning and Development Code. Applicant is proposing to construct the masonry wall with a stucco finish on the property line in order to give the unit

property owners a larger backyard area as the rear yard setback adjacent to Patterson Road is 14'. Project Manager is supportive of the proposed deviation in this instance. Applicant is also proposing to construct the masonry wall in 30' segments and shift from the property line two feet (2') along Patterson Road which gives the wall architectural relief rather than constructing a standard monolithic wall. A detached sidewalk also exists along Patterson Road with varying landscape buffer dimensions between the sidewalk and wall so that the proposed wall would not be constructed directly adjacent to the sidewalk (See Sheet 2 - Patterson Road Streetscape).

3. There is no minimum lot area or width with this subdivision proposal since the building footprint would be the lot line and the amount of open space provided is providing the community benefit along with the off-street pedestrian trails.

4. The default zone district of R-8 specifies that for residential lots created after October 22, 2006, that garage doors cannot exceed 45% of the width of the street facing façade. In order to accommodate the required residential density for the project and maintain a 10' separation between each dwelling unit (5' Side Yard Setback) along with the Applicant proposing to construct a two-car garage for every dwelling unit to accommodate off-street parking ratios. Project Manager is supportive of the proposed request to vary the percentage width of the garage door since the applicant is providing detached dwelling units between 1200 and 3035 +/- sq. ft. which is providing a needed product mix and also the applicant is meeting applicable minimum density requirements for The Legends area.

5. At the southeast corner of site located within Phase 3, applicant is requesting to utilize the side yard setback of the adjacent Tract B, Legends East, Filing 3 for one of the four-plex units in accordance with Section 21.03.30 (d) (5) (vii) of the Zoning and Development Code and construct the 4-plex unit on the property line. Required side yard setback with the default R-8 zone district is 5'. Existing tract width is 25'.

Section 21.02.150 of the Zoning and Development Code:

Requests for an Outline Development Plan (ODP) must demonstrate conformance with all of the following:

- a. The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies.

The proposed Outline Development Plan complies with Comprehensive Plan, Grand Valley Circulation Plan and other applicable adopted plans and policies. The proposed development is within the density ranges of the Residential Medium High (8 - 12 du/ac) category as identified on the Future Land Use Map and the default zoning district of R-8 (Residential - 8 du/ac).

b. The rezoning criteria provided in Section 21.02.140 of the Zoning and Development Code.

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

Not applicable. The applicant has submitted a request to establish a new PD zone district and improve upon the previous 2008 application with a reconfiguration of the earlier ODP with housing types that are more suitable for the area and current market trends. The ODP application is also within the allowable density range of Residential Medium High (8 - 16 du/ac) as defined by the Future Land Use Map.

Therefore, this criterion is not applicable.

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

There has not been a change of character in the neighborhood as all surrounding properties are residential in character. However, since the applicant had previously developed single-family detached homes in The Vistas/Legends/Legends East Subdivisions that were lower than the required densities per the Future Land Use Map, the applicant is required to develop a minimum of 108 dwelling units with this proposed development in order to meet minimum density requirements.

Therefore, 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 facilities and services (water, sewer, utilities, etc.) are currently available or will be made available concurrent with the development and can address the impacts of development consistent with the PD zone district with an underlying default zoning of R-8. The proposed Bella Dimora subdivision is within a ¼ mile of grocery stores, banking, restaurants, etc. It is also immediately adjacent to a large future public park (Matchett Park) across Patterson Road.

Therefore, 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

Not applicable since the applicant is requesting to establish a new PD zone district. The proposed Bella Dimora subdivision is also within the allowable residential density range as defined by the Future Land Use Map.

Therefore, the criterion is not applicable.

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

The proposed zoning of PD (Planned Development) will allow the properties to be developed with community benefits that might not occur under a straight R-8 zoning district, including recreational amenities that include a network of off-street pedestrian trails, park benches and a gazebo and landscaped open spaces throughout the subdivision. Having residential development closer to shopping, parks (Matchett Park), etc., reduces traffic congestion by allowing drivers to drive shorter distances and by enabling more walking opportunities.

Therefore, this criterion has been met.

- c. The planned development requirements of Section 21.05 of the Zoning and Development Code.

The proposed ODP is in conformance with the Planned Development requirements of Section 21.05 of the Zoning and Development Code through the use of long-term community benefits such as the following; providing needed housing types, open space areas, landscaping plantings and an off-street pedestrian trail.

- d. The applicable corridor guidelines and other overlay districts in Chapter Seven.

Not applicable since the properties are located outside of the floodplain, hillside development standards and other corridor guidelines and overlay districts as defined in Section 21.07 of the Zoning and Development Code.

- e. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

Adequate public facilities and services will be provided concurrent with the projected impacts of the development as defined in the attached plans and phasing schedule.

- f. Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

Adequate circulation and access will be provided to serve all properties. Four ingress/egress points are proposed to provide access to the development. Internal streets with the exception of Legends Way were approved by the City under the Alternate Residential Street Standards as allowed in the TEDS Manual (Transportation Engineering Design Standards).

- g. Appropriate screening and buffering of adjacent property and uses shall be provided.

Not applicable since all adjacent land uses are single-family residential units either detached or attached. A masonry wall will be constructed with each phase of development adjacent to Patterson Road to help provide a noise and screening buffer between the street and dwelling units. All land area located outside of the building footprint are to be platted as tracts of land that will be owned and maintained by the Homeowner's Association and be fully landscaped in accordance with Section 21.06.040 of the Zoning and Development Code.

- h. An appropriate range of density for the entire property or for each development pod/area to be developed.

The proposed density for Bella Dimora will be 7.82 du/ac, which is within the Growth Plan designation density of Residential Medium High category of 8 to 16 du/ac. The applicants are required to develop a minimum of 108 dwelling units with this proposed development in order to meet minimum density requirements of 5.50 du/ac for the default zoning district of R-8 for The Vistas/Legends/Legends East Subdivisions.

- i. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.

The applicant is proposing an R-8 default zone with deviations as identified within this staff report.

- j. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The applicant has submitted a plan proposing the subdivision to be developed in three (3) phases over a total of nine (9) years.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS OF APPROVAL:

After reviewing the Bella Dimora application, PLD-2013-455 for approval of an Outline Development Plan (ODP) as a Planned Development, I make the following findings of fact/conclusions and conditions of approval:

1. The requested Planned Development, Outline Development Plan is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.150 of the Zoning and Development Code have all been met or addressed.
3. All fire-hydrant locations and applicable fire hydrant “turnouts” must be approved by Grand Junction Fire Department. All lots must be located within 250’ of a fire hydrant as measured along the road frontage.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of conditional approval of the requested Outline Development Plan as a Planned Development, PLD-2013-455 to the City Council with the findings of fact, conclusions and conditions of approval as stated in the staff report.

RECOMMENDED PLANNING COMMISSION MOTION:

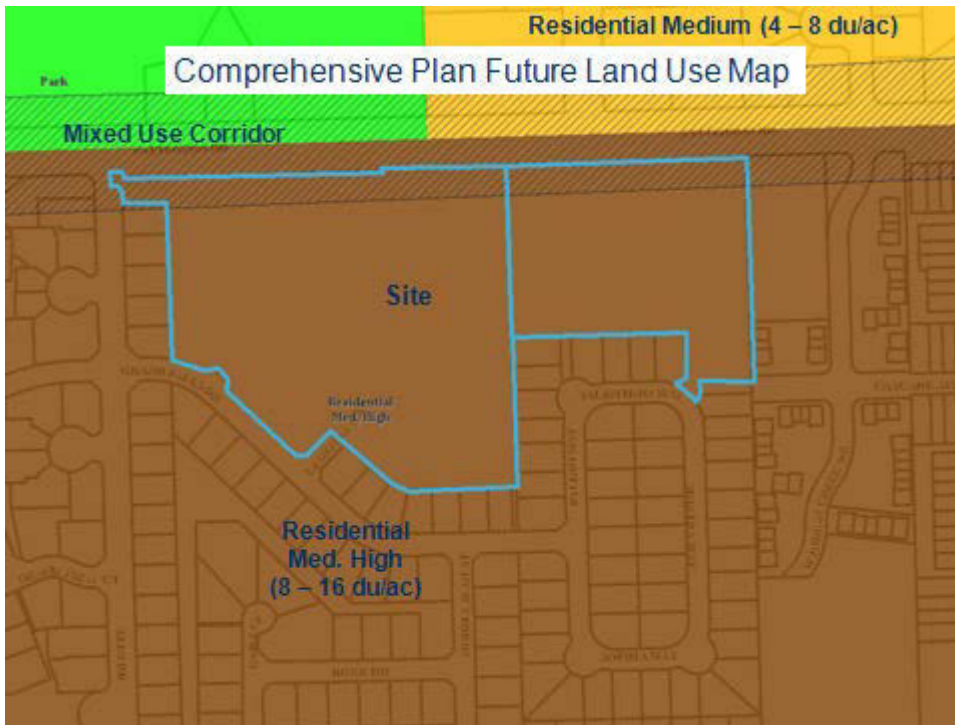
Madam Chairman, on item PLD-2013-455, I move we forward a recommendation of conditional approval to the City Council on the requested Outline Development Plan as a Planned Development for the Bella Dimora subdivision with the findings of fact, conclusions and conditions of approval identified in the staff report.

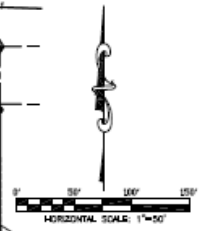
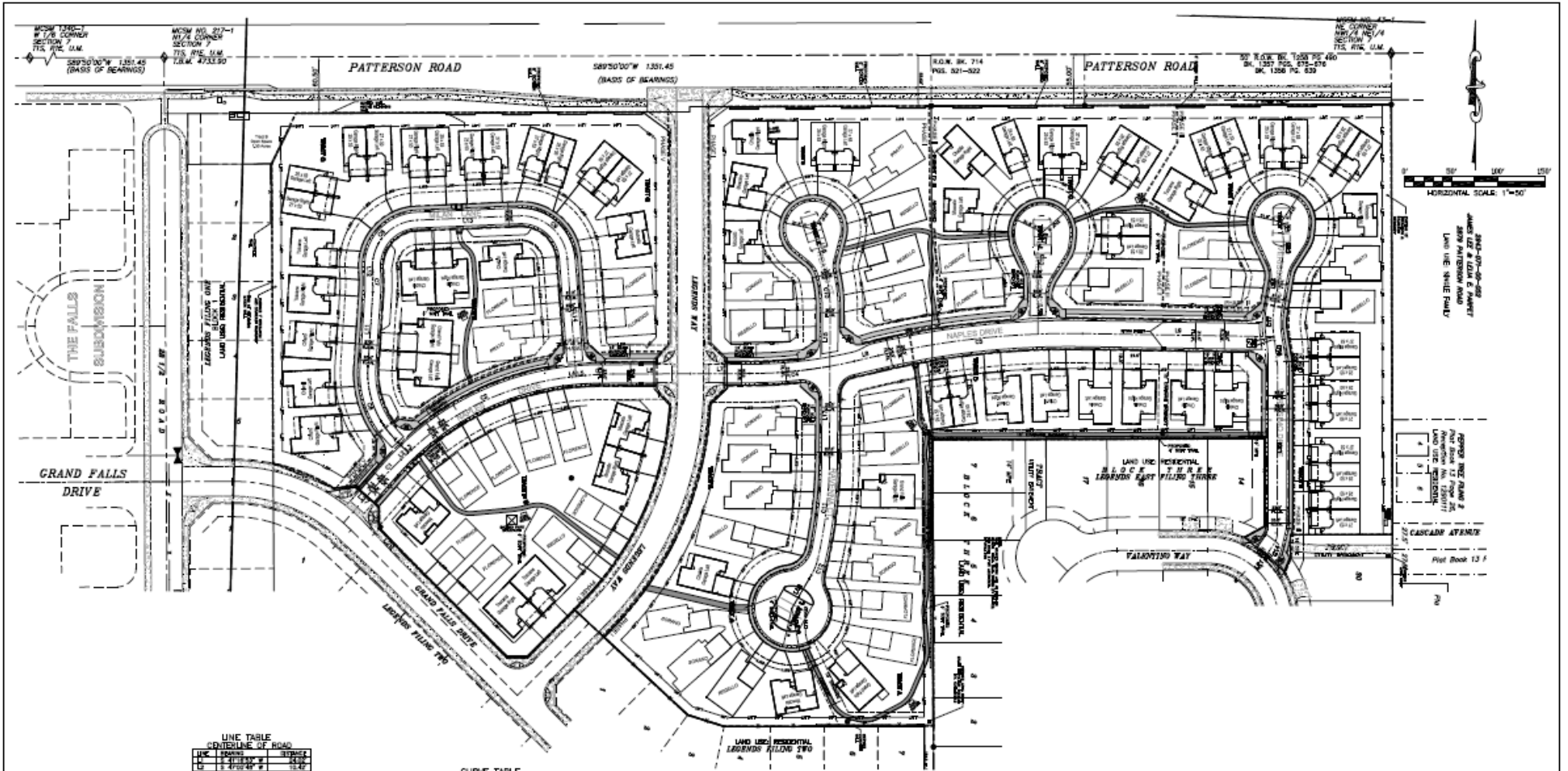
Attachments:

Site Location Map/Aerial Photo Map
Future Land Use Map/Existing Zoning Map
Outline Development Plan (Sheets 2 – 7)
Parking Plan
Planned Development Ordinance









**LINE TABLE
CENTRALINE OF ROAD**

| LINE NUMBER | START | STOP |
|-------------|----------|-----------|
| L1 | 0+00.00 | 0+45.00 |
| L2 | 0+45.00 | 0+50.00 |
| L3 | 0+50.00 | 0+55.00 |
| L4 | 0+55.00 | 0+60.00 |
| L5 | 0+60.00 | 0+65.00 |
| L6 | 0+65.00 | 0+70.00 |
| L7 | 0+70.00 | 0+75.00 |
| L8 | 0+75.00 | 0+80.00 |
| L9 | 0+80.00 | 0+85.00 |
| L10 | 0+85.00 | 0+90.00 |
| L11 | 0+90.00 | 0+95.00 |
| L12 | 0+95.00 | 0+100.00 |
| L13 | 0+100.00 | 0+105.00 |
| L14 | 0+105.00 | 0+110.00 |
| L15 | 0+110.00 | 0+115.00 |
| L16 | 0+115.00 | 0+120.00 |
| L17 | 0+120.00 | 0+125.00 |
| L18 | 0+125.00 | 0+130.00 |
| L19 | 0+130.00 | 0+135.00 |
| L20 | 0+135.00 | 0+140.00 |
| L21 | 0+140.00 | 0+145.00 |
| L22 | 0+145.00 | 0+150.00 |
| L23 | 0+150.00 | 0+155.00 |
| L24 | 0+155.00 | 0+160.00 |
| L25 | 0+160.00 | 0+165.00 |
| L26 | 0+165.00 | 0+170.00 |
| L27 | 0+170.00 | 0+175.00 |
| L28 | 0+175.00 | 0+180.00 |
| L29 | 0+180.00 | 0+185.00 |
| L30 | 0+185.00 | 0+190.00 |
| L31 | 0+190.00 | 0+195.00 |
| L32 | 0+195.00 | 0+200.00 |
| L33 | 0+200.00 | 0+205.00 |
| L34 | 0+205.00 | 0+210.00 |
| L35 | 0+210.00 | 0+215.00 |
| L36 | 0+215.00 | 0+220.00 |
| L37 | 0+220.00 | 0+225.00 |
| L38 | 0+225.00 | 0+230.00 |
| L39 | 0+230.00 | 0+235.00 |
| L40 | 0+235.00 | 0+240.00 |
| L41 | 0+240.00 | 0+245.00 |
| L42 | 0+245.00 | 0+250.00 |
| L43 | 0+250.00 | 0+255.00 |
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| L64 | 0+355.00 | 0+360.00 |
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| L87 | 0+470.00 | 0+475.00 |
| L88 | 0+475.00 | 0+480.00 |
| L89 | 0+480.00 | 0+485.00 |
| L90 | 0+485.00 | 0+490.00 |
| L91 | 0+490.00 | 0+495.00 |
| L92 | 0+495.00 | 0+500.00 |
| L93 | 0+500.00 | 0+505.00 |
| L94 | 0+505.00 | 0+510.00 |
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| L96 | 0+515.00 | 0+520.00 |
| L97 | 0+520.00 | 0+525.00 |
| L98 | 0+525.00 | 0+530.00 |
| L99 | 0+530.00 | 0+535.00 |
| L100 | 0+535.00 | 0+540.00 |
| L101 | 0+540.00 | 0+545.00 |
| L102 | 0+545.00 | 0+550.00 |
| L103 | 0+550.00 | 0+555.00 |
| L104 | 0+555.00 | 0+560.00 |
| L105 | 0+560.00 | 0+565.00 |
| L106 | 0+565.00 | 0+570.00 |
| L107 | 0+570.00 | 0+575.00 |
| L108 | 0+575.00 | 0+580.00 |
| L109 | 0+580.00 | 0+585.00 |
| L110 | 0+585.00 | 0+590.00 |
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| L117 | 0+620.00 | 0+625.00 |
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| L119 | 0+630.00 | 0+635.00 |
| L120 | 0+635.00 | 0+640.00 |
| L121 | 0+640.00 | 0+645.00 |
| L122 | 0+645.00 | 0+650.00 |
| L123 | 0+650.00 | 0+655.00 |
| L124 | 0+655.00 | 0+660.00 |
| L125 | 0+660.00 | 0+665.00 |
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| L127 | 0+670.00 | 0+675.00 |
| L128 | 0+675.00 | 0+680.00 |
| L129 | 0+680.00 | 0+685.00 |
| L130 | 0+685.00 | 0+690.00 |
| L131 | 0+690.00 | 0+695.00 |
| L132 | 0+695.00 | 0+700.00 |
| L133 | 0+700.00 | 0+705.00 |
| L134 | 0+705.00 | 0+710.00 |
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| L137 | 0+720.00 | 0+725.00 |
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| L150 | 0+785.00 | 0+790.00 |
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| L153 | 0+800.00 | 0+805.00 |
| L154 | 0+805.00 | 0+810.00 |
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| L156 | 0+815.00 | 0+820.00 |
| L157 | 0+820.00 | 0+825.00 |
| L158 | 0+825.00 | 0+830.00 |
| L159 | 0+830.00 | 0+835.00 |
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| L164 | 0+855.00 | 0+860.00 |
| L165 | 0+860.00 | 0+865.00 |
| L166 | 0+865.00 | 0+870.00 |
| L167 | 0+870.00 | 0+875.00 |
| L168 | 0+875.00 | 0+880.00 |
| L169 | 0+880.00 | 0+885.00 |
| L170 | 0+885.00 | 0+890.00 |
| L171 | 0+890.00 | 0+895.00 |
| L172 | 0+895.00 | 0+900.00 |
| L173 | 0+900.00 | 0+905.00 |
| L174 | 0+905.00 | 0+910.00 |
| L175 | 0+910.00 | 0+915.00 |
| L176 | 0+915.00 | 0+920.00 |
| L177 | 0+920.00 | 0+925.00 |
| L178 | 0+925.00 | 0+930.00 |
| L179 | 0+930.00 | 0+935.00 |
| L180 | 0+935.00 | 0+940.00 |
| L181 | 0+940.00 | 0+945.00 |
| L182 | 0+945.00 | 0+950.00 |
| L183 | 0+950.00 | 0+955.00 |
| L184 | 0+955.00 | 0+960.00 |
| L185 | 0+960.00 | 0+965.00 |
| L186 | 0+965.00 | 0+970.00 |
| L187 | 0+970.00 | 0+975.00 |
| L188 | 0+975.00 | 0+980.00 |
| L189 | 0+980.00 | 0+985.00 |
| L190 | 0+985.00 | 0+990.00 |
| L191 | 0+990.00 | 0+995.00 |
| L192 | 0+995.00 | 0+1000.00 |

**CURVE TABLE
CENTRALINE OF ROAD**

| CRP# | NAME | ARC LENGTH | CHORD LENGTH | CHORD BEARING | SOLEM BEARING |
|------|--------|------------|--------------|--------------------|--------------------|
| C1 | 100.00 | 30.00 | 29.97 | S 89.97° 00' 00" W | S 89.97° 00' 00" W |
| C2 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C3 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C4 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C5 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C6 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C7 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C8 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C9 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C10 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C11 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C12 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C13 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C14 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C15 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C16 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C17 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C18 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C19 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |
| C20 | 100.00 | 180.00 | 180.00 | S 0° 00' 00" W | S 0° 00' 00" W |

CURVE TABLE (BOUNDARY)

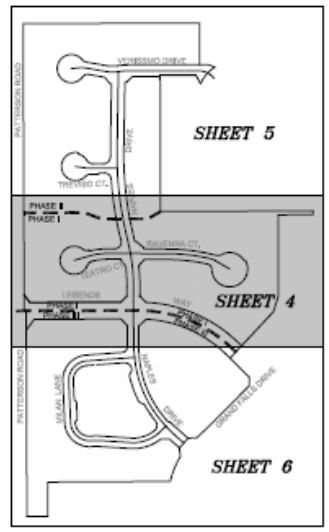
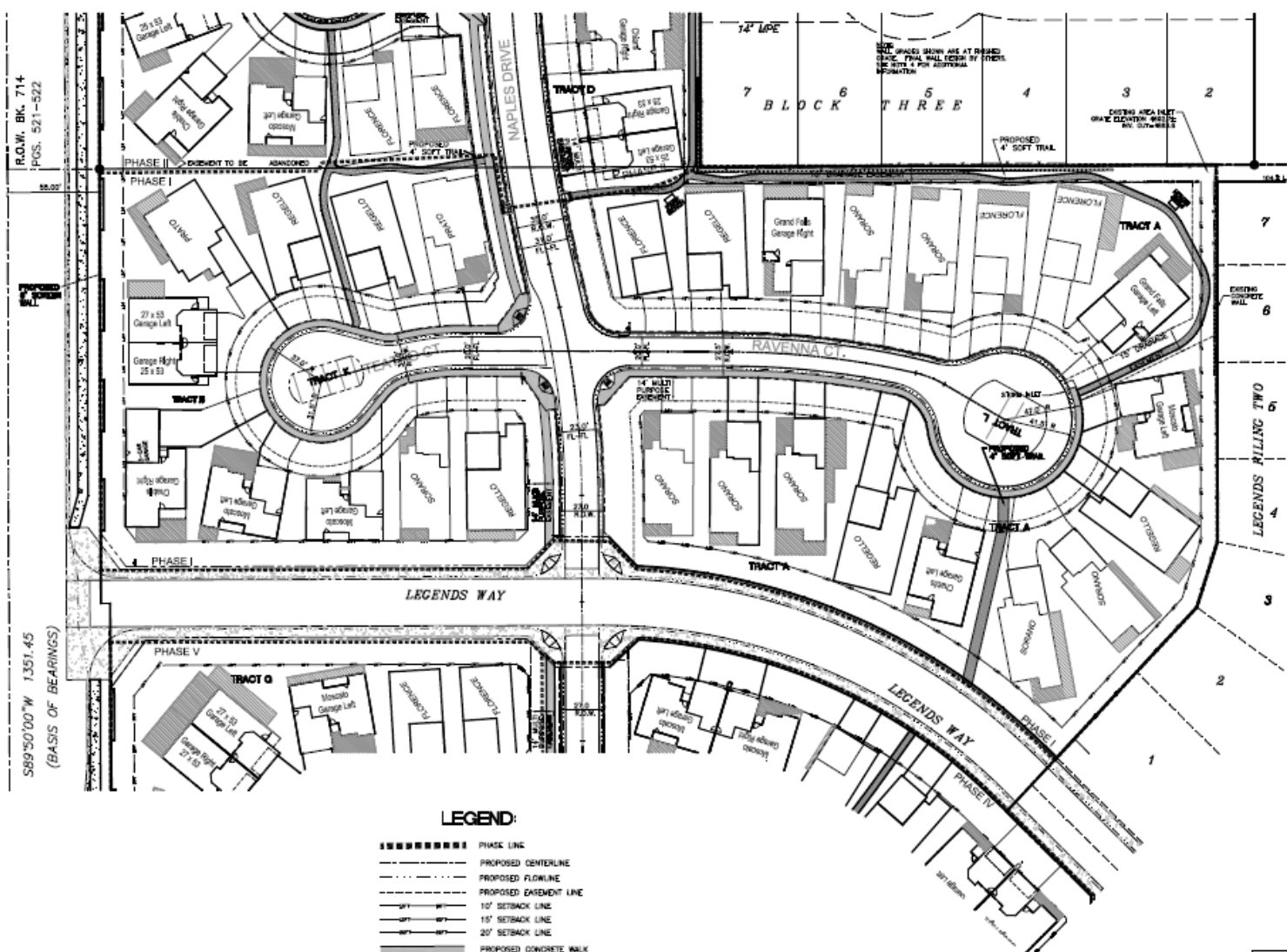
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| C22 | 100.00 | 17.84 | 17.82 | S 89.97° 00' 00" W | S 89.97° 00' 00" W |

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with design firm name
 Grand Junction, CO 81502
 Phone: (970) 241-1227
 www.pjg.com

**BELLA DIMORA
 OUTLINE DEVELOPMENT PLAN
 OVERALL PLAN**

DATE: 4/07/14
 SHEET: 3 OF 7



KEY MAP

LEGEND:

- PHASE LINE
- PROPOSED CENTERLINE
- PROPOSED FLOWLINE
- PROPOSED EASEMENT LINE
- 10' SETBACK LINE
- 15' SETBACK LINE
- 20' SETBACK LINE
- PROPOSED CONCRETE WALK
- PROPOSED SOFT TRAIL
- POTENTIAL BUILDING EXPANSION
- EXISTING SIDEWALK
- EXISTING RETAINING WALL
- RIGHT-OF-WAY FLOWLINE
- R.O.W.
- R.

Limited Common Elements: "Limited Common Elements" means those Common Elements designed herein for exclusive use by owners of particular Units, or that area is defined by the Bella Dimora Declaration. A portion of the Common Elements is set aside and reserved for the exclusive use, management, control, operation, maintenance, repair and improvement of and by the individual Owner of the associated Unit or Units. Limited Common Elements include all appurtenant easements that are in the right of way. The Association shall be responsible for the maintenance and repair of the Limited Common Elements should the owner(s) fail to maintain or repair the same.

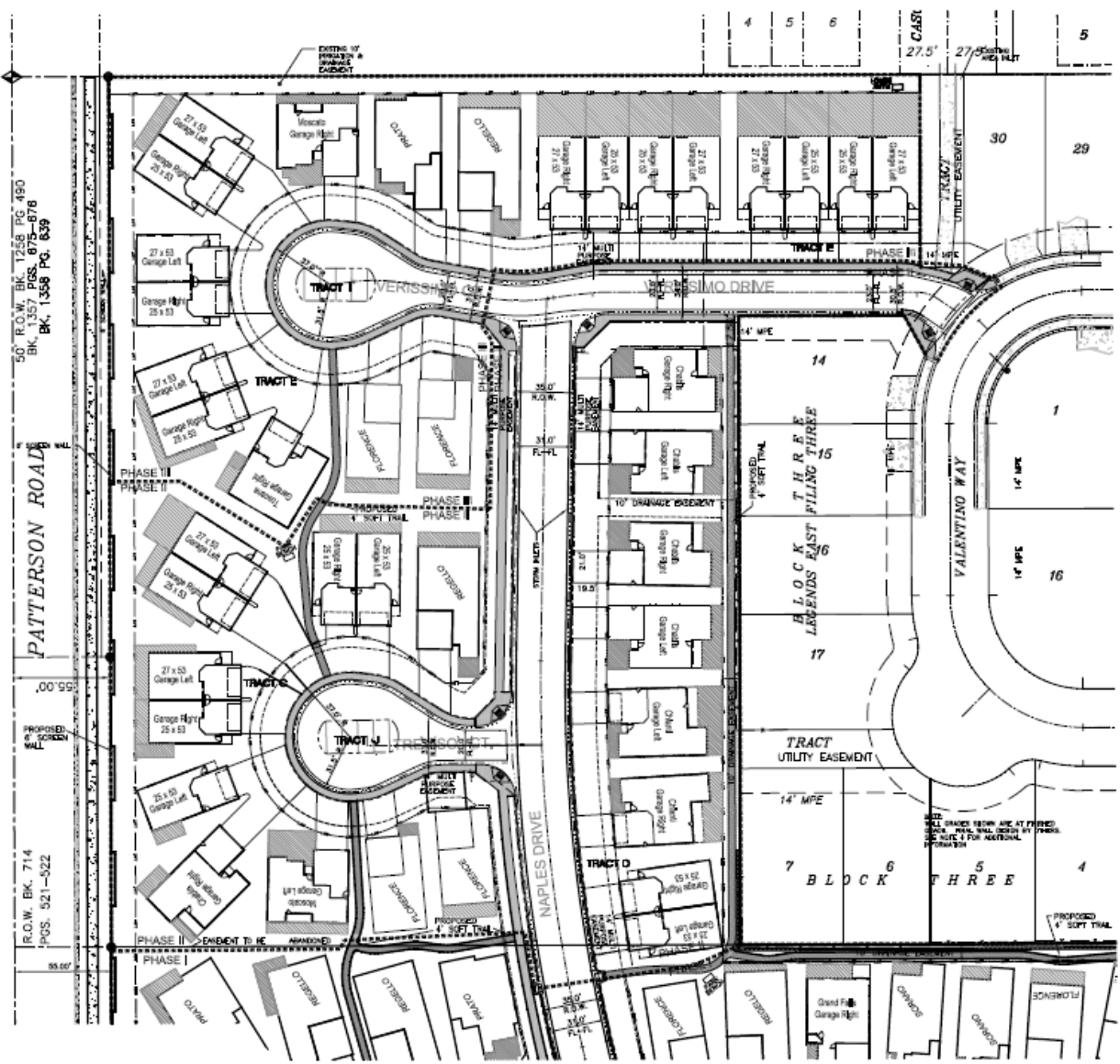


Know what's below.
Call before you dig.
CALL 811 WITH ANY EXCAVATION WORK TO
OBTAIN UTILITY INFORMATION. CALLING 811
IS FREE. IF YOU DO NOT CALL 811, YOU
MAY BE RESPONSIBLE FOR THE COSTS OF
REPAIRING DAMAGED UTILITIES.

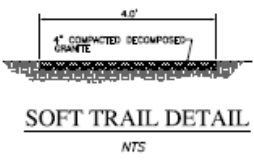
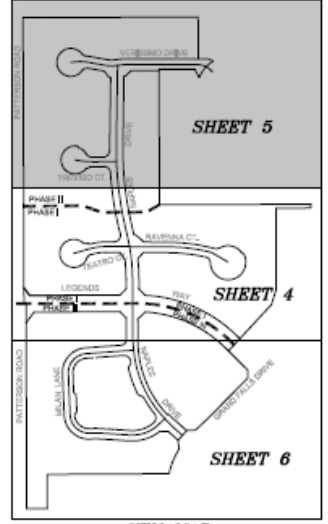


**BELLA DIMORA
OUTLINE DEVELOPMENT PLAN
PHASE I**

| | | | | | | | | | |
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| DATE | KTS | ISSUED | KTS | REVISION | ESS | DATE | 4/01/14 | SHEET | 4 |
| FILE NAME | C:\PROJECTS\A3201\A3201base.DWG | | | | | | | DATE | 4/01/14 |



- LEGEND:**
- PHASE LINE
 - PROPOSED CENTERLINE
 - PROPOSED FLOWLINE
 - PROPOSED EASEMENT LINE
 - 10' SETBACK LINE
 - 15' SETBACK LINE
 - 20' SETBACK LINE
 - PROPOSED CONCRETE WALK
 - PROPOSED SOFT TRAIL
 - POTENTIAL BUILDING EXPANSION
 - EXISTING SIDEWALK
 - EXISTING RETAINING WALL
 - RIGHT-OF-WAY FLOWLINE

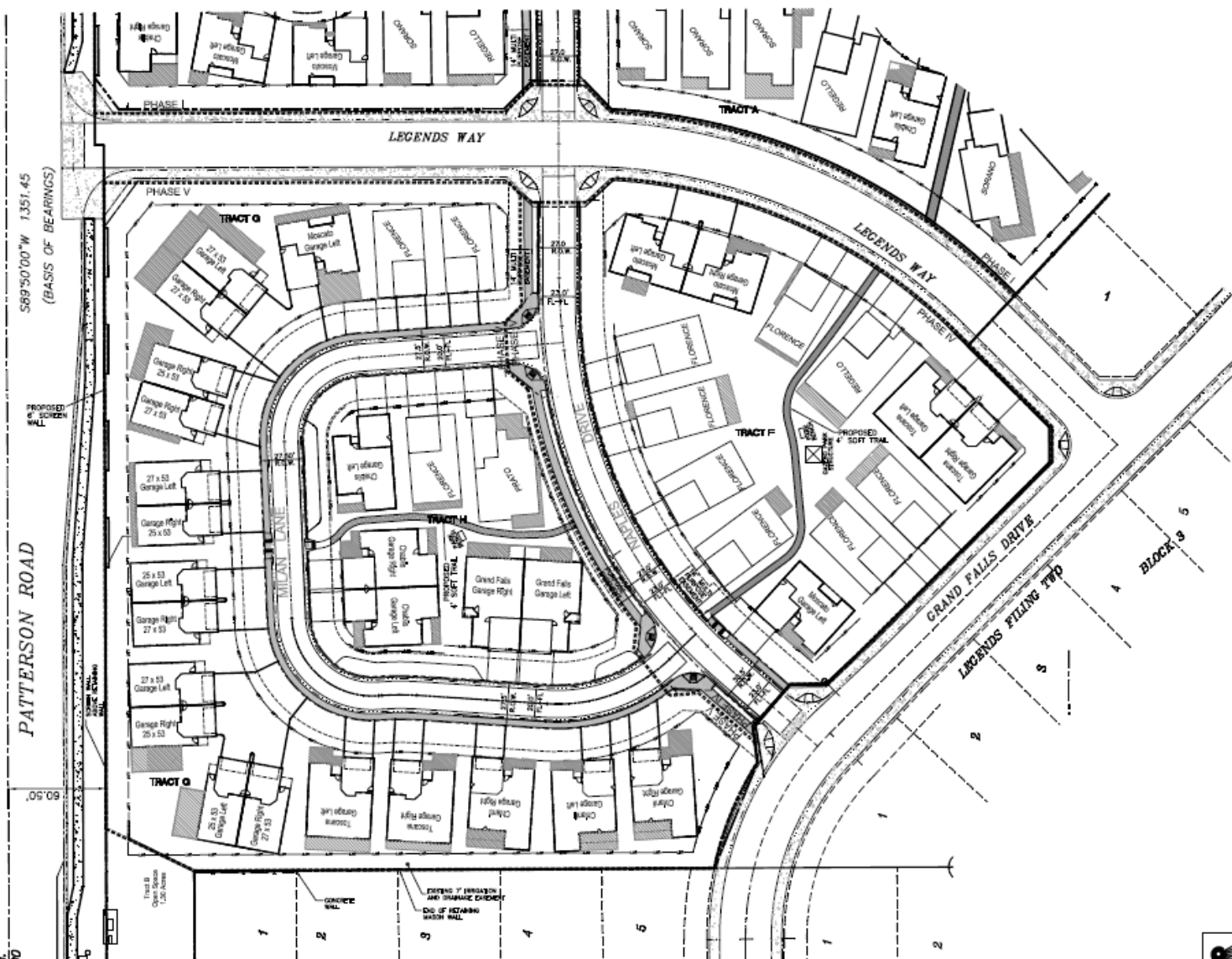


**BELLA DIMORA
OUTLINE DEVELOPMENT PLAN
PHASE II**

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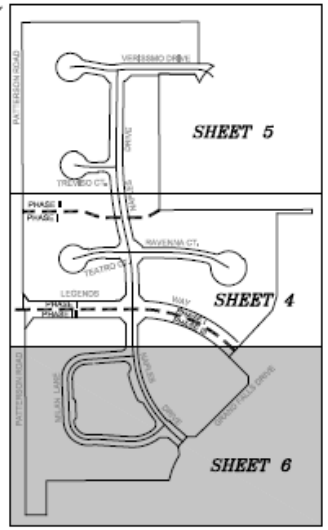
811
Know what's below.
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CALL UTILITY INTERFERE LOCUS OF
CONDUITS AND PIPES BEFORE ANY
ADVANCE WORK. USE THE CHART
TO LOCATE FOR THE LAYOUT OF
UNDERGROUND UTILITY LINES.

Limited Common Elements: "Limited Common Elements" means those Common Elements designed for the exclusive use by owners of particular lots, as the term is defined by the applicable Declaration. A portion of the Common Elements is not used and reserved for the exclusive use of the owners of lots, units, or other Common Elements. The portion of the Common Elements not used and reserved for the exclusive use of the owners of lots, units, or other Common Elements shall consist of the portion of the right-of-way, the Association shall be responsible for the maintenance and repair of the Limited Common Elements should the owners fail to maintain or repair the same.



LEGEND:

- PHASE LINE
- PROPOSED CENTERLINE
- PROPOSED FLOWLINE
- PROPOSED BASEMENT LINE
- 10' SETBACK LINE
- 15' SETBACK LINE
- 20' SETBACK LINE
- PROPOSED CONCRETE WALK
- PROPOSED SOFT TRAIL
- POTENTIAL BUILDING EXPANSION
- EXISTING SIDEWALK
- EXISTING RETAINING WALL
- R.O.W.
- F.L.



KEY MAP

S89°50'00"W 1351.45'
(BASIS OF BEARINGS)

PATTERSON ROAD

60.50'

30

Unified Common Elements "Unified Common Elements" means those Common Elements designated herein for exclusive use by members of particular Units, as that term is defined by the Bella Dimora Declarations. A portion of the Common Elements is set aside and reserved for the exclusive use, management, control, operation, maintenance, repair and improvement of only the individual Owners of the attached lots or Units. Unified Common Elements include all common elements that lie to the right of way. The Association shall be responsible for the maintenance and repair of the Unified Common Elements that do not lie to the right of way or to the right of the right-of-way.



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ALLOW ANYONE TO EXCAVATE ANY
OR REMOVE ANY UTILITIES OR
UNDERGROUND SERVICES.



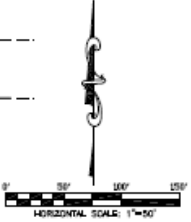
BELLA DIMORA
OUTLINE DEVELOPMENT PLAN
PHASE III

401 Ziegen 201st. Suite 2
Casper, WY 82401
Voice: (307) 241-0300
Fax: (307) 244-0271
www.belladimora.com

| | | | | | | | |
|--|-----|---------|----------|----------|---------|-------|-------|
| DATE | BY | PROJECT | DESIGNED | DATE | PROJECT | SCALE | SHEET |
| 04/01/14 | KTS | 032011 | ESD | 04/01/14 | A3001 | 1" | 6 |
| FILE NAME: C:\PROJECTS\A32011\A32011base.DWG | | | | | | | 7 |



- LEGEND:**
- 212 PROPOSED PARKING
 - 214 PROPOSED GRASS
 - 80 PROPOSED PARKING ON AND OFF STREET
 - 80 EXISTING PARKING ON AND OFF STREET



2014-07-09-09
 JAMES LEE & LISA C. PAVERTY
 8800 PATTERSON ROAD
 LAND USE: SINGLE FAMILY

2014-07-09-09
 JAMES LEE & LISA C. PAVERTY
 8800 PATTERSON ROAD
 LAND USE: RESIDENTIAL
 LEGENDS ATTEND 210

CASCADE ATTORNEY
 Post Box 13 F
 408



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 UTILITY AND SERVICE INFO IN
 ADVANCE BEFORE YOU DIG. CHECK
 OR CHANGE FOR THE LATEST
 INFORMATION. BE SAFE.



**BELLA DIMORA
 OUTLINE DEVELOPMENT PLAN
 PARKING PLAN**

| | | | | | |
|---------|-----|------------------|---------|-----|----------|
| DATE | BY | REVISION | DATE | BY | REVISION |
| 4/07/14 | JLS | ISSUE FOR PERMIT | 4/07/14 | JLS | 7 |

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CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE APPROVING THE OUTLINE DEVELOPMENT PLAN AS A
PLANNED DEVELOPMENT WITH A DEFAULT R-8 (RESIDENTIAL – 8 DU/AC)
ZONE DISTRICT FOR THE DEVELOPMENT OF 108 DWELLING UNITS TO BE
KNOWN AS THE BELLA DIMORA SUBDIVISION**

LOCATED AT 2850 GRAND FALLS DRIVE AND 598 SINATRA WAY

Recitals:

The applicant, Greedy Group LLC, wishes to develop a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes for a proposed residential subdivision to be located south of Patterson Road and north of Grand Falls Drive between Legends Way on a total of 13.8 +/- acres. The total number of dwelling units proposed for the Bella Dimora subdivision is 108 and c onstructed in three (3) phases.

The request for an Outline Development Plan as a Planned Development with a default R-8, (Residential – 8 du/ac) zoning district, including deviations and conditions of approval, have been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (R-8), deviations and conditions of approval for the Outline Development Plan for Bella Dimora subdivision (Lot 1, Block 1, The Legends Filing Two and Lot 18, Block 3, Legends East Filing Three).

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by proposing effective infrastructure design and in-fill project with higher density development that provides for better utilization of streets, water and sewer services, recreational amenities that include a network of off-street pedestrian trails, benches, gazebo and landscaped open spaces throughout the subdivision and provides a needed mix of housing types for the community (attached Exhibit A).

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

- A. This Ordinance applies to the following described properties: Lot 1, Block 1, The Legends Filing Two and Lot 18, Block 3, Legends East Filing Three
(Properties) Said parcels contain 13.87 +/- acres more or less.
- B. These Properties are zoned PD (Planned Development) with the following standards, deviations and requirements:
1. If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the R-8 (Residential - 8 du/ac) Zoning District.
 2. **Density:** The proposed density for Bella Dimora will be approximately 7.82 dwelling units per acre. The Future Land Use Map indicates this area to be Residential Medium High (8 - 16 du/ac). However, because the applicant previously developed single-family detached homes in The Vistas/Legends/Legends East Subdivisions at a density lower than the required densities required by the Growth Plan at the time, the applicant must now make-up for those lower densities in this “phase” of the Planned Development, more specifically to develop a minimum of 108 dwelling units. Currently there are 155 dwelling units (platted lots) within The Legends/Legends East (108 + 155 = 263 dwelling units divided by 47.81 acres (Legends/Legends East and Bella Dimora) = 5.50 dwelling units an acre). The minimum density requirement for the R-8 Zoning District is 5.5 dwelling units/acre.
 3. **Access/Parking:** The proposed development has three (3) access points; Legends Way, Naples Drive and Verissimo Drive. All proposed streets, with the exception of Legends Way were approved as an Alternate Residential Streets right-of-way design per Chapter 15 of the TEDS Manual (Transportation Engineering Design Standards). For an alternate street design, no on-street parking will be allowed except in designated parking areas with the exception of Naples Drive which allows parking on both sides of the street from Ravenna/Teatro Court to Verissimo Drive. However, for streets that provide 23’ of width from flowline to flowline, parking would be allowed on one -side of the street per Fire Department regulations (Milan Lane, Verissimo Drive and Ravenna Court, etc.). Parking spaces in the centers of cul-de-sacs are allowed, but they must be located within HOA tracts separate from public right-of-way and distinguished by vertical curbing and/or islands. Landscaping is not required in the islands; concrete surface of islands is allowed (See Parking Plan – Exhibit B).
 4. **Open Space / Park:** The applicant is proposing a series of 4’ wide off-street pedestrian trails that will meander throughout the subdivision for the benefit of the residents and public (see Exhibit A). Open space areas are proposed in each phase of development that will include landscaping, pedestrian paths,

park benches and a gazebo (6.35 +/- acres total of open space – minimum 1 tree per 2,500 sq. ft. and 1 shrub per 300 sq. ft. in accordance with Section 21.06.040 of the Zoning and Development Code). A Pedestrian Easement will be dedicated to the City of Grand Junction at the time of Final Plan approval for ingress and egress by the public on all pedestrian paths. The City's Attorney Office has reviewed the applicant's proposal to construct a 4' wide trail system and has found the proposed trail to be compliant with ADA (American with Disabilities Act) since the proposed surface of 4" compacted decomposed granite will be firm and stable.

5. **Lot Layout:** The proposed subdivision will contain a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes. The building footprint for each dwelling unit would be the "lot" with the exception of some potential outside building expansion square footage. All areas outside of the building footprint would be designated as "Tracts" for maintenance responsibilities by the homeowner's association (upon recording of a plat, these tracts would become common elements or limited common elements).

6. **Phasing:** The proposed Bella Dimora subdivision is to be developed in three phases. The proposed phasing schedule is as follows (see Exhibit A):
 - Phase 1: To be reviewed and approved by December 31, 2017.
 - Phase 2: To be reviewed and approved by December 31, 2020.
 - Phase 3: To be reviewed and approved by December 31, 2023.

7. **Long-Term Community Benefit:** The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:
 1. More effective infrastructure;
 2. Reduced traffic demands;
 3. A greater quality and quantity of public and/or private open space;
 4. Other recreational amenities;
 5. Needed housing types and/or mix;
 6. Innovative designs;
 7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The proposed development has met the following long-term community benefits:

1. Effective infrastructure design and in-fill project with higher density development that provides for better utilization of streets, water and sewer services.
 2. Recreational amenities that include a network of off-street pedestrian trails, benches, a gazebo and landscaped park open spaces, throughout the subdivision.
 3. A needed mix of housing types for the community.
8. **Default Zone:** The dimensional standard for the R-8 (Residential – 8 du/ac) zone, as indicated in Section 21.03.040 (g) of the Zoning and Development Code, are as follows:

Density: Maximum of 8 dwelling units to the acre. Minimum 5.5 du/ac.
Minimum lot area/width: 3,000 sq. ft./40'. (see deviation below)
Front yard setback (Principal/Accessory): 20/25' (see deviations below)
Side yard setback (Principal/Accessory): 5/3' (see deviations below)
Rear yard setback (Principal/Accessory): 10/5' (see deviations below)
Maximum building height: 40'

9. **Deviations:**

1. **Building Setbacks:**

- 20' Front Yard
 - 15' Adjacent Side Street (Corner Lot)
 - 10' Rear Yard
 - 14' Rear Yard Setback (Adjacent to Patterson Road)
 - 15' Rear Yard Setback (Adjacent to Legends Way)
- Standard setbacks apply unless otherwise noted.

2. Six foot (6') tall masonry screen wall required to be located a minimum five feet (5') from north property line adjacent to Patterson Road per Section 21.06.040 (g) (5) (v) of the Zoning and Development Code. Applicant is proposing to construct the masonry wall with a stucco finish on the property line in order to give the unit property owners a larger backyard area as the rear yard setback adjacent to Patterson Road is 14'. Applicant is also proposing to construct the masonry wall in 30' segments and shift from the property line two feet (2') along Patterson Road which gives the wall architectural relief rather than constructing a standard monolithic wall. A detached sidewalk also exists along Patterson Road with varying landscape buffer dimensions between the sidewalk and wall so that the proposed wall would not be constructed directly adjacent to the sidewalk.

3. There is no minimum lot area or width with this subdivision proposal since the building footprint would be the lot line and the amount of open

space provided is providing the community benefit along with the off-street pedestrian trails.

4. The default zone district of R-8 specifies that for residential lots created after October 22, 2006, that garage doors cannot exceed 45% of the width of the street facing façade. In order to accommodate the required residential density for the project and maintain a 10' separation between each dwelling unit (5' Side Yard Setback) along with the Applicant proposing to construct a two-car garage for every dwelling unit to accommodate off-street parking ratios. Applicant is allowed to vary the percentage width of the garage door since the applicant is providing detached dwelling units between 1200 and 3035 +/- sq. ft. which is providing a needed product mix and also the applicant is meeting applicable minimum density requirements for The Legends area.

5. At the southeast corner of site located within Phase 3, applicant is requesting to utilize the side yard setback of the adjacent Tract B, Legends East, Filing 3 for one of the four-plex units in accordance with Section 21.03.30 (d) (5) (vii) of the Zoning and Development Code and construct the 4-plex unit on the property line. Required side yard setback with the default R-8 zone district is 5'. Existing tract width is 25'.

10. **Condition of Approval:**

All fire-hydrant locations and applicable fire hydrant "turnouts" must be approved by Grand Junction Fire Department. All lots must be located within 250' of a fire hydrant as measured along the road frontage.

Introduced for first reading on this _____ day of _____, 2014 and ordered published in pamphlet form.

PASSED and ADOPTED this day of , 2014 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

EXHIBIT A

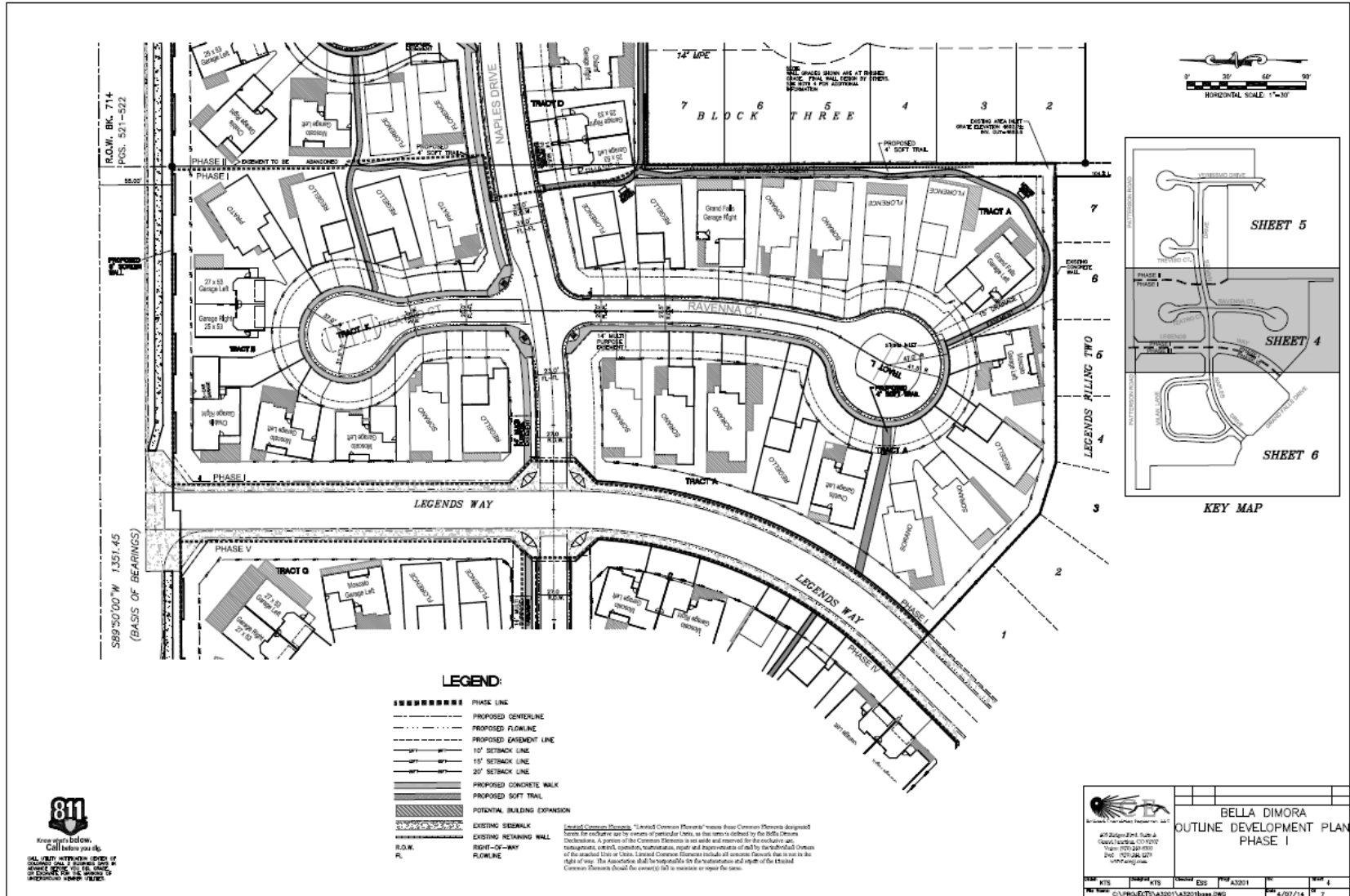


EXHIBIT A CONTINUED

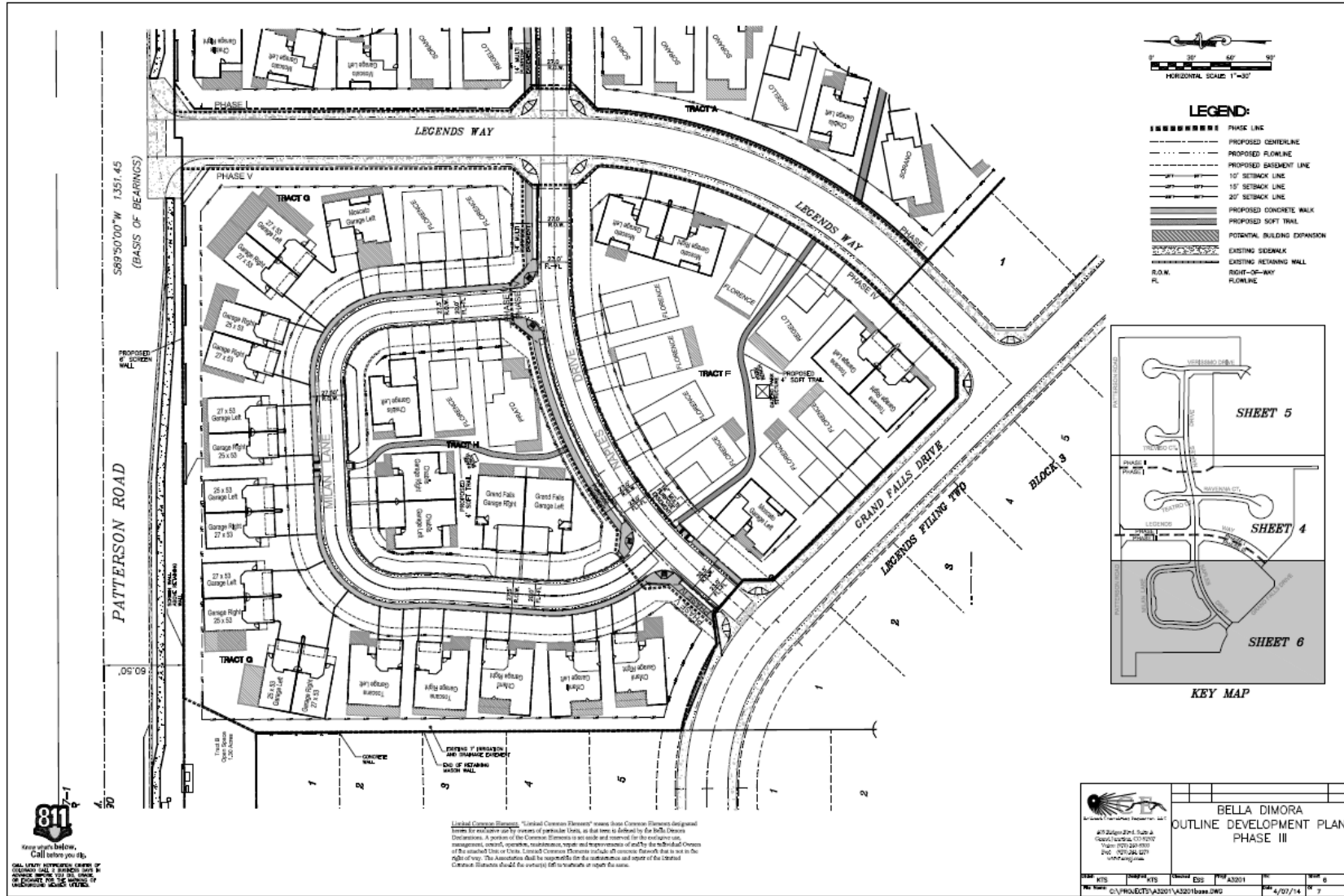
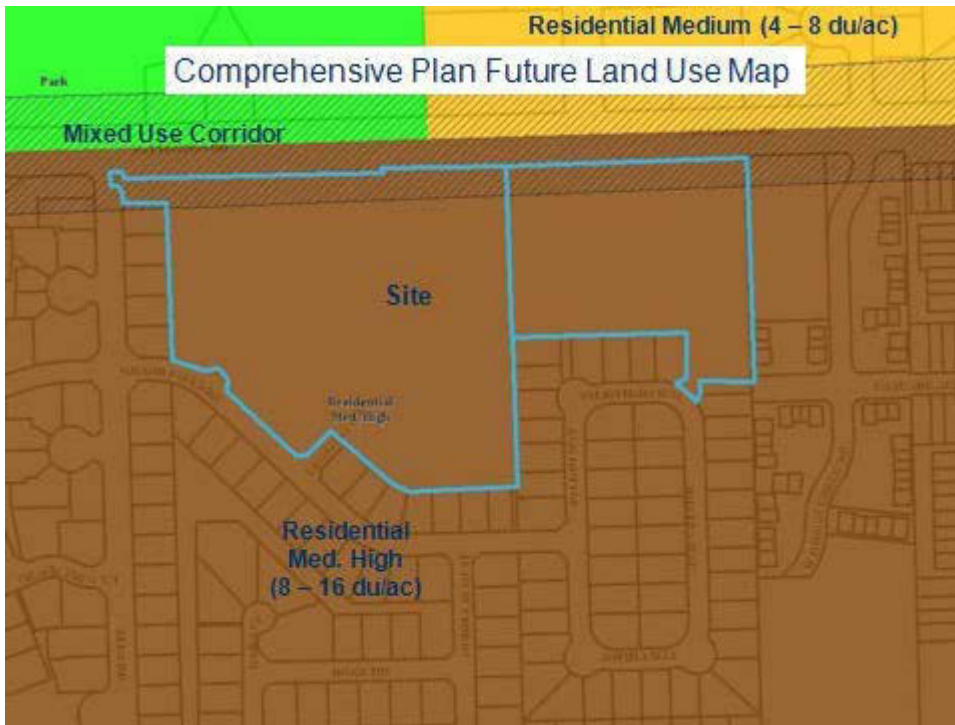
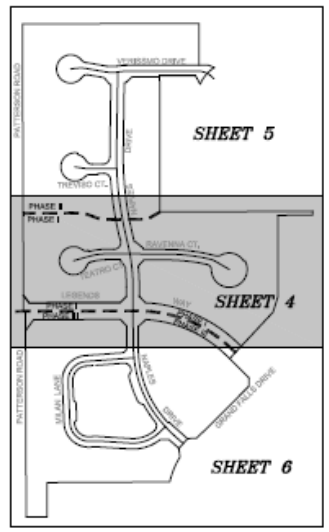
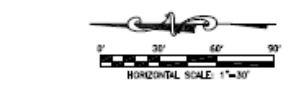
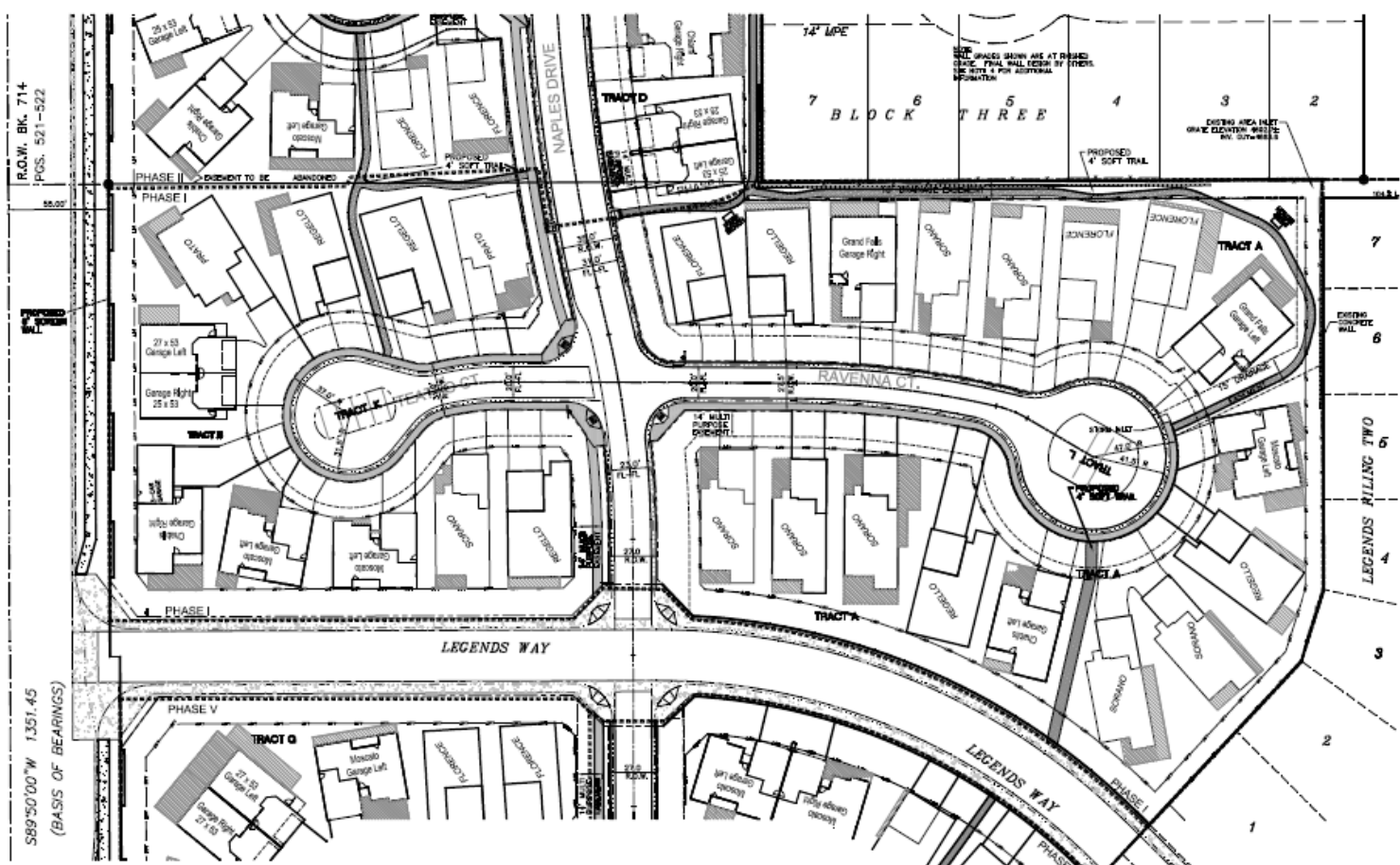


EXHIBIT B







R.O.W. Bk. 714
POS. 521-522

S89°50'00" W 1351.45
(BASIS OF BEARINGS)

LEGEND:

- PHASE LINE
- PROPOSED CENTERLINE
- PROPOSED FLOWLINE
- PROPOSED EASEMENT LINE
- 10' SETBACK LINE
- 15' SETBACK LINE
- 20' SETBACK LINE
- PROPOSED CONCRETE WALK
- PROPOSED SOFT TRAIL
- POTENTIAL BUILDING EXPANSION
- EXISTING SIDEWALK
- EXISTING RETAINING WALL
- RIGHT-OF-WAY FLOWLINE
- R.O.W.
- R.

Unlimited Common Elements, "Unlimited Common Elements" means those Common Elements designed herein for exclusive use by owners of particular Units, as their uses are defined by the Bella Dimora Declaration. A portion of the Common Elements is set aside and reserved for the exclusive use, management, control, operation, maintenance, repair and improvement of and by the individual Owners of the attached Unit or Units. Limited Common Elements include all systems, networks, etc. in and to the right of way. The Association shall be responsible for the maintenance and repair of the Limited Common Elements should the owners fail to maintain or repair the same.



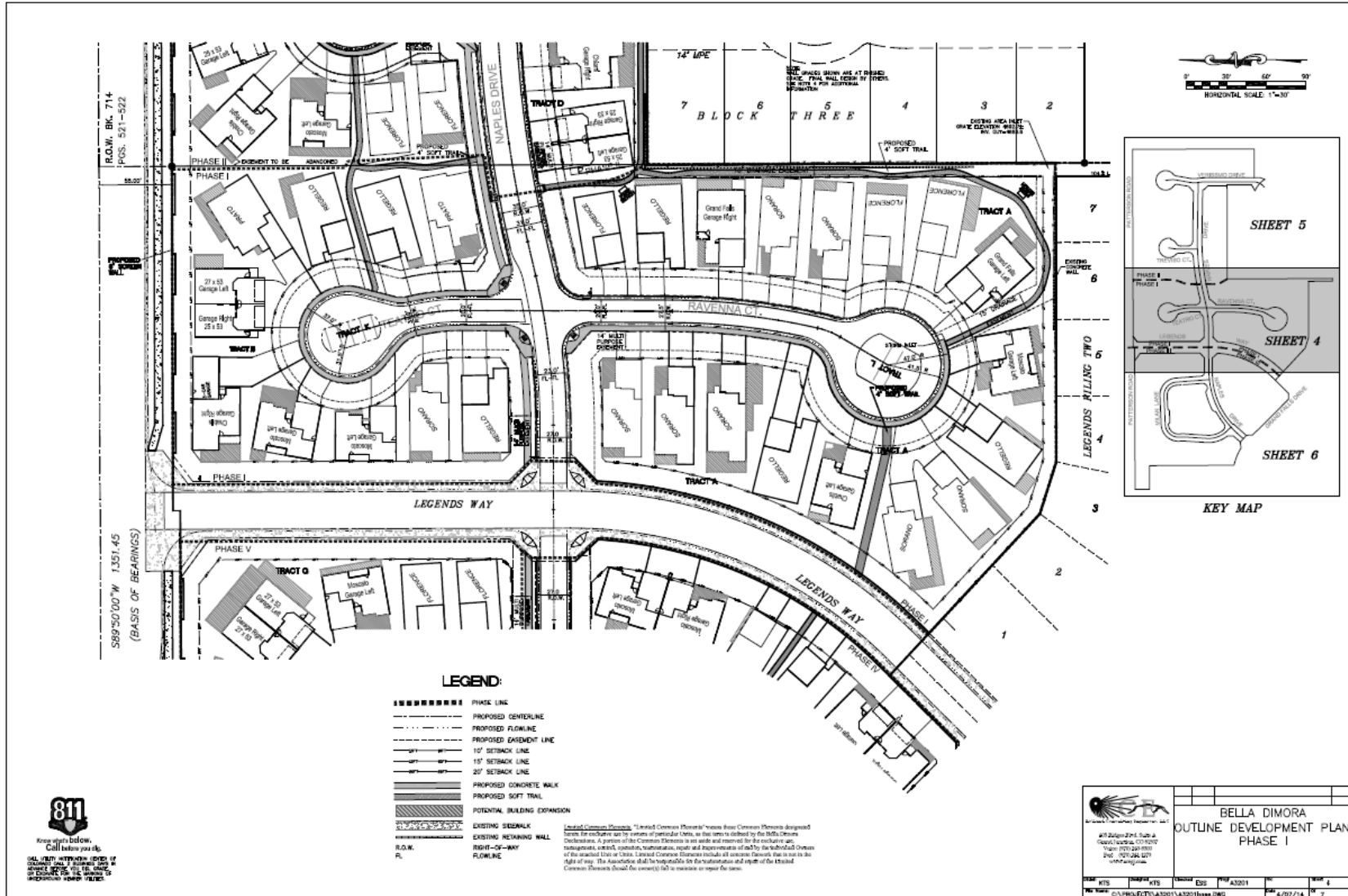
Area spots below.
Call before you dig.
CALL WITHIN 48 HOURS BEFORE ANY
DIGGING. CALL 811. PROVIDE LOCATION OF
DIGGING. PROVIDE DATE AND TIME OF
DIGGING. PROVIDE THE NUMBER OF
EXPOSURE SPOTS TO BE EXPOSED.



**BELLA DIMORA
OUTLINE DEVELOPMENT PLAN
PHASE I**

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|--|-----|----------|-----|----------|-----|----------|-----|----------|-----|----------|-----|
| DATE | KTS | DATE | KTS | DATE | ESS | DATE | ESS | DATE | ESS | DATE | ESS |
| 11/14/14 | | 11/14/14 | | 11/14/14 | | 11/14/14 | | 11/14/14 | | 11/14/14 | |
| PROJECT: C:\PROJECTS\A3201\A3201base.DWG | | | | | | | | | | | |
| DATE: 4/07/14 | | | | | | | | | | | |
| SHEET: 7 | | | | | | | | | | | |

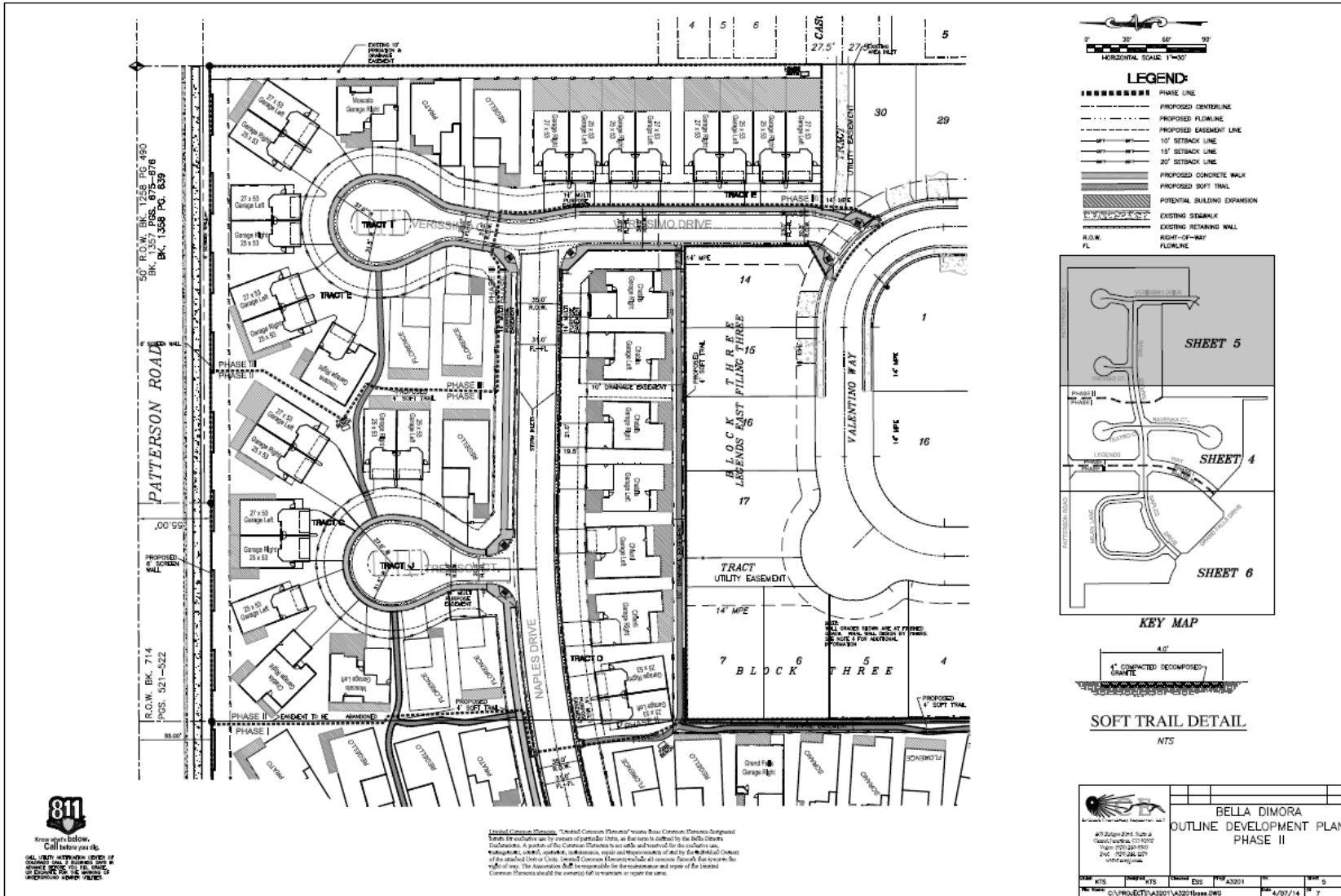
EXHIBIT A



811
Know what's below.
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CALL 811. WE'LL FIND ALL THE UTILITIES UNDER YOUR FEET. IT'S FREE. IT'S FAST. IT'S THE ONLY WAY TO AVOID UNNECESSARY DAMAGE.

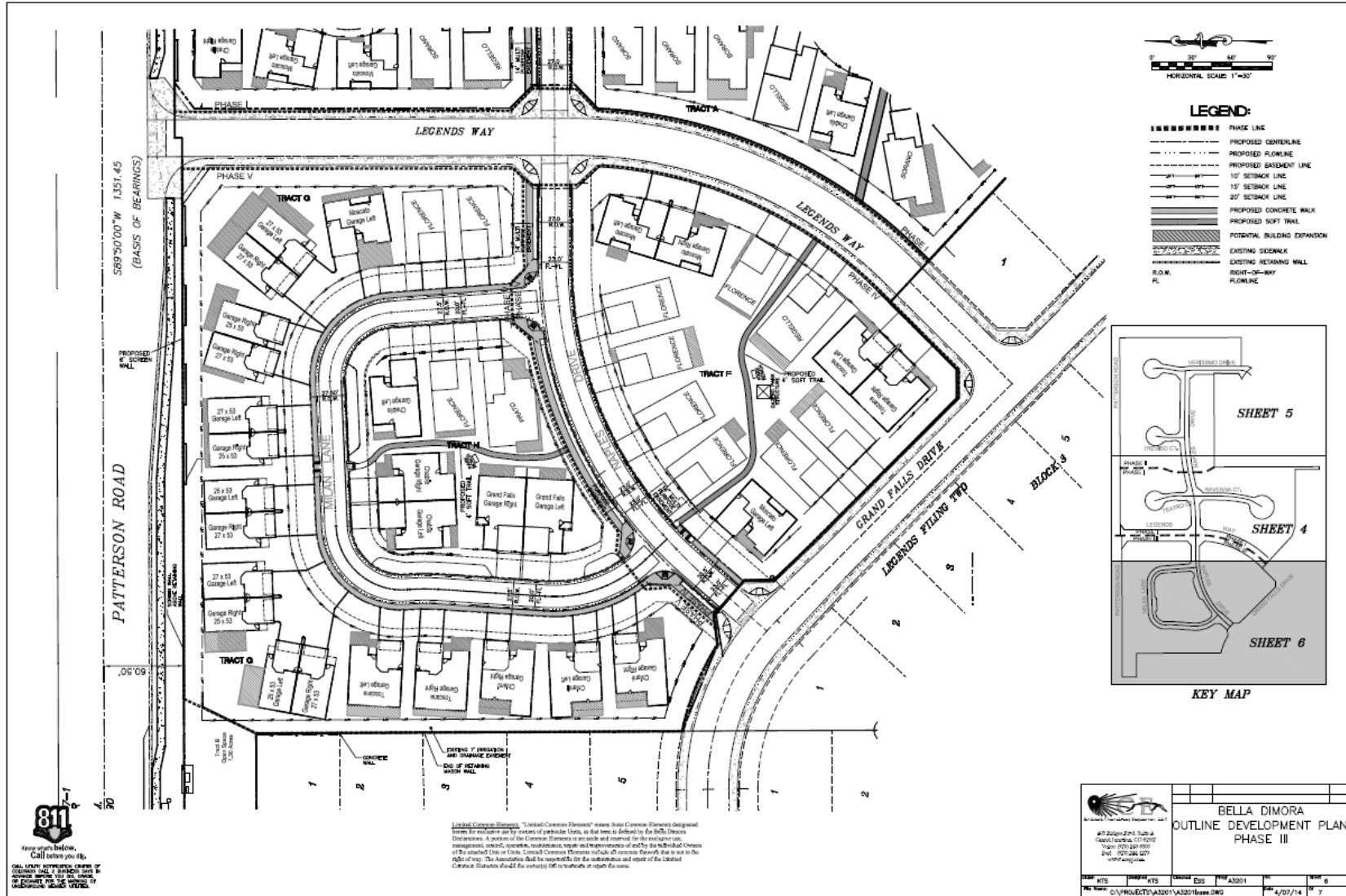
Licensed Common Elements: "Licensed Common Elements" means those Common Elements designed herein for exclusive use by owners of particular Units, as the uses so defined by the Declaration. A portion of the Common Elements is set aside and reserved for the exclusive use, enjoyment, maintenance, repair and improvement of and by the individual owners of the attached lots or Units. Licensed Common Elements include all common elements that are in the right of way. The Association shall be responsible for the maintenance and repair of the Licensed Common Elements shown for common use in accordance or repair for same.

EXHIBIT A CONTINUED



Florida Composite Elements, "Florida Composite Elements" means Basic Composite Elements designed for the exclusive use by owners of particular lots, as that term is defined by the Florida Composite Elements. A portion of the Florida Composite Elements is not sold, and reserved for the exclusive use, enjoyment, control, administration, repair and improvement of lots by the Florida Composite Elements of the attached Unit's Unit. Florida Composite Elements include all common elements that are in the right-of-way. The Association shall be responsible for the maintenance and repair of the Florida Composite Elements should the original lot owner fail to maintain or repair the same.

EXHIBIT A CONTINUED



811
 Keep what's below.
 Call before you dig.
 CALL EVERY UTILITY OWNER BY
 CALLING 811. IT'S FREE. HAVE
 YOUR SERVICE LOCATED, MARKED
 AND DELETED IN ONE DAY.
 OR VISIT 811.NC.GOV

Linked Common Elements: "Linked Common Elements" means those Common Elements designated herein for exclusive use by owners of particular Units, as that term is defined by the Bella Dimora Declaration. A portion of the Common Elements is set aside and reserved for the exclusive use, management, control, operation, maintenance, repair and replacement of and by the individual Owners of the attached Unit or Units. Linked Common Elements include all common elements that are in the right of way. The Association shall be responsible for the maintenance and repair of the Linked Common Elements should the unit(s) fail to maintain or repair the same.

| | | | |
|---|--|--|---------------|
| | | BELLA DIMORA OUTLINE DEVELOPMENT PLAN PHASE III | |
| 4720 Ziegler Drive, Suite 20 Grand Rapids, MI 49508 Phone: (616) 220-1300 Fax: (616) 224-5271 www.belladimora.com | | SHEET 6 6 of 7 | DATE: 4/27/14 |

EXHIBIT B

