



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

TUESDAY, JUNE 23, 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 April 28 and May 12, 2009 Regular Meetings.

- 2. **Siena View Partial Vacation of Easement – Vacation of Easement** [Attach 2](#)
Request a recommendation of approval to City Council to vacate approximately 40.39 square feet of the 14-foot wide Multipurpose Easement.

FILE #: VE-2009-132
PETITIONER: Gerry Dalton – G.D. Builders
LOCATION: 448 San Juan Street
STAFF: Lori Bowers

- 3. **Monument Village Commercial Center – Zone of Annexation** [Attach 3](#)
Request a recommendation of approval to City Council to zone 4.23 acres from County PUD (Planned Unit Development) to a City B-1 (Neighborhood Business) zone district.

FILE #: ANX-2009-116
PETITIONER: Joe Bishop – D & B Broadway Monument, LLC
LOCATION: 2152 Broadway Blvd
STAFF: Lori Bowers

- 4. **Peiffer Annexation – Zone of Annexation** [Attach 4](#)
Request a recommendation of approval to City Council to zone 1.76 acres from County RSF-4 (Residential Single Family 4 du/ac) to a City R-2 (Residential 2 du/ac) zone district.

FILE #: ANX-2009-113
PETITIONER: Jenny Peiffer
LOCATION: 2454 Bella Pago Drive
STAFF: Judith Rice

***** 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.

5. **Maverik Growth Plan Amendment – Growth Plan Amendment** [Attach 5](#)
Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation from RM (Residential Medium 4-8 du/ac) to C (Commercial) for the southern 1.48 acres.

FILE #: GPA-2009-023
PETITIONERS: Tina Millon, Glenn Lorton, George Halstead
LOCATION: 2948 F Road & 603 29 1/2 Road
STAFF: Senta Costello

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

REVISED

**Attach 1
Minutes of Previous Meeting**

**GRAND JUNCTION PLANNING COMMISSION
APRIL 28, 2009 MINUTES
6:00 p.m. to 6:05 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 (Vice-Chairman), Lynn Pavelka-Zarkesh, Reggie Wall, Patrick Carlow, Ebe Eslami and Mark Abbott.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Greg Moberg (Planning Services Supervisor), Brian Rusche (Senior Planner), Judith Rice (Associate Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 5 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

There were no minutes available at this time.

2. Summer Hill, Filing 7 & 8 – Preliminary Development Plan

Request approval of a revision of a Preliminary Development Plan and Final Subdivision Plan approval for Filing 7 to develop 28 lots on 9.189 acres in a PD (Planned Development) zone district and Final Subdivision Plan approval for Filing 8 to develop 43 lots on 20.017 acres in a PD (Planned Development) zone district.

FILE #: FP-2008-183
PETITIONER: Kevin Bray – Paradise Hills Partnership
LOCATION: East End of Spring Crossing
STAFF: Dave Thornton

3. Indian Road Drainage Easement Vacation – Vacation of Easement

Request approval to vacate a portion of a drainage easement within Indian Road Industrial Park.

FILE #: VE-2008-313
PETITIONERS: Trent Spendrup – 372 Indian Road, LLC and Darren

LOCATION: Davidson – Indian Road Industrial Park LLC
STAFF: No address (Indian Road Industrial Park)
Michelle Hoshide

4. Siena View, Filing No. 2 – Preliminary Subdivision Plan

Request approval of the Preliminary Subdivision Plan to develop 10 single family lots on 1.803 acres in an R-8 (Residential 8 du/ac) zone district.

FILE #: PFP-2008-206
PETITIONER: Gerry Dalton – Siena View LLC
LOCATION: D½ Road & San Juan Street
STAFF: Brian Rusche

5. 7th Street Right-of-Way Vacations – Vacation of Right-of-Way

Request a recommendation of approval to City Council to vacate two surplus right-of-way areas totaling 0.22 acres: (1) that portion of South 7th Street south of the Riverside Parkway and north of Struthers and (2) that portion of Kimball Avenue west of the Riverside Parkway

FILE #: VR-2009-053
PETITIONER: Mike Grizenko – City of Grand Junction
LOCATION: Vicinity of 7th Street, Struthers Avenue and Kimball Avenue
STAFF: Judith Rice

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. Commissioner Putnam stated that he noticed that the maps included with Item 3, the Indian Road drainage easement, showed a road south of the Riverside Parkway that he believed should be C Road rather than G Road. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

MOTION: (Commissioner Eslami) “Mr. Chairman, I move to approve the Consent Agenda.”

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

General Discussion/Other Business

None.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:05 p.m.

**GRAND JUNCTION PLANNING COMMISSION
MAY 12, 2009 MINUTES
6:00 p.m. to 6:17 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 (Vice-Chairman), Lynn Pavelka-Zarkesh, Ebe Eslami, Mark Abbott, Rob Burnett and Richard Schoenrad (Alternate). Commissioners Reggie Wall and Patrick Carlow were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Scott Peterson (Senior Planner), Ronnie Edwards (Associate Planner), and Michelle Hoshide (Associate Planner).

Also present was Jamie Beard (Assistant City Attorney).

Wendy Spurr was present to record the minutes.

There were 6 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the March 10, 2009, March 24, 2009 and April 14, 2009 Regular Meetings.

2. Hampton Inn Easement Vacation – Vacation of Easement

Request a recommendation of approval to City Council to vacate a 20' wide drainage easement in order to construct a 71,333 sq ft hotel in a C-1 (Light Commercial) zone district.

FILE #: SPR-2008-210

PETITIONERS: Michael Terry – National Lodging & Leisure, LLC

LOCATION: 2770 Crossroads Blvd

STAFF: Ronnie Edwards

3. Bella Dimora Subdivision – Preliminary Development Plan

Request a recommendation of approval to City Council to zone 13.87 acres to PD (Planned Development) with a default zone of R-8 (Residential 8 du/ac) and a recommendation of approval to City Council of a PDP (Preliminary Development Plan).

FILE #: PP-2007-304
PETITIONER: Ron Abeloe – Legend Partners LLC
LOCATION: Patterson Road & Legends Way
STAFF: Scott Peterson

4. Lang Industrial Park Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 4.9 acres from County R-R (Residential Rural) to a City I-2 (General Industrial) zone district.

FILE #: ANX-2009-072
PETITIONER: Darren Davidson – Precision Construction
LOCATION: 2764 C-3/4 Road, 2765 & 2767 Riverside Parkway
STAFF: Michelle Hoshide

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. Lisa Cox, Planning Manager, clarified item number 4, Lang Industrial Park Annexation, should read City I-1 (Light Industrial) zone district rather than I-2 (General Industrial). After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

MOTION: (Commissioner Putnam) “Mr. Chairman, I move that the Planning Commission approve the Consent Agenda as presented and amended by Ms. Cox.”

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

Public Hearing Items

5. R & L Subdivision – Simple Subdivision

An appeal of the Director’s Final Action on an administrative Development Permit to approve the combination of two (2) residential lots located at 2670 and 2672 Lookout Lane.

FILE #: SS-2009-015
PETITIONER: Alan N. Hassler – Spyglass Ridge HOA
LOCATION: 2670 Lookout Lane
STAFF: Ronnie Edwards

Chairman Cole announced that a request for a continuation had been received from the appellant and asked the Commission to consider the continuation. Ronnie Edwards, Associate Planner, advised that she had been notified by the Planning Manager that the applicant had requested a continuance to June 23, 2009. Commissioner Abbott asked for the reason for the requested continuance.

MOTION: (Commissioner Putnam): “Mr. Chairman, I move that we continue this item to the hearing on the 23rd of June.”

Jamie Beard, Assistant City Attorney, stated that an evidentiary hearing was necessary for this type of an appeal before the Planning Commission; however, that evidentiary hearing may be limited for testimony and evidence to be presented to include only that information that was on the record. It was the position of the appellant that even if it was limited, they wanted the opportunity to point out that information that was included within the record as to why they believed that the decision made by the Director was the incorrect decision or that the appeal should be granted.

Chairman Cole pointed out that the Commission had also received a letter requesting that this item not be continued. Commissioner Pavelka-Zarkesh seconded the motion for a continuance to June 23, 2009.

After discussion regarding hearing dates, Commissioner Putnam withdrew the motion and Commissioner Pavelka-Zarkesh withdrew the second for a continuance to the June 23, 2009 meeting. Commissioner Putnam asked for more specific legal advice as to whether or not it was at the Commission's discretion to hear more testimony. Assistant City Attorney Beard stated that an evidentiary hearing was required so testimony and evidence was necessary but that could be limited to just the information that was included within the record and as this was an administrative approval process, the record was basically the information that the planner had within the file. Chairman Cole stated that in order to be fair to both sides a continuance would give both sides sufficient time to prepare and make their appeal.

MOTION: (Commissioner Pavelka-Zarkesh): "Mr. Chairman, I move we continue the item to June 9th."

Commissioner Eslami seconded the motion. Commissioner Schoenradt asked if this was moved to June 9th and the parties failed to appear, would this item then be continued again. Chairman Cole stated that would be up to the Commission.

Commissioner Richard Schoenradt would like to have the motion modified to include that the hearing would occur on June 9, 2009. Ms. Beard stated that provision could be included in the motion; however, the difficulty would be that if something happened on the 9th and the Commission chose to change that, there could be a new motion at that time. She suggested that the motion to continue this item to June 9th be voted on. She said that she believed that it was clear that the Commission would prefer not to continue it past June 9th. A vote was called and the motion passed by a vote of 6 – 1 with Commissioner Abbott opposed.

General Discussion/Other Business

Lisa Cox, Planning Manager, mentioned that there would be no Board of Appeals meeting next week.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:17 p.m.

Attach 2
Siena View Vacation

CITY OF GRAND JUNCTION
 PLANNING COMMISSION

MEETING DATE: June 23, 2009
 PRESENTER: Lori V. Bowers

AGENDA TOPIC: Siena View Partial Vacation of Easement – VE-2009-132.

ACTION REQUESTED: Recommendation to City Council on vacation of a portion of 14-foot wide multi-purpose easement.

BACKGROUND INFORMATION					
Location:		448 San Juan Street			
Applicants:		G.D. Builders, Inc. – owner and developer			
Existing Land Use:		Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		R-8 (Residential – 8)			
Proposed Zoning:		No change			
Surrounding Zoning:	North	R-8 (Residential – 8)			
	South	R-8 (Residential – 8)			
	East	R-8 (Residential – 8)			
	West	R-8 (Residential – 8)			
Growth Plan Designation:		RM (Residential Medium 4 to 8 units/acre)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request to vacate a portion of a 14-foot multi-purpose easement (approximately 40.39 square feet), located at 448 San Juan Street, Lot 1, Block 1, Siena View Subdivision, Filing No. One.

RECOMMENDATION: Recommendation to City Council for approval.

ANALYSIS

1. Background:

The property was annexed into the City in 2003 as the Siena View Annexation. The final plat was recorded in 2006. As part of the final plat it was determined that a landscape tract would not be required along D 1/2 Road since there were no lots that backed up to D 1/2 Road. The two lots with frontage on D 1/2 Road are corner lots that take access from San Juan Street. It was stipulated that these lots were allowed to have backyard fences along D 1/2 Road, setback five feet from the right-of-way, thereby creating a side yard along D 1/2 Road.

In February, 2008 a Planning Clearance was issued for construction of a single family residence at 448 San Juan Street, which is the northeast corner lot of the subdivision; also known as Lot 1, Block 1, Siena View Subdivision.

A construction error took place and the northwest corner of the house encroaches into the 14-foot multi-purpose easement by almost two feet; please see Exhibit 1. The developer proposes a vacation of 40.39 square feet of the multi-purpose easement to remedy this situation; please see Exhibit B.

Utility locates were performed and letters supporting the vacation of this portion of the easement have been obtained from all the utility companies that have claim to this easement.

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

The vacation of the easement shall conform to the following:

- a. The Growth Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.

The easement to be vacated does not affect the goals and policies of the Growth Plan. It does not affect the major street plan as the area to be vacated is not located in a dedicated right-of-way. The vacation does not affect the Pear Park Neighborhood Plan.

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

No parcel will be landlocked as a result of the vacation.

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

Access to the lot, adjoining lots and the multi-purpose easement will not be restricted by this vacation. The vacation is necessary to remove an encroachment into a platted 14-foot multi-purpose easement, caused by a contractor's error.

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

The health, safety and/or welfare of the general community will not be harmed as there are no utilities located within the area to be vacated. The remainder of the multi-purpose easement is large enough to accommodate the existing utilities that are in place.

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

Adequate public facilities and services are not inhibited by the reduction in size of the multi-purpose easement in the area of the vacation.

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

The vacation of a portion of the easement does not provide any benefits to the City, but the vacation does not harm the City either. The remainder of the multi-purpose easement will continue to function in the manner that it was intended.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Siena View Partial Vacation of Easement application, VE-2009-132 for the vacation of a portion of a 14-foot multi-purpose easement, I make the following findings of fact and conclusions:

1. The requested easement vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11.C 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 partial easement vacation, VE-2009-132, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VE-2009-132, I move that the Planning Commission recommend to the City Council approval of the Resolution vacating a portion of the 14-foot multi-purpose easement, with the findings of fact and conclusions listed in the staff report.

Attachments:

Site Location Map/Aerial Photo Map

Future Land Use Map/Existing City and County Zoning Map

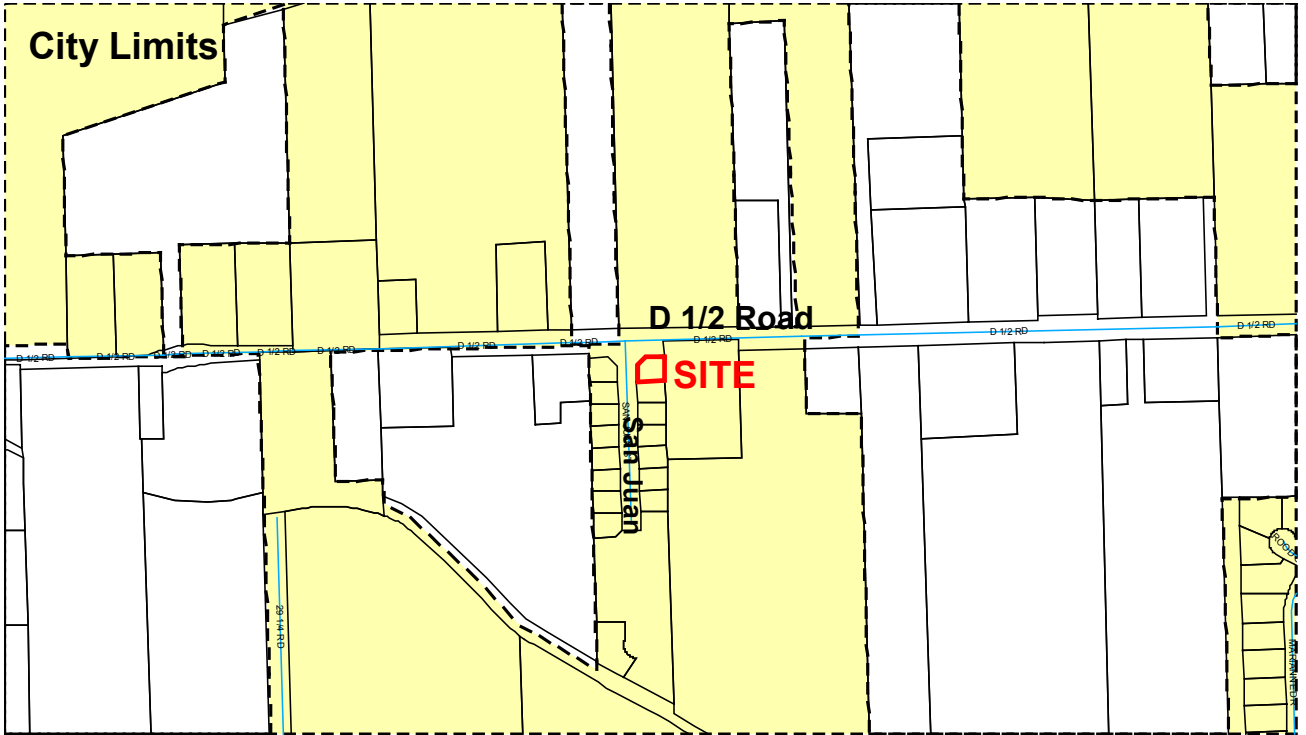
Exhibit 1

Exhibit A

Exhibit B

Site Location Map

448 San Juan



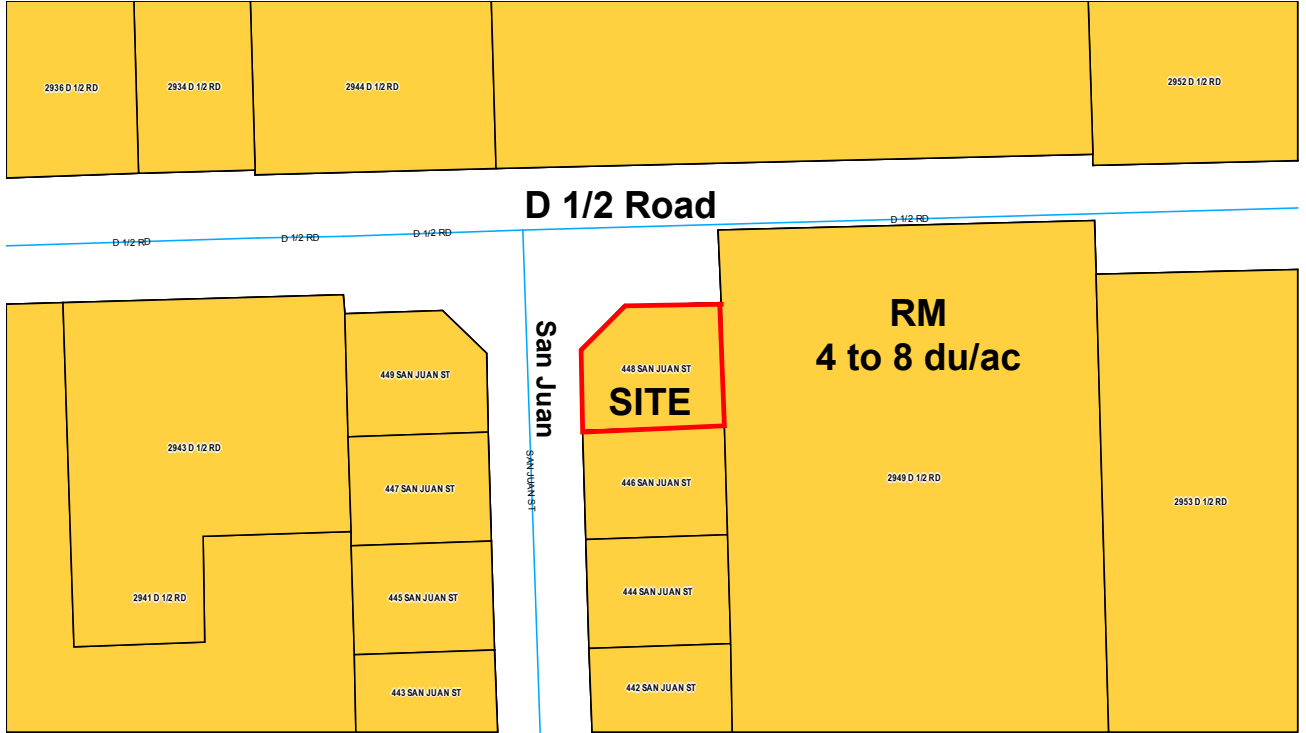
Aerial Photo Map

448 San Juan



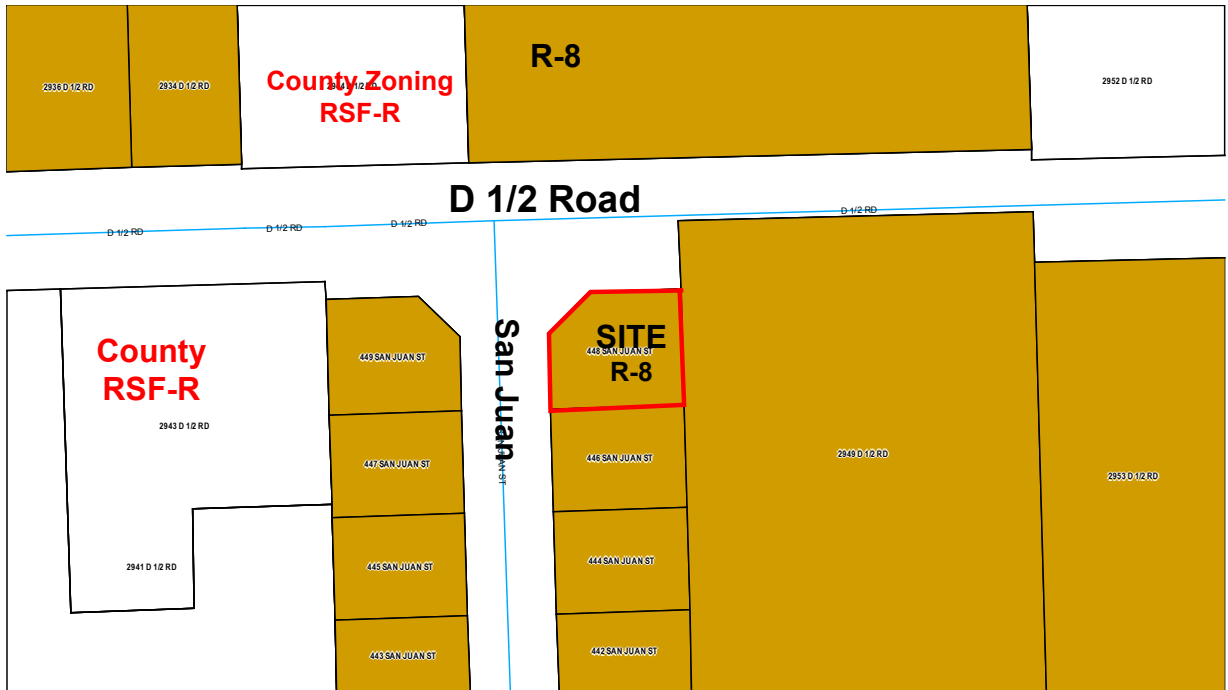
Future Land Use Map

488 San Juan



Existing City and County Zoning

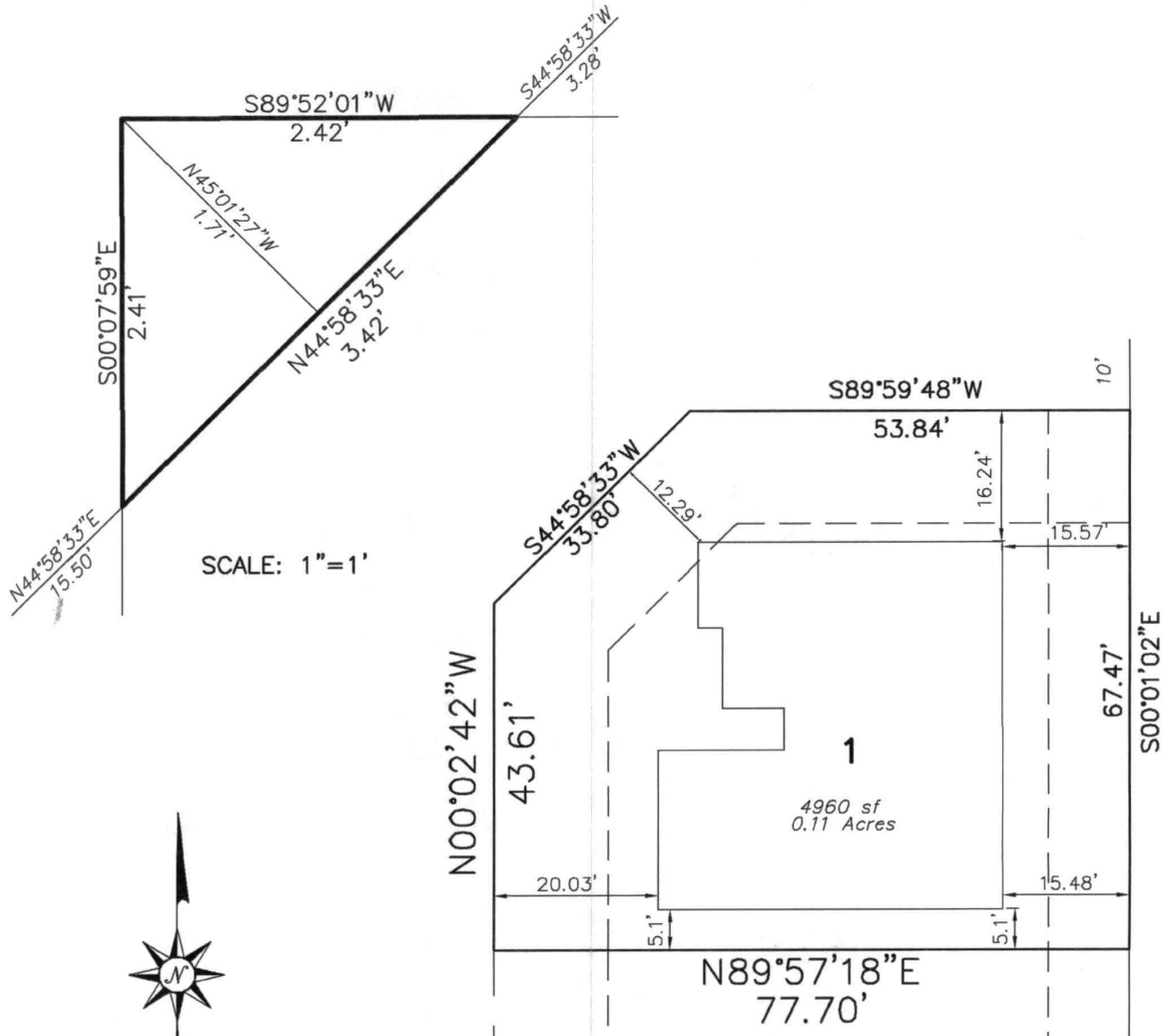
488 San Juan



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

EXHIBIT 1

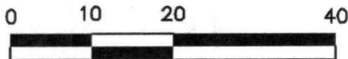
448 San Juan Street
 LOT 1, BLOCK 1
 SIENA VIEW SUBDIVISION, FILING NO. ONE
 BOOK 4279, PAGE 777, MESA COUNTY RECORDS
 GRAND JUNCTION, MESA COUNTY, COLORADO



SCALE: 1"=1'



SCALE: 1"= 20'



448 San Juan Street
High Desert Surveying, LLC

1673 Highway 50 Unit C
 Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO.	SURVEYED	DRAWN	CHK'D	SHEET	OF
09-40	BE/JF	rsk	JF	1	1
DATE: April, 2009					

EXHIBIT A

Vacation of a Portion of a 14.00 foot wide Multipurpose Easement

A parcel of land located in Lot 1, Block 1, Siena View Subdivision, Filing No. One, as shown on plat recorded in Book 4279, Page 777, Mesa County records, in the Northeast Quarter of the Southwest Quarter of Section 17, Township 1 South, Range 1 East of the Ute Meridian, Grand Junction, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Northeast corner of Lot 1, Block 1, Siena View Subdivision, Filing No. One, as shown on plat recorded in Book 4279, Page 777, Mesa County records whence the Southeast corner of said Lot 1, Block 1 bears South 00 degrees 01 minutes 02 seconds East, a distance of 67.47 feet, as shown on said plat of Siena View Subdivision, Filing No. One; thence South 00 degrees 01 minutes 02 seconds East, a distance of 14.00 feet; thence South 89 degrees 59 minutes 48 seconds West, a distance of 48.03 feet to the POINT OF BEGINNING; thence South 89 degrees 59 minutes 48 seconds West, a distance of 2.83 feet; thence South 44 degrees 58 minutes 33 seconds West, a distance of 18.20 feet; thence South 00 degrees 02 minutes 42 seconds East, a distance of 2.83 feet; thence North 44 degrees 58 minutes 33 seconds East, a distance of 22.19 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.001 acres or 40.39 square feet, as described.

Dalton Easement Vacation.doc/rsk

Prepared By:
Jeffrey C. Fletcher, PLS 24953
High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503

EXHIBIT B

448 San Juan Street
GD BUILDERS, INC.

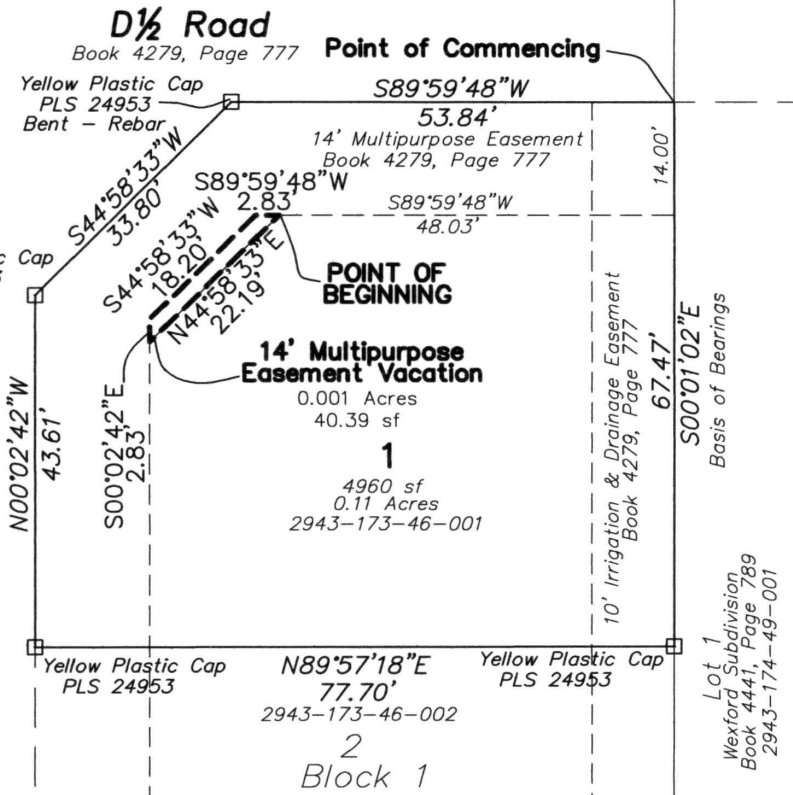
LOT 1, BLOCK 1

SIENA VIEW SUBDIVISION, FILING NO. ONE
BOOK 4279, PAGE 777, MESA COUNTY RECORDS
GRAND JUNCTION, MESA COUNTY, COLORADO



Sienna View Subdivision
Filing No. One
Book 4279, Page 777

San Juan Street
Book 4279, Page 777



GENERAL NOTES

Basis of bearings is the East line of the Lot 1, Block 1, Sienna View Subdivision, Filing No. One, as recorded in Book 4279, Page 777, which bears South 00 degrees 01 minutes 02 seconds East, a distance of 67.47 feet, established by observation of the MCGPS control network, which is based on the NAD 83 for Horizontal and NAVD 88 for Vertical Information. Both monuments on this line are Lot Corners, as shown on the face of said plat of Sienna View Subdivision, Filing No. One.

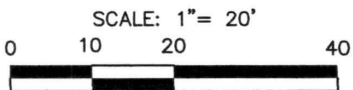
All lineal units shown hereon in U.S. Survey feet.

Note: Property corners located during this survey that were within 0.25± feet of the calculated point were accepted as being "in position".

High Desert Surveying, LLC

1673 Highway 50 Unit C
Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451



PROJ. NO. 09-40	SURVEYED	DRAWN	CHK'D	SHEET	OF
DATE: April, 2009	BE/JF	rsk	JF	1	1

**Attach 3
Monument Village Commercial Center**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: June 23, 2009
STAFF PRESENTATION: Lori V. Bowers

AGENDA TOPIC: Monument Village Commercial Center Zone of Annexation – ANX-2009-116

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

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		2152 Broadway Blvd.	
Applicants:		D & B Broadway Monument, LLC – owner and developer; Ciavonne Roberts and Associates – representative c/o Keith Ehlers	
Existing Land Use:		Vacant land	
Proposed Land Use:		Commercial subdivision	
Surrounding Land Use:	North	Residential subdivision	
	South	Residential large lot and City Fire Station #5	
	East	Church and large lot residential	
	West	Gas station and shopping center	
Existing Zoning:		County PUD (Planned Unit Development)	
Proposed Zoning:		B-1 (Neighborhood Business)	
Surrounding Zoning:	North	PUD (County Planned Unit Development)	
	South	County RSF-4 and CSR (Community Services and Recreation)	
	East	County RSF-4 and R-2 (Residential – units per acre)	
	West	County C-1	
Growth Plan Designation:		Commercial	
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: A request to zone the 5.77 acre Monument Village Commercial Center Annexation, consisting of one parcel, of which 1.54 acres is right-of-way, leaving 4.23 acres to be developed; located at 2152 Broadway Blvd., to a B-1 (Neighborhood Commercial) zone district.

RECOMMENDATION: Recommend approval to the City Council of the B-1 (Neighborhood Commercial) zone district.

ANALYSIS:

1. Background:

The 5.77 acre Monument Village Commercial Center Annexation consists of one parcel located at 2152 Broadway Blvd. Right-of-way included in the annexation area consists of 1.54 acres; such right-of-way includes a portion of 21 1/2 Road, also known as Monument Village Drive; a portion of Rio Hondo Road and the entirety of Monument Lane. The property owners have requested annexation into the City to B-1, Neighborhood Commercial. 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 B-1 conforms to the Future Land Use Map, which has designated the property as Commercial.

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

Zone of Annexation: The requested zone of annexation to the B-1 (Neighborhood Commercial) zone district is consistent with the Growth Plan designation of Commercial. 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 zone is consistent with and implements the Commercial Growth Plan Designation of Commercial for this property. The Redlands Area Plan also identifies this area as a potential commercial site.

- 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 exist in the area and can be expanded through the site. Eight inch sewer lines surround the property on the North, West and East. Eight inch water lines are located on the North and East and a twelve inch line runs along Broadway.

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. RO: Residential Office
- b. C-1: Light Commercial

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 Monument Village Commercial Center Annexation, ANX-2009-116, 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 B-1 (Neighborhood Commercial) zone district for the Monument Village Commercial Center Annexation, ANX-2009-116 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

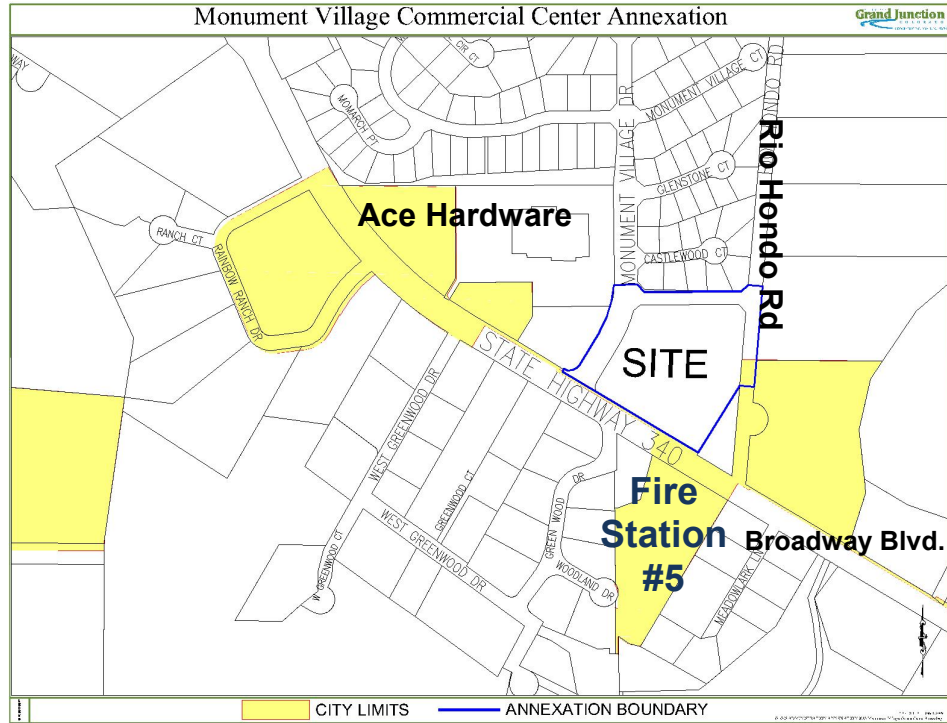
Mr. Chairman, on the Monument Village Commercial Center Zone of Annexation, ANX-2009-116, I move that the Planning Commission forward to the City Council a recommendation of approval of the B-1 (Neighborhood Commercial) zone district for the Monument Village Commercial Center Annexation with the facts 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
Zoning Ordinance

Annexation/Site Location Map

2152 Broadway Blvd.



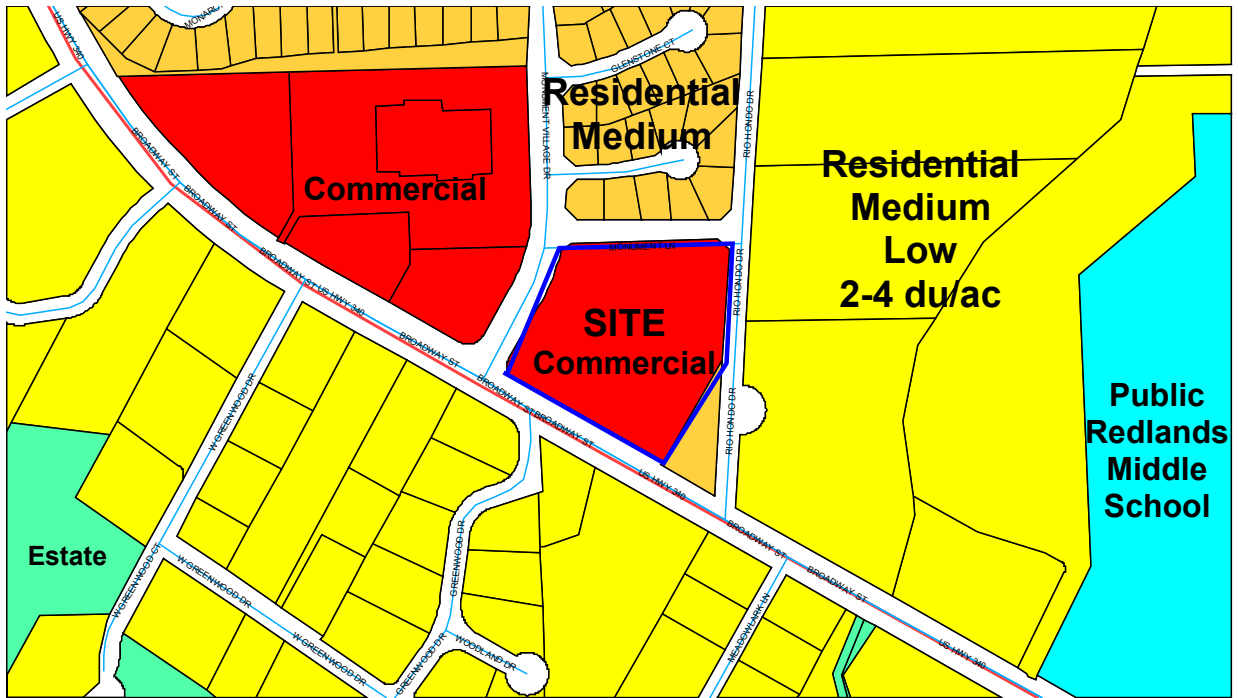
Aerial Photo Map

2152 Broadway Blvd.



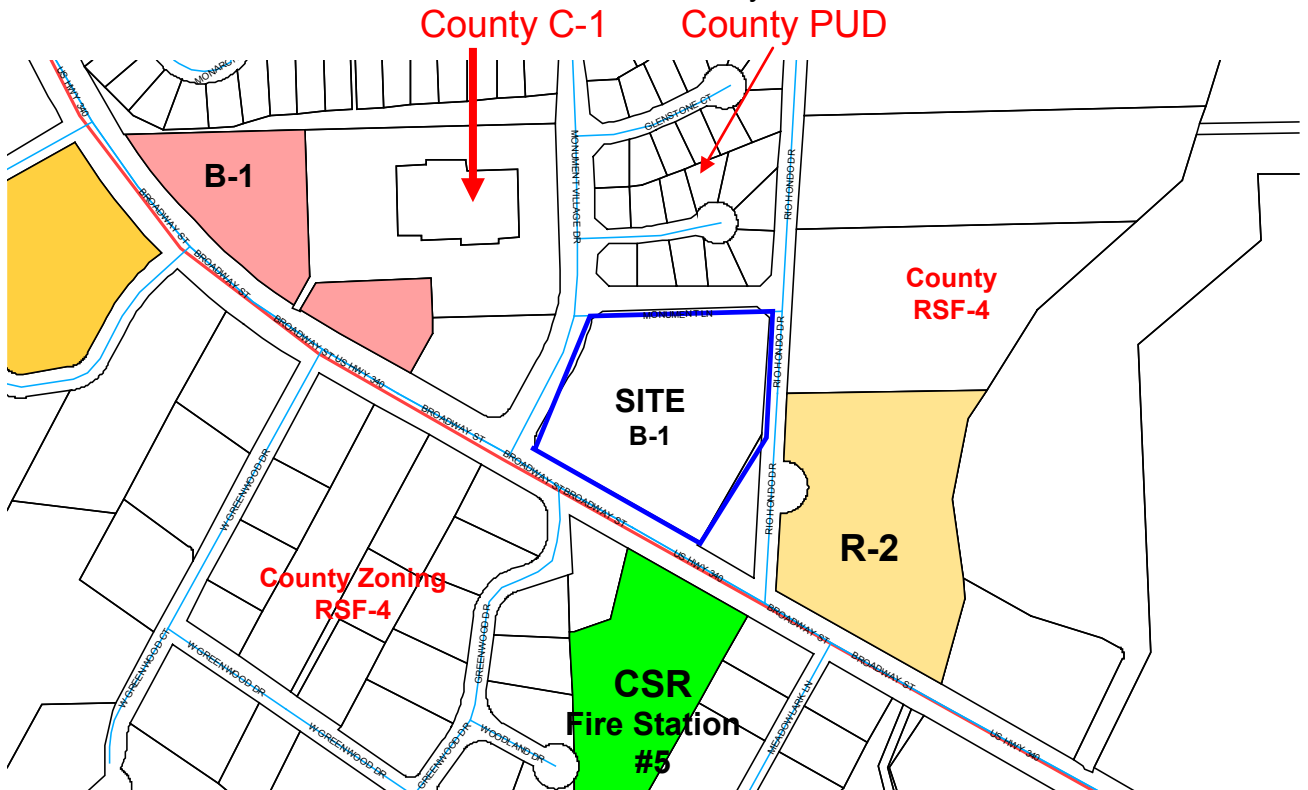
Future Land Use Map

2152 Broadway



Existing City and County Zoning Map

2152 Broadway



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MONUMENT VILLAGE COMMERCIAL CENTER
ANNEXATION
TO B-1 (NEIGHBORHOOD COMMERCIAL)**

LOCATED AT 2152 BROADWAY BLVD.

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 Monument Village Commercial Center Annexation to the B-1 (Neighborhood Commercial) 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 Commercial) 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 B-1 (Neighborhood Commercial).

Monument Village Commercial Center Annexation

A certain parcel of land located in the North Half (N 1/2) of Section 23, Township Eleven South (11S), Range One Hundred One West (101W) of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southeast corner of Block 1 of Monument Village Commercial Center, as same is recorded in Plat Book 17, Page 396, public records of Mesa County, Colorado and assuming the Easterly line of Block 1 of said Monument Village Commercial Center to bear S31°49'46"W with all bearings contained herein relative thereto; thence N59°06'25"W a distance of 549.53 feet along the Northerly Right of Way of Colorado State Highway 340; thence N30°53'25"E a distance of 10.24 feet along the Northerly line of Ace Hardware Annexation No. 2, Ordinance No. 3831, City of Grand Junction to a point on the Southerly line of Monument Village Shopping Center Filing 2, as same is recorded in Plat Book 15, Pages 59 through 60 inclusive of the Mesa County, Colorado public records; thence along the Easterly line of Lot 2 of said Monument Village Shopping Center Filing 2 the following three (3) courses: (1) 62.83 feet along the arc of a 40.00 foot radius curve, concave Northwest, having a central

angle of 89°59'39" and a chord bearing N75°58'15"E a distance of 56.57 feet; (2) N30°58'06"E a distance of 135.67 feet; (3) 171.78 feet along the arc of a 357.69 foot radius curve, concave Northwest, having a central angle of 27°30'55" and a chord bearing N17°12'52"E a distance of 170.13 feet; thence N89°46'42"E a distance of 80.12 feet to a point on the Westerly line of Lot 1 of Monument Village Filing No. 6, as same is recorded in Plat Book 18, Page 85 of the Mesa County, Colorado public records; thence along the South line of said Monument Village Filing No. 6 the following three (3) courses: (1) S43°42'08"E a distance of 36.28 feet; (2) N89°46'42"E a distance of 335.90 feet; (3) N47°21'37"E a distance of 33.73 feet to a point on the West Right of Way of Rio Hondo Road, as same is recorded in Book 945, Page 602 of the Mesa County, Colorado public records; thence S85°03'29"E a distance of 50.00 feet to a point on the said East Right of Way of Rio Hondo Road; thence S04°56'31"W a distance of 350.32 feet along the East Right of Way of said Rio Hondo; thence N85°03'29"W a distance of 50.00 feet to a point on the West Right of Way of said Rio Hondo; thence S31°49'46"W a distance of 273.88 feet to the Point of Beginning.

Said parcel contains 5.77 acres (251,451.33 sq. ft.), more or less, as described.

INTRODUCED on first reading the 13th day of July, 2009 and ordered published.

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

ATTEST:

President of the Council

City Clerk

**Attach 4
Peiffer Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: June 23, 2009
STAFF PRESENTATION: Judith Rice

AGENDA TOPIC: Peiffer Zone of Annexation – ANX-2009-113

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

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		2454 Bella Pago Drive	
Applicants:		Jenny N. Peiffer	
Existing Land Use:		Residential Single Family	
Proposed Land Use:		Residential Single Family	
Surrounding Land Use:	North	Vacant	
	South	Residential Single Family	
	East	Residential Single Family	
	West	Vacant	
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/acre)	
Proposed Zoning:		R-2 (Residential 2 du/acre)	
Surrounding Zoning:	North	PD (Residential Planned Development)	
	South	County RSF-4 (Residential Single Family 4 du/acre)	
	East	R-4 (Residential 4 du/acre)	
	West	PD (Residential Planned Development)	
Growth Plan Designation:		Residential Low	
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: A request to zone the 1.76 acre Peiffer Annexation, consisting of one (1) parcel located at 2454 Bella Pago Drive to R-2 (Residential 2 du/acre) zone district.

RECOMMENDATION: Recommend approval to the City Council of the R-2 (Residential 2 du/acre) zone district.

ANALYSIS:

1. Background:

The 1.76 acre Peiffer Annexation consists of one (1) parcel located at 2454 Bella Pago Drive. The property owners have requested annexation into the City and a zoning of R-2 (Residential 2 du/acre). 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 must 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-2 (Residential 2 du/acre) conforms to the Future Land Use Map, which has designated the properties as Residential Low.

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-2 (Residential 2 du/acre) zone district is consistent with the Growth Plan Future Land Use designation of Residential Low. The existing County zoning is RSF-4 (Residential Single Family 4 du/acre). 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-2 (Residential 2 du/acre) zone district conforms to the Growth Plan's Future Land Use Residential Low designation.

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

Adequate public facilities and services are available to accommodate the R-2 (Residential 2 du/acre) zone district. Existing sewer service is provided by a 4 inch gravity sewer service line which traverses the adjacent property to the east within a 10 foot wide sewer service easement. The 4 inch line connects to an 8 inch service line in the Country Club Park Road right-of-way. Per City standards, any further residential development will require off-site construction in the easement to provide adequate sewer service. Existing water service is connected to a 3 inch Ute Water line which lies in the Bella Pago Drive right-of-

way. Any further residential development can connect directly to this water service line.

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. R-E (Residential Estate 1 du/2 ac)
- b. R-1 (Residential 1 du/acre)

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 Peiffer Annexation, ANX-2009-113, 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 R-2 (Residential 2 du/acre) zone district for the Peiffer Annexation, ANX-2009-113, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

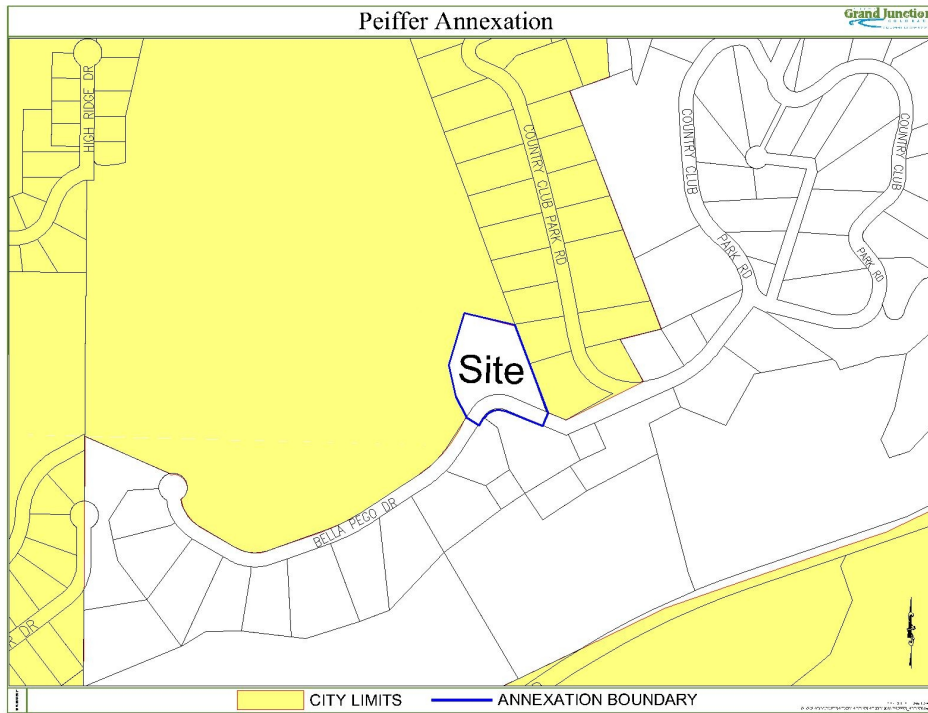
Mr. Chairman, on the Peiffer Zone of Annexation, ANX-2009-113, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-2 (Residential 2 du/acre) zone district for the Peiffer Annexation with the facts and conclusions listed in the staff report.

Attachments:

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

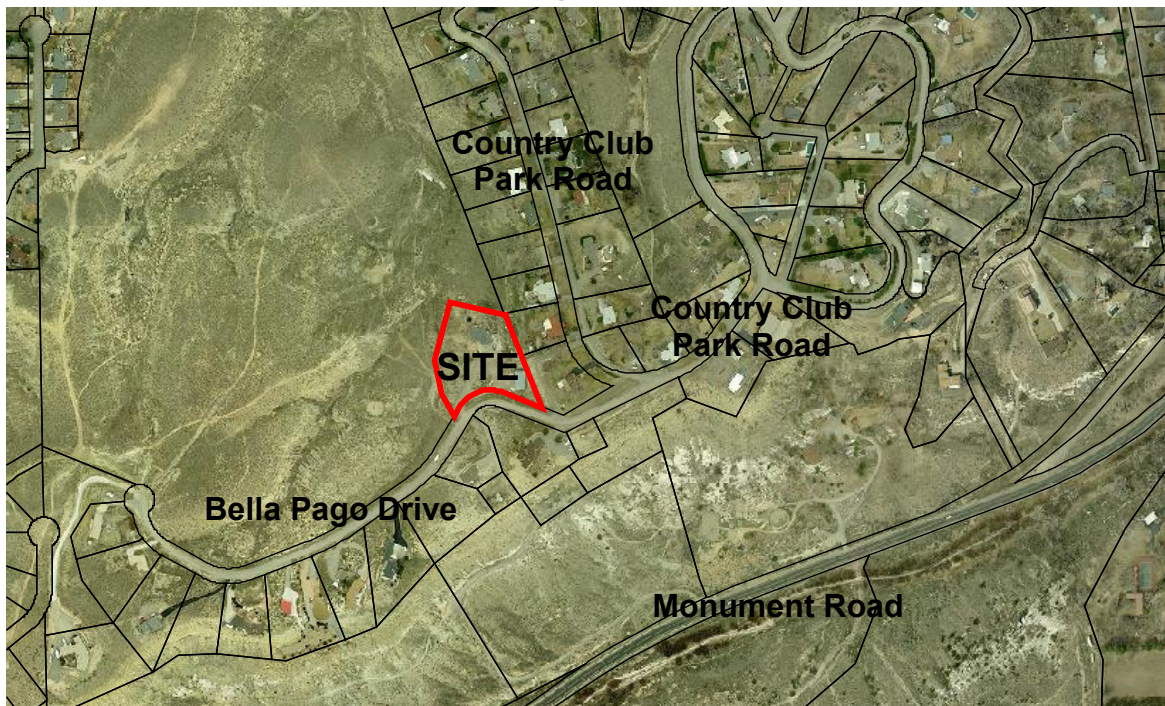
Annexation/Site Location Map

Figure 1



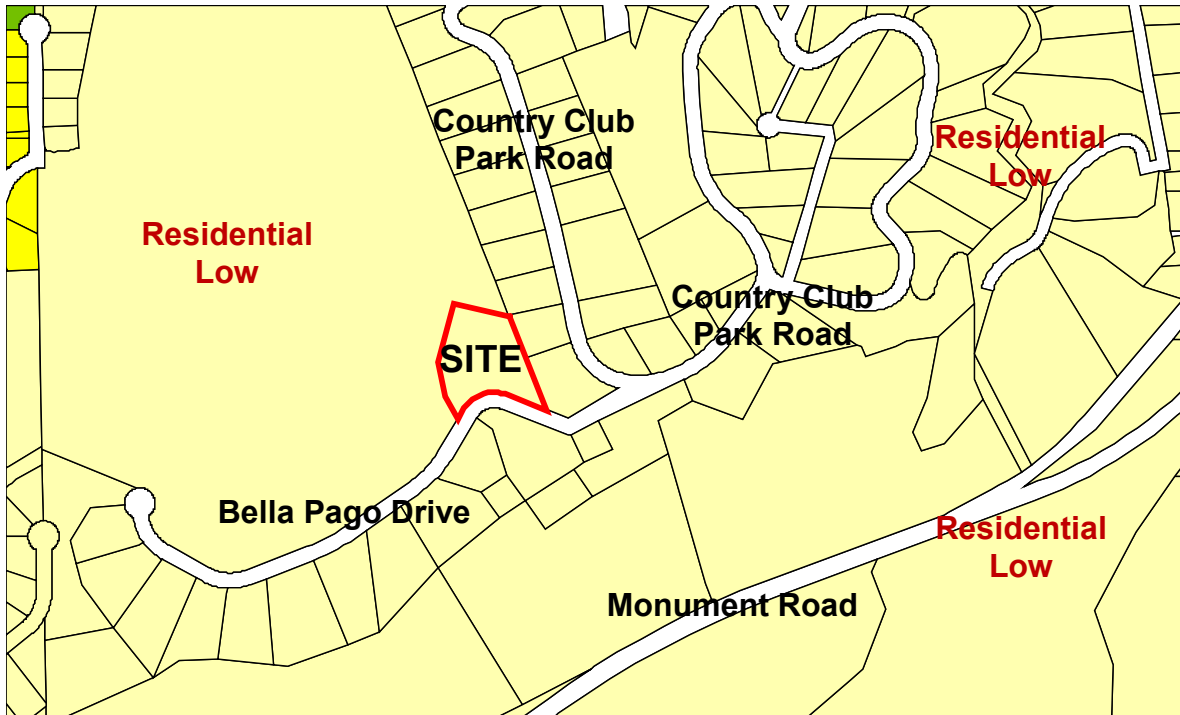
Aerial Photo Map

Figure 2



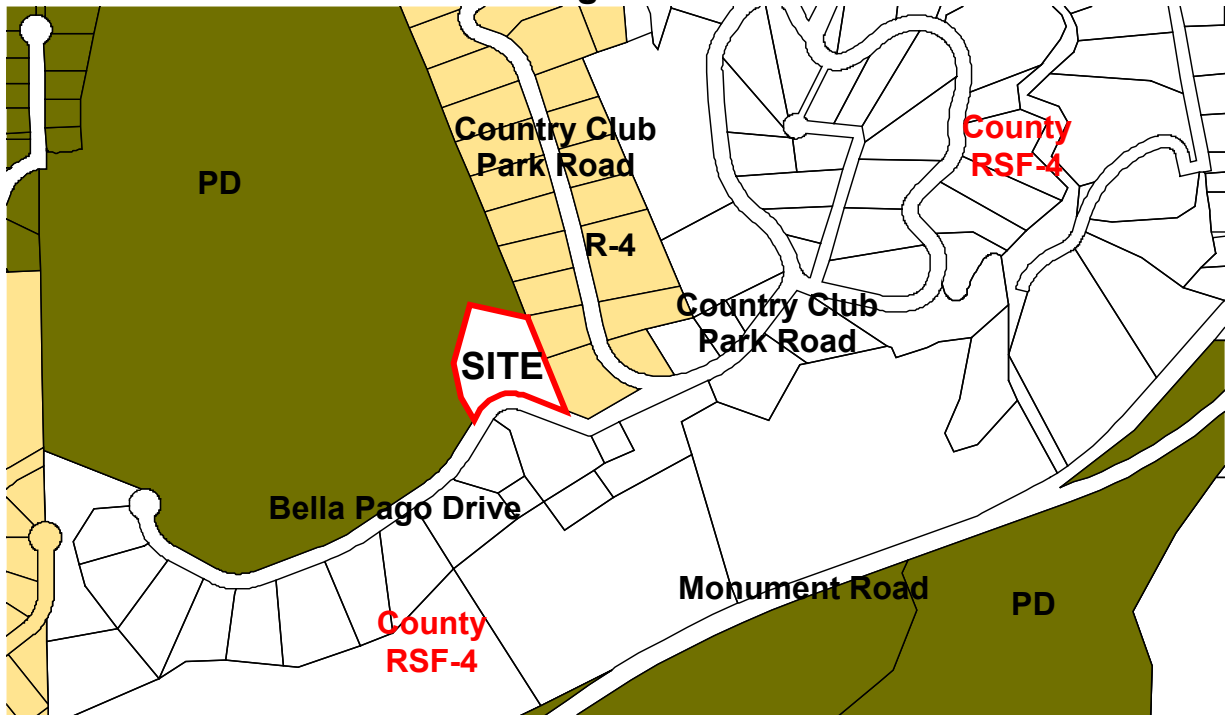
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE PEIFFER ANNEXATION
TO R-2 (RESIDENTIAL 2 DU/ACRE)**

LOCATED AT 2454 BELLA PAGO DRIVE

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 Peiffer Annexation to the R-2 (Residential 2 du/acre) 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-2 (Residential 2 du/acre) 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-2 (Residential 2 du/acre).

PEIFFER ANNEXATION

A parcel of land in the E 1/2 of the NW 1/4 and the W 1/2 of the NE 1/4 of Section 21, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, more particularly described as follows:

Beginning at a point on the West line of Country Club Park Subdivision, from which point the 1/4 corner of said Section 21 and Section 16 bears N 19°56'12" W, 1260.80 feet and S 89°31'51" E, 230.00 feet; thence along the said West line S 19°56'12" E, 331.51 feet to the North right-of-way of Bella Pago Drive; thence along said right-of-way the following 3 courses:

1) N 67°01'42" W, 139.37 feet;

2) along a curve to the left having a radius of 114.38 feet, a central angle of 79°59'03", a length of 159.68 feet, the chord of which bears S 72°58'47" W, 147.02 feet;

3) S 32°59'15" W, 28.79 feet;

thence leaving said right-of-way along the boundary of Ridge Point – Filing 1 the following 4 courses:

1) N 27°48'16" W, 81.73 feet;

2) N 11°34'38" W, 116.24 feet;

3) N 17°28'04" E, 190.91 feet;
S 75°59'13" E, 181.07 feet to the point of beginning.

INTRODUCED on first reading the 13th day of July, 2009 and ordered published.

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

ATTEST:

President of the Council

City Clerk

**Attach 5
Maverik GPA**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: June 23, 2009
PRESENTER: Senta L. Costello

AGENDA TOPIC: Maverik Growth Plan Amendment – GPA-2009-023

ACTION REQUESTED: Recommendation to City Council on a Growth Plan Amendment

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:	2948 F Road and 603 29 1/2 Road		
Applicants:	Owners: Tina Million, Glenn Lorton Jr., George & Verna Halstead Developer/Representative: Maverik, Inc – Don Lilyquist		
Existing Land Use:	Single Family Residential		
Proposed Land Use:	Single Family Residential / Commercial		
Surrounding Land Use:	North	Single Family Residential	
	South	Convenience store	
	East	Single Family Residential	
	West	Vacant residential	
Existing Zoning:	County RSF-4 (Residential Single Family 4 du/ac)		
Proposed Zoning:	City C-1 (Light Commercial)/R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac)	
	South	County RSF-4 (Residential Single Family 4 du/ac) / City B-1 (Neighborhood Business)	
	East	County RMF-5 (Residential Multi-family 5 du/ac)	
	West	County RSF-4 (Residential Single Family 4 du/ac)	
Growth Plan Designation:	Residential Medium 4-8 du/ac		
Zoning within density range?	With GPA	Yes	No

PROJECT DESCRIPTION: Growth Plan Amendment to change the Future Land Use designation on a portion of two properties from Residential Medium 4-8 du/ac to Commercial.

RECOMMENDATION: Recommend approval to City Council of the Growth Plan Amendment

ANALYSIS

1. Background

The property is currently in the annexation process. Referral of the annexation petition, introduction of the Annexation Ordinance, and Land Use Jurisdiction were accepted by City Council on May 4, 2009. If the Growth Plan Amendment is granted, the applicant wishes to reconfigure the property lines along the new Future Land Use designation line and develop the southern portion commercially.

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

Response: There was not an error in the Future Land Use designation at the time of adoption;

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

Response: Traffic volumes along F Road have steadily increased since the adoption of the current residential designation. Higher traffic volumes lower the desirability for residential uses directly abutting the high volume right-of-way.

- 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;

Response: Traffic volumes along F Road have steadily increased since the adoption of the current residential designation. Higher traffic volumes lower the desirability for residential uses directly abutting the high volume right-of-way. A transitional commercial use would help buffer residential uses located further north along 29 1/2 Road.

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

Response: The request is consistent with the following goals and policies of the Growth Plan:

- Goal 1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

- Policy 1.6: The City and County may permit the development of limited neighborhood service and retail uses within an area planned for residential land use categories.
- Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that proposed residential and non-residential development is compatible with the planned development of adjacent property.
- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
 - Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
- Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.
 - Policy 11.1: The City and County will promote compatibility between adjacent land uses by addressing traffic, noise, lighting, height/bulk differences, and other sources of incompatibility through the use of physical separation, buffering, screening and other techniques.
 - Policy 11.2: The City and County will limit commercial encroachment into stable residential neighborhoods. In areas designated for residential development the City and County may consider inclusion of small scale neighborhood commercial development that provides retail and service opportunities in a manner compatible with surrounding neighborhoods in terms of scale and impact.

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

Response: A 12" Ute water line, 12" sanitary sewer line, and 36" storm sewer line exist in F Road adjacent the subject property; a 4" Ute water line and an 8" sanitary sewer line are located in 29 1/2 Road.

- 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

Response: F Road between 28 1/4 Road and 31 Road has very little opportunities for transitional or small scale commercial developments that could serve as neighborhood service possibilities. A commercial designation at this location would add an opportunity for additional service type uses to the neighborhood.

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

A commercial designation at this location would add an opportunity for additional service type uses to the neighborhood, potentially eliminating the need to drive to another location further away.

FINDINGS OF FACT/CONCLUSIONS/CONDITION

After reviewing the Maverik application, GPA-2009-023 for a Growth Plan Amendment, I make the following findings of fact, conclusions and condition:

1. The proposed amendment is consistent with the purpose and intent of the Plan.
2. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.
3. The Growth Plan Amendment is conditioned upon recordation of a Simple Subdivision to realign to property line with the revised Future Land Use designation split.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested Growth Plan Amendment, GPA-2009-023 to the City Council with the findings, conclusions and condition listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

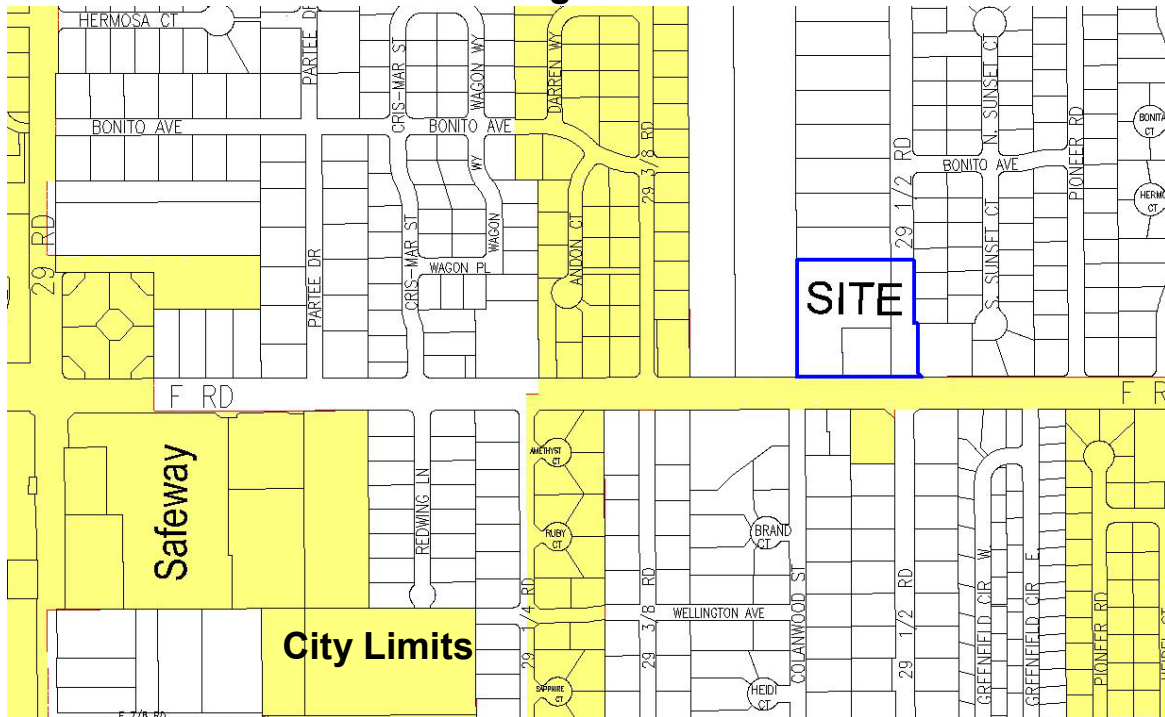
Mr. Chairman, on item GPA-2009-023, Maverik Growth Plan Amendment, I move that we forward a recommendation of approval to the City Council with the findings, conclusions, and condition listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City and County Zoning Map
Letters and petition from neighboring property owners
Resolution

Site Location Map

Figure 1



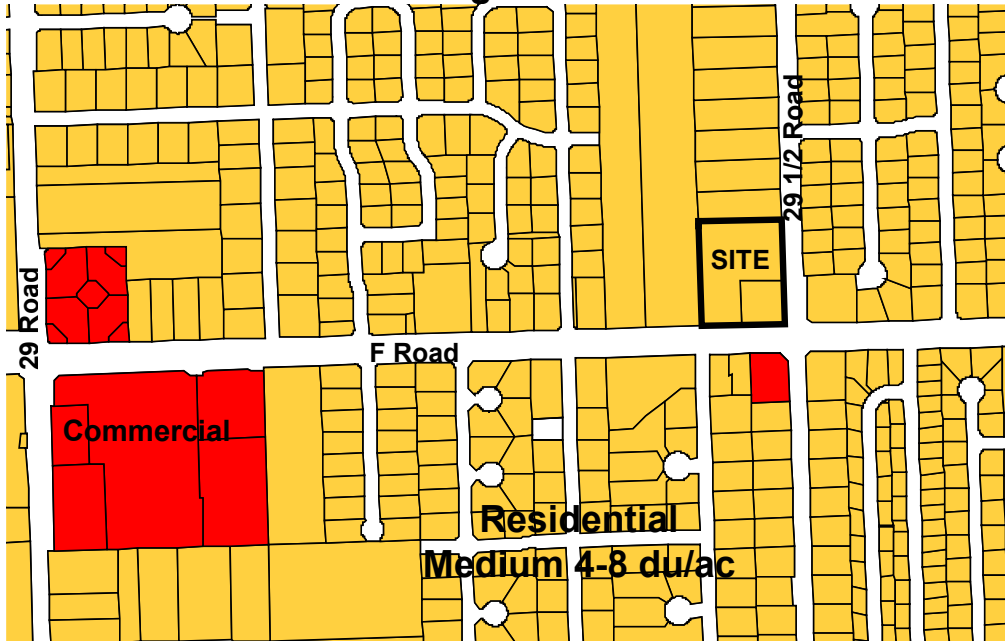
Aerial Photo Map

Figure 2



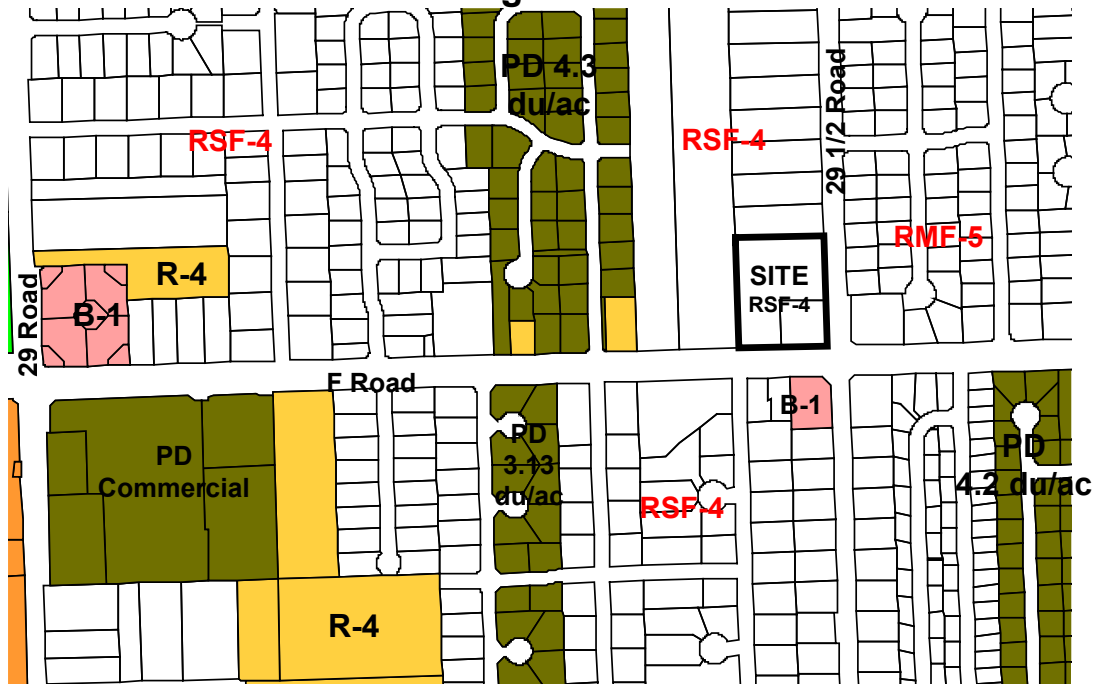
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

Grand Junction Planning and Zoning Dept.

Dear City of Grand Junction:

As the owners of the property at 609 29 ½ rd, we are asking that you do not re-zone the property on the corner of 29 ½ rd & Patterson to commercial. Thereby denying the proposed gas station/convenient store commercial establishment from being built at this location. As our home and at least six other homes within 400 feet of the proposed gas/convenient store, not to mention all the homes within a thousand feet, will lose a great number of potential buyers for our homes, if we ever decide to sell. The proprietors of the proposed establishment will probably tell you that there establishment will not affect the real estate market in the area. But you have to ask yourself, would you want to purchase a home that close to a convenient store?

There will also be and increased number of traffic accidents in the area; because of the volume of traffic, and the increased number of vehicles pulling in and out of the proposed gas station. Not only that, but the amount of crime in the area will also increase. If you ask any employee who works the graveyard shift at a 24 hour convenient store, they will all tell you that the majority of customers visiting a convenient store during the odd hours of the night are generally not outstanding citizens in the community. And if the proposed convenient store was built there would be people like that, loitering around our homes at all hours of the night.

This proposed convenient store is not needed. This is a residential area of Patterson, and there are already three gas station/convenient stores within a half mile of the proposed location, not to mention a Grocery Store. There is nowhere else in the city of Grand Junction, that these kinds of establishments are clustered in such close proximity. Therefore, there really is no good reason for building another gas station/convenient store in this area. And the consequences of building another one far outweigh the benefits.

We ask that you put yourselves in our shoes, and see it from our prospective. If the property is re-zoned to commercial; our home values will drop, we will have to deal with the noise, lights, gas smells, loiterers, and a whole wave of other issues that would come about if the establishment was built within this residential area.

Dean Rogers
Kim Rogers

Grand Junction Planning and Zoning Dept.

Dear Sir:

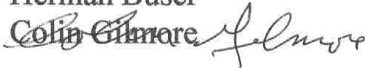
Please be advised that Mr. Herman Buser and Mr. Colin Gilmore, owners of the property and home at 610 29 ½ Road, Parcel Number 2924-054-36-005, are against the rezoning of the residential property at the corner of 29 ½ Road and Patterson Road for commercial use.

Over the years the traffic on 29 ½ Road has increased as has the traffic on Patterson Road, especially during the evening and night times to such extent that there is continual noise at all hours.

Having a fueling station and food market will surely increase the traffic and noise and decrease home values. We see little justification for adding this facility at this location as the same services are available just across the street.

Thank you in advance for your consideration


Herman Buser


Colin Gilmore

City of Grand Junction
Public Works & Planning Department
Planning Division
250 North 5th Street
Grand Junction, CO 81501

BACKGROUND:

Maverik County Stores, INC. has submitted a development application to the City of Grand Junction to construct a 24- hour convenience store and 24-hour gas station on the Northwest corner of Patterson Road and 29 ½ Road and rezone the property from R-4 (Residential 4 du/ac) to C-1 (Light Commercial).

PETITION:

We want the City of Grand Junction to deny the application and protect the residential uses, our property values and the safety of our neighborhood because:

1. The project expands an already busy commercial use area by adding a 4th Convenience Store/Gasoline Station within a 1075 foot radius and staying open 24 hours a day.
2. A convenience store will not serve the residents of the area but rather "The motoring public".
3. A 24 hour facility will increase the possibility of crime in the area.
4. The business would increase the noise, lighting and traffic into the bedtime hours and potentially create a public nuisance.
5. The residents of the area and public are already well served by 3 gasoline stations and 3 convenience/grocery stores. And are all located within a half mile of the site.
6. Adding a convenience store/gasoline station at an intersection where one already exists encourages loiters, unsafe activity and litter.
7. The business will decrease the residential property values in the immediate area.
8. Restore public confidence that government is for the people and by the people.

SIGN THE PETITION

Name	Address	Date
Jim ROGERS	6009 29 1/2 RD.	2-21-09
Gladya Beals	2953 Bonito Ln	2-21-09
Mate Steen	2954 Bonito Ln	2-21-09
Nehorah Steen	2954 Bonito Ln.	2-21-09
Nomi(K) Bouckard	621 N. Sunset Ct -	2-21-09
Ed & Tamara Shadrin	624 N. Sunset Ct.	2-21-09
G. Jg	622 N. Sunset Ct.	2-21-09
Iris Miller	619 1/2 N. Sunset Ct -	2-21-09
Rozanna Alba	618 1/2 N Sunset Ct	2-21-09

City of Grand Junction
Public Works & Planning Department
Planning Division
250 North 5th Street
Grand Junction, CO 81501

BACKGROUND:

Maverik County Stores, INC. has submitted a development application to the City of Grand Junction to construct a 24-hour convenience store and 24-hour gas station on the Northwest corner of Patterson Road and 29 1/2 Road and rezone the property from R-4 (Residential 4 du/ac) to C-1 (Light Commercial).

PETITION:

We want the City of Grand Junction to deny the application and protect the residential uses, our property values and the safety of our neighborhood because:

1. The project expands an already busy commercial use area by adding a 4th Convenience Store/Gasoline Station within a 1075 foot radius and staying open 24 hours a day.
2. A convenience store will not serve the residents of the area but rather "The motoring public".
3. A 24 hour facility will increase the possibility of crime in the area.
4. The business would increase the noise, lighting and traffic into the bedtime hours and potentially create a public nuisance.
5. The residents of the area and public are already well served by 3 gasoline stations and 3 convenience/grocery stores. And are all located within a half mile of the site.
6. Adding a convenience store/gasoline station at an intersection where one already exists encourages loiters, unsafe activity and litter.
7. The business will decrease the residential property values in the immediate area.
8. Restore public confidence that government is for the people and by the people.

SIGN THE PETITION

Name	Address	Date
<u>William S. Chaska</u>	<u>618 N. Sunset</u>	<u>2/21/09</u>
<u>Eleanor Martin</u>	<u>2956 Bonito Ln.</u>	<u>2/21/09</u>
<u>Gordon Weaver</u>	<u>2957 Bonito Ln</u>	<u>2/21/09</u>
<u>Edward Markuson</u>	<u>611, 29 1/2 Rd</u>	<u>2/21/09</u>
<u>Dean Rogers</u>	<u>609 29 1/2 Rd</u>	<u>2/28/09</u>
<u>Miguel Torres</u>	<u>608 29 1/2 Rd</u>	<u>2/28/09</u>
<u>J. Charbonneau</u>	<u>605 S. Sunset</u>	<u>2/28/09</u>
<u>Diana S Nikkari</u>	<u>603 S Sunset Ct</u>	<u>2-28-09</u>
<u>Darrell Christensen</u>	<u>601 S. SUNSET CT</u>	<u>2-28-09</u>

City of Grand Junction
 Public Works & Planning Department
 Planning Division
 250 North 5th Street
 Grand Junction, CO 81501

BACKGROUND:

Maverik County Stores, INC. has submitted a development application to the City of Grand Junction to construct a 24- hour convenience store and 24-hour gas station on the Northwest corner of Patterson Road and 29 ½ Road and rezone the property from R-4 (Residential 4 du/ac) to C-1 (Light Commercial).

PETITION:

We want the City of Grand Junction to deny the application and protect the residential uses, our property values and the safety of our neighborhood because:

1. The project expands an already busy commercial use area by adding a 4th Convenience Store/Gasoline Station within a 1075 foot radius and staying open 24 hours a day.
2. A convenience store will not serve the residents of the area but rather "The motoring public".
3. A 24 hour facility will increase the possibility of crime in the area.
4. The business would increase the noise, lighting and traffic into the bedtime hours and potentially create a public nuisance.
5. The residents of the area and public are already well served by 3 gasoline stations and 3 convenience/grocery stores. And are all located within a half mile of the site.
6. Adding a convenience store/gasoline station at an intersection where one already exists encourages loiters, unsafe activity and litter.
7. The business will decrease the residential property values in the immediate area.
8. Restore public confidence that government is for the people and by the people.

SIGN THE PETITION

Name	Address	Date
David Vigil	606 29½	2/20/09
Christine Angello	604 29½	2/20/09
Tim Richardson	602 29½	2/20/09
Barbara P. P. P.	613 29½	2-20-09
John Lati	619 29½	2/20/09
Steve Dibble	624 29½	2/20/09
Wayne Sumner	622 29½	2-20-09
Jane Atkinson	650 29½ Rd	2-20-09
XXXXXXXXXX	2963 cedar pl	2-20-09

City of Grand Junction
Public Works & Planning Department
Planning Division
250 North 5th Street
Grand Junction, CO 81501

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SIGN THE PETITION

Name	Address	Date
Dan Waddell	602 S. Sunset Ct	2-28-09
Janel Waddell	602 S. Sunset Ct.	2-28-09
Daniel Booth	604 S. Sunset Ct.	2/28/09
Ron O'Hare	610 S. Sunset Ct	2/28/09
Karen O'Hare	610 S. Sunset Ct	2/28/09
Greg Waddell	612 S. Sunset Ct	2-28-09

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 1.31 ACRES LOCATED AT 2948 F ROAD AND 603 29 1/2 ROAD KNOWN AS THE MAVERIK GROWTH PLAN AMENDMENT FROM RESIDENTIAL MEDIUM 4-8 DU/AC TO COMMERCIAL

Recitals:

A request for a Growth Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 1.31 acres, located at 2948 F Road and 603 29 1/2 Road be redesignated from Residential Medium 4-8 du/ac To Commercial on the Future Land Use Map.

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM RESIDENTIAL MEDIUM 4-8 DU/AC TO COMMERCIAL ON THE FUTURE LAND USE MAP.

The following described Growth Plan Amendment is hereby granted subject to the following conditions:

1. Recordation of the proposed subdivision to realign the property line with the revised Future Land Use designation split.

MAVERIK GROWTH PLAN AMENDMENT

Commencing at the Northwest corner of Section 21, Township 1 North, Range 2 West of the Ute Meridian;
thence along West line of the NW1/4 NW1/4 of said Section 21, S00°25'11"W 366.19 feet; thence S56°32'30"E 35.79 feet to the POINT of BEGINNING;
thence N00°25'11"E 157.91 feet;
thence S86°18'35"E 217.25 feet;
thence S00°00'00"E 50.00 feet;
thence S86°18'35"E 74.99 feet;
thence S52°39'23"E 12.97 feet;
thence S86°18'35"E 30.06 feet;
thence S36°57'25"W 250.27 feet to the North right-of-way line of U.S. Highway 6&50;
thence along the said North right-of-way line, N56°32'30"W 218.90 feet to the point of beginning,

Said parcel contains 1.31 acres (57063.6 square feet), more or less, as described.

PASSED on this _____ day of _____, 2009.

ATTEST:

City Clerk

President of Council