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**CITY COUNCIL AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
WEDNESDAY, OCTOBER 3, 2007, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance

**Citizen Comments**

**Recognitions**

Recognition of Outstanding Citizens for their Lifesaving Efforts—Al LeFebre, Mary Stewart, Virginia Dodd, Ralph Piland, and Greta Piland

**\*\*\* CONSENT CALENDAR \*\*\*<sup>®</sup>**

1. **Setting a Hearing on Zoning the Gentry Annexation, Located at 805 22 Road**  
[File #ANX-2007-215] [Attach 1](#)

Request to zone the 8.46 acre Gentry Annexation, located at 805 22 Road, to I-1 (Light Industrial). The property is located on the Northwest corner of H Road and 22 Road.

Proposed Ordinance Zoning the Gentry Annexation to I-1 (Light Industrial) Located at 805 22 Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 17, 2007*

\*\*\* Indicates New Item

<sup>®</sup> Requires Roll Call Vote

Staff presentation: Faye Hall, Associate Planner

2. **Setting a Hearing on Zoning the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051] – Continued from **September 19, 2007** [Attach 2](#)

SLB Enterprises, LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Proposed Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 17, 2007*

Staff presentation: Kristen Ashbeck, Senior Planner

3. **Setting a Hearing on Zoning the Ute Water Annexation, Located at 825 22 Road** [File #ANX-2007-220] [Attach 3](#)

Request to zone the 47.86 acre Ute Water Annexation, located at 825 22 Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Ute Water Annexation to I-1 (Light Industrial) Located at 825 22 Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 17, 2007*

Staff presentation: Ronnie Edwards, Associate Planner

4. **Sundance Village Easement Vacation, Located at 2464 Thunder Mountain Drive** [File #VE-2007-233] [Attach 4](#)

Vacation of a portion of a multi-purpose, drainage, and irrigation easement located underneath an existing garage in Sundance Village Phase 1.

Resolution No. 139-07—A Resolution Vacating a Multi-Purpose, Drainage, and Irrigation Easement in Sundance Village Phase I, Located at 2464 Thunder Mountain Drive

®Action: *Adopt Resolution No. 139-07*

Staff presentation: Lori V. Bowers, Senior Planner

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

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

5. **COPS Grant for Mesa County Meth Task Force** [Attach 5](#)

The Grand Junction Police Department has applied for and been awarded a \$449,777 grant from the United States Department of Justice, COPS Office. The grant was applied for on behalf of the Mesa County Meth Task Force, with support of the DA's office, Mesa County Sheriff's Office, Meth Task Force, and Mesa State College.

Action: *Authorize the City Manager to Accept the Grant Award of \$449,777 and Disburse the Funds in Accordance with the Grant Proposal*

Staff presentation: Troy Smith, Deputy Chief of Police

6. **Public Hearing—Expand Designated Outdoor Dining Downtown** [Attach 6](#)

Some restaurant owners in the downtown area would like to expand their businesses to include sidewalk dining. This necessitates amending Chapter 32, Article III of the City Code of Ordinances, which regulates commercial use of public rights-of-way in the downtown area.

Ordinance No. 4120—An Ordinance Amending Chapter 32, Article III City Code of Ordinances, Regulating Commercial Use of Public Right-of-Way in Downtown Area, To Revise Designated Downtown Areas for Sidewalk Dining

®Action: *Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4120*

Staff presentation: John Shaver, City Attorney

7. **Public Hearing—Rowell Rezone, Located at 2593 G Road** [File #RZ-2007-048]  
[Attach 7](#)

Request to rezone 1.06 acres, located at 2593 G Road, from R-1 (Residential—1 du/ac) to R-2 (Residential—2 du/ac).

Ordinance No. 4121—An Ordinance Rezoning a Parcel of Land from Residential—One Unit Per Acre (R-1) to Residential—Two Units Per Acre (R-2), Located at 2593 G Road (Rowell Rezone)

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4121*

Staff presentation: Ronnie Edwards, Associate Planner

8. **Non-Scheduled Citizens & Visitors**
9. **Other Business**
10. **Adjournment**



**Attach 1**  
**Setting a Hearing on Zoning the Gentry Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Zoning the Gentry Annexation - Located at 805 22 Road.		
<b>File #</b>	ANX-2007-215		
<b>Meeting Day, Date</b>	October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 21, 2007		
<b>Author Name &amp; Title</b>	Faye Hall, Associate Planner		
<b>Presenter Name &amp; Title</b>	Faye Hall, Associate Planner		

**Summary:** Request to zone the 8.46 acre Gentry Annexation, located at 805 22 Road, to I-1 (Light Industrial). The property is located on the Northwest corner of H Road and 22 Road.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed Ordinance and set a public hearing for October 17, 2007.

**Attachments:**

1. Staff report/Background information
2. Annexation-Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing County and City Zoning Map
4. Zoning Ordinance

**Background Information:** See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		805 22 Road		
<b>Applicants:</b>		Owner: Cora Lea Gentry Representative: Jalyn VanConett		
<b>Existing Land Use:</b>		Residential and Agricultural		
<b>Proposed Land Use:</b>		Industrial		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential and Agricultural		
	<b>South</b>	Commercial – RV Park		
	<b>East</b>	Residential and Agricultural		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-R		
<b>Proposed Zoning:</b>		I-1 (Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-R		
	<b>South</b>	C-2 (General Commercial)		
	<b>East</b>	County AFT & County RSF-E		
	<b>West</b>	I-1 (Light Industrial)		
<b>Growth Plan Designation:</b>		Commercial / Industrial		
<b>Zoning within density range?</b>	<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

Zone of Annexation: The requested zone of annexation to the I-1 zone district is consistent with the Growth Plan designation of Commercial / Industrial. The existing County zoning is RSF-R which is not consistent with the Growth Plan. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zone district of I-1 is compatible with this changing neighborhood. This area north of H Road and west of 22 Road is an area that is

in transition from Residential and Agricultural to Industrial. The property directly to the west was just recently annexed and was zoned I-1. The properties south of H Road are mostly commercial in nature and the Persigo boundary was recently moved north to include this new area in transition known as the Northwest Area Plan. The Growth Plan does support Industrial uses as this area has a designation of Commercial / Industrial.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

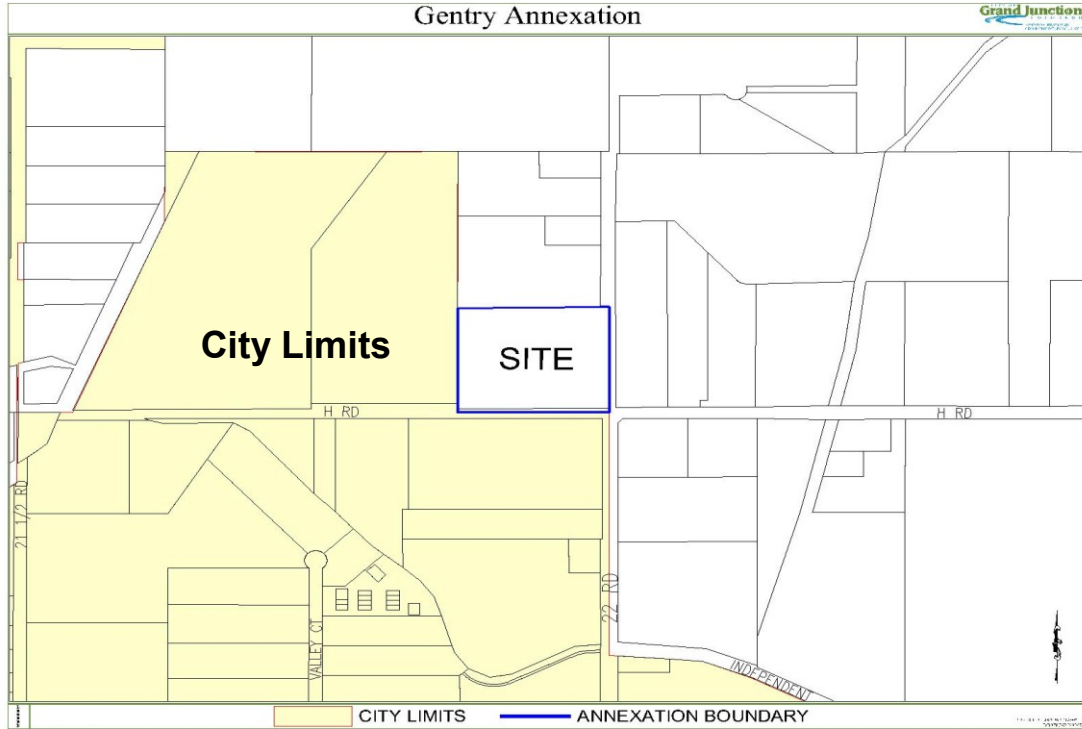
- a. C-2 (General Commercial)
- b. I-O (Industrial / Office Park)

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1 (Light Industrial) district to be consistent with the Growth Plan, and Sections 2.6 and 2.14 of the Zoning and Development Code.

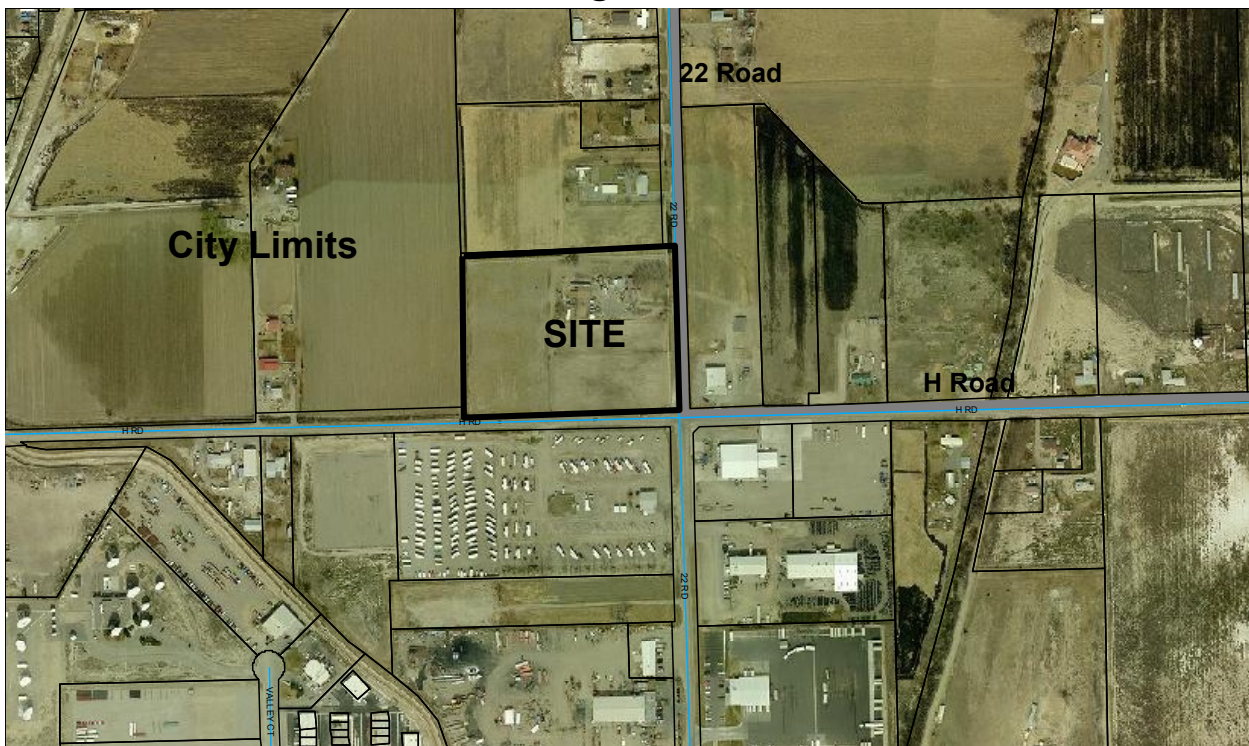
# Annexation / Site Location Map

Figure 1



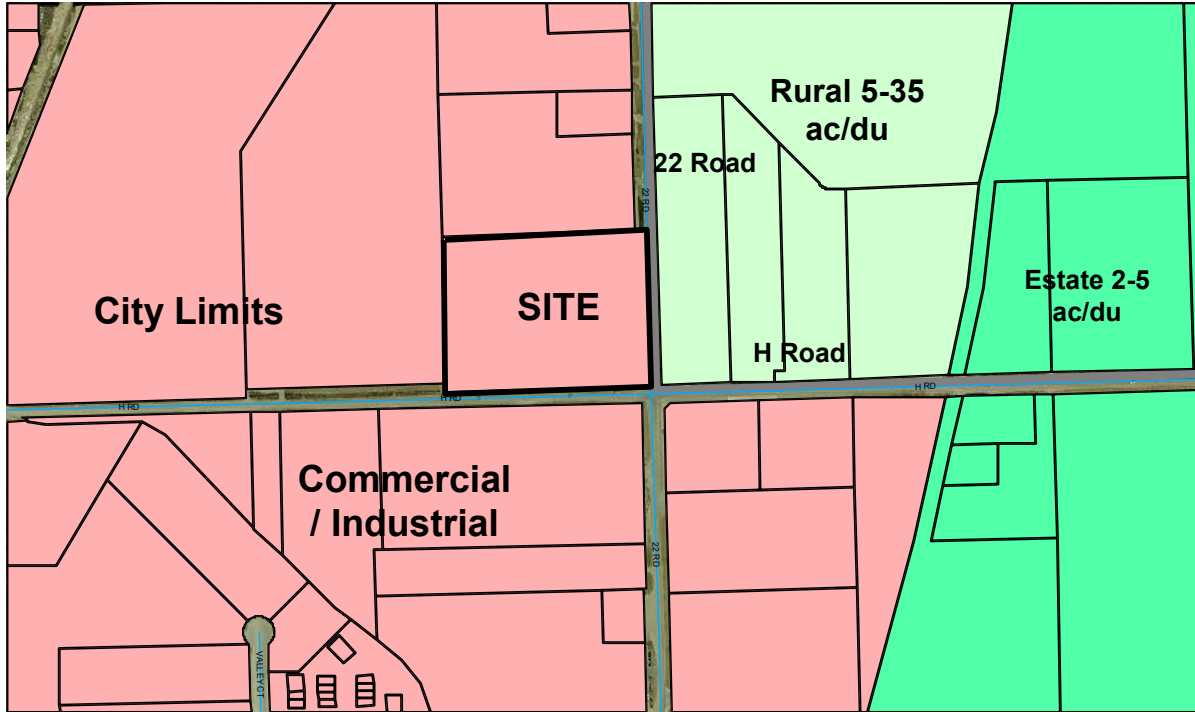
# Aerial Photo Map

Figure 2



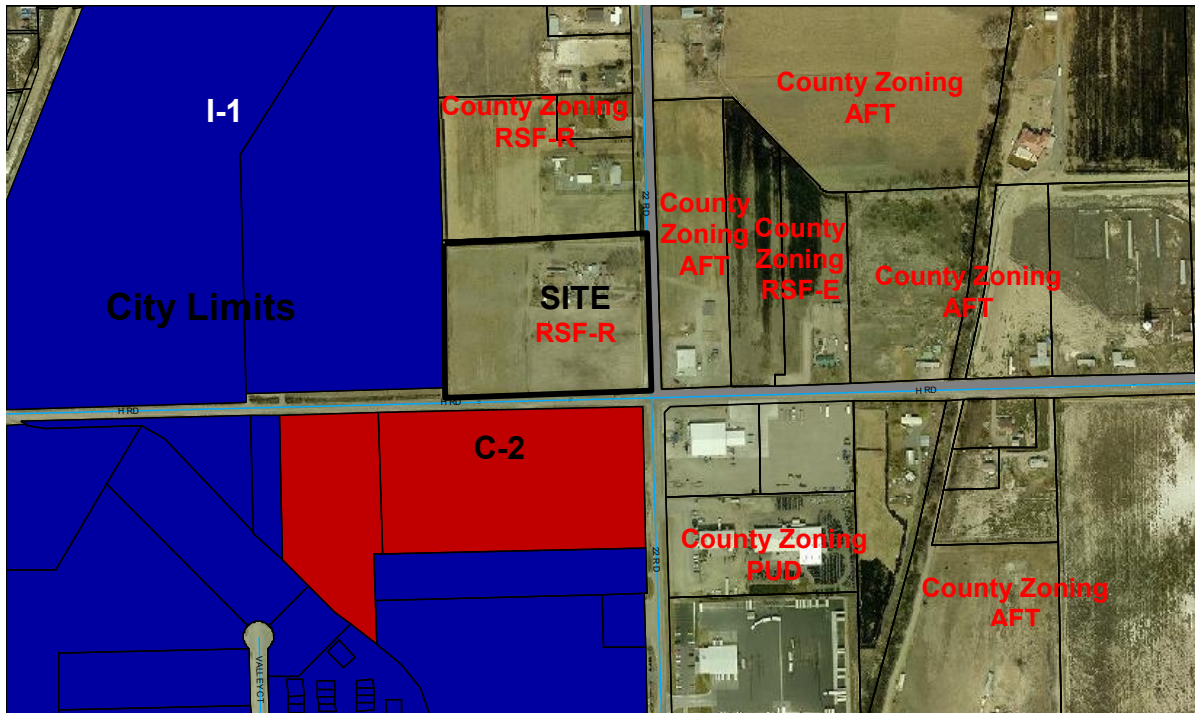
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE GENTRY ANNEXATION TO  
I-1 (LIGHT INDUSTRIAL)**

**LOCATED AT 805 22 ROAD**

**RECITALS**

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Gentry Annexation to the I-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned I-1 (Light Industrial).

A certain parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 25 and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 36, Township 1 North, Range 2 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of (SE 1/4 SE 1/4) of said Section 25 and assuming the South line of said SE 1/4 SE 1/4 to bear N89°53'09"W with all bearings contained herein relative thereto; thence S00°05'29"W along the East line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE1/4) of Section 36 a distance of 30.00 feet; thence N89°53'09"W along the South line of H Road a distance of 670.00 feet; thence N00°03'11"E along the West line of that certain parcel of land as described in Book 4131, Page 526, Public Records of Mesa County, Colorado, a distance of 550.10 feet to the Northwest corner of said parcel; thence S89°53'09"E along the North line of said parcel a distance of 670.00 feet to a point on the East line of said SE 1/4 SE

1/4; thence S00°03'11"W along said East line a distance of 520.10 feet, more or less, to the Point of Beginning.

Said parcel contains 8.46 acres (368,565 square feet), more or less, as described.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 2**  
**Setting a Hearing on Zoning the Brady South Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Brady South Zone of Annexation - Located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road		
<b>File #</b>	GPA-2007-051		
<b>Meeting Day, Date</b>	Wednesday, October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 21, 2007		
<b>Author Name &amp; Title</b>	Kristen Ashbeck, Senior Planner		
<b>Presenter Name &amp; Title</b>	Kristen Ashbeck, Senior Planner		

**Summary:** SLB Enterprises LLC, owners of the properties located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

**Budget:** NA

**Action Requested/Recommendation:** First reading of proposed Zone of Annexation ordinance and set a hearing for October 17, 2007.

**Attachments:**

- 1) Staff Report/Background Information
- 2) Site Location Map / Aerial Photo Map
- 3) Future Land Use Map / Existing City and County Zoning
- 4) Applicant's Requested Zoning Map
- 5) Excerpts from Zoning and Development Code, Pertinent Zone District Descriptions
- 6) Excerpt from Zoning and Development Code Table 3.5, Use Zone Matrix, Highlighting Appropriate Zone Districts
- 7) Excerpt from Zoning and Development Code, Exhibit 6.5.C., Buffering Between Zoning Districts
- 8) Comments from Concerned Citizens/Agencies
- 9) Minutes of Planning Commission Meeting
- 10) Proposed Zoning Ordinance



**Background Information:** See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		347 and 348 27-1/2 Road and 2757 C-1/2 Road			
<b>Applicants:</b>		SLB Enterprises LLC, Owners/Developers Vortex Engineering, Robert Jones, Representative			
<b>Existing Land Use:</b>		Vacant – Abandoned Buildings			
<b>Proposed Land Use:</b>		Industrial Office Park			
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant, Light Industrial and Las Colonias Park Site			
	<b>South</b>	Colorado River and Single Family Residential and Park South of the River			
	<b>East</b>	Large Lot Residential			
	<b>West</b>	Vacant – Las Colonias Park Site			
<b>Existing Zoning (Mesa Co):</b>		I-2			
<b>Proposed Zoning:</b>		I-O and I-1			
Surrounding Zoning:	<b>North</b>	CSR and I-1			
	<b>South</b>	R-5 and CSR (South of Colorado River)			
	<b>East</b>	RSF-R (County)			
	<b>West</b>	CSR			
<b>Growth Plan Designation:</b>		Industrial and Commercial Industrial			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

1. Background:

The 12.62 acre Brady South Annexation consists of 3 parcels located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

2. Consistency with the Growth Plan:

The requested zone districts are consistent with the Future Land Use designations of Industrial and Commercial Industrial.

3. Section 2.6.A.3 and 4 of the Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the I-1 and I-O districts is consistent with the Growth Plan designation of Industrial and Commercial Industrial respectively. The existing County zoning is I-2 on all 3 parcels. Section 2.14 of the

Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning. In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

There are several zone district alternatives or combinations thereof that could be applied to the Brady South Annexation properties. The analysis below discusses the differences between the various potential zone districts and their applicability to these properties. Based on this analysis and the applicant's and neighborhood input, Planning Commission made findings on this criterion and made a recommendation to City Council.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

#### 4. Analysis of Alternatives:

In addition to the zoning that the petitioner has requested (which is depicted in Attachment 3), the following zone districts would also be consistent with the Growth Plan designation for the subject properties.

- c. The alternative zone districts that can be used to implement the Future Land Use category of Industrial (westerly parcel only) include Industrial/Office Park (I-O), Light Industrial (I-1), Heavy Industrial(I-2) or Mixed Use (M-U).
- d. The alternative zone districts that can be used to implement the Future Land Use category of Commercial Industrial (easterly 2 parcels only) include General Commercial (C-2), Industrial/Office Park (I-O), Light Industrial (I-1), or Mixed Use (M-U).

Excerpts from the Zoning and Development Code are attached for reference. The excerpts describe each zone district, the uses allowed within each and the buffer requirement between zone districts as further discussed below. While the Heavy Industrial (I-2) zone district could be applied to the westerly parcel (former rendering plant) due to its Growth Plan Future Land Use Map designation of Industrial, that option for zoning is not discussed since it is not being requested by the applicant.

As mentioned above, it is possible that all three parcels could be zoned the same, but there may also be merit to creating a transition across the site from west to east that would help create compatibility with land uses on both sides of the site. The applicant is suggesting a transition from I-1 on the west to I-O on the east but there are other options that could apply.

While it is likely that the three parcels will be developed as a single project, the site could be developed under two different zone districts since the primary (and maybe only) access to the site at the extension of 27-1/2 Road will divide the property into two distinct areas east and west of the entry road/drive. Thus, all three parcels do not necessarily need to be zoned the same.

**General Commercial (C-2) Zone District.** The C-2 zone district is intended to provide for a wide range of commercial uses with emphasis on low customer use versus retail/service type of commercial uses. The C-2 zone district allows limited outdoor display of goods and very limited outdoor operations. Many uses in the C-2 zone district are allowed in the industrial zone districts but a Conditional Use Permit may be required for some uses in the C-2 district.

Outdoor storage and display areas are not allowed within the front yard setback. Buffering required between C-2 and adjacent single family residential uses is a 6-foot wall and an 8-foot wide strip of landscaping outside the wall. Buffering required between C-2 and adjacent I-1 uses (e.g. to the north across C-1/2 Road) is 6-foot fence or an 8-foot landscape strip.

The C-2 zone district cannot implement the Industrial land use classification, thus could not be applied to the westerly Brady parcel (former rendering plant).

**Industrial/Office Park (I-O) Zone District.** The I-O zone district is intended to provide a mix of light manufacturing and office uses in a business park setting with adequate screening and buffering to other uses. The I-O zone district allows outdoor storage and display only in the rear half of the lot either beside or behind the principal structure. Many uses in the I-O district are allowed in the heavier industrial zone districts but a Conditional Use Permit may be required for some uses in the I-O district.

The I-O zone district does have some specific performance standards for nuisances such as noise, vibration, glare and hazardous materials that do not apply in the C-2 zone district. Additional operational restrictions and/or site design elements could be required for those uses that would require a Conditional Use Permit review process.

Buffering required between I-O and adjacent single family residential is the same as required for C-2 – a 6-foot wall and an 8-foot wide strip of landscaping outside the wall. A buffer of a 6-foot fence or an 8-foot landscape strip is required between I-O and I-1.

If the I-O district is applied to the westerly site, the buffering requirement between I-O and the CSR zoning of the Las Colonias Park site is a 6-foot fence and an 8-foot wide strip of landscaping outside the wall.

The I-O zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels.

**Light Industrial (I-1) Zone District.** The I-1 zone district is intended to provide for areas of light fabrication, manufacturing and industrial uses. The performance standards of the I-O district apply in the I-1 district except that outdoor storage and display are allowed except for within the front yard setback. In addition, the I-1 district allows for the establishment of outdoor storage as a principal use. Uses that include outdoor operations are allowed in the I-1 district, whereas these uses require a Conditional Use Permit in the I-O zone district.

Buffering required between I-1 and adjacent single family residential uses is a 6-foot wall and a 25-foot wide strip of landscaping outside the wall. If the I-1 district is applied to the westerly site, the buffering requirement between I-1 and the CSR zoning of the Las Colonias Park site is a 6-foot wall and a 25-foot wide strip of landscaping outside of the wall. There is no buffer required between I-1 uses such as between the Brady properties and the properties to the north.

The I-1 zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels.

**Mixed Use (MU) Zone District.** The M-U zone district is intended to provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses and serve as a transition between residential and nonresidential uses. The most significant differences between the M-U zone district and the other districts discussed above are the allowance of residential uses and industrial outdoor storage and operations are not allowed in the M-U zone district.

The M-U zone district has some specific performance standards for nuisances such as noise, vibration, glare and hazardous materials that are very similar to those in the I-O zone district.

The M-U zone district states that there will be appropriate screening, buffering and open space and enhancement of natural features but there is no specific buffering requirement between the M-U and other zone districts. It is intended that such buffers be built into the specific site design.

The M-U zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels. However, it should be kept in mind that this zone district can allow multifamily housing that may not be

appropriate to locate in the 100-year floodplain such as exists across most of the westerly parcel.

**FINDINGS OF FACT/CONCLUSIONS:**

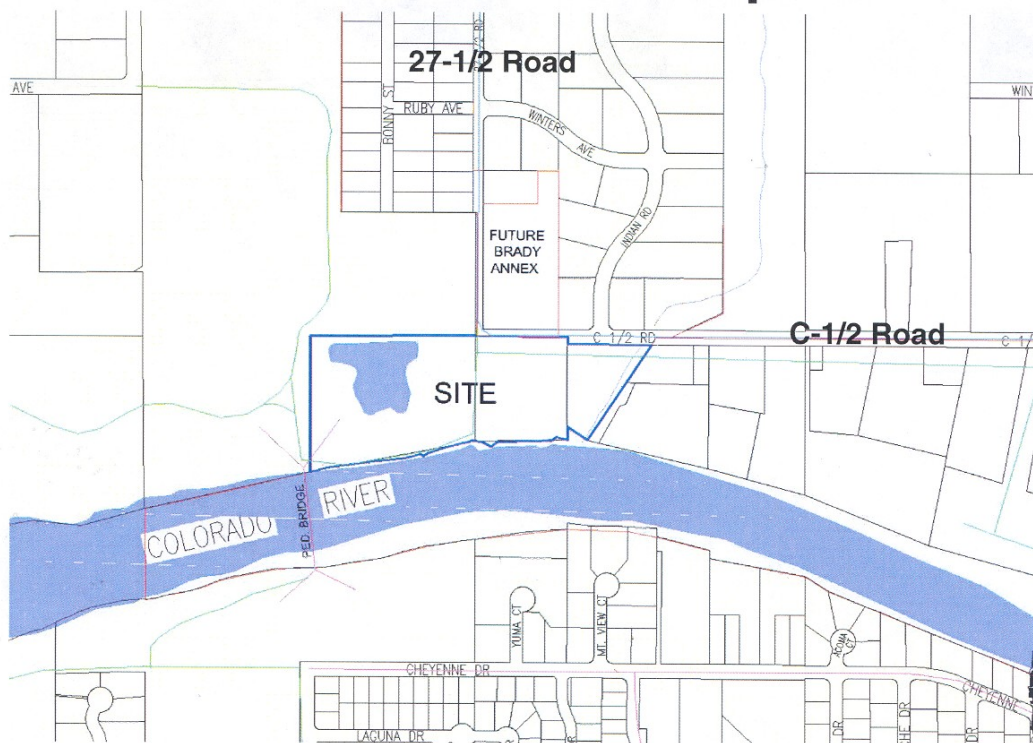
After reviewing the Brady South Annexation, GPA-2007-051, for a Zone of Annexation, Planning Commission made the following findings of fact and conclusions:

1. Planning Commission finds that the Industrial Office (I-O) zone district is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

**PLANNING COMMISSION RECOMMENDATION:**

Planning Commission heard this request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zone district for all three parcels.

# Site Location Map

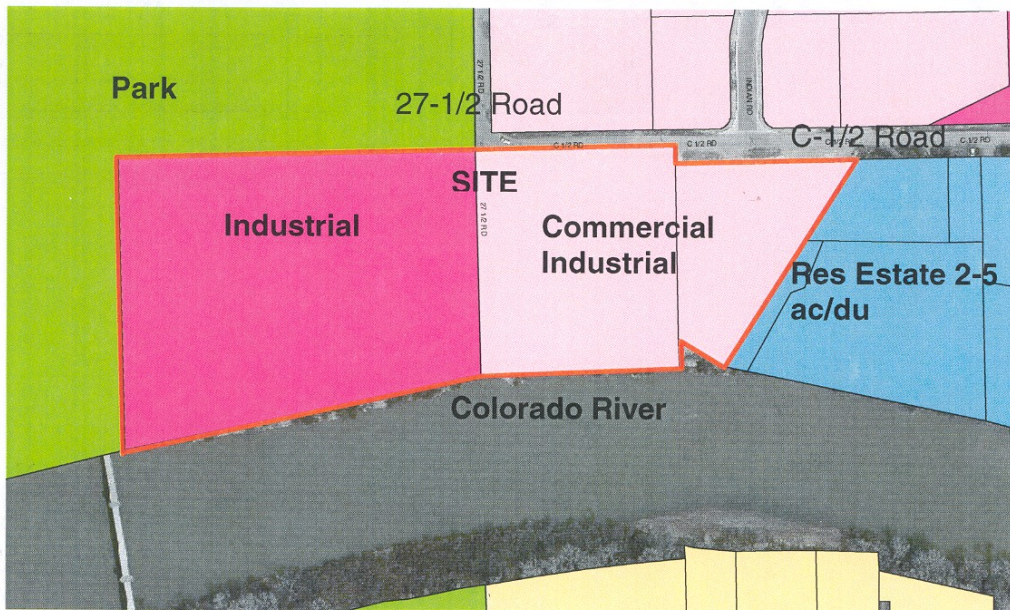


# Aerial Photo Map

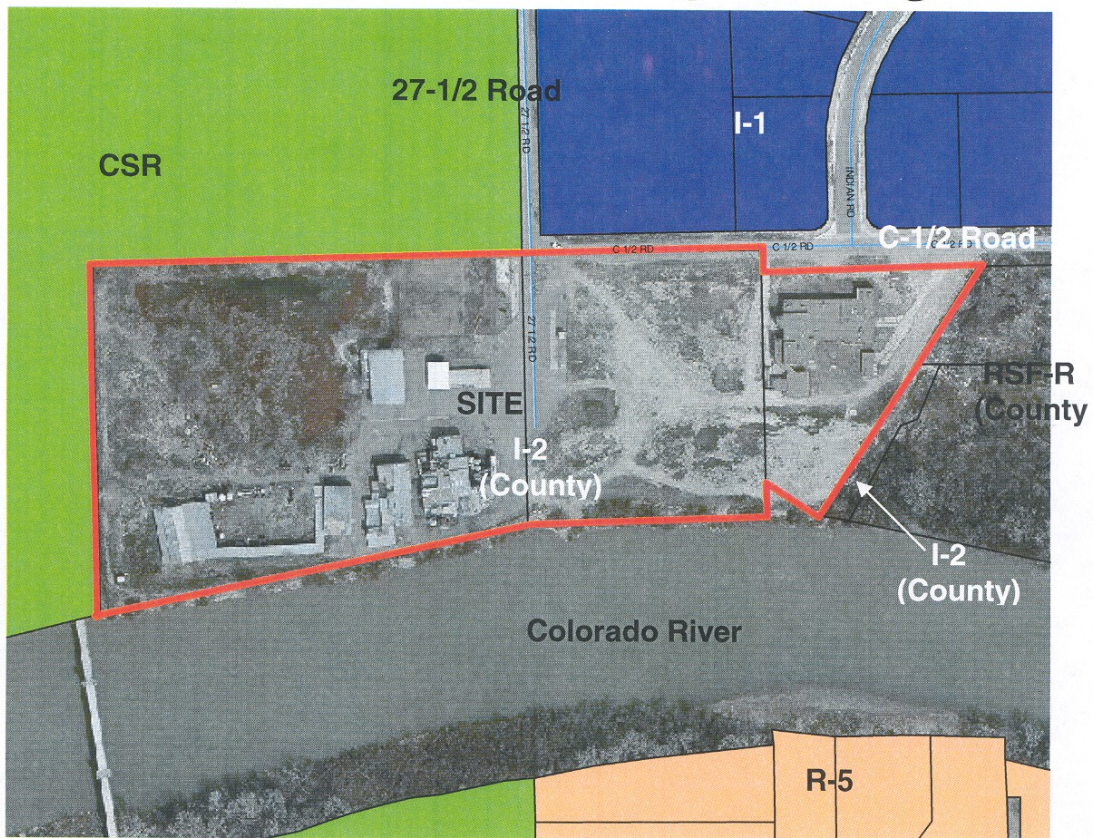




# Future Land Use Map

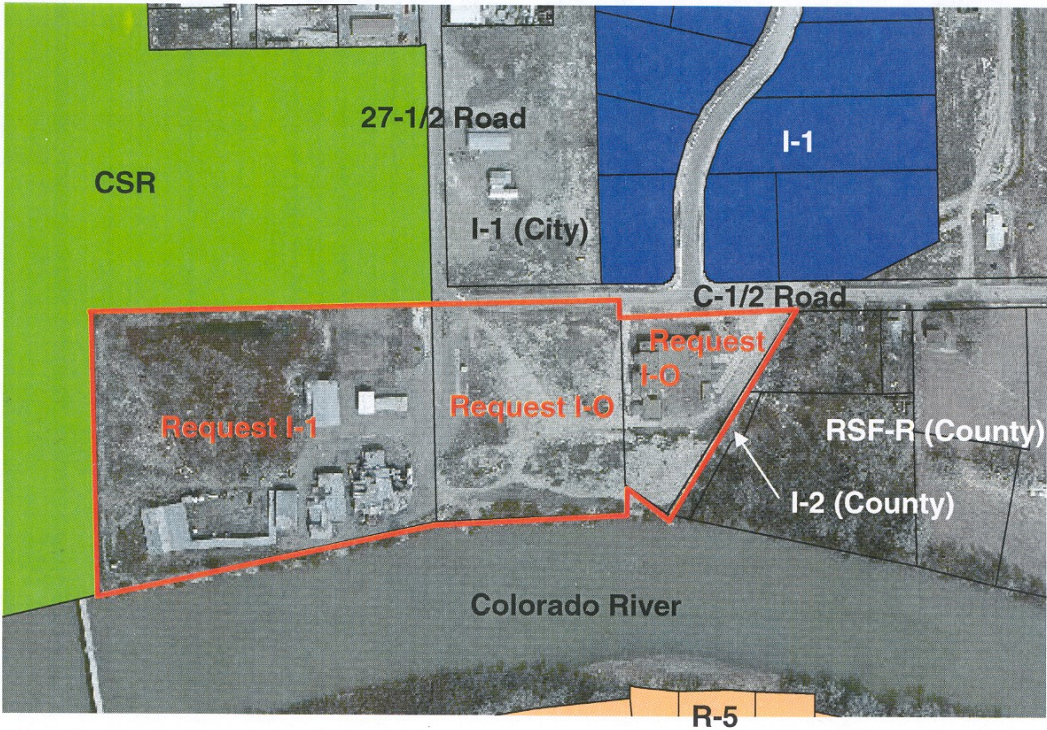


# Existing City/County Zoning





# Applicant's Requested Zoning



F. **I-O: Industrial/Office Park**

1. **Purpose.** To provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses. This District implements the *commercial/industrial* and *industrial* future land use classifications of the GROWTH PLAN.

<b>I-O Summary</b>	
Primary Uses	Light manufacturing, office, commercial services
Max. Intensity	0.75 FAR
Max. Bldg. Size	250,000 sq. ft.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the I-O District.

3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:

- a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 0.75;
- b. Minimum lot size shall be one (1) acre, except where a continuous commercial center is subdivided;
- c. Maximum building size shall be 250,000 square feet, unless a conditional use permit is issued.

4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

5. **Performance Standards.**

- a. **Retail Sale Area.** Areas devoted to retail sales shall not exceed: ten percent (10%) of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.
- b. **Loading Docks.** Loading docks shall be located only in the side or rear yards.
- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an I-O District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

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

- (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point on the property line.
- (3) **Glare:** lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
- (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
- (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (6) **Outdoor Storage and Display.** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.

G. **I-1: Light Industrial**

1. **Purpose.** To provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 Zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses. This district implements the *commercial/industrial* and *industrial* future land use classifications of the GROWTH PLAN.

<b>I-1 Summary</b>	
Primary Uses	Manufacturing, office, commercial services
Max. Intensity	2.0 FAR
Max. Bldg. Size	150,000 sq. ft.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the I-1 district.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
- a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0;
  - b. Minimum lot size shall be one (1) acre, except where a commercial or industrial center is subdivided with pad sites or other shared facilities;
  - c. The maximum building size is 150,000 square feet, unless a conditional use permit is issued.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.** The performance standards of the I-0 district shall apply in the I-1 district, except that principal and accessory outdoor storage and display areas shall be permitted in accordance with Chapter Four, with the following exceptions:
- a. Outdoor storage and displays shall not be allowed in the front yard setback;
  - b. Screening shall be maintained in the frontage adjacent to arterial and collector streets and along that portion of the frontage on local streets which adjoin any zone except I-1 or I-2;
  - c. Unless required to buffer from an adjoining district, screening along all other property lines is not required;
  - d. Screening of dumpsters is not required; and
  - e. Outdoor storage areas may be established as a principal use without a conditional use permit.

J. **M-U: Mixed Use**

1. **Purpose.** To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the *commercial, commercial/industrial, industrial* and *mixed use* future land use classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas.

<b>M-U Summary</b>	
Primary Uses	Employment, residential, limited retail, open space
Max. Intensity	Nonresidential: 0.50 FAR
Maximum Density	Residential: 24 units per acre
Minimum Density	Residential: 8 units per acre
Max. Bldg. Size	150,000 sq. ft. (30,000 sq. ft. for retail)

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the M-U district.

3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:

- a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 0.50;
- b. Nonresidential minimum lot size shall be one (1) acre, except where a continuous commercial center is subdivided;
- c. Maximum building size shall be 150,000 square feet unless a Conditional Use Permit is issued;
- d. Maximum gross residential density shall not exceed twenty-four (24) units per acre;
- e. Minimum net residential density shall be eight (8) units per acre.

4. **Performance Standards.** Development shall conform to the standards established in this Code.

- a. Refer to any applicable overlay zone district and/or corridor design standards and guidelines.
- b. **Loading/Service Areas.** Loading docks and trash or other service areas shall be located only in the side or rear yards.
- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an M-U District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional Use Permits

for uses in this district may establish higher standards and conditions.

- (1) **Vibration:** Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel, shall not be permitted.
- (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point on the property line.
- (3) **Glare:** Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
- (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
- (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (6) **Outdoor Storage and Display:** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.

### 3.5 USE/ZONE MATRIX

- A. **Principal Uses.** The only uses allowed in any zone or district are those listed in Table 3.5. The use categories listed in the first column of Table 3.5 are described in Chapter Nine. The second column of the use matrix contains an abbreviated definition of the uses. In some cases, use-specific standards are referred to in the last column of the Table. These uses are permitted subject to particular requirements listed under each zone or district.
- B. **Allowed Uses.** An "A" indicates that the listed use is allowed by-right within the respective zoning district without the need for a public hearing. If compliance with all City, state and federal requirements are fully met, the Director may allow development, construction and/or use. The text for each zone, the balance of this Code, applicable state and other City regulations and federal requirements supplement Table 3.5 and control if inconsistent or ambiguous. See the maximum building size indicated for each zone district. No person shall begin any use without a written approval of the Director.
- C. **Conditional Uses.** A "C" indicates that the listed use is allowed within the respective zoning district only after review and approval of a conditional use permit, in accordance with the review procedures of Chapter Two. Conditional uses are subject to all other applicable standards of this Code.
- D. **Prohibited Uses.** A blank space indicates that the listed use is not allowed within the district, unless otherwise expressly allowed by another provision of this Code.

**Table 3.5 Use/Zone Matrix**

Use Category-Definition. See Chapter Nine for complete description.	Specific Use Type	NONRESIDENTIAL				Use-Specific Standard
		C2	O	I-1	MU	
<b>RESIDENTIAL</b>						
<b>Household Living</b> - residential occupancy of a dwelling unit by a "household"	Business Residence	A	C	C	A	4.3.I
	Rooming/Boarding House					
	Two Family Dwelling <sup>3</sup>					
	Single-Family Detached					4.3.N
	Duplex <sup>3</sup>					
	Multifamily <sup>3</sup>				A	4.3.O
	Stacked Dwelling					
	Residential Subunits/Accessory Units					4.1.G
	Agricultural Labor Housing					
	Single-Family Attached				A	
	Manufactured Housing Park					4.3.F
All Other Housing Living				A		
<b>Home Occupation</b>	Home Occupation				A	4.1.H
<b>Group Living</b> - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	C				4.3.Q
	Large Group Living Facility (includes secure facilities)	C			C	4.3.Q
	Unlimited Group Living Facility	C			C	4.3.Q
<b>INSTITUTIONAL &amp; CIVIC</b>						
<b>Colleges and Vocational Schools</b> - colleges and institutions of higher learning	Colleges and Universities	A	C	C	A	
	Vocational, Technical & Trade Schools	A	A	C	A	
	All Other Educational Institutions	C	C	C	A	
<b>Community Service</b> - uses providing a local service to the community	Community Activity Building	A	C		A	
	All Other Community Service	C	C	C	C	
<b>Cultural</b> - establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museum, Art Galleries, Opera Houses, Libraries	C	C	C	A	
<b>Day Care</b> - care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1-12)	C			C	
	General Day Care	C	C		C	
<b>Detention Facilities</b> - facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories	C		C		
	Community Corrections Facility	C				
	Law Enforcement Rehabilitation Centers	C		C		
<b>Hospital/Clinic</b> - uses providing medical treatment or surgical care to patients	Medical and Dental Clinics	A	C	A	A	
	Counseling Centers (nonresident)	A	C		A	
	Hospital/Mental Hospital	C	C		C	
	Physical and Mental Rehabilitation (resident)	C	C		C	
	All Other	C	C		C	
<b>Parks and Open Space</b> - natural areas consisting mostly of vegetative	Cemetery	A	C	C	C	
	Golf Course	A	C	C	A	



landscaping or outdoor recreation, community gardens, etc.	Campground, Primitive					
	Golf Driving Ranges	A	C	A	C	
	Parks, Lakes, Reservoirs	A	A	C	A	
	All Other	A	C	C	C	
<b>Religious Assembly</b> - meeting area for religious activities	All	A		A	A	4.3.P
<b>Funeral Homes/Mortuaries/ Crematories</b>	All	A			C	
<b>Safety Services</b> - public safety and emergency response services	All	A	A	A	A	
<b>Schools</b> - schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	C			C	
	Elementary Schools				C	
	Secondary Schools	A			C	
<b>Utility, Basic</b> - Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (underground)	A	A	A	A	
	All Other Utility, Basic	A	A	A	C	
<b>Utility, Corridors</b> - passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (above ground)	C	C	C	C	
	Transmission Lines (underground)	A	A	A	C	
	Utility Treatment, Production or Service Facility		C	C	C	
	All Other	C	C	C	C	
<b>COMMERCIAL</b>						
<b>Entertainment Event, Major</b> - activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	C	C		C	
	Outdoor Facilities	C	C	C	C	
<b>Lodging</b> - hotels, motels and similar establishments	Hotels & Motels	A	C		C	
	Bed and Breakfast (1-3 guest rooms)	C			C	4.3.H
	Bed and Breakfast (4-5 guest rooms)	C			C	4.3.H
<b>Office</b> - activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	A	C	A	
	Office with Drive-Through	A	C	C	C	
<b>Parking, Commercial</b> - parking that is not necessary to serve a specific use and for which fees may be charged	All	A	A	A	C	
<b>Recreation and Entertainment, Outdoor</b> - large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds and Camps (non-primitive)	A				4.3.E
	Resort Cabins and Lodges					
	Swimming Pools, Community	A	C		A	
	Shooting Ranges, Outdoor			C		
	Amusement Park	C			C	
	Drive-In Theater	C				
	Miniature Golf	C			C	
	Riding Academy, Roping or Equestrian Area					
	Zoo	C				
All Other Outdoor Recreation	C		C	C		
<b>Recreation and Entertainment, Indoor</b> - large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A	A	C	A	
	Movie Theater	A	A	C	C	
	Skating Rink	A	A	C	C	
	Arcade	A	A	C	C	
	Shooting Ranges, Indoor	C		C		
	All Other Indoor Recreation	A	A	C	C	

**Retail Sales and Service** - firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer & business goods

Adult Entertainment	A		A		4.3.B
Alcohol Sales, retail	A	C	C	C	
Bar/Nightclub	C	C	C	C	
Animal Care/Boarding/Sales, Indoor	A	C	A		
Animal Care/Boarding/Sales, Outdoor	C	C	C		
Delivery and Dispatch Services (vehicles on-site)	A	A	A	C	
Drive-through Uses (Restaurants)	C		C		
Drive-through Uses (Retail)	C		C		
Food Service, Catering	A	A	A	A	
Food Service, Restaurant (including alcohol sales)	A	C	C	C	
Farm Implement/Equipment Sales/Service	A	C	A		
Farmer's Market/Flea Market	A			C	4.3.C
Feed Store	A		A		
Fuel Sales, automotive/appliance	A	C	A		
Fuel Sales, heavy vehicle	C	C	A		
General Retail Sales, Indoor operations, display and storage	A	C	C	C	
General Retail Sales, Outdoor operations, display or storage	A		C		
Landscaping Materials Sale/Greenhouse/Nursery	A		A		
Manufactured Building Sales and Service	A		A		
Produce Stands <sup>2</sup>	A	A	A	A	
Rental Service, Indoor display/storage	A		A	A	
Rental Service, Outdoor display/storage	A		A		
Repair, small appliance	A		A	A	
Repair, large appliance	A		A	A	
Personal Services	A	C		A	
All Other Retail Sales and Services	A	C		C	
<b>Self-Service Storage</b> - uses providing separate storage areas for individual or business uses					
Mini-Warehouse	A	C	A	C	4.3.G
<b>Vehicle Repair</b> - repair service to passenger vehicles, light and medium trucks and other consumer motor vehicles					
Auto and Light Truck Mechanical Repair	A	C	A		
Body Shop	A	C	A		
Truck Stop/Travel Plaza	A		A		
Tire Recapping and Storage	A		A		
All Other Vehicle Repair	C		C		
<b>Vehicle Service, Limited</b> - direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed					
Car Wash	A	C	A	C	
Gasoline Service Station	A	C	A	C	
Quick Lube	A	C	A	C	
All Other Vehicle Service, limited	A		A		

**INDUSTRIAL**

**Manufacturing and Production** - firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods

<b>Indoor Operations and Storage</b>					
Assembly	A	A	A	A	
Food Products	A	A	A	A	
Manufacturing/Processing	A	A	A	A	
<b>Indoor Operations with Outdoor Storage</b>					
Assembly	A	A	A	C	

	Food Products	C	A	A	C	
	Manufacturing/Processing	A	A	A	C	
	<b>Outdoor Operations and Storage</b>					
	Assembly	C	C	A		
	Food Products	C	C	A		
	Manufacturing/Processing	C	C	A		
	All Other Industrial Service, including the storage of hazardous materials and explosives		C	C		
<b>Contractors and Trade Shops</b>	Indoor operations and storage	A	C	A	A	
-	Indoor operations and outdoor storage (including heavy vehicles)	A	C	A	C	
-	Outdoor storage and operations		C	A		
<b>Junk Yard</b>	Junk Yard			C		4.3.D
<b>Impound Lot</b>	Impound Lot	C		C		
<b>Heavy Equipment Storage/Pipe Storage</b>	All		C	A		
<b>Warehouse and Freight Movement</b> - firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading	A	A	A	A	
	Indoor Storage with Outdoor Loading Docks	C	A	A	C	
	Outdoor Storage or Loading		C	A		
	Gas or Petroleum Storage		C	C		
	Sand or Gravel Storage			A		4.3.K
	All Other			C		
<b>Waste-Related Use</b> - uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Non-Hazardous Waste Transfer			C		
	Medical/Hazardous Waste Transfer Station			C		4.3.J
	Solid Waste Disposal Sites			C		
	Recycling Collection Point	C	C	C		
	All Other Waste-Related			C		
<b>Wholesale Sales</b> - firms involved in the sale, lease or rental of products primarily intended for industrial, institutional or commercial businesses	Wholesale Business (No Highly Flammable Materials/Liquids)	A	A	A	A	
	Agricultural Products		C	A	C	
	All Other Wholesale Uses		C	A	C	
<b>OTHER</b>						
<b>Agricultural</b>	Animal Confinement			C		
	Dairy			C		
	Confined Animal Feeding Operation, Feedlot			C		
	Forestry, Commercial					
	Pasture, Commercial			A		
	Winery		C	C	C	
	All Other Agriculture			C		
<b>Aviation or Surface Passenger Terminal</b> - facilities for the landing and take-off of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports	C	C	C		
	Bus/Commuter Stops	A	A	A	A	
	Bus/Railroad Depot	A	A	A		
	Helipads	C	C	C	C	
	All Other Aviation or Surface Passenger Terminal		C	C		
<b>Mining</b> - mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling			C		
	Sand or Gravel Extraction or Processing		C	C		4.3.K
	All Other Mining					

<b>Telecommunications Facilities</b> - devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Telecommunications Facilities & Support Structures	C	C	C	C	4.3.R
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<sup>1</sup> Only allowed as part of a mixed use development.

<sup>2</sup> Produce stands are allowed in residential zone districts only for products produced on the premises provided no hazards are created with parking, ingress, egress and signage and the operation does not disrupt the peace, quiet and dignity of the neighborhood. Produce stands in non-residential zone districts may include products produced off-premise and require a Temporary Use Permit.

<sup>3</sup> In some zone districts, lots originally platted and zoned for detached dwellings require a Conditional Use Permit for attached units. See Section 3.3.

Exhibit 6.5.C  
BUFFERING BETWEEN ZONING DISTRICTS

Zoning of Proposed Development	Zoning of Adjacent Property												
		R-5	R-8	R-12 & R-16	R-24	R-O	B-1	B-2	C-1	C-2 & I-O	I-1	I-2	CSR
SF (Subdivisions)	-	-	-	-	-	-	F	F	-	W	W	W	-
R-5	-	-	-	-	-	-	F	F	-	W	W	W	-
R-8	A&F <sup>1</sup>	-	-	A or F	A or F	A or F	F	F	-	W	W	W	-
R-12 & R-16	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
R-24	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
RO	A	A	A	A	A	-	A or F	A&F	A or F	W	W	W	-
B-1	A&F	A&F	A&F	A&F	A&F	A&F	A&F <sup>2</sup>	A&F <sup>2</sup>	A&F <sup>2</sup>	A or F	A or F	A or F	-
B-2	A	A	A	A	A	A	-	-	-	-	A or F	A or F	-
C-1	A&W	A&W	A&W	A&W	A&W	A&W	-	-	-	-	A or F	A or F	F
C-2 & I-O	A&W	A&W	A&W	A&W	A&W	A&W	A&F	-	-	-	A or F	A or F	A&F
I-1	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
I-2	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
CSR <sup>3</sup>	-	-	-	-	-	-	-	-	-	B	B	B	-

**Notes**

A and B indicate landscape buffer types as described in Exhibit 6.5.D  
 F and W indicate a six foot (6') fence and wall respectively as described in paragraph 1 of Section 6.5.F.  
 A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet (6')  
 The word "or" means either the landscape buffer or fence/wall may be provided.  
 The "&" means that both the landscape buffer and the fence/wall shall be provided.  
 Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.  
 The Director may modify this table based on the uses proposed in any zone district.

<sup>1</sup> Only required for multifamily development in R-8.

<sup>2</sup> Only B-1 that includes a residential component adjacent to nonresidential uses or zoning requires "A&F" buffer.

<sup>3</sup> Gravel operations subject to buffering adjacent to residential.

**Exhibit 6.5.D  
BUFFER REQUIREMENTS**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
<p style="text-align: center;"><b>Type A</b></p> <p style="text-align: center;"><b>Type B</b></p>	<p style="text-align: center;"><b>Eight foot (8') wide landscape strip with trees and shrubs</b></p> <p style="text-align: center;">Twenty-five foot (25') wide landscape strip with trees and shrubs</p>	<p style="text-align: center;"><b>Between different uses Exhibit 6.5.C</b></p> <p style="text-align: center;">Between different uses Exhibit 6.5.C</p>
<p><b>Note: Fences and walls are required for most buffers.</b></p>		

**LETTERS FROM CONCERNED CITIZENS/AGENCIES**

>>> <[Rick\\_Krueger@fws.gov](mailto:Rick_Krueger@fws.gov)> 8/24/2007 5:13 PM >>>

To All Concerned: Penny and Enno Heuscher contacted me earlier in the week concerning the proposal by Brady trucking to operate a trucking operation at the intersection of 27 1/2 and C 1/2 Roads adjacent to the Colorado River. They asked if there were any concerns that the Service might have about the pending proposal Brady has to construct and operate from this site adjacent to the River. I told them that the Service has several concerns that should be addressed:

The Colorado River including the 100 year flood plain is designated critical habitat for two Federally listed endangered fish the Colorado pikeminnow and razorback sucker. In addition two other Federally listed endangered species the bonytail and humpback chub occupy the river in close proximity to this site. If this project requires a Federal action (i.e. 404 permit) then the Federal agency representing the applicant will need to consult with the Service on impacts to all federally listed species.

The Service is very concerned about floodplain encroachment. The floodplain of the Colorado River has been drastically reduced and this is a major concern for the fish. If Brady plans to further restrict the floodplain at this site this could lead to increased velocities in the river and decreased over-bank flooding which is essential to the life cycles of endangered fish. If their proposal decreases the overall capacity of the floodplain this could be a concern by increasing the potential for flooding up stream and downstream of the constriction point. This tends to lead to more requests for higher dikes to protect these areas causing even further degradation of floodplain habitat. In addition, maintaining a riparian buffer (setback areas) along the river is important for a number of species including migratory birds, another Service trust resource. Riparian areas have a number of functions besides providing habitat for birds and terrestrial species they act as a flood buffer, providing decreased velocities and creating sediment depositional areas. They also provide a source of nutrients to the river as bank side vegetation grows and falls into the river. This provides the nutrients that produce the bugs and aquatic microfauna that fish and other riparian species depend upon to live and reproduce.

As I understand it, the proposal is for a trucking operation at this site. Run-off from parking areas and loading areas are a concern from a contaminants standpoint. We would request that all storm water from the site pass through an oil/trash/water separator before entering the Colorado River. The potential for contaminants entering the river from a trucking operation are quite high and the potential for fish to be exposed to contaminants is a concern. We have had discussions with city engineers in the past about the use of water/oil separators at key areas within the valley to protect the river from contaminants. It may be prudent to look at the stormwater within the total drainage area and determine if a central collection point should be created with an oil/ water separator designed into the containment/detention pond.

The Service has been an active participant supporting the Riverfront Commissions efforts to restore the river corridor to a more natural environment and remove historic industrial uses/users. Protecting our riverfront should be a common cause of the Grand Junction community. Most areas within the nation now recognize the value that river floodplains provide including: reducing flooding potential, providing wildlife habitat and recreational opportunities through trails and open space and natural contaminant buffers. The city and county should take an active role by changing zoning along the rivers to provide a natural buffer by rezoning former industrial and urban development designations to open space as opportunities become available. This will preserve the Grand Valley's overall appeal and provide protection which may lead to delisting of the four Federally endangered fish that occupy our Rivers.

Rick Krueger  
U.S. FWS, Contaminants Specialist  
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Grand Junction, CO 81506  
Phone: (970) 243-2778  
Fax: (970) 245-6933  
e-mail: [Rick\\_Krueger@fws.gov](mailto:Rick_Krueger@fws.gov)



Dear Commissioners,

The proposal to establish a trucking operation at the intersection of 27 1/2 and C 1/2 Roads adjacent to the Colorado River should not be approved. Maintaining a riparian buffer along the river is important for a number of species including breeding, wintering, and migratory birds, and allowing such operations would negatively affect an already threatened resource.

Despite its occupying approximately one percent of the region's surface area, lowland riparian habitat provides support for up to 80% of the resident bird species during some part of their life cycle. Colorado Partners in Flight (a cooperative effort of governmental agencies, conservation groups, industry, the academic community, and private individuals) points out in its Bird Conservation Plan, " This system has the richest avian species component of any of Colorado's habitats." A recent study identified more than 200 bird species using a single mile of this habitat in the Grand Valley during a one-year period, including species of conservation concern such as Bald Eagle and Peregrine Falcon. Another recent survey identified the Grand Valley riparian corridor as the best representative of this habitat in Western Colorado. Because the Grand Valley riparian corridor provides critical habitat for such a large percentage of the state's bird species, Audubon of Colorado has recognized it as one of Colorado's Important Bird Areas.

Lowland riparian is, of all of our varied habitat types, the one most susceptible to loss and degradation by urban and industrial development. Allowing a trucking operation on the river's banks would be counter to the Riverfront Commission's efforts to restore the river corridor to a more natural environment by removing historic industrial uses/users. Protecting the riverfront and its riparian habitat should be a high priority for the Grand Valley. Most areas within the nation now recognize the value that river floodplains provide by reducing flooding potential and providing wildlife habitat and recreational opportunities. The city and county should take an active role in developing these values by rezoning former industrial and urban development designations to open space as opportunities become available.

Rich Levad

(co-author, "Birds of Western Colorado: Plateau and Mesa Country")

August 28, 2007

To the Grand Junction City Council Members and the Grand Junction Planning Commission:

**Re: The South Downtown Plan and the Brady Trucking Zone of Annexation Between C ½ Road and the Colorado River**

The zoning decisions for the Brady property along the riverfront will present a golden opportunity for the Grand Junction City Council Members to take responsible action regarding the future of the South Downtown area of our fair city.

Many people have worked diligently and unselfishly on the future of this important area of our city and there are compelling reasons for this area to be zoned for Mixed Use. The area is in the flood plain and US Fish and Wildlife Service is very concerned about floodplain encroachment. In addition, there are many homes directly across the river from the Brady property that are impacted by the noise and the unsavory view that a large trucking company, that is billed as an Oil Field Hauling and Trucking firm, would result in.

This is prime real estate that should be used to enhance our city. A riverfront location in the downtown area would be a perfect location for restaurants, parks and river trails, as many other cities throughout the country have chosen to provide for their citizens.

Other cities (see attached) have had to spend millions of dollars to change their riverfronts from prior heavy industrial use to residential, parks and neighborhood enhancing businesses, such as restaurants and theaters. It makes no sense to zone the area in question for industrial use when the potential for better alternatives is so apparent. Stating that it should be zoned for heavy industrial use because it was always that way is not taking the longer view, and it is the longer view that needs to be taken. Looking forward to what this area could look like and the tremendous income it could produce for the city is what needs to be considered. As a concerned citizen and as an active member of the Grand Valley Audubon Society, I urge the City Council Members to take this unique opportunity to improve our riverfront by voting to have this area zoned for Mixed Use.

*American cities transform themselves from places of industry and commerce to centers of culture and refinement.*

*Chief Joseph: "Without Vision the People Perish"*

Sincerely,  
Paul Didier,  
2808 Laddie Way  
Grand Junction, CO 81506  
242-8643  
didier@cheerful.com

## MUNICIPAL RIVERFRONT IMPROVEMENTS

### ***American cities transform themselves from places of industry and commerce to centers of culture and refinement.***

1 Portland,  
OR

<http://www.tbrpc.org/waterfront/riverpl.htm>

By the early 1970s, Portlanders were deciding how they could reclaim their waterfront. A masterplan was already in place known as the Downtown Waterfront Urban Renewal Plan. The plan sought to strengthen the link between the waterfront and the central city. Portland's commitment to the South Waterfront began in 1975 when the City Council amended the plan and extended the urban renewal boundary south to Montgomery Street. In 1976 a landmark decision removed Harbor Drive, a four-lane expressway that cut off downtown from the river. The stage was set for Portlanders to again have access to their riverfront! In 1979, the Planning Commission and City Council adopted the South Waterfront Development Program developed by the Portland Development Commission. Between the years of 1980 and 1983 the Marina basin was dredged, utility relocation and street construction work were completed and the Waterfront Park Extension from the Hawthorne Bridge to Montgomery Street was underway.

2 Pittsburgh,  
PA

[http://www.friendsoftheriverfront.org/new\\_pages/links.htm](http://www.friendsoftheriverfront.org/new_pages/links.htm)

Read about Pittsburgh's extensive revitalization of its riverfronts - all three rivers at the above website.

3 St. Louis,  
MO

<http://stlouis.missouri.org/government/duffy/riverfront.htm>

<http://www.explorestlouis.com/meetings/newPackage.asp?PageType=3>

**The Riverfront Master Plan** - St. Louis' historic riverfront is being re-made for the future thanks to a new Master Plan. A mile-long stretch of the Riverfront from the Poplar Street to the Eads bridges will be transformed into an inviting and vibrant destination with greenways, dining, attractions and a focus on the Mississippi River. The plan also will create new spaces for public performances to enhance the popular Live on the Levee summer concert series and allow for additional riverfront events.

4 Philadelphia,  
PA

[http://www.schuylkillbanks.org/admin/controls/doc/2\\_20051213115749.pdf](http://www.schuylkillbanks.org/admin/controls/doc/2_20051213115749.pdf)

The New Schuylkill Riverfront - Master Plan and Priority Projects - Along the banks of the Schuylkill River, south of the Fairmount water works, a long-awaited transformation is taking place. It is not just the new trail that bends around a gracious turn in the river and continues to Locust Street. It's in the hearts and minds of Philadelphians who are experiencing the Schuylkill for the first time and discovering the joy of bringing the river back into the fabric of our lives. For many years, the lower section of the Schuylkill River has deserved only a casual glance. Due to more than a century of industrialization, it has lost the lush green banks that attracted early Dutch explorers and the city's forefathers who strategically aligned the city's development along its verdant edge. Look again.

5 Des Moines,  
IA

<http://www.lib.drake.edu/heritage/odm/article.html>

As landscape architecture, municipal art and city planning gained increasing favor nationally, local architects turned to matters of site planning. At the request of the Civic Improvement Committee of the Greater Des Moines Committee (connected with the Commercial Clubs), Frank E. Wetherell prepared the "Plan of Improvement of River Front" in 1908.

- 6 Fort Wayne,  
IN

<http://downtownfortwayne.com/story.php?cat=1&sub=253&uid=134>

Municipal Riverfront Improvement District/ CREeDAn infill strategy for the downtown core is being developed that will weld these two sets of incentives to grow **mixed-use** projects, featuring first floor retail/restaurants and upper floor housing as well as integrating arts and culture into a number of smaller developments. Setting the conditions to spur creative industries is the key goal of the strategy.

- 7 Sunbury, PA

<http://www.seda-cog.org/nor-sunbury/cwp/view.asp?a=863&Q=430769>

The goal of the Sunbury Riverfront Park Project is to create aesthetically pleasing riverfront improvements that combine flood protection with quality park and recreation services and facilities that benefit the diverse recreational interests of its residents, and provides access to the Susquehanna River and Lake Augusta, while serving as a catalyst for economic development.

- 8 Bellevue, IA

<http://www.iowaleague.org/AboutCities/CIA.aspx?id=113>

The majority of Bellevue's riverfront area had been improved with brick sidewalks, picnic tables, benches, and lighting, however the south river front was still in need of these improvements. The river front is used extensively by the community and tourists for recreation and completing the South Riverfront Park Project would finish the entire riverfront area and be another step closer to eventually encircling the entire city with a walkway system. The additions were completed in June of 2004.

- 9 Albany, GA

<http://www.albanytomorrow.com/projects/projects.html>

Both new and rehabilitated structures are included in Albany Tomorrow's proposed \$1.5-\$2 million development of the downtown street closest to the Flint River. The Flint River Entertainment District is envisioned as a dense mix of specialty retail, entertainment and dining establishments linking the Flint RiverCenter, the hotel and conference center, the Flint River Walk, the Albany Civic Center and riverfront amenities such as docks, plazas, parks and trails. The area would feature streetscape and lighting improvements as well as courtyards, open-air tables and inventive storefront treatments. Development along the west side of Front Street in the block between Broad and Pine Avenues is emphasized.

- 10 Henderson  
City, KY

<http://www.courierpress.com/news/2007/jul/15/riverfront-improvements-meeting-set/?gleaner=1/>

the commission will meet in a workshop, at which time it will discuss the list of possible riverfront improvement projects.

- 11 Rockland  
County NY

<http://www.co.rockland.ny.us/planning/landuse/rivercomm.htm>

Communities have officially agreed to work together toward preserving and enhancing one of our greatest assets, our riverfront communities

9/6/07

Dear Kristen,

Please keep the zoning mixed in the property across from Eagle Rim Park along the Colorado River. I live in Orchard Mesa and often use the bike trail in this area. It would be so great to have a picnic area here and a pond for herons and water fowl. The first summer after I moved here (2004), there was pond where the truck parking lot is now. It was filled with roosting herons. It was so neat.

Thank you.

Sincerely,  
Roberta Hettinger  
2754 Laguna Drive  
GJ, CO 81503

9/6/07

I am requesting that the Brady land be zoned as mixed use. We need to preserve the land along the Colorado River for future beautification efforts compatible with the Riverfront Trail, the new parkway, the Botannic Gardens and Eagle Ridge Park across the river. It is not a good economic decision to zone these three parcels for light industrial and industrial/office use. Grand Junction's future economy will be better served by beautifying the south downtown area. Because we are attracting more and more tourists and retirees to our area, we need to enhance areas along the river as one of the important tools to continue to attract more tourists and retirees to our city. They are the true basis of Grand Junction's current and future economy - they bring MONEY with them! There are other areas in our city, such as along the Business 50 bypass, more appropriate for industrial use.

Sincerely,

Barbara Hill

9/6/07

Grand Junction Planning Commissioners:

Please keep the Brady land zoned as mixed use. Cities across the country are realizing the value of riverside property, with beautification projects, riverside walks, etc.

The Colorado River runs through the center of Grand Junction, and as our centerpiece should not look like a junkyard or industrial site. A junky looking riverside does not bode well for the future of Grand Junction.

Rather than zone more land along the river as industrial, Grand Junction needs to be thinking of options to move existing industrial sites away from the river.

When the oil and gas jobs dry up, Grand Junction's natural beauty will be a big draw to the area. The Colorado River is the centerpiece of Grand Junction and should be a big piece of that picture.

Keeping the Brady land zoned as mixed-use is a step in the right direction for the future of Grand Junction.

Thank you,

Roy High  
2821 Columbine Park Court  
Grand Junction, CO 81501  
970-245-5267

9/6/07

Dear Kristena et al:

Since my move to Grand Junction five years ago this week, I've wondered why? My town which is named after the river junction, does not celebrate that fact by beautifying its river front!!

Please zone the Brady land as "Mixed use" rather than Light industrial or industrial/office.

Respectfully,  
Concerned citizen Barbara H. Fredell

9/11/07

To the City Planning Commission,

Re: Zoning the former rendering plant property on the banks of the Colorado River.

Much has been said about the property on the riverfront, which the Brady Trucking company wants to use for its oil field hauling and trucking operations.

My purpose in writing today is to urge you to make a decision on this zoning issue that will be right for the people of Grand Junction and Mesa County. Relying on what the land was used for in the past is no longer a valid argument. We are now in the 21st century and continuing growth of the city and county requires decisions that apply to tomorrows needs, not yesterdays.

This part of Colorado will continue to expand more rapidly than the rest of Colorado and your planning position is one of public trust. The people respect each of you because they know they can rely on you to represent their interests. You have a huge responsibility and we the people expect our interests to be represented fairly and in a manner that will benefit the majority of us.

Recommending a plan of action to the City Council in favor of one company that just arrived on the scene is inappropriate. Some recommendations that you are asked to make are more difficult but nevertheless we expect you to rise to the challenge and recommend accordingly. It is in this spirit of respect that I come to you concerning this important issue for the people I represent.

Thank you for your consideration.

Sincerely,

Paul Didier  
Grand Valley Audubon Society

9/7/07

Dear Council Members,

I recently moved my family here from the mountains of Colorado. Prior to the move, I had heard many of the old cliches about Grand Junction being a heavily industrialized town with unbounded noise and air pollution. An initial survey of the area a couple of years back certainly gave credence to some of the claims that I was hearing, but as I looked beyond the surface, I saw that there were some very commendable changes taking place. Just this past year I have seen a tremendous amount of clean-up along the Colorado River corridor in the area of the 5th street overpass. The Riverside project certainly speaks to a vast improvement of roadway and the adjoining Riverfront Park has been a pleasure to enjoy, even in its earliest stages of development. In reality, I have been quite happy with the efforts and changes that I have seen, and I trust in the vision that has been set forth in developing the quality of life in the Grand Junction area.

I have heard that there is a zoning request for property held by Brady Trucking on newly-annexed land adjoining the Colorado River located on 27-1/2 Road. I strongly urge the City Councilmembers and Planning Commission to give said property a "MIXED USE" zoning designation rather than the industrial designation that is being requested. A re-encroachment of industrial use into this area would truly be a contradiction to all the money and effort that have gone into cleaning up this part of the river corridor and our urban setting.

No doubt there is a need for industry supportive of the energy development that our area is presently experiencing. However, such industries need to be located in areas where their impacts do not degrade the quality of our urban and suburban settings. Added to this, placement of such industries in sensitive river corridors and floodplains would contradict wise-planning and jeopardize the very setting we are trying to restore.

I would strongly ask that the City Council and Planning Office continue the vision of the riverfront improvements and zone the land in question as MIXED.

Sincerely,

Jim Liewer and family  
430 Prospectors Point  
Grand Junction, CO 81503



Distributed during  
the Sept. 11, 2007 PC  
meeting.  
(File Copy)

Penny Heuscher  
Grand Junction, Co.

Good Evening COMMISSIONERS

**JIM ROBB , JUDGE ELA** AND MANY OTHERS LED THIS COMMUNITY WITH GOVERNMENTS IN FORMULATING A VISION FOR OUR RIVERFRONT. GREAT STRIDES HAVE BEEN MADE TO IMPLEMENT THIS EXCITING, WONDERFUL VISION THAT PROMOTES HEALTHFUL RECREATIONAL USES OF OUR RIVERFRONT. WE HAVE SPENT MILLIONS TO clean IT up AND get the job done. We found an APPROPRIATE LOCATION FOR JARVIS.

.....THE POINT IS: WE HAVE TAKEN INDUSTRIAL OFF THE RIVER! WE BUILT A BEAUTIFUL PARK, EAGLE RIM ON THE SOUTH BANK. SPENT NEARLY TWO MILLION ON EAGLE RIM OVERLOOKING THE RIVER AND THE VALLEY.

RIVERBANK PROPERTY WAS RECENTLY PURCHASED BY BRADY TRUCKING ,AN OUT OF STATE FIRM. THIS BANK PROPERTY HAD COUNTY INDUSTRIAL ZONING FOR MANY YEARS BUT WE WOKE UP TO THE FACT THAT RIVERS AND THAT RIPARIAN HABITATS ARE IMPORTANT. WE LEARNED THAT INDUSTRIAL ZONING IS NOT APPROPRIATE FOR SENSITIVE AREAS. . IT HAS BEEN ANNEXED INTO GRAND JUNCTION. TONIGHT WE ARE RECOMMENDING ZONING. THERE IS A RANGE OF ZONING POSSIBILITIES FOR IT.

**PAUL JONES** OF THE RIVERFRONT FOUNDATION HAS STATED THAT INDUSTRIAL IS "NOT A FIT" FOR THIS PROPERTY.

WE IN GRAND JUNCTION HAVE THE OPPORTUNITY TO PLACE ZONING THAT FITS WITH THE RIVER, WE RECOMMEND MIXED USE ZONING FOR THE FOLLOWING REASONS,

IS MORE PROTECTIVE OF THE FLOOD PLAIN AND THE ADJACENT ENDANGERED FISH,

MIXED USE WOULD TRANSITION WITH THE ZONING OF THE ADJACENT LAS COLONIAS PARK AND THE NEW REC CENTER.  
IT FITS BETTER WITH EAGLE RIM ABOVE IT ON THE OPPOSITE BANK.,

The SOUTHDOWN PLAN SEEKS TO PROTECT VIEWS FROM EAGLE RIM. THAT IS IN THE DOCUMENT. MIXED USE DOES NOT ALLOW OUTDOOR STORAGE AND THEREFORE WOULD BE IN AGREEMENT TO THE SOUTH DOWNTOWN PLAN - WHEREAS , Industrial -1 I-1 WHAT THEY WANT FOR THE



LARGEST PART OF THE PROPERTY AND INDUSTRIAL OFFICE ARE NOT IN AGREEMENT WITH THIS NEW PLAN.

KEEP IN MIND THAT NO AMOUNT OF SCREENING CAN BUFFER THE VIEW FROM THE PARK HIGH ABOVE THE RIVERBANK .OR FROM RESIDENTIAL AND **YES WE WERE HERE FIRST**. WE HAVE HAD OUR RESIDENTIAL ZONING IN THE CITY FOR MANY YEARS THE TRUCKING COMPANY IS APPLYING JUST NOW FOR ZONING IN THE CITY.

PERHAPS WHEN THEY BOUGHT THE PROPERTY, THEY WERE LED TO BELIEVE IT WOULD BE INDUSTRIAL.

INDUSTRIAL ZONING BY ITS' NATURE IS NOISY THE HORRIBLE LOUD RACKET FROM THE BRADY SITE THIS SUMMER WAS UNACCEPTABLE TO ANY ONE IN THE AREA NOT GOOD FOR-TRAIL USERS OR RESIDENTS OR VISITORS TO ADJACENT PARKS.

**MIXED USE IS RECOMMENDED BY PLANNING STAFF AS AN ALTERNATIVE AS STATED IN YOUR STAFF REPORT. SEE PAGE( ) WE RECOGNIZE THE VALUE IN MIXED USE AND SEE IT AS THE BEST ZONING IF YOU MUST RECOMMEND ZONING FOR THIS AREA NOW.**

**DR. FINDLEY** OF THE RIVERFRONT FOUNDATION BELIEVES THAT A LAND TRADE SHOULD BE IMPLEMENTED.

We prefer a land swap so that Brady can have a suitable site away from the river with access and zoned appropriately and the city could use this land for park and recreation purposes. We believe we have found suitable land that could be used for the swap.

COMMUNITY RECREATIONAL ZONING IS THE ULTIMATE BEST FOR THIS RIVERBANK. A LAND TRADE FOR BRADY WOULD SOLVE THIS DILEMMA AND IT WOULD TRULY BE BEST FOR THE RIVER AND OUR COMMUNITY.

PLANNING COMMISSIONERS, YOU SERVE AS VOLUNTEERS JUST AS JIM ROBB DID FOR THIS COMMUNITY. HE AND MANY OTHERS WORKED FOR THIS COMMUNITY TO ACTUALIZE WHAT THOUSANDS OF PEOPLE WANT -A GREEN RIVERFRONT WITHOUT INDUSTRIAL RACKET AND FUMES

THANK YOU FOR YOUR ATTENTION AND SERVICE.

**From:** "Tom acker" <tacker@mesastate.edu>  
**To:** <kristena@gjcity.org>  
**Date:** 9/2/2007 12:44 PM

Dear GJ zoning board,  
Please zone the Brady parcel as "mixed use" instead of light industrial. Try and conserve the the concept which create Eagle Rim Park and the honor the location of the marker commemorating the plaque marking the crossing place of the brave trappers and explorers the preceded us.  
Thanks.  
Tom Acker

Thomas Acker  
Associate Professor of Spanish  
Mesa State College  
1100 North Ave.  
Grand Junction, Colorado 81501  
(970)248-1068  
<tacker@mesastate.edu>

**From:** WAYNE FLICK <waflick@yahoo.com>  
**To:** <kristena@gjcity.org>  
**Date:** 9/2/2007 9:34 AM  
**Subject:** Rezoning of near the Colorado River

To Whom It May Concern:

This is about the proposed zoning change directly across the river from the popular Orchard Mesa Eagle Rim Park and adjacent to the river trail and foot bridge in Las Colonias Park. Brady Trucking is requesting that the city change the zoning to Light Industrial for the westerly parcel and to Industrial/Office for the two easterly parcels. All three parcels on directly on the river and most of the land falls within the floodplain.

I'm asking that you instead zone the Brady land as MIXED USE rather than Light Industrial or Industrial/Office. This will potentially do much less damage to the river as the former zoning.

Thank you for your consideration of this matter.

Sincerely,  
Wayne Flick  
3026 Cline Ct  
Grand Junction, CO 81504  
970 433 2035  
waflick@yahoo.com

**From:** "Norm Kronvall" <kron530@bresnan.net>  
**To:** <kristena@gjcity.org>  
**Date:** 9/3/2007 5:32 PM  
**Subject:** Riverfront

As a concerned citizen, We (my husband and I) are appealing to you to turn down the Industrial use along the Colo. River near Eagle Rim Park. This seems like backwards planning to us! After all so many people have done to try to clean up our beautiful river, let's keep it that way, it's healthier for all, people and critters. Thanks for your attention to our deep concerns, Sincerely, Mary and for Norm Kronvall



**From:** "Dave Murphy" <dave.murphy@bresnan.net>  
**To:** <kristena@gjcity.org>  
**Date:** 9/2/2007 1:09 PM  
**Subject:** Re-zoning of Riverfront property

Dear Planning Commission:

I am concerned about possible harmful impacts from a proposed re-zoning of land along the Colorado River in the Grand Junction South Downtown area. Brady Trucking wants land they own to be re-zoned as Light Industrial or Industrial / Office. The potential re-zone would allow the company access to land along the river, removing the potential for beautification efforts along this stretch of the river corridor in the future. I urge you to have this area zoned as Mixed Use to allow for greater protection of this critical area. Thank you-

Dave and Crystal Murphy  
2341 Promontory Ct  
Grand Junction, CO 81503  
970-241-7958

**From:** "joantom" <joantom@bresnan.net>  
**To:** <kristena@gjcity.org>  
**Date:** 9/3/2007 11:21 AM  
**Subject:** Brady Trucking Re-zonging request

Dear Planning Commissioners:

What is the City thinking??? First we see billboards and an energy services facility on Redlands Parkway leading towards the Monument. These are huge eyesores detracting from one of the major natural attractions of the Grand Valley. And now light industry along the riverfront? If we're going to have massive sprawl, we need at least to preserve and enhance the areas that make (or made?) the Valley so attractive. Please - zone this area Mixed Use and work to make it part of a premier walking/biking corridor.

Thanks for considering my views.

Joan Woodward  
254-1656

**From:** "Harriet Stephens" <hstephens1@bresnan.net>  
**To:** <kristena@gjcity.org>  
**Date:** 9/4/2007 4:46 AM

Re: Zoning of the Brady land

We need to be looking to clean and beautify the GJ riverfront; not industrialize it. There are other location options for industrial business, but there are not other locations for parks or amenable business desiring a riverfront ambiance. Also, this land is located in a floodplain and I hate to think of a flood in an industrial area - the resulting pollution to the river. Other cities are working hard to clean up thier riverfronts'; we have an oppportunity to not mess ours up in this location.

Please zone this area mixed used.

Thank you  
Harriet S. Stephens  
1150 Primrose Ln  
Fruita, Co 81521

**From:** <Montelizabeth@aol.com>  
**To:** <kristena@gjcity.org>  
**Date:** 9/4/2007 12:28 PM  
**Subject:** riverside property is not the best option for industrial sites

Grand Junction Planning Commission:

Please keep the Brady land as mixed use. Cities across the country are realizing the value of riverside property, with beautification projects, riverside walks, etc.

The Colorado River runs through the center of Grand Junction, and our centerpiece should not look like a junkyard or industrial site. A junky looking riverside does not bode well for the future of Grand Junction.

Rather than zone more land along the river as industrial, Grand Junction needs to be thinking of options to move existing industrial sites away from the river.

When the oil and gas jobs dry up, Grand Junction's natural beauty will be a big draw to the area. The Colorado River as the centerpiece of Grand Junction to be a big piece of that picture.

Keeping the Brady land as mixed-use is a step in the right direction for the future of Grand Junction.

Thank you,

Roy High  
 2821 Columbine Park Court  
 Grand Junction, CO 81501  
 970-245-5267

\*\*\*\*\*

Get a sneak peek of the  
 all-new AOL at <http://discover.aol.com/memed/aolcom30tour>

**From:** "nancy terrill" <nordicski@msn.com>  
**To:** <kristena@gjcity.org>  
**Date:** 9/4/2007 11:27 AM  
**Subject:** Mixed use urged--Brady property

Hello Kritena,

I am very concerned about the riverfront property leased by Brady Trucking. I oppose any industrial use of the riverfront and strongly urge the City to give a "Mixed Use" designation to this property. We have an opportunity to make the riverfront more beautiful, not less beautiful, and this wonderful life-giving resource will stay clean and an area of recreation, enjoyment and pride for our community.

Sincerely,  
 Nancy Terrill  
 300 Cedar Ct.  
 Grand Junction

**From:** "larry arnold" <larnold47@msn.com>  
**To:** <kristena@gjcity.org>, "larry arnold" <larnold47@msn.com>  
**Date:** 9/4/2007 12:29 PM  
**Subject:** Re: Brady Land at 27.5 Road in GJ

**CC:** "aileen lotz" <redwing@bresnan.net>, "andrea" <arobinsong@paonia.com>, "...

I neglected to mention that this is in reference to GJ Land Development Application Pending #2007-051. The area is accessible via 27.5 Road off of D Road and is well marked with yellow signs, Re: action pending (just in case anyone wants to go have a look). The Riverfront trail should be continued through that area rather than dumping both foot- and bicycle-traffic out onto C and 1/2 Road as it currently does. That riverfront property simply is not the right location for any type of industry, even "light industry" or office buildings. At dawn this morning, there were numerous waterfowl, wading birds and shorebirds moving up and down the river at that location.

Larry

----- Original Message -----

From: larry arnold<mailto:larnold47@msn.com>  
To: kristena@gjcity.org<mailto:kristena@gjcity.org>  
Cc: aileen lotz<mailto:redwing@bresnan.net> ; andrea<mailto:arobinsong@paonia.com> ; billday<mailto:billday@paonia.com> ; Carole Brysky<mailto:cbandfitzie@yahoo.com> ; coen dexter<mailto:coenbrenda@yahoo.com> ; Craig Dodson<mailto:cddodson@mesastate.edu> ; jacob cooper<mailto:certhia@bresnan.net> ; jason BEASON<mailto:jasonbeason@tds.net> ; JMoston<mailto:JMoston@aol.com> ; john toolen<mailto:jtoolen@bresnan.net> ; kathy kuyper<mailto:chswift@hotmail.com> ; riversidepkwy<mailto:riversidepkwy@gjcity.org> ; Robert Bradley<mailto:thrasher@bresnan.net> ; ron\_lambeth<mailto:rolambeth@yahoo.com> ; ronda woodward<mailto:woodward@wic.net> ; Terri AHERN<mailto:ahernterri@msn.com> ; levadgj@bresnan.net<mailto:levadgj@bresnan.net> ; paul&fran didier<mailto:didier@cheerful.com>  
Sent: Tuesday, September 04, 2007 9:55 AM  
Subject: Brady Land at 27.5 Road in GJ

04 September 2007

GJ Planning Commission,

The "Brady property" on the Colorado River at 27.5 Road should NOT be zoned as industrial, whether "I-1" or "I-O" for the following reasons:

\* People live across the river from that area and it would degrade their neighborhood with noise pollution, light pollution, air pollution, etc

\* ANY industrial activity in a riverine habitat will negatively impact water quality of both surface and ground water, in this case the Colorado River, and down the road somebody will be faced with an expensive cleanup effort and/or fines. Guaranteed. It happens every time.

\* Much of this area is in the floodplain, meaning there WILL be release of hazardous materials into the river when flooding occurs.

\* Industrial zoning would sabotage the city's efforts toward a green belt and "mixed use" goals, and would also deny future protection of an important wildlife corridor.

Sincere thank you for your consideration,  
Larry Arnold  
308 Country Club Park  
Grand Junction, CO 81503

970-263-0115



**From:** "Brian Olson" <b.olson37@bresnan.net>  
**To:** <kristena@gjcity.org>  
**Date:** 9/5/2007 9:48 AM  
**Subject:** Brady Property on Colorado Riverfront

Kristena,  
With all the positive things that are happening in the southern downtown area of Grand Junction and along the riverfront, it would be a step backward to allow the Brady property along the river to be zoned anything but for MIXED USE.

Thank you.  
Brian Olson  
2068 Snow Mesa Lane

**From:** Pamela J Parrish <pparrish@mesastate.edu>  
**To:** <kristena@gjcity.org>  
**Date:** 9/4/2007 7:19 PM  
**Subject:** Brady Land by the river

Hello--I'm in favor of zoning the Brady land by the Colorado river as mixed use vs industrial of any type. Industrial zoning by any river seems regressive and we can look back through time and see what a mess our rivers have been due to this kind of zoning and backward thinking. Please, let's use progressive forward thought and visualize how beautiful the river corridor should be, along with the Los Colonias park.  
Pam Wieser

**From:** "Michael Marquardt" <mrmarquar@msn.com>  
**To:** <kristena@gjcity.org>  
**Date:** 9/5/2007 10:25 AM  
**Subject:** Brady land zoning

To whom it may concern:

I am hoping that you and the Planning Commission will recommend a zoning category of "mixed use" for the Brady land rather than "light industrial" or "industrial/office". As more and more of our open land is devoured by development, please listen to your citizens that we want to retain as much open space as possible, especially on the river front. Objections by neighbors should be carefully considered, as the proposed changes directly affect them and their property. I am particularly concerned as I ride the bike trail down from Orchard Mesa and along the river in that very area on my commutes into the city from Whitewater. At present, that stretch of ride is quiet, clean, and calming, and I would hate to see noise and pollution from industrial activity replace that oasis-like quality.

Thank you for listening.

Sincerely,

Michael R. Marquardt  
Whitewater

**From:** "MARTY GARVEY" <mgifts2@msn.com>  
**To:** <kristena@gjcity.org>  
**Date:** 9/5/2007 11:32 AM  
**Subject:** Brady Trucking rezone

Rezoning for one special interest sets a bad precedent for all zoning regulation enforcement and will lead to spot zoning throughout the county. An exemption for Brady trucking is just such an example of poor zoning practice and is not in the best interest of Mesa County residents. Margaret B. Garvey

**From:** "Carol Ortenzio" <protenz78@gmail.com>  
**To:** <kristena@gjcity.org>, <jimd@gjcity.org>, <lindat@gjcity.org>, <greggp@g...>  
**Date:** 9/5/2007 2:11 PM  
**Subject:** Brady Land Zoning

I am writing to voice my objection to making the Brady Trucking land purchase at 27 1/2 Road I-1 & I-O. This land should be zoned MIXED USE.

The City of Grand Junction & Mesa County have spent years cleaning up this area of the riverfront at a very high cost. As you already know, uranium mill tailings have been removed from the site. Salvage yards & other heavy industrial uses were purchased & removed as part of the riverfront project. To place industrial zoning on this parcel opens the door to re-polluting the area, totally negating the efforts to clean up the riverfront & wasting monies spent on clean-up.

Also, the many homes across the river from this property would be impacted by noise, offensive odors, & an industrial view of the trucking company. This is property that should enhance, not degrade the city. We should be planning a riverfront area that is the ideal location for parks & trails, restaurants, shops, & other possibilities such as a band shell or even concert hall. Other cities have beautified their riverfronts & brought revenue & beauty to their city. Imagine the income from local & tourist dollars it could bring in!

This area is in a flood plain. With an industrial zoning, there brings the increased risk of pollution & damage to the waters & endangered fish in the Colorado River. Our water is much too valuable to risk.

Let's not become a city of ugly vistas. Let's continue on our journey to become an area of culture & beauty.

PLEASE, make these 3 parcels MIXED-USE ZONING CLASSIFICATION.

Thank you.

Carol Ortenzio, 306 Dakota Drive, GJ 81503

**From:** Bill Haggerty <haggerty20@bresnan.net>  
**To:** <kristena@gjcity.org>  
**Date:** 9/5/2007 6:36 PM  
**Subject:** use of Brady property...

To Whom it May Concern: I'm amazed that after nearly two decades of clean-up along the Colorado River, the planning commission would even consider a light industrial designation for property near the Western Colorado Botanical Gardens. I have personally spend hundreds of hours helping to clean up the riverfront property around Watson Island and many other parcels. I've spent even more time promoting it as a clean, healthy environment we can all enjoy. Please do not designate this area as light industrial. I believe that is a step in the wrong direction.

Sincerely,

Bill Haggerty

--

Bill Haggerty  
250 E. Fallen Rock Rd  
Grand Junction, CO 81503  
970.245.7028 (h)  
970.270.3509 (c)  
haggerty20@bresnan.net



**From:** "Magoon, Janet " <jmagoon@mesa.k12.co.us>  
**To:** <kristena@gjcity.org>, <belindaw@gjcity.org>, <planning@gjcity.org>, <la...>  
**Date:** 9/5/2007 4:49 PM  
**Subject:** Industrial zoning on the river-

Members of the Planning Commission, City Council members, Mayor Doody and Laurie Kadich,

The zoning issue addressing the Brady Parcels along the banks of the Colorado River did first come to my attention because I reside across the river, however, my personal interest goes far beyond the scope of my neighborhood. Since I do have property above that area, I am extremely concerned about noise/odor/lights as are most of my neighbors and every park user I have spoken with.

Beyond that, as a concerned citizen of Grand Junction, I find the opportunity of developing Las Colonias Park and linking it to Eagle Rim Park incredible! It will unify the two parks, and a foot bridge in-between is a unique asset for commuters, nature enthusiasts, and park users. I find the future use of the 3 Brady parcels on the river bank of extreme importance from a visual and noise aspect for both parks but especially for Eagle Rim Park. It IS an awesome view from the rim and sound carries easily over the water. The Spanish Trail memorial was just placed over-looking that area. We need to make it presentable along the river for all those who value the river as the essence of life in this desert valley. An "eyesore" IS an eyesore and although Brady Trucking has not declared what they intend to put on potentially zoned I-1 land, let's face it, no amount of landscaping can obscure the view from the Eagle Rim Park.

More importantly, as a concerned citizen of the United States, I find industrial zoning along the bank of the Colorado River (in a flood plain, no less!) a reckless and irresponsible proposal. Industrial zoning would allow for heavy vehicles and equipment, outdoor storage and outdoor operations/manufacturing. We have seen what happens when big trucks have accidents or leak contents...it does not belong on the river. Brady has I-1 zoning right across the street. That is close enough to the river for that sort of zoning.

After much thoughtful consideration and input from a multitude of good people with healthy, futuristic visions, my hope for the area (if CSR is not an option) would be to zone all 3 parcels as "Mixed Use". I believe that zoning choice would be the least destructive to the environment and the most considerate to the neighboring residents and park users.

From Page 6 of the South Downtown Neighborhood Plan given to citizens at the Riverside open house August 2007....."the River does present excellent opportunities to maintain and enhance amenities that have already been placed along the River including the Botanic Gardens, the Riverfront trail system, the Old Mill pedestrian bridge and the community investment of the Riverside Parkway. The topography of the site is also an important consideration. While the South Downtown area

itself is flat, it is significantly lower than Orchard Mesa to the south. This makes it a very visible area as well as presents some unique opportunities for views and vistas."

Thank you for your time and consideration,

Sincerely,

Janet Magoon

**Bennett Boeschstein, AICP  
1255 Ouray Ave.  
Grand Junction, CO 81501**

Mayor, City Council & City Manager  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

Re: Rezoning the former Rendering Plant on the Banks of the Colorado River

The Grand Junction Planning staff has listed three zoning categories it believes would be appropriate in view of the City's amendment to the master plan for the above mentioned property: 1. I-O Industrial Office, 2. I-1 Light Industrial, 3. M-U Mixed Use

It is my opinion that the MU zone would be the most appropriate zone for the site for the following reasons: 1. it has specific performance standards for nuisances such as noise, vibration, glare and hazardous materials, 2. it requires appropriate screening, buffering and open space and enhancement of natural features and 3. it does not allow outdoor storage and operations. The drawback to this zone is that it allows multi-family housing; however, any structure including multi-family housing must meet the strict standards of the City's Flood Plain ordinance which incorporate the requirements as established by the Federal Emergency Management Agency (FEMA).

In addition, I hope the City Council, Planning Commission and staff will examine the site plan of this development to insure that its possible harmful effects are mitigated. Items such as a riverfront paved trail with landscaping along the River's edge, raising any structure one foot above the 100 year flood plain and/or flood proofing below the 100 year flood plain and establishing strict environments standards to prevent noise, air and water pollution should all be part of an approved plan. (This site was underwater during the flood of 1983.)

There are appropriate alternative locations for this trucking facility which are located away from the Colorado River on the Riverside Parkway. These sites are vacant and are zoned industrial.

This community has worked too long and hard in cleaning up the riverfront of salvage yards, low- level radioactive uranium mill tailings, and polluting industries to allow a potentially new polluting industry to locate on the riverfront.

Thank you for your consideration of my request.

Sincerely,

Bennett Boeschstein, AICP

xc. City Planning Commission



**Agenda Topic: Brady South Zone of Annexation-GPA 2007-051**

Requesting placing I-1 on the Colorado River bank and in the extensive Flood Plain and I-O on the River bank on two parcels eastward parts of which are also Flood Plain. Location: 347 and 348 27 ½ Rd and 2757 C ½ Rd.

Dear Planning Commissioners, City Councilmembers and City Planning Staff and City Manager.

You have a rare opportunity to weigh most carefully and consider information regarding zoning to be placed on the banks of our (Nation's-Interstate ) Colorado River. This is not a decision to be made without an in depth understanding of the impact of your decision. It is not one to be made hastily. It is not a political decision but it must be an unselfish and thoughtful one based upon many facts.

You may hear arguments that some of the newly acquired Brady Trucking Firm land on the river bank was zoned industrial when it was in the County and therefore it should remain industrial in the City. Those decisions were made early in the last century. Now that it has been annexed into the City, the applicant is requesting I-1 or Industrial 1, on a west parcel and I-O (Industrial / Office) on two east parcels. The argument to keep the zoning is no longer valid. We have all learned much about the importance of rivers, riparian habitat, flood plains and water quality since those early days when Industrial uses were allowed adjacent to or close to rivers.

**The U.S. Fish and Wildlife** has provided to YOU compelling reasons for the City NOT to put industrial zoning back on the Colorado River. The United States Fish and Wildlife's primary concern is the flood plain of this area. The Critical Habitat for endangered fish is inclusive of the Flood Plain. The Fish and Wildlife refers to the endangered fish in the report. Nearly ALL of the West Parcel is in the Flood Plain and some amounts of the east parcels are in the flood plain. The Rendering Plant was flooded in the early 1980's. I witnessed people canoeing on the property. The flood carried off a heavy log bench that was cut from a cottonwood tree on the south bank. You have been provided with copies of that extensive letter. **Rocky Mountain Bird Observatory** has given input on this area that should not be Industrial. **The Division of Wildlife** has recommended a 300 ft corridor along the river for wildlife.

The staff report CLAIMS that the proposed zoning is "Compatible" with adjacent zoning. Let's take a closer look at that.

Please refer to the staff report on page 1. "Surrounding Zoning"

NORTH: the surrounding zoning is CSR – Recreational (Las Colonias Park) and a very small amount across C & 1/2 Rd is I-1.

SOUTH: R-5 and also CSR (Recreational). Eagle Rim Park is the CSR on the South border. Hopefully you understand that the River is not a buffer from Industrial to Residential because of the PHYSICS of sound. The BLASTING LOUD racket created by the Aspen Drilling Company, who had leased the property this summer from Brady in no.

*P.H. pg 1 of 2  
copy given  
to planning*

way can be considered compatible to the zoning at Eagle Rim Park or for the adjacent zoning of the neighborhoods. Proposed I-1 zoning would be noisy-not compatible to parks and residential zoning. Noise adjacent to residential areas should not be tolerated in any zone.

EAST: RSF-R in the County, again Residential Zoning

WEST: again CSR –Recreational- or Las Colonias Park

A Planning Commissioner observed that the zoning was not compatible at the Growth Plan Hearing.

**An alternative could be MIXED USE, (MU.** It is more protective of the River and compatible to adjacent zoning. **It has restrictions that support the South Downtown Plan** regarding Views from Eagle Rim. The applicant's proposal for zoning allows uses as outlined in **TABLE 3.5 Use/Zone Matrix - pg 23 of the staff report** that are a direct contradiction to the South Downtown Plan. **See the Downtown Neighborhood PLAN** pages 6 and 9. Heavy vehicles would be allowed and outdoor storage allowed. This can not be buffered from the view of the Orchard Mesa Eagle Rim Park which you know is high above the river.

**Gas and petroleum storage is Conditional in both I/O and I-1 zones but it is not allowed in Mixed Use. No storage of gas and petroleum is more protective of the river.**

The area that is not in the Flood Plain could be residential as allowed by Mixed Use although CSR would be better still.

In addition a land trade is possible and the applicant is willing. Also the applicant has received (according to the City staff) offers for this property. This matter should be tabled. However, if you must place zoning on these parcels at this point in time, then choose The City of Grand Junction's Planning Department alternative recommendation of "Mixed Use" as noted in the staff report. It respects the applicant, it is compatible to surrounding zoning and it is most protective of the river.

For your convenience I have included a copy of the U.S. Fish and Wildlife input regarding this matter, a map of the Flood Plain that he refers to and copies of the petition signed by many neighbors and trail users that was presented to the City Council when the applicant had requested a change in the "Growth Plan".

Thank you,

Penny Pauline Heuscher  
330 Mountain View Ct.  
Grand Junction, CO 81503  
August 30, 2007

*pg 20/2*

For inclusion in Planning Commission and City Council Packets.

Dear GJ Planning Commission:

My name is Janelle Heiden. I have for 16 years been a proud resident of Grand Junction, Colorado. That being said, I would like to offer you my opinion on a change that may be taking place in our community. As you may already know, I am writing this letter concerning the potential development of the Eagle Rim area in Orchard Mesa. I believe that we should keep it free of industrial use and use it primarily as a mix use area. In my opinion, using the land for the Big Trucking Company would destroy a lot of beautiful wild life and land that is in use by the Community every day. Also, the eagle Rim area is very close to the river, putting a trucking company there may danger the water and its natural habitats that live in or around it. I do know that this change would bring in money and jobs to our community but is it wroth the risk or destruction of a well known area? I believe not and think that this place is not safe and/or even convient to locate such a company.

Thank you for your time,  
Janelle Heiden, Central High School Student

Dear GJ Planning Commission:

I am a student at Central High School and I am expressing my opinion about the matter of the truck transporting business by the river by orchard mesa.

I think that this would be a bad thing for the people and the environment from the possible contamination of the river and the surroundings, they would also be ruining the scenery and the animals around that area.

Sincerely, Scott Miller

Dear GJ Planning Commission:

My name is Ashley, this is my senior year at Central High School. I would have to say my opinion on this matter would have to be to make it a zoned mixed use. My understanding is the neighborhood overlooking this area does not want to see a trucking business run and spread out instead of there scenery. To me that's just a materialistic problem and is not a big deal. The big deal to me is the water, and what will happen if this is placed right next to a river. Water is more important in this world than any trucking business. I do understand it is there land but keep in mind we need good water. Thank you for taking the time to read my side of this.

Ashley Taylor

Hello, my name is Tim Ostrom. I'm a senior at Central High School. I think that the neighbors have a say in how the view will look. They are living there, they should at least get to express their opinion. Sure the company owns the land but it would be nice to keep the beautiful land that we have. Thank you for considering my opinion.

Sincerely, Timmy Ostrom

Dear GJ Planning Commission:

My name is Katy. I think Brady Trucking should be able to do whatever they want with the land. It's theirs to build on.

If Brady Trucking can build there factory without polluting the River, then I'm fine with it. I'm not the one who has to look at it every day. Thank you for reading this and considering my opinion and I hope you will use this to help with your decision.

Sincerely, Katy Kean

Grand Junction Planning Commission,

My name is Seth King. I'm a Senior at CHS and have lived in Mesa County for 17 yrs. My opinion on this issue of debate is a zoned mixed use. I know that Brady Trucking Company owns the land which they want to make industrial but it's not fair. I plan to live in the Mesa County for as long as I live, but if this is the way parks and trails are going to be treated I have no interest. That is why most people are in Mesa County, because of the nice parks and beautiful trails. Good luck with your decision.

Sincerely, Seth King

Dear GJ Planning Commission,

9-11-07

My name is Samantha Martinez and I moved here close to a year ago. Grand Junction is a really great place to live and has so many places. In my opinion I think the zoned mix use would be a better thing to do for the community. We need to keep the park and the water quality in good shape. The idea of having a bunch of industrial buildings around that area is not a good idea. The neighbors around the area would like to look out their windows in the morning to see a great view of the park and stuff, not some building

and industrial things. I give you my opinion here today because I care about the community and the people around. Thank you for reading this.

Sincerely, Samantha D. Martinez

Dear: GJ Planning Commission

I am a student at Centairal high school. I have lived in Grand Junction all my life. I believe that the trucking company owns the land and if they want to make it a light Industrial zone then they can. However I think actions to help preserve the quality of our water need to be taken.

John Vantassel

Dear GJ Planning Commission,

Hello, my name is Alexandra Fisher. I attend Central High School. I help my parents pay taxes so I feel my voice should be heard! My grandma lived in that area for quite a while and I remember always going to the park and play and go down to the river and catch frogs. Yes, I'll agree that the trucking company owns the land, but what will this do to the quality. The neighbors can't really choose how their view is going to look but they should have a say in water pollution. So that zone should be deemed mixed use. The company will also cause air pollution and with a school right down the street all this pollution that is going to happen can damage the well being of our youth. Thank you for taking the time to read this letter and please take into consideration what I have to say.

Sincerely, Alexandra Fisher

Dear GJ Planning Commission,

My name is Veronica and I am a senior at Central High School. My opinion on this is that, yes, it doesn't seem fair to the neighborhood because of what could happen to their water supply. They could get different chemicals in their water, that could harm them. I do have to agree that yes the neighborhood does not own the property so you could really do whatever you wanted. But you also have to think about how it could affect them.

Thank You For Taking Our Opinions In Consideration

Veronica Ortega

Dear GJ Planning Commission,

I am a senior at Central High School and I've lived here all my life. I think it would be ok to change it to a light industrial zone as long as the water quality is affected. I wouldn't mind big buildings going in there if they don't hurt the environment. Thank you for taking time and hearing out my opinion about this plan.

Thank you, Mac Cooke

Dear GJ Planning Commission,

I am a 17 year old Senior at Central High School. I have lived in Grand Junction for 13 years now. I recommend and hope you considering keeping the zoning as it is and wanting to change it. The Brady Trucking Company is thinking of changing it for the better but I don't think that they are considering the thought of how it will harm the water. So my vote is to keep the zoning the same as it is and changing it for industrial use.

From Daniel Ambriz

Dear GJ Planning Commission,

I'm Devin Schneider a senior at Central High School. I think the area should be zoned for mixed use. The small mountain town of Grand Junction is growing and that means more people. So there should be a park or something like it.

Sincerely, Devin Schneider 9-11-07

Dear GJ planning Commission

I am a student at Central High School. I am a Senior this year. I am writing about the Egale Rim Park. I don't really care what you decide, but I hope you make a decision that is best for everyone in the area.

Sincerely, Jeffrey Anderson

Dear GJ Planning Commission,

McKenna Blair 9-11-07

I am a senior at Central High School and would first like to thank you for taking the time to hear my opinion. I am glad that you have taken into consideration the opinions of those around this issue as well as those directly influenced by it.



As far as the “zoned” area stands with me, I must agree with the neighborhood on this topic. A light industrial zone is indeed a great and well thought-out plan, but at the same time, it only benefits the trucking company.

Should the neighborhood’s plead be heard, more room for far more useful things can be created to better suite the community as a whole. I will not list these advantages because I’m sure the residence have already spoken the available possibilities.

I thank you again for listening to my opinion, and the opinion of my fellow students. My your final decision benefit our community in the best possible way.

Dear Planning Commission,

My name is Kevin Hill and being a Grand Junction citizen I believe that the trucking company should choose what they want. The trucking company owns the land. Grand Junction is a growing city and industry is going to happen. This zoning would be a great start to a blooming county and could jumpstart the towns livelihood. Brady should be allowed to build there as long as water quality measures are taken. I hope my opinion has helped you decide your choice.

Sincerely, Kevin Hill

Dear GJ planning commission,

My name is Gissela Tercero, I am a junior at Central High School. I have lived here all my life as well as my family. My opinion in all of this is that the trucking company should not go on with there plans because it would ruin the neighborhood and that part of orchard mesa. Mainly because of all the noise and trucks coming in and out. Personally I do not think it is a very good idea and the neighborhood should have this vote! Thank you very much for taking your time to read my opinion.

Gissela Tercero

Dear GJ Planning Commission,

My name is Brandon I am a junior at Central High School and I have lived in the valley for 12 years. I think that the area owned by Brady trucking should be zoned mixed so that the water won’t be polluted and the park will stay pretty. These people were here first and should have the opportunity to live in a peaceful place like everyone else.

Sincerely, Brandon Kendall

Dear GJ Planning Commission,

My name is Zach Martinez. I am 16 years old. I have lived in Grand Junction for 13. My opinion is a mix use. I am ok with that company opening their factory there. As long as it deosn’t affect how the town is run. Also if it effect air pollution then i disagree. We polute to air already enough as it is. Water polution is another big deal with me. If it is going to polute anything it shouldn’t be done. All polution does is kill the Earth and us faster.

Sincerely, Zach Martinez

Dear GJ Planning Commission,

9-11-7

I am a senior at Central HS, I have a job and getting ready for the real world. My opinion is that the Orchard Mesa Park should be zoned Mixed Use. I believe that even though I am only a student I should still have a say in what will happen to the Park because I will be the one who has to live with it. So please take my thought into consideration. We have to live with it so why put big companies there leave it as it is. Thanks for your time.

Concerned Student, Maggie Bagley 12<sup>th</sup> grade senior Central High School

Dear GJ Planning Commission,

Hello, I’m Chris McDonald and I am a junior at Central High School. Our teacher read a paper to us to see our opion on what the Council is talking about doing with proposed Rezoning of the riverfront land across from Eagle Rim Park. Technically I like the idea, but what about the people that like the walk-way or the park? Where will this put the middle school? You have 29 road going right up to Orchard Mesa and 5<sup>th</sup> Street. I would stick with what we have right now, because there will be a lot of citizens upset about it if it happens. Really there isn’t a reason for it. Thank you for your time spent reading this letter.

Concerned Student, Chris McDonald

Dear GJ Planning Commission,

I am a student at Central High School, and I’m a junior. I have lived in Grand Junction my whole life so far.



My opinion about the zoning is that I would like the zoned mixed use because I like the park and where it's located in orchard mesa. I think it should be this because I want the better water quality, and no flood plain. So this is what I think should happen.

Sincerely, Sara Ammerman

Dear GJ Planning Commission,

I'm Brittany Case, a Senior at Central High School. I think that the land should be zoned for mixed use. Grand Junction is growing big but I think that we should use that land for a park like setting. With Egale Rim Park near by & the river front trail it should be used for recreation. I know I wouldn't want to be walking down a quiet peaceful river and then come into an industrial area that's loud, and the air is polluted. Grand Junction is a home at mountains and the small community feel. We don't need any more pollution in the air. Lets keep Grand Junction the home of the outdoors & make the zoned land park-like settings.

Thank You For your time, Brittany Case 9-11-07

Dear Grand Junction Planning Commission,

9/11/07

My name is Ashley Sidoneyz. I attend Central High School, and have lived in the Eaglerim park area a couple of times.

I think that Eaglerim should remain as a mixed use zone for a number of reasons. Considering that we are already having water issues, we need to leave the river alone to maintain good qualities of water and a good supply. Another reason being that the park serves so many purposes. Many of my friends enjoy the skate park, my younger brothers love the playground, and my parents and I enjoy the peacefulness of looking out at our city and what it is.

If we take this away, air will become polluted, we will have less clean water, and families will have to resort to other options for entertainment which may not be spent in Grand Junction. Our City is more of a homely place rather than an industrialized city. Please keep it this way.

Student of Central High School, Ashley Sidoneyz

Dear, GJ Planning Commission

Im a junior from central high school. I think the land should be zoned to mixed use. I think this because there is already a bridge put there for walking they don't need another one. I also think that by Putting another bridge there it would decrease wildlife habitat.

Sincerely, Student from central high school  
Chase Liddecoat

Dear Grand Junction Planning Commission,

My name is Muranda, I'm currently a senior at Central High School. I personally believe the zoned area should be a mixed area, which would include keeping the park, kping the water quality high, and keeping property value around the area high. Many students, including myself, throughout this Grand Valley, will consider attending Mesa State and continuing to live in this area and community and possibly raise our children here. Why would we want to take away our landscape and parks in replace to trucks and industrial type things? I'm sure many people are going to benefit from clean water and a place for children to play, than a trucking company where only a few would prefer that option. I hope you consider others opinions when deciding what to do with the zoned area in Orchard Mesa.

Thanks, Muranda O'Grey

Dear GJ planning Commission,

My name is Nathan Bell and I am a student a Central High School. I am wrighting to you because I think that the river front should be zoned for mix use. Personaly I would rather have a cleaner river than some trucks pluting it up. I also like to BMX so if that jeperdises the skate park there that would suck. Also my family really like that boardwalk for bikes and walkers. And why would you want to take all that stuff away after you pretty much just put it in. I just think that it should stay the way it is because it has worked out good so far.

Sincerely, Nathan Bell

Dear, GJ Planning Commission,

I am Bryan A. Trice a senior at Central. I think you should make the Highway. It will help people how to not have a car, turck or S.U.V. Just make life easier on workers and man kind alike. The enivorment is already destroy so Just Do It

Bryan Tice CHS.

Dear GJ Planning Commission,

My name is Janelle and I'm a junior at Central High School. I have only lived in Junction for 3 yrs. My whole family is from this area pretty much.

My opinion on the whole River front being threatened is just go ahead with zoned light industrial. Brady Trucking already owns the land so really nothing more to be done. I'm sure after building the offices and buildings that you can figure away around the floodplain and make it work for all.

Thank you GJ Planning Commission for caring about our opinions!

Sincerely, Janelle Heil

Dear GJ Planning Commission,

My name is David Hamilton. I pay my taxes so I believe I have a right to say something about what goes on. I believe that the area in question should be zoned as a mixed use zone because people live in this area. There is the need to make money that is what Brady Trucking is trying to do.

David Hamilton CHS

Dear GJ Planning Committee,

I am Michael Fraser from Central High School. I have lived here for close to 10 years of my life and I have been to the Eagle Rim Park countless times. I think that your group should use the land better than put a noisy highway through my favorite rollerblading spot. I also wouldn't like to see this to industrial zone.

Thank you for reading this

Sincerely, Michael Fraser

Dear GJ Planning Commission,

I'm 17 years old & a senior at Central High School. I've been living here in GJ since I was 4 years old so what goes on in the community is very important to me and towards the Orchard Mesa Eagle Rim Park project. I think the zone should be a Mixed Zone use. As long as it does not affect the water quality in the river, & as long as it does not make any more air pollution.

Sincerely, Sabrina Morales

Dear GJ Planning Commission,

My name is Trish, and I'm a junior at Central High School. I've lived in Grand Junction basically my entire life. Before my mom moved down here with my sister and me, my family lived in Denver and now we live all over the country.

I have read and heard about your idea to start rezoning of riverfront land across from Eagle Rim Park. Although I'm 16 and have a lot of friends around 17-19 yrs. Old we enjoy our environment very much. We like to drive around and occasionally stop by random parks to hang out. Rocket Park, Eagle Rim Park, and Longs Family Memorial Park are our favorite parks to hang out. The view of the sky late at night when your swinging on the swings is just so sweet to lose. Sure it is only one of the three parks we like to hang out at but still we go to Eagle Rim Park we go to the most and losing all the trees and fresh air would really suck.

Yours Truly, Patricia Shubert

Dear GJ Planning Commission,

My name is James Contreras and I'm a junior at Central High School. I have lived in Colorado most of my life but some changes can be good or bad. My opinion is that we should have a mixed use zone because there are homes and families that like to go out in about to have some fun. It could be dangerous in some ways like if an eight year old was playing by the construction the kid could get hurt and the family will sue the company.

Sincerely, James Contreras

Dear Brady Trucking,

9/11/07

We ask you to not put your trucking company next to our river water.

With the problems of pollution already you will add to that, along with other problems. The runoff can get high, and what if it floods? Well there goes all of your equipment down the river.

Many locals float down the river for a nice relaxed day and then when they come by you it's not so relaxed anymore. I really disagree with your company being built there. Many health problems can be a risk for not only you and your employees but the many people that live in Grand Junction. Please don't only think of you but the citizens that live here.

Sincerely Alyssa. M

**MINUTES FROM SEPTEMBER 11, 2007 PLANNING COMMISSION  
MEETING**

**D R A F T**  
**GRAND JUNCTION PLANNING COMMISSION**  
**SEPTEMBER 11, 2007 MINUTES**  
**7:00 p.m. to 9:40 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul A. Dibble (Chairman), Roland Cole (Vice-Chairman), Bill Pitts, Tom Lowrey, Patrick Carlow (1<sup>st</sup> alternate) and Ken Sublett (2<sup>nd</sup> alternate). Commissioners Lynn Pavelka-Zarkesh, Reggie Wall, and William Putnam were absent.

In attendance, representing the City's Public Works and Planning Department - Planning Division, were Lisa Cox (Planning Manager), Lori Bowers (Senior Planner), Ken Kovalchik (Senior Planner), and Kristen Ashbeck (Senior Planner). Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 42 interested citizens present during the course of the hearing.

#### **IV. FULL HEARING**

##### **11. GPA-2007-051**

##### **ZONE OF ANNEXATION – Brady South Annexation**

Recommendation to City Council on a Zone of Annexation for property located at 347 and 348 27½ Road and 2757 C½ Road from County Heavy Industrial (I-2) to City Light Industrial (I-1) and Industrial Office Park (I-O).

**PETITIONER:** Jennifer Brady – SLB Enterprises, LLC

**LOCATION:** 347, 348 27½ Road and 2757 C½ Road

**STAFF:** Kristen Ashbeck, Senior Planner

Chairman Dibble mentioned that a petition had been received that pertained to the Growth Plan Amendment, not the Zone of Annexation. Therefore, the petition would not be received into evidence this evening.

#### **PETITIONER'S PRESENTATION**

Robert Jones II of Vortex Engineering, 255 Vista Valley Drive, Fruita, Colorado, addressed the Commission as applicant's representative. Mr. Jones stated that applicant was requesting a zone of annexation of three parcels located directly south of the intersection of 27½ Road and C½ Road. The requested zoning is a combination of I-1 and I-O. Mr. Jones stated that the three parcels are approximately 12.6 acres in total size. He further stated that the existing zoning of the three parcels has been Heavy Industrial, I-2, for some time in unincorporated Mesa County. Applicant is requesting to zone the westernmost parcel I-1 and transition the zoning to I-O for the two parcels to the east. He went on to state that the proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan. He also advised that the Growth Plan designation for these parcels is Industrial on the westernmost parcel and Commercial-Industrial on the two parcels to the east.

Additionally, Mr. Jones stated that adequate public facilities are available or will be supplied at the time of specific development. The proposed zoning combination would allow for an adequate buffer between the CSR zoned property to the north and west and the residential properties to the east.

### **STAFF'S PRESENTATION**

Kristen Ashbeck, Senior Planner, of the Public Works and Planning Department made a PowerPoint presentation regarding the requested zone of annexation. Ms. Ashbeck confirmed that the annexation of the three parcels has been completed and the Growth Plan amendment was approved for the two easterly parcels in July 2007 by City Council. Kristen stated that the biggest difference between I-1 and I-O is that outdoor storage and display are allowed in I-1 much more so than they are in I-O as a CUP would be required in the I-O. Ms. Ashbeck stated that the zone districts conform with the Growth Plan Future Land Use Map and the proposed transition across the site as well as the natural buffers to the south and to the east will create the compatibility that the Code requires. She went on to state that public facilities and services are available or can be upgraded or supplied as the property develops in the future. Finding that the proposed Zone of Annexation request meets Code criteria, Ms. Ashbeck recommended approval of the I-1 and I-O Zone Districts as proposed by the applicant.

### **QUESTIONS**

Commissioner Cole asked if the requested zoning is much less intense zoning than what is presently on the property. Ms. Ashbeck confirmed that the requested zoning represents a significant down zoning from the current I-2 zoning.

Commissioner Pitts raised a concern regarding the 100-year floodplain. Ms. Ashbeck confirmed that the westerly parcel is most impacted by the floodplain. The other two parcels are not impacted as much and can be developed more readily as there are no regulations in the 500-year flood plain.

Commissioner Lowrey asked if applicant could still make use of the land with the M-U. Ms. Ashbeck stated that there are viable uses allowed within the M-U zone district.

Chairman Dibble asked if the I-O zone district would allow more latitude in defining what is done on the property as well as floodplains and setbacks. Ms. Ashbeck confirmed that industrial uses or outdoor operations and storage require additional levels of review by the Planning Commission.

Chairman Dibble asked what the differences between the I-O designation and the M-U designation are. Ms. Ashbeck stated the M-U still does allow some outdoor storage and outdoor operation uses. She further stated that similar to the I-O and I-1 differences, in the M-U designation there are some uses that require a CUP wherein an I-O designation may not. The other major difference is that residential uses are allowed in the M-U Zone District.

Commissioner Sublett asked for clarification about buffering differences between the M-U and the I-O. Kristen Ashbeck stated that the I-O is very defined by the Code. However, in an M-U the buffers are to be built within the project and looked at specifically as the project develops.

## **PUBLIC COMMENT**

### **For:**

Russ Justice, operations manager for Brady Trucking, stated that they have asked for this zoning because it is quite a bit less than what is on the property. He stated that there is already a natural buffer on the south side of the property. He stated that they intend to be friendly to the community and to the river. They believe that the lighter zoning will accommodate future development.

Dale Hart stated that he has been looking for some industrial zoning within the City limits. He believes that the M-U designation would not be a very good thing for the City. He requested approval as requested by applicant. He would also like to see the boat launch for emergency rescue services to be maintained.

Bill Wagner, 300 Cedar Court, requested that the Commission consider the Los Colonias project as well as the riverfront. He believes a buffer on the westernmost parcel is needed to transition from residential to industrial. He would also like to see the riverfront trail be continued to the east end of the property.

Terry Reynolds, 557 Sol Lane, stated that he is part owner of the video surveillance system suppliers that are working with applicant. He stated that approval of this project would be a positive thing for Grand Junction and Brady Trucking's business.

Clayton Brown, 552 Eastbrook, stated that Russ Brady can be taken by his word and applicant's zoning as applied for should be granted.

Robert Jones, 1880 K Road, Fruita, stated that approximately 12 years ago he was a general contractor for the City of Grand Junction and poured part of the Riverfront Trail that is west of the Botanical Gardens. He believes this should be approved especially considering that applicant is proposing to extend the Riverfront Trail.

### **Against:**

Janet Magoon, 2752 Cheyenne Drive, made a PowerPoint presentation. She stated that she does not see the river as a natural buffer as it is not that wide. She further stated that the surrounding properties are primarily residential and park. Ms. Magoon stated that she is extremely concerned about noise, odor and lights. She stated that she finds the future use of the three Brady parcels on the riverbank to be of extreme importance from a visual and noise aspect for especially Eagle Rim Park. Furthermore, she stated that no amount of landscaping can obscure the view from Eagle Rim Park. She also believes that industrial zoning along the bank of the Colorado River, in a floodplain, a reckless and irresponsible proposal. Ms. Magoon would suggest zoning all three parcels as Mixed Use as it would be the least destructive to the environment and the most considerate to the neighboring residents and park users.

Bennett Boeschenstein, a retired City planner, stated that he is also a former Community Development Director for the City of Fruita, prior to that he was Grand Junction's Community Development Director and prior to that he was Mesa County

Planning Director. As such, he is very aware of certain clean up projects along the river. He went on to the assessor's webpage and stated that he has found some parcels owned by the City which would be more suitable for Brady Trucking. He said that the total acreage that the City of Grand Junction owns that can be swapped for Brady Trucking's 16.15 acres is 31.75 acres. Mr. Boeschstein further stated that the industrial zoning is incompatible because to the north and west there is a park; there is residential, a park and a school across the river; and the only industrial that abuts the subject parcels is a small corner on the eastern edge. He too believes that the M-U zone would be the most appropriate because it has specific performance standards for nuisances such as noise, vibration, glare and hazardous materials and requires appropriate screening, buffering and open space and enhancement of natural features and limits outdoor storage. He also believes that the City's floodplain needs to be strictly adhered to. He suggested that if approved, staff needs to examine the plan of development so that there is a riverfront paved trail with landscaping along the river's edge, raising the structures one foot above the 100-year floodplain and/or flood proofing below the 100-year floodplain, establishing strict environmental standards to prevent noise, air and water pollution. He urged the Commission to think about what the community has done to clean up the riverfront and to be very careful about this zoning decision.

Penny Heuscher of 330 Mountain View Court addressed the Commission and stated that Judges Robb and Ela, among many others, led this community with government in formulating a vision for the riverfront. She further stated that industrial has been taken off the river and industrial zoning is not appropriate for sensitive areas. She believes that Mixed Use is the most appropriate zoning for this area because it is more protective of the flood plain and the endangered fish, it would be a better transition, and allows more restrictions on things like outdoor storage and would be more in agreement with the South Downtown Plan. Ms. Heuscher also stated that the river does not act as a buffer from noise but rather accentuates noise. Finally, she believes that Community Recreational zoning would be the ultimate best zoning and a land swap would be best for the river and the community.

Katie Sewalson, 1537 Grand, a Central High School science teacher, appeared on behalf of herself and some of her students. Furthermore, she is a truck driver in the United States Army Reserves and is aware of pollution caused by trucks. She stated that her main concern is with the pollution as well as aesthetics. She submitted some letters written by some of her students.

Hannah Holm, 1800 North 3<sup>rd</sup> Street, stated that she is the water organizer for the Western Colorado Congress but spoke on behalf of herself and several residents. She stated that she opposes industrial zoning for these parcels, particularly the I-1 zoning, primarily on water quality grounds and because of the flood plain issues. She also said that industrial activities so close to the river raise the potential for impact to the water quality from spills and also from storm water runoff. Ms. Holm also stated that the Mixed Use zoning would likely have fewer impacts on water quality from hazardous materials and there would be higher performance standards associated with it. She also believes that the Mixed Use zoning would open up more opportunities for development that could complement rather than detract from the parks and the neighborhoods.

Lee Gelatt, 320 Country Club Park, stated that he would like to encourage the Commission to be as restrictive as possible to the zoning. He represented that protecting the riverfront and its riparian habitat should be a high priority for the Grand Valley. Mr. Gelatt submitted a letter from Mr. Rich Levad.

Enno Heuscher, Mountain View Court, stated that he is a former vice president of the Audubon Society. He recommends that the Commission turn down the current zoning request of Industrial Office and Industrial-1. According to Mr. Heuscher, the Mixed Use zoning would provide the best flexibility for the planners to help the owner have appropriate and safe development of this particularly ecologically sensitive site. The M-U zoning would allow for someone to live on the site to protect the assets of the commercial enterprise and would allow for more requirements for conditional use to ensure reasonable hours of operation.

### **PETITIONER'S REBUTTAL**

Robert Jones II addressed the concerns raised. Mr. Jones stated that it is important to realize that the supply of larger parcels zoned industrial are short in the location of the downtown region and believes that the community will derive benefits from the proposed zoning. Additionally, he said that the City and Riverfront Commission had the chance to purchase the subject property but did not. He also stated that the I-1 district on the western parcel will provide for the maximum buffer to Los Colonias Park. Mr. Jones stated that they had met with representatives of the Riverfront Commission to specifically discuss the potential and plan for extending the riverfront trail along the south side of this property directly adjacent to the Colorado River and continuing north along the east side of the parcel in order to have a connection into C½ Road. Accordingly, the trail and buffer should provide for an acceptable mitigation to the Colorado River and the residential homes to the east and south. The trail along the river will be provided by the applicant at the time of site development.

### **QUESTIONS**

Chairman Dibble asked if it was Mr. Jones' understanding that both the I-O zone and M-U zone would allow outdoor storage. Mr. Jones stated that to some degree but there are many other uses not provided for in the M-U zone that are in the I-O.

Chairman Dibble asked if it was applicant's intention to include housing on any of the subject parcels. Mr. Jones said that it is not applicant's intent to place any residential units on this property.

Commissioner Cole asked whether or not the Riverfront Commission had the opportunity to buy this property. Mr. Jones said that it was his understanding that the Riverfront Commission had at one time approached the City to seek funding to purchase this property; however, it to his knowledge, that was denied.

Commissioner Pitts asked for clarification regarding outdoor storage. Kristen Ashbeck confirmed that industrial types of outdoor storage and operations are not allowed in an M-U; however, other kinds of outdoor storage are allowed.

Chairman Dibble asked Mr. Jones how applicant would deal with the floodplain issue on the western part of the property. Mr. Jones said that there are specific regulations and the present Storm Water Management Manual requires that non-habitable buildings



have to be a minimum elevation above the 100-year floodplain. Also, no development in the flood way is permitted. He anticipates a fairly good size buffer on the south side of the property when you fit in some sort of trail and berm section coupled with the other regulations that are applied at the time of a site specific review, believes that would be adequate to mitigate the concerns raised.

Commissioner Sublett asked if either applicant or the Riverfront Commission has considered extending the trail directly west from the proposed I-1 property to meet the juncture of the trail with the portion coming off the pedestrian bridge across the river rather than going up to the part that already exists. Mr. Jones stated that would be the intent. He stated that the intent would be to provide for some sort of connection that would traverse the south side of the project and then come along and go along the east side and back out on C½ Road.

## **DISCUSSION**

Commissioner Carlow stated that he did not necessarily disagree with the long term goal involving the riverfront. He also said that he did not see much difference between the M-U and the I-O zone and would be in favor of approving the zoning as requested.

Commissioner Lowrey stated that although the majority of the property from 32 Road to Los Colonias Park on the north side of the river is Estate, Park or Conservation, he thought that as proposed the zoning request ended up being the most restrictive zoning considering the decisions that had already been made. He stated that he could reluctantly vote for the proposed zoning.

Commissioner Cole said that there are three options to be looked at: leave the property zoned as it is I-2; consider the M-U zone; or consider the I-1 and I-O as requested by applicant. It seemed to Commissioner Cole that the community would be much better served to grant this request and he would favor it.

Commissioner Pitts stated that from his standpoint, he was going to request that the Commission consider an M-U rather than the requested zoning.

Commissioner Sublett stated that he also really regretted that the City had gotten itself in this mess and that it was a mess because throughout the remainder of most of the country, great efforts had been going on for a considerable time period to clean up riverfronts and to make riverfronts into something that the public could actually use and be proud of." He said that he would reluctantly vote to support the applicant's request.

Chairman Dibble said that he believed requirements for screening and buffering were very different between the I-O, I-1 and M-U. Chairman Dibble also stated that Conditional Use Permits were allowed and must be required for some uses in the I-O district and also believed that there was more control associated with the I-O. Accordingly, he would be in favor of restricting the usage of all three parcels to an I-O zone.

Commissioners Pitts, Lowrey and Sublett concurred with Chairman Dibble for I-O zoning on all three parcels. After discussion of protocol and staff's recommendation, among other things, the following motion was made.

**MOTION: (Commissioner Lowrey) "Mr. Chairman, on the Brady South Zone of Annexation, GPA-2007-051, I move that the Planning Commission forward to the City Council a recommendation of approval of the I-O zone district on all three parcels for the Brady South Annexation with the facts listed in the staff report as previously stated."**

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

With no objection and no further business, the public hearing was adjourned at 9:40 p.m.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE BRADY SOUTH ANNEXATION TO  
INDUSTRIAL/OFFICE PARK (I-O) ZONE DISTRICT**

**LOCATED AT 347 AND 348 27 ½ ROAD AND 2757 C ½ ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Brady South Annexation to the Industrial/Office Park (I-O) zone district finding that it conforms with the land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the Industrial/Office Park (I-O) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following properties be zoned Industrial/Office Park (I-O).

**BRADY SOUTH ANNEXATION**

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of that certain parcel of land described in Book 4172, Page 725, Public Records of Mesa County, Colorado, and assuming the North line of the NE 1/4 SW 1/4 bears N89°57'02"E with all other bearings contained herein being relative thereto; thence N89°57'02"E along said North line a distance of 664.62 feet to the Northeast corner of said NE 1/4 SW 1/4; thence along the North line of the NW 1/4 SE 1/4 of said Section 24 and along the South line of the Elite Towing Annexation No. 1, City of Grand Junction, Ordinance Number 3101 the following 3 courses: (1) S89°46'25"E a distance of 367.65 feet; (2) S00°08'41"W a distance of 30.00 feet; (3) S89°46'25"E a distance of 335.33 feet to the Northeast corner of said parcel; thence S33°59'39"W along the East line of said parcel a distance of 457.37 feet; thence along the South line of said parcel the following 2 courses: (1) N55°57'21"W a distance of 97.06 feet; (2) S00°08'40"W a distance of 47.47 feet to a point on the North Bank of the Colorado River; thence meandering Westerly along said North Bank to a

point on the West line of said parcel; thence N00°06'10"W along said West line a distance of 534.28 feet, more or less, to the Point of Beginning.

Said parcel contains 12.62 acres (549,691 square feet), more or less, as described.

**INTRODUCED** on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 3**  
**Setting a Hearing on Zoning the Ute Water Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Zoning the Ute Water Annexation - Located at 825 22 Road.		
<b>File #</b>	ANX-2007-220		
<b>Meeting Day, Date</b>	Wednesday, October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 14, 2007		
<b>Author Name &amp; Title</b>	Ronnie Edwards, Associate Planner		
<b>Presenter Name &amp; Title</b>	Ronnie Edwards, Associate Planner		

**Summary:** Request to zone the 47.86 acre Ute Water Annexation, located at 825 22 Road, to I-1 ( Light Industrial).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed Ordinance and set a public hearing for October 17, 2007.

**Attachments:**

1. Staff report/Background information
2. Annexation/Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. H Road/Northwest Area Plan Map
5. Zoning Ordinance

**Background Information:** See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		825 22 Road		
<b>Applicants:</b>		Ute Water Conservancy District		
<b>Existing Land Use:</b>		Residential/Agricultural		
<b>Proposed Land Use:</b>		Office, Maintenance Facility and Storage Yard for Ute Water and Grand Valley Power Operations		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential/Agricultural		
	<b>South</b>	Residential/Agricultural		
	<b>East</b>	Residential		
	<b>West</b>	Vacant		
<b>Existing Zoning:</b>		County RSF-R (Residential Rural)		
<b>Proposed Zoning:</b>		I-1 (Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-R		
	<b>South</b>	County RSF-R and I-1 (Light Industrial)		
	<b>East</b>	County RSF-R		
	<b>West</b>	County RSF-R		
<b>Growth Plan Designation:</b>		Commercial/Industrial		
<b>Zoning within density range?</b>	N/A	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

Zone of Annexation: The requested zone of annexation to the I-1 zone district is consistent with the H Road/Northwest Area Plan and the Growth Plan designation of Commercial/Industrial. The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following criteria must be met and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: Policy 1.3 of the Growth Plan states that the City will use the Future Land Use Map in conjunction with other policies of the Growth Plan to guide zoning and development decisions. The proposed zoning of I-1 is compatible with the neighborhood and conforms to the goals and policies of the Growth Plan. The surrounding zoning of parcels located in Mesa County is RSF-R, but

properties to the south and west, within the H Road/Northwest Area Plan, are being zoned I-1 as they are being annexed.

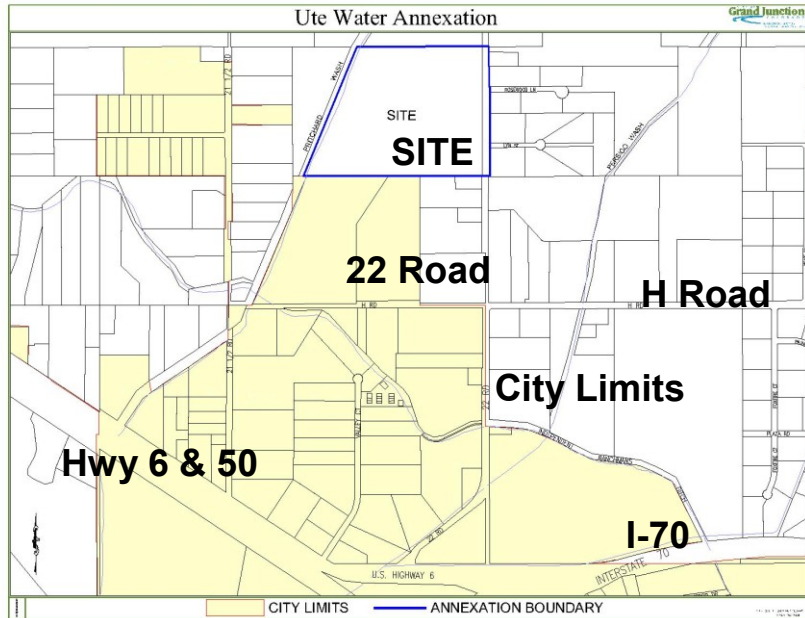
- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be provided at the time of further development of the property.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1 zone district to be consistent with the goals and policies of the Growth Plan, the H Road/Northwest Area Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

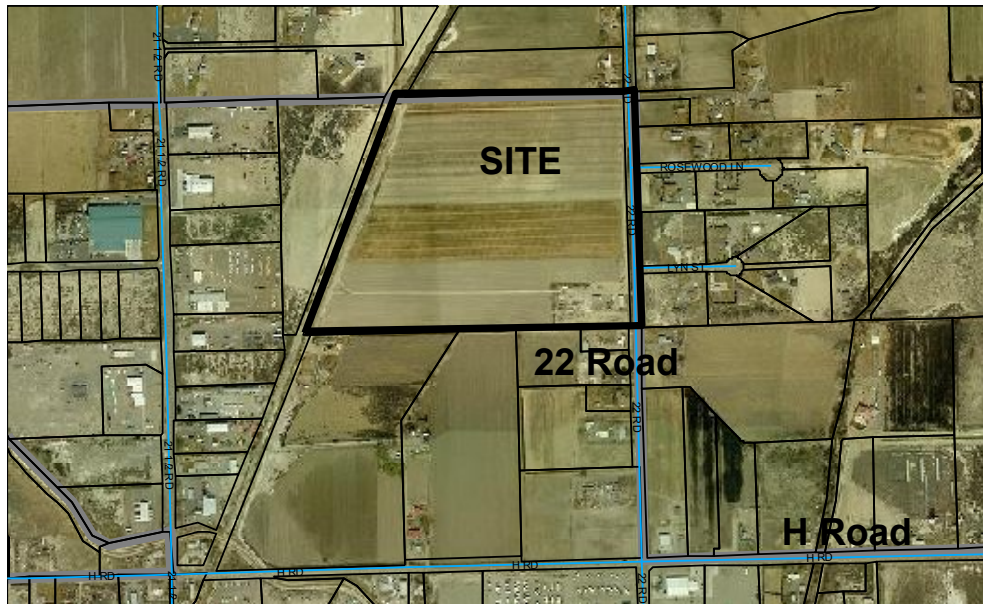
# Annexation/Location Map

Figure 1



# Aerial Photo Map

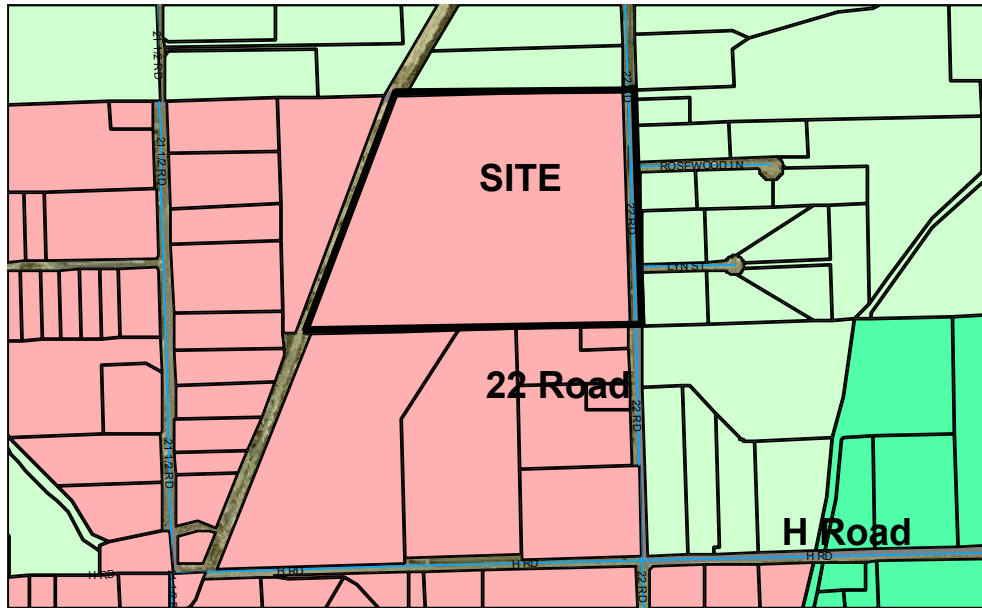
Figure 2





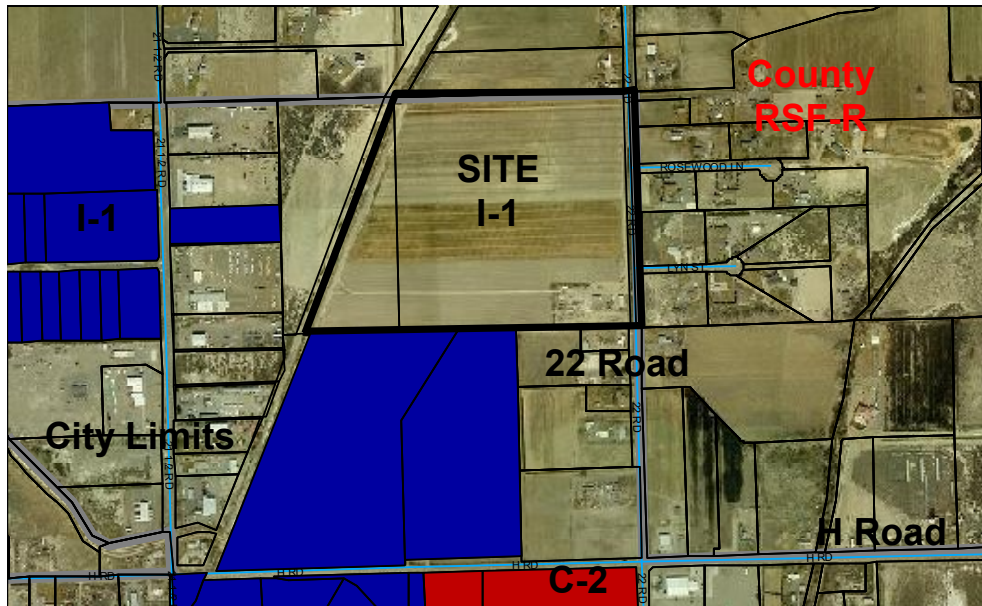
# Future Land Use Map

Figure 3



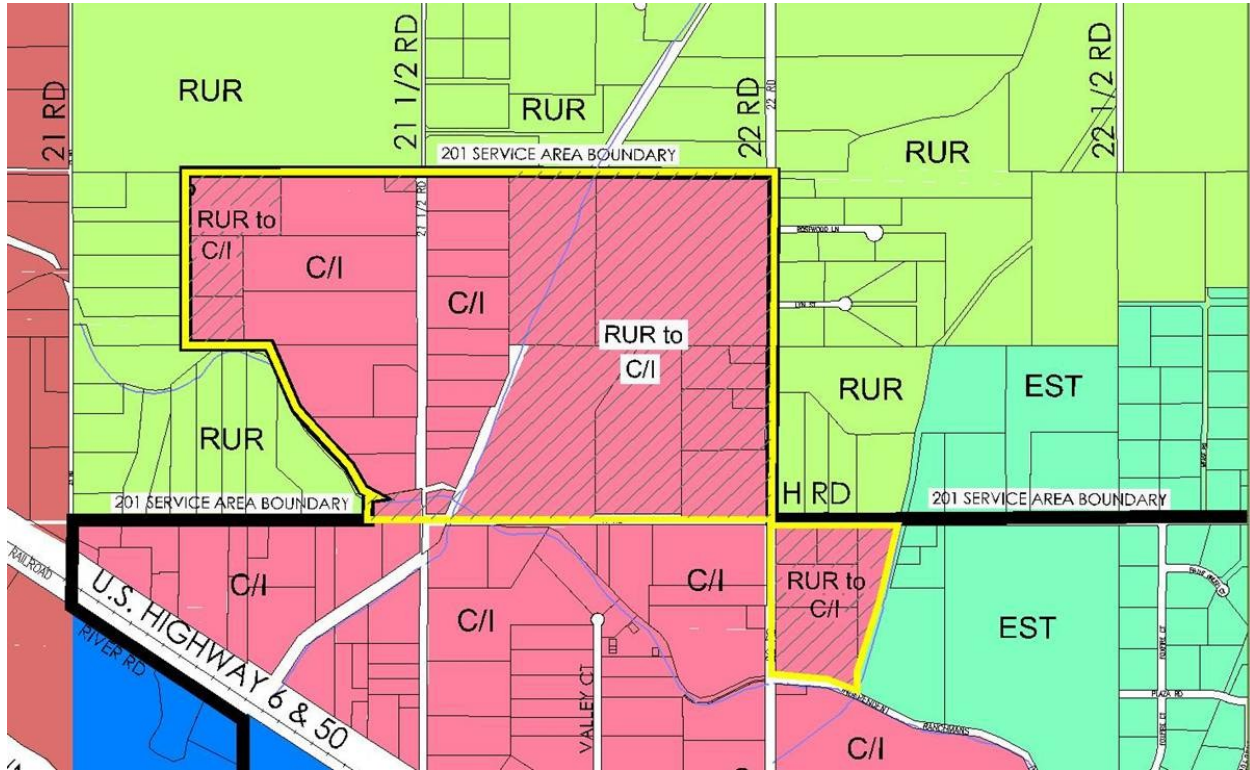
# Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

# H Road/Northwest Area Plan Adopted 18, 2007



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE UTE WATER ANNEXATION  
TO I-1 (LIGHT INDUSTRIAL)**

**LOCATED AT 825 22 ROAD**

**RECITALS**

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Ute Water Annexation to the I-1 (Light Industrial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 (Light Industrial) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned I-1 (Light Industrial):

A certain parcel of land located in the North Half of the Southeast Quarter (N 1/2 SE 1/4) of Section 25, Township 1 North, Range 2 West, of the Ute Meridian and the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 30, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 25 and assuming the East line of said NE 1/4 SE 1/4 to bear S00°03'40"W with all bearings contained herein relative thereto; thence S89°54'23"E a distance of 30.00 feet to a point on the East line of 22 Road; thence S00°03'40"W along said East line a distance of 405.88 feet to a point on the North line of Rosewood Lane; thence S89°58'34"E along said North line a distance of 10.00 feet; thence S00°03'40"W along the East line of said 22 Road a distance of 916.60 feet; thence N89°52'11"W along the South line of said NE 1/4 SE 1/4 and its continuation a distance of 1363.98 feet to the Southwest corner of said NE 1/4 SE 1/4; thence N89°52'11"W along the South line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 25 a distance of 488.83 feet to a point on the East line of the Copeco Drain, as recorded in Book 229, Pages 20-21, Public Records, Mesa County, Colorado; thence N22°29'46"E along said East line a distance of 1429.14 feet

to a point on the North line of said NE 1/4 SE 1/4; thence S89°54'23"E along said North line a distance of 1267.40 feet, more or less, to the Point of Beginning.

Said parcel contains 47.86 acres (2,084,798 square feet), more or less, as described.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 4**  
**Sundance Village Easement Vacation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Sundance Village Easement Vacation		
<b>File #</b>	VE-2007-233		
<b>Meeting Day, Date</b>	Wednesday, October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 17, 2007		
<b>Author Name &amp; Title</b>	Lori V. Bowers, Senior Planner		
<b>Presenter Name &amp; Title</b>	Lori V. Bowers, Senior Planner		

**Summary:** Vacation of a portion of a multi-purpose, drainage and irrigation easement located underneath an existing garage in Sundance Village Phase 1.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce and adopt a Resolution vacating a multi-purpose, drainage and irrigation easement.

**Attachments:**

1. Site Location Map/Aerial Photo
2. Future Land Use Map/Existing City and County Zoning Map
3. Glens At Canyon View Phase 1 (3 pgs)
4. Depiction of area
5. Condo Map Building 10 (2 pgs)
6. Resolution
7. Exhibit G (2 pgs)

**Background Information:** See attached background information.

BACKGROUND INFORMATION					
Location:		2464 Thunder Mountain Drive			
Applicants:		Sundance Village, LLC, owner and developer; Colorado Civil Engineering, LLC representative.			
Existing Land Use:		Planned residential multi-family subdivision			
Proposed Land Use:		Planned residential multi-family subdivision			
Surrounding Land Use:	North	Single Family Residential			
	South	Vacant / Commercial			
	East	Vacant			
	West	Commercial			
Existing Zoning:		PD -14 (Planned Development – 14 units per acre)			
Proposed Zoning:		PD-14			
Surrounding Zoning:	North	R-8 (Residential – 8 units per acre)			
	South	C-1 (Light Commercial)			
	East	C-1 (Light Commercial)			
	West	C-1 (Light Commercial)			
Growth Plan Designation:		Residential High, 12+ du/acre			
Zoning within density range?		X	Yes		No

**Staff Analysis:**

1. Background:

The portion of an easement that the Applicant would like to vacate is located in a development known as Sundance Village. This project has previously been known as The Homestead, Hacienda, the Glens at Canyon View. While this project was called The Hacienda, several garage foundations were constructed however a stop work order was placed on them during construction because the Preliminary Plan and phasing schedule expired. New owners are now completing Sundance Village. They completed construction of the garages on the existing foundations. It was during the re-platting process that it was discovered that one of the garages had been built over a portion of a multi-purpose, drainage and irrigation easement. To compensate for the area of the vacation, the existing easement was expanded as a part of the Condo Map for Building 9. The area of the easement in question is approximately 41 square feet, under an existing garage. This request is to vacate that portion of the easement located under the existing garage.

2. Consistency with the Growth Plan: The Growth Plan shows this area as Residential High development with a density range of at least 12 dwelling units and no

more than 24 dwelling units per acre. This project is consistent with that designation. The density is not affected by vacating a portion of the easement.

3. Section 2.11.c of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. The Growth Plan, major street plan and other adopted plans and policies of the City.

The easement to be vacated does not affect the goals and policies of the Growth Plan. It does not affect the major street plan as the area to be vacated is not located in a dedicated right-of-way. The vacation further supports the adopted plans and policies of the City by eliminating an easement under a garage where access to said easement is not practical.

- b. No parcel shall be landlocked as a result of the vacation.

The vacation of this easement will not cause any parcel to be landlocked.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

This easement is not related to access of any parcel.

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

There shall be no adverse impacts to the health, safety or welfare of the community as the existing easement was expanded as a part of the first Condo Map of Building 9, to compensate for this vacation.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

The vacation of this easement has been compensated for by an additional easement already recorded on the Condo Map for Building 9.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

The proposal shall benefit the City by having eliminated this easement in an area where access to the easement was prohibited by a structure. The additional area of the easement has already been dedicated to replace the area to be vacated.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Sundance Village Easement Vacation application, file number VE-2007-233 for the vacation of a portion of a multi-purpose, drainage and utility easement, I make the following findings of fact and conclusions:

3. The requested easement vacation is consistent with the Growth Plan.
4. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

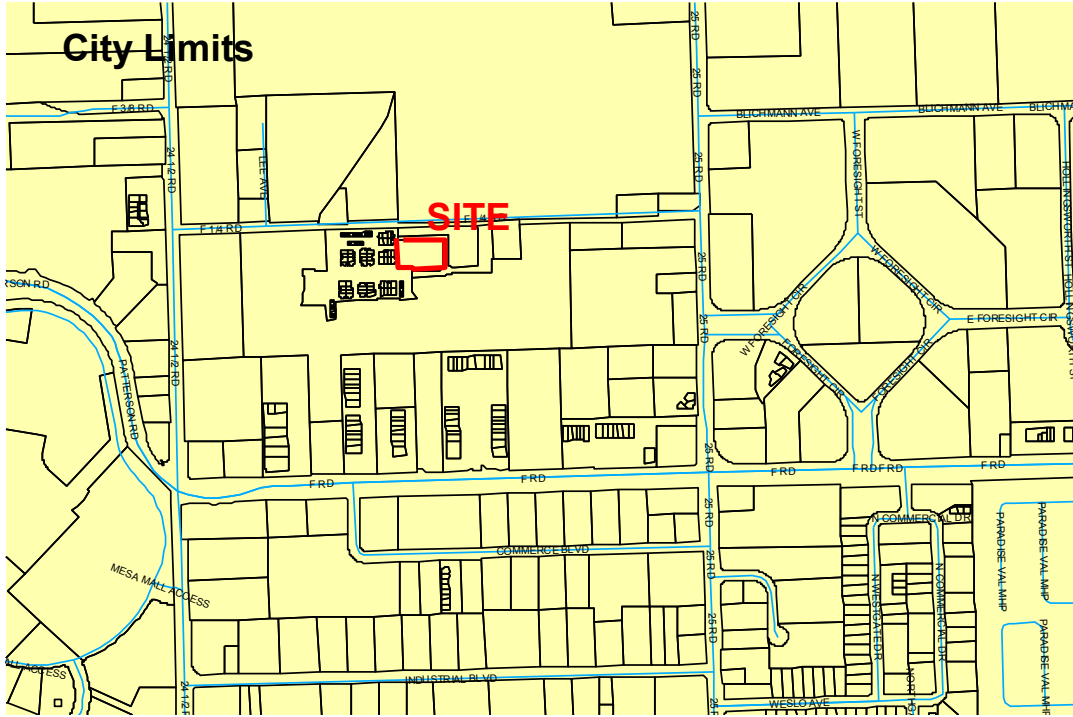
#### PLANNING COMMISSION RECOMMENDATION:

On September 25<sup>th</sup> the Planning Commission will review the proposed request. They will forward a recommendation on to the City Council after their Public Hearing.



# Site Location Map

2464 Thunder Mountain Drive



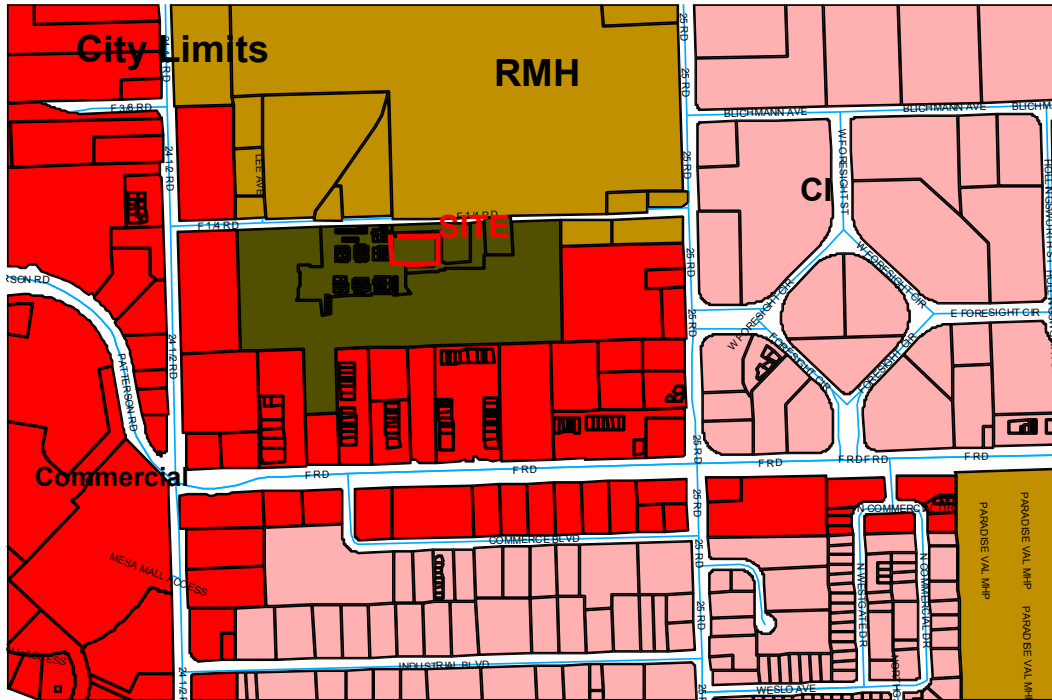
# Aerial Photo Map

2464 Thunder Mountain Drive



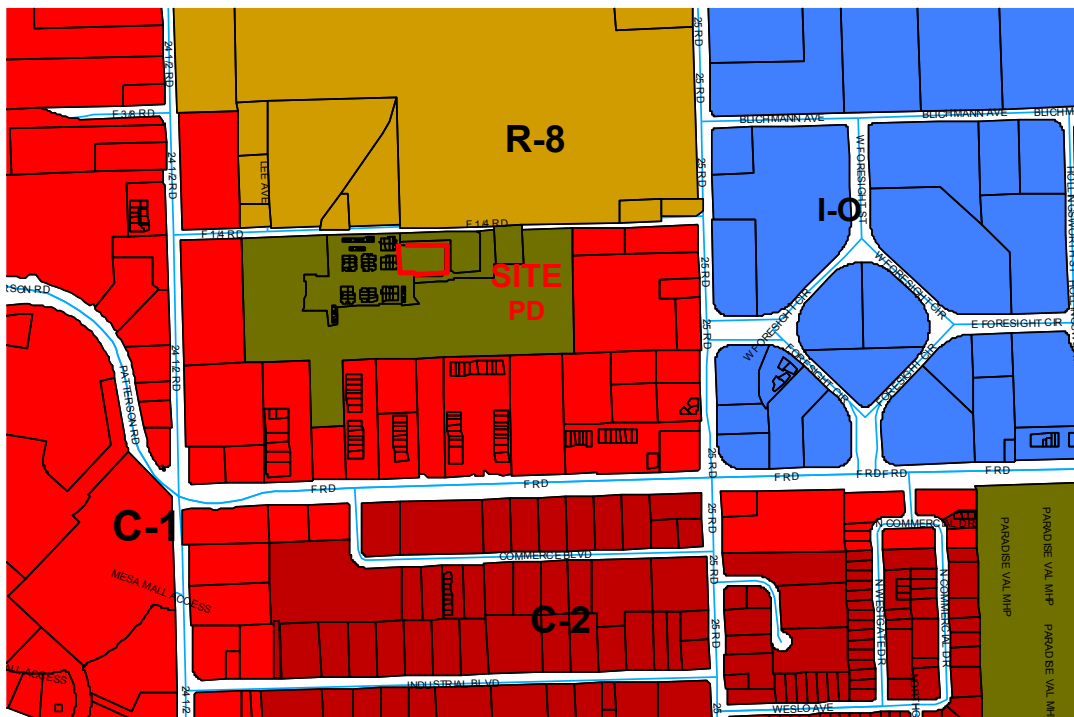
# Future Land Use Map

2464 Thunder Mountain Drive



# Existing City and County Zoning

2464 Thunder Mountain Drive



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

# GLENS AT CANYON VIEW, PHASE 1

A RESUBDIVISION OF BLOCK 1 AND A PORTION OF BLOCK 2 OF THE HOMESTEAD IN GRAND JUNCTION  
 AS RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE  
 A PARCEL OF LAND SITUATED IN SECTION 4, T 1 S, R 1 W, OF THE UTE MERIDIAN  
 CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO  
 SHEET 1 OF 3

**NOTES:**

- 1) BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF S 00°01'19" W BETWEEN THE SOUTH-CENTER SIXTEENTH CORNER OF SECTION FOUR, A MESA COUNTY SURVEY MARKER IN PLACE AND THE SOUTH QUARTER CORNER OF SECTION FOUR, A MESA COUNTY SURVEY MARKER IN PLACE.
- 2) THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD OR IN PLACE.
- 3) DATE OF SURVEY WAS NOVEMBER 22 AND 23, 2004.
- 4) THIS MAP IS BASED ON THE RECORDED PLAT OF THE HOMESTEAD IN GRAND JUNCTION RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE, CORNERS FOUND IN PLACE AND THE TITLE COMMITMENT PREPARED BY MERIDIAN LAND TITLE, LLC, GRAND JUNCTION, COLORADO, FILE NO. 77699, DATED SEPTEMBER 13, 2005.
- 5) THERE IS A PRIVATE ROAD CALLED THUNDER MOUNTAIN DRIVE FOR THE USE OF THE HOMESTEAD IN GRAND JUNCTION HOMEOWNERS ASSOCIATION, INC., HACIENDA PARTNERS, LLC, AND EMERGENCY VEHICLES AND PERSONNEL AS SHOWN IN BOOK 3928 PAGE 217 (REC. # 228121) OF THE MESA COUNTY RECORDS.
- 6) THE RIGHT-OF-WAY WIDTH SHOWN FOR THE SOUTH PORTION OF F1/4 ROAD IS BASED ON THE RECORDED PLAT OF THE HOMESTEAD IN GRAND JUNCTION RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE, CORNERS FOUND IN PLACE AND THE TITLE COMMITMENT PREPARED BY MERIDIAN LAND TITLE, LLC, GRAND JUNCTION, COLORADO, FILE NO. 77699, DATED SEPTEMBER 13, 2005. THE RIGHT-OF-WAY WIDTHS SHOWN FOR THE NORTH PORTION OF F1/4 ROAD VARIES AS SHOWN ON THE PLAT MAP.

**LIENHOLDERS RATIFICATION OF PLAT**

THE UNDERSIGNED, HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON THE PROPERTY DESCRIBED AS GLENS AT CANYON VIEW, PHASE 1, A RESUBDIVISION OF BLOCKS 1 AND 2 OF THE HOMESTEAD IN GRAND JUNCTION AS SAME IS RECORDED IN RECEPTION NO. 1930890, PUBLIC RECORDS OF MESA COUNTY, COLORADO AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNERS THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED IN BOOK 3996 PAGE 843 OF THE PUBLIC RECORDS OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN THEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 13th DAY OF February, 2005.

BY: Keith D. Kelly, V.P. FOR: VECTRA BANK COLORADO, NATIONAL ASSOCIATION  
 TITLE: \_\_\_\_\_

STATE OF COLORADO SS  
 COUNTY OF Eagle

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF February, 2005 BY Keith D. Kelly

WITNESS MY HAND AND OFFICIAL SEAL: Keith D. Kelly, V.P.  
 NOTARY PUBLIC  
 ADDRESS: 218 E. Valley Rd #108, Canonado Co  
 MY COMMISSION EXPIRES: July 1, 2009

**LIENHOLDERS RATIFICATION OF PLAT**

THE UNDERSIGNED, HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON THE PROPERTY DESCRIBED AS GLENS AT CANYON VIEW, PHASE 1, A RESUBDIVISION OF BLOCKS 1 AND 2 OF THE HOMESTEAD IN GRAND JUNCTION AS SAME IS RECORDED IN RECEPTION NO. 1930890, PUBLIC RECORDS OF MESA COUNTY, COLORADO AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNERS THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED IN BOOK 3996 PAGE 843 OF THE PUBLIC RECORDS OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN THEREON.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS, THIS 13th DAY OF February, 2005.

BY: Mike Jasin, Manager FOR: SREI F-1/4 ROAD, LLC.  
 TITLE: \_\_\_\_\_

STATE OF COLORADO SS  
 COUNTY OF Eagle

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF February, 2005 BY Mike Jasin

WITNESS MY HAND AND OFFICIAL SEAL: Mike Jasin, Manager  
 NOTARY PUBLIC  
 ADDRESS: 218 E. Valley Rd #108, Canonado Co  
 MY COMMISSION EXPIRES: July 1, 2009

**TITLE CERTIFICATION**

MERIDIAN LAND TITLE, LLC, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT WE HAVE EXAMINED THE TITLE TO THE HEREIN DESCRIBED PROPERTY, THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED TO HACIENDA PARTNERS, LLC AS SHOWN ON THE PLAT AND THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD; THAT ALL EASEMENTS, RESERVATIONS AND RIGHTS OF WAY OF RECORD ARE SHOWN HEREON.

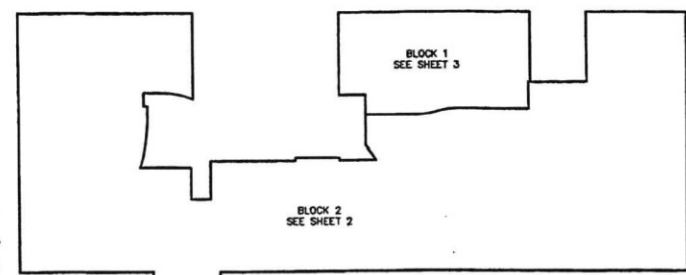
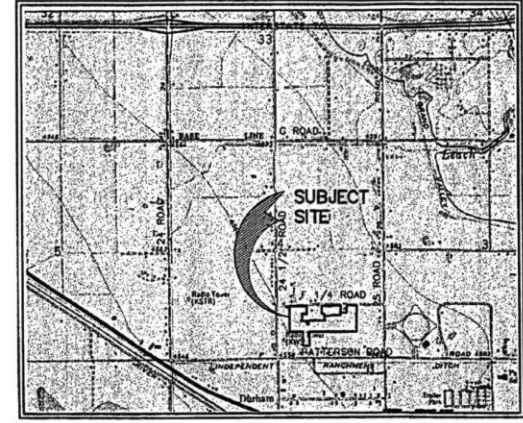
DATE: February 16, 2006  
 BY: David Lawrence J. Vent, Examiner  
 NAME AND TITLE: DAVID LAWRENCE J. VENT, EXAMINER  
 MERIDIAN LAND TITLE, LLC.

**CITY APPROVAL**

THIS PLAT OF GLENS AT CANYON VIEW PHASE 1, A PLAT OF A PORTION OF THE HOMESTEAD OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, WAS APPROVED THIS 11th DAY OF February, 2006.

BY: David M. Valley, Mayor Craig A. Calhoun, Mayor  
 CITY MANAGER MAYOR

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.  
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



**KEY MAP**  
 SCALE: 1" = 200'

**SURVEYOR'S CERTIFICATE**  
 I, JASON R. NEIL, DO HEREBY STATE THAT I AM A REGISTERED LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF GLENS AT CANYON VIEW, PHASE 1, AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON; THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND.  
 IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS 14th DAY OF February, A.D. 2006.



**SHEET INDEX**

SHEET 1	NOTES, CHARTS AND CERTIFICATIONS
SHEET 2	BOUNDARY AND MONUMENTS
SHEET 3	DETAIL BLOCK 1

**CONVEYANCE DOCUMENTS: (FOR CITY USE ONLY)**

DRAINAGE EASEMENTS (HOA)	BOOK 4119	PAGE 40
IRRIGATION EASEMENTS (HOA)	BOOK 4119	PAGE 40
TRACT A (HOA)	BOOK 4119	PAGE 40
TRACT B (HOA)	BOOK 4119	PAGE 40
TRACT C (HOA)	BOOK 4119	PAGE 40
TRACT D (HOA)	BOOK 4119	PAGE 40

**LAND USE SUMMARY**

LOT	SQUARE FEET ±	ACRES ±	PERCENT ±
LOT 1	33,641	0.772	30.00
LOT 2	41,206	0.946	36.75
TRACT A	10,213	0.234	9.11
TRACT B	10,577	0.243	9.43
TRACT C - OPEN SPACE	4,039	0.093	3.60
TRACT D	12,451	0.286	11.11
TOTAL BLOCK 1	112,127	2.574	100.00
BLOCK 1 AREA	112,127	2.574	12.35
BLOCK 2 AREA	786,052	18.275	87.65
TOTAL AREA	908,179	20.849	100.00

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, HACIENDA PARTNERS, LLC., IS THE OWNER OF THAT REAL PROPERTY SITUATED IN THE COUNTY OF MESA, STATE OF COLORADO, AND BEING A PART OF THAT REAL PROPERTY AS SHOWN ON THE ACCOMPANYING PLAT, A PARCEL OF LAND SITUATED IN BLOCKS 1 AND 2 OF THE HOMESTEAD IN GRAND JUNCTION AS SHOWN ON THE PLAT THEREOF RECORDED AT RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL LYING WITHIN THE SE1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 2 THE POINT OF BEGINNING; THENCE S00°02'36" W ALONG THE EASTERLY BOUNDARY OF SAID BLOCK 2 A DISTANCE OF 632.70 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 2; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID BLOCK 2 THE FOLLOWING SIX (6) COURSES:
1. S89°51'32" W A DISTANCE OF 609.81 FEET
  2. S89°52'27" W A DISTANCE OF 494.91 FEET
  3. S00°02'00" W A DISTANCE OF 334.43 FEET
  4. S89°44'18" W A DISTANCE OF 164.95 FEET
  5. N00°01'53" E A DISTANCE OF 337.89 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 2; THENCE N00°01'15" W ALONG THE WESTERLY BOUNDARY OF SAID BLOCK 2 A DISTANCE OF 632.70 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 2 ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF F 1/4 ROAD; THENCE N89°50'07" E ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 2 A DISTANCE OF 429.17 FEET TO THE NORTHWEST CORNER OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 1, AS RECORDED IN RECEPTION NO. 1963289 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID NORTHERLY BOUNDARY OF BLOCK 2 AND ALONG THE WESTERLY BOUNDARY OF SAID CONDOMINIUM MAP 1 THE FOLLOWING SIX (6) COURSES:
  1. S00°02'28" W A DISTANCE OF 210.58 FEET TO A POINT ON A NON-TANGENT CURVE
  2. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 180.00 FEET AND A CENTRAL ANGLE OF 23°01'07", A DISTANCE OF 72.80 FEET (CHORD BEARS N76°22'27" W 72.30 FEET) TO A POINT OF TANGENCY
  3. N89°57'34" E A DISTANCE OF 50.56 FEET
  4. S00°02'28" W A DISTANCE OF 122.84 FEET TO A POINT OF A NON-TANGENT CURVE
  5. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 18.00 FEET AND A CENTRAL ANGLE OF 27°46'23", A DISTANCE OF 8.73 FEET (CHORD BEARS S78°04'15" E 8.64 FEET) TO A POINT OF A NON-TANGENT CURVE
  6. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 452.00 FEET AND A CENTRAL ANGLE OF 18°49'00", A DISTANCE OF 148.48 FEET (CHORD BEARS S09°28'10" W 147.78 FEET) TO THE SOUTHWEST CORNER OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 5; AS RECORDED IN RECEPTION NO. 2201015 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE, THENCE LEAVING SAID BOUNDARY OF CONDOMINIUM MAP 1 AND ALONG THE SOUTHERLY BOUNDARY OF SAID CONDOMINIUM MAP 5 THE FOLLOWING FOUR (4) COURSES:
  1. S89°57'34" E A DISTANCE OF 124.22 FEET
  2. S89°57'34" E A DISTANCE OF 72.45 FEET
  3. S89°57'34" E A DISTANCE OF 48.82 FEET
  4. N00°02'28" E A DISTANCE OF 93.31 FEET TO THE SOUTHWEST CORNER OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 3, AS RECORDED IN RECEPTION NO. 2024406 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID SOUTHERLY BOUNDARY OF CONDOMINIUM MAP 5 AND ALONG THE SOUTHERLY BOUNDARY OF SAID CONDOMINIUM MAP 3, S89°57'34" E A DISTANCE OF 101.12 FEET TO THE SOUTHWEST CORNER OF SAID CONDOMINIUM MAP 5, THENCE LEAVING SAID SOUTHERLY BOUNDARY OF CONDOMINIUM MAP 3 AND ALONG SAID SOUTHERLY BOUNDARY OF CONDOMINIUM MAP 5 THE FOLLOWING TWO (2) COURSES:
  1. S89°57'34" E A DISTANCE OF 108.03 FEET
  2. N00°06'58" E A DISTANCE OF 7.65 FEET TO THE SOUTHWEST CORNER OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 2, AS RECORDED IN RECEPTION NO. 1984404 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID SOUTHERLY BOUNDARY OF CONDOMINIUM MAP 5, ALONG THE SOUTHERLY BOUNDARY OF SAID CONDOMINIUM MAP 2, S89°57'34" E A DISTANCE OF 103.73 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 4 AS RECORDED IN RECEPTION NO. 2031996 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID SOUTHERLY BOUNDARY OF CONDOMINIUM MAP 2 AND ALONG THE BOUNDARY OF SAID CONDOMINIUM MAP 4 THE FOLLOWING FIVE (5) COURSES:
  1. S00°04'45" W A DISTANCE OF 6.52 FEET
  2. S89°57'34" E A DISTANCE OF 90.34 FEET
  3. N34°52'12" W A DISTANCE OF 44.22 FEET
  4. N00°02'28" E A DISTANCE OF 122.84 FEET
  5. N89°57'34" W A DISTANCE OF 65.00 FEET TO THE NORTHWEST CORNER OF SAID CONDOMINIUM MAP 4 ALSO BEING THE EASTERLY BOUNDARY OF SAID CONDOMINIUM MAP 1; THENCE LEAVING SAID CONDOMINIUM MAP 4 ALONG THE WESTERLY BOUNDARY OF SAID BLOCK 1 AND THE EASTERLY BOUNDARY OF SAID CONDOMINIUM MAP 1, N00°02'28" E A DISTANCE OF 202.08 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 1 ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF F 1/4 ROAD; THENCE LEAVING SAID EASTERLY BOUNDARY OF CONDOMINIUM MAP 1 ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 1 THE FOLLOWING TWO (2) COURSES:
  1. N89°50'07" E A DISTANCE OF 199.82 FEET
  2. N89°51'58" E A DISTANCE OF 272.40 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED AS RECEPTION NO. 1791724 IN THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID NORTHERLY BOUNDARY OF BLOCK 1 ALONG THE WESTERLY BOUNDARY OF SAID PARCEL S00°08'47" E A DISTANCE OF 171.73 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL N89°49'12" E A DISTANCE OF 140.04 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL N00°09'40" W A DISTANCE OF 171.82 FEET TO THE NORTHEAST CORNER OF SAID PARCEL ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF F 1/4 ROAD; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK 2 AND SAID SOUTHERLY RIGHT-OF-WAY N89°51'58" E A DISTANCE OF 247.37 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 908,179 SQUARE FEET, 20.849 ACRES, MORE OR LESS.

THAT SAID OWNERS HAVE CAUSED THE SAID REAL PROPERTY TO BE LAID OUT AND SURVEYED AS GLENS AT CANYON VIEW PHASE 1, A RESUBDIVISION OF A PART OF THE HOMESTEAD IN GRAND JUNCTION, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.

- THAT SAID OWNER DOES HEREBY DEDICATE AND SET APART THE REAL PROPERTY AS SHOWN AND LABELED ON THE ACCOMPANYING PLAT AS FOLLOWS:
1. ALL MULTI-PURPOSE EASEMENTS ARE DEDICATED TO THE CITY OF GRAND JUNCTION FOR THE USE OF CITY APPROVED UTILITIES AND PUBLIC PROVIDERS AS PERPETUAL EASEMENTS FOR THE INSTALLATION, OPERATION, MAINTENANCE AND REPAIR OF UTILITIES AND APPURTENANCES THERE TO INCLUDING BUT NOT LIMITED TO: ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES, AND ALSO FOR THE INSTALLATION AND MAINTENANCE OF TRAFFIC CONTROL FACILITIES, STREET LIGHTING, LANDSCAPING, TREES AND GRADE STRUCTURES.
  2. ALL UTILITY EASEMENTS ARE DEDICATED TO THE CITY OF GRAND JUNCTION AS PERPETUAL EASEMENTS FOR THE INSTALLATION, OPERATION, MAINTENANCE, AND REPAIR OF UTILITIES AND APPURTENANCES THERE TO INCLUDING BUT NOT LIMITED TO: ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES, EQUIVALENT OTHER PUBLIC PROVIDERS AND APPURTENANT FACILITIES.
  3. TRACTS A - D ARE GRANTED BY SEPARATE INSTRUMENT TO THE HACIENDA SUBDIVISION ASSOCIATION. TRACTS A - D ARE SUBJECT TO A PUBLIC EASEMENT ACROSS THEIR ENTIRETY FOR EMERGENCY VEHICLE AND PERSONNEL INGRESS AND EGRESS GRANTED HEREBY.
  4. DRAINAGE AND IRRIGATION EASEMENTS ARE GRANTED BY SEPARATE INSTRUMENT TO THE HACIENDA SUBDIVISION ASSOCIATION AND ARE HEREBY DEDICATED TO THE CITY OF GRAND JUNCTION SUBJECT TO THE ASSOCIATION HAVING MAINTENANCE RESPONSIBILITIES.
  5. THE ACCESS EASEMENT FOR EMERGENCY VEHICLE INGRESS AND EGRESS IS DEDICATED TO THE CITY OF GRAND JUNCTION. THIS PROPERTY IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 2394, PAGE 354, MESA COUNTY RECORDS.

ALL EASEMENTS INCLUDE THE RIGHT OF INGRESS AND EGRESS ON, ALONG, OVER, UNDER, THROUGH AND ACROSS BY THE BENEFICIARIES, THEIR SUCCESSORS, OR ASSIGNS, TOGETHER WITH THE RIGHT TO TRIM OR REMOVE INTERFERING TREES AND BRUSH, AND IN DRAINAGE AND DETENTION/RETENTION EASEMENTS OR TRACTS, THE RIGHT TO DREDGE; PROVIDED, HOWEVER, THAT THE BENEFICIARIES/OWNERS SHALL UTILIZE THE SAME IN A REASONABLE AND PRUDENT MANNER. FURTHERMORE, THE OWNERS OF SAID LOTS OR TRACTS HEREBY PLATTED SHALL NOT BURDEN OR OMBURDEN SAID EASEMENTS BY ERECTING OR PLACING ANY IMPROVEMENTS THEREON WHICH MAY PREVENT THE REASONABLE INGRESS AND EGRESS TO AND FROM THE EASEMENT.

SAID OWNER FURTHER CERTIFIES THAT ALL LIENHOLDERS ARE REPRESENTED HEREON.  
 IN WITNESS WHEREOF SAID OWNER HAS CAUSED HIS NAME TO BE HERETO SUBSCRIBED THIS 11th DAY OF February, A.D. 2006.

BY: HACIENDA PARTNERS, LLC.  
 TITLE: Kenneth R. Bauld

STATE OF Texas SS  
 COUNTY OF Travis

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF February, A.D. 2006 BY Kenneth R. Bauld AS Manager OF HACIENDA PARTNERS, LLC.  
 MY COMMISSION EXPIRES: 9-22-06

WITNESS MY HAND AND SEAL: William J. ...  
 NOTARY PUBLIC

**CLERK AND RECORDER'S CERTIFICATE**  
 THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, COLORADO, AT 2:08 O'CLOCK P.M. ON THE 23rd DAY OF March, 2006, A.D. AND IS FULLY RECORDED IN BOOK 4119, PAGES 37-39 AS RECEPTION NO. 2282013 Drawn RA-129

ATTEST: \_\_\_\_\_ CLERK AND RECORDER  
 BY: \_\_\_\_\_ DEPUTY

CALL FOR INFORMATION  
 800.922.1987  
 OR 934.0000 IN METRO DENVER  
 CALL BUSINESS DAYS IN ADVANCE  
 BEFORE YOU GO TO THE OFFICE OF  
 UNDERWRITING NUMBER 111111

REVISION

NO. DATE

PROJECT NO.  
 2041007.00  
 0512

1 OF 3

HIGH COUNTRY ENGINEERING, INC.  
 14 INVERNESS DRIVE EAST, STE. F-180, ENGLEWOOD, CO 80112  
 PHONE (303) 926-0584 FAX (303) 926-0587  
 1517 BLAKE AVENUE, STE 101, GLENWOOD SPRINGS, CO 81601  
 PHONE (970) 945-8888 WWW.HCEI.COM

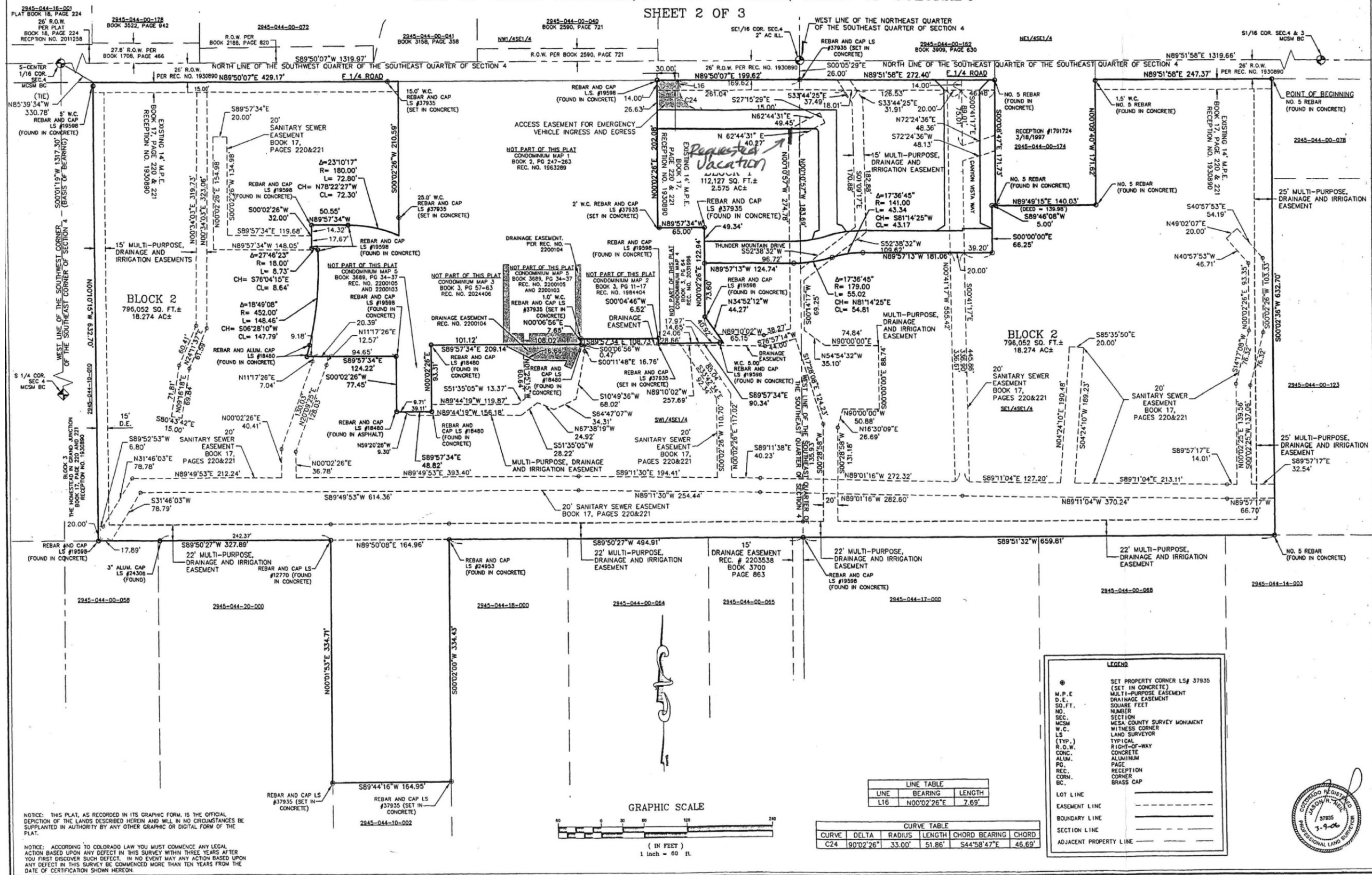
HACIENDA PARTNERS, LLC  
 CITY OF GRAND JUNCTION, COLORADO  
 GLENS AT CANYON VIEW  
 PHASE 1 FINAL PLAT  
 SEC. 4, T 1 S, R 1 W, OF THE UTE MERIDIAN



# GLENS AT CANYON VIEW, PHASE 1

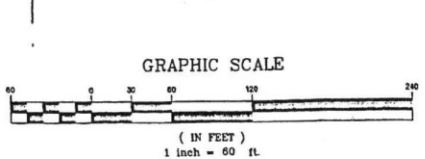
A RESUBDIVISION OF BLOCK 1 AND A PORTION OF BLOCK 2 OF THE HOMESTEAD IN GRAND JUNCTION  
AS RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE  
A PARCEL OF LAND SITUATED IN SECTION 4, T 1 S, R 1 W, OF THE UTE MERIDIAN  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

SHEET 2 OF 3



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



LINE TABLE				
LINE	BEARING	LENGTH		
L16	N00°02'26"E	7.69'		

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C24	90°02'26"	33.00'	51.86'	S44°58'47"E	46.69'

**LEGEND**

- SET PROPERTY CORNER L&#37935 (SET IN CONCRETE)
- M.P.E. MULTI-PURPOSE EASEMENT
- D.E. DRAINAGE EASEMENT
- SQ. FT. SQUARE FEET
- NO. NUMBER
- SEC. SECTION
- MCSM MESA COUNTY SURVEY MONUMENT
- W.C. WITNESS CORNER
- LAND SURVEYOR
- LS (TYP.) TYPICAL
- R.O.W. RIGHT-OF-WAY
- CONC. CONCRETE
- ALUM. ALUMINUM
- PG. PAGE
- REC. RECEPTION
- CORN. CORNER
- BRASS CAP
- LOT LINE
- EASEMENT LINE
- BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE

CALL CITY OF GRAND JUNCTION  
 1-800-922-1987  
 OR 304 - Grand Junction Service  
 CENTER  
 CHAIRMAN: JAMES W. HARRIS  
 CLERK: JAMES W. HARRIS  
 RECORDER: JAMES W. HARRIS

FROM BY: JWH  
 CHECKED BY: JWH  
 DATE: 2/29/06  
 TITLE: FPL/PH1

HIGHER COUNTRY ENGINEERING, INC.  
 14 INVERNESS DRIVE EAST, STE F-120, ENGLEWOOD, CO 80112  
 PHONE (303) 925-0544 FAX (303) 925-0547  
 1517 BLAKE AVENUE, STE 101, GLENWOOD SPRINGS, CO 81601  
 PHONE (970) 945-8676 FAX (970) 945-2555  
 www.hceing.com

HACIENDA PARTNERS, LLC  
 CITY OF GRAND JUNCTION, COLORADO  
 GLENS AT CANYON VIEW  
 PHASE 1 FINAL PLAT  
 SEC. 4, T 1 S, R 1 W, OF UTE MERIDIAN

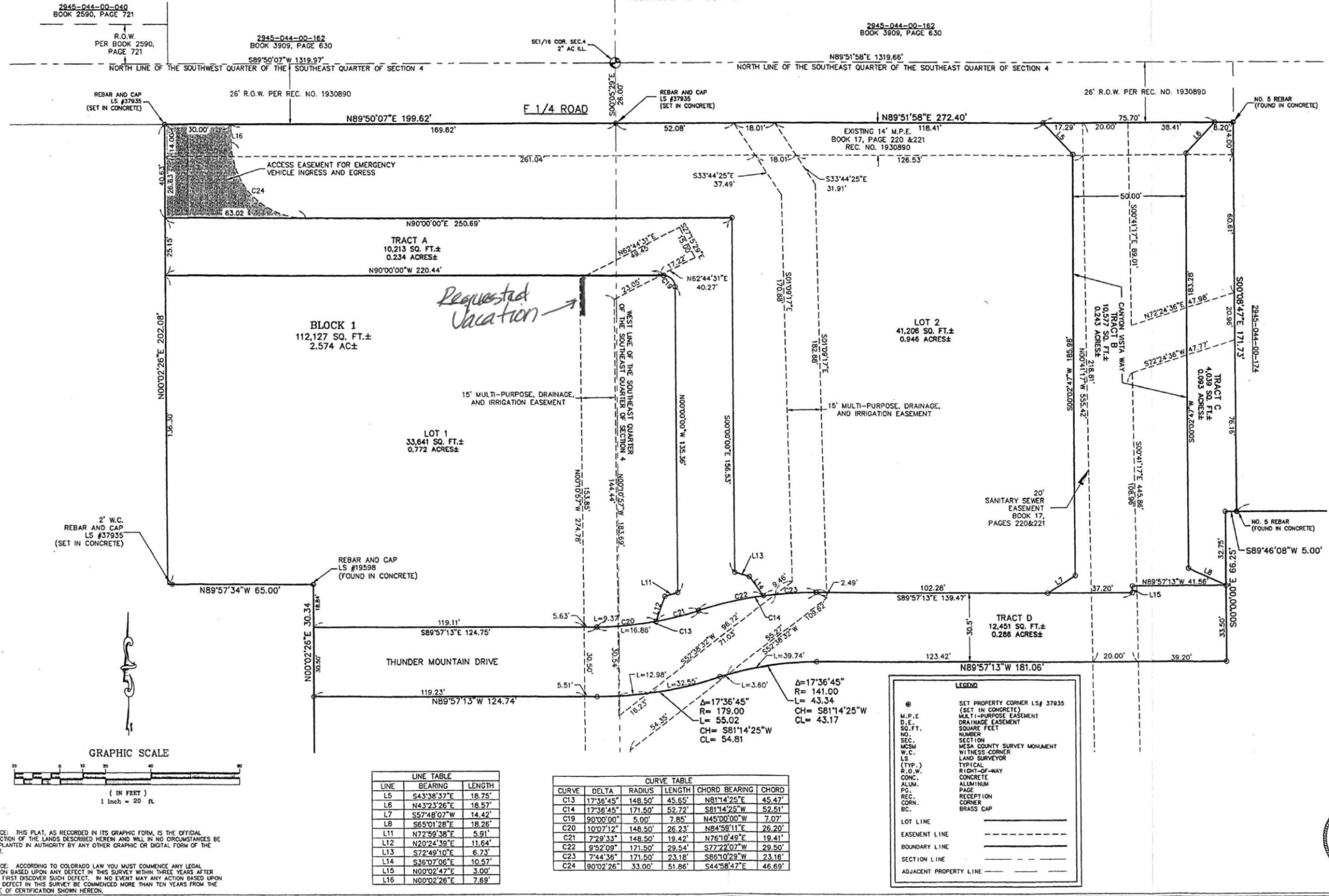
PROJECT NO.  
 2041007.00  
 0512

2 OF 3

# GLENS AT CANYON VIEW, PHASE 1

A RESUBDIVISION OF BLOCK 1 AND A PORTION OF BLOCK 2 OF THE HOMESTEAD IN GRAND JUNCTION  
AS RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE  
A PARCEL OF LAND SITUATED IN SECTION 4, T 1 S, R 1 W, OF THE UTE MERIDIAN  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

SHEET 3 OF 3



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

LINE	BEARING	LENGTH
L5	S43°38'37"E	18.75'
L6	N43°23'26"E	18.57'
L7	S57°48'07"W	14.42'
L8	S65°01'28"E	18.26'
L11	N72°59'38"E	5.91'
L12	N20°24'39"E	11.64'
L13	S72°49'10"E	6.23'
L14	S36°07'06"E	10.57'
L15	N00°02'47"E	3.00'
L16	N00°02'26"E	7.69'

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C13	17°36'45"	148.50'	45.65'	N81°14'25"E	45.47'
C14	17°36'45"	171.50'	52.72'	S81°14'25"W	52.51'
C19	90°00'00"	5.00'	7.85'	N45°00'00"W	7.07'
C20	10°07'12"	148.50'	26.23'	N84°58'11"E	26.20'
C21	7°29'33"	148.50'	19.42'	N76°10'49"E	19.41'
C22	9°52'09"	171.50'	29.54'	S77°22'07"W	29.50'
C23	7°44'36"	171.50'	23.18'	S85°10'29"W	23.16'
C24	90°02'26"	33.00'	51.86'	S44°58'47"E	46.69'

**LEGEND**

- ⊙ SET PROPERTY CORNER L5# 37935 (SET IN CONCRETE)
- M.P.E. MULTI-PURPOSE EASEMENT
- D.E. DRAINAGE EASEMENT
- SQ. FT. SQUARE FEET
- NO. NUMBER
- SECTION SECTION
- MCSM MESA COUNTY SURVEY MONUMENT
- W.C. WITNESS CORNER
- LS LAND SURVEYOR
- (TYP.) TYPICAL
- R.O.W. RIGHT-OF-WAY
- CONC. CONCRETE
- ALUM. ALUMINUM
- PG. PAGE
- REC. RECEPTION
- CORN. CORNER
- BRASS CAP

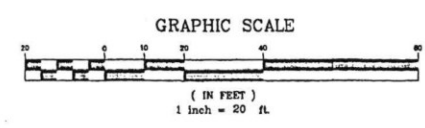
LOT LINE \_\_\_\_\_

EASEMENT LINE \_\_\_\_\_

BOUNDARY LINE \_\_\_\_\_

SECTION LINE \_\_\_\_\_

ADJACENT PROPERTY LINE \_\_\_\_\_

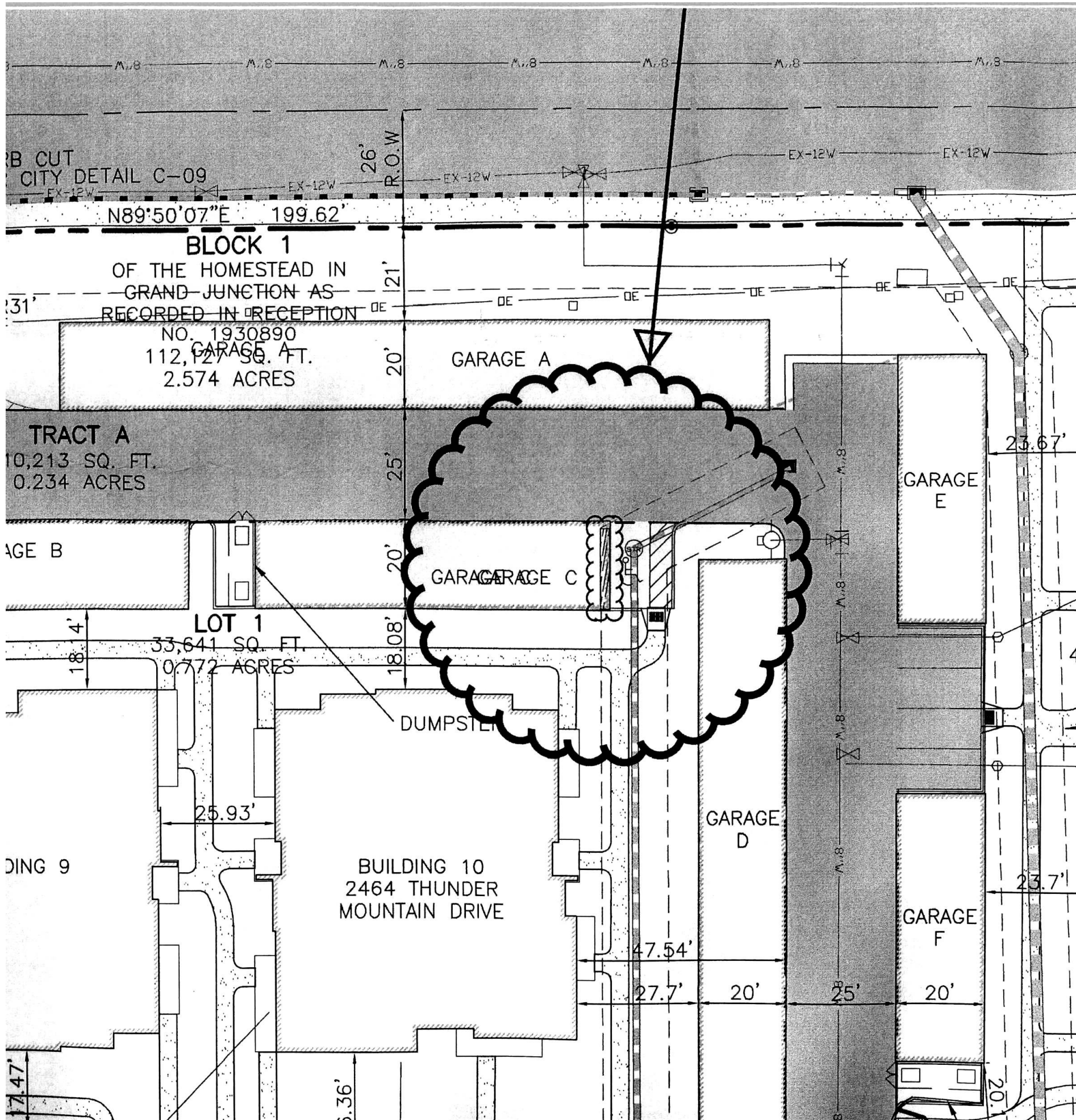


**HIGH COUNTRY ENGINEERING, INC.**

14 INVERNESS DRIVE, SUITE 100, ENGLEWOOD, CO 80112  
PHONE (303) 655-0544 FAX (303) 923-0547  
1517 BLAKE STREET, SUITE 101, GLENWOOD SPRINGS, CO 81601  
PHONE (970) 442-8876 FAX (970) 949-2535  
www.hceneg.com

PROJECT NO. 2041007.00  
0512  
3 OF 3







**SUNDANCE VILLAGE CONDOMINIUM MAP 1 B**  
**A RESUBDIVISION OF TRACT 10, BLOCK 1, SUNDANCE VILLAGE CONDOMINIUM MAP**  
**AS RECORDED AT RECEPTION NO. 2378488 OF THE MESA COUNTY CLERK AND RECORDERS OFFICE**  
**PARCEL OF LAND LOCATED IN SECTION 4, T. 1 S., R. 1 W. OF THE UTE MERIDIAN**  
**CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO**

**SHEET INDEX**

SHEET NO.	CONTENTS
1.	COVER SHEET AND MONITY MAP
2.	BUILDING LOCATIONS, UNIT MAP
3.	BUILDING FLOOR PLANS
4.	BUILDING SECTIONS PROFILE

**OWNER'S CERTIFICATION:**

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED SUNDANCE VILLAGE, LLC, A COLORADO LIMITED LIABILITY COMPANY IS THE OWNER OF TRACT 10, BLOCK 1, SUNDANCE VILLAGE CONDOMINIUM MAP, A PLAT RECORDED WITHIN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 2378488, DESCRIBED AND SHOWN HEREON AS BEING SITUATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO, BEING SUBORDINATELY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF F 1/4 ROAD AND THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, WHENCE THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION 4 BEARS N 00°02'10" E, A DISTANCE OF 28.00 FEET; THENCE S 09°33'22" W, A DISTANCE OF 100.62 FEET TO THE NORTHEASTERLY CORNER OF SAID TRACT 10 AND THE POINT OF BEGINNING;

THENCE ON THE BOUNDARIES OF SAID TRACT 10 THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. S 00°00'00" W, A DISTANCE OF 91.00 FEET;
2. S 90°00'00" W, A DISTANCE OF 78.67 FEET;
3. N 00°00'00" E, A DISTANCE OF 91.00 FEET;
4. N 90°00'00" E, A DISTANCE OF 78.67 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 7,159 SQUARE FEET OR 0.164 ACRES, MORE OR LESS.

THAT SAID OWNERS HAVE CAUSED THE REAL PROPERTY TO BE LAID OUT, SUBDIVIDED AND PLATTED AS SUNDANCE VILLAGE CONDOMINIUM MAP 1 B, A SUBDIVISION OF A PART OF THE CITY OF GRAND JUNCTION, COLORADO, CONSISTING OF EIGHT (8) INDIVIDUAL CONDOMINIUM UNITS TOGETHER WITH THE APPURTENANT INTERESTS IN THE COMMON ELEMENTS AS DEFINED AND PROVIDED FOR IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SUNDANCE VILLAGE CONDOMINIUMS, RECORDED ON \_\_\_\_\_ AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF THE CLERK AND RECORDER OF THE COUNTY OF MESA, COLORADO, AND ANY AMENDMENTS THERE TO.

THAT SAID OWNER DOES HEREBY DEDICATE AND SET APART THE REAL PROPERTY AS SHOWN AND LABELED AS THE ACCOMPANYING CONDOMINIUM MAP OF SUNDANCE VILLAGE CONDOMINIUM MAP 1 B, AS FOLLOWS:

ALL MULTI-PURPOSE EASEMENTS ARE DEDICATED TO THE CITY OF GRAND JUNCTION FOR THE USE OF CITY APPROVED UTILITIES AND PUBLIC PROVIDERS AS PERPETUAL EASEMENTS FOR THE INSTALLATION, OPERATION, MAINTENANCE AND REPAIR OF UTILITIES AND APPURTENANCES THERE TO INCLUDING BUT NOT LIMITED TO: ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES AND ALSO FOR THE INSTALLATION AND MAINTENANCE OF TRAFFIC CONTROL FACILITIES, STREET LIGHTING, LANDSCAPING, TREES AND GRADE STRUCTURES.

ALL TRACTS/EASEMENTS INCLUDE THE RIGHT OF INGRESS AND EGRESS ON, ALONG, OVER, UNDER, THROUGH AND ACROSS BY THE BENEFICIARIES, THEIR SUCCESSORS, OR ASSIGNS, TOGETHER WITH THE RIGHT TO TRIM OR REMOVE INTERFERING TREES AND BRUSH, AND IN DRAINAGE AND DETENTION/RETENTION EASEMENTS OR TRACTS, THE RIGHT TO DREDGE; PROVIDED HOWEVER, THAT THE BENEFICIARIES/OWNERS SHALL UTILIZE THE SAME IN A REASONABLE AND PRUDENT MANNER. FURTHERMORE, THE OWNERS OF SAID LOTS OR TRACTS HEREBY PLATTED SHALL NOT BURDEN OR OVERBURDEN SAID EASEMENTS BY ERECTING OR PLACING ANY IMPROVEMENTS THEREON WHICH MAY IMPEDE THE USE OF THE EASEMENT AND/OR PREVENT THE REASONABLE INGRESS AND EGRESS TO AND FROM THE EASEMENT.

SUNDANCE VILLAGE, LLC  
 A COLORADO LIMITED LIABILITY COMPANY

STATE OF COLORADO )  
 ) SS  
 COUNTY OF MESA )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2007, BY SUNDANCE VILLAGE LLC, A COLORADO LIMITED LIABILITY COMPANY.

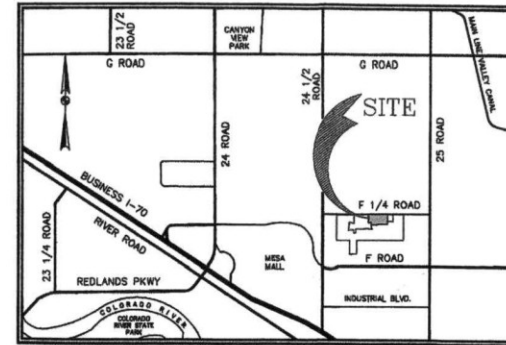
WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

**GENERAL NOTES:**

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVCON INC. TO DETERMINE OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. SURVCON INC. RELIED UPON TITLE COMMITMENT NUMBER 911-10109406-900-GTO, AMENDMENT NO. C BY FIRST AMERICAN HERITAGE TITLE COMPANY, EFFECTIVE DATE OF APRIL 19, 2007 AT 8:00 A.M.
2. BENCHMARK: PROJECT BENCHMARK IS A CHISELED "X" IN CONCRETE AT THE NORTHWEST CORNER OF A 20' ACCESS EASEMENT FOR EMERGENCY VEHICLE INGRESS & EGRESS IN THE NORTHWEST CORNER OF THE PROJECT.  
 ELEVATION= 4570.08 FEET.
3. BASIS OF BEARINGS: BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF S 00°01'19" W BETWEEN THE SOUTH-CENTER SIXTEENTH CORNER OF SECTION FOUR, A MESA COUNTY SURVEY MARKER IN PLACE AND THE SOUTH QUARTER CORNER OF SECTION FOUR, A MESA COUNTY SURVEY MARKER IN PLACE, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.
4. ALL TIES TO LOT LINES FROM THE BUILDING CORNERS AS SHOWN HEREON ARE AT RIGHT ANGLES TO THE PROPERTY LINE. ALL MEASUREMENTS REFLECT FINISHED EXTERIOR WALL ON ALL BUILDINGS; NOT TO CANOPIES, EAVES ETC. THEREFORE, THE POSSIBILITY EXISTS FOR A SMALL DISPARITY BETWEEN OUR MEASUREMENTS AND THOSE OF THE ORIGINAL BUILDING PLANS.
5. GCE INDICATES GENERAL COMMON ELEMENTS AS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SUNDANCE VILLAGE CONDOMINIUMS NOW OR HEREAFTER RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, COLORADO, AS AMENDED AND SUPPLEMENTED (THE "DECLARATION"). LCE INDICATES LIMITED COMMON ELEMENTS AS DEFINED IN THE DECLARATION.
6. ALL DIMENSIONS ARE TO FACE OF WALL SURFACES. FURTHER DEFINITION OF OWNERSHIP IS OUTLINED IN THE DECLARATION.
7. THE "PHASES" CONSIST OF THE FOLLOWING, AS MORE FULLY DEFINED IN THE DECLARATION:
 

PHASE 1 BUILDING 9	8 RESIDENTIAL UNITS
	50 GARAGE UNITS
PHASE 1B TRACT 10	8 RESIDENTIAL UNITS
PHASE 1C TRACTS 11 AND 12	16 RESIDENTIAL UNITS
8. THE "IMPROVEMENT AREA" IS ALL OF THE PROPERTY THAT IS SUBJECT TO THE RECORDED CONDOMINIUM MAP OF SUNDANCE VILLAGE CONDOMINIUMS. THE IMPROVEMENT AREA INCLUDES THE PHASES.
9. THE "IMPROVEMENT AREA" IS SUBJECT TO THE DEVELOPMENT RIGHTS RESERVED BY THE DECLARANT IN THE DECLARATION, WHICH RIGHTS ARE INCORPORATED IN THIS CONDOMINIUM MAP BY REFERENCE, AND WHICH INCLUDE THE RIGHT TO: (A) ADD REAL PROPERTY TO THE COMMUNITY; (B) CREATE UNITS, COMMON ELEMENTS, AND/OR LIMITED COMMON ELEMENTS; AND (C) SUBDIVIDE UNITS OR CONVERT UNITS INTO COMMON ELEMENTS (COLLECTIVELY THE "DEVELOPMENT RIGHTS").



LAND USE SUMMARY		
BUILDING 10	0.117 ACRES	71.34%
LCE	0.047 ACRES	28.66%
TOTAL	0.164 ACRES	100.00%

CONVEYANCE DOCUMENTS: (FOR CITY USE ONLY)	
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS ARE RECORDED IN BOOK _____	AT PAGE _____

**GENERAL NOTES (CONTINUED):**

10. THIS CONDOMINIUM MAP MAY BE AMENDED AND/OR SUPPLEMENTED, IN WHOLE OR IN PART, AT ANY TIME FROM TIME TO TIME, BY THE DECLARANT WITHOUT THE CONSENT OR APPROVAL OF ANY OWNER OR ANY OTHER PERSON, IN ORDER TO COMPLETE AND/OR PROVIDE FOR ADDITIONAL CONDOMINIUM BUILDING(S), UNITS, COMMON ELEMENTS AND/OR LIMITED COMMON ELEMENTS ON ANY OF THE IMPROVEMENT AREA, OR TO OTHERWISE EXERCISE ANY OF THE DEVELOPMENT RIGHTS. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, DECLARANT INTENDS TO CONSTRUCT CONDOMINIUM BUILDINGS, UNITS, COMMON ELEMENTS AND/OR LIMITED COMMON ELEMENTS IN THE PHASES.
11. ALL UNITS SHOWN ON THIS CONDOMINIUM MAP 1B ARE RESIDENTIAL UNITS
12. THE FIELD WORK FOR THIS PLAT WAS PERFORMED IN \_\_\_\_\_ OF 2007, AND FINISHING WORK WAS STILL BEING COMPLETED AT THAT TIME. BUILDING UNIT DIMENSIONS ARE CURRENT AS OF 03/14/07.

**TITLE CERTIFICATION:**

STATE OF COLORADO, COUNTY OF MESA

WE, FIRST AMERICAN HERITAGE TITLE COMPANY, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF COLORADO, HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY, THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED TO SUNDANCE VILLAGE, LLC, A COLORADO LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD OR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD; THAT ALL EASEMENTS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD ARE SHOWN HEREON.

DATE: \_\_\_\_\_ BY: \_\_\_\_\_

**SURVEYOR'S NOTE**

THE DIMENSIONS, LOCATIONS AND OTHER INFORMATION REGARDING RECORDED RIGHTS-OF-WAY AND EASEMENTS WERE DERIVED FROM COPIES OF THE ACTUAL RECORDED DOCUMENTS. THE UNDERSIGNED SURVEYOR DID NOT PERSONALLY SEARCH THE PUBLIC RECORDS TO DETERMINE THE RECORDED RIGHTS-OF-WAY AND EASEMENTS AFFECTING THE PROPERTY, BUT INSTEAD RESEARCH WAS OBTAINED FROM FIRST AMERICAN HERITAGE TITLE COMPANY. THE RESEARCH IS BELIEVED BY THE UNDERSIGNED TO BE RELIABLE, COMPLETE AND CORRECT, AND IS NOT CONTRADICTED BY ANY OTHER INFORMATION KNOWN TO THE SURVEYOR. THIS DISCLOSURE IS PROVIDED TO COMPLY WITH 38-91-106, C.R.S. AND FOR NO OTHER PURPOSE.

**SURVEYOR'S STATEMENT**

I, TERRY R. MAW, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE CONDOMINIUM MAP ENTITLED "SUNDANCE VILLAGE CONDOMINIUM MAP 1B" WAS MADE UNDER MY SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, ALL IMPROVEMENTS SHOWN ON THIS CONDOMINIUM MAP HAVE BEEN SUBSTANTIALLY COMPLETED, ALL STRUCTURAL COMPONENTS OF ALL BUILDINGS CONTAINING ANY UNITS THEREBY CREATED ARE SUBSTANTIALLY COMPLETED AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS SAID CONDOMINIUMS AND THE PLAT THEREOF AND MEETS THE PROVISIONS OF ARTICLE 33.3 TITLE 38, COLORADO REVISED STATUTES 1973, AS AMENDED AND SUPPLEMENTED. FURTHER, THIS CONDOMINIUM MAP CONTAINS THE INFORMATION REQUIRED BY SECTION 209, ARTICLE 33.3, TITLE 38, SUPPLEMENTED, COLORADO REVISED STATUTES 1973, AS AMENDED AND SUPPLEMENTED.

TERRY R. MAW  
 REGISTERED COLORADO LAND SURVEYOR NO. 31161  
 FOR AND ON BEHALF OF SURVCON INC.

DATE

**LIENHOLDER'S RATIFICATION OF PLAT:**

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON THE PROPERTY HEREON DESCRIBED AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER(S) THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED IN SAID DEDICATION BY THE OWNER(S) THEREOF OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN HEREON. THE UNDERSIGNED ALSO ACKNOWLEDGES AND CONSENTS TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF SUNDANCE VILLAGE CONDOMINIUMS AS STATED IN THE OWNER'S CERTIFICATION.

IN WITNESS WHEREOF, THE SAID INDIVIDUAL(S) HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ BY: \_\_\_\_\_

NAME OF INSTITUTION: HACIENDA PARTNERS, LLC.

STATE OF COLORADO )  
 ) SS  
 COUNTY OF MESA )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2007, BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

**LIENHOLDER'S RATIFICATION OF PLAT:**

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS A HOLDER OF A SECURITY INTEREST UPON THE PROPERTY HEREON DESCRIBED AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED IN SAID DEDICATION BY THE OWNER(S) THEREOF AND AGREE THAT ITS SECURITY INTEREST WHICH IS RECORDED IN SAID DEDICATION BY THE OWNER(S) THEREOF OF MESA COUNTY, COLORADO SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN HEREON. THE UNDERSIGNED ALSO ACKNOWLEDGES AND CONSENTS TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF SUNDANCE VILLAGE CONDOMINIUMS AS STATED IN THE OWNER'S CERTIFICATION.

IN WITNESS WHEREOF, THE SAID INDIVIDUAL(S) HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ BY: \_\_\_\_\_

NAME OF INSTITUTION: JOHN T. HARUTUN

STATE OF COLORADO )  
 ) SS  
 COUNTY OF MESA )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2007, BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

**CITY APPROVAL:**

THIS CONDOMINIUM MAP OF SUNDANCE VILLAGE 1B, IN THE CITY OF GRAND JUNCTION, COUNTY OF MESA, COLORADO IS HEREBY APPROVED AND DEDICATION ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2007.

BY: \_\_\_\_\_ CITY MANAGER  
 \_\_\_\_\_ MAYOR

**CLERK AND RECORDER CERTIFICATE:**

STATE OF COLORADO )  
 ) SS  
 COUNTY OF MESA )

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2007, AND IS DULY RECORDED IN BOOK NO. \_\_\_\_\_ PAGE \_\_\_\_\_ RECEPTION NO. \_\_\_\_\_

CLERK AND RECORDER \_\_\_\_\_ DEPUTY \_\_\_\_\_ FEES \$ \_\_\_\_\_

A PORTION OF THE SE 1/4 OF SEC. 4, T1S, R1W, UTE MERIDIAN, MESA COUNTY, COLORADO

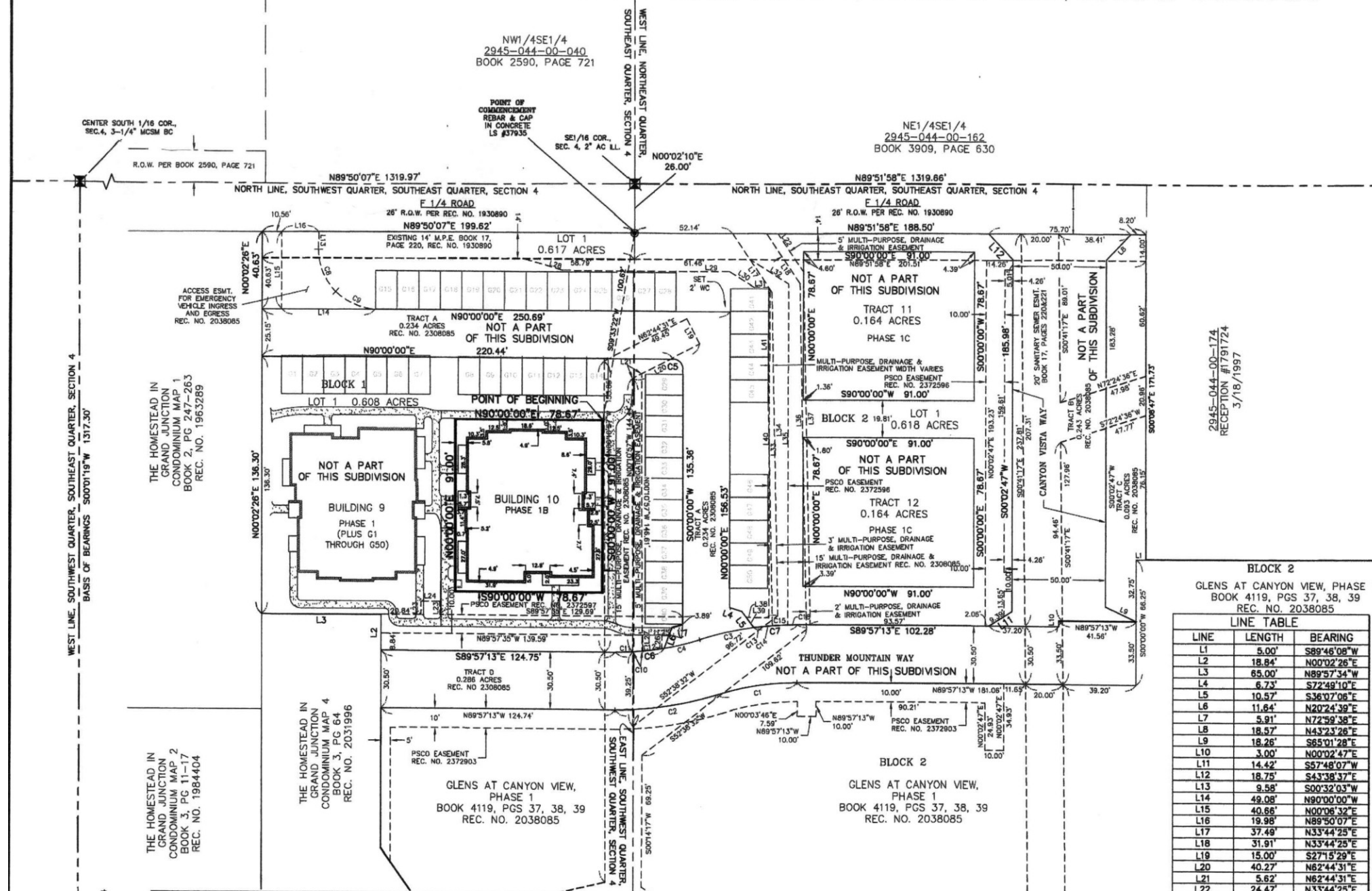
**SURVCON INC.**  
 PROFESSIONAL SURVEYORS  
 7100 E. BELLEVUE AVE., STE. G-12  
 GREENWOOD VILLAGE, CO 80111  
 PH. (303) 858-0404

SCALE: NTS	JOB NO. 60019190
DATE: 05-21-2007	PROJECTS: CONDO MAP 1B (60019190CONDO10REV2)
DRAWN BY: MKR	SHEET NO. 1 OF 4

# SUNDANCE VILLAGE CONDOMINIUM MAP 1 B

## A RESUBDIVISION OF TRACT 10, BLOCK 1, SUNDANCE VILLAGE CONDOMINIUM MAP AS RECORDED AT RECEPTION NO. 2378488 OF THE MESA COUNTY CLERK AND RECORDERS OFFICE

### PARCEL OF LAND LOCATED IN SECTION 4, T. 1 S., R. 1 W. OF THE UTE MERIDIAN CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



#### LEGEND

- QUARTER/SIXTEENTH CORNER MONUMENTED AS NOTED
- WITNESS CORNER
- PROPERTY CORNER 1" DISK IN PLACE IN CONCRETE L&#37935
- PROPERTY CORNER IN PLACE AS NOTED
- LINE/CURVE END MARKERS
- M.P.E.
- D.E.
- S.F.T.
- NO.
- SEC.
- MCSM
- ESMT
- VPC
- OCE
- LCE
- PSCO
- ORANGE PLASTIC CAP
- WITNESS CORNER
- LAND SURVEYOR
- TYPICAL
- RIGHT-OF-WAY
- CONCRETE
- ALUMINUM CAP
- PAGE
- RECEPTION
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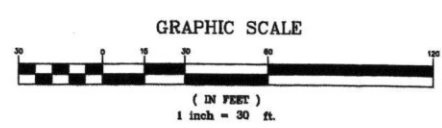
#### NOTES

1. THE PROPERTY SHOWN HEREON MIGHT BE AFFECTED BY THE PLAT ENTITLED "GLENS AT CANYON VIEW, PHASE 1" RECORDED MARCH 23, 2006 AT RECEPTION NUMBER 2308085.
2. THIS PROPERTY IS ALSO AFFECTED BY THE PLAT ENTITLED "THE HOMESTEAD IN GRAND JUNCTION" RECORDED DECEMBER 3, 1999 AT RECEPTION NUMBER 1930890.
3. BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF S 00°01'19" W BETWEEN THE SOUTH-CENTER SIXTEENTH CORNER OF SECTION FOUR, A MESA COUNTY SURVEY MARKER IN PLACE AND THE SOUTH QUARTER CORNER OF SECTION FOUR, A MESA COUNTY SURVEY MARKER IN PLACE.
4. THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD OR IN PLACE.
5. THIS MAP IS BASED ON THE RECORDED PLAT OF SUNDANCE VILLAGE CONDOMINIUM MAP IN GRAND JUNCTION RECORDED IN RECEPTION NO. 2378488 OF THE MESA COUNTY CLERK AND RECORDERS OFFICE, CORNERS FOUND IN PLACE AND THE TITLE COMMITMENT PREPARED BY FIRST AMERICAN HERITAGE TITLE COMPANY, GRAND JUNCTION, COLORADO, FILE NO. 911-H0160808-900-GTO, AMENDMENT NO. C, EFFECTIVE DATE OF APRIL 19, 2007 AT 8:00 A.M.
6. THE FOLLOWING ITEMS SHOWN IN THE ABOVE REFERENCED TITLE COMMITMENT ALSO AFFECT THE SUBJECT PROPERTY BUT ARE NOT PLOTTABLE AS DESCRIBED:
  - 1). UNITED STATES LAND PATENT RECORDED FEBRUARY 4, 1896 AT RECEPTION NO. 22897.
  - 2). ANNEXATION ORDINANCE NO. 2183 RECORDED APRIL 20, 1984 AT RECEPTION NO. 1359574.
  - 3). ANNEXATION ORDINANCE NO. 2813 RECORDED MARCH 3, 1995 AT RECEPTION NO. 1710639.
  - 4). DEVELOPMENT APPROVAL LETTER RECORDED JULY 21, 1997 AT RECEPTION NO. 1806431.
  - 5). COVENANTS, CONDITIONS AND RESTRICTIONS OF HACIENDA SUBDIVISION RECORDED JANUARY 13, 1998 AT RECEPTION NO. 1827863.
  - 6). HOMESTEAD IN GRAND JUNCTION HOMEOWNERS ASSOCIATION INSTRUMENT RECORDED AUGUST 30, 2000 AT RECEPTION NO. 1963288.
  - 7). COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF CONDOMINIUM RECORDED AUGUST 30, 2000 AT RECEPTION NO. 1963290, AS AMENDED.
  - 8). EFFECT OF THE AGREEMENT RECORDED APRIL 8, 2004 AT RECEPTION NO. 2186205.
  - 9). EFFECT OF EASEMENT DEED AND AGREEMENT RECORDED JULY 1, 2004 AT RECEPTION NO. 2200104.
  - 10). EFFECT OF THE RECORDING MEMORANDUM RECORDED MARCH 23, 2006 AT RECEPTION NO. 2308088.
  - 11). TERMS, CONDITIONS, RESTRICTIONS, PROVISIONS, NOTES AND EASEMENTS AS DISCLOSED ON THE PLAT OF GLENS AT CANYON VIEW, PHASE 1.
  - 12). DEEDS OF TRUST FROM SUNDANCE VILLAGE, LLC TO THE PUBLIC TRUSTEE OF MESA COUNTY RECORDED MARCH 23, 2006 AT RECEPTION NO. 2308089, MARCH 23, 2006 AT RECEPTION NO. 2308090 AND JUNE 23, 2006 AT RECEPTION NO. 2308091.
7. THERE IS A PRIVATE ROAD CALLED THUNDER MOUNTAIN DRIVE FOR THE USE OF THE HOMESTEAD IN GRAND JUNCTION HOMEOWNERS ASSOCIATION, INC., SUNDANCE VILLAGE, LLC., AND EMERGENCY VEHICLES AND PERSONNEL AS SHOWN IN BOOK 3928, PAGE 217 (REC. #2261121) OF THE MESA COUNTY RECORDS.
8. THE RIGHT-OF-WAY WIDTH SHOWN FOR THE SOUTH PORTION OF F1/4 ROAD IS BASED ON THE RECORDED PLAT OF THE HOMESTEAD IN GRAND JUNCTION RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDERS OFFICE, CORNERS FOUND IN PLACE AND THE TITLE COMMITMENT PREPARED BY MERIDIAN LAND TITLE, LLC, GRAND JUNCTION, COLORADO, FILE NO. 77699, DATED SEPTEMBER 13, 2005. THE RIGHT-OF-WAY WIDTHS SHOWN FOR THE NORTH PORTION OF F1/4 ROAD VARIES AS SHOWN ON THE PLAT MAP.
9. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
10. LAST DATE OF SURVEY WAS APRIL 30, 2007.
11. THE SUBJECT PARCEL IS LOCATED OUTSIDE OF THE 500-YEAR FLOODPLAIN PER THE MESA COUNTY FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 0801170003E, REVISED JULY 15, 1992.

BLOCK 2  
GLENS AT CANYON VIEW, PHASE 1  
BOOK 4119, PGS 37, 38, 39  
REC. NO. 2038085

LINE	LENGTH	BEARING
L1	5.00'	S89°46'08"W
L2	18.84'	N00°02'26"E
L3	65.00'	N89°57'34"W
L4	6.73'	S72°48'10"E
L5	10.57'	S36°07'08"E
L6	11.84'	N20°24'39"E
L7	5.91'	N72°59'38"E
L8	18.57'	N43°32'26"E
L9	18.26'	S65°01'28"E
L10	3.00'	N00°02'47"E
L11	14.42'	S57°48'07"W
L12	18.75'	S43°38'37"E
L13	9.58'	S00°32'03"W
L14	49.08'	N90°00'00"W
L15	40.66'	N00°06'32"E
L16	19.98'	N89°50'07"E
L17	37.49'	N33°44'23"E
L18	31.91'	N33°44'23"E
L19	15.00'	S27°15'29"E
L20	40.27'	N62°44'31"E
L21	5.62'	N62°44'31"E
L22	24.47'	N33°44'23"E
L23	7.00'	N00°02'25"E
L24	10.00'	S89°57'35"E
L25	3.68'	N89°57'35"W
L26	6.76'	S00°03'02"W
L27	8.11'	N00°01'27"E
L28	21.79'	S74°10'17"E
L29	88.54'	S89°58'58"E
L30	15.66'	S57°58'02"E
L31	7.50'	N89°57'49"E
L32	24.08'	S57°58'02"E
L33	173.40'	S00°02'43"W
L34	170.88'	S01°09'17"E
L35	180.16'	S00°02'43"W
L36	180.39'	S01°09'17"E
L37	186.58'	S01°09'17"E
L38	11.93'	N89°57'35"W
L39	6.72'	S36°10'06"E
L40	117.99'	N01°09'17"W
L41	60.75'	N00°06'37"E

CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	141.00'	43.34'	17°36'45"	S81°14'25"W 43.17'
C2	179.00'	55.02'	17°36'45"	S81°14'25"W 54.81'
C3	171.50'	29.54'	09°52'09"	S77°22'07"W 29.50'
C4	148.50'	19.42'	07°29'33"	N78°10'49"E 19.41'
C5	5.00'	7.85'	90°00'00"	N45°00'00"W 7.07'
C6	148.50'	26.23'	10°07'12"	N84°59'11"E 26.20'
C7	171.50'	23.18'	07°44'36"	S86°10'29"W 23.16'
C8	29.91'	24.53'	46°58'29"	S22°57'11"E 23.84'
C9	34.05'	22.23'	37°24'21"	S65°08'37"E 21.84'
C10	148.50'	5.01'	01°56'05"	S85°27'44"W 5.01'
C11	148.50'	9.37'	03°37'00"	N88°14'17"E 9.37'
C12	148.50'	10.09'	03°53'33"	N82°21'45"E 10.09'
C13	171.50'	5.16'	01°43'28"	S83°09'55"W 5.16'
C14	171.50'	4.65'	01°33'10"	S84°48'14"W 4.65'
C15	171.50'	8.22'	02°44'48"	S86°57'13"W 8.22'
C16	171.50'	5.15'	01°43'10"	S89°11'12"W 5.15'



A PORTION OF THE S.E. 1/4 OF SEC. 4, T1S, R1W, UTE MERIDIAN, MESA COUNTY, COLORADO

**SURVCON INC.**  
PROFESSIONAL SURVEYORS  
7100 E. BELLEVUE AVE., STE. G-12  
GREENWOOD VILLAGE, CO 80111  
PH. (303) 858-0404

SCALE: NTS	JOB NO. 60019190
DATE: 05-21-2007	PROJECTS: CONDO MAP 1B (001919000001)REV2
DRAWN BY: MKR	SHEET NO. 2 OF 4

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO.**

**A RESOLUTION VACATING A MULTI-PURPOSE, DRAINAGE, AND IRRIGATION  
EASEMENT IN SUNDANCE VILLAGE PHASE I  
LOCATED AT 2464 THUNDER MOUNTAIN DRIVE**

**RECITALS:**

A request for the vacation of a portion of a multi-purpose, drainage and irrigation easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the 41 square feet of easement, located under a garage, along the easterly edge of Garage C, be vacated. The easement is shown and dedicated on the plat of Glens at Canyon View, Phase 1, as recorded in Book 4119 at Page 37, together with a portion of the easement shown and dedicated on the Plat of Sundance Village Condominium Map, recorded in Book 4416, Page 178, with the Mesa County Clerk and Recorder.

In a public hearing, the Planning Commission reviewed the request for the vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11.C of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED IN EXHIBIT G ATTACHED IS HEREBY VACATED.**

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of Council

# EXHIBIT G – MULTI-PURPOSE EASEMENT VACATION

SHEET 1 OF 2

## EASEMENT DESCRIPTION

A PORTION OF THAT MULTI-PURPOSE, DRAINAGE AND IRRIGATION EASEMENT SHOWN AND DEDICATED ON THE PLAT OF GLENS AT CANYON VIEW, PHASE 1, AS RECORDED IN BOOK 4119 AT PAGE 37 IN THE RECORDS OF MESA COUNTY TOGETHER WITH A PORTION OF THAT MULTI-PURPOSE, DRAINAGE AND IRRIGATION EASEMENT SHOWN AND DEDICATED ON THE PLAT OF SUNDANCE VILLAGE CONDOMINIUM MAP, AS RECORDED IN BOOK 4416 AT PAGE 178 IN THE RECORDS OF MESA COUNTY; LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN; COUNTY OF MESA, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, MONUMENTED AT THE SOUTHEAST SIXTEENTH CORNER BY A 2" ALUMINUM CAP, ILLEGIBLE, AND AT THE CENTER SOUTH SIXTEENTH CORNER BY A MESA COUNTY SURVEYING AND MAPPING BRASS CAP, IS ASSUMED TO BEAR N 89°50'07" E, A DISTANCE OF 1319.97 FEET;

COMMENCING AT THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION 4; THENCE S 09°44'51" W, A DISTANCE OF 95.15 FEET TO THE MOST NORTHWESTERLY ANGLE POINT OF SAID MULTI-PURPOSE DRAINAGE AND IRRIGATION EASEMENT AND THE POINT OF BEGINNING;

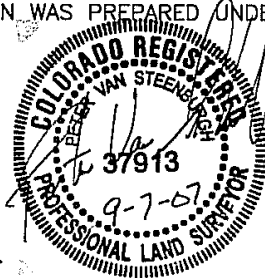
THENCE N 62°44'31" E, ON THE NORTHERLY BOUNDARY LINE OF SAID MULTI-PURPOSE DRAINAGE AND IRRIGATION EASEMENT, A DISTANCE OF 2.41 FEET;  
THENCE S 00°10'57" E, A DISTANCE OF 19.67 FEET;  
THENCE S 89°49'03" W, A DISTANCE OF 2.15 FEET TO THE WESTERLY LINE SAID MULTI-PURPOSE DRAINAGE AND IRRIGATION EASEMENT;  
THENCE N 00°10'57" W, ON THE WESTERLY LINE OF SAID MULTI-PURPOSE DRAINAGE AND IRRIGATION EASEMENT A DISTANCE OF 18.57 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 41 SQUARE FEET (0.001 ACRES).

## SURVEYOR'S STATEMENT

1, PETER VAN STEENBURGH, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATE THAT THIS PROPERTY DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND CHECKING.

PETER VAN STEENBURGH  
COLORADO PLS 37913  
FOR AND ON BEHALF OF SURVCON INC.

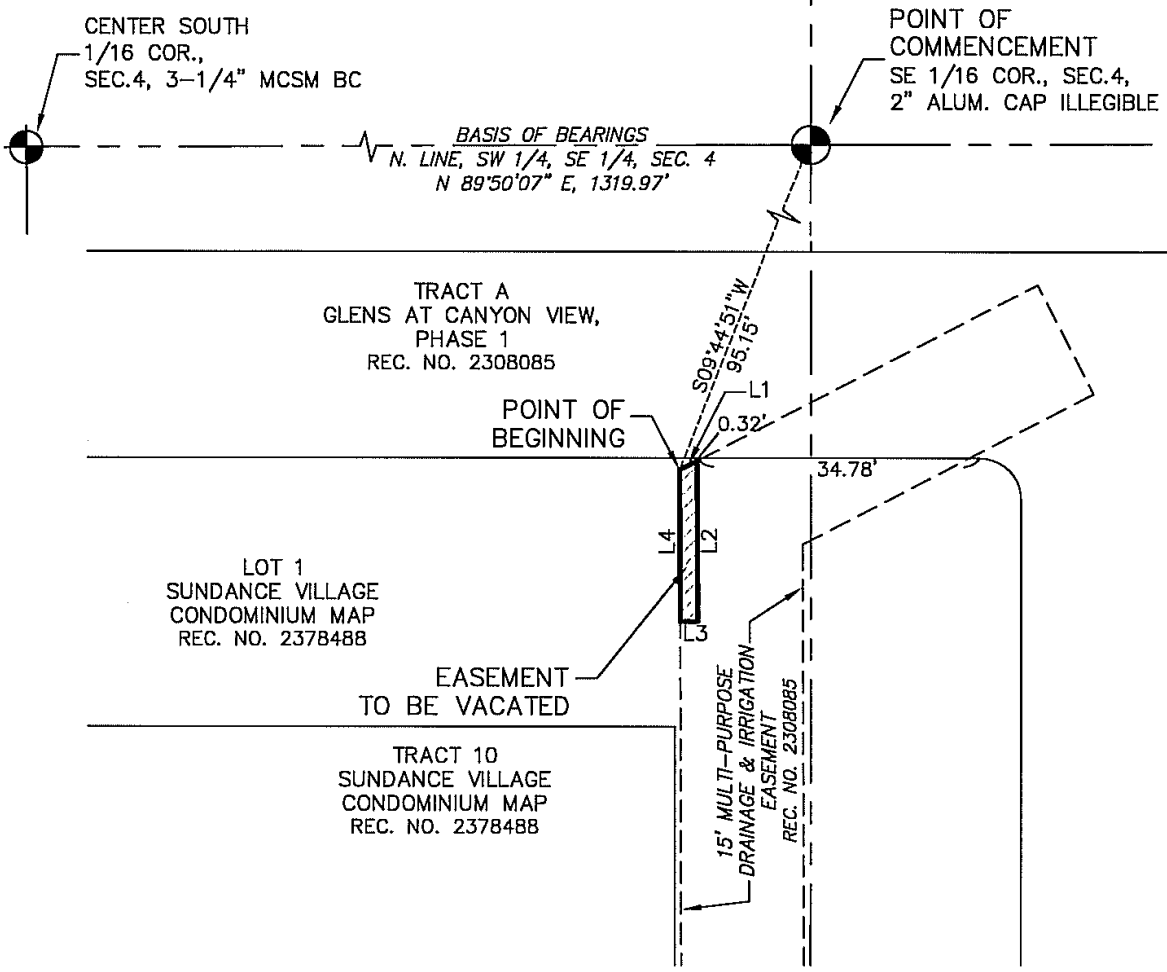


**SURVCON INC.**  
PROFESSIONAL SURVEYORS  
7100 E. BELLEVIEW AVE., STE G-12  
GREENWOOD VILLAGE, CO. 80111  
PH. (303) 858-0404

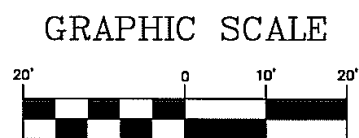
SCALE:	1" = 20'	JOB NO.	60018618
DATE:	07-02-07	J: /60018618/.../ESMT-VAC-07	
DRAWN BY:	AGW	SHEET NO.	1 OF 2

# EXHIBIT G - MULTI-PURPOSE EASEMENT VACATION

SHEET 2 OF 2



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N62°44'31"E	2.41'
L2	S00°10'57"E	19.67'
L3	S89°49'03"W	2.15'
L4	N00°10'57"W	18.57'



( IN FEET )  
1 inch = 20 ft.

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.



**SURVCON INC.**  
PROFESSIONAL SURVEYORS  
7100 E. BELLEVIEW AVE., STE G-12  
GREENWOOD VILLAGE, CO. 80111  
PH. (303) 858-0404

SCALE:	1" = 20'	JOB NO.	60018618
DATE:	07-02-07	J:	/60018618/.../ESMT-VAC-07
DRAWN BY:	AGW/PAV	PROJECT:	2 OF 2



**Attach 5**  
**COPS Grant for Mesa County Meth Task Force**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	COPS Grant for Mesa County Meth Task Force		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>X</b>
<b>Date Prepared</b>	September 24, 2007		
<b>Author Name &amp; Title</b>	Kimberly Swindle, Financial Analyst, Police Department		
<b>Presenter Name &amp; Title</b>	Troy Smith, Deputy Chief		

**Summary:** The Grand Junction Police Department has applied for and been awarded a \$449,777 grant from the United States Department of Justice, COPS Office. The grant was applied for on behalf of the Mesa County Meth Task Force, with support of the DA's office, MCSO, Meth Task Force and Mesa State College.

The funding period of this grant is 9/1/2007 through 8/31/2009 and will cover items such as: A Meth Prosecutor in the District Attorney's office for a 2-year period, an Intelligence Collection software product that will allow the electronic sharing of information between law enforcement agencies, and overtime for the Street Crimes Units of both the Grand Junction Police Department and the Mesa County Sheriff's Office.

**Budget:** \$449,777 Federal funds

Meth Prosecutor

	\$199,987
Data Analyst (part time)	\$ 33,838
Intelligence Collection Software and Server	\$ 76,500
Maintenance and upgrades on Intelligence software	\$ 5,400
Computers for each Civilian employee above	\$ 10,000
Officer OT for GJPD and MCSO	\$ 60,975
Local training on intelligence software	\$ 12,000
Study/Evaluation of Meth Effects	\$ 23,577
Database programmer upgrade existing database	\$ 5,000
Evaluation of Grant project and monies	\$ 22,500

**Action Requested/Recommendation:** Authorize the City Manager to accept the grant award of \$449,777 and disburse the funds in accordance with the grant proposal.

**Attachments:** None

**Background Information:** None



**Attach 6**  
**Public Hearing—Expand Designated Outdoor Dining Downtown**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Amend Chapter 32, Article III of City Code of Ordinances to Expand Designated Outdoor Dining Areas in Downtown Grand Junction		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>X</b>
<b>Date Prepared</b>	September 27, 2007		
<b>Author Name &amp; Title</b>	John Shaver, City Attorney		
<b>Presenter Name &amp; Title</b>	John Shaver, City Attorney		

**Summary:** Some restaurant owners in the downtown area would like to expand their businesses to include sidewalk dining. This necessitates amending Chapter 32, Article III of the City Code of Ordinances, which regulates commercial use of public rights-of-way in the downtown area.

**Budget:** This is budget neutral.

**Action Requested/Recommendation:** Hold a public hearing and consider final passage and publication of the proposed ordinance which will allow the expansion of sidewalk dining in the downtown area.

**Attachments:** Proposed Ordinance

**Background Information:** The DDA has been approached by some downtown restaurant owners asking permission to expand their operations to include sidewalk dining. Because of increased growth and development in the downtown area, the definition of the Downtown Shopping Park or Downtown Park needs to be revised to expand the downtown area regulated by the DDA and accommodate new restaurants and businesses wishing to use City rights-of-way for their restaurant operations.

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 32, ARTICLE III, CITY CODE OF ORDINANCES, REGULATING COMMERCIAL USE OF PUBLIC RIGHT-OF-WAY IN DOWNTOWN AREA, TO REVISE DESIGNATED DOWNTOWN AREAS FOR SIDEWALK DINING**

Recitals.

Since its inception, the City of Grand Junction Downtown Development Authority (“DDA”) has exercised delegated authority from the City Council, pursuant to Ordinance No. 1989, adopted in 1981. The DDA has been responsible for regulating the use of the City’s rights-of-way in the area of Main Street between First and Seventh Streets.

Activities that occur Downtown have enhanced the City. While Ordinance No. 1989 was updated in 2002 by Ordinance No. 3422, there has been new development and growth that will further enhance the downtown area, specifically the use of the City’s rights-of-way for sidewalk restaurant dining. The current ordinance permits this activity but the downtown area designated for sidewalk dining could be expanded to include new or expanding restaurant uses.

For these reasons, the City Council finds that there are no obvious detriments, while there are clear benefits to expanding the authority of the DDA to manage commercial activity in the downtown rights-of-way, specifically defined as the “Downtown Shopping Park” or “Downtown Park”.

It is the Council’s intent to delegate to the DDA Board of Directors and where appropriate the DDA Director, the City Council’s powers and related duties, liabilities and obligations, pursuant to §127 of the City Charter, except as provided herein.

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

1. That the definition of the “Downtown Shopping Park or Downtown Park” in Section 32-62 of Chapter 32, Article III, of the City Code of Ordinances be revised to read as follows:

*Downtown Shopping Park or Downtown Park*” means that portion of the City right-of-way of: 1) Main Street bounded on the west by the east intersection line of Second Street; on the east to and including Eighth Street; 2) Colorado Avenue

bounded on the west by the east intersection line of Second Street; on the east to and including Seventh Street; and 3) Seventh Street bounded on the north by the south intersection line of White Avenue and bounded south through and including Colorado Avenue.

2. All other sections of Chapter 32 shall remain as written and in full force and effect.

INTRODUCED on FIRST READING this 19<sup>th</sup> day of September, 2007.

ADOPTED on SECOND READING this \_\_\_\_ day of \_\_\_\_\_ 2007.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of City Council

**Attach 7**  
**Public Hearing—Rowell Rezone, Located at 2593 G Road**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Rowell Rezone - Located at 2593 G Road.		
<b>File #</b>	RZ-2007-048		
<b>Meeting Day, Date</b>	Wednesday, October 3, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input type="checkbox"/>	<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	September 14, 2007		
<b>Author Name &amp; Title</b>	Ronnie Edwards, Associate Planner		
<b>Presenter Name &amp; Title</b>	Ronnie Edwards, Associate Planner		

**Summary:** Request to rezone 1.06 acres, located at 2593 G Road, from R-1 (Residential – 1 du/ac) to R-2 (Residential – 2 du/ac).

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing and consider final passage of the Ordinance.

**Attachments:**

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Zoning Ordinance

**Background Information:** See attached Staff Report/Background Information

BACKGROUND INFORMATION				
Location:		2593 G Road		
Applicants:		Todd Rowell		
Existing Land Use:		Residential Single Family		
Proposed Land Use:		Residential Single Family		
Surrounding Land Use:	North	Residential Single Family/Vacant		
	South	Residential Single Family		
	East	Residential Single Family		
	West	Residential Single Family/Vacant		
Existing Zoning:		R-1 (Residential – 1du/ac)		
Proposed Zoning:		R-2 (Residential – 2du/ac)		
Surrounding Zoning:	North	R-2 (Residential – 2 du/ac)		
	South	R-1 (Residential – 1du/ac)		
	East	R-1 (Residential – 1du/ac)		
	West	R-2 (Residential – 2 du/ac)		
Growth Plan Designation:		Residential Low (1/2-2 ac/du)		
Zoning within density range?		X	Yes	No

ANALYSIS:

1. Background:

The subject property was annexed in August of 2000 with the G Road South Enclave. The property was zoned RSF-1 with the annexation as that was equivalent to the existing Mesa County zone district. The Future Growth Plan designation for this property and adjacent parcels is Residential Low (1/2 - 2 ac/du). Zoning to the north and west is R-2 (Residential – 2 du/ac) and to the south and east is R-1 (Residential – 1 du/ac).

Properties in the area have developed residentially, consistent with the Growth Plan and Future Land Use Map. The bulk standards for R-1 and R-2 include the same required setbacks for principal structures. Furthermore, the adjacent property to the west was rezoned in April of 2006 from R-1 to R-2 and is currently being reviewed for a proposed residential subdivision.

2. Rezone Criteria of the Zoning and Development Code:

In order to maintain internal consistency between the Code and the Zoning Maps, map amendments and rezones must demonstrate conformance with all of the following criteria for approval:

1. *The existing zoning was in error at the time of adoption*

The existing zone district of R-1 was imposed only because it was equivalent to Mesa County zoning at the time of annexation. The proposed R-2 zoning is consistent with the Growth Plan.

2. *There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition, etc*

Property in the area is being developed at a density consistent with the proposed R-2 zoning.

3. *The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances*

The proposed rezone will allow a future two-lot simple subdivision that will be compatible with existing and surrounding land uses, and will not create adverse impacts.

4. *The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the requirements of this Code and other City regulations and guidelines*

Policy 1.3 states that City decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

Policy 5.2 states that the City will encourage development that uses existing facilities and is compatible with existing development.

The proposed zoning district of R-2, supports the land use classification of Residential Low and is consistent with the goals and policies of the

Growth Plan and Future Land Use Map. Any future development will be reviewed for consistency with other adopted plans and City regulations.

5. *Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development*

Adequate public facilities are currently available adjacent to the site from the proposed residential subdivision to the west.

6. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs*

The Future Land Use designation of Residential Low (1/2 – 2 acres/unit) would allow for a range of densities, as R-E, R-1 and R-2. The R-2 zone district provides a transition between the varying densities in the area.

7. *The community or neighborhood will benefit from the proposed zone*

The proposed rezone would allow for a future residential lot to be developed, resulting in sewer extensions from the west and transitional density within the neighborhood.

#### **FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Rowell Rezone, RZ-2007-048, a request to rezone property from R-1 to R-2, the following findings of fact and conclusions have been determined:

5. The requested rezone is consistent with the goals and policies of the Growth Plan.
6. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

#### **PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of the requested rezone to the City Council, finding the zoning from R-1 (Residential - 1 du/ac) zone district to R-2 (Residential - 2 du/ac) zone district, to be consistent with the goals and policies of the Growth Plan and Section 2.6.A of the Zoning and Development Code.



Attachments:

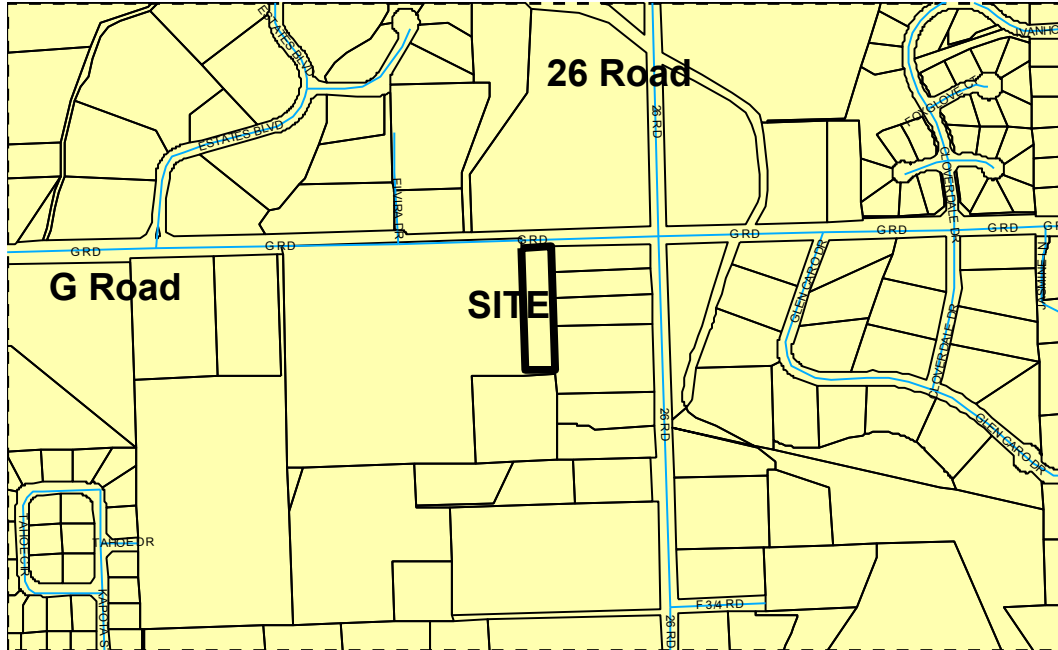
Site Location Map/Aerial Photo Map

Future Land Use Map/Existing City and County Zoning Map

Ordinance

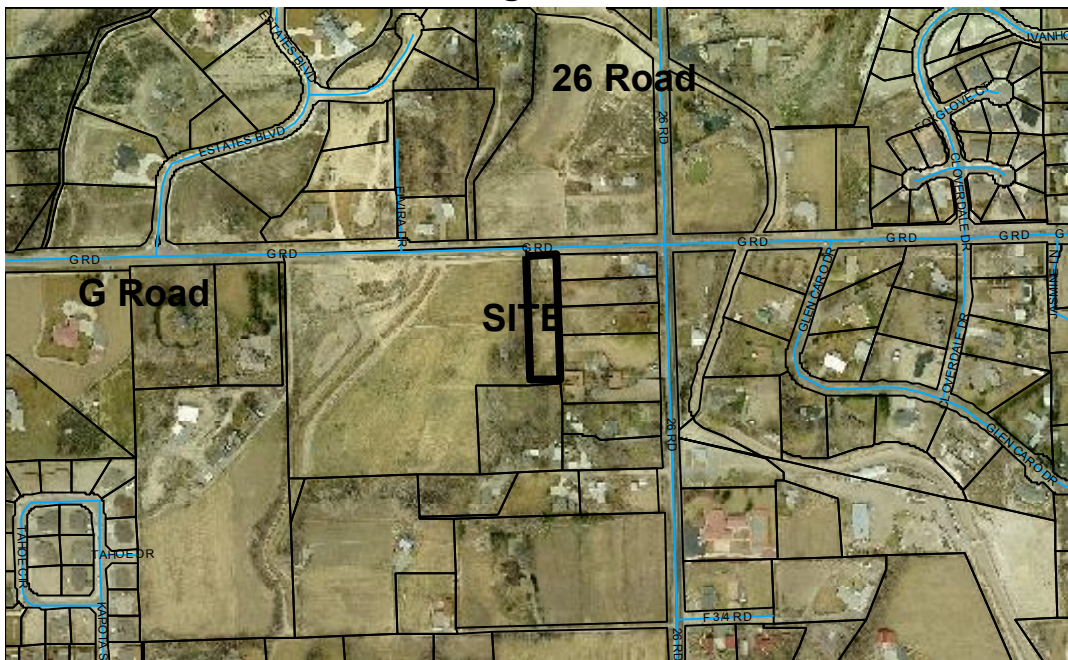
# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2





CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING A PARCEL OF LAND FROM  
RESIDENTIAL - ONE UNIT PER ACRE (R-1) TO  
RESIDENTIAL - TWO UNITS PER ACRE (R-2)  
LOCATED AT 2593 G ROAD (ROWELL REZONE)

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the rezone request from R-1 zone district to the R-2 zone district.

After public notice and public hearing before the Grand Junction City Council, City Council finds the rezone request meets the goals and policies and future land use as set forth by the Growth Plan, Residential Low (1/2 – 2 ac/du). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED TO THE R-2 (RESIDENTIAL – TWO UNITS PER ACRE) ZONE DISTRICT:**

Beginning at a point 372.38 feet west of the northeast corner of Section 3, T1S, R1W of the UM, thence south 474.18 feet; thence west 110 feet; thence north 474.18 feet; thence east 110 feet to the point of beginning, except the north 30 feet for County Road, except south 12 feet as described in deed recorded June 23, 1966 in Book 897 at Page 753, Mesa County, Colorado.

Introduced on first reading on the 19<sup>th</sup> day of September, 2007.

PASSES and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of the Council