



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

TUESDAY, JULY 28, 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 June 23, 2009 Regular Meeting.

2. Simon Subdivision CUP – Conditional Use Permit [Attach 2](#)

Request approval of a Conditional Use Permit to allow two single family residences in an R-2 (Residential 2 du/ac) zone within Subdistrict B of the Airport Environs overlay zone.

FILE #: CUP-2009-065
PETITIONER: Ken Simon
LOCATION: 3076, 3080 F 1/2 Road
STAFF: Brian Rusche

3. Fults Annexation – Zone of Annexation [Attach 3](#)

Request a recommendation of approval to City Council to zone 3.77 acres from County RSF-4 (Residential Single Family 4 du/ac) to a City R-4 (Residential 4 du/ac) zone district.

FILE #: ANX-2009-130
PETITIONER: Richard Fults
LOCATION: 3066 F Road
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.

4. Maverik Annexation – Zone of Annexation [Attach 4](#)

Request a recommendation of approval to City Council to zone the 2.28 acre Maverik Annexation, consisting of 2 parcels located at 2948 F Road and 603 29 1/2 Road, to C-1 (Light Commercial) and R-4 (Residential 4 du/ac) zone districts.

FILE #: ANX-2009-023
PETITIONER: Tina Million, 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
JUNE 23, 2009 MINUTES
6:00 p.m. to 6:50 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), 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 Lisa Cox (Planning Manager), Lori Bowers (Senior Planner), Senta Costello (Senior Planner) and Judith Rice (Associate Planner).

Also present was Jamie Beard (City Attorney).

Lynn Singer was present to record the minutes.

There were 13 interested citizens present during the course of the hearing.

Announcements, Presentations, and/or Prescheduled Visitors

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the April 28, 2009 and May 12, 2009 Regular Meetings.

2. Siena View Partial Vacation of Easement – Vacation of Easement

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

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

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

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. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

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

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

Public Hearing Items

5. Maverik Growth Plan Amendment – Growth Plan Amendment

Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation from RM (Residential Medium 4-8 du/ac) to C-1 (Light Commercial) for the southern 1.48 acres.

FILE #: GPA-2009-023

PETITIONER: Tina Millon, Glenn Lorton, George Halstead

LOCATION: 2948 F Road & 603 29½ Road

STAFF: Senta Costello

Lisa Cox, Planning Manager, clarified that this was a Growth Plan Amendment to the Commercial land use classification and not the Commercial zone district. Chairman Cole reiterated that the property would not actually be zoned and was a request for a Growth Plan Amendment to allow applicants to apply for Commercial zoning if approved.

APPLICANT’S PRESENTATION

Don Lilyquist, 880 West Center Street, North Salt Lake City, Utah, said that he worked for Maverik Stores which entity was under contract to purchase the subject property. He said it was applicant’s intent to amend the Growth Plan to allow the property to be rezoned into Light Commercial. Mr. Lilyquist said their proposal was to build a Maverik Convenience Store and gas station. He stated that they had been trying to move into the Grand Junction area which would include the Fruita area, Clifton as well as the subject property. He said that they felt very strongly that the requirements of the Growth Plan had been met to allow property to be changed from Residential to Commercial use. He addressed the increasing traffic along Patterson and said that it was harder for

residents to access driveways and felt that a Commercial use with a wider driveway was a better plan for circulation and would be conducive to the use along Patterson. As applicants intended to capitalize on traffic going along either Patterson or 29½ Road, they did not believe traffic would be increased.

QUESTIONS

Commissioner Abbott asked if their proposal was to have access onto Patterson. Mr. Lilyquist confirmed that was correct. He further stated that they had attempted to have a shared access driveway so that they would have a three-quarter movement; however, they were unable to secure property or an easement. Therefore, the driveway would be entirely on their property with a recommendation by the City Engineer that it be a right-in, right-out driveway only.

Commissioner Eslami asked if applicant was seeking a Commercial designation for the whole property or just a partial. Don Lilyquist said that the front portion of the property would be Commercial with a small portion to the north which would consist of 4 Residential lots.

APPLICANT'S (OWNER'S) PRESENTATION

Tina Millon said that there was already access into her house which access had not been a problem.

STAFF'S PRESENTATION

Senta Costello, Public Works and Planning Department, addressed the Commission regarding the requested Growth Plan Amendment. She discussed the criteria necessary for an amendment which included such things as whether or not an error was made regarding the designation that the existing facts, projects or trends that were reasonably foreseeable were not accounted for. She concluded that she did not believe an error was made as the designation placed on the property at the time was most likely appropriate at that point. She also discussed traffic volumes along F Road which had substantially increased making single-family residential uses not as desirable as the property was directly adjacent to an extremely high volume street. She opined that the traffic volumes had changed the character of many of the properties that historically existed in the area. Next, she said this particular area did not have any special corridor or neighborhood plans. Additionally, there were existing water, sanitary sewer and storm sewer lines that adequately met any type of development and which were available for its use. Ms. Costello also discussed the availability of commercially designated land as well as the commercial designation which could add an opportunity for additional type service type uses in the neighborhood.

She found that all of the criteria necessary for a Growth Plan Amendment had been met and recommended approval with the condition that should the Growth Plan Amendment be approved by City Council that it be conditioned upon the recordation, within one year of the effective date of the zoning of a Simple Subdivision to re-align the property line along the same boundary. Ms. Costello said this would create two separate parcels keeping the Commercial designation on one parcel and Residential on another.

QUESTIONS

Commissioner Putnam asked for clarification regarding the proposed condition. Senta Costello said that it was recommended that a timeframe be put on it so that it was not an open ended resolution. Furthermore, there was also an annexation tied to the property whereby City Council would apply a zone district to it. Also, in order to make sure that the zone district line and the Future Land Use line matched up with the property lines, a requirement was that the Simple Subdivision was required to be recorded within one year of the effective date of the zone district.

Commissioner Abbott asked where the access onto Patterson would be. Ms. Costello said that at this point, an application had been turned in for the Simple Subdivision and site plan review; however, it had not been approved. Also, the Growth Plan Amendment was being reviewed separately.

Commissioner Abbott asked if the Growth Plan Amendment was approved if there would be access onto Patterson. Ms. Costello said that was not necessarily true. She confirmed that this was an amendment to the Growth Plan that did not specifically address access. Lisa Cox stated that the Zoning and Development Code required that a Growth Plan Amendment be considered independent of any other application unless it was affiliated with a Planned Development.

Commissioner Carlow asked if the subject property encompassed the 1.4 acres. Ms. Costello believed that was correct. Commissioner Carlow then asked if she knew how much would be left. Ms. Costello said that the entire site consisted of two-thirds of an acre.

Commissioner Wall asked for elaboration pertaining to the criteria dealing with achievement of a balance of open space, agricultural, residential and non-residential land use opportunities. Ms. Costello said that she believed that a Commercial designation would allow for a stronger buffer between the impacts that were already happening on F Road.

PUBLIC COMMENT

For:

Robert Million said that he had property on 29½ Road and raised an issue regarding a vacant house which he believed created a hazard. He said he thought the station would be the best thing that could go in there.

Tina Million also addressed the issue regarding the vacant house. She thought the proposed use was a better option than apartments and had never experienced a problem with traffic.

Duane Keim, 2952 F Road, said that he would prefer to pick up the trash from a convenience store than the tumbleweeds that he picked up monthly. He added that he was for it.

Ann Keim, 2952 F Road, added that the vacant house was a potential fire hazard.

Levi Johnson (603 29½ Road) also talked about the vacant house being a problem.

Against:

Richard Weaver, 2942 Grand Court, said that he had a lot of reasons why he opposed the proposal. He pointed out that this had been a residential area and would like to keep it that way. He saw no reason to have another convenience store when there was one nearby as it would create more traffic. He also stated that the existing convenience store created a lot of noise and light. Mr. Weaver also discussed the traffic problems and he thought it would be a potentially dangerous situation. He agreed that the vacant house was an eyesore and should be taken care of.

Nate Green (2954 Bonito Lane) said that all of the reasons given for developing this property were not compelling reasons to change the zoning. He believed the property with the house could be sold and replaced with a nice house. He saw no reason to turn this into Commercial development as there were plenty of places in the county for Commercial development. Mr. Green said that he was strictly against it.

Duane Keim also said that it would not create any more tax revenue for the city or state and could see no value in it except for Maverik.

PETITIONER'S REBUTTAL

Don Lilyquist addressed the lighting issue and pointed out that their lighting plan was dark sky compliant in that all of their lighting would be maintained on site and would not create a light hindrance for any of the surrounding neighbors.

QUESTIONS

Commissioner Carlow asked what percentage of an acre was required for landscaping, roads, etc. Senta Costello said that typically with a Commercial development designated as anything outside of the Industrial zones there was a requirement for one tree for every 2500 square feet of developed area and one shrub for every 300 square feet. She added that they had proposed a site plan with the Simple Subdivision and site plan review and what was left for Residential was developable for single-family.

DISCUSSION

Commissioner Wall said that the neighborhood had been around for awhile and he was not sure that traffic volumes along F Road would dictate that a Residential establishment could not be on the corner. He also did not see how the proposed development would achieve a balance in that neighborhood because there was a lot of character in the neighborhood which could continue in that manner. Commissioner Wall stated that he would be against the Commercial zoning on this corner.

Commissioner Putnam said that the question was if it was appropriate to change the Growth Plan. He said he thought it was appropriate to have a Commercial designation there because the traffic was significant and thought it was appropriate to make this change to amend the Growth Plan.

Commissioner Eslami agreed with Commissioner Putnam.

Commissioner Pavelka-Zarkesh added that it was a good spot for neighborhood convenience such as small grocery store or dry cleaning. She said that looking at what was appropriate for future growth of the City, she believed it was an appropriate spot.

Chairman Cole also agreed that this was an appropriate designation for this property and believed it to be in the best interests of all concerned including the City. He said that there would be other opportunities to speak on this issue. He concluded that he thought it was an appropriate thing to recommend approval to City Council.

MOTION: (Commissioner Putnam) “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 and the staff presentation tonight.”

Commissioner Pavelka-Zarkesh seconded the motion. A vote was called and the motion passed by a vote of 6 – 1 with Commissioner Wall opposed.

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 6:50 p.m.

**Attach 2
Simon Subdivision**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: July 28, 2009
STAFF PRESENTATION: Brian Rusche

AGENDA TOPIC: Simon Subdivision – CUP-2009-065

ACTION REQUESTED: Approval of a Conditional Use Permit (CUP)

BACKGROUND INFORMATION				
Location:		3076 and 3080 F ½ Road		
Applicants:		Ken and Mary Simon		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Govt. Highline Canal / Single Family Residential		
	South	Single Family Residential / Agricultural		
	East	Lewis Wash / Agricultural		
	West	Agricultural		
Existing Zoning:		R-2 (Residential 2 du/ac)		
Proposed Zoning:		Same		
Surrounding Zoning:	North	County PUD (Planned Unit Development)		
	South	R-4 (Residential 4 du/ac) County RSF-R (Residential Single-Family Rural)		
	East	County RSF-R (Residential Single-Family Rural)		
	West	County RSF-R (Residential Single-Family Rural)		
Growth Plan Designation:		Residential Low (1/2 - 2 ac/du)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request approval for a Conditional Use Permit to allow two single family residences, on 3.703 and 2.265 acres respectively, in an R-2 (Residential 2 du/ac) zone district located within Subdistrict B (65 - 70 dB Ldn noise contour) of the Airport Environs (AE) Overlay Zoning District.

RECOMMENDATION: Recommend approval of the Conditional Use Permit.

ANALYSIS:

1. Background

The City is currently considering a proposal to modify two existing residential parcels at 3076 and 3080 F ½ Road through the Simple Subdivision process. Each parcel has an existing single family residence. The residence at 3076 F ½ Road sits on 1.38 acres, with 4.73 acres for the residence at 3080 F ½ Road. The proposal is to adjust the property lines between the two lots, allocating 3.703 acres for Lot 1 and 2.265 acres for Lot 2 (with 0.271 acres dedicated as right-of-way). The residence on Lot 2 (3080 F ½) would remain, but the residence on Lot 1 (3076 F ½) would be demolished and a new residence would be constructed further north on that lot. Both residences would remain on individual sewage disposal systems (ISDS). A new water service and driveway would be constructed on Lot 1. A trail easement along the east side of the property along Lewis Wash will be granted to the City.

Table 7.3 Airport Land Use Compatibility Standards Matrix states a Conditional Use Permit is required for residential development with a density greater than 1 dwelling unit per 5 acres that is located within Subdistrict B. The Airport Environs Overlay Zoning (AE) is comprised of four subdistricts. These subdistricts represent a determination by the Federal Aviation Administration (FAA) of differing levels of expected noise impact and hazard from aircraft overflight. Subdistrict B includes the area within the 65 to 70 dB day-night noise level (Ldn) exposure area as shown in the Grand Junction Regional Airport Master Plan. Any proposed development shall comply with the requirements of Section 7.3 of the Zoning and Development Code. Additionally, measures to achieve Noise Level Reduction of thirty decibels (30 dB) must be incorporated into the design and construction of structures.

2. Consistency with the Growth Plan:

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

Policy 8.5 states “The City and County will prohibit inappropriate development within the airport’s noise and approach zones.”

The property was annexed by the City on July 18, 2008. The existing land use is single family residential on large lots (1-5 acres). Two single-family residences exist on 1 acre lots across F ½ Road (south side). The proposed use is the same as the existing use, compatible with agricultural uses in the area, and is consistent with the Growth Plan designation of Residential Low (½ to 2 ac/du) and the R-2 zone district.

3. Section 2.13.C of the Zoning and Development Code:

Requests for a Conditional Use Permit must demonstrate that the proposed development will comply with all of the following:

1. All applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code and with the SSID, TEDS and SWIM Manuals.

The proposal meets all applicable site plan review criteria of the Zoning and Development Code and applicable City Manuals.

Section 2.2.D.4.b:

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

The proposal is consistent with the goals and policies of the Growth Plan. It is not subject to a neighborhood plan. Sufficient right-of-way will be dedicated for F ½ Road, which is designated as a major collector by the Grand Valley Circulation Plan. A trail easement will be granted along Lewis Wash, consistent with the Urban Trails Master Plan.

- 2) Conditions of any prior approvals

There are no previous conditions of approval for this site.

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

The proposal meets the standards of Chapter Three and the improvement requirements of Chapter Six of the Zoning and Development Code.

- 4) Quality site design practices

The applicant is utilizing existing driveways onto F ½ Road. The layout of each lot and residence would allow further subdivision in the future, creating additional lots. The residences may construct fences and other screening for privacy. New utilities will be installed for the new residence, including underground electrical service. Future pedestrian access along Lewis Wash will be accommodated via a public trail easement.

SSID Manual:

Applicant has provided documents and drawings that comply with the standards and requirements of the SSID (Submittal Standards for Improvements and Development) Manual.

TEDS Manual:

Requirements of the TEDS (Transportation Engineering Design Standards) manual have been met. No TEDS Exceptions were required for this site.

SWMM Manual:

The proposal meets the standards set forth in the SWMM (Stormwater Management) manual. Specifically, the project will not disturb more than one (1) acre of land, which is the threshold for additional review.

2. The underlying zoning district's standards established in Chapter Three of the Zoning and Development Code

The proposed project complies with the R-2 zone district standards concerning dimensional requirements. Density is consistent with the Growth Plan designation of Residential Low ($\frac{1}{2}$ - 2 ac/du) by application of Section 3.6.B.7.b of the Zoning and Development Code, which allows $\frac{1}{2}$ the minimum density on properties less than 10 acres.

3. The use-specific standards established in Chapters Three and Four of the Zoning and Development Code

No use specific standards apply.

4. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to, schools, parks, hospitals, business and commercial facilities, and transportation facilities.

The property has frontage on F $\frac{1}{2}$ Road, which connects to 31 Road and thence south to F (Patterson) Road, a principal arterial. Across the street and to the west is Thunder Mountain Elementary School. Adjacent to the property on the east is Lewis Wash, a natural drainageway and potential amenity. A public trail easement will be granted along the wash for future trail development.

5. Compatibility with and protection of neighboring properties through measures such as:

- a. Protection of privacy

The location of the residences will be at least 200 feet from the roadway. The new residence on Lot 1 will have privacy fencing.

- b. Protection of use and enjoyment

The existing agricultural uses on the east and west will be buffered by Lewis Wash and the proposed driveway, respectively. Privacy fencing

will protect the enjoyment of the residences and interference with agricultural operations.

c. Compatible design and integration

The neighborhood is a mix of residential dwellings. The preservation of an existing residence and the construction of a new residence on at least one acre is compatible with the existing development along this stretch of F ½ Road. The new residence will have landscaping and will be subject to the same use standards as the existing residence.

4. Section 7.3 of the Zoning and Development Code:

The Airport Environs Overlay Zoning District (AE) was created to protect public health, safety and welfare by regulating development and land use within noise sensitive areas and airport hazard areas and to protect the airport from incompatible encroachment.

The AE is comprised of four subdistricts and each one represents a determination by the Federal Aviation Administration (FAA) of differing levels of expected noise impact and hazard from aircraft overflight. The subdistricts are Subdistrict A (Area of Influence), Subdistrict B (Noise Zone), Subdistrict C (Critical Zone) and Subdistrict D (Clear Zone). The distinction between the subdistricts is the proximity to the airport in relation to the runways.

The northwest portion of the subject property is within the Subdistrict B area, which is the 65 dB Ldn to 70 dB Ldn noise-exposure area. According to Table 7.3 (Airport Land Use Compatibility Standards Matrix), a Conditional Use Permit is required for residential development with a density greater than 1 dwelling unit per 5 acres.

Grand Junction Regional Airport requires that an aviation easement be recorded for development near the airport. This subdivision will record said easement when recording the plat. In addition, a note will be added to the plat as follows: "All or part of the development is potentially subject to aircraft noise levels high enough to annoy users of the property and interfere with its unrestricted use." The applicant is aware of the impacts of being in close proximity to the airport, including measures to achieve Noise Level Reduction of thirty decibels (30 dB) that must be incorporated into the design and construction of new structures.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Simon Subdivision application, CUP-2009-065, for a Conditional Use Permit to allow two residential lots, 3.703 and 2.265 acres respectively, in an R-2 (Residential 2 du/ac) zone district located within Subdistrict B (65 - 70 dB Ldn noise contour) of the Airport Environs (AE) Overlay Zoning District, I make the following findings of fact and conclusions:

1. The requested Conditional Use Permit is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.13.C of the Zoning and Development Code have been met.
3. The request is in compliance with Section 7.3 of the Zoning and Development Code.

STAFF RECOMMENDATION:

I recommend approval of the requested Conditional Use Permit, with the findings and conclusions listed in the staff report.

RECOMMENDED PLANNING COMMISSION MOTION:

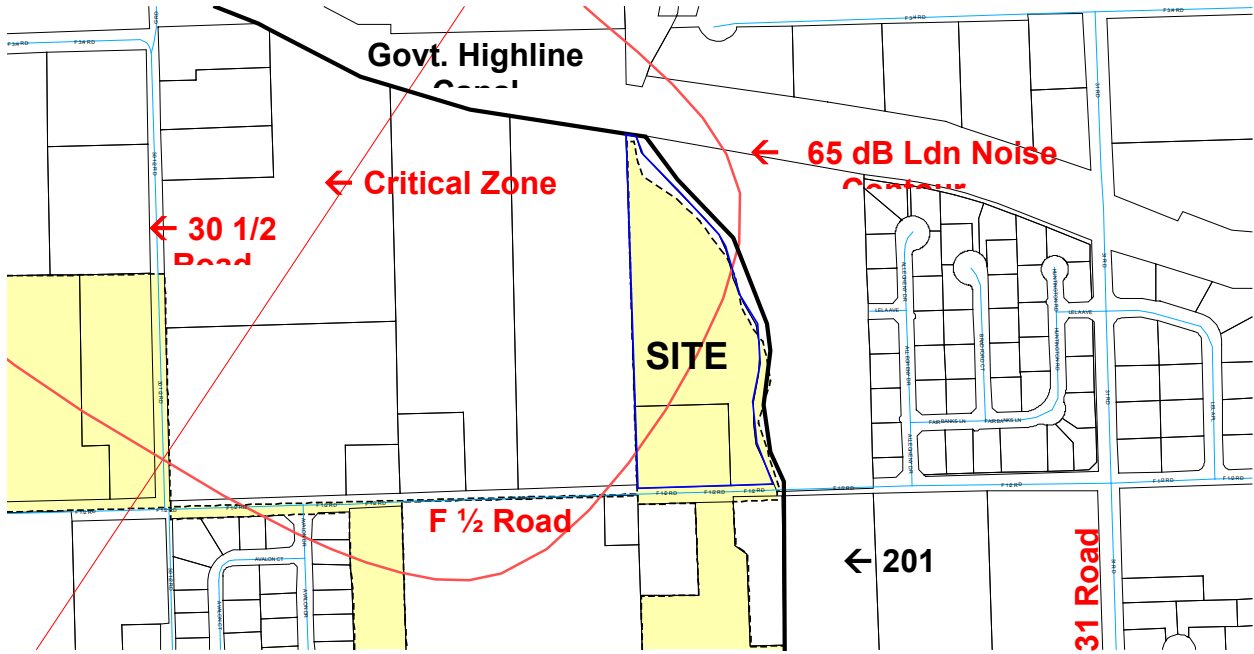
Mr. Chairman, on Conditional Use Permit, CUP-2009-065, I move that we conditional approve the Conditional Use Permit, with the Findings of Fact and Conclusions listed in the staff report.

Attachments:

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

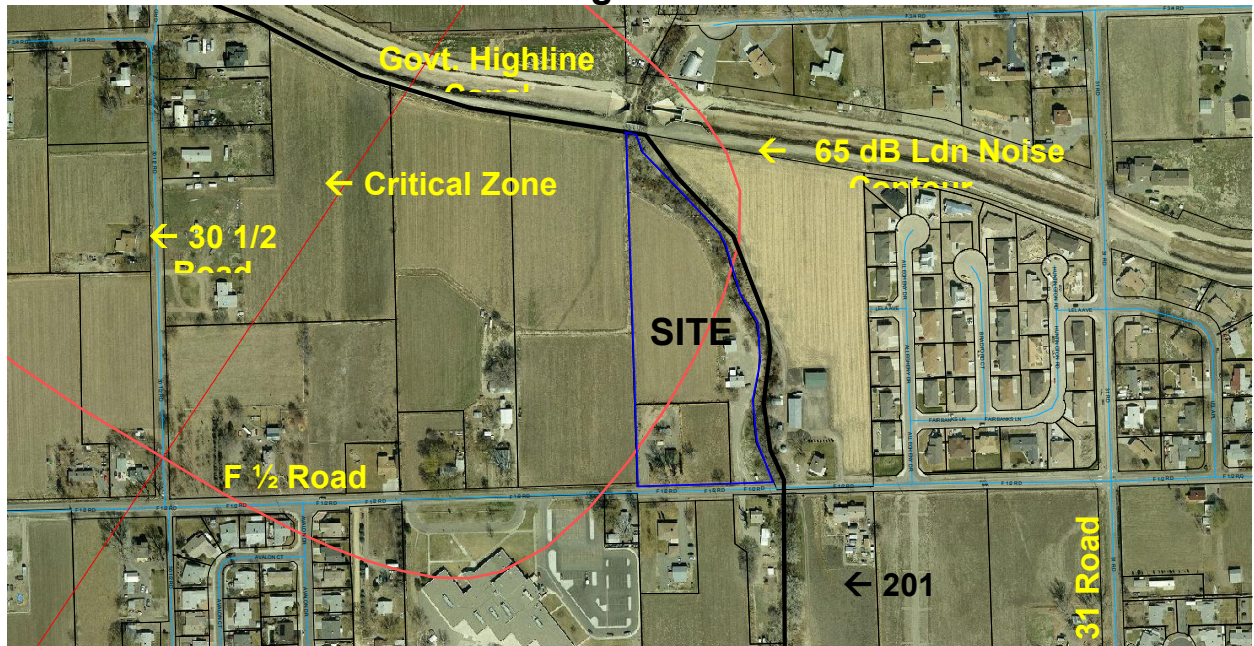
Site Location Map

Figure 1



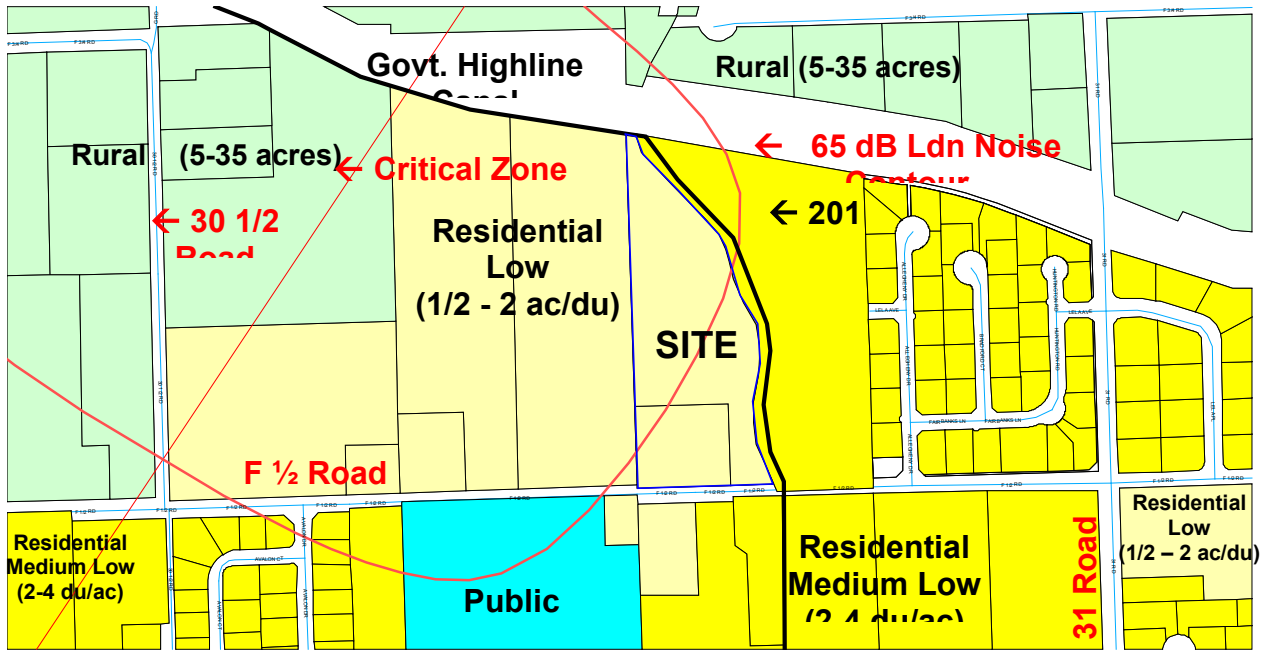
Aerial Photo Map

Figure 2



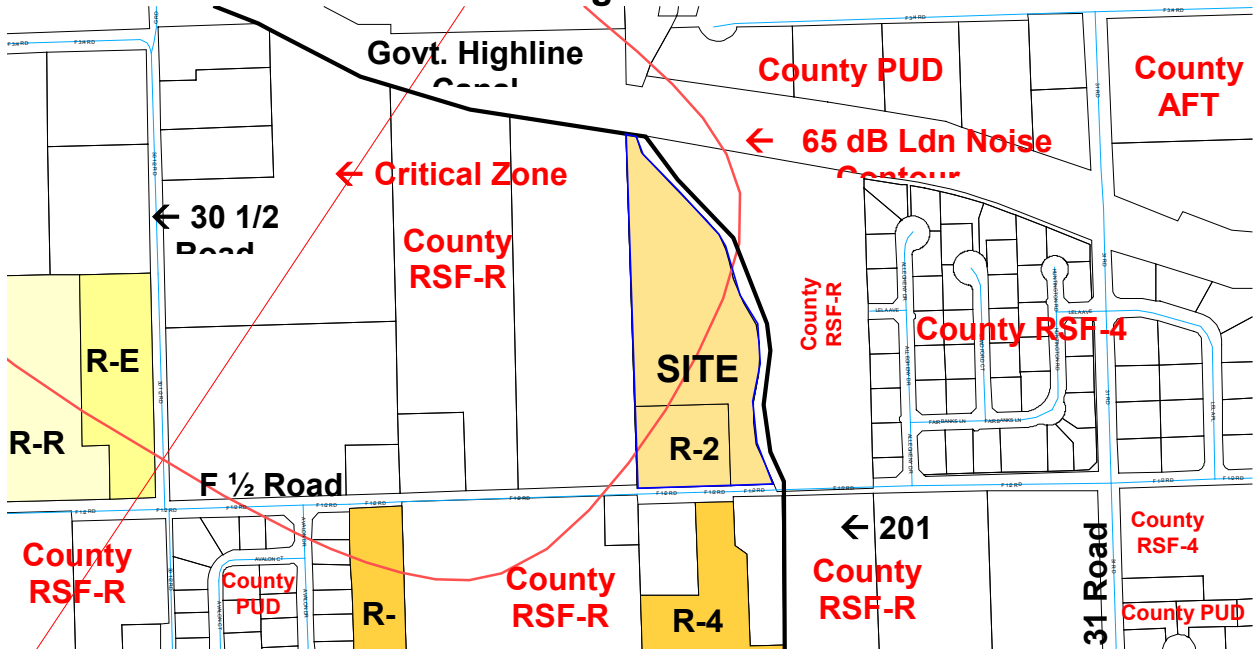
Future Land Use Map

Figure 3

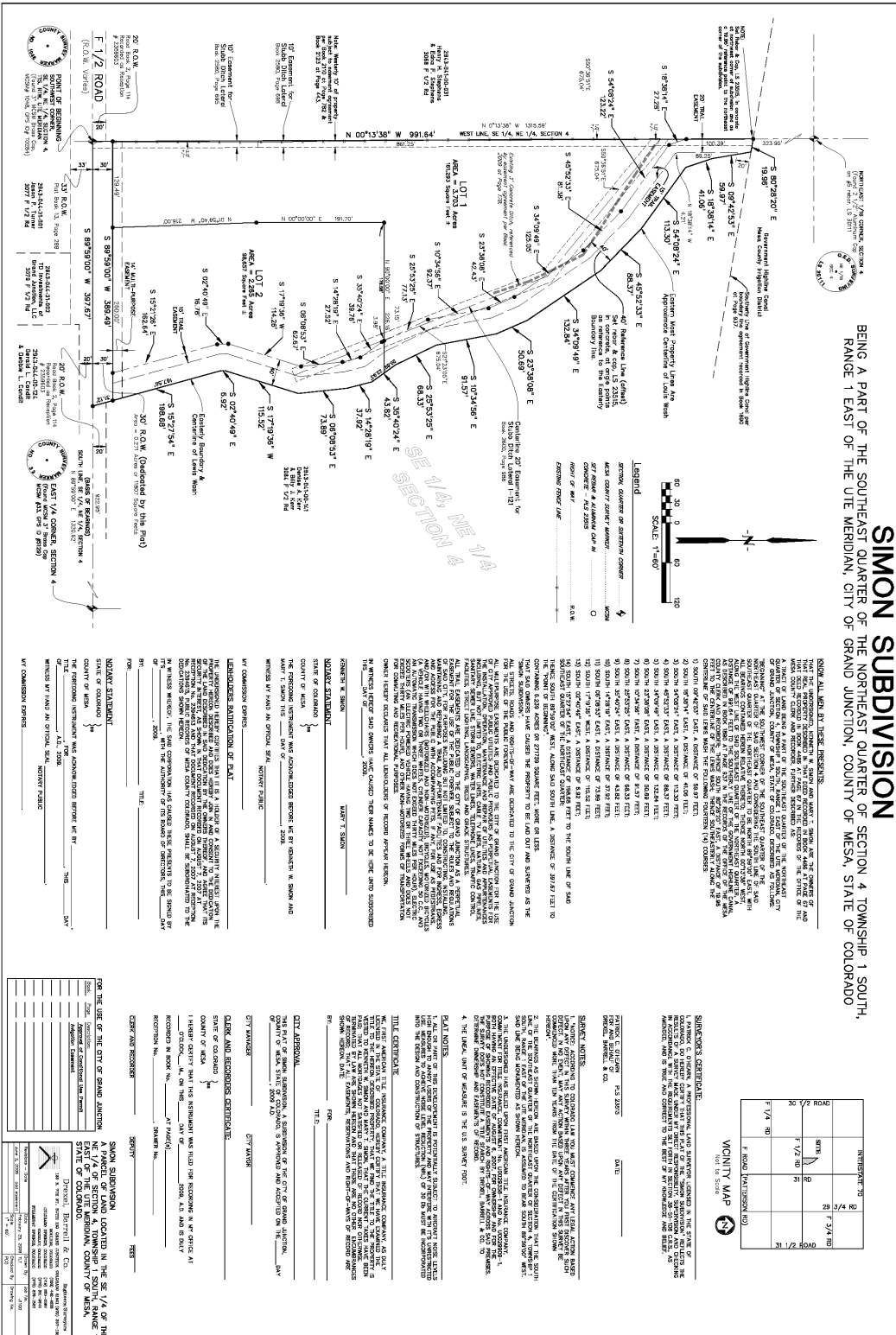


Existing City and County Zoning Map

Figure 4

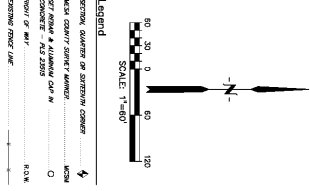


Plat



SIMON SUBDIVISION

BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE TEN MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.



- SHOW ALL LOTS BY THESE DIMENSIONS:
- 1) SOUTH 87°59'41\"/>

SUBDIVISION CERTIFICATE:

I, FRANCIS C. SIMON, a professional land surveyor, licensed in the State of Colorado, do hereby certify that the above described plat is a true and correct representation of the actual survey made by me and that the same is in accordance with the laws of the State of Colorado and the rules and regulations of the Board of Surveyors and Land Surveyors of the State of Colorado.

STATE OF COLORADO

COUNTY OF MESA

FRANCIS C. SIMON, Surveyor

STATE OF COLORADO

CITY OF GRAND JUNCTION

FRANCIS C. SIMON, Surveyor

STATE OF COLORADO

CITY OF GRAND JUNCTION

FRANCIS C. SIMON, Surveyor

STATE OF COLORADO

CITY OF GRAND JUNCTION

FRANCIS C. SIMON, Surveyor

NO.	NAME	DATE	REMARKS
1	FRANCIS C. SIMON	11-2-2015	Surveyor
2	FRANCIS C. SIMON	11-2-2015	Surveyor
3	FRANCIS C. SIMON	11-2-2015	Surveyor
4	FRANCIS C. SIMON	11-2-2015	Surveyor
5	FRANCIS C. SIMON	11-2-2015	Surveyor
6	FRANCIS C. SIMON	11-2-2015	Surveyor
7	FRANCIS C. SIMON	11-2-2015	Surveyor
8	FRANCIS C. SIMON	11-2-2015	Surveyor
9	FRANCIS C. SIMON	11-2-2015	Surveyor
10	FRANCIS C. SIMON	11-2-2015	Surveyor

**Attach 3
Fulfs Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: July 28, 2009
STAFF PRESENTATION: Lori V. Bowers

AGENDA TOPIC: Fulfs Zone of Annexation – ANX-2009-130

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

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		3066 F Road	
Applicants:		Richard W. Fulfs, owner and developer. Larry B. Beckner, representative	
Existing Land Use:		Large lot single family residence	
Proposed Land Use:		Two residential lots	
Surrounding Land Use:	North	Vacant land	
	South	Cross Orchards Museum of Western Colorado	
	East	Orange Grove Subdivision	
	West	School District property (used as access to Thunder Mountain Elementary School)	
Existing Zoning:		County RSF-4	
Proposed Zoning:		R-4 (Residential – 4 units per acre)	
Surrounding Zoning:	North	R-4 (Residential – 4 units per acre)	
	South	County RSF-4	
	East	R-4 (Residential – 4 units per acre)	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium Low 2 – 4 DU/AC	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: A request to zone the 3.72 acre Fulfs Annexation, consisting of one parcel located at 3066 F Road, to an R-4 (Residential – 4 units per acre) zone district.

RECOMMENDATION: Recommend approval to the City Council of the R-4 (Residential – 4 units per acre) zone district.

ANALYSIS:

1. Background:

The 3.72 acre Fults Annexation consists of one parcel located at 3066 F Road. The property owners have requested annexation into the City to allow for a Simple Subdivision of their land. 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 conforms to the Future Land Use Map, which has designated the properties as Residential Medium 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-4 (Residential – 4 units per acre) zone district is consistent with the Growth Plan designation of Residential Medium Low, 2 – 4 dwelling units per acre. The existing County zoning is RSF-4 (Residential Single Family – 4 units per 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 zone is consistent and compatible with the surrounding neighborhood, and furthers the goals and policies of the Growth Plan by utilizing a zoning designation consistent with the Future Land Use Map.

- 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 currently are available to the site. All utilities are along Orange Grove Way and fire hydrants were located during the construction of Orange Grove Subdivision. Clifton Water is the water provider with the main line throughout the subdivision being 6" PVC. Central Grand Valley Sanitation District is the sewer provider.

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

- a. R-2 (Residential, 2 dwellings units per 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 Fults Annexation, ANX-2009-130, 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-4 (Residential – 4 units per acre) zone district for the Fults Annexation, ANX-2009-130 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

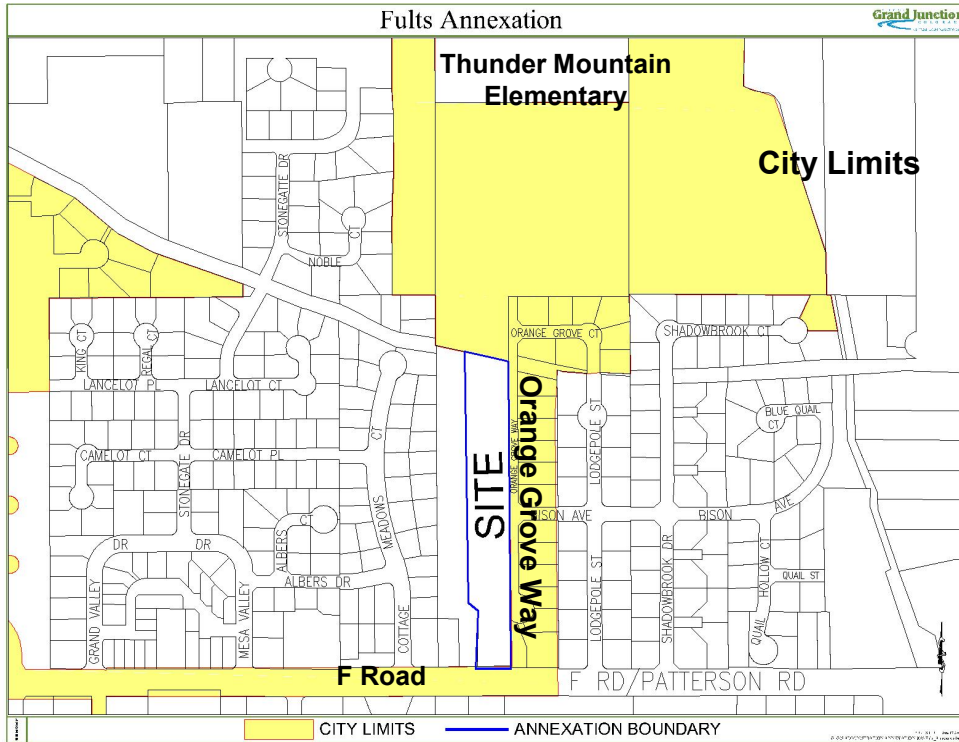
Mr. Chairman, on the Fults Zone of Annexation, ANX-2009-130, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-4 (Residential – 4 units per acre) zone district for the Fults Annexation with the facts and conclusions listed in the staff report.

Attachments:

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

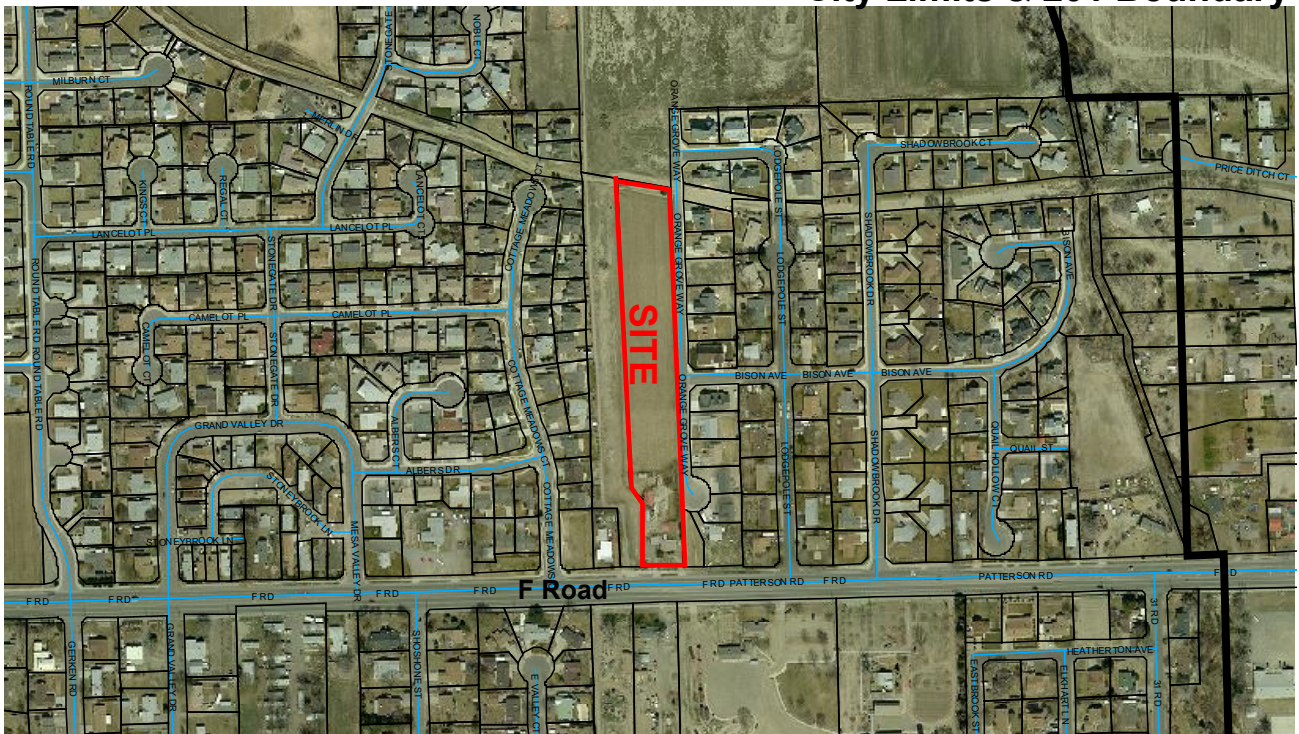
Annexation/Site Location Map

3066 F Road



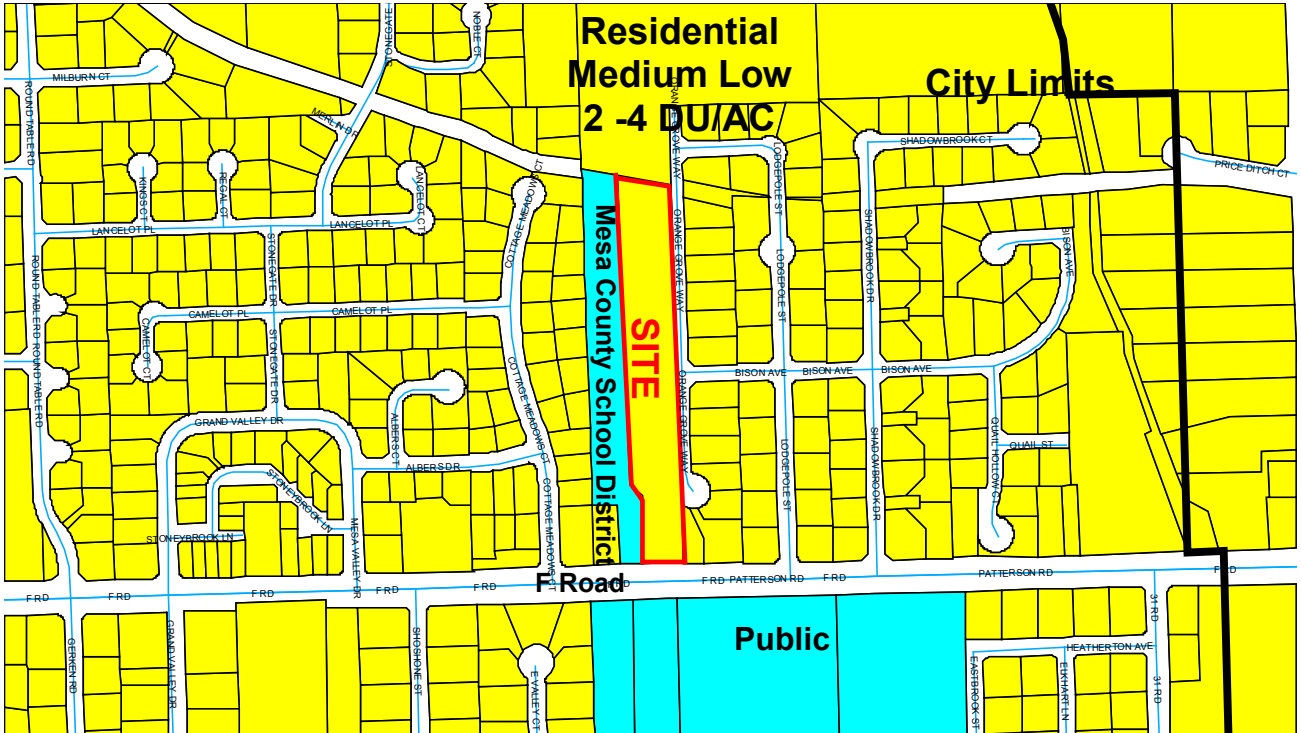
Aerial Photo Map

3066 F Road City Limits & 201 Boundary



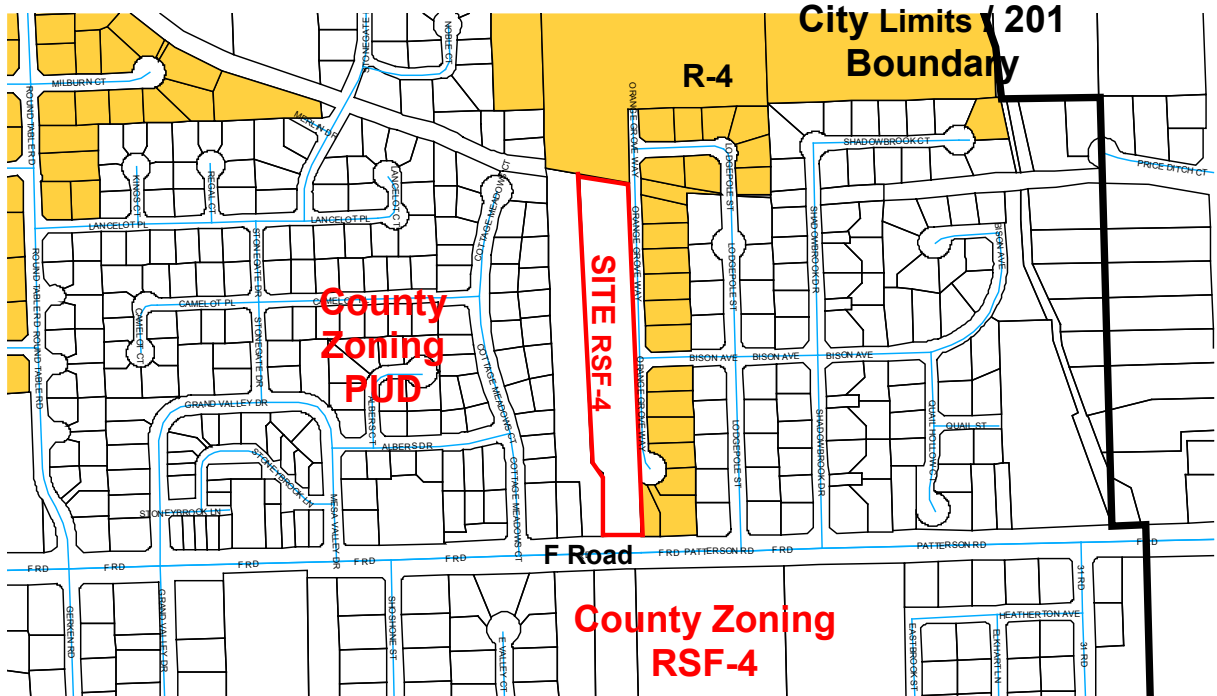
Future Land Use Map

3066 F Road



Existing City and County Zoning Map

3066 F 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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE FULTS ANNEXATION TO R-4 (RESIDENTIAL – 4 UNITS PER ACRE)

LOCATED AT 3066 F 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 Fults Annexation to the R-4 (Residential – 4 units per 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-4 (Residential – 4 units per 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-4 (Residential – 4 units per acre).

FULTS ANNEXATION

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

Commencing at the Southeast corner of the SW 1/4 SE 1/4 said Section 4 and assuming the South line of SW 1/4 SE 1/4 of said Section 4 to bear N89°55'16"W with all bearings contained herein relative thereto; thence N89°55'16"W a distance of 412.55 feet along the South line of SW 1/4 SE 1/4 of said Section 4; thence N00°04'44"E a distance of 50.00 feet to the Point of Beginning; thence N89°55'16"W a distance of 118.40 feet along a line being 50.00 feet North of and parallel to the South line of the SW 1/4 SE 1/4 of said Section 4, said line also being the Northerly line of Sunrise Acres Annexation No. 3, Ordinance No. 3544, City of Grand Junction; thence N00°10'55"W a distance of 202.56 feet; thence N48°22'27"W a distance of 56.09 feet; thence N00°10'55"W a distance of 844.08 feet to the centerline of Price Ditch, as same is recorded in Book 1959, Pages 973 through 979 inclusive, said point also being on the Southerly line of Thunderbrook Estates Annexation, Ordinance No. 3986, City of Grand Junction; thence 108.09 feet along the arc of a 5729.58 foot radius curve, concave Southwest, having a central angle of 01°02'42" and a chord bearing S77°43'38"E a

distance of 108.09 feet along the centerline of said Price Ditch, said line also being the Southerly line of said Thunderbrook Estates Annexation; thence S77°11'12"E a distance of 56.73 feet along the centerline of said Price Ditch, said line also being the Southerly line of said Thunderbrook Estates Annexation to a point on the West line of Sunrise Acres Annexation No. 4, Ordinance No. 3545, City of Grand Junction; thence S00°08'54"E a distance of 1048.50 feet along the West line of line of Orange Grove Subdivision, as same is recorded in Book 3839, Pages 435 through 436 inclusive of the Mesa County, Colorado public records, said line also being the West line of said Sunrise Acres Annexation No. 4 to the Point of Beginning.

Said parcel contains 3.72 acres (161,943.49 sq. ft.), more or less, as described.

INTRODUCED on first reading the 3rd day of August, 2009 and ordered published.

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

ATTEST:

President of the Council

City Clerk

**Attach 4
Maverik Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: July 28, 2009
STAFF PRESENTATION: Senta L. Costello

AGENDA TOPIC: Maverik Zone of Annexation – ANX-2009-023

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

STAFF REPORT / BACKGROUND INFORMATION			
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, Single Family Residential	
	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?	X	Yes	No

PROJECT DESCRIPTION: A request to zone the 2.28 acre Maverik Annexation, consisting of 2 parcels located at 2948 F Road and 603 29 1/2 Road, to the C-1 (Light Commercial) and R-4 (Residential 4 du/ac) zone districts.

RECOMMENDATION: Recommend denial to the City Council of the applicant requested C-1 (Light Commercial) zone district and approval to the City Council of the staff recommended B-1 (Neighborhood Business) zone district for the southern 1.48 acres; also recommend approval of the R-4 (Residential 4 du/ac) zone district for the northern 0.79 acres.

ANALYSIS:

1. Background:

The 2.28 acre Maverik Annexation consists of 2 parcels located at 2948 F Road and 603 29 1/2 Road. The property owners have requested annexation into the City to develop their property. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement, 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 current Future Land Use designation is Commercial (approved by City Council July 13, 2008) and Residential Medium 4-8 du/ac. This designation is implemented by the R-O (Residential-Office), B-1 (Neighborhood Business), B-2 (Downtown Business), C-1 (Light Commercial), and C-2 (General Commercial) zone districts.

The applicant is requesting a C-1 zone district for the southern 1.48 acres of the property and R-4 for the northern 0.79 acres. The surrounding neighborhood has a mix of large lot residential with further development potential, single family lots ranging from 1/5 – 3/4 of an acre, neighborhood businesses, and a shopping center. Traffic along the F Road corridor has increased substantially with its use as a direct route from the Clifton/Fruitvale area to the western end of the City of Grand Junction and vice versa. Considering these factors, a commercial development at the corner of 29 1/2 Road is appropriate. The applicants' request for the C-1 zone district would allow a convenience store; however, the C-1 zone district would also allow a broad range of commercial uses which could have negative effects on the surrounding residential neighborhood (i.e. noise, light, higher traffic, odors). The B-1 zoned district has similar allowed uses as the C-1, but restricts the hours of operation to 5:00 a.m. to 11:00 p.m. which would mitigate negative impacts to the neighborhood. Based on this, the requested C-1 zone district is not supported by staff and the B-1 zone district is being recommended to Planning Commission.

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

Zone of Annexation: The requested zone of annexation to the C-1 (Light Commercial), or the recommended B-1 (Neighborhood Business), and the R-4 (Residential 4 du/ac) zone districts are consistent with the Growth Plan designation of Commercial and Residential Medium 4-8 du/ac. The existing County zoning is RSF-4 (Residential Single Family 4 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.

Applicant's Response: Policy 1.6 of the City's Growth Plan provides that the City and County may permit the development of limited neighborhood service and retail uses within an area planned for residential land use categories. The Growth Plan also states that mixed commercial and residential will be encouraged in some areas. Maverik feels that through the permitting process, it meets all of the requirements of the City's Growth Plan and other City regulations. Since there is an existing convenience store across Patterson, we feel that our intended use is compatible with the neighborhood and with the high quality building materials, aesthetic design of the building, the erection of a privacy fence between the commercial use and residential use, and the enhanced landscaping, Maverik will beautify and improve the appearance of an otherwise blighted area of the neighborhood.

Staff's 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. While both the C-1 and B-1 zone districts conform to the Growth Plan, the staff recommended B-1 zone district furthers the compatibility with the neighborhood by reducing the hours of operation which minimizes commercial impacts (i.e. noise, light, odors) on the residential neighborhood.

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

Applicant's Response: Our engineer has confirmed that there are adequate public facilities and services available within close proximity of the property to serve the development and provide all necessary services.

Staff's Response: A 12" Ute water line, 12" sanitary sewer line, and 36" storm sewer line exists 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.

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-O (Residential – Office)
- b. B-2 (Downtown Business)
- c. C-2 (General 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 Maverik Annexation, ANX-2009-023, for a Zone of Annexation, I recommend that the Planning Commission make the following findings of fact and conclusions:

1. The requested C-1 zone is consistent with the goals and policies of the Growth Plan, as is the recommended B-1.
2. The requested R-4 zone is consistent with the goals and policies of the Growth Plan.
3. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code are met with the R-4 and B-1 or C-1 zone districts.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of denial of the C-1 (Light Commercial) zone district and approval of the B-1 (Neighborhood Business) and R-4 (Residential 4 du/ac) zone districts for the Maverik Annexation, ANX-2009-023 to the City Council with the findings and conclusions listed above.

Note: I am recommending denial of the motion

PLANNING COMMISSION MOTION:

Mr. Chairman, on the Maverik Zone of Annexation, ANX-2009-023, I move that the Planning Commission forward to the City Council a recommendation of approval of the C-1 (Light Commercial) and R-4 (Residential 4 du/ac) zone districts for the Maverik Annexation with the facts and conclusions listed in the staff report.

Alternative motion:

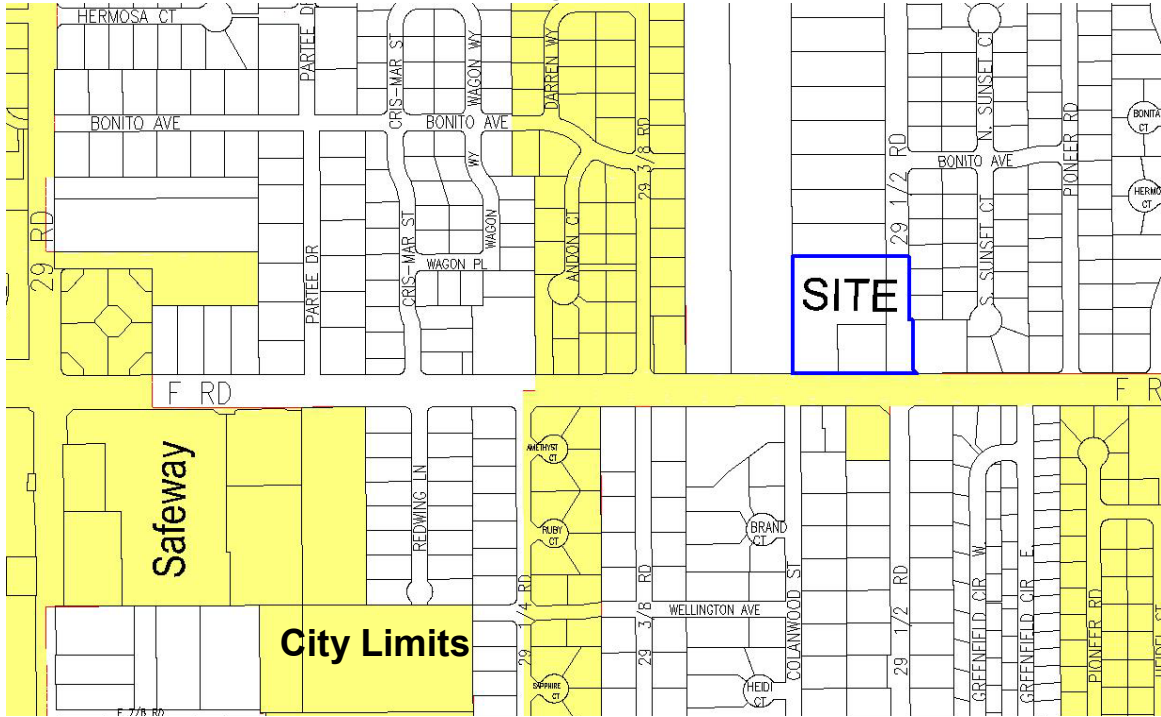
Mr. Chairman, on the Maverik Zone of Annexation, ANX-2009-023, I move that the Planning Commission forward to the City Council a recommendation of approval of the B-1 (Neighborhood Business) and R-4 (Residential 4 du/ac) zone districts for the Maverik Annexation with the facts and conclusions listed 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



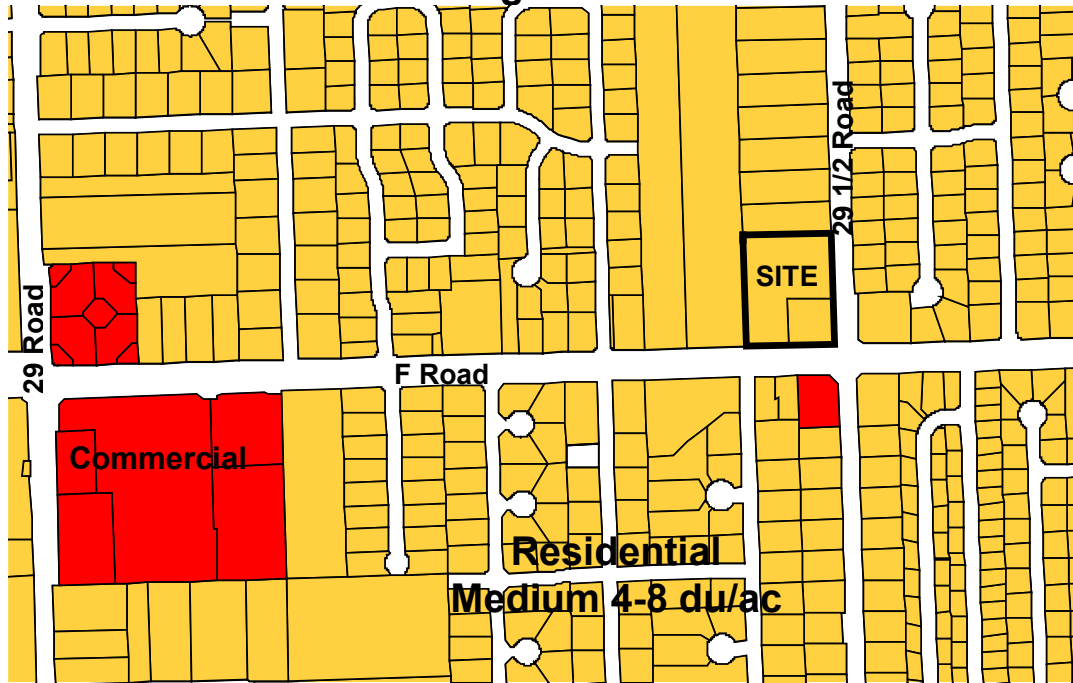
Aerial Photo Map

Figure 2



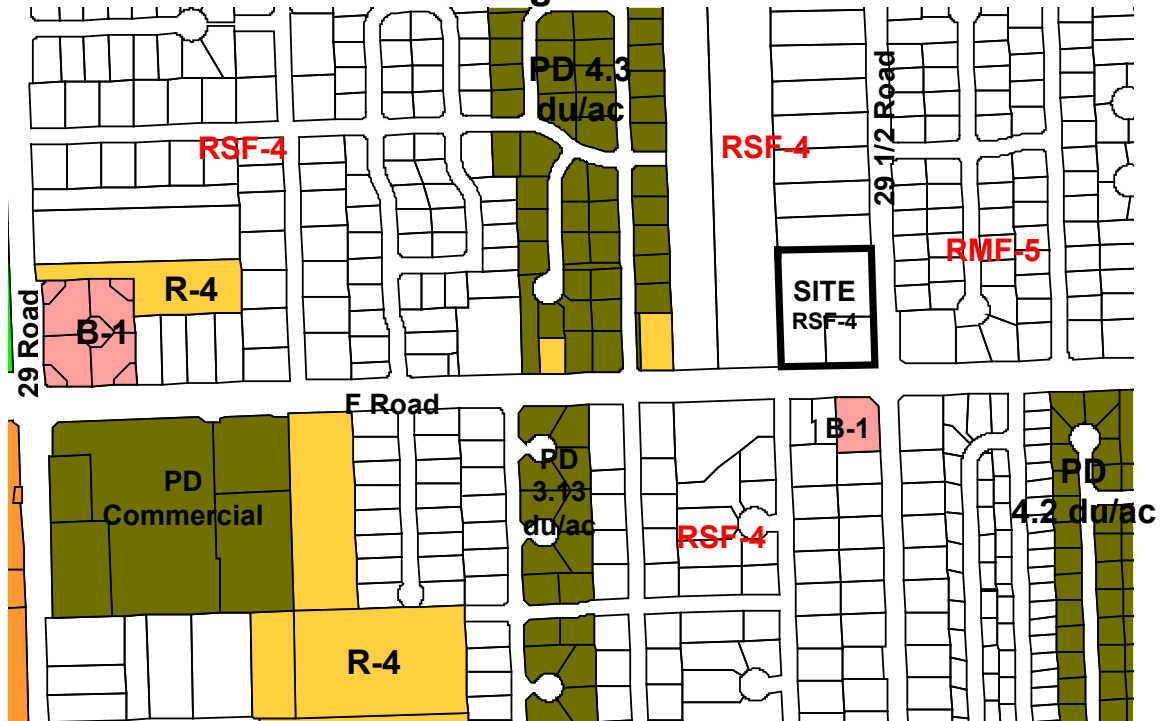
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MAVERIK ANNEXATION
TO C-1 (LIGHT COMMERCIAL) AND R-4 (RESIDENTIAL 4 DU/AC)**

LOCATED AT 2948 F ROAD AND 603 29 1/2 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 Maverik Annexation to the C-1 (Light Commercial) and R-4 (Residential 4 du/ac) zone districts 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 C-1 (Light Commercial) and R-4 (Residential 4 du/ac) zone districts are 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:**

MAVERIK ANNEXATION

The following property be zoned C-1 (Light Commercial):

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

COMMENCING at the Southeast corner of the SE 1/4 SW 1/4 of said Section 5 and assuming the East line of the SE 1/4 SW 1/4 of said Section 5 bears N 00°12'26" W with all other bearings contained herein being referenced thereto; thence from said Point of Commencement, S 89°58'56" W along the South line of the SE 1/4 SW 1/4 of said Section 5, a distance of 40.00 feet; thence N 00°12'26" W along a line 40.00 feet West of and parallel to the East line of the SE 1/4 SW 1/4 of said Section 5, a distance of 50.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°58'56" W along a line 50.00 feet North of and parallel to the South line of the SE 1/4 SW 1/4 of said Section 5, a distance of 290.40 feet; thence N 00°11'39" W a distance of 221.04 feet; thence S 89°47'35" W a distance of 290.35 feet; thence S 00°12'26" E along a line 40.00 feet West of and parallel to, the East line of the SE 1/4 SW 1/4, a distance of 222.00 feet, more or less, to the Point of Beginning. Also known as Lot 1, Maverik 2 Subdivision.

CONTAINING 64,323 Square Feet or 1.48 Acres, more or less, as described.

The following property be zoned R-4 (Residential 4 du/ac):

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

COMMENCING at the Southeast corner of the SE 1/4 SW 1/4 of said Section 5 and assuming the East line of the SE 1/4 SW 1/4 of said Section 5 bears N 00°12'26" W with all other bearings contained herein being referenced thereto; thence from said Point of Commencement, S 89°58'56" W along the South line of the SE 1/4 SW 1/4 of said Section 5, a distance of 40.00 feet; thence N 00°12'26" W along a line 40.00 feet West of and parallel to the East line of the SE 1/4 SW 1/4 of said Section 5, a distance of 272.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°47'35" W a distance of 290.35 feet; thence N 00°11'39" W a distance of 119.62 feet; thence N 89°58'56" E a distance of 290.32 feet; thence S 00°12'26" E along a line 40.00 feet West of and parallel to, the East line of the SE 1/4 SW 1/4, a distance of 118.66 feet, more or less, to the Point of Beginning. Also known as Lot 2, Maverik 2 Subdivision.

CONTAINING 34,591 Square Feet or 0.79 Acres, more or less, as described.

INTRODUCED on first reading the ____th day of____, 2009 and ordered published.

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

ATTEST:

President of the Council

City Clerk