



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
WEDNESDAY, JANUARY 16, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance

Certificate of Appointment

Horizon Drive Association Business Improvement District

Citizen Comments

***** CONSENT CALENDAR *****

There are no items on the Consent Calendar

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

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

1. **Federal Grant Funding for the 26 ½ Road Bridge Replacement** [Attach 1](#)

A Federal Enhancement Grant has been awarded to the City of Grand Junction in the amount of \$175,000 to replace the bridge on 26½ Road over the Grand Valley Highline Canal just north of F½ Road.

Resolution No. 06-08—A Resolution Accepting a Grant of Federal Funds for and Authorizing the Construction of the 7th Street (26 ½ Road) Bridge Replacement Project

*** Indicates New Item

® Requires Roll Call Vote

REVISED

®Action: *Adopt Resolution No. 06-08*

Staff presentation: Tim Moore, Public Works and Planning Director

2. **Public Hearing - Alternate Position for the Forestry Board** [Attach 2](#)

An amendment to the Code of Ordinances to allow for an alternate member to the five-member Grand Junction Forestry Board.

Ordinance No. 4164—An Ordinance Amending the Composition of the Grand Junction Forestry Board to Allow for an Alternate Position

®Action: *Public Hearing and Consider Final Passage and Publication of Ordinance No. 4164*

Staff presentation: Mike Vendegna, City Forester
Dave Gave, Forestry Board Chair

3. **Public Hearing – Annexation and Zoning the DeHerrera Annexation, Located at 359 29 5/8 Road** [File #ANX-2007-300] **CONTINUED FROM JANUARY 14, 2008** [Attach 3](#)

Request to annex and zone 15.52 acres, located at 359 29 5/8 Road, to R-4 (Residential 4-du/ac). The DeHerrera Annexation consists of 1 parcel.

a. Accepting Petition

Resolution No. 07-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the DeHerrera Annexation, Located at 359 29 5/8 Road and Including a Portion of the 29 5/8 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4165—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, DeHerrera Annexation, Approximately 15.52 Acres, Located at 359 29 5/8 Road and Including a Portion of the 29 5/8 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4166—An Ordinance Zoning the DeHerrera Annexation to R-4 (Residential, 4 du/ac), Located at 359 29 5/8 Road

®Action: Adopt Resolution No. 07-08 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4165 and 4166

Staff presentation: Justin Kopfman, Associate Planner

4. **Public Hearing – Annexation and Zoning the Sipes Annexation, Located at 416 ½ 30 Road 413, and 415 30 ¼ Road [File #ANX-2007-313] CONTINUED FROM JANUARY 14, 2008** [Attach 4](#)

Request to annex and zone 3.54 acres, located at 416 ½ 30 Road, 413, and 415 30 ¼ Road, to R-8 (Residential 8-du/ac). The Sipes Annexation consists of 3 parcels.

a. Accepting Petition

Resolution No. 08-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sipes Annexation, Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4167—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sipes Annexation, Approximately 3.54 Acres, Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road

c. Zoning Ordinance

Ordinance No. 4168—An Ordinance Zoning the Sipes Annexation to R-8 (Residential 8-du/ac), Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road

®Action: Adopt Resolution No. 08-08 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4167 and 4168

Staff presentation: Justin Kopfman, Associate Planner

5. **Public Hearing - Cunningham Investment Annexation, Located at 2098 E ½ Road** [File #GPA-2007-263] [Attach 5](#)

Request to annex 30.34 acres, located at 2098 E ½ Road in the Redlands. The Cunningham Investment Annexation consists of 1 parcel of land and is a 5 part serial annexation.

a. Accepting Petition

Resolution No. 09-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Cunningham Investment Annexation, Located at 2098 E ½ Road Including Portions of the E ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4169—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cunningham Investment Annexation No. 1, Approximately 0.05 Acres, a Portion of the E ½ Road Right-of-Way

Ordinance No. 4170—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cunningham Investment Annexation No. 2, Approximately 0.14 Acres, a Portion of the E ½ Road Right-of-Way

Ordinance No. 4171—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cunningham Investment Annexation No. 3, Approximately 0.49 Acres, a Portion of the E ½ Road Right-of-Way

Ordinance No. 4172—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cunningham Investment Annexation No. 4, Approximately 0.92 Acres, a Portion of the E ½ Road Right-of-Way

Ordinance No. 4173—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cunningham Investment Annexation No. 5, Approximately 28.74 Acres, Located at 2098 E ½ Road Including Portions of the E ½ Road Right-of-Way

®Action: *Adopt Resolution No. 09-08 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4169, 4170, 4171, 4172, and 4173*

Staff presentation: Scott D. Peterson, Senior Planner

6. **Public Hearing - Zoning Amendment for Weeminuche Estates Subdivision**
[File #PP-2007-003] [Attach 6](#)

A request for approval to amend the existing Planned Development (PD) zoning with a default zone of R-4 by approval of a Preliminary Development Plan (PDP) to develop 362 dwelling units on 151.38 acres as a Planned Development.

Ordinance No. 4174—An Ordinance Amending the Existing Planned Development Zone by Approving a Preliminary Development Plan with a Default R-4 (Residential-4) Zone for the Development of 362 Dwelling Units for the Weeminuche Estates Subdivision, Located North of H Road Between 26 Road and 26 ½ Road, West of the 26 ½ Road and Summer Hill Way Intersection

®Action: Public Hearing and Consider Final Passage and Publication of Ordinance No. 4174

Staff presentation: Greg Moberg, Planning Services Supervisor

7. **Non-Scheduled Citizens & Visitors**

8. **Other Business**

9. **Adjournment**

Attach 1

Federal Grant Funding for the 26 ½ Road Bridge Replacement

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Accepting a Grant of Federal Funds to Replace the Bridge located at F½ on 26 ½ Road		
File #			
Meeting Day, Date	Wednesday, January 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	Wednesday, January, 2008		
Author Name & Title	Don Newton, Engineering Projects Manager		
Presenter Name & Title	Tim Moore, Public Works and Planning Director		

Summary: A Federal Enhancement Grant has been awarded to the City of Grand Junction in the amount of \$175,000 to replace the bridge on 26½ Road over the Grand Valley Highline Canal just north of F½ Road.

Budget:

Federal Grant (80% of participating cost)	\$175,000
Local Agency (City) Matching Funds (20%)	\$ 43,750
Local Agency (City) Overmatch Contribution \$	<u>69,250</u>
Total Project Funding	\$288,000

Action Requested/Recommendation: Adopt a Resolution accepting Federal Funds in the amount of \$175,000; authorizing City matching funds of \$43,750 (20% of participating cost), City overmatch contribution of \$69,250; and authorizing the City Manager to sign an agreement with CDOT to use these funds for replacement of Bridge GRJ 26.5 –F.5.

Background Information: An application for Federal Bridge Funds was submitted to the Colorado Municipal League on March 23, 2005 and the grant was approved on May 19, 2005, however, the Federal funds did not become available for construction until 2008.

The existing two lane, short span bridge carries 26½ Road across the Grand Valley Highline Canal on the north side of F½ Road. The bridge is structurally deficient and posted with weight restrictions. The bridge will be widened to accommodate curbs, sidewalks, bridge rails and bike lanes on both sides. The replacement bridge has been designed and the project will be advertised for bids as soon as utility relocation agreements are in place, environmental clearances are obtained, and CDOT approves the construction drawings and issues written authorization to proceed. Construction will need to begin by mid-February in order to complete the bridge foundations, abutments and headwalls before water is returned to the Grand Valley Canal on April 1, 2008.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION ACCEPTING A GRANT OF FEDERAL FUNDS FOR AND
AUTHORIZING THE CONSTRUCTION OF THE 7th Street (26 ½ ROAD) BRIDGE
REPLACEMENT PROJECT**

Recitals:

The City Council of the City of Grand Junction, hereby resolves to enter into a contract with the State of Colorado, Department of Transportation (State) for the re-construction of the bridge on 26 1/2 Road just north of F 1/2 at the approximate intersection of F 6/10 Road (if constructed.) The project is funded substantially by federal funds. The agreement authorized by this resolution is for the engineering, design and construction.

The project funding is as follows:

Federal funds in the amount of \$175,000;
City matching funds of \$43,750 (20% of participating cost) and
City overmatch contribution of \$69,250.

The City Council approves the receipt of the Federal funds and authorizes the City Manager to sign an agreement with the State to replace the bridge on 261/2 Road at approximately F 6/10 as provided for in this resolution.

PASSED AND APPROVED this _____ day of January 2008.

James J. Doody, Mayor
City of Grand Junction

Attest:

Stephanie Tuin, City Clerk

Attach 2

Public Hearing Alternate Position for the Forestry Board

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Alternate Position for the Forestry Board		
File #			
Meeting Day, Date	Wednesday, January 16, 2008		
Placement on the Agenda	Consent		Individual <input checked="" type="checkbox"/>
Date Prepared	December 19, 2007		
Author Name & Title	Stephanie Tuin, City Clerk		
Presenter Name & Title	Mike Vendegna, City Forester Dave Gave, Forestry Board Chair		

Summary: An amendment to the Code of Ordinances to allow for an alternate member to the five-member Grand Junction Forestry Board.

Budget: No budget impacts.

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Publication of the Ordinance.

Attachments: Proposed ordinance

Background Information: The Forestry Board was established to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees. Competency is determined through written, oral and practical license examinations. Because the Board has only five members and therefore occasionally has difficulty having a full board for meetings, an alternate would provide an additional member who could serve as a regular member during those times when a member is unavailable.

**CITY OF GRAND JUNCTION
ORDINANCE NO.**

**AN ORDINANCE AMENDING THE COMPOSITION OF THE GRAND JUNCTION
FORESTRY BOARD TO ALLOW FOR AN ALTERNATE POSITION**

RECITALS.

The Grand Junction Forestry Board (“Board”) was established in 1981 to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees by giving written, oral and practical license examinations. The Board shall recommend to the City Council adoption of rules and regulations pertaining to the tree service business in the city, and it may hear complaints from any citizen of the city, including any of its own members, relating to the tree service business.

The Board is composed of five members who are appointed by the City Council. A quorum is three members. In order to help ensure that a quorum is available for the regular meetings, the City Council hereby finds that it is prudent to appoint an alternate member who can serve in the place of a regular member when a member is absent.

NOW THEREFORE BE IT ORDAINED THAT:

Chapter 40, Vegetation, Section 26 (a) of the Municipal Code of Ordinances, is hereby amended to read as follows. Amendments are show with underlined type.

Sec. 40-26. Created; composition; terms; officers.

(a) There is hereby created a board to be known as the forestry board. The board shall be composed of five members and one alternate member who shall be appointed by the city council. The board shall include three persons selected from the following categories: a professional arborist, a nursery person, a landscape designer, a pesticide applicator and a representative of the state forest service. The other two members of the board may be lay persons. The alternate member shall otherwise have the qualification of other members of the Board. Each alternate member shall attend all meetings and shall serve during the temporary unavailability, including recusal, of any regular Board member as may be necessary or required. The alternate member, in addition to other duties prescribed by this Code, shall be allowed to vote in the absence of a regular member. Terms of service shall be three years. When a regular member resigns, is removed or is no longer eligible to hold a seat on the Board, the alternate may fill the vacancy if the alternate meets the same qualifications as the member to be replaced. The City Council

shall then name a replacement alternate. A chairperson and a vice-chairperson shall be elected each year and vacancies owing to death or resignation shall be filled by appointment for the unexpired term.

Introduced on first reading this 2nd day of January, 2008.

Passed, adopted and ordered published this _____ day of _____, 2008.

President of the Council

ATTEST:

City Clerk

Attach 3

Public Hearing – Annexation and Zoning the DeHerrera Annexation, Located at 359 29 5/8 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	DeHerrera Annexation and Zoning - Located at 359 29 5/8 Road		
File #	ANX-2007-300		
Meeting Day, Date	Wednesday, January 16, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	January 2, 2008		
Author Name & Title	Justin T. Kopfman – Associate Planner		
Presenter Name & Title	Justin T. Kopfman – Associate Planner		

Summary: Request to annex and zone 15.52 acres, located at 359 29 5/8 Road, to R-4 (Residential 4-du/ac). The DeHerrera Annexation consists of 1 parcel.

Action Requested/Recommendation: Adopt Resolution accepting the petition for the DeHerrera Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

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. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION					
Location:		359 29 5/8 Road			
Applicants: <Prop owner, developer, representative>		Owner: Terry DeHerrera Representative: Ciavonne Roberts – Keith Ehlers			
Existing Land Use:		County RSF-R (Residential Single Family-Rural)			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Agricultural			
	South	Residential and Agricultural			
	East	Residential			
	West	Agricultural			
Existing Zoning:		County RSF-4 (Residential Single Family-4 du/ac)			
Proposed Zoning:		R-4 (Residential 4-du/ac)			
Surrounding Zoning:	North	R-8 (Residential 8 du/ac)			
	South	County RSF-R (Residential Single Family Rural)			
	East	County RSF-R (Residential Single Family Rural)			
	West	R-R (Residential Rural 1 du/ac)			
Growth Plan Designation:		Residential Medium Low			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 15.52 acres of land and is comprised of 1 parcel. 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.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the DeHerrera Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;

- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;

- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
November 19, 2007	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
November 27, 2007	Planning Commission considers Zone of Annexation
January 2, 2008	Introduction of a proposed Ordinance on Zoning by City Council
January 16, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
February 15, 2008	Effective date of Annexation and Zoning

DEHERRERA ANNEXATION SUMMARY		
File Number:		ANX-2007-300
Location:		359 29 5/8 Road
Tax ID Number:		2943-201-00-105
Parcels:		1
Estimated Population:		1
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		15.52 acres (676,051 square feet)
Developable Acres Remaining:		13.269 acres (579,146 square feet)
Right-of-way in Annexation:		2.224 acres (96,905 square feet)
Previous County Zoning:		County RSF-R (Residential Single Family Rural)
Proposed City Zoning:		R-4 (Residential 4 du/ac)
Current Land Use:		Residential
Future Land Use:		Residential Medium Low
Values:	Assessed:	\$51,710
	Actual:	\$178,330
Address Ranges:		357-359 29 5/8 Road (Odd Only) & 356-372 28 5/8 Road (Even Only)
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Grand Valley Irrigation Grand Junction Drainage District
	School:	District 51

Zone of Annexation: The requested zone of annexation to the R-4 district is **consistent** with the Growth Plan designation of Residential Medium Low. The existing County zoning is County RSF-R (Residential Single Family Rural). 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 zoning of R-8 is compatible with the future growth plan, the neighborhood and meets the polices and requirements of the zoning and development code.

- 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.

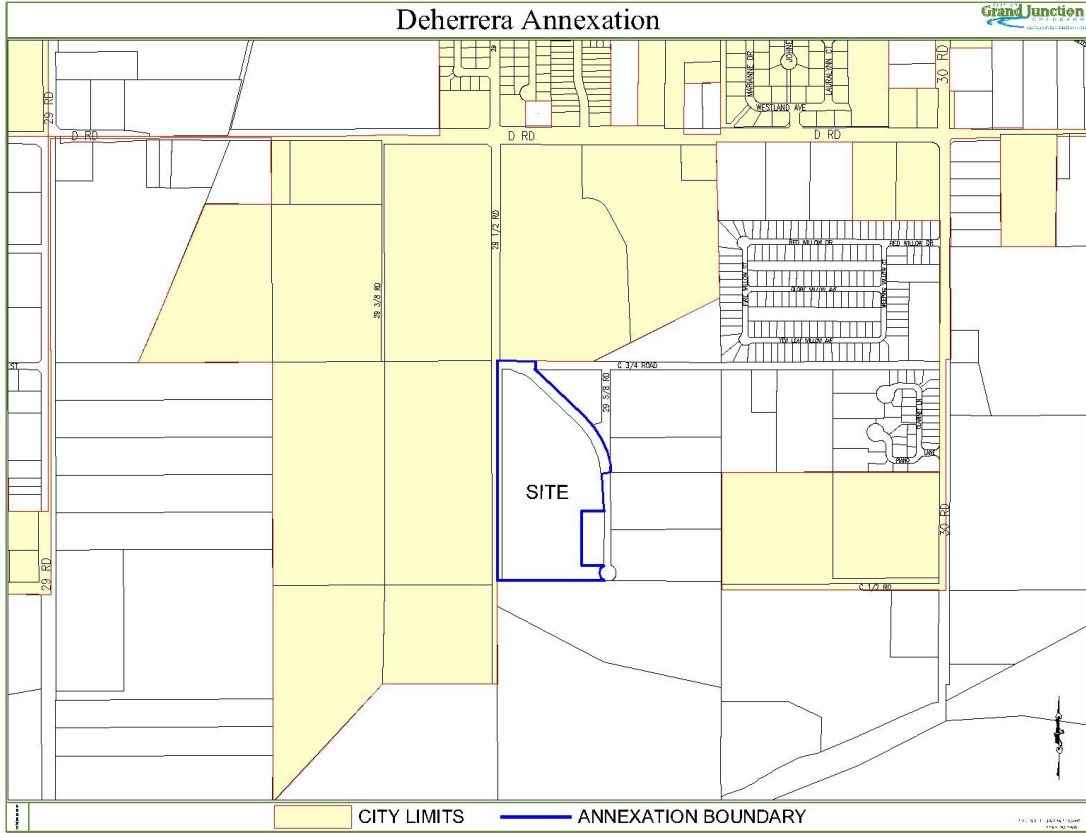
Alternatives: In addition to the zoning that the petitioner has requested, the following zone district would also be consistent with the Growth Plan designation for the subject property.

- a. R-2 (Residential Single Family 2 du/ac)

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-4 (Residential 4-du/ac) district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

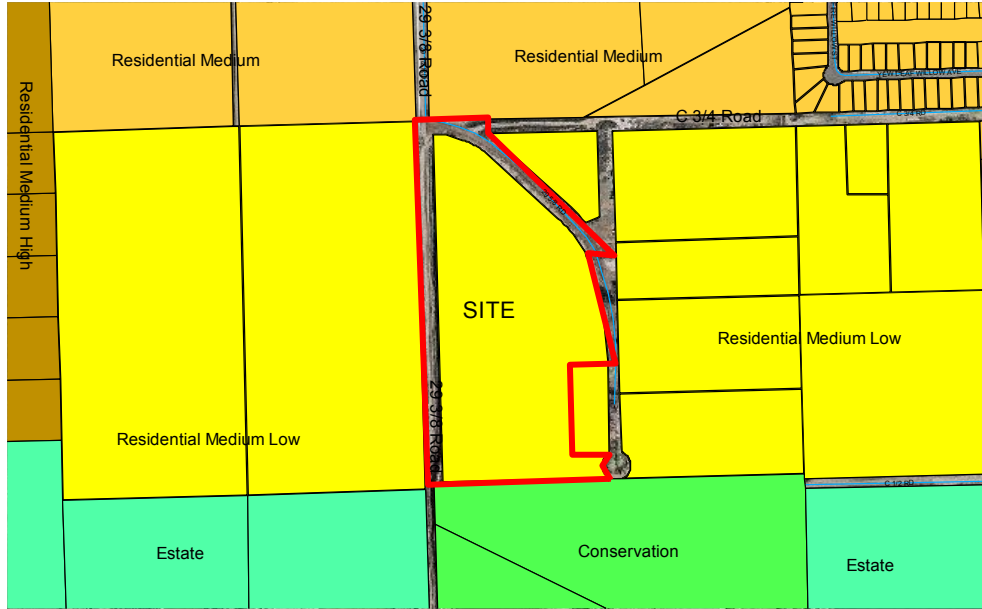
Annexation/Site Location Map Figure 1



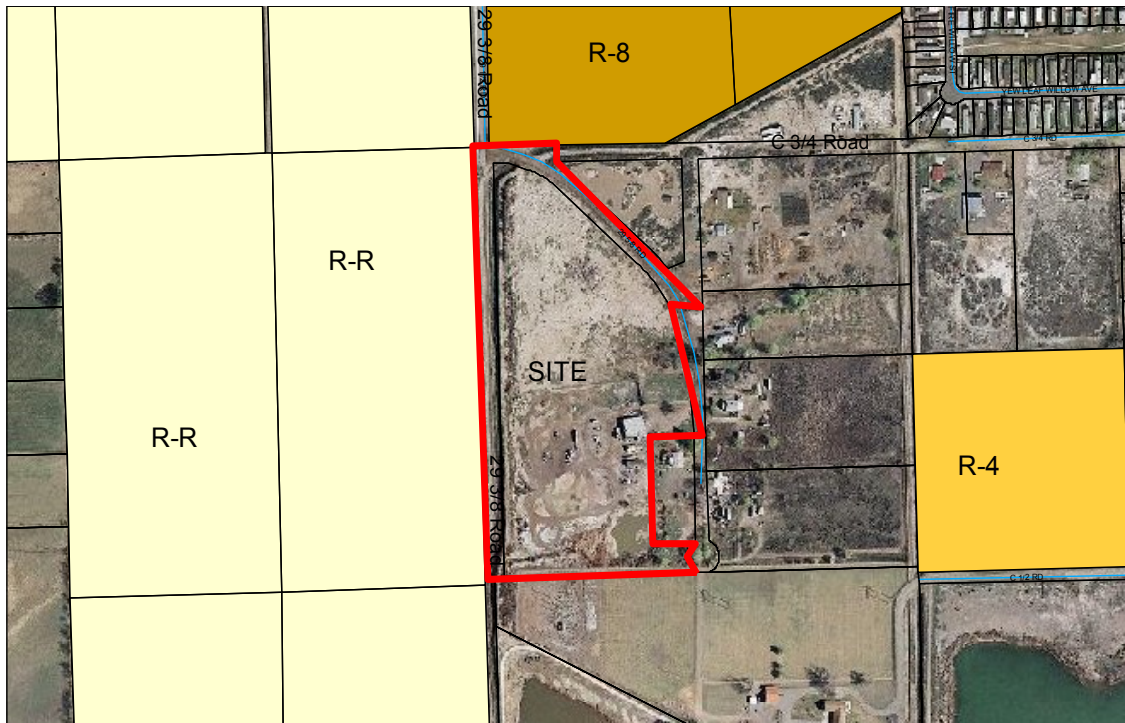
Aerial Photo Map Figure 2



**Future Land Use Map
Figure 3**



**Existing City and County Zoning Map
Figure 4**



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

DEHERRERA ANNEXATION

**LOCATED AT 359 29 5/8 ROAD INCLUDING A PORTION OF THE 29 5/8 ROAD
RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th day of November, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

DEHERRERA ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northwest corner of the SW 1/4 NE 1/4 of said Section 20 and assuming the West line of the SW 1/4 NE 1/4 of said Section 20 bears S 00°00'44" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'53" E along the North line of the SW 1/4 NE 1/4 of said Section 20, a distance of 225.73 feet; thence S 00°02'07" E a distance of 50.00 feet to a point being the intersection of the South right of way for C-3/4 Road and the Easterly right of way for 29-5/8 Road, also being the beginning of a 280.00 foot radius curve, concave Southwest, whose long chord bears S 50°26'40" E with a long chord length of 41.23 feet ; thence Southeasterly 41.27 feet along the arc of said curve, through a central angle of 08°26'40"; thence S 46°29'40" E along said Easterly right of way for 29-5/8 Road, a distance of 345.91 feet to a point being the beginning of a 530.00 foot radius curve, concave Southwest, whose long chord bears S 26°58'17" E with a long chord length of 354.23 feet; thence Southeasterly 361.18 feet along the arc of said curve, through a central angle of 39°02'43"; thence S 00°00'18" E along the Easterly right of way for said 29-5/8 Road, a distance of 29.90 feet; thence S 85°46'36" W a distance of 51.96 feet to a point on the Westerly right of way for said 29-5/8 Road; thence

S 04°34'23" E along said Westerly right of way, a distance of 210.13 feet; thence S 00°00'03" W a distance of 8.63 feet; thence N 89°59'57" W along the North line of that certain parcel of land described in Book 3957, Page 614, Public Records of Mesa County, Colorado, a distance of 136.00 feet; thence S 00°00'03" W along the West line of said parcel, a distance of 320.29 feet; thence S 89°59'57" E along the South line of said parcel, a distance of 129.76 feet to a point on a 50.00 foot radius non-tangent curve, concave Northeast; thence 123.25 feet Southeasterly along the arc of said curve, through a central angle of 141°14'02", whose long chord bears S 19° 16'41" E a distance of 94.33 feet to a point on the South line of that said parcel of land described in Book 3121, Page 581, Public Records of Mesa County, Colorado; thence S 89°56'58" W along the South line said parcel of land, said line being 33.00 feet North of and parallel with the South line of the SW 1/4 NE 1/4 of said Section 20, a distance of 659.33 feet to a point on the West line of the SW 1/4 NE 1/4 of said Section 20; thence N 00°00'44" E along the West line of the SW 1/4 NE 1/4 of said Section 20, a distance of 1291.55 feet, more or less, to the Point of Beginning.

CONTAINING 15.52 Acres or 675,929 Square Feet, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT;

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

DEHERRERA ANNEXATION

APPROXIMATELY 15.52 ACRES

**LOCATED AT 359 29 5/8 ROAD AND INCLUDING A PORTION OF THE 29 5/8 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 19th day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

DEHERRERA ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northwest corner of the SW 1/4 NE 1/4 of said Section 20 and assuming the West line of the SW 1/4 NE 1/4 of said Section 20 bears S 00°00'44" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'53" E along the North line of the SW 1/4 NE 1/4 of said Section 20, a distance of 225.73 feet; thence S 00°02'07" E a distance of 50.00 feet to a point being

the intersection of the South right of way for C-3/4 Road and the Easterly right of way for 29-5/8 Road, also being the beginning of a 280.00 foot radius curve, concave Southwest, whose long chord bears S 50°26'40" E with a long chord length of 41.23 feet ; thence Southeasterly 41.27 feet along the arc of said curve, through a central angle of 08°26'40"; thence S 46°29'40" E along said Easterly right of way for 29-5/8 Road, a distance of 345.91 feet to a point being the beginning of a 530.00 foot radius curve, concave Southwest, whose long chord bears S 26°58'17" E with a long chord length of 354.23 feet; thence Southeasterly 361.18 feet along the arc of said curve, through a central angle of 39°02'43"; thence S 00°00'18" E along the Easterly right of way for said 29-5/8 Road, a distance of 29.90 feet; thence S 85°46'36" W a distance of 51.96 feet to a point on the Westerly right of way for said 29-5/8 Road; thence S 04°34'23" E along said Westerly right of way, a distance of 210.13 feet; thence S 00°00'03" W a distance of 8.63 feet; thence N 89°59'57" W along the North line of that certain parcel of land described in Book 3957, Page 614, Public Records of Mesa County, Colorado, a distance of 136.00 feet; thence S 00°00'03" W along the West line of said parcel, a distance of 320.29 feet; thence S 89°59'57" E along the South line of said parcel, a distance of 129.76 feet to a point on a 50.00 foot radius non-tangent curve, concave Northeast; thence 123.25 feet Southeasterly along the arc of said curve, through a central angle of 141°14'02", whose long chord bears S 19° 16'41" E a distance of 94.33 feet to a point on the South line of that said parcel of land described in Book 3121, Page 581, Public Records of Mesa County, Colorado; thence S 89°56'58" W along the South line said parcel of land, said line being 33.00 feet North of and parallel with the South line of the SW 1/4 NE 1/4 of said Section 20, a distance of 659.33 feet to a point on the West line of the SW 1/4 NE 1/4 of said Section 20; thence N 00°00'44" E along the West line of the SW 1/4 NE 1/4 of said Section 20, a distance of 1291.55 feet, more or less, to the Point of Beginning.

CONTAINING 15.52 Acres or 675,929 Square Feet, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 19th day of November, 2007 and ordered published.

ADOPTED this _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE DEHERRERA ANNEXATION TO
R-4 (RESIDENTIAL 4-DU/AC)**

LOCATED AT 359 29 5/8 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 DeHerrera Annexation to the R-4 (Residential 4-du/ac) 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 R-4 (Residential 4-du/ac) 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 R-4 (Residential 4-du/ac).

DEHERRERA ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northwest corner of the SW 1/4 NE 1/4 of said Section 20 and assuming the West line of the SW 1/4 NE 1/4 of said Section 20 bears S 00°00'44" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'53" E along the North line of the SW 1/4 NE 1/4 of said Section 20, a distance of 225.73 feet; thence S 00°02'07" E a distance of 50.00 feet to a point being the intersection of the South right of way for C-3/4 Road and the Easterly right of way for 29-5/8 Road, also being the beginning of a 280.00 foot radius curve, concave Southwest, whose long chord bears S 50°26'40" E with a long chord length of 41.23 feet ; thence

Southeasterly 41.27 feet along the arc of said curve, through a central angle of 08°26'40"; thence S 46°29'40" E along said Easterly right of way for 29-5/8 Road, a distance of 345.91 feet to a point being the beginning of a 530.00 foot radius curve, concave Southwest, whose long chord bears S 26°58'17" E with a long chord length of 354.23 feet; thence Southeasterly 361.18 feet along the arc of said curve, through a central angle of 39°02'43"; thence S 00°00'18" E along the Easterly right of way for said 29-5/8 Road, a distance of 29.90 feet; thence S 85°46'36" W a distance of 51.96 feet to a point on the Westerly right of way for said 29-5/8 Road; thence S 04°34'23" E along said Westerly right of way, a distance of 210.13 feet; thence S 00°00'03" W a distance of 8.63 feet; thence N 89°59'57" W along the North line of that certain parcel of land described in Book 3957, Page 614, Public Records of Mesa County, Colorado, a distance of 136.00 feet; thence S 00°00'03" W along the West line of said parcel, a distance of 320.29 feet; thence S 89°59'57" E along the South line of said parcel, a distance of 129.76 feet to a point on a 50.00 foot radius non-tangent curve, concave Northeast; thence 123.25 feet Southeasterly along the arc of said curve, through a central angle of 141°14'02", whose long chord bears S 19° 16'41" E a distance of 94.33 feet to a point on the South line of that said parcel of land described in Book 3121, Page 581, Public Records of Mesa County, Colorado; thence S 89°56'58" W along the South line said parcel of land, said line being 33.00 feet North of and parallel with the South line of the SW 1/4 NE 1/4 of said Section 20, a distance of 659.33 feet to a point on the West line of the SW 1/4 NE 1/4 of said Section 20; thence N 00°00'44" E along the West line of the SW 1/4 NE 1/4 of said Section 20, a distance of 1291.55 feet, more or less, to the Point of Beginning.

CONTAINING 15.52 Acres or 675,929 Square Feet, more or less, as described.

INTRODUCED on first reading this 2nd day of January, 2008 and ordered published.

ADOPTED on second reading this ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 4

Public Hearing Annexation and Zoning the Sipes Annexation, Located at 416 ½ 30 Road, 413 and 415 30 ¼ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Sipes Annexation and Zoning - Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road		
File #	ANX-2007-313		
Meeting Day, Date	Wednesday, January 16, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	January 2, 2008		
Author Name & Title	Justin T. Kopfman – Associate Planner		
Presenter Name & Title	Justin T. Kopfman – Associate Planner		

Summary: Request to annex and zone 3.54 acres, located at 416 ½ 30 Road, 413, and 415 30 ¼ Road, to R-8 (Residential 8-du/ac). The Sipes Annexation consists of 3 parcels.

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Sipes Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

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. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		416 ½ 30 Road, 413, 415 30 ¼ Road	
Applicants: <Prop owner, developer, representative>		Owner: Larry Sipes Representative: DCS, Inc. – Mike Markus	
Existing Land Use:		County RSF-R (Residential Single Family Rural)	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential and Vacant	
	East	Residential and Agricultural	
	West	Vacant	
Existing Zoning:		County PUD and RSF-R	
Proposed Zoning:		R-8 (Residential 8-du/ac)	
Surrounding Zoning:	North	County PUD	
	South	County RSF-R (Residential Single Family Rural)	
	East	R-8 (Residential 8-du/ac)	
	West	R-8 (Residential 8-du/ac)	
Growth Plan Designation:		Residential Medium	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 3.54 acres of land and is comprised of 3 parcels. 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.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Sipes Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single

demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;

- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
November 19, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
November 22, 2008	Planning Commission considers Zone of Annexation
January 2, 2008	Introduction of a proposed Ordinance on Zoning by City Council
January 16, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
February 15, 2008	Effective date of Annexation and Zoning

SIPES ANNEXATION SUMMARY		
File Number:		ANX-2007-313
Location:		416 ½ 30 Road, 413, 415 30 ¼ Road
Tax ID Number:		2943-163-00-143; 2943-163-00-154; 2943-163-00-142
Parcels:		3
Estimated Population:		9
# of Parcels (owner occupied):		3
# of Dwelling Units:		3
Acres land annexed:		3.54 acres (154,158 square feet)
Developable Acres Remaining:		3.454 acres (150,491 square feet)
Right-of-way in Annexation:		.0852 acres (3,713 square feet)
Previous County Zoning:		County RSF-R (Residential Single Family Rural) and PUD
Proposed City Zoning:		R-8 (Residential 8 du/ac)
Current Land Use:		Residential
Future Land Use:		Residential Medium
Values:	Assessed:	\$38,430
	Actual:	\$190,000
Address Ranges:		413-419 30 ¼ Road (Odd Only) & 416 ½ – 420 30 Road (Even Only)
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire
	Irrigation/ Drainage:	Grand Valley Irrigation Grand Junction Drainage District
	School:	District 51
	Pest:	Grand River Mosquito

Zone of Annexation: The requested zone of annexation to the R-8 district is **consistent** with the Growth Plan designation of Residential Medium. The existing County zoning is RSF-R and PUD. 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 zoning of R-8 is compatible with the future growth plan, the neighborhood and meets the polices and requirements of the zoning and development code.

- 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.

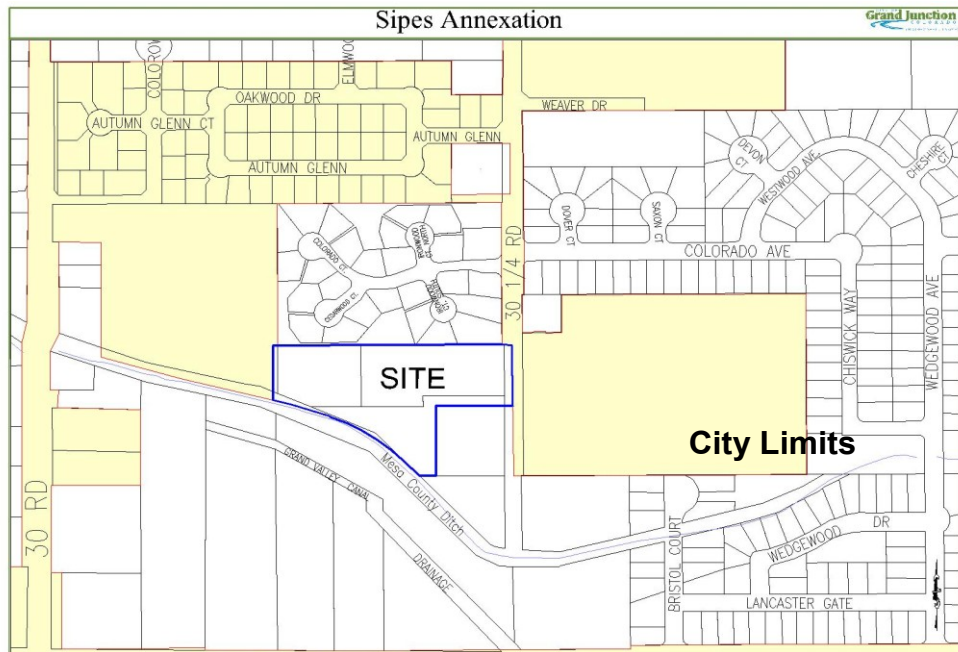
- b. R-4 (Residential 4-du/ac)
- c. R-5 (Residential 5-du/ac)

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-8 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation-Site Location Map

Figure 1



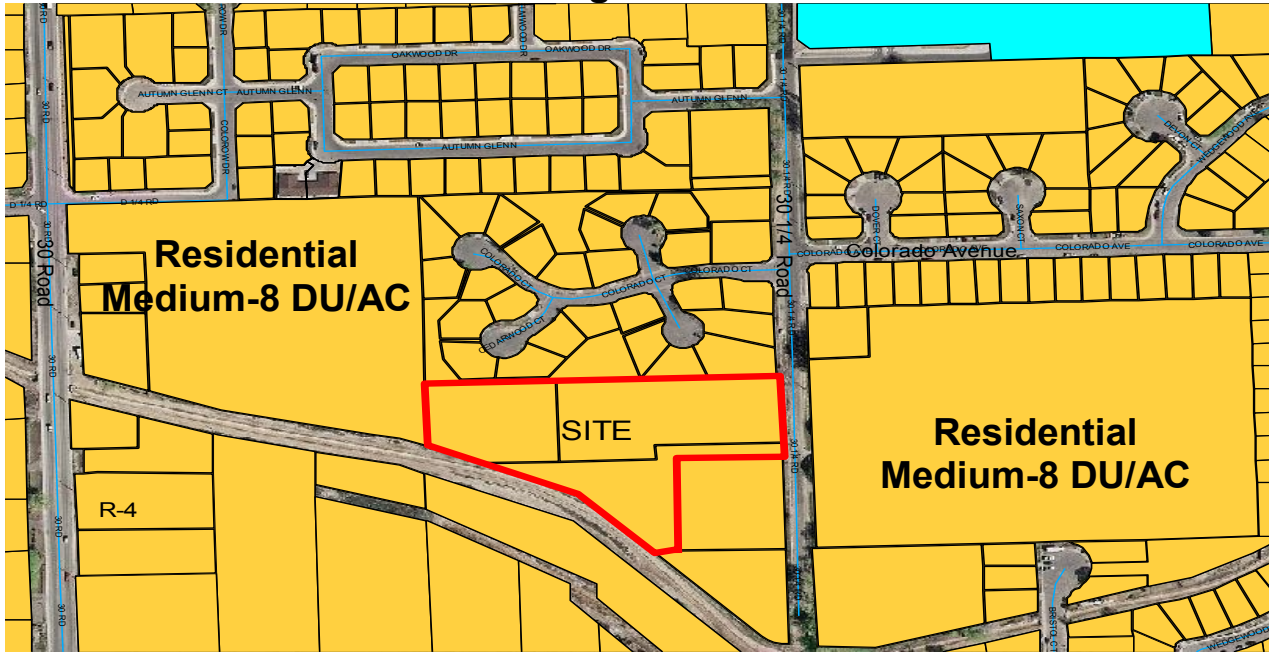
Aerial Photo Map

Figure 2



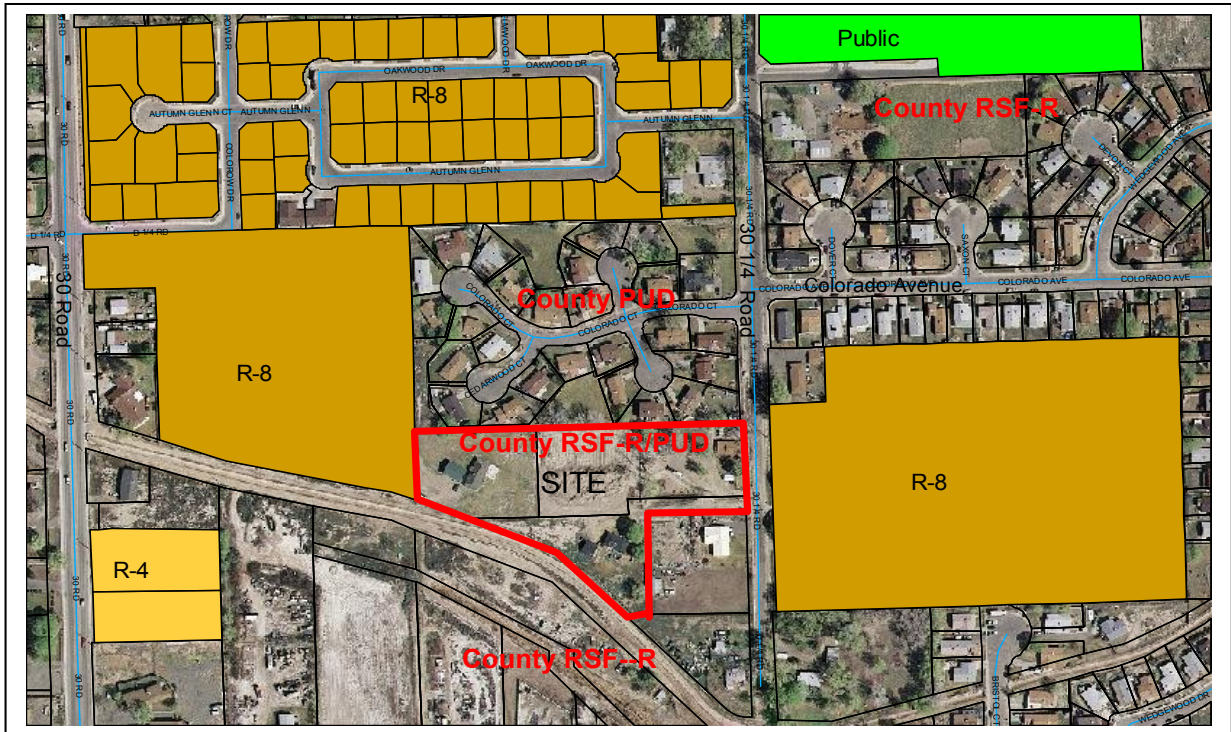
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

SIPES ANNEXATION

LOCATED AT 416 1/2 30 ROAD, 413, AND 415 30 1/4 ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th day of November, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

SIPES ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and assuming the East line of the SW 1/4 SW 1/4 of said Section 16 bears S 00°02'08" W with all other bearings shown hereon being relative thereto; thence from said Point of Beginning, N 89°55'08" E along the Easterly extension of the South line of said Ironwood, a distance of 33.00 feet to a point on the East line of the SW 1/4 SW 1/4 of said Section 16; thence S 00°02' 08" W along the East line of the SW 1/4 SW 1/4 of said Section 16, also being the West line of Humphrey Annexation No. 2, City Ordinance No. 4003, a distance of 178.20 feet; thence N 89°57'52" W a distance of 218.00 feet; thence S 00°02'08" W a distance of 200.00 feet; thence S 89°55'08" W a distance of 49.59 feet, more or less, to the centerline of the Grand Valley Canal; thence along said centerline the following four (4) courses:

N 41°58'56" W a distance of 59.40 feet to the beginning of a 556.27 foot radius curve, concave Southwest, whose long chord bears N 58°13'06" W with a long chord length of 243.96 feet; thence

245.96 feet Northwesterly along the arc of said curve, through a central angle of 25°20'01"; thence
N 72°27'39" W a distance of 114.93 feet; thence
N 75°39'07" W a distance of 52.54 feet; thence
N 00°03'08" E along a portion of the East line of Autumn Glenn II Annexation, City Ordinance No. 3877, a distance of 156.88 feet; thence N 89°55'08" E along the South line of said Ironwood subdivision plat, a distance of 642.28 feet, more or less, to the Point of Beginning.

CONTAINING 3.54 Acres or 154,158 Square Feet, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT;

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

SIPES ANNEXATION

APPROXIMATELY 3.54 ACRES

LOCATED AT 416 1/2 30 ROAD, 413, AND 415 30 1/4 ROAD

WHEREAS, on the 19th day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

SIPES ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and assuming the East line of the SW 1/4 SW 1/4 of said Section 16 bears S 00°02'08" W with all other bearings shown hereon being relative thereto; thence from said Point of Beginning, N 89°55'08" E along the Easterly extension of the South line of said Ironwood, a distance of

33.00 feet to a point on the East line of the SW 1/4 SW 1/4 of said Section 16; thence S 00°02' 08" W along the East line of the SW 1/4 SW 1/4 of said Section 16, also being the West line of Humphrey Annexation No. 2, City Ordinance No. 4003, a distance of 178.20 feet; thence N 89°57'52" W a distance of 218.00 feet; thence S 00°02'08" W a distance of 200.00 feet; thence S 89°55'08" W a distance of 49.59 feet, more or less, to the centerline of the Grand Valley Canal; thence along said centerline the following four (4) courses:

N 41°58'56" W a distance of 59.40 feet to the beginning of a 556.27 foot radius curve, concave Southwest, whose long chord bears N 58°13'06" W with a long chord length of 243.96 feet; thence

245.96 feet Northwesterly along the arc of said curve, through a central angle of 25°20'01"; thence

N 72°27'39" W a distance of 114.93 feet; thence

N 75°39'07" W a distance of 52.54 feet; thence

N 00°03'08" E along a portion of the East line of Autumn Glenn II Annexation, City Ordinance No. 3877, a distance of 156.88 feet; thence N 89°55'08" E along the South line of said Ironwood subdivision plat, a distance of 642.28 feet, more or less, to the Point of Beginning.

CONTAINING 3.54 Acres or 154,158 Square Feet, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 19th day of November, 2007 and ordered published.

ADOPTED this _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SIPES ANNEXATION TO
R-8 (RESIDENTIAL 8-DU/AC)**

LOCATED AT 416 1/2 30 ROAD, 413, AND 415 30 1/4 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 Sipes Annexation to the R-8 (Residential 8-du/ac) 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 R-8 (Residential 8-du/ac) 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 R-8 (Residential 8-du/ac).

SIPES ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and assuming the East line of the SW 1/4 SW 1/4 of said Section 16 bears S 00°02'08" W with all other bearings shown hereon being relative thereto; thence from said Point of Beginning, N 89°55'08" E along the Easterly extension of the South line of said Ironwood, a distance of 33.00 feet to a point on the East line of the SW 1/4 SW 1/4 of said Section 16; thence S 00°02' 08" W along the East line of the SW 1/4 SW 1/4 of said Section 16,

also being the West line of Humphrey Annexation No. 2, City Ordinance No. 4003, a distance of 178.20 feet; thence N 89°57'52" W a distance of 218.00 feet; thence S 00°02'08" W a distance of 200.00 feet; thence S 89°55'08" W a distance of 49.59 feet, more or less, to the centerline of the Grand Valley Canal; thence along said centerline the following four (4) courses:

N 41°58'56" W a distance of 59.40 feet to the beginning of a 556.27 foot radius curve, concave Southwest, whose long chord bears N 58°13'06" W with a long chord length of 243.96 feet; thence

245.96 feet Northwesterly along the arc of said curve, through a central angle of 25°20'01"; thence

N 72°27'39" W a distance of 114.93 feet; thence

N 75°39'07" W a distance of 52.54 feet; thence

N 00°03'08" E along a portion of the East line of Autumn Glenn II Annexation, City Ordinance No. 3877, a distance of 156.88 feet; thence N 89°55'08" E along the South line of said Ironwood subdivision plat, a distance of 642.28 feet, more or less, to the Point of Beginning.

CONTAINING 3.54 Acres or 154,158 Square Feet, more or less, as described.

INTRODUCED on first reading this 2nd day of January, 2008 and ordered published.

ADOPTED on second reading this ____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 5

Public Hearing – Cunningham Investment Annexation, Located at 2098 E ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Cunningham Investment Annexation - Located at 2098 E ½ Road		
File #	GPA-2007-263		
Meeting Day, Date	Wednesday, January 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	January 2, 2008		
Author Name & Title	Scott D. Peterson, Senior Planner		
Presenter Name & Title	Scott D. Peterson, Senior Planner		

Summary: Request to annex 30.34 acres, located at 2098 E ½ Road in the Redlands. The Cunningham Investment Annexation consists of 1 parcel of land and is a 5 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution accepting the petition for the Cunningham Investment Annexation and hold a public hearing and consider final passage of the Annexation 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. Acceptance Resolution
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information.

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2098 E ½ Road			
Applicants:		Cunningham Investment Company, Inc., Owner			
Existing Land Use:		Vacant land			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	Single-family residential			
	South	Vacant land and Single-family residential			
	East	Single-family residential			
	West	Vacant land and Single-family residential			
Existing Zoning:		RSF-4, Residential Single-Family – 4 units/acre and RSF-2, Residential Single-Family – 2 units/acre (County)			
Proposed Zoning:		To be determined. Applicant has filed a Growth Plan Amendment			
Surrounding Zoning:	North	RSF-4, Residential Single-Family – 4 units/acre and RSF-2, Residential Single-Family – 2 units/acre (County)			
	South	RSF-4, Residential Single-Family – 4 units/acre and RSF-2, Residential Single-Family – 2 units/acre (County)			
	East	RSF-4, Residential Single-Family – 4 units/acre (County)			
	West	RSF-2, Residential Single-Family – 2 units/acre (County)			
Growth Plan Designation:		Estate (2 – 5 acres/DU)			
Zoning within density range?		N/A	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 30.34 acres of land and is comprised of 1 parcel of land and is a 5 part serial annexation. The property owner has 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.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Cunningham Investment Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

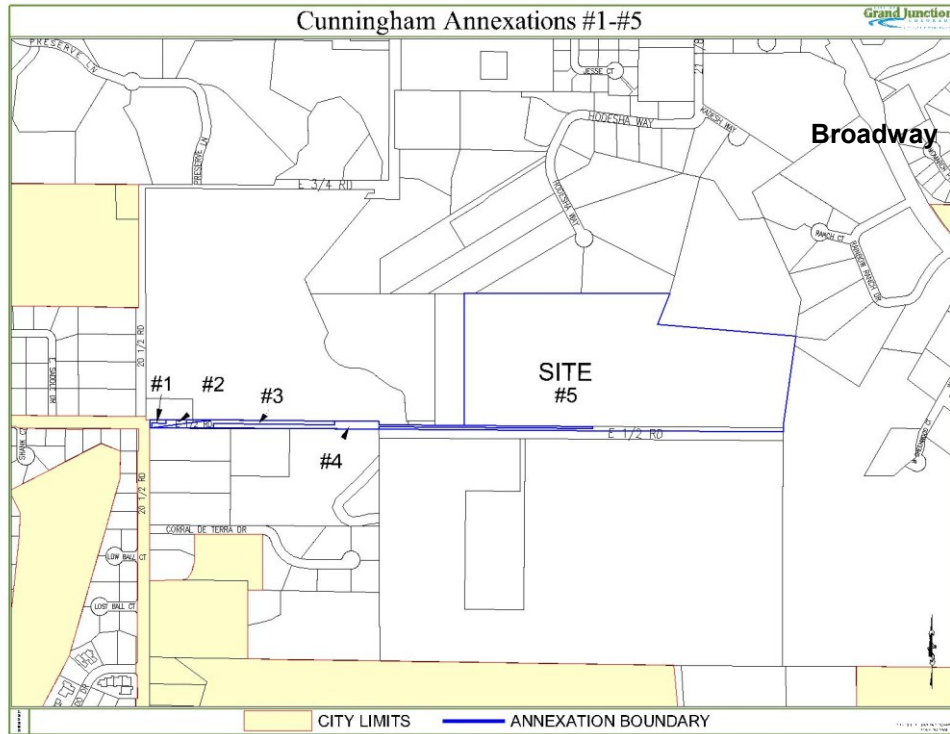
<i>ANNEXATION SCHEDULE</i>	
November 21, 2007	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
To be scheduled	Planning Commission considers Zone of Annexation
To be scheduled	Introduction of a proposed Ordinance on Zoning by City Council
January 16, 2008	Acceptance of Petition and Public Hearing on Annexation by City Council
February 17, 2008	Effective date of Annexation

CUNNINGHAM INVESTMENT ANNEXATION SUMMARY

File Number:	GPA-2007-263	
Location:	2098 E ½ Road	
Tax ID Number:	2947-221-00-150	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	30.34	
Developable Acres Remaining:	27.73	
Right-of-way in Annexation:	2.61	
Previous County Zoning:	RSF-4, Residential Single-Family – 4 units/acre and RSF-2, Residential Single-Family – 2 units/acre	
Proposed City Zoning:	To be determined	
Current Land Use:	Vacant land	
Future Land Use:	Estate (2 – 5 acres/DU)	
Values:	Assessed:	\$88,000
	Actual:	\$303,450
Address Ranges:	2098 E ½ Road	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire
	Irrigation/ Drainage:	Redlands Water and Power
	School:	District 51
	Pest:	

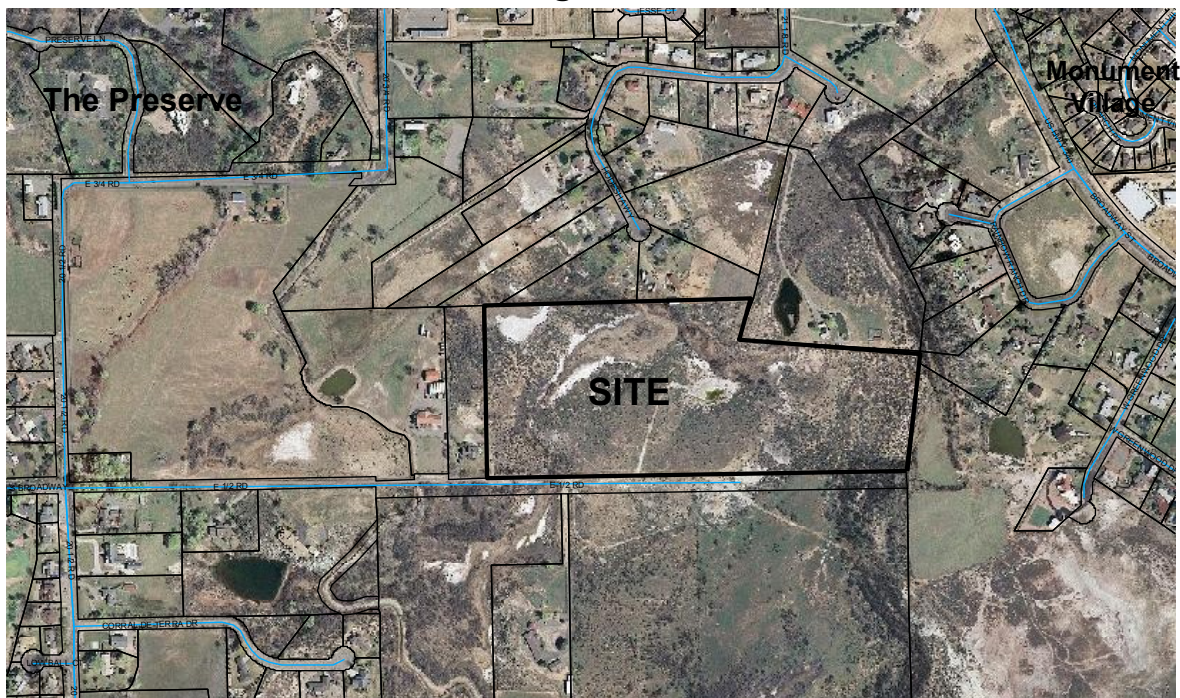
Site Location Map – 2098 E 1/2 Road

Figure 1



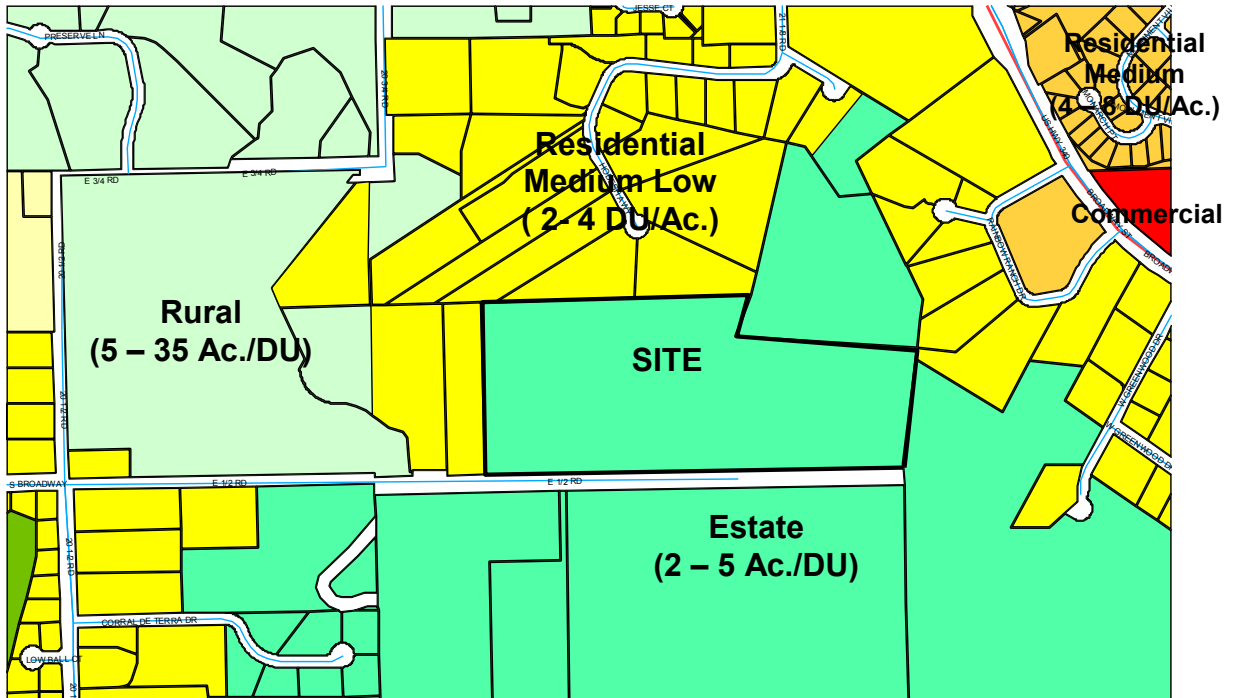
Aerial Photo Map – 2098 E 1/2 Road

Figure 2



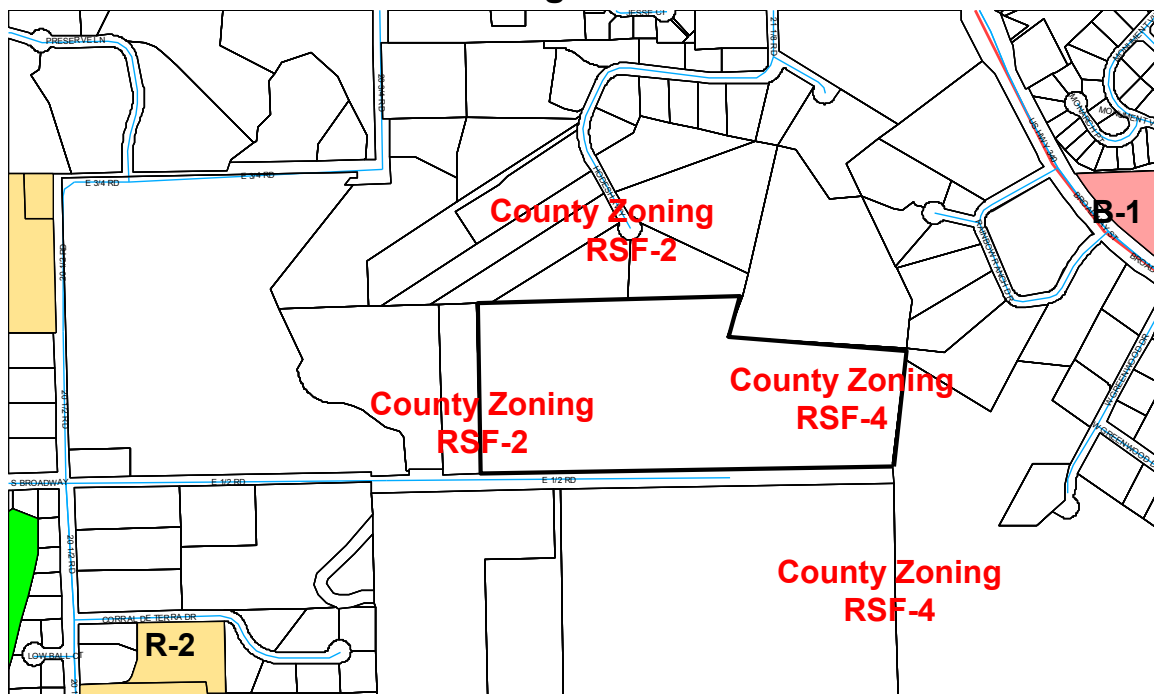
Future Land Use Map – 2098 E 1/2 Road

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."

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

CUNNINGHAM INVESTMENT ANNEXATION

**LOCATED AT 2098 E 1/2 ROAD
INCLUDING PORTIONS OF THE E 1/2 ROAD RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 21st day of November, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

CUNNINGHAM INVESTMENT ANNEXATION NO. 1

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter (NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°02'05" E along the East line of Reinking Annexation No. 2, City of Grand Junction Ordinance No. 3254 a distance of 20.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 90.00 feet; thence S 00°29'46" W a distance of 20.00 feet to a point on the South line of the NE 1/4 of said Section 22; thence N 89°30'14" W along said South line, a distance of 79.64 feet; thence S 00°29'46" W a distance of 25.00 feet to a point on the South right of way for E-1/2 Road; thence N 89°30'14" W along said South right of way, a distance of 10.00 feet to a point on the East line of said Reinking Annexation No. 2; thence N 00°02'05" E along said East line (also being the East right of way for 20-1/2 Road) a distance of 25.00 feet, more or less, to the Point of Beginning.

CONTAINING 2,051 Square Feet or 0.05 Acres, more or less, as described.

CUNNINGHAM INVESTMENT ANNEXATION NO. 2

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter (NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 50.20 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°30'14" E along the South line of the NE 1/4 of said Section 22, a distance of 79.64 feet; thence N 00°29'46" E a distance of 20.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 268.00 feet; thence S 83°07'13"W a distance of 350.54 feet; thence N 00°29'46" E a distance of 25.00 feet, more or less, to the Point of Beginning.

CONTAINING 6,229 Square Feet or 0.14 Acres, more or less, as described.

CUNNINGHAM INVESTMENT ANNEXATION NO. 3

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter (NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 243.33 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 83°07'13" E a distance of 155.79 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 678.35 feet; thence S 00°29'46" W, a distance of 20.00 feet to a point on the South line of the NE 1/4 of said Section 22; thence N 89°30'14" W along said South line, a distance of 678.35 feet; thence S 00°29'46" W, a distance of 25.00 feet to a point on the South right of way for said E-1/2 Road; thence N 89°30'14" W along said South right of way, a distance of 347.64 feet; thence N 83°07'13" E a distance of 194.74 feet, more or less, to the Point of Beginning.

CONTAINING 21,389 Square Feet or 0.49 Acres, more or less, as described.

CUNNINGHAM INVESTMENT ANNEXATION NO. 4

A certain parcel of land located in the Northeast Quarter (NE 1/4) and the Southeast Quarter (SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 1,195.58 feet; thence S 00°03'13" E a distance of 10.00 feet; thence N 89°30'14" W along a line 10.00 feet South of and parallel with the South line of the NE 1/4 of said Section 22, a distance of 1195.59 feet, more or less, to a point on the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 22; thence S 00°00'19" E along said West line, a distance of 15.00 feet; thence N 89°30'14" W along a line 25.00 feet South of and parallel with the South line of the NE 1/4 of said Section 22, a distance of 928.95 feet; thence N 00°29'46" E a distance of 25.00 feet; thence S 89°30'14" E along the South line of the NE 1/4 of said Section 22, a distance of 678.35 feet; thence N 00°29'46" E a distance of 20.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 250.18 feet to a point on the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 22; thence S 00°04'46" E along said East line, a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 40,182 Square Feet or 0.92 Acres, more or less, as described.

CUNNINGHAM INVESTMENT ANNEXATION NO. 5

A certain parcel of land located in the East-half (E 1/2) of Section 22 and the West-half (W 1/2) of Section 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°00'19" E along the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 22, a distance of 10.00 feet to the POINT OF BEGINNING; thence S 89°30'14" E along a line 10.00 feet South of and parallel with the North line of the NE 1/4 SE 1/4 of said Section 22 a distance of 1195.59 feet; thence N 00°03'13" W a distance of 10.00 feet; thence N 89°30'14" W along the South line of the SE 1/4 NE 1/4 a distance of 718.63 feet; thence along the boundary of that certain parcel of land described in Book 2566, Page 428, Public Records of Mesa County, Colorado the following five (5) courses: (1) N 00°06'14" E a distance of 737.51 feet, (2) S 89°54'21" E a distance of 1151.54 feet, (3) S 22°12'18" W a distance of 188.16 feet, (4) S 85°08'25" E a distance of 784.87 feet, (5) S 09°06'35" W a distance of 516.87 feet; thence S 00°26'09" E a distance of 19.98 feet; thence N 89°48'44" W a distance of 932.52 feet to a point on the West line of the Southwest Quarter (SW 1/4) of said Section 23; thence N 89°30'15" W along a line 25.00 feet South of and parallel with the North line of the NE 1/4 SE 1/4 of said Section 22 distance of 1326.60 feet to a point on the West line of the NE 1/4 SE 1/4 of said Section 22; thence N 00°00'19" W along said West line a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 1,251,919 Square Feet or 28.74 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT;

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

CUNNINGHAM INVESTMENT ANNEXATION NO. 1

APPROXIMATELY 0.05 ACRES

**INCLUDING A PORTION OF THE
E ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 21st day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

CUNNINGHAM INVESTMENT ANNEXATION NO. 1

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter (NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said

Point of Beginning, N 00°02'05" E along the East line of Reinking Annexation No. 2, City of Grand Junction Ordinance No. 3254 a distance of 20.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 90.00 feet; thence S 00°29'46" W a distance of 20.00 feet to a point on the South line of the NE 1/4 of said Section 22; thence N 89°30'14" W along said South line, a distance of 79.64 feet; thence S 00°29'46" W a distance of 25.00 feet to a point on the South right of way for E-1/2 Road; thence N 89°30'14" W along said South right of way, a distance of 10.00 feet to a point on the East line of said Reinking Annexation No. 2; thence N 00°02'05" E along said East line (also being the East right of way for 20-1/2 Road) a distance of 25.00 feet, more or less, to the Point of Beginning.

CONTAINING 2,051 Square Feet or 0.05 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 21st day of November, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

CUNNINGHAM INVESTMENT ANNEXATION NO. 2

APPROXIMATELY 0.14 ACRES

**INCLUDING A PORTION OF THE
E ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 21st day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

CUNNINGHAM INVESTMENT ANNEXATION NO. 2

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter (NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence

from said Point of Commencement, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 50.20 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°30'14" E along the South line of the NE 1/4 of said Section 22, a distance of 79.64 feet; thence N 00°29'46" E a distance of 20.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 268.00 feet; thence S 83°07'13"W a distance of 350.54 feet; thence N 00°29'46" E a distance of 25.00 feet, more or less, to the Point of Beginning.

CONTAINING 6,229 Square Feet or 0.14 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 21st day of November, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

CUNNINGHAM INVESTMENT ANNEXATION NO. 3

APPROXIMATELY 0.49 ACRES

**INCLUDING A PORTION OF THE
E ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 21st day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

CUNNINGHAM INVESTMENT ANNEXATION NO. 3

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter (NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 243.33 feet to the POINT OF BEGINNING; thence from said

Point of Beginning, N 83°07'13" E a distance of 155.79 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 678.35 feet; thence S 00°29'46" W, a distance of 20.00 feet to a point on the South line of the NE 1/4 of said Section 22; thence N 89°30'14" W along said South line, a distance of 678.35 feet; thence S 00°29'46" W, a distance of 25.00 feet to a point on the South right of way for said E-1/2 Road; thence N 89°30'14" W along said South right of way, a distance of 347.64 feet; thence N 83°07'13" E a distance of 194.74 feet, more or less, to the Point of Beginning.

CONTAINING 21,389 Square Feet or 0.49 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 21st day of November, 2007 and ordered published.

ADOPTED on second reading the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

CUNNINGHAM INVESTMENT ANNEXATION NO. 4

APPROXIMATELY 0.92 ACRES

**INCLUDING A PORTION OF THE
E ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 21st day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

CUNNINGHAM INVESTMENT ANNEXATION NO. 4

A certain parcel of land located in the Northeast Quarter (NE 1/4) and the Southeast Quarter (SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°30'14" E along the South line of the NE 1/4 of said Section 22 a distance of 1,195.58 feet; thence S 00°03'13" E a distance

of 10.00 feet; thence N 89°30'14" W along a line 10.00 feet South of and parallel with the South line of the NE 1/4 of said Section 22, a distance of 1195.59 feet, more or less, to a point on the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 22; thence S 00°00'19" E along said West line, a distance of 15.00 feet; thence N 89°30'14" W along a line 25.00 feet South of and parallel with the South line of the NE 1/4 of said Section 22, a distance of 928.95 feet; thence N 00°29'46" E a distance of 25.00 feet; thence S 89°30'14" E along the South line of the NE 1/4 of said Section 22, a distance of 678.35 feet; thence N 00°29'46" E a distance of 20.00 feet to a point on the North right of way for E-1/2 Road; thence S 89°30'14" E along said North right of way, a distance of 250.18 feet to a point on the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 22; thence S 00°04'46" E along said East line, a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 40,182 Square Feet or 0.92 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 21st day of November, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

CUNNINGHAM INVESTMENT ANNEXATION NO. 5

APPROXIMATELY 28.74 ACRES

**LOCATED AT 2098 E ½ ROAD INCLUDING PORTIONS OF THE
E ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 21st day of November, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of January, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

CUNNINGHAM INVESTMENT ANNEXATION NO. 5

A certain parcel of land located in the East-half (E 1/2) of Section 22 and the West-half (W 1/2) of Section 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 22 and assuming the South line of the NE 1/4 of said Section 22 bears N 89°30'14" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°00'19" E along the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said

Section 22, a distance of 10.00 feet to the POINT OF BEGINNING; thence S 89°30'14" E along a line 10.00 feet South of and parallel with the North line of the NE 1/4 SE 1/4 of said Section 22 a distance of 1195.59 feet; thence N 00°03'13" W a distance of 10.00 feet; thence N 89°30'14" W along the South line of the SE 1/4 NE 1/4 a distance of 718.63 feet; thence along the boundary of that certain parcel of land described in Book 2566, Page 428, Public Records of Mesa County, Colorado the following five (5) courses: (1) N 00°06'14" E a distance of 737.51 feet, (2) S 89°54'21" E a distance of 1151.54 feet, (3) S 22°12'18" W a distance of 188.16 feet, (4) S 85°08'25" E a distance of 784.87 feet, (5) S 09°06'35" W a distance of 516.87 feet; thence S 00°26'09" E a distance of 19.98 feet; thence N 89°48'44" W a distance of 932.52 feet to a point on the West line of the Southwest Quarter (SW 1/4) of said Section 23; thence N 89°30'15" W along a line 25.00 feet South of and parallel with the North line of the NE 1/4 SE 1/4 of said Section 22 distance of 1326.60 feet to a point on the West line of the NE 1/4 SE 1/4 of said Section 22; thence N 00°00'19" W along said West line a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 1,251,919 Square Feet or 28.74 Acres, more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 21st day of November, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

Attach 6

Public Hearing Zoning Amendment for Weeminuche Estates Subdivision

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Weeminuche Estates Subdivision Zoning Amendment		
File #	PP-2007-003		
Meeting Day, Date	Wednesday, January 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 4, 2008		
Author Name & Title	Greg Moberg, Planning Services Supervisor		
Presenter Name & Title	Greg Moberg, Planning Services Supervisor		

Summary: A request for approval to amend the existing Planned Development (PD) zoning with a default zone of R-4 by approval of a Preliminary Development Plan (PDP) to develop 362 dwelling units on 151.38 acres as a Planned Development.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of an Ordinance amending the Planned Development Zoning for Weeminuche Estates Subdivision.

Attachments:

1. Staff Report
2. Site Location Map
3. Aerial Photo Map
4. Future Land Use Map
5. Existing City and County Zoning Map
6. Exhibit A – Preliminary Development Plan
7. Exhibit B – Preliminary Landscape Plan
8. Exhibit C – Phasing Plan
9. Exhibit D – Ordinance No. 2482
10. Exhibit E – Saccomanno Girls Trust Annexation Agreement
11. Exhibit F – North Central Valley Plan Documents
12. Exhibit G – May 3, 1995 City Council Minutes
13. Exhibit H – Letters and petitions
14. Exhibit I – County URR-5 Future Land Use Information

- 15. Exhibit J – November 27, 2007, Planning Commission DRAFT Meeting Minutes
- 16. Ordinance

BACKGROUND INFORMATION				
Location:		North of H Road between 26 and 26 ½ Road and west of the 26 ½ Road and Summer Hill Way intersection		
Applicants:		Owner/Developer – 26 Road, LLC Representative – Ciavonne, Roberts & Associates		
Existing Land Use:		Agriculture		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential and Agriculture		
	South	Residential and Agriculture		
	East	Residential and Agriculture		
	West	Residential and Agriculture		
Existing Zoning:		PD (Planned Development)		
Proposed Zoning:		PD (Planned Development)		
Surrounding Zoning:	North	AFT (County)		
	South	R-1 (Residential – 1 du/ac)		
	East	RSF-R (County), R-4 (Residential – 4 du/ac) R-5 (Residential – 5 du/ac)		
	West	RSF-R, PUD, AFT, RSF-E (County)		
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request approval of the Preliminary Development Plan for Weeminuche Estates Subdivision for a 362 lot subdivision containing two-family dwellings and single-family detached dwellings on 151.38 acres, with a proposed default zone of R-4 and an overall density of 2.39 du/ac in a Planned Development (PD) zone district.

RECOMMENDATION: Approval of the Preliminary Development Plan for Weeminuche Estates Subdivision.

Staff Analysis:

Background

The subject parcel was annexed into the City of Grand Junction (City) as part of the Pomona Park Annexation in May 1995 by Ordinance 2842 and zoned Planned Residential (PR) with a density restriction equivalent to RSF-2. Since then, the PR designation has been changed in nomenclature to Planned Development (PD) and therefore the property is currently zoned PD. Ordinance 2842 requires the subject parcel to have a density equivalent to the RSF-2 zone district and includes a requirement that higher density locate towards the eastern edge and lower density locate towards the western edge of the property. Although the proposed density is 2.39 dwelling units per acre, the Plan complies with the density restrictions because the applicant can, under Section 3.6 of the current Zoning and Development Code (Code), request a 20% density bonus, and because density is clustered as required.

When the parcel was annexed in 1995, an agreement between the City and owners of the property was entered into in order for the property to be annexed into the City. The agreement is known as the Saccamanno Girls Trust Annexation Agreement (Agreement). The Agreement required, as a condition of annexation, the City Council to adopt zoning for the property "substantially as provided" in that agreement. The Agreement provided for "zoning which results in a density of not more than two units per acre for the Property." Zoning in accordance with the Agreement was adopted by the City Council in Ordinance 2842, and the Developer acknowledged the City's discharge of its obligations by not exercising its right to terminate the annexation.

The Agreement is not a development agreement. It does not, therefore, dictate adherence to specific bulk standards or require a specific effective density for the development of the subject property. It also does not restrict the City Council's authority to exercise its powers in the future (for example, to enact density bonus provisions in the Code) which may affect how the property would actually develop in the future. It also does not tie the hands of the City Council to exercise its discretion to approve the current Plan.

Neighbors have voiced a concern that the Agreement restricts the effective density of the development to no greater than two dwelling units per acre. This is not the case, however, as the City's obligations under the Agreement were discharged with the adoption of a conforming zoning designation. The Agreement does not dictate a specific effective density or require application of specific bulk standards to any future development. It also does not restrict the legislative authority of the Council nor the application of future legislation (such as, in this case, density bonus provisions) to future development of the property.

Density

The 151.38-acre property is located north of H Road between 26 Road and 26 ½ Road and west of the 26 Road and Summer Hill Way intersection. The applicant proposes a mix of residential uses on the subject property. The parcel is currently used for agriculture. The Growth Plan designates this property as Residential Medium Low (2 to 4 du/ac) which supports approval of up to 605 dwelling units at an R-4 zone district density. The applicant is requesting a base density of 302 dwelling units allowed by the current PD zoning. Through the Density Bonus provisions, outlined in Chapter 3 and referenced in Chapter 5 of the Code, the applicant is requesting an additional 60 dwelling units, to bring the total dwelling unit count to 362 units. If approved, the overall density of the subdivision will be 2.39 dwelling units per acre.

The applicant is proposing a variety of residential housing types on this property.

The annexation agreement with the City stated that the development should provide for a transition of density across the project with larger lots located on the western portion of the parcel transitioning to smaller lots on the eastern portion of the parcel. The project proposes larger lots (approximately ½ acre lots) on west/northwest side of the site with one-third to one-quarter acre lots in the center of the project. Smaller lots for attached housing are proposed along the southern portions of the site adjacent to existing R-5 and R-4 zone districts. Similarly sized lots for two-family dwellings exist east of the site in the Summer Hill development.

Access

The proposed subdivision has three (3) ingress points, with the two (2) main access points off 26 Road and 26 ½ Road and a secondary access off H ¾ Road. Streets internal to the subdivision will be constructed according to the Urban Residential Street section, a 44' wide right-of-way. The Grand Valley Circulation Plan classifies 26 Road and 26 ½ Road as a Major Collector. The applicant is proposing a 60' wide right-of-way, with street improvements to the right-of-way to be completed by the City at a future date. The developer will pay the City the required Transportation Capacity Payment (TCP) fees and these fees will be used for the future right-of-way street improvements.

The applicant requested an Alternate Residential Street Standards for Washita Avenue and Weeminuche Avenue. This request was approved and allows for landscaped medians at the intersections of Washita Avenue and 26 Road and Weeminuche Avenue and 26 ½ Road. The right-of-way for both streets was increased beyond the standard width to accommodate the medians. The landscape medians in the Washita Avenue and Weeminuche Avenue will be maintained by the Home Owners Association.

Open Space/Park

Section 6.3 of the Zoning and Development Code requires that any residential development of 10 or more lots or dwelling units shall dedicate 10% of the gross acreage of the property or the equivalent of 10% of the value of the property. A 7.37 acre park has been proposed at the northwest corner of the property that includes irrigation water and an irrigation system. It is the intention to dedicate this park to the City as part of the required 10% open space dedication requirement. Because the park is less than the 10% requirement (an additional 7.76 acres is required), the Developer will have to pay a fee in lieu of the dedication on the remaining required acreage.

An additional 22.35 acres of open space has been proposed that includes the following:

- A 65' wide landscape buffer on the west side of the subdivision along 26 Road which will include a 10' wide detached pedestrian trail and 6' tall perimeter fencing.
- A 30' wide landscape buffer on the east side of the subdivision along 26 ½ Road which will included a 10' wide detached pedestrian trail and 6' tall perimeter fencing.
- One primary neighborhood play area (located at the end of Paiute Court) and two secondary neighborhood play areas (located on the southern boundary of the subdivision).
- The Leach Creek Natural Area located at the southeast corner of the development along Leach Creek.
- Several tracts throughout the development that will include pedestrian trails, landscaping and 4' tall perimeter fencing.

All the open space areas (with the exception of the Leach Creek Natural Area) will be improved with trees, shrubs, turf and rocks meeting the requirements of Section 6.5.B of the Code when applicable. More detailed landscape plans will be submitted with each phase as part of the final planning process.

All of the Tracts (except Tract A) will be conveyed to and maintained by the Home Owners Association.

Pedestrian Trails

A pedestrian trail network is proposed throughout the development consisting of approximately 7,200 lineal feet of concrete surfaced trails that vary in width from 8' wide to 10' wide. The trails are located along 26 Road, 26 ½ Road, the southern boundary of the subdivision and internally within the subdivision. The trail network will include access to the neighborhood play areas and the proposed City park.

Development Character

The development has been designed to create a mix of housing types. Two-family dwellings on 5,000 square foot lots are located in the south southeast portion of the development. Single-family detached dwellings on 12,000 square foot lots are located in the center of the development. And single-family detached dwellings on lots greater than 15,000 square feet are located north and west in the development. It is the desire to create a development with a mix of housing prices for purchase by a wider segment of the community.

Site Layout

The development has been designed in a modified grid layout of lots and blocks which allow for better distribution of traffic on internal streets. Access to the development is from 3 access points (26 Road, 26 ½ Road and H ¾ Road). The 3 access points allow for better distribution of traffic onto external roads and a stub street has been located along the south property line to allow access to the adjacent property to the southwest.

Signage

Two entry signs will be located at the Weeminuche Avenue and 26 Road intersection and at the Washita Avenue and 26 ½ Road intersection. The proposed signs will be of wood frame construction with cultured stone facing, sandstone cap and stucco panel face. Final sign design will be reviewed during the final plan process and will have to meet the requirements of Section 4.2 of the Code.

STANDARDS AND CRITERIA

To approve a request for a PD zone and preliminary development plan, the standards and criteria cited under Section 2.12 of the Code must be met. The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Chapter 3 of the Code. The Code also states that PD zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

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

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

1. A greater quality and quantity of public and/or private open space;
2. Needed housing types and/or mix;
3. Protection and/or preservation of natural resources, habitat areas and natural features.

These community benefits were met by creation of an additional 22.35 acres of open space over and above the 10% requirement, by proposing two-family dwelling lots and single-family detached dwelling lots thereby creating a mix of housing and placing the Leach Creek Natural Area in an open space tract effectively preserving a habitat area and natural feature.

Review Criteria

Section 2.12 C.2. requires that a preliminary development plan application shall demonstrate conformance with all of the following:

- a) The Outline Development Plan review criteria in Section 2.12.B of the Zoning and Development Code.

- 1) The Growth Plan, major street plan and other adopted plans and policies.

Applicant's Response: The plan complies with the Growth Plan, major street plan, and the other applicable adopted plans and policies. The project is proposed within the density ranges of the Growth Plan and complies with the use standards.

Staff's Response: The number of proposed dwelling units comply with the Growth Plan designation of Residential Medium Low (2-4 du/ac). The developer will pay Transportation Capacity Payment (TCP) fees to the City for future improvements to adjacent streets. The subject parcel is located in the area covered by the North Central Valley Plan, the Urban Growth Boundary and the North Central Valley Plan. The proposed development meets the goals and objectives Growth Plan and the North Central Valley Plan.

- 2) The rezoning criteria provided in Section 2.6 of the Zoning and Development Code.

Applicant's Response: Section 2.6 is not applicable to this application because a rezone is not requested for this property.

Staff's Response: The parcel was annexed and zoned in 1995 and this request is to amend the existing PD zone by adopting the R-4 bulk standards as the default standards, approve deviations and approve a preliminary development plan. This is not a request to rezone the property.

- 3) The planned development requirements of Chapter Five of the Zoning and Development Code.

Applicant's Response: The proposed plan is in conformance with the Planned Development requirements of Chapter 5.

Staff's Response: The plan meets the development criteria and standards as listed in Chapter 5 of the Zoning and Development Code (Code).

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

Applicant's Response: The proposed plan is in conformance with the standards in Chapter 7, specifically the slope criteria and the floodplain criteria as they relate to Leach Creek. The floodplain information was taken from the Icon Engineering report dated October 2004 and revised February 2005.

Staff's Response: The preliminary development plan depicts the "Limits of Development" along Leach Creek. Therefore no development will be located within a 100-year floodplain. Furthermore, the plan is in compliance with the Hillside Development Standards.

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

Applicant's Response: Adequate public facilities and services will be provided concurrent with the projected impacts of the development as evidenced in the attached plans and phasing schedule. Staff will review the plans under this criterion.

Staff's Response: Public services and facilities can be provided to the parcel.

- 6) Adequate circulation and access shall be provided to serve all areas to be developed.

Applicant's Response: Adequate circulation and access is provided throughout the site. Multiple connections to perimeter streets are proposed. These connections will divide traffic impacts and provide the residents with access alternatives. The project is also responsible for TCP fees which will be utilized for street improvements.

Staff's Response: Three ingress/egress points are proposed to provide access to the development. Internal streets will be constructed according to the Urban Residential standards with the exception of Weeminuche and Washita Avenues. The applicant requested and was approved an Alternate Residential Street Standards for Washita Avenue and Weeminuche Avenue. The approval allows for landscaped medians at the intersections of Washita Avenue and 26 Road and Weeminuche Avenue and 26 ½ Road. The right-of-way for both streets was increased beyond the standard width to accommodate the medians.

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

Applicant's Response: Ample screening and buffering is proposed. An approximate 65' wide landscape area is proposed along the west side of the project and approximately 30' wide along the east side. Fencing is proposed along the 26 Road and 26 ½ Road boundaries.

Staff's Response: Landscape buffering is proposed along the east and west boundaries of the development including 6' tall perimeter fencing. Furthermore, Section 6.5 C.4. requires that all unimproved right-of-way adjacent to new development projects shall be landscaped and irrigated by the owner and/or homeowners association. An unimproved 7.37 acre City park is proposed to be dedicated on the northwest corner of the development. In addition, Leach Creek will remain undisturbed on the southeastern portion of the development.

- 8) An appropriate range of density for the entire property or for each area to be developed.

Applicant's Response: The proposed density range is at the low end of the allowed 2 to 4 du/ac range specified in the Growth Plan.

Staff's Response: The proposed overall density is 2.39 dwelling units per acre, which is within the Growth Plan designation density. Larger lots will be located on the western side of the development transitioning to smaller lots on the eastern side of the development.

- 9) An appropriate set of "default" or minimum standards for the entire property or for each area to be developed.

Applicant's Response: The default zone for this project is R-4. The project narrative will address any deviations to these standards herein.

Staff's Response: The applicant is proposing an R-4 default zone with deviations as listed in this report.

- 10) An appropriate phasing or development schedule for the entire property or for each area to be developed.

Applicant's Response: An appropriate phasing plan has been proposed. The Weeminuche Planned development will be developed in three phases.

Staff's Response: The applicant has submitted a plan proposing the subdivision be developed in three phases.

- 11) The property is at least twenty (20) acres in size.

Applicant's Response: The property exceeds 20 acres.

Staff's Response: The property is 151.38 acres in size.

- b) The applicable preliminary subdivision plan criteria in Section 2.8.B of the Zoning and Development Code.

- 1) The Growth Plan, major street plan, Urban Trails Plan, and other adopted plans.

Applicant's Response: The plan complies with the Growth Plan, major street plan, and the other applicable adopted plans and policies. The project is proposed within the density ranges of the Growth Plan and complies with the use standards.

Staff's Response: The proposed density complies with the Growth Plan designation of Residential Medium Low and allowed by the North Central Valley Plan. Transportation Capacity Payment (TCP) fees will be paid to the City for future right-of-way improvements. The applicant is proposing pedestrian trails that comply with the Urban Trails Master Plan for this area.

2) The Subdivision standards (Section 6.7)

Applicant's Response: The proposed plan is in conformance with the Subdivision standards in Chapter 6.

Staff's Response: The proposed subdivision complies with the subdivision standards listed in Section 6.7.

3) The Zoning standards (Chapter 3)

Applicant's Response: The proposed plan is in conformance with the zoning standards as defined in Chapter 3, the default standards of the R-4 zone district and the amended zone district standards proposed herein.

Staff's Response: The applicant is proposing a default zone of R-4 with changes proposed herein and therefore complies with the standards listed in Chapter 3.

4) Other standards and requirements of the Zoning and Development Code and other City policies and regulations.

Applicant's Response: The plan complies with other standards and requirements of this Code and other City policies. Staff will also review the plan for compliance.

Staff's Response: The proposed plan complies with the Code, the Growth Plan density of Residential Medium Low (2 to 4 du/ac), the North Central Valley Plan, the Stormwater Management Manual (SWMM) and Transportation Engineering Design Standards (TEDS).

5) Adequate public facilities and services will be available concurrent with the subdivision.

Applicant's Response: Adequate circulation and access is provided throughout the site. Multiple connections to perimeter streets are proposed. These connections will divide traffic impacts and provide the residents with access alternatives. The project is

also responsible for TCP fees which will be utilized for street improvements.

Staff's Response: All public services and facilities will be provided as each phase of the subdivision is developed.

- 6) The project will have little or no adverse or negative impacts upon the natural or social environment.

Applicant's Response: The project is located within the Urban Growth Boundary and is identified on the Growth Plan for the densities proposed. Since these two provided a foreshadowing of the development potential development and densities, this project will not have a negative impact of the surrounding social environment. The project proposes city desired parks and open space areas which will enhance interaction with neighbors. The project also respects the natural areas on the site by avoiding heavily vegetated area and by retaining and expanding the existing pond.

Staff's Response: The subject parcel is located on the fringe of the Urban Growth Boundary. Lower density residential development, located in the County, is located to the north and west. Higher density residential development, located in the City, is located to the east. The subject parcel lies in a transition area from low to high density. The applicant is proposing to develop the subdivision in a manner to buffer this transition. A 7.37 acre portion of the subdivision, located on the northwest corner of the property, will be dedicated as a future City park. Larger lots will be developed on the western portion of the development adjacent to the lower density parcels located to the west of the subdivision.

- 7) Compatibility with existing and proposed development on adjacent properties.

Applicant's Response: The project is compatible with the existing surrounding development. The project has densities allowed within the Growth Plan range, the densities are equal or less than the Summer Hill project to the east of the site, and the largest lots were placed on the north and west side of the project to create a better transition to the large lot County development to the north and south of the project site.

Staff's Response: To the east and south are City zoned R-1, R-4, R-5 and PD zoned subdivisions containing single-family and two-family lots. To the north and west are County zoned RSF-E, AFT and PUD zoned subdivisions on 2-acre and above lots. The

subject parcel is bounded on the north and west by the urban growth boundary for the City. Higher densities are located in the City and transition to lower densities in the County. The Weeminuche Estates Planned Development proposes an overall density of 2.39 dwelling units per acre and a mix of single-family and two-family lots. The proposed development is similar in density and housing types with existing City subdivisions located in this area.

Although the subject parcel is located adjacent to County zoned parcels with lower density to the north and west, the Future Land Use Designation to the north and northwest will permit higher densities in the County. The area to the north and northwest is designated URR-5 on the Future Land Use map with Mesa County (see Exhibit G). The minimum lot size for development is 10 acres. The URR-5 land use allows 60% of the parcel to be developed at current densities and 40% of the parcel is set aside in reserve. The 40% reserve is for future redevelopment at higher densities once sewer service is extended to the parcel and a zone district for a higher density has been approved. Policies have been set to allow for higher density in this area in the future. The proposed Weeminuche Estates Subdivision's overall density of 2.39 dwelling units per acre is compatible with existing and proposed development in the area.

- 8) Adjacent agricultural property and land uses will not be harmed.

Applicant's Response: The proposed project will have no detrimental impact to adjacent agricultural land.

Staff's Response: The proposed subdivision is for residential use and is adjacent to residential subdivisions varying from low to higher densities.

- 9) Is neither piecemeal development nor premature development of agricultural land or other unique areas.

Applicant's Response: The project site is surrounded by developed residential property.

Staff's Response: The subject parcel is located within the Urban Growth Boundary and is adjacent to higher density developments to the east.

- 10) There is adequate land to dedicate for provision of public services.

Applicant's Response: Adequate land exists to dedicate for the provision of public services.

Staff's Response: Adequate land is available to dedicate for provisions of public services.

- 11) This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities

Applicant's Response: The property has already been annexed into the City of Grand Junction. The site will be served by urban services and facilities, and the site is located within the Urban Growth Boundary which is an area that anticipates this type of development.

Staff's Response: The parcel is located within the Urban Growth Boundary and can be serviced by city services and facilities.

- c) The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code.

- 1) Adopted plans and policies such as the Growth Plan, applicable corridor or neighborhood plans, the major street plan, trails plan and the parks plan.

Applicant's Response: This section is not applicable.

Staff's Response: The proposed densities are in compliance with the Growth Plan and the North Central Valley Plan. TCP fees will be collected for future street improvements and pedestrian trails will be dedicated for public use.

- 2) Conditions of any prior approvals.

Applicant's Response: This section is not applicable.

Staff's Response: There are no previous development proposals for this parcel. The proposed development complies with the annexation agreement as mentioned in this report.

- 3) Other Code requirements including rules of the zoning district, applicable use specific standards of Chapter Three of the Zoning and Development Code and the design and improvement standards of Chapter Six of the Code.

Applicant's Response: This section is not applicable because the property has an existing zoning of PD (R-2 density) which is acceptable for the applicant.

Staff's Response: The parcel is zoned PD with a density equivalent to RSF-2 (see Ordinance 2842). The applicant is proposing R-4, with deviations, as the default zone.

- d) The approved ODP, if applicable.

This criteria is not applicable as an ODP has not been approved.

- e) The approved PD rezoning ordinance, if adopted with an ODP.

This criteria is not applicable as an ODP has not been approved.

- f) An appropriate, specific density for all areas included in the preliminary plan approval.

The proposed overall density is 2.39 dwelling units per acre.

- g) The area of the plan is at least 5 acres in size or as specified in an applicable approved ODP.

The area of the plan meets this criterion as the site is approximately 151.38 acres.

Development Standards

The Weeminuche Estates Preliminary Development Plan is proposing a default zone of R-4, which is allowed under the existing Growth Plan designation of Residential Medium Low (2 to 4 du/ac). To achieve the proposed lot size variations, deviations of the bulk and dimensional standards of the R-4 zone are also being requested. Furthermore, it is requested that Section 3.3 E.4. (a) and (b) of the Code not be applied to this development. Two-family dwellings are proposed within this development and are identified as "T" lots on the preliminary development plan.

The proposal includes conformance to the R-4 bulk standards with the following deviations to Table 3.2 and Section 3.3.E of the Zoning and Development Code Dimensional Standards.

- Minimum Lot Area – 5,000 square feet.
- No additional square foot allowance required for flag lots. There shall not be square footage percentage increase required for flag lots.
- Minimum Lot Width – 40'
- Minimum Lot Width on cul-de-sacs – 20'

- Minimum street Frontage – 20'
- Minimum Front Yard Setback – varies with Lot Type (see below)
- Minimum Side Yard Setback – varies with Lot Type (see below)
- Minimum Rear Yard Setback – varies with Lot Type (see below)
- Maximum Lot Coverage – 75 %
- Maximum FAR – Not applicable for residential lots
- Maximum Height – 35'
- Maximum Gross Density Per acre – 2.5 du/acre (gross)

Three lot types are proposed for the Weeminuche Estates Subdivision, the lot types are as follows:

'T' Lots – Two-Family Lots (Principal/Accessory)

- Front Yard Setback – 20'/25'
- Side Yard Setback – 5'/3' (0' side where attached to another dwelling unit)
- Rear Yard Setback – 15'/5'

'L' Lots – Large Single-Family Detached Lots

- Front Yard Setback – 20'/25'
- Side Yard Setback – 7'/3'
- Rear Yard Setback – 20'/5'

'E' Lots – Estate Single-Family Detached Lots

- Front Yard Setback – 20'/25'
- Side Yard Setback – 10'/10'
- Rear Yard Setback – 25'/5'

Density Bonus

The applicant is requesting a density bonus as outlined in Section 3.6.B.10 of the Zoning and Development Code. "An applicant may be granted a density bonus by providing any of the community benefits listed in Table 3.6. The total density bonus thus shall not exceed one hundred and twenty percent (120%) of the maximum gross density of the underlying zone district or of the future land use classification for the parcel in the adopted Growth Plan." The applicant has proposed to use the "Dedicated Off-street Trail" provision as listed in Table 3.6 of the Zoning and Development Code. The provision allows for each 100 linear feet of improved hard surface trail provided through a proposed development, a Density Bonus of one unit may be granted.

The density bonus request includes:

- The applicant will construct 6,000 linear feet of 8 foot wide concrete surfaced trails to obtain an additional 60 lots for this project.
- This will allow for 120% of the maximum gross density of the density restriction equivalent to RSF-2 or 2 dwelling units per acre per the existing PD (Planned Development) zone.

- The trails will be located off-street.
- The internal trails will provide connections to pedestrian facilities which will be constructed as detached sidewalks identified on the Urban Trails Master Plan along 26 Road and 26 ½ Road.

Phasing Schedule

The Weeminuche Estates Planned Development will be developed in three phases. The proposed final plan application deadline schedule is as follows:

- Filing 1 – April 30, 2008.
- Filing 2 – April 30, 2010.
- Filing 3 – April 30, 2012.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the Weeminuche Estates Subdivision Preliminary Development Plan, staff makes the following findings of fact and conclusions:

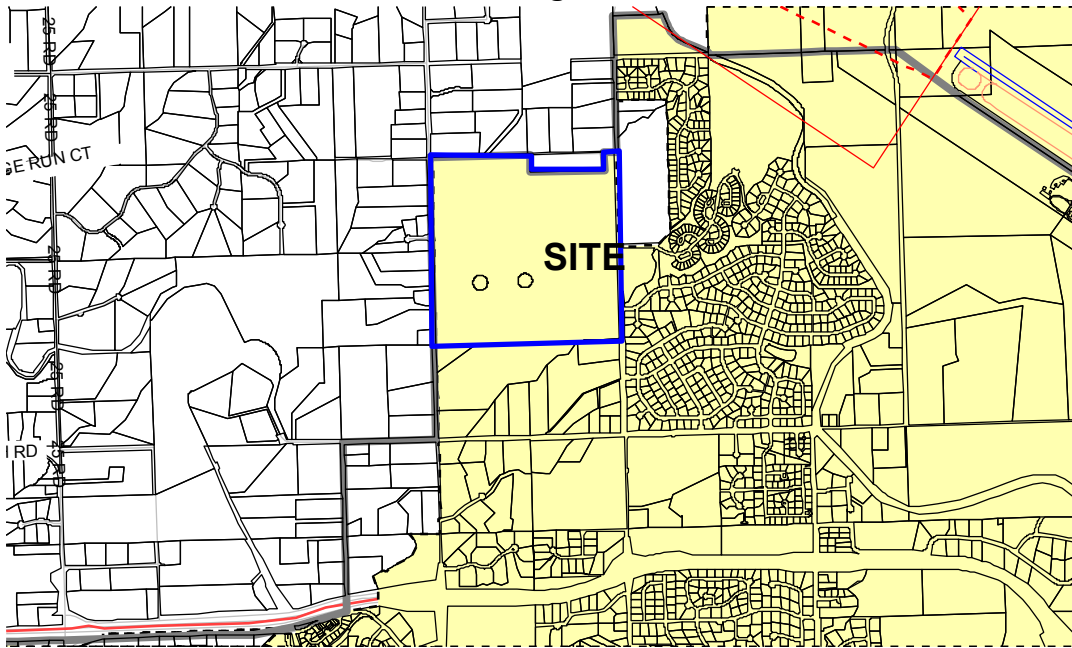
1. The requested Preliminary Development Plan is consistent with the goals and policies of the North Central Valley Plan and Growth Plan.
2. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met.
3. The review criteria in Section 2.8.B of the Zoning and Development Code have all been met.
4. The review criteria in Section 2.2.D.4 of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

On November 27, 2007, the Planning Commission recommended approval of the request to approve the Preliminary Development Plan for Weeminuche Estates Subdivision, PP-2007-003, a 362 lot subdivision containing two-family dwellings and single-family detached dwellings on 151.38 acres, with a proposed default zone of R-4 and an overall density of 2.39 dwelling units per acre in a Planned Development (PD) zone.

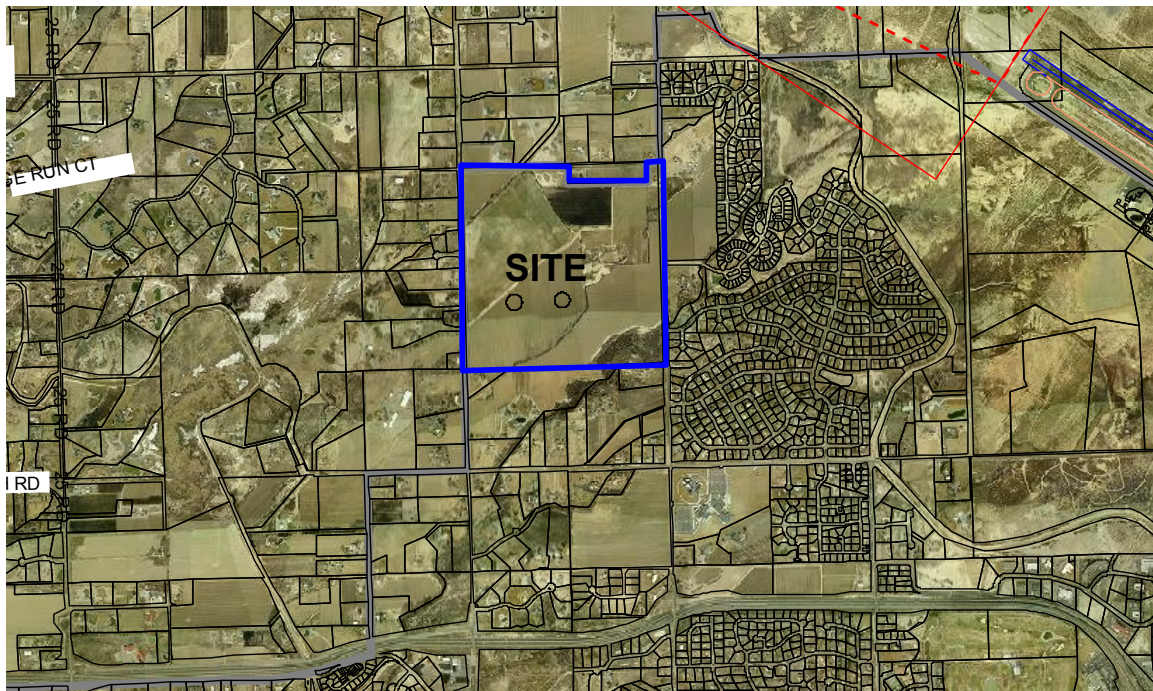
Site Location Map

Figure 1



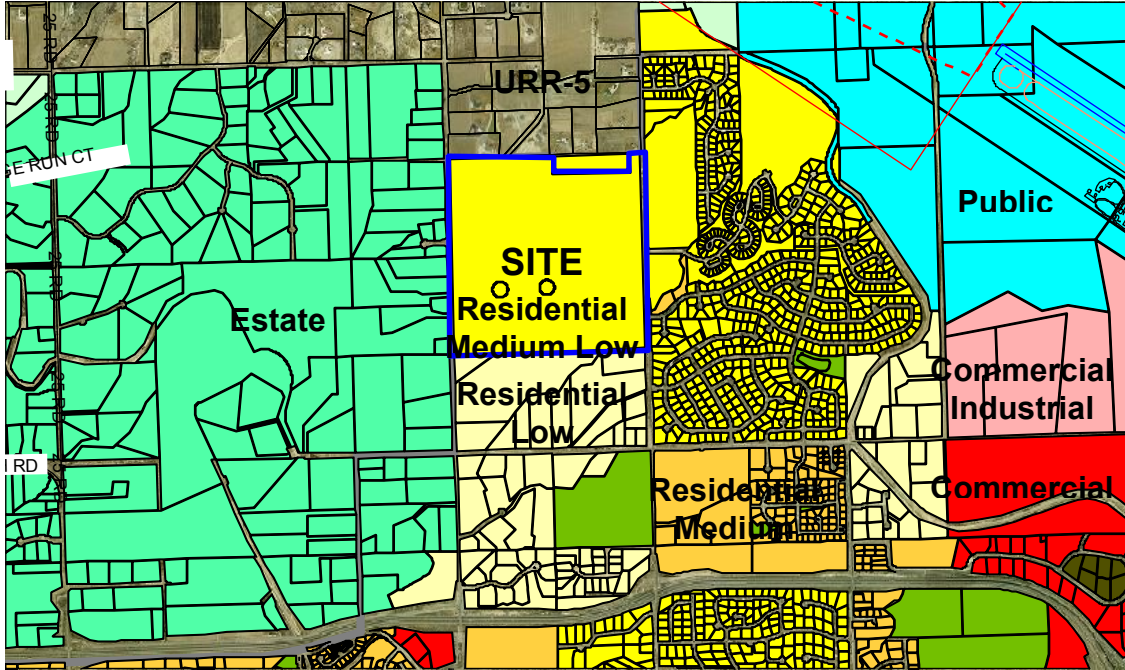
Aerial Photo Map

Figure 2



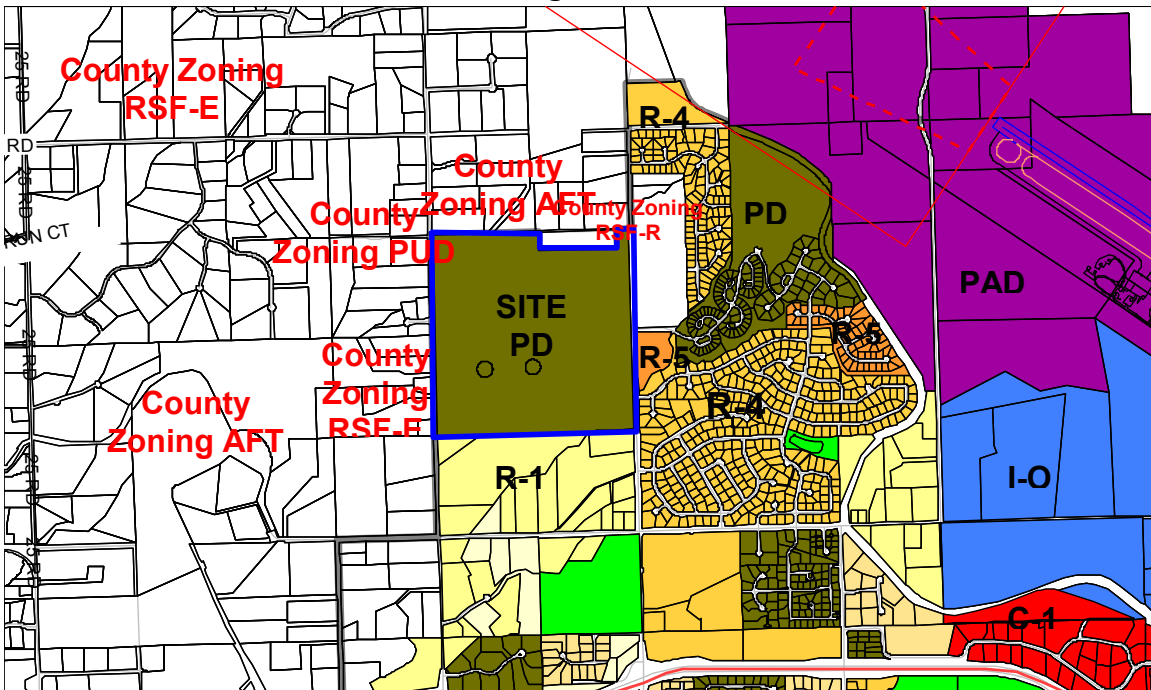
Future Land Use Map

Figure 3



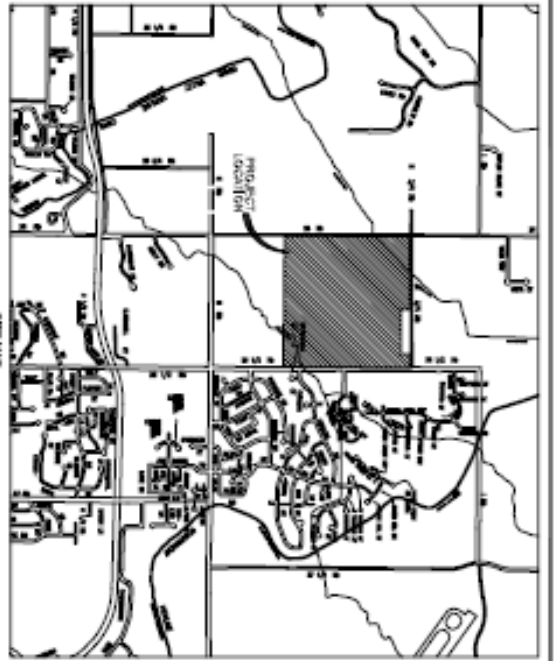
Existing City and County Zoning

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."

Exhibit A



SITE PLAN

MUNICIPAL STANDARDS

MINIMUM LOT AREA - 10,000 SQ FT
 MINIMUM LOT WIDTH - 100 FT
 MINIMUM FRONT SETBACK - 20 FT
 MINIMUM SIDE SETBACK - 10 FT
 MINIMUM REAR SETBACK - 10 FT
 MINIMUM FRONT YARD OPEN SPACE - 10%
 MINIMUM SIDE YARD OPEN SPACE - 5%
 MINIMUM REAR YARD OPEN SPACE - 5%
 MINIMUM FRONT PORCH - 10%
 MINIMUM SIDE PORCH - 5%
 MINIMUM REAR PORCH - 5%

LOT TYPES

1. **TYPE 1 - SINGLE-FAMILY RESIDENCES**
 MINIMUM LOT AREA - 10,000 SQ FT
 MINIMUM LOT WIDTH - 100 FT
 MINIMUM FRONT SETBACK - 20 FT
 MINIMUM SIDE SETBACK - 10 FT
 MINIMUM REAR SETBACK - 10 FT
 MINIMUM FRONT YARD OPEN SPACE - 10%
 MINIMUM SIDE YARD OPEN SPACE - 5%
 MINIMUM REAR YARD OPEN SPACE - 5%

UTILITIES

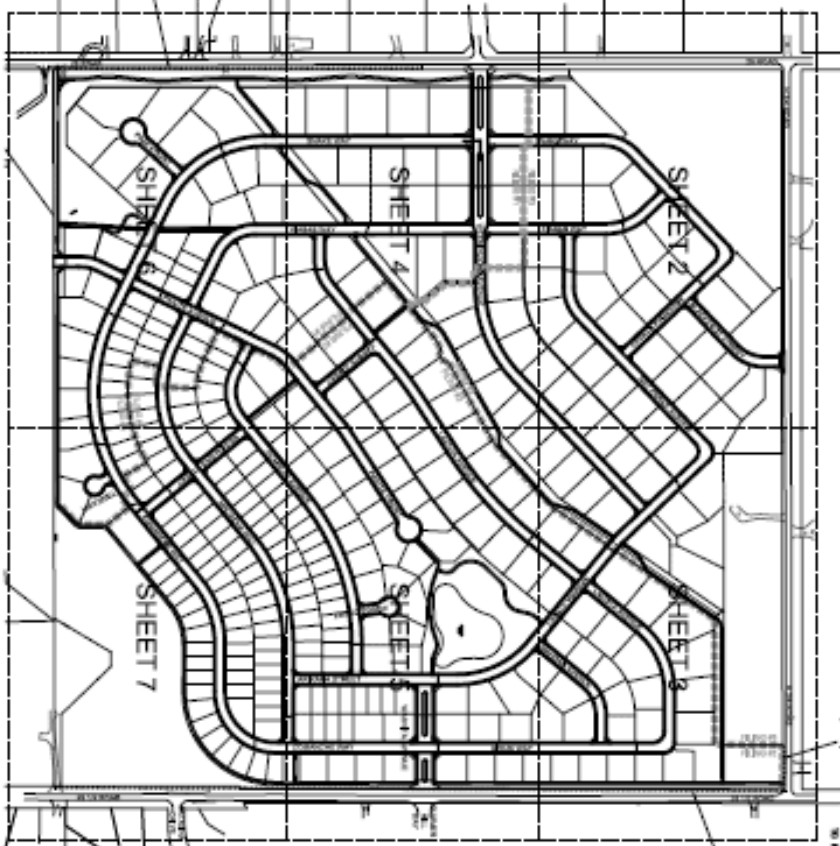
WATER MAINS - 6" DIA. WATER MAINS
 SEWER MAINS - 8" DIA. SEWER MAINS
 GAS MAINS - 8" DIA. GAS MAINS
 TELEPHONE - 4" DIA. TELEPHONE MAINS
 CABLE TV - 4" DIA. CABLE TV MAINS
 FIBER OPTIC - 4" DIA. FIBER OPTIC MAINS
 STORM SEWER - 18" DIA. STORM SEWER MAINS
 SANITARY SEWER - 12" DIA. SANITARY SEWER MAINS
 FIRE MAINS - 8" DIA. FIRE MAINS
 RAILROADS - 36" DIA. RAILROADS
 HIGHWAYS - 40' WIDE HIGHWAYS
 AIRPORTS - 100' WIDE AIRPORTS
 CANALS - 20' WIDE CANALS

LAND USE DESIGNATIONS

RESIDENTIAL LOT (R1) - 10,000 SQ FT
 RESIDENTIAL LOT (R2) - 20,000 SQ FT
 RESIDENTIAL LOT (R3) - 30,000 SQ FT
 RESIDENTIAL LOT (R4) - 40,000 SQ FT
 RESIDENTIAL LOT (R5) - 50,000 SQ FT
 RESIDENTIAL LOT (R6) - 60,000 SQ FT
 RESIDENTIAL LOT (R7) - 70,000 SQ FT
 RESIDENTIAL LOT (R8) - 80,000 SQ FT
 RESIDENTIAL LOT (R9) - 90,000 SQ FT
 RESIDENTIAL LOT (R10) - 100,000 SQ FT

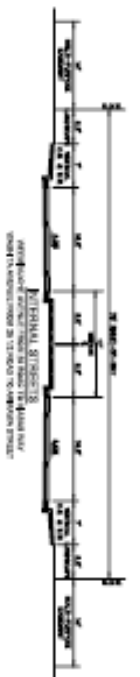
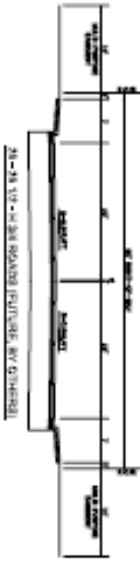
SEE ALL DIMENSIONS TO BE DIMENSIONS
 TOTAL LENGTH OF EXISTING DRIVEWAY (SHEET 1)
 TOTAL WIDTH OF EXISTING DRIVEWAY (SHEET 1)

EXISTING DRIVEWAY
 TO PROPERTY (SHEET 1)



EXISTING DRIVEWAY
 TO PROPERTY (SHEET 1)

EXISTING DRIVEWAY
 TO PROPERTY (SHEET 1)



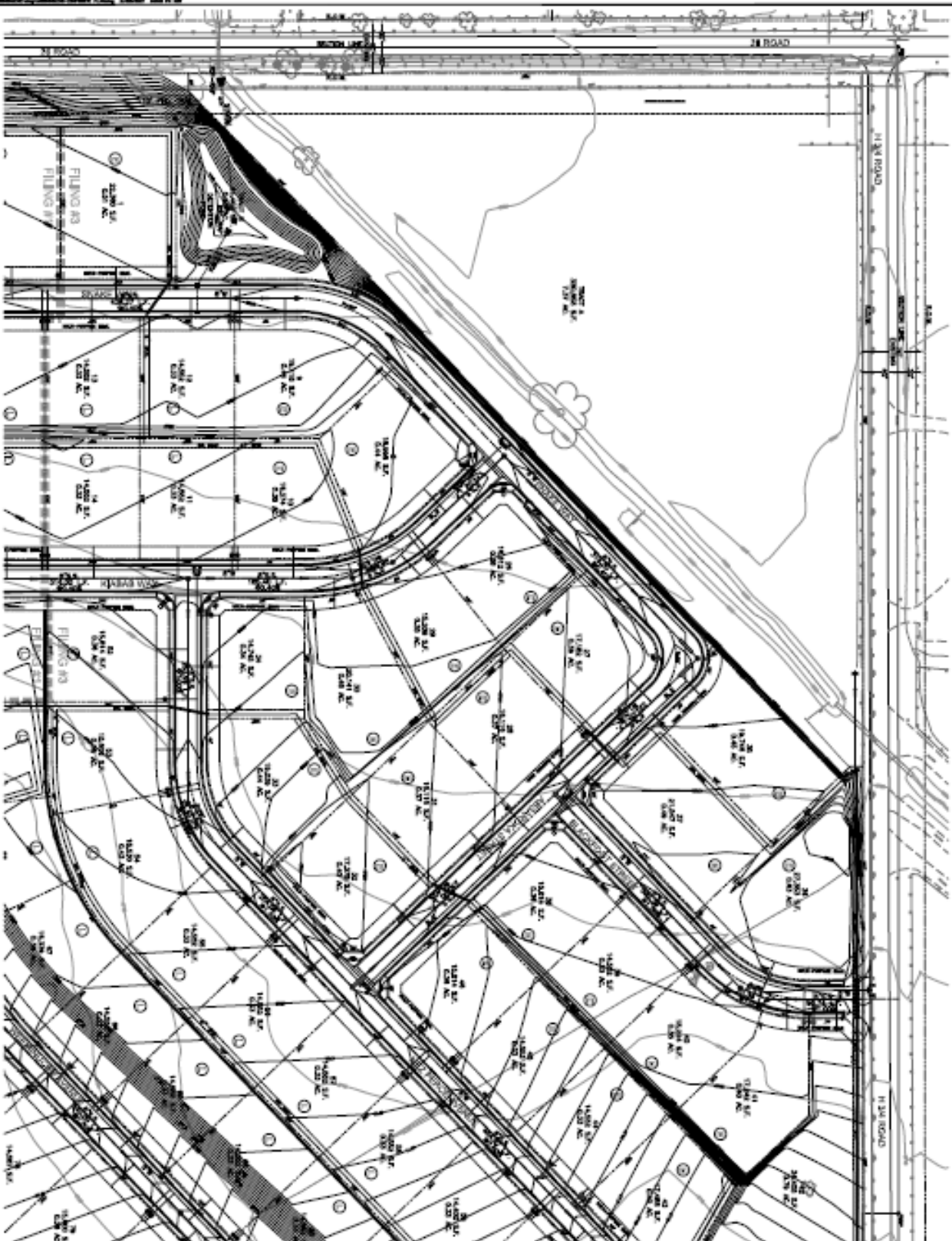
OWNER	DATE	SHEET NO.	TITLE
OWNER A	DATE	OWNER BY	DATE
OWNER B	DATE	CHECKED BY	DATE

O'Connor Design Group, Inc.

2800 East
 Grand Avenue, Suite 1100
 Phoenix, AZ 85028
 Phone: (602) 951-1100
 Fax: (602) 951-1101

WEEMINUCHE
 COMPOSITE / PRELIMINARY PLAN

1



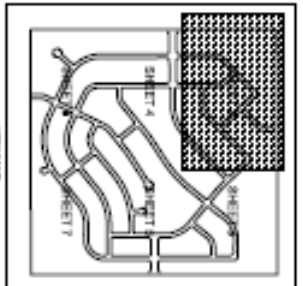
DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE

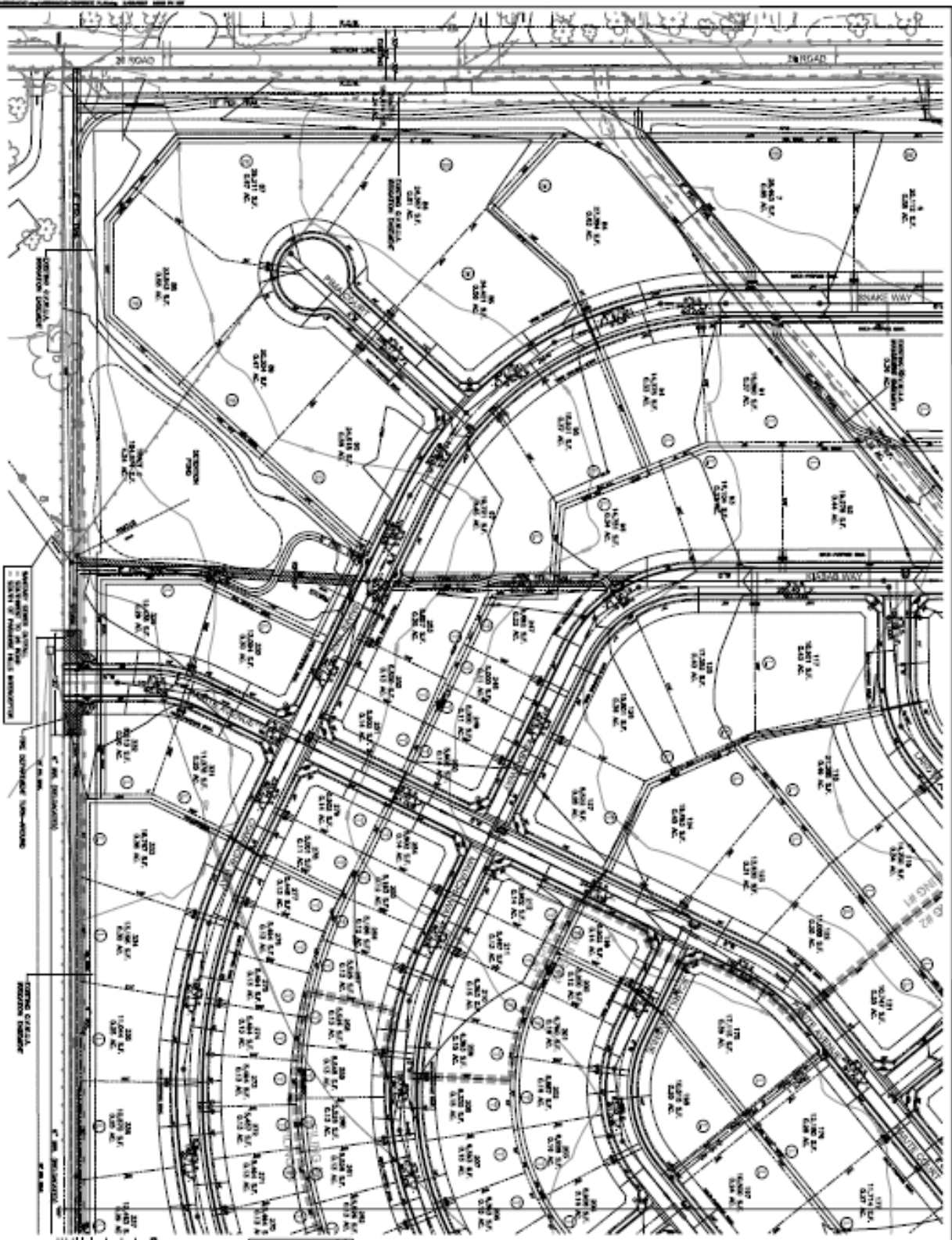
O'Connor Design Group, Inc.
 23200 Road
 Orange, Alabama 36858
 Phone: (205) 344-1212
 Fax: (205) 344-1213

WEEMINUCHE
 COMPOSITE / PRELIMINARY PLAN

SYMBOL	DESCRIPTION
(Solid line)	PROPOSED ROADS
(Dashed line)	EXISTING ROADS
(Dotted line)	PROPOSED SIDEWALKS
(Thin solid line)	PROPOSED UTILITY LINES
(Thick solid line)	PROPOSED EASEMENTS
(Thin dashed line)	PROPOSED PROPERTY LINES
(Thin solid line with dots)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with dashes)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with circles)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with squares)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with triangles)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with diamonds)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with stars)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with crosses)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with pluses)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with asterisks)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with hash marks)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with percent signs)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with ampersands)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with at signs)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with dollar signs)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with percent signs)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with ampersands)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with at signs)	PROPOSED PROPERTY LINES (ADJACENT)
(Thin solid line with dollar signs)	PROPOSED PROPERTY LINES (ADJACENT)

SCALE: 1" = 40'





PROJECT A	SHEET	DATE
PROJECT B	SHEET	DATE
PROJECT C	SHEET	DATE
PROJECT D	SHEET	DATE
PROJECT E	SHEET	DATE
PROJECT F	SHEET	DATE
PROJECT G	SHEET	DATE
PROJECT H	SHEET	DATE
PROJECT I	SHEET	DATE
PROJECT J	SHEET	DATE

Connor Design Group, Inc.
 23500 Road
 Grand Rapids, MI 49508
 Phone: (616) 341-1100
 Fax: (616) 341-1101

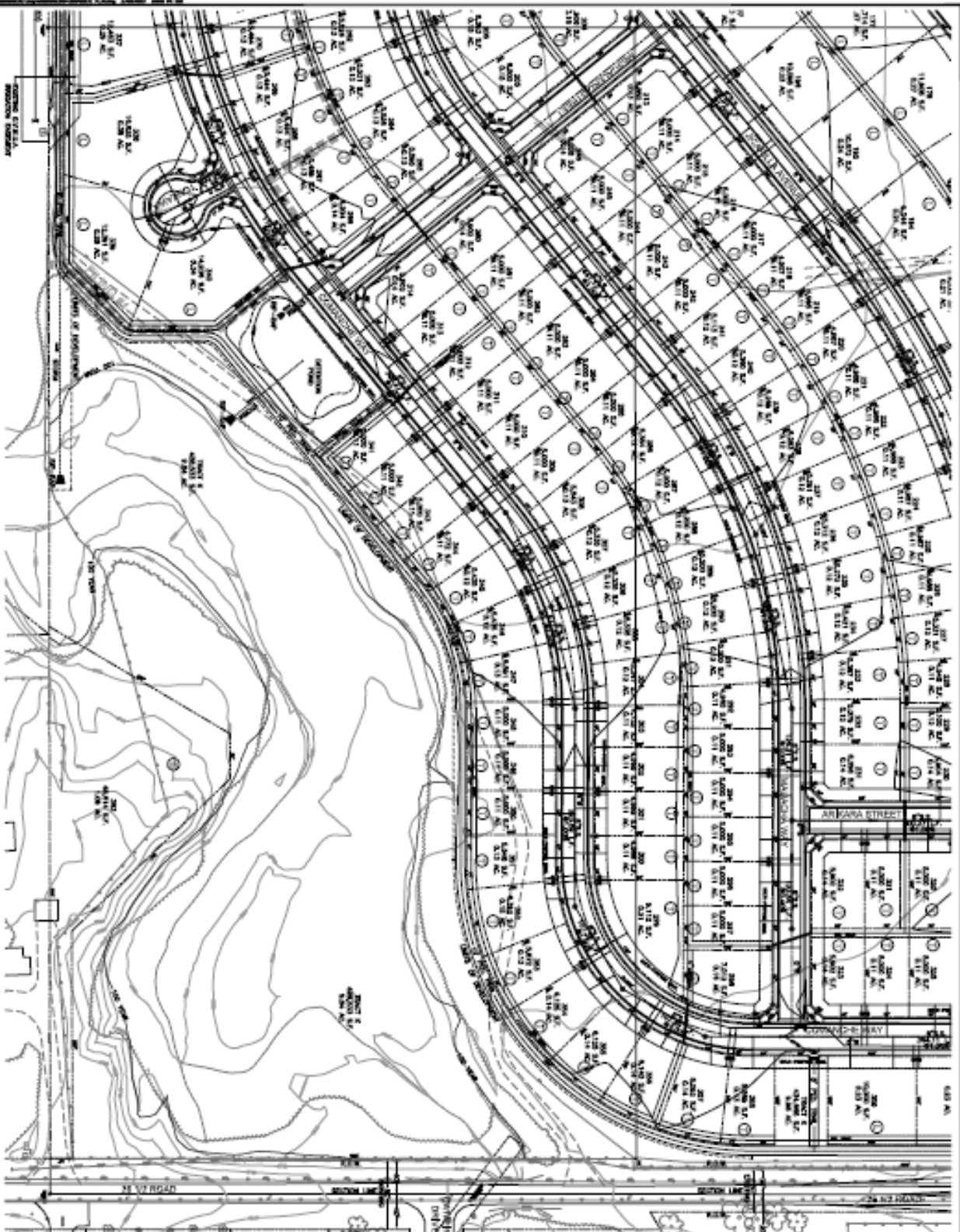
WEEMINUCHE
 COMPOSITE / PRELIMINARY PLAN

- LEGEND**
- PROPOSED DRIVE
 - PROPOSED DRIVE (CONCRETE)
 - PROPOSED DRIVE (ASPHALT)
 - PROPOSED DRIVE (GRAVEL)
 - PROPOSED DRIVE (DIRT)
 - PROPOSED DRIVE (STONE)
 - PROPOSED DRIVE (WOOD)
 - PROPOSED DRIVE (METAL)
 - PROPOSED DRIVE (PLASTER)
 - PROPOSED DRIVE (GYP)
 - PROPOSED DRIVE (CONCRETE)
 - PROPOSED DRIVE (ASPHALT)
 - PROPOSED DRIVE (GRAVEL)
 - PROPOSED DRIVE (DIRT)
 - PROPOSED DRIVE (STONE)
 - PROPOSED DRIVE (WOOD)
 - PROPOSED DRIVE (METAL)
 - PROPOSED DRIVE (PLASTER)
 - PROPOSED DRIVE (GYP)

SYMBOL	DESCRIPTION
(Circle with dot)	PROPOSED DRIVE
(Circle with cross)	PROPOSED DRIVE (CONCRETE)
(Circle with diagonal lines)	PROPOSED DRIVE (ASPHALT)
(Circle with horizontal lines)	PROPOSED DRIVE (GRAVEL)
(Circle with vertical lines)	PROPOSED DRIVE (DIRT)
(Circle with wavy lines)	PROPOSED DRIVE (STONE)
(Circle with zigzag lines)	PROPOSED DRIVE (WOOD)
(Circle with grid lines)	PROPOSED DRIVE (METAL)
(Circle with dots)	PROPOSED DRIVE (PLASTER)
(Circle with dashes)	PROPOSED DRIVE (GYP)
(Circle with solid fill)	PROPOSED DRIVE (CONCRETE)
(Circle with diagonal lines)	PROPOSED DRIVE (ASPHALT)
(Circle with horizontal lines)	PROPOSED DRIVE (GRAVEL)
(Circle with vertical lines)	PROPOSED DRIVE (DIRT)
(Circle with wavy lines)	PROPOSED DRIVE (STONE)
(Circle with zigzag lines)	PROPOSED DRIVE (WOOD)
(Circle with grid lines)	PROPOSED DRIVE (METAL)
(Circle with dots)	PROPOSED DRIVE (PLASTER)
(Circle with dashes)	PROPOSED DRIVE (GYP)

SCALE: 1" = 100'

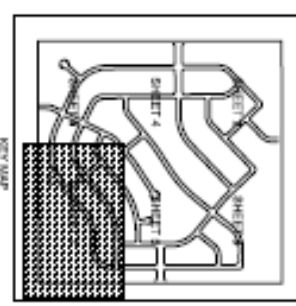




DESIGNED BY	DATE	DRAWN BY	DATE
CHECKED BY		CHECKED BY	
APPROVED BY		APPROVED BY	


O'Connor Design Group, Inc.
13500 TEXAS ROAD, SUITE 100
HOUSTON, TEXAS 77060
PH: 281.480.3333
FAX: 281.480.3333

WEEMINUCHE
COMPOSITE / PRELIMINARY PLAN

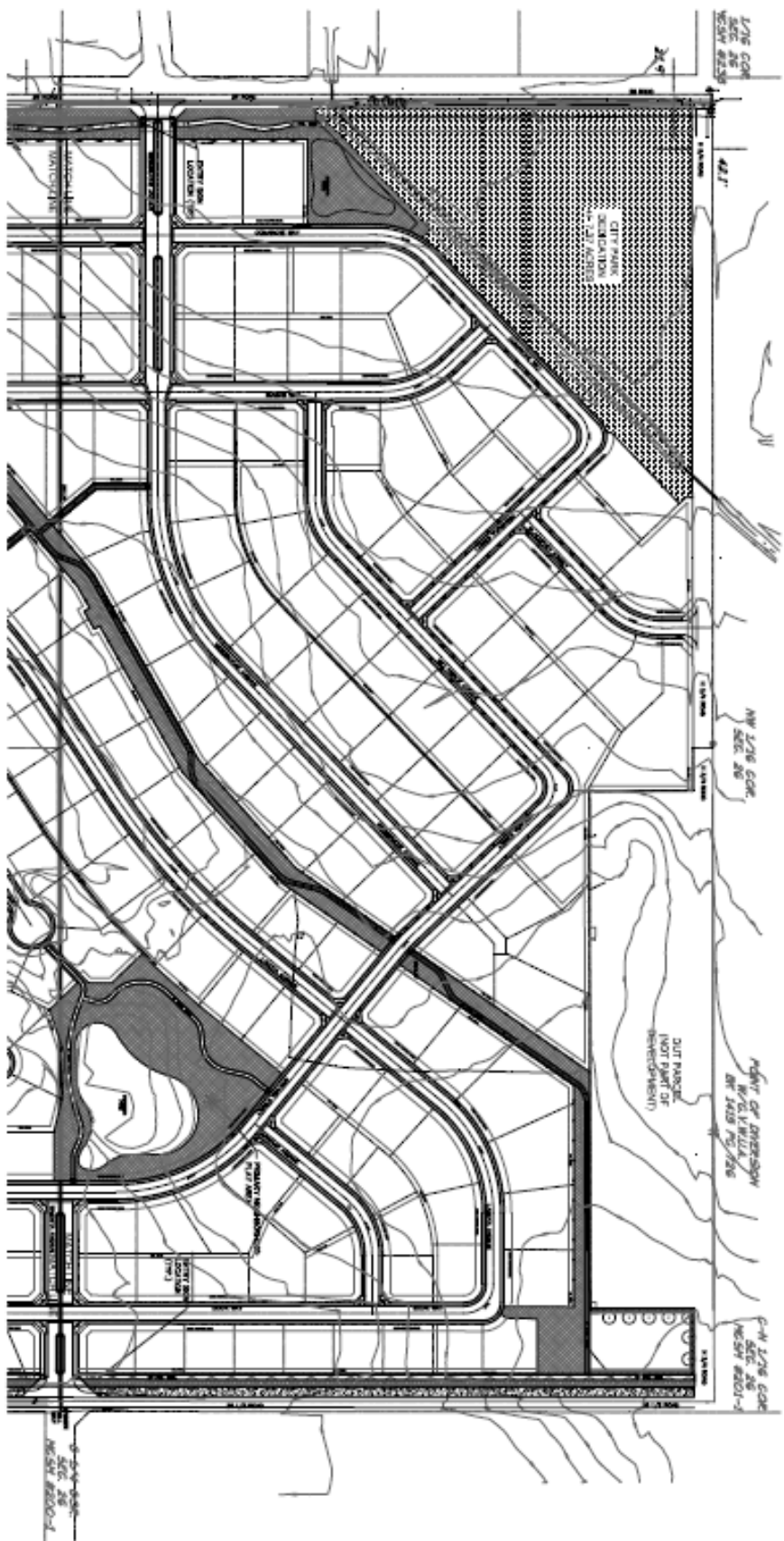


SEE ALL NOTES LETTER 'A' THRU 'S' ON SHEET 30, EXCEPT 'R'.
PROJECT LIST AND 'A' THROUGH 'S' ON SHEETS 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
GENERAL 'R' IS A CUSTOMER/OWNER SWEET BOOK.

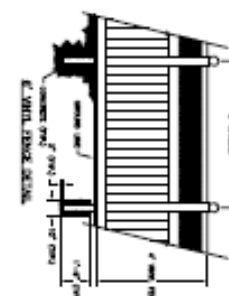
SYMBOL	DESCRIPTION
(Solid black)	EXISTING CONCRETE
(Stippled)	PROPOSED CONCRETE
(Diagonal lines)	PROPOSED ASPHALT DRIVEWAY
(Dashed)	PROPOSED ASPHALT DRIVEWAY
(Dotted)	PROPOSED ASPHALT DRIVEWAY
(Horizontal lines)	PROPOSED ASPHALT DRIVEWAY
(Vertical lines)	PROPOSED ASPHALT DRIVEWAY
(Cross-hatch)	PROPOSED ASPHALT DRIVEWAY
(Diagonal lines, other angle)	PROPOSED ASPHALT DRIVEWAY

SYMBOL	DESCRIPTION
(Thick solid line)	EXISTING DRIVEWAY
(Thin solid line)	PROPOSED DRIVEWAY
(Dashed line)	PROPOSED DRIVEWAY
(Dotted line)	PROPOSED DRIVEWAY
(Horizontal dashed line)	PROPOSED DRIVEWAY
(Vertical dashed line)	PROPOSED DRIVEWAY
(Cross-hatch dashed)	PROPOSED DRIVEWAY
(Diagonal dashed)	PROPOSED DRIVEWAY
(Stippled dashed)	PROPOSED DRIVEWAY
(Diagonal dashed, other angle)	PROPOSED DRIVEWAY
(Dotted dashed)	PROPOSED DRIVEWAY
(Cross-hatch dotted)	PROPOSED DRIVEWAY
(Diagonal dotted)	PROPOSED DRIVEWAY

Exhibit B



- LANDSCAPE LEGEND**
- LANDSCAPE AREA - 1
TREES (CONCRETE CURB/ROCK)
 - LANDSCAPE AREA - 2
LANDSCAPE AREA - 3
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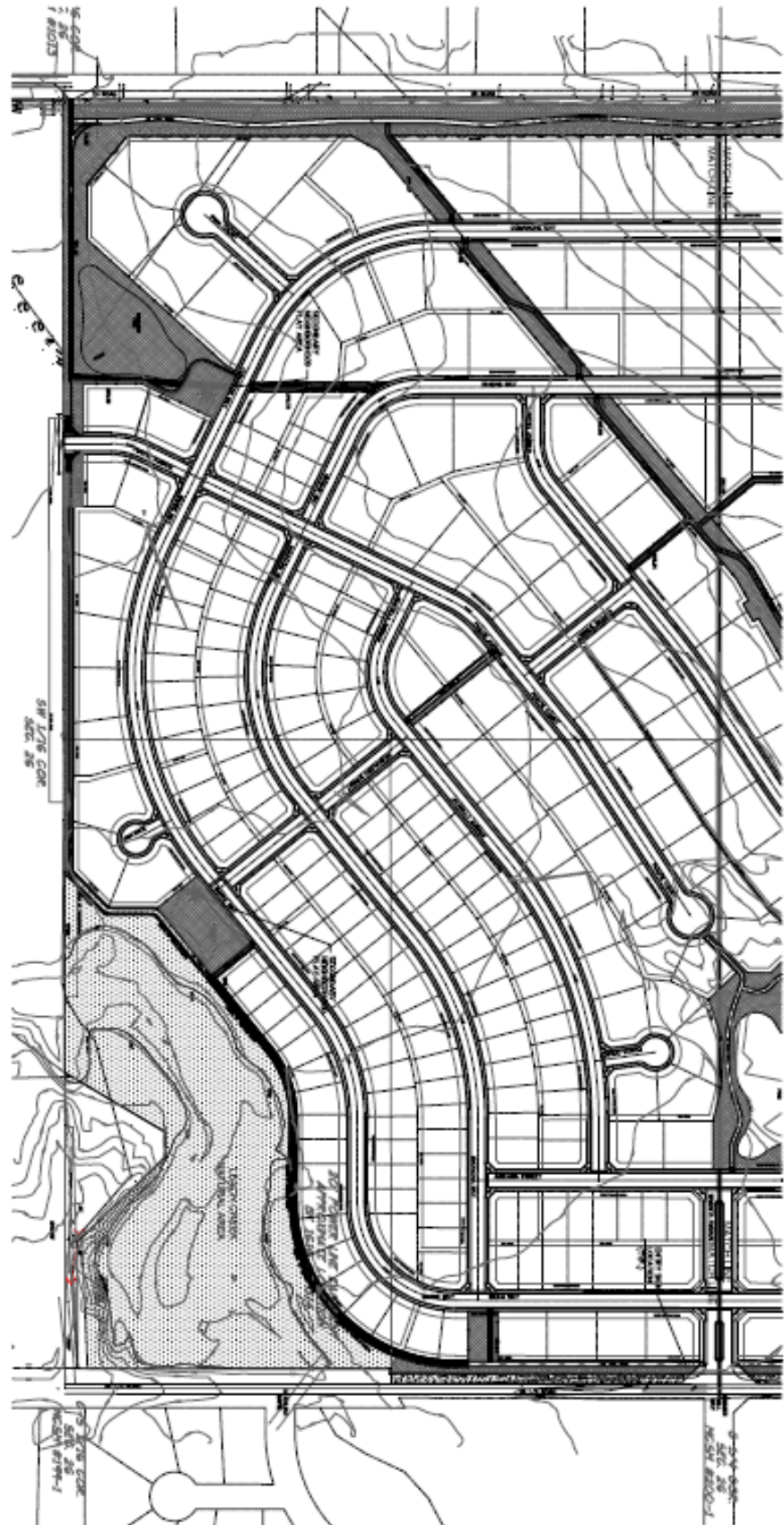


PRELIMINARY LANDSCAPE PLAN - NORTH

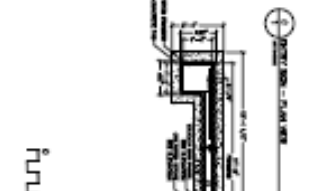


WEEMINUCHE GRAND JUNCTION, COLORADO

DESIGNED BY CLAVINNE ROBERTS & ASSOCIATES, INC.	DRAWN BY J. L. ROBERTS
CHECKED BY J. L. ROBERTS	DATE 10/10/00
APPROVED BY J. L. ROBERTS	SCALE AS SHOWN
PROJECT NO. 000-00-000	SHEET NO. 001



- LANDSCAPE LEGEND**
- ASSOCIATED AREA - 1
TREE / SHRUB/TREE / FENCE
CARE MAINTENANCE
 - ASSOCIATED AREA - 2
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CARE MAINTENANCE



PRELIMINARY LANDSCAPE PLAN - SOUTH

CLAWSON &
ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
1000 WEST 10TH AVENUE
SUITE 100
GRAND JUNCTION, CO 81505
PH: 248-1111
WWW.CLAWSONANDASSOCIATES.COM

DRAWN BY: J. L. BROWN
DATE: 10/15/2010
SCALE: AS SHOWN
PROJECT NO.: 1000-0001-01
SHEET NO.: 1000-0001-01-01

STATUS: PRELIMINARY
BY: JLB
CHECKED BY: JLB
APPROVED BY: JLB

WEEMINUCHE
GRAND JUNCTION, COLORADO

Exhibit C

EXHIBIT C
12-07 STAFF REPORT

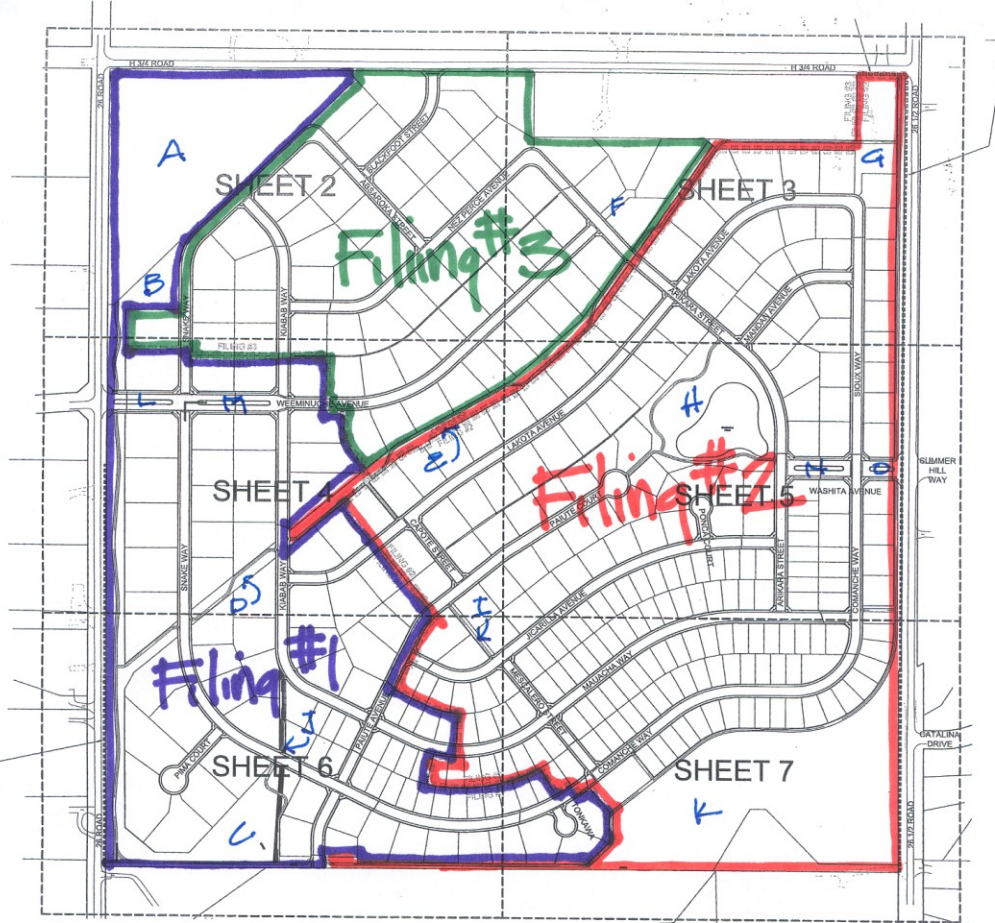


Exhibit D

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. 2842

Ordinance Zoning the Pomona Park Annexation

Recitals.

The following properties have been annexed to the City of Grand Junction as the Pomona Park Annexation and require a City zoning designation be applied to the properties.

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 following zone of annexation.

The City Council finds that the requested zoning is in conformance with the stated criteria of section 4-4-4 and section 4-11 of the Grand Junction Zoning and Development Code.

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

The following described properties be zoned as follows:

The following properties are zoned PR 12:

LOT 36 OF POMONA PARK, LOCATED IN SECTION 33, T1N, R1W OF THE UTE MERIDIAN

The following properties are zoned PR 7.8:

BEG S 89DEG29'30SEC W 1274.35FT FR NE COR SE4 NW4 SEC 3 1S 1W N 89DEG29'30SEC E 369.39FT S 483FT TO C LI G V CNL N 69DEG02'21SEC W 105.48FT N 60DEG45'20SEC W 150.29FT N 32DEG45'52SEC W 144.30FT N 14DEG00'04SEC W 254.8FT TO BEG + ALSO THAT PT BEG S 701.84FT FR NE COR SE4 NW4 SD SEC 3 N 77DEG38'37SEC W 847.93FT N 69DEG02'21SEC W 82.07FT N 53.54FT N 69DEG02'21SEC E 97.49FT S 77DEG38'37SEC E 833.25FT S 51.19FT TO BEG EXC E 25FT FOR ROAD ROW

The following properties are zoned PR 9.9:

BEG SE COR E2NE4NW4 SEC 3 1S 1W S 89DEG14'08SEC W 509.32FT N 0DEG02'45SEC E 220.96FT N 89DEG59'05SEC E 508.04FT S 0DEG16'55SEC E 214.3FT TO BEG EXC E 25FT FOR RD ROW

The following properties are zoned RSF-R:

BEG S 89DEG58' W 30FT FR NE COR SE4 NE4 SEC 32 1N 1W S 89DEG58' W 1288.13FT S 0DEG00'30SEC E 1040.59FT N 84 DEG37'30SEC E 28.80FT N 81DEG59'30SEC E 1213.20FT N 04 DEG32' E 577.30FT S 89DEG56' E 12.30FT N 0DEG01' W 294.15FT TO BEG EXC THAT PT BEG S 89DEG58' W 30FT FR NE COR SE4 NE4 SD SEC 32 S 89DEG58' W 200FT S 0DEG01' E 210FT N 89DEG58' E 200FT N 0DEG01' W 210FT BEG; AND

ALSO BEG S 89DEG58' W 30FT FR NE COR SE4 NE4 SEC 32 1N
1W S 89DEG58' W 200FT S 0DEG01' E 210FT N 89DEG58' E
200FT N 0DEG01' W 210FT TO BEG; AND ALSO N 15A OF LOTS
11 + 12 POMONA PK SEC 33 1N 1W EXC .19A I-70 ON SW; AND
ALSO S 5A OF LOTS 11 + 12 + N 10A OF LOTS 13 + 14
POMONA PK SEC 33 1N 1W EXC 1A I-70 ON W; AND ALSO S2 OF
LOTS 13 + 14 POMONA PK SEC 33 1N 1W N OF I-70; AND ALSO
LOTS 26 + 35 POMONA PK SEC 33 1N 1W EXC 1.15A I-70 ON
W; AND ALSO THAT PT OF SE4NE4 SEC 34 1N 1W N OF I-70 +
E OF LEACH WASH; AND ALSO LOTS 45 + 46 IN N2SW4SW4 SEC
34 1N 1W; AND ALSO E2 LOT 64 POMONA PK SEC 34 1N 1W + N
155FT SW4SE4SW4 SEC 34 1N 1W; AND ALSO SW4SE4SW4 SEC 34
1N 1W EXC N 155FT THEREOF; AND ALSO N2SE4SW4 SEC 34 1N
1W EXC BEG NW COR SD N2SE4SW4 S 89DEG56'25SEC E
940.78FT S 0DEG01'20SEC W 208.71FT N 89DEG56'25SEC W
417.42FT S 0DEG01'20SEC W 124.21FT N 89DEG56'25SEC W
523.36FT N 0DEG01'20SEC E 332.92FT TO BEG; AND ALSO BEG
NW COR LOT 39 POMONA PARK SUB SEC 34 1N 1W E 268.65FT S
200FT W 268.65FT N 200FT TO BEG EXC ROW AS DESC IN
B-997 P-330 THRU 331 MESA CO RECDS; AND ALSO BEG 200FT
S OF NW COR LOT 39 POMONA PARK SUB SEC 34 1N 1W S TO SW
COR SD LOT 39 E 268.65FT N TO A PT 268.65FT E OF BEG W
TO BEG; AND ALSO LOT 2 REPLAT OF SUNNY KNOLL SUB SEC 35
1N 1W + BEG 447.2FT E OF SW COR NW4NW4 SEC 35 N
67DEG14MIN E 94.7FT S 36.64FT TO S LI NW4NW4 W 87.32FT
TO BEG; AND ALSO LOT 1 REPLAT OF SUNNY KNOLL SUB SEC 35
1N 1W; AND ALSO BEG 855FT N OF SW COR SW4NW4 SEC 35 1N
1W N 455FT TO NW COR SW4NW4 E 500FT SWLY 671FT TO BEG
EXC .02A I-70; AND ALSO THAT PT NW4NW4 SEC 35 1N 1W N +
W OF C RICE WASH EXC N 30FT FOR RD; AND ALSO BEG N
4389FT OF SW COR SEC 35 1N 1W S 224FT N 65DEG15' E
330FT N 265FT SWLY TO BEG + BEG N 201.33FT + N 76DEG57'
E 30.8FT OF SW COR NW4NW4 SD SEC 35 N 76DEG57' E
167.8FT N 50DEG17' E 106FT N 53DEG53' E 119FT N
59DEG41' E 114.88FT N 14DEG31' W 355.84FT S 52DEG09' W
103.31FT S 360.25' S 65DEG W 297.40FT S 28.90FT TO BEG;
AND ALSO BEG NW COR S2SW4 SEC 26 1N 1W E 550FT SWLY TO
A PT 400FT S OF BEG N TO BEG EXC W 30FT FOR ROW; AND
ALSO THAT PT OF S2SW4 SEC 26 1N 1W N + W OF WASH EXC
BEG NW COR S2SW4 E 550FT SWLY TO A PT 400FT S OF BEG N
TO BEG + EXC BEG 30FT N OF SW COR SEC 26 N 10' E 382FT
S 89DEG55' E 732.31FT TO C LI RICE WASH S 40DEG07' W
498.91FT TO A PT ON LI OF RD N 89DEG55' W 411.95FT TO
BEG; AND ALSO BEG N 0DEG10' E 30FT FR COM COR TO SECS
26-27-34 & 35 1N 1W N 0DEG10' E 382FT S 89DEG55' E
131.91FT S 0DEG10' W 173.98FT S 82DEG54'07SEC E
415.02FT S 40DEG07' W 205.49FT N 89DEG55' W 411.95FT TO
BEG & ALSO BEG N 19DEG12'30 SEC E 404.32FT FR COM COR
TO SECS 26-27-34 & 35 1N 1W S 89DEG55' E 600.4FT S
40DEG07' W 293.42FT N 82DEG54'07SEC W 415.02FT N
0DEG10' E; AND ALSO W4NW4SE4 SEC 3 1S 1W; AND ALSO BEG
NW COR OF E2W2NW4SE4 SEC 3 1S 1W E 9RD S 13.5RD W 9RD N
TO BEG; AND ALSO BEG N 0DEG13' E 1049.23FT FR S4 COR
SEC 26 1N 1W N 89DEG47' W 30FT S 85DEG08' W 790.2FT N

ODEG05' E 154.3FT N 87DEG50' E 60.24FT N 36DEG32' E 226.9FT S 89DEG56' E 621.73FT S ODEG13' W 271.27FT TO BEG EXC THAT PT BEG S 89DEG56' E 614.99FT FR N COR SE4SW4 SEC 26 N 89DEG56' W 6.74FT S 36DEG 46' W 227.6FT S 87DEG50' W 60.24FT S ODEG05' W 154.3FT N 85DEG08' E 203.64FT N ODEG05' E 322.20FT TO BEG; AND ALSO THAT PT OF W2NE4NW4 SEC 3 1S 1W N OF WASH THAT PT OF NW4NW4 SEC 3 1S 1W N + E OF RR + N OF WASH

The following properties are zoned PR (with a density equivalent to RSF-2) and with a requirement that higher density locate towards the eastern edge & lower density locate towards the western edge of the properties:

S2NW4 + N2SW4 SEC 26 1N 1W EXC N 40FT OF SE4NW4 + EXC E 30FT OF SE4NW4 + OF NE4NE4SW4 + EXC E 40FT OF SE4NE4SW4 SEC 26 EXC BEG 188FT W OF NE COR SE4NW4 W 1043.6FT S 248.7FT E 1043.6FT N TO BEG

The following properties are zoned RSF-2:

BEG SW COR LOT 31 POMONA PARK N 145.8FT E 258FT S 145.8FT W 258FT TO BEG

The following properties are zoned PB:

BEG N 25DEG07'28SEC W 255.83FT + S 05DEG22' E 409.20FT + S 63DEG49'52SEC W 67.07FT + S 74DEG01' 57SEC W 257.85FT FR E4 COR SEC 34 1N 1W N 86DEG06'02 SEC W 122.96FT N 51DEG46'49SEC W 111.57FT N 43DEG52 '15SEC E 235.75FT S 10DEG44'53SEC E 251.76FT TO BEG; AND ALSO BEG N 25DEG07'28SEC W 255.83FT + S 05DEG22' E 409.20FT + S 63DEG49'52SEC W 67.07FT + S 74DEG01' 57SEC W 257.85FT + N 86DEG06'02SEC W 122.96FT + N 51 DEG46'49SEC W 111.57FT FR E4 COR SEC 34 1N 1W N 38 DEG24'46SEC W 235.17FT N 46DEG51'15SEC W 95.77FT N 51DEG35'14SEC E 247.67FT S 38DEG24'46SEC E 298.26FT S 43DEG52'15SEC W 235.75FT TO BEG; AND ALSO THAT PT OF SE4NE4 + OF NE4SE4 SEC 34 1N 1W N OF RD + S OF I-70 + DN EX THAT PT DESC IN B-1070 P-922 + THAT PT DESC IN B-1123 P-82 CO CLKS OFF

The following properties are zoned PZ:

LOTS 27 33 & 34 & THAT PT OF LOT 28 POMONA PARK SEC 33 1N 1W LYG E OF A WASH EXC THAT PT CONVEYED TO COLO DEPT OF HWYS IN B-861 P-284 MESA CO RECDS; AND ALSO LOTS 29 TO 32 INC & THAT PT OF LOT 28 POMONA PARK SEC 33 1N 1W LYG W OF WASH EXC THAT PART CONVEYED TO COLO DEPT OF HWYS IN B-861 P-279 MESA CO RECDS & ALSO EXC BEG SW COR SD LOT 31 N 145.80FT E 258FT S 145.80FT W 258FT TO POB

Introduced on first reading this 19th day of April, 1995.

PASSED and ADOPTED on second reading this 3rd day of May, 1995.

/s/ Ron Maupin

ATTEST:

Mayor

/s/ Stephanie Nye
City Clerk

Exhibit E

Copy to County Admin on 9.25.94
26 to 26 Rd, H 1/2 to H 3/4 Rd.

BOOK 2095 PAGE 253

**SACCOMANNO GIRLS TRUST
ANNEXATION AGREEMENT**

1693396 03:37 PM 08/26/94
MONIKA TODD CLK&REC MESA COUNTY CO

THIS AGREEMENT is made and entered into this 19th day of August, 1994, by and between Saccomanno Girls Trust, 860 26 1/2 Road, Grand Junction, CO, 81506 ("Developer"), and the City of Grand Junction, a municipal corporation, State of Colorado, 250 N. 5th Street, Grand Junction, CO 81501, hereinafter referred to as "CITY".

In consideration of the mutual obligations, benefits, duties and promises the parties hereto agree as follows:

1. Developer represents that it is the owner of the property described below (the "Property") and that it has the authority to enter into this agreement on the terms and conditions set forth. If Developer needs to obtain the consent or agreement of another party or parties in order to effectuate this agreement, Developer agrees to do so.

The legal description of the Property is:

The following described real property situate in the West Half of Section 26, Township 1 North Range 1 West of the Ute Meridian, County of Mesa, State of Colorado:

The South Half (S 1/2) of the Northwest Quarter (NW 1/4), and the North Half (N 1/2) of the Southwest Quarter (SW 1/4), EXCEPTING THEREFROM the North 40 feet of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), AND ALSO EXCEPT the East 30 feet of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), AND ALSO EXCEPT the East 30 feet of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4), AND ALSO EXCEPT the East 40 feet of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4), AND ALSO EXCEPT the following described real property: Beginning at a point which bears N 89°52' W a distance of 188 feet from the Northeast Corner of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of said Section 26, thence N 89°52' W a distance of 1043.6 feet, thence South a distance of 248.7 feet, thence S 89°52' E a distance of 1043.6 feet, thence North a distance of 248.7 feet to the Point of Beginning.

City has agreed to consider annexing the Property into the City. The timing of the City's actions to annex the Property is solely as determined by the City. If the City determines to annex all or a portion of the Property, the City may do so in

conjunction with other properties in the area in order that the City may maximize the extent of territory annexed. The property described herein may be annexed to the City of Grand Junction in part or parts, at any time. Consent is hereby given to annex portions of tracts and parcels even if the annexation has the effect of dividing tracts or parcels into separate parts or parcels.

3. This agreement may be recorded with the Clerk and Recorder in Mesa County, Colorado, and if recorded shall run with the land, and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto.

4. Nothing contained in this agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abnegation of City's legislative, governmental, or police powers to promote and protect the health, safety, or general welfare of the municipality or its inhabitants; nor shall this Agreement prohibit the enactment or collection by City of any fee or charge which is of uniform or general application, or necessary for the protection or promotion of the public health or welfare.

5. If any annexation of the property or any portion thereof is challenged by a referendum or an initiative, all provisions of this Agreement, together with the duties and obligations of each party, shall be suspended pending the outcome of the election. If the final judgment of a court of competent jurisdiction orders the disconnection of all or any portion of the property from the City, then, at the election of the City, this Agreement and all provisions contained herein shall be null and void and of no further effect. If such final judgment does not require the disconnection of all or a portion of the Property from the City, then Developer and City shall continue to be bound by all the terms and provisions of this Agreement.

6. In the event that any annexation of the property or any portion thereof is voided by final action of any court (such action not being associated with a referendum or initiative election), Developer shall cooperate, if requested by the City, to cure the legal defect which resulted in disconnection of the property, and upon such cure this Agreement shall be deemed to be, in part, an agreement to annex the property to City pursuant to § 31-12-121, C.R.S. and the terms of this agreement shall be binding on the parties. Developer shall reapply for annexation, or the City may sign, as Developer's attorney-in-fact, a petition to annex, when the property becomes eligible for annexation as determined by City.

7. It is understood and agreed by the parties hereto that if any part, term, or provision of this Agreement is by the Courts held to be illegal or in conflict with any law of the

State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the agreement did not contain the particular part, term, or provision held illegal or invalid.

8. Except as otherwise stated herein, no right or remedy of disconnection of the described property from the City shall accrue from this agreement, other than that provided by § 31-12-119, C.R.S. In the event the Property or any portion thereof is disconnected at Developer's request, this agreement shall be void and of no further force and effect as to any portion of the Property, and any zoning which has been applied to the Property shall revert to the zoning which applied prior to annexation to the City.

9. The Developer has proposed that the City adopt, in accordance with the provisions of the Zoning and Development Code of the City, zoning which results in a density of not more than two units per acre for the Property. The Developer may request such zoning at the discretion of the Developer. If the City Council does not adopt zoning for the Property substantially as provided herein, this agreement may be terminated at the option of the Developer if Developer gives written notice of such termination within 30 calendar days of the Council's adoption of a zoning which is substantially different for the Property and the Council does not, within said thirty day period, adopt or re-adopt zoning substantially as provided herein.

10. Developer shall, contemporaneously herewith, execute a power of attorney for the purpose of annexing the Property to the City which shall terminate upon termination of this Agreement. A copy of the power of attorney is attached hereto and labelled Exhibit "Saccomanno Girls Trust Power of Attorney." At such times as the City deems necessary, Developer agrees to take such other steps and to execute such other documents as may be required by the City in order to accomplish the annexation to the City of the Property. The City may annex all or a portion of the Property in conjunction with other properties so as to maximize the annexation efforts of the City, as determined by the City.

11. This agreement shall bind the signatory parties and their respective heirs, successors and assigns.

12. The Developer's remedies, upon non-performance by the City pursuant to this Agreement, are limited to the following: the developer shall give notice of default to the City Manager specifying the action giving cause to said default. The City shall have 30 days from its receipt of said notice to correct the alleged default. Upon the correction of said default within the 30 days period the agreement shall be restored and all terms and conditions will be in full force and effect.

In the event a default is not timely corrected, the Developer has the right to sue for specific performance, however, in no event shall the City be liable for any damages whether indirect, special or consequential. Each party agrees to pay its own attorney's fees in such event, unless otherwise provided by law.

13. This agreement constitutes the entire agreement of the parties and supersedes any prior discussions, agreements or negotiations.

14. Notice pursuant to this agreement shall be given by certified mail to the address listed above the signature lines or to such other address as a party may hereafter designate by certified mail.



Stephanie Nye

Stephanie Nye
City Clerk

City of Grand Junction
250 North Fifth Street
Grand Junction CO 81501

By: Mark K. Achen

Mark K. Achen
City Manager

Attest:

SACCOMANNO GIRLS TRUST
860 26½ Road
Grand Junction, CO
81506

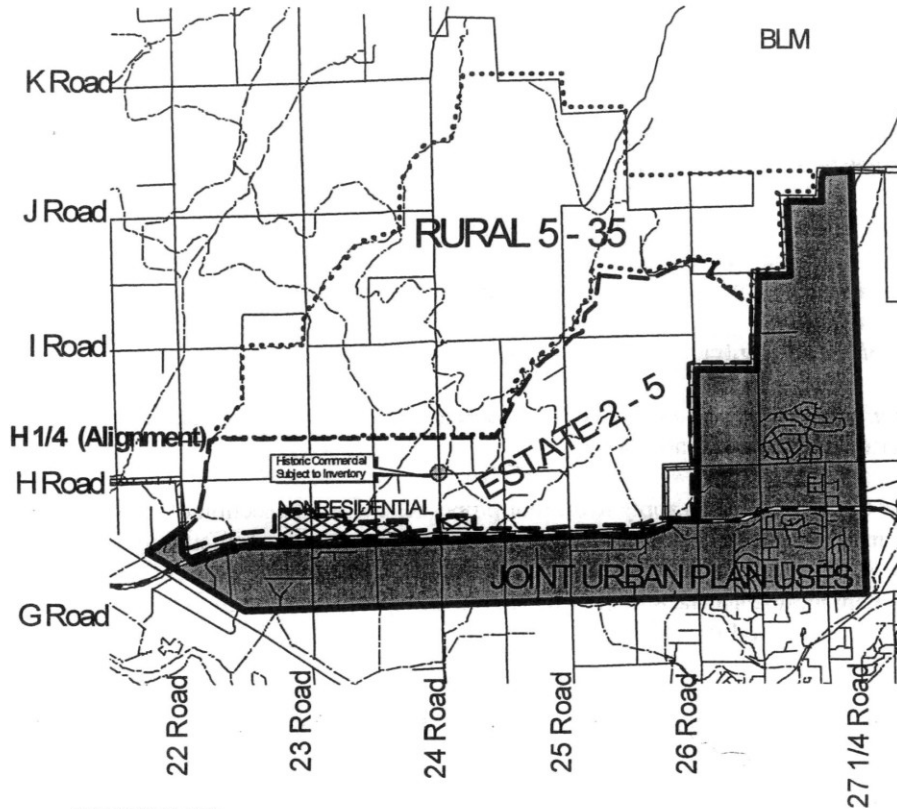
By: Carol Ann Murphy
Carol Ann Murphy

Lenna Marie Watson
Lenna Marie Watson

Linda Marie Siedow
Linda Marie Siedow

Exhibit F

NORTH CENTRAL VALLEY Future Land Use



LEGEND

- Joint Urban Plan Uses
- Interstate 70
- Joint Urban Plan Uses
- Urban Growth Boundary
- Water
- Rural 5-35 Acre Densities
- Estate Densities (2-5 Acre)
- Historic Commercial
- Nonresidential Uses
- Nonresidential Uses
- BLM

SCALE

0.5 0 0.5 1 Miles

**THIS MAP DOES NOT STAND ALONE.
IT MUST BE USED IN CONCERT WITH
THE GOALS AND POLICIES OF THIS PLAN.**

ADOPTED BY MCPC
3/19/98

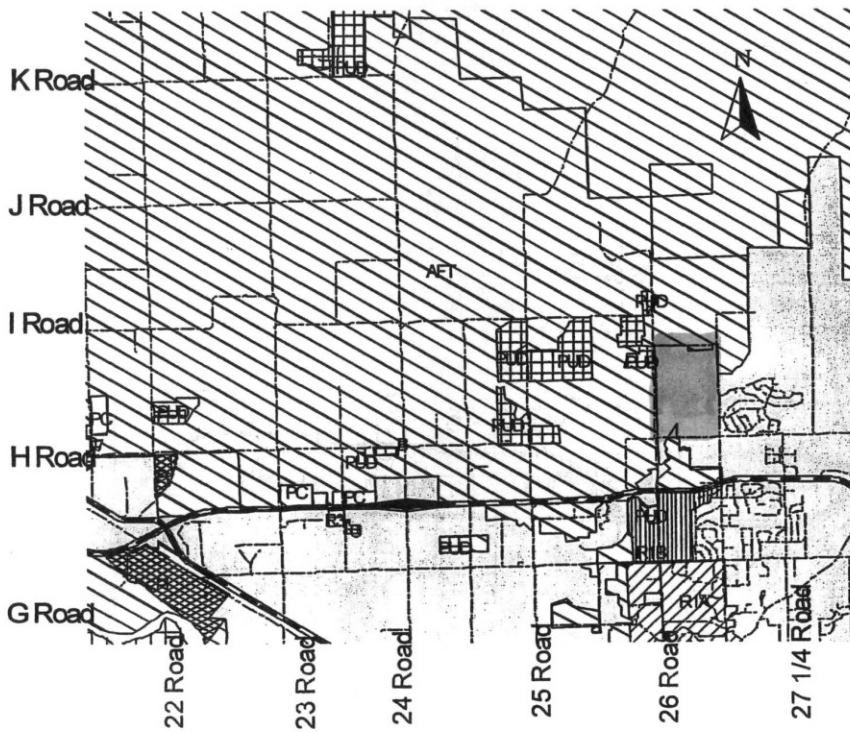
40 SCALE
1 INCH MARK = 176'

#2 - Current Zoning -

* Primarily Agriculture/Forestry/Transitional (AFT, 5-35 acre densities) in rural areas; (County zoning shown on map below)

* Urban densities and uses within urban growth boundary.

NORTH CENTRAL VALLEY Current Zoning



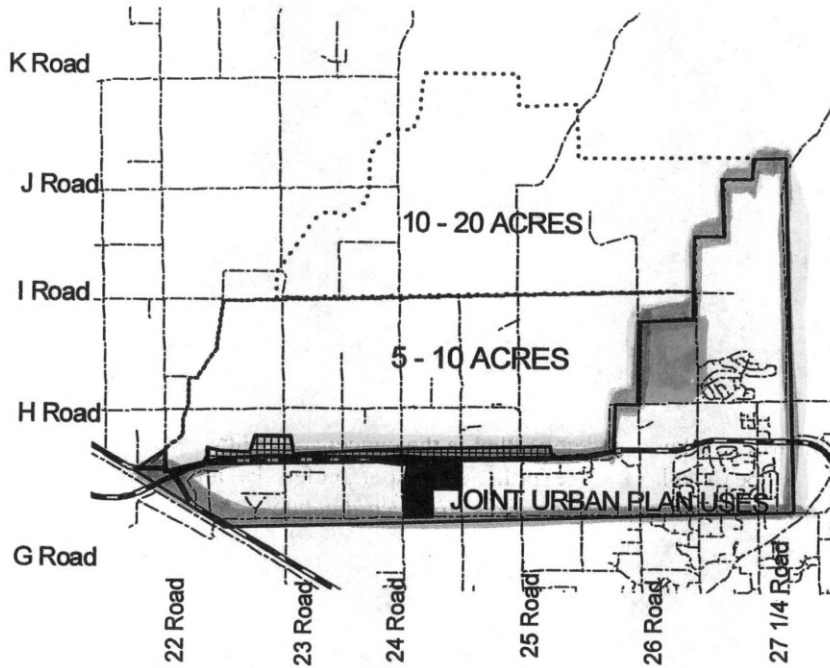
Mid- Valley (Appleton) Plan -

* 5 acre densities on poor soils and 10 acre densities on prime soils from Interstate 70 to I Road

* 10 acre densities on poor soils and 20 acre densities on prime soils from I Road to K Road

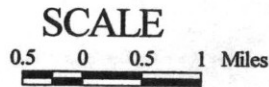
* Urban densities and uses (per Growth Plan) within urban growth boundary

NORTH CENTRAL VALLEY Appleton Plan



LEGEND

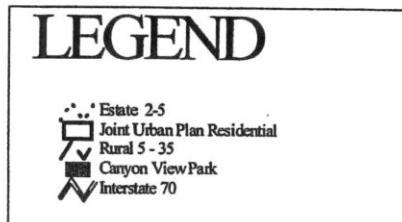
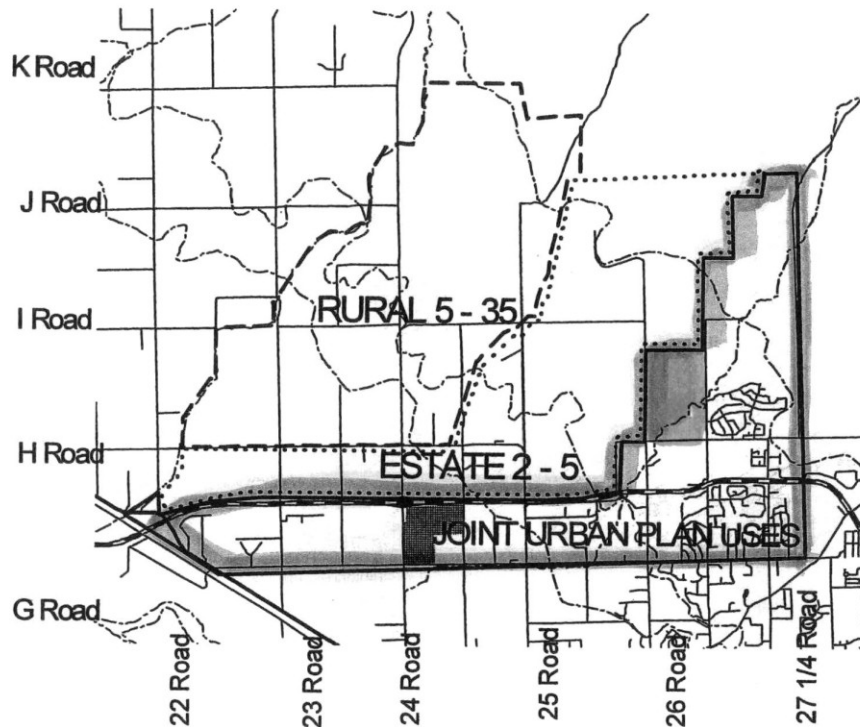
- Canyon View Park
- Nonresidential
- County/City Roads
- State Highways
- 5 to 10 Acres
- 10 to 20 Acres
- Urban Growth Boundary



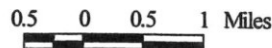
#3 - Southeast to Northwest Density Tiers -

- * Rural (5-35 acre densities) northwest of middle wash
- * Estate (2-5 acre densities) between middle wash and urban growth boundary
- * Urban densities and uses (per Growth Plan) within urban growth boundary

NORTH CENTRAL VALLEY Density Tiers Plan



SCALE



#4 - Growth Plan - (Mesa Countywide Land Use Plan and Grand Junction Growth Plan)

The following are facts on future land use designations in the Mesa Countywide Land Use Plan and the Grand Junction Growth Plan adopted in 1996.

- ◆ The majority of unincorporated land in the North Central Valley planning area has been designated Rural – with densities that will range from 5 to 35 acres in size with clustering encouraged.
- ◆ The area north of I Road is within the West Rural Planning Area, outside the Joint Urban Plan Area, and is classified as Rural. (No urban density designations are included in the Rural Plan).
- ◆ The land north of Interstate 70, south of I Road and generally between 25 and 26 Roads has been classified in the Joint Urban Area Plan as Estate – single-family homes on 2 to 4.9 acre lots.
- ◆ Residential density classifications within the Urban Growth Boundary (Joint Urban Area Plan) are generally more intensive than currently zoned and range from 0.5 acre lots to 11.9 dwelling units per acre. — RL (0.5 to 1.9 acres/dwelling unit (du)) RML (2 to 3.9 du/acre), RM (4 to 7.9 du/acre), RMH (8 to 11.9 du/acre).

Exhibit G

Mr. Wilson feels two weeks is not sufficient time to meet with the Bureau of Reclamation on other options.

Councilmember Graham would rather see the easement rescinded than tabled. He believes the federal government will find a way to put this through if it is clear that the City isn't offering any kind of effective opposition to it. The City is not merely a willing participant. He would like to see the offer of easement rescinded since, in his judgement, it would make it that much more difficult for the City to become an active participant. So long as the matter is pending, the decision could be conceivably ratified. Mayor Maupin felt if the City is not an active participant in the easement, it also is not an active participant in the boat situation and in providing recreation on the river.

Councilmember Graham felt that the City did not initiate the entire project, either the fish ladder or the use on the Gunnison River or the takeouts. The City was confronted with a short time frame on a request for the grant of easement for the fish ladder program. The City expressed its concerns. The City has been placed in the position of having to react to the proposals of others with little time to perform the careful deliberation required.

It was suggested by Councilmember Terry that an endorsement be prepared for support of this project to continue the City's participation in discussions, with the reservation that the City will defer granting the easement until such time as its legal concerns have been satisfied; said endorsement to be presented at the May 17, 1995 City Council meeting, and authorizing the Mayor to write a letter stating the above.

Upon motion by Councilmember Terry, seconded by Councilmember Theobald and carried, the Mayor was authorized to prepare an endorsement of the Memorandum of Understanding that indicates the City's continued interest in the project, with the reservation that the City will defer a decision on the easement until May 17, 1995 for legal reasons.

Councilmember Terry requested that the Mayor contact personally the Bureau of Reclamation to make them aware of the City's concerns.

PUBLIC HEARING - ORDINANCE NO. 2842 - AN ORDINANCE ZONING POMONA PARK ANNEXATION RSF-R, RSF-2, PZ, PB, PR 4.1, PR 7.8 AND PR 9.9 [FILE #ANX 95-17]

The City has recently approved the annexation of lands north of the City limits known as the Pomona Park Annexation. The City is required by State Statute to establish zoning for the Pomona Park Annexation located generally between 24 3/4 Road and 26 1/2 Road and F 1/4 Road and H 3/4 Road.

- a. 24 Road to 24 1/2 Road and I-70 Area
9 Parcels
- 25 Road to 25 1/2 Road and F 1/2 to G 3/8 Road Area
11 Parcels
- 26 Road to 26 1/2 Road and I-70 to H 3/4 Road Area
13 Parcels
- b. Approximately 151 acres Saccomanno Property
1 Parcel
- c. Proposed North Valley Subdivision
1 Parcel

City Attorney Dan Wilson announced that if certain members of the audience are not interested in Items b. or c., they will definitely be interested in Item a. These are very broad descriptions.

Item a.

A hearing was held after proper notice. This item was reviewed by Larry Timm, Community Development Director. This annexation has to do with the remainder of the Pomona Park Annexation. The other portions were dealt with by Kathy Portner previously in the meeting. The proposed zonings are most similar to the districts that the property was zoned in the County with four exceptions:

- 1. The North Valley Subdivision
- 2. The Saccomanno Property
- 3. A .96 acre parcel at 726 24 Road, a single family home which is surrounded by the property the City has purchased for the future park at the intersection of 24 Road and I-70. That property was zoned Planned Business in the County and the proposed zoning for that in the City is RSF-2.
- 4. The property that is owned by the City for the park near 24 Road and I-70. It is 72.6 acres and was zoned Planned Business and AFT in the County. The City is proposing PZ Public Zone in the City for that parcel.

President of the Council Maupin opened the floor for questions and comments regarding the above Item a. Those speaking were as follows:

- 1. Chris Cameron, 2605 Kelley Drive, was concerned with increased traffic, schools, public transportation, air traffic, drainage, density versus agricultural land, and lack of planned development.

Councilmember Graham felt these comments should have been made

at the annexation hearing held on May 3, 1995.

Councilmember Terry stated that currently the Planning Commission and the City Council have hired consultants to develop master land use plans consecutively and jointly. This process is going on now. Hopefully, Mr. Cameron's issues have been brought up at meetings and when the plan is finalized will be addressed.

There were no other comments. President of the Council Maupin closed the hearing.

Comments from Councilmembers were as follows:

Councilmember Terry asked if Bookcliff Gardens required any change in business by going from Business in the County to Planned Business in the City. Mr. Timm responded that a Planned Zone is intended to have a specific use with it. In this case going with the planned zone is status quo. They can continue using the property as they have been. If they want to change from a nursery to some other type of business, they would be required to come in for a hearing. If a substantial change is made in the size of the business, a plan amendment must be filed.

Councilmember Baughman asked if the rezone from Planned Business to RSF-2 was acceptable to Mr. Long. Mr. Timm responded that he understands it is.

Item b.

Mr. Timm reviewed Item b. This property was zoned AFT in the County. The Planning Commission recommended that the Saccomanno property be zoned RSF-R in the City. Mr. Timm referred to comments in a letter from the Airport Authority pertaining to the area. The letter states that all the noise contours will be expanded around the airport when the Master Plan is completed later this year.

Councilmember Terry asked why the Planning Commission recommended the RSF-R zone and not RSF-2. Mr. Timm replied that given the intensity of development in Paradise Hills which is zoned RSF-4 and RSF-5, and looking at the areas outside this annexation to the west, which are zoned primarily AFT, the Saccomanno property is being seen as a transition area from 4 and 5 units per acre, to the areas outside the City that are 2-acre, 4-acre and 5-acre lots. The half acre lot in between is a good and reasonable transition zone.

Councilmember Afman stated that the 201 Boundary runs along the southern and eastern portions of the Saccomanno property. Mr. Timm stated a good portion of this property would drain into the area that the City serves with sewer to the south and east.

Mr. Timm stated that the RSF-R zone in the City is the closest to the AFT. The RSF-R has a minimum 5-acre lot zone. The AFT zone is an average of 5-acre lots.

Mr. Timm stated the fact that because the property is not currently in the 201 Boundary, it does not mean it could not be in the 201 Boundary in the future. Mr. Jim Shanks, Public Works Director, stated the 201 Boundary is a planning area which was established when the City first started sewer planning required by the Clean Water Act in the middle 70s. The boundary does not follow the natural drainage lines. There is quite a bit of area that naturally drains into the area that is sewerred which is not in the 201 boundary, the Saccomanno property being one of those. Mr. Shanks did not believe the location of the current 201 boundary should drive Council's land use decisions. The 201 boundary has been amended several times since it was established in 1976. The current sewer plant was originally outside the 201 boundary. The County has made a change on Orchard Mesa all the way to 32 Road. The City is concerned about the length of it. It is a point of contention as to whether it is a joint City/County decision on the amendment of the boundary or whether it is at the sole discretion of either entity.

Mr. Shanks continued by describing the Paradise Interceptor which was originally constructed to take out of service an old package plant that had been constructed along with Paradise Hills Subdivision. The sewage flows to the south and west. The line size increases further south and west in anticipation of development that will occur along the line and the accumulation of sewage. It starts off as a 12" line, increases in size from 15" up to 18" before it goes across the highway east of Mesa Mall on 24 1/2 Road. Then it crosses and ties into the River Road Interceptor which runs west along River Road to the sewer plant. The current capacity of the line where it discharges the River Road Interceptor is a little over 4 million gallons per day. It is currently running at approximately six tenths of a million gallons per day. Mr. Shanks would not recommend serving this area by septic on half-acre sites. There are a number of such septic systems that are not working after 20 or 30 years of having problems. It is now costly to bring those properties onto the sewer. He used Redlands Village as an example. Current County Health Rules allow septic on half-acre sites.

City Manager Mark Achen felt this property is on the cusp of the issue of City and County philosophies toward growth and development. If it were in the City, he believed the City Council has the power to refuse development at half-acre developments without sewer. If, however, the property were in the County, it is debatable. The County has demonstrated their ability to authorize

it to be either septic or authorize it to be sewerred regardless of the 201 Boundary. The City cannot control the destiny of this property.

President of the Council Maupin opened the floor for questions and comments regarding the above Item b. Those speaking in favor of the rezone were as follows:

1. Kirk Rider, 1050 Gunnison Avenue, representing the Saccomanno property owners. Mr. Rider made three corrections to his letter to City Council dated May 1, 1995. The City approached the Saccomanno family in mid-1994 regarding annexation. The Saccomanno family realizing they were in the path of development, felt annexation made sense and RSF-4 density was appropriate. At that time the City expressed concern about the neighboring density and proposed RSF-2, which the Saccomannos accepted. The annexation agreement provides that if RSF-2 zoning is not granted, the Saccomanno's can request disconnection from the annexation. The Planning Commission voted 3-0 to maintain an RSF-R zoning density. Mr. Rider referred to definitions in the Zoning and Development Code for RSF-R, RSF-2 and RSF-4. Mr. Rider discussed infrastructure, schools, growth, farmland preservation. He felt it is unfair to want to preserve farmland when you don't own that farmland. If this zoning is not approved, the Saccomanno family will have no choice but to disconnect so an appropriate use can be made of this property. Mr. Rider stated 71% of the property is currently under cultivation. All the property has been classified by the Soil Conservation Services as highly erodible. Only 31 acres are considered good farmland. There are no present plans to develop this property. His clients have become concerned recently about leaving this property in such a low density zoning, creating expectations that are not reasonable, being that it is always going to stay that way. That is why the Saccomanno's felt it necessary to obtain a zoning that is more reasonable for this property.

City Attorney Dan Wilson stated that the RSF-2 zoning could be rezoned at a later date in response to the Saccomanno Trust coming back with a particular plan in the future.

2. Joe Steinkirchner, Paradise Hills resident for 26 years, felt it is appropriate to take an out to a lesser density than what seems to be constantly coming to these developments. He feels relationships and friendships are as valuable as the open space. He was also concerned with overcrowded schools, sewer problems and traffic. Yet he feels this property is the least impacted. Since Paradise Hills has been annexed, there are now jogging trails and bike paths on 26 1/2 Road. He sees a real benefit in being in the City.

3. Geno Saccomanno, 778 26 1/2 Road, felt that Grand Junction needs places where people of modest income can live. That is the objective of extending that development to the farm. Approximately 15 years ago he received approval from the County Commissioners of a sewer line going up First Street to the Highline Canal. He reiterated that his daughters have no immediate plans for development of this property. He feels they have compromised in agreeing to go to RSF-2 instead of RSF-4 and felt it is reasonable. He encouraged approval of this zone. Dr. Saccomanno stated he has worked with the City for approximately 1 and 1/2 years on this property.

Councilmember Graham stated, on behalf of the Council, that Dr. Saccomanno is to be esteemed and honored for his remarkable contributions to the community.

Councilmember Baughman echoed Councilmember Graham's comments regarding Dr. Saccomanno. He asked if Dr. Saccomanno would consider a higher density on the east side and a lower density on the west, just within the 152 acres, where the benefit to Dr. Saccomanno and his family would remain the same for a development potential and yet create a buffer within his property instead of having it all one zone. Dr. Saccomanno felt an ideal situation for that piece of property would be to have a 9-hole golf course in the low areas, and homes on the elevated portions of the property. He would like to see this property become a part of the City of Grand Junction.

4. Carol Murphy, 2679 Paradise Way (Dr. Saccomanno's daughter). Ms. Murphy and her husband feel it is a great suburban neighborhood. It is close to everything and reasonably affordable for them. They feel it would be a shame if only 30 families could enjoy these advantages on 150 acres, and to limit them to people who can pay \$80,000 a lot. They have made a commitment to the annexation agreement and will abide by it.
5. Lenna Watson, 720 Wedge Drive, (Dr. Saccomanno's daughter). She reiterated that there are no current plans for development of this property. She would like to have the zoning issue resolved. She does not want to be surrounded by 5-acre ranchettes. She feels the RSF-2 zone is reasonable.
6. Steve Watson, 720 Wedge Drive, husband to Lenna Watson, noted the MPO map shows properties near the airport will develop with a high employment population. To develop this property is a large risk. He felt it would take five to ten years to develop at a cost in excess of \$4 million. He encouraged the RSF-2 zoning.

Mr. Rider noted neither the zoning nor an approved subdivision affects the property tax classification. It is the use that determines the classification.

RECESS

President of the Council Maupin declared a five-minute recess at 11:45 p.m.. Upon reconvening at 11:51 p.m., all members of Council were present.

Those speaking in opposition to the zoning were as follows:

1. Kay West, 2627 H 3/4 Road. For the record Ms. West stated she was offended and insulted by Mr. Rider's comments when he started this process. She submitted aerial photos of 25 Road to 27 Road and Interstate 70 to I Road, showing what is currently located in that area. She stated 26 1/2 Road is a good natural barrier between the high density to the east and the lower density to the west, as is the Interstate on the south.

President of the Council Maupin stated for the record that the photos being reviewed by Council are aerial photos of the City's recent GSI mapping system.

Ms. West continued by stating the property owners insist they have no plans to develop, yet they want the higher density zoning. She felt the owners can keep the RSF-R zoning, and rezone later when they are ready to develop. She cannot understand the hurry. She requested the lower zoning. She felt it would keep the area west of 26 1/2 Road in a more compatible state and would blend in with the existing zones.

2. Wallace McCarther, 877 26 Road. He stated that shale goes down 7 feet on some properties and definitely affects leech fields. He referred to the previous discussion regarding septic systems.
3. Ron Rucker, 770 26 Road. He stated every phase of his business will be governed by the City. Yet on this particular property, the City is being asked to change something from a plan that is in place as part of the Appleton Plan. It has been comparable to the RSF-R zone. Approval of this rezone will adversely impact the surrounding area. Mr. Rucker referred to written City policy regarding zonings, and felt this rezone does not meet the City's policy. Mr. Rucker is not opposing the current zoning of RSF-R which is the zoning for his 2.7 acres.

4. Jay Jefferson, 2599 H Road, the corner of 26 and H Roads. He was concerned with the high density. He was also concerned with traffic. In 28 years, 16 accidents have occurred at his corner. His fences and gates have been damaged by uninsured motorists. Increased traffic with no plan to handle it concerns him greatly. Mr. Jefferson reiterated the honor bestowed upon Dr. Saccomanno. He requested a compromise to the zoning that is on the table. Mr. Jefferson is not in the annexation and is happy with his zoning.
5. Bill Pitts, 2626 H Road. He has lived in this area since 1967 and is not opposed to growth. He requested that the RSF-R zoning be analyzed by the City Council for consideration. His approximately 5.8 acre parcel is inside the City limits.
6. Rags (Richard) Gauley, 827 26 Road. Mr. Gauley encouraged the preservation of open space and cast his vote for no density at all on this property. He suggested it be used for a public park. Mr. Gauley's property is one-half acre in size.
7. Dave Zollner, 2545 Canaan Way. He stated there has been some speculation that this zoning recommendation has been pre-approved without attention to public comment. After seeing the agreement between the City and the landowner, which states how the landowner can sue the City for specific performance, he sees it is not a rumor. The pressure is now great on the City Council to cover the inappropriate actions of the City. He was concerned with traffic and schools. He stated the City has estimated 2700 extra cars per day would come from this parcel alone. He feels this rezone will force the rural heritage further out of the Grand Valley. He felt the Planning Commission's decision to reject this zoning was correct.

Councilmember Theobald stated he understands Mr. Zollner's concern with the annexation agreement. But to presume from the agreement that it is a done deal, is incorrect. To presume from the agreement that Council is going to do what the agreement says because if it doesn't, it is going to be sued, is also incorrect. If the City fails to meet its commitment in the agreement, then it does not get the annexation. He stated that Council is not there for personal interest, but because they care about the community. Bringing 150 acres into the City for any reason does not override what is good for the community.

City Attorney Wilson clarified the terms of the annexation agreement in question. The City cannot be sued for damages, but the Saccomanno family has the right of specific performance. That means the Saccomanno family can force the City to its end of the bargain. The City's end of the bargain is not to zone it one way

or the other, but that if it is not zoned 2 units per acre, the Saccomanno's have a right to get out. It was placed in the agreement as a safety valve for the Saccomannos in case the zoning didn't go the way they expected. They can then go to court and force the City to let them out of annexation. Annexation agreements are quite common across the State of Colorado.

Mr. Zollner withdrew his statements regarding the annexation agreement, but held to his other comments.

8. Bill Scott, 823 26 Road. He lives on 9 acres across from the Saccomanno property. He has lived there for 10 years. The Appleton Plan states that homes in that area should be on 5 and 10 acre parcels. The transition from the Appleton Plan to two houses per acre is quite a change. The eastern border of the Appleton Plan is 26 1/2 Road.
9. Chris Cameron, 2605 Kelley Drive, stated he does not have a vendetta against the Saccomanno family. He felt the request for high zoning is premature since there are no immediate plans for development by the Saccomannos.
10. Keith Mumby, 2703 Crossroads Blvd. His property is located one-quarter mile east of the property. He spoke representing Dennie and Barb Hartshorn, owners of the property that immediately borders this property to the south. They are in the area being zoned RSF-R even though they are closer to the City. He felt there is no question this property will be developed. To zone this property to RSF-2, which equates to 300 houses on 150 acres, casts that zoning in concrete as far as the City Planning Department and control is concerned. When the traffic increases, he questioned who is going to build the road from H Road to Patterson Road. The taxpayers will pay for the road. The Appleton Plan zones the entire area to 26 1/2 Road AFT, one resident per 5 acres on average. The RSF-R zone says each resident must have 5 acres. The AFT zoning preserves the ultimate type of open space that is being requested. He requested that Council stay with the Appleton Plan and zone the property RSF-R. The time to rezone this property is when the Saccomannos file a plan for development.
11. Marjory Zollner, 2555 Canaan Way, stated that she is in opposition to the higher density.

Kirk Rider apologized for some of his earlier comments. He feels the Appleton Plan is an anti-annexation document. Mr. Rider supports the City's annexation policies. This property is close to the Horizon Drive business and employment center, and relatively close to the urban core, and the best suited piece of property for efficient residential development.

Steve Watson referred to Mr. Mumby's comment of 300 homes. Mr. Watson clarified that 20% to 25% is lost to roads, waste and the lot layouts when developing. He said out of the 235 lots, approximately 7 to 8 acres is lost to leach creek which is unusable. That leaves 220 homes instead of 300 homes, resulting in an additional 190 homes.

Item c.

Tom Dixon, Community Development Department, reviewed this portion. North Valley Subdivision was reviewed and approved in a two-phase project allowing 38 lots to be platted under phases 1 and 2. It left out a parcel that contained 10 acres. That was also reviewed under an outline development plan before the Planning Commission that showed 36 lots. At that time the northern portion was not annexed into the City and the PR-12 zoning that has existed since 1979 or 1980 has remained. The petitioner has objected to Planning Commission's and Staff's insistence that a plan was being shown for 36 lots in the northern portion, and the plan and any corresponding zoning should correspond with what was approved. That has driven the Planning Commission's recommendation of a PR-4.1 zone at this time. Staff is requesting that the ODP go through the review process. Currently there is no plan in place for PR-12. It does not exist. The zoning is there, but there is no plan that corresponds to the PR-12. There is a plan that corresponds to the PR-4.1 which is the Outline Development Plan that was approved by the City Planning Commission last fall. Staff is recommending a PR-4.1 zone for the northern portion of the North Valley Subdivision.

President of the Council Maupin opened the floor for questions and comments regarding the above Item c. Those speaking were as follows:

1. John Williams, with the firm of Coleman, Joufflas & Williams, representing Chris Carnes, one of the owners of North Valley Subdivision. Mr. Williams had previously submitted copies to Council of his letter and attachments listing the situation of Mr. Carnes and his problems. This property was purchased by Mr. Carnes and his company because of the location and the PR-12 zoning. The zoning was a real key to why this property was purchased. Mr. Carnes feels he has been treated unfairly tonight. He was given assurances during the planning process that the zoning of PR-12 would not be affected by anything he was doing. Written Staff review comments correlate with that. The Planning Commission approved the preliminary plat for the southern portion. In June, 1994, the Planning Commission recommended a 4.1 zoning of only the southern 10 acres of his property and no jurisdiction for anything in the northern 10 acres. Mr. Carnes was satisfied with a PR-4.1 zone on the

southern 10 acres so long as there remained a PR-12 zoning on the northern 10 acres. Mr. Carnes was led to believe at the Planning Commission meeting that if he accepted the two zonings, the Commission would look favorably to the PR-12 zoning on the north 10 acres. Mr. Carnes is concerned with the downzoning from PR-12 to PR-4.1. He would like to keep the PR-12 zoning.

City Attorney Wilson asked Mr. Williams if there was a neighborhood consensus on what they thought the zoning should be. Mr. Williams responded that he did not know.

Councilmember Graham asked Mr. Williams if the City is estopped from zoning this property PR-4.1. Mr. Williams did not know. Mr. Williams stated that there were a number of times during the meetings where Mr. Carnes was given assurance that he was not jeopardizing his PR-12 zoning by submitting a plan that had only a 4.1 density on the northern 10 acres. Mr. Williams said that Mr. Dixon said tonight that if it would have been a PR-12 plan, there would be no objection.

Mr. Dixon referred to a letter dated April 1, 1995, from Kathy Portner (Senior Planner with the Community Development Department) which refers to the Zoning and Development Code. When a parcel is being developed, the entire property or tract must have a plan showing how it is going to be developed or related to a development proposal even if only a portion of that development is actually coming forward. Mr. Carnes' property was being treated as one parcel.

Mr. Williams reiterated that the PR-12 zone gives Mr. Carnes the flexibility needed. The first Planning Commission meeting for the preliminary plat, after the submission of the ODP, he was still thinking all 20 acres were going to be annexed. The Staff recommendation was still no zone change of PR-12, based on the 38 lots to the south and the same development to the north.

Kathy Portner, Community Development Department, stated the City originally received either an annexation petition or power of attorney for annexation for the entire 20 acre tract. That was to allow this development to go through the City review process. The plan was submitted for the south 10 acres. Based on the provisions of the Zoning Code, City Staff requested the entire property under one ownership be planned. The City did not have jurisdiction to zone when the preliminary plan went to the Planning Commission hearing. Staff was looking for a preliminary plan for the entire 20 acres. At that time Staff could not issue any kind of zoning because the annexation process had not started. That is why there was the "no change" in the zoning. There was no explanation as to why only 10 acres of the 20 acres was annexed.

City Attorney Wilson stated that Staff may have been thinking of bringing in the 10 acres later as part of a different annexation. Had the north half been developed first, the infrastructure would have been extended further, and been more expensive.

2. Chris Carnes, 2682 Paradise Way. He stated if he has a piece of property zoned PR-12 and is submitting a plan that shows 4 units per acre, with full neighborhood support, why would he feel a need to show something on the north 10 acres to try to assure himself that he gets the south piece put together. He is doing a density one third of what was allowed. He feels he was forced to file the preliminary plat on the north 10 acres, to be on record with it. At that point, the City reversed itself and said it would not annex that piece. The City saw that through annexation it could get the density on the preliminary plat.

Mayor Maupin said the City can use the extra 10 acres for the rest of the other annexation.

Kathy Portner stated the PR-12 zone can accommodate a combination of single family and multi family.

3. Tom Rolland, Rolland Engineering, 405 Ridges Drive. He was present in every meeting with the City Staff and Planning Commission meeting involving this zoning. He summarized his association with Mr. Carnes. They believed they would be able to retain the PR-12 zoning on the property. He requested the PR-12 zone be retained.

City Manager Mark Achen felt the only thing the developer did to contribute to this problem was to submit the mirror image plan on the top 10 acres. The rest of the confusion was on the City's part - the issue of the annexation, zoning or planning trying to occur prior to annexation, then zoning occurring subsequent to annexation.

Councilmember Graham asked Mr. Carnes if there would be a zoning somewhere between PR-4.1 and PR-12 that would be acceptable. Mr. Carnes said he can live with either zone.

City Manager Achen apologized to Mr. Carnes for the City's part in the confusion of the situation.

After lengthy discussion, President of the Council Maupin closed the hearing.

Upon motion by Councilmember Mantlo, seconded by Councilmember Graham and carried by roll call vote, Item c. of Ordinance No. 2842

was zoned PR-12, with the resolution that when the PR-4.1 zone is requested, Council will give consideration at that time.

President of the Council Maupin reopened the hearing for discussion on Item b.

Item b.

Councilmember Baughman felt the Saccomanno family would like an average density of 2 units per acre instead of two units per each acre.

Councilmember Afman felt Council needs to consider the Appleton Plan in its decision on this item.

Councilmember Mantlo felt a decision should be made that is best for the overall community.

Councilmember Terry referred to the plan that was bought into by Council last fall. She preferred to see no change in the plan presently. If the plan dictates that the zoning be changed, she would consider that.

Councilmember Graham concurred with the statements of Councilmembers Terry and Mantlo.

President of the Council Maupin felt the Grand Valley will realize that the Appleton Plan may not be correct. Perhaps it is lopsided to one side of the valley. He felt rural lifestyle is diminishing.

Councilmember Afman was concerned with the cost of infrastructure. She felt future development is very important.

Councilmember Baughman encouraged rural lifestyle when possible. He cannot support the RSF-2 zone on the entire parcel of 150 acres. If the zone densities could be variable, he would support it. He was concerned with the 201 sewer boundaries. He feels any de-annexation from an annexation is a farce.

Councilmember Theobald stated that going to a PR-2 zone could allow more homes than an RSF-2 zone. The RSF-2 discounts the unbuildable, so the net will be in the 220 range. In the PR-2 zone the density can fluctuate widely, but goes back up to 300. It is not a matter of if this area will develop, but a matter of when. Even though the Appleton Plan is five years old, Councilmember Theobald was uncomfortable crossing an imaginary boundary that exists. He is most uncomfortable with the lack of a plan of development on a piece of property this size.

Mr. Rider stated that the Saccomannos would be willing to accept a Planned Residential zone density that is numerically equivalent in units to the RSF-2 zone.

It was moved by Councilmember Mantlo that Item b. of Ordinance No. 2842 be zoned Planned Residence (PR) that is the numerical equivalent to the straight RSF-2 zone. Councilmember Afman seconded Councilmember Mantlo's motion.

City Attorney Dan Wilson explained a plan will come back for review. The Plan must be approved by the Planning Commission at a public hearing. The Planning Commission or City Council can determine how the zoning will be distributed. The decision will be made at the time the plan is reviewed. The decision cannot be made today because there is no development plan. When the plan is brought before Council it must address the entire 152 acres.

Councilmember Mantlo amended his motion to reflect the plan would indicate high density to the eastern part of the property toward Paradise Hills, and the lesser density would be toward the west. The amendment failed for lack of a second.

Roll call vote was taken on the original motion with the following results:

AYE: MANTLO, AFMAN, MAUPIN.
NO: BAUGHMAN, GRAHAM, TERRY, THEOBOLD.

The motion failed.

It was moved by Councilmember Graham that Item b. of Ordinance No. 2842 be zoned RSF-R. The motion was seconded by Councilmember Terry.

Roll call vote was taken with the following result:

AYE: GRAHAM, TERRY, BAUGHMAN.
NO: MANTLO, THEOBOLD, AFMAN, MAUPIN.

The motion failed.

It was moved by Councilmember Graham that the recommended zoning for Item b., as provided by Staff in Ordinance No. 2842 which is RSF-2, be approved. It was seconded by Councilmember Mantlo.

Roll call vote was taken with the following result:

AYE: MANTLO, AFMAN, MAUPIN.
NO: TERRY, THEOBOLD, BAUGHMAN, GRAHAM.

The motion failed.

It was moved by Councilmember Mantlo that Item b. of Ordinance No. 2842 be zoned PR with the same number of units that RSF-2 would allow with the largest density being on the east side and the lower density being on the west side. The motion was seconded by Councilmember Baughman.

AYE: THEOBOLD, BAUGHMAN, MANTLO, MAUPIN.
NO: TERRY, AFMAN, GRAHAM.

The motion carried.

PUBLIC HEARING - ORDINANCE NO. 2843 - AN ORDINANCE AMENDING SECTION 4-9-1.A OF THE ZONING AND DEVELOPMENT CODE OF THE CITY OF GRAND JUNCTION, MINIMUM LOT SIZE [FILE #TAC 95-1.411.41]

Amending the Zoning and Development Code to clarify the non-conforming status of lots not meeting the minimum lot size of the zone.

A hearing was held after proper notice. There were no comments. Upon motion by Councilmember Afman, seconded by Councilmember Baughman and carried by roll call vote, Ordinance No. 2843 was adopted on second reading and ordered published in pamphlet form.

PUBLIC HEARING - ORDINANCE NO. 2844 - AN ORDINANCE AMENDING SECTIONS 4-2-1 THROUGH 4-2-19 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE REGARDING ORGANIZATION OF BULK REQUIREMENTS WITHIN ZONE DISTRICTS AND AUTHORIZING THAT IT BE PUBLISHED IN PAMPHLET FORM [FILE #TAC 95-1.1]

A request to amend Sections 4-2-1 through 4-2-19 of the Zoning and Development Code to remove minimum lot area, maximum dwelling units per acre, landscape requirements, and use limitations from the category of "Bulk Requirements" and list these items as separate standards within each zone district.

A hearing was held after proper notice. There were no comments. Upon motion by Councilmember Baughman, seconded by Councilmember Mantlo and carried by roll call vote, Ordinance No. 2844 was adopted on second reading and ordered published.

ADJOURNMENT

Upon motion by Councilmember Mantlo, seconded by Councilmember Baughman and carried, the meeting was adjourned at 3:05 a.m.

Stephanie Nye, CMC
City Clerk

Exhibit H

To the Grand Junction Planning Department

Weeminuche Estates Subdivision
PP 2007-003

RECEIVED

MAR 01 2007

COMMUNITY DEVELOPMENT
DEPT.

I am not opposed to the development of this property.

I am opposed to the seemingly willful disregard of significant prior discussions about this property calling for a transition from lower density on the west to higher on the east. I am further opposed to the compounding of this disregard by the request for a density bonus.

Surrounding Density

The 300 units that were in place for the present owner when they purchased the property are more than adequate. Actually, being honest, it is very dense, when you consider that the perimeter of the subject is about 10600 linear feet and that only 29 properties boarder it, *and that perimeter is almost fully developed.* That is an average of 365 LF of frontage per lot adjoining the subject. The subject is proposing about 90 LF per lot. Dense enough! The adjoining lots average 5.9 acres each. The subject averages 0.50 acres each. Different enough! Please, no increased density!

Transition

The 2/acre density stretches transition enough as verbalized above. A visual description would be a very rude sight as now proposed. There is no attempt to have the east side of 26 Road look compatible with the west side. Traveling North 1st Street from Patterson to the BLM land one will observe fully established low or rural density. The developer has made a very unsatisfactory attempt to minimize the impact by putting the back of interior lots facing toward 26 Road which will require a half mile of privacy fences on the road. To make a reasonable attempt to transition density the subject should have a 1 to 2 acre lots that would face 26 Road to more adequately resemble the opposite side of the street. This will respect previous public and government input. This will respect common visual sense. This will respect buffer and transition concepts that the City and County and Fruita and Palisade have tried to respect. This is good planning and can still get the developer the density they purchased. A density bonus only compounds all problems with these issues.

Further density bonus issues:

Parks/open space

This development does not need additional parks for a density bonus. The City's Saccomanno Park is very large and is $\frac{1}{4}$ mile south and is to start development in 2009. BLM land is 1 mile north with excellent access via 25 or 27 $\frac{1}{4}$ Roads.

Safety

Density is already at a premium north of I-70 when considering the narrow I-70 bridges, especially 26 Road with no sidewalk/bike path and the severe hills between G and H $\frac{1}{2}$ Roads.

Thank you.

Dave Zollner
2545 Canaan Way
243-5692
Feb 28, 2007

I live $\frac{1}{2}$ mile SW of the subject and have lived in the North area 25 years. I was extensively involved in the Appleton Plan in 1990 and the North Central Valley Plan in the mid-late 1990's.

February 21, 2007

RECEIVED
FEB 22 2007
COMMUNITY DEVELOPMENT
DEPT.

Ken Kovalchik
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RE: PP-2007-003 – Weeminuche Estates Subdivision – 26 Road & H $\frac{1}{4}$ Road

Dear Ken,

This letter is to advise you that my wife and myself are not opposed to the above-mentioned subdivision development. What we are opposed to is the density of the project which we feel does not conform to the density of the surrounding area. We would like to note that most of the properties in the immediate area are zoned one dwelling per five acres. We have discussed this project among ourselves and would not be opposed to the developer placing two dwellings per acre in this proposed development.

Below we will also point out some other concerns that we have learned about in our checking on the proposed development.

One of our concerns is that even though we were an out-of-state land owner when the meeting to annex the area into the city took place, we did not receive any notification regarding the meeting or the proposed annexation. This may be of no consequence at this time but we do feel that we were left out of the process.

Our next concern is that we have found out that for some reason the planned development code has been assigned to this project and in talking to other residents of the area, no one that we can find was notified that the planned development code was going to be assigned to this project.

Our next concern has to do with safety issues relating to the width and terrain of 26 Road and of 26 $\frac{1}{2}$ Road. It appears that the increase in traffic and the terrain of these two roads could be a high safety concern for all residents living in the area.

Last, but not least, when we attended a public meeting regarding the development, the developer's representatives indicated that they were willing to trade off open space in the development for a variance in zoning. The developer's representative told us at the meeting that the trade off would be a meandering walking path through the development. We feel that this trade off does not do anything for the residents of the area and a suggestion was made to the developer's representative that they develop the designated park located at 26 $\frac{1}{2}$ and H Road. We feel that this trade off would be good for the entire area and the trade off of the walking path would only benefit the people that would live in the development.

Thank you for your consideration in this matter.

Sincerely,



Wayne and Jane Clark
2642 H Road
Grand Junction, CO 81506
256-9059

February 21, 2007

RECEIVED
FEB 22 2007
COMMUNITY DEVELOPMENT
DEPT.

Ken Kovalchik
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Dear Mr. Kovalchik,

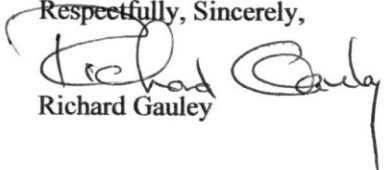
RE:PP-2007-003-Weeminuche Estates Subdivision- 26 Rd. & H3/4 Rd

Having lived at 827 26 Rd in a simple ranch house for the past 20 years, I am aware of the changes that have occurred in the area. The area has really not been a neighborhood so much as individual homes spread throughout a rural/ farming area. I am aware that the city and county are attempting to establish transition areas between Fruita and Grand Junction or Palisade and Grand Junction for example. Perhaps it would also be advantages for our valley community to have transition areas between the city and county. The Weeminuche property proposed for development is an ideal area for such a transition area.

I have spent time overlooking the plans for this development at your office. Your staff was very warm, helpful and responsive to my request to view the plan. I also want to compliment the designer, it is a beautiful subdivision plan that has obviously been planned with great care. The city of Grand Junction would do well to hire the planner for other city projects as he is very talented. However, the subdivision is wrong for the area. The density should be similar to the 'long forgotten' Appleton plan of one house per five acres. Truly, I am nearly killed daily just crossing 26Rd to get my mail. My life is in danger as I pull out of my driveway as cars speed up and over the blind hill just north of my home. My irrigation ditch runs parallel to 26 Rd. In the past, I enjoyed digging the silt out of my irrigation ditch in the early spring. With all the fast moving traffic, irrigation ditch cleaning is now a harrowing experience. I used to walk and ride my bike in the area. I now drive across town to the National Monument for my walks as it would be foolhardy to ride a bike or walk along the narrow road with high speed traffic.

I am not trying to be melodramatic, it's a real situation. More traffic to a high density subdivision in the area would be negligent planning on the part of city/county planners. I recommend return to the one house per five acre plan.

Respectfully, Sincerely,


Richard Gauley

February 5, 2007

City of Grand Junction
Community Development Department
250 North 5th Street
Grand Junction, CO 81501

Attention: Ken Kovalchik

Dear Mr. Kovalchik :

We would like to express our concerns regarding the proposed Weeminuche Estates Subdivision addressed at 26 ½ Road and Summerville Way. Our main concern is that the present proposal does not conform with the surrounding neighborhood. Particularly, the high density housing proposed for the south side of the property is completely out of conformity. If one drives north on 26 ½ Road and 26 Road starting at the I-70 overpass, you will find the developments between these two roads are mainly small acreages and do not include any high density housing. We do not oppose the development of this subdivision, however, we strongly believe it should conform to the surrounding neighborhood.

Secondly, starting at the I-70 overpass the city annexed a narrow strip of land on the east side of 26 Road for approximately three quarters of a mile. This "flagpole" annexation then allowed for the Saccomanno property to be annexed into the city. Although legal, it remains very controversial.

This area is one of the last nice neighborhoods of its kind. Let's keep it this way. Therefore, we recommend the proposed development not to exceed one house per five acres.

Hopefully, the members of the Community Development Department will consider the concerns of the homeowners presently living in this area, as they will be the ones directly affected.

Sincerely,

John W. and Mary K. Jefferson
2599 H Road
Grand Junction, CO 81505

15 February 2007

Community Development Department
250 North 5th Street
Grand Junction, CO 81501

Attention: Ken Kovalchik

Subject: Development Request PP 2007 003

We live at 871 26 Road which is on the northwest corner of the proposed Weeminuche subdivision. We would like to express our opposition to the development plan as it is currently submitted for the following reasons:

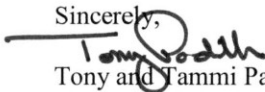
1. The current plan does not conform to the current "transition zone" for that area as represented by the properties on the north, south, and west borders of the proposed subdivision.
2. When reviewing the development plan, it does not seem that the design group considered the topography of the property in designing the cul-de-sacs, interior roads, and most importantly the access roads. The main entrance onto 26 Road is just north of a blind rise in the road which could create traffic problems.
3. It does not seem that 26 and 26 1/2 roads were designed to handle the increased traffic that this subdivision would create.
4. Has the affect of increased students at the already crowded Grand Junction High School been considered?

We are not opposed to a development on that property, but would ask that the City take the time to realize that this is one of the last pristine properties of this size in Grand Junction. This is a chance for the city to create a "signature" subdivision that would compare to ones in Salt Lake and Denver.

This property could sustain an "estate" type subdivision (1-2 acres/residence) and allow the developer to recoup as much if not more money that the "cracker box" type plan that is submitted now with significantly less infrastructure required. Please proceed slowly and diligently to ensure that the final product is one that we all can be proud of.

Please contact us should you have any questions.

Sincerely,



Tony and Tammi Padilla
871 26 Road
Grand Junction, CO 81506 (243-4980)

January 17, 2007

Ken Kovalchik
Community Development Department
City of Grand Junction
250 North 5th St.
Grand Junction, CO 81501

RECEIVED
JAN 19 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Ken,

RE: PP-2007-003 - Weeminuche Estates Subdivision - 26 Rd. & H 3/4 Rd

Please be advised that this letter is not in opposition to the proposed sub division development, but rather an opposition to the density.


I will also suggest a review of the minutes of the Grand Junction City Council dated April 5, 1995 and May 3, 1995

In these minutes it is apparent that the zoning was in error at the time.

At the time the subject mentioned in the Minutes, the time of day was not mentioned. The time of day was 2:10 A.M.

- A. There was no appropriate public input.
- B. Development surrounding the proposed sub division has taken place at a lesser density than is being proposed for Weeminuche. Most properties are of approximately 5 acre parcels

I would suggest that a zoning for the Weeminuche Estates Subdivision be RSF-R and conform to neighboring properties.

Sincerely,

Bill Pitts
2626 H Rd.
Grand Junction, CO 81506
242-7342

RECEIVED

FEB 21 2007

**COMMUNITY DEVELOPMENT
DEPT.**

**Ken Kovalchik – Planner
Community Development Dept.
250 North 5th Street
Grand Junction, CO 81501**

Subject: PP-2007-003 Weeminuche Estates Subdivision

Dear Ken

Noticed on the blue card that we received, that you are now the planner given charge over this project. Don't know if our past letter was passed on or not, so here's another one. To assure that our comments are included in any meetings that may arise involving this development.

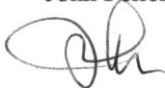
Our position is not against development, we understand the reason and process very well. Our objection is to the amount of housing that is being requested by the developer. All of the surrounding properties are three (3) to five (5) acres. Unless we are sadly mistaken, any development in this area is to be likewise, of the surrounding properties.

As one of the City Planners, we are requesting that you share this information with the other City Officials. Over our years of many, have seen Cities and Counties allow development for monetary reasons, to ruin the "Quality of Life" for pristine areas. We understand that progress cannot be stopped, but are we going to have a City with high density settings everywhere or will the City Fathers oversee a "Well Planned Community". All we are asking, is for this development to coincide with the surrounding properties. 360+ homes for 150 acres, does not coincide with previous zoning from previous City Fathers. Cannot understand what has changed without any information being passed on to the public. How was this development approved beforehand, without any public input?

One of the reasons we moved here was to get away from a congested, polluted, crime ridden area. When we moved to our old location, it was like the Grand Valley, clean, well planned, etc. In a little over twenty plus years it went from a low density Community to a high density area, with all of the inherent problems. Is this what the City Fathers have planned for the Valley as well, or will they pass on to future generations a "Well Planned Community" that will be admired by many. I plan on addressing this question at the Planning Meeting, where the public will be allowed to speak.

All we (My wife and myself) are asking is for the City Officials to take these thoughts into consideration, before making their final decision. Please don't ruin our "Quality of Life" for us and future generations.

Respectfully
John Feliciano – 882 26 Road



RECEIVED

FEB 21 2007

**COMMUNITY DEVELOPMENT
DEPT.**

February 20, 2007

Mr. Ken Kovalchik, Planner
Community Development Dept.
250 North 5th Street
Grand Junction, Co 81501

RE: PP-2007-003 - Weeminuche Estates Subdivision

Dear Mr. Kovalchik:

I am writing this letter to address two areas of concern I have regarding the proposed subdivision development.

While I am not against a subdivision at this location, I am opposed to the density of this subdivision. The surrounding properties are three to five acres. A subdivision with this high density does not conform to the density of existing properties.

I am also concerned since there was no public input into this development. Why wasn't any information passed on to the public prior to proceeding with planning this development? Also, how could this development be approved with no public input?

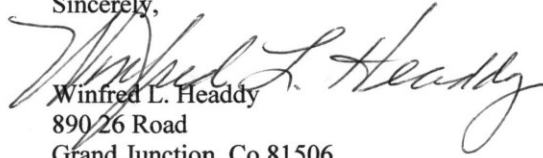
The second issue I have is one of safety. The increased traffic on 26, 26 ½, and H ¾ Roads presents safety hazards. The rural setting of this area makes it an ideal area to bike and walk. The safety of bikers and walkers will be seriously impacted by the increased traffic that will result from a high density development. The safety of people driving North on 26 Road and trying to turn onto G ½ Road will present a particularly dangerous situation because you cannot see over the hill as you approach Bookcliff Garden's Nursery. Another area of concern is the traffic on 26 ½ Road at the corner of H ¾--you cannot see on-coming traffic traveling South on 26 ½ Road because of the hill. This area already presents a traffic safety problem due to the development North East of 26 ½ Road and will only get worse with the large influx of traffic associated with this high density development. Another safety concern is the width of the bridge over the Interstate on both 26 and 26 ½ Roads. They are narrow—there is barely room for two-way traffic and is dangerous for walkers, joggers and bikers. Have any of these issues been looked at or addressed?

As I said, I am not opposed to this land being developed. What I am concerned with and opposed to are the density and the safety issues associated with the proposed sub-

Page 2

division. I would like to suggest that the City Officials drive out to this area so they can experience these issues first hand before making their final decision.

Sincerely,

A handwritten signature in cursive script, appearing to read "Winfred L. Headdy". The signature is written in black ink and is positioned to the right of the typed name.

Winfred L. Headdy
890 26 Road
Grand Junction, Co 81506
245-2846

Att: Ken Kovalchik
Re: PP-2007-003 Weeminuche Estates Subdivision

February 22, 2007

Grand Junction Community
Development Department
250 N. 5th St.
Grand Junction, CO 81501

Dear Community Development Department:

I am writing in objection to the proposed Weeminuche Estates Subdivision "PP-2007-003, 26 ½ Rd. and Summervale Way" as presented to your office. For the last 23 years, I have lived on 8 acres at 823 26 Rd., which is directly across the street and west of this densely planned subdivision. Their plan for 362 dwellings on 151 acres is totally inconsistent with the surrounding homes that are on about 5 acres each. The only part of this proposed subdivision that is near more dense housing is a small area across 26 ½ Rd. from Paradise Hills. By circling the proposed subdivision on my bicycle, I have calculated that only 1/36th of the planned Weeminuche Estate Subdivision is adjacent to the densely zoned Paradise Hills, and 35/36 is adjacent to less densely zoned homes, approximately 5 acres each. The five-acre per home concept came from the recommendations of the Appleton plan and subsequent County zoning. The strongest argument that I can make against the densely zoned Weeminuche Estates Subdivision is that "it just doesn't fit" in the area.

As a physician, when it comes to an individual's health and/or safety, I have found that preventing problems is far better than trying to figure out how to "fix it" later. The requested 362 homes would generate approximately 3,600 more vehicles driving up and down 26 and 26 ½ Roads. 26 Road is one hill after another with limited visibility and no shoulders. There is a dangerously narrow overpass over I-70, and it is not safe now for a pedestrian or a bicycle to cross the 26 Road overpass. To markedly increase traffic with no way of widening the bridge (short of spending a fortune) is just not prudent. The situation on 26 ½ Road is similar with a dangerous overpass bridge over I-70. A long-time neighbor and friend of mine made a very appropriate statement at the recent required neighborhood meeting about this subdivision. In reference to this densely zoned subdivision and the traffic it would bring, he said "This whole mess is not worth one life." I couldn't agree more. I would encourage each member of the Grand Junction Community Development Department to drive up 26 Rd. from Bookcliff Gardens, going north across the overpass and imagine there being bicycles and pedestrians on that bridge. Local bikers as well as citizens who regularly use these roads are concerned about all the bikers that come out 26 and 26 ½ Roads and how dangerous the overpass is. The bottom line is that my neighbor is correct, this whole mess is not worth one life!

In 1995, Dr. Geno Saccomanno owned the land on which Weeminuche Estates Subdivision is to be built. The land was annexed into the city, and Dr. Saccomanno only agreed to being annexed if the city would densely zone these 151 acres. At that time the Grand Junction Planning Commission recommended keeping the development at one house per 5 acres. During a long meeting on May 3, 1995 that went on until 2 a.m. and after repeatedly voting to deny this density of zoning by a 4-3 vote, another vote came up and one city commissioner changed his mind, and the dense zoning was passed. The City Council made a mistake that early morning April of 1995 and now is the time to correct it. At the time, they stated the zoning issue could be revisited if the surrounding neighbors still thought this way when the area was going to be finally developed. That time has come, and I just hope the Community Development Committee will be consistent with the recommendation they made in 1995, which was 1 home per 5 acres. Hopefully, the current City Council members will see where the mistake was made in 1995 when they were under a lot of pressure and, I think, just weren't thinking clearly at 2 a.m.

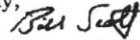
Leech Creek runs through the Weeminuche Estates Subdivision and is one of the very few areas in the city limits that is truly wild. Foxes, coyotes, pheasants, quail, rabbit, deer, great horned owl and even eagles not only enjoy this area, but it is their home. To have this within the city limits is a very special

Grand Junction Community
Development Department
February 22, 2007
Page 2

situation. The plans for the Weeminuche Estates Subdivision are to put town homes along the north side of the creek, creating dense housing in the midst of wildlife habitat. They plan to put two homes on the south side of the creek, but there is no access to this land without constructing a road at the base of the hill and through the wildlife habitat. Destroying this habitat would be tragic. It seems a better plan would be to encourage the wildlife by maintaining open space there with less dense zoning.

Dr. Saccomanno and his family are no longer involved in the 151 acre "Sacomanno Farm". Few individuals in the history of Grand Junction have done as many wonderful things for this community as Dr. Saccomanno. I really feel that at 2 a.m. in April of 1995 the City Council made a mistake in overturning the Planning Commission's earlier decision. With Dr. Saccomanno and his family members looking on, the City Council voted while under enormous fatigue and pressure. The Community Development Department is not under major pressure and fatigue, and I'm confident they will correct this earlier mistake and vote for a reasonable density of 1 home per 5 acres, consistent with the neighborhood. Thank you very much for your thoughtful consideration of this matter.

Sincerely,



William A. Scott, M.D.

823 26 Rd.

Grand Junction, CO 81506

970-241-0617

WAS:cjf

February 22, 2007

Ken Kovalchik
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RECEIVED
FEB 23 2007
COMMUNITY DEVELOPMENT
DEPT.

RE: PP-2007-003 Weeminuche Estates Subdivision
26 Road & H 3/4 Road

Dear Ken,

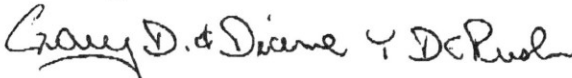
We are strongly opposed to the high density subdivision development that is being requested in the above reference. This does not in any way conform to the surrounding neighborhood which consists of 2 to 10 acre plus parcels.

We believe that when the zoning was approved 1995, it was zoned in error. City Council was pressured by Dr. Saccomanno and his clout with the City of Grand Junction to pass this at 2:00 a.m. after it was denied several times by a 4-3 vote. We wish to see the recommended development remain 1 house per 5 acres which would be consistent with the surrounding rural area.

There will be a huge safety issue on the roads that will be used for this subdivision, if the proposal is passed in high density. The roads are very hilly, without shoulders and dangerously narrow I-70 over passes. We have school age children and are very concerned about this.

Thank you for taking your time to read this letter and your consideration of this matter. This is not the right area for the high density that they are proposing.

Sincerely,



Gary D. & Diane Y. DeRush
824 26 Road
Grand Junction, CO 81506

Jean L. Gauley
827 26 Road
Grand Junction, CO 81506
rjgauley@bresnan.net
970-243-5612

Ken Kovalchik
Community Development Department
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

February 22, 2007

Dear Mr. Kovalchik,

RE: PP-2007-003-Weeminuche Estates Subdivision-26 Rd. & H ¼ Road

I have previously written to the city regarding the safety issues around this development. I can not imagine the impact of thousands of cars using 26 Road to come and go to do their daily business. Without an additional 300 + homes, it is already "an accident waiting to happen." Even one life is not worth the development of yet another subdivision.

My immediate concern is about the plans for the incredible growth in Grand Junction. Unless we adhere to the wisdom of policy set, which is that any development should conform to the density of the "neighborhood", we will have a very ill-planned community. Although we do not have a "neighborhood", we do have a plan that calls for one house per five acres. All (except for a miniscule part of Paradise Hills) of the surrounding properties adhere to this.

I have friends who live in Paradise Hills who have no idea of the plans for this development, even though the safety of their children is at risk (not to mention the inconvenience of bumper-to-bumper traffic on 26 and 26 ½ Road.)

When I inquired as to how this type of development could be allowed in this area, without adequate roads, schools, etc., I learned that it may have been an error in zoning, made in early morning (2-3 am) in 1995, and possibly a compromise to honor a civic leader (Dr. Saccamano.) There was little public input. We heard rumors of 300 homes in the development, and then it jumped to 360!! Again, no public input to that density.

I am not naïve, and understand about the growth in our community. I urge you to plan in a thoughtful manner. The proposed development is a quality project, however, **the density is far too great for the surrounding infrastructure and does not conform to the surrounding properties.**

I recommend that you adhere to the "Appleton Plan" of one house per five acres. There are buyers who are looking for properties that adhere to that policy, so the city and the developers can make plenty of money.

Respectfully,

Jean L. Gauley

RECEIVED
FEB 26 2007
COMMUNITY DEVELOPMENT
DEPT.

March 2, 2007

Ken Kovalchik
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

RECEIVED
MAR 05 2007
COMMUNITY DEVELOPMENT
DEPT.

Dear Mr. Kovalchik,

Re: PP-2007-003-Weeminuche Estates Subdivision - 26 1/2 Road & Summervale Way

As this project gets underway, we urge that you reconsider the density of the subdivision. 362 "Dwelling Units" certainly seem not to conform with neighboring properties.

Our property borders the proposed subdivision. Please consider the "neighborhood" as it now exists, and try to bring it into better conformity.

Sincerely,

Barbara Hartshorn
Barbara Hartshorn

Denzel F. Hartshorn
Denzel F. Hartshorn

818 26 Road
Grand Junction, Co 81506
243-9296

770 26 Road
Grand Junction, CO 81506
February 25, 2007

RECEIVED
MAR 05 2007
COMMUNITY DEVELOPMENT
DEPT.

Ken Kovalchik
Grand Junction Community Development Department
250 N. 5th Street
Grand Junction, CO 81501

GJ Community Development Department:

I object to the proposed Weeminuche Estates Subdivision at 26 ½ Road and Summervale Way; the existing zoning was erroneous when changed in 1995 because this density was not compatible with the neighborhood and would adversely impact capacity and safety of the street network. What was true in 1995 is true today. The proposed development is still incompatible with the neighborhood and will adversely affect capacity and safety of the street network.

The four-way stops - G and 26 Roads, G and 26 ½ Roads, and H and 26 ½ Roads – are currently insufficient to safely handle traffic. In addition, the stop signs with extremely limited sight distance at H and 26 Roads and G 1/2 and 26 Roads are hazardous. The narrow country roads have never had an adequate shoulder. Particularly the hills on 26 Road limit sight for those preparing to enter 26 Road from either driveways or roads. Two times in the 13 years we've lived here, vehicles have lost control and destroyed our mailbox and fence. Because of the country atmosphere in this area, people walk, bike, and ride horses along the roads. Many times I've had to jump to the barrow pit to avoid being hit by the vehicles on these heavily congested roads. Unfortunately, numerous places in this area have no barrow pit: the wash bridge at 26 and H; the wash bridge north of Kelly Drive to name two. To add vehicle traffic from 362 additional homes (approximately 3600 more vehicles a day) raises the risk factor to an unacceptable level.

I've attended all public hearings and meetings concerning the 1995 annexation and proposed development of this area. It was clear when the decisions were made that the city council was succumbing to intense pressure of a powerful community member (Dr. Saccomano) rather than listening to the recommendations by their own planning department and responding to the concerns of the many property owners in surrounding areas. Saccomanos threatened to withdraw from the annexation if their density requests were not met. The city council at this time justified their vote for succumbing to pressure for higher density on the advice of city attorney Dan Wilson who maintained that the controversy over the higher density could be addressed and the density changed at a future time when a development plan was submitted. The justification for the vote in effect admits that an error in zoning was being made in 1995.

In the twelve years since this annexation, the character of the neighborhood has not changed. In a property perimeter of about two miles, about 1/10 of a mile borders a higher density. This means that adjacent properties are 95% low density – 5 acre or larger properties – completely incompatible with the proposed development.

I urge the Community Development Department to correct the mistake made in 1995 by supporting a reasonable density of one home per five acres (RSFR) for this development. The safety of our neighborhood and the quality of our lives are at risk with the current proposal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Rucker Kamilee Rucker". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Ron and Kamilee Rucker

Sandy & Joe Ramunno
867 26 Road
Grand Junction, CO 81506
970-241-4024
sjramunno@yahoo.com

RECEIVED
MAR 07 2007
COMMUNITY DEVELOPMENT
DEPT.

Re: PP-2007-003-Weeminuche Estates Subdivision – 26½ and H¾

February 28, 2007

Ken Kovalchik, Senior Planner

Just in way of an introduction, we are located on the west side of the proposed development on 5.9 acres and have lived here almost 14 years.

Let us assure you up front that we are not objecting to a development as we certainly appreciate that it is not our land and thus we don't get to decide how it's used. However, the density that is being proposed is inconceivable to us and we truly cannot believe that it ever has gotten this far. We have known for well over a decade that a development was forthcoming as we were in attendance until the wee hours of the morning at both the planning department and the city council meetings in 1995. As I'm sure you are by now aware, the planning department rejected the proposal but the City Council, after many hours of debate, passed it by a one vote margin. There was and is no question in many people's minds that it was passed by a council wanting to appease an obviously very important and valued member of the GJ community, Dr. Geno Soccomanno, who said that he would not allow the annexation petition if the council did not approve his request for minimum density RSF-2.

The planners in their meeting stressed that new developments must conform to the existing zoning surrounding the property and you can see clearly that only a very small percentage of what surrounds this parcel is higher density. The vast majority of the land that abuts this property is acreage parcels and is required to be. The planners also discussed in the 1995 meeting that changes in density should be gradual. They said that there should be an easy transition from one zoning to the next. The planners did NOT agree with the Soccomanno reps that because what amounted to a tiny peninsula of Paradise Hills abuts this 150 acre that their proposal was conforming.

We walked away from the 1995 city planners meeting with such respect for the job that these people did and such an appreciation for the thankless task that they face over and over again. We really believed that existing property owners were afforded some real protection because of the job that they did. After the city council approved the requested zoning we were at a loss to figure out just how on earth the city could ever retain planners at all. All of the hours they spent and the expertise that they presumably brought was all for naught in this case anyway. We hope it is different 12 years later.

We maintain that there is nothing gradual about crossing a road or a fence to over 10x the density. If you will look at the south side of the proposed development you will see that there are proposed 9 units per acre along this border. The developer's representatives said that these would likely be duplexes. Irregardless of the fact that overall the density of this 150 acres would be .41 acre lots, the notion that there would be duplexes allowed adjacent to 5 acre minimum lots is, in our thinking, outrageous. This amounts to a 45x density jump over the fence line and while we know that it is the overall density that counts, feel that this is still

quite notable. (we're very thankful to be on the favored west side of this proposal!) There is nothing conforming about this whatsoever and certainly it is no easy transition.

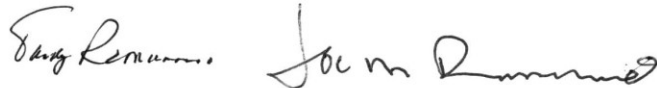
We have recently been informed that this land has already been rezoned to Planned Development. If this is in fact true - when did this happen? We never received any notice re: this and have thought since 1995 that at the maximum there could be approximately 260 homes built here. (at the City Council meeting the Soccomannos suggested that they might build a park or a golf course or even a school might go in on the property, and so the density would have been even less). Now the current owners are asking for approval for a 362 unit subdivision which is a 39% increase in what we thought would be the maximum lots allowed in what, we think, was already a questionable decision made by the Council and rejected by the then planners. Again – **when and how did the zoning get changed from RSF-2 to PD??**

We hope you will have the time to take a look at the history of this parcel dating back to the 1995 meetings. This is a very large parcel of land and the decisions made regarding it will obviously dramatically effect all of us around it and all those who are south of it in the form of hugely increased traffic. Because of the sheer size of this property the importance of the decisions regarding it are magnified. As we stated earlier, we are well aware that it will be developed and appreciate that if it were our land we would want to develop it also. But we are asking for reasonableness. We don't believe that any developers should be allowed to make the absolute maximum profit at the very real expense of existing property owners. All of us count on our city officials to afford us at least reasonable protection for what for most of us is our biggest asset.

A quick note – just to illustrate the ridiculousness of the arguments that took place at the 1995 city council meeting, but obviously worked - Carol Murphy, one of the daughters of Dr. Geno Soccomanno, in arguing for their zoning request, stated that everyone deserved to be able to live in the country. While we couldn't agree with her more - note the hypocrisy in her statement!

Thank you so much for the time you've taken to read this – we appreciate it.

Sincerely,

Handwritten signatures of Sandy and Joe Ramunno. The signature on the left is 'Sandy Ramunno' and the signature on the right is 'Joe Ramunno'.

Sandy and Joe Ramunno

3-7-07
G. Jct., CO

Grand Jet City Planning Commission
250 N. 5TH ST.
Grand Jet, CO 81501

RECEIVED
MAR 08 2007
COMMUNITY DEVELOPMENT
DEPT.

ATTN: MR. KEN KOVALCHIK

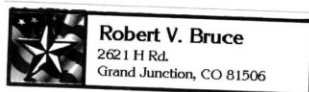
REF: PP 2007-003 Weeminuche Estates
Subdivision @ 26 + 1/4 RD.

My wife, Bev, and I want to protest
the P.D. Zoning for the above proposed
subdivision PP 2007-003 (PARKERSONS)

The character of our neighborhood is
2-5 acres per single family, not a
P.D. with 350 or more units on 151
acres. We request RSFR zoning, 1
home per 5 acres on this land.

We live NEARBY ON 4 ACRES AT
2621 H. RD.

Thanks.



Robert V. Bruce
2621 H. Rd
Grand Jet, CO 81506

March 19, 2007

Mr. Ken Kovalchik
City of Grand Junction
Community Development Department
250 North 5th St.
Grand Junction, CO 81501

RECEIVED
MAR 23 2007
COMMUNITY DEVELOPMENT
DEPT.

Re: PP-2007-003 Weeminuche Estates Subdivision

Dear Mr. Kovalchik:

As owner of property located at 823 26½ Rd., I am writing in opposition to the density of the proposed Weeminuche Estates Subdivision at 26½ Rd. and Summervale Way. The proposed development of 362 dwelling units on 151.3 acres is highly inconsistent with the surrounding properties, which primarily are on at least 2 – 10 acres. Of all the surrounding properties, there is only one area that would be considered high density. This is a small section in the Paradise Hills area along 26½ Rd. I am requesting that the zoning for Weeminuche Estates be RSF-R, as originally recommended by the Planning Commission on 3/28/95.

On 5/03/95 the Planning Commission's recommendation was overturned by the City Council due to extreme pressure by the Sacammono family. Since that meeting on 5/03/95, much of the property surrounding the Weeminuche Subdivision has been developed at a lesser density than what is being proposed, thus the Weeminuche Estates zoning does not seem to be compatible with the neighborhood.

The proposal of townhomes along the north side of Leech Creek and 2 homes on the South side of Leech Creek is particularly disturbing due to the number of wildlife found there. Disrupting, and potentially destroying, this habitat by building access roads and dwellings nearby would surely have a devastating effect on the wildlife found there. Keeping this area open and encouraging the continued proliferation of wildlife along the creek would prove to be a great benefit to the future residents of the development as well as the city of Grand Junction.

I realize that increased traffic is a concern wherever new development is made. However, it is of extreme importance in this case since 26 and 26½ Roads are particularly hilly and narrow. The existence of 2-lane overpasses on both roads causes even more concern and presents excessive risk to automobiles, pedestrians, and bicyclists.

Hopefully, the Community Development Department will seriously consider these concerns and reach a decision that will benefit rather than detract from the beauty and rural atmosphere of this area of north Grand Junction.

Sincerely,



Carol B. Scott
823 26 Rd.
Grand Junction, CO 81506

RECEIVED

AUG 21 2007

COMMUNITY DEVELOPMENT
DEPT.

August 20, 2007

Ken Kovalchik
Community Development
250 N 5th St
Grand Junction, CO 81501

Re: Weeminuche Estates

Mr Kovalchik,

I am writing you to ask for a detailed review of the Weeminuche Estates which is scheduled to be presented to the planning commission on August 28, 2007. As a long time resident of Paradise Hills, which borders the site, I am adamantly opposed to this very high density subdivision.


Not only does this type of high density housing not conform with the surrounding neighborhood (10 times more density), the impact to the infrastructure of the area will be severe.

The roads and bridges in this rural area are narrow and without shoulders or sidewalks for bikers and pedestrians. With the increase of traffic, the safety factor of the citizens will be compromised. Already we struggle with the increased traffic demands on the area. The huge increase in population would make traffic come to a standstill at central intersections. Also of concern is the area schools ability to handle such a large increase in population. The elementary schools: Appleton, Tope, and Pomona are all near or at capacity. The middle schools: East and West are full as well. Grand Junction High School is unable to handle such a large increase of students.

Environmentally, we have Leech Creek running through the area, which is a protected waterway that provides space for deer, coyotes, foxes, redtail hawks, and skunks. These animals are quickly losing their habitat north of town. Where can they go? An impact statement from the Colorado DOW is prudent to prevent the demise of this rapidly disappearing animal population.

Please understand, we are fully aware that we can't stop a subdivision from being built in this area. All we are asking for is for the City of Grand Junction to look to the future of growth in our city. Use this subdivision as a model for maintaining a favorable life style and environment of our community, one which we all value and feel blessed to live in. Let's not let greed be the deciding factor for growth. It's time to take the right stand! Thanking you in advance for you time.

Sincerely,


Rene' Landry
836 Catalina Ct
Grand Junction, CO 81506

826 26 $\frac{1}{2}$ Road
Grand Junction, CO 81506
August 20, 2007

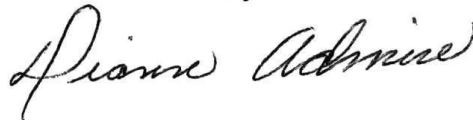
Grand Junction Planning Commission
250 North 5th Street
Grand Junction, Co 81501

Re: Weeminuche Estates Subdivision 26 Rd. & H 3/4 Road

In regard to the above Weeminuche Estates Subdivision proposal of 362 houses on 151 acres, I would ask the Planning Commission to keep the zoning as it was decided upon in 1995 or one house per five acres and not to exceed one house per two acres. This is in keeping with the homes that are there today.

Too many areas in Grand Junction have become high density housing and a lot of areas have been ruined by it. The proposed subdivision is in a beautiful area, keep it that way. We have higher density subdivisions east of 26 $\frac{1}{2}$ Road and North of H 3/4 road. Another subdivision is in the progress of being developed at the present time. All of this has made traffic on 26 $\frac{1}{2}$ Road extremely heavy from 4 A.M. to 7:30 P.M. daily. According to city records 26 $\frac{1}{2}$ Road is already experiencing over 155 cars per hour.

Sincerely,



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AUG 21 2007

COMMUNITY DEVELOPMENT
DEPT.

RECEIVED

AUG 20 2007

COMMUNITY DEVELOPMENT
DEPT.

August 19, 2007

Dear Grand Junction City Council,

As a current resident of Grand Junction I have the following concerns about the proposed WEEMINUCHE ESTATES area being brought forth to the City Council. The density of the proposed WEEMINUCHE ESTATES development not in congruency with the entire surrounding area. The proposed cluster type development is not used anywhere within miles of the proposed WEEMINUCHE ESTATES area. Grand Junction should be setting the model for the future of what we want the city to look like and what the residents want in quality of life. High density housing is not a quality style of life in my mind or of all my neighbors that I live and interact with.

Increased traffic on 26 & 26 ½ Roads will add to overuse during peak traffic hours, already a problem during certain time of the day. 26 ½ Road and 26 Road will need major improvements to handle the additional thousands of trips down those roads for the planned higher density area being requested for approval.

The safety of rural walkers, bike riders and the school children coming and going to Holy Family school would bear the brunt of the high density plan because of the cluster type building being all done along the 26 ½ Road side. Similar to the Pear Park area this area does not have sidewalks or even bike lanes on 26 or 26 ½ Roads.

Name of area proposed WEEMINUCHE ESTATES could be offensive to local Ute Indian residents, maybe a different name would be more appropriate.

The wildlife currently using the Leach Creek area I do not think have been planned for, the DOW should be part of the plan to allow for the deer, red fox, raccoons, skunks, red tail hawks, great horned owls, coyotes and other native wildlife that live and migrate through the proposed WEEMINUCHE ESTATES area to be densely populated.

Finally the Leach Creek has flooded numerous times in the recent past, if the Leach Creek is the plan for handling the runoff created by the proposed WEEMINUCHE ESTATES area, it should be studied by the Corp. of Engineers regardless of what type of housing density will be built even if only one house per acre.

I feel that the proposed WEEMINUCHE ESTATES area would better fit the area between H & H ¾ Roads and 26 & 26 ½ Roads if the density was 1 house per every 5 acres. That is the model I think the city should require for the proposed area.

Jay and Kathleen Jefferson
2599 H Road
Grand Junction, CO 81505
242-7214

August 19, 2007

RECEIVED
AUG 20 2007
COMMUNITY DEVELOPMENT
DEPT.

Dear Grand Junction City Council,

As a current resident of Grand Junction I have the following concerns about the proposed WEEMINUCHE ESTATES area being brought forth to the City Council. The density of the proposed WEEMINUCHE ESTATES development not in congruency with the entire surrounding area. The proposed cluster type development is not used anywhere within miles of the proposed WEEMINUCHE ESTATES area. Grand Junction should be setting the model for the future of what we want the city to look like and what the residents want in quality of life. High density housing is not a quality style of life in my mind or of all my neighbors that I live and interact with.

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Finally the Leach Creek has flooded numerous times in the recent past, if the Leach Creek is the plan for handling the runoff created by the proposed WEEMINUCHE ESTATES area, it should be studied by the Corp. of Engineers regardless of what type of housing density will be built even if only one house per acre.

I feel that the proposed WEEMINUCHE ESTATES area would better fit the area between H & H ¼ Roads and 26 & 26 ½ Roads if the density was 1 house per every 5 acres. That is the model I think the city should require for the proposed area.

Bob Ma Jude Perck
2667 Catalina Dr
Grand Jct. Co. 81506
942-6482

John & June Colosimo
2618 H Road
Grand Junction, Co 81506

RECEIVED

AUG 20 2007

COMMUNITY DEVELOPMENT
DEPT.

August 20, 2007

City of Grand Jct.
Mesa County Planning and Development
750 Main Street 250 N. 5th St
Grand Junction, Co 81501

RE: Weeminuche Estates Subdivision
26 Road and H $\frac{3}{4}$ Road

First, I would like to know why we never receive the Planning notices in our area. We learn from the neighborhood. We have an investment here and should be advised. Thank you for you attention to this matter.

Second: We oppose the density of the proposed subdivision; it is not compatible with the area. We have a horse and pasture on our property. I cannot imagine a sea of homes behind us. It simply does not fit; return the density that was established in 1995 and you will have a beautiful rural situation that would be a compliment to the community.

Third: What about safety on the roads. Where will the schools be to accommodate the children? Children need space and the exposure to the natural habitat in this lovely area. John is a native to Grand Junction and I have lived here most of my life, we love living on our property and would be happy to continue with the same density that has been here for years.

Sincerely,



John and June Colosimo



RECEIVED

AUG 16 2007

COMMUNITY DEVELOPMENT
DEPT.

14 Aug 05
Ken Kovalchik
Community Development Planner
250 N 5th Street
Grand Junction CO 81501

Subj: PP-2007-003 Weeminuche Subdivision 26 ½ Road & Summervale Way

This letter is in opposition to the proposed density in the subject subdivision. It appears that the largest lot size is approximately 1/3 acre, which is in no way conforming to the adjacent lot sizes. I would prefer to see the land remain in agricultural use through a conservation easement, but I fear we are too far down the wrong road. At a minimum, I would recommend at least two acre lots on the north and west sides of the development, then increasing in density toward the southeast corner as it is currently planned..

Sincerely,



Hamilton Mac Gregor
837 26 Road
Grand Junction CO 81506

JOSEPH E. BREMAN

**2611 Vista Way
Grand Junction, CO 81506
970-255-0788
Fax-255-0790**

August 20, 2007

Ken Kovalchik, City Development
City of Grand Junction
250 Main St
Grand Junction, CO 81501

RECEIVED

AUG 21 2007

COMMUNITY DEVELOPMENT
DEPT.

Re: Weeminuche Estates Subdivion

Dear Mr. Kovalchik:

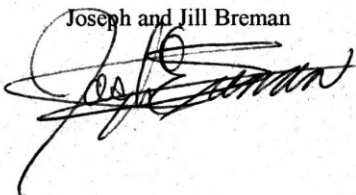
I/we am/are registering strong opposition to the development plan of the Weeminuche Estates Subdivision as currently proposed. The basis for this opposition is:

1. It certainly does not conform – in any way – to the surrounding neighborhood. Nothing in this area of Grand Junction has the density that this project proposes.
2. The substantial negative impact on traffic, infrastructure, roadways, neighborhood schools, wildlife and the related public safety factors is enormous. Will the loss of one life warrant the out-of-place density of this proposed development?
3. The feeder roads such as 26 Rd and 26 ½ Rd have many blind spots, the bridges over I-70 are narrow and the added burden on the intersection of Patterson and 1st St – in light of the development at that intersection – will make passage into town very difficult.
4. The proposed density, if the concept is to develop “affordable housing” is misplaced as there are no services of any kind within walking distance.
5. According to my understanding of what is in the 1995 minutes of your committee, Dr. Saccamanno, the prior owner of the parcel, envisioned a nine-hole golf course – he got it right.

I urge you to look very closely at what is being proposed and to recommend its rejection in its current form. This proposed development will forever negatively impact what City Fathers always talk about in public – the integrity and the personality of this community – our lifestyle – our quality of life – our interface with nature and one another – this is what makes Grand Junction special and entices people to not only move here but to remain here. This is what makes Community – with a “capital” C. This proposal is a horrific insult to what is realistic and appropriate.

Thank you,

Joseph and Jill Breman



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AUG 22 2007

COMMUNITY DEVELOPMENT
DEPT.

August 20, 2007

Dear Mr. Kovalchik,

As a concerned neighbor of the Weminuche Estates Subdivision I would like the city to take a good look and reevaluated the number of homes being built. 26 Rd, 1 Rd H $\frac{3}{4}$ Road and H Road already are hazardous due to lack of any real shoulder's and bike riders. The increase of an additional 362 homes will increase the danger and the existing roads would have a hard time handling the increased volume of traffic.

I also believe the existing neighbors should be taken into consideration. The homes surrounding the proposed Subdivision are all on acreage. It would be a very negative impact on all of us to have such a densely built subdivision at the proposed location.



Penelope Alexander, 923 Vista Ct Grd Jct 81506

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+- acre parcel of land bounded by 26 Road, 26 1/2 Road and approximately H 3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF 2 (density of 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

RECEIVED
AUG 21 2007

(Print) Name/Signature Date Address

(Print) Name/Signature	Date	Address
Carol B. Scott / Carol B. Scott	3/6/07	823 26 1/2 Rd
Gynthia S L Kempers / Gynthia Kempers		819 26 1/2 Rd
Robert D. Somers		807 26 1/2 Rd
Carolyn Ann Adams (AROLYN ANN ADMIRE)	3/31/07	826 26 1/2 Rd.
Jenna R Kempers (Glenn Kempers)		819 26 1/2 Rd
Joseph E. Adams	4/14/07	826 26 1/2 B. Glenn St.
Steve Trojillo / Steve Trojillo		2674 Riverwood Ct 4/14
Steve Trojillo / Steve Trojillo		2667 Amber Spring Way, 4-14-07
Steve Lee		2669 Riverwood Ct. 4/14/07
M. B. Adams		2673 Riverwood Ct 4/14/07
Colleen Corbett / Colleen Corbett		830 Bermuda Ct 4-14-07
Jim Heaps / Jim Heaps		4-14-07 834 Bermuda Ct
Sarah Heaps / Sarah Heaps		834 Bermuda Ct. 4-14-07
Diana Di Guglielmo / DIANA DIGUGLIELMO		835 BERMUDA CT 4-14-07
Larry Di Guglielmo / LARRY DIGUGLIELMO		835 BERMUDA CT 4-14-07
Paul Wharton / PAUL WHARTON		4-14-07 2657 Catalina Dr 81506
Lorraine Wharton / Lorraine Wharton		4/14/07 2657 Catalina Dr 81506
Clew McClelland / CLEW McCLELLAND		838 26 1/2 Rd 81506 4/14/07
John C Colosimo / John C Colosimo		2618 H. Rd. 81506 4/14/07
June C Colosimo / JUNE C COLOSIMO		2618 H Rd 81506 4/15/07
ELAINE M. ROBINSON - Elaine M. Robinson		2648 H RD. 81506 - 4-15/07
GORDON C. ROBINSON - Gordon C. Robinson		2648 H RD. 81506 - 4-15-07
Peggy Andrus / Andrus		2644 H Rd 81506 4-15-07
Donna LaCount / Donna LaCount		2656 Paradise Dr. 81506 4-15-07
Richard C. Meilinger / Richard C. Meilinger		831 BERMUDA CT. 4-16-07
Debbie K. Meilinger / Debbie K. Meilinger		831 Bermuda Ct. 4-16-07

CRIS
ER 4.550

PETITION TO DECREASE DENSITY ZONING OF WEEMINUICHE ESTATES SUBDIVISION

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(Print) Name/Signature	Date	Address
Donnamarie, Annamand	3/7/07	2616 H ^{3/4} R.T. 81506
JoAnn Seale, JoAnn Seale	3/7/07	731 Galaxy Ct, GJ CO 81506
JOYCE FELICIANO Joyce Feliciano	3/9/07	882 26 Road G.J. 81506
JOHN FELICIANO JOHN FELICIANO	3/9/07	882-26 ROAD G.J. 81506
MARYANN BONTEMPO Maryann Bontempo	3/9/07	881 26 Rd. 81506
Sandy Gardner, Sandy Gardner	3/9/07	2612 H ^{3/4} 65 81506
Mark Gardner, Mark Gardner	3/9/07	2612 H ^{3/4} Rd GJ 81506
Earlene Hickman, Earlene Hickman	3/9/07	2624 H ^{3/4} Rd H.G. 81506
Don Hickman	3/9/07	2624 H ^{3/4} Rd GJ 81506
Heather Heinbaugh	3/10/07	722 Ash Dr 804
Olivia Anson, Olivia Anson	3/10/07	436 35th Polaris, Co 81506
Ronald W Hall, Ronald W Hall	03/10/07	730 Chipete
CHERYL GUERRIE, Cheryl Guerrie	3.10.07	571 Norma Jean Ct.
Sheri Covey, Sheri Covey	3.10.07	1248 Oway Ave GJ.
Barbara D Plsek, Barbara D Plsek	3/12/07	872 26 1/2 Road
Rick Plsek	3-12-07	872 26 1/2 RD # B
CAROL WELCH, Carol Welch	3-13-07	300 Main St Ste 301 GJ 81502
MARIASERAFINO, Mariaserafino	3/17/07	236 GUNNISON C. SET 81501
HAROLD FENSTER, Harold Fenster	3/20/07	2630 H ^{3/4} Road, G.J., Co 81506
MICHAEL CLAFFERTY, Michael Clafferty	3/20/07	2636 H ^{3/4} Road, G.J., Co 81506
Kay West, Kay West	3/20/07	2627 H ^{3/4} Rd GJ Co 81506
William A. Pitts, William A. Pitts	7-17-07	2626 H Rd GJ CO 81506
Betty Ray Pitts, Betty Ray Pitts	7-17-07	2626 H Rd GJ Co 81506

RECEIVED

AUG 21 2007

COMMUNITY DEVELOPMENT
DEPT.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+- acre parcel of land bounded by 26 Road, 26 1/2 Road and approximately H 3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

RECEIVED

AUG 21 2007

(Print) Name/Signature	Date	Address
William Scott <i>W. Scott</i>	3/2/07	823 26 Road
Richard A Gauly <i>R.A. Gauly</i>	3/18/07	827 26 Road
Joe Ramunno <i>Joe M. Ramunno</i>	3/18/07	867 26 Road
Sandy Ramunno <i>Sandy Ramunno</i>	3/18/07	867 26 Road
Willis B. McArthur	3-18-07	877-26 Rd.
Jean L. Gaulen <i>Jan L. Gaulen</i>	3-18-07	827 26 Rd.
Hamilton MacGregor <i>Hamilton MacGregor</i>	18 APR 07	837 26 Rd
Jerry Smith <i>Jerry Smith</i>	3-18-	2589 H ³ / ₄ RD
RAYMOND PETERSEN <i>Raymond Petersen</i>	3-18-07	875 26 Rd
LINDA MIMS <i>Linda Mims</i>	3-18-07	847 26 Rd
Rich Mims <i>Rich Mims</i>	3-18-07	847 26 Rd
Sherry Brandon <i>Sherry Brandon</i>	3/18/07	833 26 Rd.
Dale Brandon <i>Dale Brandon</i>	3/18/07	833 26 Rd.
ROGER SOLLENBARGER <i>Roger Sollenbarger</i>	3/19/07	835 26 RD.
SHARON SOLLENBARGER <i>Sharon Sollenbarger</i>	3/19/07	835 26 RD
Tom Padilla <i>Tom Padilla</i>	3/19/07	871 26 RD
Jay Jefferson <i>Jay Jefferson</i>	3/31/07	242-7214 2599 H.Rd.
Barbara Waterman <i>BARBARA WATERMAN</i>	3/31/07	809- 26 Rd.
Diane Y. DeKush <i>Diane Y. DeKush</i>	4-1-07	824 26 Rd.
Cecily D. DeRush	4/1/07	824 26 Rd.
Lori G. Cornelison	4/7/07	2596 H RD
m. a. Cornelison jr.	4-7-07	2596 H. RD.
Don Tom	4/7/07	2585 H RD
Jim Kearns <i>Jim KEARNS</i>	4/7/07	806 26 Rd.
BARBARA HARTSHORN <i>Barbara Hartshorn</i>	4-07-07	818 26 ROAD
DENZEL F. HARTSHORN <i>Denzel F. Hartshorn</i>	" "	" "

COMPLAINT DEVELOPMENT DEPT.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

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RECEIVED

AUG 21 2007

(Print) Name/Signature	Date	Address	COMMUNITY DEVELOPMENT DEPT.
Wayne A. Clark	4/27/07	2642 H Rd	G.J 81506
Jane T. Clark	7/27/07	2642 H Rd.	G.J. 81506
Judie Peach	05/03/2007	2667 Catalina Dr	GJ 81506
Leslie M. Boyd	5/4/07	835 Catalina Ct.	GJ 81506
JONIA MASSE	05/21/07	833 Catalina Ct.	GJ 81506
Pamela Hjortest	5-21-07	835 Catalina Ct	81506
Paul Boyd	6-5-07	835 Catalina Ct.	81506
Rene' Landry	06-09-07	836 Catalina Ct.	GJ 81506
Robert D Peach	6/9/07	2667 Catalina Dr.	GJ 81506
Chris May	6/9/07	834 Catalina Ct.	81506
Marilyn Little	6/9/07	2661 Catalina Dr.	81506
Thomas S. Hansen	6/9/07	2666 Catalina Dr.	81506
Shelly J. Hansen	6/9/07	2666 Catalina Dr.	GJ 81506
Tom Scoble	6/9/07	833 CATALINA CT	GJ 81506
Douglas B. May	6/9/07	834 Catalina Ct.	GJ 81506
Rodney A. Martinez	8/19/07	2662 - Catalina	81506
Susan E. Martinez	8/19/07	2662 Catalina Dr	81506
JOHN FELICIANO	8/19/07	882-26 ROAD	81506
Marilyn Smith	8/19/07	2589 H 3/4 RD	81505
Jerry D. Smith	8/19/07	2589 H 3/4 RD	81505
Ron Rouse	8/19/07	879 26 RD	81506
Mae McArthur	8-19-07	877-26 Rd.	81506
William L. Nesbitt	8-19-07	2616 H Rd.	81506
Sandra L. Nesbitt	8-19-07	2616 H Rd.	81506

RECEIVED

AUG 21 2007

COMMUNITY DEVELOPMENT DEPT.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

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(Print) Name/Signature	Date	Address
Kirsten R Rucker <i>Kirsten R Rucker</i>	8/19/07	770 26 Road
Maureen A. Gutierrez <i>Maureen A. Gutierrez</i>	8-19-07	920 Vista Ct
Joseph E. Brennan <i>Joseph E. Brennan</i>	8-19-07	2611 Vista Way
Richard G. Warren <i>Richard G. Warren</i>	19 August 2007	2622 H Rd.
Lise MacGregor <i>Lise MacGregor</i>	8-18-07	837 26 Road
Kamilee L. Rucker <i>Kamilee L. Rucker</i>	8/18/07	770 26 Rd.
Ron L. Rucker <i>Ron Rucker</i>	8/18/07	770 26 Rd.
Cherlyn A. Crawford <i>Cherlyn A. Crawford</i>	8/19/07	2551 Mayfair Dr.
Deborah B. Hoffman <i>Deborah B. Hoffman</i>	8/20/07	2044 N. 20th St.

RECEIVED
AUG 21 2007
COMMUNITY DEVELOPMENT
DEPT.

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(Print) Name/Signature	Date	Address
Carlee Colosimo / <i>Carlee Colosimo</i>	8/20/07	125 Franklin St. Apt. 212 GJ, CO 81505
Emilee Chick / <i>Emilee Chick</i>	8-21-07	2221 W 21 st St GJ 81501
Connie Aguilar / <i>Connie Aguilar</i>	8/21/07	1151 Breunig Dr. Plata 815
Bonnie Davison / <i>Bonnie Davison</i>	8/21/07	PO Box 2211 GJ, CO 81502
Sharol Hernandez / <i>Sharol Hernandez</i>	8/21/07	2825 Hawthorne Ave GJ CO 81506
John Brink / <i>John Brink</i>	8/21/07	894 Outlook Court GJ 81506
Janet Brink / <i>Janet Brink</i>	8/21/07	894 Outlook Cr GJ 81506

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AUG 21 2007

COMMUNITY DEVELOPMENT
DEPT.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+- acre parcel of land bounded by 26 Road, 26½ Road, and approximately H3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

Printed Name	Signature	Date	Address
Thelma A Blekeberg	Thelma A Blekeberg	8/20/07	Fruita
TERESA BACA	Teresa Baca	8/20/07	749 Spruce - Whitewater
Miriam Leifer	Miriam Leifer	8/20/07	900 Backstreet GJ
Felicia Montoya	Felicia Montoya	8/20/07	3276 Red oak ct. - Clifton
TERESA RUIZ	Teresa Ruiz	8/20-07	476 Forbelle st Clifton
Jillian Miller	Jillian Miller	8-20-07	512B Amy's Way GJ 81504
Nanci Ann Quintana	Nanci Ann Quintana	8-20-07	106 Santa Fe Dr. GJ 81501
Alice M. Miller	Alice M. Miller	8/20/07	2541 Mesa Ave. GJ 81501
Gary Kasnowski	Gary Kasnowski	8/20/07	1811 N. 4th St GJ 81501
Tammy Espinoza	Tammy Espinoza	8/20/07	1411 Kennedy Ave GJ 81501
Kristy Westman	Kristy Westman	8/20/07	555 28 1/2 Rd. # GJ 81501
Erin M. Hegerle	Erin Hegerle	8/20/07	1441 Patterson Rd. #603 GJ 81506
Cathie Nicholson	Cathie Nicholson	8/20/07	619 Anapalae Way, GJ 81506
Rue Nelson	Rue Nelson	08-20-07	1601 Grand Ave, GJ 81501
Cynthia Rhodes	Cynthia P. Rhodes	8/20/07	3026 Northridge, GJ 81506
KENT KOLL	Kent B. Koll	8/20/07	2667 CARIBBEAN DR
Kathie Talkington	Kathie Talkington	8/20/07	3994 Kia Dr. GJ 81501
Deb Tittle	Deb Tittle	8-20-07	2703 Sel Mar Dr. 81506
Kristy Watkins	Kristy Watkins	8/20/07	320 S. Red lands Rd GJ 81506
Julie LeBaron	Julie LeBaron	8/20/07	1375 O Road Coma, CO 81524

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+- acre parcel of land bounded by 26 Road, 26½ Road, and approximately H3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

Printed Name	Signature	Date	Address
MURRAY E. KAY	Murray E Kay	8-21-07	265 Hwy
MARIE E KAY	MARIE E KAY	8-21-07	265 Hwy
F. FUGATE TICE	Fugate Tice	8/21/07	777 26 RD
Nancy J. Spangler	Nancy J. Spangler	8-21-07	450 Athens Way ⁸¹⁵⁰³
CAROLE DEWOLFE	Carole DeWolfe	8-21-07	(296-26 Rd)
JAMES LINDEWALD	James Lindewald	8-21-07	2699 MALIBU DR.

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AUG 21 2007

COMMUNITY DEVELOPMENT
DEPT.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUICHE ESTATES SUBDIVISION

- We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+- acre parcel of land bounded by 26 Road, 26 1/2 Road and approximately H 3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

(Print) Name/Signature	Date	Address
Penelope Alexander	8-20-07	923 Vista Ct 81506
Chilton Alexander	8-20-07	923 Vista Ct 81506

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AUG 22 2007

COMMUNITY DEVELOPMENT
DEPT.

9/16/07 Barbara Conkle Barbara Conkle 828 Bermuda Ct A.J., CO 8.
1/22/07 Richard Conkle Richard W Conkle 828 Bermuda Ct Grand Jet, CO 812

Michael E. McFate
915 26 Road
Grand Junction, CO 81506

August 27, 2007

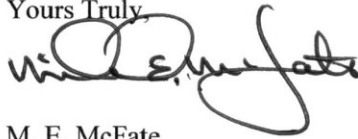
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SEP 04 2007
COMMUNITY DEVELOPMENT
DEPT.

Ken Kovalchik
Community Planning and Development
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Dear Mr. Kovalchik:

I am very concerned with the proposed Weeminuche Estate Subdivision density zoning. Growth is inevitable, but this proposal underscores the definition of country living. The increase in traffic would severely impact the already burdened streets, roads and bridges necessary to safely travel to town. I believe 1 residence per 5 acres is sufficient to safely allow growth.

Yours Truly,



M. E. McFate

Oma Jean Gorman
924 26 Road
Grand Junction, CO 81506

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AUG 28 2007

COMMUNITY DEVELOPMENT
DEPT.

August 23, 2007

Ken Kovalchik
Community Planning and Development
City of Grand Junction
250 N 5th Street
Grand Junction, CO 81502

Dear Mr. Kovalchik;

North Central Valley (Appleton) Neighborhood Plan

Borders North: BLM land
 South: I-70
 East: 26-1/2 Road/H.75
 West: Persego Wash

On July 30, 1997 and for a period of time there after, the concerned citizens of the "North" area were informed that the County Commissioner and Planning Department were going to change the 5 acres minimum size requirement and change it to 2 acres minimum. Over all oppositions, paying a high-priced arbitrator from Denver to come over and appease us, and meetings with the concerned residents of the area you went ahead and did the 2 acre bit.

Now you are once again changing the 'plan'. You want to allow a developer to develop the South boundary of the plan with high density housing. ***I don't see how you can do this or how the County Commissioners can approve of this since it is in the South boundary of the North Central Valley plan.***

One of the reasons given is that you need to offer more affordable housing to residents of Grand Junction. ***My response to this is why you are down grading the North area?*** There's Clifton for all of the 'affordable' housing needs. Or there are areas north of "G" road. You apparently do not live in this area and want to see this area become so much like other areas of the city where high price homes are next door to homes of low value. What Planning is THIS?

It's like paying millions of dollars to beautify the down town area.. oh wait you forced some businesses out of business because the business didn't FIT with the

new image of downtown.... Now you are trying to great a large area of 'down' with the upper Ups.

When the North Central Valley Plan was being revised the Fire Department and the Sheriff's depart came out and said that denser development within this area could not be supported with the current man power and equipment. It was also reported with the roads and traffic could not support the additional density.

So with your 'proposed' plan, how much of the price of these new homes is going to be donated to the local schools, the road department, a new fire department, and the law enforcement of our area.

I have never felt that the greed of some should out-weigh the lasting benefit of the environment, the people residing in the area, the maxing out of traffic with bicycles, joggers, and vehicles sharing the roads of a 'rural area' and not an area of a subdivision. If you don't know what I mean just look at "G" road and what a mess it is. The lack of planning on "G" with the subdivisions going in and no thought or plan for the schools, roads, and emergency access and personnel does not show a good example of the City's Planning for high-density housing in rural areas.

To me this is just another example of the 'dummy' down example of the 'planning' of the City of Grand Junction and Mesa County. To even entertain the offer of is an indication of no planning and future thinking. It becomes a truly political process to add to the greed of the City and County... greed in the way of more property taxes, the showing of favoritism to a planner/developer, and the modifying of a "PLAN" that must not have any meaning for a few "good ol boys".

Sincerely,



Oma Jean Gorman

PS. My husband, Clinton P. Gorman, is in agreement, but is currently out of country.

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AUG 28 2007
COMMUNITY DEVELOPMENT
DEPT.

From: "cherlyn crawford" <billcherieanne@bresnan.net>
To: <KenK@gjcity.org>
Date: 9/23/2007 5:50 PM
Subject: NO to Weeminuche estates
Attachments: planning weeminuche.doc

Mr. Kovalchik,

Attached you will find a letter to the planning commission asking for the commission to refuse the Weeminuche estates planned for the area east of 26 Rd., west of 26 1/2 Rd. and south of H 3/4 Rd.

In addition to the points I make in the letter, I would like to appeal to you and other members of the city planning department to investigate the addition of "Special Character Areas" to your city plan. I suggest you connect with members of the Jefferson County Colorado Planning Department to discuss how they developed the criteria for Special Character areas. It appears that we do not have that in the GJ criteria. I happened to be living in Jefferson County when the definition was refined about 5 years ago. I participated in a community forum developing the last 20 year plan there.

If we continue to slice up and intrude on acreage parcels, we will have none left - sad to think of standing on Grand Mesa at Lands End Overlook and seeing rooftops throughout the central valley. I ask you to not only recommend against the Weeminuche Estates, but go a step further to suggest a moratorium on further development north of I-70 from 25 Road to 26 1/2 Rd, north to the Highline Canal to allow time for seriously looking at ways to preserve a buffer zone of less density between the Horizon Drive to 26 1/2 Rd. density and the development happening around 24 Road. PLEASE! Let's step back and look at the bigger picture.

In addition, regardless of the outcome of a moratorium on development, that would allow time for the City Council to decide on any impact fee increases being proposed. (I refer to an article in the Free Press Friday 9/21/07).

The developer has a huge incentive to try to push this project through before any fee increases. As a Grand Valley native blessed with the privilege of returning after several years living on the Front Range, I strongly believe we have an obligation to the community to slow down and think long and hard about where we are expanding and how. We also need the road expansion and utility needs of any development in the north area to be carried by the developers and not by those who don't live in that area.

Thank you for your time,
Cherlyn Crawford

Cherlyn Crawford
2551 Mayfair Drive
Grand Junction, CO 81501
(970) 241-1900

Planning Commission
Re. Weeminuche Estates 26 & H $\frac{3}{4}$ Road
9/23/07

I regret I am unable to personally speak to the commission due to surgery scheduled for 9/25/07. I still wanted to have input regarding the proposed Weeminuche Estates between 26 & 26 $\frac{1}{2}$ Roads and south of H $\frac{3}{4}$. Although the proposed planned development is beautifully designed, I heartily oppose its placement in this location in the Grand Valley.

The area west of 26 $\frac{1}{2}$ Road to 24 $\frac{1}{2}$ Road, and from the Highline Canal north of H $\frac{3}{4}$ to I-70 has historically been agricultural. Exceptions have repeatedly been made to allow development in this region that was at one time zoned for 5 or more acres per lot. I believe the remaining open areas should be frozen at the current average of 1.5-2 acres per residence. Fertile land and irrigation water available in this section of the valley should be preserved as a heritage of our agricultural past and for future generations to have access to ranch-type properties. I have remarked in past correspondence to the commission that there is a benefit to the community in having open areas for people to ride their bikes past and jog/walk past and enjoy the beauty, openness, livestock and wildlife – even if it is private rather than public land. Substantially decreasing the proposed density of this development is crucial.

Furthermore, I have never ceased to marvel at past erroneous planning decisions that have allowed the current density east of 7th Street & south of the northern turn of the Highline Canal within 2 miles of the western end of the airport runway to be what it currently is. Where do we plan to move the Grand Junction Regional Airport when the population increases enough to warrant more direct flights to GJ and larger airplanes, with residents near the runways whining about the noise? Use the history of Denver's Stapleton as an example. Let's learn from front range errors and not repeat that cycle here.

The proposed Weeminuche Estates **does not conform** to the community to the North, South or West of the lot. It forces an extension, and in fact, *increase*, of the density East of 26 $\frac{1}{2}$ Road like a spur into an area where housing is 1 house per 5 or more acres. Only the developers could see this as an improvement to the community. It actually will **interfere** with a way of life. Covetousness of other people's ability to own and maintain larger parcels of land should not be a reason to allow the density suggested under this guise of planned development.

Thank you for your time.
Cherlyn Crawford

September 27, 2007

Mr. Ken Kovalchik, Senior Planner and
City of Grand Junction Planning Department.

As a current and long standing resident of Grand Junction, I have the following concerns about the proposed WEEMINUCHE ESTATES area being brought forth to the City Council. The density of the proposed WEEMINUCHE ESTATES development not in congruency with the entire surrounding area. The proposed cluster type development is not used anywhere within many miles of the proposed WEEMINUCHE ESTATES area. Grand Junction should be setting the model for the future of what we want the city to look like and what the residents want in quality of life. High density housing is not a quality style of life in my mind or of all my neighbors that I live and interact with.

Increased traffic on 26 & 26 ½ Roads will add to overuse during peak traffic hours, already a problem during certain time of the day. 26 ½ Road and 26 Road will need major improvements to handle the additional thousands of trips down those roads for the planned higher density area being requested for approval.

The safety of rural walkers, bike riders and the school children coming and going to Holy Family school would bear the brunt of the high density plan because of the cluster type building being all done along the 26 ½ Road side. Similar to the Pear Park area this area does not have sidewalks or even bike lanes on 26 or 26 ½ Roads.

The wildlife currently using the Leach Creek area have not been planned for on the proposed development, the DOW should be part of the plan to allow for the deer, red fox, raccoons, skunks, red tail hawks, great horned owls, coyotes and other native wildlife that live and migrate through the proposed WEEMINUCHE ESTATES area to be densely populated.

Finally the Leach Creek has flooded numerous times in the recent past, if the Leach Creek is the plan for handling the runoff created by the proposed WEEMINUCHE ESTATES area, it should be studied by the Corp. of Engineers regardless of what type of housing density will be built even if only one house per acre.

I feel that the proposed WEEMINUCHE ESTATES area would better fit the area between H & H ¾ Roads and 26 & 26 ½ Roads if the density was 1 house per every 1 acre at the most.

The model of quality life the city should be setting for the future should be in agreement of the existing residents and the proposed density is not in agreement with most of the residents of Grand Junction.



September 28, 2007

Mr. Ken Kovalchik, Senior Planner
Cit of Grand Junction Department
250 N 5th Street
Grand Junction, CO 81501

Dear Mr. Kovalchik,

We are writing about the proposed Parkerson project (Weeminuche Estates Subdivision) that will build 362 houses between 26 road and 26 ½ road, H road and H ¾ road.

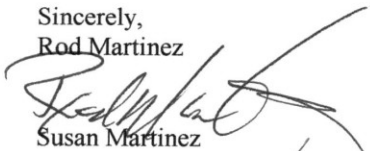
We are asking you not to allow this subdivision to go forward as planned. This area is not designed for heavy traffic, either truck traffic or an additional 1,000 to 1,500 cars a day. It is very dangerous to turn left off of Catalina Drive onto 26 ½ road at certain times now. The average speed of traffic coming over the hill on 26 ½ road toward Catalina Drive is 40 to 50 miles per hour even though the speed limit is 35 miles per hour. With heavy truck traffic, construction traffic and additional cars, we doubt if anyone will be able to turn left off of Catalina Drive onto 26 ½ road.

The lots in the Paradise Hills subdivision and other subdivisions in this area are very well proportioned. It is our understanding that some of the lots in the proposed subdivision will be as small as 5000 sq ft. Why change the character of this area with a very crowded subdivision? Why not build less homes with generous lots that would compliment the area?

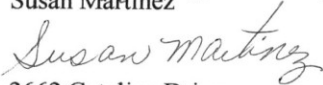
Please do not allow this subdivision to go forward as planned. Please think about the impact the Weeminuche Estates Subdivision would have on the roads, schools and life style of this area. Please keep Grand Junction the Grand City it is.

Thank you for your time.

Sincerely,
Rod Martinez



Susan Martinez



2662 Catalina Drive
Grand Junction, CO 81506

Gary W. Johnson
3111 Northridge Drive
Grand Junction, Colorado
81506

October 3, 2007

Grand Junction Planning Commission
250 North 5th Street
Grand Junction, Colorado 81501

Commission:

I must go on written record of vehemently opposing the proposed development of the Parkerson Project (Weeminuche Estates Subdivision). I base my opposition on three basic issues. The existing limitations of the infrastructure of our community, additional demands on community agencies, and the growing increase of urban sprawl.

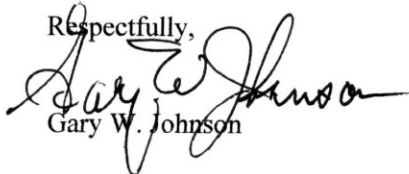
Existing traffic flows in our community is becoming less and less efficient with every new development. As it is now, waiting at the traffic lights on 26 Road, 25 ½ Road, and on past 24 Road and all along Patterson can be a standstill during the day. Drivers have to wait for two or three light rotations before being allowed to move east or west on Patterson, depending on the time of day. The entry way into Grand Junction through 26 Road and 1st Street has been severely narrowed by your very own planning! There also must be a review on what a two-lane bridge on 26 Road and crossing I-70 can handle as far as traffic flow. With 375 dwellings, you can easily count an additional 1,000 cars driving in that area between spouses and teenage children who drive.

Community agencies, especially schools, cannot handle the substantial growth that 375 dwellings would demand of them. Grand Junction High School, Pomona Elementary, ~~and~~ West Middle School are all at capacity and they would not have the room for additional 300 to 600 students that would possibly live in that area. It is my opinion that the fire department and the police department would not be able to provide appropriate level of services for the new subdivision.

I believe that Grand Junction must protect the open spaces that are characteristic of our community. The amount of parks that a family can use safely in this community is an embarrassment. I do not believe that the citizens of Grand Junction want the entire valley of Mesa County to become canyon walls to canyon wall full of housing. Our open land is too precious of a commodity to squalor in the manner that we have for the last 20 years.

Please oppose the development that is being proposed in the Parkerson project. Thank you for your time.

Respectfully,


Gary W. Johnson

October 3, 2007

Mr. Ken Kovalchik, Senior Planner
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Re: Weeminuche Estates Subdivision

Mr. Kovalchik:

The area proposed for the Weeminuche Estates Subdivision is one of the last parcels of beautiful farmland in our area of the city. I realize development is inevitable, however, could the Planning Commission possibly look at the development from the perspective of fewer homes to further compliment the surrounding area?

The traffic congestion cannot even be imagined.

Please reconsider this proposal.

Thank you for your attention.



Deborah Maher
2697 Caribbean Drive
Grand Junction, CO 81506

The Towner Family
665 Jubilee Ct
Grand Junction, CO 81506

October 3, 2007

City of Grand Junction
250 Nth 5th St.
Grand Junction, CO 81501

To Whom It May Concern:

I am writing this letter in opposition to the proposed Weeminuche Estates Subdivision just north of town. I would like to point out that I love to see new developments that are appropriate for the growth of the community. I was raised in Grand Junction and have been proud to call this city home. Also, I am not much of a writer so please excuse any spelling or grammar errors.

I have been following the Parkerson Project (Weeminuche Estates Subdivision) and I am greatly surprised by the density that they are proposing in this area. This type of high density is appropriate in many areas of town but this is not the appropriate location. In this letter I would like to stress the concerns of traffic, education, public services and continuity.

First and foremost, the **improvement to roadways** should be completed before a subdivision of this size is completed. The greatest concern is safety. We currently have bridges that cross I-70 that do not support pedestrian and bicyclist crossings. More homes north of these bridges put greater risk on those trying to make their way across these bridges. These bridges will bring great expense once someone notices the need for wider roads. There are also no turning lanes for traffic on 26 and 26 ½ Roads which cause the backup of traffic and unsafe situations for vehicles stopping to make left and right hand turns off these roads. In addition, new roads must be in place to support west bound travel. G Road is not equipped to handle the current traffic and we should be utilizing I-70 with an additional on ramp at 26 Road. With the amount of traffic new subdivisions and the Catholic Church have added to these Roads these are improvements that should have been made some time ago.

Second, the **education** of my two children has always been very important to me. The schools of Appleton, Tope and Paonia are not equipped to handle the additional strain of these types of subdivisions. Both my mother and wife work for the school district and have pointed out that the schools which service this area are already at capacity. I know that a new high school and middle school are long overdue for the North area but as we have seen the retirement community does not seem to agree with supporting funds for new school projects. I do not understand a community which does not believe in putting our children first. The literacy of our country must start in small communities like that of Grand Junction and we must take the initiative to hold off these large proposed subdivisions until schools are in place.

Third, although this area is well situated to be serviced by Saint Mary's Hospital for medical attention, it is not well serviced for **fire and police protection**. The closest fire stations are located south of

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OCT 3 2007

COMMUNITY DEVELOPMENT
DEPT.

Patterson Road. and are miles away from the area and as we have recently seen, accidents along I-70 can make it difficult to reach these areas. I would be concerned in the event that more than one household needed these services. It has also been shown that the need for police protection in areas with greater density rises substantially. I have not done the research but with the population increase the valley is experiencing, I would have a hard time believing that the Grand Junction Police department is equipped to handle an additional area with this kind of density. My recommendation would be to keep this type of community in an area with the same number of houses per acre. This way our public services can concentrate on certain areas; opposed to being spread out.

Last but not least, what I like to call **continuity and conformity**. I grew up in the North part of town. I originally lived on Dahlia Drive then moved to north 26 ½ Rd. Paradise Hills is where many of my friends grew up and this was considered a nice subdivision with homes on smaller lots. Although these lots were smaller than some, they are substantially larger than those being proposed by the Parkerson Project. Even the newer and smaller subdivision of Summer Hill does not have the tightly compacted density that the Weeminuche Estates Subdivision proposes on its south side.

I have listened to the developers and they have tried to justify the subdivision's southern density by stating that it reflects that of the Summerhill subdivision. I feel this statement is completely incorrect. First of all, Summerhill does not adjoin the proposed subdivision. In fact, the majority of the lots connected to the proposed development are more than 5 acres. Second, when you drive through the Summerhill subdivision there are nice buffer zones between the larger and smaller properties in the area. (There is a large pond, green space, and ravine that separate Summerhill from the larger lots around) Third, Summerhill subdivision has ample parking areas and green space that provides plenty of room and a park-like environment. Summerhill should certainly be used as an example, but the Weeminuche Estates Subdivision has failed in doing so. The Weeminuche Estates Subdivision should include more green space and more parking for residents. I, as well as many others, believe the subdivision should cohere with the surrounding 5 plus acre lots that adjoin the property.

I would ask that you **please** share my feelings with all those that are involved in the final decision as to whether or not this subdivision proceeds. I have attached the signatures of just a few of the many concerned citizens that live, work, attend church or have children in school in this area. I would like to point out, that I am a proponent to developing this land but only in a way which is appropriate. I understand the need for growth in the community but we need to put the horse before the cart. Schools must be in place, public services must be adequate, improvements to the roads must be made and the density must be greatly reduced to coincide with the existing properties. I would certainly like to see lots which are similar to those that adjoin. **Please keep the Grand in Grand Junction and do not let this subdivision proceed as currently proposed.**

Sincerely,



Bryan D Towner
Concerned Community Member

Attached: Petition to decrease density zoning of Weeminuche Estates Subdivision
C.C.: All those concerned

10-5-07
GRAND Jct. CO

To: Ken
City Planning Commission
GRAND Jct. CO 81501

My wife Bev and I strongly object to
the PARKERSON BRO'S. rezone on 26 Rd & H³/₄ Rd.
The density is too high, and is contrary to
our AREA of 1 to 5 acres per residence.

We FAVOR ONE SINGLE FAMILY RESIDENCE
PER ONE ACRE. The wild life population
IN Leech (OR RICE) WASH will be devastated
under their proposal for a MULTIFAMILY REZONE
Please do NOT approve this request.

Sincerely,

Robert V Bruce

2621 H. Rd

GRAND Jct. CO 81506

October 01, 2007
Raymond A. Haag
2710 Caribbean Dr.
Grand Junction, Co. 81506

Mr. Ken Kovalchik, Senior Planner
City of Grand Junction Department
250 N. 5th. St.
Grand Junction, Co 81501

Dear Sir,

I am writing to voice my concern with respect to the proposed Parkerson project (Weeminuche Estates Subdivision) - 362 houses to be built on a parcel of land 151 + acres bounded by 26 Road, 26 1/2 Road and approximately H 3/4 Road. This parcel of land is just West of Paradise Hills, the sub division I live in.

The proposed density of houses for the Weeminuche Estates is reported to be RSF-2 (density of up to 2 residences per acre). This type of density is going to put a tremendous strain on all the roads in this immediate vicinity; H Road, H 3/4 Road, 26 Road, and 26 1/2 Road.

Consider the impact on the Holy Family Catholic School and the Immaculate Heart of Mary Catholic Church located at 26 1/6 Road and H Road. The traffic around these two facilities is already very heavy during school sessions and also every Sunday. The proposed density for the Weeminuche Estates subdivision will probably triple the amount of traffic in the area. It follows that in the very near future these roads will require widening plus a plan for traffic control.

Further more, a subdivision of this proposed density will not be a thing of beauty. Much of the quiet country feeling of living on the North side of Grand Junction will be lost forever. I request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R)

Respectfully submitted,


Raymond A. Haag

Ellen Heffernan
2662 Paradise Drive
Grand Junction, CO 81506
970-257-7263
October 1, 2007

Dear Mr. Ken Kovalchik, Senior Planner,

I am writing to express my concern over the proposed Parkerson project between 26 and 26 ½ Roads near H ¾ Road. I have lived in Paradise Hills for eight years. When I moved to Paradise Hills, there was open space to the north of Paradise Hills North. I often took walks and bike rides along 26 ½ Road north of H Road. It was wonderful to experience the rural nature of the area.

Since then, the Summerhill subdivision has been developed as well as a large subdivision north of Summerhill. Other isolated housing has also been built off 26 ½ Road. As a result, traffic has increased greatly along the main roads, 26, 26 ½, 27 and H Roads. I no longer feel safe taking walks on 26 ½ Road north of H Road due to the increased traffic. I worry that another subdivision, especially a high density development, would increase traffic on 26, 26 ½, 27 and H Roads to an extremely unsafe level.

While I understand the need for some housing growth in the Grand Junction area, I feel that we need to carefully consider just how fast and in what way we want our community to grow. I also am not opposed to high density housing and feel that it can be a good way for communities to grow and still minimize sprawl and yard irrigation needs. However, for good community planning the infrastructure for transportation is a critical component. This is woefully lacking for a potential 350+ additional residences north of I-70 between 27 and 25 Roads.

Since I moved to Paradise Hills eight years ago, the main roads have not been widened, but traffic has increased significantly. Bicycle riding for pleasure and for commuting has become more dangerous, especially across the narrow bridges over I-70. It is also becoming more difficult for children to safely walk or bicycle to Holy Family School. Before any additional developments are approved north of I-70, the main roads should be widened to include bike lanes and sidewalks. And the bridges over the interstate should either be replaced or modified to also include bike lanes and sidewalks. If these things cannot be done, then the Parkerson Project (Weeminuche Estates Subdivision) should not be built.

Thank You,

A handwritten signature in black ink, appearing to read "Ellen Heffernan", with a long, sweeping flourish extending to the right.

Ellen Heffernan

Oct. 1, 2007

TO WHOM IT MAY CONCERN:

I am writing to protest the proposed Weeminuche Estates Subdivision. G Road traffic has increased considerably in the last five years. It is not a street that can even handle the traffic it has now.

Also, I have a hard time getting out of my sub-division onto 26 ½ road since the new church and school have been constructed on H Road. It would be impossible if this project is approved as suggested.

Thank you for your consideration.

Sincerely,

Virginia Johnson

Jennifer Hamilton
2662 Paradise Drive
Grand Junction, CO 81506
970-985-5446
October 2, 2007

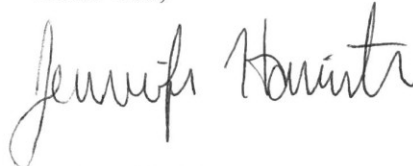
Dear Mr. Ken Kovalchik, Senior Planner,

I am writing to voice my concern and opposition to the proposed Parkerson project (Weeminuche Estates Subdivision) between 26 and 26 ½ Roads north of H Road. On the main roads around Paradise Hills, 26 ½, 27 and H Roads, I see many people walking along these roads for exercise and pleasure. I also often use these roads when I bicycle into the downtown area of Grand Junction for school (Mesa State) or for other activities. Already the increased traffic along these roads has resulted in a decrease in safety for pedestrians and bicyclists. Of special concern are the narrow bridges over I-70 on 26, 26 ½ and 27 Roads, and school children walking to Holy Family. At this time I feel that NO additional developments should be approved without improving these roadways by adding bike lanes and sidewalks.

Also of concern is the rapid growth in the Grand Junction area in general, and in the north area specifically. I feel that the rural nature of the north Grand Junction area should be preserved. While some development is necessary, even desired, the explosive growth that is projected with this development should be avoided. Already we have seen a couple subdivisions north of Paradise Hills. The Summerhill development is not yet complete, so traffic will continue to increase as this subdivision fills. And while the demand for new housing continues to be strong in the Grand Valley due to the natural gas development, I fear that this industry may collapse. Even if that doesn't happen and we do not see another 'bust', it will probably at least slow to a more sustainable level in the not too distant future. In either case, the housing market in the region could be way over-built.

Therefore in summary, I feel that any additional housing growth in the vicinity of my neighborhood needs to be done only if the main roads are widened to include bike lanes and sidewalks. The need already exists for these improvements, especially for the dangerous bridges over I-70, on 26, 26½, and 27 Roads, where sidewalks and bike lanes are very much needed. I am opposed to the Parkerson project (Weeminuche Estates Subdivision) between 26 and 26 ½ Roads. Please do not approve this project.

Thank You,

A handwritten signature in cursive script that reads "Jennifer Hamilton". The signature is written in black ink and is positioned above the printed name.

Jennifer Hamilton


Loren Eakins
2662 Paradise Drive
Grand Junction, CO 81506
970-257-7263
October 2, 2007

Dear Mr. Ken Kovalchik, Senior Planner,

I am writing to voice my concern and opposition to the proposed Parkerson project (Weeminuche Estates Subdivision) between 26 and 26 ½ Roads north of H Road. I am a resident of Paradise Hills and my bicycle is my main form of transportation. I regularly commute on my bicycle to school at Mesa State College, to work at REI, and for most other errands. In the past few years, I have noticed a great increase in the traffic on the main roadways in my neighborhood. At this time I feel that these roads are already over-crowded, and as traffic increases, bicycling (and pedestrian) safety will decrease even more.

I feel that any additional housing growth in the vicinity of my neighborhood needs to be done only if the main roads are widened to include bike lanes and sidewalks. The need already exists for these improvements, especially for the dangerous bridges over I-70, on 26, 26½, and 27 Roads, where sidewalks and bike lanes are very much needed. Therefore I am writing to voice my opposition to the Parkerson project (Weeminuche Estates Subdivision) between 26 and 26 ½ Roads. Please do not approve this project.

Thank You,


Loren Eakins

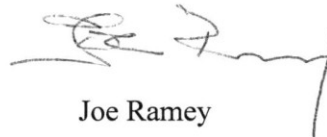
Joe Ramey
2662 Paradise Drive
Grand Junction, CO 81506
970-241-6581
October 2, 2007

Dear Mr. Ken Kovalchik, Senior Planner,

I am a resident of Paradise Hills subdivision off of 26 ½ and H Roads. I also am an avid bicyclist, both for pleasure and for transportation. I regularly use my bicycle to commute to my job at the airport and to run many errands into the downtown area. In the eight years that I have lived at my present residence, I have seen the traffic increase greatly on the main thoroughfares in my neighborhood (26, 26½, 27 and H Roads). As traffic increases, safe bicycling becomes more difficult.

I feel that any additional housing growth in the vicinity of my neighborhood needs to be done only if the main roads are widened to include bike lanes and sidewalks. And this includes the need to modify or replace the bridges over I-70, on 26, 26½, and 27 Roads, for bike lanes and sidewalks. Therefore I am writing to voice my opposition to the Parkerson project (Weeminuche Estates Subdivision) between 26 and 26 ½ Roads. Please do not approve this project.

Thank You,



Joe Ramey

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+- acre parcel of land bounded by 26 Road, 26½ Road, and approximately H3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

Printed Name	Signature	Date	Address
VINCENT, DIXON J	Dixon Vincent	9-29-07	758-26 1/2 Rd., G.J.

DEVELOPERS, IN PARTICULAR 'LOCAL' DEVELOPERS ARE ENTITLED TO MAKE THEIR INCOMES. BUT IN SO DOING, THE CHARACTER OF OUR NEIGHBORHOODS SHOULD NOT BE DRASTICALLY COMPROMISED, AS THE ABOVE WEEMINUCHE ESTATES DEVELOPMENT WOULD DO.

AT SOME POINT, THE CITY COUNCIL AND PLANNING COMMISSION MEMBERS SHOULD REALIZE THAT THE CHARACTER AND PREFERRED LIFESTYLES OF OUR NEIGHBORHOODS OUGHT TO BE PRESERVED, AND TO RANDOMLY ALLOW ANY AND ALL DEVELOPERS TO INTERCEDE, ONLY FOR THE PURPOSES OF LINING THEIR OWN POCKETS IS SOMETHING IS ~~SOMETHING~~ THAT MANY, IF NOT MOST, OF US FEEL, NEEDS TO BE VERY CAREFULLY SCRUTENIZED, AND MORE CAUTION IS ADVISED IN CREATING MORE TRAFFIC THAT OUR INFRA-STRUCTURE IS SATURATED WITH, PRESENTLY.

THANK YOU

RECEIVED

OCT 3 2007

Keep the GRAND in Grand Junction

COMMUNITY DEVELOPMENT
DEPT.

Anyone who has lived in the Grand Junction area for even a few years knows the beauty and personality of our special community. Our natural resources and unmatched physical beauty, along with a global energy boom, has sparked a tremendous growth in our population and the accompanying need for housing.

The issue that is presented to all of us is the trade off between development and keeping our Grand Junction GRAND – a beautiful, sustainable, intelligent and friendly community. Growth is unavoidable and understood. Abusive growth, growth fueled by overreaching development that sacrifices the harmony, symmetry and sanctity of any part of our community, is intolerable, unacceptable and avoidable. YOU can help do something about it!

On October 9, 2007 at 7:00 PM in City Hall a hearing is scheduled on the proposed Parkerson project (Weeminuche Estates Subdivision) – 362 houses crammed into 150 acres of now pristine farmland that sits in the northern part of our great city. This proposed development directly affects the lives, safety and economic values of all who live between 24 and 27 Rds and Patterson Rd. to the Highline Canal. Some of the proposed **lot sizes** are as small as 5,000 sq ft. The project's overall impact is enormous; you don't have to live directly across the street from it to be negatively affected. If approved as designed, over the opposition of virtually all who live in that area, a precedent will be set that can color the "approval" of countless future projects throughout our community.

Just consider the impact on all of our roads – some of which cannot be widened because of the bridges over the Interstate – many without berms – with an additional 3,000 to 4,500 cars each day. Think about the noise, the pollution, the congestion, the many safety concerns. Is this what you contemplate as being the norm when you live in this part of our community? Think about how this will affect YOU.

Notwithstanding "insiders talk", this is not a "done deal". If you agree with the thoughts and sentiments of countless residents of our community and if you want to keep the GRAND in Grand Junction, you have the opportunity to be heard by:

- Attending the meeting on October 9 – your presence will speak volumes
- **Mail or hand deliver** a letter of opposition to **Mr. Ken Kovalchik, Senior Planner, City of Grand Junction Department, 250 N. 5th St., Grand Junction 81501** in time to arrive by **Thursday, October 4th**.
- Call your elected officials and make your thoughts known.
- Sign and obtain the signatures of your friends and neighbors on the attached petition. This petition should also be mailed or hand delivered to Mr. Kovalchik in time to arrive by **Thursday, October 4**.

This ad is sponsored by: Citizens Opposed to the Weeminuche Estates Subdivision

42.1'

CITY PARK
DEDICATION
+/- 7.27 ACRES

OUT PARCEL
(NOT PART OF
DEVELOPMENT)

LEACH CREEK
NATURAL AREA

PRELIMIN.



RECEIVED

OCT 3 2007

COMMUNITY DEVELOPMENT

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

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Printed Name	Signature	Date	Address
Sally Henry	<i>Sally Henry</i>	9/30/07	3694 G ⁴ / ₁₀ Rd, Palisade
Ron & Judy Barstaf	<i>Ron & Judy Barstaf</i>	9/30/07	3060 B's Rd
Debe Colby	<i>Deborah K Colby</i>	9/30/07	295 W Morrison Ct, GJ 81503
Gladys Miller	<i>Gladys Miller</i>	9/30/07	235 Park Dr GJ 81501
Shirley Quinn	<i>Shirley Quinn</i>	9/30/07	2705 Cancun Ct. GJ 81506
Charles Quinn	<i>Charles Quinn</i>	9-30-07	2203 Cancun Ct, G.J.
Janet Young	<i>Janet Young</i>	9-30-07	1980 Flora Ct GJ CO 81501
Kerry Hudock	<i>Kerry Hudock</i>	9-30-07	655 Lakeside Lane
Carol Trussell	<i>Carol Trussell</i>	9-30-07	2686 Dove Lane
Susan Niemeyer	<i>Susan Niemeyer</i>	9-30-07	2245 Autumn Ash Ave
Carol Niemeyer	Carol Niemeyer	9-30-07	2245 Autumn Ash Ave
Sharon Gardner	<i>Sharon Gardner</i>	9-30-2007	2345 3/4 Rattlesnake Ct.
Ross McDaniel	<i>Ross E. McDaniel</i>	9-30-07	2048 Caribbean Dr L.J.
Kelly McClarty	<i>Kelly McClarty</i>	9-30-07	2098 Kia Dr W.
Deborah Maher	<i>Deborah Maher</i>	9-30-07	2697 Caribbean Dr
Dale Jones	<i>Dale Jones</i>	9-30.07	821-27 - ROAD
Nancy Lopholm	<i>Nancy Lopholm</i>	9-30-07	2693 Caribbean
Paul Brunett	<i>Paul Brunett</i>	9 30 07	2693 Caribbean
J Laughtlin	<i>J Laughtlin</i>	9-30-07	2699 Caribbean
Terry Laughtlin	<i>Terry Laughtlin</i>	9-30-07	2699 Caribbean

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

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Printed Name	Signature	Date	Address
Daniel P Hight	<i>Daniel P Hight</i>	10-2-07	2652 Catalina Dr G5 CO 81506
KENT STODDARD	<i>Kent Stoddard</i>	10-1-2007	2692 W. YUCATAN G. GJ Co 81506
JON SETLER	<i>Jon Setler</i>	10-1-07	2398 RIDGEWAY CT. 81503
Theron Dennis	<i>Theron Dennis</i>	10-1-07	203.5 Dream St G5 CO 81703
<i>Bob</i>	<i>Danny Jacobs</i>	10-1-07	210 W. Mable Ave Fruita Co. 81524
Joe Vuch	<i>Joe Vuch</i>	10-1-07	1975 Clover Ct G5 CO 81506
BOB PETERS	<i>Bob Peters</i>	10-1-07	1314 GOLD LAKE DR 81524
GREG BAW	<i>Greg Baw</i>	10-1-07	1111 Heron ^{#604} Dr H5 81505
Chris School	<i>Chris School</i>	10-1-07	723 Willow Creek K 81501
Iron Old's	<i>Iron Old's</i>	10-1-07	2992 Kin Drive 81504
KEVIN BARCLAY	<i>Kevin Barclay</i>	10-1-07	2205 DESERT VARIETY 81502
J. Claymore	<i>J. Claymore</i>	10-1-07	3384 F Rd CHRYSLER CO 81526
JERRY MILLER	<i>Jerry Miller</i>	10-2-07	612 LODGEPOLE ST. 81504
Randy Henni	<i>Randy Henni</i>	10-3-07	897 Treppers Ct. GJ 81506

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PETITION TO DECREASE DENSITY ZONING OF WEEMINUICHE ESTATES SUBDIVISION

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Printed Name	Signature	Date	Address
Janet A. McRae	<i>Janet A. McRae</i>	9/30/07	864 Summer Bend Ct G/J 81506
Janie McDonald	<i>Janie McDonald</i>	9/30/07	866 Summer Bend Ct 81506
Harry McDonald	<i>Harry McDonald</i>	9/30/07	860 Summer Bend Ct. 81506
Nancy Tredway	<i>Nancy Tredway</i>	9/30/07	862 Summer Bend Ct 81506
Sandra Horvath-Dori	<i>Sandra Horvath-Dori</i>	9/30/07	860 Summer Sage Ct 81506
SHARON PEARSON	<i>Sharon Pearson</i>	9/30/07	867 Summer Bend Ct 81506
Meg McCord	<i>Meg McCord</i>	9/30/07	856 Summer Bend Ct 81506
Donald F Sattler	<i>Donald F. Sattler</i>	9/30/07	858 Summer Bend Ct. 81506
Rosemary Sattler	<i>Rosemary Sattler</i>	9/30/07	858 Summer Bend Ct 81506
JANE J. SCHMOLL	<i>Jane J. Schmoll</i>	9/30/07	870 Summer Bend Ct 81506
Mary J Martiny	<i>Mary J Martiny</i>	9/30/07	872 Summer Bend Ct 81506
Cheryl Holbeck	<i>Cheryl Holbeck</i>	9/30/07	874 Summer Bend Ct 81506
Ron Holbeck	<i>Ron Holbeck</i>	9/30/07	874 Summer Bend Ct 81506
BETSY F. BECK	<i>Betsy F Beck</i>	10/2/07	2555 Brenna Way 81505
STANLEY C BECK	<i>Stanley C Beck</i>	10/2/07	2555 BRENNAWAY 81505
LOUISE BEACH	<i>Louise Beach</i>	10/3/07	856 Summer Sage Ct 81506
Claire Atkins	<i>Claire E. Atkins</i>	10/3/07	885 Summer Breeze Ct. 81506
Sherril Arósteguy	<i>Sherril Arósteguy</i>	10/3/07	865 Summer Sage Ct 81506
DANIEL Arósteguy	<i>Daniel Arósteguy</i>	10/3/07	865 Summer Sage 81500
Jim Gustafson	<i>Jim Gustafson</i>	10/3/07	866 Summer Bend Ct 81503

RECEIVED

OCT 3 2007

COMMUNITY DEVELOPMENT DEPT.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

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Printed Name	Signature	Date	Address
LOUISE Forney	Louise Forney	10/1	891 Kaywood Ct
DAVE GRAY	[Signature]	10/1/07	457 Calkley Ct.
Betty Watson	Betty Watson		522 1/2 Centennial Rd
ALAN HARBIN	[Signature]	10/1/07	587 Village Way
Marlys Bernal	Marlys Bernal	10/1/07	2031 Station Court
Bonita Coleman	Bonita Coleman	10/1/07	585 2 1/2 Rd
Ernest L Blossom	Ernest L Blossom	10/1/07	3313 Laurel Ln
Rich Kiser	[Signature]	10/1/07	706 Ivy Pl
Zack King	Z S	10/1/07	1750 N 8th St.
Craig Jones	[Signature]	10-1-07	1361 Road
Noo Jantarawong	Noo	10-1-07	1361 Road
Bonnie Rae Teets	Bonnie Rae Teets	10-1-07	2684 Jentry Rd. 81506
RALPH ROE	Ralph Roe	10-2-07	2695 1/2 CARIBBEAN DR.
Gyneeta Roe	Gyneeta Roe	10-2-07	2695 1/2 Caribbean Dr.
KEN MAHER	Ken Maher	10-2-07	2697 CARIBBEAN DR.
DEBRA J. BLUME	Debra J. Blume	10-2-07	2701 Adel Mar Dr. 81506
Cathy L. THOMAS	Cathy L. Thomas	10-2-07	2688 Paradise Way 81506
Terry Heers	Terry Heers	10-2-07	818 Lanai Dr. 81506
Bobbie Heers	Bobbie Heers	10-2-07	818 Lanai Dr. 81506
VIVIAN Rodriguez	Vivian Rodriguez	10-3-07	2702 Courtland 81506

PETITION TO DECREASE DENSITY ZONING OF WEEMINUICHE ESTATES SUBDIVISION

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Printed Name Signature Date Address

Pat Brach Pat Brach 10/4/07 663-26 Rd Hq 81506
Susan Bautch Susan Bautch 10/4/07 2539 G 3/8 Rd Hq 81505
Norma Pennington Norma Pennington 10/4/07 780-23 3/10 Rd

Grand Junction Co.
8/15/05

PETITION TO DECREASE DENSITY ZONING OF WEEMINUICHE ESTATES SUBDIVISION

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Printed Name	Signature	Date	Address
Kari Canaday	<i>Kari Canaday</i>	10-1-07	539 30th G] CD 81504
MIMI KING	<i>MIMI KING</i>	10-1-07	3088 Meadowlark Ct 81506
Angela Simpson	<i>Angela Simpson</i>	10-1-07	2662A Summer Crest Ct, GJ 815
PETE GLEASON	<i>Pete Gleason</i>	10/1/07	8654 G 7/10 RD 81506
RACHELLE O'DELL - ROGERS	<i>Rachelle O'Dell - Rogers</i>	10/1/07	2660B Summer Crest Ct. 81506
Rachelle O'Dell Rogers	<i>Rachelle O'Dell Rogers</i>	10/1/07	2660B Summer Crest Ct. 81506
John Rogers	<i>John Rogers</i>	10/1/07	2660B Summer Crest Ct. 81506
Kevin Andrus	<i>Kevin Andrus</i>	10/1/07	2662B Summer Crest Ct 81506
Andreas Andrus	<i>Andreas Andrus</i>	10-1-07	2662B Summer Crest Ct 81506
RAYMOND JONES	<i>Raymond Jones</i>	10-1-07	2663 Summer Crest Ct
EARLENE JONES	<i>Earlene Jones</i>	10-1-07	2663 Summer Crest Ct
Virgil Kilgore	<i>Virgil Kilgore</i>	10-1-07	2660A Summer Crest Ct.

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Printed Name Signature Date Address

Donna Barnhart Donna Barnhart 10-1-07 711 26½ Rd.
James Barnhart James Barnhart 10-1-07 711 26½ Rd.

26½ Rd. can not stand any more impact.
Please reconsider this proposal.

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Printed Name	Signature	Date	Address	81506
JIM FLEMING	<i>J Fleming</i>	9/30/07	871 SUMMER BREEZE CT	
OES FLEMING	<i>Norrah Fleming</i>	9/30/07	871 Summer Breeze Ct.	
Bill Beaudoin	<i>Bill Beaudoin</i>	9/30/07	875 Summer Breeze Ct.	
Judy Beaudoin	<i>Judy Beaudoin</i>	9-30-07	" "	
Lawrence Parks	<i>Lawrence Parks</i>	9-30-07	877 Summer Breeze Ct.	
Diane Parks	<i>Diane Parks</i>	9-30-07	877 Summer Breeze	
ROBERT BACKER	<i>Robert Backer</i>	9-30-07	883 Summer Breeze	
CYNTHIA BACKER	<i>Cynthia Backer</i>	9/30/07	883 SUMMER BREEZE C.	
Marcia Adams	<i>Marcia Adams</i>	9/30/07	887 Summer Breeze Ct	
PAUL & TOMY STEFANIUK	<i>Paul Stefaniuk</i>	9/30/07	873 Summer Breeze Ct	
Fred Stapleton	<i>Joyce Stapleton</i>	9-30-07	869 Summer Breeze Ct	
Fred Stapleton	<i>Fred Stapleton</i>	9-30-07	869 Summer Breeze Ct	
Joyce Stapleton	<i>Joyce Stapleton</i>	9-30-07	869 Summer Breeze Ct	
Fred Stapleton	<i>Fred Stapleton</i>	9-30-07	869 Summer Breeze Ct	
TERRY C JONES	<i>Terry C Jones</i>	9-30-07	867 Summer Breeze	
ANDREA JONES	<i>Andrea Jones</i>	9-30-07	867 Summer Breeze	
JACK MCCORDY	<i>Mary Jack McCordy</i>	9/30/07	870 Summer Breeze	81506
P. Ray DeGoyer	<i>P. Ray DeGoyer</i>	10/2/07	2657 Summer Vale #A	
Berily DeGoyer	<i>Berily DeGoyer</i>	10/2/07	2657 Summer Vale #A	
Judy Gustafson	<i>Judy Gustafson</i>	10/02/07	866 Summer Bend Ct	

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(Print) Name/Signature	Date	Address
GWEN FERREE	8/22/07	94026 Rd 26 1/2 81506
George L. FERREE	8/22/07	940-26 Rd Gr. Jct. 81506
Heraldyne Rooks	9/27/07	1879 Jrd Truita
BOB COLONY	10/2/07	634 W. PAGOSA DR
Nancy I Wilson	10/2/07	2654 Spenser Ln ⁸¹⁵⁰⁶
Anna Brock	10/4/07	816 Tahiti Dr GJC 81506
FRANCES BORN	10/13/07	2215 NO. 13 th ST.
Marlene Hurd	10-13-07	1931 No. 17 th St
Judy Emphrey	10-13-07	1941 N. 17 th St.
Patricia C. Deque	10-13-07	2157 Castlewood Ct.
Alvak Stoll	10-13-07	564 Sunny Meadow Lane
Mary Strain	10-13-07	601 Horizon Place #136
Marlene Paison	10-13-07	2248 I st Rd #C
Karen Jenkins	10-13-07	732 Glen Ct. #20
Er Schoenbech	10-13-07	116 Donaldson Rd
Ole Owen	10-16-07	2003 So Broadway
R D Emvick	10/16/07	1441 Parker Rd
Mary E. Morrison	10-26-07	3174 DR. D. J.
Charlie Steie	11-01-07	712 Galapagos Dr
Annie Albrethson	11/2/07	2661 Central dr.
Burford	11/13/07	763-23 1/2 Rd GJ
Dan [Signature]	11/12/07	763-23 1/2 Rd GJ
Esther Lopez	11/12/07	2546 Parkview Dr.

PETITION TO DECREASE DENSITY ZONING OF WEEMINUCHE ESTATES SUBDIVISION

We the undersigned hereby petition the GRAND JUNCTION PLANNING COMMISSION and the GRAND JUNCTION CITY COUNCIL to reduce the proposed density of the 151+ acre parcel of land bounded by 26 Road, 26½ Road, and approximately H3/4 Road, PP-2007-003, Weeminuche Estates Subdivision. We request that the Zoning Density for the Development Application be changed from RSF-2 (density up to 2 residences per acre) to a density not to exceed 1 residence per 5 acres (RSF-R).

Printed Name	Signature	Date	Address
Miles Lettue	Miles Lettue	9/29/07	H.J. 6081506 647-26 Rd
Patsy Lettue	PATSY LAHUE	9/29/07	647-26 Rd.
MARIE POWELL	Marie Powell	10-1-07	2679 Bahamas Way 81506
RICHARD POWELL	Richard Powell	10-1-07	2679 Bahamas Way 81506

- NOTE - Safety is a key issue for us - 26½ road with limited visibility to the north at the intersection with Bahamas Way - a major thoroughfare out of Paradise Hills - will become even more ^{dangerous} with this indicated increase in traffic. Traffic is not visible until south bound vehicles crest the hill, it's an accident waiting to happen!

The 4-way stops on 26½ road at G³/4 Road cannot handle a higher traffic volume, an additional expense in any expansion of that road.

What about the safety for the Catholic School students and their parents?

The density of 1 residence per 5 acres, in our opinion, should be the wisest course of action.

Ray

November 25, 2007

Grand Junction Planning Department
250 North 5th Street
Grand Junction, CO 81501

RE: Weeminuche Estates Subdivision
H-3/4 and 26 Roads, Grand Junction

Please be advised that we are opposed to this development as currently planned. The proposed density would bring chaos to north Grand Junction in the form of added pollution (noise, exhaust, trash, etc.) and extreme traffic on what are already over taxed roads and streets. Panoramic views of the valley, Colorado National Monument, Grand Mesa and the Bookcliffs would be obscured by a high density development of which many homes may have a second story and pitched roofs.

In our view, the subdivision proposal must be modified using common sense with the following stipulations –

- *Adequate green belt and walking trails within the subdivision;
- *Well landscaped entrances and boundary walls and fences;
- *Only single story homes to minimize impact on panoramic views;
- *Much lower density between one and five acres per home in keeping with the semi-rural neighborhoods and open spaces in the vicinity of the subdivision;
- *Widening of 26, 26-1/2, H and I Roads to include sidewalks and bike trails guaranteeing safe passage because of added traffic;
- *Weeminuche Estates Home Owners Association to be responsible for weekly litter control within and outside the development to include H, I, 26 and 26-1/2 Roads plus any other streets affected by heavy residential and construction traffic from this subdivision;
- *Completion of Saccomano Park at 26-1/2 and H Roads to accommodate neighborhood needs.

Thank you for the opportunity to express our opinions regarding this proposed subdivision.

Yours truly,

The image shows two handwritten signatures in cursive. The first signature is 'Ron Beach' and the second is 'Louise Beach'. They are written in dark ink on a white background.

Ron and Louise Beach
856 Summer Sage Court
Grand Junction, CO 81506
(970) 248-9311; ronandlouise@bresnan.net

RECEIVED
DEC 19 2007
COMMUNITY DEVELOPMENT
CITY

November 27, 2007

City of Grand Junction Planning Commissioners
520 Rood Avenue
Grand Junction, CO. 81501

Re: Weeminuche Estates Subdivision

Dear Sirs:

This letter highlights my review of the above referenced project and I will make this comments succinctly.

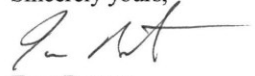
First the project meets all of the provisions of the development code and neighborhood area plan. The density bonus sought in this application is offset by the significant buffering to the arterials which border this project.

Second the developer is paying a significant traffic impact fee to be used at the discretion of the City to alleviate traffic impacts associated with this project.

Third ~~lastly~~, the developer has a history of projects of this scope and is well known for their ability to complete the project according to the site plan requirements. This has not always been the case for out of the area developers or other less qualified developers.

Fourth; The long range land use plan supports development close to the transportation centers - ie the airport.
For these reasons and those sited in the application this project should move forward for approval.

Sincerely yours,



Tom Benton
Past Chair and member of MCPC

Lammot duPont
846 River Ranch Court
Fruita, Colorado 81521

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DEPT.

November 21, 2007

City of Grand Junction
Planning Commission
250 North 5th Street
Grand Junction, Colorado 81501

Gentlemen:

I understand that you are considering approval of a preliminary plan for Weemuniche Subdivision. That subdivision is being proposed by 26 Road, LLC, which is composed of Alan and Gary Parkerson.

I own property on the Colorado River between Grand Junction and Fruita and have recently developed it, putting a conservation easement on a substantial part of that property. In the past, I have had flooding issues on my property. I have had need on many occasions to have earth work done on my property.

The Parkerson brothers have responded extraordinarily well under all situations. They always take the time and effort to do a job properly and promptly. I have never met workmen that are smarter or work harder than these brothers. Anything they undertake they will do well.

I recommend that you approve the Weemuniche preliminary plan, and I look forward to seeing their outstanding subdivision north of Grand Junction.

Yours truly,



Lammot duPont

November 24, 2007

Dear Greg,

I enjoyed our coffee and conversation. Thank you for spending time with me regarding the development and suggesting that I request desirable elements to be incorporated into the developer's design. I wish that the developer had the courtesy to spend time with residents before drastically changing their lifestyles. I realize that's not a requirement for development, but it would have been neighborly.

I am still hoping that you will not approve the project AS IS and would demand a more twenty-first century visionary design as a prototype for our valley. We need to be more cautious with this project since it is being approved BEFORE the city has developed a comprehensive plan. The present design is straight out of Phoenix 1979. (I'm attempting to restrain myself from unhelpful sarcasm.)

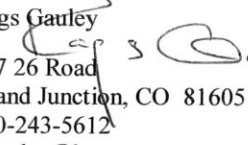
Here are some elements that need to be incorporated into the project:

- **Dark sky compliance lighting as not to damage the night sky**
- **Full sky downcast light fixtures, including street lights, as not to damage the night sky**
- **Full or partial cut off light fixtures as not to damage the night sky**
- **Motion activated lighting on homes as not to damage the night sky**
- **STORY POLE the perimeter to demonstrate the impact on residents' views and to ensure existing residents' 'right of view'**
- **Construct single story residences as not to damage 'right of view'**
- **Setbacks far from the roads to restrict impact on neighbors.**
- **Strict noise and nuisance ordinances as not to damage the quiet**
- **Strict covenants regarding pet control as to maintain quiet and protect wildlife**
- **Consult with the Colorado Division of Wildlife to design wildlife corridors, large contiguous blocks of open space, and minimal use of fencing as not to damage our wildlife habitat.**
- **Construction of bike and walking lanes along the road (not just within the subdivision) to protect the safety of ALL residents in the area.**

Thank you for including these elements into the design.

Sincerely,

Rags Gauley
827 26 Road
Grand Junction, CO 81605
970-243-5612
rjgauley@bresnan.net



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Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

November 19, 2007

RE: PP 2007-003 Weeminuche Estates Subdivision

Regarding the proposed Weeminuche Estates Subdivision, I am writing to express my approval of this development. Having lived in this immediate area since 1973 and in the Grand Junction area since 1965, I have seen many changes to our community. For the most part the changes have been positive.

With the growth that has transpired during the past decade there is a need for good quality development projects such as this one. It will provide an area for those people who wish to live in the North part of our community a place to build and raise their families such as I have.

In an ideal situation it would be nice for that property to remain as is, or developed into larger tracts as many of the properties are in that neighborhood. Unfortunately that is not realistic. As the city continues to grow we need to provide neighborhoods that are close to available services.

My concerns are no different than most of the surrounding property owners; that being traffic. As this project is being developed, the developers will be required to pay to the city a large amount of traffic impact fees. I would hope that the City of Grand Junction will have the foresight to direct those fees, along with other fees generated from other developments in the area, to improving the potential traffic problems. Hopefully, this will be done sooner than later.



Denny Granum
894 26 Road
Grand Junction, CO 81506

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GARY D. PLSEK
2295 Logos Court
Grand Junction, Colorado 81506

October 3, 2007

City of Grand Junction
Planning Commission
250 North 5th Street
Grand Junction, Colorado 81501

Gentlemen:

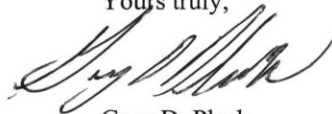
I own approximately 29 acres on the east side of 26½ Road directly across from the proposed Weeminuche Subdivision.

This subdivision is proposed by Alan and Gary Parkerson. I have known both of these men most of my life. They are professional, responsible, and perform whatever agreement they agree to. They will do a fine job of developing Weeminuche Subdivision.

I know that they are only asking for 2.39 units per acre; whereas, they may be entitled to as many as 4 per acre. This is commendable.

I am not opposed to this subdivision.

Yours truly,



Gary D. Plsek

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DEC 9 2007

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September 26, 2007

Ken Kovalchik
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Dear Mr. Kovalchik,

Re: PP-2007-003-Weeminuche Estates Subdivision - 26 1/2 Road & Summervale Way

We recently read the current preliminary developmental plan. Our property is immediately adjacent bordering the Weeminuche Estates Subdivision on the south side. Since our letter of March, 2007, our concepts have changed a bit. In overview the construction market for the Weeminuche Estates Subdivision is in greater need than we first realized earlier this year. There appears to be an over abundance of larger land/home parcels available on the market than is needed. The current housing demands in the Grand Junction area seem to be for smaller ones. Also if urban sprawl of Grand Junction is to be minimized, greater housing density is needed.

The development of the Weeminuche Estates Subdivision appears to meet the criteria of the Grand Junction Growth Planning Commission. The growth plan designation is within the Grand Junction city density parameters.

Sincerely,

Barbara Hartshorn *Denzel F. Hartshorn*
Barbara Hartshorn Denzel F. Hartshorn

818 26 Road
Grand Junction, Colorado 81506



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2399 River Road
P.O. Box 4150
Grand Junction, Colorado 81502-4150
(970) 243-5669 • Fax (970) 245-2661
Toll Free (888) 724-0692
Email: mci@maysconcrete.com
Website: www.maysconcrete.com

September 24, 2007

Planning Commission
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Dear Planning Commission:

I am writing regarding a preliminary plan for Weeminuche Subdivision between 26 and 26½ Roads, in Grand Junction. The project is proposed by an entity composed of Alan and Gary Parkerson. I have known both of these men for more than 30 years and they are some of the hardest working, most reliable and truthful men I have known. We have worked closely together on many construction projects. I have the highest regard for their work, determination, and resourcefulness. They are very knowledgeable and undertake only projects that can be completed promptly, done as required and meet agreed-to specifications.

The proposed development will provide greatly needed housing units and a major source of employment for workers in the Grand Junction area. In my opinion, this integrated development is very desirable at this location. I encourage you to approve this amended Preliminary Plan.

Sincerely,

Mays Concrete, Inc.

A handwritten signature in black ink that reads "Clifton L. Mays, Sr." in a cursive script.

Clifton L. Mays, Sr.
President & CEO

CLM/jas

ORDER OF MAGNITUDE DIFFERENCE

Property density of 151 acre Parkerson
project versus density of 320 acre
surrounding area

Fuel cost of \$31 per gallon versus present
cost of \$3

DEGREE OF INCOMPATIBILITY

Parkerson project 361 properties on 151
acres = 0.42 acres per property

Surrounding $\frac{1}{4}$ mile wide strip, 75 properties
on 320 acres = 4.3 acres per property

Density ratio = $4.3/0.42 = 10.3$

ORDER OF MAGNITUDE DIFFERENCE

“Bonus” twice density of area by itself

NEIGHBORHOOD

Definition of Infill

Vacant parcel must be bordered along at least $\frac{3}{4}$ of the parcel's perimeter by land developed in kind

Not comparable to Paradise Hills

(zoned RSF-4, built at 2.1 homes per acre)



2.6 Code Amendment and rezoning

A. Approval Criteria

1. Original zoning in error
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, ... air or noise pollution, excessive nighttime lighting, or other nuisances.

Citizens for Preservation of a Rural North Grand Junction

Urges P&Z Commission to
reject current proposal for
Parkerson Project

RECEIVED

DEC 19 2007

COMMUNITY DEVELOPMENT
DEPT

TRAFFIC STATISTICS
obtained from the city of Grand Junction
for 26 and 26 ½ Road Corridors from G to H Road

26 Road north from G to H Roads

APRIL 24, 2007 3,662 cars for a 24 hour period
+4,344 additional cars with WEEMINUCHE proposed development
8,006 TOTAL

334 CARS / HOUR
6 CARS / MINUTE

26 1/2 Road north from G to H Roads

JULY, 2006 2,578 cars for a 24 hour period
1,000 cars for a 24 hour period (HOLY FAMILY SCHOOL)
324 cars for a 24 hour period (GARFIELD ESTATES – I and 26 ½ Road
312 cars for a 24 hour period (PHASE 6 – SUMMERHILL)
+4,344 additional cars with WEEMINUCHE proposed development
8,558 TOTAL

356 CARS / HOUR
6 CARS / MINUTE

For any rural development project, there are elements that need to be incorporated:

- **Avoid damage to the night sky**
 - ✓ Dark sky compliance lighting
 - ✓ Full sky downcast light fixtures, including street lights
 - ✓ Full or partial cut off light fixtures
 - ✓ Motion activated lighting on homes

- **Ensure existing residents' "right of view"**
 - ✓ *Story Pole* the perimeter to demonstrate impact on residents' views
 - ✓ Construct single story residences

- **Avoid noise pollution**
 - ✓ Strict noise and nuisance ordinances
 - ✓ Strict covenants regarding pet control
 - ✓ Setbacks far from the roads

- **Protect wildlife**
 - ✓ Consult with the Colorado Division of Wildlife to design wildlife corridors, large contiguous blocks of open space, and minimal use of fencing to avoid damage to wildlife habitat.
 - ✓ Strict covenants regarding pet control
 - ✓ Limit number of cars by limiting density
 - ✓ Limit speed to 30 mph

- **Ensure safety of residents**
 - ✓ Construction of bike and walking lanes along the road (not just within a subdivision)
 - ✓ Limit speed to 30 mph
 - ✓ Limit number of cars by limiting density

08 January 2008

Mr. Greg Moberg
Planning Services Supervisor, City of Grand Junction
250 N 5th St
Grand Junction CO 81501

Dear Greg,

We are writing to thank you for your extremely responsive assistance in our effort to understand why the density of dwellings proposed in the plan for development of the Saccomanno Property has increased by a factor of approximately 2.5 from the original law of May 1995. Our neighborhood association, *Citizens for Preservation of a Rural North Grand Junction*, will testify at the 16 January meeting of the City Council that the current development plan will destroy the agricultural character of our neighborhood.

At the 27 November meeting of the Planning Commission, confusion documented in the DVD of the proceedings was evident during discussion to identify the correct underlying zone among the Commissioners, the petitioner, and the City Planning Office. This prompted us to thoroughly research the zoning code, aided by legal counsel. **We found that the process that effectively rezoned the Subject Property was entirely legislative, and completely lacked input from residents adjacent to the property.**

The residents adjacent to the property can hardly be considered negligent in their failure to realize that legislative actions in 1996 and 2000 had rezoned this property without notification of those within a 500 ft distance. After a 30 day period for protest expired without being noticed by residents, these ordinances became law. The residents were ambushed because the City Attorney had assured them that their input was to be made when the development plan was formulated, and could not be made at the 1995 meeting:

City Attorney Dan Wilson explained a plan will come back for review. The Plan must be approved by the Planning Commission at a public hearing. The Planning Commission or City Council can determine how the zoning will be distributed. The decision will be made at the time the plan is reviewed. The decision cannot be made today because there is no development plan. When the plan is brought before Council it must address the entire 152 acres.

In contrast, the petitioner was strongly guided in his development plan by the City Planning Office, as evidenced in the DVD of the 27 November proceedings by his representative's presentation:

We had the assumption at the time the planning and development was established that they assigned 2 units per acre, so we took that as fact, and then Staff said you could

rezone property, try to go to a higher zoning range, or we could try to net an additional 60 units through the density bonus provision.

There are three parties with a strong interest in land development: the developer, the City at large, and neighboring residents who will feel the effects of development. As a business interest, most developers have a foremost interest in maximizing profit. Higher density increases profits because smaller, cheaper homes are easier to build and then to sell. So it is natural and understandable that most developers will propose the highest densities that they can legally build, although builders can instead provide developments that compromise maximum density in a consideration of their effects on the neighborhood (*Deer Crossing Estates, described in Sentinel 11 November 2007*). Local residents almost unanimously want the lowest possible density, or no development. A city may take either side. Aspen is a nearby community that is strongly anti-growth, Grand Junction is strongly pro-growth, and Palisade and Fruita are more central. The zoning code of this City highly favors the developer, who develops the plan in consultation with the City Planning Office, which evaluates the plan solely for compliance.

The table below shows how subsequent law expands the range of zones defined prior to 1996. **The R-2 zone includes by definition both low and medium-low density designations in the Growth Plan; for an unknown reason, the Subject Property was designated as medium-low density rather than low density in 1996.** Clearly, low density accurately reflects the RSF-2 characteristics of the Subject Property, which was thus legislatively rezoned in 1996, less than a year after passage of Ordinance 2842. The density ranges are therefore discordant; 0.5-2 dwelling units per acre are allowed within the R-2 district, but 2-4 dwelling units per acre are specified by the Growth Plan. The development plan applies both classifications of the Subject Property to full advantage.

Ord 2842 1995		RSF-2	RSF-4	RSF-8	
		<2	<4	<8	
Growth Plan 1996	0.2-0.5	0.5-2	2-4	4-8	8-12
	Estate	Low	Med Low	Medium	Med High
Zoning Districts 2000	R-E	R-2		R-8	
			R-4		

Values are dwelling units per acre allowed

Guided by the City, the developer added 60 units to the number of units possible using the maximum gross density for the R-2 zone by application of the bonus provision. The bonus provision allows adjustment of Dimensional (Bulk) Standards that accommodate the increased density if necessary, in this case to the R-4 zone:

3.10.b. *Bulk requirements shall be those for the zone that best fits the resulting lot size.*

The table below color codes a comparison between the match of Dimensional Standards for relevant zone districts with each lot type. The developer proposes three lot types to satisfy the Planned Development (PD) requirement for density gradation specified by Ordinance 2842. Each lot type represents approximately 1/3 of the 362 lots within the proposed plan. The smallest, "T" lots (final column) generally do not comply with Dimensional Standards that have already been degraded to R-4 (lemon yellow column) from the R-2 district (light yellow column) of the Subject Property. Most Dimensional Standards for "T" lots conform to those of R-8 (orange column), Standards for maximum lot coverage (red cell) are compliant to R-8 only because multifamily dwellings are exempted. The purpose of the gradation is to provide a transition between suburban neighborhoods to the east of the Subject Property with agricultural lots surrounding it elsewhere. Farm animals, primarily horses, are stabled on many of these agricultural properties.

Lot Type and Reference	RSF-2	R-2	R-4	R-8	E	L	T
Minimum street frontage	50	50	20	20			20
Minimum lot width	100	100	75	40			40
Maximum lot coverage	25	30	50	70			75
Principal side setback	15	15	7	5	10	7	5
Principal rear setback	30	30	25	10	25	20	15
Minimum lot area	0.49	0.39	0.18	0.09	0.5	0.33	0.11

"E", "L", and "T" lots are three lot types of developer's proposed plan. Null entries were requested on 31 December 2007 but are not presently available.

The proposed density is too high to allow compliance with the R-2 district, even with application of Dimensional Standards for R-4 following application of the "bonus". "T" lots are noncompliant for nearly all Dimensional Standards, and at or near absolute minimum compliance with the R-8 zone. Section 5.4.G requires approval from the City Council for deviation from Dimensional Standards. Bike or pedestrian amenities in excess of those applied to the bonus, or open space of 20% or greater can be applied. Virtually all open space that the developer provides, which constitutes 19.8% of the Subject Property, is unsuitable for development. Justification for this most egregious deviation of the "T" lots is not provided in the 27 November Staff Report, and thus must be addressed at the 16 January meeting. The R-2 zone accommodates full agricultural use. How to accommodate a horse on a "T" lot is an interesting question.

The satellite image below shows that "T" lots do not provide a transition between suburban and agricultural neighborhoods. This completely suburban plan has a density of 3.3 units per acre on each buildable acre that cannot disguise the ridiculous premise that it is transitional between its suburban east side, built at about 2.5, and its three agricultural sides, built at 0.23. The perimeter is bounded 95% by lots currently in agricultural use, so a suburban development within the Subject Property is highly out of

character. The density contrast between the proposed plan and the surrounding south, west, and north sides exceeds an order of magnitude (factor of 10). In contrast, Paradise Hills and associated suburban developments east from the Subject Property are harmonious on three sides. Airport properties and developments are north and east of Paradise Hills, and church properties and suburban developments are to the south. Paradise Hills is harmonious with its surroundings; the Subject Property will destroy the agricultural character of its surrounding neighborhoods.



In 1995, Ordinance 2842 properly designed the Subject Property using the density gradation as a transition between the suburban and agricultural areas. An infinite number of possible plans would satisfy this simple ordinance, but all require a density far below the maximum. One example would build at a density identical to the average within a ¼ mile perimeter of the Subject Property; this average is 1 dwelling per acre. This example would provide about 150 dwellings there, with lots about ½ acre at the eastern edge and about 2 acres at the western edge. If all North Grand Junction were developed at such density, then this 20,000 acre region would add a population of 50,000 based on an average family of 2.5. Such growth satisfies the City's projected needs yet avoids destroying the character of the neighborhood.

If the anticipated growth of about 120,000 residents by 2035 (*October 2007 City Newsletter*) were to be equally accommodated by 4 prime areas, then each area would need to contribute 30,000 additional residents during the next 18 years. The 4 prime areas identified from the Comprehensive plan open house are Central Grand Junction,

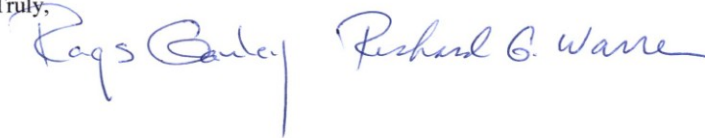
Whitewater, east Orchard Mesa, and areas north of I-70 (*Free Press*, 6 December 2007). If demographics are considered, then east Orchard Mesa and areas north of I-70 should be expected to contribute fewer. Recognizing that the area east of 26 Road already has a density exceeding 1 home per acre, this area of North Grand Junction already has contributed more than its fair share of growth. Development according to Ordinance 2842 will add significantly to our growth contribution without destroying its agricultural character that appeals to perspective residents.

We must also recognize that growth continues as individuals subdivide smaller properties. Growth is formally planned for properties zoned URR-5, north from the Subject Property, and would certainly occur for the larger "E" lots if the tract is built to honor Ordinance 2842. Such growth proceeds slowly but deliberately and so provides for stable economics and happy residents. Rapid conversion of character is unacceptable to most residents within any affected neighborhood and so violates the primary purposes of zoning (*section 3.1 of online zoning code*):

- B. ...ensure logical and orderly growth...
- C. Prevent scattered, haphazard growth and guide orderly transition...
- D. Conserve and enhance economic, social, and aesthetic values.
- E. Protect and maintain the integrity and character of established neighborhoods.

Ordinance 2842 provides a highly thoughtful, showcase zoning plan based on public input that reconciles agricultural and suburban neighborhoods, developing the Subject Property to transition between the two. However, it bears a contradictory Growth Plan designation, assigned without input of residents. Ordinance 2842 provides adequately for growth while preserving quality of life. The developer planned the Subject Property by manipulating the contradictory Growth Plan designation, designing an astrobleme of suburban residences that border agricultural properties along 95% of its perimeter and showing a density contrast exceeding a factor of 10 with these agricultural properties. Acceptance of his plan places more importance on following the Growth Plan than observing other purposes of the zoning code that preserve the rural lifestyle of current residents. We ask the City to balance growth with quality of life to maintain a "small town" character, a key issue for balance of character, economy, and environment within the City's online Strategic Plan. We urge the City Council to reject the current proposal and require that development follow Ordinance 2842 by requesting a plan within the R-2 district that employs less than the maximum allowed density.

Yours Truly,



Rags Gauley, President 827 26 Rd Grand Junction CO 81506
Rick Warren, Secretary 2622 H Rd Grand Junction CO 81506

27 June 2007

Mr. Ken Kovalchik
Senior Planner, City of Grand Junction
250 N 5th St
Grand Junction CO 81501

Dear Ken,

We are very grateful to you for taking the time to personally describe to us the proposed Weeminuche Estates subdivision. Your office is working to approve the developer's plans to construct 363 dwellings on a 151 acre parcel bordered on the north by H.75 Rd, and by 26 and 26.5 Rds (Figure 1). The development is designed with small interior parks and walkways to provide attractive suburban living for residents of the subdivision. But development of this subdivision will completely change the character of this part of North Grand Junction and severely degrade the quality of life in the surrounding area. We do not oppose development of the 151 acre property, but the development is not consistent with land usage within the surrounding area, will strongly degrade the safety of current residents, and the housing density exceeds the original agreement made in 1995 that changed this property from RSF-R to RSF-2.

Twelve 40 acre square tracts, one quarter mile on a side, surround the proposed subdivision (Figure 2). The eight 40 acre tracts that surround the proposed subdivision to the south, west, and north are each platted into an average of 15 properties; each plat thus averages 5.3 acres, consistent with the RSF-R zoning. The four 40 acre square tracts east from the proposed subdivision encompass the Paradise Hills and Summer Hill subdivisions. These subdivisions are bounded on the south by church properties and by the Alpine Meadows subdivision, and on the north and east mostly by airport properties. These subdivisions have a small effect on those of us living on RSF-R lands to the west, and affect very few residents in other directions. In contrast, the housing density of the proposed Weeminuche Estates subdivision, highly inconsistent with the present density, affects current residents within a large area of North Grand Junction.

No plans exist to upgrade the present roads, presently constructed for rural usage. No services are available or planned, with the closest market or any service available 3 miles distant from the proposed subdivision. To reach any required service, new residents will exit mostly to the south via 26 and 26.5 Roads, increasing traffic density by a factor of 10 or more. To be sure, roads will eventually be upgraded to standards for the markedly increased traffic flow, but until then the present residents of the surrounding area will find the roadways, particularly 26 Road and H.75 Road highly unsafe with suburban traffic flow rates on rural roadways. NONE of the roads surrounding the proposed subdivision has ANY shoulder to accommodate the recreational walkers, runners, or bicyclists that use these roads in great numbers, us included. These roads are not designed for such volume and will be unsafe for drivers as well. The proposed Weeminuche Estates subdivision will greatly endanger the use of the rural roads that surround it.

The present zoning resulted as a requirement for deeding a smaller tract of land to the City. The rezoning of the 151 acres from RSF-R to RSF-2 in 1995 was the final result of a long and contentious meeting of the City Council, passing 4-3 after several failed approvals. The City Council agreed to a maximum density of 2 dwellings per acre. At the time, no "bonus" of an additional 20% density was in effect, and it could be argued that, as contentious as approval was, the Council would never have agreed to the "bonus". Thus, the presently proposed density of 2.4 dwellings per acre is legally questionable.

In summary, the density of housing proposed for the Weeminuche Estates subdivision is highly inconsistent with the current housing density of the surrounding area, will endanger recreational users of the rural roads within the area, and exceeds the maximum density specified in its rezoning from RSF-R to RSF-2 in 1995. Presently, land north of I-70 and west of 26.5 Road is entirely rural in usage. The proposed Weeminuche Estates subdivision would be an exception that will strongly degrade the quality of life for those on adjacent lands. RSF-2 requires **no more** than 2 dwellings per acre; 1 dwelling per acre, one dwelling per two acres, or one dwelling per five acres are consistent with this zoning and retain the rural character of this area. Considering the highly negative effects on current residents of North Grand Junction, we ask that you please reconsider modifying the present plans for a housing density of 2.4 dwellings per acre towards one per 5 acres, consistent with present usage within all lands west of 26.5 Road and north of I-70.

We urge all members of the Planning Commission and the City Council to examine the area adjacent to the proposed subdivision. Please see for yourselves that **all** roads surrounding this proposed subdivision are currently unsafe to recreational walking, running, or bicycling, and will become very dangerous as development proceeds. See the 75 homes on 320 acres and try to visualize 363 homes within an area less than half that size. Like the other residents of this area, we live here for the rural setting. We do not oppose continued rural growth, but the proposed subdivision has more than 10 times the housing density in the surrounding, fully developed area, and destroys the present character of our area. The proposed subdivision should not be approved as currently designed.

Truly Yours,



Jan and Richard Warren
2622 H Road
Grand Junction, CO 81506



Figure 1. Platt for proposed 151 acre Weeminuche subdivision.

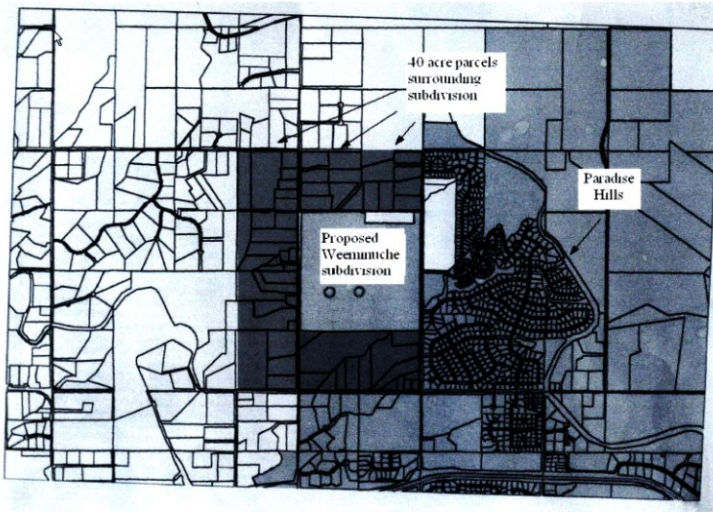


Figure 2 Platt for area surrounding proposed 151 acre Weeminuche subdivision. Gray shaded area defines 1/4 mile wide area surrounding proposed subdivision, and consists of eight 40 acre parcels.

Exhibit I

Future Land Use

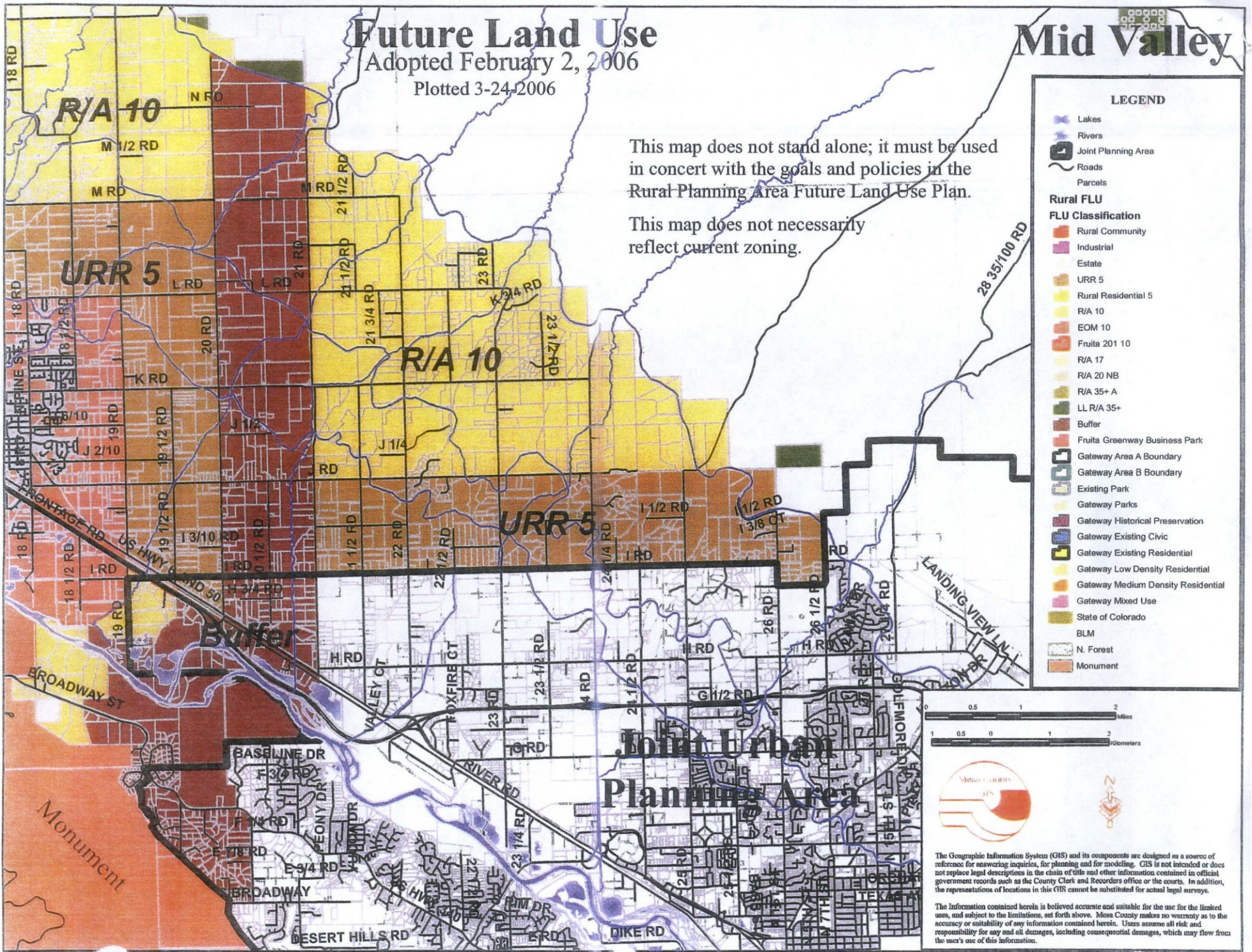
Adopted February 2, 2006

Plotted 3-24-2006

Mid Valley

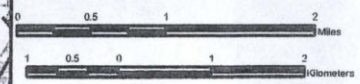
This map does not stand alone; it must be used in concert with the goals and policies in the Rural Planning Area Future Land Use Plan.

This map does not necessarily reflect current zoning.



LEGEND

- Lakes
- Rivers
- Joint Planning Area
- Roads
- Parcels
- Rural FLU**
- FLU Classification**
- Rural Community
- Industrial Estate
- URR 5
- Rural Residential 5
- R/A 10
- EOM 10
- Fruita 201 10
- R/A 17
- R/A 20 NB
- R/A 35+ A
- LL R/A 35+
- Buffer
- Fruita Greenway Business Park
- Gateway Area A Boundary
- Gateway Area B Boundary
- Existing Park
- Gateway Parks
- Gateway Historical Preservation
- Gateway Existing Civic
- Gateway Existing Residential
- Gateway Low Density Residential
- Gateway Medium Density Residential
- Gateway Mixed Use
- State of Colorado
- BLM
- N. Forest
- Monument



The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal descriptions in the chain of title and other information contained in official government records such as the County Clerk and Recorder's office or the courts. In addition, the representations of locations in this GIS cannot be substituted for actual legal surveys.

The information contained herein is believed accurate and suitable for the use for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.

~~Residential Single Family Estate Future Land Use Classification~~

Classification	Density = Acres/lot (Minimum Acreage Eligible for Subdivision)		Lot Size (acres)		Density Bonus	Required Reserve %
	Base	Bonus	Minimum	Maximum		
RSF - E	2-5 (4)	None (N/A)	2	5	N/A	N/A

C. Urban/Residential Reserve 5 (U/RR5) (5 Acre Average Lot Size)

Intent and Applicability

The Urban/Residential Reserve 5 (five) Land Use Classification is intended to be applied to areas where there is potential in the future for public sewer to be extended (in the reasonable foreseeable future). Maximum rural densities can be achieved today and the allowance for urban development is provided for the future. New development has a mandatory reserve of 40% of the site so as to permit redevelopment when urban infrastructure/services (sewer, water for fire flow, roads that include pedestrian and bicycle facilities, increased traffic circulation, etc.) become available. Further, it requires a subdivision design and an open land reservation that will result in an overall project (including the residual lot) configuration that will reinforce its future redevelopment potential. The cumulative impact of the undeveloped reserved land will result in benefits to the community with respect to circulation and access and other public infrastructure requirements as the area population and density increases.

The density of this classification is applicable to the areas depicted on the 2006 Future Land Use Map.

Considerations

The character of these areas of the County is transitioning from farm and rural residential to urban residential uses. The areas are generally close to or adjacent to urban areas/centers. They do not have a public sewer system presently, but the intent of the classification is to allow sewer service to expand to these areas in the future. The roads are not currently designed or built to urban classifications and standards but will be required to be built as such to accommodate urbanization. Land owners are able to develop properties under this classification at the full rural density, and in addition, are allowed to develop the reserve area at full urban density when sewer service is available.

Structure Grouping: In the U/RR 5 Future Land Use Classification, non-agricultural development shall be grouped to retain the maximum amount of contiguous land in agricultural production or available for future agricultural/residential use. Homes, roads, residential support facilities, and other non-agricultural development, will be grouped on no more than sixty percent of the gross acreage of the parent parcel, with the remaining acreage retained in agricultural production and/or open land until sewer service is available and redevelopment is anticipated.

Development in the Urban/Residential Reserve 5 areas must conform to the Road Access Policy including all adopted circulation maps and adopted transportation plans. This shall include planning and design of road/streets to serve the future urban density developments on the reserved lands including access standards and road/street construction. In most cases this will preclude the ability to use shared driveways for access to the initial development. It will also require that road/street design and construction conform to urban standards and be completed to the limits of the developed area.

The reserve area is to be designed to avoid significant diminution of the existing or potential agricultural use of the land. Extensive grading is not consistent with the natural topography of the site, removal of significant vegetation, and degradation of the natural visual qualities of the site. Proposed development shall also be sited to minimize impacts on scenic resources, wildlife habitat and streams, and adjacent agricultural operations and infrastructure.

The minimum parcel size eligible for major subdivision in this classification is 10 acres.

Implementation

- New development must meet the zone district standards and Master Plan policies.
- Adopt specific subdivision/development design standards consistent with this future land use classification including provisions to allow for future road and urban infrastructure extensions as the area urbanizes.
- Seven years after platting a subdivision the reserved lot may be developed at a density of at least 1 unit per 2 acres if sewer service is not available at that time.
- Future redevelopment of the reserved lot with sewer service will be allowed only after an approved zone change to an urban zone district. New development must meet the zone district standards and Master Plan policies in place at that time.
- Allow density bonuses as part of the U/RR5 zone district consistent with the Master Plan.
- A density bonus may be achieved by meeting development design standards set forth in the *Mesa County Land Development Code*.

Urban/Residential Reserve 5 Future Land Use Classification

Classification	Density = Acres/lot (Minimum Acreage Eligible for Subdivision)		Lot Size (acres)		Density Bonus	Required Reserve %	Structure Grouping
	Base	Bonus	Minimum	Maximum			
Urban/Residential Reserve 5	5 (10)	2 (10)	Land Development Code Wastewater standards	N/A	Achieved through design	40%	Required

Exhibit J

GRAND JUNCTION PLANNING COMMISSION
NOVEMBER 27, 2007 MINUTES
7:00 p.m. to 11:50 p.m.
DRAFT

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman 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), Lynn Pavelka-Zarkesh, Reggie Wall, Tom Lowrey, William Putnam and Patrick Carlow (PC Alternate). Commissioner Bill Pitts was absent.

In attendance, representing the City's Public Works and Planning Department, Planning Division, was Greg Moberg (Planning Services Supervisor) and representing Neighborhood Services as Kathy Portner (Neighborhood Services Manager).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes. There were approximately 116 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes of October 9, 2007 and October 23, 2007.

MOTION: (Commissioner Cole) "Mr. Chairman, I move for approval of the October 9, 2007 minutes."

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 6-0. Commissioner Pavelka-Zarkesh abstained.

MOTION: (Commissioner Cole) "Mr. Chairman, I move for approval of the October 23, 2007 minutes as presented."

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

III. CONSENT AGENDA

Available for consideration were items:

- | | | |
|----|--------------|---|
| 1. | PP-2007-303 | REZONE – Pepper Ridge Subdivision |
| 2. | PP-2007-317 | RIGHT-OF-WAY – Alpine Bank Subdivision |
| 3. | ANX-2007-289 | ZONE OF ANNEXATION – Cooper-Tucker Annexation |
| 4. | ANX-2007-294 | ZONE OF ANNEXATION – Krummel Annexation |
| 5. | ANX-2007-300 | ZONE OF ANNEXATION – DeHerrera Annexation |
| 6. | ANX-2007-313 | ZONE OF ANNEXATION – Sipes Annexation |
| 7. | PP-2005-179 | REQUEST FOR EXTENSION – Erica Estates Subdivision |

- | | | |
|-----|--------------|---|
| 8. | ANX-2007-297 | ZONE OF ANNEXATION – Davis Annexation |
| 9. | GPA-2007-264 | GROWTH PLAN AMENDMENT – Belford Tri-Plex |
| 10. | GPA-2007-276 | GROWTH PLAN AMENDMENT – Sura Growth Plan Amendment |
| 11. | GPA-2007-279 | GROWTH PLAN AMENDMENT – Reigan Growth Plan Amendment |

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted any of the items pulled for additional discussion. No objections or revisions were received from the audience or planning commissioners on any of the Consent Agenda items.

MOTION: (Commissioner Cole) “Mr. Chairman, I move approval of Consent Agenda items 1 through 11.”

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

IV. FULL HEARING

12. **PLN-2007-322 AREA PLAN – North Avenue Plan**
Request approval to adopt the North Avenue Corridor Plan as an element of the City of Grand Junction Growth Plan.
PETITIONER: City of Grand Junction
LOCATION: North Avenue from 12th Street East to I-70 Business Loop
STAFF: Kathy Portner, Neighborhood Services Manager

STAFF’S PRESENTATION

Kathy Portner with the City Neighborhood Services Division presented the North Avenue Corridor Plan. She stated that the plan includes an overall strategy to revitalize the corridor primarily focusing on sustaining and increasing vitality of the North Avenue corridor. Ms. Portner stated that at present the area is primarily zoned for C-1 for commercial uses. She advised that two public open house meetings were held over the last year as well as focus group meetings to address specific issues along the corridor. She pointed out that the plan includes specific key projects and strategies for implementing improvements and future investment opportunities to stabilize the corridor and to implement some improvements that will create services at the neighborhood level, restore the regional destination, improve mobility for pedestrians, bicyclists and transit riders, and create a significant neighborhood of residential, retail, commercial and public activity areas. Five areas for improvement were identified by Ms. Portner – the market, financial incentives, physical, regulatory climate and the political climate. Barriers and strategies for each segment were also identified in the plan. She went on to state that the plan recommends creating focal points at 12th Street, 28 Road and 29 Road. She pointed out that the following priorities are recommended to be pursued in 2008 – to assist in organizing the North Avenue property and business owners to oversee the implementation strategies; to develop a North Avenue corridor overlay zone district to address specific design issues and provide incentives for redevelopment in accordance with the plan; establish street standards based on existing constraints and desired character to be implemented as funding becomes available; and to identify at least one catalyst project to be implemented through a public/private partnership. She concluded that she finds that the North Avenue Corridor Plan is consistent with the purpose and intent of the Growth Plan and that the pertinent review criteria of the Zoning and Development Code have been met and recommended approval.

QUESTIONS

Commissioner Putnam asked if the issue of mass transit and places for buses to stop has been addressed. Kathy Portner stated that currently it is probably the most heavily traveled for the GVT system and will continue to be so. She assured that appropriate pullouts would be looked at for those bus stops.

PUBLIC COMMENT

Steve Fitzgerald, 441 Athens Way, stated that he has some concerns with the project. He stated that he would not be compensated for lost property and lost parking associated with the bus stop pullouts. He also stated that he was

concerned with roundabouts. He disagreed with several statements made by Ms. Portner, such as high turnover and decline of the area, among others.

Levi Lucero stated that he has had several businesses along North Avenue. He stated that he liked the idea of creating incentives which should be publicized as well as organizing the owners who would benefit and be involved in developing the area. He also mentioned the importance of keeping them informed.

Matt Sura, 405 25 Road, thanked the Commission as he believes North Avenue is an area with a lot of potential.

STAFF'S REBUTTAL

Kathy Portner said she thinks the important element is that the property owners and business owners need to be organized so that they can help to implement this plan. She stated that the present plan is not proposing roundabouts. She stated that the City would not be taking property for purposes of bus pullouts. As property redevelops, Ms. Portner said that if there was the possibility for a pullout that would be part of the review process. They are looking at ways of making those existing businesses stay as well as making their businesses more viable and introducing some additional uses to the corridor.

DISCUSSION

Commissioner Cole stated that he thinks this is a real opportunity to improve North Avenue and would support the plan as presented.

Commissioner Lowrey agreed with Commissioner Cole.

Commissioner Carlow said that as long as the impacts can be minimized to existing owners he agreed with the concept.

Commissioner Putnam stated that he too can support this proposal.

MOTION: (Commissioner Cole) "Mr. Chairman, on item PLN-2007-322, I move that we forward to City Council our recommendation of approval of the North Avenue Corridor Plan with the facts and conclusions listed in the staff report."

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

**13. PP-2007-003 PRELIMINARY SUBDIVISION PLAN – Weeminuche Subdivision
Request approval of the Preliminary Subdivision Plan to develop 362
dwelling units on 151.36 acres in a PD (Planned Development) zone district.
PETITIONER: Alan Parkerson – 26 Road, LLC
LOCATION: 26½ Road & Summer Hill Way
STAFF: Greg Moberg, Planning Services Supervisor**

PETITIONER'S PRESENTATION

Greg Hoskin of Hoskin, Farina, & Kampf, representing the applicant, addressed the Commission in support of the Weeminuche Estates Preliminary Subdivision Plan. He submitted various letters of support to the Commission. He also gave a brief background of applicant, 26 Road, LLC.

Joe Carter, with Ciavonne, Roberts and Associates, stated that applicant is seeking approval of a Preliminary Plan for Weeminuche Estates Subdivision. He said the plan is requesting a total density of 2.39 dwelling units per acre with a base density on the project of 2 dwelling units per acre. Applicant is requesting through the density bonus provisions an additional 60 units. He stated that the plan is compatible with the Growth Plan and the current Growth Plan designation of Residential Medium Low, or 2 to 4 dwelling units per acre. He further stated that the request is for a

total of 362 units. Current zoning is Planned Development with an underlying density of 2 dwelling units per acre. Mr. Carter stated that the project is consistent with the applicable Growth Plan goals and policies. Next addressed were benefits to the community, some of which include a 60 foot landscape buffer along 26 Road, a 30 foot landscape buffer along 26½ Road, site amenities which include 3 neighborhood play areas, public trails and almost 30 acres of open space. He clarified that three lot sizes are being proposed with a variety of housing types distributed throughout the development in order to address topography. The larger lots would be adjacent to the larger surrounding lots on the north and the west with the smaller lots in internal development buffered by Leach Creek. Mr. Carter next addressed the density bonus which he stated is allowed by the Zoning and Development Code. He stated that for each 100 linear feet of improved hard surface trail provided throughout the proposed development a density bonus of one unit may be granted. Applicant has proposed to provide over 6,000 linear feet of neighborhood trails in exchange for 60 additional units. He stated that the site would be constructed in three phases with the first phase anticipated to begin in 2008. He next addressed access and traffic. He stated that according to the traffic studies, all intersections would operate at a level C or better in the short and long-term horizon.

QUESTIONS

Commissioner Lowrey raised a question regarding the underlying zone district and whether or not the bonus density provision would be necessary. Mr. Carter stated that the underlying zone district is Planned Development with a default zone of R-4 to allow for the smaller lot size within the proposed plan. He further confirmed that the Growth Plan designation is 2 to 4 dwelling units per acre. At the time of the annexation agreement, a zoning of Planned Development was applied with a default of 2 to 4 units per acre. Jamie Beard, assistant city attorney, confirmed that when the property was annexed into the city and then the ordinance was done it was done as a Planned Development and did not list a specific underlying zone; however, it did list a density requirement which was the equivalent of an R-2.

Commissioner Lowrey asked what the benefits to the City are pertaining to the density bonus provision. Joe Carter stated that in this particular instance, there would be over 6,000 linear square feet to achieve the additional 60 units. He stated that there are other provisions in the density bonus table which include additional open space which applicant could also apply for.

Chairman Dibble also asked Mr. Carter why applicant felt the density bonus was justified. Mr. Carter said that it was the 6,000 linear feet of trail to be constructed by the developer. He further stated that the underlying zone district is Planned Development, 2 to the acre, or the future land use classification of the parcel, 2 to 4, for a total of 724 units.

Chairman Dibble asked if deviations are the same as variances in this instance. Joe Carter said that within a Planned Development, an underlying default zone standard must be established. Applicant used the R-4 as a standard development which allows for a variation of lot sizes. In this instance, there would be a broad range of lot sizes.

Chairman Dibble asked for more clarification regarding deviation in lot sizes. Again, Mr. Carter stated that the deviation in lot sizes would allow applicant to build the variety, down to 5,000 square feet and up to 21,000 square feet. Without the deviation in place and using a default zone of R-4, 8,000 square feet would be the minimum. It allows flexibility on both ends of the spectrum. Averaged out and taken as a whole, at 2.39 it averages out to over 11,000 square feet per lot.

Commissioner Cole raised a question regarding impacts of traffic on the 26 Road bridge among others. Mr. Carter stated that the traffic impacts are deemed acceptable at this level and within the capital improvements plan there is a budget improvement item for improving the intersections along G and 26 and G and 26½ Road as well as the corridors which would include the bridges.

PETITIONER'S PRESENTATION

Matt Delich of Delich and Associates addressed the Commission as the traffic engineer. He stated that at all intersections that were requested for analysis operated at a level of service of C or better for the various movements that occur at each intersection. Additionally, he stated that another requirement of a traffic study is a link analysis. According to Mr. Delich, all of the links in both the short range future and long range future are in the A-B category.

QUESTIONS

Chairman Dibble asked how many additional trips would be added because of the subdivision on both 26 Road and 26½ from H going south. Mr. Delich said that, for example, the current volume on 26 Road crossing the bridge at I-70 during the morning peak hour heading south is about 180 and 185 vehicles and it is anticipated that this development would add an additional 57 vehicles. He stated that the increase would be similar on other roads. Currently southbound traffic on 26½ during the morning peak hour is about 325 vehicles and an additional 75 vehicles would be added due to this development.

Commissioner Wall asked for clarification regarding the peak hour. Mr. Delich clarified that the peak hours are typically in the morning between 7:00 a.m. and 9:00 a.m. and is the highest hour and the afternoon peak hour typically occurs between 4:00 p.m. and 6:00 p.m. and is the highest hour within that two hour period.

PETITIONER'S PRESENTATION

Mr. Delich continued by stating that during the year 2025 it is anticipated that the traffic study showed 375 vehicles during the morning peak hour in the southbound direction, 75 of which would be attributed to this project; and on 26½ Road headed southbound in the morning peak hour, traffic volume is expected to be almost 600 vehicles with 75 vehicles attributed to this project.

QUESTIONS

Commissioner Cole asked Mr. Delich how he arrived at these figures. Mr. Delich stated that there is an analytic procedure spelled out by the City guidelines and the increases that occur due to the background traffic numbers are based upon general traffic growth and factors developed by the City as are actual traffic values.

STAFF'S PRESENTATION

Greg Moberg reiterated that this request is for a PD zone and is currently designated on the Future Land Use Map as Residential Medium Low. Estate zoning is located directly to the west; Residential Low to the south; URR-5 which is a County designation to the north; and Residential Medium Low directly to the east. He stated that this property is located within the North Central Valley Plan. Mr. Moberg stated that there are three tiers located in the North Central Valley Plan – 5 acre densities on poor soils and 10-acre densities on prime soils from I-70 to I Road; 10-acre densities on poor soils and 20-acre densities on prime soils from I Road to K Road; and urban densities and uses within the urban growth boundary. According to Mr. Moberg, the property is zoned PD currently. The developer has requested a default zone of R-4 more for the bulk standards than the density. Mr. Moberg gave a brief background as follows: In 1995 the annexation occurred and there was no growth plan designation on the property at that time. In 1996 the Growth Plan was adopted by the City in conjunction with Mesa County and the growth plan designation in 1996 was Residential Medium Low. In 1998 the North Central Valley Plan was adopted and in 2000 the Planned Residential zone was changed to Planned Development. The community benefit was required within the PD zone and the bonus density provision was added to the Zoning and Development Code. Applicant is proposing 362 units which would include a bonus density of 20% which equals 2.39 dwelling units per acre. Applicant has also proposed one City park located on the northwest corner of the property and three neighborhood parks which would be located internally within the development. There would be approximately 29.9 acres of open space which would include the detention ponds as well as the trail system. Multiple housing types have been proposed. Mr. Moberg pointed out that the pedestrian network would go from 26½ Road to 26 Road and then internally through the open spaces. Three ingress and egress points were set out – 26½ Road; 26 Road; and on H3/4 Road with a stub street to the south. There was also a proposal for a 60 foot landscape buffer along 26 Road and a 30 feet landscape buffer along 26½ Road. Mr. Moberg stated that there are some deviations to the R-4 default zone which are allowed by the

Planned Development. He outlined the various ways a developer can request bonus density, such as community benefits which include public park dedication, open space dedication, dedication of off street trails, housing units and agricultural preservation. The applicant has proposed using the dedicated off street trail provision. Mr. Moberg stated that after a review of this development, staff has found that the preliminary development plan is in compliance with TEDS, is in compliance with Ordinance 2842, is consistent with the North Central Valley Plan and the City of Grand Junction Growth Plan and the appurtenant sections of the Zoning and Development Code and recommended the Planning Commission forward a recommendation of approval of the preliminary plan with a default zone of R4 to City Council.

QUESTIONS

Commissioner Wall asked if applicant could use something other than the trail dedication for the density bonus provision. Mr. Moberg stated that they could use the public park dedication as well. He stated that the open space is being dedicated to the homeowners' association for maintenance. However, applicant met the 20% maximum just with the hard surface trails.

Commissioner Lowrey asked if the underlying zone was 2 or 4. Greg Moberg stated that the underlying zone right now is Planned Development. However, because the annexation agreement limited that to 2 units per acre, applicant had to be able to increase that by way of the density bonus provision.

Chairman Dibble asked for a definition of the agreement referred to in the staff report wherein the minutes state that it is not a development agreement. Mr. Moberg stated that an annexation agreement was originally agreed upon which dealt specifically with annexation of the property. Since the property has been annexed, the City can now enforce its regulations which would allow applicant to apply for an increased density using the density bonus which was not in place at the time it was annexed.

Chairman Dibble asked if zoning has changed since the time the property was annexed. Greg Moberg stated that zoning has not changed since annexation.

STAFF'S PRESENTATION

Eric Hahn, engineer with the Engineering Division of Public Works and Planning, addressed the Commission regarding the proposed Weeminuche Preliminary Subdivision Plan. With regard to traffic, he explained that level of service is a way of grading congestion on an intersection or corridor. He stated that a level of service A on an hourly basis on the 26 Road and 26½ Road corridors are generally understood to be 800 vehicles per hour. Current counts during morning peak hour at G Road and 26½ Road was 220 vehicles in one hour. He stated that using the most recent numbers average daily trips on 26 Road was 3,700 cars per day and on 26½ Road it was 3,200 cars per day. There are no problems anticipated for the three corridors that would be directly impacted by this subdivision at full build out.

QUESTIONS

Chairman Dibble asked if there were any differences between the results of the traffic study conducted by applicant and that of the City. Mr. Hahn said that applicant's traffic engineer worked very closely with the City's traffic engineer and traffic planners.

STAFF'S PRESENTATION

Eric Hahn continued stating that within the next 6 to 7 years roughly \$3.7 million has been budgeted on improvements to the three G Road intersections, 26 Road, 26½ Road and 27 Road. He next addressed an issue raised by Commissioner Putnam regarding 26 Road and whether or not there would be cuts and fills. Mr. Hahn stated that that corridor would be improved from the interstate bridge down to the canal which is just north of G Road during the upcoming year. The primary purpose for those improvements is to improve site distance.

A brief recess was taken from 9:05 p.m. to 9:16 p.m.

PUBLIC COMMENT

For:

Santo Berducci, 807 Mazatlan Drive, stated that there is a need for housing in the northern area. He vouched for the developer as he has known him for over 20 years and stated that the Commission would be satisfied with the work that they do.

Mark Gardner, 2612 H-3/4 Road, stated that he agreed that there is a need for housing there. He stated that he was against the density bonus and would like to see better transitioning.

John Davis, 1023 24 Road, stated that in order to have a successful project a good plan and a good developer are needed and stated that this has both. He stated that he believes higher density is needed on this project .

Laura Lamberty, 2023 West Liberty Court, spoke in favor of the project. She stated that the traffic issues have been adequately addressed.

Ron Tipping of 1967 Broadway said that the housing shortage is a concern of his. He stated that the density is needed and the development will be good for businesses regardless of traffic.

Mark Austin also spoke in favor of the project. He said this is a quality development from a layout perspective, from a density perspective and is exactly what the community has been asking for. He stated that the PD zone allows creativity in lot sizes and there is a public benefit due to open space and trails.

Ryan Pritchett, 992 24 Road, stated that this plan shows an indication of moving towards “green”.

Greg Hoskin submitted a letter from Tom Benton.

Against:

Betty Roy Pitts, 2626 H Road, stated that she represents several neighbors. She made a PowerPoint presentation which provided a brief background regarding the subject property. She said that the annexation did not follow the general annexation policies of flagpole annexation. Furthermore, she stated that this property was included in the year 2000 as an automatic rezone adoption. In this adoption, all RSF-2 zoned property was rezoned to Planned Development. She said that this development is not appropriate for this property and should be kept rural. She further stated that this was a political decision and not a community betterment decision. Additionally, the proposed development is not compatible with the neighborhood. She said that homes could be built on this property to take advantage of utilities in a manner that would not completely alter the lives of those persons surrounding it. She strongly requested the Commission deny the proposal and urged the developer to come forward with a plan that is consistent with the neighborhood.

Cherlyn Crawford, 2551 Mayfair Drive, said that no one is questioning the integrity of the developers. They are, however, questioning the density and do not believe it belongs there. She pointed out that there is a mistake on one of the transportation maps which shows the ability to go west on H Road. Ms. Crawford stated that horses for houses is a benefit to the area.

Wallace McArthur, 877 26 Road, said that he was told the property would be developed with the properties along 26 Road and H-3/4 Road, from 2 to 7 acres. He asked how domestic water would be provided to this subdivision.

Rick Warren, 2622 H Road, spoke on behalf of a group of citizens called Citizens for the Preservation of a Rural North Grand Junction. He said that this plan is in total contradiction to having space and a rural environment and believes it would be a good plan elsewhere. He further stated that he believes the imposition of this suburban development on this rural setting violates the Code for amendment and rezoning. The original zoning done in 1995

was a political deal and ignored the Planning and Zoning's recommendation that this property be assigned an RSF-R designation, 1 dwelling per 5 acres. He further stated that he believes the proposed rezoning would be incompatible with the surrounding community. He stated that only 5% of the perimeter is developed suburban type development and, therefore, it is not compatible with the surrounding area which is 95% rural. He urged the Commission to reconsider this proposal and believes the original zoning of RSF-R is appropriate.

Diann Admire, 826 26½ Road, quoted certain statistics from a traffic study conducted by the City Traffic Department as well as the number of accidents in the area that have been reported to law enforcement. She also voiced a concern with an incline on 26½ Road at Catalina where visibility is obscured. According to Ms. Admire, high density housing brings traffic; traffic brings noise, congestion, accidents and crime and a quality of life is lost. She urged the Planning Commission to reject the current proposal as it is not compatible with the area.

Rags Gauley, 827 26 Road, stated that he too represents a number of people. He said that it is neither prudent nor wise to approve a massive subdivision 12 months shy of a solid City comprehensive plan. He read portions of both the City of Grand Junction Mission Statement and the Grand Valley Vision 2020 statement into the record. Mr. Gauley said that the Colorado Division of Wildlife is committed to working with land use planners, developers, homeowners to assist with the development designs that offer homes for both wildlife and people. He stated that the local DOW was surprised that they were not asked to consult on this subdivision and stated that the Rice Wash and Leach Creek is a major wildlife corridor. Mr. Gauley further stated that this subdivision is not compatible with the mission of this City. He stated that it does not address loss of the night sky, wildlife corridors, right of view, quality of life, and compatibility with the City's vision statement. He stated that he rejects the current proposal as is.

Jean Gauley, 827 26 Road, asked the Commission to consider the impact on the quality of life. She stated that certain elements need to be incorporated in any rural development project such as avoiding damage to the night sky, ensure existing citizens' right of view, avoid noise pollution, protection of wildlife, and ensure safety of residents.

Chris Cameron, 2605 Kelly Drive, stated that this project was proposed to the County and was denied before it was proposed to the City. He raised a concern with proximity to the airport and associated airport noise.

Bill Scott, 823 26 Road, said that the roads are not safe now for bicyclists, pedestrians or equestrians. He stated that he believes more than 95% of the people oppose this project and that this project is even less compatible now than it was in 1995.

Sandy Romano, 867 26 Road, said that a bad decision was made in 1995. According to Ms. Romano, the land surrounding this property almost completely has already been developed into acreage lots. There is no undeveloped farm or ranch land. Also, the roads leading into it were not made to be thoroughfares. She stated that she believes less dense projects should be at the outlying areas at the end of the road. She too stated that the density is inappropriate. She went on to state that multi-family homes and duplexes next to acreage leaves her dumbfounded.

Dave Zoln, 2545 Canaan Way, said that the north area, historically known as Appleton, is unique because it had an area land use plan before there were area land use plans. The area developed a firm land use and character without a written plan with the development of 5, 10 and 20 acre parcels. Mr. Zoln said that in the North Central Valley Plan, the County changed the area near the City limits from rural to estate densities to initiate their part in a transition of densities. Furthermore, there is no material transition of lot sizes and the density bonus requested compounds that problem. Mr. Zoln further stated that the density bonus provision would compound the lack of transition. Also there are a number of parks, open space and BLM property in close proximity to this development. He requested that the development be denied as presented and encouraged the transition of lot sizes, large to small, from the estate density towards Paradise Hill, maintaining the 2 units per acre.

Jim Kearns, 806 26 Road, also spoke in opposition to the density and asked for rejection of the proposed density. He addressed the issues of speed limits, traffic and drainage.

Diana Cadarello, 2452 I Road, stated that the only people that will benefit from the parks and open space are the people that live in the development and not the surrounding community. She asked that this land be kept rural.

Cindy Dickey, 2651 Paradise Court, said that with the increased density, there will be increased traffic and speeding.

Ron Rucker, 770 26 Road, stated that he has concerns regarding traffic on 26 Road.

Stephan Day, 2554 I Road, encouraged the Commission to listen to the arguments presented and reject the proposal. He would prefer the density to be 2 units per acre at most.

Judy Peach, 2667 Catalina Drive, said that when you have acreage, you have a responsibility to the land, animals and livelihood. Furthermore, the land should be developed with respect of the land.

Jan Warren, 2622 H Road, asked that this proposal be reconsidered because it needs to fit into the plan and the beauty of Grand Junction.

Patsy Day, 2554 I Road, asked that the value of wildlife needs to be considered.

Brian Towner, 840 26½ Road, voiced a concern with overcrowding of schools. He stated that he appreciates applicant limiting the density across the southeast border. He further stated that he is all for the project but not at the density as requested.

Harold Fenster, 2630 H-3/4 Road, said that he has a problem with the density of this project. He said that he is interested in the quality of life.

A brief recess was taken from 11:10 p.m. to 11:15 p.m.

APPLICANT'S REBUTTAL

Greg Hoskin first addressed the issue regarding City Council's decision 12 years ago. He said that the arguments being made now should have been made 12 years ago. Furthermore, many of the people who spoke in opposition to the project are residents of the County rather than the City and this is a City issue.

Joe Carter addressed some of the concerns raised. First, he said that the plan is compatible with the surrounding area. Also, he acknowledged that there was an error on the transportation map as you cannot access westbound on H Road. Applicant fully believes Ute Water can serve the development. With regard to infill development, the property is being developed as allowed by the Growth Plan designations and the densities. He stated that density should be established where the infrastructure can support it. Mr. Carter said that the traffic study was designed and done under the parameters established by the City. Also discussed by Mr. Carter were issues regarding site distance at Catalina and 26½ Road, lighting and down directional night sky issues and airport noise. He also discussed the lot sizes and flexibility provided by the various lot sizes. He summarized by stating that the plan is consistent with the Growth Plan and the Zoning and Development Code, the plan allows for a transition across the site and a variety of lot sizes, the plan provides for amenities to the development and is compliant with the Growth Plan. Community benefits are associated with the Planned Development which include a 60-foot wide landscape buffer along 26 Road, a 30-foot wide landscape buffer along 26½ Road, three neighborhood play areas, public trails throughout the neighborhood, a total of almost 30 acres of open space and provides for a mix of housing costs throughout the development and is compatible with the surrounding zones.

DISCUSSION

Commissioner Putnam stated that he thinks overall this is a good project that needs to be supported.

Commissioner Cole said that to deny this project we would be second-guessing the decision that was made 12 years ago and believes that this meets the requirements, the zoning is in place that has been approved a number of years ago and agrees with the developer that it should have been taken care of back then. He stated that the proposal as presented meets the requirements of both zoning and of the Growth Plan. He further stated that he believes this should be approved and will support this proposal.

Commissioner Wall said that the plan itself as far as the development is a very good development but questioned whether or not it was the right development for the area. He stated that he was particularly concerned with compatibility and stated that he believes it is too much for the area. He does not believe that is the right development and would not support the development.

Commissioner Lowrey stated that he also has a concern with compatibility; however, in order to preserve a way of life, open space and wildlife, there needs to be some areas that are more dense and some areas that are going to be open space. He further said that the location of this piece of property needs to be more dense so that properties further out can be preserved as open space. As a result he said that he would find that this is compatible and the development will provide benefits such as open space and trails. Also, by having different size lots within one development is a community development itself. The traffic engineers have concluded that traffic is not a problem as even with the increased traffic it is well within the capacity of the road system. He concluded by stating that he thinks the plan is good, it is an intelligent way to deal with the growth and will support it.

Commissioner Carlow said that he would reluctantly be in favor of the development.

Commissioner Pavelka-Zarkesh stated that the infrastructure is there, the services are available. She said that she was somewhat uncomfortable with the lots near the Leach Creek area. She said that there are benefits that will be provided and thinks it will work.

Chairman Dibble said that the decision made 12 years ago has stayed on the books as a Planned Development and the underlying zone district is compatible to build out. Furthermore, it meets the requirements, a transition has merits, and it is a rural setting of build out on the west side of it to be compatible in all respects to the build out in the County. Also he found that applicant is entitled to the density bonus provision as the requirements of the Code have been met.

MOTION: (Commissioner Putnam) “Mr. Chairman, on the Weeminuche Estates Subdivision Preliminary Development Plan, PP-2007-003, I move that the Planning Commission forward to the City Council a recommendation of approval of the Plan with the findings of fact, conclusions and conditions listed in the staff report.”

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 6-1 with Commissioner Wall opposed.

With no objection and no further business, the public hearing was adjourned at 11:50 p.m.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

Recitals:

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

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

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

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

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

Beginning at the N 1/16 corner of said Section 26, the basis of bearing being N89°58'25"E along the north line of said S ½ NW ¼ to the NW 1/16 corner of said Section 26; thence N89°58'25"E a distance of 1317.20 feet to the NW 1/16 corner; thence S00°00'28"W a distance of 40.00 feet to the south right-of-way line of H ¾ Road as recorded in Book 2139 at Page 647; thence N89°52'41"E a distance of 85.80 feet along said south line; thence S00°15'15"E a distance of 208.66 feet; thence N89°54'37"E a distance of 1043.64 feet; thence N00°13'19"W a distance of 209.24 feet to said south right-of-way line; thence N89°52'41"E a distance of 157.63 feet along said south line; thence S00°02'15"W a distance of 1279.71 feet, running parallel with and 30.00 feet west of the east line of said S ½ NW ¼; thence S00°01'38"W a distance of 659.87 feet running parallel with and 30.0 feet west of the east line of said N ½ SW ¼; thence S89°55'07"W a distance of 10.00 feet; thence S00°01'38"W a distance of 634.65 feet running parallel with and 40.00 feet west of the east line of said N ½ SW ¼; thence along the northerly line of a boundary agreement as recorded in Book 4249 at Page 204 the following six courses: 1) S85°55'46"W a distance of 246.52 feet; 2) N00°01'56"E a distance of 15.00 feet; 3) S86°59'39"W a distance of 23.87 feet; 4) S89°07'14"W a distance of 22.44 feet; 5) S88°22'07"W a distance of 196.46 feet; 6) S13°27'26"W a distance of 16.70 feet to the south line of said N ½ SW ¼; thence S89°54'58"W a distance of 783.60 feet to the SW 1/16 corner of said Section 26; thence S89°55'03"W a distance of 1316.04 feet to the S 1/16 corner of said Section 26; thence N00°01'07"W a distance of 2639.94 feet to the point of beginning.

Said parcel contains 151.38 acres more or less.

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

INTRODUCED on first reading on the 19th day of December 2007 and ordered published.

ADOPTED on second reading this _____ day of _____ 2008.

ATTEST:

James J. Doody
President of the Council

Stephanie Tuin
City Clerk