



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

TUESDAY, JANUARY 13, 2009, 6:00 P.M.

Call to Order

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

In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.

Copies of the agenda and staff reports are available on the table located at the back of the Auditorium.

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

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

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

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes of the December 9, 2008 Regular Meeting.

2. Colorado Army National Guard Campus Annexation – Zone of Annexation [Attach 2](#)

Request a recommendation of approval to City Council to zone 57.95 acres from County PUD (Planned Unit Development) to a City CSR ((Community Services & Recreation) zone district.

FILE #: ANX-2008-344
PETITIONER: LTC David Eyre – Department of the Army
LOCATION: 2800 Riverside Parkway
STAFF: Michelle Hoshide

3. Thunder Valley II Subdivision - Preliminary Subdivision Plan [Attach 3](#)

Request approval of the Preliminary Subdivision Plan to develop 41 single family lots on 11.08 acres in an R-4 (Residential 4 du/ac) zone district.

FILE #: PP-2008-090
PETITIONER: Thad Harris – TD Investments of Grand Junction, LLC
LOCATION: 3063 F 1/2 Road
STAFF: Brian Rusche

4. Morning View Heights Subdivision – Preliminary Subdivision Plan [Attach 4](#)

Request approval of the Preliminary Subdivision Plan to develop 180 residential lots on 34.375 acres in an R-8 (Residential 8 du/ac) zone district.

FILE #: PP-2008-134
PETITIONER: Lawrence Balerio – B & G Development, LLC
LOCATION: 2961, 2967 & 2973 D Road
STAFF: Brian Rusche

5. Derush Storage Units – Rezone [Attach 5](#)

Request a recommendation of approval to City Council to rezone 4.60 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

FILE #: RZ-2008-319
PETITIONER: Gary Derush – Storage Storage, LLC
LOCATION: 2179 H Road
STAFF: Justin Kopfman

6. High Meadows Subdivision – Preliminary Subdivision Plan [Attach 6](#)

Request approval of the Preliminary Subdivision Plan to develop 41 residential lots on 10.85 acres in an R-5 (Residential 5 du/ac) zone district.

FILE #: PP-2007-320
PETITIONER: Mark Fenn – High Meadows, LLC
LOCATION: 248 28 Road
STAFF: Lori Bowers

7. **Ridges Mesa Subdivision – Outline Development Plan** [Attach 7](#)

A request to amend the phasing schedule for Ridges Mesa Outline Development Plan; a 51 acre Planned Development, zoned PD (Planned Development) with an R-2 default zoning designation; located E of Hidden Valley Drive and High Ridge Drive, in the Ridges.

FILE #: ODP-2006-358
PETITIONER: Ted Munkres – Freestyle Design & Building
LOCATION: East of Hidden Valley Drive and High Ridge Drive
STAFF: Lori Bowers

* * * **END OF CONSENT CALENDAR** * * *
* * * **ITEMS NEEDING INDIVIDUAL CONSIDERATION** * * *

Public Hearing Items

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

8. **Kapushion/Northwest GJ – Growth Plan Amendment** [Attach 8](#)

Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation from Rural (5 to 35 ac/du) to CI (Commercial Industrial) and RM (Residential Medium 4-8 du/ac) on 100.631 acres.

FILE #: GPA-2008-305
PETITIONER: Art Pastel and Dale Beede
LOCATION: 860 21 Road
STAFF: Lori Bowers

9. **Kapushion/Northwest GJ Annexation – Zone of Annexation** [Attach 9](#)

Request a recommendation of approval to City Council to zone 100.631 acres from County RSF-R (Residential Single Family Rural 5 to 35 ac/du) to a City I-1 (Light Industrial) and R-4 (Residential 4 du/ac) zone district.

FILE #: ANX-2008-305
PETITIONER: Art Pastel and Dale Beede
LOCATION: 860 21 Road
STAFF: Lori Bowers

- 10. 12th & Patterson Center – Rezone** [Attach 10](#)
Request a recommendation of approval to City Council to rezone 8 parcels (3.62 +/- acres) currently zoned R-8 (Residential 8 du/ac) to a B-1 (Neighborhood Business) for development of a neighborhood commercial center on a total of 8.4 +/- acres.

FILE #: RZ-2008-323
PETITIONER: Dillon Real Estate
LOCATION: SE Corner 12th Street & Patterson Road
STAFF: Scott Peterson

- 11. Cunningham Investment Annexation – Zone of Annexation** [Attach 11](#)
Request recommendation of approval to City Council to zone 27.7 acres to City R-E (Residential Estate).

FILE #: GPA-2007-263
PETITIONER: Mac Cunningham – Cunningham Investments Company, Inc.
LOCATION: 2098 E 1/2 Road
STAFF: Scott Peterson

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
DECEMBER 9, 2008 MINUTES
6:00 p.m. to 6:11 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), William Putnam, Reggie Wall, Lynn Pavelka-Zarkesh, Pat Carlow, Mark Abbott, and Ebe Eslami.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Greg Moberg (Planning Services Supervisor), Ronnie Edwards (Associate Planner), Scott Peterson (Senior Planner) and Eric Hahn (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 8 interested citizens present during the course of the hearing.

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the November 10, 2008 Regular Meeting.

2. Proposed Text Amendments – Zoning and Development Code – Continued from November 25, 2008 Planning Commission Hearing

Request a recommendation of approval to City Council on a proposed ordinance amending Chapters 2 and 3 of the Zoning and Development Code to revise and update the standards for nonconforming uses, sites and structures, and the B-2 (Downtown Business) zone district.

FILE #: TAC-2008-314
PETITIONER: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox, Planning Manager

3. Ute Water Subdivision – Preliminary Subdivision Plan

Request approval of the Preliminary Subdivision Plan to develop 3 lots on 48 acres in an I-1 (Light Industrial) zone district.

FILE #: PP-2008-149

PETITIONER: Ed Tolen – Ute Water Conservancy District

LOCATION: 823, 825 22 Road

STAFF: Ronnie Edwards, Associate Planner

4. St. Mary’s Rose Hill Hospitality – Growth Plan Amendment & Rezone

Request a recommendation of approval to City Council of a Growth Plan Amendment from Residential Medium (4 - 8 du/ac) to Commercial and request a recommendation of approval to City Council to rezone .80 +/- acres to a PD (Planned Development) zone district.

FILE #: RZ-2008-227

PETITIONER: Keith Estridge – St. Mary's Hospital & Medical Center

LOCATION: 609 26 1/2 Road

STAFF: Scott Peterson, Senior Planner

5. Crystal Brooke Subdivision – Preliminary Subdivision Plan

Request approval to develop 26 single family lots on 7.77 acres in an R-4 (Residential 4 du/ac) zone district.

FILE #: PFP-2007-030

PETITIONER: Rochelle Larson – Rochelle Larson Living Trust

LOCATION: 2919 B 1/2 Road

STAFF: Greg Moberg, Planning Services Supervisor

Chairman Cole briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. Jamie Beard, Assistant City Attorney, made a clarification regarding item 2 and provided the Commission with a new proposed ordinance regarding the text amendments. She stated that some changes had been made for clarification purposes. Scott Peterson entered into the record the revised staff report for the St. Mary’s Rose Hill Hospitality House which addressed the Outline Development Plan review criteria and approve the requirements of creating a new Planned Development zoning district. He said that since the applicant had an approved Master Plan 2005 adopted by the City Council in 2006 that included this property, the same review criteria for the ODP applied. The proposed ordinance for the rezoning of the property to PD would amend the original Master Plan 2005 Ordinance No. 3992 to include this property. The ODP review criteria utilized in the Master Plan and, therefore, the proposed Rose Hill Hospitality House expansion was in compliance with all applicable review criteria and applicant requested that the property be rezoned to Planned Development. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the Consent Agenda items.

MOTION: (Commissioner Wall) “Mr. Chairman, I move we approve the Consent Agenda with the corrections that have been made.”

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

General Discussion/Other Business

Election of Officers:

Commissioner Carlow nominated Chairman Cole for re-election as Chairman of the Planning Commission. Commissioner Putnam seconded the nomination. A vote was called and Chairman Cole was re-elected Chairman.

Commissioner Carlow nominated Commissioner Putnam to serve as Vice-Chairman of the Planning Commission. Commissioner Eslami seconded the nomination. A vote was called and Commissioner Putnam was elected Vice-Chairman.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:11 p.m.

**Attach 2
Colorado Army National Guard Campus Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
STAFF PRESENTATION: Michelle Hoshide

AGENDA TOPIC: Colorado Army National Guard Campus Annexation - ANX-2008-344

ACTION REQUESTED: Recommendation to City Council on a Zone of Annexation.

| <i>STAFF REPORT / BACKGROUND INFORMATION</i> | | | | |
|---|--------------|--|--|-----------|
| Location: | | 2800 Riverside Parkway | | |
| Applicants (Prop owner, developer, representative) | | Owners: State of Colorado, Department of Human Services and Department of Military and Veterans Affairs Representative: Domenick Scarimbolo | | |
| Existing Land Use: | | National Guard Armory and Military Cemetery | | |
| Proposed Land Use: | | National Guard Armory and Military Cemetery | | |
| Surrounding Land Use: | North | Industrial | | |
| | South | Residential Single Family Rural | | |
| | East | Agriculture, Vacant, CSU Facility | | |
| | West | Industrial | | |
| Existing Zoning: | | PUD (Planned Unit Development) | | |
| Proposed Zoning: | | CSR (Community Services and Recreation) | | |
| Surrounding Zoning: | North | I-1(Light Industrial) | | |
| | South | RSF-R, RSF-2, R-8 | | |
| | East | PD | | |
| | West | I-1(Light Industrial), County PUD (Planned Unit Development) | | |
| Growth Plan Designation: | | Public | | |
| Zoning within density range? | X | Yes | | No |

PROJECT DESCRIPTION: A request to zone 57.95 acres Colorado Army National Guard Campus Annexation consisting of three (3) parcels located at 2800 Riverside Parkway to a CSR Zone District.

RECOMMENDATION: Recommend approval to the City Council of the CSR (Community Services and Recreation) zone district.

ANALYSIS:

1. Background:

The 57.95 acre Colorado Army National Guard Campus Annexation consists of three (3) parcels located at 2800 Riverside Parkway. The owners have requested annexation into the City to allow for development of the National Guard Armory. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of Public conforms to the Future Land Use Map, which has designated the properties as Public.

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

Zone of Annexation: The requested zone of annexation to the CSR (Community Services and Recreation) zone district is consistent with the Growth Plan. The existing County zoning is PUD (Planned Unit Development). Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed CSR (Community Services and Recreation) zoning district is consistent with the Growth Plan. The Future Growth plan designation is Public for this property.

- 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 and services are available to accommodate the CSR (Community Services and Recreation) zone district. An 8" Ute water line and an 15" Central Grand Valley Sanitary sewer line are located within the Riverside Parkway.

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

- a. none

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Colorado Army National Guard Campus Annexation, ANX-2008-344, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the CSR (Community Services and Recreation) zone district for the Colorado Army National Guard Campus Annexation, ANX-2008-344 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

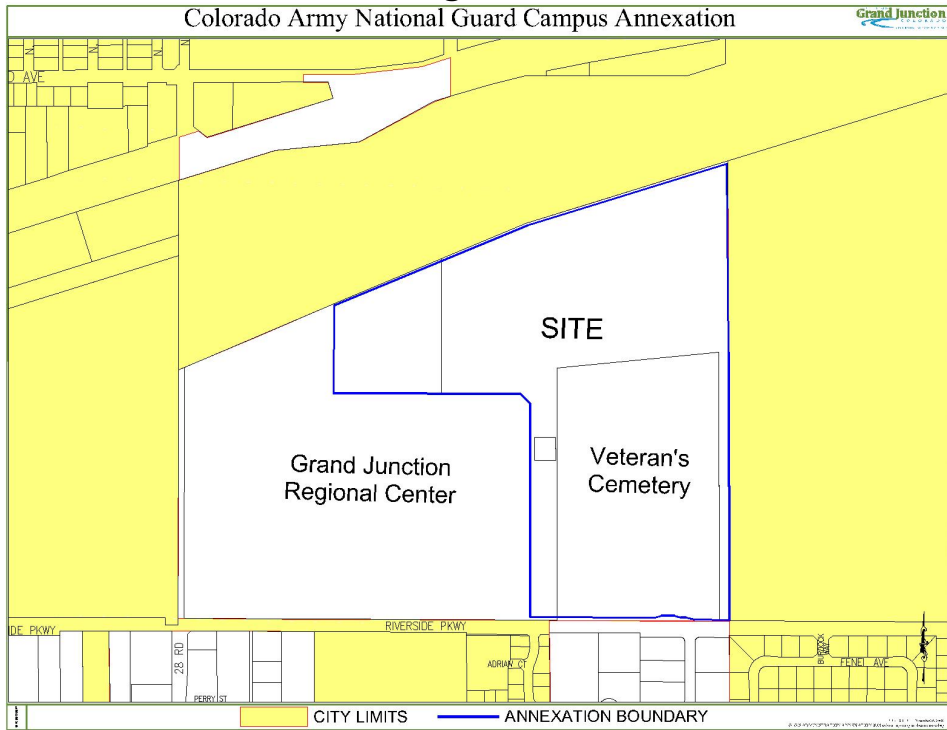
Mr. Chairman, on the Colorado Army National Guard Campus Annexation, ANX-2008-344, I move that the Planning Commission forward to the City Council a recommendation of approval of the CSR (Community Services and Recreation) zone district for the Colorado Army National Guard Campus Annexation with the facts and conclusions listed in the staff report.

Attachments:

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

Annexation/ Site Location Map

Figure 1



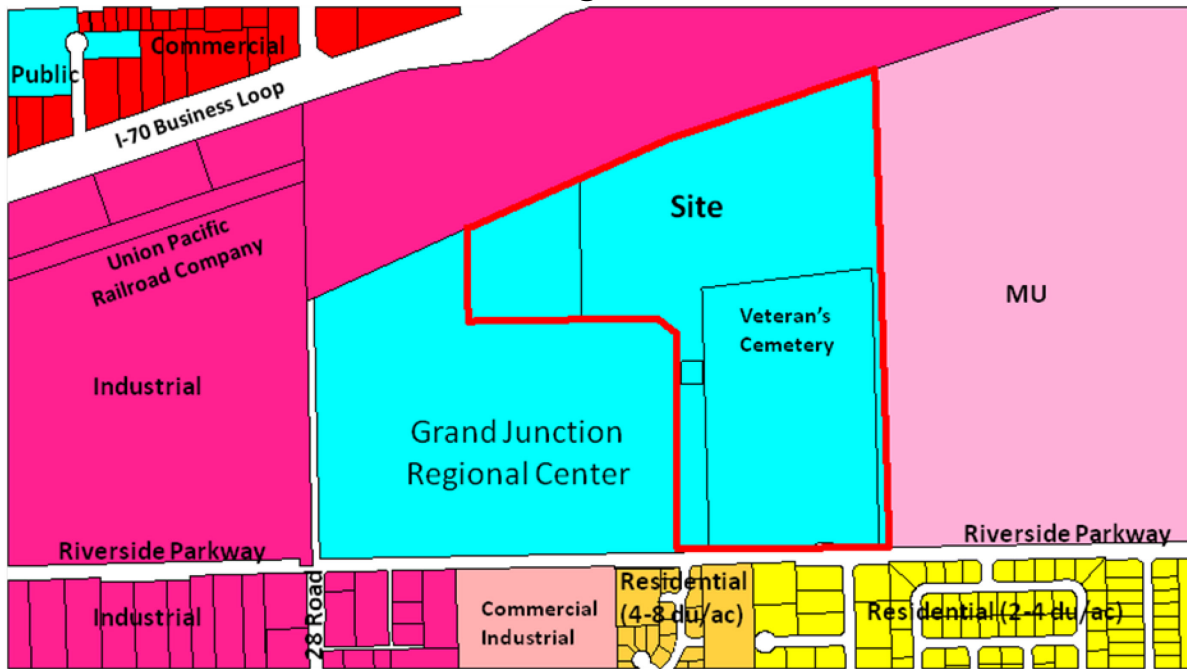
Aerial Photo Map

Figure 2



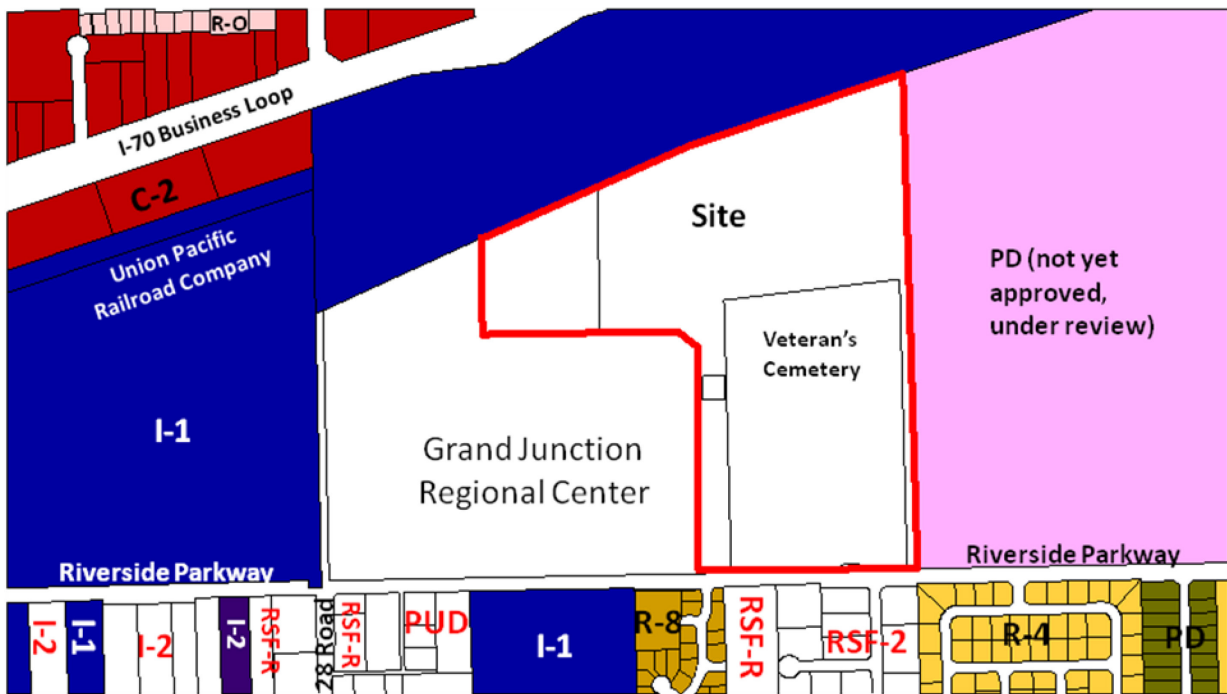
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE COLORADO ARMY NATIONAL GUARD CAMPUS
ANNEXATION TO CSR (Community Services and Recreation)**

LOCATED AT 2800 RIVERSIDE PARKWAY

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 Colorado Army National Guard Campus Annexation to the CSR (Community Services and Recreation) 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 CSR (Community Services and Recreation) 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 CSR (Community Services and Recreation)

COLORADO ARMY NATIONAL GUARD CAMPUS ANNEXATION

A certain parcel of land located in the Southwest Quarter (SW 1/4) of Section 18, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of the SE 1/4 SW 1/4 of said Section 18 and assuming the East line of the SE 1/4 SW 1/4 of said Section 18 to bear S00°06'42"E with all bearings contained herein relative thereto; thence N00°06'42"W a distance of 35.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18 to the Northeast corner of Riverside Parkway Annexation No. 5, said point also being the Point of Beginning; thence along the Northerly line of said Riverside Parkway Annexation No. 5 the following seven (7) courses: (1) N89°39'17"W a distance of 166.49 feet; (2) N78°20'43"W a distance of 40.79 feet; (3) N89°39'17"W a distance of 27.38 feet; (4) N70°21'54"W a distance of 31.78 feet; (5) N89°39'17"W a distance of 63.23 feet; (6) S71°00'15"E a distance of 31.70 feet; (7) N89°39'17 "W a distance of 602.50 feet;

thence N00°03'11"E a distance of 1026.59 feet; thence N44°39'53"W a distance of 62.57 feet; thence N89°39'53"W a distance of 898.98 feet; thence N00°20'07"E a distance of 420.99 feet to a point on the Southerly line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence N67°38'39"E a distance of 1010.16 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1; thence N73°01'18"E a distance of 999.11 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1 to a point on the West line of Mesa State Annexation, Ordinance No. 4081, City of Grand Junction, said point also being on the East line of the NE 1/4 SW 1/4 of said Section 18; thence S00°25 '24"E a distance of 903.46 feet along the West line of said Mesa State Annexation, said line also being the East line of the NE 1/4 SW 1/4 of said Section 18 to the Northeast corner of the SE 1/4 SW 1/4 of said Section 18; thence S00°06'42"E a distance of 1283.65 feet along the West line of said Mesa State Annexation, said line also being the East line of the SE 1/4 SW 1/4 of said Section 18 to the Point of Beginning.

Said parcel contains 57.95 acres (2,524,320.23 sq. ft.), 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
Thunder Valley II**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
STAFF PRESENTATION: Brian Rusche

AGENDA TOPIC: Thunder Valley II Subdivision, PP-2008-090

ACTION REQUESTED: Preliminary Subdivision Plan Approval

| BACKGROUND INFORMATION | | | | | |
|------------------------------|-------|---|-----|--|----|
| Location: | | 3063 F ½ Road (south of Thunder Mountain Elementary) | | | |
| Applicants: | | TDSM, Inc. – Owners Ciavonne, Roberts, and Assoc. – Representative | | | |
| Existing Land Use: | | Vacant | | | |
| Proposed Land Use: | | Single Family Residential | | | |
| Surrounding Land Use: | North | Thunder Mountain Elementary School | | | |
| | South | Residential / Agricultural | | | |
| | East | Agricultural / Future Residential (Thunder Valley I) | | | |
| | West | Residential / Agricultural | | | |
| Existing Zoning: | | R-4 (Residential 4 du/ac) | | | |
| Proposed Zoning: | | same | | | |
| Surrounding Zoning: | North | County RSF-R (Residential Single-Family Rural 1du / 5ac) | | | |
| | South | R-4 (Residential 4 du/ac) County RSF-4 (Residential Single-Family 4du / ac) | | | |
| | East | R-4 (Residential 4 du/ac) | | | |
| | West | R-4 (Residential 4 du/ac) County PUD (Planned Unit Development) | | | |
| Growth Plan Designation: | | RML (Residential Medium Low 2-4 du/ac) | | | |
| Zoning within density range? | | X | Yes | | No |

PROJECT DESCRIPTION: Request approval of a Preliminary Subdivision Plan for the Thunder Valley II Subdivision to develop 41 residential lots on 11.08 acres in an R-4 (Residential 4 du/ac) zone district.

RECOMMENDATION: Approval of the Preliminary Subdivision Plan.

ANALYSIS

Background

The proposed Thunder Valley II Subdivision is located south of Thunder Mountain Elementary on the south side of F ½ Road, between 30 and 31 Road. The property is zoned R-4 (Residential 4 du/ac).

The 11.08 acres presently consists of one parcel. It is directly west of Thunder Valley I, whose Preliminary Plan (PP-2006-194) was approved on November 13, 2007. The applicant requests approval of a Preliminary Subdivision Plan for 41 single-family residential lots. The lots range in size from 8,000 square feet to 9,116 square feet. The minimum lot area for the R-4 zone is 8,000 square feet.

Density

The gross density of the proposed subdivision will be approximately 3.7 dwelling units per acre, which is within the density requirements of the Zoning and Development Code. The Growth Plan Future Land Use Map designates the parcel as Residential Medium Low (2-4 du/ac).

Access and Road Design

The subdivision will be accessed through Thunder Valley I, which has an entrance on F ½ Road. Thunderhead Way, Thunder Hog Lane, and Anvil Way are all designed as residential streets. Thunder Valley Lane has been approved as an alternate street with no sidewalk on the south side, due to the trail behind the lots. Thunder Mountain Drive is a partial width street, allowing for future development along the west side. No parking signs will be posted along that side. The street sections are shown on the plan. A street connection from Orange Grove Way to Thunder Valley Lane will not be provided, due to the potential for traffic flow south through existing subdivisions causing safety concerns and compromising access to and traffic flow on Patterson Road.

Lot Layout and Phasing

All lots have frontage on urban residential streets. Lots 5 and 6 do not meet the minimum lot width requirement of 75 feet, due to the road design at the intersection. Pursuant to Section 3.2.C.2 the Planning Commission can approve a reduced lot width on irregular shaped lots. I recommend approval of the reduced lot width for both lots, as they meet all other dimensional standards while retaining sufficient access to the public street. Two lots will have frontage on Orange Grove Way, which will be widened and improved. The development is proposed as one phase.

Open Space

A tract for stormwater detention will be provided at the southwest corner of the development. Tracts will also be provided for a trail connecting Thunder Valley Lane and Orange Grove Way, a trail along the south side of Lots 33-37 (which is an extension of a trail in Thunder Valley I), and a trail connecting Thunder Mountain Drive to property owned by Mesa County Valley School District #51 (extending south to Patterson Road). A trail easement will also be provided along the Price Ditch on the south side of the property.

No additional open space is being proposed. Instead, the applicant will pay the 10% open space fee (Section 6.3) which, along with the parks impact fee, will be paid at the recording of the Final Plat.

Landscaping and Irrigation

No frontage landscaping is required. The detention pond must be landscaped, per Section 6.7.F.9. Irrigation water will be provided to the residential lots and easements will be established for these irrigation lines. Revocable permits will be necessary for lines that cross public right-of-way. These are to be recorded with the final plat.

APPROVAL CRITERIA

Section 2.8.B.2 of the Zoning and Development Code

A preliminary subdivision plan can only be approved when it is in compliance with the purposes stated in Section 2.8 and with all of the following criteria:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The Future Land Use Map of the Growth Plan designates the parcel as Residential Medium Low (2-4 du/ac). The proposed density of the Thunder Valley II Subdivision is 3.7 units per acre, consistent with a Residential Medium Low designation.

The public roads within the subdivision will be dedicated and constructed according to standards set forth in the Transportation Engineering Design Standards manual, or TEDS, with alternative street sections approved by the engineer. The proposed subdivision will have access from F ½ Road through Thunder Valley I and will provide access (Thunder Mountain Drive) to the adjacent property to the west, which also has frontage on F ½ Road; this configuration will meet access standards for emergency services. No access will be provided to Orange Grove Way, except for Lots 40 and 41, due to the potential for traffic flow south through existing subdivisions causing safety concerns and compromising access to and traffic flow on Patterson Road.

The Urban Trails Master Plan designates a trail along Price Ditch, for which an easement will be provided. Additional trails are provided throughout the subdivision to connect with Thunder Valley I and continue east to Lewis Wash, as well as provide pedestrian access from Patterson Road to Thunder Mountain Elementary.

b. The Subdivision standards of Chapter 6.

The proposed subdivision is in compliance with Sections 6.7.D - Lot Layout and Design and 6.7.E - Circulation. Except for the detention basin and the trails, no additional open space is proposed. A fee equal to 10% of the value of the property will be required, pursuant to Section 6.3.B. All Tracts will be dedicated to and maintained by the HOA.

c. The Zoning standards contained in Chapter 3.

The property is zoned R-4 (Residential 4 du/ac). The density of the proposed subdivision will be approximately 3.7 dwelling units per acre, which conforms to the minimum and maximum density requirements of the R-4 zone district.

Lots 5 and 6 do not meet the minimum lot width of 75 feet, due to the road design at the intersection. Pursuant to Section 3.2.C.2 the Planning Commission can approve reduced lot width on irregular shaped lots. I recommend approval of reduced lot width for both lots, as they meet all other dimensional standards while retaining sufficient access to the public street.

All other lots within the proposed subdivision are in compliance with the residential zoning district standards of Section 3.3.E (R-4 Standards) and Table 3.2 of the Zoning and Development Code.

d. Other standards and requirements of this Code and all other City policies and regulations.

The proposed subdivision has been reviewed by the Development Engineer and will meet the requirements of TEDS and the Stormwater Management Manual (SWMM). All residential streets will be constructed in accordance with Urban Residential street standards, with alternative street standards as approved by the engineer. A 14 foot multi-purpose easement is provided along all street frontages. Tracts will be provided to accommodate the detention pond and the off-street trails. Landscaping will also be required of the detention pond.

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

Public and community facilities are adequate to serve the proposed development. Needed infrastructure can be reasonably extended to serve the proposed subdivision, as discussed in more detail earlier in the report.

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

The Colorado Geologic Survey conducted a review of the site and concurs with the geological report that no geological hazards at the site would preclude development. The only geological constraint is moisture-sensitive surficial clay soils.

- g. Compatibility with existing and proposed development on adjacent properties.

The neighborhood between 30 and 31 Roads south of F ½ Road, with the exception of the elementary school, is designated as Residential Medium Low (2-4 du/ac) by the Growth Plan. The proposed subdivision is compatible with subdivisions that have been built to the south and west of the property, as well as a new residential subdivision (Thunder Valley I) proposed for the adjacent property to the east. The proposed street layout will serve this development and provide access to underdeveloped, yet similarly designated, property to the west.

Therefore, the proposed development is compatible with existing development on adjacent properties.

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

Compliance with the SWMM requirements will ensure runoff does not harm adjacent agricultural uses.

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

The proposed subdivision is located within the Urban Growth Boundary and within the Future Land Use designation of Residential Medium Low (2-4 du/ac). Subdivisions exist on the south and west sides of the property (except for a strip of underdeveloped land on the west). A subdivision is in the works on the east and the elementary school sits to the north.

The proposed subdivision is neither piecemeal development nor a premature development of agricultural land or unique areas.

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

The proposed subdivision design provides appropriate residential density and the needed public infrastructure to serve the proposed density. Trails are included in the proposed plan.

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

The project will not cause undue burden on the City for maintenance or improvements of land or facilities. The tracts and easements for drainage and irrigation will be maintained by the Homeowners' Association.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the Thunder Valley II Preliminary Subdivision application, PP-2008-090 for consistency with the Growth Plan and Preliminary Subdivision Plan approval, I make the following findings of fact, conclusions and conditions:

1. The proposed Preliminary Subdivision Plan is consistent with the Growth Plan, and
2. The Preliminary Subdivision Plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.
3. Lots 5 and 6 do not meet the minimum lot width of seventy-five feet (75') as specified in Table 3.2 of the Zoning and Development Code. The proposed lots meet all other dimensional standards while retaining sufficient access to the public street. Pursuant to Section 3.2.C.2 the Planning Commission may vary the minimum lot width on irregularly shaped lots.

STAFF RECOMMENDATION:

I recommend the Planning Commission approve the proposed Thunder Valley II Preliminary Subdivision Plan, PP-2008-090 with findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

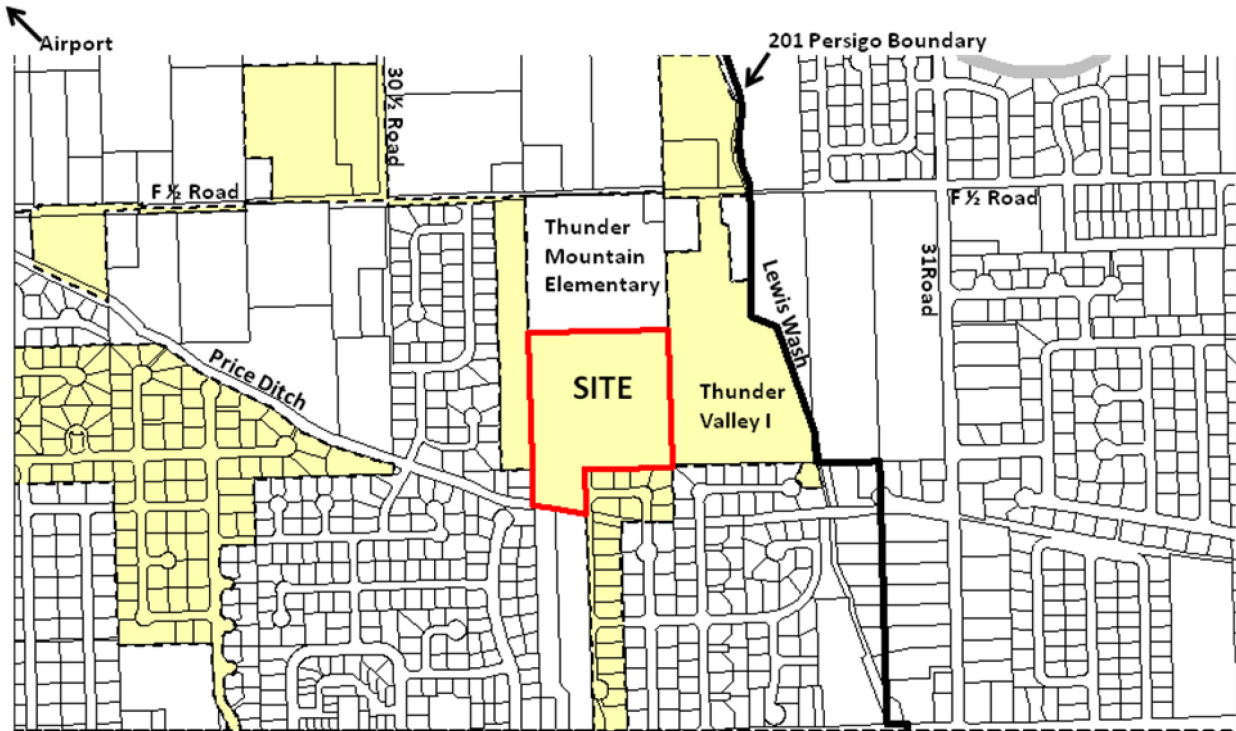
Mr. Chairman, I move we approve the Preliminary Subdivision Plan for Thunder Valley II Subdivision, PP-2008-090, with findings and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Preliminary Subdivision Plan

Site Location Map

Figure 1



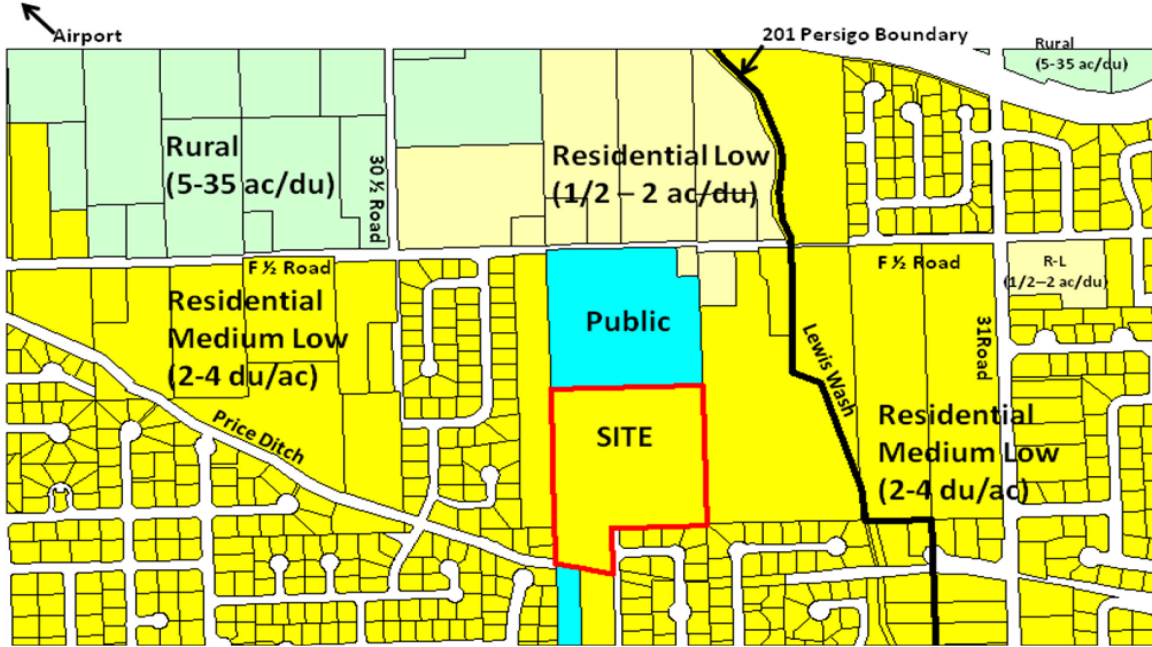
Aerial Photo Map

Figure 2



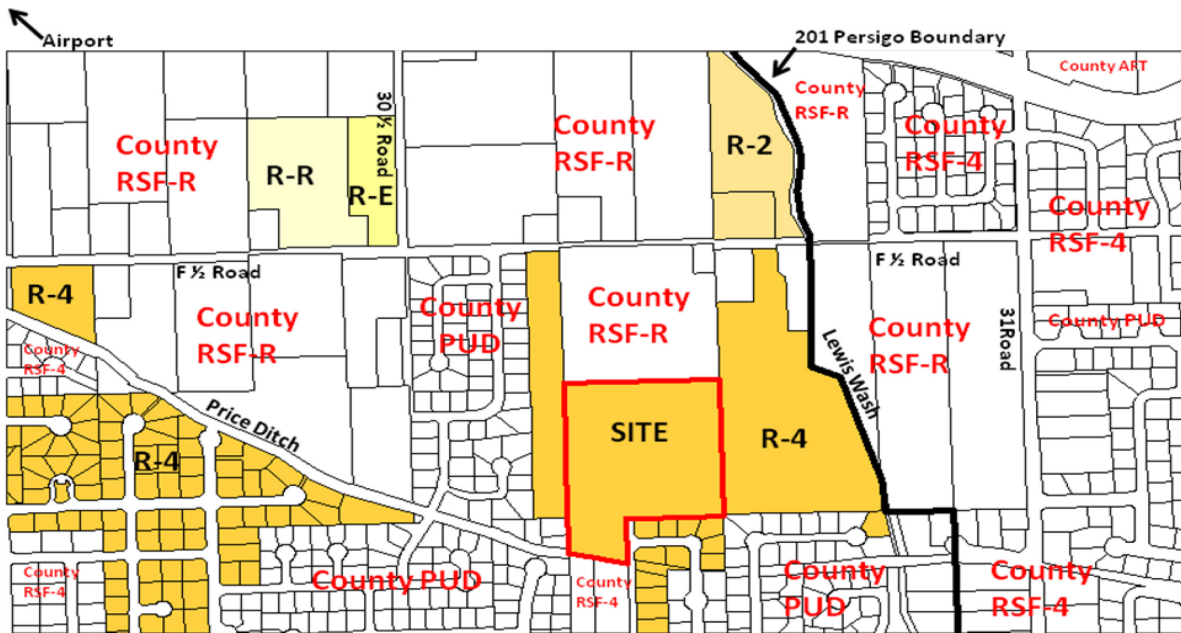
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



**Attach 4
Morning View Heights**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
STAFF PRESENTATION: Brian Rusche

AGENDA TOPIC: Morning View Heights Subdivision, PP-2008-134

ACTION REQUESTED: Preliminary Subdivision Plan Approval

| BACKGROUND INFORMATION | | | | | |
|------------------------------|-------|--|-----|--|----|
| Location: | | 2961, 2967, and 2973 D Road | | | |
| Applicants: | | B & G Development, LLC and 2973 D Road, LLC – Owners Vista Engineering Corp. – Representative | | | |
| Existing Land Use: | | Single Family Residential / Agricultural | | | |
| Proposed Land Use: | | Single Family Residential | | | |
| Surrounding Land Use: | North | Residential / Agricultural | | | |
| | South | Residential / Agricultural | | | |
| | East | Residential / Agricultural | | | |
| | West | Resource Extraction | | | |
| Existing Zoning: | | R-8 (Residential 8 du/ac) | | | |
| Proposed Zoning: | | same | | | |
| Surrounding Zoning: | North | R-8 (Residential 8 du/ac) County RSF-R (Residential Single-Family Rural 1du / 5ac) | | | |
| | South | R-4 (Residential 4 du/ac) County RSF-R (Residential Single-Family Rural 1du / 5ac) | | | |
| | East | County RSF-R (Residential Single-Family Rural 1du / 5ac) County PUD (Planned Unit Development) | | | |
| | West | R-R (Residential Rural 1du / 5ac) | | | |
| Growth Plan Designation: | | RM (Residential Medium 4-8 du/ac) | | | |
| Zoning within density range? | | X | Yes | | No |

PROJECT DESCRIPTION: Request approval of a Preliminary Subdivision Plan for the Morning View Heights Subdivision to develop 180 residential lots on 34.375 acres in an R-8 (Residential 8 du/ac) zone district.

RECOMMENDATION: Approval of the Preliminary Subdivision Plan.

ANALYSIS

Background

The proposed Morning View Heights Subdivision is located on the south side of D Road, east of 29 ½ Road. The property is zoned R-8 (Residential 8 du/ac).

The 34.375 acres consists of three (3) parcels. Two of the parcels (2961 and 2967 D Road) are known as the Wareham Simple Land Division; the third is not part of a formal subdivision. Two single-family dwellings exist on the property; both will be removed. The applicant requests approval of a Preliminary Subdivision Plan for 180 single-family residential lots. The lots range in size from 5,120 square feet to 9,332 square feet. The minimum lot area for the R-8 zone is 4,000 square feet.

Density

The gross density of the proposed subdivision will be approximately 5.2 dwelling units per acre, which is within the density requirements of the Zoning and Development Code. The Growth Plan Future Land Use Map designates the parcel as Residential Medium (4-8 du/ac).

Access and Road Design

The subdivision will have frontage on, but will not directly access, D Road, which is a minor arterial. Two entrances to the subdivision are provided, at 29 ½ Road and at C ¾ Road, both urban collectors. A TEDS exception (TED-2008-358) has been approved for the Debra Street entrance off 29 ½ Road, which is 125 feet, measured edge to edge, from the existing entrance of the gravel pit across the street, where TEDS requires 150 feet. All interior streets will be urban residential streets, with a TEDS exception (TED-2008-358) approved for the “eyebrow” design on the corner streets, which have a centerline radius of 59 feet, where TEDS requires 150 feet. These “eyebrows” or corner cul-de-sac bulbs are common in subdivisions approved by the City.

Lot Layout and Phasing

The proposed subdivision is separated into seven (7) filings to manage the required infrastructure. Although a phasing plan is not proposed, the developer may, upon approval of the Preliminary Plan, prepare final plans for one or more of the filings, within a maximum of six (6) years from approval of the Preliminary Plan, pursuant to Section 2.8.B.5, as amended by Ordinance 4298.

No irregular shaped lots are proposed. All lots front on residential streets and meet the minimum dimensional standards of Table 3.2 of the Zoning and Development Code.

Open Space and Landscaping

The frontage along 29 ½ Road and D Road has been included in a tract for landscaping. The existing drainage ditch along the east and south side of the property, known as the Beswick Drainage Ditch, will be piped and covered, creating land for a trail connecting D Road to C ¾ Road and 29 ½ Road. Two stormwater detention tracts will be provided, which must be landscaped, per Section 6.7.F.9.

No additional open space is being proposed. Instead, the applicant will pay the 10% open space fee (Section 6.3) which, along with the parks impact fee, will be paid at the recording of the Final Plat.

Irrigation

Irrigation water will be provided to the residential lots and easements will be established for these irrigation lines. Revocable permits will be necessary for lines that cross public right-of-way. These are to be recorded with the final plat.

APPROVAL CRITERIA

Section 2.8.B.2 of the Zoning and Development Code

A preliminary subdivision plan can only be approved when it is in compliance with the purpose portion of Section 2.8 and with all of the following criteria:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The Future Land Use Map of the Growth Plan designates the parcel as Residential Medium (4-8 du/ac). The proposed density of Morning View Heights Subdivision is 5.2 units per acre, consistent with a Residential Medium designation.

The Residential Medium (4-8 du/ac) designation was affirmed by the Pear Park Neighborhood Plan in 2004. The proposed subdivision is in compliance with the goals and policies set forth in that plan.

The public roads within the subdivision will be dedicated and constructed according to standards set forth in the Transportation Engineering Design Standards manual, or TEDS, with two exceptions (TED-2008-358) approved for minimum access spacing and corner curve design. Although access to D Road is permitted by the Grand Valley Circulation Plan and the Pear Park Neighborhood Plan, it will not be necessary. The proposed subdivision will have two access points from the adjacent collector streets; these accesses will be sufficient to provide emergency services to the development. In addition, a stub street will be provided to adjacent undeveloped property to the east, as shown in the Pear Park Plan.

The Urban Trails Master Plan designates a bike lane along D Road, which would be incorporated into the future upgrades to that road. The Urban Trails Plan also calls for a trail along the Beswick Drainage Ditch. This will be provided by piping the existing ditch and using the reclaimed land for a trail, which will be constructed as part of this development.

- b. The Subdivision standards of Chapter 6.

The proposed subdivision is in compliance with Sections 6.7.D - Lot Layout and Design and 6.7.E - Circulation. Except for two detention basins, the perimeter landscaping, and the trails, no additional open space is proposed. A fee equal to 10% of the value of the property will be required, pursuant to Section 6.3.B. All Tracts will be dedicated to and maintained by the HOA.

- c. The Zoning standards contained in Chapter 3.

The property is zoned R-8 (Residential 8 du/ac). The density of the proposed subdivision will be approximately 5.2 dwelling units per acre, which conforms to the minimum and maximum density requirements of the R-8 zone district.

All lots within the proposed subdivision are in compliance with the residential zoning district standards of Section 3.3.G (R-8 Standards) and Table 3.2 of the Zoning and Development Code.

- d. Other standards and requirements of this Code and all other City policies and regulations.

The proposed subdivision has been reviewed by the Development Engineer and will meet the requirements of the TEDS and Stormwater Management Manual (SWMM). All residential streets will be constructed according to the Urban Residential street standards. A 14 foot multi-purpose easement is provided along all street frontages. A fourteen (14) foot landscape buffer is provided along D Road and 29 1/2 Road. A tract will be provided along C $\frac{3}{4}$ to accommodate landscaping and the off-street trail. Landscaping will also be required of the two detention ponds.

- e. Adequate public facilities and services will be available concurrent with the subdivision.

Public and community facilities are adequate to serve the proposed development. Needed infrastructure can be reasonably extended to serve the proposed subdivision, as discussed in more detail earlier in the report.

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

The Colorado Geologic Survey conducted a review of the site and observed no prominent geological hazards on the property that would prevent the construction of the proposed subdivision.

- g. Compatibility with existing and proposed development on adjacent properties.

The neighborhood between 29 ½ and 30 Roads and D and C ¾ Roads is designated as Residential Medium (4-8 du/ac) by the Growth Plan. The proposed subdivision is compatible with subdivisions that have been built to the north and southeast of the property, as well as a new residential subdivision proposed on the south side of C ¾ Road. The proposed street layout will serve this development and provide access to undeveloped, yet similarly designated, property to the east. Therefore, the proposed development is compatible with existing development on adjacent properties.

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

Compliance with the SWMM requirements will ensure runoff does not harm adjacent agricultural uses.

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

The proposed subdivision is located within the Urban Growth Boundary and within the Future Land Use designation of Residential Medium (4-8 du/ac). The property has two single-family dwellings, along with outbuildings. All existing structures will be demolished. Subdivisions exist on the north side of D Road, a manufactured home park exists on the east side of the property, and a residential subdivision has been proposed to the south.

The proposed subdivision is neither piecemeal development nor a premature development of agricultural land or unique areas.

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

The proposed subdivision design provides appropriate residential density and the needed public infrastructure to serve the proposed density.

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

The proposed project, as planned, will not cause undue burden on the City for maintenance or improvements of land and/or facilities. The tracts and easements for drainage and irrigation will be maintained by the Homeowners' Association.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the Morning View Heights Preliminary Subdivision application, PP-2008-134 for consistency with the Growth Plan and Preliminary Subdivision Plan approval, I make the following findings of fact, conclusions and conditions:

1. The proposed Preliminary Subdivision Plan is consistent with the Growth Plan, and
2. The Preliminary Subdivision Plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the proposed Morning View Heights Preliminary Subdivision Plan, PP-2008-134 with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

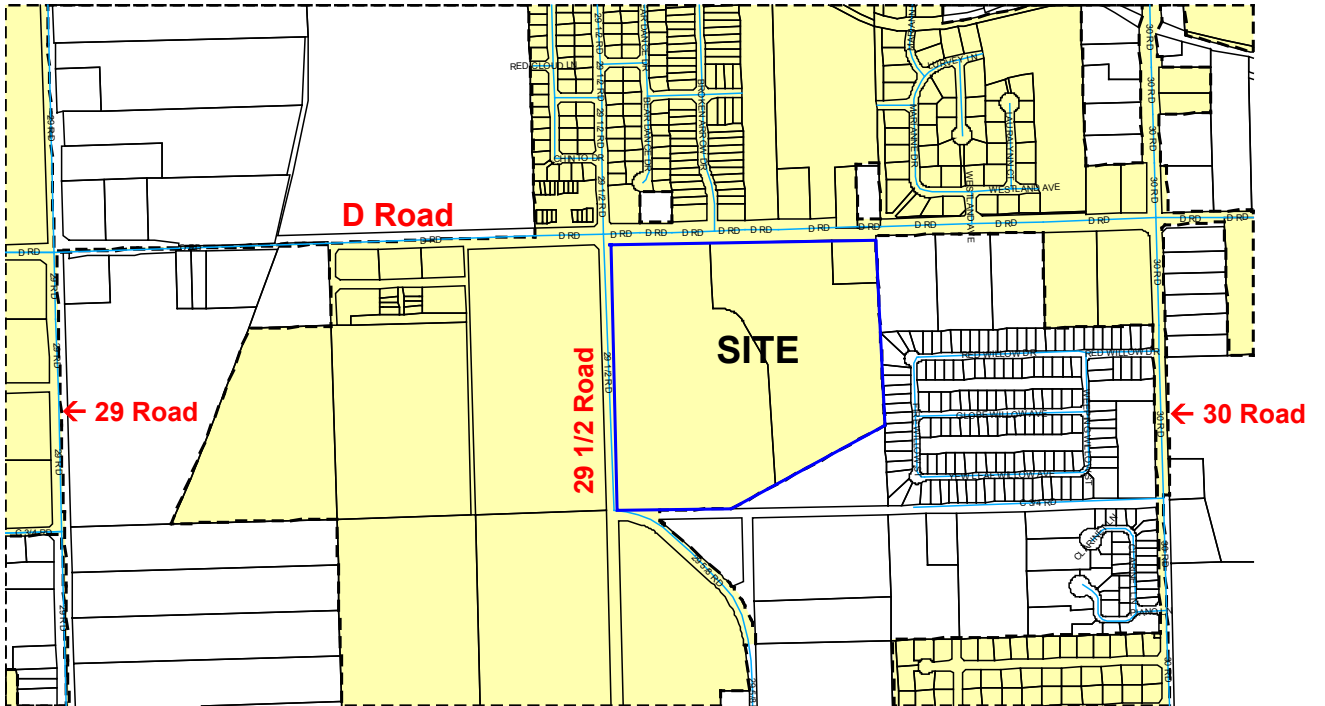
Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for the Morning View Heights Subdivision, PP-2008-134, with the findings and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Preliminary Subdivision Plan

Site Location Map

Figure 1



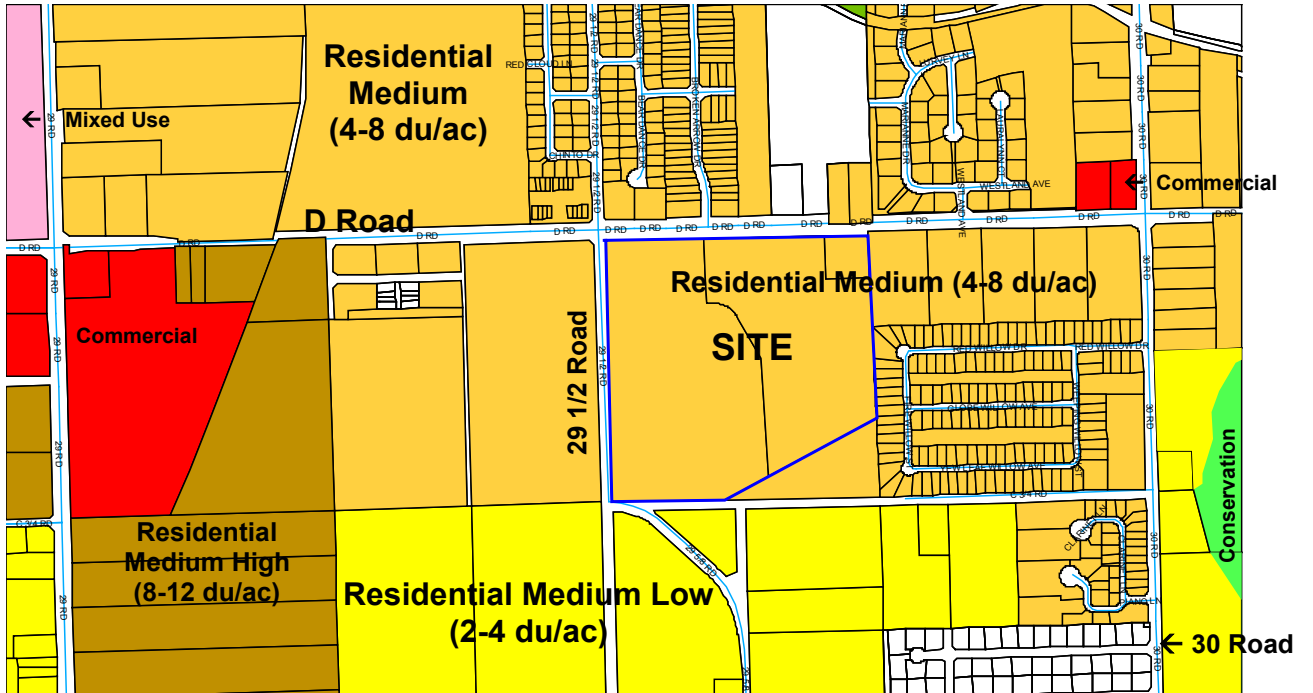
Aerial Photo Map

Figure 2



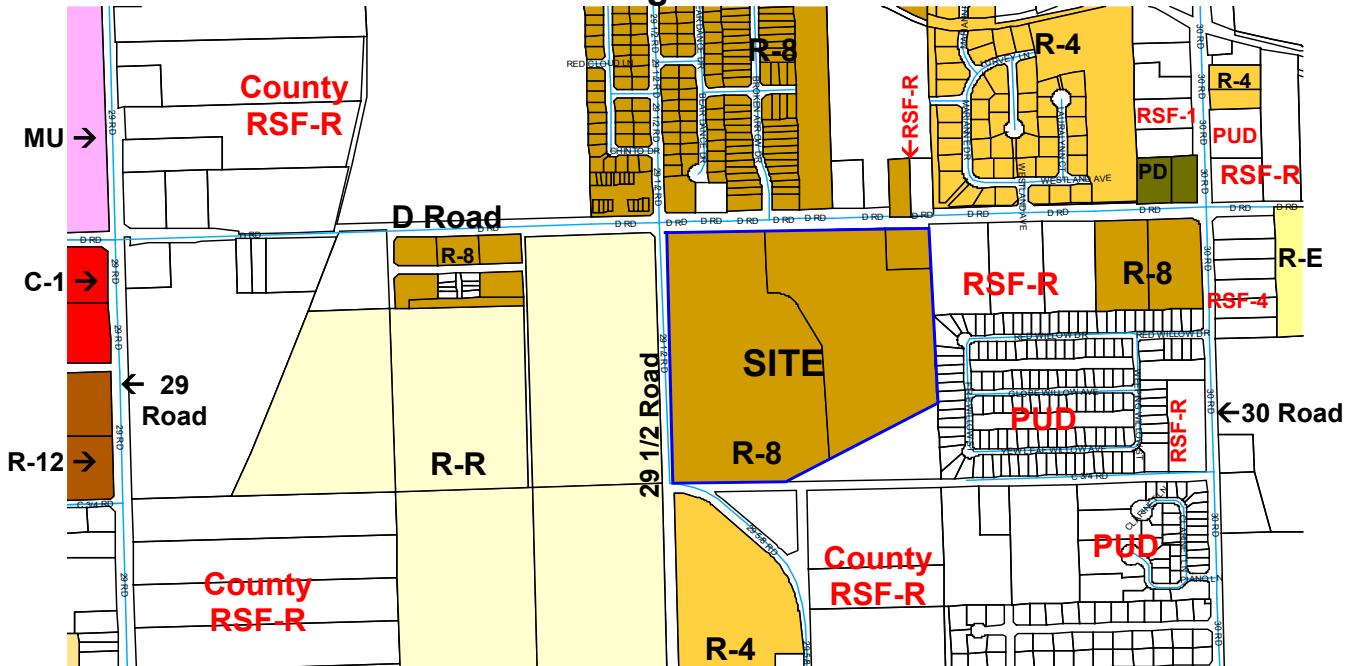
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4

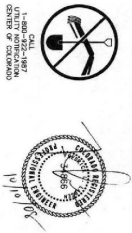




VISTA ENGINEERING CORP.
 CONSULTING ENGINEERS AND LAND SURVEYORS
 908 28 1/4 ROAD, SUITE B • GRAND JUNCTION, CO 81503 • 970 249-2242

| REVISION | DATE | DESCRIPTION | BY | CHKD |
|----------|----------|---------------------------------|-----|------|
| 1 | 8-11-08 | ISSUED FOR PERMIT | JAC | JAC |
| 2 | 10-16-08 | REVISED TO SHOW PERMIT COMMENTS | JAC | JAC |

INSIDE COVER SHEET
 MORNING VIEW HEIGHTS
 SHEET NO. 2 OF 9



**Attach 5
Derush Storage Units**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
PRESENTER: Justin T. Kopfman

AGENDA TOPIC: Rezone of DeRush Storage Units – RZ-2008-319

ACTION REQUESTED: Recommend to City Council a rezone of 4.60 acres located at 2179 H Road from C-2 (General Commercial) to I-1 (Light Industrial).

| BACKGROUND INFORMATION | | | | | |
|------------------------------|-------|--|-----|--|----|
| Location: | | 2179 H Road | | | |
| Applicants: | | Owner: Gary DeRush Representative: LANDesign Consulting – Clint Green | | | |
| Existing Land Use: | | Storage Units | | | |
| Proposed Land Use: | | Storage Units | | | |
| Surrounding Land Use: | North | Vacant | | | |
| | South | Office/Warehouse | | | |
| | East | Outdoor Storage | | | |
| | West | Single Family | | | |
| Existing Zoning: | | C-2 (General Commercial) | | | |
| Proposed Zoning: | | I-1 (Light Industrial) | | | |
| Surrounding Zoning: | North | I-1 (Light Industrial) | | | |
| | South | I-1 (Light Industrial) | | | |
| | East | C-2 (General Commercial) | | | |
| | West | I-1 (Light Industrial) | | | |
| Growth Plan Designation: | | Commercial Industrial | | | |
| Zoning within density range? | | X | Yes | | No |

PROJECT DESCRIPTION: A request to rezone 4.60 acres, located at 2179 H Road, from C-2 (General Commercial) zone district to I-1 (Light Industrial) zone district.

RECOMMENDATION: Forward a recommendation of approval to City Council

ANALYSIS:

1. Background

The 2179 H Road property was annexed as part of the Persigo Annexation No. 2 and zoned as a C-2 property in 2004. The property underwent the Patterson Simple Subdivision No. 2 in 2006. The owner submitted a major site plan in 2006 to develop an initial phase of storage units, then proposed expansion with another major site plan for more storage units in 2008. The expansion of the facility was approved by the City.

2. Section 2.6.A of the Zoning and Development Code

Zone requests must meet all of the following criteria for approval:

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

Response: The existing C-2 zone district supports the existing and proposed use and was not in error at the time of adoption.

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

Response: The H Road corridor has been experiencing continuous development over the last several years. This development and recent zone changes that have occurred north of H Road changed the character of the neighborhood.

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

Response: The proposed zoning district of I-1 implements the Growth Plan, as the I-1 zone implements the Commercial Industrial land use classification. The request conforms to the goals and policies of the Growth Plan, the H Road/Northwest Area Plan and the requirement of the Code and City regulations. Furthermore, because the 2179 H Road property is surrounded on three sides by industrial zoned properties, the rezone to I-1 zoning is compatible with the neighborhood.

4. 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 facilities and services are existing. There is a 12" Ute Water line in H Road and an 8" sewer line, which runs through the 2179 H Road property. Staff concludes that the impacts of any I-1 zone use can be handled by existing infrastructure.

5. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs; and

Response: There is a high demand for light industrial facilities (which support the energy and other area industry) and the surrounding area includes insufficient I-1 land to meet community needs.

6. The community will benefit from the proposed zone.

Response: Development of the site with an I-1 use will benefit this area with higher intensity, multiple industry related services and office uses. It also benefits the community by implementing the intent of the H Road Area Plan.

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)

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the DeRush Storage Unit Rezone, RZ-2008-319, a request to rezone the property from C-2 (General Commercial) to I-1 (Light Industrial), the following findings of fact and conclusions have been determined:

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

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZ-2008-319 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone, #RZ-2008-319, I move that the Planning Commission forward the rezone to City Council with the recommendation of the I-1 (Light Industrial) district for the DeRush Storage Units Rezone with the facts and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City Zoning Map
Ordinance

SITE LOCATION MAP

Figure 1



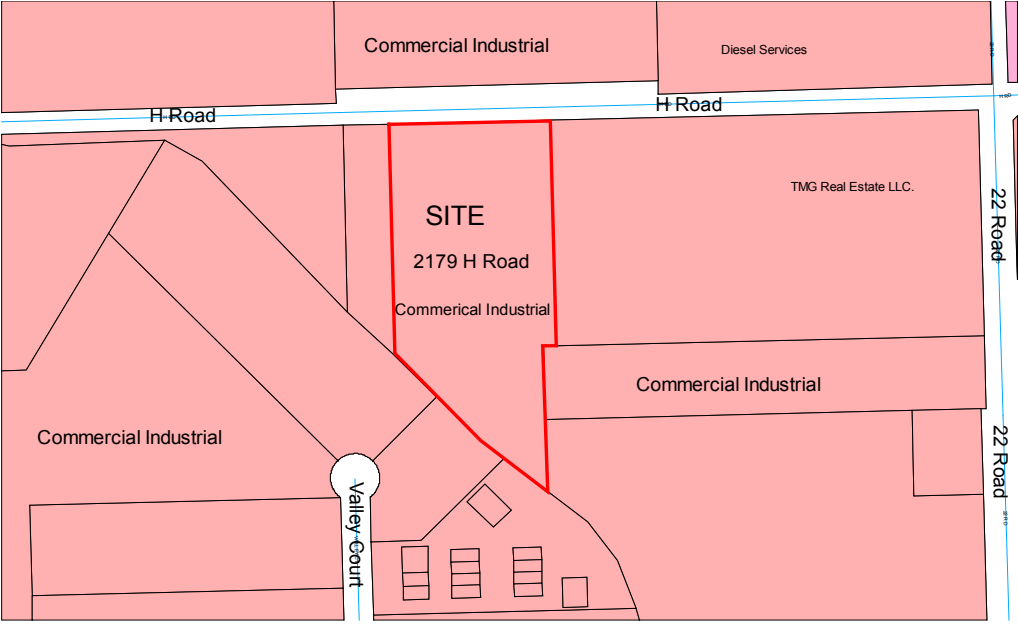
AERIAL PHOTO MAP

Figure 2



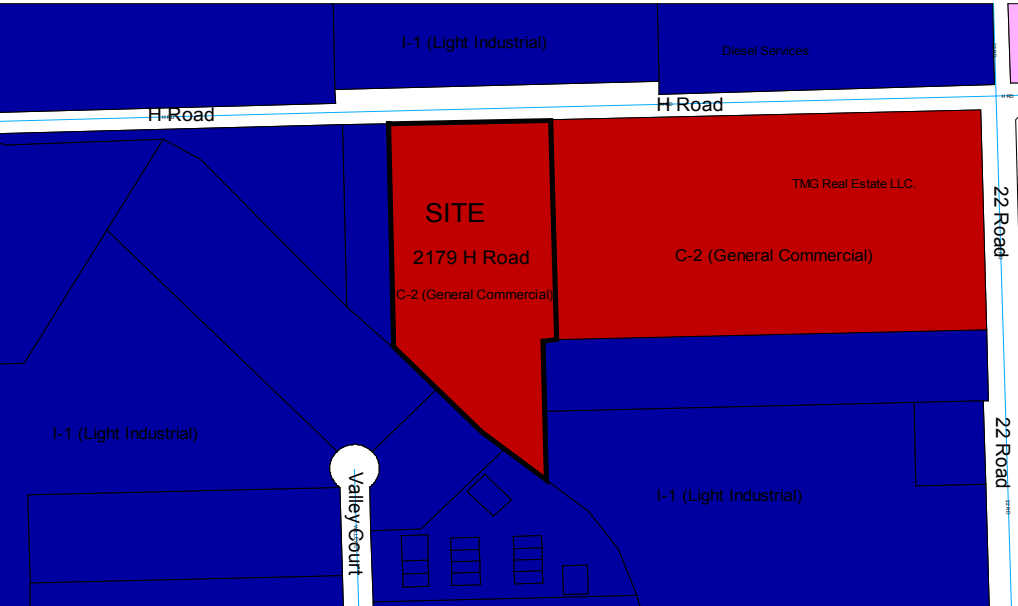
FUTURE LAND USE MAP

Figure 3



EXISTING CITY ZONING MAP

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING DERUSH STORAGE UNITS PROPERTY
FROM C-2 (GENERAL COMMERCIAL) TO
I-1 (LIGHT INDUSTRIAL)**

LOCATED AT 2179 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 rezoning the DeRush Storage Unit property from C-2 (General Commercial) to the I-1 (Light Industrial) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the Future Land Use Map of the Growth Plan, Commercial Industrial and the Growth Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 (Light Industrial) zone district to be established.

The Planning Commission and City Council find that the I-1 (Light Industrial) zoning 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 shall be rezoned I-1 (Light Industrial).

Parcel 1, Patterson Simple Subdivision No. 2

Introduced on first reading this 19th day of January, 2009 and ordered published.

Adopted on second reading this _____ day of _____, 2009.

ATTEST:

City Clerk

Mayor

**Attach 6
High Meadows**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
PRESENTER: Lori V. Bowers

AGENDA TOPIC: High Meadows Subdivision; PP-2007-320

ACTION REQUESTED: Preliminary Subdivision Plan Approval

| BACKGROUND INFORMATION | | | |
|------------------------------|-------|--|-----|
| Location: | | 248 28 Road | |
| Applicants: | | Owner and developer, High Meadows, LLC, c/o Mark Fenn; Representative, Ciavonne, Roberts & Associates, c/o Keith Ehlers. | |
| Existing Land Use: | | Vacant land | |
| Proposed Land Use: | | 41 Lot residential subdivision | |
| Surrounding Land Use: | North | Durango Acres residential subdivision | |
| | South | Commercial trucking | |
| | East | Arrowhead Acres Subdivision and large residential lot | |
| | West | Groendyke Transport; 28 Road ROW; Vacant lot in Meridian Park Replat Subdivision | |
| Existing Zoning: | | R-5 (Residential – 5 units per acre) | |
| Proposed Zoning: | | No change | |
| Surrounding Zoning: | North | R-4 (Residential – 4 units per acre) | |
| | South | County C-2 (Heavy Commercial) | |
| | East | County RSF-4 (Residential Single Family, not to exceed 4 units per acre; R-5 (Residential – 5 units per acre) | |
| | West | C1(Light Commercial); County C-2 (Heavy Commercial) | |
| Growth Plan Designation: | | Residential Medium, 4 to 8 | |
| Zoning within density range? | | X | Yes |
| | | | No |

PROJECT DESCRIPTION: A request for Preliminary Subdivision Plan approval for 41 residential lots on 10.85 acres in an R-5 (Residential – 5 dwelling units per acre) zone district.

RECOMMENDATION: Approval of Preliminary Subdivision Plan.

ANALYSIS

1. Background:

The property was annexed into the City as the Charlesworth Annexation in 2006. A Growth Plan Amendment was pursued which amended the Plan from "Residential Medium Low", 2-4 dwelling units per acre to "Residential Medium" 4-8 dwelling units per acre. The Grand Junction City Council then approved the zoning designation of R-5 (Residential – 5 units per acre) for the property.

The property consists of two irregularly shaped lots, bounded on the south by the Orchard Mesa Irrigation District Drain No.1. On the west, 28 Road will be extended south and will bound the property on the western most edge. North of the property (the western half) is Durango Acres Subdivision; north of the eastern most parcel is a 6.7 acre parcel with a single family residence. Directly east is Arrowhead Acres II.

Density: The proposed subdivision contains 41 single family lots on 10.85 acres, resulting in an overall density of 3.7 dwelling units per acre. This is in conformance with the minimum density of the zoning designation of R-5. Is it also in conformance with the Growth Plan by utilizing Section 3.6.B.9.a. of the Zoning and Development Code, which states that the minimum density shall be no lower than eight percent (80%) of the minimum residential density established by the Growth Plan.

Access: Access will be obtained by the extension of 28 Road on the west side of the subdivision and by connecting to La Plata Street, north in Durango Acres Subdivision. Future connections have been stubbed to the 6.7 acre parcel located to the east and north of the subdivision.

Road Design: A TEDS Exception was granted on July 22, 2008 to Section 5.1.4.2, of the TEDS manual. The request was to reduce the centerline radius of the streets. The interior roadway sections will be the standard 44 feet of right-of-way. The Transportation Map shows 28 Road as a future major collector. The cross section for 28 Road provides 66 feet of right-of-way, which meets the collector standard.

Open Space / Park: Additional open space is not a requirement of R-5 zoning. There are no parks in the immediate area, but Veterans Memorial Park and the Mesa County Fair Grounds are across Highway 50, to the south.

Lot Layout: All of the proposed lots meet the minimum lot size of 6,500 square feet, with the lots ranging in size from 13,680 square feet to 6,511 square feet. Lots 11 and 12, Block Three, will be accessed from a shared driveway (Tract D), which will be maintained by the HOA (home owners association), along with all other Tracts.

Landscaping / Buffering: Tracts A, B, C, and E are for the purposes of detention, drainage and irrigation. These Tracts will be landscaped and maintained by the HOA. Staff is supportive of the applicant's modified design of the subdivision perimeter

enclosure. Using 40 foot landscaping sections interspersed with 60 foot wall sections, is proposed; an alternative to a solid wall.

2. Consistency with the Growth Plan:

The R-5 zone district conforms to the Future Land Use classification of Residential Medium, which was amended for this subdivision in 2006.

3. Section 2.8.B.2 of the Zoning and Development Code

A preliminary subdivision plan can only be approved when it is in compliance with the purpose portion of Section 2.8 and with all of the following criteria:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The proposed plan is in compliance with the Growth Plan as discussed in item 2, above. The Grand Valley Circulation Plan does not address local streets, which will be provided with this subdivision. The Plan does show two existing connections and two future connections for local streets. The Urban Trails Master Plan does not require any trails in this area.

- b. The Subdivision standards of Chapter 6.

The proposed plan shows the subdivision standards found in Chapter 6 are being met by providing adequate infrastructure that meets the City standards. A landscape buffer is required along 28 Road. This is being accomplished by Tract A, which will also serve as detention area as well as Tract B. Tract E serves multiple purposes. It is for irrigation and drainage. The applicants propose a mix of masonry wall and landscaping to provide a subdivision perimeter enclosure. An example (rendering) is provided in this packet. All lots will have access to a public road, except Lot 11, Block Three, which will be accessed by a private driveway, (placed in a Tract) that will be shared with Lot 12. The street layout provides direct access from 28 Road. Another connection will be made to La Plata Street and two additional street stubs for future development are proposed.

- c. The Zoning standards contained in Chapter 3.

The bulk standards of the R-5 zone in Chapter 3 are met with the proposed plan. Minimum lot size for this zone district is 6,500 square feet. The proposed plan shows lots ranging in size from 13,680 square feet to 6,511 square feet. The gross density shall not exceed 5 units per acre; the minimum density is 2 units per acre. The proposed density of this subdivision is 3.7 dwelling units per acre.

- d. Other standards and requirements of this Code and all other City policies and regulations.

The proposed right-of-way received a TEDS exception (Transportation Engineering Design Standards) on July 22, 2008 to Section 5.1.4.2, of the TEDS manual. The request was to reduce the centerline radius of the streets. The interior roadway sections will be the standard 44 feet of right-of-way. The Transportation Map shows 28 Road as a future major collector. The cross section for 28 Road provides 66 feet of right-of-way, which meets the collector standard. The proposed detention areas shall meet the requirements of SWMM (Storm Water Management Manual).

- e. Adequate public facilities and services will be available concurrent with the subdivision.

All public facilities and services are currently available and will be upgraded with this subdivision.

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

The project should have little or no adverse impacts upon the natural or social environment. This project is located in a steadily growing area. Similar subdivisions have been created surrounding this infill subdivision.

- g. Compatibility with existing and proposed development on adjacent properties.

Compatibility is obtained by providing needed housing next to existing residential housing. A landscaping buffer is provided on the south adjacent to Commercial Zoning, to buffer the Lots from the adjacent commercial use.

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

There are no apparent adjacent agricultural properties or land uses that will be harmed by this development.

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

This project is neither piecemeal nor premature.

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

The proposed public streets and adjacent easements will contain all the public utilities necessary for the required services to each lot. The constructed and approved streets will be dedicated to the public.

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

All public improvements and facilities shall be constructed to City standards and upon acceptance by the City will be maintained by the City. All Tracts within the subdivision will be maintained by the home owners association. The CC&R's shall be reviewed to insure that the maintenance of these tracts will be by the home owners association, for High Meadows Subdivision.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the High Meadows application, file number PP-2007-320 for preliminary subdivision plan approval, staff makes the following findings of fact and conclusions:

1. The proposed preliminary subdivision plan is consistent with the Growth Plan.
2. The preliminary subdivision plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed preliminary subdivision plan; file number PP-2007-320, with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for High Meadows Subdivision, file number PP-2007-320, with the findings and conclusions listed in the staff report.

Attachments:

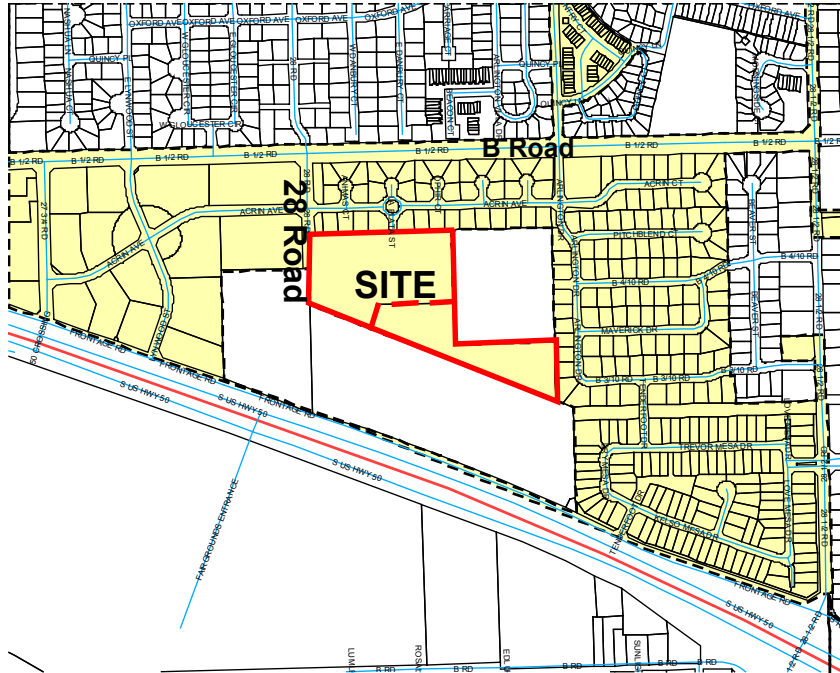
Vicinity Map / Aerial Photo

Growth Plan Map / Zoning Map

Preliminary Subdivision Plan / Landscaping/Wall Plan

Site Location Map

City Limits 248 28 Road



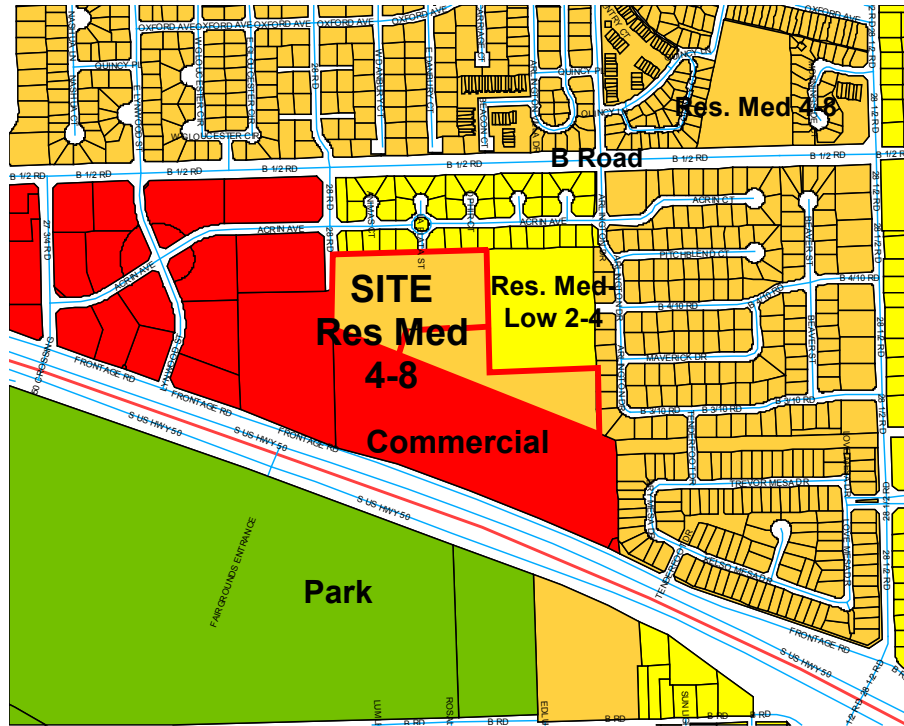
Aerial Photo Map

City Limits 248 28 Road



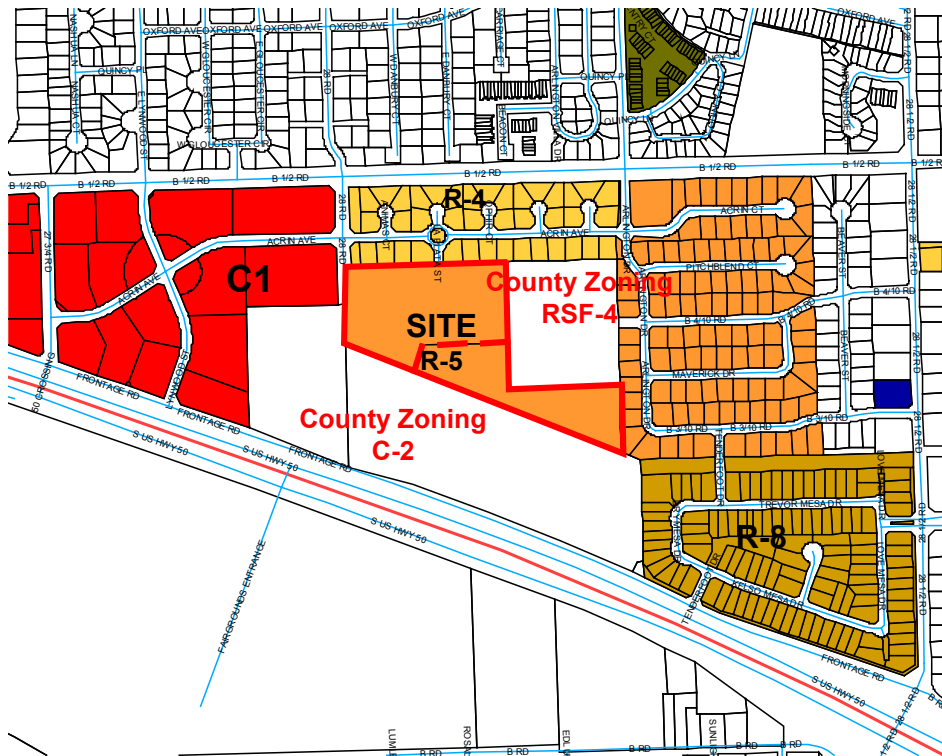
Future Land Use Map

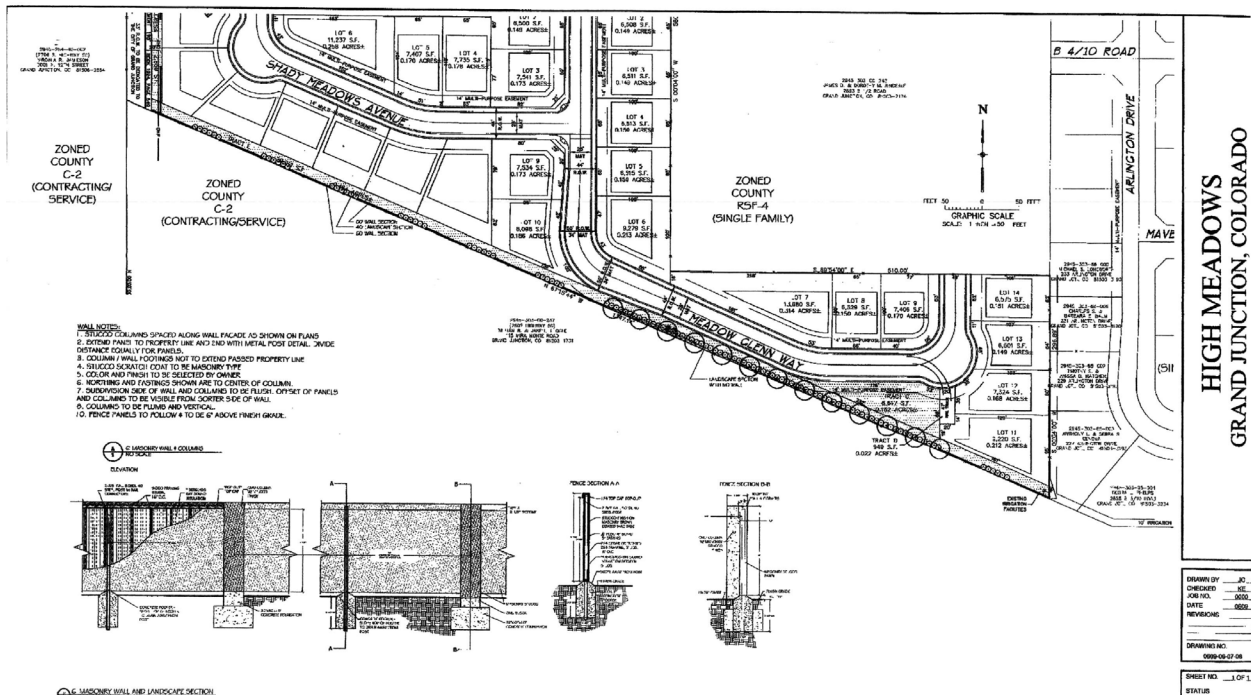
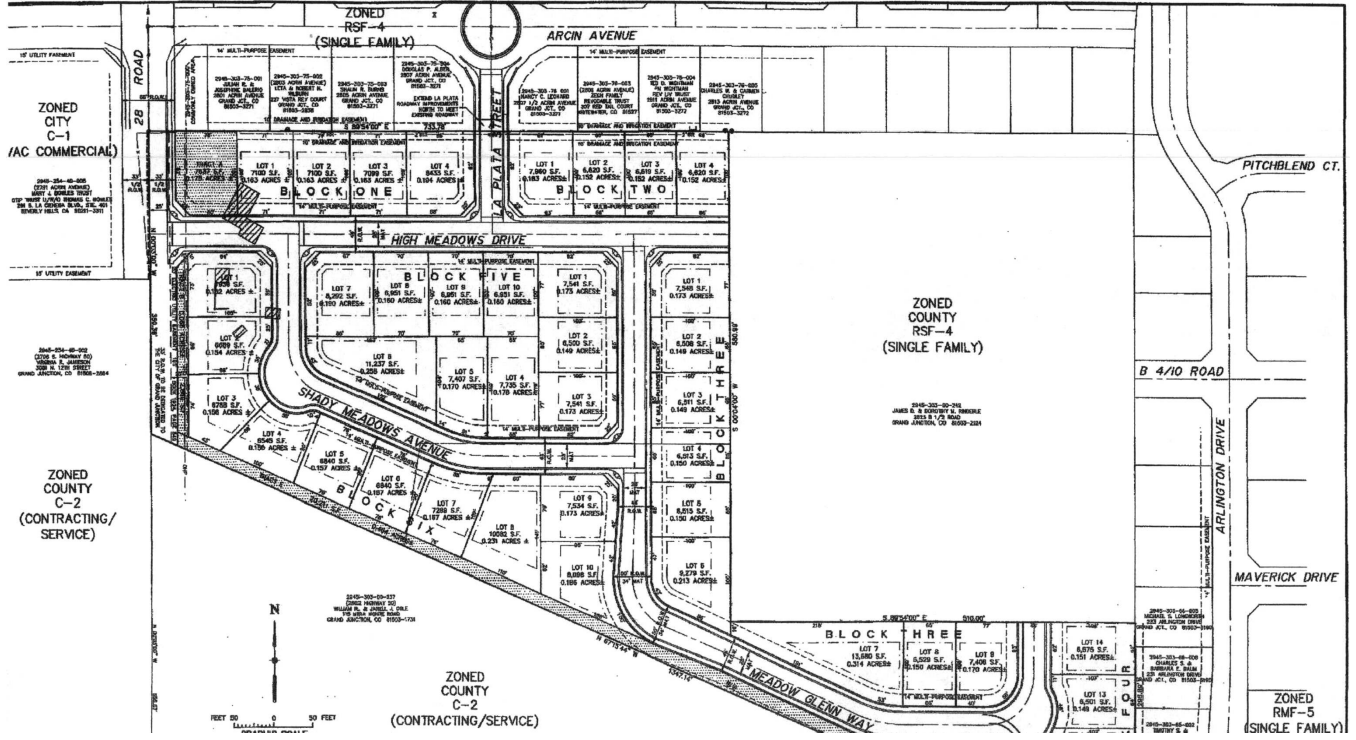
248 28 Road



Existing City and County Zoning

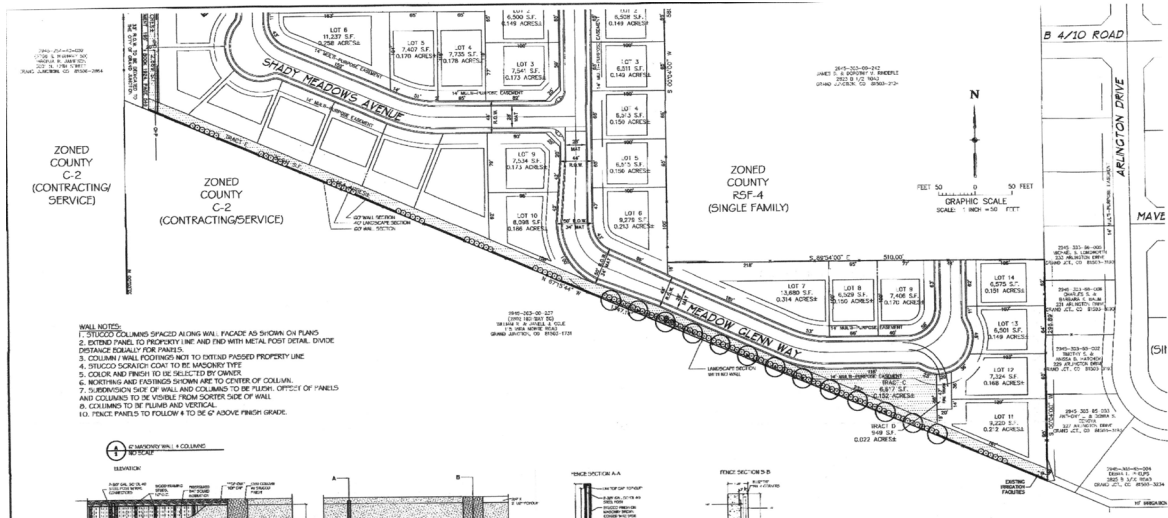
248 28 Road





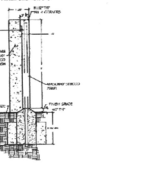
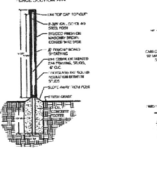
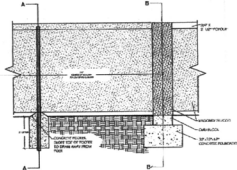
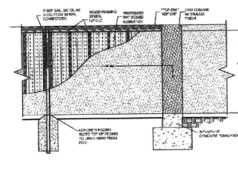
**HIGH MEADOWS
GRAND JUNCTION, COLORADO**

DRAWN BY: J.C.
 CHECKED BY: J.C.
 DATE: 06/01/00
 REVIEWED BY: J.C.
 DRAWING NO.: 0000-07-01
 SHEET NO.: 1 OF 1
 STATUS:

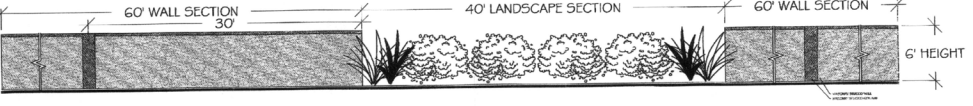


- WALL NOTES:**
1. STRUCO COLUMNS SPACED ALONG WALL FACADE AS SHOWN ON PLANS
 2. EXTEND PANEL TO PROPERTY LINE AND END WITH METAL POST DETAIL. DIVIDE DISTANCE EQUALLY FOR PANELS
 3. COLUMN / WALL FOOTINGS NOT TO EXCEED PASSED PROPERTY LINE
 4. STRUCO SCHEDULE: CON TO BE MASONRY TYPE
 5. COLOR AND FINISH TO BE SELECTED BY OWNER
 6. MOISTURE AND FINISHES SHOWN ARE TO CENTER OF COLUMN.
 7. SUBMISSION DATE OF WALL AND COLUMNS TO BE FLUSH, OPPOSITE OF PANELS AND COLUMNS TO BE VISIBLE FROM STREET SIDE OF WALL.
 8. COLUMNS TO BE FLUSH AND VERTICAL
 9. FENCE FINISH TO FOLLOW TO BE 6" ABOVE FINISH GRADE.

SECTION 1
 1" MASONRY WALL & COLUMN
 DETAIL



SECTION 2
 1" MASONRY WALL AND LANDSCAPE SECTION



HIGH MEADOWS
GRAND JUNCTION, COLORADO

| | |
|-------------|---------------|
| DRAWN BY | JC |
| CHECKED BY | JE |
| DATE | 09/08 |
| REVISIONS | |
| DRAWING NO. | 0809-05-07-08 |
| SHEET NO. | 1 OF 1 |
| STATUS | PRELIMINARY |
| | FINAL |
| | CONSTRUCTION |

GIANNONE ROBERTS & ASSOC., INC.
 LANDSCAPE AND PLANNING ARCHITECT
 1000 W. 14TH ST., SUITE 100
 GRAND JUNCTION, CO 81501
 TEL: 970-241-0708
 FAX: 970-241-0709
 EMAIL: info@giannone.com

**Attach 7
Ridges Mesa**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Amend the phasing schedule for Ridges Mesa ODP; file number ODP-2006-358.

ACTION REQUESTED: Approval of an amended phasing schedule for Ridges Mesa Subdivision Outline Development Plan (ODP).

| BACKGROUND INFORMATION | | | | |
|------------------------------|-------|---|-----|----|
| Location: | | E of Hidden Valley Drive and High Ridge Drive | | |
| Applicants: | | TKAR, LLC, owner; Ted Munkres, Freestyle, Inc., developer; Bob Blanchard, representative. | | |
| Existing Land Use: | | Vacant land | | |
| Proposed Land Use: | | Single-family residential | | |
| Surrounding Land Use: | North | Residential | | |
| | South | Vacant land | | |
| | East | Single-family residential | | |
| | West | Ridges, residential subdivision | | |
| Existing Zoning: | | R-2 (Residential, 2 units per acre) | | |
| Proposed Zoning: | | PD (Planned Development) | | |
| Surrounding Zoning: | North | County RSF-4 and R-2 (Residential – 2 dwelling units per acre) | | |
| | South | County RSF-4 (Residential single family, 4 units per acre) | | |
| | East | R-2 (Residential – 2 dwelling units per acre) | | |
| | West | R-2 (Residential - 2 du/ac) and Ridges PD | | |
| Growth Plan Designation: | | Residential Low ½ to 2 acres per dwelling unit | | |
| Zoning within density range? | | X | Yes | No |

PROJECT DESCRIPTION: A request to amend the phasing schedule for Ridges Mesa Outline Development Plan; a 51 acre Planned Development, zoned PD (Planned Development) with an R-2 default zoning designation.

RECOMMENDATION: A recommendation of approval to City Council to amend the phasing schedule of the Outline Development Plan (ODP) for Ridges Mesa Subdivision.

1. ANALYSIS

Background: On December 5, 2008 a request was made by the owner and developer of Ridges Mesa Subdivision to amend the approved phasing schedule. Section 2.12.F.2 allows for amendments to approved ODP's, requiring that they be processed according to the same process as the original ODP approval. The phasing schedule was approved with the Outline Development Plan (ODP) by the City Council on January 14, 2008. The applicant's letter is attached explaining their request, citing the slowing and faltering national economy and financing constraints.

Section 2.12.B.2,j of the Zoning and Development Code requires that:
"An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed".

From the staff report dated January 14, 2008, that criterion was answered as follows:

"The applicants request that Phase One begin immediately upon approval of the Final Development Plan for that area. A preliminary plan for Phase One has been submitted and is currently under review. The applicants had anticipated the spring of 2007 as the beginning of the project but that time has now passed. The spring of 2008 would be more likely. The applicants also proposed that Phase Two begin in the fall of 2008 and Phase Three in the fall of 2011".

The proposed new schedule is consistent with the extension procedures as provided in Section 2.3.B.13.b(1) of the Zoning and Development Code, which states:

"(1) Considerations. Development approval deadline or a development phasing schedule may be set for greater than one (1) year, but not more than ten (10) years by the decision-making body. The decision-making body may extend any deadline if the applicant demonstrates why the original effective period or development phasing schedule was not sufficient and cannot be met. The decision making body shall consider when deciding to extend or change any deadlines if development regulations materially changed so as to render the project inconsistent with the regulations prevailing at the time the extension would expire.

(2) Requests. A request to extend any deadline shall be submitted in writing to the Director prior to the expiration of the original approval or deadline."

The applicant has submitted in writing and has proposed a new schedule as follows:

Phase One – 14.16 acres to be developed with a maximum of 28 residential units. Phase One to be reviewed and final approval granted by the end of the year 2016.

Phase Two – 22.58 acres to be developed with a maximum of 45 residential units. Phase Two to be reviewed and final approval granted by the end of the year 2017.

Phase Three – 14.30 acres to be developed with a maximum of 28 residential units. Phase Three to be reviewed and final approval granted by the end of the year 2018.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Redlands Mesa ODP application, file number ODP-2006-358 for an amended Planned Development, Outline Development Plan, I make the following findings of fact and conclusions:

1. The review criteria in Section 2.12.B.2 of the Zoning and Development Code have all been met.
2. The review criteria in Section 2.12.F.2. of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested amended Planned Development, Outline Development Plan, phasing schedule, file number ODP-2006-358 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item number ODP-2006-358, I move that the Planning Commission forward a recommendation of approval for amending the phasing schedule for Ridges Mesa Planned Development, Outline Development Plan, with the facts and findings listed in the project report.

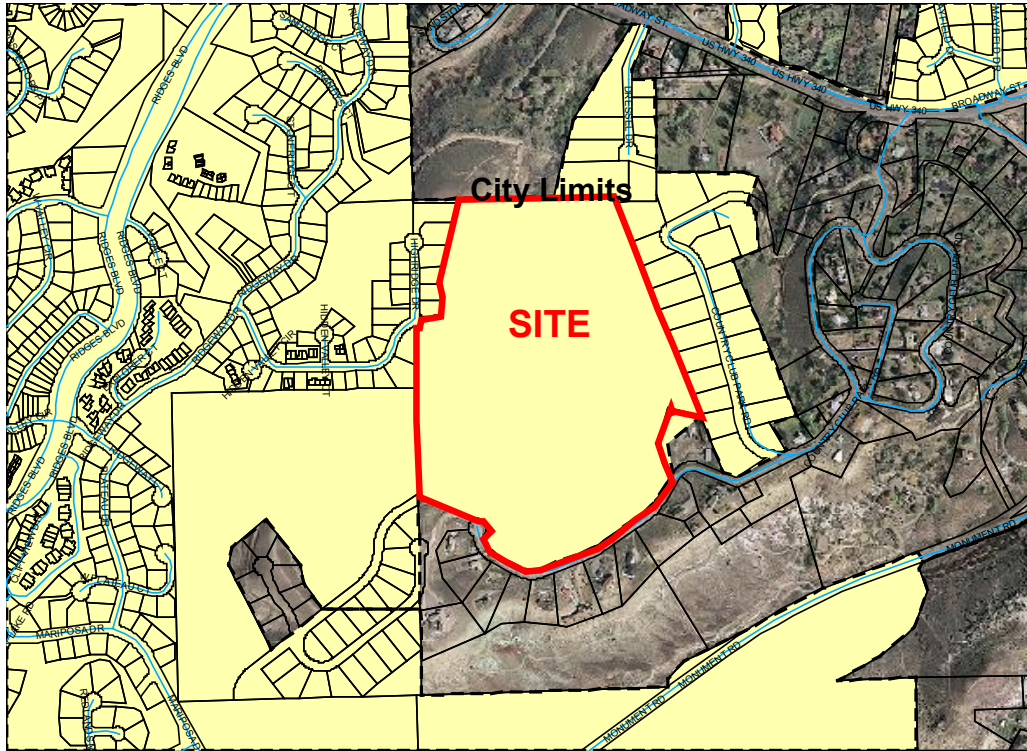
Attachments:

Site Location Map/Aerial Photo
Future Land Use Map/Existing City and County Zoning Map
Outline Development Plan
Letter from the applicant

Site Location Map

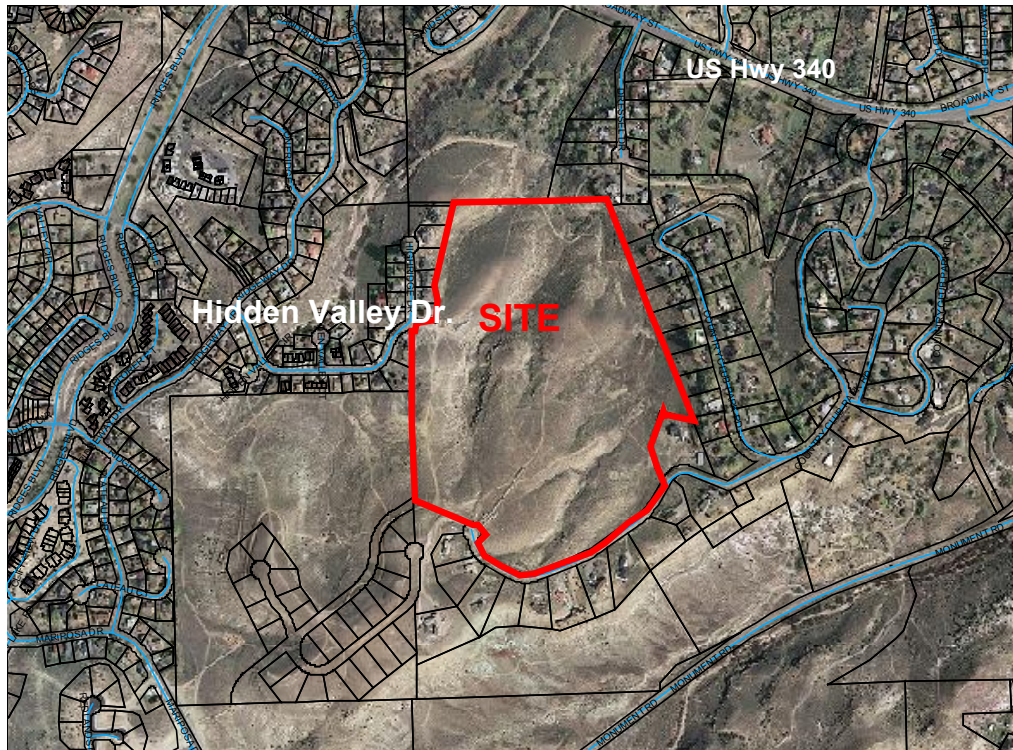
City Limits

Ridges Mesa ODP



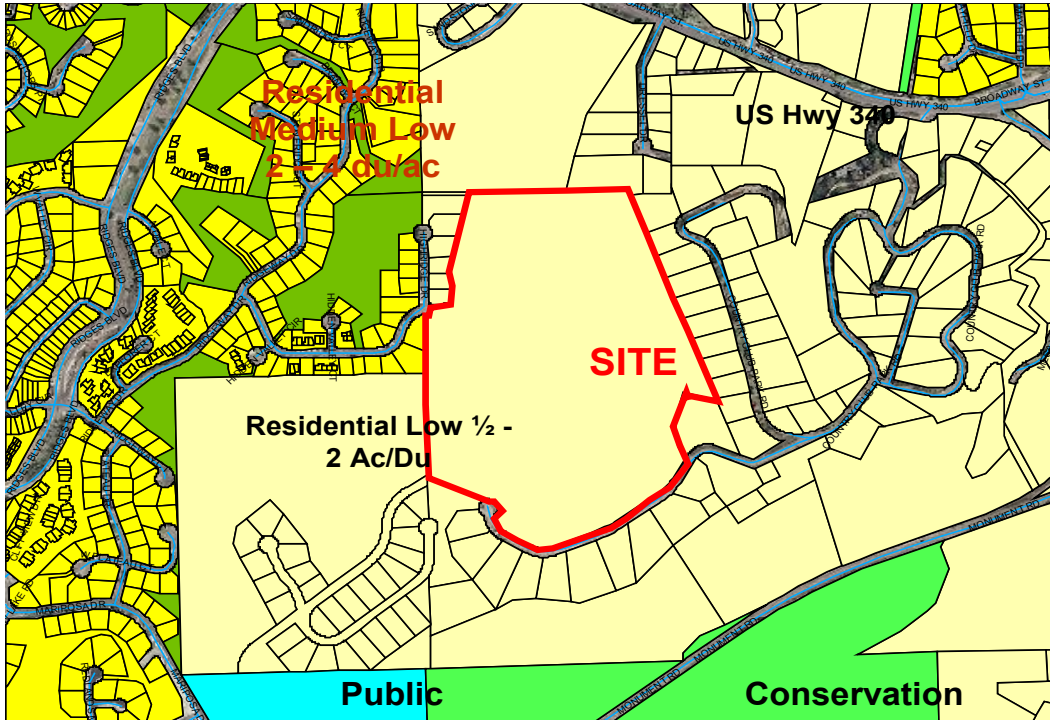
Aerial Photo Map

Ridges Mesa ODP



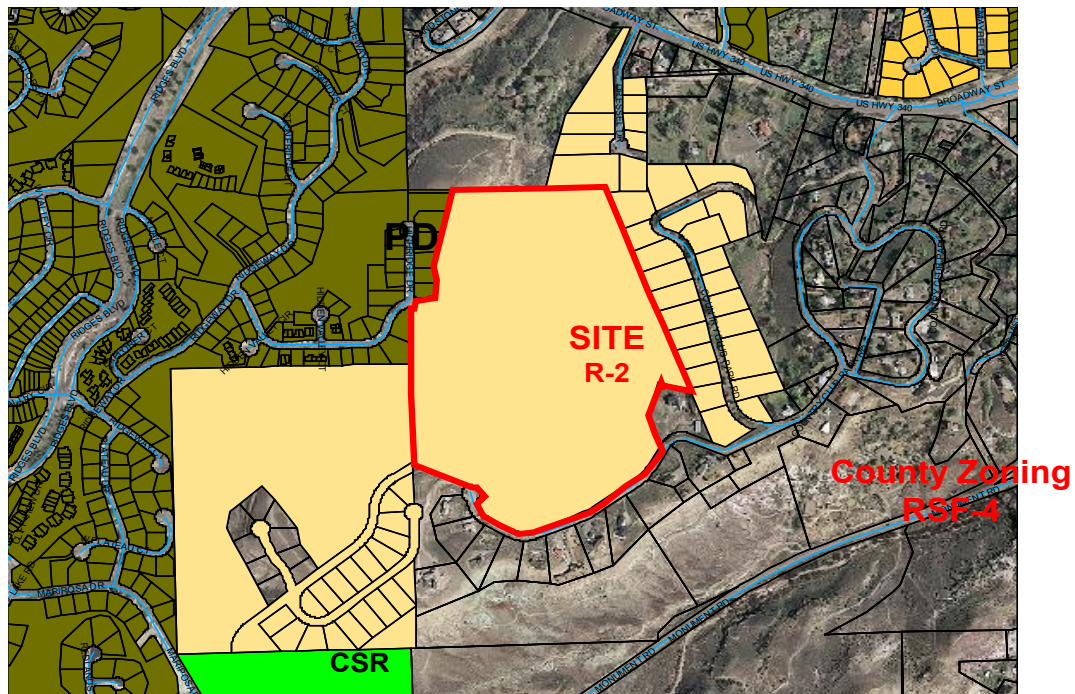
Future Land Use Map

Ridges Mesa ODP

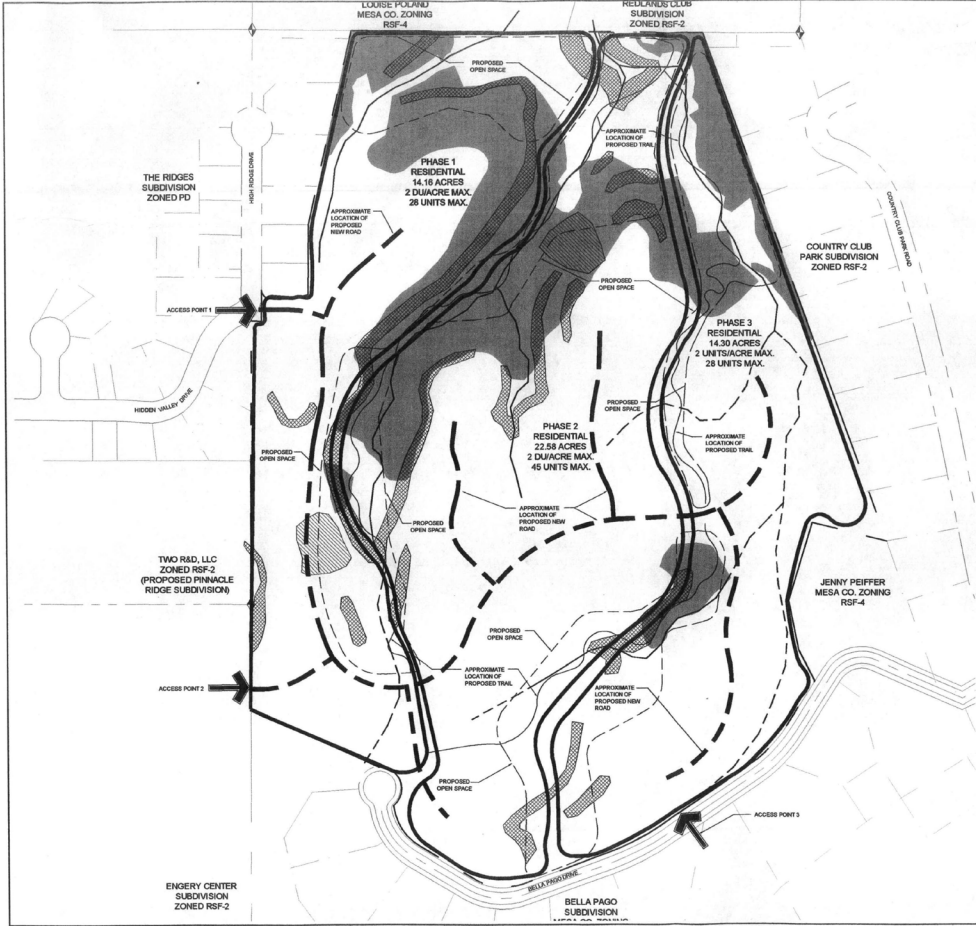


Existing City and County Zoning

Ridges Mesa ODP



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."



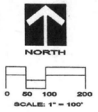
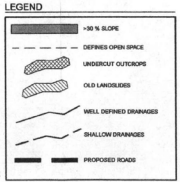
LAND USE STATISTICS

SUBMITTED ZONING: RSF-2 - RESIDENTIAL SINGLE FAMILY-2

| PHASE | AREA (AC) | UNITS | PERCENT |
|-------------------|-----------------|------------------|-------------|
| FIRST PHASE AREA | 14.18 AC | 28 UNITS | 10% |
| SECOND PHASE AREA | 22.58 AC | 45 UNITS | 64% |
| THIRD PHASE AREA | 14.30 AC | 28 UNITS | 26% |
| TOTAL | 51.06 AC | 101 UNITS | 100% |

DENSITY: 2.00 UNITS/AC
 DENSITY MAX: 2.00 UNITS/AC
 FIRST PHASE PROPOSED: 0.78 UNITS/AC

THIS SITE IS OUTSIDE OF THE 100 YEAR FLOODPLAIN AND DOES NOT INCLUDE WETLANDS OR OTHER MAJOR ENVIRONMENTAL FEATURES.



This is a Land Use Planning Document, not a Construction Document. Refer to CME Engineering Plans.



APPLICANT
 VFRipley Associates, Inc.
 2075 West 10th Street, Suite 201
 Fort Collins, CO 80521
 (970) 234-6828

OWNER
 TMO RAD, LLC
 2200 North
 Fort Collins, CO 80521
 (970) 234-6828

ENGINEER
 CME Engineering, Inc.
 2075 West 10th Street, Suite 201
 Fort Collins, CO 80521
 (970) 234-6828

SUBDIVISION
 Independent Survey, Inc.
 1000 North
 Fort Collins, CO 80521
 (970) 234-6828

RIDGES MESA
 GRAND JUNCTION COLORADO

OUTLINE DEVELOPMENT PLAN

| | |
|----------|-------------|
| DATE | 08/08/10 |
| APP'D | [Signature] |
| DRAWN | [Signature] |
| CHECKED | [Signature] |
| REVISION | [Signature] |
| SCALE | AS SHOWN |

Bob Blanchard Consulting, Inc.

December 5, 2008

Ms Lori Bowers
Senior Planner
Public Works and Planning Department
250 North 5th
Grand Junction, CO 81501

Dear Lori:

On behalf of my client, TKAR, LLC (Ted Munkres) please accept this letter as a request to amend the phasing schedule for the Ridges Mesa Outline Development Plan (ODP) which was approved on January 14, 2008 by Ordinance 4163. Section 2.12.F.2 allows for amendments to approved ODPs, requiring that they be processed according to the same process as the original ODP approval. Given that there is no separate form or fee for these amendments, I am assuming this letter will be sufficient.

In the staff report which accompanied Ordinance 4163, it was noted that the applicant's anticipated phasing of development would commence immediately upon of final approval of the first phase. At the time of ODP submittal, it was characterized that the first phase would receive final approval in the Spring of 2007 and the following phases would receive approval and begin construction in Fall, 2008 and Fall, 2011. However, given the timing of the ODP submittal (December, 2006) and the need to not only receive ODP approval but also Preliminary and Final Development Plan approvals, staff correctly assumed that the anticipated phasing dates were most likely stated in error and that a more likely scenario would have the first phase under construction in the Spring of 2008.

In fact, Phase One did not receive preliminary approval from the Planning Commission until April 22, 2008. Since that time, several things have occurred resulting in the slowing of this project, most significantly the faltering national economy; conditions under which development financing can be obtained and maintained; and, the national slowdown in the housing market which has been reflected to a lesser degree in the Grand Valley.

The City has reflected an understanding of the impacts of these external trends on developments going through the development review process with the passage of

Ordinance 4298. This Ordinance extended the validity time period of preliminary subdivision approvals from one to two years during which time a final subdivision must be approved and recorded. However, the Ordinance did not provide for specific timelines associated with Planned Developments such as Ridges Mesa, preferring instead to rely on anticipated phasing schedules to determine validity periods. Our request is consistent with Section 2.3.B.13.b(1) which allows a phasing schedule to be set for a time period up to 10 years.

The application for the Final Development Plan for Phase One is currently underway. We are hoping to submit after the first of the year.

Based on our schedule and considering the major external influences affecting the development industry, it is our request that the phasing schedule for the Ridges Mesa Outline Development Plan be amended to reflect the following schedule:

Phase One – 14.16 acres to be developed with a maximum of 28 residential units. Phase One to be reviewed and final approval granted by the end of the year 2016.

Phase Two – 22.58 acres to be developed with a maximum of 45 residential units. Phase Two to be reviewed and final approval granted by the end of the year 2017.

Phase Three – 14.30 acres to be developed with a maximum of 28 residential units. Phase Three to be reviewed and final approval granted by the end of the year 2018.

Should you have any questions regarding this request or there is a need for additional information, please contact me.

Sincerely,

Robert E. Blanchard, AICP
Bob Blanchard Consulting

cc: Ted Munkres

**Attach 8
Kapushion/Northwest GJ**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Kapushion / Northwest GJ Growth Plan Amendment – GPA-2008-305

ACTION REQUESTED: Growth Plan Amendment

| BACKGROUND INFORMATION | | | | |
|------------------------------|-------|--|-----|------|
| Location: | | 860 21 Road + | | |
| Applicants: | | Northwest GJ, LLC and Irma J. Kapushion Revocable Trust, owners; Austin Civil Group, c/o Mark Austin; Dan Wilson, representatives. | | |
| Existing Land Use: | | Single family residence with agricultural land | | |
| Proposed Land Use: | | Industrial and residential subdivisions | | |
| Surrounding Land Use: | North | Agricultural | | |
| | South | Industrial and Agricultural | | |
| | East | Single Family and Agricultural | | |
| | West | Single Family and Agricultural | | |
| Existing Zoning: | | RSF-R (Residential Single Family – Rural) County | | |
| Proposed Zoning: | | I-1 (Light Industrial) and R-4 (Residential – 4 units) | | |
| Surrounding Zoning: | North | RSF-R (Residential Single Family – Rural) County | | |
| | South | I-1(Light Industrial) and County RSF-R (R | | |
| | East | RSF-R (Residential Single Family – Rural) County | | |
| | West | CPA (Cooperative Planning Area) County | | |
| Growth Plan Designation: | | Rural (5 to 35 acres per dwelling unit) | | |
| Zoning within density range? | | | Yes | X No |

PROJECT DESCRIPTION: Request approval of a Growth Plan Amendment to change the Future Land Use Designation from Rural (5 to 35 acres/du) to CI (Commercial Industrial) on 80 acres; and Residential Medium (Residential 4 to 8 du/ac) on 20 acres; totaling 100.73 acres.

RECOMMENDATION: Forward a recommendation to the City Council on the Growth Plan Amendment.

ANALYSIS

1. Background

The subject property is located in the Northwest area which was recently included in the expanded Persigo 201 Boundary. The Future Land Use Map shows this area to develop as Rural, 5 to 35 acres per dwelling unit. The properties to the west are in the Cooperative Planning Area (CPA). The properties to the South have been annexed and are now zoned I-1 (Light Industrial). The Future Land Use Map designates the property to the south as Commercial/Industrial. North of the site is the County's new designation of URR-5 (Urban Residential Reserve- 5 ac/du). East of the site are single family residences on large lots, some zoned County RSF-E, and others zoned County RSF-R, with the Future Land Use Map designating them as Rural.

The applicants and City Staff held a pre-application conference on this property in June, 2008. At that time the applicants were informed of the Comprehensive Plan effort that was underway, but not yet adopted. The Comprehensive Plan's *Sub-Area Report For the Northwest Area* (March 2008) showed the entire area from 21 Road on the west, to 22 Road on the east; from I Road on the north to Highway 6 and 50 to the south, to develop as Industrial (fig.1). In September, 2008, the Plan was further refined to show some residential (Residential medium Low) on the west along 21 Road; Residential Medium Low on the south side of I Road and along the west side of 22 Road. Feathering in from the residential designation, on the north and east sides, was a buffer area with the designation of Commercial/Industrial; then moving into the Industrial designation (fig. 2).

In October, the plan was further refined to show only Commercial/Industrial from 21 Road, east to 22 Road, below where the H 1/2 Road alignment might be. North of H 1/2 Road was designated as Residential Medium Low (fig. 3).

The applicant based their application on the proposal that was shown to the public in September 2008 (fig.2). Their one modification was to move the residential component from the west to the north side of the 100 acres in question. On December 6, 2008 (fig.4), the proposed Comprehensive Plan was again revised and now shows the residential on the north end with a designation of Residential Medium Density which is 4-8 dwelling units per acre; the remainder is shown as CI (Commercial Industrial). Some of the neighborhood residents are concerned with some of the proposed changes for this area, and question the rational of industrial uses across the street from residential uses. A copy of a letter, addressed to the City Council and City Planning Commission, stating their concerns, is attached to this report.

Land Use jurisdiction for this property was recently obtained on January 7th. The annexation petition stipulates that the requested zonings of I-1(Light Industrial) and R-4 (Residential – 4 du/ac) needs to be completed and approved by the owners or anytime after March 1, 2009 the applicants may withdraw their annexation petitions and the property will be de-annexed from the City.

Development in this area is very new and consequently street and utility layouts have not been developed. The H Road / Northwest Area Plan does not extend as far as the subject property. The Northwest Area Plan stopped on the south boundary of the subject parcel.

Currently there is no sanitary sewer in 21 ½ Road. In concert with the Comprehensive Plan, a consultant is preparing a sewer basin study. Once these plans are completed the City will better understand sewer infrastructure needs in the area as well as the land use issues. We will also be able to identify City participation options, but to date these plans have not been completed.

There is only a 3-inch water line in 21 Road. There is a 2-inch water line in 21 ½ Road. About 600 feet north of the south boundary line of the subject property is a 6" water line. Obviously, current water facilities cannot meet fire flow and significant offsite improvements will be required.

The roads in the area are substandard and are currently under study (Comprehensive Plan) and since we don't yet know what the density or street requirements will be it is premature to know how and what types of traffic will impact this area. It is foreseeable that 100-feet of right of way (50' half street) will need to be dedicated on both 21 and 21 ½ Roads. The developer will be responsible for at least minimum access improvements on what is proposed as H ½ Road. The Northwest Study identified a potential signal at 21 ½ Road and Highway 6 and 50.

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:

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

Applicant's Response: The population growth in Mesa County has exceeded levels anticipated during the previous comprehensive planning effort. The growth from the oil and gas industries has created more jobs than anticipated in the previous planning effort. As such, the Persigo Board recently included additional lands into their service areas in an effort to accommodate the additional growth.

We do not share the same opinion as the applicant on criterion "a", as the Growth Plan was amended in 2000 and very recently the 201 Boundary change was made to reflect changing conditions in land use and development. The Comprehensive Plan is nearing completion and may or may not provide changes favorable to the applicant. The fact remains that it is not yet adopted.

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

Applicant's Response: As discussed above, the previous comprehensive planning effort did not anticipate the level of oil and gas development Mesa County is currently experiencing. Mesa County continues to be a strong growth area bringing in more people and businesses to the area.

Criterion "b", very recently a boundary change to the 201 was made to reflect changing conditions of the northwest area of the county, adjacent to the City limits. The mix of future land uses is still appropriate in this area. We urge the applicant to revisit this project after the Comprehensive Plan is adopted.

- 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;

Applicant's Response: The property has been included into the 201 service boundary and abuts existing industrial zoned property in Grand Junction. Industrial zoned property is needed to accommodate future growth in the community and it makes sense to expand the industrial areas where they already exist.

The Public Works and Planning Department, along with review by Mesa County staff, agree with the applicant's justification of criterion "c", because of the recent changes to the Persigo 201 Boundary.

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

Applicant's Response: The City is currently in the process of revising their comprehensive plan to address large areas recently included into the 201 boundary. The changes requested by this application are consistent with the current plans being examined by the City.

In regards to criterion "d", until the draft of the Comprehensive Plan is adopted, it has no standing and the current adopted Future Land Use Map is applicable and appropriate.

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

Applicant's Response: All utilities are currently available to service the land. The eastern two thirds of the property can easily access existing gravity sanitary sewer mains. The western portion of the property, along

with other areas along 21 Road which have been included into the 201 Boundary, will require a sewer lift station. The City of Grand Junction is currently examining options for providing sanitary sewer service to the areas along 21 Road and the current thinking is the best option would be to install a sewer lift station in the vicinity of 21 Road and Highway 6 & 50. The applicant will continue to work with the City to determine the best options to sewer the western portion of the site.

Criterion “e” can be met because the services are available, but as mentioned earlier, considerable upgrades to all utilities will be required.

- 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

Applicant’s Response: The City of Grand Junction currently has a high demand for industrial zoned parcels. This property provides a great fit for this need because it abuts existing industrial zoned property and is located close to major interstate highway interchanges.

Criterion “f”, a location description does not on its own justify nor satisfy the criteria asking if there is an inadequate supply of land. The Comprehensive Plan should help in understanding the need for additional land to accommodate the proposed land uses.

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

Applicant’s Response: The City of Grand Junction is in the process of revising the land use for the areas recently included into the 201 boundary. The land uses proposed by this amendment are consistent with the direction City staff has received from several neighborhood meetings.

Criterion “g”, the adopted Growth Plan suggests low density residential for this area. As depicted, low density residential will provide benefits to the community consistent with the wishes and approval of the body that adopted the Growth Plan.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Kapushion / Northwest GJ application, GPA-2008-305, for a Growth Plan Amendment, I make the following findings of fact and conclusions:

1. The proposed amendment is not consistent with the purpose and intent of the Growth Plan.
2. The review criteria in Section 2.5.C of the Zoning and Development Code have not all been met.
3. The proposed amendment is consistent with the Comprehensive Plan's Preferred Land Use Plan dated 12/06/08.

STAFF RECOMMENDATION:

I have no recommendation for the Planning Commission. While the proposal is consistent with the Preferred Land Use Plan of the Comprehensive Plan, this Plan has not been adopted.

PLANNING COMMISSION MOTION:

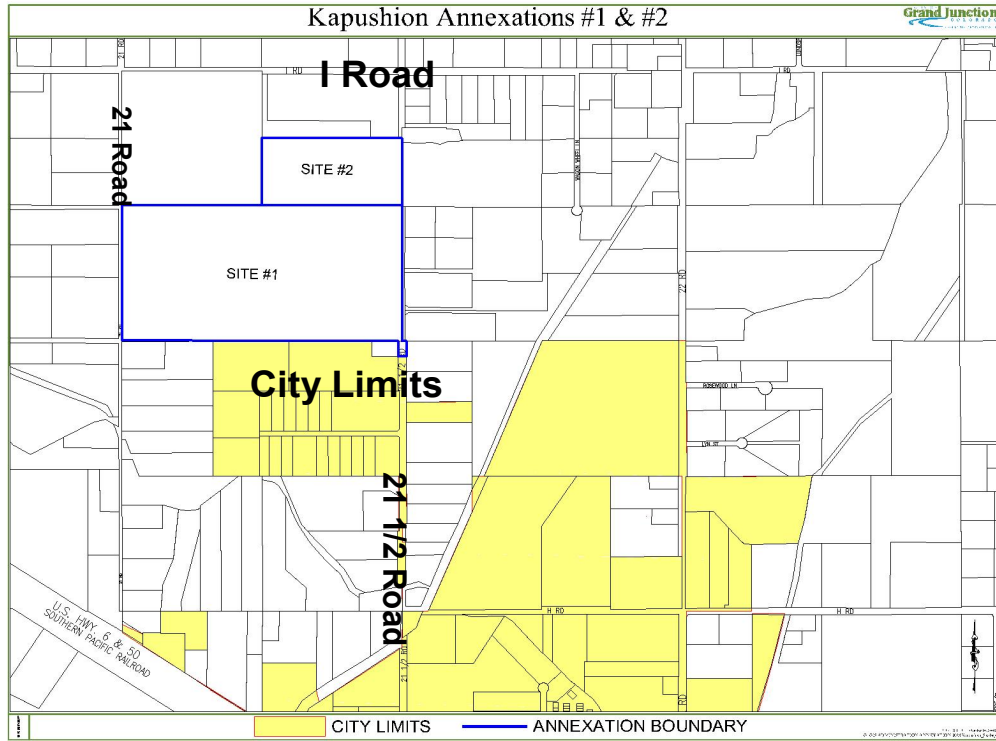
Mr. Chairman, on item GPA-2008-305, I move that we recommend to the City Council approval of the Growth Plan amendment for the 100 acre Kapushion / Northwest GJ Annexation, finding it inconsistent with the current goals and policies of the Growth Plan, and Section 2.5 of the Zoning and Development Code, but consistent with the Comprehensive Plan's Preferred Land Use Plan dated December 6, 2008.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
March 2008 Plan (fig. 1)
September 2008 Plan (fig. 2)
October 2008 Plan (fig. 3)
December 2008 Plan (fig.4)
Letter to Planning Commission

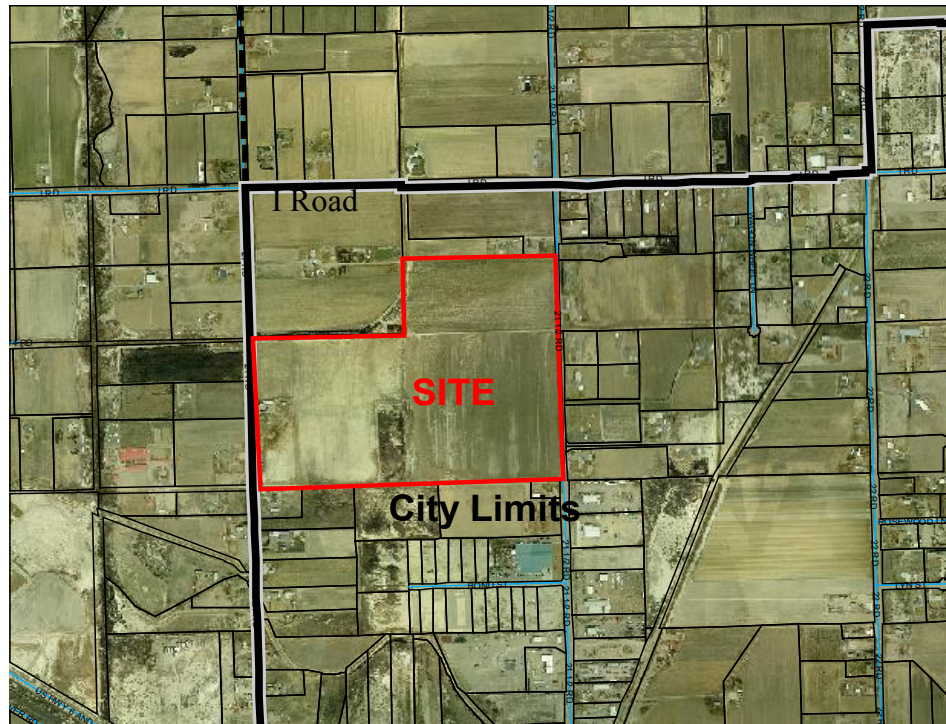
Site Location Map

860 21 Road



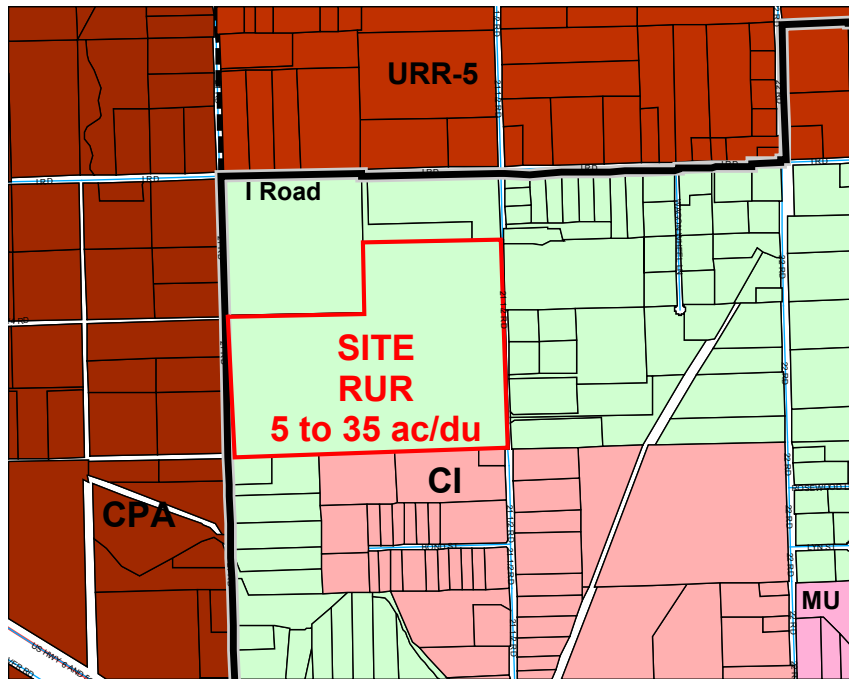
Aerial Photo Map

860 21 Road



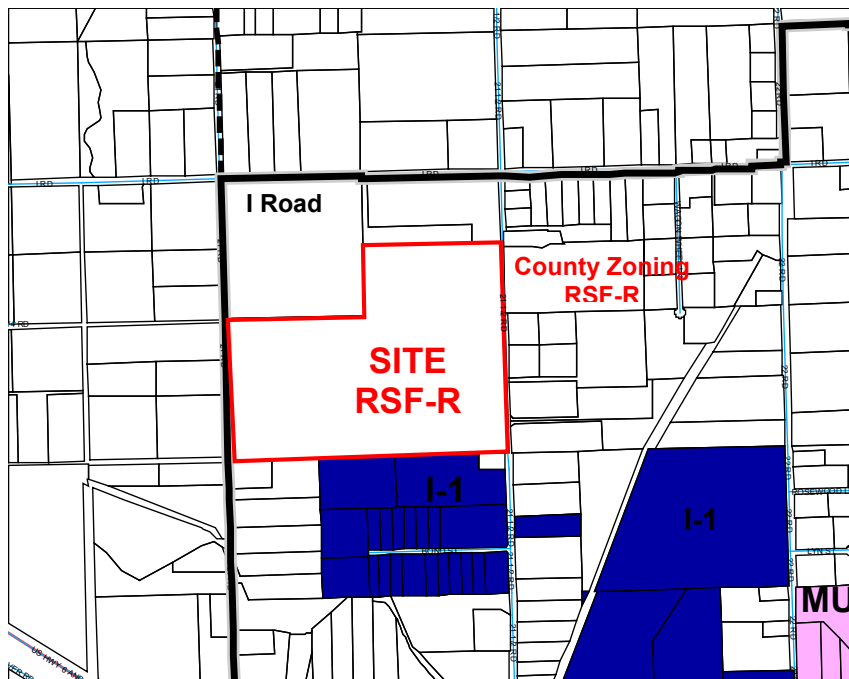
Future Land Use Map

860 21 Road



Existing City and County Zoning

860 21 Road



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."

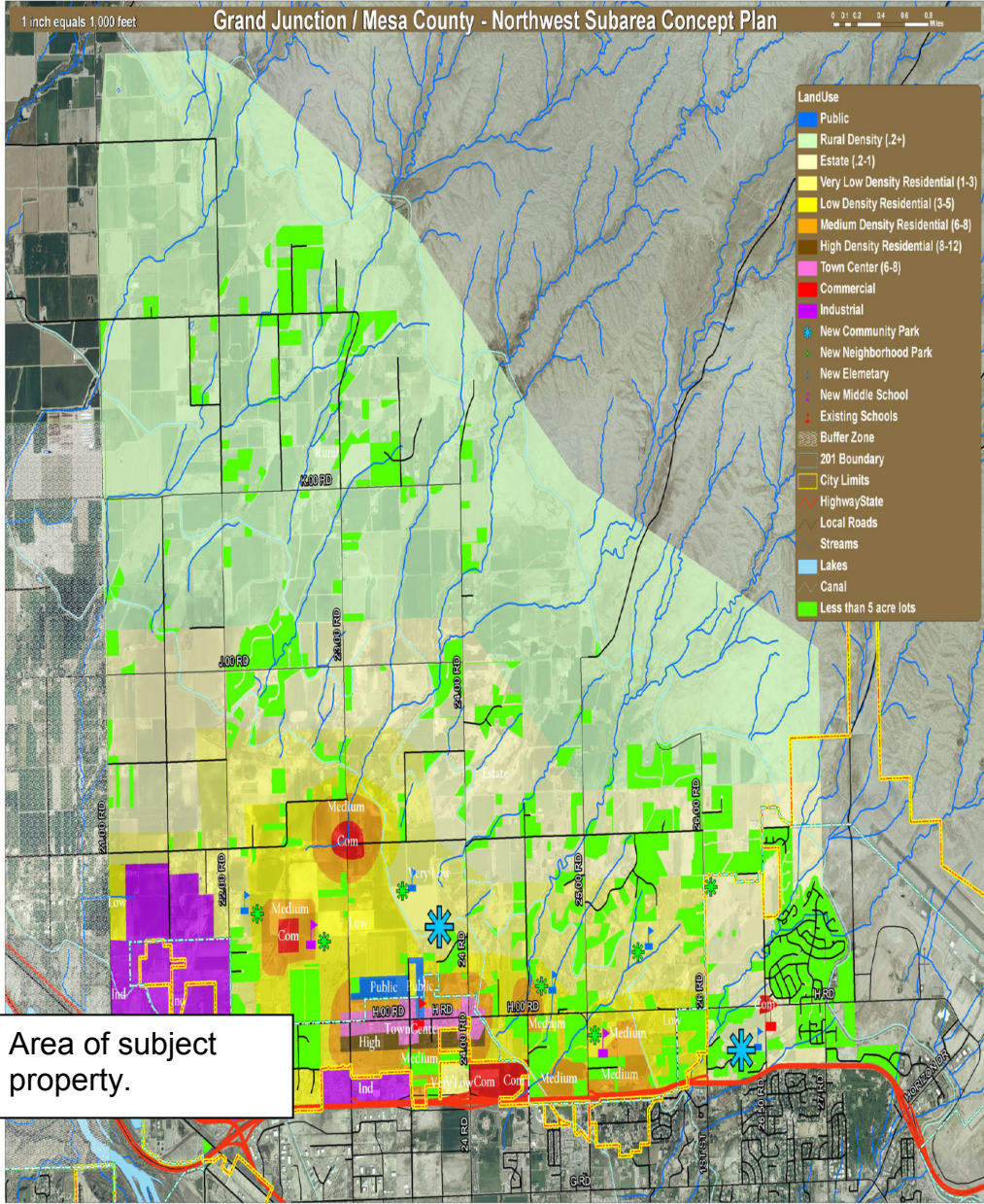


Fig. 1

Kapushion Annexation
09-26-08 Comprehensive Plan

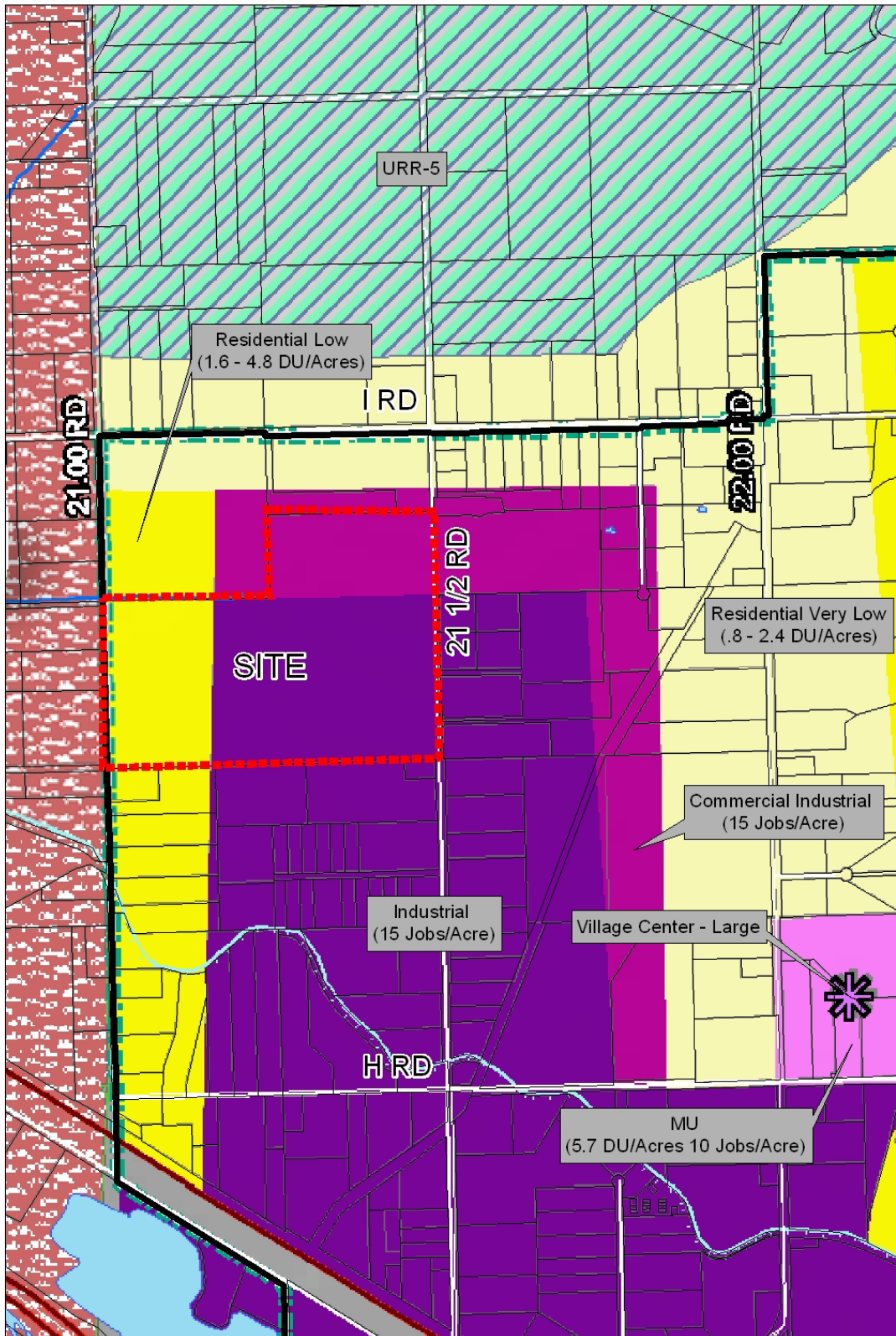


Fig. 2

Kapushion Annexation
10-17-08 Comprehensive Plan

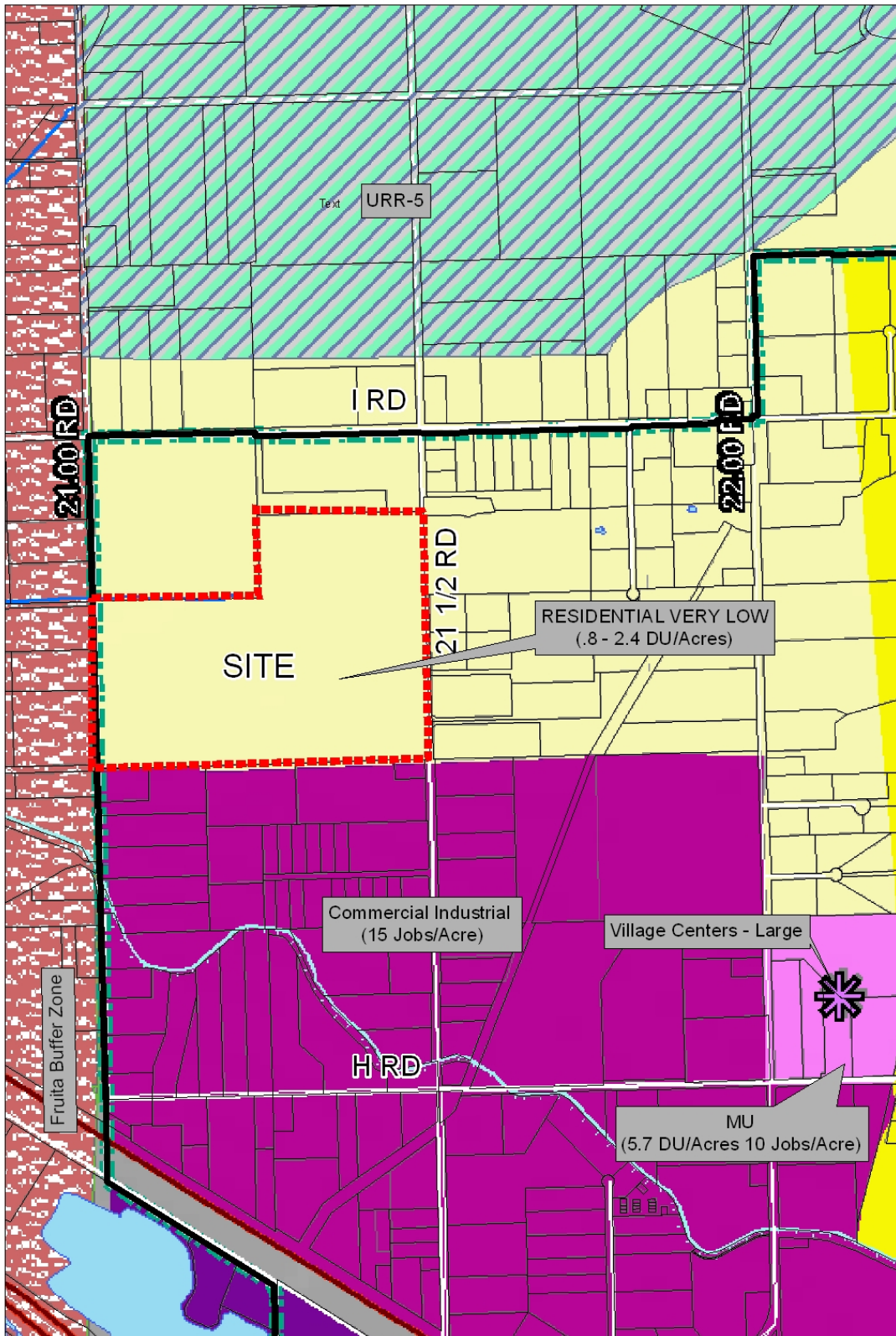


Fig. 3

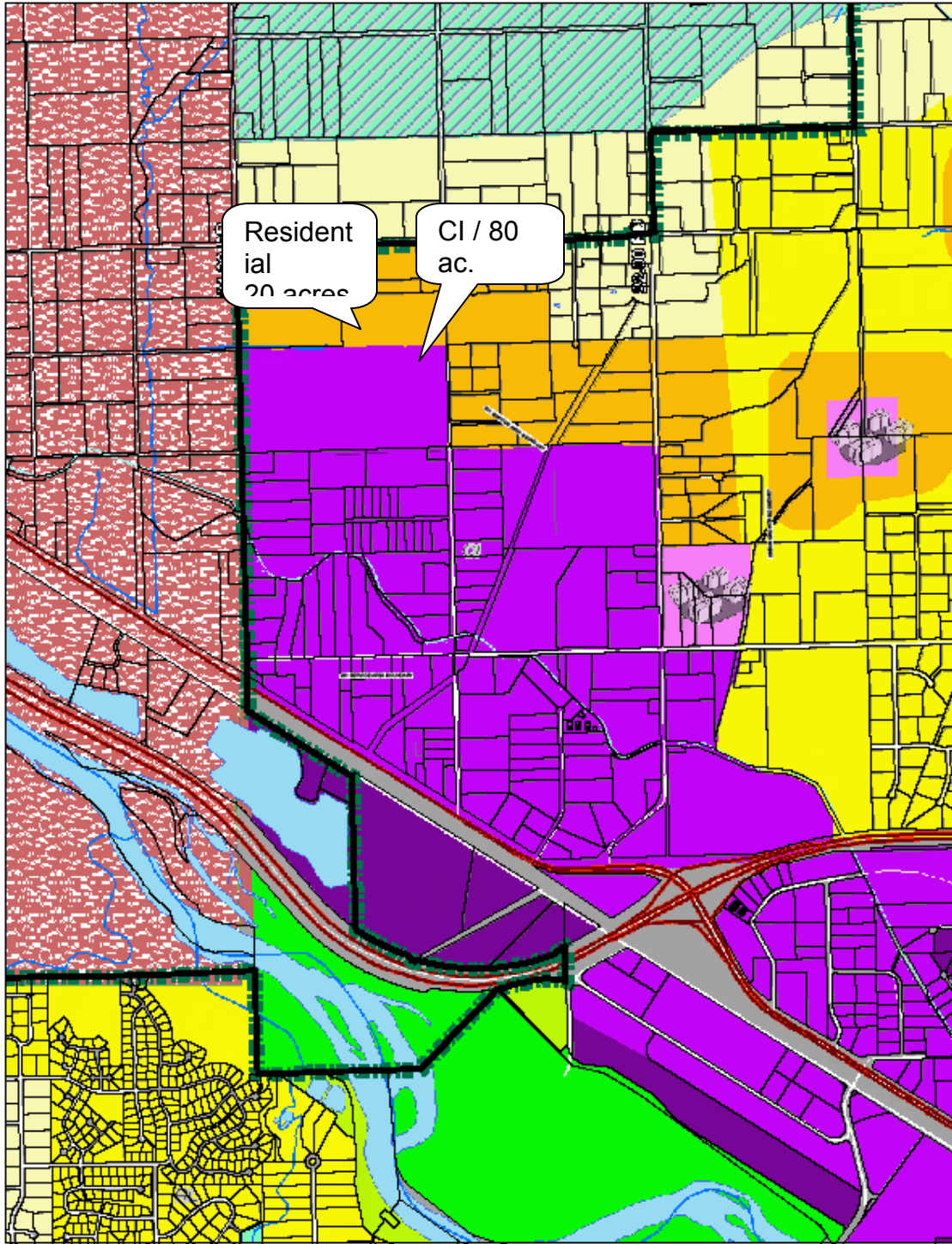


Fig. 4

September 8, 2008

Grand Junction City Council
Grand Junction City Planning
Mesa County Commissioners
Mesa County Planning Commission

Re: NW Area Development

Dear City Council, County Commissioner and Planning Members:

On August 2, 2007 many of you were stewards for our neighborhood; demonstrating for us that you indeed can uphold the values and goals in the Comprehensive Plan and that you do not support inappropriate and untimely decision making. We again ask for your consideration and mindful analysis of any proposed development in our area and that you assure our rights as residents and land owners are protected, as well as our quality of life.

Prior to and since this meeting, there has been discussion in City/Council meetings, and an understanding with those of us that live here that the proposed H ½ Road is the line in the sand; that industrial development will remain south of H ½ Road. Additionally, there was also discussion on the need for buffering and more protection standards to soften the impact of the already existing industrial areas and that waiting until the Comprehensive Plan revision is complete, before making any further sweeping changes in the NW Area, was the prudent thing to do.

I want you all to hear that my husband and I are not against growth and development; I believe this to be true for my neighbors on 21 ½ and other folks in the NW area that I have spoken with. We all realize this is a reality for our Valley. We did not oppose the expansion of the 201 Boundary this year; we feel this appropriate at this time, and should allow for good development opportunities for the future. We do not believe that including areas in the sewer boundary equals violating existing land use plans.

For those of you whom have not seen it, you will soon have before you a development plan by Northwest GJ, LLC, presented by Austin Civil Group, Inc, for the approximately 100 acres of rural/agriculturally zoned land north of the proposed H ½ road, between 21 ½ and 21 Roads. This will be a request to annex and rezone irrigated, agricultural land primarily to industrial. Many of us now have their initial and revised plan in hand; the proposed project has 32, 1.4 to 2.84 acre industrial lots and 20 acres of R-4.

Mr. Mark Austin of ACG and Mr. Lawrence, one of the property owners, conducted a "neighborhood meeting" on 8-20, they did not notify everyone in the area that will be impacted by this massive development plan. In their "Growth Plan Amendment/Annexation Application for 860 21 Road" document, ACG was remiss in stating that there are no existing residential homes along the 21 Road Frontage, and failed address the fact that there are nice homes and acreage on and set back of 21 ½ Road. Their opinion of a buffer is 80 homes on 20 acres, mind you, as it "...provides a better buffer to the existing homes south of I Road".

ACG, as well as well as Planning Commission's Dave Thorton, have stated that this plan is consistent with the Growth Plan and the direction the City of Grand Junction has received during the various neighborhood meetings. We put forth that the City/County Subarea Concept Plan Map *is not in line with Northwest/Appleton resident's key desires, and we argue neither with the information documented in the Comprehensive Plan Sub Area reports and Executive Summary*. As is noted in the Executive Summary, the plans "...have not been through a public approval process nor have they been adopted by either the City or County" and additionally, the plans are "...intended to provide one possible response (among many) to the question "If we move the Persigo/201 Sewer Boundary, what kinds of land uses might make sense and how would the area develop?".

Section 2.14 of the Zoning and Development Codes states that the zoning of an annexation area shall be consistent with the Growth Plan or the existing County zoning. The requested changes by Northwest GJ, LLC do not conform with the zoning and development code and do not conform to the goals and policies the Growth Plan and Future Land Use designation. We adamantly oppose their growth plan amendment request to rezone any rural/agriculturally zoned acreage to industrial designation. Their proposed residential density is also compatible with surrounding properties. Again, this plan does not conform to the following goals and policies as stated in the Comprehensive Plan:

1. Goal 1: Land Use-policies 1.1, 1.2, 1.3, 1.7, 1.9, all related to conforming to the current Future Land Use categories, ensuring compatibility with adjacent properties and buffering from heaving industrial and commercial uses.
2. Goal 11: To promote stable neighborhoods and land use compatibility, policy 11.1, policy 11.2-the City and County will limit commercial encroachment into stable residential neighborhoods...

As you all know, with the approval of the H Road and Northwest Area Study Plan in 2006 and April 18, 2007 by Grand Junction City Council, approximately 250 acres were annexed and rezoned to industrial/commercial. Many of these properties are still unsold, as is much of the Job Site's lots, the Kelley and Reigan properties, etc...We move there is no need for further industrial development encroaching above H ½ Road, when the NW Area, and the Valley as a whole has industrial locations for sale and appropriate land for industrial use can be available with proactive, coordinated planning. Please continue to ask for the data that warrants any person saying there isn't enough industrial land available, and continue to make sure you are looking at the Valley as a whole, not just what Grand Junction City can enfold.

I respectfully ask for current, accurate traffic and noise studies be conducted by the City and County now. This area cannot afford to wait until development is already here so it can be paid for, regardless of the type. Developers technically have no obligation to our neighborhood, you all do. At this point, we do not believe the use of "theoretical models" is sound planning or a true picture of reality in light of the huge traffic and noise problems that have been previously documented and continue escalate on 21 ½ and the area as a whole.

I also ask you to consider this; if we can be awakened by the industrial equipment beeping at 3 a.m. in the morning, *from H and 22 Road*, how can one say Codes are being enforced and that further industrial development right across the street is appropriate and in line with the goals and policies of the Growth Plan?

We sincerely thank you for your attention in these matters,

Kelly M. Bowen
876 21 ½ Road
Grand Junction, Co 81505
Email: stumpkel@aim.com
Phone: 858-8315

**Attach 9
Kapushion/Northwest Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 13, 2009
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Kapushion / Northwest GJ Zone of Annexation – ANX-2008-305

ACTION REQUESTED: Recommendation to City Council on a Zone of Annexation.

| <i>STAFF REPORT / BACKGROUND INFORMATION</i> | | | |
|--|--------------|--|-----------|
| Location: | | 860 21 Road + | |
| Applicants: | | Northwest GJ, LLC and Irma J. Kapushion Revocable Trust, owners; Austin Civil Group, c/o Mark Austin; Dan Wilson, representatives. | |
| Existing Land Use: | | Single family residence with agricultural land | |
| Proposed Land Use: | | Industrial and residential subdivisions | |
| Surrounding Land Use: | North | Agricultural | |
| | South | Industrial and Agricultural | |
| | East | Single Family and Agricultural | |
| | West | Single Family and Agricultural | |
| Existing Zoning: | | RSF-R (Residential Single Family – Rural) County | |
| Proposed Zoning: | | I-1 (Light Industrial) and R-4 (Residential – 4 units) | |
| Surrounding Zoning: | North | RSF-R (Residential Single Family – Rural) County | |
| | South | I-1(Light Industrial) and County RSF-R (R | |
| | East | RSF-R (Residential Single Family – Rural) County | |
| | West | CPA (Cooperative Planning Area) County | |
| Growth Plan Designation: | | Rural (5 to 35 acres per dwelling unit) | |
| Zoning within density range? | X | Yes, if GPA is approved | No |

PROJECT DESCRIPTION: A request to zone the 100.73 acre Kapushion / Northwest GJ Annexations. The area consists of two parcels located at 860 21 Road. Two zoning designations are requested: 1. R-4 (Residential – 4 units per acre) zone district, for the south 1/2 of the northeast 1/4 of the northwest 1/4 of Section 25, Township 1 North, Range 2 West of the Ute Meridian, Mesa County Colorado; and 2, I-1 (Light Industrial) for the remainder of the annexed property.

RECOMMENDATION: Recommend approval to the City Council of the R-4 (Residential – 4 units per acre) and I-1 (Light Industrial) zone districts.

ANALYSIS:

1. Background:

The 100.73 acre Kapushion / Northwest GJ Annexations consists of two parcels located at 860 21 Road. The property owners have requested annexation into the City to develop the property in part as a light industrial subdivision and a residential subdivision. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of R-4 and I-1 does not conform to the Future Land Use Map, which designated the properties as Rural (5 to 35 acres per dwelling unit). It does conform presently (unless the requested GPA is approved) with the Preferred Land Use Map, dated December 6, 2008, as part of the proposed Comprehensive Plan which has not been adopted.

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

Zone of Annexation: The requested zone of annexation to the R-4 (Residential – 4 units per acre) zone district and to I-1 (Light Industrial) zone district is not consistent with the Growth Plan designation of Rural (5 to 35 acres per dwelling unit). The existing County zoning is RSF-R (Residential Single Family - Rural). Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: It is questionable that the proposed zone is compatible with the existing neighborhood. Compatibility may be mitigated with landscaping buffers as required in the existing Zoning and Development Code and by extending the coverage area of the H Road / Northwest Area Plan. The Northwest Area Plan stopped on the south boundary of the subject parcel.

- 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: Currently there is no sanitary sewer in 21 ½ Road. In concert with the Comprehensive Plan, a consultant is preparing a sewer basin study. Once these plans are completed the City will better understand sewer infrastructure needs in the area as well as the land use issues. We will also be able to identify City participation options, but to date these plans have not been completed.

There is only a 3-inch water line in 21 Road. There is a 2-inch water line in 21 ½ Road. About 600 feet north of the south boundary line of the subject property is a 6" water line. Obviously, current water facilities cannot meet fire flow and significant offsite improvements will be required. This does not mean that these utilities cannot be improved or extended to the subject properties; at this point in time it will be the cost of the developer to provide these improvements.

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.

For the property zoned R-4, other appropriate designations may be:

- a. R-5 (Residential – 5 units per acre)
- b. R-8 (Residential – 8 units per acre)

For the property zoned I-1, other appropriate designations may be:

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

If the Planning Commission chooses to recommend an alternative zone designation, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Kapushion / Northwest GJ Annexations, ANX-2008-305, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone is not consistent with the goals and policies of the Growth Plan. (It would be consistent only if the GPA requested is applied).
2. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.
3. The requested zone is consistent with the Preferred Land Use map, dated December 6, 2008, which is part of the Comprehensive Plan which has not been adopted.

STAFF RECOMMENDATION:

I have no recommendation for the Planning Commission. While the proposal is consistent with the Preferred Land Use Plan, the Comprehensive Plan is not yet adopted.

PLANNING COMMISSION MOTION:

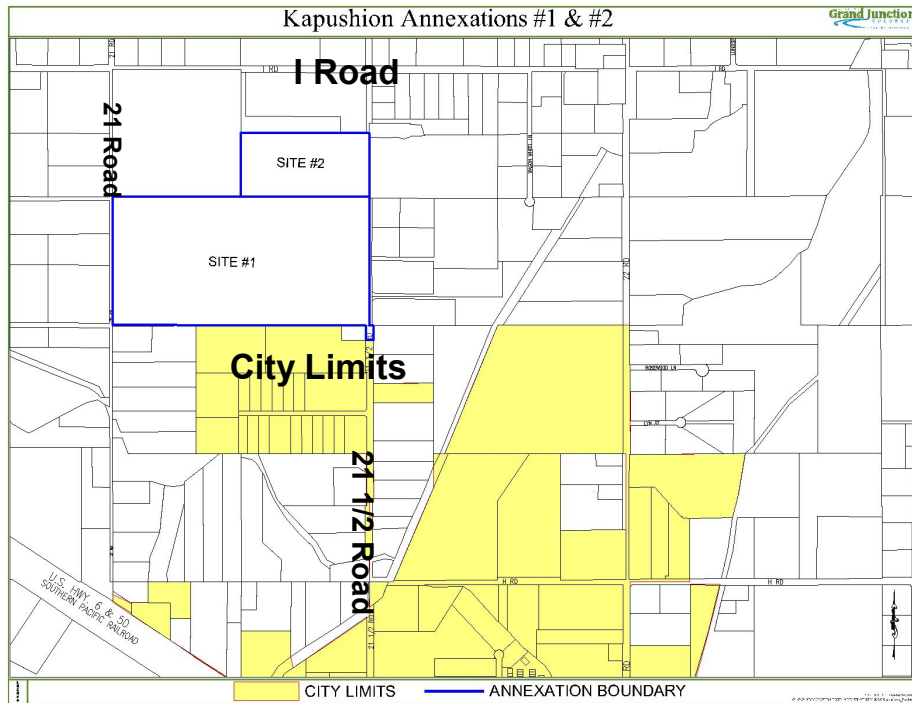
Mr. Chairman, on the Kapushion / Northwest GJ Zone of Annexation, ANX-2008-305, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-4 (Residential – 4 units per acre) zone district and I-1 (Light Commercial) for the Kapushion / Northwest GJ Annexations with the facts and conclusions listed in the staff report.

Attachments:

Annexation - Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map

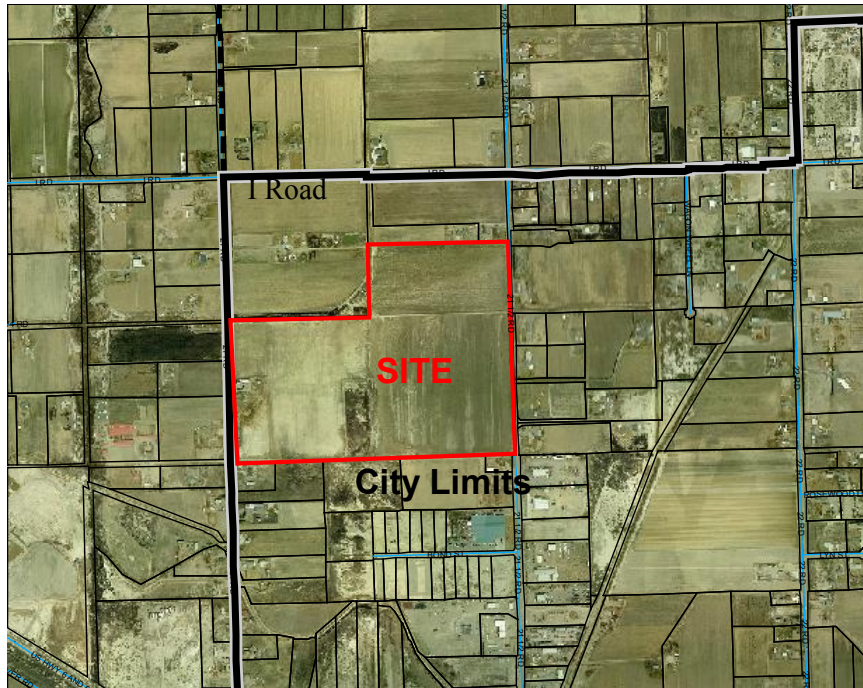
Site Map

860 21 Road



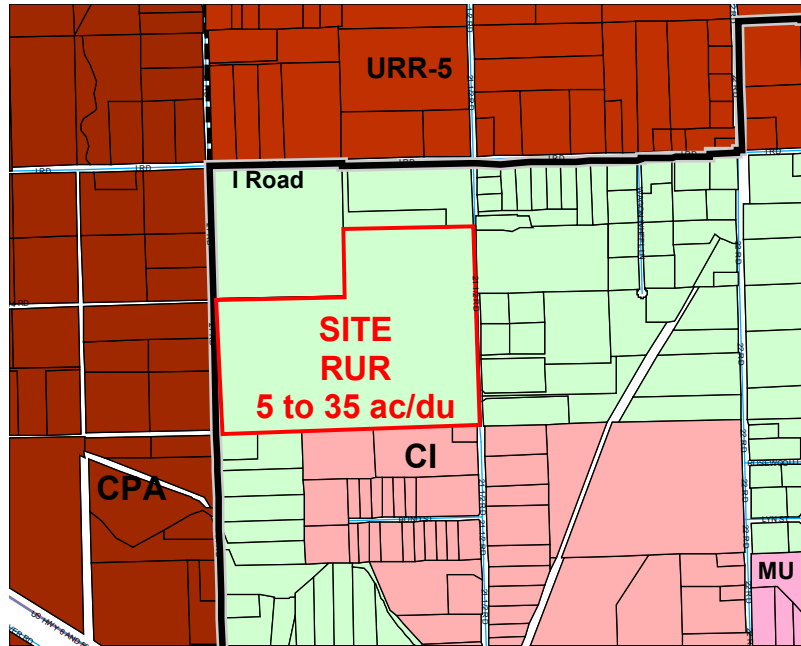
Aerial Photo Map

860 21 Road



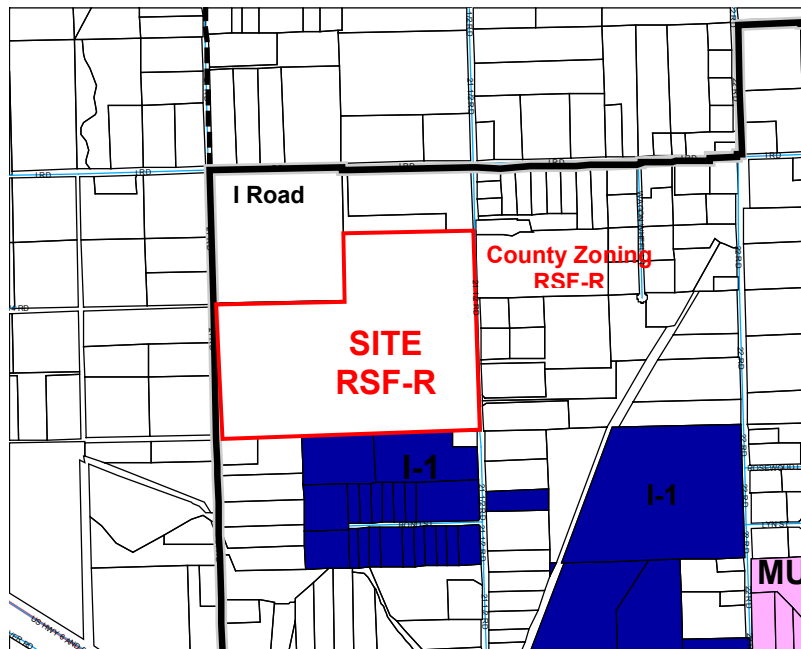
Future Land Use Map

860 21 Road



Existing City and County Zoning

860 21 Road



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."

**Attach 10
12th & Patterson Center**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 13, 2009
STAFF PRESENTATION: Scott D. Peterson

AGENDA TOPIC: 12th and Patterson Center Rezone - RZ-2008-323.

ACTION REQUESTED: Recommendation to City Council to rezone properties located at 1212, 1228, 1238, 1308, 1310, 1314, 1320 and 1324 Wellington Avenue from R-8, (Residential – 8 du/Ac.) to B-1 (Neighborhood Business).

| BACKGROUND INFORMATION | | | | |
|-------------------------------------|--------------|--|-----|----|
| Location: | | 1212, 1228, 1238, 1308, 1310, 1314, 1320 and 1324 Wellington Avenue | | |
| Applicants: | | Dillon Real Estate Company, Inc., Owners 12 th & Patterson GJ Goldberg, LLC, Representative | | |
| Existing Land Use: | | Vacant land and former real estate office | | |
| Proposed Land Use: | | City Market grocery store and neighborhood business commercial development | | |
| Surrounding Land Use: | North | Bookcliff Baptist Church, Counseling and Education Center and American Family Insurance | | |
| | South | Single and Multi-Family Residential | | |
| | East | Single and Multi-Family Residential (Patterson Gardens) | | |
| | West | Village Fair Shopping Center | | |
| Existing Zoning: | | R-8, (Residential – 8 du/ac.) | | |
| Proposed Zoning: | | B-1, (Neighborhood Business) | | |
| Surrounding Zoning: | North | R-O, (Residential Office) and R-8, (Residential – 8 du/ac.) | | |
| | South | PD, (Planned Development) and R-8, (Residential – 8 du/ac.) | | |
| | East | R-8, (Residential – 8 du/ac.) | | |
| | West | B-1, (Neighborhood Business) | | |
| Growth Plan Designation: | | Commercial | | |
| Zoning within density range? | | X | Yes | No |

PROJECT DESCRIPTION: The applicant is requesting approval to rezone eight (8) properties (3.62 +/- Acres) located at 1212, 1228, 1238, 1308, 1310, 1314, 1320 and 1324 Wellington Avenue from R-8, (Residential – 8 du/ac.) to B-1 (Neighborhood Business).

RECOMMENDATION: Forward a recommendation of approval of the requested rezoning application to B-1 (Neighborhood Business) to the City Council.

ANALYSIS:

1. Background:

The existing 21 properties of land located at the southeast corner of N. 12th Street and Patterson Road are currently undeveloped and contain split zoning designations of B-1 (Neighborhood Business) and R-8 (Residential – 8 du/ac.). All 21 parcels are owned by the applicant and contain a total of 8.45 +/- acres. Eight (8) of the 21 parcels (3.62 +/- acres) are designated as R-8 adjacent to Wellington Avenue. The applicant is requesting to change the zoning for these eight (8) parcels adjacent to Wellington Avenue so that all of their 21 parcels would be uniform, designated B-1. If this zoning request is approved by the City, the applicant plans to apply for a Conditional Use Permit/Site Plan Review and Simple Subdivision application in order to develop the properties for a neighborhood business commercial development.

These 21 parcels of land have also been the subject of at least three (3) previous proposals to change the existing residential zoning to some type of commercial zone designation and associated development, most recently in 2002 (City file # RZ-2002-118). At that time this same applicant requested a rezone to PD (Planned Development) to develop the property as a mixed-use development of a grocery store and neighborhood commercial center and twelve (12) residential units. That request was denied by the City Council. In 1998/1999 (City file # RZ-1998-082), this same applicant requested a Growth Plan Amendment, Rezone and a Site Specific Development Plan for a 60,405 sq. ft. grocery store, which was also ultimately denied by the City Council. In 1984 (City file # RZO-1984-031), Smith's Food and Drug, which owned the property at that time, requested a zoning change to PB (Planned Business) and submitted an Outline Development Plan which was denied by City voters via a special election.

In November 2007, the City Council approved a Growth Plan Amendment to change the Future Land Use Map from Residential Medium (4 – 8 DU/Ac) to Commercial for the properties adjacent to Wellington Avenue. The applicant is now requesting that the City approve the zoning application to bring these properties into compliance with the Future Land Use Map designation of Commercial.

2. Consistency with the Growth Plan:

The Growth Plan Future Land Use Map designates these eight (8) properties as Commercial. The requested zone district of B-1 (Neighborhood Business) implements the Commercial land use classification of the Growth Plan. The rezone is also consistent with the following Goals and Policies of the Growth Plan:

Goal 1: Policy 1.1: The City and County will use the future land use categories to designate appropriate land uses within the Joint Planning Area. City and County actions on land use proposals within the Joint Planning Area will be consistent with the plan.

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities. Policy 5.2 states that the City and County will encourage development that uses existing facilities and is compatible with existing development.

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

Goal 12: Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Goal 13: Policy 13.2: The City and County will enhance the quality of development along key arterial street corridors.

Goal 28: The City of Grand Junction is committed to taking an active role in the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

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

Zone requests must meet all of the following criteria for approval:

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

Response: The current Future Land Use Map designation for these eight (8) parcels of land is Commercial. The current zoning designation of R-8 is in conflict with this current Future Land Use Map designation, however, I cannot say that at the time the R-8 zoning was adopted it was an error. The proposed rezoning request to B-1 would however, bring the existing eight (8) properties into compliance with the current Future Land Use Map designation of Commercial. In November 2007 the applicant received approval from the City for a Growth Plan Amendment request to change the Future Land Use Map designation for these eight (8) parcels of land from Residential Medium (4 – 8 DU/Ac) to Commercial in anticipation of future neighborhood business commercial development. Prior to the year 2002, single-family homes once occupied these eight (8) lots, thus the Residential Medium (4 – 8 DU/Ac) classification was appropriate at the time it was zoned.

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

Response: The character of the area is a mix of commercial, medical office and single/multi-family residential uses. The proposed rezoning is acceptable since the residential land supply in the community will not be adversely affected and also due to the fact that the proposed rezoning would bring the eight (8) parcels of land into compliance with the current Future Land Use Map designation of Commercial. Existing and anticipated development and higher traffic volumes in the area make new single-family residential development questionable for these eight (8) properties. Multi-family residential development could be a viable option; however, given the small amount of land, (3.62 +/- acres), the irregular shape of the properties, the off-street parking, open space, landscaping and buffering requirements could render residential development difficult.

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

Response: The applicant's intent is to utilize these properties as a neighborhood commercial retail center for the benefit of the adjacent residential neighborhoods and the surrounding neighborhood. It is not intended to capture customers from the entire city as a whole, but to capture the existing traffic that already passes by daily on N. 12th Street and Patterson Road.

The proposed rezoning is consistent with the goals and policies of the Growth Plan as noted in the Analysis #2. The proposed rezone would be compatible with other commercial uses in the area (Village Fair Shopping Center and medical offices) and the existing Growth Plan designation of Commercial, while providing retail and service opportunities to nearby residential areas. Furthermore, the Zoning and Development Code requires screening and buffering requirements between all commercial and residentially zoned properties. Therefore, the proposed rezone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies.

4. 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: Existing and proposed infrastructure facilities are adequate to serve the commercial development. However, significant additional upgrades to the 12th and Patterson Road intersection will be necessitated by a commercial development at this site including the acquisition of private property for right-of-way at this intersection. In addition, the City will be required to construct all the

street improvements, including widening the intersection for double left turn lanes on all four sides, along with a bus pull out area on Patterson Road. The intersection at 12th and Patterson would need to be upgraded by the City at some point in the future due to population growth trends and increased traffic volumes within Grand Junction, this proposed development is necessitating the need to reconstruct this intersection sooner rather than later. Wellington Avenue will also need to be upgraded with half (1/2) street improvements that would include curb/gutter/sidewalk on the northside of Wellington adjacent to the site which will be the responsibility of the developer.

5. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs; and

Response: The southeast corner of N. 12th Street and Patterson Road is one of the few existing, if not only, larger acreage, undeveloped, commercially designated by the Future Land Use Map pieces of land located along Patterson Road between Mesa Mall and Clifton. The requested rezone would allow the applicant to develop the entire 8.45 acres as a single commercial development project. Currently, 13 parcels are designated B-1 and eight parcels zoned R-8, which makes development of the site challenging, as the site does not encompass enough land area for a well-planned commercial or residential development as currently designated.

6. The community will benefit from the proposed zone.

Response: The community and area can benefit from the proposed rezone in the respect that it may provide additional neighborhood commercial development (such as grocery, restaurant and retail establishments) that can be accessed by both vehicular and pedestrian traffic from existing and nearby residential neighborhoods as well as passing-by traffic, the volume of which is significant. It may also provide additional job opportunities for neighborhood community residents.

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 properties.

- a. R-O (Residential Office)
- b. C-1 (Light Commercial)
- c. C-2 (General Commercial)

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the 12th and Patterson Center application, RZ-2008-323 for a rezone, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested zone is consistent with the Growth Plan Future Land Use Map.
2. The review criteria in Section 2.6 A. of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, RZ-2008-323 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

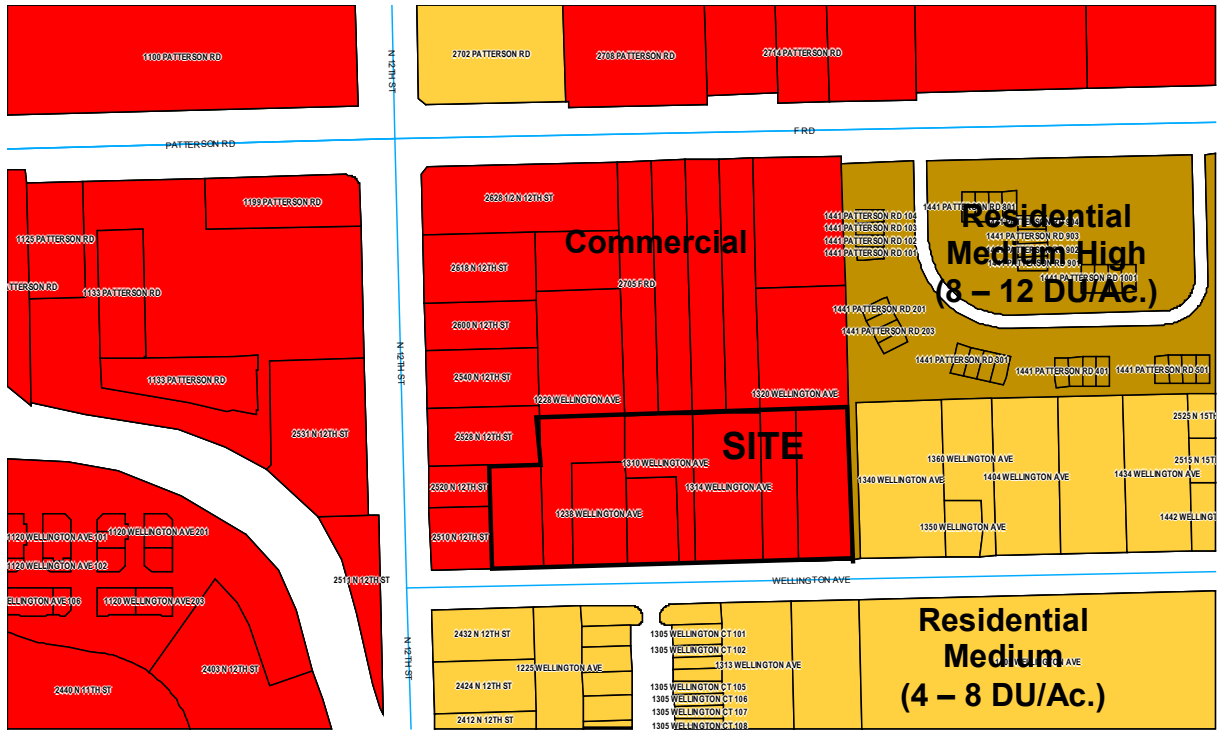
Mr. Chairman, on Rezone, #RZ-2008-323, I move that the Planning Commission forward the rezone to City Council with the recommendation of the B-1, (Neighborhood Business) zoning district for the 12th and Patterson Center with the facts and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City Zoning
Proposed Ordinance

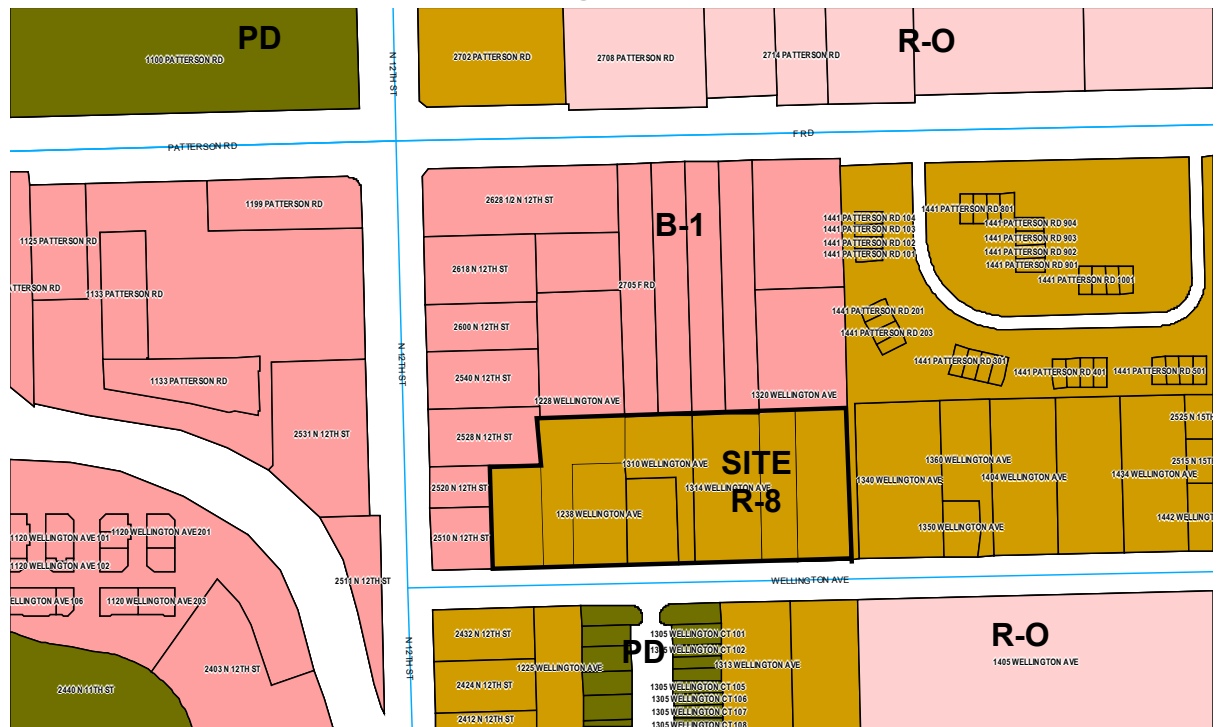
Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE REZONING PROPERTY KNOWN AS
12TH AND PATTERSON CENTER
FROM R-8 (RESIDENTIAL – 8 DU/AC) TO
B-1 (NEIGHBORHOOD BUSINESS)

LOCATED AT 1212, 1228, 1238, 1308, 1310, 1314, 1320
AND 1324 WELLINGTON AVENUE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning property known as the 12th and Patterson Center to the B-1 (Neighborhood Business) 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 B-1 (Neighborhood Business) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following properties be zoned B-1 (Neighborhood Business):

Parcel # 1: Parcel #: 2945-122-00-033 Address: 1212 Wellington Avenue

This legal description was obtained from a Deed recorded November 2, 1994 in Book 2108 on Page 778 in Mesa County.

Beginning at a point 165 feet East of the Southwest corner of Block 11, Fairmount Subdivision, thence North 150 feet, thence West 75 feet, thence South 150 feet, thence East 75 feet to the Point of Beginning.

Parcel #2: Parcel #: 2945-122-00-021 Address: 1228 Wellington Avenue

This legal description was obtained from a Deed recorded November 16, 1987 in Book 1670 on Page 481 in Mesa County.

Beginning 150 feet North of the Southeast corner of Lot 37 in Block 11 of Fairmount Subdivision, thence North 339 feet, thence West 125 feet, thence South 489 feet, thence East 45 feet, thence North 150 feet, thence East 80 feet to beginning; Mesa County, Colorado.

Parcel #3: Parcel #: 2945-122-00-032 Address: 1238 Wellington Avenue

This legal description was obtained from a Deed recorded March 11, 1998 in Book 2414 on Page 834 in Mesa County.

Beginning at the Southeast Corner of the West half of Block 11 Fairmount Subdivision, thence West 80 feet, thence North 150 feet, thence East 80 feet, thence South 150 feet, to the Place of Beginning, Mesa County, Colorado.

Parcel #4: Parcel #: 2945-122-22-001 Address: 1308 Wellington Avenue

This legal description was obtained from a Deed recorded May 11, 1998 in Book 2438 on Page 702 in Mesa County.

Lot 1, Yo Minor Subdivision, Mesa County, Colorado.

Parcel #5: Parcel #: 2945-122-22-002 Address: 1310 Wellington Avenue

This legal description was obtained from a Deed recorded January 9, 1996 in Book 2199 on Page 124 in Mesa County.

Lot 2 of Yo Minor Subdivision, Mesa County, Colorado.

Parcel #6: Parcel #: 2945-122-00-025 Address: 1314 Wellington Avenue

This legal description was obtained from a Deed recorded March 19, 1997 in Book 2309 on Page 781 in Mesa County.

Beginning at a point 100 feet East of the Southwest Corner of Lot 40 in Block 11 in Fairmount Subdivision, thence North 217.8 feet, thence East 100 feet, thence South 217.8 feet, thence West 100 feet to the Point of Beginning, Mesa County, Colorado.

Parcel #7: Parcel #: 2945-122-00-135 Address: 1320 Wellington Avenue

This legal description was obtained from a Deed recorded November 19, 1987 in Book 1670 on Page 974 in Mesa County.

Beginning at a point North 89⁰50' West 48.25 feet from the Southeast corner of Lot 40 in Block 11 of Fairmount Subdivision, thence North 223 feet, thence South 89⁰50' East 78.25 feet, thence North 176.5 feet, thence North 89⁰52' West 130.5 feet, thence South 399.4 feet, thence South 89⁰50' East 52.25 feet to the point of beginning.

Parcel #8: Parcel #: 2945-122-00-133 Address: 1324 Wellington Avenue

This legal description was obtained from a Deed recorded December 24, 1997 in Book 2389 on Page 73 in Mesa County.

Beginning at the Southeast corner of Lot 40 in Block 11 of Fairmount Subdivision, thence North 89 Deg 50' West 48.25 feet; thence North 223 feet; thence South 89 Deg 50' East 78.25 feet; thence South 223 feet; thence North 89 Deg 50' West 30 feet to the Point of Beginning, Mesa County, Colorado.

Said properties contain 3.62 +/- acres, more or less, as described.

Introduced on first reading this _____ day of _____, 2009 and ordered published.

Adopted on second reading this _____ day of _____, 2009.

ATTEST:

President of the Council

City Clerk

**Attach 11
Cunningham Investment**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 13, 2009
STAFF PRESENTATION: Scott D. Peterson

AGENDA TOPIC: Cunningham Investment Annexation Zone of Annexation/De-Annexation – GPA-2007-263

ACTION REQUESTED: 2394 Highway 6 & 50 Recommendation to City Council on a Zone of Annexation for the Cunningham Investment Annexation located at 2098 E ½ Road. As part of this action the City Council has been requested by the owner to de-annex this property from the City.

| STAFF REPORT / BACKGROUND INFORMATION | | | |
|---------------------------------------|--------------|---|------------|
| Location: | | 2098 E ½ Road | |
| Applicant: | | Cunningham Investment Company, Inc., Owner | |
| Existing Land Use: | | Vacant land | |
| Proposed Land Use: | | Residential subdivision | |
| Surrounding Land Use: | North | Single-family residential | |
| | South | Vacant land and Single-family residential | |
| | East | Single-family residential | |
| | West | Vacant land and Single-family residential | |
| Existing Zoning: | | RSF-4 (Residential Single – Family – 4 du/ac) (County) and RSF-2 (Residential Single – Family – 2 du/ac) (County) | |
| Proposed Zoning: | | R-E (Residential Estate) | |
| Surrounding Zoning: | North | RSF-4 (Residential Single – Family – 4 du/ac) (County) and RSF-2 (Residential Single – Family – 2 du/ac) (County) | |
| | South | RSF-4 (Residential Single – Family – 4 du/ac) (County) and RSF-2 (Residential Single – Family – 2 du/ac) (County) | |
| | East | RSF-4 (Residential Single – Family – 4 du/ac) (County) | |
| | West | RSF-2 (Residential Single – Family – 2 du/ac) (County) | |
| Growth Plan Designation: | | Estate (2 – 5 ac/du) | |
| Zoning within density range? | | X | Yes |
| | | | No |

PROJECT DESCRIPTION: A request to zone the 27.7 acre Cunningham Investment Annexation, consisting of one (1) parcel of land located at 2098 E ½ Road, to R-E (Residential – Estate) zone district. As part of this action the City Council has been requested by the owner to de-annex this property from the City.

RECOMMENDATION: Recommend to the City Council the R-E (Residential – Estate) zone district and consistent therewith deny the applicant's request to de-annex this property from the City limits.

ANALYSIS:

1. Background:

The 27.7 acre Cunningham Investment Annexation consists of one (1) parcel of land located at 2098 E ½ Road in the Redlands. The property owner, Cunningham Investment Company, Inc., requested this property be annexed into the City limits in anticipation of future residential subdivision development which was approved for annexation by the City on January 16, 2008. At the time, the applicant also requested that an amendment to the Growth Plan Future Land Use Map be approved from Estate (2 – 5 ac/du) to Residential Medium Low (2 – 4 du/ac.) which was however, ultimately denied by the City Council at their February 4, 2008 meeting. The property has remained un-zoned in the City for one year pending the applicant's request for resolution of the Growth Plan Future Land Use Map designation and final adoption of the new Comprehensive Plan which is currently being reviewed and processed by the City. The applicant has now requested de-annexation from the City because of a desire for higher density. City Staff does not support the request for de-annexation because the property is located within the Persigo 201 Sewer Service Boundary, was legally annexed by the City and met all the requirements for annexation in accordance with Section 2.14 of the Zoning and Development Code.

In accordance with the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of R-E conforms to the Future Land Use Map, which has designated the properties as Estate (2 – 5 ac/du).

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

The zone of annexation to the R-E (Residential Estate) zone district is consistent with the Growth Plan designation of Estate (2 – 5 ac/du). The existing County zoning is RSF-4 (Residential Single-Family – 4 du/ac) and RSF-2 (Residential Single-Family – 2 du/ac). Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed R-E zone district is compatible with the neighborhood and will not create adverse impacts since the area surrounding this property is made up of single-family home development on larger acreage parcels of land at this time. The proposed zoning designation of R-E is also compatible with the current goals and policies of the Growth Plan and other adopted plans and policies.

- 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 need to be extended to the property in order to serve a proposed residential subdivision development. Water is currently available in E ½ Road and sewer would need to be extended from Highway 340 (Broadway).

Alternatives: In addition to the proposed zoning designation of R-E, the following zone district would also be consistent with the Growth Plan designation for the subject property.

- a. R-R (Residential – Rural)

If the Planning Commission recommends an alternative zone designation, specific alternative findings must be made by the Planning Commission.

3. De-Annexation Request in accordance with Section 2.14 of the Zoning and Development Code:

In January 2008, the property owner, Cunningham Investment Company, Inc., requested that this property consisting of 30.34 acres of land and associated rights-of-way of E ½ Road be annexed into the City limits. The property owner requested annexation into the City at that time to allow for future residential subdivision development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It was the City Council's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Cunningham Investment Annexation was eligible for annexation on January 16, 2008 because of the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

This was complied with as a proper petition was signed by more than 50% of the owners and more than 50% of the property described for annexation.

- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

No less than one-sixth of the perimeter of the area annexed was contiguous with the existing City limits.

- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

This property is located within the Persigo 201 Sewer Service Boundary therefore a community of interest exists between this property that was annexed and the City of Grand Junction.

- d) The area is or will be urbanized in the near future;

This property and surrounding area is within an urbanized area as defined by the Persigo 201 Sewer Service Agreement between Mesa County and the City of Grand Junction.

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

This property and surrounding area is capable and will entirely be integrated with the City at some future point in time as this area is all within the Persigo 201 Sewer Service Boundary.

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

No land held in identical ownership was divided by the annexation request.

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

There was no land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes that was included without the owner's consent.

It is my professional opinion that none of the those findings have changed.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Cunningham Investment Annexation, GPA-2007-263 for a Zone of Annexation and a separate request for de-annexation from the City limits, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The zone district of R-E (Residential – Estate) is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6 A. 3 and 4 of the Zoning and Development Code have all been met for the Zone of Annexation.
3. The request for de-annexation from the City limits is not consistent with Section 2.14 of the Zoning and Development Code as all review approval criteria and statutory requirements have been and remain satisfied.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the R-E (Residential – Estate) zone district for the Cunningham Investment Annexation, GPA-2007-263 to the City Council with the findings and conclusions listed above.

I also recommend that the Planning Commission find that with the property zoned in the City to a District supported by the Future Land Use Map that there is no basis for the property to be disconnected.

RECOMMENDED PLANNING COMMISSION MOTIONS:

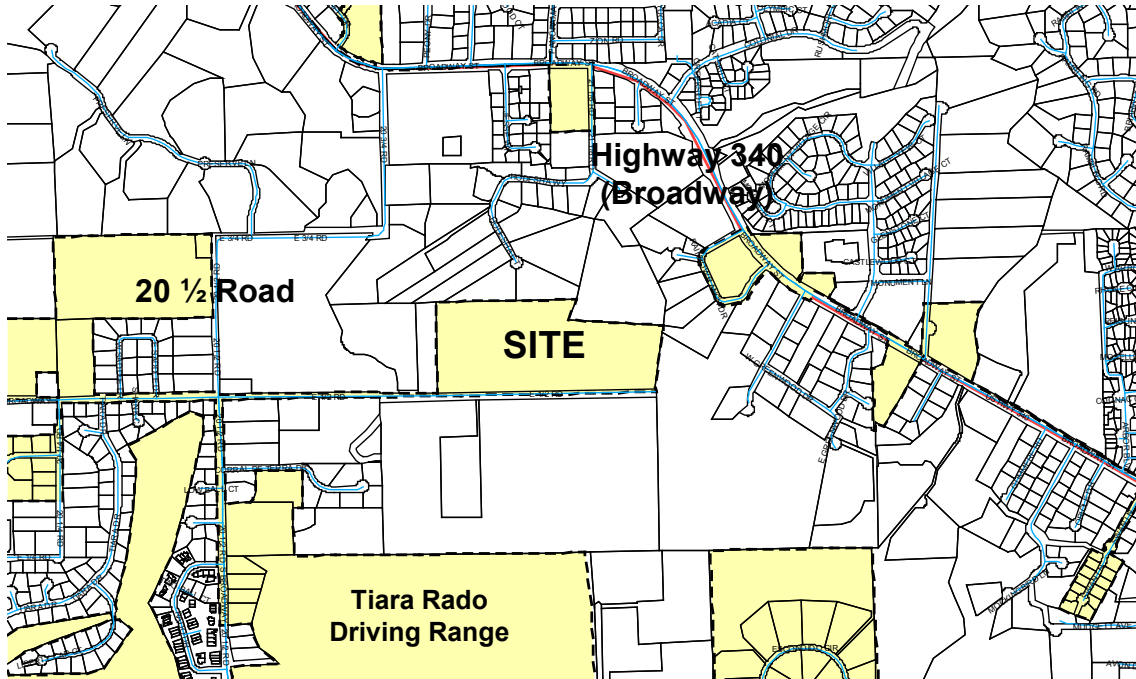
Mr. Chairman, on the Cunningham Investment Annexation Zone of Annexation, GPA-2007-263, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-E (Residential – Estate) zone district for the Cunningham Investment Annexation with the facts and conclusions listed in the staff report and furthermore that with the R-E that there is no basis for the property to be disconnected from the City.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Zoning Ordinance

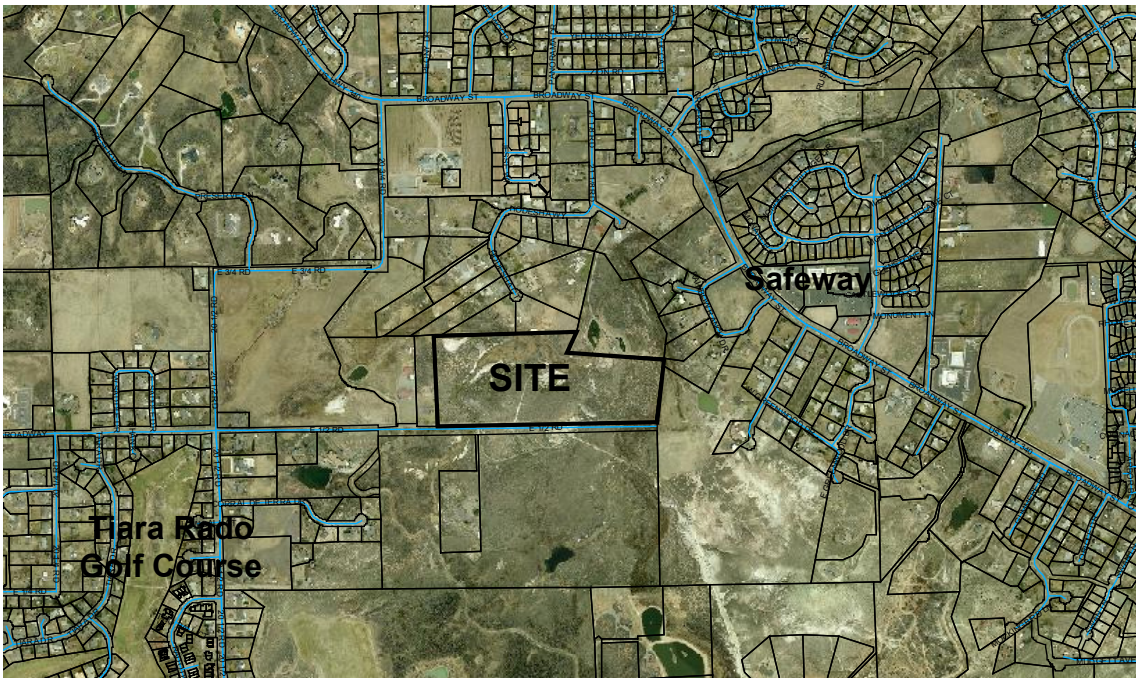
Site Location Map

Figure 1



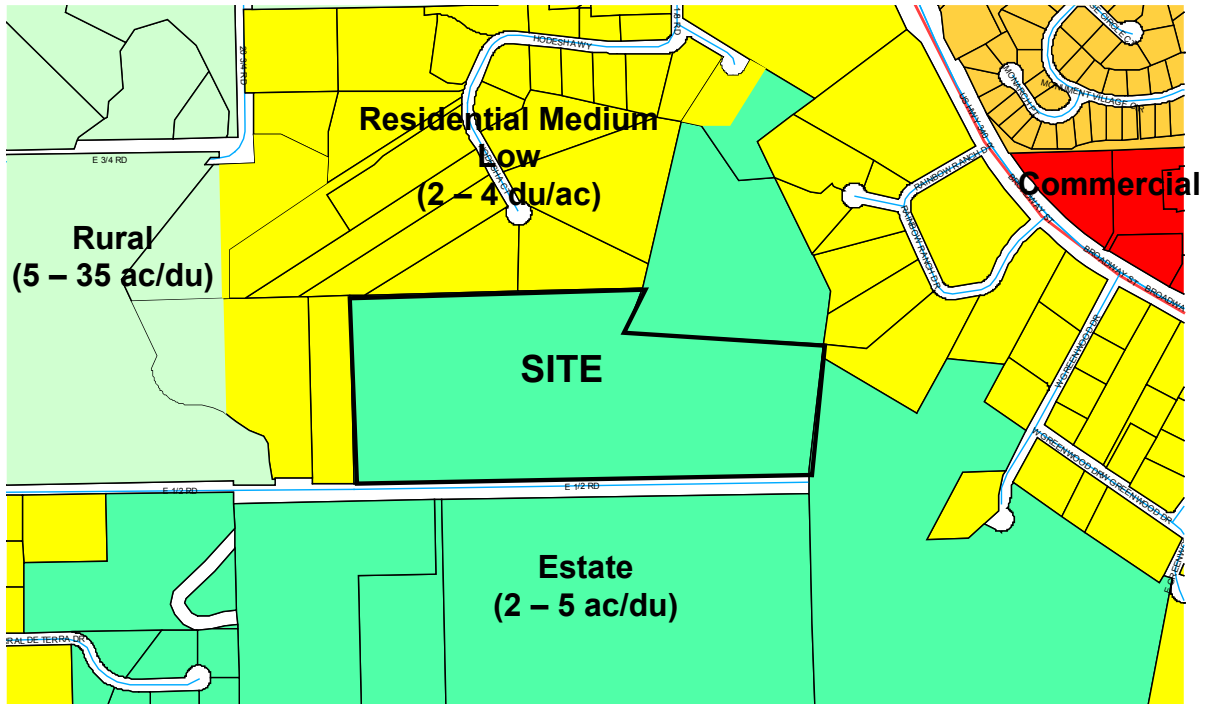
Aerial Photo Map

Figure 2



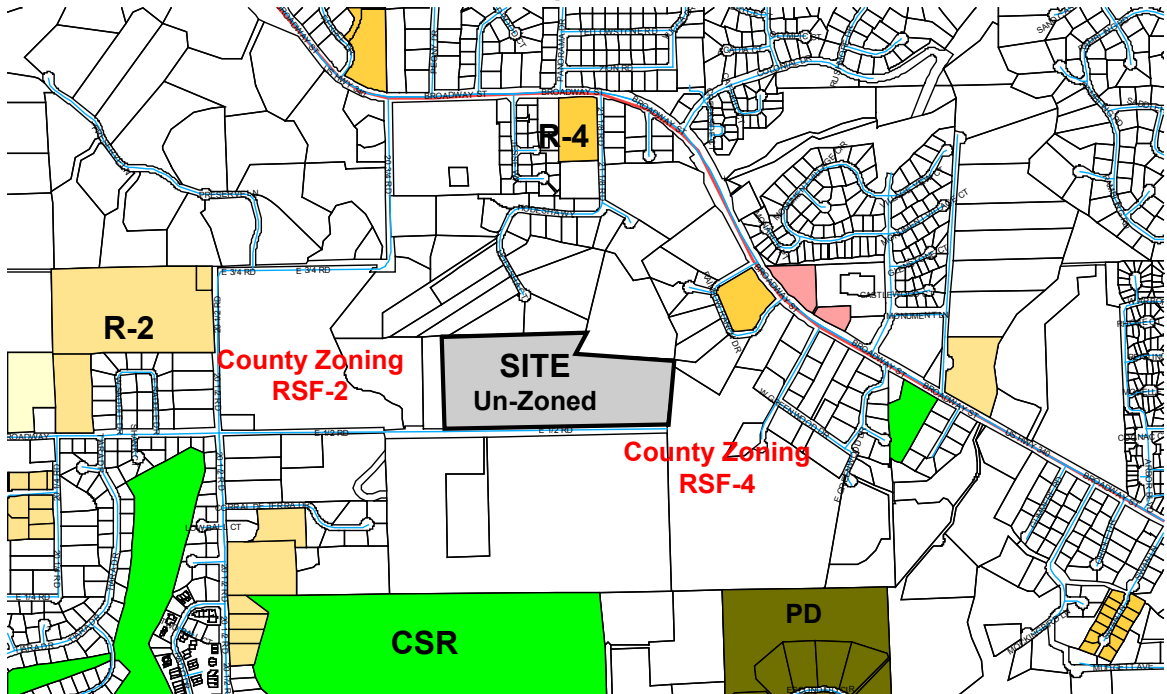
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CUNNINGHAM INVESTMENT ANNEXATION
TO R-E (RESIDENTIAL – ESTATE)**

LOCATED AT 2098 E ½ ROAD

Recitals:

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

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

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

The following property be zoned R-E (Residential Estate).

**CUNNINGHAM INVESTMENT ANNEXATION
Parcel Number 2947-221-00-150**

A parcel of land situated in the SE ¼ NE ¼ of Section 22 and the SW ¼ NW ¼ of Section 23, all in Township 11 South, Range 101 West of the 6th P. M., being more particularly described as follows:

Beginning at the East Quarter corner of said Section 22;
Thence North 89 degrees 36'00" West along the South line NE ¼ of said Section 22 a distance of 849.21 feet;
Thence North 00 degrees 00'56" East 737.76 feet;
Thence North 89 degrees 59'50" East 1150.35 feet;
Thence South 22 degrees 00'46" West 188.55 feet;
Thence South 85 degrees 56'19" East 779.40 feet;
Thence South 08 degrees 17'00" West 525.73 feet;
Thence North 89 degrees 36'00" West 932.42 to the Point of Beginning, Mesa County, Colorado

Said parcel contains 27.7 acres (1,206,612 square feet), more or less, as described.

INTRODUCED on first reading the _____ day of _____, 2009 and ordered published.

ADOPTED on second reading the _____ day of _____, 2009.

ATTEST:

President of the Council

City Clerk