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

Call to Order

Pledge of Allegiance

*** **Proclamation**

Proclaiming July 26, 2008 as "Americans with Disabilities Act" day in the City of Grand Junction

*** **Appointments**

To the Avalon Theatre Advisory Committee

Citizen Comments

***** CONSENT CALENDAR ***[®]**

1. **Setting a Hearing on Zoning the FedEx-Swanson Annexation, Located at 788 22 Road and 2223 H Road** [File # ANX-2008-091] [Attach 2](#)

Request to zone the 13.2 acre FedEx-Swanson Annexation, located at 788 22 Road and 2223 H Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the FedEx-Swanson Annexation to I-1 (Light Industrial), Located at 788 22 Road and 2223 H Road

*** *Indicates New Item*

[®] *Requires Roll Call Vote*

REVISED

Action: *Introduction of a Proposed Ordinance and Set a Hearing for August 6, 2008*

Staff presentation: Ronnie Edwards, Associate Planner

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

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

2. **Policy Regarding Invocations at City Council Meetings**

Staff has been working with several groups on this concern. Legal has developed a policy to be considered that may well meet the concerns of the groups and comply with case law.

Action: *Direct Staff on how to proceed*

Staff presentation: Laurie Kadrich, City Manager

3. **Contract to Purchase Vacant Land Adjacent to the Jarvis Property** [Attach 1](#)

Owners of vacant land located south of the Riverside neighborhood and adjacent to the Jarvis property have approached City Staff and offered the vacant land for sale to the City. Negotiations have been successful and a purchase contract for \$175,000.00 has been signed by both parties.

Resolution No. 103-08—A Resolution Ratifying the Contract to Purchase Vacant Land Located South of the Riverside Neighborhood and Adjacent to the Jarvis Property, Grand Junction

®Action: *Adopt Resolution No. 103-08*

Staff presentation: John Shaver, City Attorney

4. **Public Hearing—Growth Plan Amendment for the Park Mesa Subdivision, Located at the Northwest Corner of Rosevale Road and Little Park Road**
[File # GPA-2008-065] [Attach 3](#)

Request adoption of a Resolution to amend the Growth Plan Future Land Use Map from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU) for property located at the northwest corner of Rosevale Road and Little Park Road in the Redlands.

Resolution No. 105-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 13.58 +/- Acres Located at the Northwest Corner of Rosevale Road and Little Park Road to be Known as the Park Mesa Subdivision from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU)

®Action: *Adopt Resolution No. 105-08*

Staff presentation: Scott D. Peterson, Senior Planner

5. **Public Hearing—Growth Plan Amendment for the Lusk Property, Located at 2105 South Broadway** [File # GPA-2007-368] [Attach 4](#)

A Growth Plan Amendment (GPA) to Residential Low (Residential, .5 to 2 acres per lot) for the Lusk property located at 2105 South Broadway from a Residential Rural (Residential, 5 to 35 acres per lot) land use district.

Resolution No. 106-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate 8.53 Acres, Located at 2105 South Broadway, Known as the Lusk Growth Plan Amendment, from "Residential Rural" to "Residential Low"

®Action: *Adopt Resolution No. 106-08*

Staff presentation: Greg Moberg, Planning Services Supervisor

6. **Non-Scheduled Citizens & Visitors**
7. **Other Business**
8. **Adjournment**

Attach 1

**Contract to Purchase Vacant Land Adjacent to the Jarvis Property
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Contract to purchase vacant land adjacent to the Jarvis Property		
File #			
Meeting Day, Date	Wednesday, July 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	July 7, 2008		
Author Name & Title	Mary Lynn Kirsch, Paralegal		
Presenter Name & Title	John Shaver, City Attorney		

Summary: Owners of vacant land located south of the Riverside neighborhood and adjacent to the Jarvis property have approached City Staff and offered the vacant land for sale to the City. Negotiations have been successful and a purchase contract for \$175,000.00 has been signed by both parties.

Budget: Recommended as a contingency expenditure..

Action Requested/Recommendation: Adopt resolution ratifying the purchase contract and allocate the funds necessary to pay the purchase price and all costs and expenses necessary for the City's performance under the terms of the contract.

Attachments: Resolution

Background Information: City staff believes it would be in the City's best interests to acquire the 2.6 acre property for a future levee project, or because it adjoins the City-owned Jarvis property, could be used for redevelopment purposes such as the proposed event center.

RESOLUTION NO. _____ -08

**A RESOLUTION RATIFYING THE CONTRACT TO PURCHASE
VACANT LAND LOCATED SOUTH OF THE RIVERSIDE NEIGHBORHOOD AND
ADJACENT TO THE JARVIS PROPERTY, GRAND JUNCTION**

Recitals.

On June 13, 2008, the City Manager signed an agreement to purchase the vacant land real property located south of the Riverside neighborhood and adjacent to the Jarvis property, Grand Junction, Colorado, from Clarice Hotchkiss and Ecclesia, Inc., tenants in common and owners of the property. The execution of the contract by the City Manager and the City's obligation to proceed under its terms and conditions was expressly conditioned upon and subject to the formal ratification, confirmation and consent of the City Council.

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

The City, by and through the City Council and the signature of its President, does hereby ratify the terms, covenants, conditions, duties and obligations to be performed by the City in accordance with the contract and allocates funds to pay the Purchase Price and all other costs and expenses necessary to perform under the contract.

PASSED and ADOPTED this ____ day of _____, 2008.

President of the Council

Attest:

City Clerk

Attach 2

**Setting a Hearing on Zoning the FedEx-Swanson Annexation
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Zoning the FedEx-Swanson Annexation - Located at 788 22 Road and 2223 H Road		
File #	ANX-2008-091		
Meeting Day, Date	Wednesday, July 16, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 18, 2008		
Author Name & Title	Ronnie Edwards, Associate Planner		
Presenter Name & Title	Ronnie Edwards, Associate Planner		

Summary: Request to zone the 13.2 acre FedEx-Swanson Annexation, located at 788 22 Road and 2223 H Road, to I-1 (Light Industrial).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for August 6, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		788 22 Road and 2223 H Road		
Applicants:		FedEx Freight West/Wesley & Arlene Swanson		
Existing Land Use:		FedEx Facility and Single Family Residence		
Proposed Land Use:		FedEx Parking Area Expansion and Residence		
Surrounding Land Use:	North	Gay Johnson Storage Facility		
	South	Vacant		
	East	Agricultural/Residential/Vacant		
	West	Henderson Trucking		
Existing Zoning:		County PD (Planned Development) and AFT (Agricultural/Forestry/Transitional)		
Proposed Zoning:		I-1 (Light Industrial)		
Surrounding Zoning:	North	County AFT and RSF-R (Rural, 5 ac/du)		
	South	City I-1 (Light Industrial)		
	East	County AFT		
	West	City I-1 (Light Industrial)		
Growth Plan Designation:		C-I (Commercial/Industrial)		
Zoning within density range?	N/A	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the I-1 (Light Industrial) zone district is consistent with the Growth Plan designation of Commercial/Industrial. The existing County zoning is PD (Planned Development) and AFT (Agricultural/Forestry/Transitional). 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: Policy 1.3 of the Growth Plan states that the City will use the Future Land Use Map in conjunction with other policies of the Growth Plan to guide

zoning and development decisions. The proposed zoning of I-1 is compatible with the neighborhood as adjacent properties are zoned I-1 with such uses as Henderson Trucking Company, Schlumberger and 84 Lumber Company. The zoning request of I-1 conforms to the goals and policies of the Growth Plan and the H Road/Northwest Area Plan.

- 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. There are existing water, sewer and utility services in 22 Road servicing a variety of commercial and industrial uses in the subject area.

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

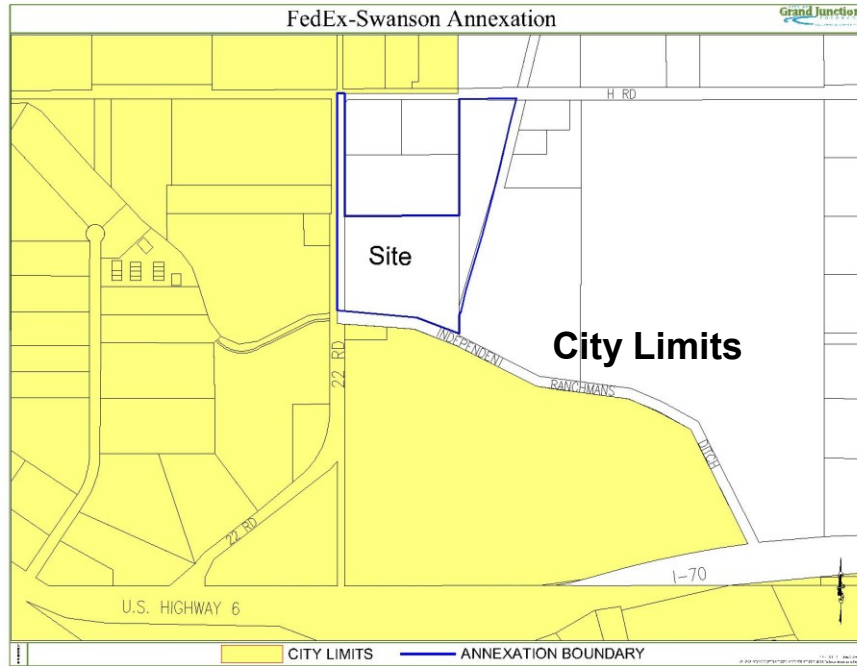
- a. C-2 (General Commercial)
- b. I-O (Industrial/Office)
- c. M-U (Mixed Use)

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

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

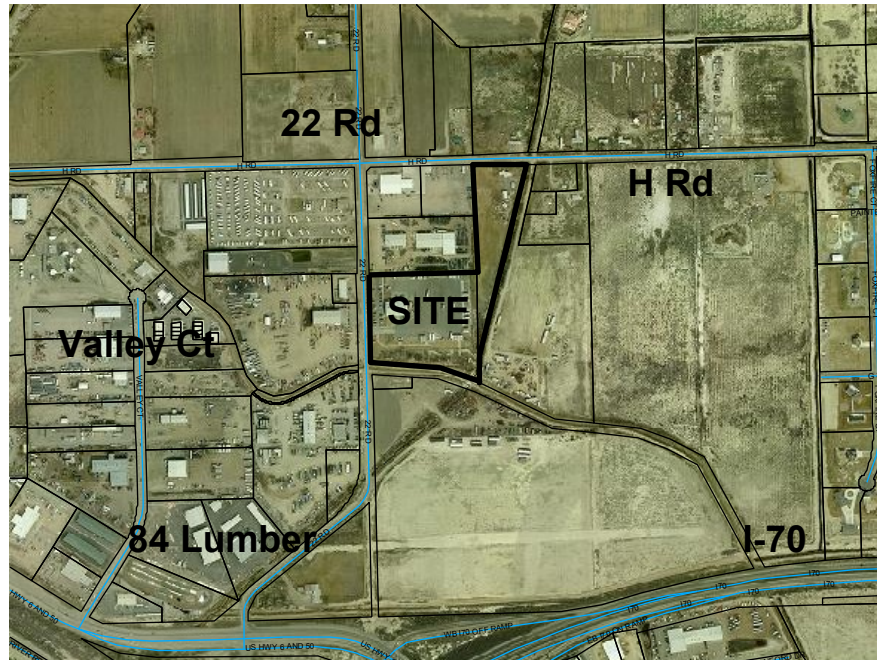
Site Location Map

Figure 1



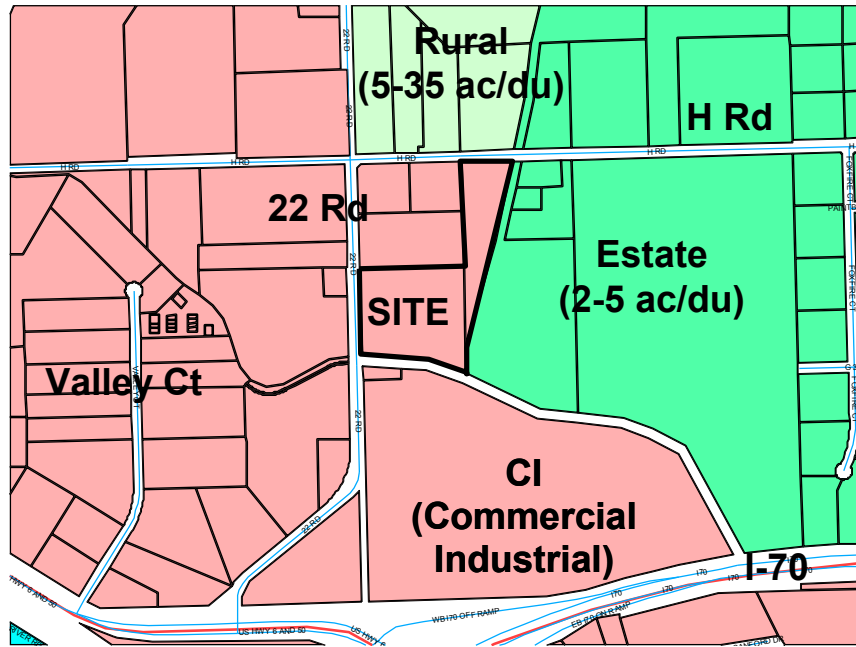
Aerial Photo Map

Figure 2



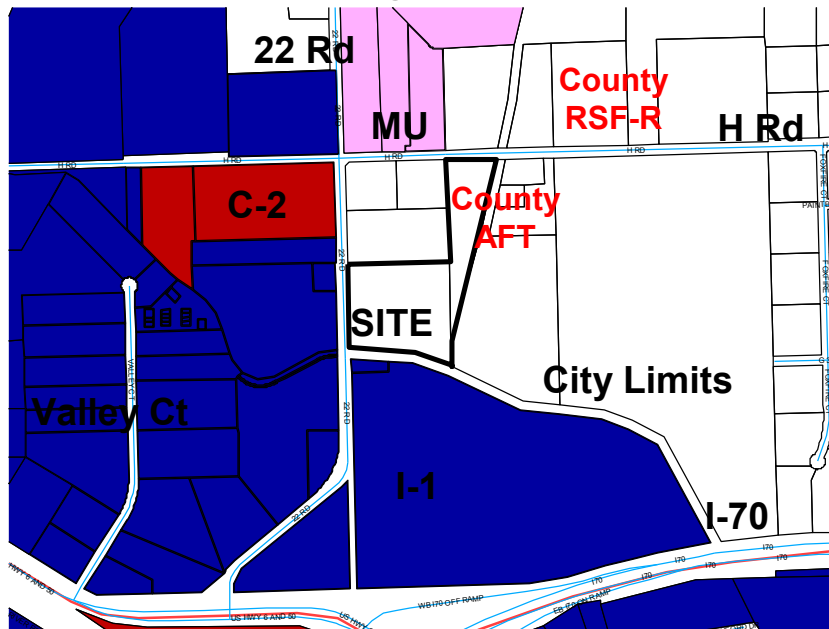
Future Land Use Map

Figure 3



Existing City and County Zoning Map

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

ORDINANCE NO.

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

LOCATED AT 788 22 ROAD AND 2223 H 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 FedEx-Swanson Annexation to the I-1 (Light Industrial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

FEDEX-SWANSON ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 31, Township One North, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Lot Three of the T.I.C. Industrial Park, as same is recorded in Plat Book 13, Page 92, Public Records of Mesa County, Colorado, TOGETHER WITH, the East-Half (E ½) of the NW ¼ NW ¼ of said Section 31, lying South of H Road right of way and West of the centerline of the Persigo Wash, Mesa County, Colorado.

Containing 12.116 Acres, more or less, as described.

INTRODUCED on first reading the ____ day of _____, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 3

**Public Hearing—Growth Plan Amendment for the Park Mesa Subdivision
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Park Mesa Subdivision Growth Plan Amendment - Located at Rosevale Road and Little Park Road in the Redlands		
File #	GPA-2008-065		
Meeting Day, Date	Wednesday, July 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	July 1, 2008		
Author Name & Title	Scott D. Peterson, Senior Planner		
Presenter Name & Title	Scott D. Peterson, Senior Planner		

Summary: Request adoption of a Resolution to amend the Growth Plan Future Land Use Map from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU) for property located at the northwest corner of Rosevale Road and Little Park Road in the Redlands.

Budget: N/A.

Action Requested/Recommendation: Hold a public hearing and consider adopting a Resolution amending the Growth Plan Future Land Use Map from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU).

Attachments:

1. Staff Report / Background Information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning
4. Minutes from June 24, 2008 Planning Commission Meeting
5. Correspondence received from the public
6. Proposed Resolution

BACKGROUND INFORMATION				
Location:		Rosevale Road and Little Park Road		
Applicants:		Kenneth N. and Colleen E. Scissors, Owners		
Existing Land Use:		Vacant land		
Proposed Land Use:		Residential subdivision		
Surrounding Land Use:	North	Single-family residential		
	South	Single-family residential		
	East	Vacant land and Single-family residential		
	West	Single-family residential - Agricultural		
Existing Zoning:		RSF-4, Residential Single-Family – 4 units/acre (County)		
Proposed Zoning:		To be determined		
Surrounding Zoning:	North	R-E, Residential – Estate (City) and RSF-4, Residential Single-Family – 4 units/acre (County)		
	South	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)		
	East	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)		
	West	RSF-4, Residential Single-Family – 4 units/acre (County)		
Growth Plan Designation:		Estate (2 – 5 Ac./DU)		
Zoning within density range?		N/A	Yes	No

Staff Analysis:

The existing 13.58 acres of unplatted land located at the northwest corner of Rosevale Road and Little Park Road in the Redlands is currently in the process of being annexed

into the City limits in anticipation of future residential subdivision development. Prior to zoning the annexed property, the applicant, at the request of City staff, is requesting an amendment to the Growth Plan Future Land Use Map from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU). The existing property is currently vacant and is adjacent to the southern line of the Urban Growth Boundary (See attached Aerial Photo).

This property is within the Persigo 201 Sewer Service Boundary. In accordance with the Persigo Agreement between the City and Mesa County, any property located within the 201 should eventually develop at an “urban” level of density. Per this Agreement, residential lot sizes of two acres or larger are deemed to not be urban, while smaller parcels or lot sizes are deemed to be urban. Therefore, the City has recommended to the applicants to file a Growth Plan Amendment and change the Future Land Use category for this property to the Residential Low (1/2 – 2 Ac./DU) category with a requested zoning designation of R-1, Residential – 1 unit/acre.

Section 2.5 C. of the Zoning and Development Code:

The Growth Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria:

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for; or

As part of the 1996 Growth Plan adoption process between Mesa County and the City of Grand Junction that established the current Future Land Use Map, this and adjacent properties were designated as Estate (2 – 5 Ac./DU), most likely due to topographic constraints of the area, size of the properties and lack of available sewer services in the area. This designation was simply carried over with the adoption of the Redlands Area Plan in 2002.

This property is also, however, located within the Persigo 201 Sewer Service Boundary. In 1998, two years after adoption of the Growth Plan, the City and Mesa County entered into an Intergovernmental Agreement known as the Persigo Agreement. Section C, Implementation – Zoning – Master Plan, item #11 from this Agreement states that *the parties agree that any property within the 201 should eventually develop at an urban level of density. For this agreement, residential lot sizes of two acres gross or larger are deemed to not be “urban” while smaller parcel or lot sizes are deemed to be “urban.”* This intention is reaffirmed in the Redlands Area Plan (Page 32).

Therefore, I feel that the reaffirmation of the Estate designation in the Redlands Area Plan in 2002 is in error because it does not appropriately reflect the terms of the 1998 Persigo Agreement.

In addition, current growth trends in the Grand Valley the past few years were not taken into consideration when the Growth Plan was adopted in 1996 as there was no way to

predict the current growth and development impacts in the area due to the current energy related boom.

Therefore, the Planning Commission felt that there was an error such that then existing facts, projects or trends were not entirely accounted for.

- b. Subsequent events have invalidated the original premises and findings;

The City of Grand Junction is currently in the process of developing a Comprehensive Plan. A population increase of 120,000 over the next 20 – 30 years is anticipated in the Grand Valley, necessitating an additional 52,000 homes. These population projections are based on past and recent growth trends and State Demographer estimates, which are conservative. Therefore, it is imperative that existing areas within the urban growth boundary currently designated for large lot, low density development be evaluated for higher density development.

My review of existing properties in the area shows that there are indeed parcels with the Estate designation smaller than two acres in size and would be more in keeping with the requested Growth Plan designation of Residential Low (1/2 – 2 Ac./DU) (See attached Future Land Use Map). The minimum acreage allowed to have a septic system is half an acre in size.

For these reasons, subsequent events have invalidated the original premises and findings.

- c. The character and/or condition of the area have changed enough that the amendment is acceptable and such changes were not anticipated and are not consistent with the plan;

The character and/or condition of the area (Redlands) has changed enough that the proposed amendment is acceptable. While it makes good planning sense to look at this property and the entire surrounding area as part of the Comprehensive Plan update, the fact remains that this parcel is a large, free-standing parcel (13.58 acres) and can sustain development as a stand-alone parcel. Public infrastructure is presently available (Ute Water) and sewer will be available to this property in future years. The property owners did receive a sewer variance in 2005 from the Joint Persigo Board to not connect to the sewer system at this time, but instead install dry-line sewer lines (See Review Criteria e. for more information).

The existing, smaller parcels of land in the area (less than 2 acres in size), indicate that this area would be appropriate for residential development at a greater intensity than the current Estate designation which requires 2 – 5 acre minimum lot sizes as is now designated for the property per the Future Land Use Map.

- d. The change is consistent with the goals and policies of the Plan, including applicable special area, neighborhood and corridor plans;

The proposal is consistent with the goals and policies of the Growth Plan and Redlands Area Plan which encourage new development on land least suitable for agricultural production (Policy 22.1). This area is in the Urban Growth Boundary which promotes areas of development that have or will have adequate public facilities. The Redlands Area Plan also supports high quality residential development in terms of site planning and architectural design.

The Redlands Area Plan (Figure 8) designates this property as being subject to rockfall and flash flooding hazards. Therefore, prior to any development being approved, applicable engineering reports and design standards will be reviewed for compliance with all applicable City codes, suitability of the site for development and to determine any special design considerations. The applicant has proposed that these hazard areas be platted as an open space tract of land to be owned and maintained by the homeowner's association.

Goal 15 of the Growth Plan is to achieve a mix of compatible housing styles and densities dispersed throughout the community. Approval of this Growth Plan Amendment would allow residential lot sizes between one-half to two acres per dwelling unit with existing adjacent unplatted properties of larger than two acres in size. The Redlands Area Plan also states that a goal of the Plan is to achieve a mix of compatible housing types and densities dispersed throughout the community (Page 85). The proposal meets these stated goals.

- e. Public and community facilities are adequate to serve the type and scope of the land use proposed;

Existing and proposed infrastructure facilities, right-of-way access and water availability are adequate to serve the proposed residential development. The property owners received a sewer variance in August 2005 from the Joint Persigo Board waiving the requirement of immediate sewer connection, but requiring the installation of dry lines for future sewer connection together with execution of a Power of Attorney guaranteeing participation of any and all future lots on the property in a local improvement district, if and when such a district is formed. Septic systems will be allowed in the meantime.

- f. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and

It is true that many of the adjacent properties designated as Estate (2 – 5 Ac./DU) are presently developed as single-family home residences. It is, however, reasonable and advisable to recognize that where public infrastructure is available or planned in a given

area, undeveloped, larger acreage parcels should be evaluated to support increased densities.

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

The community will benefit by increased densities in areas that already, or will have, adequate facilities and services rather than perpetuating sprawl to outlying areas, thus meeting the goals and policies of the Growth Plan and Redlands Area Plan.

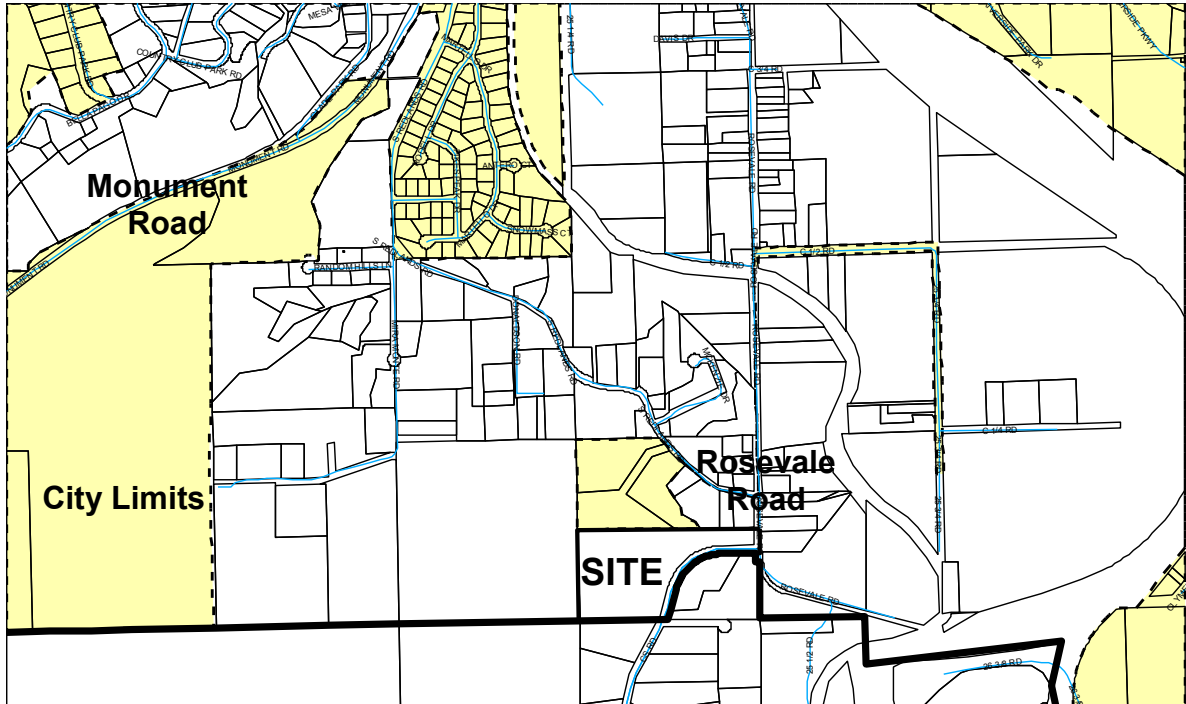
FINDINGS OF FACT/CONCLUSIONS

After reviewing the Park Mesa application, GPA-2008-065 for a Growth Plan Amendment, the Planning Commission made the following findings of fact and conclusions:

1. The proposed amendment is consistent with the purpose and intent of the Growth Plan and Redlands Area Plan.
2. The review criteria in Section 2.5 C. of the Zoning and Development Code have all been met.

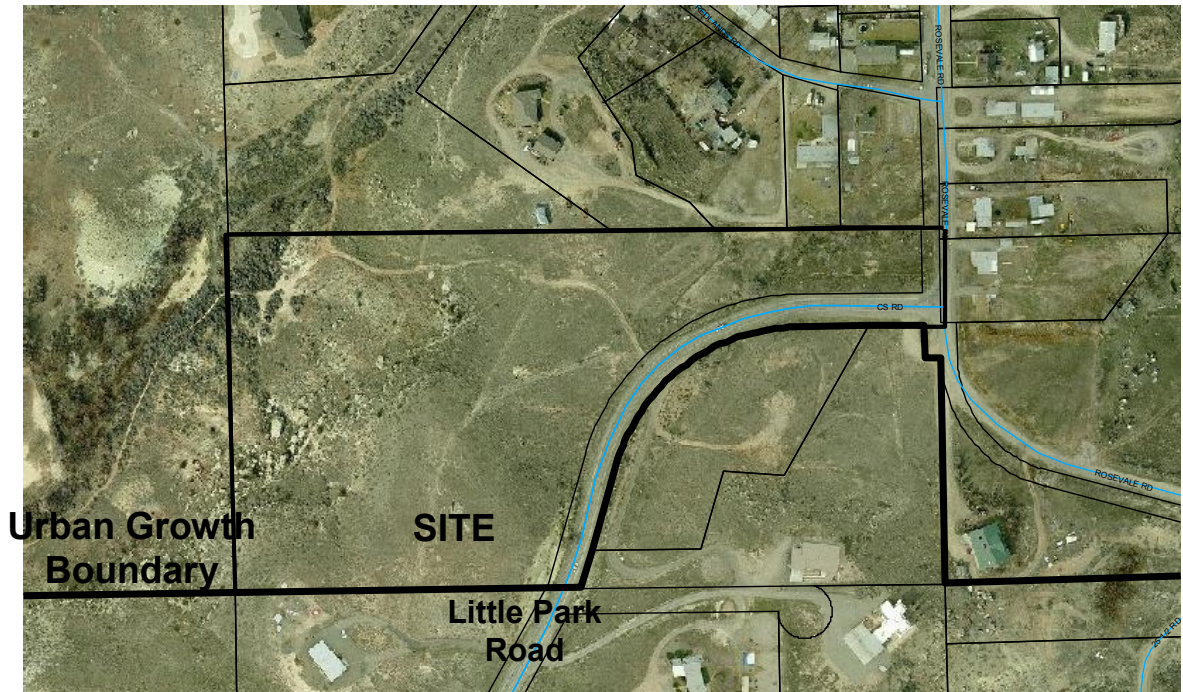
Site Location Map

Figure 1



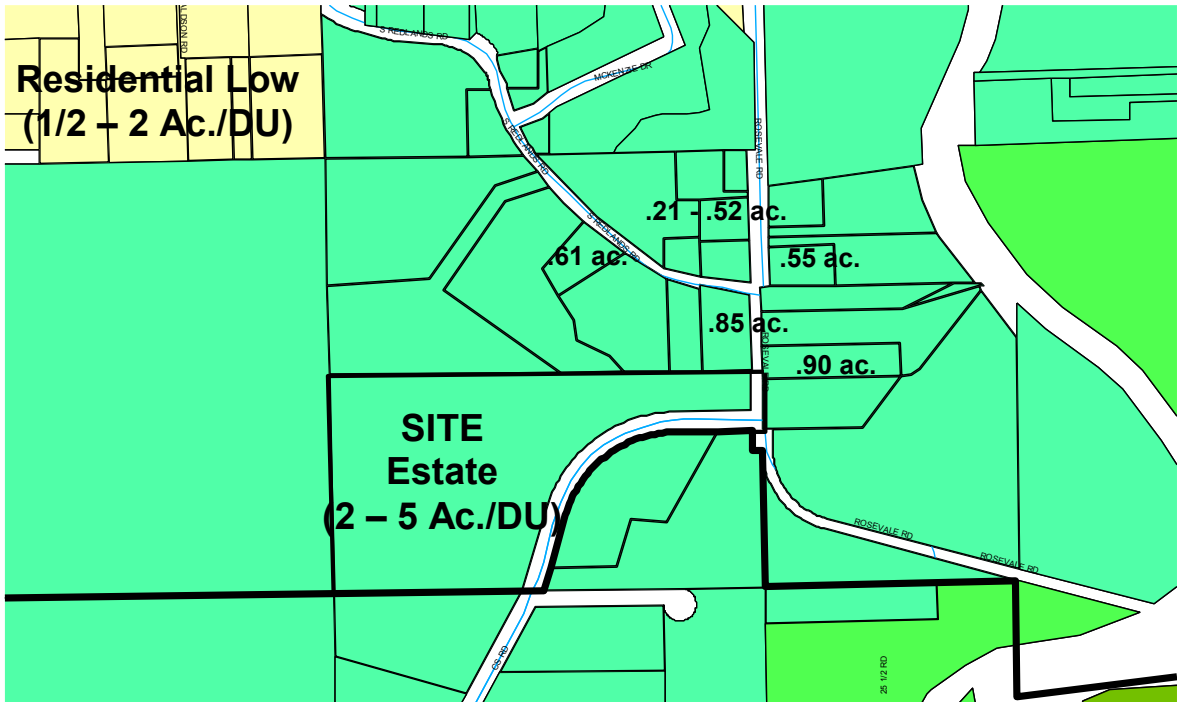
Aerial Photo Map

Figure 2



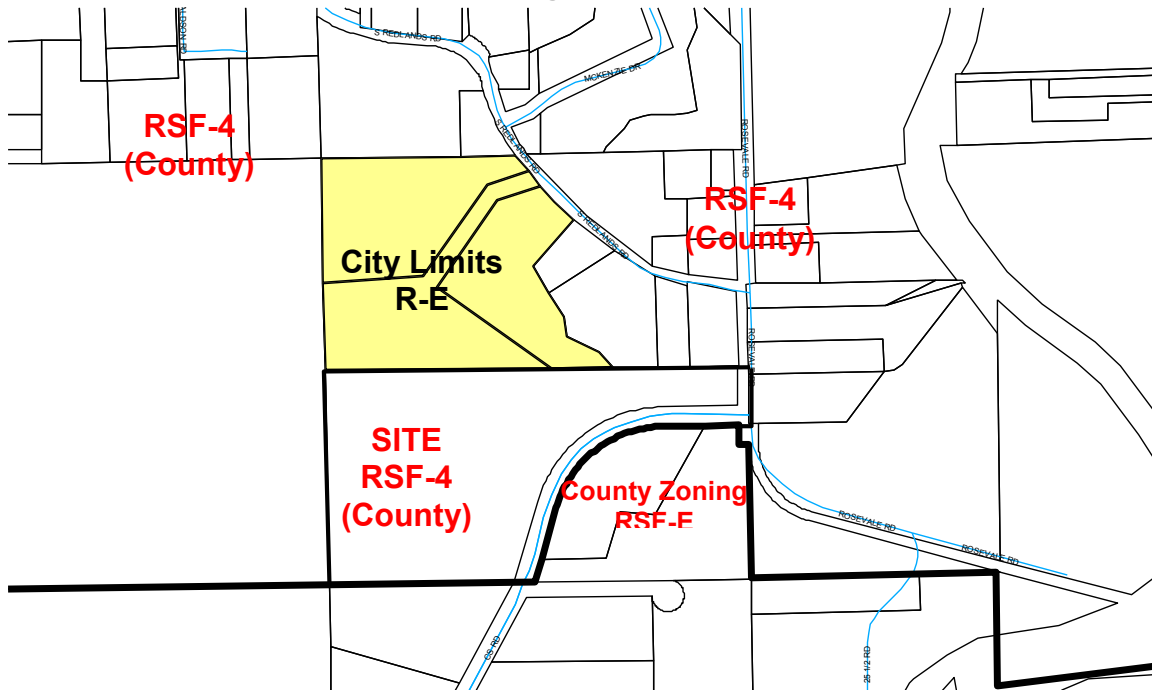
Future Land Use Map

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."

Minutes from the June 24, 2008 Planning Commission Meeting:

Park Mesa Subdivision – Growth Plan Amendment

Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Map Designation from Estate (2 – 5 ac/du) to RL (Residential Low – ½ - 2 ac/du) on 13.58 acres.

FILE #: GPA-2008-065

PETITIONER: Ken Scissors

LOCATION: Little Park Road & Rosevale Road

STAFF: Scott Peterson

STAFF'S PRESENTATION

Scott Peterson, Senior Planner, Public Works and Planning Department, made a PowerPoint presentation regarding a request for a Growth Plan Amendment from the Estate designation to the Residential Low category. Mr. Peterson advised that this request was located at the northwest intersection of Rosevale Road and Little Park Road. He noted that this property was within the Persigo 201 sewer service boundary. According to that agreement, any property located within the 201 should eventually develop at an urban level of density. He said that applicants had requested this Growth Plan Amendment in anticipation of future residential development. He said that the property was currently in the process of being annexed into the City. The property is surrounded by the Estate designation on all sides. Scott said that the reaffirmation of the Estate designation in the Redlands Area Plan was an error because it did not appropriately reflect the terms of the 1998 Persigo Agreement. Additionally, current growth plans had not been taken into consideration when the Growth Plan Amendment was adopted in 1996. He stated that the minimum acreage allowed to have a septic system is one-half acre.

QUESTIONS

Chairman Cole asked if there was sewer service available to this property. Scott Peterson stated that there was not currently sewer available for this property. He said that applicant had received a waiver from the Persigo Board in 2005 to not sewer this property.

STAFF'S PRESENTATION

Scott Peterson said that County zoning for the area was RSF-4. He said that this was a large free-standing parcel that could sustain development as a stand alone parcel. Additionally, public infrastructure was available and sewer would be available to the property in future years. A dry line sewer line would be installed by the applicant so that when the improvement district would be formed the proposed subdivision would connect those dry lines at that time. Existing smaller parcels in the area indicate that this area would be appropriate for residential development at a greater intensity than the current Estate designation. Mr. Peterson stated that the proposal was consistent with the goals and policies of the Growth Plan and the Redlands Area Plan. He said that as this area was in the urban growth boundary which promotes areas of development that have or will have adequate public facilities. Additionally, the Redlands Area Plan also supports

high quality residential development in terms of site planning and architectural design. The Redlands area plan designated this property as being subject to rock fall and flash flood hazards. Therefore, prior to any development being approved, applicable engineering reports and design standards would be reviewed for compliance with all applicable City codes, suitability of the site for development and to determine any special design considerations. He said that the applicant had proposed that the hazard areas be platted as open space for the development. Mr. Peterson said that approval of this Growth Plan Amendment would allow residential lot sizes between one-half to two acres per dwelling unit with existing adjacent unplatted properties of larger than 2 acres. He said that it was reasonable and advisable to recognize that where public infrastructure was available or planned in a given area undeveloped larger acreage parcels should be evaluated to support increased densities. He, therefore, felt that the requested Growth Plan Amendment was consistent with the purpose and intent of the Growth Plan and the Redlands Area Plan and that the applicable review criteria of the Zoning and Development Code had been met. Finally, he recommended that the Planning Commission forward a recommendation of approval of the requested Growth Plan Amendment to the City Council. He said that staff had received one e-mail prior to the neighborhood meeting from an adjacent property owner voicing opposition to the proposed request.

QUESTIONS

Commissioner Pitts asked if this was approved for a Growth Plan Amendment and low density was permitted, would a septic tank be permitted. Scott Peterson said that Mesa County would allow a septic system on a half acre.

Lisa Cox, Planning Manager, clarified that sewer service was available to this site; however, it was not currently brought to the property at this time because it was not cost effective. She said that at some point in time it would be extended to this property.

Rick Dorris, Development Engineer, said that it was approximately 1,500 feet from the site to where the sewer left off. He said that with all the utilities in the road, and digging up asphalt and replacing at least half of the road, it would be very expensive. He said that those are the types of things that City Council or the Persigo Board took into consideration when the variance was granted. Also, in order for a septic system to be allowed on a lot, they would have to demonstrate that they could create the leach field that goes in service now and they would have room for another leach field when that one failed.

PETITIONER'S PRESENTATION

Colleen Scissors stated that she owns the land along with her husband, Kenneth, and had nothing to add to Mr. Peterson's presentation. She stated that they were going to put 8 lots close to downtown with nice views.

PUBLIC COMMENT

Randy Stouder, East Dakota Drive, said that he was curious under the grounds that the variance for the sewer was given. He asked if the variance was given under the

grounds for future development on the site. Rick Dorris speculated that they would have had no reason to request a variance from the sewer if they had not wanted to develop the parcel.

DISCUSSION

Commissioner Lowrey said that he agreed with the staff report.

Commissioner Putnam also agreed.

Commissioner Dibble said that this was in an area of transition.

MOTION: (Commissioner Lowrey) “Mr. Chairman, on item GPA-2008-06, Park Mesa Subdivision Growth Plan Amendment, I move that we forward a recommendation of approval of the amendment from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU).

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

Scott Peterson - Park Mesa subdivision

From: Tadd and Gisela Ferguson <tngferguson@bresnan.net>
To: Ken and Colleen Scissors <scissorsgj@gmail.com>, Scott Peterson <scottp@gjcity.org>
Date: 5/19/2008 12:36 PM
Subject: Park Mesa subdivision

Ken and Scott,

I'm sorry I won't be able to attend the meeting this evening as I'll be at work. My opinion, without seeing the actual plan, would be against increasing the housing density of this proposed subdivision. My lot, and others around it, are larger 3+ acre lots, and the general lot size of the rest of Little Park Rd. is certainly much larger than that proposed for Park Mesa. While houses can be crammed into just about any topography, I would find the density on that particular lot to be very out-of-character for it, and its surroundings. I would request that the designation be kept to Estate, and not changed to Residential low.

Tadd Ferguson



Tadd & Gisela Ferguson [ph. 970 .257 .9613 cell. 970 .640 .1119
E-mail: tngferguson@bresnan.net
<http://homepage.mac.com/tngferguson1/>

RESOLUTION NO. _____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 13.58 +/- ACRES LOCATED AT THE NORTHWEST CORNER OF ROSEVALE ROAD AND LITTLE PARK ROAD TO BE KNOWN AS THE PARK MESA SUBDIVISION FROM ESTATE (2 – 5 AC./DU) TO RESIDENTIAL LOW (1/2 – 2 AC./DU)

Recitals:

A request for a Growth Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 13.58 +/- acres, located at the northwest corner of Rosevale Road and Little Park Road be redesignated from Estate (2 – 5 Ac./DU) to Residential Low (1/2 – 2 Ac./DU) on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan Amendment and determined that it satisfied the criteria as set forth and established in Section 2.5 C. of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM ESTATE (2 – 5 AC./DU) TO RESIDENTIAL LOW (1/2 – 2 AC./DU) ON THE FUTURE LAND USE MAP.

PARK MESA SUBDIVISION

PERIMETER BOUNDARY LEGAL DESCRIPTION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 SW 1/4 of said Section 22 and assuming the West line of the SE 1/4 SW 1/4 of said Section 22 to bear N00°22'37"E with all bearings contained herein relative thereto; thence N00°22'37"E a distance of 659.59 feet to the Southwest corner of Leah Marie's Minor Subdivision, as same is recorded in Plat Book 17, Page 286, public records of Mesa County, Colorado, said point also being the Southwest corner of Hill Annexation, Ordinance No. 3215, City of Grand Junction; thence S89°15'28"E a distance of 1310.69 feet along the south line of said Leah Marie's Minor Subdivision, said line also being the South line of said Hill Annexation to a point on the East line of Right of Way, as same as recorded in Book 2678, Page 597 of the Mesa County, Colorado public records; thence S00°25'56"W a

distance of 182.17 feet along the East line of said Right of Way; thence along the Southeasterly line of Right of Way for Little Park Road, as same as recorded in Book 906, Page 193 of the Mesa County, Colorado public records the following three (3) courses: (1) N89°34'44"W a distance of 266.89 feet; (2) 445.50 feet along the arc of a 352.00 foot radius curve, concave Southeast, having a central angle of 72°30'57" and a chord bearing S54°09'46"W a distance of 416.36 feet; (3) S17°54'16"W a distance of 238.32 feet to a point on the South line of the SE 1/4 SW 1/4 of said Section 22; thence N89°15'53"W a distance of 635.91 feet along the South line of the SE 1/4 SW 1/4 of said Section 22, said line also being the North line of Bonnie Brae Subdivision, as same is recorded in Plat Book 10, Page 12, public records of Mesa County, Colorado to the Point of Beginning

Said parcel contains 13.58 acres (591,461.89 sq. ft.), more or less, as described.

PASSED on this _____ day of _____, 2008.

ATTEST:

City Clerk

President of Council

Attach 4

**Public Hearing—Growth Plan Amendment for the Lusk Property
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Lusk Growth Plan Amendment – Located at 2105 South Broadway		
File #	GPA-2007-368		
Meeting Day, Date	Wednesday, July 16, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	June 16, 2008		
Author Name & Title	David Thornton, AICP, Principal Planner		
Presenter Name & Title	Greg Moberg, Planning Services Supervisor		

Summary: A Growth Plan Amendment (GPA) to Residential Low (Residential, .5 to 2 acres per lot) for the Lusk property located at 2105 South Broadway from a Residential Rural (Residential, 5 to 35 acres per lot) land use district.

Budget: N/A

Action Requested/Recommendation: Growth Plan Amendment approval from Residential Rural (Rural) to the Residential Low (RL) land use category.

Attachments:

1. Annexation/Site Location Map
2. Aerial Photo Map
3. Future Land Use Map
4. Existing City & County Zoning Map
5. Neighborhood Meeting Notes
6. Petitioner's General Project Report
7. Planning Commission minutes for June 24, 2008 hearing
8. Resolution

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2105 South Broadway			
Applicants:		Owner: Sierra Lusk Representative: Tom Volkmann.			
Existing Land Use:		Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Rural			
	South	Rural			
	East	Rural			
	West	Rural			
Existing Zoning:		County RSF-4 (Residential Single Family-4 du/ac)			
Proposed Zoning:		City Residential Estate (Residential 2-to 5 ac/du)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family-4 du/ac)			
	South	County RSF-4 (Residential Single Family-4 du/ac)			
	East	County RSF-4 (Residential Single Family-4 du/ac)			
	West	County RSF-4 (Residential Single Family-4 du/ac)			
Growth Plan Designation:		Proposed Residential Low (RL)			
Zoning within density range?			Yes	X	No

Staff Analysis:

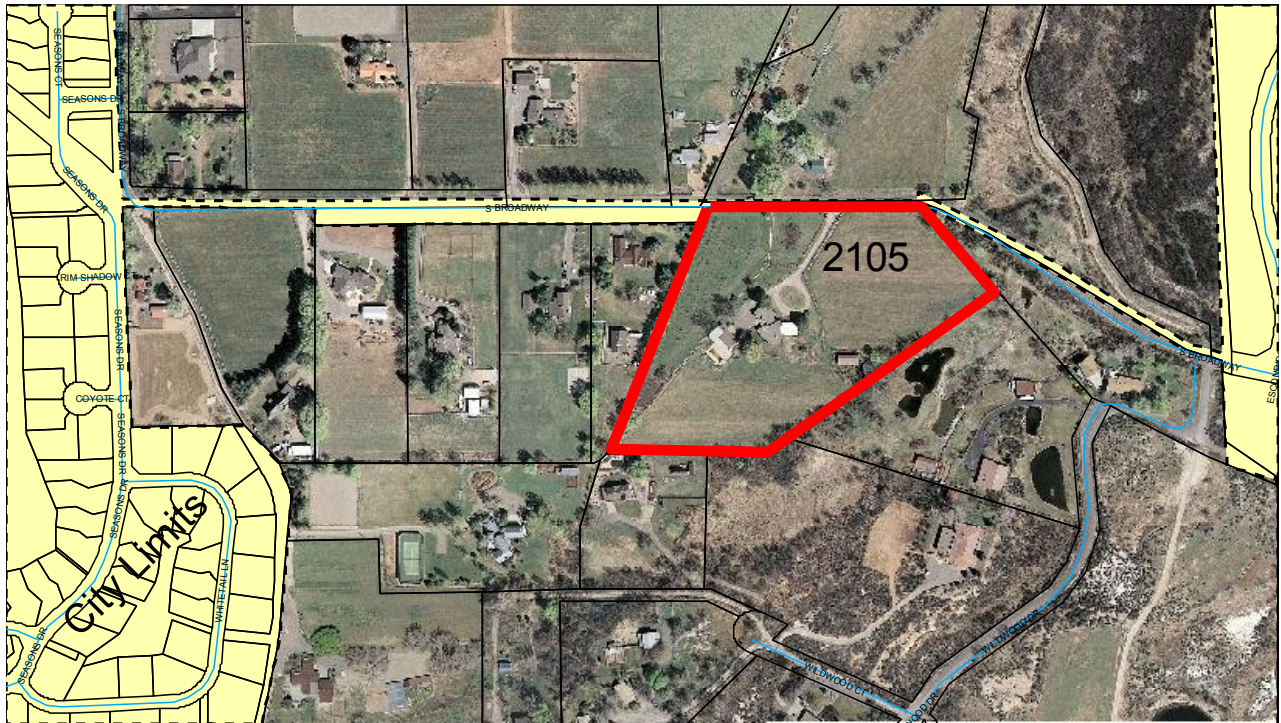
This Growth Plan Amendment area consists of 8.53 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for the consideration of a Growth Plan amendment and development of the property.

1. Background

This proposed Growth Plan Amendment (GPA) to Residential Low has been reviewed under file number GPA-2007-368 which file is incorporated herein by this reference as if fully set forth.

Issues with the Current Land Use Designation:

There is currently one single family detached dwelling on this 8.53 acre property. In the neighborhood bordered by Greenwood Drive on the north, S. Broadway on the west, Wildwood Drive on the south and the Desert Hill Subdivision on the east (see “Lot Sizes Map – Study Area” below), there are 50 total lots with 14 of them at less than 2 acres in size. An analysis of the Study Area can be found beginning on page 3.

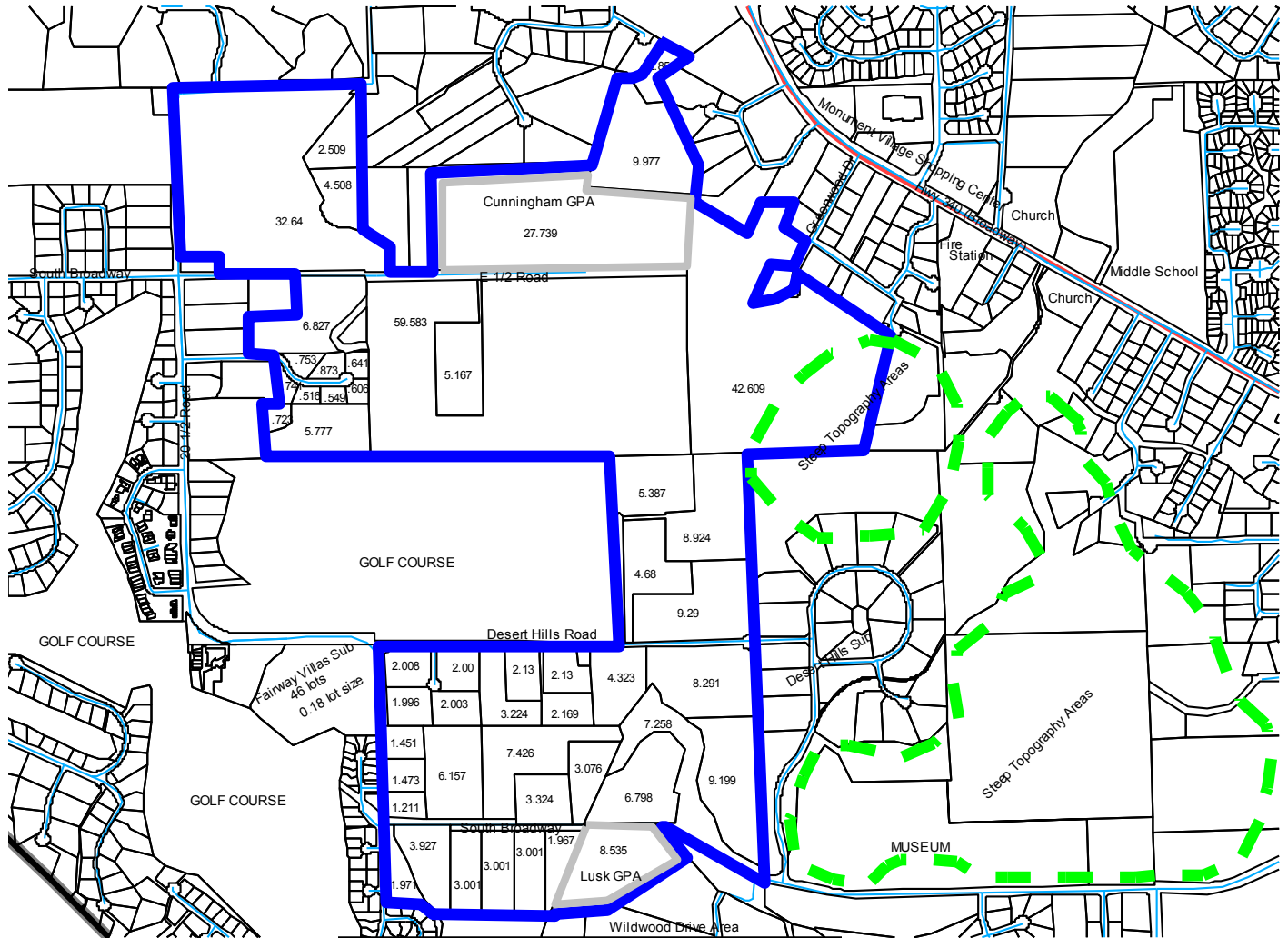


The property owner is asking for a “Residential Low” land use designation which allows densities of one dwelling unit on .5-2 acre lots. This designation is being requested to allow them to further subdivide their approximately 8.53 acre parcel creating lot sizes that are compatible with the R-2 zone district. Staff took a look at a Study Area encompassing an area north and east of the Tiara Rado Golf Course comprising approximately 337 acres, an area that excludes the Desert Hills Subdivision on the east, the Wildwood Drive neighborhood to the south and South Broadway to the west. See map on page 5 (Study Area in Blue).

The “Rural” Land Use designation for 23 properties in the study area as noted in the findings (below) did not consider existing lot sizes when it was adopted as part of the Growth Plan in 1996; nor did the “Estate” designation for the 27 properties in the study area consider existing lot sizes at adoption. The County zoning in 1996 for the entire study area was RSF-4 (four dwelling units per acre) and the same County zoning remains today. With 46% (23 of 50) of the “Rural” and “Estate” designated parcels nonconforming with the minimum lot size required in their respective designation, an argument can be made that the current designation of “Rural” and “Estate” for this neighborhood was done in error and considering the entire 337 acres in the Study Area is appropriate.

Study Area Analysis:

Within this Study Area there are 50 parcels (includes the Lusk property) that are designated either "Rural" (23 parcels) or "Estate" (27 parcels) on the Future Land Use Map.



Lot Sizes Map – Study

Inside the Study Area and since the 1996 Growth Plan adoption, the McMillin Minor Subdivision located at 2072 - 2076 South Broadway was platted with 3 lots on 5 acres (average lot size of 1.4 acres); and the Monument View Ranch Subdivision, located at the southeast corner of South Broadway and Desert Hills Road was changed several years ago from "Rural" to "Estate" to allow for 8 residential lots, each lot around 2 acres in size. These actions continued the change for this area from a rural area to large lot subdivisions allowing for a continued diversity of housing options in the Tiara Rado area.

Study Area Findings

Rural (5+ acres parcels sizes) Land Use Category

23 total parcels (approximately 134 total acres)

9 parcels greater than 5 acres (conforming)

14 parcels less than 5 acres (nonconforming)

5 of the 14 nonconforming parcels are less than 2 acres in size

Estate (2 to 5 acre parcel sizes) Land Use Category

27 total parcels (approximately 203 total acres)

18 parcels greater than 2 acres (conforming)

9 parcels less than 2 acres (nonconforming)

Entire Study Area

50 parcels (approximately 337 total acres)

27 parcels conforming to min. parcel size for respective land use designation = 54%

23 parcels nonconforming to min. parcel size for respective land use designation = 46%

What is the appropriate Land Use designation for the Study Area? What we know:

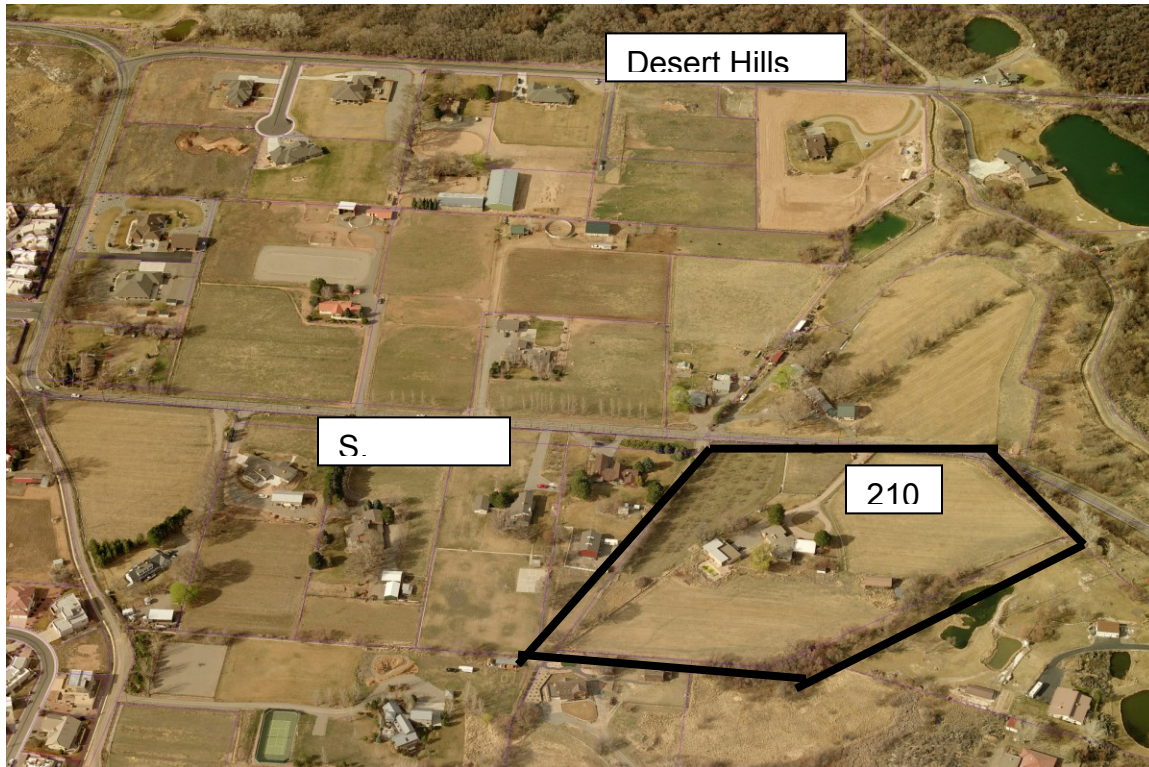
- We know that there are 16 out of the 50 total parcels (32%) that are greater than 5 acres in size. These 16 parcels support a “Rural” Land Use designation.
- There are 20 parcels (40%) between 2 acres and 5 acres in size supporting an “Estate” Land Use designation. If you add the 16 parcels greater than 5 acres in size, then there are 36 parcels out of 50 parcels (72%) conforming to the “Estate” Land Use designation.
- We also know that there are 14 out of 50 parcels (28%) that are less than 2 acres in size and therefore, nonconforming to both the “Rural” and “Estate” Land Use designations.
- Amending the Future Land Use Map to “Residential Low” (parcel sizes between ½ acre and 2 acres in size) would bring all 14 (28%) nonconforming parcels (parcels less than 2 acres) into conformance with the Future Land Use Map.
 - Includes 5 parcels less than 2 acres currently within the “Rural” Land Use designation; and
 - Includes 9 parcels less than 2 acres currently within the “Estate” Land Use designation.
- The “Residential Low” designation brings 100% of the Study Area into conformance with the Future Land Use Map.
- Mesa County’s Zoning Map shows this entire area as RSF-4 which suggests a density of 2 to 4 units per acre. Two units per acre is the upper end of the density allowed in the “Residential Low” land use category.

1998 Persigo Agreement:

The 1998 City/County Persigo Agreement further defined what is “urban development”?

In Section 12 of that agreement, it states “To maintain the integrity of the Master Plan, and implementation of it and for other reasons, the parties agree that any property

within the 201 should eventually develop to an urban level of density. For this agreement, residential lot sizes of two (2) acres gross or larger are deemed to not be 'urban' while smaller parcel or lot sizes are deemed to be 'urban'." The "Residential Low" Land Use designation will implement this directive of the 1998 Persigo Agreement.



Conclusions:

- The 1998 Persigo Agreement defines "urban" as densities at less than 2 acres in size.
- An amendment to the Future Land Use Map to a "Residential Low" Land Use designation should be considered for the entire Study Area.
- This Growth Plan Amendment request is only for the Lusk property, therefore the Future Land Use Map should be amended to "Residential Low" for the Lusk property at 2105 South Broadway.

A neighborhood meeting was held on August 20, 2007 and attended by 13 people. A copy of the meeting notes is included with this staff report as an attachment. The meeting was held to discuss a growth plan amendment for the Lusk property as well as for the Linda Arnos property (2102 South Broadway) located across the street, which later was dropped from this growth plan amendment request.

2. Section 2.5.C of the Zoning and Development Code

The Growth Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria:

h. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for; or

When looking at 2105 South Broadway and the surrounding Study Area there is a strong argument that there was an error made at the time of the 1996 Growth Plan adoption when the “Rural” Land Use designation for 134 acres and the “Estate” Land Use designation for 203 acre were established. With 28%, 14 of the of 50 parcels consisting of less than 2 acres in size, the “Rural” designation which requires lot sizes between 5 acres and 35 acres in size, was not the appropriate land use designation for the Lusk property.

i. Subsequent events have invalidated the original premises and findings;

The McMillin Minor Subdivision and Monument View Ranch Subdivision have further subdivided and reduced the lot sizes in this area since the 1996 Growth Plan. With the continued growth in the community, infill development often with the further subdivision of larger parcels can be expected and is appropriate as the community grapples with growth demands.

The 1998 City/County Persigo Agreement further defined what is “urban development”? In Section 12 of that agreement, it states “To maintain the integrity of the Master Plan, and implementation of it and for other reasons, the parties agree that any property within the 201 should eventually develop to an urban level of density. For this agreement, residential lot sizes of two (2) acres gross or larger are deemed to not be ‘urban’ while smaller parcel or lot sizes are deemed to be ‘urban’.” The “Residential Low” Land Use designation will implement this directive of the 1998 Persigo Agreement.

j. The character and/or condition of the area have changed enough that the amendment is acceptable;

The character of the Redlands neighborhood has been and continues to be developing with urban land uses including but not limited to greater residential density. The character of the Study Area is also in transition with demand for a mix of housing options in the Tiara Rado area.

k. The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans;

The amendment is consistent with the following goals and policies of the Growth Plan. It is important to ensure that the Future Land Use Map

designates sufficient land in appropriate locations to accommodate anticipated demand for each residential land use category.

Growth Plan Goals and Policies:

Goal1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development.

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Goal 11: To promote stable neighborhood and land use compatibility throughout the community.

Goal 15: To achieve a mix of compatible housing types and densities dispersed throughout the community.

I. Public and community facilities are adequate to serve the type and scope of the land use proposed;

Adequate public facilities are currently available or can be made available (sewer is a short distance away) and can address the impacts of any development consistent with a "Residential Low" Land Use designation.

m. An inadequate supply of suitably designated land is available in the proposed land use; and

Although there are other areas in the urban area with the "Residential Low" designation, this Study Area has (28%) of existing lots sizes that reflect the "Residential Low" densities, but are shown on the Future Land Use Map with either a "Rural" or "Estate" designation. Establishing a "Residential Low" designation for the Lusk property is appropriate and further supports changing the "Rural" and "Estate" designations currently in the Study Area to the "Residential Low" Land Use designation in the future.

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

Establishing a “Residential Low” Land Use designation for the Lusk property located in a Study Area where 28% of the parcels are only conforming to a “Residential Low” density (including an adjacent property at 2099 South Broadway) and nonconforming with “Rural” and “Estate densities is appropriate and further supports changing the entire Study Area to the “Residential Low” Land Use designation in the future.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Lusk application, GPA-2007-368, for a Growth Plan Amendment approval, I make the following findings of fact and conclusions:

- 3. The proposed Growth Plan Amendment is consistent with the goals and policies of the Growth Plan.
- 4. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

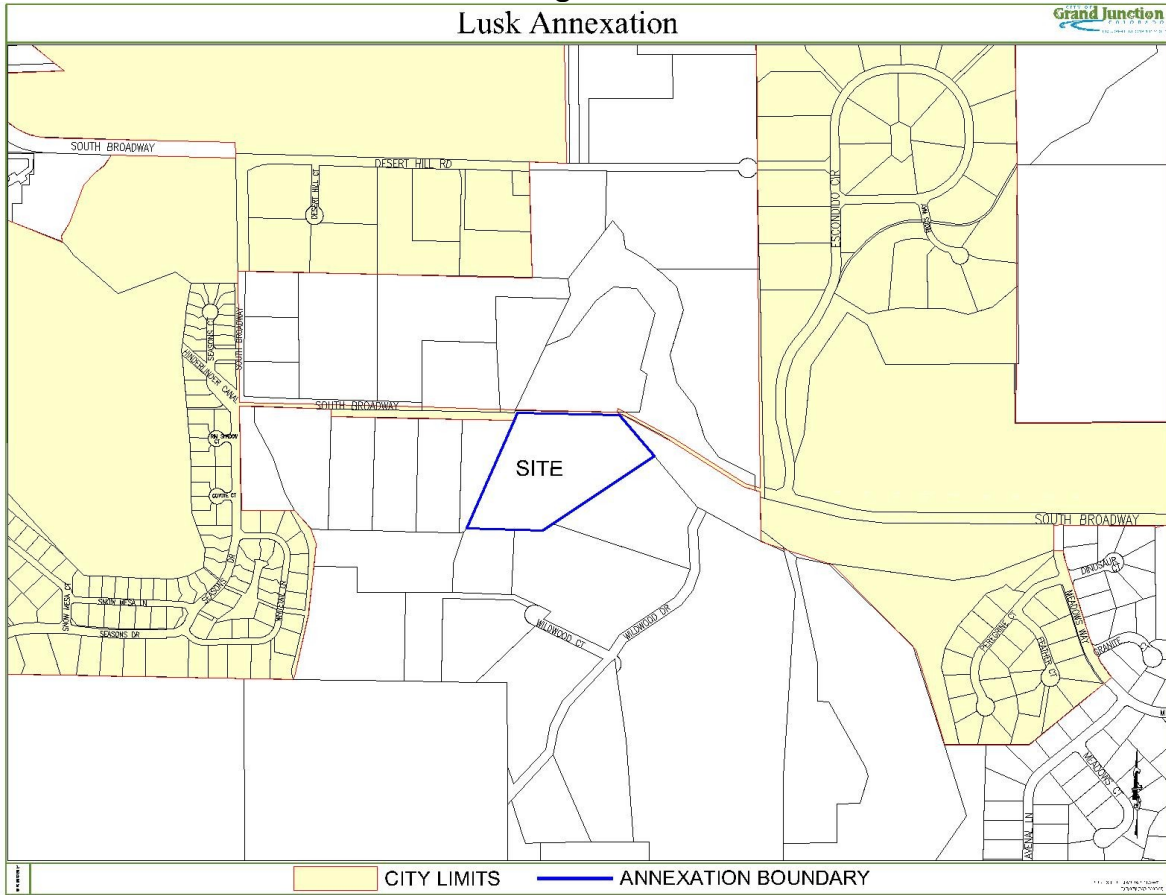
STAFF/PLANNING COMMISSION RECOMMENDATION:

Planning Commission forward a recommendation of approval of the requested Growth Plan Amendment, GPA-2007-368 to the City Council with the findings and conclusions listed above.

Annexation Schedule & Proposed GPA and ZONING Schedule	
February 6, 2008	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 19, 2008	Acceptance of Petition and Public Hearing on Annexation by City Council
April 20, 2008	Effective date of Annexation
June 24, 2008	Planning Commission considers Growth Plan Amendment
July 16, 2008	City Council considers Growth plan Amendment
August 12, 2008	Planning Commission considers zoning to R-2
August 20, 2008	Introduction of Proposed Ordinance on Zoning by City Council
September 3, 2008	Public Hearing on Zoning by City Council
October 5, 2008	Effective Date of Zoning

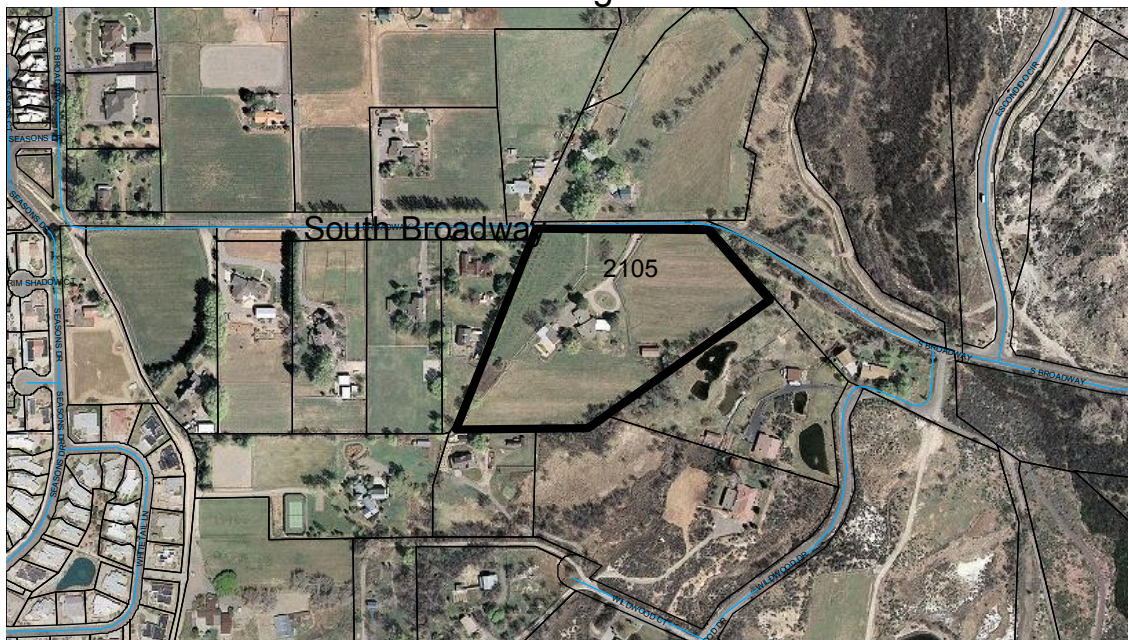
Annexation/Site Location Map

Figure 1

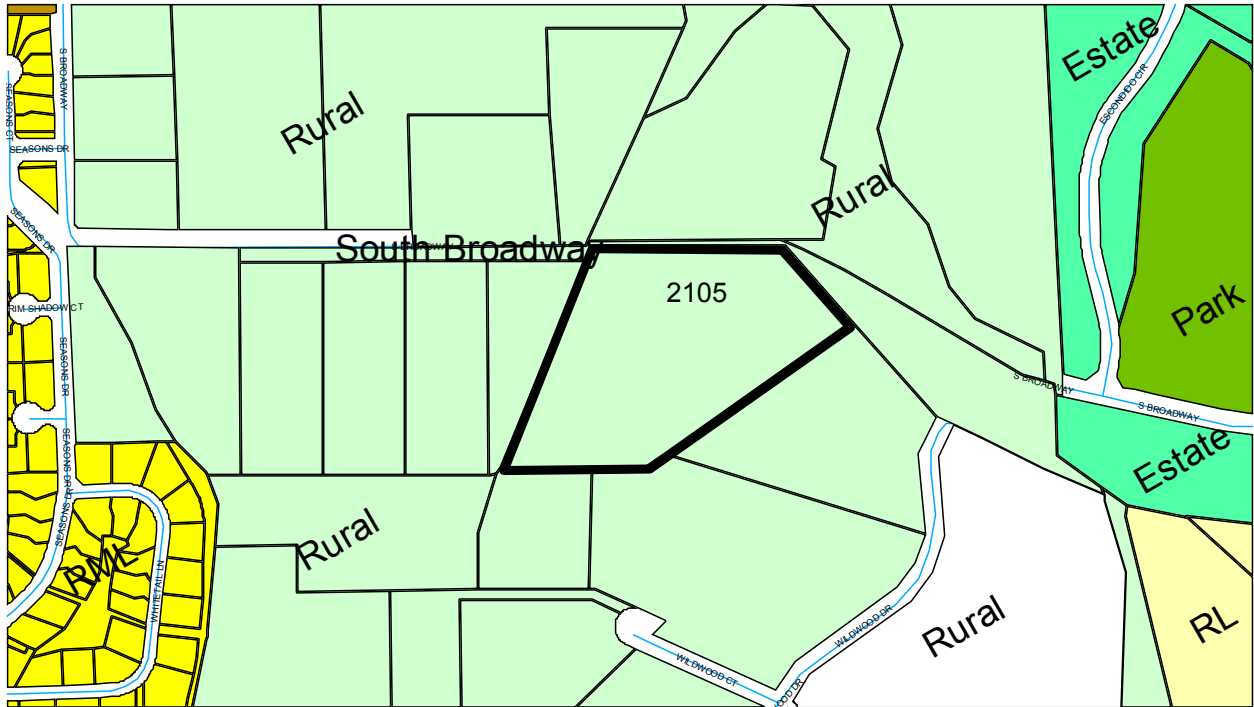


Aerial Photo Map

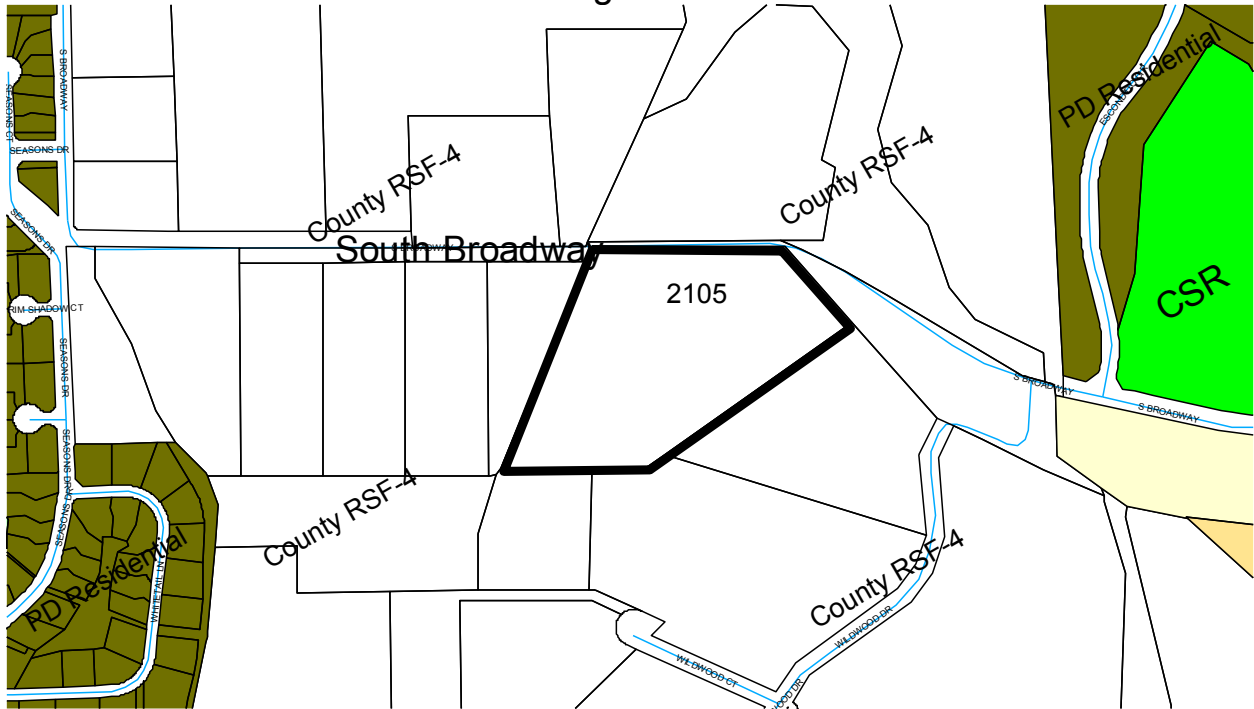
Figure 2



Future Land Use Map
Figure 3



Existing City and County Zoning Map
Figure 4



LUSK/ [REDACTED] ANNEXATION AND GROWTH PLAN AMENDMENT

NEIGHBORHOOD MEETING

A Neighborhood Meeting was held on August 20, 2007, at the home of Applicant Sierra Lusk at 2105 South Broadway, Grand Junction, Colorado. Attached are the Sign-Up Sheets that evidence who attended the Neighborhood Meeting. Scott Peterson of the City of Grand Junction was also in attendance.

Tom Volkmann, as a representative of the Applicants, Sierra Lusk and Linda Arnos, made a presentation to those present regarding the Annexation and Growth Plan Amendment processes that are the subject of the annexation, as well as the Applicants' intentions and purposes for submitting the Applications.

The following items were raised by those in attendance and discussed:

1. Upon the question being raised as to whether all of the people in the area would need to connect to the sewer, a discussion was held as to where the nearest sewer line is located. Scott Peterson confirmed that, although the adjacent property owners would not need to connect to the sewer based upon these Applications, if either of the subject properties was to be subdivided, such a sewer connection would likely be required by the City.

2. A question was raised relative to where the roads would be to service additional lots within the subject properties. Applicant Sierra Lusk informed those present that no street intersections connecting to South Broadway are anticipated. Applicant Linda Arnos informed those present that she had no present development plans for her property.

3. A question was asked regarding whether the annexation would only include the Applicants' three lots, which was answered in the affirmative.

4. Concerns were expressed by several of those present as to the quality of South Broadway in the context of its ability to handle the traffic that is being created in the area. This question related to other developments in the area, including the possibility of a high school. Scott Peterson discussed the jurisdictional topics relative to South Broadway between the City and the County, that South Broadway would likely be improved as development activity occurred. A follow-up question relative to the City condemning property to widen South Broadway was raised. The response was that the requirements relative to widening South Broadway would likely be handled through future development processes, as well.

5. A concern was raised with the Growth Plan should not be changed, at all, until the infrastructure, primarily roads, are improved in the area. A brief discussion was

again held regarding the infrastructure improvements occurring, with development, as it is built out.

6. Concern was expressed that whatever traffic department is working on the redesign of Seventh Street should not be allowed to work on South Broadway if it is redone. (I included this comment, for it was unclear to me if this was serious, comedic or both.)

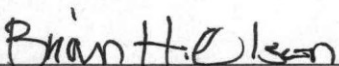

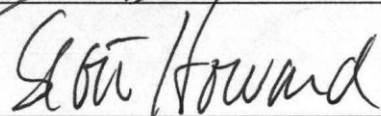
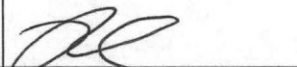

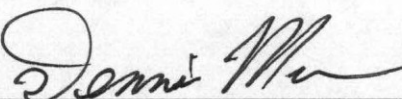
7. The meeting ended with a discussion that Applicant Lusk intends to split off an approximately two and one-half (2½) acre portion of her property, if this matter is approved. She identified the portions of the property that would stay as they were, in that she intends to use an existing irrigation ditch to separate from the pastures around her residence from the small orchard property to the west. Applicant Arnos, on the other hand, confirmed again that she did not have any present development plans for her property.

The meeting, which commenced at 7:00 p.m. ended at approximately 8:00 p.m.

A handwritten signature in black ink, appearing to read 'Thomas C. Volkmann', written over a horizontal line.

Thomas C. Volkmann
Representative of the Applicants

LUSK / ARNOS
 GROWTH PLAN AMENDMENT / ANNEXATION
 NEIGHBORHOOD MEETING
 AUGUST 30, 2007
 7:00 P.M.

PRINTED NAME	SIGNATURE	ADDRESS	TELEPHONE NUMBER
1. BRIAN & Joyce Olson		GN. 2068 SNOW MESA LN. 81503	243-6296
2. Don Desrosiers		455 WILDWOOD DR, 8503	245 2331
3. Scott & Mo Howard		2095 S. Broadway	241-2701
4. T.A. Dixon		423 Wildwood	241-5944
5. Alice M Smith		417 Wildwood Dr.	243-5476
6. DENNIS MOSER		2110 WILDWOOD CT	241-2308
7.			
8.			
9.			
10.			

LUSK / ARNOS
 GROWTH PLAN AMENDMENT / ANNEXATION
 NEIGHBORHOOD MEETING
 AUGUST 30, 2007
 7:00 P.M.

PRINTED NAME	SIGNATURE	ADDRESS	TELEPHONE NUMBER
21. JERRY & SUE ROBERTS	<i>Jerry Roberts</i> <i>Sue E. Roberts</i>	2090 So Broadway Grand Jet Co	242 6661
22. Maggie Unfried	<i>Maggie Unfried</i>	2107 Desert Hills Rd Grand Jet Co	242-0422
23. <i>Leester F. Clawson</i>	LEESTER F CLAWSON	2066 Coyote Ct GJ, CO 81503	244-6979
24. SCOTT D. PETERSON	<i>Scott Peterson</i>	CITY PLANNING	244-1447
25.			
26.			
27.			
28.			
29.			
30.			

PLEASE NOTE THAT IN MARCH 2008 MS. LUSK
FORMALLY REQUESTED TO AMEND HER
APPLICATION FOR A GROWTH PLAN AMENDMENT
TO CHANGE THE REQUESTED DESIGNATION TO
RESIDENTIAL LOW INSTEAD OF ESTATE.

GENERAL PROJECT REPORT

LUSK/ANNEXATION/GPA

AUGUST 31, 2007

PROJECT DESCRIPTION

Sierra Lusk and Linda Emilia Arnos, as the owners of the subject properties, are applying to annex their respective properties identified above to annexation to the City of Grand Junction and propose a Growth Plan Amendment from the current designation of RURAL (5-35 acres) to ESTATE (2-5 acres). The three parcels involved are presently zoned in Mesa County at Residential Single Family - 4 units an acre (RSF-4).

The current zoning of the surrounding properties is as follows:

	Direction	Current Zoning
	WEST	RSF-2 and RSF-4 (County)
	SOUTH	RSF-4 (County)
	NORTH	RSF-4 (County)
	WEST	RSF-4 (County)
	Nearest City Property (East along South Broadway)	Desert Hills (PD with Estate underlying)

The subject properties are located on South Broadway within the Redlands. They are within the Urban Growth Boundary designated by the City of Grand Junction and are subject to the Redlands Area Plan, adopted by Mesa County and the City of Grand Junction in June, 2002.

The subject properties are also located within the 201 Boundary for the Presigo Wastewater Treatment Facility. Although not presently served by sewer, the properties are located in a developing area, in which investments have been made in the recent past (i.e., Desert Hills Subdivision) to expand sewer availability in the area.

The historic, current and proposed use for the subject properties remains large lot residential with appurtenant small scale agriculture. The land uses in the surrounding area include residential uses of varying lot sizes and small scale agricultural. In addition, in the general area of the subject properties, public uses exist in the form of the Museum's Riggs Hill property to the east, and the Tiara Rado Golf Course and Driving Range properties operated by the City to the west and north.

The Applicants are seeking to annex their three (3) parcels into the City, apply a corresponding Estate zone of annexation, and change the Rural designation under the Growth Plan to Estate for the reasons that: (a) the current parcel sizes of the Applicants' respective parcels are insufficient to allow any subdivision on the properties at the 5 acre minimum lot size provided in the Rural designation; (b) many of the parcels in the immediate area of the Applicants' respective properties are smaller than the minimum lot size contemplated in the current Rural designation; and (c) as the subject area has

developed, and continues to develop, the Applicants seek a designation that provides for a continuation of relatively large lot, residential uses which remains compatible with the existing lot sizes and the historic uses of the properties in the immediate area.

NEIGHBORHOOD MEETING

A Neighborhood Meeting was held regarding this application on August 30, 2007. A report on the topics discussed, as well as the sign-up sheets, is submitted herewith.

PROJECT COMPLIANCE, COMPATABILITY AND IMPACT

ANNEXATION/ZONE OF ANNEXATION

As referenced in the discussion of the Growth Plan Amendment Application, below, annexation to the City of Grand Junction is required before an Application to Amend the Future Land Use Map to reflect a new designation can be submitted, according to the Persigo Agreement. Petitions for the annexation of the subject properties are submitted herewith, and have been prepared in conjunction with our discussions with City Planning staff. The properties abut South Broadway and are available for annexation at this time.

In conjunction with the Annexation, the applicants seek a zone of annexation of Estate to be applied to the property. This zone of annexation will be available upon the change of the Future Land Use Map designation from Rural to Estate submitted simultaneous herewith. Reference is made to the discussion of that application, below, for support for this proposed zone of annexation.

In short, this proposed zone of Estate will be compatible with the sizes of many of the lots in the immediate area, most of which are too small to comply with the City zoning that implements the current Rural Future Land Use designation. In addition, the current Rural designation does not appear to comport with the terms and conditions of the Persigo Agreement.

GROWTH PLAN AMENDMENT (GPA)

Pursuant to Section 2.5.C. of the Code, the City and County shall amend the Growth Plan, neighborhood plans, corridor plans, and area plans if the amendment is consistent with the purpose and intent of the Growth Plan, and if:

- a. *There was an error such that then existing facts, projects, or trends that were reasonable foreseeable were not accounted for; or*

The strongest evidence that the Rural designations previously assigned to the properties in this area in error is a review of the lot sizes within the area designated Rural. A colored map on which the acreages of the properties within this area of Rural designation are shown is submitted herewith. As can be seen from that map, in this block

of Rural designated parcels there is a total of thirty-eight (38) parcels. Of those thirty-eight (38) parcels, twenty-two (22) parcels are smaller than the five (5) acre minimum applicable to the Rural designation. Conversely, only sixteen (16) of the thirty-eight (38) parcels are presently larger than five (5) acres in size. Accordingly, the Rural designation in this area categorizes well in excess of one-half (½) of the subject parcels non-conforming parcels under the zoning categories that implemental the Rural designation.

Although certain of the parcels to the south of the subject parcels are quite large, and abut the public properties of the BLM and/or Monument to the west, the subject parcels are along South Broadway and abut the smaller parcels along that road to the west.

b. Subsequent events have invalidated the original premises and findings;

Under Section 21 of the 1998 Inter-governmental Agreement between the City of Grand Junction and Mesa County relating to City growth and joint policy-making for the Persigo sewer system (the "Persigo Agreement"). Residential land use permits and approvals for property within a quarter (¼) mile of any portion of the City Limits must go through the City's land use process, including annexation. It is also notable that the definition of the phrase "Residential Annexable Development" on Exhibit 1 to the Persigo Agreement includes "any residential development that: ...Requires a change to the Future Land Use Map of the Master Plan...if requested by or on behalf of a property owner/developer."

Accordingly, the Applicants are petitioning for annexation to the City in order to accomplish the Growth Plan Amendment sought herein, notwithstanding the fact that the current County zoning on the property would allow a significantly higher density (up to four units an acre) to be developed on the subject properties. For the reasons set forth throughout this Project Report, the Applicants do not believe that the density allowed under the existing County zoning, even if it were available under the Persigo Agreement, is compatible with the existing parcel sizes in the area of the subject properties.

Section 12 of the Persigo Agreement provides as follows:

To maintain the integrity of the Master Plan, and implementation of it and for other reasons, the parties agree that any property within the 201 should eventually develop to an urban level of density. For this agreement, residential lot sizes of two (2) acres gross or larger are deemed to not be "urban" while smaller parcel or lot sizes are deemed to be "urban."

Therefore, the Persigo Agreement, adopted approximately two (2) years after the Growth Plan was originally adopted, evidences the intent of the City of Grand Junction and Mesa County, as the parties to that Agreement, that the zoning and land use designations that implement the Rural future land use treatment would generally not be located within the 201 boundary. Although the Rural designation on the Future Land Use

Map is a passive designation (in that it does not change the operative zoning or land use available to properties such as the subject properties) it sets a framework for such land use decisions should development applications be submitted in the future. The zoning and land use regulations that implement the Rural designation under the future land use map conflict with Section 12 of the Persigo Agreement. For that reason, the Growth Plan designation of Rural should be changed.

- c. *The character and/or condition of the area have changed enough that the amendment is acceptable and such changes were not anticipated and are not consistent with the plan;*

Since the adoption of the future Land Use Map designating this property as Rural, significant development of lots in various sizes occurred along South Broadway. In particular, the following projects have either continued to develop, or have been developed from inception, since the adoption of the City Growth Plan in 1996. These developments include: The Seasons at Tiara Rado to the west, McMillin Minor Subdivision to the west, Monument View Ranch to the northwest, Desert Hills Estates Subdivision to the northeast, Rocky Heights Subdivision to the east, Peregrine Estates Subdivision to the southeast, Liberty Cap Estates Subdivision to the south. The completion and development of these subdivisions evidence some of the changes in the general area of the subject properties. The level of change requested for this proposed Growth Plan Amendment is the least amount of change possible from the existing designation in the Growth Plan. As referenced elsewhere in this Project report, the Estate designation for this property is a much better fit for the actual densities in this area. (See subsection a hereof.)

- d. *the change is consistent with the goals and policies of the Plan, including applicable special area, neighborhood and corridor plans;*

The Goals and Policies of the Growth Plan that support this application include the following:

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services ("leap-frog" development) will be discouraged.

Goal 9: To recognize and preserve valued distinctions between different areas within the community.

Policy 9.2: The City and County will encourage neighborhood designs which promote neighborhood stability and security.

Goal 10: To retain valued characteristics of different neighborhoods within the community.

Policy 10.1: The City and County should encourage public and private investments that contribute to stable residential areas and encourage redevelopment of transitional areas in accordance with the Future Land Use Map. Public facilities should be designed to support desired neighborhood character.

Policy 10.2: The City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

Policy 10.3: The City and County, recognizing the value of historic features to neighborhood character and the distinctions between neighborhoods, will allow design variety that is consistent with the valued character of individual neighborhoods, while also considering the needs and values of the community as a whole.

Policy 10.4: The City and County will encourage development designs that enhance the sense of neighborhood.

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

Policy 11.1: The City and County will promote compatibility between adjacent land uses by addressing traffic, noise, lighting, height/bulk differences, and other sources of incompatibility through the use of physical separation, buffering, screening and other techniques.

Each of the above referenced Goals and Policies from the Growth Plan support this application through the consistent intent to respect existing neighborhoods and their character in applying land use regulations to them. This theme is particularly important in the context of the City annexing lots within an established neighborhood such as this. The lot sizes, diversity of residential style and construction, and longevity of this neighborhood is respected and furthered by the approval of this application.

- e. *Public and community facilities are adequate to serve the type and scope of land use proposed;*

Adequate public facilities exist for the subject properties under the Estate designation sought hereunder. Domestic water is available to all residences on the subject parcels at present. Each of the parcels has frontage on South Broadway. Sewer is

available as a result of the Desert Hills Subdivision development and west of the Arnos property and northwest of the Lusk property.

- f. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and*

This criterion is a difficult one for which to generate empirical data, for there exists property designated Estate in the north and west portions of the Grand Valley. However, it is fair to assume that some of the parcels that are currently designated Estate and are large vacant parcels may be subjected to pressure in the future to subdivide and develop at higher densities than Estate, in order to meet the continuing demand for residential units in the Grand Valley. These properties in this neighborhood, represent the unique opportunity, in light of the existing sizes of parcels to create an area provided the Estate designation that will not be subject to such pressures. In light of the independent ownerships of each of these parcels, the ability to aggregate parcels into a meaningfully and economically sized development is quite unlikely. Accordingly, this area will not be subjected to the same pressures that larger, vacant parcels designated as Estate may be subjected to. This combination of the current lot sizes, the separate ownerships, etc., make this an area uniquely suited for the Estate designation.

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

The community or area will be benefited by this Amendment by bringing to this neighborhood a Future Land Use Map designation that better fits with the majority of the lots as they already exist within the area. This will serve the purpose of minimizing the likelihood of confusion or conflict relative to future land uses. Similarly, accomplishing this result through the city annexation process minimizes conflict between the future Land Use Map, the nearby City zonings, and the currently existing County zoning. Bringing these properties into the Estate designation provides consistency between the future Land Use Map and Growth Plan, the actual density and use of the nearby properties and the density concepts within the Persigo Agreement.

Redlands Plan

Very few, if any, policies of the Redlands Plan are applicable to the relatively minor changes being sought by the applicants here. The generalized concepts of preserving the character of the areas and neighborhoods is the primary purpose for this application, and comports with the theme of many of the policies contained in that plan. In addition, the Redlands Plan has a similar break for urban vs. rural development densities as the Persigo Agreement (the break is @ 2 acre units in both). The requested Estate designation and zoning is the largest lot residential designation available that touches this point of distinction in the plan and agreement. Therefore, the applicants submit that it is the most appropriate designation for these properties, in light of their location and the historic and existing lot sizes and uses of adjacent properties.

**GRAND JUNCTION PLANNING COMMISSION
JUNE 24, 2008 MINUTES
6:00 p.m. to 7:28 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Cole. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, William Putnam, Reggie Wall, Lynn Pavelka-Zarkesh and Bill Pitts.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg, Scott Peterson and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 19 interested citizens present during the course of the hearing.

PUBLIC HEARING ITEMS

3. Lusk Growth Plan Amendment – Growth Plan Amendment

Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation from Rural (5-35 ac/du) to RL (Residential Low – ½ - 2 ac/du) on 8.53 acres.

FILE #: GPA-2007-368
PETITIONER: Sierra Lusk
LOCATION: 2105 S Broadway
STAFF: David Thornton

STAFF'S PRESENTATION

Greg Moberg, Public Works and Planning Department, appeared on behalf of Dave Thornton, the project manager of this case. He said that currently there was a single-family residence and the site was also used agriculturally. According to Mr. Moberg, the existing land use designation for the property was Residential Rural and the existing County zoning was RSF-4, approximately 2 to 4 units per acre. He stated that surrounding lot sizes ranged from one-half acre to more than 59 acres. With regard to whether an error existed such that projects or trends were not accounted for, it was found that approximately 46% of the parcels located within the study area were non-conforming with a minimum lot size. Additionally, the entire Mesa County Zoning Map

showed the entire area as RSF-4. Mr. Moberg said that the character of the Redlands area was and continues to develop at urban densities. Mr. Moberg stated that the amendment request was consistent with the various goals and policies of the Growth Plan. He also pointed out that the 1998 City and County Persigo Agreement defined urban development as supporting Residential Low whereas lots that were less than 2 acres by the Persigo Agreement would be considered urban. He concluded that the review criteria of the Zoning and Development Code had been met.

QUESTIONS

Commissioner Putnam asked how the study area was defined or decided upon. Greg Moberg stated that he did not know.

PETITIONER'S PRESENTATION

Attorney Tom Volkmann, representing applicant, stated that after a review of the City's staff report and recommendation, said that they agreed with the results of the analysis as well as the proposed recommendation of approval.

PUBLIC COMMENT

For:

No one spoke in favor of this request.

Against:

Mike Anton, 2111 Desert Hills Road, which is directly adjacent from this property, advised that when this application was originally filed it was filed in two parts – one for Lusk and one with Ed Arnoss, which application had been pulled. He asked how this application could go forward without an actual neighborhood meeting occurring prior to the filing of the application. Mr. Anton advised that the subject property was presently for sale. He added that there was no error in the Growth Plan and finally asked the Commission to deny this request.

Patti Milius, 445 Wildwood Drive, said that she was concerned with the safety and the situation that some of this infill without proper safety of roads was setting up a very dangerous situation. She said that this would make it more difficult to safely use South Broadway. She said that making South Broadway urban when it was a rural road was irresponsible.

Alice Eden Smith (467 Wildwood Drive) said that the recent increase in traffic was tremendous. She further stated that wildlife was disappearing and voiced her concerns regarding traffic and safety.

Terry Dixon said that she had e-mailed her comments on this development but posed a question as to when the neighborhood meeting was done, the petitioner had indicated her intention of staying there but that she could not maintain the 8 acres and wanted to

affect a simple split. Regarding traffic ramifications and the integrity of the area, she said that she believed the existing conditions on South Broadway would be terribly compromised. She said that while recognizing growth happens, it must be done responsibly and also maintain the integrity of established areas.

Dennis Moser, 2110 Wildwood Court, said that this project would definitely affect the area and was opposed to having 14 houses directly behind his house.

Lee Moser, 2110 Wildwood Court, stated that it was her understanding that Grand Junction needed affordable housing and did not believe that the Redlands was an area that would accommodate affordable housing.

PETITIONER'S REBUTTAL

Tom Volkmann said that with regard to the statements of 14 units on this property were premature. He also said that they were not in a position to address concerns relative to the traffic on South Broadway. He reiterated that the staff's analysis of the area itself and this particular application was in depth and accurate and requested recommendation of approval to City Council.

QUESTIONS

Chairman Cole asked Mr. Volkmann to discuss the statement made regarding the two-parcel application. Mr. Volkmann said that he initially submitted the application on behalf of both this property and the parcel immediately to the north across South Broadway and the parcel that goes around it. He said that the owner of that property withdrew from this application.

Commissioner Putnam asked if the neighborhood meeting was held concerning both parcels. Mr. Volkmann confirmed that was correct.

Commissioner Putnam asked if there was any reason why another neighborhood meeting was necessary concerning just this property. Tom Volkmann said that he could not think of any and had spoken with Dave Thornton regarding this point. Furthermore, the substance of this application did not change by virtue of the other parcel.

Commissioner Dibble stated that he would like to have a designation description of South Broadway.

Commissioner Dibble asked how the area would be described, and what would be looked at regarding transitional growth and existing designation of land size. Greg Moberg said that staff looked at the size of the lots surrounding the property and the Future Land Use designation that existed underneath those lots. Greg said that the existing designations would be Estate and Rural. Furthermore, staff looked at the area to see how many of those parcels were in conformance with the existing designations

and approximately 26 of those parcels would not be in conformance with that designation

Commissioner Dibble asked what the designation was for less than 2 acres. Lisa Cox, Planning Manager, said that the land use classification for something less than 2 acres would likely be Residential Rural, 5 to 35 acres per dwelling unit, or Estate, 2 to 5 acres per dwelling unit.

Commissioner Dibble asked if they were urban lot designations. Lisa Cox stated they were and that the land uses that would support a variety of zone districts would be considered urbanized development and urbanized lot sizes.

Commissioner Dibble asked where the designation would be if this was zoned. Lisa Cox stated that the properties were non-conforming and could not become conforming because the land use classification did not fit with their existing size and hasn't since 1996.

Commissioner Dibble asked if this area was addressed in the Redlands overlay in 2002. Lisa Cox said that this issue was not addressed in that update of the plan.

Commissioner Dibble asked if that was considered to be an overlooking of that or an error. Ms. Cox said that she thought it could be viewed as an error as when the plan was updated this land use classification of this neighborhood was not addressed and, therefore, could be interpreted as an error. Jamie Beard said that when the original Growth Plan was done in 1996, in 1998 there was the Persigo Agreement and the references to urban development were references that come about mainly because the Persigo Agreement said that those areas to be developed were to be at urban development. The 1998 Persigo Agreement came into play before the Redlands Plan was looked at in 2002. They were not considered when the Redlands Plan went forward and so that could be part of the error that could be considered in determining whether or not that criteria was met for purposes of changing the Growth Plan Amendment.

Commissioner Dibble asked if it was within the Persigo Agreement's jurisdiction. Jamie Beard confirmed that the subject area was within the Persigo boundary.

Commissioner Dibble asked for a definition of the South Broadway configuration both from type of roadway as well as the nature of it. Rick Dorris, Development Engineer, said that it was classified on the Grand Valley Circulation Plan as a collector street.

Commissioner Dibble asked if this whole area was to develop at a low, half acre development configuration, what would that do to South Broadway. Rick Dorris said that just one parcel doing that would not be an issue; however, he said that before he could answer that question, he would have to look at the numbers, the growth rate,

development trends. He did opine that safety improvements would need to be made and widen it but that it could handle it in the future. He added that South Broadway was not set for any improvements right now.

Commissioner Dibble asked what would trigger those improvements. Rick Dorris said that one parcel would not trigger it and that it would take a significantly larger number of lots, in the hundreds, to make it unsafe and trigger improvements.

Commissioner Dibble asked if South Broadway was the only avenue for egress to this area of study. Mr. Dorris stated that it was.

Commissioner Lowrey asked if there was enough public right-of-way on South Broadway to widen that road in the future. Rick Dorris said that there was not, which was not uncommon.

Commissioner Lowrey asked if there was any point in the City acquiring the right-of-way until more people live there. Mr. Dorris said that there was not. He added that at some point it would become an issue if safety was compromised or anticipated that it could be and then it would be put onto the capital improvements program.

DISCUSSION

Commissioner Putnam said that nothing could be done tonight until the infrastructure was improved.

Commissioner Pitts said that he was concerned with the safety issue on South Broadway. He also stated that he did not believe there was an error in either the Redlands Plan or the study area. He added that the proposed development was not consistent with the area or the neighborhood and could not support the proposition.

Commissioner Putnam added that a number of the properties were not in conformity. He stated that he could approve this proposal without considering all other factors because he believed the whole thing has been an error.

Commissioner Dibble said that the area was classified by the Persigo Agreement as an urban area and stated that it should be recognized as an urban area and should be brought into conformance. He stated that what was being asked for was a reasonable adjustment in the land use designation to allow this one particular section to go forward in an urban setting and stated that it should be approved.

Commissioner Lowrey said that things have changed since 1996 and private people have a right to develop their property as guaranteed by the United States and Colorado Constitutions. He stated that a reasonable density and what would fit the Growth Plan today and in light of the Persigo Agreement and the growth in the area, a house for

every one-half to two acres was appropriate. Therefore, he said that he would approve the Growth Plan Amendment.

Commissioner Wall agreed and stated that he personally thought there was an error. He stated that he thought the half acre to 2 acre lots were appropriate for the area and agreed with this request.

Commissioner Pavelka-Zarkesh said that the Commission had a responsibility to use the infrastructure effectively. She further stated that she felt that a reasonable development could be put in there. She stated that it could be well done so that it would not impose on the rest of the residences in the area and would be in favor of this proposal.

Chairman Cole said that he too would favor approving the application.

MOTION: (Commissioner Putnam) “Mr. Chairman, I move that the Planning Commission forward this Growth Plan Amendment request, GPA-2007-368, for Residential Low (RL) designation to City Council with a recommendation of approval, making the findings and conclusions 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 Pitts opposed.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE 8.53 ACRES, LOCATED AT 2105 SOUTH BROADWAY, KNOWN AS THE LUSK GROWTH PLAN AMENDMENT, FROM "RESIDENTIAL RURAL" TO "RESIDENTIAL LOW"

Recitals:

A request for the Growth Plan amendment has been submitted in accordance with the Zoning and Development Code to the City of Grand Junction. The applicant has requested that one property located at 2105 South Broadway be changed from "Rural" to "Residential Low" on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM RESIDENTIAL RURAL TO RESIDENTIAL LOW ON THE FUTURE LAND USE MAP:

A certain parcel of land located in the Northwest 1/4 of Section 26 and the Northeast 1/4 of Section 27, Township Eleven South, Range One Hundred One West of the Sixth Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Northeast corner of Hacienda Acres Subdivision, as recorded in Plat Book 11, Page 154 Public Records of Mesa County, Colorado and assuming the East line of said Hacienda Acres Subdivision bears N 23°43'22" E with all other bearings contained herein are relative thereto; thence from said Point of Beginning, S88°53'14"E along a line being the South line of South Camp Annexation Parcel No. 3, City of Grand Junction, Ordinance No. 2759, a distance of 524.35 feet; thence S40°16'37"E a distance of 276.30 feet; thence S55°59'15"W a distance of 690.17 feet to a point on the North line of Wildwood Subdivision, as recorded in Plat Book 11, Page 141 Public Records of Mesa County, Colorado; thence N88°21'54"W a distance of 392.78 feet to a point on the East line of Lot 4 of said Hacienda Acres Subdivision; thence N23°43'22"E along the East line of Lot 4 of said Hacienda Acres Subdivision, a distance of 650.83 feet to the Point of Beginning.

CONTAINING 8.53 Acres or 371,669 Square Feet, more or less, as described.

PASSED on this ____ day of July, 2008.

ATTEST:

President of Council

City Clerk