



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

TUESDAY, JANUARY 26 2010, 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

Not available at this time.

2. **Pioneer Meadows Subdivision – Preliminary Subdivision Plan** [Attach 2](#)
 Request approval of a Preliminary Subdivision Plan to develop 45 duplexes and 9 single family lots on 13.36 acres in an R-8 (Residential 8 du/ac) zone district.

FILE #: PP-2008-393
PETITIONER: Jason Young – Pioneer Meadows, LLC
LOCATION: 3126, 3134, 3136 E Road
STAFF: Senta Costello

3. **Old Mill Subdivision – Vacation of Right-of-Way** [Attach 3](#)
 Request a recommendation of approval to City Council to vacate a Mesa County Road Petition, 2.478 acres of public Right-of-Way and a water line easement.

FILE #: VR-2008-373
PETITIONER: Bryan Wiman – The Redstone Group
LOCATION: 1101 Kimball Avenue
STAFF: Senta Costello

4. **Rimrock Landing Apartment Community – Growth Plan Amendment** [Attach 4](#)
 Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use designation from RMH (Residential Medium High 8 - 12 du/ac) to RH (Residential High 12+ du/ac) on 14.6 +/- acres.

FILE #: GPA-2009-232
PETITIONER: Kim and Lynn Rindlisbacher – Scenic Development, Inc.
LOCATION: 665, 667 24 1/2 Road
STAFF: Scott Peterson

5. **Garnet Glen Subdivision – Preliminary Subdivision Plan** [Attach 5](#)
 Request approval of the Preliminary Subdivision Plan to develop 25 single family attached lots on 3.2 +/- acres in an R-8 (Residential 8 du/ac) zone district.

FILE #: PP-2008-235
PETITIONER: Loren Ennis – Garnet Glen, LLC
LOCATION: 575 28 1/4 Road
STAFF: Scott Peterson

6. **Mesa State Rezone – Outline Development Plan Rezone** [Attach 6](#)
 Request a recommendation of approval to City Council of a two-year extension to the approved phasing for the Mesa State Outline Development Plan.

FILE #: ODP-2008-154
PETITIONER: Arnie Butler – Mesa State College, Real Estate Foundation
LOCATION: 2899 D 1/2 Road
STAFF: Greg Moberg

7. **Noland Avenue 5th to 7th – Vacation of Right-of-Way** [Attach 7](#)
Request a recommendation of approval to City Council to vacate remnant Right-of-Way areas, totaling 0.78 acres, associated with the Riverside Parkway development.

FILE #: VR-2009-225
PETITIONER: Mike Grizenko – City of Grand Junction
LOCATION: Noland Avenue Between 5th and 7th
STAFF: Judith Rice

8. **Autumn Place Four-plex – Growth Plan Amendment** [Attach 8](#)
Request a recommendation of approval to City Council of a Growth Plan Amendment to change the Future Land Use Designation from Residential Medium (4 - 8 du/ac) to Residential High (12 + du/ac) on .275 acres. This request is to provide consistency between the Future Land Use Map and the existing zoning of R-16 (Residential - 16 units per acre).

FILE #: GPA-2009-236
PETITIONER: James Schroeder
LOCATION: 1309 North 16th Street (includes the entire block of Elm Avenue to Glenwood Avenue, between North 15th Street and North 16th Street)
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.

9. **Sunlight Subdivision Annexation – Zone of Annexation** [Attach 9](#)
Request 1) a recommendation of approval to City Council to zone 11.21 acres to a PD (Planned Development – not to exceed 2.9 dwelling units per acre) with a default zone of R-4 (Residential 4 du/ac) and 2) a recommendation of approval to City Council of a Preliminary Development Plan to develop 33 lots on 11.21 acres in a PD (Planned Development) zone district.

FILE #: ANX-2006-348
PETITIONER: Ted Munkres – Freestyle Design & Building
LOCATION: 172, 174 Sunlight Drive
STAFF: Lori Bowers

10. **University Village Apartments – Site Plan Review** [Attach 10](#)
An appeal of the administrative approval to construct 7 multi-family buildings totaling 60 dwelling units on 3.25 +/- acres in an R-24 (Residential 24 du/ac) zone district.

FILE #: SPR-2008-119
PETITIONER: Darren Davidson – Precision Construction
LOCATION: 2256, 2304 North 17th Street
STAFF: Scott Peterson

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 2
Pioneer Meadows Subdivision**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 26, 2010
STAFF PRESENTATION: Senta L. Costello

AGENDA TOPIC: Pioneer Meadows Subdivision – PP-2008-393

ACTION REQUESTED: Preliminary Subdivision Plan Approval

BACKGROUND INFORMATION			
Location:	3126, 3134, 3136 E Road		
Applicants:	Owner/Developer: Pioneer Meadows, LLC – Jason Young Representative: Ciavonne, Roberts & Associates – Keith Ehlers		
Existing Land Use:	Single Family, Agricultural		
Proposed Land Use:	Residential Subdivision		
Surrounding Land Use:	North	Grand Valley Canal; Applewood West Mobile Home Park	
	South	Single Family Residential	
	East	Single Family Residential; Agricultural	
	West	Single Family Residential; Agricultural	
Existing Zoning:	R-8 (Residential 8 du/ac)		
Proposed Zoning:	R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	County PUD (Mobile Home Park 7.21 du/ac)	
	South	County RSF-4 (Residential Single Family 4 du/ac) / RMF-5 (Residential Multi-Family 5 du/ac)	
	East	County RMF-8 (Residential Multi-Family 8 du/ac)	
	West	City R-8 (Residential 8 du/ac); County RSF-R (Residential Single Family – Rural 5-25 ac/du)	
Growth Plan Designation:	Residential Medium 4-8 du/ac		
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: A request for Preliminary Subdivision Plan approval for 54 residential lots, including 9 single family lots and 45 duplex lots, for a total of 99 dwelling units on 13.37 acres in a R-8 (Residential 8 du/ac) zone district.

RECOMMENDATION: Approval of the proposed Preliminary Subdivision Plan.

ANALYSIS

1. Background

The property was a part of the Pellam Annexation in 2004 and the Pioneer Meadows Annexation in 2008 and was subdivided in 2009 as the PM Subdivision. The PM Subdivision created lots for the existing single family homes which exist on the property and a large lot (Lot 3) for the purpose of further development. This request is to further subdivide Lot 3 of the PM Subdivision. The original homes sites will be included within the Pioneer Meadows Subdivision Homeowners Association to maintain continuity with the overall development

Density

The project consists of 54 lots, with 9 single family lots and 45 duplex lots, on 13.37 acres for a density of 7.4 du/ac, conforming to the density requirements of both the Growth Plan (Residential Medium) and the R-8 zone district.

Access/Road Design

The Pioneer Meadows Subdivision will be accessed from E Road by Indian Rye Street and will have 4 other internal streets; two running east/west and two north/south. Bevill Avenue will stub out to the properties east and west of Pioneer Meadows and Grama Avenue will stub out to the property to the west. Upon construction of the internal streets of the Pioneer Meadows Subdivision, Lots 1, 2 and 4 of the PM Subdivision will access via the streets within the subdivision and the E Road accesses will be abandoned.

Lot Layout

The proposed development meets the zoning standards of this Chapter. The bulk standards for the zone district have been incorporated into the preliminary subdivision plan design. All proposed lots conform to the Zoning and Development Code (Table 3.2) which establishes a 4,000 square foot minimum lot size and 20 ft. minimum street frontage. The minimum lot width for the R-8 zone is 40 feet. With the exception of Lot 2, all of the proposed lots meet the lot width requirement. Section 3.2 C.2 of the Zoning and Development Code, allows the Planning Commission to vary lot widths for irregularly shaped lots. Lot 2 is located at the western end of a shared driveway and will not have the required 40' lot width. The lot is irregular in shape due to the constraints created by the existing house site located to the east and the detention pond on the south. The Developer has requested that the Planning Commission approve Lot 2 as an irregularly shaped lot. Staff recommends approval of the lot for the reasons discussed herein.

Open Space / Park / Landscaping

Tract A will serve as the detention pond for the subdivision and will be landscaped. Tracts D and E are proposed as a 5' landscape perimeter strip in association with the detached sidewalk and parkway landscaping along the E Road frontage. Tracts A, D and E will be owned and maintained by the Pioneer Meadows Homeowners Association. No other open space is proposed or required.

Phasing

The project is proposed for development in ten phases. The proposed Phasing Plan is attached. The phasing of the project will meet the requirements of the Zoning and Development Code for a phased subdivision.

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

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

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

The proposed development with a density of 7.4 du/ac is in compliance with the Growth Plan designation of Residential Medium 4-8 du/ac and meets the goals and policies of the Pear Park Plan. Tract B, located along the northern edge of the property, adjacent the Grand Valley Canal, will be conveyed to the Homeowners Association subject to an easement for a public trail. The proposed design meets the Grand Valley Circulation Plan.

- b. The Subdivision standards of Chapter Six.

The Subdivision Standards contained in Section 6.7 have been met with the Preliminary Subdivision Plan. The proposed subdivision establishes acceptable lot layout. All infrastructure including but not limited to water and sewer is being provided to each lot. Drainage has been addressed at this preliminary stage and will be accommodated with the detention pond located in Tract A at the southwest corner of the Pioneer Meadows Subdivision. The tract will be owned and maintained by the property owners association.

As currently proposed, Lots 2, 8, 9, 26 and 27 are encumbered by a 20' irrigation easement. With the easement in its current location, these lots are unbuildable. As a condition of the Preliminary Subdivision Plan, the easement, and facilities within it, will have to be relocated along the western property line.

- c. The Zoning standards contained in Chapter Three.

The proposed development meets the zoning standards of Chapter Three of the Code. The bulk standards for the zone district have been incorporated into the preliminary subdivision plan design. All proposed lots conform to the Zoning and Development Code (Table 3.2) which establishes a 4,000 square foot minimum lot size and 20 ft. minimum street frontage. The minimum lot width for the R-8 zone is 40 feet. With the exception of Lot 2, all of the proposed lots meet the lot width requirement. Section 3.2 C.2 of the Zoning and Development Code, allows the Planning Commission to vary lot widths for irregularly shaped lots. Lot 2 is located at the western end of a shared driveway and will not have the required 40' lot width. The lot is irregular in shape due to the constraints created by the existing house site located to the east and the detention pond on the south. The Developer has requested that the Planning Commission approve Lot 2 as an irregularly shaped lot. Staff recommends approval of the lot for the reasons discussed herein.

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

The proposed subdivision has been reviewed by the Development Engineer and meets all requirements of the Transportation Engineering Design Standards (TEDS) and Stormwater Management Manual (SWMM).

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

Public facilities and services are adequate to serve the proposed residential density. There is a 6" Clifton Water line and an 8" sanitary sewer line within the E Road right-of-way.

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

The project will have no adverse or negative impacts upon the natural or social environment. The surrounding area is largely developed as residential subdivisions or zoned for development in a fashion similar to the proposed project.

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

The proposed subdivision is of the same or similar type of residential use and density as exists on the surrounding properties on the south side of E Road. The larger adjacent properties that are not developed are zoned R-8 like the proposed subdivision site or designated with the same Growth Plan Future Land Use designation.

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

Compliance with the Stormwater Management Manual requirements as well as with the required stormwater discharge permit will ensure runoff does not harm adjacent uses. The proposed subdivision includes a detention pond in the southwest area of the property within Tract A. The preliminary pond designs have been reviewed by the City Development Engineer and been determined to meet the preliminary plan requirements.

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

The proposed Pioneer Meadows Subdivision will utilize existing sewer, water, and street facilities that are available to the property and have sufficient capacity for the additional lots. It is a logical extension existing development in the area.

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

Adequate land for public services such as road right-of-way and utilities has been provided.

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

As required by Code, the applicant is responsible for construction of all infrastructure and private improvements for the development as well as payment of applicable impact fees. Burden on the City will include typically ongoing maintenance of the added public facilities (streets, utilities) which is not considered to be an undue burden.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the Pioneer Meadows Subdivision application, PP-2008-393 for preliminary subdivision plan approval, I make the following findings of fact, conclusions and conditions:

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

4. The Preliminary Subdivision Plat approval is conditioned upon the following:

- a. The 20' irrigation easement for lateral 109C (Book 2134 Page 192), and facilities within it, will have to be relocated along the western property line.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the proposed preliminary subdivision plan, PP-2008-393 with the findings, conclusions, and conditions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

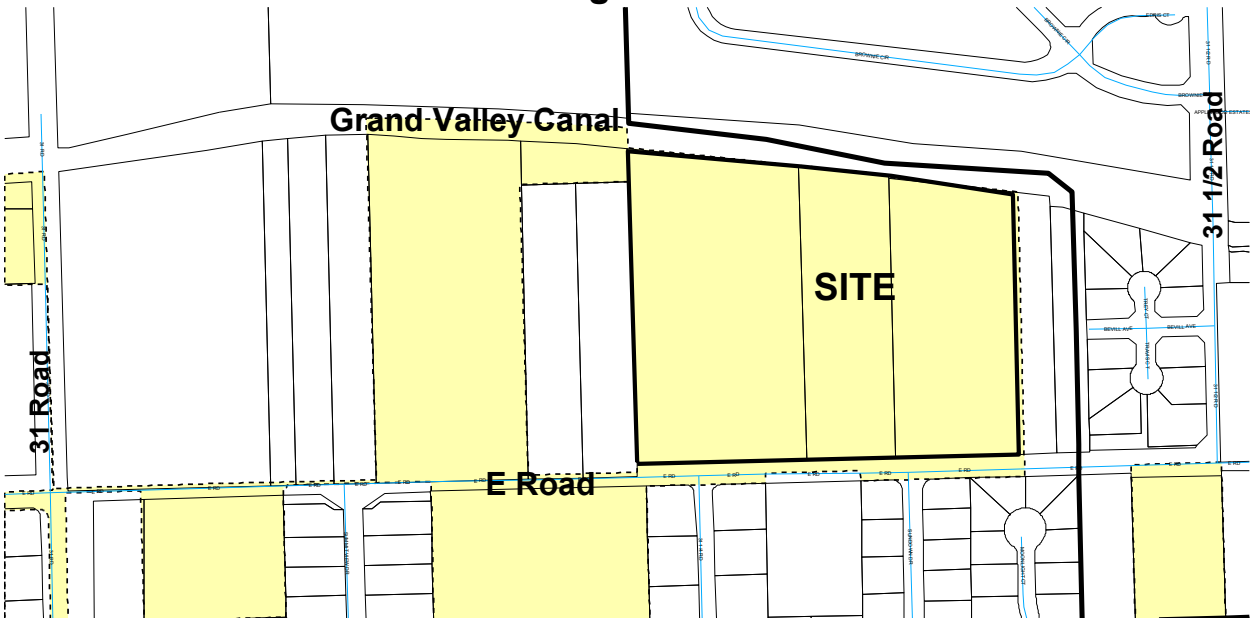
Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for Pioneer Meadows Subdivision, PP-2008-393, with the findings and conclusions listed in the staff report.

Attachments:

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

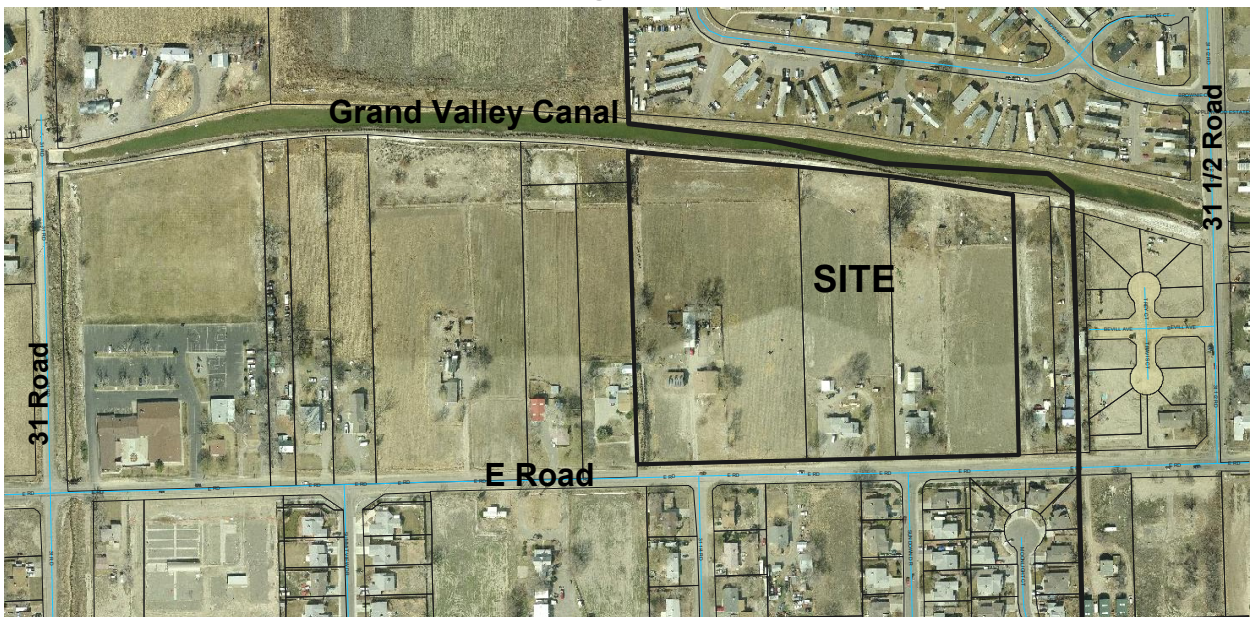
Site Location Map

Figure 1



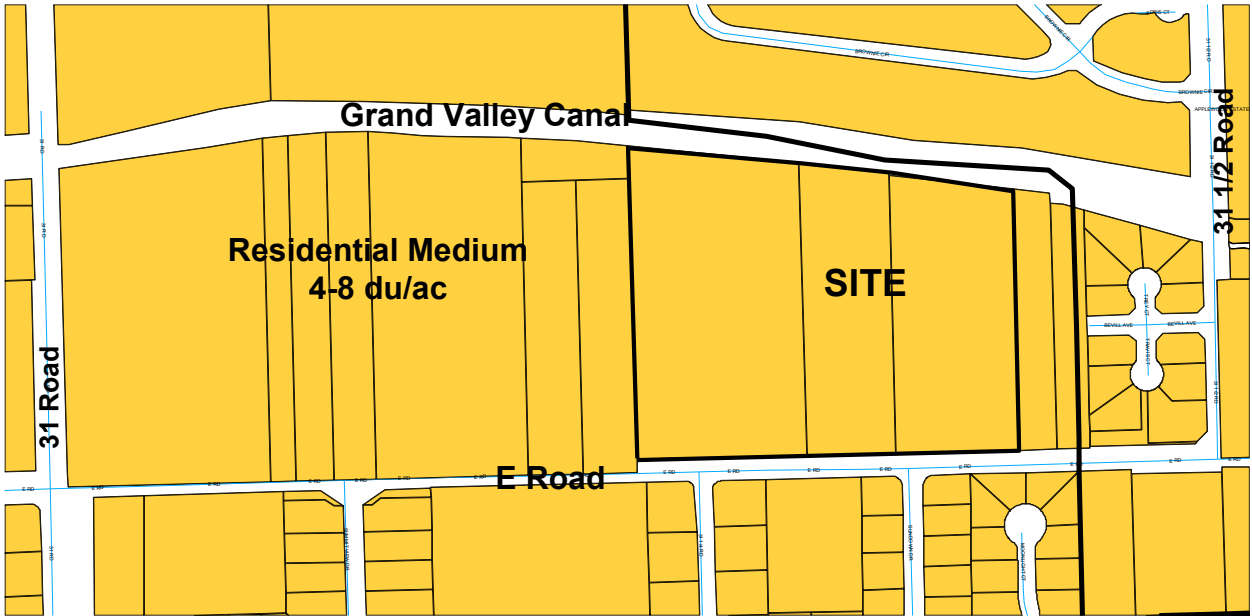
Aerial Photo Map

Figure 2



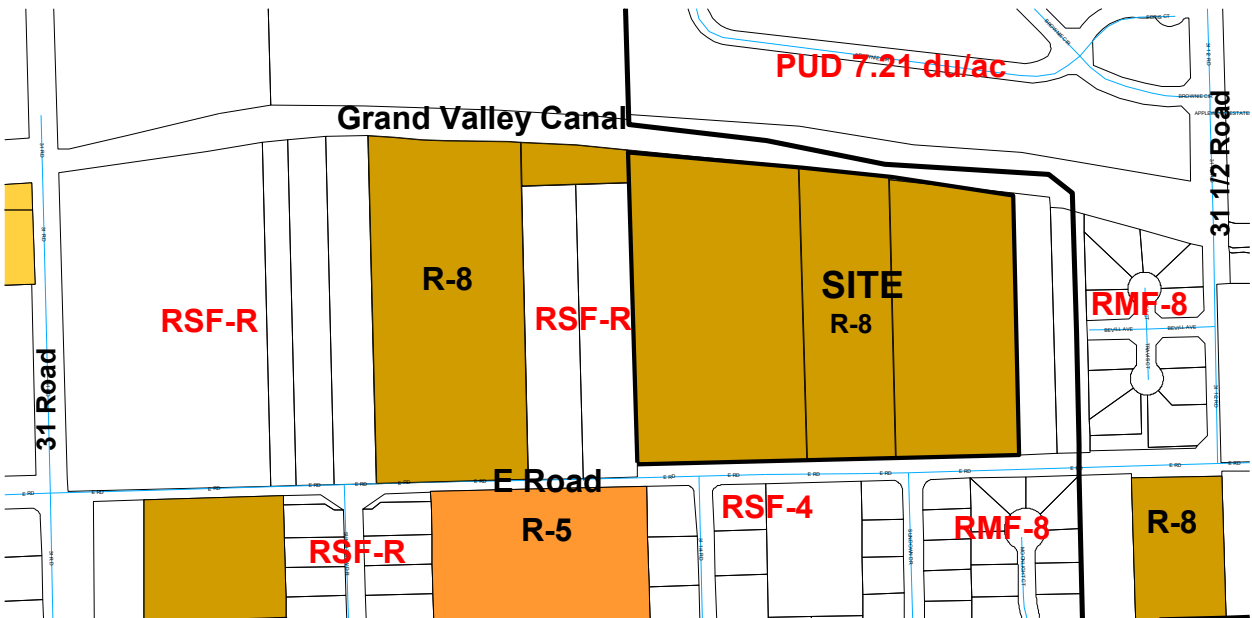
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4

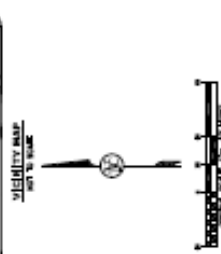
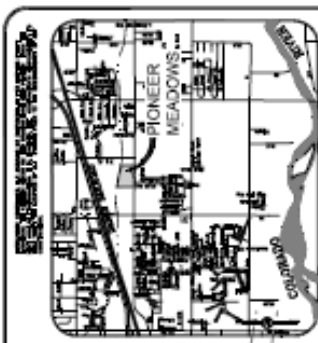


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."



2024
 Pioneer Meadows, LLC
 10000 N. 10th Street, Suite 100, Phoenix, AZ 85020

NO.	DATE	DESCRIPTION
1	08/15/2024	PRELIMINARY PLAN



PROJECT BENCHMARKS:
 THE 2024 NORTH BENCH MARK AT THE WEST CORNER OF VC 10000 N. 10TH STREET, PHOENIX, AZ 85020, SHALL BE THE BENCHMARK FOR ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS PLAN. THE BENCHMARK SHALL BE THE CENTER POINT OF THE BENCHMARK MARK.

LEGEND
 PROPOSED

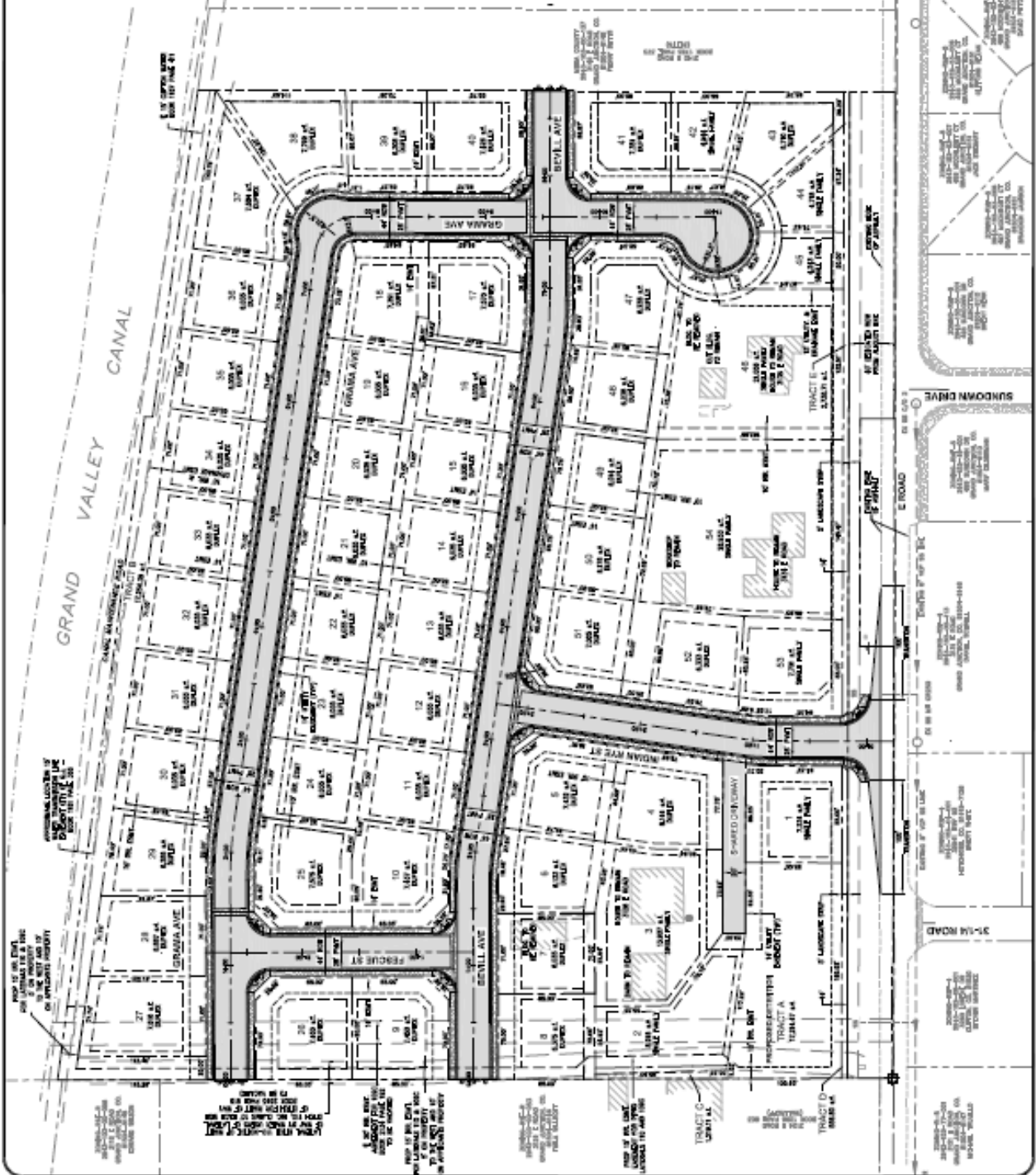
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LOT SUMMARY

TRACT	TRACT NO.	TRACT AREA (SQ FT)	TRACT PERCENT
TRACT 1	1	14,841.37	3.39
TRACT 2	2	30,237.50	8.17
TRACT 3	3	30,237.50	8.17
TRACT 4	4	30,237.50	8.17
TRACT 5	5	30,237.50	8.17
TRACT 6	6	30,237.50	8.17
TRACT 7	7	30,237.50	8.17
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UTILITY VERSIONS

UTILITY	DESCRIPTION	DATE
WATER	EXISTING	08/15/2024
SEWER	EXISTING	08/15/2024
ELECTRIC	EXISTING	08/15/2024
TELEPHONE	EXISTING	08/15/2024
CABLE	EXISTING	08/15/2024
STORM	EXISTING	08/15/2024
IRRIGATION	EXISTING	08/15/2024
SLURRY WALL	EXISTING	08/15/2024
ADJACENT PROPERTIES	EXISTING	08/15/2024

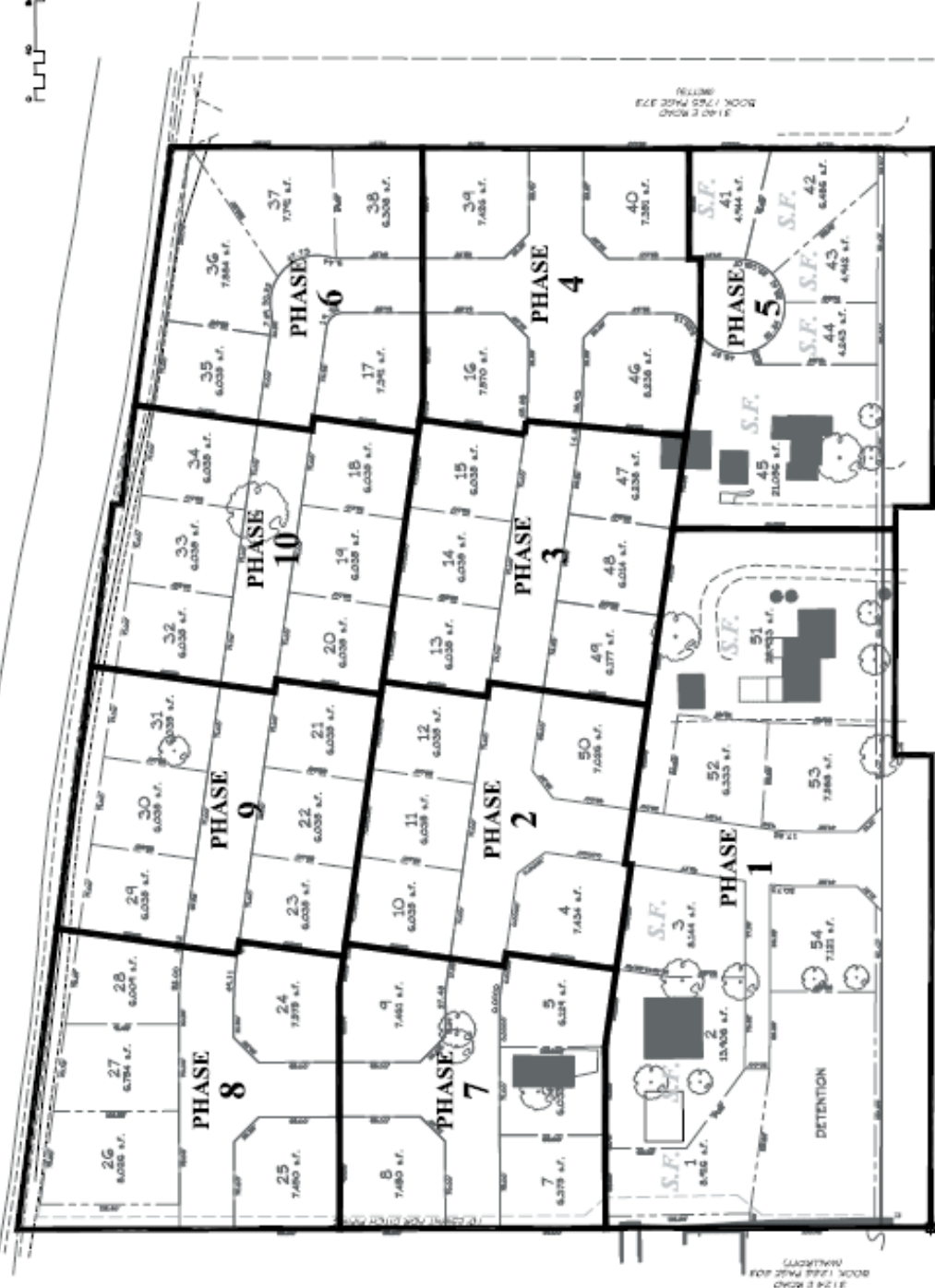


37-34 ROAD
 SUNBEAM DRIVE
 DEVELL AVE
 GRAMMA AVE
 GRAND VALLEY CANAL
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PIONEER MEADOWS SUBDIVISION GRAND JUNCTION, COLORADO

COMPANY: []
 DESIGNED: []
 DRAWN: []
 CHECKED: []
 PERMITTED: []
 DATE: []

CIVIL ENGINEER
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. []
 STATE OF COLORADO



PHASING PLAN

**Attach 3
Old Mill Subdivision**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 26, 2010
PRESENTER: Senta L. Costello

AGENDA TOPIC: Old Mill Right-of-Way/Easement Vacation - File #VR-2008-373.

ACTION REQUESTED: Recommendation to City Council on the Requested Right-of-Way/Easement Vacation.

BACKGROUND INFORMATION			
Location:		1101 Kimball Avenue	
Applicants:		Owner/Applicant: City of Grand Junction Owner/Applicant: Southside Leasing, LLC – Bryan Wiman Representative: Vista Engineering Corp – David Chase	
Existing Land Use:		Warehouse	
Proposed Land Use:		Warehouse	
Surrounding Land Use:	North	Outdoor storage, manufacturing, warehousing, vacant industrial	
	South	Las Colonias Park	
	East	Vacant City property	
	West	Vacant City property	
Existing Zoning:		I-2 (General Industrial)	
Proposed Zoning:		I-2 (General Industrial)	
Surrounding Zoning:	North	I-2 (General Industrial)	
	South	CSR (Community Services & Recreation)	
	East	I-2 (General Industrial)	
	West	I-2 (General Industrial)	
Growth Plan Designation:		Industrial	
Zoning within density range?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

PROJECT DESCRIPTION: Applicant is requesting to vacate two existing, unimproved rights-of-way and an unused water line easement.

RECOMMENDATION: Recommendation of approval to City Council.

ANALYSIS

1. Background

The property was annexed in 1994 as a part of the Climax Enclave #1 and #2 Annexations. The 27 Road road petition was dedicated in 1883 as a continuation of 27 Road across the Colorado River. Another right-of-way was dedicated in approximately 1975 for S 12th Street from Kimball Avenue to the north edge of the Colorado River. The water line easement was conveyed in 2007. Neither the rights-of-way nor the easement were constructed or used.

Southside Leasing, LLC is requesting the vacation of the water line easement (containing no water lines or other utilities) and of the rights-of-way within the boundary of its property. The City of Grand Junction is requesting the vacation of the remaining sections of rights-of-way south to the northern edge of the Colorado River located within City owned property.

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

The vacation of the rights-of-way and easement shall conform to the following:

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

This area of the City does not have an applicable neighborhood plan. The vacations are in conformance with the Growth Plan, Grand Valley Circulation Plan and all other policies of the City.

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

The proposed vacation of rights-of-way and easement will not land lock any parcels of land.

- 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 properties shall remain the same as they are currently and the vacations will not restrict the potential for future access should they be needed.

- 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).

As the rights-of-way and easement have never been utilized nor are they needed for any planned traffic circulation or utilities, the health, safety and welfare of the community will not be compromised, nor will the quality of public facilities and services be reduced. Development of other rights-of-way and private properties in the area has made the construction of roads in the subject rights-of-way very unlikely.

- 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.

Public facilities and services will not be affected by the proposed vacation for the reasons stated above.

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

The proposal will provide benefits to the City by eliminating the potential for confusion and or expectations of a road or access where one will never be located.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Old Mill application, #VR-2008-373 for the vacation of a public rights-of-way and water line easement, I make the following findings of fact and conclusions:

1. The requested rights-of-way/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 rights-of-way/easement vacation, #VR-2008-373 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #VR-2008-373, I move we forward a recommendation of approval to the City Council on the requests to vacate 2 rights-of-way and a water line easement with the findings of fact and conclusions in the staff report.

Attachments:

Site Location Map / Aerial Photo Map

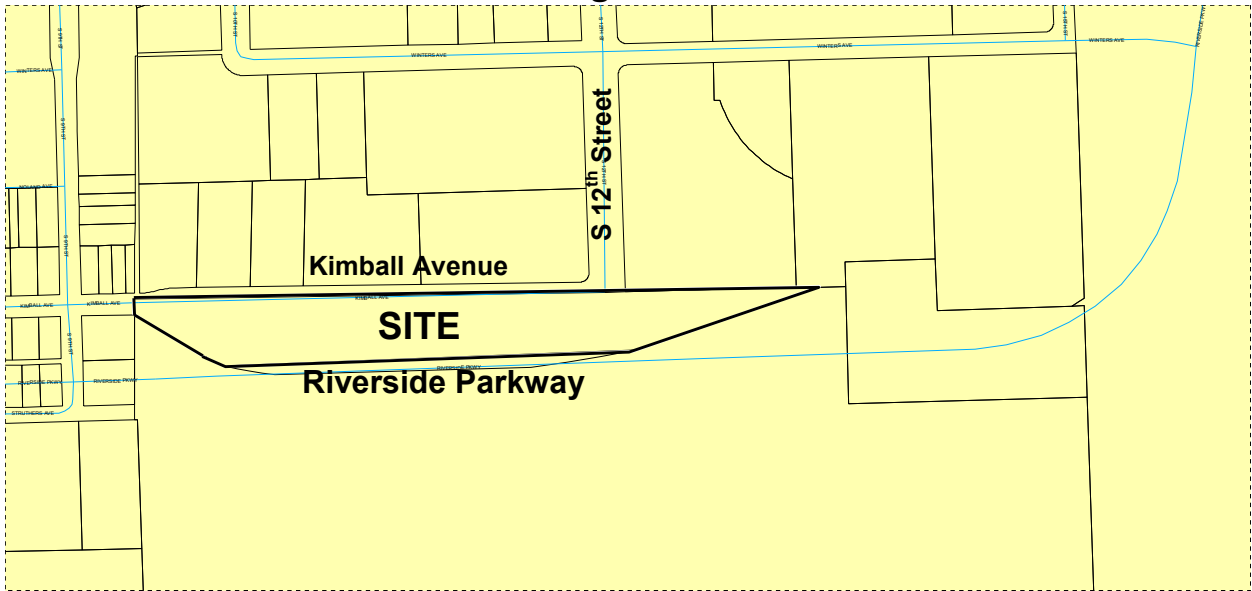
Future Land Use Map / City Zoning Map

Resolution

Ordinances

Site Location Map

Figure 1



Aerial Photo Map

Figure 2



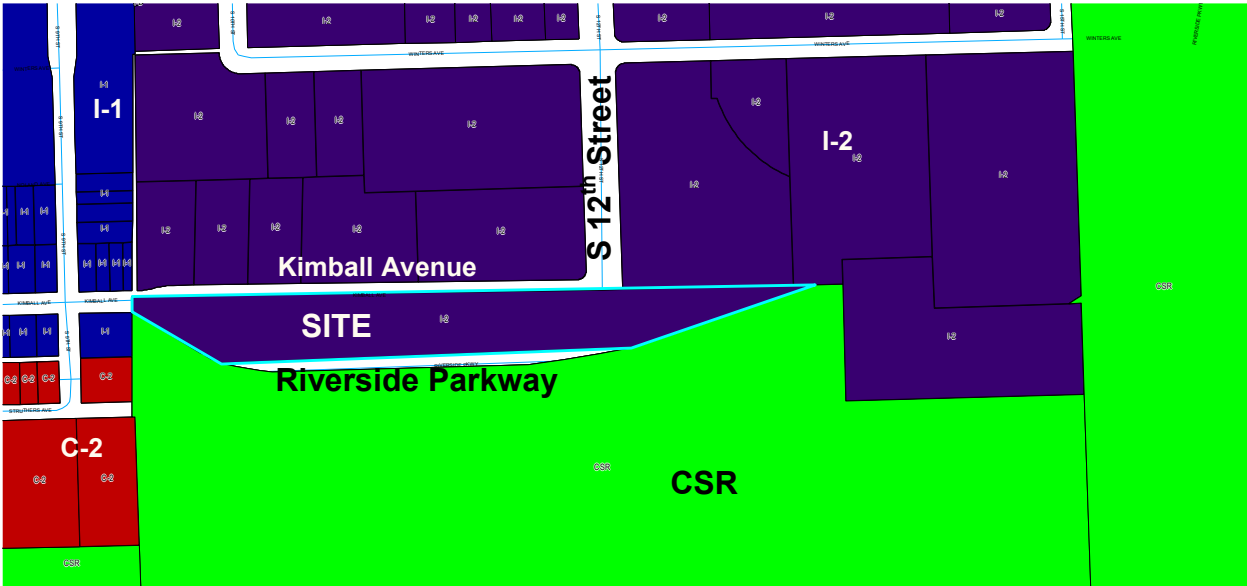
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



CITY OF GRAND JUNCTION

RESOLUTION NO.

**VACATING A WATER LINE EASEMENT
LOCATED AT 1101 KIMBALL AVENUE**

Recitals:

A request for the vacation of a water line easement has been submitted in accordance with the Zoning and Development Code. The applicants, Southside Leasing, LLC – Bryan Wiman, have requested that the water line easement located at 1101 Kimball Avenue be vacated. There is no existing utility infrastructure located within this easement.

In a public hearing, the Planning Commission reviewed the request for the vacation and determined that it satisfied the criteria as set forth and established in Section 2.11.C of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

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

The following described dedicated Water Line Easement is hereby vacated subject to the following conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution, any easement documents and dedication documents.

Dedicated Easements to be vacated:

DESCRIPTION OF A TRACT OF LAND

A tract of land located in the SW¼ of the NW¼ of Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at the northwesterly corner of a tract of, which is identical with a point on the northerly property line of an irregular tract of land as recorded in Book 4448 at Page 794 as Reception Number 2385965 in the records of the Mesa County Clerk and Recorder, which bears N 00°15'42" W, 330.33 feet and S 89°52'19" E, 153.00 feet from the E¼ corner of Section 23, Township 1 South, Range 1 West of the Ute Meridian and considering the south line of the NE¼ of said Section 23 to bear N 89°36'03" W, with all other bearings contained herein relative thereto;

1. Thence S 89°52'19" E, 50.01 feet;
2. Thence S 00°52'40" E, 122.59 feet;
3. Thence S 72°33'02" W, 52.17 feet;
4. Thence N 00°52'40" W 138.35 feet to the point of beginning.

Tract of land as described above contains 0.150 acres more or less,

A drawing depicting the above is attached hereto as Exhibit "A".

Introduced for first reading on this _____ day of _____, 2010

PASSED and ADOPTED this _____ day of _____, 2010

ATTEST:

President of City Council

City Clerk

EXHIBIT A

NE CORNER
SECTION 23,
TOWNSHIP 1 SOUTH,
RANGE 1 WEST,
UTE MERIDIAN.
CITY MONUMENT.
1" PIPE / MONUMENT BOX

WINTERS AVENUE
INDUSTRIAL PARK
PLAT BOOK 12, PAGE 305
RECEPTION No. 1235164

COLORADO WEST DEVELOPMENT
PARK, FILING TWO
PLAT BOOK 11, PAGE 286
RECEPTION No. 1139503

KIMBALL AVENUE

S 89°13'27" E 1318.19'

15' UTILITY EASEMENT
PLAT BOOK 11, PAGE 286

S 89°52'19" E 592.08'

2945-231-00-038
1101 KIMBALL AVENUE.
BOOK 4448, PAGE 794.

60' ROAD RIGHT-OF-WAY.
ROAD PETITION BOOK 1,
PAGE 9 & 60, FILE No. 9 & 60.
BOOK 4336, PAGE 745 & 795

PARCEL
5.318 AC.±

6' MULTI-PURPOSE EASEMENT
BOOK 3930 PAGE 457

S 89°27'40" W 1143.78'

**RIVERSIDE
PARKWAY**

2945-231-00-945
925 STRUTHERS AVENUE.
CITY OF GRAND JUNCTION.

BASIS OF BEARINGS
SOUTH LINE OF THE NE 1/4

N 89°36'03" W 2638.76'

C 1/4 CORNER
SECTION 23,
TOWNSHIP 1 SOUTH,
RANGE 1 WEST,
UTE MERIDIAN.
MCSM No. 1280

E 1/4 CORNER
SECTION 23,
TOWNSHIP 1 SOUTH,
RANGE 1 WEST,
UTE MERIDIAN.
1996
PLS 24306



Dean E. Ficklin
P.L.S., 1959

LEGEND

S.F. SQUARE FEET.
AC. ACRES.

FEET 60 0 60 FEET

GRAPHIC SCALE

SCALE: 1 INCH = 60 FEET

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
(A)	02°55'18"	1156.28'	58.96'	29.49'	58.95'	N 74°00'41" E

CITY OF GRAND JUNCTION

Ordinance No.

**VACATING ROAD PETITION FOR 27 ROAD ALIGNMENT
LOCATED APPROXIMATELY BETWEEN KIMBALL AVENUE AND UNAWEEP
AVENUE**

RECITALS:

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A certain parcel of land lying in the East half (E 1/2) of Section 23 and the West half (W 1/2) of Section 24, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

ALL of that certain right of way granted by Mesa County Road petition in Road Book 1, Page 9, and recorded at reception number 2359414 in the Mesa County Public records, Colorado, lying South of the North line of a parcel of land as described in Book 4448, Page 794 in said Mesa County Public records, TOGETHER WITH;

ALL of that certain right of way granted by Mesa County Road petition in Road Book 1, Page 60, originally recorded at reception number 225 and re-recorded at reception number 2359464 in said Mesa County Public records, Colorado, lying South of the

North line of a parcel of land as described in Book 4448, Page 794 in said Mesa County Public records.

Introduced for first reading on this _____ day of _____, 2010

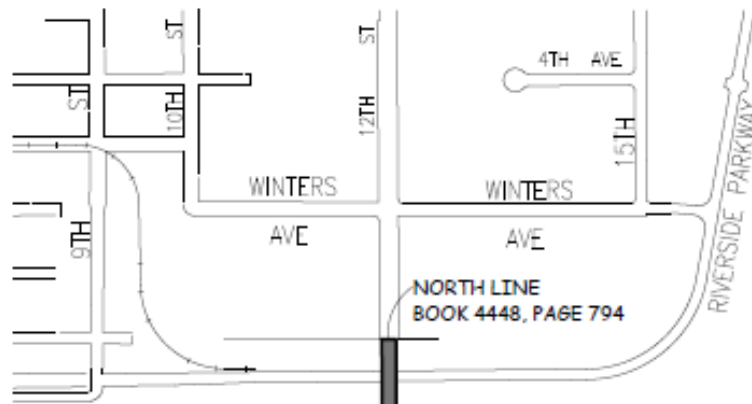
PASSED and ADOPTED this _____ day of _____, 2010.

ATTEST:

President of City Council

City Clerk

EXHIBIT "A"



NTS
Lineal Units = U.S. Survey Foot

ROAD PETITION
BOOK 1, PAGE 60
RECEPTION #225 & RE-RECORDED
AT RECEPTION # 2359464

ROAD PETITION
BOOK 1, PAGE 9,
RECEPTION #2359414



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



NOT A SURVEY

DRAWN BY: MS
DATE: 12/14/2008
SCALE: NTS
APPR. BY: STK

*ROAD PETITION BOOK VACATION
BOOK 1, PAGE 9 & BOOK 1, PAGE 60
SECTIONS 23 AND 24
TOWNSHIP 1 SOUTH RANGE 1 WEST
UTE PRINCIPAL MERIDIAN*



CITY OF GRAND JUNCTION

Ordinance No.

**VACATING RIGHT-OF-WAY FOR SOUTH 12TH STREET
LOCATED BETWEEN KIMBALL AVENUE AND THE COLORADO RIVER**

RECITALS:

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A certain parcel of land lying in the East half (E 1/2) of Section 23 and the West half (W 1/2) of Section 24, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

ALL of that certain 100.00 foot right of way as described in Book 1040, Page 594, Public records of Mesa County, Colorado.

Containing 2.478 acres, more or less, as described.

Introduced for first reading on this _____ day of _____, 2010

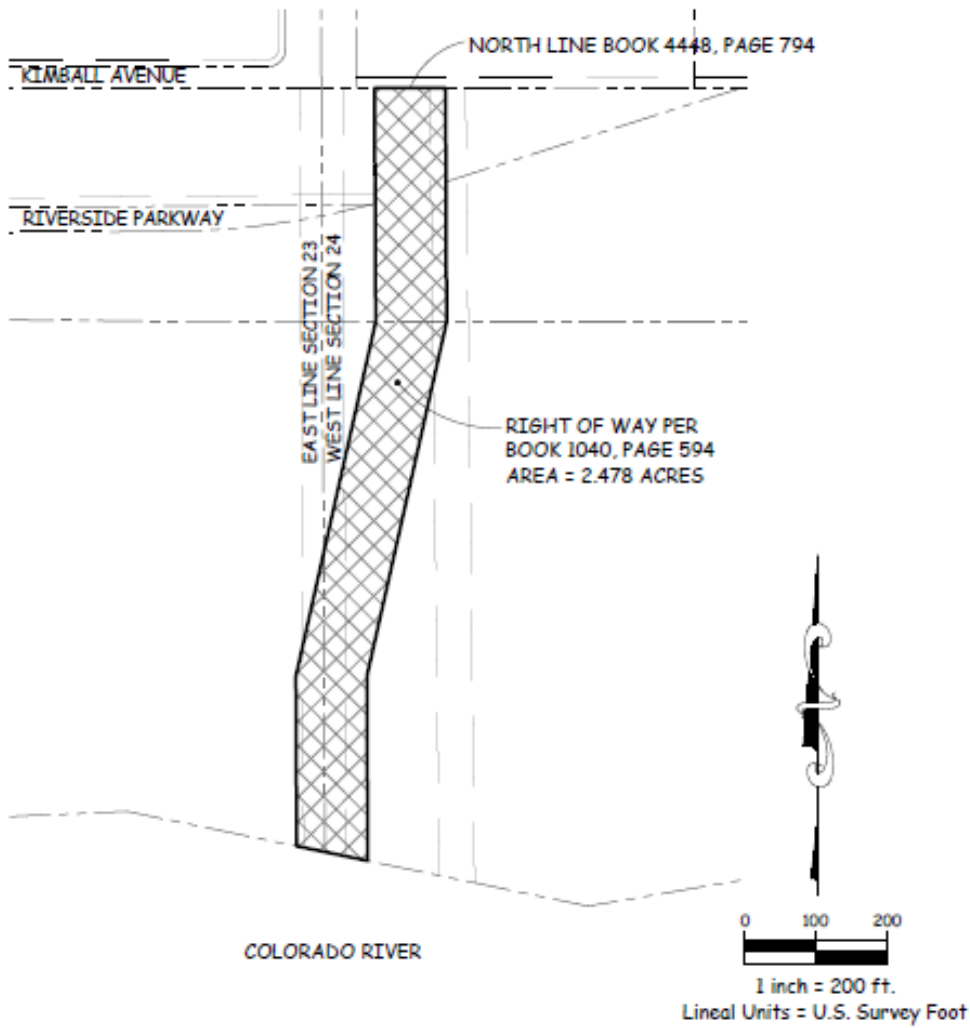
PASSED and ADOPTED this _____ day of _____, 2010.

ATTEST:

President of City Council

City Clerk

EXHIBIT "A"



RIGHT OF WAY PER
BOOK 1040, PAGE 594
AREA = 2.478 ACRES

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: MG
DATE: 12/14/2009
SCALE: 1" = 200'
APPR. BY: PTK

RIGHT OF WAY VACATION
BOOK 1040, PAGE 594
SECTIONS 23 & 24
TOWNSHIP 1 SOUTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN

CITY OF
Grand Junction
COLORADO

**Attach 4
Rimrock Landing Apartment Community**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 26, 2010
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Rimrock Landing Apartment Community Growth Plan Amendment - GPA-2009-232

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

BACKGROUND INFORMATION					
Location:		665 & 667 24 ½ Road			
Applicants:		Rowley Family Trust and 24 ½ Road Development LLC, Property Owners Scenic Development, Inc., Developer/Representative			
Existing Land Use:		Single-family residential on each property			
Proposed Land Use:		Up to 276 multi-family dwelling units (apartments)			
Surrounding Land Use:	North	Vacant land			
	South	Single-family residential			
	East	Single-family detached and attached dwelling units (Brookwillow Village)			
	West	Vacant land			
Existing Zoning:		R-12, (Residential – 12 du/ac)			
Proposed Zoning:		R-24, (Residential – 24 du/ac)			
Surrounding Zoning:	North	R-12, (Residential – 12 du/ac)			
	South	R-12, (Residential – 12 du/ac)			
	East	PD, (Planned Development (9+/- du/ac))			
	West	M-U, (Mixed Use)			
Growth Plan Designation:		Residential Medium High (8 – 12 du/ac)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: The applicants are requesting approval of a Growth Plan Amendment for 14.6 +/- acres of land located at 665 and 667 24 ½ Road. The request which is in anticipation of future multi-family residential development is to change the land use designation from Residential Medium High (8 – 12 du/ac) to Residential High (12+ du/ac).

RECOMMENDATION: Recommend to the City Council approval of the requested Growth Plan Amendment application to Residential High (12+ du/ac).

ANALYSIS:

1. Background:

The properties that are the subject of this application are located on the west side of 24 ½ Road between Patterson Road and G Road. A single-family detached residence and associated accessory buildings are currently located on each parcel. The applicant's wish to remove the existing single-family residence located at 667 24 ½ Road and develop both properties as a multi-family residential apartment project of up to 276 units. Total acreage for the parcels requesting the Growth Plan Amendment is 14.6 +/- acres.

If this Growth Plan Amendment request is approved by the City, the applicant's plan to apply for a rezone to R-24, (Residential – 24 du/ac) and a Major Site Plan and a Simple Subdivision in order to develop the properties as a multi-family residential apartment community.

The applicant's are aware that the proposed Comprehensive Plan is to be adopted in early 2010. That plan proposes to change the current designation of this area to Urban Residential Mixed Use (24+ du/ac). Therefore, the applicant's are not requesting that the City approve a Growth Plan Amendment that would be inconsistent with the proposed Comprehensive Plan. The applicant's are simply requesting early consideration in order to commence development of their project at the earliest possible date.

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

The Growth Plan may be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Growth Plan and 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

There was no error at the time of the adoption of the 1996 Growth Plan. The properties contained a single-family residence and there is no other indication that an error was made in designating the properties Residential Medium High (8 – 12 du/ac).

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

The proposed Comprehensive Plan has identified this area for residential density increases from the current eight to twelve dwelling units an acre to twenty-four or more dwelling units per acre. Therefore, the applicant's are not requesting that the City authorize changes in density that may not be consistent with the proposed Comprehensive Plan. The majority of parcels

located on the west side of 24 ½ Road are large parcels that contain only a single-family residence with an existing zoning of R-12, (Residential – 12 du/ac). From an overall planning aspect and with the proposed adoption of the Comprehensive Plan concurrence, this area is an appropriate place for additional residential density increases and redevelopment due to the close proximity to retail, parks and transportation facilities and also provides a buffer and transitional area between commercial and adjacent single-family residential land uses to the east.

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

The commercial properties around Mesa Mall and Patterson Road have developed consistency with the current Future Land Use Map. To the north and east of the mall area, the Growth Plan identifies this area as Residential Medium High (8 – 12 du/ac) which is consistent with the Brookwillow Village development immediately to the east (approved for 277 dwelling units on 30 +/- acres – overall density of 9+/- du/ac).

What is lacking in the development pattern is a land use designation that would transition from the commercial land uses to the existing residential density of Brookwillow Village and anticipated future single-family residential development on the east side of 24 ½ Road. The proposed Growth Plan Amendment and anticipated adoption of the Comprehensive Plan would provide a transitional land use designation in the area west of 24 ½ Road. This area is also appropriate for additional residential density increases and redevelopment due to the close proximity to retail, parks and transportation facilities. Furthermore this area includes large parcels of land that could easily be subdivided and redeveloped further.

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

The proposed amendment is consistent with the following goals and policies within the current Growth Plan:

Goal 1 from the Growth Plan is; *“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.”*

Goal 5 from the Growth Plan is; *“to ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.”*

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

Goal 10 from the Growth Plan is; *“to retain valued characteristics of different neighborhoods within the community.”*

Policy 10.2 states that; *“the City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.”*

Goal 11 from the Growth Plan is; *“To promote stable neighborhoods and land use compatibility throughout the community.”*

Policy 11.3 states that; *“the City and County may permit the development of multi-family units in all residential categories.....and achieves community goals for land use compatibility, housing affordability and open space preservation.”*

Goal 15 from the Growth Plan is; *“to achieve a mix of compatible housing types and densities dispersed throughout the community.”*

Policy 15.3 states that; *“prior to any future plan amendments, the City and County will ensure that the Future Land Use Map designates sufficient land in appropriate locations to accommodate anticipated demand for each residential land use category for the next ten years.”*

Goal 16 from the Growth Plan is; *“to promote adequate affordable housing opportunities dispersed throughout the community.”*

The proposed amendment is consistent with the following goals stated in the Comprehensive Plan:

Goal 3: *The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.*

Goal 5: *To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.*

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

Existing and proposed infrastructure and community facilities are adequate to serve the proposed multi-family residential development. Sufficient access is

currently available from 24 ½ Road and with the proposed submittal of the Site Plan and Simple Subdivision, additional right-of-way for the F ¾ Road would be dedicated along the northern half of the property which could also provide access to the site. The properties are also close to transportation facilities, public parks (Canyon View Park), shopping and entertainment amenities around Mesa Mall, Patterson Road and 24 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

An inadequate supply of suitably designated land is currently available in the community to accommodate the proposed land use. When looking at the current Future Land Use Map, there are almost no Residential High (12+ du/ac) designated land areas in this part of the City. In the area bounded by 23 Road to the west, 26 Road to the east, Patterson Road on the south and Interstate 70 on the north, there are only two (2) areas that are designated as Residential High (12+ du/ac) and they are both currently developed – Sundance Village and Foresight Village Apartments. Any new multi-family development greater than 12 dwelling units an acre would be required to obtain a Growth Plan Amendment and rezone in order to develop in this area. The proposed Comprehensive Plan also identifies a community need for higher density residential development in this area and is proposing to change the current designation of the area west of 24 ½ Road to Urban Residential Mixed Use (24+ du/ac).

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

The community and area will benefit from the proposed Growth Plan Amendment due to the fact that as the Grand Junction area will continue to grow. The City will be in need of higher density developments, such as the one that would be proposed for this site, to meet the various housing needs of the community. The proposed Comprehensive Plan has also identified this area for higher density residential development. This proposed amendment to the Growth Plan will allow for the ultimate goal of rezoning the properties that would go towards meeting this need in the community.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Rimrock Landing Apartment Community application, GPA-2009-232 for a Growth Plan Amendment, Project Manager makes the following findings of fact and conclusions:

1. The proposed amendment is consistent with the purpose and intent of the Plan; and
2. The review criteria in Section 2.5 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 Growth Plan Amendment, GPA-2009-232 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

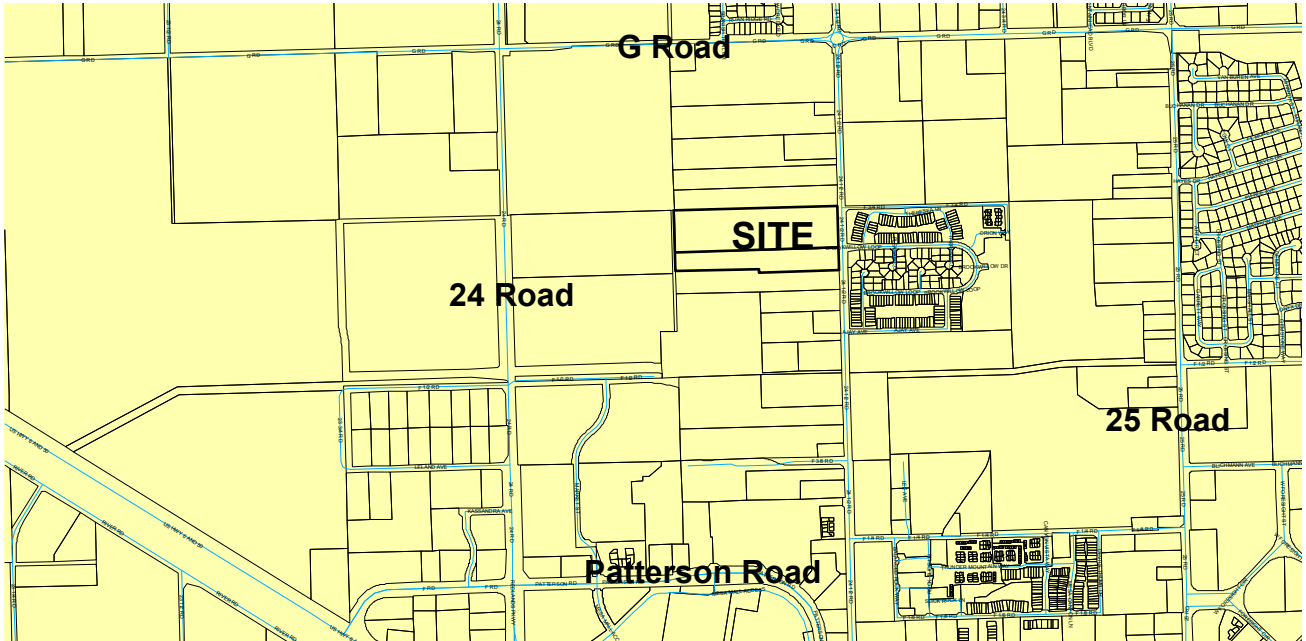
Mr. Chairman, on item GPA-2009-232, Rimrock Landing Apartment Community, I move that we forward a recommendation of approval of the requested Growth Plan Amendment from Residential Medium High (8 – 12 du/ac) to Residential High (12+ du/ac) for the properties located at 665 & 667 24 ½ Road.

Attachments:

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

Site Location Map

Figure 1



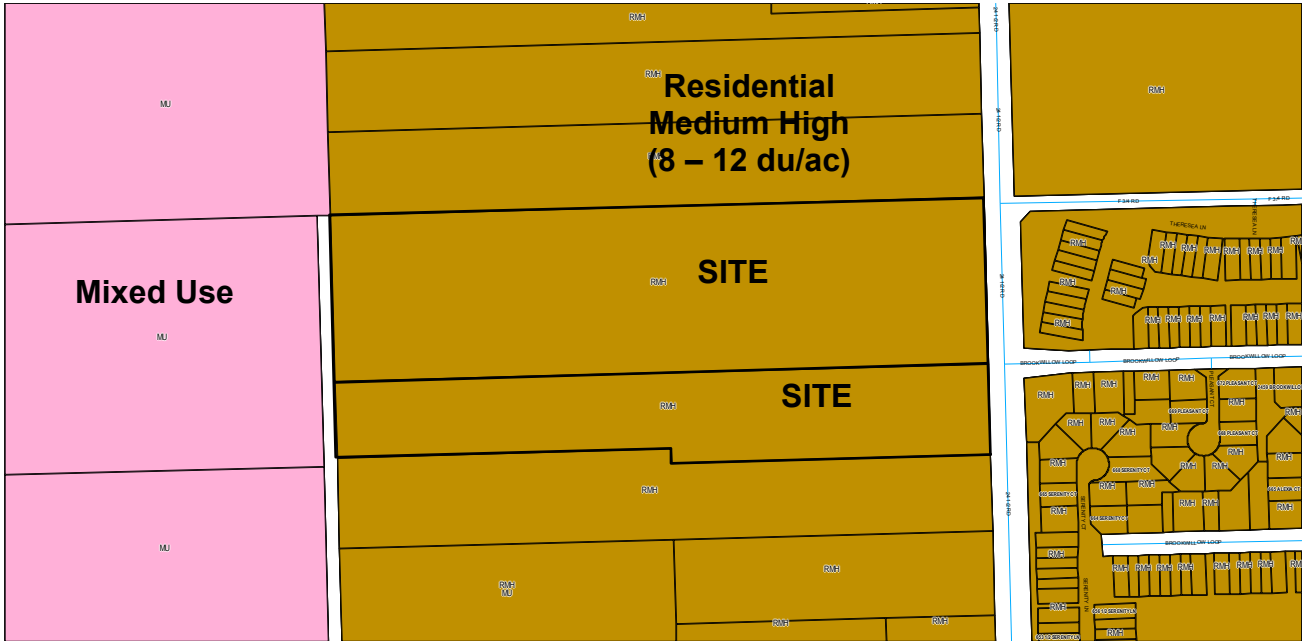
Aerial Photo Map

Figure 2



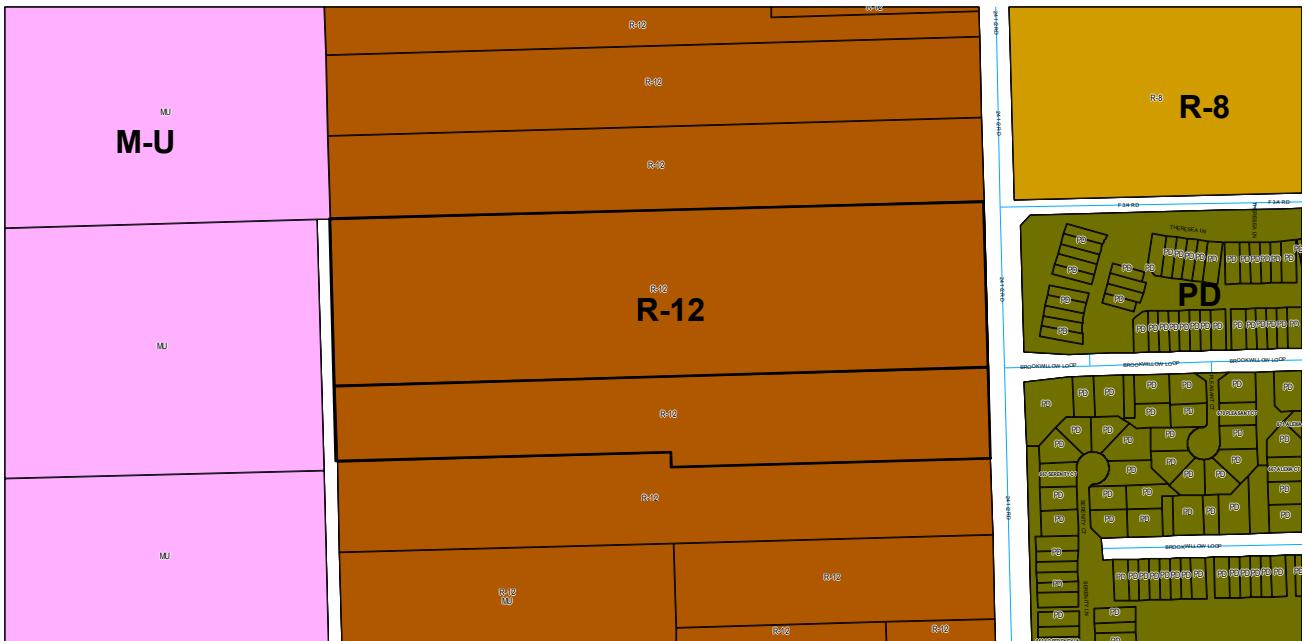
Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 14.6 +/- ACRES LOCATED AT 665 AND 667 24 ½ ROAD KNOWN AS THE RIMROCK LANDING APARTMENT COMMUNITY FROM RESIDENTIAL MEDIUM HIGH (8 – 12 DU/AC) TO RESIDENTIAL HIGH (12+ DU/AC)

Recitals:

A request for a Growth Plan Amendment has been submitted pursuant to the Zoning and Development Code. The applicant has requested that approximately 14.6 +/- acres, located at 665 and 667 24 ½ Road be redesignated from Residential Medium High (8 – 12 du/ac) to Residential High (12+ du/ac) 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 the application satisfied the criteria as set forth and established in Section 2.5 C. of the Zoning and Development Code and that 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 HIGH (8 – 12 DU/AC) TO RESIDENTIAL HIGH (12+ DU/AC) ON THE FUTURE LAND USE MAP.

Rimrock Landing Apartment Community Growth Plan Amendment

665 24 ½ Road:

The West ½ South ½ North ½ SE ¼ NW ¼ EXCEPT the South 180 feet; and the East ½ South ½ North ½ SE ¼ NW ¼ EXCEPT the South 150 feet; All in Section 4, Township 1 South, Range 1 West of the Ute Meridian; EXCEPT that tract conveyed to Mesa County in instrument recorded July 1, 1963 in Book 849 at Page 494; and EXCEPT that tract conveyed to County of Mesa in instrument recorded December 1, 1964 in Book 876 at Page 730.

667 24 ½ Road:

The North ¼ SE ¼ NW ¼ of Section 4, Township 1 South, Range 1 West of the Ute Meridian; EXCEPT the East 30 feet conveyed to The County of Mesa by Quit Claim Deed recorded July 1, 1963 in Book 849 at Page 494.

Said parcels contain 14.6 +/- acres (635,976 +/- square feet), more or less, as described.

PASSED on this _____ day of _____, 2010.

ATTEST:

City Clerk

President of Council

**Attach 5
Garnet Glen Subdivision**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 26, 2010
STAFF PRESENTATION: Scott D. Peterson

AGENDA TOPIC: Preliminary Subdivision Plan, Garnet Glen Subdivision – PP-2008-235

ACTION REQUESTED: Preliminary Subdivision Plan Approval for Garnet Glen Subdivision.

BACKGROUND INFORMATION					
Location:		575 28 ¼ Road			
Applicants:		Garnet Glen LLC, Developer Vista Engineering Corp., Representative			
Existing Land Use:		Vacant land			
Proposed Land Use:		Single-family attached residential subdivision			
Surrounding Land Use:	North	Residential subdivision (Ridgewood Heights)			
	South	Residence at Grand Mesa (Residential care home)			
	East	Multi-family residential (Grand Manor Apartments)			
	West	Single-family residential			
Existing Zoning:		R-8 (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-5 (Residential – 5 du/ac)			
	South	R-8 (Residential – 8 du/ac)			
	East	R-16 (Residential – 16 du/ac)			
	West	R-8 (Residential – 8 du/ac)			
Growth Plan Designation:		Residential Medium (4 – 8 du/ac)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request for Preliminary Subdivision Plan approval for twenty-five (25) single-family attached lots and eight (8) tracts of land to be developed in one (1) phase on 3.21 acres in a R-8, (Residential – 8 du/ac) zone district.

RECOMMENDATION: Approval of the proposed Preliminary Subdivision Plan – PP-2008-235 finding the request to be consistent with the Growth Plan and Section 2.8 B. 2. of the Zoning and Development Code.

ANALYSIS:

1. Background:

The proposed Garnet Glen Subdivision (see attached Preliminary Site Plan), a 25 lot single-family attached residential subdivision, is located between Patterson Road and Orchard Avenue, adjacent to 28 ¼ Road (575 28 ¼ Road). The existing property is currently vacant and is located directly south of the Grand Valley Canal.

The Zoning and Development Code defines single-family attached as a single-family dwelling unit attached to two (2) or more dwelling units by a common wall, with each dwelling located on separate lots. Townhomes are included.

Density: The proposed density will be approximately 7.78 dwelling units per acre, which meets the density requirements of the Zoning and Development Code. The Growth Plan Future Land Use Map indicates this property to be Residential Medium (4 – 8 du/ac) and the existing zoning designation is R-8, Residential – 8 du/ac.

Access: The proposed single access (Garnet Glen Court) for the subdivision will be from 28 ¼ Road. The applicant did receive a TEDS (Transportation Engineering Design Standards) Exception from the City for a reduction of the offset distance between the existing drive-way entrance for Grand Manor Apartments on the east side of 28 ¼ Road and the proposed Garnet Glen Court (The TEDS requirement would be 300 feet on arterial streets with the applicant receiving approval from the City for 178 feet (28 ¼ Road is classified as a minor arterial). The TEDS Exception was granted due in part because access to the property is limited due to the height of the embankment along 28 ¼ Road. Therefore the only practical entrance to the development would be located as far south on the property as possible).

Road Design: Garnet Glen Court is proposed to be a dedicated City street with curb, gutter and sidewalk on both sides. On-street parking would be allowed where practical.

Tracts: All of the proposed Tracts (A – H) will be deeded to the Garnet Glen Homeowner's Association for ownership and maintenance responsibilities. Tracts C, F and G are proposed to be access/drive-way and utility easement tracts for the residential units in Blocks 2, 4 and 5 respectfully. Tracts A, B, D, E and H will be landscaped in accordance with Section 6.5 of the Zoning and Development Code and provide open space for the subdivision.

Open Space / Park: Per the Zoning and Development Code, the applicant is required to provide a minimum 15,000 sq. ft. of landscaped open space for 25 single-family attached dwelling units (600 sq. ft. per unit). The applicant is proposing 1.15 acres of landscaped open space within the subdivision, which exceeds the minimum requirement.

Lot Layout: The applicant is proposing a single-family attached residential subdivision with an average lot size of 2,555 +/- sq. ft. Per the Zoning and Development Code, minimum lot size, minimum lot width and minimum street frontage requirements do not apply for single-family attached dwelling units or multi-family dwellings in the R-8, R-12, R-16 and R-24 zone districts.

Phasing: The applicant is proposing to develop this subdivision within one (1) phase.

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

A Preliminary Subdivision Plan can only be approved when it is in compliance with the "Purpose" statement of Section 2.8 and with all of the following criteria.

The Preliminary Plan conforms to the Purpose Section of 2.8 and:

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

The proposed residential development meets the goals and policies of the Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans. A Public Access Easement currently exists in the area of the Grand Valley Canal and will be continued with the filing of the new subdivision plat for Garnet Glen (proposed Tract H).

- b. The Subdivision standards of Chapter Six.

The proposed residential development meets the subdivision design standards of Chapter Six per the determination by the Project Manager and the City Development Engineer.

- c. The Zoning standards contained in Chapter Three.

The proposed residential development is in compliance with the R-8, (Residential – 8 du/ac) zoning district as specified in Chapter Three of the Zoning and Development Code.

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

The proposed residential development meets or exceeds all other applicable standards and requirements of the Zoning and Development Code and all other City policies and regulations.

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

All required public facilities are either available or will be constructed with the proposed residential development.

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

There are no adverse or negative impacts on the natural or social environment that have been identified with the proposed residential development.

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

The proposed residential development is compatible with the existing residential single and multi-family development in the area. The applicant's proposal to develop single-family attached residential dwelling units are an allowed land use within the R-8 zone district.

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

There are no adjacent agricultural properties. Adjacent residential and other land uses will not be harmed by this residential development.

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

The proposed residential development is neither piecemeal nor premature development of agricultural land or other unique areas. This site is currently surrounded by residential land uses and is conveniently located for all residential services including schools and retail services, not to mention adjacent access to 28 ¼ Road.

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

Adequate land for public services has been provided for the residential development.

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

The City will not incur an undue burden for maintenance or improvement of land as a result of the proposed residential development.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Garnet Glen application, PP-2008-235 for Preliminary Subdivision Plan approval, I recommend that the Planning Commission make the following findings of fact and conclusions:

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

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the proposed Preliminary Subdivision Plan, PP-2008-235 with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

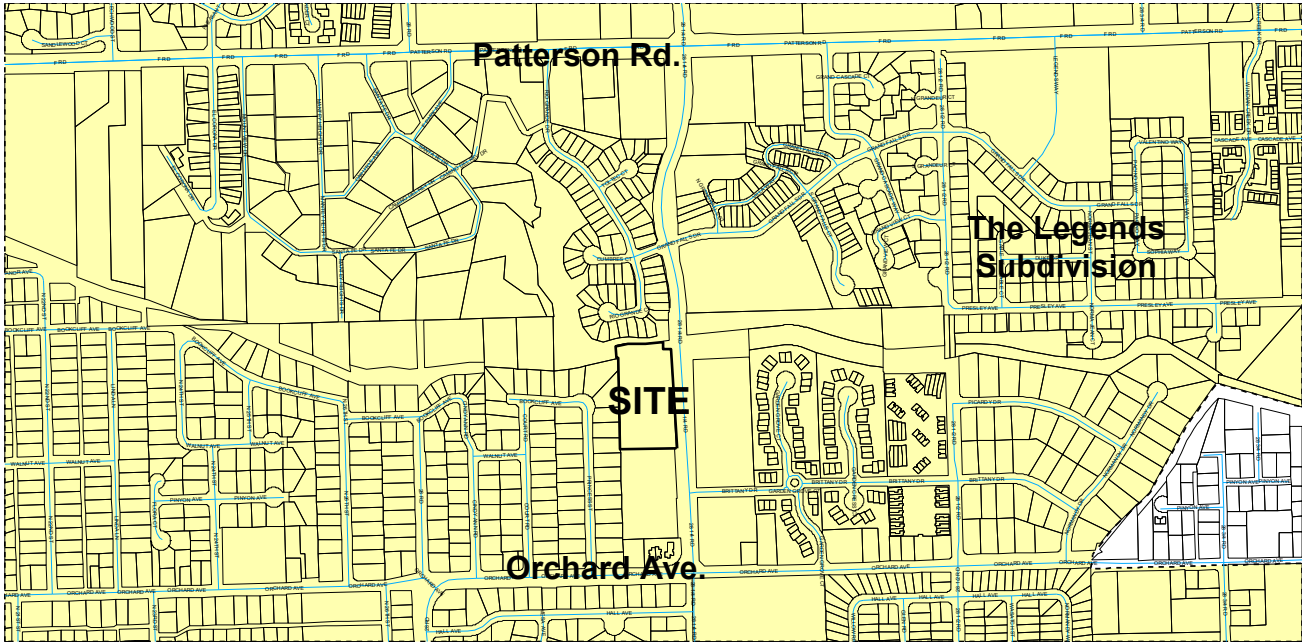
Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for Garnet Glen, City file #PP-2008-235, with the findings and conclusions listed in the staff report.

Attachments:

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

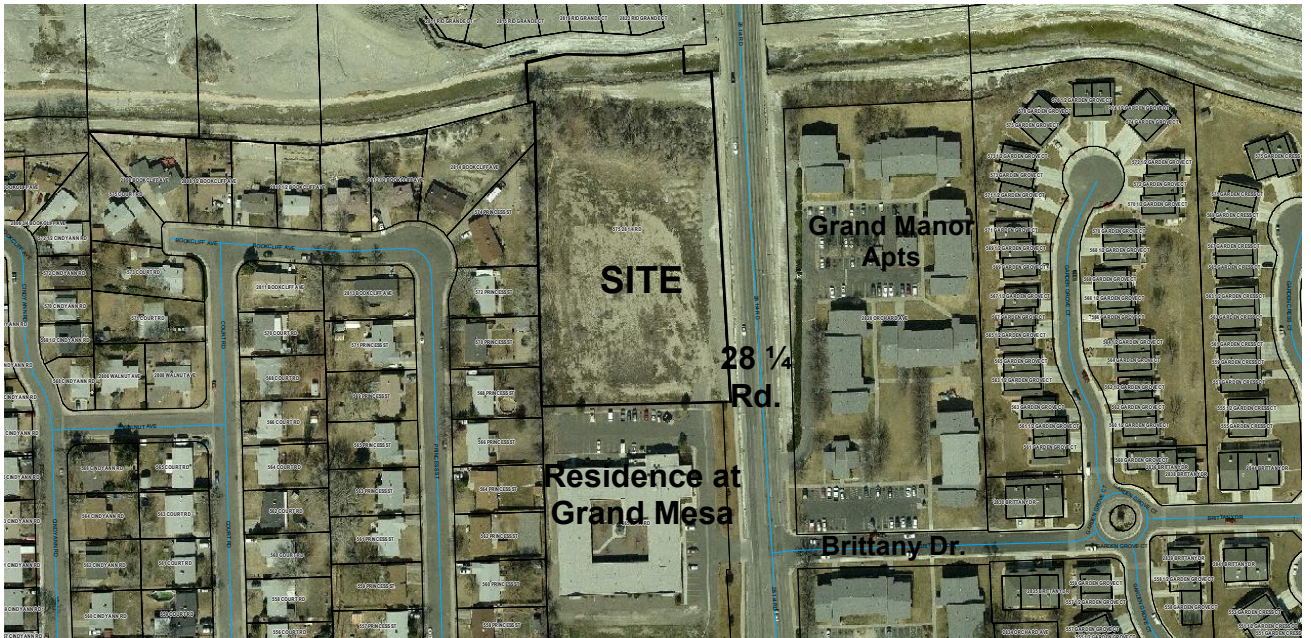
Site Location Map

Figure 1



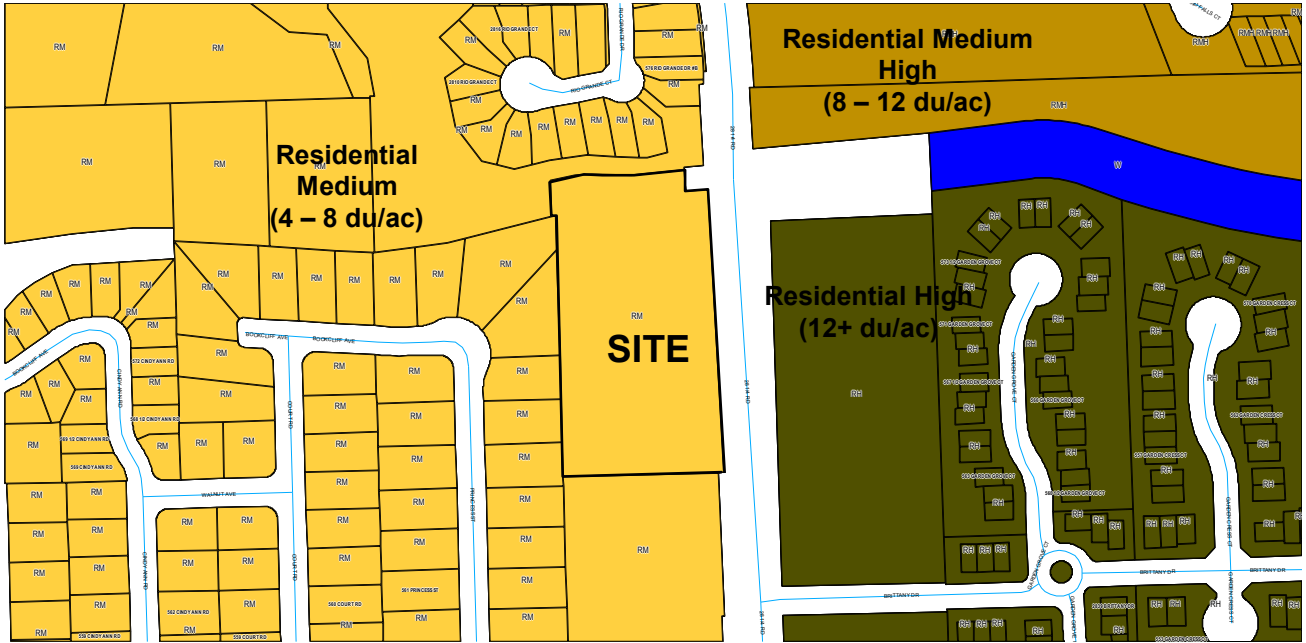
Aerial Photo Map

Figure 2



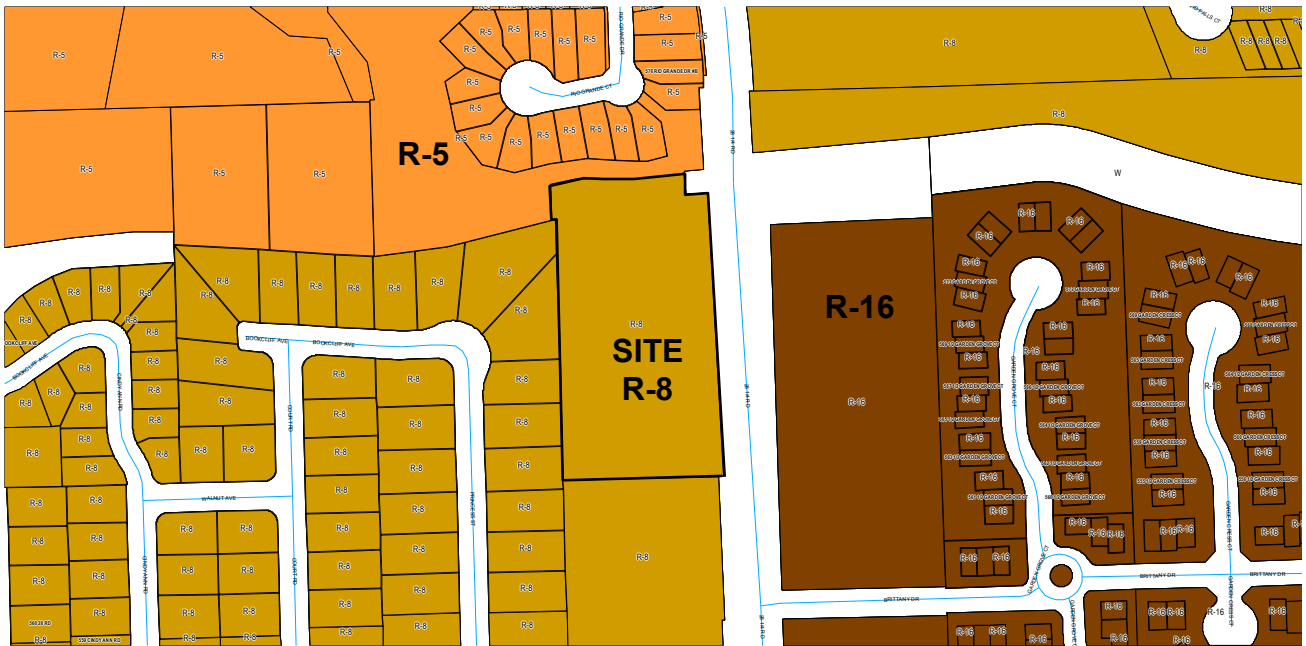
Future Land Use Map

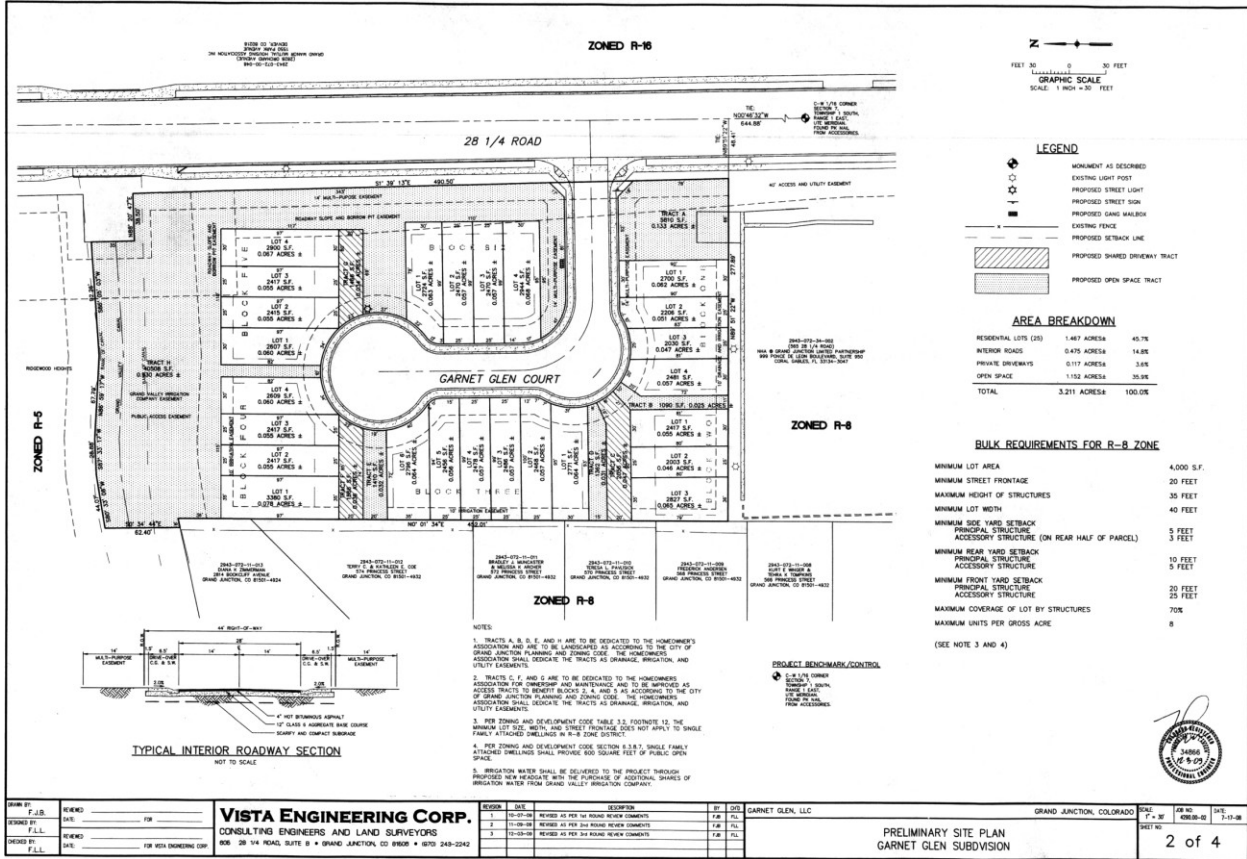
Figure 3



Existing City Zoning

Figure 4





DESIGNED BY	F.J.R.
DATE	FOR
REVISION BY	F.L.L.
DATE	FOR VISTA ENGINEERING CORP.

VISTA ENGINEERING CORP.
CONSULTING ENGINEERS AND LAND SURVEYORS
806 28 1/4 ROAD, SUITE B • GRAND JUNCTION, CO 81509 • 810 249-2242

NO.	DATE	DESCRIPTION	BY	DATE
1	01-10-08	REVISED AS PER 3rd ROUND REVIEW COMMENTS	F.J.R.	F.L.L.
2	01-10-08	REVISED AS PER 3rd ROUND REVIEW COMMENTS	F.J.R.	F.L.L.
3	01-10-08	REVISED AS PER 3rd ROUND REVIEW COMMENTS	F.J.R.	F.L.L.

PROJECT	GARNET GLEN, LLC	SHEET NO.	2 of 4
LOCATION	GRAND JUNCTION, COLORADO	DATE	7-17-08
PROJECT	PRELIMINARY SITE PLAN GARNET GLEN SUBDIVISION	SCALE	1" = 30'

**Attach 6
Mesa State Rezone**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 26, 2010
PRESENTATION: Greg Moberg

AGENDA TOPIC: Mesa State Outline Development Plan – ODP-2008-154.

ACTION REQUESTED: A request for a two-year extension of the approved Mesa State Outline Development Plan.

BACKGROUND INFORMATION			
Location:		2899 D ½ Road	
Applicants:		Owner: Mesa State College Real Estate Foundation Applicant: University of Colorado Real Estate Center Representative: Ciavonne, Roberts and Associates	
Existing Land Use:		Agriculture/Vacant/CSU Facility/Lineman School	
Proposed Land Use:		Mixed Use: Residential/Commercial/Industrial	
Surrounding Land Use:	North	Industrial	
	South	Single Family Residential	
	East	Single Family Residential	
	West	State Offices/Cemetery	
Existing Zoning:		County PUD	
Proposed Zoning:		PD (Planned Development)	
Surrounding Zoning:	North	I-1 (Light Industrial)	
	South	County RSF-R, County RSF-2, County PUD, R-4 (Residential 4 du/ac), PD (Planned Development)	
	East	County RSF-R	
	West	County PUD	
Growth Plan Designation:		Mixed Use	
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: Request approval of a two-year extension of the approved phasing of the Mesa State Outline Development Plan.

RECOMMENDATION: Recommendation to City Council to approve a two year extension of the approved phasing for the Mesa State Outline Development Plan from December 15, 2010 to December 15, 2012.

Background

The property was annexed into the City on June 6, 2007 but was not zoned pending a decision on a requested Growth Plan Amendment. On March 5, 2008 the City Council amended the Growth Plan – Future Land Use Map from Public to a Mixed Use designation. On December 15, 2008, the City Council approved the Outline Development Plan (ODP) effectively rezoning the property to Planned Development (PD).

The proposal is to allow multifamily residential, commercial and industrial uses within four pods. Pod A would be developed as industrial. Pods B and C would be developed principally as commercial with the ability to include multifamily residential. Pod D would be developed principally as residential allowing limited commercial development. Pods B, C, and D would allow a mix of uses both residential and commercial with commercial uses being the principle uses of Pods B and C and residential use being the principle use of Pod D.

The uses for each Pod are defined by Ordinance 4314 (see attached). Pod A allows only commercial and industrial uses and does not allow residential uses. Pods B and C will contain a maximum of 450,000 square feet and 115,000 square feet of commercial respectively. The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum 371 dwelling units and Pod D allows a maximum 754 dwelling units. A maximum density for Pod C has not been established therefore any units located in Pod C would be subject to the maximum overall density and would have to be subtracted from the total 1,124 units. The maximum density of Pods B, C and D is 10.90 dwelling units per acre which is consistent with the density allowed in the M-U zone.

Phasing Schedule

A Preliminary Development Plan was to be submitted within 2 years after approval of the ODP or by December 15, 2010. The Applicant is requesting that the approved phasing be extended from December 15, 2010 to December 15, 2012.

The Developer is only requesting that the phasing schedule be amended. All other conditions, criteria and standards contained within Ordinance 4314 will remain in effect.

Section 2.12 F.2. states:

Outline Development Plan. The approved outline development plan may be amended only by the same process by which it was approved, unless the adopted PD rezoning ordinance provides otherwise. All subsequent preliminary development plans and final development plans must be consistent with the approved outline development plan and rezoning ordinance.

Because the above phasing schedule is part of the approved ODP, the ODP must be amended by the same process by which it was approved. Therefore the Developer requests that the Planning Commission forward a recommendation of approval to City Council.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Mesa State Outline Development Plan application, file number ODP-2007-154, a request for a two-year extension to the approved phasing schedule, I make the following findings of fact and conclusions:

1. The requested Planned Development, Outline Development Plan is consistent with the Growth Plan.
2. The review criteria in Section 2.12.B.2 of the Zoning and Development Code have all been met.
3. The review criteria in Section 2.6 of the Zoning and Development Code have all been met.

PLANNING DIVISION RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested two-year extension to the Mesa State Outline Development Plan, File Number ODP-2007-154, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item number ODP-2007-154, I move that the Planning Commission forward a recommendation of approval of the requested two-year extension to the Mesa State Outline Development Plan, with the facts and findings listed within the Staff Report.

Attachments:

Ordinance No. 4314
Staff Report from November 28, 2006.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4314

AN ORDINANCE TO ZONE THE MESA STATE DEVELOPMENT TO PD (PLANNED DEVELOPMENT) ZONE, BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH A DEFAULT M-U (MIXED USE) ZONE FOR THE DEVELOPMENT OF A MIXED USE DEVELOPMENT

LOCATED AT 2899 D 1/2 ROAD

Recitals:

A request to zone 154.05 acres to PD (Planned Development) by approval of an Outline Development Plan (Plan) with a default M-U (Mixed Use) zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (M-U) and adopt the Outline Development Plan for the Mesa State Development. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the M-U zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved "long-term community benefits" by proposing more effective infrastructure, needed housing types and innovative design.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED TO PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONE AND STANDARDS:

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

BEGINNING at the Southeast corner of said Section 18 and assuming the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18 bears N89°40'51"W with all other bearings contained herein being relative thereto; thence N89°40'51"W along said South line a distance of 1319.50 feet to the Southwest corner of said SE 1/4 SE 1/4; thence N00°21'19"W along the West line of said SE 1/4 SE 1/4 a distance of 30.00 feet to a point on the North line of Riverside Parkway (also known as D Road); thence N89°37'59"W along said North line a distance of 1328.65 feet to a point on the West line of the

Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 18, said North line also being the North line of the Darren Davidson Annexation, City of Grand Junction, Ordinance No. 3205; thence N00°06'35"W along said West line a distance of 1288.69 feet to the Northwest corner of said SW 1/4 SE 1/4; thence N00°25'09"W along the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 18 a distance of 903.48 feet to a point on the South line of the Southern Pacific Railroad Annexation, City of Grand Junction, Ordinance No. 3158; thence N73°01'14"E along said South line a distance of 1415.51 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18; thence N00°15'05"E a distance of 30.00 feet; thence N89°35'13"E along a line being 30.00 feet North of and parallel with the North line of said NE 1/4 SE 1/4 a distance of 1292.57 feet; thence S00°13'55"E along the East line of said NE 1/4 SE 1/4 a distance of 1350.87 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence S00°13'09"E along the East line of said SE 1/4 SE 1/4, a distance of 1321.23 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 154.05 acres (6,710,387 square feet), more or less, as described.

- B. Mesa State Development Outline Development Plan is approved with the Findings of Fact and Conclusions listed in the Staff Reports dated November 10, 2008 and November 17, 2008 including attachments and Exhibits.
- C. The default zone is M-U (Mixed Use) with deviations contained within this Ordinance.
- D. Unified Development

The project should be developed in a unified manner with similar architectural styles and themes throughout. Detached trails along the arterial frontages are intended to provide for safe multi-modal transportation haven and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

- E. Purpose

The proposed development will provide for a mix of light manufacturing, office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

F. Intensity

1. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0.
2. Nonresidential minimum lot size shall be one (1) acre, except commercial lots within a retail center.
3. Maximum building size of a retail commercial use shall be 250,000 square feet
4. Maximum overall gross residential density shall not exceed twenty-four (24) units per acre.
5. Minimum overall net residential density shall be eight (8) units per acres.
6. The minimum and maximum density shall be calculated utilizing Pods B, C and D. Individual lots or sites do not have to be density compliant.

G. Performance Standards

1. Any applicable overlay zone district and/or corridor design standards and guidelines shall apply, unless otherwise approved by the City, to encourage design flexibility and coordination of uses.
2. Loading docks and trash areas or other service areas when located in the side or rear yards must be screened from adjacent right-of-ways with either a wall or landscaping. Front façade loading docks shall be recessed a minimum of 20 feet behind the front façade of the building.
3. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U zone without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials.
 - a. Vibration: Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.
 - b. Noise: The owner and / or occupant shall regulate uses and activities on a lot so that the Day-Night Average Sound Level does not exceed sixty-five decibels (65 dB) at any point along the property line. This sound level is not intended apply to limited periods of landscape maintenance activity for the subject property.

- c. Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any other lot, parcel or any right-of-way.
- d. Solid and Liquid Waste: All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
- e. Hazardous Materials: Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Such information regarding the activity shall be provided to the Director at the time of any proposed change, use or expansion, even for existing uses.
- f. Outdoor Storage and Display: Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display or retail merchandise may be permitted as provided in Chapter four of the Zoning and Development Code.

H. Pod Character

The property will be developed into three distinct areas within the development that have a character similar to the following uses:

1. Pod A – Light Industrial (Commercial is allowed)
2. Pods B and C – Commercial (Multifamily residential is allowed)
3. Pod D – Multifamily Residential (Ground floor commercial is allowed)

I. Authorized Uses

1. The list of authorized uses allowed within the M-U zone is hereby amended to include and exclude the following. The following uses are allowed without the need for approval of a conditional use permit.

a) POD A – LIGHT INDUSTRIAL

- 1) All other community service
- 2) Golf Driving Ranges
- 3) Utility Basic (indoor or outdoor)

- 4) General Offices
- 5) Office with Drive-through
- 6) Commercial Parking
- 7) Skating Rink
- 8) Shooting Range, Indoor
- 9) All other indoor recreation
- 10) Animal Care / Boarding / Sales, Indoor
- 11) Delivery and Dispatch Services
- 12) Fuel Sales, automotive/appliance
- 13) General Retail Sales, outdoor operations, display and storage
- 14) Landscaping Materials Sales/Greenhouse/Nursery
- 15) All other sales and services
- 16) Auto and Light Truck Mechanical Repair
- 17) Body shop
- 18) Car wash
- 19) Gasoline Service Station
- 20) Quick Lube
- 21) All other vehicle service, limited
- 22) Indoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 23) Indoor Operations with Outdoor Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 24) Outdoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 25) Contractors and Trade Shops
- 26) Indoor operations and outdoor storage (heavy vehicles)
- 27) Warehouse and Freight Movement
- 28) Indoor Storage with Outdoor Loading Docks
 - i. Outdoor Storage or Loading
- 29) Sand or Gravel Storage
- 30) Wholesale Sales – allowed
 - i. Wholesale Business
 - ii. Agricultural Products
 - iii. All other Wholesale Uses
- 31) Telecommunications Facilities

b) PODS B & C – COMMERCIAL

- 1) Community Service
- 2) Cultural Uses
- 3) Multi-family residential
- 4) General Day Care
- 5) Entertainment Event,
 - i. Indoor Facilities
 - ii. Outdoor Facilities
- 6) Hotels / Motels
- 7) General Offices
- 8) Office with drive-through
- 9) Commercial Parking
- 10) Health Club
- 11) Movie Theater
- 12) Skating Rink
- 13) Arcade
- 14) Bar / Nightclub
- 15) Alcohol Sales
- 16) Drive-through Uses (restaurants)
- 17) Drive-through Uses (retail)
- 18) Food Service, Catering
- 19) Food Service, Restaurant (including alcohol sales)
- 20) Farmers Market
- 21) General Retail Sales, Indoor Operations, display and storage
- 22) Gasoline Service Station
- 23) Repair, small appliance
- 24) Repair, large appliance
- 25) Personal Service
- 26) All other retails sales and service
- 27) Utility Service Facilities (underground)
- 28) All other Utility, Basic
- 29) Transmission Lines, (above ground)
- 30) Transmission Lines, (underground)

c) POD D – RESIDENTIAL

- 1) Multifamily residential
- 2) Non-residential uses are limited to a combined total of 10,000 square feet in POD D.
 - i. Large Group Living Facilities
 - ii. Unlimited Group Living Facilities
 - iii. General Day Care
 - iv. Bar / Nightclub
 - v. Food Service, Restaurant (including alcohol sales)
 - vi. Farmers Market
 - vii. General Retail Sales, Indoor Operations, display and storage

d) Restricted Uses

The uses below are not allowed within any of the Pods.

- 1) Cemetery
- 2) Golf Course
- 3) Religious Assembly
- 4) Funeral Homes/Mortuaries/Crematories
- 5) Schools – Boarding, Elementary, Secondary
- 6) Transmission Lines (above ground)
- 7) Bed and Breakfast (1 – 3 guest rooms)
- 8) Bed and Breakfast (4 or more guest rooms)
- 9) Amusement Park
- 10) Miniature Golf
- 11) All other outdoor recreation
- 12) Adult Entertainment
- 13) Farm Implement / Equipment Sales / Service
- 14) Fuel Sales, heavy vehicle
- 15) Mini warehouse
- 16) Agriculture
- 17) Winery
- 18) Aviation
- 19) Helipads

J. Dimensional Standards

Minimum Lot Area	
Pod A	1 acre minimum
Pods B and C	No minimum when part of a retail center 1 acre when stand alone
Pod D	No minimum

Minimum Lot Width	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Minimum Street Frontage	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Pod A Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	5' / 5'
Rear	25' / 5' ^a

Pods B and C Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	0 / 0
Rear	10' / 10'

Pod D Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 20'
Side	5' / 3'
Rear	10' / 5'

Maximum Lot Coverage	
Pod A	N/A
Pods B and C	N/A
Pod D	N/A

Maximum FAR	
Pod A	2.0 FAR
Pods B and C	2.0 FAR
Pod D	N/A

Maximum Height	
Pod A	40'
Pods B and C / Mixed Use Buildings	40'/65'
Pod D	65'

1. Footnotes: The applicable footnotes in Table 3.2 of the Zoning and Development Code shall be referenced including the following:
 - a. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.

K. Other Regulations

1. Fencing: A fence is required along the western most boundary of the property (adjacent to the Department of Military and Veterans Affairs Cemetery).
2. Construction Cessation: During military funerals, services or veterans ceremonies, construction on any and all projects will cease until these funerals, service or ceremonies have ended. Each general contractor will contact the Department of Military and Veterans Affairs to work out details for construction cessation during the requested periods of time.
3. Landscape Buffer
 - a. A 25 foot wide landscape buffer, including a six (6) foot fence, is required along the western property line of the development. The landscape buffer will count towards the overall landscape requirements of each site.
 - b. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.
4. Parking per Section 6.6 of the Zoning and Development Code with the following modifications:
 - a. Commercial – Per Shopping Center Calculations (1 parking space per every 250 square feet of gross floor area).
 - b. Mixed-use structures – parking calculated per use per floor of structure (Shopping center parking calculation can be used for ground floor commercial uses at 1 parking space per every 250 square feet of gross floor area).
5. Landscaping shall meet Section 6.5 of the Zoning and Development Code.
6. Buildings shall meet Section 4.3 M. of the Zoning and Development Code.
7. Sign Regulations shall meet Section 4.2 with the following exceptions:
 - a. Freestanding signs shall be limited to monument type signage.
 - b. Freestanding signs shall not exceed 8' in height – sign face calculated per Section 4.2.

- c. Only one freestanding monument sign shall be allowed at each intersection along Riverside Parkway and 29 Road.
- d. A sign package will be required as part of each Preliminary Development Plan.

8. Hours of Operation

- a. Pod A – unrestricted
- b. Pods B and C – unrestricted
- c. Pod D – non-residential uses shall be restricted from 5 am to 11 pm.

9. Mixed-Use Development

- a. The maximum residential densities within Pod C shall not exceed twenty-four (24) dwelling units per acre, minus (1) dwelling unit per 2,000 square feet of nonresidential development or portion thereof. In Pod C, residential uses shall not constitute more than seventy-five percent (75%) of the total floor area. In no case shall the total number of dwelling units in Pod C exceed 370 dwelling units.
- b. The total number of residential dwelling units on the project shall not exceed 24 dwelling units per acre.
- c. Mixed-use development in Pod D shall not exceed the plan density minus one (1) dwelling unit per 1,000 square feet of nonresidential development or portion thereof. No more than ten percent (10%) of the land area may be dedicated to commercial uses.
- d. Multifamily residential development in Pod D is eligible for density bonuses pursuant to Chapter 3.6.B.10.

10. Definitions

- a. Mixed-use structure: Any mix of residential and nonresidential uses in the same building.

INTRODUCED on first reading on the 1st day of December, 2008 and ordered published.

ADOPTED on second reading this 15th day of December, 2008.

ATTEST:

/s/: Gregg Palmer
President of the Council

/s/: Stephanie Tuin
City Clerk

AGENDA TOPIC: Mesa State Outline Development Plan – ODP-2008-154.

ACTION REQUESTED: A recommendation of approval to City Council to zone 154.05 acres to PD (Planned Development) with a default zone of M-U (Mixed Use) and recommendation to City Council of approval of an Outline Development Plan (ODP) for the Mesa State Development.

BACKGROUND INFORMATION			
Location:		2899 D ½ Road	
Applicants:		Owner: Mesa State College Real Estate Foundation Applicant: University of Colorado Real Estate Center Representative: Ciavonne, Roberts and Associates	
Existing Land Use:		Agriculture/Vacant/CSU Facility/Lineman School	
Proposed Land Use:		Mixed Use: Residential/Commercial/Industrial	
Surrounding Land Use:	North	Industrial	
	South	Single Family Residential	
	East	Single Family Residential	
	West	State Offices/Cemetery	
Existing Zoning:		County PUD	
Proposed Zoning:		PD (Planned Development)	
Surrounding Zoning:	North	I-1 (Light Industrial)	
	South	County RSF-R, County RSF-2, County PUD, R-4 (Residential 4 du/ac), PD (Planned Development)	
	East	County RSF-R	
	West	County PUD	
Growth Plan Designation:		Mixed Use	
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: A request for approval to zone property located at 2899 D ½ Road to PD (Planned Development) with a default zone of M-U (Mixed Use) by approval of the Outline Development Plan as a Planned Development.

RECOMMENDATION: Recommend approval to City Council to zone 154.05 acres PD (Planned Development) with a default zone of M-U (Mixed Use) and recommend to City Council approval of an Outline Development Plan for the Mesa State Development.

ANALYSIS

1. Background

The property was annexed into the City on June 6, 2007 but was not zoned pending a decision on the requested Growth Plan Amendment. On March 5, 2008 the City Council amended the Growth Plan – Future Land Use Map from Public to a Mixed Use designation. The requested approval by City Council is for zoning the parcel as a part of the annexation.

Current use of the property includes an electrical lineman training facility, Colorado State University Animal Diagnostic Laboratory and agriculturally cultivated lands. Also existing on the property are miscellaneous vacant buildings. The site is bounded by Riverside Parkway (also known as D Road) to the south, the Union Pacific Railroad and the I-70 Business Loop to the north, 29 Road to the east and land owned by the State and the Department of Military and Veteran's Affairs to the west.

The Applicant is proposing that the property be developed as a PD (Planned Development) with a default zone of M-U (Mixed Use). Section 3.4 J. of the Zoning and Development Code ("Code") states that the purpose of the M-U zone is:

"To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the commercial, commercial/industrial, industrial and mixed use future land use classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas."

Uses and Development Character

The proposal is to allow multifamily residential, commercial and industrial uses within four pods. Pod A would be developed as industrial. Pods B and C would be developed principally as commercial with the ability to include multifamily residential. Pod D would be developed principally as residential allowing limited commercial development. Pods B, C, and D would allow a mix of uses both residential and commercial with commercial uses being the principle uses of Pods B and C and residential use being the principle use of Pod D.

The uses for each Pod are defined in the draft ordinance hereto attached. Pod A only allows commercial and industrial uses and does not allow residential uses. Also Pod A has no limitation in the amount of square footage at buildout. The limitation will be subject to parking and bulk standards. Pods B and C will contain a maximum of 450,000 square feet and 115,000 square feet of commercial respectively. The maximum building size for any commercial structure will be 250,000 square feet. It

should be noted that a Traffic Impact Study (TIS) has not been completed for the proposed development. A TIS will determine if additional commercial development (square footage) can occur on the site relative to the capacity of the road system.

Unified development of the site is proposed with similar architectural styles and themes across the four pods including common landscape features and streetscape character. The Applicant is also proposing that detached trails will be located along 29 Road and the Riverside Parkway.

Density

The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum 371 dwelling units and Pod D allows a maximum 754 dwelling units. A maximum density for Pod C has not been established therefore any units located in Pod C would be subject to the maximum overall density and would have to be subtracted from the total 1,124 units. The maximum density of Pods B, C and D is 10.90 dwelling units per acre which is consistent with the density allowed in the M-U zone.

Access

Four access points are being proposed for the development. Two access points are located along 29 Road, one at the new D 1/2 Road intersection and one located further south. In addition to the two access points on 29 Road, two access points are proposed along Riverside Parkway (also known as D Road). One access is proposed at the intersection of Burdock Way and one at the intersection of Skyler Street.

Open Space / Park

No open space or parkland has been proposed as part of the proposed ODP. However the Applicant has proposed a 25 foot landscaped buffer along the west property line to buffer the potential uses of the development with the cemetery. Open space and park dedication requirements will be reviewed as part of the Preliminary Development Plan ("PDP").

Signage

Freestanding signage along 29 Road and Riverside Parkway will be limited to monument signs no higher than eight feet and one per intersection on arterial streets. Sign packages will be submitted as part of the PDP for all internal signage.

Community Benefit

The objective of a mixed use development is to create a mixture of land uses which may include residential, retail, offices, recreational, entertainment, and light industrial within a compatible design. The interaction between the mixed uses and design of the

development should create the following benefits:

1. Active urban areas during more hours of the day;
2. Increased housing options and diverse household types;
3. Reduction of auto dependence;
4. A local sense of place;
5. Reduction of traffic congestion and auto pollution;
6. Vibrant and dynamic developments.

The proposed development combines multifamily residential dwelling units, commercial uses and light industrial uses within a 154 acre site. Internal traffic and pedestrian circulation and concentrated development create more efficient use of infrastructure. In addition, the City of Grand Junction is experiencing a rental vacancy rate of less than 2%. The development of up to 1,124 multifamily residential dwelling units will help fill this void. Finally, mixed use sites and buildings encourage innovative building, site and infrastructure design.

Therefore the proposed development meets the following community benefits as outlined in Chapter 5:

1. More effective infrastructure;
2. Needed housing types and/or mix;
3. Innovative designs.

Phasing Schedule

Pursuant to the Code, the PDP will be submitted within 2 years after approval of the ODP, unless a phasing schedule is otherwise approved with the preliminary plan.

Default Zoning

The Applicant is proposing a default zone of M-U, which is consistent with the Growth Plan designation of Mixed Use. The bulk standards for the M-U zone, as indicated in Table 3.2 in the Zoning and Development Code, are as follows:

Density: 8 to 24 dwelling units per acre
Nonresidential FAR: 0.50
Maximum building size: 150,000 square feet (30,000 square feet for retail)
Minimum lot area: one acre
Minimum lot width: 100 feet
Front yard setback: 15 feet for principal structures/25 feet for accessory structures
Side yard setback: 15 feet for principal structures/15 feet for accessory structures
Rear yard setback: 25 feet for principal structures/25 feet for accessory structures
Maximum building height: 40 feet (65 feet is allowed if all building setbacks are 1.5 times the overall height of the building).

The Planning Commission may recommend and the City Council may deviate from the default district standards if the Applicant has provided community amenity from the list under Section 5.4.G of the Code. The Applicant has proposed off-street trails within the Development that are not required by the Urban Trails Master Plan. Furthermore, the Applicant is proposing a 50 foot setback along the western property which is greater than that required by the M-U zone (The M-U zone does not require a landscaped buffer along the west property line and the minimum rear setback is 25 feet).

The Applicant is proposing the following deviations from the M-U bulk standards:

Nonresidential FAR: 2.0
Maximum building size: 250,000 square feet
Minimum lot area: Pod B, C, and D – no minimum requirement

Setbacks (principal structures/accessory structures)

Pod A (Industrial)

Front yard setback: 15'/25'
Side yard setback: 5'/5'
Rear yard setback: 25'/5'

Pod B and C (Commercial and Residential)

Front yard setback: 15'/25'
Side yard setback: 0'/0'
Rear yard setback: 10'/10'

Pod D (Residential and Commercial)

Front yard setback: 15'/20'
Side yard setback: 5'/3'
Rear yard setback: 10'/5'

The Applicant is also proposing a setback of 50 feet for structures along the western property line adjacent to the Cemetery.

Building Heights

The Applicant is proposing the following deviations from the M-U bulk standards:

Pod A shall have a maximum height of 40 feet. Pods B and C, commercial use buildings shall have a maximum height of 40 feet and mixed use building

shall have a maximum height of 65 feet. The maximum height for multifamily residential buildings in Pods B, C, and D, shall be 65 feet.

2. Consistency with the Growth Plan:

The Future Land Use Map designates the subject property as Mixed Use. The proposed ODP proposes a default zone of M-U, a density, and a variety of uses that are consistent with the Mixed Use designation.

3. Section 2.12.B.2 of the Zoning and Development Code:

Requests for an Outline Development Plan (ODP) for property zoned Planned Development (PD) must demonstrate conformance with all of the following:

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

The proposed ODP is consistent with the Growth Plan and the Grand Valley Circulation Plan.

- b. The rezoning criteria provided in Section 2.6 A. of the Zoning and Development Code.

- 1) The existing zoning was in error at the time of adoption.

The property was last zoned in the County to a PUD. A plan was not included as part of the resolution. A Planned Unit Development without a plan is in error. Without more information the zone is not developable.

- 2) There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, redevelopment, etc.

The character of this neighborhood has been and continues to be developing with urban land uses; specifically medium to medium-low density residential. These types of uses require supporting uses such as high density residential, commercial and industrial. Furthermore there is a need to transition from the residential designated lands to the south and east to the industrial designated lands to the north and west.

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

The proposed rezone to PD with a default zone of M-U is compatible with the surrounding area and furthers the goals and policies of the Growth Plan.

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

Adequate public facilities (roads and utilities) are currently available or will be made available that can address the impacts of the proposed development. Central Grand Valley sewer lines and a Ute water line are located adjacent to the property. Furthermore, improvements to the Riverside Parkway and 29 Road have been made that allow for more intense use of the property. In addition, the Central Grand Valley Sanitation District recently replaced the Riverside Parkway (also known as D Road) interceptor with a new 24-inch PVC pipe that will add additional capacity to the system and be able to serve potential uses of the Mesa State property. It should be noted that a Traffic Impact Study (TIS) has not been completed for the proposed development. A TIS will determine if additional commercial development (square footage) can occur on the site relative to the capacity of the road system.

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

There is an inadequate supply of high density residential and commercially zoned land within the Pear Park area. Furthermore, there is a need to transition the residential land uses from the south and east to the industrial lands to the north and west. The proposed development would accommodate both of these concerns.

- 6) The community will benefit from the proposed zone.

The proposed PD with a default zone of M-U would create a transition between the existing residential and industrial uses. The proposal would also allow for the development of needed commercial and high density residential uses. This would benefit both the Pear Park area and the City as a whole.

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

The proposed plan is in conformance with the requirements of Chapter Five.

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

There are no corridor or overlay district guidelines for this property.

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

Adequate public facilities are currently available or can be made available and can address the impacts of any development consistent with a Mixed Use designation.

f. Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

The ODP provides graphic representation of four access points and how the internal circulation system will be designed. Detailed access and circulation that serves all of the pods will be identified and designed as part of the PDP.

g. Appropriate screening and buffering of adjacent property and uses shall be provided.

The Applicant has proposed a 25 foot landscaped buffer along the western most property line adjacent to the existing cemetery. Railroad tracks and I-70 Business Loop are located along the north property line and D and 29 Roads are located south and east. The Applicant has proposed detached trails along the arterial frontages which are intended to provide for safe multi-modal transportation and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

h. An appropriate range of density for the entire property or for each development pod/area to be developed.

The proposed residential overall density of 1,124 dwelling units and the range of dwelling units per pod is appropriate and consistent with the Growth Plan designation of Mixed Use.

i. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.

The Applicant has proposed a default zone of M-U with the requested deviations that are outlined in the attached Ordinance.

j. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The development shall be in accordance with the Code, unless a different phasing/development schedule is approved with the PDP. The PDP will be submitted within 2 years after approval of the ODP.

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

The subject property is approximately 154.05 acres in size, therefore meeting this criterion.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Mesa State Outline Development Plan application, file number ODP-2007-154 for a Planned Development, Outline Development Plan, I make the following findings of fact and conclusions:

1. The requested Planned Development, Outline Development Plan is consistent with the Growth Plan.
2. The review criteria in Section 2.12.B.2 of the Zoning and Development Code have all been met.
3. The review criteria in Section 2.6 of the Zoning and Development Code have all been met.

PLANNING DIVISION RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested Planned Development, Outline Development Plan, for Mesa State, file number ODP-2007-154 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

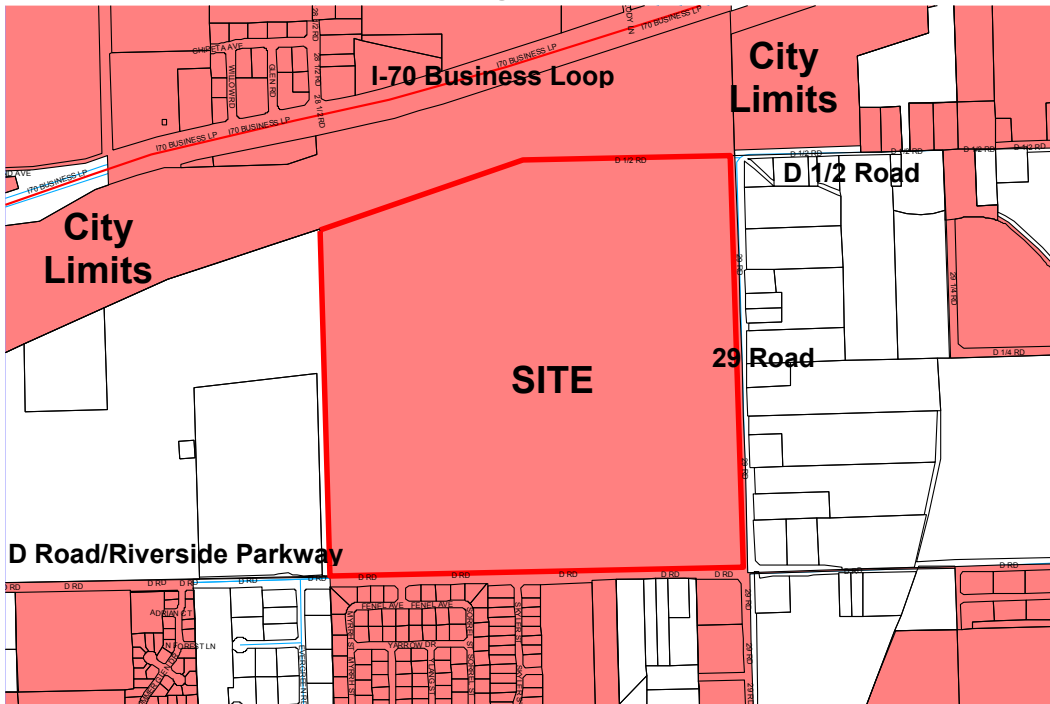
Mr. Chairman, on item number ODP-2007-154, I move that the Planning Commission forward a recommendation of approval for the Mesa State Planned Development, Outline Development Plan, with the facts and findings listed in the project report.

Attachments:

Site Location Map / Aerial Photo
Future Land Use Map / Existing City & County Zoning Map
Site Plan
Landscape Buffer Plan
October 24, 2008 Letter from the Department of Military and Veterans Affairs
Proposed Ordinance

Site Location Map

Figure 1



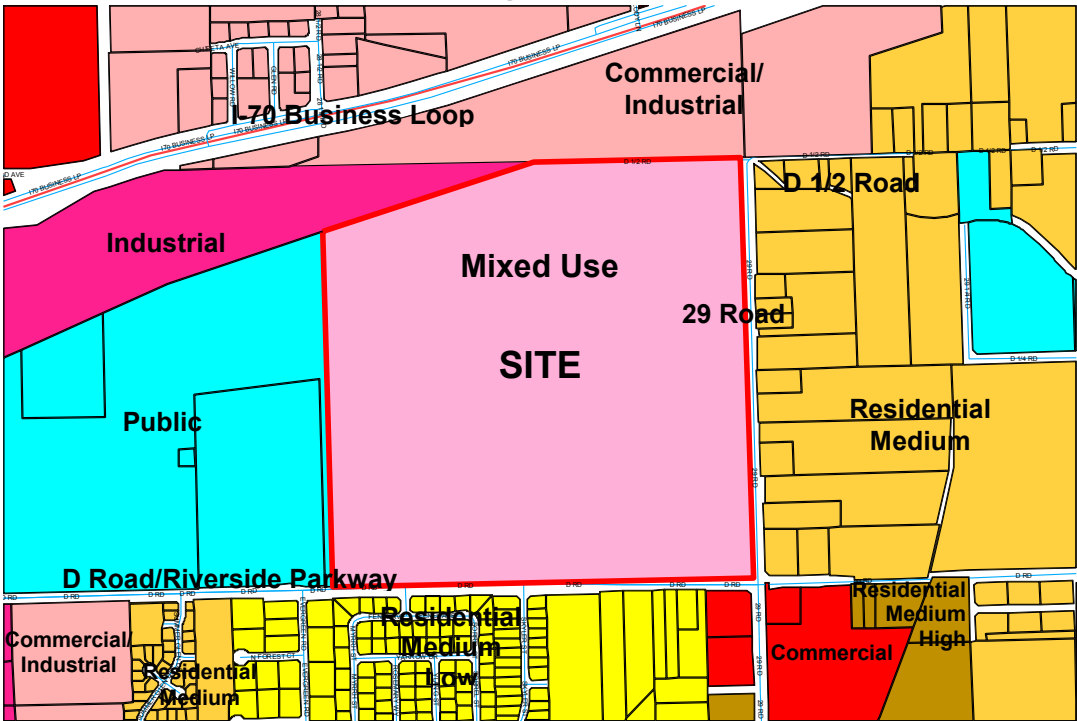
Aerial Photo Map

Figure 2



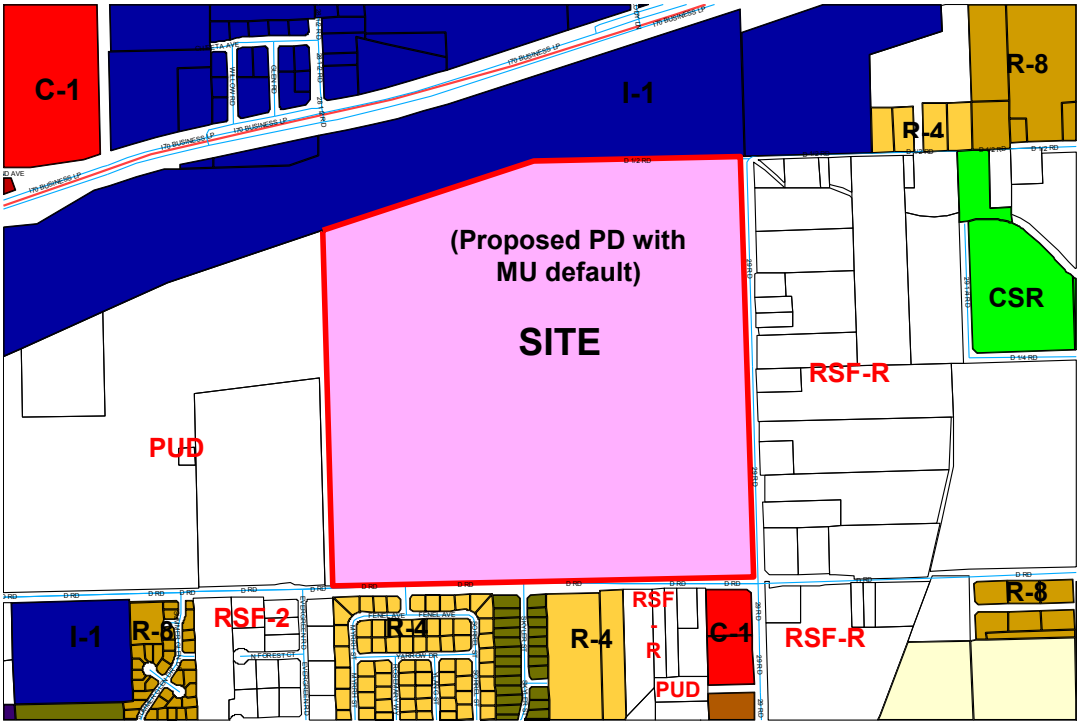
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



MESA STATE COLLEGE REAL ESTATE FOUNDATION 29 & D ROAD MIXED-USE DEVELOPMENT

TABLE 1
PROPOSED ZONE DIMENSIONAL STANDARDS (Table 3.2 ZOC)

POD	LOT OR BLOCK SIZE		MINIMUM SETBACKS			MAX. LOT WIDTH (ft)	MAX. LOT DEPTH (ft)
	AREA (SQ. FT.)	WIDTH (FT)	FRONT	SIDE	REAR		
POD A	1.00	100	15 / 25	5 / 5	25 / 5	N/A	2.0
POD B	N/A	N/A	15 / 25	0 / 0	10 / 10	N/A	2.0
POD C	N/A	N/A	15 / 25	0 / 0	10 / 10	N/A	2.0
POD D	N/A	N/A	15 / 20	5 / 5	10 / 5	40ft	5.0

- (1) PRINCIPAL, ACCESSORY BUILDING
- (2) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 30' FROM THE FRONT
- (3) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 15' FROM THE REAR
- (4) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 15' FROM THE SIDE
- (5) UNDERGROUND PARKING OR PARKING UNDER BUILDINGS IS EXCLUDED FROM MAX. PARKING CALCULATIONS.
- (6) COMMERCIAL PODS A COMMERCIAL USE BUILDING HEIGHT CAN BE LESS THAN OR EQUAL TO 40' IN HEIGHT. A MIXED-USE BUILDING IN COMMERCIAL PODS CAN BE LESS THAN OR EQUAL TO 40' IN HEIGHT. A MIXED-USE BUILDING IN ANY POD CAN BE LESS THAN OR EQUAL TO 60' IN HEIGHT.
- (7) REAR YARD SETBACKS IN POD D THAT ARE LOCATED ALONG THE WESTERN PROPERTY LINE ADJACENT TO THE WESTERN CEMETERY OF WESTERN COLORADO SHALL BE 10' FEET (10')

TABLE 2
LAND USE TABLE

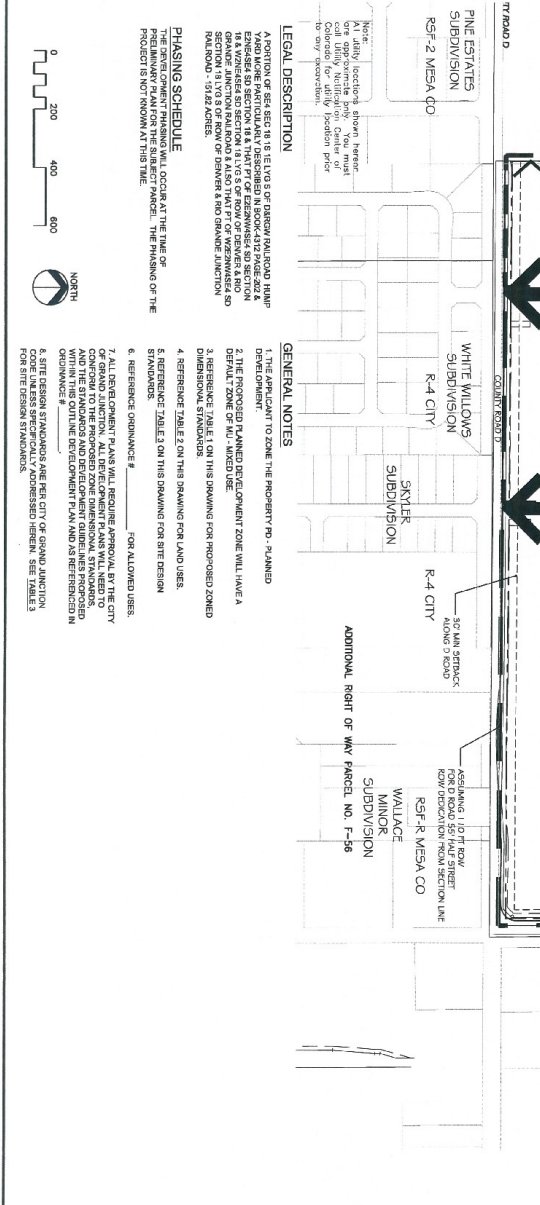
LAND USE	AREA	% OF SITE	USES	ESTIMATED INTENSITY/DENSITY
INDUSTRIAL	14.00 ACRES	100%	GENERAL USES PER POD	POD INTENSITY / DENSITY (SI U)
POD A	1.00 ACRES	2.31%	LIGHT INDUSTRIAL	N/A
POD B	1.00 ACRES	3.71%	RETAIL, SERVICE, COMMERCIAL, MULTIFAMILY, MULTI-FAMILY, MULTIFAMILY, MULTIFAMILY, MULTIFAMILY	4-40,000 SQ. FEET / 10-40 UNITS PER ACRE (SI U) / 10-40 UNITS PER ACRE (SI U)
POD C (1)	1.00 ACRES	10.1%	RETAIL, SERVICE, COMMERCIAL, MULTIFAMILY, MULTIFAMILY, MULTIFAMILY, MULTIFAMILY	20-50 UNITS PER ACRE (SI U) / 20-50 UNITS PER ACRE (SI U)
POD D (1)	1.00 ACRES	20.1%	RETAIL, SERVICE, COMMERCIAL, MULTIFAMILY, MULTIFAMILY, MULTIFAMILY, MULTIFAMILY	20-50 UNITS PER ACRE (SI U) / 20-50 UNITS PER ACRE (SI U)
ARTISAN, RIGHT OF WAY	1.00 ACRES	4.1%	N/A	N/A
ARTEFACT, RIGHT OF WAY	1.00 ACRES	10.1%	N/A	N/A
GRASS SITE AREA	1.00 ACRES	10.1%	N/A	N/A

TABLE 3
SITE DESIGN STANDARDS

(1) THE PROJECT SHALL BE DEVELOPED IN A LIMITED MANNER WITH SIMILAR ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT.

(2) THE PROJECT SHALL BE DEVELOPED IN A LIMITED MANNER WITH SIMILAR ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT.

(3) THE PROJECT SHALL BE DEVELOPED IN A LIMITED MANNER WITH SIMILAR ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT. BLENDED ARCHITECTURAL STYLES AND THEMES THROUGHOUT.

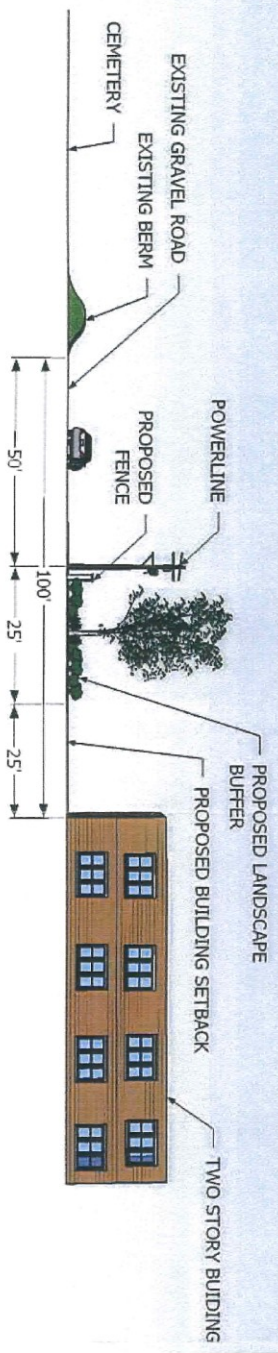


OUTLINE DEVELOPMENT PLAN

CLAVONNE ROBERTS & ASSOC., INC.
LANDSCAPE AND SITE DESIGN
222 NORTH 7TH STREET
GRAND JUNCTION, CO 81501
PHONE: 970-261-0785
EMAIL: info@clavonne.com

DRAWN BY	JD
CHECKED	0728
JOB NO.	05-21-08
DATE	05-21-08
REVISIONS	
1. 2. 3. 4. 5. 6. 7. 8. 9. 10.	
DRAWING NO.	0728-10-30-08
SHEET NO.	1

STATUS:
 ODP & RESZONE
 PRELIMINARY PLAN
 FINAL PLAN



PREFERRED OPTION

DRAWN BY: AS
 CHECKED: JC
 JOB NO.: 0000
 DATE: 8/10/08
 REVISIONS:

MSC FOUNDATION
 GRAND JUNCTION, COLORADO



MSC FOUNDATION
 GRAND JUNCTION,
 COLORADO
 PRELIMINARY
 SUBMITTAL

SHEET NO.

L01

**Attach 7
Noland Avenue 5th to 7th**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 26, 2010
PRESENTER: Judith Rice

AGENDA TOPIC: Vacation of Public Right-of-Way - File # VR-2009-225

ACTION REQUESTED: Recommendation to City Council on the Requested Right-of-Way Vacation

BACKGROUND INFORMATION				
Location:		Noland Avenue South of the Riverside Parkway Between 5 th Street and 7 th Street		
Applicants:		City of Grand Junction		
Existing Land Use:		Surplus Right-of-Way		
Proposed Land Use:		Commercial or Light Industrial		
Surrounding Land Use:	North	Riverside Parkway and VanGundy Salvage		
	South	Elam Construction and Undeveloped City Property		
	East	Riverside Parkway, Trade Shops, Retail Services		
	West	South 5 th Street and Jarvis Salvage		
Existing Zoning:		N/A		
Proposed Zoning:		C-2 (General Commercial) and I-1 (Light Industrial)		
Surrounding Zoning:	North	C-2 (General Commercial) and I-1 (Light Industrial)		
	South	C-2 (General Commercial) and I-1 (Light Industrial)		
	East	C-2 (General Commercial) and I-1 (Light Industrial)		
	West	C-2 (General Commercial)		
Growth Plan Designation:		N/A		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: This is a request by the City of Grand Junction to vacate three surplus right-of-way areas totaling 0.78 acres. These remnants have been rendered impractical as right-of-way because of the alignment of the Riverside Parkway through the area.

Vacation #1: Alley right-of-way located within Block One of the South Fifth Street Subdivision, north of Noland Avenue and south of the Riverside Parkway.

Vacation #2: A portion of right-of-way located within Lot 20 of the South Fifth Street Subdivision, north of Noland Avenue acquired for the Riverside Parkway in Book 3973, Pages 628-631.

Vacation #3: A portion of Noland Avenue right-of-way located between 5th Street and 7th Street south of the Riverside Parkway and an alley right-of-way within Block 2 of the South Fifth Street Subdivision between Struthers and the Riverside Parkway.

RECOMMENDATION: Recommendation of approval to City Council

ANALYSIS

1. Background

The alignment of the Riverside Parkway through the area of Noland Avenue and the South Fifth Street Subdivision created remnants of certain right-of ways rendering them impractical as right-of-way. If vacated, the three subject right-of-way remnants will be combined with adjacent properties to be sold or leased by the City.

If vacated, the remnants will acquire the existing zoning of the properties with which they are combined.

There have been no previous applications for vacation of these right-of-way remnants.

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

Requests to vacate any public right-of-way or easement must conform to all of the following:

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

The Vacation of the three remnant of right-or-ways does not impact the Grand Valley Circulation Plan or policies adopted by the City of Grand Junction. Current traffic and street patterns in this area provide adequate circulation and connectivity. The Urban Trail Plan will not be affected by this vacation. Vacating the right-of-way will facilitate reduction of vacant land maintenance costs and generate revenue from the sale or lease.

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

No parcel will be landlocked as a result of the vacations. All parcels abutting these right-of-way remnants have other access to public streets.

- 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 will not be restricted to any parcel nor will any property affected by the proposed vacations be devalued.

- 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 vacations will not cause any adverse impacts on the health, safety or welfare of the general community and the quality of public facilities. Services provided to any parcel of land will not be reduced if these right-of-way remnants are vacated.

- 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 will not be inhibited to any property. Appropriate multipurpose easements will be reserved and retained over the entire area of all the right-of-way remnants.

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

The City will benefit by the reduction in street maintenance and from the revenue generated from the sale or lease of these lands.

FINDINGS OF FACTS/CONCLUSION/CONDITION

After reviewing the City of Grand Junction application, VR-2009-225 for the vacation of three areas of public right-of-way, the following finding of facts has been determined:

1. The requested Vacations are consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the vacated rights-of-ways.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested right-of-way vacations, VR-2009-225 to the City Council with the findings, conclusions and condition listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VR-2009-225 I move we forward a recommendation of approval to the City Council on the request to vacate three remnant right-of-way areas totaling 0.78 acres with the findings of fact, conclusions and the condition stated in the staff report.

ATTACHMENTS:

Vacation Areas Location Map
Site Location Map
Aerial Photo Map
Future Land Use Map
Existing City Zoning Map
Vacation Ordinance #1
Vacation Ordinance #2
Vacation Ordinance #3

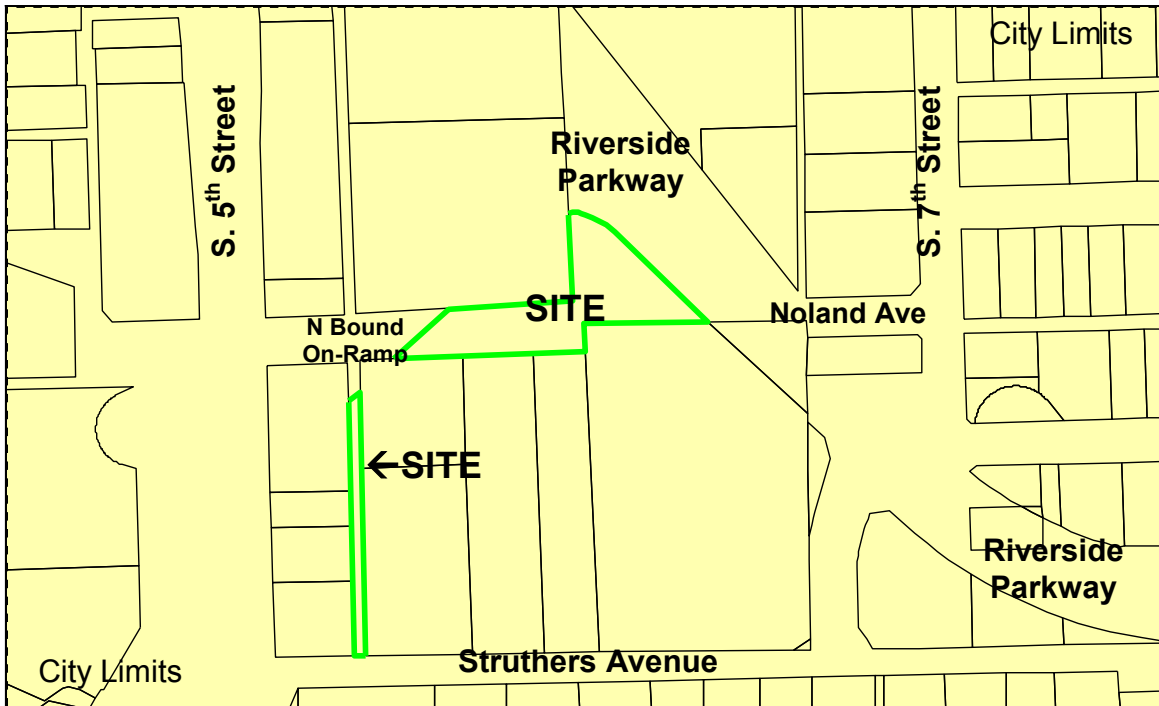
Vacation Area Locations

Figure 1



Site Location Map

Figure 2



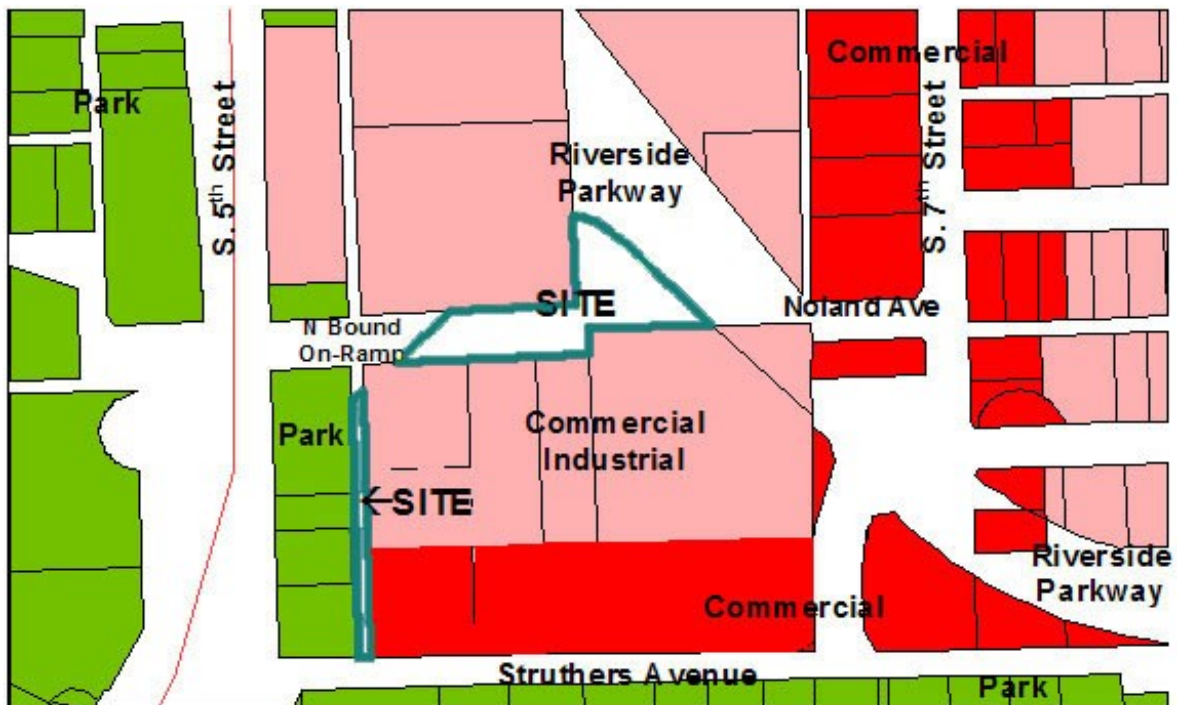
Aerial Photo Map

Figure 3



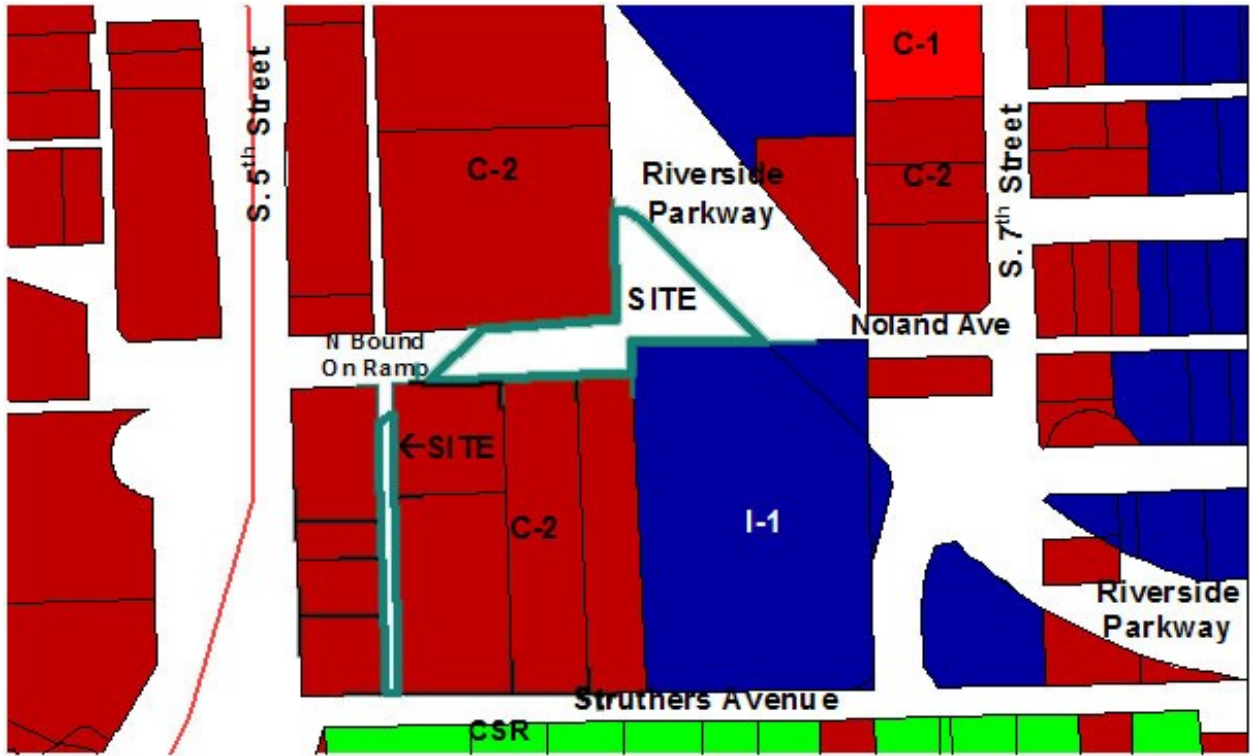
Future Land Use Map

Figure 4



Existing City Zoning Map

Figure 5



CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING ALLEY RIGHT-OF-WAY LOCATED WITHIN BLOCK ONE OF THE SOUTH FIFTH STREET SUBDIVISION NORTH OF NOLAND AVENUE AND SOUTH OF THE RIVERSIDE PARKWAY

RECITALS:

A request to vacate an alley right-of-way located within Block One of the South Fifth Street Subdivision north of Noland Avenue and south of the Riverside Parkway, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request found the criteria of the Code to have been met, and recommends that the vacation be approved with the reservation of the Multipurpose Easement.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

2. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

Vacation # 1

A parcel of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

ALL of that certain alley right of way, lying north of the line formed between the Southeast corner of Lot 19 and the southwest corner of Lot 20, Block 1, South Fifth

Street Subdivision, as same is recorded in Plat Book 7, Page 19, Public records of Mesa County, Colorado, AND South of the following described curve:

Commencing at the Southeast Corner of said Lot 19, and considering the South line of said Lot 20 to bear N89°06'45"W, with all bearings herein relative thereto; thence N00°52'27"W, along the East line of said Lot 19, a distance of 108.75 feet to the POINT OF BEGINNING; thence 17.09 feet along the arc of a 50.00 foot radius curve, concave South, through a central angle of 19°34'53", and which chord bears N87°46'43"E a distance of 17.00 feet to the West line of said Lot 20.

Containing 1,861 square feet, more or less, as described.

Introduced for first reading on this _____ day of _____, 2010

PASSED and ADOPTED this _____ day of _____, 2010.

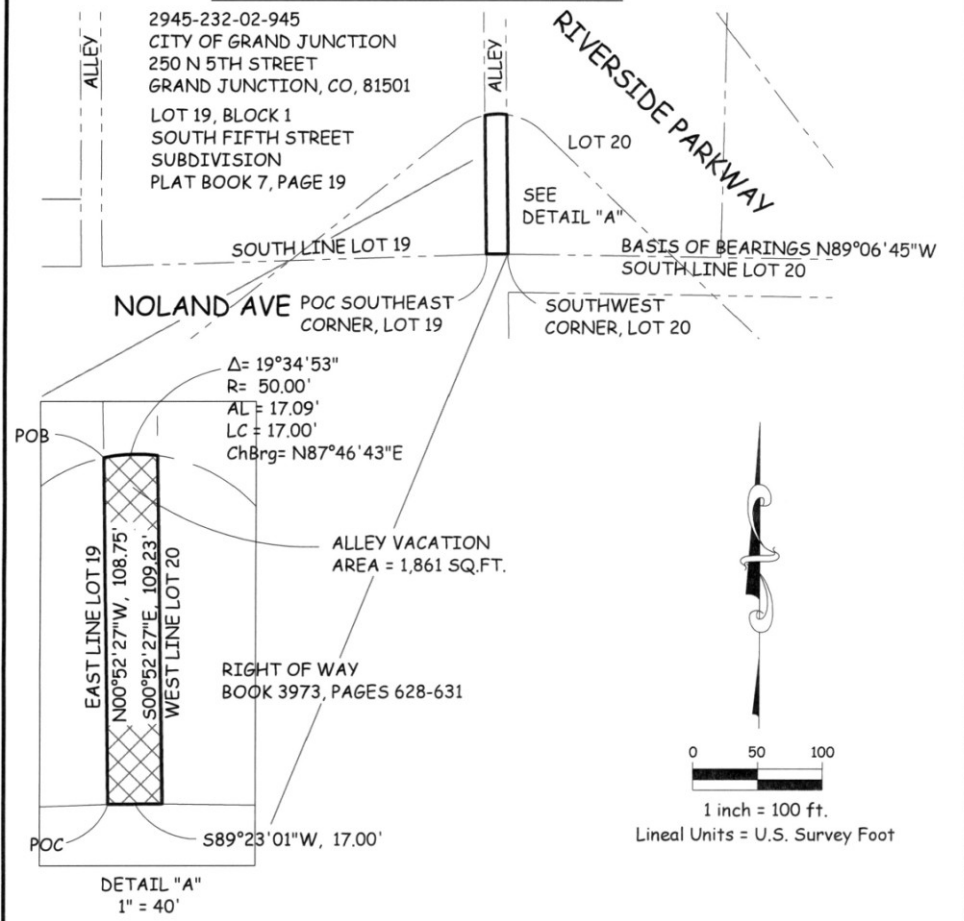
ATTEST:

President of City Council

City Clerk

Vacation #1 Exhibit A

EXHIBIT "A"



ABBREVIATIONS

SQ.FT	SQUARE FEET
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
Δ	DELTA ANGLE
R	RADIUS
AL	ARC LENGTH
LC	CHORD LENGTH
ChBrg	CHORD BEARING

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: MG
DATE: 10/26/2009
SCALE: 1" = 100'
APPR. BY: PTK

NOLAND AVENUE
RIGHT OF WAY VACATION
NUMBER 1: ALLEY IN BLOCK 1

CITY OF
Grand Junction
COLORADO

CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED WITHIN LOT 20 OF THE SOUTH FIFTH STREET SUBDIVISION NORTH OF NOLAND AVENUE ACQUIRED FOR THE RIVERSIDE PARKWAY IN BOOK 3973, PAGES 628-631

RECITALS:

A request to vacate a portion of right-of-way located within Lot 20 of the South Fifth Street Subdivision, north of Noland Avenue acquired for the Riverside Parkway in Book 3973, Pages 628-631, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request found the criteria of the Code to have been met, and recommends that the vacation be approved with the reservation of the Multipurpose Easement.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

Vacation # 2

A parcel of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

A portion of that certain right of way, as described in Book 3973, Pages 628-631, as same is recorded in the Public records of Mesa County, Colorado, being that portion of said right of way within Lot 20, Block 1, South Fifth Street Subdivision, recorded in Plat

Book 7, Page 19 in said Public records, lying south and west of the following described line:

Commencing at the Southwest corner of Lot 20, Block 1, South Fifth Street Subdivision, and considering the South line of said Lot 20 to bear N89°06'45"W, with all bearings herein relative thereto; thence N00°52'27"W, along the West line of said Lot 20, a distance of 109.23 feet to the POINT OF BEGINNING; thence 31.71 feet along the arc of a 50.00 foot radius curve, concave southwest, through a central angle of 36°20'05", and which chord bears S64°15'49"E a distance of 31.18 feet to a point of tangency; thence S46°05'46"E a distance of 140.83 feet to the South line of said Lot 20.

Containing 7,718 square feet, more or less, as described.

Introduced for first reading on this _____ day of _____, 2010

PASSED and ADOPTED this _____ day of _____, 2010.

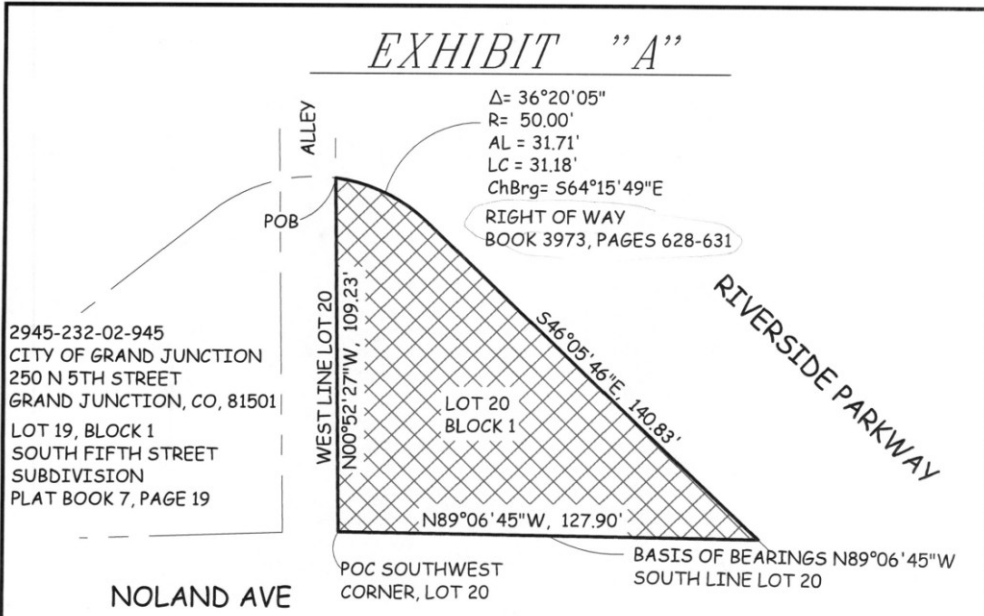
ATTEST:

President of City Council

City Clerk

Vacation #2 Exhibit A

EXHIBIT "A"



RIGHT OF WAY VACATION
 AREA = 7,718 SQ.FT.

ABBREVIATIONS

SQ.FT	SQUARE FEET
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
Δ	DELTA ANGLE
R	RADIUS
AL	ARC LENGTH
LC	CHORD LENGTH
ChBrg	CHORD BEARING

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

1 inch = 40 ft.
 Lineal Units = U.S. Survey Foot

CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING A PORTION OF THE NOLAND AVENUE RIGHT-OF-WAY LOCATED BETWEEN 5TH STREET AND 7TH STREET SOUTH OF THE RIVERSIDE PARKWAY AND AN ALLEY RIGHT-OF-WAY LOCATED WITHIN BLOCK 2 OF THE SOUTH FIFTH STREET SUBDIVISION BETWEEN STRUTHERS AND THE RIVERSIDE PARKWAY

RECITALS:

A request to vacate a portion of Noland Avenue right-of-way located between 5th Street and 7th Street south of the Riverside Parkway and an alley right-of-way within Block 2 of the South Fifth Street Subdivision between Struthers and the Riverside Parkway, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request found the criteria of the Code to have been met, and recommends that the vacation be approved with the reservation of the Multipurpose Easement.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

Vacation # 3

Two parcels of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

That portion of Noland Avenue right of way, as depicted in the South Fifth Street Subdivision, recorded in Plat Book 7, Page 19 in the Public records of the Mesa County Clerk and Recorder, lying east of the following described line:

Commencing at the Northwest corner of Lot 14, Block 2, said South Fifth Street Subdivision, and considering the North line of said Lot 14 to bear N89°18'40"E, with all bearings herein relative thereto, thence N89°18'40"E, along the North line of said Lot 14, a distance of 58.65 feet to the POINT OF BEGINNING; thence N51°29'00"E a distance of 108.74 feet to the North line of said Noland Avenue,

AND west of the following described line:

Commencing at the Southwest corner of Lot 20, Block 1, said South Fifth Street Subdivision; thence S89°06'45"E, along the South line of said Lot 20, a distance of 127.90 feet to the POINT OF BEGINNING; thence S46°05'46"E a distance of 43.97 feet to the South line of said Noland Avenue, TOGETHER WITH

That portion of that sixteen foot wide alley right of way within Block 2 said South Fifth Street Subdivision, lying North of the North line of Struthers Avenue as extended between Lot 5 and lot 6, said Block 2, and South of the following described curve;

Commencing at the Northwest corner of Lot 14, Block 2, said South Fifth Street Subdivision; thence S00°14'02"W, along the West line of said Lot 14, a distance of 51.44 feet to the POINT OF BEGINNING; thence 24.27 feet along the arc of a 400.00 foot radius curve, concave Southeast, through a central angle of 03°28'35" and which chord bears S41°29'10"W a distance of 24.27 feet to the west line of said alley right of way.

Containing 24,395 square feet, or 0.560 acres, more or less, as described.

Introduced for first reading on this _____ day of _____, 2010

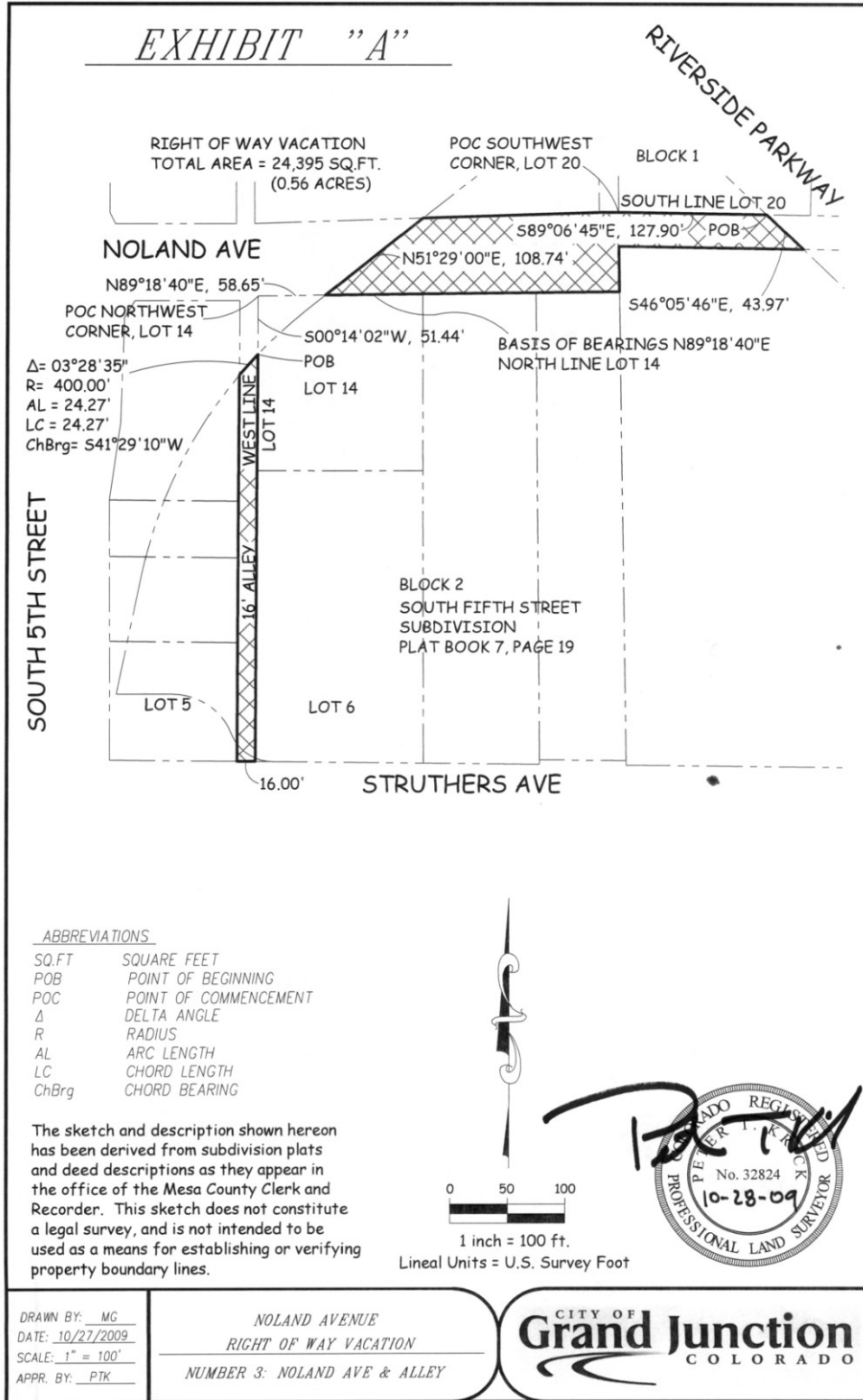
PASSED and ADOPTED this _____ day of _____, 2010.

ATTEST:

President of City Council

City Clerk

Vacation #3 Exhibit A



**Attach 8
Autumn Place Four-plex**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 26, 2010
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Growth Plan Amendment for Autumn Place - GPA-2009-236.

ACTION REQUESTED: Recommendation to City Council for approval of the Growth Plan Amendment.

BACKGROUND INFORMATION			
Location:		The entire Block of Elm Avenue to Glenwood Avenue, between N 15 th Street and N 16 th Street	
Applicants:		James E. and Jane Ann Schroeder, owner; Autumn Enterprises, LLC, developer; Vista Engineering Corp., representative.	
Existing Land Use:		Single family residence	
Proposed Land Use:		Four-plex	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		R-16 (Residential – 16 units per acre)	
Proposed Zoning:		No change	
Surrounding Zoning:	North	R-16 (Residential – 16 units per acre)	
	South	R-16 (Residential – 16 units per acre)	
	East	R-8 (Residential – 8 units per acre)	
	West	R-16 (Residential – 16 units per acre)	
Growth Plan Designation:		Residential Medium, 4 – 8 units per acre	
Zoning within density range?		Yes	X No

PROJECT DESCRIPTION: Request approval of a Growth Plan Amendment to change the Future Land Use Designation from Residential Medium, 4 to 8 units per acre to Residential High, 12 plus units per acre. This request is to provide consistency between the Future Land Use Map and the existing Zoning.

RECOMMENDATION: Forward a recommendation of approval to City Council.

ANALYSIS

1. Background

In July, 2009 the applicants approached the Planning Department with their idea of redeveloping a lot located at 1309 N 16th Street by replacing the existing single-family residence with a new four-plex on the lot. The current zoning (R-16 Residential – 16 units per acre) allows this type of re-development; but the Future Land Use Map designation shows this area as Residential Medium, 4 to 8 units per acre does not support the proposed use or the existing zoning. Other areas of town where the existing zoning does not match the Growth Plan we have determined that the zoning is in error, because of the way the broad general rezoning was accomplished in 2000. It has been my opinion that Growth Plan designations are not meant to be site specific, especially for small lots. (This site is only 0.275 acres in size). After reviewing the application, the minutes from the Neighborhood Meeting and the overall composition of the existing neighborhood, it is my recommendation that the entire block should be brought into conformance with the existing zoning, thus removing the zoning error and the Growth Plan zoning discrepancy over the entire block.

The applicants are aware of the schedule for consideration of the new Comprehensive Plan. The applicants desire however to move forward with a Growth Plan Amendment for this parcel rather than wait for an uncertain outcome in February so that they can complete the construction of the four-plex in the Spring of 2010.

The subject properties were annexed into the City in 1946 as part of the Northeast Addition and platted in 1951 as the Parkplace Heights Subdivision. With the major rezoning of the City in 2000, the subject parcels were down-zoned from RMF-32 (Residential Multi-family, 32 units per acre) to R-16. The zoning still did not conform to the Future Land Use Map designation of the Growth Plan, which is Residential Medium (4 to 8). It is anticipated that the new Comprehensive Plan, upon adoption, will also support the existing zoning of R-16.

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

Although the circumstances are unknown, there was an apparent error in identifying the area lying between N.15th Street and N. 16th Street, between Elm and Glenwood Avenues. Although this area was down zoned to R-16 (Residential – 16 units per acre) in 2000, the Future Land Use Map of the Growth Plan identified this area as Residential Medium (4 to 8 units per acre). This is a request to amend the Future Land Use Map of the Growth Plan to correct the inconsistency.

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

The original premises and findings for the Growth Plan designation for this area are not clear, but it can be inferred from the circumstances that density in this area was expected to remain at its 1996 levels, and/or that the level of residential growth would remain slow and/or would not occur in this area. Since 1996 population growth increased such that by 2000, when the general re-zone occurred, the RMF-32 was down sized only to R-16 rather than to a zone that met with the Residential Medium Low Growth Plan designation. Also, since 2000, residential growth skyrocketed in our area, and over time this central city area has been targeted by the market and by planning efforts for increased density due to the changes in the surrounding area.

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

The current Growth Plan is consistent with the existing residences (except one lot located at 1311 N. 16th Street, which has a four-plex sited on it) that are in the immediate area; however, with the ability to redevelop this lot to a higher density, the Growth Plan needs to be amended. The Growth Plan does not match the current zoning. Re-development in the older portions of the City will be encouraged where the zoning allows for a higher density and where existing utilities are in place.

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

This change is consistent with the goals and policies of the Growth Plan, and also with the goals and policies of the proposed new Comprehensive Plan. Such consistencies within the proposed Comprehensive Plan are: Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages; and Goal 6: Land use decisions will encourage preservation and appropriate reuse. The construction of a new four-plex is an excellent reuse of an existing lot, which will add a broader mix of housing types for the area.

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

Public and community facilities in the area are adequate for the multi-family use of this site. Water, sewer, electrical, gas and cable are already available in the neighborhood. An acceptable street width with sidewalks in place is adequate to serve the area. The location to Mesa State College, Lincoln Park, several restaurants and grocery store give this area a “walkability” score of 80 out of 100. (This score is based on the information found at WalkScore.com).

- 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

As mentioned above, the subject area is centrally located to many amenities that are a benefit for multi-family living. Older people, students, young families with only one or no vehicle can accomplish many of their errands without the use of a car. Multi-family living can provide a broader range of affordable housing for the area.

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

The community will derive benefits from the re-development of properties in this area as cited in the examples above. Multi-family development in areas of the City where the existing infrastructure is in place benefits the citizens by utilizing existing utilities. The expense of extending new water and sewer lines is reduced, as is the cost of constructing new streets and sidewalks. The community will further benefit by having more residential choices other than single-family detached units.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Autumn Place GPA application, GPA-2009-236, for a Growth Plan Amendment, staff makes the following findings of fact and conclusions:

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

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested Growth Plan Amendment, GPA-2009-236 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

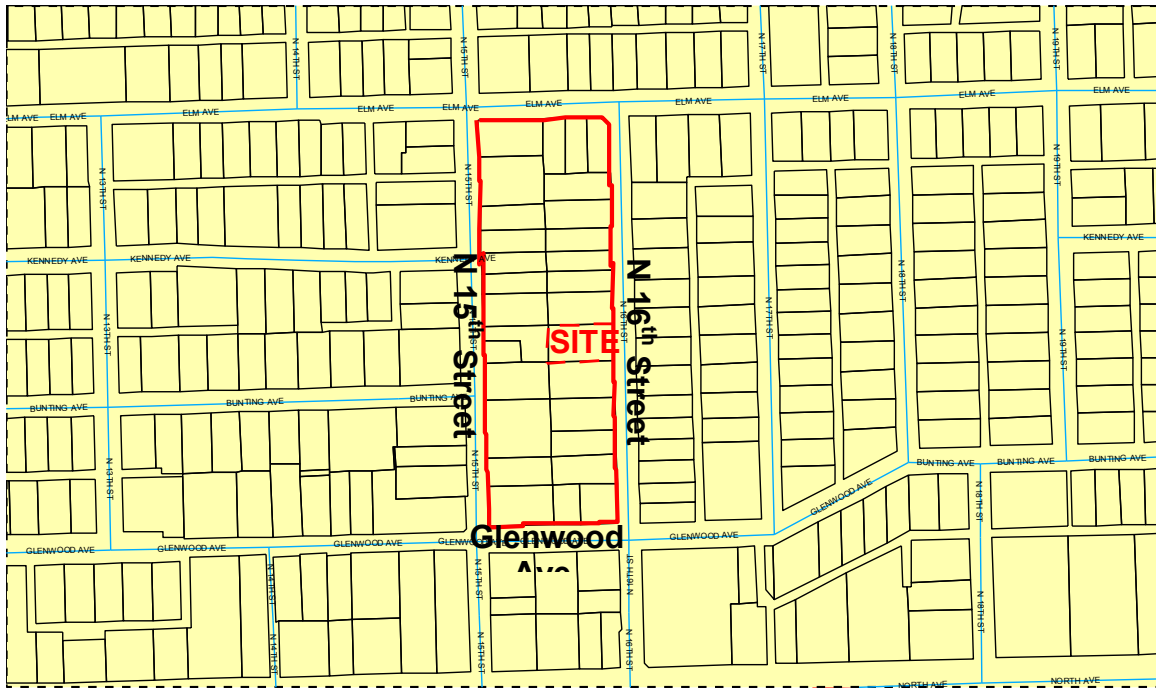
Mr. Chairman, on item number GPA-2009-236, I move that we find for an error on the Future Land Use Map of the Growth Plan, for the entire block from Elm Avenue to Glenwood Avenue, between N 15th Street and N 16th Street, and forward a recommendation of approval to the City Council to amend the designation of Residential Medium, 4 to 8 units per acre to the designation of Residential High, 12 plus units per acre.

Attachments:

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

Site Location Map

Figure 1



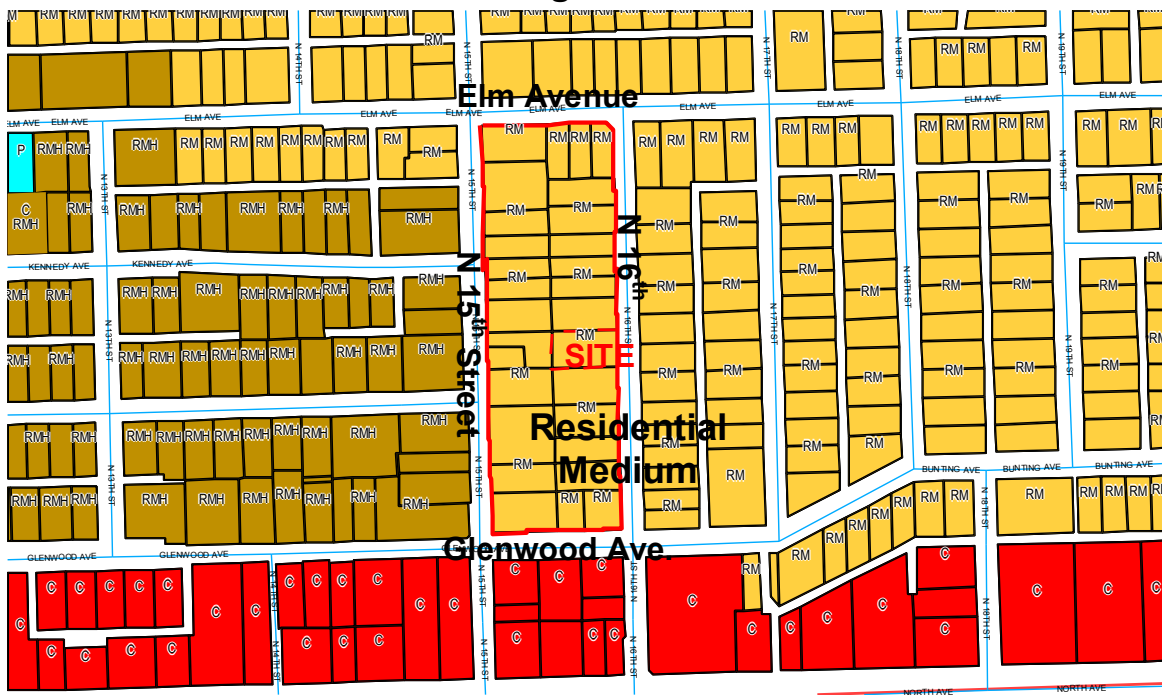
Aerial Photo Map

Figure 2



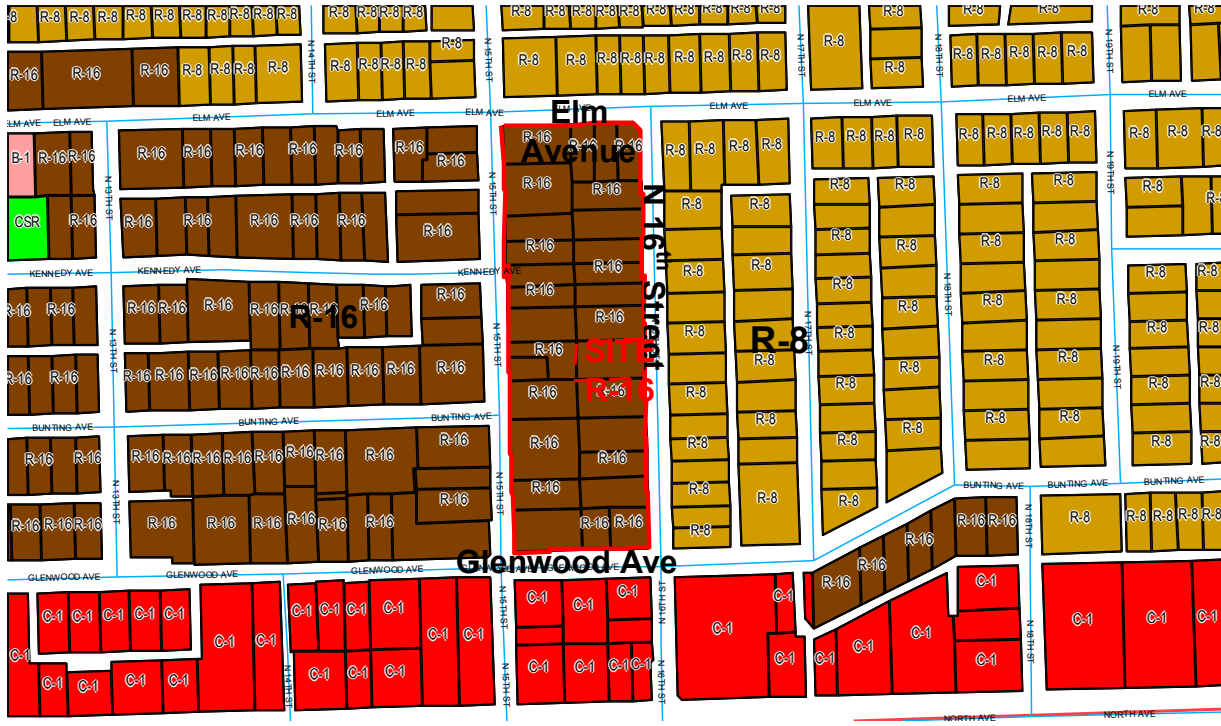
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE THE ENTIRE BLOCK FROM ELM AVENUE TO GLENWOOD AVENUE, BETWEEN N 15th STREET AND N 16th STREET, KNOWN AS THE AUTUMN PLACE GROWTH PLAN AMENDMENT AREA, FROM RESIDENTIAL MEDIUM, 4 – 8 UNITS PER ACRE TO RESIDENTIAL HIGH, 12 PLUS UNITS PER ACRE

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 6.106 acres, located between N 15th Street and N 16th Street, between Glenwood Avenue and Elm Avenue be redesignated from RM to RH 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 RM TO RH ON THE FUTURE LAND USE MAP.

AUTUMN PLACE GPA

All lots between Glenwood Avenue and Elm Avenue, and between N 15th Street and N 16th Street.

Said parcel contains 6.106 acres (265,977.36 square feet), more or less, as described.

PASSED on this _____ day of _____, 2010.

ATTEST:

City Clerk

President of Council

**Attach 9
Sunlight Subdivision Annexation**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: January 26, 2010
PRESENTER: Lori V. Bowers

AGENDA TOPIC: 1) Zone of Annexation for Sunlight Subdivision, ANX-2006-348; and 2) Sunlight Subdivision Planned Development, PP-2008-051

ACTION REQUESTED: 1) A recommendation of approval to City Council to zone 11.21 acres to PD (Planned Development) with a default zone of R-4 (Residential – 4 units per acre) and

2) recommendation to City Council of approval of a Preliminary Development Plan (PDP) for Sunlight Subdivision.

BACKGROUND INFORMATION					
Location:		172, 174 Sunlight Drive			
Applicants:		Freestyle Design & Building c/o Ted Munkres, owner; Bob Blanchard, representative.			
Existing Land Use:		Residential and vacant land			
Proposed Land Use:		Residential Planned Development			
Surrounding Land Use:	North	Residential			
	South	Residential, large lot			
	East	Residential, large lot			
	West	Residential, large lot			
Existing Zoning:		None			
Proposed Zoning:		Planned Development (PD)			
Surrounding Zoning:	North	County RSF-4			
	South	County RSF-4			
	East	County RSF-4			
	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 for approval to zone 11.21 acres, consisting of two parcels, located at 172 and 174 Sunlight Drive to PD (Planned Development) with a default zone of R-4 (Residential – 4 units per acre) by approval of the Preliminary Development Plan as a Planned Development.

RECOMMENDATION: Recommend approval to City Council to zone 11.21 acres PD (Planned Development) with a default zone of R-4 (Residential – 4 units per acre) and recommend to City Council approval of a Preliminary Development Plan for Sunlight Subdivision.

ANALYSIS

1. Background

In 2005 an application was submitted to the City for annexation into the City of Grand Junction, with a request to zone the property consistent with the existing County zoning of RSF-4 (Residential Single Family – 4 units per acre). Staff recommended the zone district of R-2 (Residential – 2 units per acre) for the property, based on an analysis of the topography of the site, the substandard road network in the area and as a transition between the RSF-4 densities to the north and the even more topographically challenged properties to the south. The application was subsequently withdrawn. In February of 2007, a new application was submitted for the subject property, which was then annexed into the City. At that time the applicant requested deferral of the zoning in order to allow time to propose a Planned Development (PD) zone district in conjunction with a Preliminary Development Plan.

The proposed plan consists of 33 single family detached lots on 11.21 acres. It is bounded on the north by existing residential subdivisions and on the east, south and west by single family residences on lots larger than one acre. The Orchard Mesa Canal also abuts the property along the southern most edge.

A TEDS exception was granted in June, 2009 for reduced street lighting. The exception allows for only two street lights where nine would have been required. Street lights will be placed at 28 1/2 Road where it enters into the subdivision and at the intersection of Sunlight Drive and River Divide Road. This request furthers a goal and objective of the Orchard Mesa Neighborhood Plan and Section 7.2.F. regarding nighttime light pollution.

Another TEDS exception was granted on December 1, 2009 to allow for a shorter approach tangent to the intersection of 28 1/2 Road and the proposed River Divide Road (northerly); and another shorter approach tangent to 28 1/2 Road and Country Ridge Road (southerly). Through the TEDS exception process it was determined that the reduced approaches are acceptable and that a note shall be added to the final plans and engineered construction drawings establishing the sight triangles and limiting structures and landscaping to meet the requirements of TEDS.

Relocation of an existing irrigation easement benefitting the Alpine Water Users Group will be required at the time of final platting. "Alpine Water" has agreed to work with the applicant on relinquishment and suitable relocation of the irrigation easement.

Density

The density of the proposed project is 2.9 dwelling units per acre. This density is consistent with average density of the surrounding subdivisions to the north and meets the default zone of R-4 and the Future Land Use designation.

Access

Access is obtained from Sunlight Drive, which bounds the property on the west. 28 1/2 Road, if it were extended directly south, would bound the property on the east. As proposed, 28 1/2 Road will curve into the subdivision and end in a cul-de-sac.

Road Design

All roads will be dedicated public right-of-way with Glory View Drive extended into the subdivision only as a pedestrian / bicycle path. The residential lots will obtain access internally from River Divide Road. There are two cul-de-sacs proposed within the subdivision, River Divide Court and 28 1/2 Court. Two TEDS Exceptions were granted for this project and were described above.

Open Space / Park

There are four Tracts within the subdivision. These Tracts are for the purpose of detention and open space features as well as containing the canal. The detention/open space areas will be landscaped and a subdivision entry sign will be provided. Signage for the pedestrian connection to Glory View Drive will show the access to the Old Spanish Trail, located south of the property. The Tracts will be owned and maintained by the HOA. Proof of the formation of the HOA will be required at the time of Final Plat.

Lot Layout

All lots are designed for single-family detached dwelling units. The lots range in size from 8,000 square feet to 21,000 square feet. A fourteen foot multi-purpose easement is provided across the front of each lot. Irrigation easements are also provided. All of the lots meet the dimensional standards for the default zone, except those abutting the cul-de-sacs, which results in irregularly shaped lots, which is typical of lots abutting cul-de-sacs. This is addressed in the Ordinance.

Landscaping

All Tracts will be landscaped and will serve as open space as well as detention areas. Xeriscape type landscaping will be encouraged throughout the subdivision. A fencing plan has been submitted as part of the landscaping plan. Lower two-rail fences will be installed on the lots abutting the open space tracts. Privacy fencing will be allowed between the lots (6-foot solid) as depicted on the preliminary overall landscape plan.

Phasing

The Sunlight Subdivision Planned Development is to be developed in one phase. The Zoning and Development Code, Section 2.12.C.4.c, under Validity states, "The effective period of the preliminary development plan shall be....at the time of preliminary development plan approval". The applicant requests that when this approval is obtained that the preliminary development plan approval be extended to the maximum allowed time frame of 10 years to complete the review of the final development plan and record the Final Plat. Both Section 2.3.B.13, dealing with the common procedures for all applications requiring a public hearing, and Section 2.8.B.5, which deals with the validity period for preliminary subdivisions, allows for extensions beyond the standard two year time period up to a maximum of 10 years. The applicant is requesting that the Planning Commission consider their request of 10 years, as required by Section 2.12.B.2.j, as an appropriate phasing or development schedule. Given the current economic climate, this may be a reasonable request.

Long-Term Community Benefit

The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Chapter 3 of the Code. The

Code also states that PD zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

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

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

1. Innovative design that will limit the visual impacts of homes from the public rights-of-way by making use of walk-out basements creating a single story streetscape;
2. A greater quantity, over 23,000 square feet of common open space will be provided for both passive and active recreational use; protection of natural resources.
3. A pedestrian path and Old Spanish Trail connection will be provided through the extension of Glory View Drive. Trail signage will be provided to improve the visibility of this trail that is located south of the subject property.
4. Use of low water usage grasses in the common open space and drainage areas;
5. Covenants to be enforced by the home owners association will be developed to address development on individual lots including encouraging the use of xeriscape landscape material; and
6. Storm drainage will be improved to control runoff and prevent discharge onto neighboring lots.

Default Zone

The dimensional standards for the R-4 zone, as indicated in Table 3.2 (including Footnotes) in the Zoning and Development Code, are as follows:

Density: Maximum density is 4 units/acre; minimum density is 2 units/acre.

Nonresidential FAR: N/A

Maximum Lot Coverage: 50%

Minimum lot area: 8,000 square feet

Minimum lot width: 75 feet

Minimum street frontage: 20 feet

Front yard setback: 20/25

Side yard setback: 7/3

Rear yard setback: 25/5

Maximum building height: 35 feet

Deviations

Eight lots do not meet the minimum lot width requirement, of 75 feet, which is measured at the front setback. These lots are: Lots 5 through 9, Block 1; Lots 5 through 7, Block 2; which are located at the end of the two cul-de-sacs.

3. Section 2.12.C.2 of the Zoning and Development Code

Requests for a Planned Development Preliminary Development Plan must demonstrate conformance with all of the following:

- a) The Outline Development Plan review criteria in Section 2.12.B of the Zoning and Development Code.
 - 1) The Growth Plan, Major Street plan and other adopted plans and policies.

The property is designated Residential Medium Low, 2 to 4 dwelling units per acre on the Future Land Use Map. The proposed density of 2.9 dwelling units is consistent with the Future Land Use Map of the Growth Plan. The project is also consistent with the goals and policies of The Grand Valley Circulation Plan as well as the Orchard Mesa Area Plan.

- 2) The rezoning criteria provided in Section 2.6 of the Zoning and Development Code.
 - a. The existing zoning was in error at the time of adoption.

This criterion does not apply to the zoning of annexations.

- b. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition, etc.

There has been (until recently) consistent growth in the 201 Persigo area, and growth in the Orchard Mesa area. The proposed subdivision is less dense than the existing subdivisions to the north and north east. Other properties in this area have been annexed into the City but have not yet been developed.

- c. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances.

The proposed rezone to Planned Development is compatible with the neighborhood. The default zoning of R-4 is consistent with the existing County zoning of RSF-4. Nighttime lighting has been reviewed and a TEDS exception has been provided to reduce the number of street lights normally required by the Code. The streets will connect and provide through traffic from Sunlight Drive to 28 1/2 Road.

- d. 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 are available or will be supplied at the time of further development of the property.

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

The property was annexed into the City for the purpose of residential development, under the Persigo Agreement. The proposed plan is in accordance with the Future Land Use map designation of the Growth Plan, which is directed towards accommodating the community's needs.

- f. The community will benefit from the proposed zone.

The community will benefit by providing more housing in an area experiencing growth.

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

The Preliminary Development Plan is consistent with all applicable requirements of Chapter Five. The proposed residential density of approximately 3 homes per acre is consistent with the Growth Plan designation of Residential Medium Low, 2 to 4 units per acre. The proposed subdivision encompasses over 11 acres of land, which is larger than the required five acre minimum. The project will be in compliance with all the development standards except those deviations from the default zoning of R-4, which are contained within the PD Ordinance. These deviations are common for lots which are irregular in size due to the lots being located on cul-de-sac.

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

The requirements of Chapter Seven regarding nighttime light pollution have been reviewed and granted a TEDS exception for reduced lighting, as discussed above.

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

Adequate public services and facilities exist in the area and will be extended throughout the subdivision. Both sewer and water are available via a connection from the surrounding developments. City sewer is provided. Ute is the water supplier.

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

Adequate traffic and pedestrian circulation has been provided. Vehicular access is provided from Sunlight Drive on the west, and 28 1/2 Road on the east. Pedestrian and bicycle access will be provided from a connection with Glory View Lane on the north. This will also be marked as an access to the Old Spanish Trail, located south of this subdivision, near the Gunnison River bluff area.

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

The proposal is for a residential subdivision, which is adjacent to other residential subdivisions, therefore no screening or buffering is required.

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

The density at approximately 3 homes per acre is consistent with the Residential Medium Low Growth Plan designation.

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

The default zoning designation of R-4 and its minimum standards have been applied to this Planned Development. The only deviations are those commonly found with irregularly shaped parcels which abut cul-de-sacs.

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

A phasing schedule for the property has been proposed, and was discussed above. The Planning Commission is the decision maker as to accepting the proposed maximum amount of time, up to ten years. Given the current economic climate, this may be an appropriate amount of time to complete this project.

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

The property is 11 acres in size.

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

- 1) The preliminary subdivision plan will be in conformance with the Growth Plan, Grand Valley Circulation Plan, Urban Trails Master Plan, and other adopted plans;

As described above, the property is designated Residential Medium Low, 2 to 4 dwelling units per acre on the Future Land Use Map. The proposed density of 2.9 dwelling units is consistent with the Future Land Use Map of the Growth Plan. The project is also consistent with the goals and policies of The Grand Valley Circulation Plan as well as the Orchard Mesa Area Plan. The current Urban Trails Master Plan does not show any trails within the parameters of this subdivision. It is acknowledged that the Old Spanish Trail does exist south of this property, but is not considered to pass through this site.

- 2) The Subdivision standards in Chapter Six;

The subdivision standards that are applicable to this application include plans and specification standards which the proposed PDP shows to be consistent with all the adopted plans and policies.

- 3) The Zoning standards in Chapter Three;

The standards found in Chapter Three cover the minimum lot sizes, lot widths, setbacks and height. The default zone for this property is R-4. This proposal meets the minimum lot size of 8,000 square feet. The lots range in size from 8,000 square feet to 21,286 square feet. All of the lots meet the minimum lot width of 75-feet, measured at the front setback, which is 20-feet. The exceptions to this are the following, which have been incorporated into the Zoning Ordinance: Lots 5 through 9, Block 1; Lots 5 through 7, Block 2; which are located at the end of the two cul-de-sacs.

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

Except for the requested deviation from the R-4 zone district discussed above, all City development standards are being met.

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

All infrastructure will be built to City standards and will be functional when certificate of occupancies are issued.

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

There will be no negative impacts on either the natural or social environment. The developer is taking advantage of the sloping terrain by providing walk-out basements that will allow for the appearance of single-story homes. The pedestrian connection and signage directing people to the Old Spanish Trail should not be a negative impact.

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

Sunlight Subdivision is compatible with existing and anticipated residential developments surrounding the property through comparable densities and creative design.

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

There are no apparent agricultural properties or land uses adjacent to this site.

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

The proposal is neither piecemeal nor premature. The property has not been used agriculturally for many years.

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

All infrastructure and services can be provided according to City standards.

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

All public improvements will be installed per City standards and will be accepted for maintenance by the City once the warranty period is over. All private open space areas will be maintained by a Home Owners Association. Proof of the formation of the HOA will be required when the Final Plat is ready for recording. All common areas will also need to be addressed in the Covenants, Conditions and Restrictions for the Sunlight Subdivision, which will be reviewed with the Final Plat by the City Attorney's Office per Section 12.D.4.b of the Zoning and Development Code.

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

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

This has been discussed above, and the proposal meets this criterion.

- 2) Conditions of any prior approvals

There are no prior approvals. The only condition has been that the property has been without zoning since the annexation became effective in March of 2007, at the owner's request. With approval of this Plan, a PD zoning will be placed on the property.

- 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.

These have all been addressed within this staff report above.

- 4) Quality site design practices

Section 2.2.D.4.b(4)(A thru K) is the review criteria for a Major Site Plan. Since this is a residential subdivision, it has been reviewed for compliance with the subdivision regulations found in Chapter Six, Chapter Three, Chapter Seven and the procedures found in Chapter Two.

- d) The approved ODP, if applicable.

There is no approved ODP.

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

The PD Ordinance is attached for review. There is no ODP.

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

The overall density is 2.9 dwelling units per acre. The project is proposed to be built in one phase only.

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

The area is slightly over 11 acres; therefore this proposal meets the five acre minimum for this criterion.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Sunlight Subdivision application, file number PP-2008-051 for a Planned Development, Preliminary Development Plan, I make the following findings of fact and conclusions:

1. The requested Planned Development, Preliminary Development Plan is consistent with the Growth Plan.
2. The review criteria in Section 2.12.C.2 (Planned Development Review Criteria) of the Zoning and Development Code have all been met.
3. The review criteria in Section 2.8.B (Subdivisions) of the Zoning and Development Code have all been met.
4. The proposed phasing schedule, per Sections 2.12.C.4.c (Planned Development Application and Review Procedures); 2.3.B.13 (Permits Requiring Public Hearing) and 2.8.B.5 (Subdivisions) is acceptable as proposed.

STAFF RECOMMENDATIONS:

I recommend that the Planning Commission forward two recommendations to the City Council:

- 1) A recommendation of approval to zone 11.21 acres to PD (Planned Development with a default zone of R-4, file number ANX-2006-348; and

2) Approval of the requested Planned Development, Preliminary Development Plan for Sunlight Subdivision, file number PP-2008-05, with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTIONS:

1) Mr. Chairman, on item number ANX-2006-348, Zone of Annexation for Sunlight Subdivision, I move that the Planning Commission forward to the City Council a recommendation of approval of the Planned Development (PD) zone district for the Sunlight Subdivision Annexation with the facts and conclusions listed in the staff report.

2) Mr. Chairman, on item number PP-2008-051, I move that we forward to the City Council a recommendation of approval of the Preliminary Development Plan for Sunlight Subdivision Planned Development with the facts and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map

Future Land Use Map / Existing City and County Zoning Map

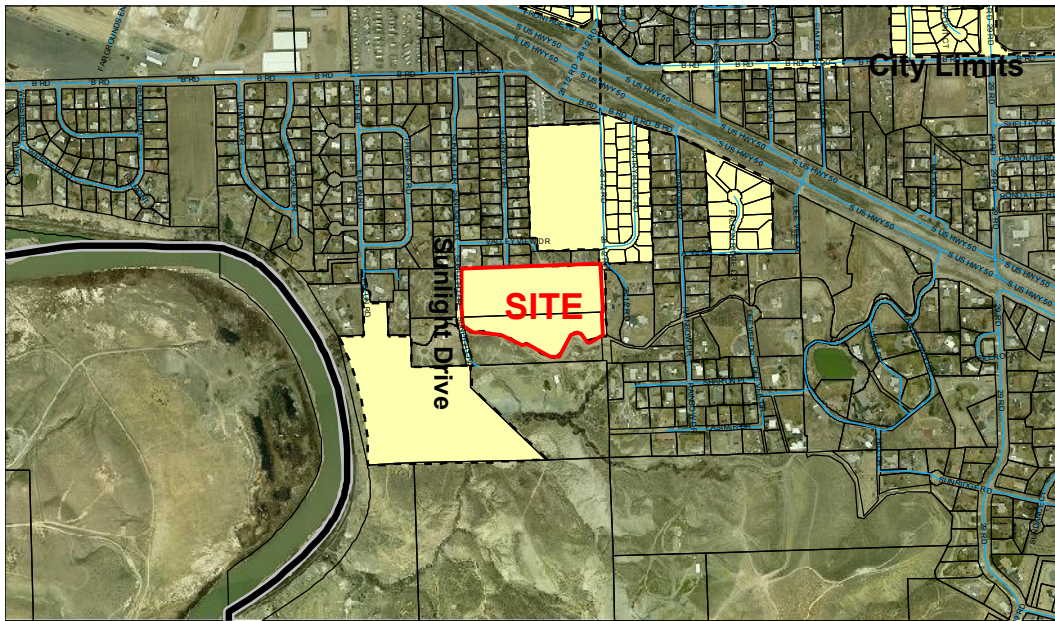
Preliminary Development Plans

Planned Development Ordinance

City Limits
Shown in pale
yellow

Site Location Map

172 and 174 Sunlight Drive



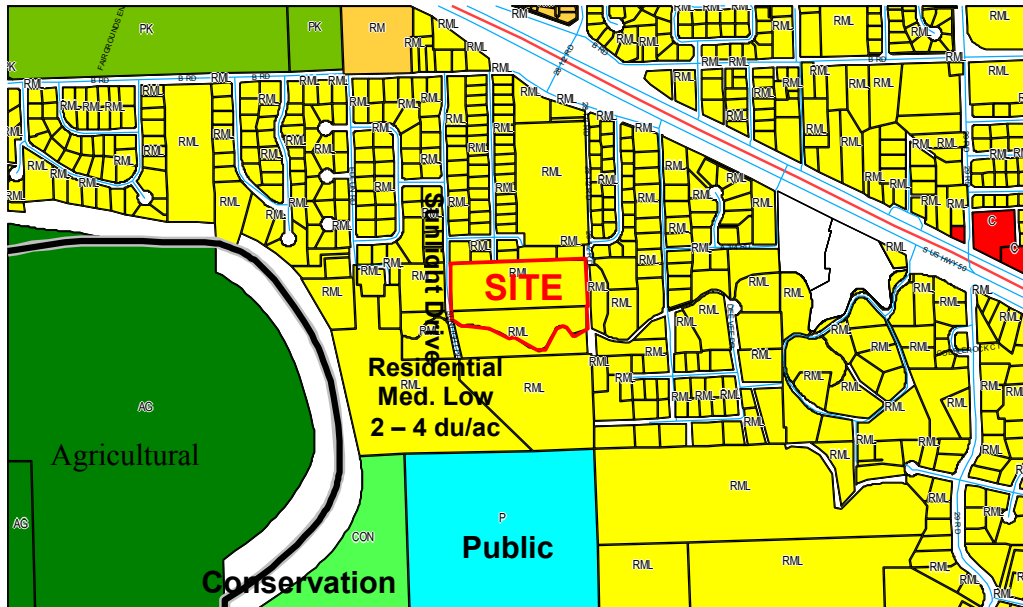
Aerial Photo Map

172 and 174 Sunlight Drive



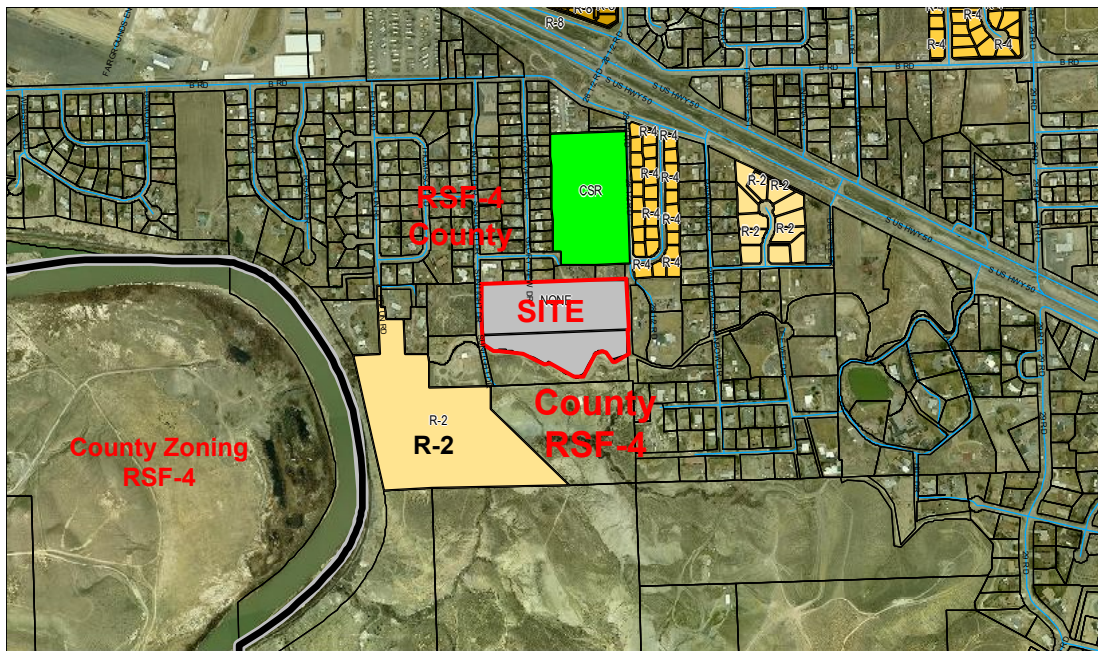
Future Land Use Map

172 and 174 Sunlight Drive



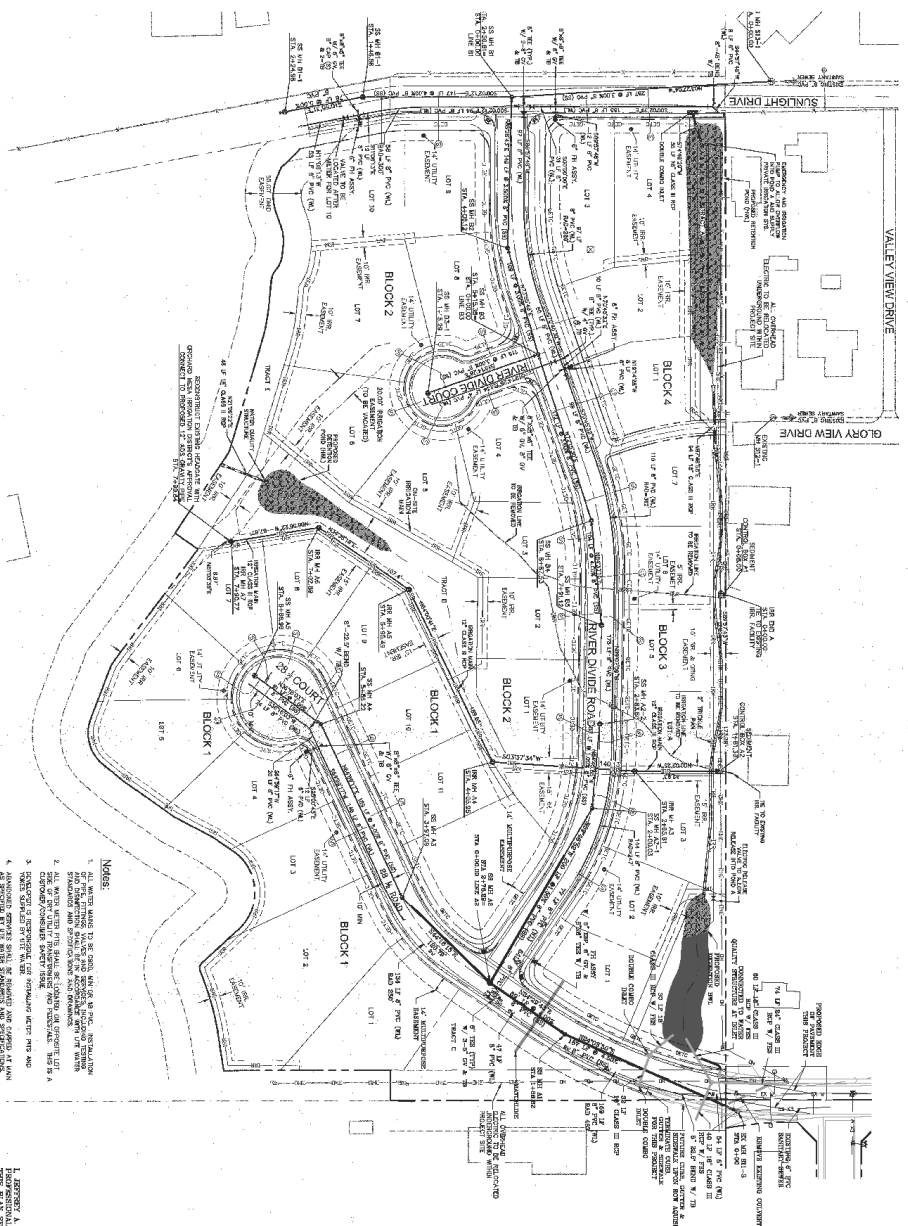
Existing City and County Zoning Map

172 and 174 Sunlight Drive

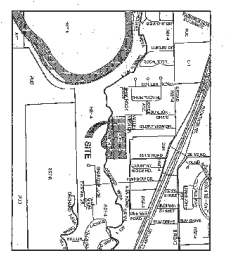


SUNLIGHT P.D. PRELIMINARY COMPOSITE PLAN

A TRACT OF LAND LOCATED IN SECTION 34, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE 6TH UTE
MERIDIAN CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



- NOTES:**
1. ALL UTILITIES SHOWN TO BE EXISTING UNLESS OTHERWISE INDICATED.
 2. ALL UTILITIES SHOWN TO BE PROPOSED UNLESS OTHERWISE INDICATED.
 3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF GRAND JUNCTION UTILITIES DEPARTMENT STANDARDS.
 4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF GRAND JUNCTION UTILITIES DEPARTMENT STANDARDS.
 5. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF GRAND JUNCTION UTILITIES DEPARTMENT STANDARDS.
 6. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF GRAND JUNCTION UTILITIES DEPARTMENT STANDARDS.



GRAPHIC SCALE:

LEGEND:

[Symbol]	PROPOSED LOT LINE
[Symbol]	PROPOSED SIDEWALK
[Symbol]	PROPOSED DRIVE
[Symbol]	PROPOSED STREET LIGHT
[Symbol]	PROPOSED BIKEWAY
[Symbol]	PROPOSED WATER MAIN
[Symbol]	PROPOSED SEWER MAIN
[Symbol]	PROPOSED GAS MAIN
[Symbol]	PROPOSED POWER MAIN
[Symbol]	PROPOSED CABLE TV MAIN
[Symbol]	PROPOSED FIBER OPTIC MAIN
[Symbol]	PROPOSED FIRE HYDRANT
[Symbol]	PROPOSED WATER VALVE
[Symbol]	PROPOSED SEWER VALVE
[Symbol]	PROPOSED GAS VALVE
[Symbol]	PROPOSED POWER VALVE
[Symbol]	PROPOSED CABLE TV VALVE
[Symbol]	PROPOSED FIBER OPTIC VALVE



ACCEPTED FOR CONSTRUCTION

ACCEPTED FOR CONSTRUCTION - ALL UTILITIES SHOWN TO BE EXISTING UNLESS OTHERWISE INDICATED.

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED LOT LINE
[Symbol]	PROPOSED SIDEWALK
[Symbol]	PROPOSED DRIVE
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811
Know what's Below.
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PRELIMINARY CONSTRUCTION

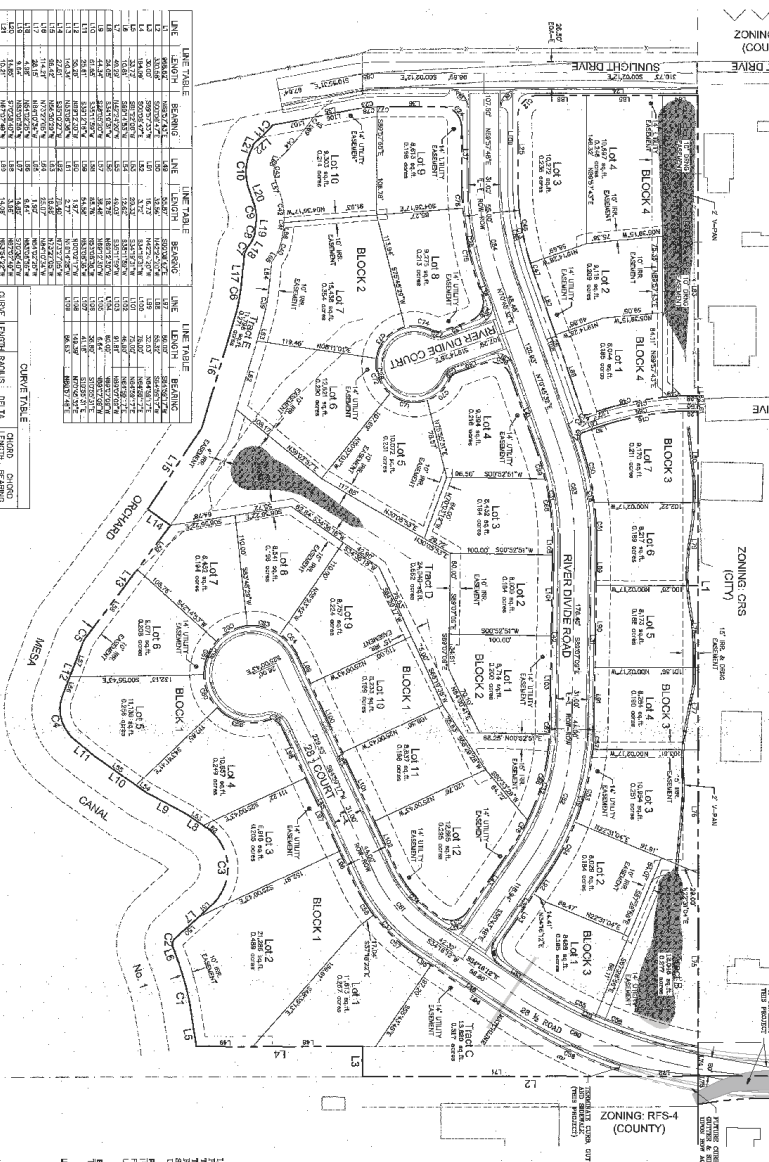
BULLSEYE ENGINEERING, INC.

REVISIONS:

811/06/10	Revised notes at 25 1/2 BA.
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**SUNLIGHT P.D.
PRELIMINARY PLAN**

A TRACT OF LAND LOCATED IN SECTION 31, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE 6TH UTE
MERIDIAN CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



LINE NUMBER	BEARING	LENGTH	LINE NUMBER	BEARING	LENGTH
1	N 0° 0' 0" E	100.00	1	N 0° 0' 0" E	100.00
2	S 90° 0' 0" E	100.00	2	S 90° 0' 0" E	100.00
3	N 0° 0' 0" W	100.00	3	N 0° 0' 0" W	100.00
4	N 90° 0' 0" W	100.00	4	N 90° 0' 0" W	100.00
5	S 0° 0' 0" W	100.00	5	S 0° 0' 0" W	100.00
6	S 90° 0' 0" W	100.00	6	S 90° 0' 0" W	100.00
7	N 0° 0' 0" E	100.00	7	N 0° 0' 0" E	100.00
8	N 90° 0' 0" E	100.00	8	N 90° 0' 0" E	100.00
9	S 0° 0' 0" E	100.00	9	S 0° 0' 0" E	100.00
10	S 90° 0' 0" E	100.00	10	S 90° 0' 0" E	100.00
11	N 0° 0' 0" W	100.00	11	N 0° 0' 0" W	100.00
12	N 90° 0' 0" W	100.00	12	N 90° 0' 0" W	100.00
13	S 0° 0' 0" W	100.00	13	S 0° 0' 0" W	100.00
14	S 90° 0' 0" W	100.00	14	S 90° 0' 0" W	100.00
15	N 0° 0' 0" E	100.00	15	N 0° 0' 0" E	100.00
16	N 90° 0' 0" E	100.00	16	N 90° 0' 0" E	100.00
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30	S 90° 0' 0" W	100.00	30	S 90° 0' 0" W	100.00

CLINE TABLE

CLINE NUMBER	BEARING	LENGTH	CLINE NUMBER	BEARING	LENGTH
1	N 0° 0' 0" E	100.00	1	N 0° 0' 0" E	100.00
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4	N 90° 0' 0" W	100.00	4	N 90° 0' 0" W	100.00
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10	S 90° 0' 0" E	100.00	10	S 90° 0' 0" E	100.00
11	N 0° 0' 0" W	100.00	11	N 0° 0' 0" W	100.00
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17	S 0° 0' 0" E	100.00	17	S 0° 0' 0" E	100.00
18	S 90° 0' 0" E	100.00	18	S 90° 0' 0" E	100.00
19	N 0° 0' 0" W	100.00	19	N 0° 0' 0" W	100.00
20	N 90° 0' 0" W	100.00	20	N 90° 0' 0" W	100.00
21	S 0° 0' 0" W	100.00	21	S 0° 0' 0" W	100.00
22	S 90° 0' 0" W	100.00	22	S 90° 0' 0" W	100.00
23	N 0° 0' 0" E	100.00	23	N 0° 0' 0" E	100.00
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26	S 90° 0' 0" E	100.00	26	S 90° 0' 0" E	100.00
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28	N 90° 0' 0" W	100.00	28	N 90° 0' 0" W	100.00
29	S 0° 0' 0" W	100.00	29	S 0° 0' 0" W	100.00
30	S 90° 0' 0" W	100.00	30	S 90° 0' 0" W	100.00

LEGEND:

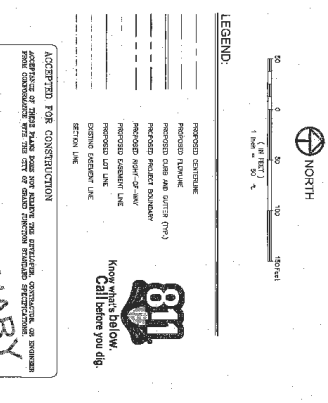
- PROPOSED CENTERLINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED EXISTING RIGHT-OF-WAY
- PROPOSED ADJACENT LOT LINE
- EXISTING CENTER LINE
- EXISTING LOT LINE

ACCEPTED FOR CONSTRUCTION

PRELIMINARY CONSTRUCTION

811

Keep yours below
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NEIGHBORHOOD MAP

GRAPHIC SCALE:

0 30 60 90 120 150 180 210 240 270 300 330 360 390 420 450 480 510 540 570 600 630 660 690 720 750 780 810 840 870 900 930 960 990 1020 1050 1080 1110 1140 1170 1200 1230 1260 1290 1320 1350 1380 1410 1440 1470 1500 1530 1560 1590 1620 1650 1680 1710 1740 1770 1800 1830 1860 1890 1920 1950 1980 2010 2040 2070 2100 2130 2160 2190 2220 2250 2280 2310 2340 2370 2400

REVISIONS:

NO.	DATE	DESCRIPTION
1	8/15/2010	Revised notes at 28 1/2 SL

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE TO ZONE THE SUNLIGHT SUBDIVISION ANNEXATION TO PD (PLANNED DEVELOPMENT) ZONE, BY APPROVING AN PRELIMINARY DEVELOPMENT PLAN WITH A DEFAULT ZONING OF R-4 (RESIDENTIAL – 4 UNITS PER ACRE), LOCATED AT 172 AND 174 SUNLIGHT DRIVE

Recitals:

A request to zone 11.21 acres to PD (Planned Development) by approval of a Preliminary Development Plan (Plan) with a default R-4 (Residential-4 units per acre) zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (R-4) and adopt the Preliminary Development Plan for the Sunlight Subdivision. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the R-4 zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Preliminary Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by proposing the following:

1. Creative site planning and design that will limit the visual impacts of homes from the public rights-of-way by making use of walk-out basements creating a single story streetscape;
2. Over 23,000 square feet of common open space will be provided for both passive and active recreational use;
3. A pedestrian path and Old Spanish Trail connection will be provided through the extension of Glory View Drive. Trail signage will be provided to improve the visibility of this trail that is located south of the subject property.
4. Use of low water usage grasses in the common open space and drainage areas;
5. Covenants to be enforced by the home owners association will be developed to address development on individual lots including encouraging the use of xeriscape landscape material; and
6. Storm drainage will be improved to control runoff and prevent discharge onto neighboring lots.

Deviations from the default zone include: Eight lots do not meet the minimum lot width requirement, of 75 feet, which is measured at the front setback. These lots are: Lots 5 through 9, Block 1; Lots 5 through 7, Block 2; which are located at the end of the two cul-de-sacs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED TO PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONE AND STANDARDS:

Sunlight Annexation No. 3
2943-312-00-025 & 2943-312-00-105

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 31, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 68.00 feet to the Point Of Beginning; thence S00°08'16"E along said East line a distance of 212.58 feet; thence S89°58'03"W a distance of 896.16 feet; thence N00°01'39"W a distance of 280.41 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along the North line of said SE 1/4 NW 1/4 a distance of 857.12 feet; thence S00°08'16"E a distance of 10.00 feet; thence N89°57'24"E along a line being 10.00 feet South of and parallel with the North line of said SE 1/4 NW 1/4 a distance of 27.00 feet; thence S00°08'16"E along a line being 11.50 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 53.00 feet; thence S89°57'24"W a distance of 13.50 feet; thence S00°08'16"E along a line being 25.00 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 165.00 feet; thence N89°57'24"E a distance of 15.00 feet; thence N00°08'16"W along a line being 10.00 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 160.00 feet; thence N89°57'24"E a distance of 10.00 feet, more or less, to the Point of Beginning.

Said parcel contains 5.69 acres (247,769 square feet), more or less, as described.

Sunlight Annexation No. 4
2943-312-00-025 & 2943-312-00-105

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 31, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 280.58 feet to the Point Of Beginning; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 214.03 feet; thence S89°51'44"W a distance of 30.00 feet to a point on the West right of way of 28 1/2 Road recorded in Book 2424, Page 593 of the Mesa County, Colorado public records; thence along the Northerly sideline of a canal easement recorded in Book 2398, Pages 49 through 51, of the Mesa County, Colorado public records the following fourteen (14) courses: (1) S81°22'39"W a distance of 33.73 feet; (2)

thence 57.13 feet along the arc of a 270.04 foot radius curve, concave Southeast, having a central angle of $12^{\circ}07'15''$ and a chord bearing $S75^{\circ}19'02''W$ a distance of 57.02 feet; (3) thence $S69^{\circ}15'24''W$ a distance of 10.81 feet; (4) thence 8.87 feet along the arc of a 7.43 foot radius curve, concave Northeast, having a central angle of $68^{\circ}22'34''$ and a chord bearing $N76^{\circ}34'12''W$ a distance of 8.35 feet; (5) thence $N42^{\circ}23'49''W$ a distance of 49.29 feet; (6) thence 88.38 feet along the arc of a 49.03 foot radius curve, concave South, having a central angle of $103^{\circ}16'38''$ and a chord bearing $S85^{\circ}58'06''W$ a distance of 76.89 feet; (7) thence $S34^{\circ}20'02''W$ a distance of 24.05 feet; (8) thence $S28^{\circ}05'51''W$ a distance of 44.34 feet; (9) thence $S35^{\circ}12'30''W$ a distance of 61.65 feet; (10) thence $S39^{\circ}12'47''W$ a distance of 25.61 feet; (11) thence 49.55 feet along the arc of a 39.66 foot radius curve, concave Northwest, having a central angle of $71^{\circ}35'03''$ and a chord bearing $S75^{\circ}00'24''W$ a distance of 46.39 feet; (12) thence $N69^{\circ}11'59''W$ a distance of 55.26 feet; (13) thence 4.05 feet along the arc of a 14.47 foot radius curve, concave Northeast, having a central angle of $16^{\circ}02'57''$ and a chord bearing $N61^{\circ}10'02''W$ a distance of 4.04 feet; (14) thence $N53^{\circ}08'05''W$ a distance of 140.34 feet; thence $S35^{\circ}10'58''W$ a distance of 27.50 feet to the centerline of said canal easement; thence along the centerline of said canal easement the following fifteen (15) courses; (1) $N56^{\circ}29'58''W$ a distance of 96.42 feet; (2) thence $N73^{\circ}26'34''W$ a distance of 114.21 feet; (3) thence 33.26 feet along the arc of a 177.69 foot radius curve, concave Southwest, having a central angle of $10^{\circ}43'27''$ and a chord bearing $N78^{\circ}48'18''W$ a distance of 33.21 feet; (4) thence $N84^{\circ}10'03''W$ a distance of 28.15 feet; (5) thence 8.45 feet along the arc of a 16.06 foot radius curve, concave Northeast, having a central angle of $30^{\circ}08'08''$ and a chord bearing $N69^{\circ}05'59''W$ a distance of 8.35 feet; (6) thence $N54^{\circ}01'54''W$ a distance of 4.98 feet; (7) thence 12.30 feet along the arc of a 24.23 foot radius curve, concave Southwest, having a central angle of $29^{\circ}05'22''$ and a chord bearing $N68^{\circ}34'10''W$ a distance of 12.17 feet; (8) thence $N83^{\circ}06'25''W$ a distance of 9.64 feet; (9) thence 19.90 feet along the arc of a 43.47 foot radius curve, concave South, having a central angle of $26^{\circ}14'01''$ and a chord bearing $S83^{\circ}46'23''W$ a distance of 19.73 feet; (10) thence $S70^{\circ}39'11''W$ a distance of 14.85 feet; (11) thence 35.75 feet along the arc of a 48.52 foot radius curve, concave Northwest, having a central angle of $42^{\circ}13'12''$ and a chord bearing $N88^{\circ}14'03''W$ a distance of 34.95 feet; (12) thence $N67^{\circ}07'18''W$ a distance of 10.21 feet; (13) thence $N41^{\circ}26'43''W$ a distance of 4.84 feet; (14) thence 31.52 feet along the arc of a 145.02 foot radius curve, concave Southwest, having a central angle of $12^{\circ}27'14''$ and a chord bearing $N47^{\circ}40'17''W$ a distance of 31.46 feet; (15) thence $N53^{\circ}53'51''W$ a distance of 9.14 feet to the East line of a road right of way recorded in Book 2398, Pages 148 and 149 of the Mesa County, Colorado public records; thence $N10^{\circ}55'00''W$ along the East line of said road right of way described in Book 2398, Pages 148 and 149 a distance of 78.53 feet to a point on the South line of that certain parcel described in Book 4001, Page 471 of the Mesa County, Colorado public records; thence $S89^{\circ}58'04''W$ along the South line of said parcel described in Book 4001, Page 471 a distance of 0.78 feet to a point on the East line of a road right of way recorded in Book 788, Page 242, of the Mesa County, Colorado public records; thence $N00^{\circ}01'41''W$ along the East line of said road right of way described in Book 788, Page 242 a distance of 330.39 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence $N89^{\circ}57'24''E$ along the North line of the SE 1/4 NW 1/4 of said Section 31, a distance of 75.00 feet; thence $S00^{\circ}01'39''E$ a distance of 280.41 feet; thence $N89^{\circ}58'03''E$ a distance of 896.16 feet, more or less, to the Point of Beginning.

Said parcel contains 5.52 acres (240,310 square feet), more or less, as described.

A. Sunlight Subdivision Preliminary Development Plan is approved with the Findings of Fact and Conclusions listed in the Staff Reports dated _____ and _____ including attachments and Exhibits.

B. The default zone is R-4 (Residential – 4 units per acre) with deviations contained within this Ordinance.

Introduced on first reading this ___ day of _____, 2010 and ordered published.

Adopted on second reading this _____ day of _____, 2010.

ATTEST:

City Clerk

Mayor

**Attach 10
University Village Apartments**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: January 26, 2010
STAFF PRESENTATION: Scott Peterson

AGENDA TOPIC: An appeal of the administrative approval for a 60-unit multi-family apartment development (University Village Apartments) - SPR-2008-119

ACTION REQUESTED: Review and decide the appeal.

BACKGROUND INFORMATION				
Location:		2256 & 2304 N. 17 th Street		
Owner:		Darren M. Davidson		
Existing Land Use:		Single-family residence on each property		
Proposed Land Use:		60-unit multi-family apartment development		
Surrounding Land Use:	North	Single-family attached residential subdivision (Brickyard at Wellington)		
	South	78-unit multi-family residential development (Walnut Park – Grand Junction Housing Authority) and Single-family residence		
	East	Single-family residential		
	West	Single-family residential		
Existing Zoning:		R-24, (Residential – 24 du/ac)		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	R-8, (Residential – 8 du/ac)		
	South	R-24, (Residential – 24 du/ac)		
	East	R-8, (Residential – 8 du/ac)		
	West	R-8, (Residential – 8 du/ac)		
Growth Plan Designation:		Residential High (12+ du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Conduct a hearing on an appeal of the Director’s Final Action on an Administrative Development Permit approving a 60-unit multi-family apartment development (University Village Apartments) on a total of 3.25 +/- acres.

BACKGROUND INFORMATION

On April 16, 2008, Darren M. Davidson – Davidson Homes (“Applicant”) submitted a Major Site Plan Review and Simple Subdivision application for a 60-unit multi-family apartment development to be located at 2256 and 2304 N. 17th Street. The project proposes a residential density of 18.4 dwelling units an acre (3.25 +/- acre site).

The properties are currently zoned R-24, (Residential – 24 du/ac) which requires that all new development have a maximum density of 24 du/ac and a minimum density of 16 du/ac.

The City has reviewed the application based on the current zoning of R-24, (Residential – 24 du/ac) and has found the application to be in compliance with all applicable standards and meets and/or exceeds the review requirements for a Major Site Plan Review and Multi-family residential development as identified in Sections 2.2 D. 4. b. and 4.3 O. respectfully. There are no overlay or special corridor plans that would be applicable for these properties. Multi-family dwelling units are an allowed land use within the R-24, (Residential – 24 du/ac) zone district provided compliance with use specific standards as described in Section 4.3 O. of the Zoning and Development Code. These two properties are also one of the few remaining developable properties in the entire city that are currently zoned R-24.

On December 9, 2009, the application was reviewed and approved by the City after the proposal was reviewed by various review agencies and City Staff for compliance with all applicable review criteria (see attached Approval Letter). On December 21, 2009, I as the City’s Project Manager received an appeal letter (see attachment) from Paul Rolland, the property owner of 2311 N. 17th Circle (hereinafter referred to as “Appellant”). The Applicant responded by letter on January 4, 2010, which is also attached. The Appellant has standing to appeal and has timely filed his appeal. The Applicant’s response was also timely filed.

Standard of Review

This appeal hearing is in accordance with Section 2.18 C. 3. e. of the Zoning and Development Code, which states that the appellate body shall hold an evidentiary hearing to determine whether the administrative action is in accordance with the criteria provided in Section 2.18 C. 1. The Planning Commission may limit testimony and other evidence to that contained in the record at the time the Director took final action, or place other limits on testimony and evidence as it deems appropriate.

In deciding this appeal, the Planning Commission must consider whether the Director:

- (1) Acted in a manner inconsistent with the provisions of this Code or other applicable local, state or federal law; or
- (2) Made erroneous findings of fact based on the evidence and testimony on the record; or
- (3) Failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or

- (4) Acted arbitrarily, acted capriciously, and/or abused his discretion.

The Planning Commission has received copies of the appeal letter. The contents of the project file (Planning File No. SPR-2008-119) has been made available for Planning Commission and public review. Those documents are incorporated into this report by this reference as if fully set forth.

The applicable legal standard for this appeal requires the Planning Commission to consider whether the Director, in reviewing and approving the Applicants' site plan, based on the criteria set forth in Section 2.2 D. 4. b. and 4.3 O., (1) acted inconsistently with the Zoning and Development Code of the City or other applicable law, or (2) made erroneous findings of fact based on the evidence in the record, or (3) failed to consider mitigating measures, or (4) acted arbitrarily, capriciously or abused his discretion.

The Appellant bears the burden to show that one of the four circumstances has occurred. *Colorado State Board of Medical Examiners v. Johnson*, 68 P.3d 500 (Colo. App. 2002). If the Planning Commission finds the Director did any one of these four things, or more than one of them, the Commission can overrule the Director or remand the application to the Director for further findings. Otherwise, the Director's decision must be upheld.

The standard of review under the rule providing for review of the decision of a governmental body or officer claimed to have exceeded its jurisdiction or abused its discretion is whether, on the basis of the whole record, the finding of the agency are supported by any competent evidence. "No competent evidence" means the record is completely devoid of evidentiary support for the decision. *Puckett v City of County of Denver*, 12 P.3d 313 (Colo. App. 200).

Administrative decisions are accorded a presumption of validity and regularity and all reasonable doubts as to the correctness of administrative rulings must be resolved in favor of the agency. Therefore, the Director's decision, including findings of fact and legal conclusions, must be affirmed if supported by any reasonable basis. *Lieb v. Trimble*, 183 P.3d 702, 704 (Colo. App. 2008).

The criteria applied by the Director in making the decision of approval of the Major Site Plan are set forth in Section 2.2 D. 4. b. of the Zoning and Development Code. The Code **requires** approval of major site plans where compliance with those criteria is demonstrated. Finding the criteria satisfied, the Director approved the site plan. All the Director's findings are amply supported by evidence in the record; mitigating measures were considered and several have been implemented on the site, including the following. Increased tree plantings from the minimum requirement of 41 to 64 proposed with many trees acting as a screen and buffer adjacent to N. 17th Street, a 6' tall vinyl privacy fence along north property line, adjacent to the Grand Valley Canal and the screening of all outside mechanical equipment.

"Arbitrary" means the Director's decision is unsupported by any reasonable basis. See *Lieb v. Trimble*, supra. In other words, arbitrary and capricious action has occurred only when a reasonable person would be compelled, fairly and honestly, by the evidence in the record to reach a different conclusion; if not, the administrative decision must be

upheld. *Colorado State Board of Medical Examiners v. Johnson*, 68 P.3d 500 (Colo. App. 2002).

Each review criterion was considered by the Director, and the record contains ample evidence supporting the Director's decision to approve the Applicant's site plan. There is no basis to conclude that the Director acted arbitrarily. Therefore the Director's decision must be upheld. The Appellant has raised three (3) primary concerns in his appeal. Those are as follows:

1. Density
2. Traffic
3. Three-story buildings

I, as Project Manager, will address these concerns individually.

Density

As stated previously, the current zoning for these properties is R-24, Residential – 24 du/ac. The applicant did not request any zoning change as part of this application and bought the two properties in 2005 and 2007 in good faith in order to develop at the specified zoning. The applicant is proposing to have a residential density of 18.4 dwelling units an acre (60 dwelling units on 3.25 +/- acre site). The R-24, (Residential – 24 du/ac) zoning district requires that all new development have a maximum density of 24 du/ac and a minimum density of 16 du/ac. The applicant's proposed density is within the allowable density range.

The current multi-family housing development to the south, Walnut Park, owned and operated by the Grand Junction Housing Authority has 78 dwelling units on 7.34 +/- acres (10.6 du/ac). The Housing Authority's long term goal is to develop an additional 20 dwelling units at the site for a total of 98 dwelling units with an overall residential density of 13.3 du/ac, which will be more in line with the minimum requirements for the R-24 zoning district.

Traffic

North 17th Street is a dedicated 60' wide right-of-way with curb, gutter and sidewalk and is classified as a Local Street. Local Streets are designed to easily carry 1,000 ADT (Average Daily Trips) per day. The last time that the City did traffic counts on N. 17th Street was in 2004 which indicated 416 north and south bound ADT vehicle trips in a 24-hour period (Source: Jody Kliska, City Traffic Engineer). Even with the proposed additional 60 multi-family dwelling units, street capacity is suitable for all current and proposed single-family and multi-family residential development within the area.

The existing properties are also close to Mesa State College, public schools, shopping and employment centers which make the proposed location convenient for all residents

and also facilitates the City's goal in the promotion of infill and redevelopment within the urban growth area.

Three-Story Buildings

While it is true that there are no 3-story buildings in the area, the fact remains that the R-12, R-16 and R-24 zoning districts allow a maximum building height of 40'. Zoning districts R-R through R-8, allow a maximum building height of 35'. The applicant is proposing 3-story buildings with a maximum building height of 33' +/-, well within the requirements for residential zoning districts as identified in the Zoning and Development Code (see attached Elevation Drawings).

CONCLUSION:

The University Village Apartments application was administratively approved according to the City's reasonable interpretation of the applicable law and plans. The application was reviewed in accordance with all applicable criteria and also meets with the following proposed Comprehensive Plan Goals: Goal 3; to create ordered and balanced growth and spread future growth throughout the community. Goal 5; to provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages and finally Goal 7; new development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.

Ample evidence in the record supports the Director's approval of the application.

STAFF RECOMMENDATION:

Project Manager recommends that the Planning Commission deny the appeal (vote "no" on the recommendation) with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

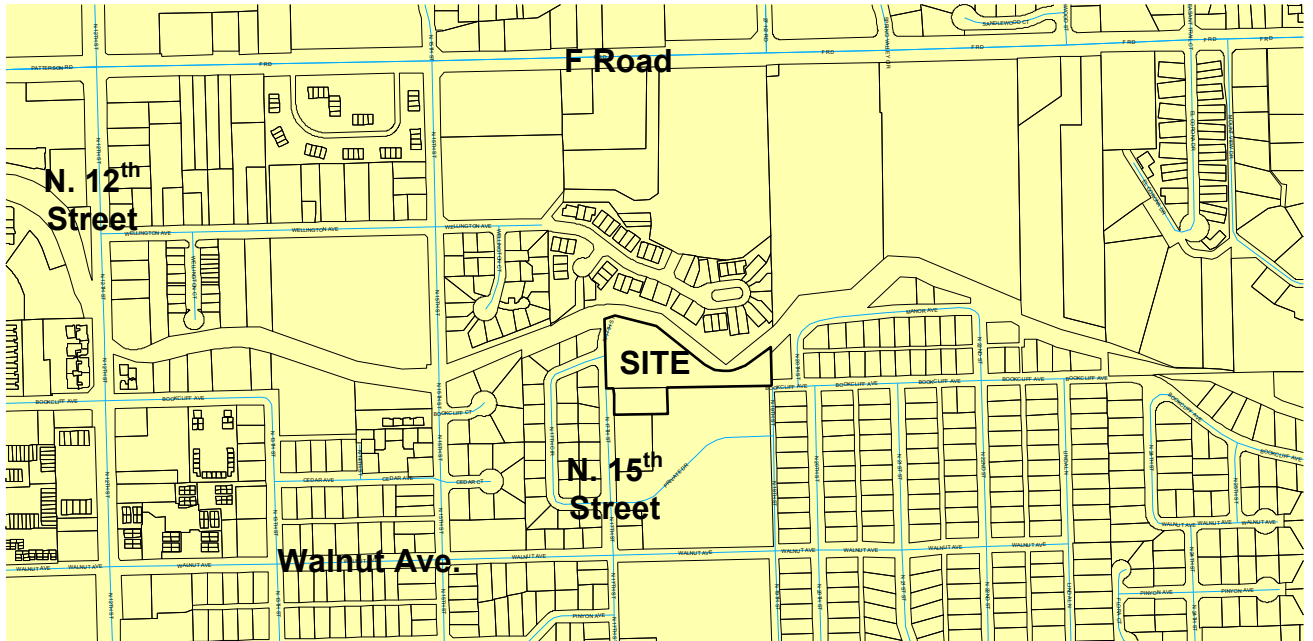
Mr. Chairman, I move that the Planning Commission grant the appeal of the Director's administrative approval for University Village Apartments, 2256 and 2304 N. 17th Street, City file number SPR-2008-119.

Attachments:

Site Location Map / Aerial Photo Map
Future Land Use Map / Existing City Zoning
Approved Site Plan
Approved Landscaping Plan
Elevation Drawings
Appeal Letter from Paul Rolland
Response Letter from Davidson Homes
Approval Letter

Site Location Map

Figure 1



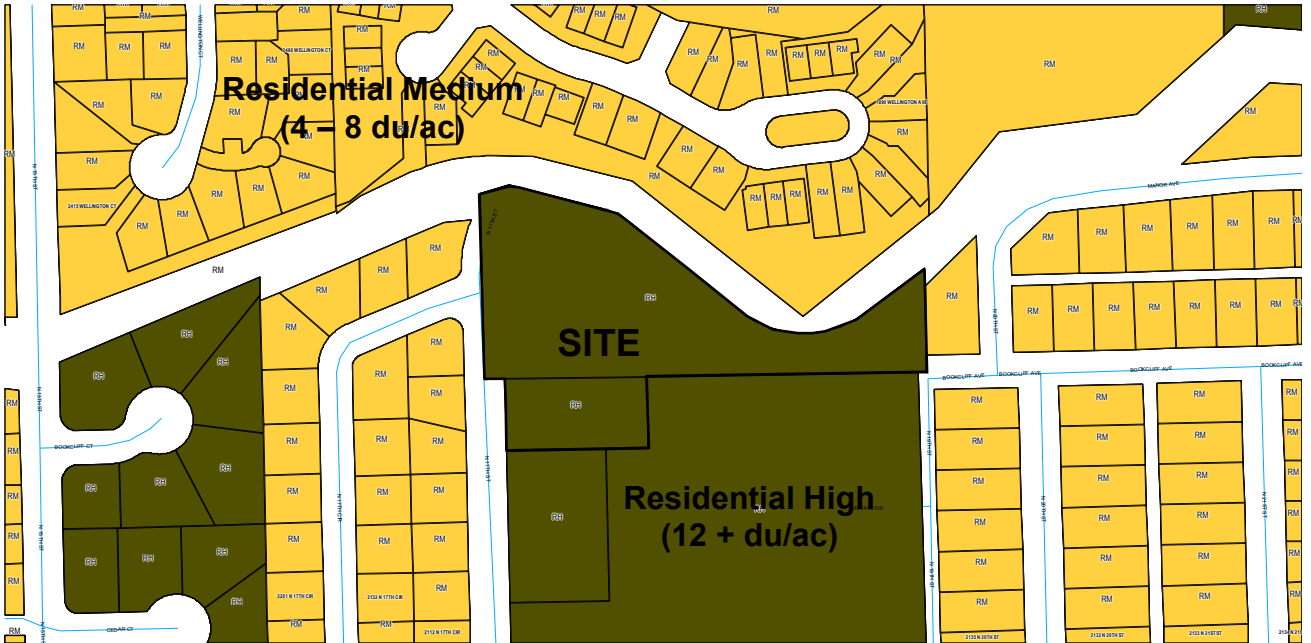
Aerial Photo Map

Figure 2



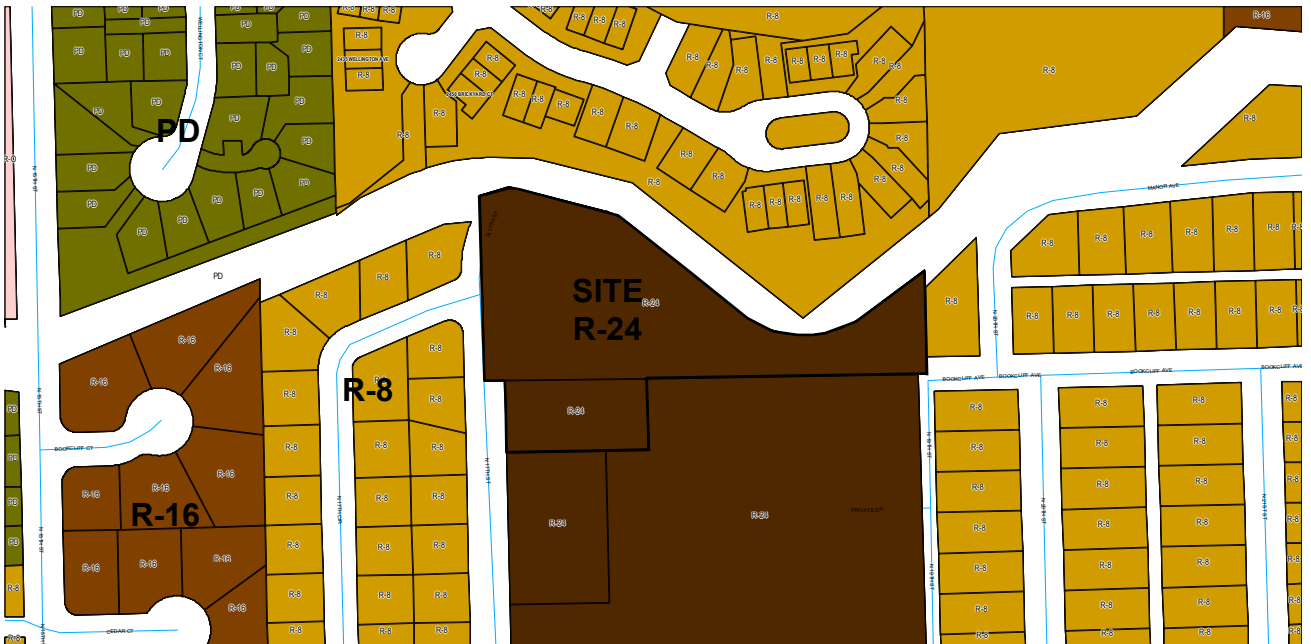
Future Land Use Map

Figure 3



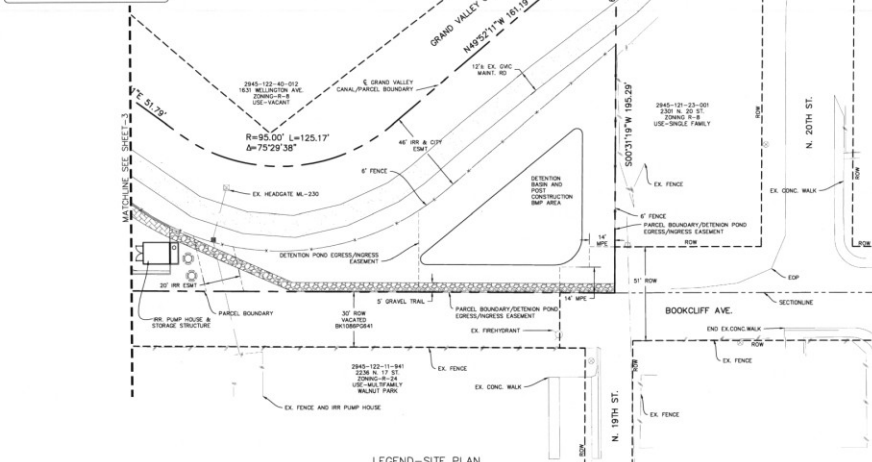
Existing City Zoning

Figure 4



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UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION PUBLIC WORKS	344.154	
GRAND VALLEY BRIGADITION CO.	342.740	
GRAND VALLEY BRIGADITION DISTRICT	342.643	
XCEL ENERGY	344.791	
GREY	344.651	
BREKIDAN CABLE	343.430	



GENERAL SITE PLAN NOTES:

1. ALIGNMENT, PROPERTY LINES, STREETS, AND RIGHT OF WAY TO BE DERIVED FROM APPROVED PLAT BEFORE CONSTRUCTION.
2. ALL SURVEYING PROVIDED BY DR. SURVEYS, INC.
3. NEVA COUNTY COLORADO SHOWS OPEN WORKMANT LOCATION 9331 AT THE CORNER OF 28 ROAD AND ORCHARD AVENUE.
4. CONTRACTOR MUST CONTACT CITY OF GRAND JUNCTION TRAFFIC OPERATIONS SUPERVISOR PRIOR TO CONSTRUCTION OR PLACEMENT OF TRAFFIC CONTROL DEVICES/FEATURES (STRIPING, SIGNALS, MEDIAN, ETC.).
5. ANY SIDEWALK, CURB AND GUTTER DAMAGED DURING CONSTRUCTION SHALL BE REPLACED.
6. ALL IMPROVEMENTS (CURB, GUTTER, SIDEWALK, ASPHALT, CURB MARKS AND THE LIKE) SHALL BE COMPLETED IN ACCORDANCE WITH THE CITY OF GRAND JUNCTION'S STANDARD CONTRACT DOCUMENTS FOR CAPITAL IMPROVEMENTS CONSTRUCTION.
7. ALL PORTLAND CEMENT CONCRETE SHALL BE COLORADO DEPARTMENT OF TRANSPORTATION CLASS 'FC' ALL CONCRETE SHALL BE PLACED, CURED AND TESTED IN ACCORDANCE WITH CITY OF GRAND JUNCTION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
8. CONCRETE TRASH PAD SHALL BE 8-INCH THICK W/ A # 3" # 5" G.C. PLACED ON 4" CLASS II AND COMPACTED TO 98% MINIMUM RELATIVE COMPACTION PER AASHTO T 99.
9. REFER TO STAKING PLAN (SHEETS 17 & 18) FOR HORIZONTAL CONTROL.
10. MECHANICAL SCREENING FENCE TO BE SAME AS OR SIMILAR TO BOUNDARY FENCE MATERIAL, AND APPROXIMATELY 7' TALL.

VEHICLE CAPACITY		
	REQUIRED	PROVIDED
MINIMUM VEHICLE SPACES	10	14
ADA ACCESSIBLE	2	1
TOTAL	12	15
BIKE ACCESSIBLE	2	2
BIKE SPACES	10	10

SITE ACREAGE & LAND USE		
	AREAS	PERCENT
BUILDINGS	8.4	15%
IMP. AREAS (PARKING, SIDEWALKS, ETC.)	1.0	15%
LANDSCAPING	0.90	16%
AS PAVED/OPEN SPACE	0.85	15%
TOTAL	1.10	100%
DEDICATED ROW	0.13	
OPEN SPACE (LIVING AREAS) REQUIRED - AMOUNT 5.66 UNITS - 34.6M SQ FT		

LEGEND-SITE PLAN

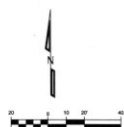
- SITE BOUNDARY
- LOT LINES
- ADJACENT PARCELS
- FENCE PROPOSED (6' TALL)
- FENCE EXISTING
- EASEMENT PROPOSED
- EASEMENT EXISTING
- DITCH FLOWLINE
- SCREENING FENCE
- PARKING SPACE COUNT
- POND TABLE
- BENCH
- BRE. MARK (3 SPACES)
- ROOF DRAIN
- AIR CONDITIONING UNIT

ABBREVIATIONS-SITE PLAN

- AC ADJACENT
- ADW ADJACENT DRIVEWAY
- AS ADJACENT SIDEWALK
- COL CURB, GUTTER & SIDEWALK
- CON CONCRETE
- EX EXISTING
- EOP EDGE OF PAVEMENT
- GV GRAND VALLEY IRRIGATION COMPANY
- IMP IMPROVEMENT
- IR IRRIGATION
- IRI IRRIGATION EASEMENT
- MNT MAINTENANCE
- MA MAINTENANCE EASEMENT
- PC PAVEMENT
- ROW RIGHT OF WAY
- RS ROAD
- SJ SQUARE FEET/FOOT
- TYP TYPICAL

BENCHMARK:
 6' REBAR PROPERTY CORNER
 S 41.2175° E 188.504'
 5505 N40D 1988
 USE CITY OF GRAND JUNCTION SANITARY SEWER MANHOLE 43-171-054
 EL=4258.5

FINAL FOR CONSTRUCTION



CITY OF GRAND JUNCTION ENGINEERING	
DESIGNED BY	DATE
CHECKED BY	DATE

ALL DETAILS, CONSTRUCTION, INSPECTIONS, AND TESTING SHALL CONFORM TO THE CITY OF GRAND JUNCTION STANDARD CONTRACT DOCUMENTS FOR CAPITAL IMPROVEMENTS CONSTRUCTION. CONTRACTOR SHALL HAVE A COPY OF THE ACCEPTED PLAN AND CURRENT CITY OF GRAND JUNCTION STANDARD CONTRACT DOCUMENTS FOR CAPITAL IMPROVEMENTS CONSTRUCTION ON SITE AND AVAILABLE AT ALL TIMES.

CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT	
DESIGNED BY	DATE
CHECKED BY	DATE

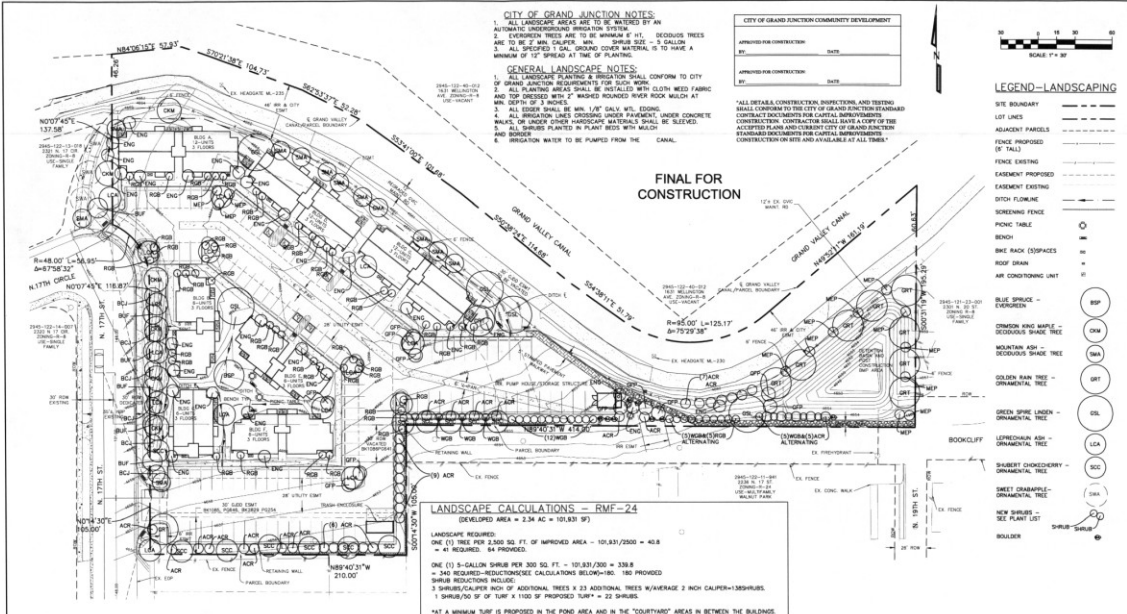
2892 NORTH AVENUE SUITE 100
 GRAND JUNCTION, CO 81504
 PHONE: 970-242-0060
 FAX: 970-242-4104

DAVIDSON
 ENGINEERS

SITE PLAN 108 2
 UNIVERSITY VILLAGE APARTMENTS
 1304 NORTH 17th STREET
 GRAND JUNCTION, CO
 DARREN DAVIDSON, LICENSED

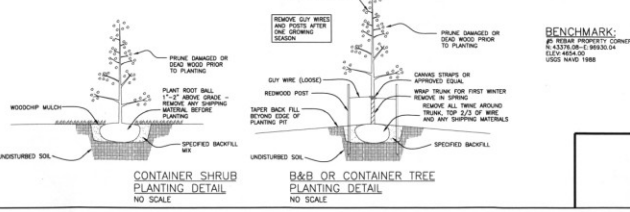
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UNV APTS
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PLANT LIST:

KEY: COMMON NAME	BOTANICAL NAME	NO.	SIZE	MATURE HEIGHT/SPREAD
TREES:				
SMA - SHEET OAK APPLE	MALES CORONARIA	3	8'-8" CAL.	15'-20"/15'-20"
BP - BLUE SPRUCE	PICEA PLANSKYI 'GLAUC'	1	8" HT.	35'-40"/20'-20"
DM - DORON KING MAPLE	ACER PLATANIFOLIA 'DORON KING'	8	2" CAL.	40'-60"/20'
SM - GOLDEN BIRCH TREE	BETULA PENDULA	10	1.75" CAL.	20'-25"/15'-15"
GL - GREEN SPINE LINDEN	TILIA CORORATA 'GREEN SPINE'	5	2" CAL.	35'-45"/20'-30'
LA - LINDEN TREE	FRAXINUS PENNSYLVANICA 'LINDEN'	10	2" CAL.	18'-20"/15'-15"
MA - MOUNTAIN ASH	SORBUS AMERICANA	12	2" CAL.	15'-20"/15'-15"
SC - SCHUBERT CHERRY	PRUNUS VICTORIANA 'SCHUBERT'	12	2" CAL.	15'-20"/15'-15"
TOTAL = 64				
SHRUBS & ORNAMENTAL GRASSES:				
AC - ACTINOA COVER ROSE	ROSA FORTINA 'IN-COLOR'	41	3 GAL.	6'/2'-4'
BJ - BLUE OAK JAMPER	JANAPENS HORIZONTALIS	8	3 GAL.	10'/3'-8'
BP - BUTYD JAMPER	JANAPENS GAMB 'BUTYD'	8	3 GAL.	12'/8'
EG - EMERALD GOLD EDONNUS	EDONNUS FORTUNE	27	3 GAL.	2'-2 1/4'-4'
GP - GOLDEN POTENTILLA	POTENTILLA FRUTICOSA 'GOLDEN POTENTILLA'	11	3 GAL.	2'-2 1/4'-4'
MP - MOUNTAIN POTENTILLA	POTENTILLA FRUTICOSA 'MOUNTAIN POTENTILLA'	11	3 GAL.	2'-2 1/4'-4'
RB - ROSE BLUE BAMBINO	BENEDICTA BAMBINO 'ROSE BLUE BAMBINO'	31	3 GAL.	2'-2 1/4'-4'
WB - WINTER OAK BIRCHWOOD	BIRCHWOOD WINTER OAK	25	3 GAL.	4'/3'
TOTAL = 180				



CITY OF GRAND JUNCTION COMMENTARY DEVELOPMENT

APPROVED FOR CONSTRUCTION: DATE: _____ BY: _____

APPROVED FOR CONSTRUCTION: DATE: _____ BY: _____

LEGEND - LANDSCAPING

SITE BOUNDARY: - - - - -

LOT LINES: - - - - -

ADJACENT PARCELS: - - - - -

FENCE PROPOSED: - - - - -

FENCE EXISTING: - - - - -

EASEMENT PROPOSED: - - - - -

EASEMENT EXISTING: - - - - -

STITCH FURNISHING: - - - - -

SCREENING FENCE: - - - - -

PONIC TABLE: ○

BENCH: ○

BIKE RACK (SPACES): ○

BIKE RACK: ○

AIR CONDITIONING UNIT: ○

BLUE SPRUCE - CONIFER: ○ (BP)

DORON KING MAPLE - DECIDUOUS SHADE TREE: ○ (DM)

MOUNTAIN ASH - DECIDUOUS SHADE TREE: ○ (MA)

GOLDEN BIRCH TREE - ORNAMENTAL TREE: ○ (SM)

GREEN SPINE LINDEN - ORNAMENTAL TREE: ○ (GL)

LINDEN TREE - ORNAMENTAL TREE: ○ (LA)

SCHUBERT CHERRY - ORNAMENTAL TREE: ○ (SC)

SHEET OAK APPLE - ORNAMENTAL TREE: ○ (SMA)

NEW SHRUBS - SEE PLANT LIST: ○

SHRUB: ○

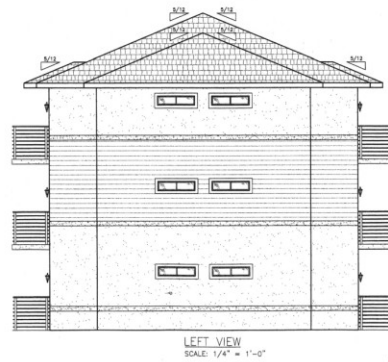
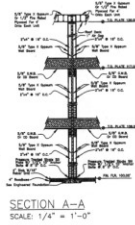
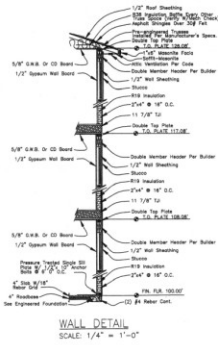
BENCHMARK:
 E. POINT OF CORNER
 64.25' N. 88.83' W.
 ELEV. 4834.00
 UTM ZONE 1883

UNV APTS
 12-2-09
 21

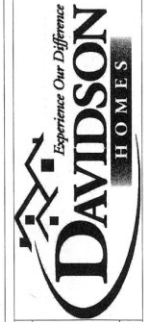
DAVIDSON
 2882 NORTH AVENUE, SUITE 8104
 GRAND JUNCTION, CO. 81501
 PHONE: 970-243-1600
 FAX: 970-243-1604

LANDSCAPING PLAN
 UNIVERSITY VILLAGE APPTS
 2882 NORTH AVENUE, SUITE 8104
 GRAND JUNCTION, CO. 81501
 DARRIN DAVIDSON, OWNER

2304 N. 17th STREET APARTMENTS ONE BEDROOM UNITS GRAND JUNCTION, COLORADO



2829 NORTH AVENUE
GRAND JUNCTION, CO., 81501
PHONE: 970 255-0600
PHONE: 970 234-2000
FAX: 970 243-4164



No.	Revision/Date	Date

2304 N. 17th STREET APARTMENTS
GRAND JUNCTION,
MESA COUNTY, COLORADO

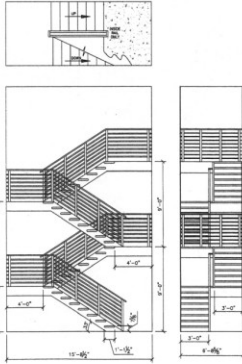
PROJECT	1BEDFLOOR	SHEET
DATE	8/17/08 Jc	3 OF 5
NOTE	AS NOTED	

Scott & Pate 12-9-09
L. BRADY

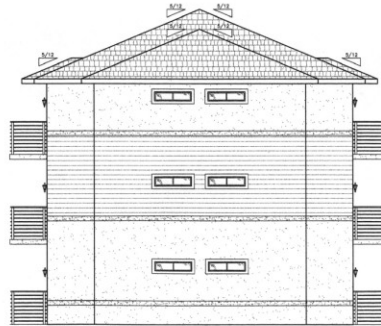
2304 N. 17th STREET APARTMENTS
 ONE BEDROOM UNITS
 GRAND JUNCTION, COLORADO



REAR VIEW
 SCALE: 1/4" = 1'-0"



STAIR DETAIL
 SCALE: 1/4" = 1'-0"



RIGHT VIEW
 SCALE: 1/4" = 1'-0"



2829 NORTH AVENUE
 GRAND JUNCTION, CO. 81501
 PHONE: 970 243-0600
 PHONE: 970 234-2000
 FAX: 970 243-4164

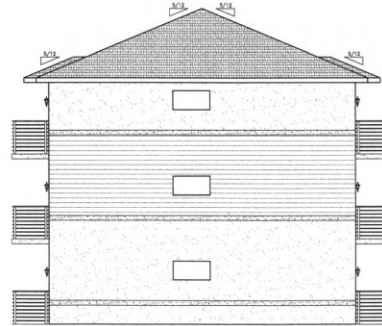
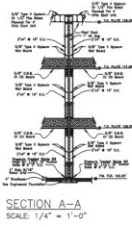
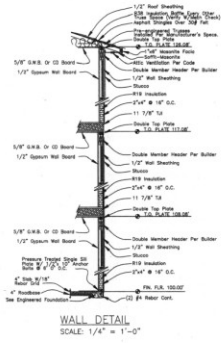
No.	Revision/Issue	Date

2304 N. 17th STREET APARTMENTS
 GRAND JUNCTION,
 MESA COUNTY, COLORADO

FLOOR	NO.
TBEDFLOOR	4 OF 5
DATE	8/17/08
SCALE	1/4" = 1'-0"

Sam Patten
 SENIOR PLANNER 12-9-09

2304 N. 17th STREET APARTMENTS
ONE BEDROOM UNITS
GRAND JUNCTION, COLORADO



Jack A. Peterson
SENIOR PLANNER 12-9-09

2992 NORTH AVENUE
GRAND JUNCTION, CO., 81501
PHONE: 970 255-0600
PHONE: 970 234-2000
FAX: 970 243-4164

Experience Our Difference
DAVIDSON
HOMES

No.	Revision/Issue	Date

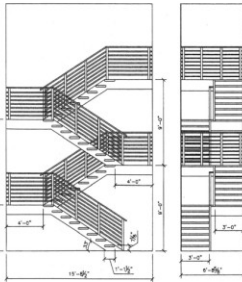
2304 N. 17th STREET APARTMENTS
GRAND JUNCTION,
MESA COUNTY, COLORADO

PROJECT	1BEDFLOOR
DATE	8/5/08 jlc
SHEET	2 OF 4
NOTE	AS NOTED

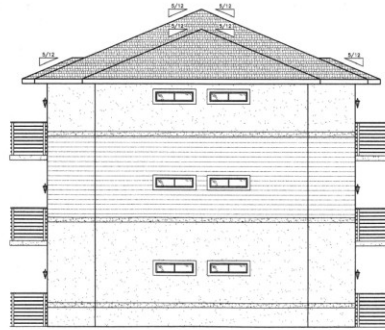
2304 N. 17th STREET APARTMENTS
 ONE BEDROOM UNITS
 GRAND JUNCTION, COLORADO



REAR VIEW
 SCALE: 1/4" = 1'-0"



STAIR DETAIL
 SCALE: 1/4" = 1'-0"



RIGHT VIEW
 SCALE: 1/4" = 1'-0"

2992 NORTH AVENUE
 GRAND JUNCTION, CO., 81501
 PHONE: 970 255-0600
 PHONE: 970 234-2000
 FAX: 970 243-4164

Experience Our Difference
DAVIDSON
 HOMES

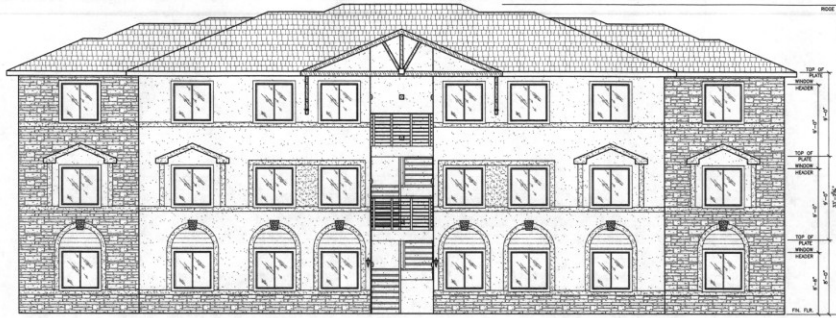
No.	Revision/Issue	Date

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 GRAND JUNCTION,
 MESA COUNTY, COLORADO

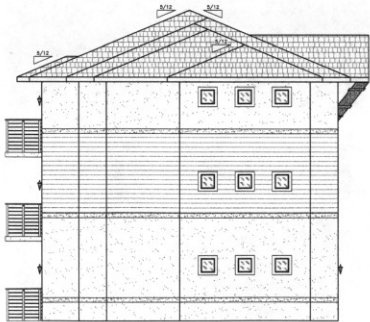
FLOOR	NO.
1BED/FLOOR	3 OF 4
DATE: 8/25/08 JJC	
SCALE: 1/4" = 1'-0"	

Scott A. Poter
 SENIOR PLANNER 12-9-08

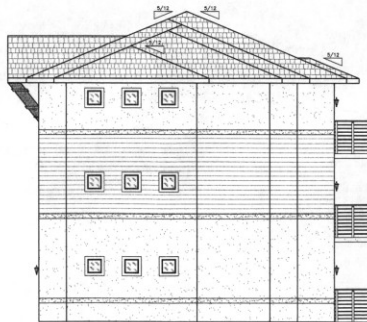
2304 N. 17th STREET APARTMENTS
TWO BEDROOM UNITS
GRAND JUNCTION, COLORADO



FRONT VIEW
SCALE: 1/4" = 1'-0"



LEFT VIEW
SCALE: 1/4" = 1'-0"



RIGHT VIEW
SCALE: 1/4" = 1'-0"

2992 NORTH AVENUE
GRAND JUNCTION, CO., 81501
PHONE: 970 255-0600
PHONE: 970 234-2000
FAX: 970 243-4164



No.	Revision/Issue	Date

2304 N. 17th STREET APARTMENTS
GRAND JUNCTION,
MESA COUNTY, COLORADO

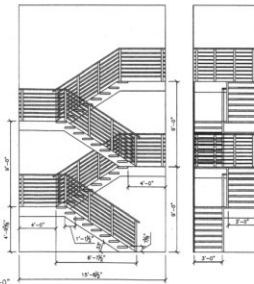
DATE	REV
12/11/08 jc	3 OF 5
SCALE	1/4" = 1'-0"

Scott A. Peterson
Senior Hammer 12-9-09

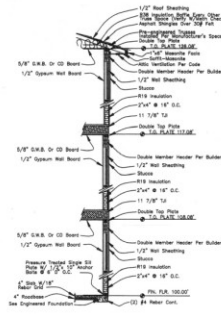
2304 N. 17th STREET APARTMENTS
TWO BEDROOM UNITS
GRAND JUNCTION, COLORADO



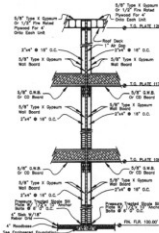
REAR VIEW
SCALE: 1/4" = 1'-0"



STAIR DETAIL
SCALE: 1/4" = 1'-0"



ROOF PLAN
SCALE: 1/4" = 1'-0"



SECTION A-A
SCALE: 1/4" = 1'-0"

2992 NORTH AVENUE
GRAND JUNCTION, CO., 81501
PHONE: 970 255-0600
PHONE: 970 234-2000
FAX: 970 243-4164



No.	Revision/Issue	Date

2304 N. 17th STREET APARTMENTS
GRAND JUNCTION,
MESA COUNTY, COLORADO

FLOOR	NO.
2BEDFLOOR	4 OF 5

Scott P. Peter
SENIOR DRAWER 12-9-02

2311 North 17th Circle
Grand Junction, CO 81501
December 21, 2009

Scott D. Peterson, Senior Planner
Public Works and Planning
250 North 5th Street
Grand Junction, CO 81501

Dear Scott,

I hereby appeal your Department's approval of the proposed University Village apartment complex (SPR-2008-119) at 2304 North 17th St. in Grand Junction, CO on the grounds that its density is too high for the existing residential neighborhood. Any development of this land should be at a level that is closer to the standing properties in this area.

I own and live in the house at 2311 North 17th Circle, which is one city lot plus one city street width from the border of the proposed development.

North of Walnut Avenue, 17th Street/17th Circle is a closed street with no northern exit. It contains 31 single family homes (including the two that will be razed for the proposed development), a 4-unit apartment house, and a side entrance to the Walnut Park Subdivision, which is a 78-unit subsidized senior citizen apartment complex. Only residents and people who are temporarily lost drive up this street. Consequently, this is a small quiet neighborhood with very little auto traffic.

The proposed University Village project will add 60 living units to the area. All these new residents will access the development via 17th Street causing traffic in this virtual cul-de-sac to at least double. An apartment complex of this size will impact the neighborhood in a very negative way for the present homeowners and residents. In fact, over 140 residents of the adjacent areas signed a petition against the project earlier in the approval process.

The main problem with the proposed development is the number of living units it will add to an established residential neighborhood. There is no other comparable property in this area built out at a density similar to the University Village project. The adjacent Walnut Park complex is zoned R-24, but it only has 78 one-story apartments on over 7 acres, about half the density of University Village.

The proposed development has 3-story buildings which are not compatible with any of the other existing residences in this area. In fact, there are very few 3-story buildings in any of the residential (non-business) areas of the City of Grand Junction; none are in this immediate area.

RECEIVED

DEC 21 2009

COMMUNITY DEVELOPMENT
DEPT.

An example of a recently developed apartment complex whose density would be more appropriate for a residential neighborhood is the Grand Junction Housing Authority development Arbor Vista between 28 and 28 1/4 Road on Elm Ave. At 72 units on 5.3 acres and only 2-story buildings, it has a 33% lower density than the proposed University Village. Plus it is built in a much busier area traffic-wise on streets that are widely traveled and cut-through to other busy streets.

In arguing against the proposed University Village apartments I cite the following portions of the City of Grand Junction Zoning and Development Code:

3.1 The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

B. Encourage the most appropriate use of land throughout the City and to ensure logical and orderly growth and development of the physical elements of the City;

E. Protect and maintain the integrity and character of established neighborhoods;

I submit that the University Village development as proposed is not “logical and orderly growth” for an existing residential neighborhood. Its density is more appropriate for land on a busy 4-lane highway. And clearly, it compromises rather than “protects and maintains the integrity and character of an established neighborhood.”

For these reasons I believe the approval to build the University Village 60-unit apartment complex at 2304 N. 17 St. should be amended to allow a lower number of livings units. Something in the 32 to 48 unit range would be more appropriate for this area. Then, the development would fit in better with the current neighborhood and not be such an imposition on sitting property owners.

Thank you.

Sincerely,



Paul Rolland

RECEIVED
DEC 21 2009
COMMUNITY DEVELOPMENT
DEPT.

Precision Construction



2992 North Avenue Grand Junction, CO. 81504

Response to Appellant letter of Mr. Paul Rolland concerning the the City of Grand Junction Planning file SPR-2008-119 University Village Apartments

Scott D. Peterson
Senior Planner
City of Grand Junction – Public Works and Planning
250 North 5th Street
Grand Junction, CO 81501

Dear Scott,

I have read Mr. Rolland's Letter of appeal. I would like to respond to his concerns about density, building elevation/height, traffic, and some general concerns.

Density~

The Appellant is concerned that “*the density is too high for the existing residential neighborhood.*” The current Future Land Use Map, adopted in 1996, shows the property to be zoned R24. The appellant moved into his home in 1998. The property was already zoned R24 when the Appellant moved into the neighborhood. This parcel is platted at 3.15 acres. With the planned 60 units, the resulting density is 19.04 DU/ac. **This meets the Zoning and Development Code Standards.** There are many common misconceptions about density and what effect it will have on a neighborhood. Attached are the 8 most common.

* Attached are the 8 Myths of Density

Elevation~

The Appellant is concerned that “*development of this land should be at a level that is closer to the standing properties in this area*”.

University Village is in an R24 zone which allows for a maximum height of 40 feet. Our buildings are 33' 5-1/2" tall, well under the maximum height allowed by the Zoning and Development code. **This meets the Zoning and Development Code Standards.**

The Appellant lives in a single story home. Most of his adjacent neighbors have 2 story homes. In fact, the home immediately next to the Appellant home, 19 feet away, is a 2 story home and stands at least 11 feet taller than the Appellant's.

The Appellant is concerned about sight line. The 2 story town homes located directly across the canal will be within 3 feet of the same height as this project. Though they are to be built as two story, they are starting out at an elevation that is significantly higher than this project. But more immediate to the Appellant, the home at 2303 North 17th Street, is a large two story home. From the Appellant's home the neighbor's home, at 2303 North 17th Street, will appear taller than our buildings as it is closer and has more of an impact on his sight line than our buildings, several hundred feet away.

Jeffery Fleming- Land Planner
Davidson Homes- Precision Construction – etal
970.234.3466 Jeffery@DavidsonHomesCo.com

* Attached are some photos illustrating these points

Traffic~

The Appellant states in his letter that “*this is a small quiet neighborhood*”. The neighborhood has 113 residences that currently use the streets that this project will use. At full build-out we will add 60 units. The appellants admits in his appeal that there is currently “*very little auto traffic*” with the 113 residences that use the streets.

We used two methods to calculate the traffic generated by this project. Trip Generation Calculations:

Golden Triangle Method

Source: “Fundamentals of Transportation Engineering”, Page 254, C.S. Papacostas, 1987

Calculated Trips	Apartment SF	Trips per Thousand SF
41.83	17430	2.4

Traffic-Generation Rates for Residential Areas

Source: “Fundamentals of Transportation Engineering”, Page 256, C.S. Papacostas, 1987

Calculated Trips	Units	AM Peak	PM Peak
75.6	60	0.57	0.69

The resulting traffic increase will result in “light to medium” residential traffic. **This meets the Zoning and Development Code Standards.**

We expect that some residents of our projects will not own cars and that they will use alternative means of transportation such as the nearby GVT bus stop, or bicycling, to get to their destinations.

According to a 2005 study by the Urban Land Institute and the American Institute of Architects titled *Higher Density Development Myth and Fact* “Doubling density decreases the vehicle miles traveled by 38%” (Myth 3)

We have also looked at the City's 2035 Traffic Volume Predictions. They show that 25 years from now the streets can handle the increased volume with no streets in the immediate vicinity being congested. A recent discussion with City's Engineering department affirmed this, with the engineer stating, “*these streets can handle this project easily*”.

*Attached is a copy of 2035 Traffic Volume Predictions

The appellant goes on to say that this is “*an established residential neighborhood*” when in fact there are more than a dozen acres of undeveloped land in the immediate vicinity. All of this land is found on the City's designated “Infill Area Map” and also on the “Redevelopment Area Map”. This is an area that is not yet established and, in fact, has been identified as ideal for development.

The appellant states that, “*the proposed development is not logical or orderly*” University Village Apartments meets every aspect of the Zoning and Development Code. This code is logical and has been in place for at least 13 years. The logic of which is being reaffirmed in the current Comprehensive Plan process. After thousands of hours by of work by City staff and thousands of comments from city residents the Comprehensive Plan shows that there is an orderly process for growth, and that growth is also being reaffirmed through that process. The overwhelming support and effort put into the Comprehensive Plan reaffirms the Directors decision.

Again, I would like to clearly state that University Village Apartments meets the zoning/density

Jeffery Fleming- Land Planner
Davidson Homes- Precision Construction – etal
970.234.3466 Jeffery@DavidsonHomesCo.com

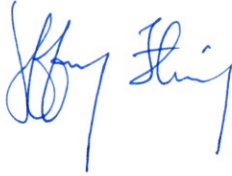
requirements of the Zoning and Development Code. University Village Apartments meets the height and elevation requirements of the Zoning and Development Code. And, University Village Apartments meets the traffic requirements of the Zoning and Development Code.

This Project meets the goals of all of the following:

- The Growth Plan adopted October 1996
- The Future Land Use Map 1996
- The Zoning and Development Code 2000
- The Infill Area Map 2007
- The Redevelopment Area Map 2007
- Comprehensive Plan 2010
- The Preferred Land Use Map (Comprehensive Plan) 2010
- Blended Residential Plan Map (Comprehensive Plan) 2010

We look forward to being good neighbors to all the residents of the area. Our architect is currently finalizing the plans for our buildings. I believe our project will will increase the value and attractiveness of the entire neighborhood and be an asset to the community as a whole.

Thanks,



Jeffery Fleming- Land Planner
Davidson Homes- Precision Construction – etal
970.234.3466 Jeffery@DavidsonHomesCo.com

MYTH

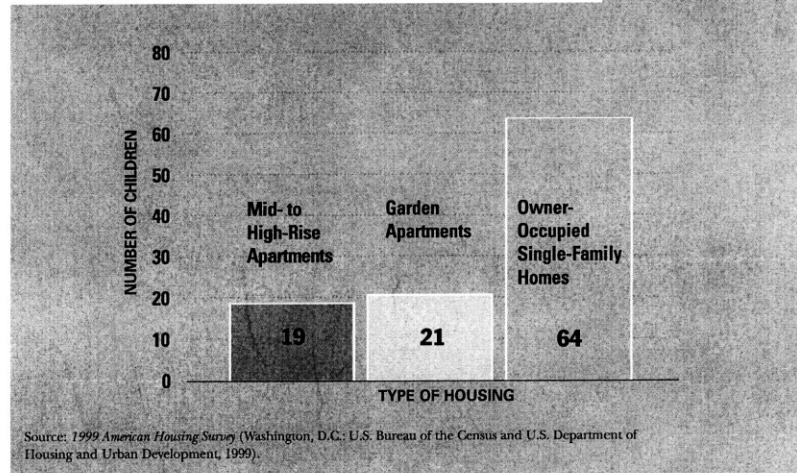
Higher-density development overburdens public schools and other public services and requires more infrastructure support systems.

FACT

The nature of who lives in higher-density housing—fewer families with children—puts less demand on schools and other public services than low-density housing. Moreover, the compact nature of higher-density development requires less extensive infrastructure to support it.

Public officials across the country struggle to afford the infrastructure needed to support sprawling development. A recent study analyzing the costs of sprawl estimated that more than \$100 billion in infrastructure costs could be saved over 25 years by pursuing better planned and more compact forms of development.⁶ The issue has transcended political parties and ideologies and has become an issue of basic fiscal responsibility. California's Republican Governor Arnold Schwarzenegger has criticized "fiscally unsustainable sprawl,"⁷ while Michigan's Democratic Governor Jennifer Granholm has noted that sprawl "is hampering the ability of this state and its local governments to finance public facilities and service improvements."⁸

NUMBER OF SCHOOL AGE CHILDREN PER 100 UNITS OF NEW HOUSING



MYTH

Higher-density developments lower property values in surrounding areas.

FACT

No discernible difference exists in the appreciation rate of properties located near higher-density development and those that are not. Some research even shows that higher-density development can increase property values.

The precise value of real estate is determined by many factors, and isolating the impact of one factor can be difficult. Although location and school district are the two most obvious determining factors of value, location within a community and size and condition of the house also affect value.

Several studies have examined whether multifamily housing has any impact on the value of nearby single-family detached houses. These studies have shown either no impact or even a slightly positive impact on appreciation rates.

PROFILE



Haile Plantation

Haile Plantation is a Gainesville, Florida, icon. Although it is denser than surrounding communities, the values of homes in Haile Plantation are often higher than the values of homes in neighboring lower-density communities, because the traditional neighborhood design employed there makes Haile Plantation more desirable and valuable. Beginning with the master plan in 1979, Haile Plantation has been called one of the first new urbanist communities in the country. Developers Bob Rowe and Bob Kramer in conjunction with the Haile Plantation Corporation developed the 1,700-acre site to include more than 2,700 units, ranging from single-family homes to townhouses and garden apartments. The sense of community has only grown with the expansion of the development to include a town center, a village green, trails, civic uses, and offices. Indeed, it is density and diversity that together add value to this popular Florida community.

Homes in Haile Plantation sell for more than neighboring homes because prospective buyers view the traditional neighborhood design as a valuable and desirable amenity.

3 MYTH 3 FACT

Higher-density development creates more regional traffic congestion and parking problems than low-density development.

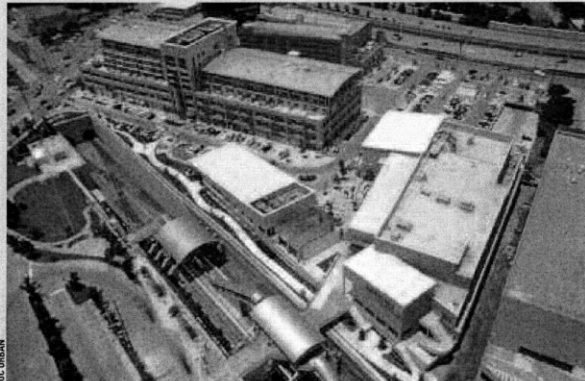
Higher-density development generates less traffic than low-density development per unit; it makes walking and public transit more feasible and creates opportunities for shared parking.

Most people assume that higher-density development generates more traffic than low-density development and that regional traffic will get worse with more compact development. In fact, the opposite is true. Although residents of low-density single-family communities tend to have two or more cars per household, residents of high-density apartments and condominiums tend to have only one car per household.²³ And according to one study using data from the National Personal Transportation Survey, doubling density decreases the vehicle miles traveled by 38 percent.²⁴

PROFILE

Mockingbird Station

The residents of Mockingbird Station in Dallas, Texas, are far less dependent on their cars, because they have a whole host of amenities at their doorstep. Dallas developer Ken Hughes partnered with Denver-based Simpson Housing Group to create the ten-acre pedestrian-oriented urban village, which includes 216 loft apartments, an eight-screen film center and café, more than 90 shops and restaurants, offices, an enclosed public plaza, and parking, all directly linked to the Dallas Area Rapid Transit (DART) light-rail system. Mockingbird Station provides direct platform access to DART trains, which offer residents an eight-minute commute to Dallas's central business district and a single train connection to the Dallas Convention Center, Reunion Arena, and other downtown entertainment. The new village is also immediately adjacent to the campus of Southern Methodist University and within walking distance of the university's new stadium and sports center. RTKL created architecture reminiscent of historic train stations but with a modern twist to the materials and detailing. Although only limited driving is necessary, a parking garage is provided but placed out of sight and underground. The myriad materials, architectural styles, and amenities create a vibrant transit-oriented community.



Residents of Mockingbird Station can leave their cars in the garage and take an eight-minute train ride to downtown Dallas; they can also walk to shops, offices, and a movie theater.

MYTH

Higher-density development leads to higher crime rates.

FACT

The crime rates at higher-density developments are not significantly different from those at lower-density developments.

People sometimes associate density with crime, even though numerous studies show that no relationship exists between the two. A study in Irving, Texas, using geographic information systems and crime statistics, found no link between crime and density. In fact, it found that single-family neighborhoods are “not all associated with lower crime rates.”³¹ Another study conducted by the University of Alaska found no relationship between housing density and crime in Anchorage.³²

PROFILE

Westminster Place

Although today Westminster Place is a thriving, safe community in midtown St. Louis, it was not always the case. The area, approximately 90 acres, was well known by the St. Louis police department for its high rate of violent crime, which led to the area’s becoming blighted. McCormack Baron Salazar, a St. Louis–based developer, brought the community back through the addition of higher-density mixed-income housing comprising affordable and market-rate units. The master plan included for-sale and rental housing, garden apartments, townhouses, single-family homes, and even an assisted living facility for seniors. A new community pool, a bustling retail center, and a magnet school are included as well. The new plan slowed traffic through the community, added landscaping and street and parking lot lighting, and new “eyes on the street,” making it more difficult for criminals to go unnoticed. The area blossomed into a place where people once again feel safe walking. The success of the community spurred the revitalization of surrounding areas.



MCCORMACK BARON SALAZAR

Increasing the housing density, adding some market-rate housing, and developing a design that slowed traffic and added additional lighting changed Westminster Place from a crime-ridden neighborhood to a thriving, safe community.

5 MYTH FACT

Higher-density development is environmentally more destructive than lower-density development.

Low-density development increases air and water pollution and destroys natural areas by paving and urbanizing greater swaths of land.

Low-density sprawl takes an enormous toll on our air, water, and land. The United States is now losing a staggering 2 million acres of land a year to haphazard, sprawling development.³⁹ More than 50 percent of Americans live in places where the air is unhealthy to breathe,⁴⁰ and childhood asthma and other respiratory diseases are on the rise.⁴¹ Almost half the damage to our streams, lakes, and rivers is the result of polluted runoff from paved surfaces.⁴²

It is inefficient land use, not economic growth, that accounts for the rapid loss of open space and farms. Since 1994, housing lots larger than ten acres have accounted for 55 percent of the land developed.⁴³ This loss of land often causes unexpected economic challenges for rural communities, where farmland, forests, rangeland, and open space tend to be the economic drivers that attract businesses, residents, and tourists. Low-density sprawl compromises the resources that are the core of the community's economy and character. The majority of American homeowners think it is important to stop these trends. In fact, 76 percent of local ballot initiatives related to land conservation passed in November 2004, making \$2.4 billion in funding available for protection of parks and open space.⁴⁴ But purchasing land is only part of the solution and not always an option for financially strapped governments.

Higher-density development offers the best solution to managing growth and protecting clean air and clean water. Placing new development into already urbanized areas that are equipped with all the basic infrastructure like utility lines, police and fire protection, schools, and shops eliminates the financial and environmental costs of stretching those services farther and farther out from the core community. Compact urban design reduces driving and smog and preserves the natural areas that are assets of the community: watersheds, wetlands, working farms, open space, and wildlife corridors. It further minimizes impervious surface area, which causes erosion and polluted stormwater runoff. Two studies completed for the state of New Jersey confirm that compact development can achieve a 30 percent reduction in runoff and an 83 percent reduction in water consumption compared with conventional suburban development.⁴⁵

6 MYTH FACT

Higher-density development is unattractive and does not fit in a low-density community.

Attractive, well-designed, and well-maintained higher-density development attracts good residents and tenants and fits into existing communities.

Higher-density development comes in many forms. Some of the most attractive well-planned modern development is built at a high density. Across America, appealing higher-density mixed-use town centers have been wildly popular with the public. Lushly landscaped boulevards, fountains, and showcase architecture have created a sense of place in areas previously known only for faceless, uninteresting low-density development. The enduring appeal

PROFILE

Post Riverside

Atlanta is often called the poster child for suburban sprawl. However, it is also the home of Post Riverside, a revolutionary new mixed-use pedestrian-oriented community developed by Atlanta-based Post Properties, Inc., and located on the banks of the Chattahoochee River between Atlanta's bustling Buckhead and Vinings communities. As is the trend nationally, 65 percent of all vehicle trips in Atlanta are to run errands, not to commute to work. With offices, shops, and restaurants within walking distance of the apartments, Post Riverside residents depend on autos much less than their neighbors in lower-density areas. In addition, the community is connected to Atlanta's MARTA subway system and the Cobb County transit system. This award-winning 85-acre mixed-use development includes 25,000 square feet of retail space, 225,000 square feet of office space, and 535 apartments, all designed around a gracious town square. For many people, this amenity-rich, low-maintenance lifestyle better suits their needs than a traditional single-family home in a low-density neighborhood.



Post Riverside in Atlanta demonstrates that higher-density development can be attractive and successful in a community known for lower-density development.

7 MYTH

No one in suburban areas wants higher-density development.

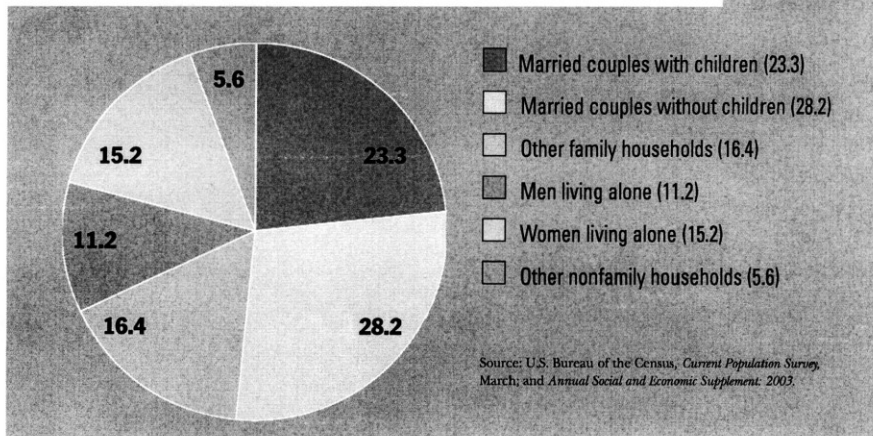
FACT

Our population is changing and becoming increasingly diverse. Many of these households now prefer higher-density housing, even in suburban locations.

When many of us think of the American Dream, we envision married couples with children living in single-family detached houses in the suburbs. The notion is that the only people who want to live in higher-density areas are those who cannot afford a traditional house with a back yard or who want to live in the middle of the city. Both perceptions are flawed.

This country's population is changing, and so are its real estate preferences. These lifestyle changes have significant implications for suburban development. For the first time, there are more single-person households (26.4 percent) than married-

HOUSEHOLDS BY TYPE: 2003 (PERCENTAGE OF TOTAL)





MYTH

Higher-density housing is only for lower-income households.

FACT

People of all income groups choose higher-density housing.

Multifamily housing is not the housing of last resort for households unable to afford a single-family house. Condominiums, for instance, are often the most sought after and highly appreciating real estate in many urban markets. The luxury segment of the apartment market is also rapidly expanding. Most people are surprised to learn that 41 percent of renters say they rent by choice and not out of necessity, and households making more than \$50,000 a year have been the fastest-growing segment of the rental market for the past three years.⁵⁹ Multifamily housing throughout the world has historically been the housing of choice by the wealthiest individuals because of the access and convenience it provides. From Manhattan to Miami to San Francisco, higher-density housing has been prized for the amenity-rich lifestyle it can provide.

Higher-density development can be a viable housing choice for all income groups and people in all phases of their lives. Many financially secure baby boomers, who have seen their children leave the nest, have chosen to leave behind the yard maintenance and repairs required of a single-family house for the more carefree and convenient lifestyle multifamily housing provides. Interestingly, their children, the echo boomers, are entering the age where many will likely live in multifamily housing. Just starting careers, many are looking for the flexibility of apartment living to follow job opportunities. Their grandparents, likely on a fixed income, may also prefer or need to live in multifamily housing as physical limitations may have made living in a single-family house too challenging.

Providing balanced housing options to people of all income groups is important to a region's economic vitality. The availability of affordable multifamily housing helps attract and retain the workers needed to keep any economy thriving. In many American towns and cities, rapidly rising house prices are forcing working families to live farther away from their jobs. In fact, the lack of affordable housing is mentioned as the number one problem facing working families today.⁶⁰



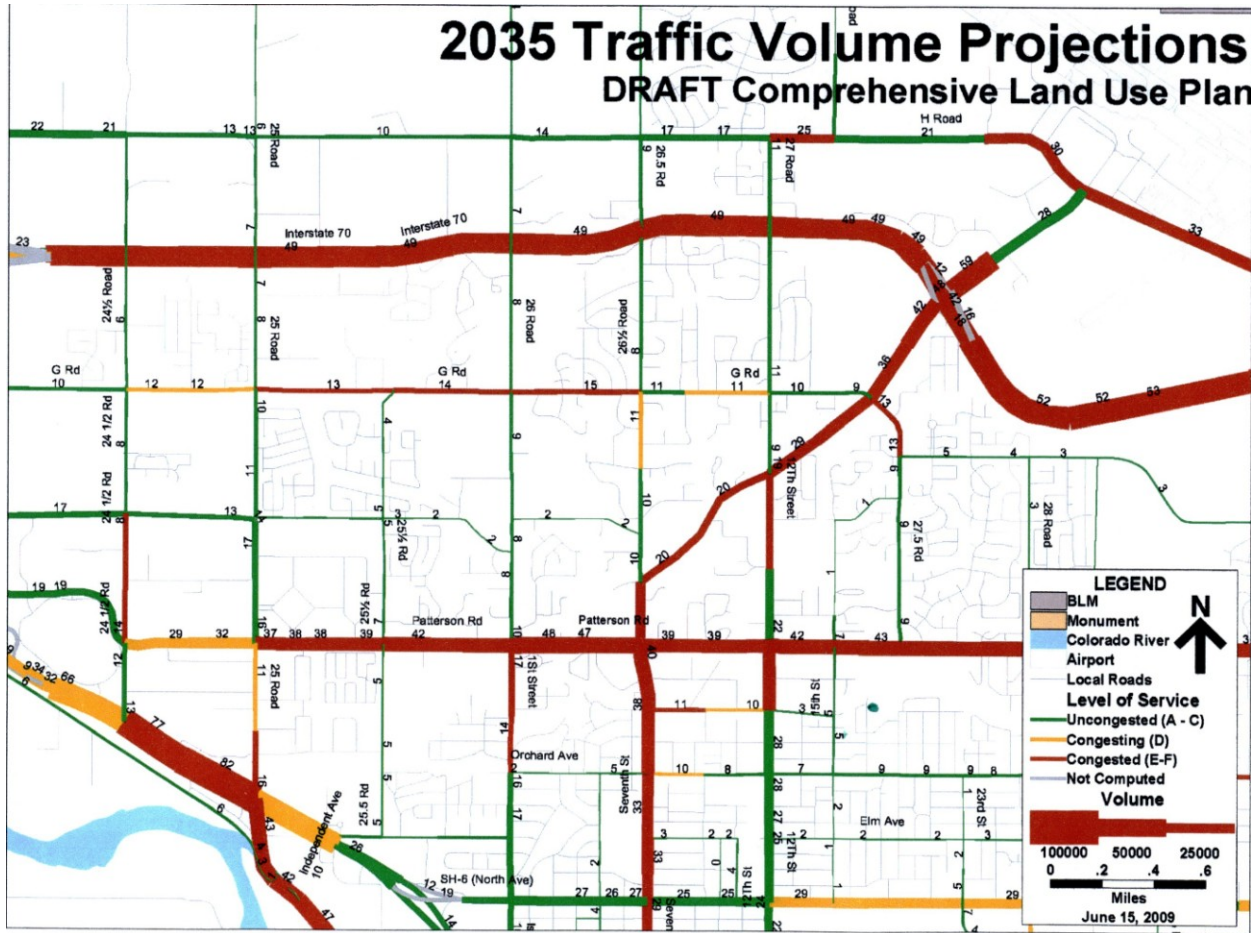
Appellant's Home

View of Project from Appellants Home with neighbor's 2 story home on the right 2303 N. 17th



2035 Traffic Volume Projections

DRAFT Comprehensive Land Use Plan



**CITY OF GRAND JUNCTION
 MAJOR SITE PLAN REVIEW**

FOR)	ADMINISTRATIVE DECISION
)	APPROVING
Darren M. Davidson)	
P. O. Box 9233)	
Grand Junction, CO 81501)	File# SPR-2008-119

An application has been submitted by Darren M. Davidson requesting a Major Site Plan Review to construct a 60 unit multi-family apartment development to be constructed in multiple phases located at 2304 and 2256 N. 17th Street (Proposed Lot 1, University Village Apartments subdivision). The property is currently zoned R-24, Residential – 24 du/ac Zoning District. The application was considered administratively by the City of Grand Junction Public Works and Planning Department on December 9, 2009 in accordance with Section 2.2 D. 4. b. and 4.3 O. of the Zoning and Development Code. After considering all pertinent data, the Administrator **APPROVES** the Major Site Plan Review upon finding that the proposal complies with all applicable sections of the Grand Junction Zoning and Development Code. The Major Site Plan Review approval is subject to the following conditions:

1. Developer is responsible for contacting the City of Grand Junction and requesting a final inspection of all on/off - site improvements upon completion, prior to occupancy of the building(s). Occupancy shall not be allowed until all required improvements have been installed or guaranteed with a Development Improvements Agreement (DIA).
2. All applicable Building Permits are required to be obtained through the Mesa County Building Dept.
3. All landscaping must be maintained in a healthy manner. Should any of the plantings die or become unhealthy for any reason, they must be replaced.

All uses which are subject to a Major Site Plan Review must commence construction within one (1) year of the date of approval. If a building permit is obtained prior to expiration of Major Site Plan Review, the approval shall be valid for as long as the building permit remains valid. Failure to develop or establish such use accordingly shall constitute sufficient basis to revoke this approval.

Also, in accordance with Section 2.2 E. 4. of the Zoning and Development Code, the Simple Subdivision Plat for University Village Apartments has been approved and will be recorded upon finalization and payment of all applicable fees.

The following items must be completed before the Planning Clearance for the Site Plan can be issued and Simple Subdivision Plat may be recorded:

1. Submit an original mylar of the final plat with owner's signatures, Title Report dated within 5 days of recording, Surveyor Verification Final Mylar Checklist and a check made payable to the City of Grand Junction for \$15.50 per plat page for reproduction costs (\$31.00 in this case). Please note that all property corner pins must be set in concrete and inspected by the City Property Agent before the plat may be recorded. The electronic version of the plat must be emailed to virginib@gjcity.org
2. Pay applicable fees as follows:
 - Recording fee for Final Plat will be \$21.00.
 - Recording fees for Grant of Easement documents will be \$5.00 per page plus \$1.00 per document. Please contact Project Manager for total dollar amount at time of recording. **Please note that all Exhibits must be signed and stamped by the Land Surveyor.**
 - Recording fee for Recording Memorandum for Development Improvements Agreement "Exhibit D" will be \$12.00.
 - Please make recording fees check made payable to the Mesa County Clerk & Recorder.
3. City Park Fee will be \$13,500 (60 residential units x \$225.00 per unit).
4. City Open Space Fee will be \$30,000 (10% of the value of the raw land).
5. City Inspection Fee will be \$1,230.00.
6. Transportation Capacity Payment will be \$106,140.00 (60 residential units x \$1,769.00 per unit).
7. School Impact Fee will be \$27,600.00 (60 residential units x \$460.00).

Page 3/2304 and 2256 N. 17th Street

8. Please contact the City's Customer Service Division for applicable water and sewer tap fees.
9. Submit Development Improvements Agreement (DIA) and financial guarantee in the amount of \$164,645.30. **Submit signed Recording Memorandum for Development Improvements Agreement (Exhibit D).**
10. Payment for items # 5, 6, 7, and 8 may be deferred until Certificate of Occupancy, provided that Planning Clearance is issued prior to December 31, 2009.

If you should have any further questions, please feel free to contact me at (970) 244-1447.



Date: December 9, 2009

Scott D. Peterson
Senior Planner

Attachment: Approved Site Plan
cc w/att: Eric Hahn, City Development Engineer