



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

TUESDAY, JULY 13 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

Approve minutes of the May 11, 2010 Regular Meeting.

[Attach 1](#)

2. **River Trail Subdivision – Preliminary Subdivision Plan** [Attach 2](#)
Request approval of an extension of the Preliminary Subdivision Plan to develop 80 lots on 17.405 acres in an R-8 (Residential 8 du/ac) zone district.

FILE #: PP-2006-330
PETITIONER: Michael Queally – River Trail Investment, LLC
LOCATION: 3141 D Road
STAFF: Greg Moberg

3. **Lee / Bell Rezone – Rezone** [Attach 3](#)
Request a recommendation of approval to City Council to rezone 0.14 acres from an R-O (Residential Office) to a B-2 (Downtown Business) zone district.

FILE #: RZ-2010-066
PETITIONER: Sandra Lee and Don Bell
LOCATION: 315 Ouray Avenue
STAFF: Lori Bowers

4. **Heritage Villas Rezone – Rezone** [Attach 4](#)
Request a recommendation of approval to City Council to rezone 1.6 acres from an R-4 (Residential 4 du/ac) to an R-8 (Residential 8 du/ac) zone district.

FILE #: RZ-2010-062
PETITIONER: Donny Eilts
LOCATION: 606 1/2 29 Road
STAFF: Lori Bowers

5. **Heaven’s Little Steps Daycare – Conditional Use Permit** [Attach 5](#)
Request approval of a Conditional Use Permit to open a general daycare center (more than 12 children) in a church facility on 6.21 acres in an R-4 (Residential 4 du/ac) zone district.

FILE #: CUP-2010-072
PETITIONER: First Church of the Nazarene
LOCATION: 2802 Patterson Road
STAFF: Scott Peterson

***** 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.

- 6. **Mesa State College Right-of-Way Vacations – Vacation of Right-of-Way [Attach 6](#)**
 Request a recommendation of approval to City Council to vacate portions of several existing street and alley rights-of-way in the Texas, Elm, Houston and Bunting Avenue areas. All proposed vacations are located east of Cannell Avenue.

FILE #: VR-2010-068
PETITIONER: Tim Foster – Mesa State College
LOCATION: Various Streets and Alleys
STAFF: Scott Peterson

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION
MAY 11, 2010 MINUTES
6:00 p.m. to 7:22 p.m.**

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

In attendance, representing the City Planning Commission, were Reggie Wall (Chair), Lynn Pavelka-Zarkesh (Vice Chair), Pat Carlow, Mark Abbott, Ebe Eslami, Richard Schoenradt and Rob Burnett.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Division Manager), Greg Moberg (Planning Services Supervisor), Lori Bowers (Senior Planner) and Brian Rusche (Senior Planner).

Also present was Jamie Beard, Assistant City Attorney.

Lynn Singer was present to record the minutes.

There were 41 interested citizens present during the course of the hearing.

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

1. **Minutes of Previous Meetings**
There were no minutes available for review.
2. **R&A Subdivision – Vacation of Right-of-Way – Continued from April 13, 2010**
Request a recommendation of approval to City Council to vacate 520.64 square feet of a section of Right-of-Way on the south side of Grand Mesa Avenue, 8 feet deep, a distance of 65.08 feet, in front of Lots 3, 4 and 5, Block 3, Orchard Mesa Heights Subdivision.

FILE #: VR-2009-231
PETITIONER: Ronald Ashely
LOCATION: 545 Grand Mesa Avenue
STAFF: Lori Bowers

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the Consent Agenda items.

MOTION: (Commissioner Schoenradt) “Mr. Chairman, I make a motion that we approve the Consent Agenda as read.”

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

Public Hearing Items

3. Schooley-Weaver Partnership – Conditional Use Permit – Continued to June 8, 2010

Request approval of a Conditional Use Permit to establish a Gravel Pit on 16 acres in an R-R (Residential Rural) zone district.

FILE #: CUP-2010-008
PETITIONER: Schooley-Weaver Partnership
LOCATION: 104 29 ³/₄ Road
STAFF: Brian Rusche

Lisa Cox, Planning Manager, advised that the applicant’s representative wanted to address the Planning Commission. Robert Jones II of Vortex Engineering, applicant’s representative, stated that they were just recently informed that Mesa County had requested additional time of City staff and the applicant to review the application and the Conditional Use Permit plans. Accordingly, the applicant requested a continuance to the next Planning Commission hearing date. Lisa Cox stated that Mesa County requested a continuance to ensure that they had adequate time to review the packet. Chairman Wall asked for a motion to continue this item to the June 8th Planning Commission meeting.

MOTION: (Commissioner Carlow) “So moved.”

Commissioner Schoenradt asked Jamie Beard, Assistant City Attorney, if they should discuss the hours of operation. Ms. Beard stated that as this matter was being continued the appropriate time would be at the next meeting.

Commissioner Pavelka-Zarkesh seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0. Chairman Wall announced that the Schooley-Weaver Partnership Conditional Use Permit would be continued to the next Planning Commission meeting on June 8th. There was clarification that the item would be advertised in the newspaper as well as another card mailed to residents within 500 feet of that property for the June 8th meeting.

4. 2010 Zoning Code Amendment – Text Amendment

Request a recommendation of approval to City Council of various amendments to Title 21, Zoning and Development Code.

FILE #: TAC-2010-039
PETITIONER: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

Staff's Presentation

Lisa Cox, Planning Manager, addressed the Commission regarding three proposed amendments to the 2010 Zoning and Development Code codified, as Title 21 in the Grand Junction Code of Ordinances. The three amendments were added to the updated Zoning and Development Code after the March 9th Planning Commission public hearing. Because the Planning Commission had not reviewed the three proposed amendments, City Council requested that the Planning Commission review each and make a recommendation.

Ms. Cox stated that the proposed amendments had been recommended either by staff or by the Zoning Code Focus Group. Ms. Cox stated that all three amendments supported the vision and the goals of the Comprehensive Plan. She discussed each amendment separately. The first was to ensure that maximum density could be achieved in the R-4 zone district with the recommendation that the minimum lot size be reduced from 8,000 square feet to 7,000 square feet and the minimum lot width reduced from 75 feet to 70 feet.

QUESTIONS

Commissioner Abbott asked if this would change the setbacks. Lisa Cox stated that the setbacks would remain the same and that only the minimum lot size and width were proposed to change.

STAFF'S PRESENTATION

Ms. Cox went on to state that the second proposed amendment would amend the Special Permit section of the Zoning and Development Code which was designed to allow an increase in height for a building or a fence. The Special Permit would come before the Planning Commission for review and recommendation and then to City Council as the final decision maker. Staff felt it was appropriate to propose that a Special Use Permit be utilized to allow an interim land use for parcels that were located in an area where the Comprehensive Land Use Plan anticipated a particular type of density or intensity that it might be premature for the current market.

Staff believed this would be true particularly in areas where a Neighborhood Center or a Village Center was proposed in order to encourage the live-work opportunity. She stated that the proposal was to allow an interim use that would be a land use available as an allowed use in a particular zone district. Ms. Cox said that the Special Permit would allow a short term use which may be less dense or intense in an effort to allow the property owner to get some use out of their property while waiting for the market to catch up to the density/intensity that was anticipated by the Comprehensive Plan. Allowing an interim use with a Special Permit would provide the City with another tool to help implement the vision of the Comprehensive Plan.

QUESTIONS

Commissioner Abbott asked what the definition of short-term was. Ms. Cox said that the duration and scope of the interim land use would be determined as a part of the permitting process. She went on to state that it could be as short as a few years or possibly as many as 30 years.

Commissioner Abbott stated that his concern was that he did not envision a change in the density as it pertained to residentially zoned areas. Lisa Cox said that part of the way that an interim use would be designed would be that staff would review the proposed land use in terms of how the property would ultimately develop as envisioned by the Comprehensive Plan. She said that staff would be looking at the location of a structure or multiple structures to ensure that there would not be encroachment of a potential right-of-way for possible street connections or easements. The proposal would have to be designed in such a way that the property could still develop out at the density or intensity envisioned by the Comprehensive Plan. Staff would look at possible clustering of units, positioning in such a manner that internal circulation could still be designed to allow development at a later date as envisioned by the Comprehensive Plan. She stated that there were still a lot of properties that currently had a zone in place which was less intense than what the Comprehensive Plan anticipated. Allowing an interim land use would allow property owners to utilize their property and yet preserve the intent and vision of the Comprehensive Plan.

Commissioner Abbott asked if a person had a 10-acre parcel which was zoned for 12 units per acre, would they be allowed to put single-family homes on a quarter of the property so long as the remaining property and the outlying area was more dense. Ms. Cox stated that for the most part that was correct; however, she clarified that single-family detached homes were not allowed in an R-12. She went on to state that it was hoped that the interim use would be designed so that it would be clustered in an area of the property and still have the ability to develop the rest of the site at a density or intensity envisioned by the Comprehensive Plan.

Commissioner Abbott asked if the difference then was an applicant would have more time. Ms. Cox said that an applicant could request an interim use where development would be short-term, low cost building(s), and/or with the possibility of removing the structures to completely redevelop the site in the future. Another example could be where a portion of the property was developed and those structures would remain in place as a first phase of development, and then other phases of development would be constructed around it in what would eventually be a multi-phased project.

Commissioner Carlow asked if a temporary business was put in under a Special Use Permit and it was a successful business, would they have to ask for a zone change. Ms. Cox said that even as an interim use it would have to be an allowed use.

Commissioner Carlow asked if it did not conform with the long-range goals if it would still be allowed. Ms. Cox stated that the interim use had to be an allowed use as the property was currently zoned. Staff would consider what allowable uses were in the particular zone district and it would need to be consistent with the Zoning Code requirements that was in place. However, it was also possible in the future that ultimately something more intense could be developed.

Commissioner Eslami asked if he understood correctly that they would have to come to the Commissioners for permission and it appeared to him that it was a Conditional Use Permit for phasing. Ms. Cox stated that it could be considered a type of conditional use

permit because it was possible to condition the permit in terms of the scope and duration of the project.

Commissioner Abbott asked if the Special Permit would not be a Director's decision. Ms. Cox stated that the Director does not have authority to approve a Special Permit.

Commissioner Schoenradt asked if the permit was called a Special Permit. Ms. Cox said that it was and this type would be an interim use that would be granted with a Special Permit.

Chairman Wall stated that he did not understand why he would not be permitted to develop just a portion of property that would still conform. By way of example, Ms. Cox said that in the Northwest Appleton area of the Comprehensive Plan there were a couple of Neighborhood Centers and a Village Center. If property that was currently zoned fairly low intensity or density, such as B-1 or R-2, but the Comprehensive Plan anticipated a Village Center at the intersection, then the long-range goal was Mixed Use which is a higher density/intensity. There was a property owner who would currently like to use his property, but he was not ready at this time to construct a 3 or 5 story building, but rather had a small business which would be consistent with the current zoning but would not meet the vision of the Comprehensive Plan. The Special Permit would allow him to utilize his land and/or build a building now in a manner that would allow further development or redevelopment of his property at a later date.

Commissioner Burnett asked if a person who wanted to develop 5 acres of a 20-acre parcel, would they have to come before the Planning Commission and have the entire 20 acres phased out, but only develop Phase 1? Ms. Cox stated that a property owner could completely develop their property or they could phase development. Ms. Cox said that the proposed amendment was a tool which would create some flexibility for the gap between the economy now and the 25 year vision of the Comprehensive Plan. They are trying to create the ability for someone to utilize their property in a manner that was consistent with the current zoning, but that may not be fully consistent with the vision of the Comprehensive Plan. She went on to state that the Special Permit would get one a step closer to the Comprehensive Plan in terms of being able to utilize the property while recognizing that there may be a gap between the full density or intensity as anticipated by the Comprehensive Plan. It would allow someone to use their property without being discouraged by the long-range vision of the Comprehensive Plan.

Chairman Wall asked if the issue was a density issue that would require a Special Permit around H and 24 Roads. Ms. Cox said that there were a couple issues that the Special Use Permit was trying to address – one was residential density that might be too high for the current market and another was intensity on a nonresidential zoning that was too high for the current market. She added that some of the zone districts were not consistent with the Comprehensive Plan and the City needed a tool to help preserve the vision of the Comprehensive Plan.

Commissioner Eslami asked if a person had a 20-acre agriculture parcel, in order for that land to be used for either Commercial or Residential, would they have to go through rezoning? Ms. Cox said that it would depend on what their zoning was right now.

Commissioner Schoenradt asked for clarification if it had to be an allowed use for the current zoning. Ms. Cox said that was correct.

Commissioner Schoenradt asked if the definition of an interim use was something that did not meet the Comprehensive Plan but met the current allowed use. Ms. Cox stated that the proposed definition was “the types of buildings and activities existing in an area and on a specific site or parcel for an interim period of time. Such interim use should not hinder the ability to redevelop the site or parcel at the density or intensity envisioned by the Comprehensive Plan.” The scope and the duration of an interim use would be determined by special permit and approved by City Council. She clarified that it was buildings or its activities existing in an area or on a specific site or parcel for an interim period of time.

PETITIONER’S PRESENTATION

Ms. Cox the presented the proposed amendment that was intended to offset the cost of amenities that were a part of certain subdivisions, particularly ones that had a trail that was required by the Urban Trails Master Plan. She identified that if a trail had been constructed in addition to the required sidewalks for a subdivision, the owner who constructed the trail improvements may request an offset or a credit for the cost of that trail construction against the open space fee applicable to that particular subdivision.

QUESTIONS

Commissioner Eslami asked where the money to pay for the construction of the trail would come from. Ms. Cox said that it was the developer’s responsibility to pay for construction of the trail and confirmed that it would be a credit against another fee and would ultimately lower the overall Open Space fee that an applicant or developer would have to pay.

Commissioner Schoenradt asked if the proposal would be clarified to state that the credit could not be more than the Open Space fee. Ms. Cox stated that language could be added to make sure that it was abundantly clear as that it was not the intent for the City to provide a credit that exceeded the Open Space fee.

Chairman Wall asked for clarification regarding the Open Space fee, whether it was money, or land, or could it be either/or? Ms. Cox said that the Open Space fee was 10 percent of the land, or 10 percent of the value of the land. She added that generally speaking it was the City’s choice of whether to require the fee or the land dedication and if the City accepted a land dedication, it generally had to be at least 3 acres. In the vast majority of the new subdivisions, the City opted to take 10 percent of the value of the land.

Commissioner Schoenradt stated that it was his belief that the credit could not go against the donation of land. Ms. Cox agreed and stated that the intent was to offset the cost of the improvement of the trail.

Chairman Wall asked if the goal was to make sure that the trails were developed. Ms. Cox said that the goal was to offset the cost of adding amenities to property.

DISCUSSION

Commissioner Abbott said that as far as he was concerned the first amendment made very good sense. He liked the fact that it was not changing the lot lines or setbacks, it gave developers more opportunity to use their land to the best and fullest use.

Commissioner Eslami concurred.

Chairman Wall also agreed and thought the first amendment made sense.

MOTION: (Commissioner Pavelka-Zarkesh) “Mr. Chairman, on file TAC-2010-039, text amendments to Title 21 Zoning and Development provisions, I move that the Planning Commission forward a recommendation of approval of the proposed amendment to reduce the minimum lot size to 7,000 square feet and the minimum lot width to 70 feet in the R-4 zone district with the facts and conclusions listed in the staff report.”

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

DISCUSSION

Commissioner Abbott said that he did not see how the “special permit” would do anything different or allow anything different and felt that the addition of the extra permit would add an extra layer of government. He stated that at this point in time he did not see the need for this and believed there was enough flexibility in the Code. Also, that it was very unclear as to why this amendment was needed.

Commissioner Eslami believed that Commissioner Abbott explained it very well and agreed.

Chairman Wall also agreed and did not understand the need for it.

Commissioner Pavelka-Zarkesh stated that using the interim land use would permit people to do something to preserve those larger parcels for development as opposed to breaking them into pieces without the necessity of planning out the entire parcel. She added that it was a little non-traditional and each case would have to be considered individually. She believed it was a practical way to preserve those larger parcels of land and was in agreement with it.

Commissioner Abbott amended his statement based on Commissioner Pavelka-Zarkesh’s input that he was encouraged that some of the larger parcels may be able to be kept and likely would support this amendment.

Commissioner Schoenradt said that he liked the Special Permit. Each request would be reviewed and it could then be determined if it met the requirements.

Chairman Wall added that although in theory the Special Permit may make sense he liked the fact that a Comprehensive Plan was developed that would be reviewed every 3 to 5

years. He did not see the need of creating a Special Permit when someone had to ask to do something on their property they were already allowed to do. He believed the Special Permit may take away from the creativity and the planning abilities of the department in working with the public in determining what really would make sense and how it would work. He added that he was concerned about the fact that they did not know what interim meant.

MOTION: (Commissioner Schoenradt) “Mr. Chairman, on File TAC-2010-039, Text Amendments to Title 21 Zoning and Development Provisions, I move that the Planning Commission forward a recommendation of the approval of the proposed amendment to allow an interim land use as a special permit with the facts and conclusions as listed in the staff report.”

Commissioner Pavelka-Zarkesh seconded the motion. A vote was called and the motion passed by a vote of 5 – 2 with Commissioner Eslami and Chairman Wall opposed.

DISCUSSION

Commissioner Abbott stated that he would support the proposed amendment so long as it was amended to add the language that the City would not be put in a situation where the City would have to pay a developer should his cost exceed the credit.

Commissioner Schoenradt asked if the motion could be made to include the amended language. Ms. Cox stated that could be made a part of the motion to make a recommendation to City Council.

Chairman Wall stated that this was another amendment that he did not understand the need for. He was not sure why the City should have to pay someone to have to develop something or to make something better for the people who would live there or reside there just because they put in sidewalks and, accordingly, stated that he did not support it.

Commissioner Schoenradt said that he saw the credit for the trails going against the Open Space fee and thought the Open Space fee for the City was to maintain those types of amenities throughout the community and when a developer does it in place of the City, and supported the credit up to the limit of the Open Space fee.

MOTION: (Commissioner Schoenradt) “Mr. Chairman, on File TAC 2010-039, Text Amendments to Title 21, Zoning and Development Provisions, I move that the Planning Commission forward a recommendation of the approval of the proposed amendment to allow credit for the cost of construction of a required trail against the open space fee not to exceed the total open space fee with the facts and conclusions listed in the staff report.”

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

General Discussion/Other Business

Ms. Cox announced that at the last Planning Commission’s workshop there was a

discussion regarding the opportunity for Planning Commissions in the Grand Valley to play the “Connections Game” in support of the Transportation Plan that the RTPO had been working on. She asked the Commission if there was interest in participating. A date had been set for Thursday, May 20th from 6:00 p.m. to 7:30 p.m. and the meeting would be held at the Mesa County Building, 750 Main Street. The items previously scheduled to be discussed at the workshop on May 20th were continued to the second workshop in June.

Nonscheduled Citizens and/or Visitors

None

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 7:22 p.m.

**Attach 2
River Trail subdivision**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: July 13, 2010
PRESENTER: Greg Moberg

AGENDA TOPIC: River Trail Subdivision, PP-2006-330.

ACTION REQUESTED: A request for an additional one year extension of the approved Preliminary Subdivision Plan.

BACKGROUND INFORMATION				
Location:		3141 D Road		
Applicants:		Owner: River Trail Investment, LLC Developer: Mike Queally Representative: Hiram Reyez		
Existing Land Use:		Agriculture		
Proposed Land Use:		Single-family Residential		
Surrounding Land Use:	North	Residential		
	South	Agriculture		
	East	Residential/Agriculture		
	West	Residential/Agriculture		
Existing Zoning:		R-8		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	RMF-5 (County, Residential 5 du/ac) RSF-R (County, Residential Rural)		
	South	AFT (County, Agricultural, Forestry and Traditional)		
	East	R-8 (Residential 8 du/ac) and RSF-R (County, Residential Rural)		
	West	R-8 (Residential 8 du/ac)		
Comprehensive Plan Designation:		Residential Medium - RM (4-8 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request approval of a one year extension to the Preliminary Subdivision Plan for River Trail Subdivision an 80-lot subdivision on 17.405 acres in an R-8 (Residential 8 du/ac) zone district.

ANALYSIS:

The Preliminary Subdivision Plan for River Trail Subdivision was approved on May 22, 2007. No phasing schedule was proposed as it was the desire of the Developer to construct the entire development at one time.

In accordance with Section 21.02.070(u)(4) of the Grand Junction Municipal Code (GJMC):

If the applicant does not complete all steps in preparation for recording a final plat within two years of approval of the preliminary subdivision plan, the plat shall require another review and processing as per this Section and shall then meet all the required current Code and regulations at that time. One extension of twelve months may be granted by the Director for good cause. Any additional extensions must be granted by the Planning Commission. The Planning Commission must find good cause for granting the extension.

In May of 2009 the Developer requested a one-year administrative extension. When first approved, it was the desire and expectation of the Developer to plat the entire Development in a single phase. Due to restrictions placed on financial institutions, the Developer was unable to secure financing for the entire project. To work within the restrictions of the banking industry, the Developer needed to reduce the infrastructure costs, thus reducing the amount financed, by obtaining final plat approval on only a portion of the property (22 lots). The request for a one year administrative extension was approved to May 22, 2010.

The Applicant is now requesting an additional one year extension and because the administrative extension has been used, any additional extension requests must be approved by the Planning Commission.

Over the last year the Applicant has been working with Staff in a good faith attempt to obtain final plat approval of a portion of the property. The Applicant has received a grading permit and has begun to start the rough grading process. Most issues have been remedied and it is anticipated that final approval may occur within a few months. During this past year, the Applicant found that restrictions placed on financing (outside the Applicant's control) have required that infrastructure costs be reduced even more than what had been originally anticipated and that the first phase would have to be reduced further (less than 22 lots).

Should the Planning Commission grant the extension, the Applicant will have until May 22, 2011 to obtain the required final plat approval for at least a portion of the property.

-Section 21.02.070(r)(6) states,

If a part of the property in the preliminary subdivision plan is final platted within two years, the preliminary subdivision plan approval shall be automatically renewed for an additional one year following the recording of each final plat, unless the Director notifies the applicant, in writing, to the contrary. The applicant shall plat the entire property included in the preliminary subdivision plan within six years of the initial plan approval date. After six years, approval of unplatted portions of the preliminary subdivision plan shall be considered void unless an extension is requested and approved by the decision making body.

As Developer is only able to plat a portion of the parcel included in the Preliminary Subdivision Plan approval, then staff recommends that the extension approval requested allow the preliminary subdivision plan approval to be automatically renewed for an additional one year following the recording of each final plat (unless the Director notifies the Applicant in writing to the contrary), except that the entire property included in the preliminary subdivision plan must be finally platted on or before May 22, 2013. If any of the parcel included within the Preliminary Subdivision Plan approval is not finally platted, then, without a further extension granted, the unplatted portions shall be considered void.

FINDINGS OF FACT AND CONCLUSIONS:

After reviewing the request for a one-year extension to the approved Preliminary Subdivision Plan for River Trail Subdivision, PP-2007-030, the following findings of fact and conclusions have been determined:

1. The requested is consistent with the goals and policies of the Comprehensive Plan.
2. The Applicant has shown "good cause" with the explanation included in the staff report.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the request for a one-year extension for the River Trail Preliminary Subdivision Plan, file number PP-2007-030, with the findings of facts and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION: Mr. Chairman, on PP-2006-330, I move we approve a one-year extension of the Preliminary Subdivision Plan approval for River Trail Subdivision, file number PP-2007-030, in accordance with GJMC Sections 21.02.070(u)(4) and 21.02.070(r)(6) with the findings of fact and conclusions in the staff report.

Attachments:

Staff Report from May 22, 2007.

AGENDA TOPIC: PP-2006-330 River Trail Subdivision

ACTION REQUESTED: Preliminary Subdivision Plan Approval

BACKGROUND INFORMATION					
Location:		3141 D Road			
Applicants:		Owner: West of the Rockies Development, LLC Developer: Mike Queally Representative: Jim Langford			
Existing Land Use:		Agriculture			
Proposed Land Use:		Single-family Residential			
Surrounding Land Use:	North	Residential			
	South	Residential/Agriculture			
	East	Residential/Agriculture			
	West	Residential/Agriculture			
Existing Zoning:		R-8			
Proposed Zoning:		R-8			
Surrounding Zoning:	North	RMF-5 (County)			
	South	AFT (County)			
	East	R-4 (City) and RSF-R (County)			
	West	RSF-R (County)			
Growth Plan Designation:		Residential Medium - RM (4-8 du/ac)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request approval of the Preliminary Subdivision Plan for River Trail Subdivision for an 80 lot subdivision containing single family detached units on each lot, on 17.405 acres in an R-8 (Residential 8 dwelling units per acre) zone district.

RECOMMENDATION: Staff recommends approval of the River Trail Subdivision Preliminary Plan

ANALYSIS

1. Background

The subject parcel was annexed into the City and zoned R-8 (Residential 8 dwelling units per acre) in February 2007 by Ordinance No. 4024.

The proposed River Trail Subdivision, an 80 lot single-family detached subdivision is located south of D Road, west of 32 Road, east of 31 Road and north of the Colorado River. The current one (1) unplatted parcel of land consists of 17.405 acres and is undeveloped. As proposed, the subdivision is projected to be developed in one phase over a period of two years.

The density of the proposed subdivision will be approximately 4.5 dwelling units per acre, which meets the minimum density requirements of the Zoning and Development Code. The Growth Plan Future Land Use Map indicates the parcel to be Residential Medium at four (4) to eight (8) dwelling units per acre and the existing zoning designation for the property to be R-8 (Residential 8 dwelling units per acre).

The proposed subdivision has one (1) ingress/egress point, with access provided from D Road. The ingress/egress point will be a temporary connection to D Road. As discussed in the Pear Park Plan, street connections to D Road are allowed at specific points. The River Trail Subdivision does not front D Road in an area where an access point is designated in the Pear Park Plan. The applicant and the City have developed an agreement to allow for a temporary access point to the subdivision from D Road. The agreement states as adjacent property to the east and west develops, the River Trail Subdivision will be required to connect to the street stubs as indicated on the plans. The lot where the temporary access is located upon will be dedicated to the City as a right-of-way and the land to the east and west of the temporary access road, on this same lot, will be landscaped and maintained by the Home Owners Association. When the connection to adjacent property is made via the street stubs, the temporary connection will be removed. The developer will have the option of buying back the lot from the City and develop the lot with a single-family residence, as the temporary street access crosses a lot that meets the bulk requirements for the R-8 zone district. (The River Trail Temporary Connection agreement is attached to this report and provides details of the agreement. This is a draft copy of the agreement that will be fully executed at Preliminary Plan approval). The internal streets for the proposed subdivision are designed according to the urban residential street standards. A stub street connection is provided to the east, west and south parcels.

A 14' wide landscape strip, indicated as Tract E on the plans, is proposed along D Road. A 6' high privacy fence will be constructed on the south and west property line. The Preston Drain is located on the eastern portion of the parcel and is indicated as Tract A on the plans, a utility/drainage/access easement. Tract C is located south of Lot 6 Block 6 and is indicated as an ingress/egress/drainage easement. Tract B is indicated as a landscape area located in the traffic circle on Snake River Drive. All Tracts will be maintained by the Home Owners Association.

The applicant states the River Trail Subdivision offers a public benefit by providing a new subdivision adjacent to existing and proposed residential neighborhoods, which will provide additional affordable living opportunities in an area where demand is high for medium-priced housing. The character and style of the houses will be consistent with the existing surrounding neighborhood and controlled by covenants adopted as part of the Final Plat.

2. Consistency with the Growth Plan

The Future Land Use Map of the Growth Plan indicates this parcel as Residential Medium (4-8 units per acre). The proposed density of River Trail Subdivision is 4.5 units per acre, which is consistent with the Future Land Use Map designation.

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

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

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

As stated above, the proposed River Trail Subdivision with a density of 4.5 units per acre is in compliance with the Growth Plan. The subdivision will gain temporary access from D Road until such a time as the east or west parcel develops. Access from D Road will be closed when a connection is made to an east or west parcel as it develops. The public roads within the subdivision will be dedicated and constructed according to the "urban residential" section standards.

- b. The Subdivision standards of Chapter 6.

The design of the proposed subdivision complies with the standards required by the Code.

- c. The Zoning standards contained in Chapter 3.

The design of the proposed subdivision complies with the standards required by the Code.

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

The proposed subdivision meets all requirements of the Transportation Engineering Design Standards (TEDS) and Stormwater Management Manual (SWMM). All internal streets will be constructed according to the urban residential street standards.

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

Public and community facilities are adequate to serve the proposed residential density. Needed infrastructure is in place or can be reasonably extended to serve the proposed subdivision.

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

The Colorado Geological Survey conducted a technical review of the proposed subdivision and found that there are no potential geologic hazards that would preclude the development as intended. The site is located on a moderately-to-gently sloping property, at 3141 D Road. The soil on the property consists of alluvial silts, clays and gravels deposited by the Colorado River. This alluvial soil mantles the underlying bedrock, which is the Mancos Shale Formation. The primary geologic conditions likely to affect the development plan for this property are: surface drainage, potentially shallow groundwater, and erosion. Regional conditions such as radon, seismicity, and water availability may also affect development plans. The Colorado Geological Survey offers the following suggestions to be incorporated into the planning process for the proposed development of this property:

1. Given the proximity of the southern property boundary to the existing drainage, shallow groundwater fluctuations may cause below-grade foundation spaces to be wet or perennially damp. If below-grade construction is desired, it is advisable that sump pumps and perimeter drains be included in the foundation designs.

2. A thorough soils investigation should be completed on the property, prior to initial construction, to identify the subsurface engineering characteristics of the soils and bedrock. Lot-specific geotechnical investigations are typically used in the Grand Valley as a basis for evaluating subsurface conditions and developing foundation designs.

Other than the issues mentioned above, CGS did not observe any geologic conditions present at this site that would preclude the proposed development.

- 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 in the vicinity.

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

Compliance with the SWMM requirements as well as with the required stormwater discharge permit will ensure runoff does not harm adjacent agricultural uses.

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

The proposed River Trail Subdivision will better utilize the sewer service and streets that have been made available to the property. It is a logical extension of adjacent development.

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

The proposed subdivision design provides appropriate residential density while accommodating existing conditions and providing the needed public infrastructure.

- 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. There will be no burden on the City other than the typical ongoing maintenance of the public facilities (streets, utilities) within the development.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the River Trail Subdivision application, PP-2006-330 for Preliminary Subdivision Plan approval, staff makes the following findings of fact and conclusions:

1. The proposed preliminary subdivision plan is consistent with the Growth Plan.
2. The Preliminary Subdivision Plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8.B.2 of the Zoning and Development Code.
3. The developer shall comply with the River Trail Temporary Connection agreement.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed Preliminary Subdivision Plan, PP-2006-330 with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for River Trail Subdivision, PP-2006-330, with the findings and conclusions listed in the staff report.

Attachments:

Site Map / Aerial Photo Map

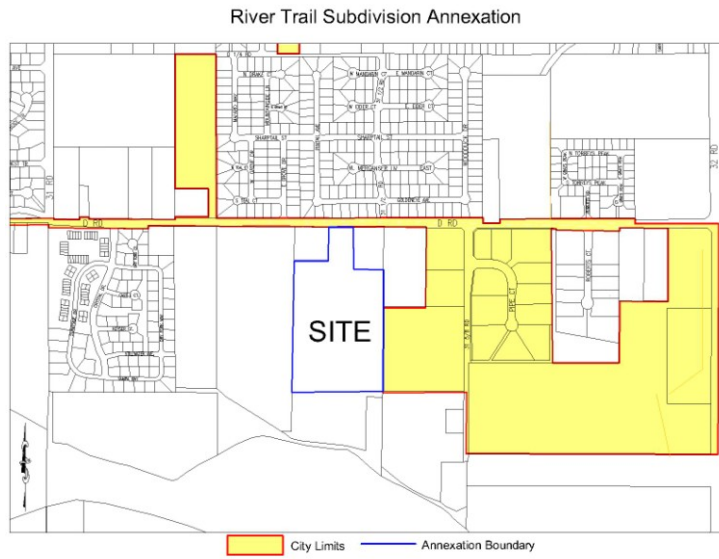
Future Land Use Map / Existing City and County Zoning Map

Preliminary Subdivision Plan

River Trail Temporary Connection Agreement (Draft)

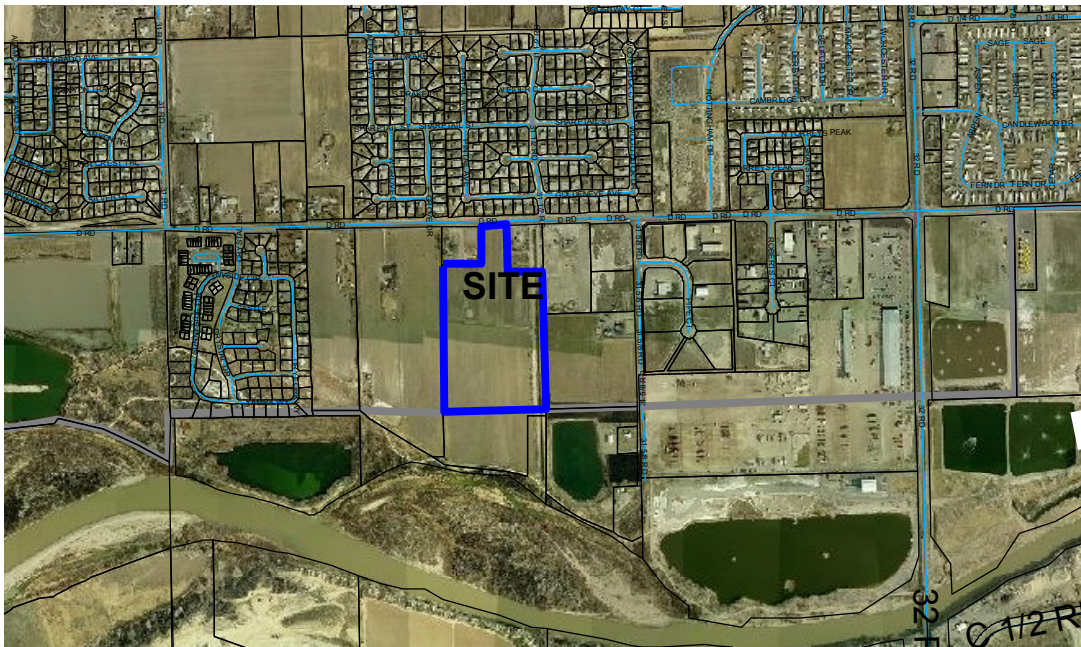
Site Location Map

Figure 1



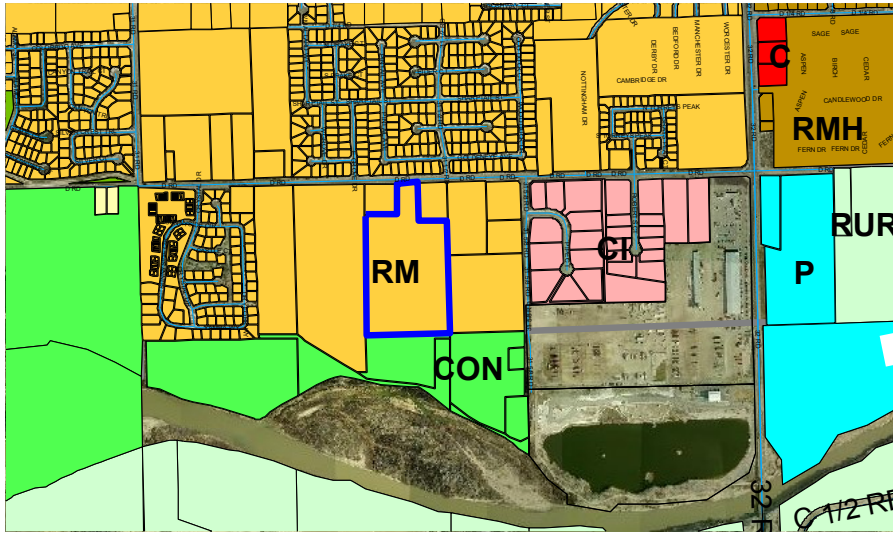
Aerial Photo Map

Figure 2



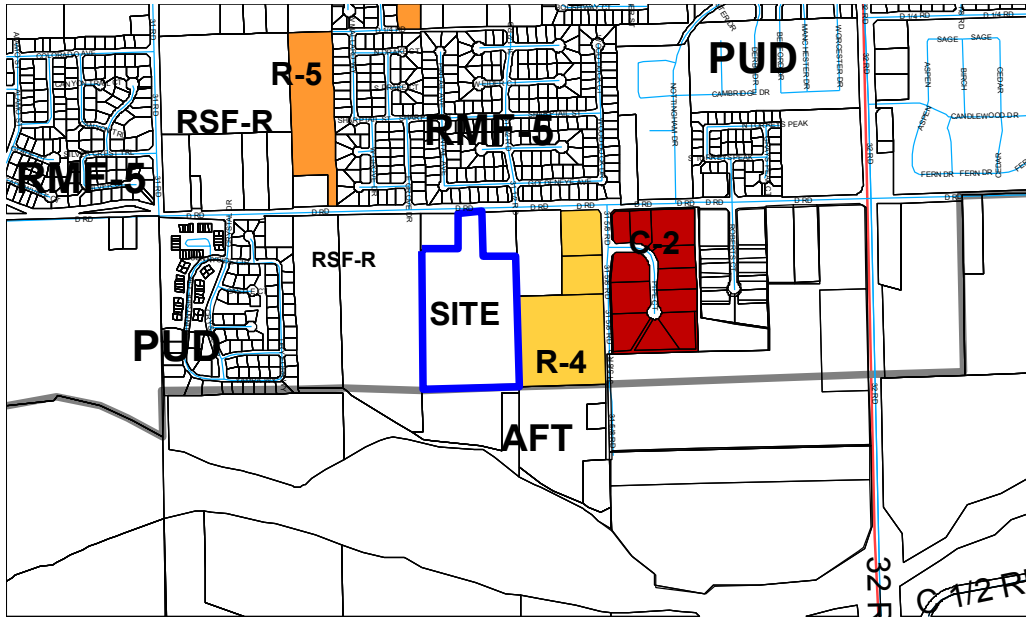
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

**Attach 3
Lee / Bell Rezone**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: July 13, 2010
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Lee/Bell Rezone – RZ-2010-066

ACTION REQUESTED: Recommendation to City Council to rezone property located at 315 Ouray from R-O (Residential Office) to B-2 (Neighborhood Business).

BACKGROUND INFORMATION				
Location:		315 Ouray Avenue		
Applicants:		Sandra G. Lee, owner; Don Bell, representative		
Existing Land Use:		Single-family residence, with home occupation		
Proposed Land Use:		Single-family residence, with retail sales area		
Surrounding Land Use:	North	Residential		
	South	United States Postal Service repair facility		
	East	Single-family residence		
	West	Single-family residence / Commercial parking lot		
Existing Zoning:		R-O (Residential Office)		
Proposed Zoning:		B-2 (Downtown Business)		
Surrounding Zoning:	North	R-8 (Residential – 8 units per acre)		
	South	B-1 (Neighborhood Business)		
	East	R-O (Neighborhood Business)		
	West	R-O (Neighborhood Business)		
Future Land Use Designation:		Downtown Mixed Use (DT, 24+ DU Acre, 96 Jobs/Acre)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone 0.14 acres, located at 315 Ouray Avenue, from R-O (Residential Office) zone district to B-1 (Downtown Business) zone district.

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background

The applicants live at 315 Ouray Avenue, in a two story home built in 1902. They have a home occupation (design and manufacture of jewelry) which is allowed in an R-O zone. The issue is that retail sales are not allowed. The owner, Sandra Lee, is a jewelry designer who would like to turn a portion of her home into a small gallery to display her work and be able to sell her designs to the general public. B-2 zoning would allow her to do so. The purpose of the B-2 zoning district is to promote the vitality of the Downtown Area as provided by the Comprehensive Plan. The purpose of the B-2 zone district also encourages pedestrian circulation and common parking areas.

The applicants feel that a fine crafts gallery in the Ouray neighborhood justifies the rezone as it is in compliance with the intent and purpose of the Comprehensive Plan Downtown Mixed Use designation. The owner has spoken with the Mesa County Building Department about converting the entry hall and the living room into her gallery/showroom. The Building Official has said that they need to meet some minimal accessibility standards, at least a ramp to the main entry door. Furthermore, depending on the number of potential customers at any one time, a restroom for the public may be needed with accessible features. The structure already has a handicapped accessible ramp and one restroom that is handicap accessible.

The applicant held a neighborhood meeting on April 20, 2010. Both neighbors on either side of the subject property attended the meeting along with a neighbor from across the street. All of the neighbors were in support of the plan and said it would be a great addition for the neighborhood. They also thought that all four houses on this block should be rezoned. One neighbor was concerned about possible parking conflicts, but the applicants stated that they had already contacted the Chamber of Commerce about leasing parking. The Chamber's parking lot is about 100 feet away to the east. The applicant plans to post a small sign in the front directing people to the parking lot. They have obtained a signed parking agreement with the Chamber, in accordance with the Grand Junction Municipal Code (GJMC), Section 06.050.(e)(iii).

2. Section 02.140.(a) of the Grand Junction Municipal Code

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

(1) Subsequent events have invalidated the original premise and findings; and/or

Response: The new Comprehensive Plan's Goal 4 states: "Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions."

This area is designated on the Future Land Use Map as Downtown Mixed Use.

Rezoning the property to B-2, will allow the applicants to remain living in their home and provide a “mixed use” by providing retail sales in a gallery setting in their home, thereby supporting Goal 4.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: The Comprehensive Plan designation of Downtown Mixed Use encourages the proposed B-2 zoning and therefore the request is consistent with the Plan. The new Comprehensive Plan reflects changes in the character of the downtown area.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: There are adequate public and community facilities existing in this area.

(4) 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/or

Response: This is a re-use of an existing home, adding more intensity to the property, as encouraged by the Downtown Mixed Use area of the Comprehensive Plan.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The applicants state in their General Project Report that there is currently a lack of fine craft galleries in the Ouray neighborhood. The rezone will provide a walkable neighborhood gallery, while continuing to provide residential housing.

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

- a. R-16 (Residential - 16 units per acre)
- b. R-24+ (Residential – 24+ units per acre)
- c. C-1 (Light Commercial)
- d. MXR-3, 5 or 8 (Mixed Use Residential)
- e. MXG-3, 5 or 8 (Mixed Use General)
- f. MXS-3, 5 or 8 (Mixed Use Shopfront)

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

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Lee/Bell Rezone, file number RZ-2010-066, a request to rezone the property from R-O (Residential Office) to B-2 (Downtown Commercial), the following findings of fact and conclusions have been determined:

3. The requested B-2 zone district is consistent with the goals and policies of the Comprehensive Plan.
4. The review criteria in Section 02.140 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 B-2 zone, file number RZ-2010-066, to the City Council with the findings of facts and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

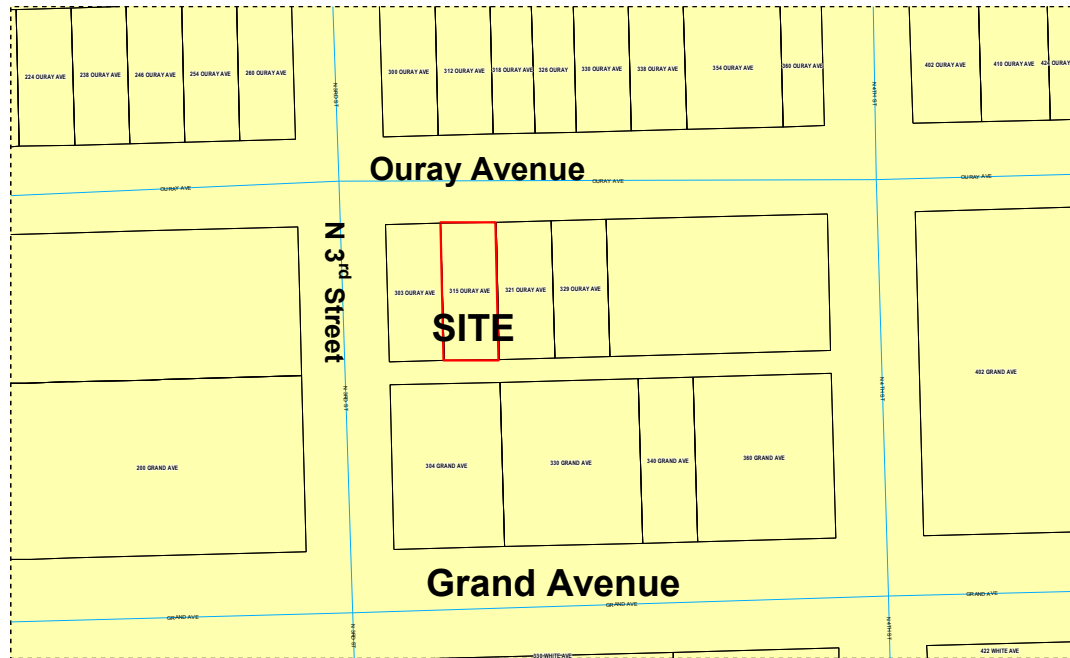
Mr. Chairman, on Rezone, file number RZ-2010-066, I move that the Planning Commission forward a recommendation of approval for the Lee/Bell Rezone from R-O to B-2, with the findings of facts and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Proposed Ordinance

Site Location Map

315 Ouray Avenue



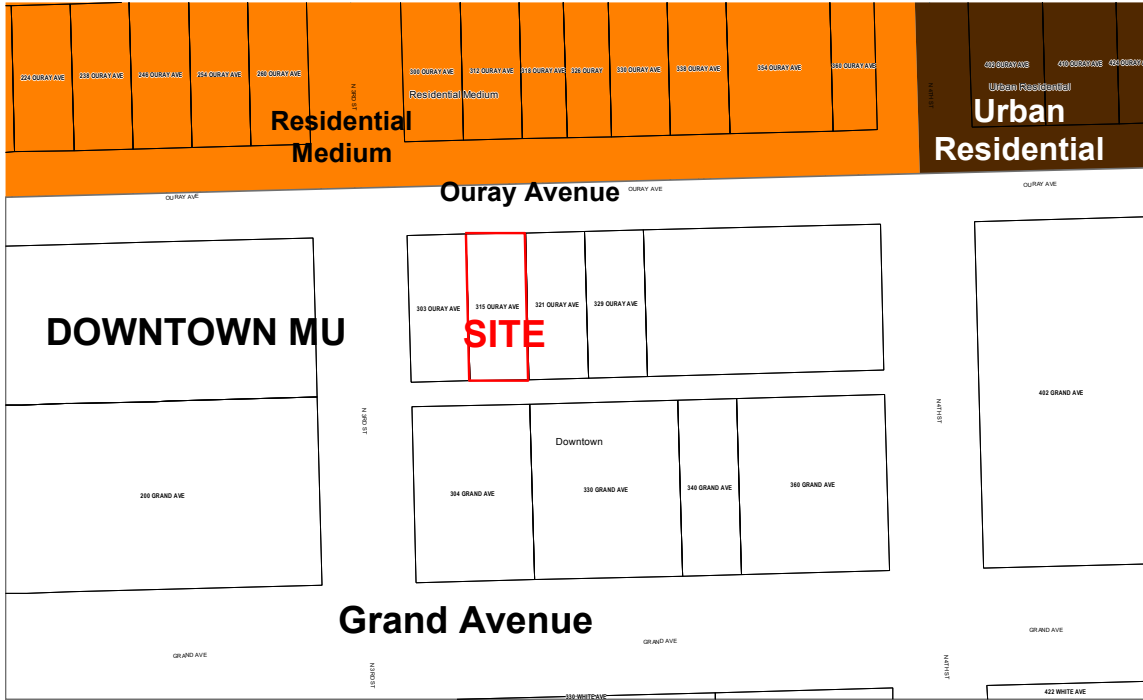
Aerial Photo Map

315 Ouray Avenue



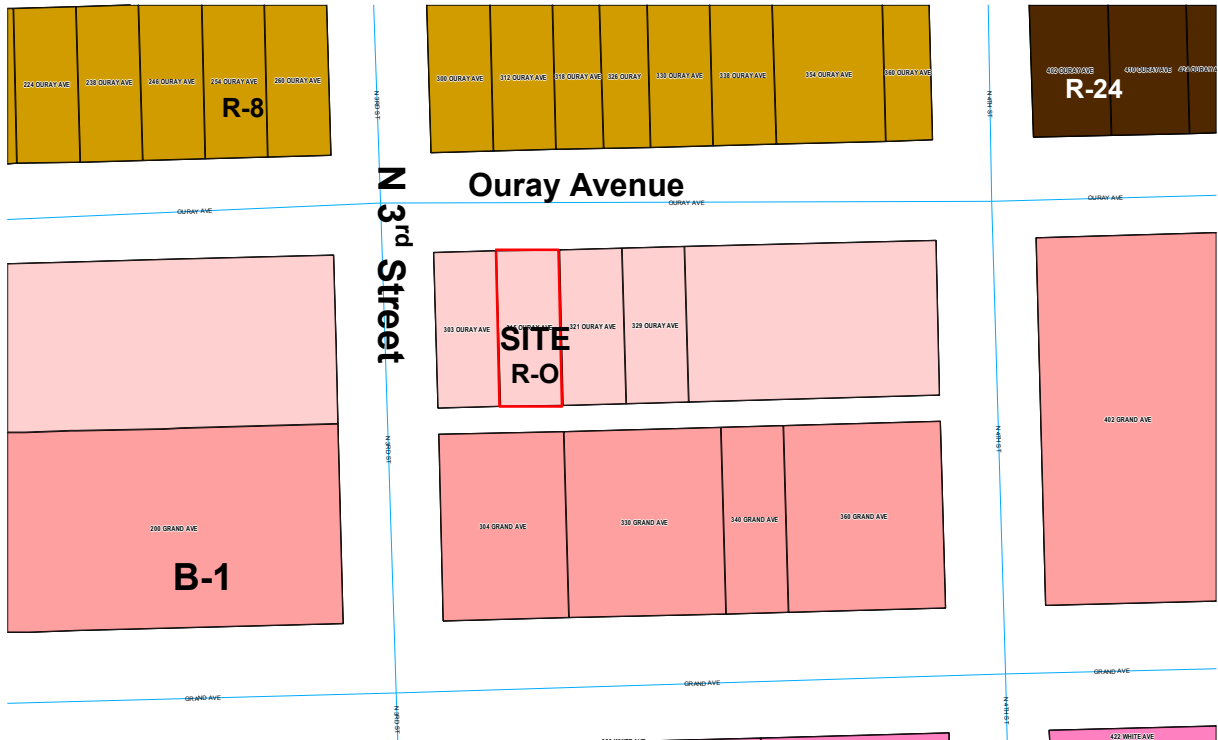
Comprehensive Plan Map

315 Ouray Avenue



Existing City Zoning Map

315 Ouray Avenue



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE LEE/BELL PROPERTY
FROM R-O (RESIDENTIAL OFFICE) TO
B-2 (DOWNTOWN COMMERCIAL)**

LOCATED AT 315 OURAY

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Lee/Bell property from R-O (Residential Office) to the B-2 (Downtown Commercial) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Downtown Mixed Use and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the B-2 zone district to be established.

The Planning Commission and City Council find that the B-2 zoning is in conformance with the stated criteria of Title 21 Section 02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned B-2 (Downtown Business).

Lots 3 and 4, Block 75, Grand Junction, CO

Also identified as Tax Parcel 2945-142-39-002

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

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

ATTEST:

City Clerk

Mayor

**Attach 4
Heritage Villas Rezone**

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: July 13, 2010
PRESENTER: Lori V. Bowers

AGENDA TOPIC: Heritage Villas Rezone – RZ-2010-062

ACTION REQUESTED: Recommendation to City Council to rezone property located at 606 ½ 29 Road from R-4 (Residential – 4 units per acre) to R-8 (Residential – 8 units per acre).

BACKGROUND INFORMATION				
Location:		606 ½ 29 Road		
Applicants:		Donnie Yancey, owner; Donny Eilts, developer; Ken O'Bryan, representative		
Existing Land Use:		Vacant land		
Proposed Land Use:		Single-family residence with 10 retirement living units		
Surrounding Land Use:	North	Church		
	South	Car wash, vacant land and single-family residences along F Road		
	East	Single family residences		
	West	Mesa County Open Space		
Existing Zoning:		R-4 (Residential 4 du/c)		
Proposed Zoning:		R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac) and PD (Planned Development)		
	South	B-1 (Neighborhood Business) and County RSF-4 (Residential Single Family 4 du/ac)		
	East	County RSF-4 (Residential Single Family 4 du/ac)		
	West	CSR (Community Service and Recreation)		
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: A request to rezone 1.6 acres, located at 606 ½ 29 Road, from R-4 (Residential – 4 units per acre) zone district to R-8 (Residential – 8 units per acres) zone district.

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background

The property was annexed into the City in 1994 as part of the Darla Jean Annexation which consisted of approximately 499 acres, including airport lands and land on both sides of F Road. Upon annexation the subject parcel was zoned R-4 (Residential – 4 dwelling units per acre).

A neighborhood meeting was held on Friday, April 16, 2010. Nine neighbors signed the attendance sheet. The preliminary site plan was shown and the developer's representative explained the concept of a retirement village for the 1.6 acre parcel. The developer's architect explained the concept of the plan and the various elements of the site. The project was explained to have a single-family residence, for the owner of the property; two, two bedroom units; six, one bedroom units; two studio units and a one bedroom care taker's unit located over the community/game room, which is for the use of the residents. Units would have garages, and additional visitor parking would be provided. There will be storage units available for the residents to rent if they so choose. All maintenance to the buildings and landscaping will be provided by the on-site caretaker. Fencing is proposed for portions of the project and is required as a buffer where R-8 zoning is adjacent to B-1 zoning, as is the case on the southern most boundary of the property. Residential zones that abut other residential zones do not have to provide fencing, although the Grand Junction Municipal Code (GJMC) allows the decision-maker to require fencing in certain circumstances. The need for fencing was discussed during the neighborhood meeting.

In the past a Rezone of a property was based solely on certain criteria found in the Zoning and Development Code. With the adoption of the new Comprehensive Plan and the codification of the Zoning and Development Code, a concept plan is now required as part of a rezone application.

Based on the concept plan submitted, the request to rezone the property to R-8 (Residential – 8 dwelling units per acre) will accommodate the proposed site plan which has an overall density of 7.5 dwelling units per acre. The Comprehensive Plan shows this area to develop in the Residential Medium category, which is 4 to 8 dwelling units per acre. The Blended Residential Map shows this area to develop anywhere from 4 to 16 dwelling units per acre.

2. Section 02.140 of the Grand Junction Municipal Code

In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

(1) Subsequent events have invalidated the original premise and findings; and/or

Response: The property was originally zoned R-4, 16 years ago and has remained vacant. With the adoption of the new Comprehensive Plan, which provides a vision for a diversity of housing types for a spectrum of incomes, and be

child and senior friendly, the proposed rezone will meet Goal 5. Goal 5 states: “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.” As part of the “Six Guiding Principles” that will shape our growth through the Comprehensive Plan, we should allow and encourage more variety in housing types (besides just single family detached lots) that will better meet the needs of our diverse population.

Based on Goal 7 of the Comprehensive Plan, which states: “New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.” This Goal can be met with adequate fencing of the subdivision; fencing is required anywhere R-8 zoning abuts a business zone such as B-1.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: Several Plans have been adopted recently, all reflecting the encouragement of increased density or mixed use in this area. The Transportation Plan shows future improvements to 29 Road, which is classified as a Principal Arterial, which will provide direct access to I-70 in the future. The Mixed Use Opportunity Corridor and the Future Land Use Map of the Comprehensive Plan along with the Blended Residential Map all indicate that increased density and a mix of housing types as shown by the applicant’s rezone application is consistent with all the adopted Plans.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: There are adequate public utilities adjacent to the subject parcel that can be extended through the property to facilitate new construction at the requested density. Community facilities, such as a convenience store, a large grocery store, restaurant and other neighborhood facilities and uses are within walking distance of the subject parcel.

(4) 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/or

Response: Similar to Item 2 above, increased density for this site makes sense and is supported by the numerous Plans mentioned above. If you notice the Aerial Photo Map, you can see that the subject parcel is surrounded by development, therefore there is no vacant land in this area with a higher density zoning that would allow this development.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The applicants state in their General Project Report that by rezoning the property to allow for a higher density the major benefit will be another option for

the aging population within the community. Keeping aging, retired citizens in the neighborhood is a benefit because they contribute so much to the volunteer sector of the community. Furthermore the proposed retirement community will further benefit the area due to its close proximity to many neighborhood commercial amenities discussed above in Item 3. Finally the proposed community is within walking distance of GVT's bus routes along F Road.

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

R-5 (Residential – 5 units per acre)

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

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS:

After reviewing the Heritage Villas Rezone, file number RZ-2010-062, a request to rezone the property from R-4 (Residential – 4 units per acre) to R-8 (Residential – 8 units per acre), the following findings of fact and conclusions have been determined:

1. The requested R-8 zone district is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 02.140 of the Grand Junction Municipal Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested zone, file number RZ-2010-062, to the City Council with the findings of facts, conclusions, and condition listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Rezone, file number RZ-2010-062, I move that the Planning Commission forward a recommendation of approval for the Heritage Villas Rezone from R-4 to R-8, with the findings of fact, conclusions, and conditions listed in the staff report.

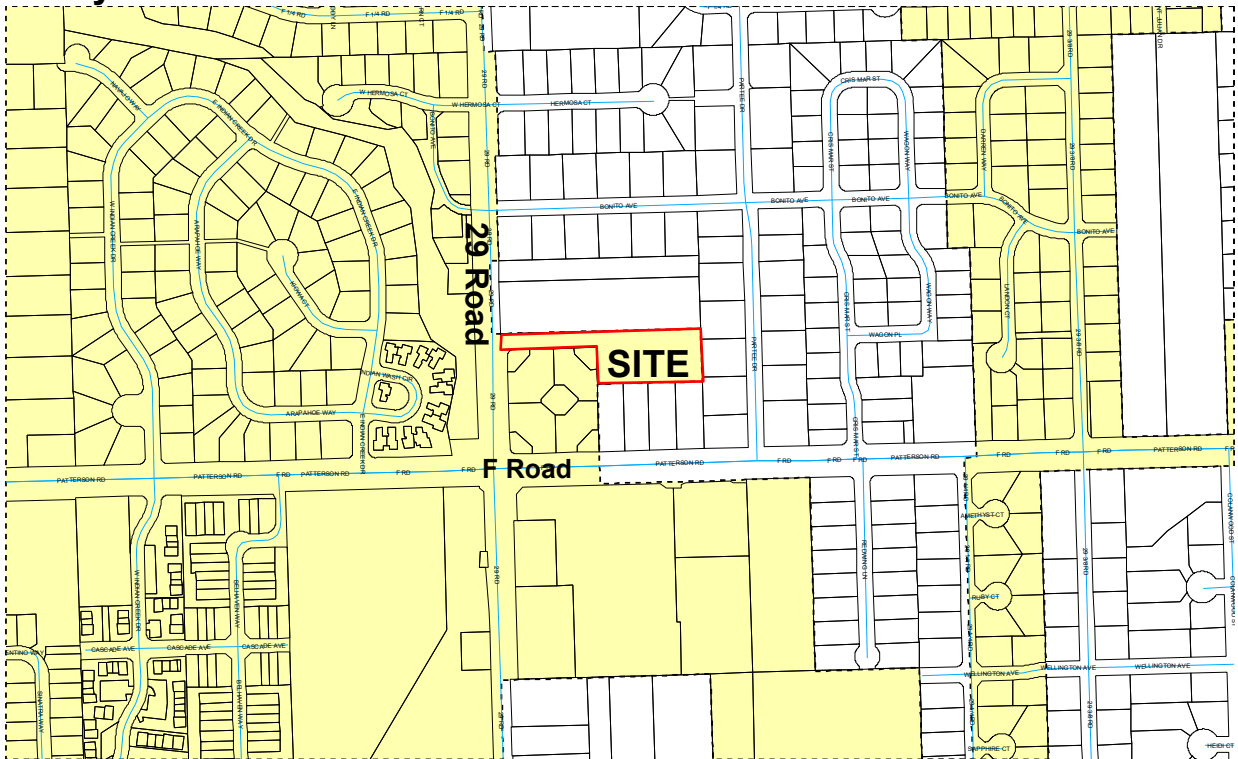
Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City and County Zoning Map
Blended Residential Map
Concept Plan
Proposed Ordinance

Site Location Map

City Limits

606 1/2 29 Road



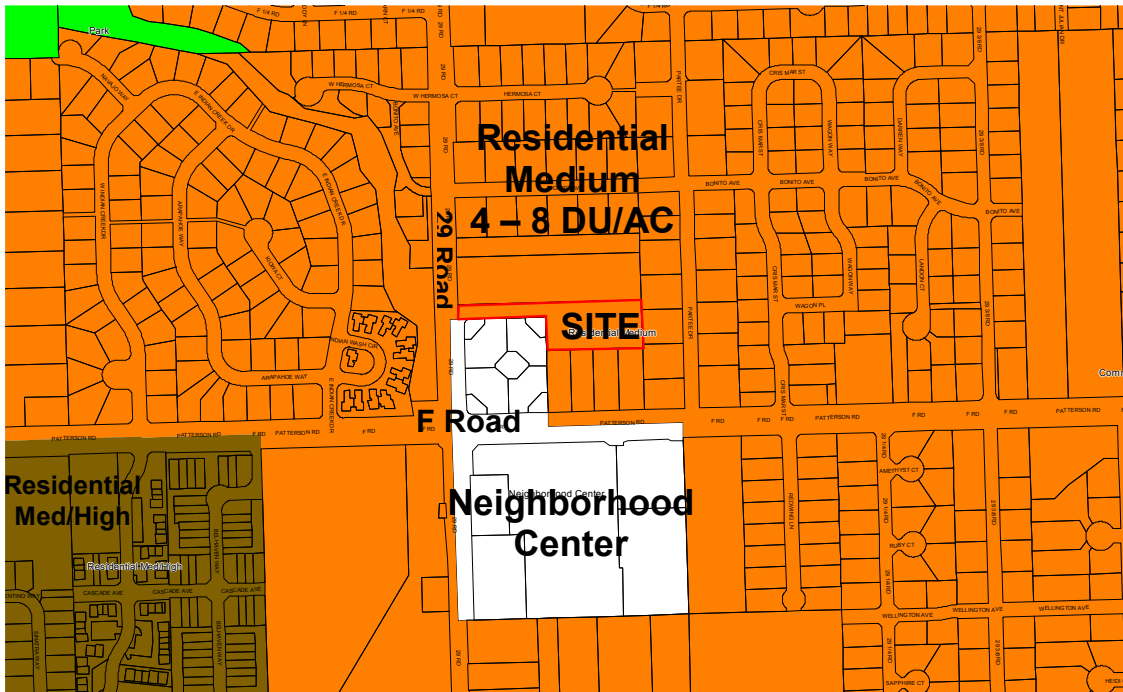
Aerial Photo Map

606 1/2 29 Road



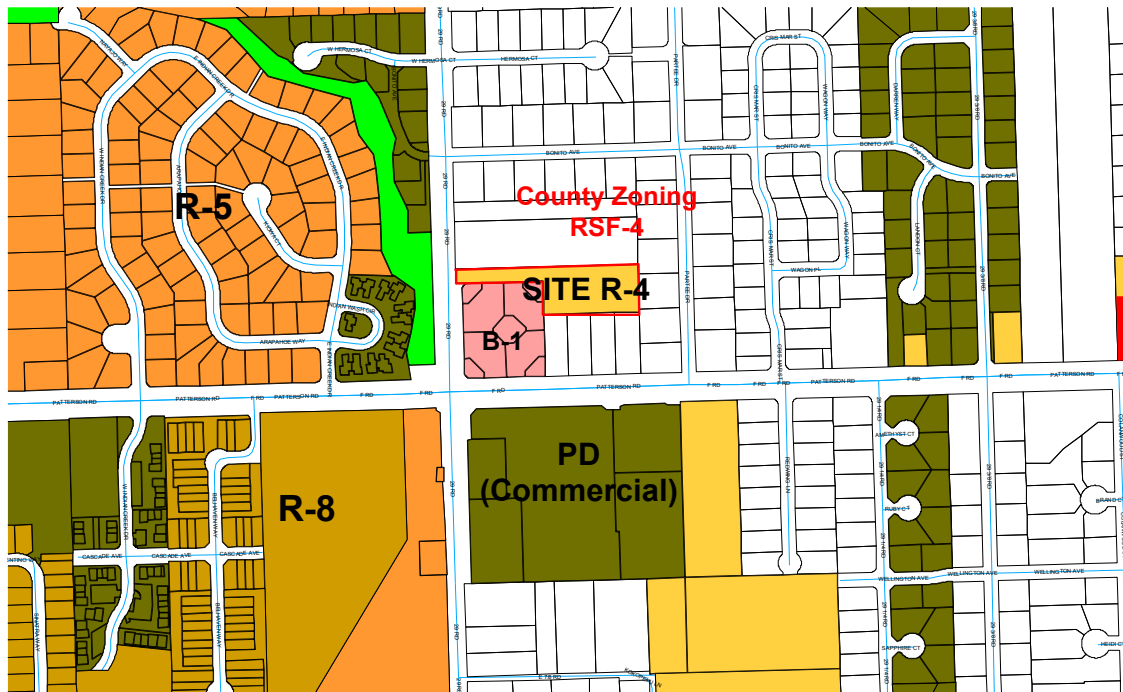
Comprehensive Plan Map

606 1/2 29 Road



Existing City and County Zoning Map

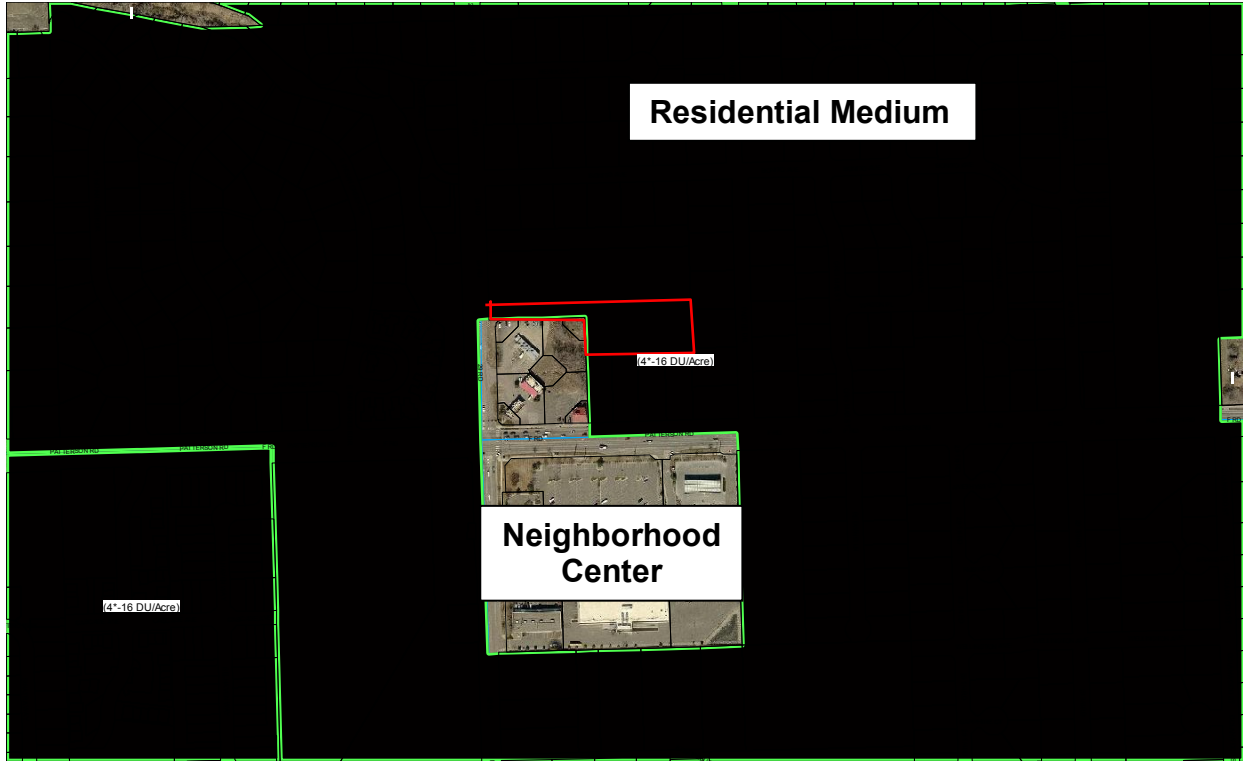
606 1/2 29 Road



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

Blended Residential Map

606 1/2 29 Road



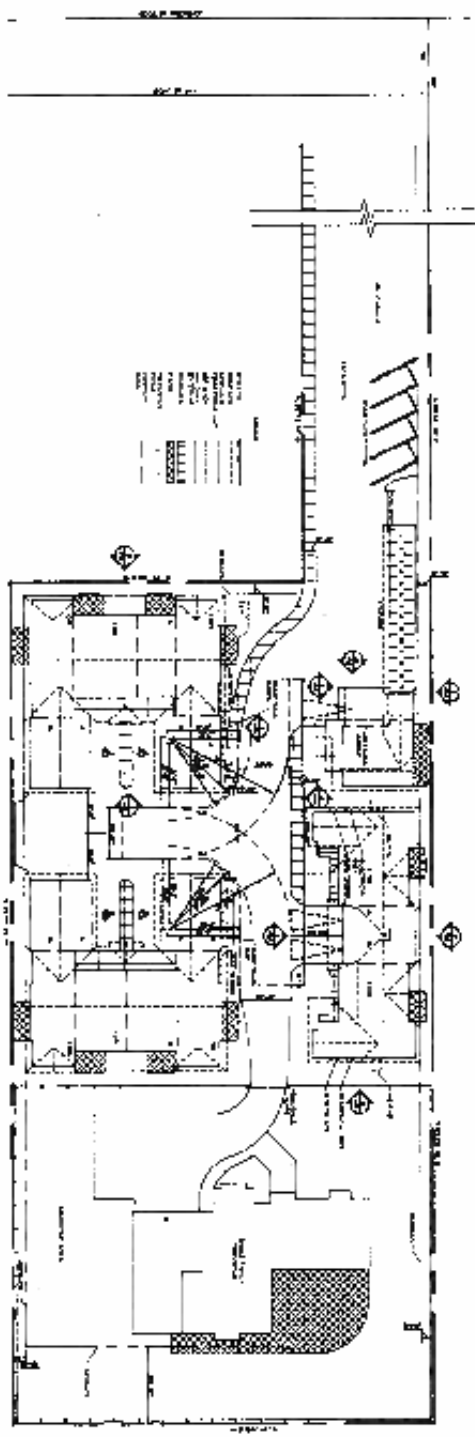
1. This drawing is a preliminary drawing and is not to be used for construction. It is subject to change without notice.

2. The owner is responsible for obtaining all necessary permits and approvals from the appropriate authorities.

3. The contractor is responsible for obtaining all necessary permits and approvals from the appropriate authorities.

4. The contractor is responsible for obtaining all necessary permits and approvals from the appropriate authorities.

5. The contractor is responsible for obtaining all necessary permits and approvals from the appropriate authorities.



NORTH

1/2" = 1'-0"

SCALE: 1/2" = 1'-0"

1/2" = 1'-0"

1/2" = 1'-0"

1/2" = 1'-0"

HERITAGE VILLAS 506 1/2 29 ROAD GRAND JUNCTION, COLORADO 81504		ARCHITECT INTERIOR DESIGN EXTERIOR DESIGN LANDSCAPE ARCHITECTURE CONSTRUCTION ADMINISTRATION
SHEET NO. A2.0 TOTAL SHEETS 10	DATE: 10/15/04 DRAWN BY: [Name] CHECKED BY: [Name]	PROJECT NO. [Number] CLIENT: [Name]

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING HERITAGE VILLAS
FROM R-4 (RESIDENTIAL – 4 UNITS PER ACRE) TO
R-8 (RESIDENTIAL – 8 UNITS PER ACRE)**

LOCATED AT 606 ½ 29 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of rezoning the Heritage Villas property from R-4 (Residential – 4 units per acre) to the R-8 (Residential – 8 units per acre) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, Residential Medium, 4 to 8 units, and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 zone district to be established.

The Planning Commission and City Council find that the R-8 zoning is in conformance with the stated criteria of Title 21, Section 02.140 of the Grand Junction Municipal Code.

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

The following property shall be rezoned R-8 (Residential – 8 units per acre).

BEG SW COR SEC 5 1S 1E N 429 FT E 660 FT S 165 FT W 330 FT S 264 FT W 330 FT
TO BEG EXC THAT PT TAKEN BY PLAZA 29 AND EXC W 30 FT FOR RD ROW

ALSO KNOWN AS TAX PARCEL NUMBER 2943-053-00-136

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

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

ATTEST:

City Clerk

Mayor

**Attach 5
Heaven's Little Steps Daycare**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: July 13, 2010
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Heaven's Little Steps Daycare – CUP-2010-072

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

BACKGROUND INFORMATION					
Location:		2802 Patterson Road			
Applicants:		First Church of the Nazarene			
Existing Land Use:		Church			
Proposed Land Use:		General Daycare (12+ children)			
Surrounding Land Use:	North	Single-family residential			
	South	Single-family residential			
	East	Vacant land (Zoned for multi-family residential)			
	West	Single and multi-family residential			
Existing Zoning:		R-4 (Residential – 4 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-4 (Residential – 4 du/ac)			
	South	R-5 (Residential – 5 du/ac)			
	East	PD (Planned Development)			
	West	PD (Planned Development) and R-5 (Residential – 5 du/ac)			
Future Land Use Designation:		Residential Medium (4 – 8 du/ac)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: A request for approval of a Conditional Use Permit to operate a general daycare facility exceeding 12 children in an R-4 (Residential – 4 du/ac) zone district in accordance with Table 21.04.010 of the Grand Junction Municipal Code.

RECOMMENDATION: Approval of the Conditional Use Permit

ANALYSIS:

1. Background:

The First Church of the Nazarene located at 2802 Patterson Road is requesting approval of a Conditional Use Permit to operate a general daycare facility for more than 12 children to be located inside the current church facilities. A Conditional Use Permit is required to operate a general daycare within the R-4 (Residential – 4 du/ac) zone district. The intent is to start with 15 children ranging in ages from 2 ½ to 5 years old. The proposed daycare will utilize 2,000 sq. ft. of the existing 12,000 sq. ft. church building. The current parking lot for the church contains 212 parking spaces and exceeds the parking requirement for a daycare facility which is 1.5 spaces per employee.

The proposed daycare will employ three (3) full-time employees with the possibility of several part-time employees as the needs and facility grows in the future. The projected hours of operation are Monday through Friday from 6 AM to 6 PM.

The existing monument sign for the church which has changeable copy will be utilized for any daycare messages, which meets with the City's signage requirements.

2. Section 21.02.110 of the Grand Junction Municipal Code:

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

- a. All applicable site plan review criteria in Section 21.02.070 (g) of the Grand Junction Municipal Code and with the SSID, TEDS and SWMM Manuals.

Section 21.02.070 (g)

1. Adopted plans and policies such as the Comprehensive Plan, applicable corridor or neighborhood plans, the major street plan, trails plan and the parks plans.

The project complies with the Comprehensive Plan designation of Residential Medium (4-8 du/ac) and meets the standards and requirements of Chapter 21 of the Grand Junction Municipal Code. There are no corridor/neighborhood plans, trails plans or park plans that apply to this neighborhood or property.

2. Conditions of any prior approvals.

There are no conditions of prior approvals that are required to be met.

3. Public facilities and utilities shall be available concurrent with the Development.

All required public facilities and utilities were installed with the construction of the surrounding subdivisions.

4. Received all applicable local, state and federal permits.

All local and state applicable permits will be required as part of the Conditional Use Permit application.

- b. The underlying zoning district's standards established in Section 21.03 of the Grand Junction Municipal Code.

The R-4 zone district standards of Section 21.03 of the Grand Junction Municipal Code have been met.

- c. The use-specific standards established in Section 21.04.030 of the Grand Junction Municipal Code.

Section 21.04.030 of the Grand Junction Municipal Code does not have use-specific standards for daycare facilities, therefore, this criteria is not applicable.

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

The proposed use is complementary to, and supportive of, the surrounding neighborhood which contains a mixture of single and multi-family residential uses along with commercial facilities and other churches. The property is also adjacent to a principal arterial, Patterson Road, which provides public transit routes within the community.

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

1. Protection of privacy.

The site is not directly adjacent to residential properties to the north, south and west. Patterson Road separates the residential properties to the south, 28 Road separates the residential properties to the west and property owned by the City (2.5 acres) separates the residential properties to the north. The 6.6 acre property to the east is currently vacant and is owned by the Grand Junction Housing Authority which will develop as multi-family housing at some point in the future. The church property itself is also on a large lot (6.2 acres). Therefore the proposed daycare use will not impact the privacy of the surrounding properties.

2. Protection of use and enjoyment.

The entire church property contains 6.2 acres of land, consisting mostly of irrigated turf and parking lot. The proposed daycare facility is to be located entirely within the existing church building. Outside playground areas are located to the northeast of the existing church, in the center of the property, away from adjacent residential properties.

3. Compatible design and integration.

No alterations or additions will be made to the existing structures or site. The existing site and structure are already integrated and compatible since the property and adjacent parcels are larger acreage in size and the proposed daycare is complementary to, and supportive of, the surrounding neighborhood which contains a mixture of single and multi-family residential uses.

FINDINGS OF FACT AND CONCLUSIONS:

After reviewing the Heaven's Little Steps Daycare application, CUP-2010-072 for a Conditional Use Permit, I make the following findings of fact and conclusions:

1. The requested Conditional Use Permit is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.110 of the Grand Junction Municipal Code have all been met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission approve the requested Conditional Use Permit, CUP-2010-072 with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

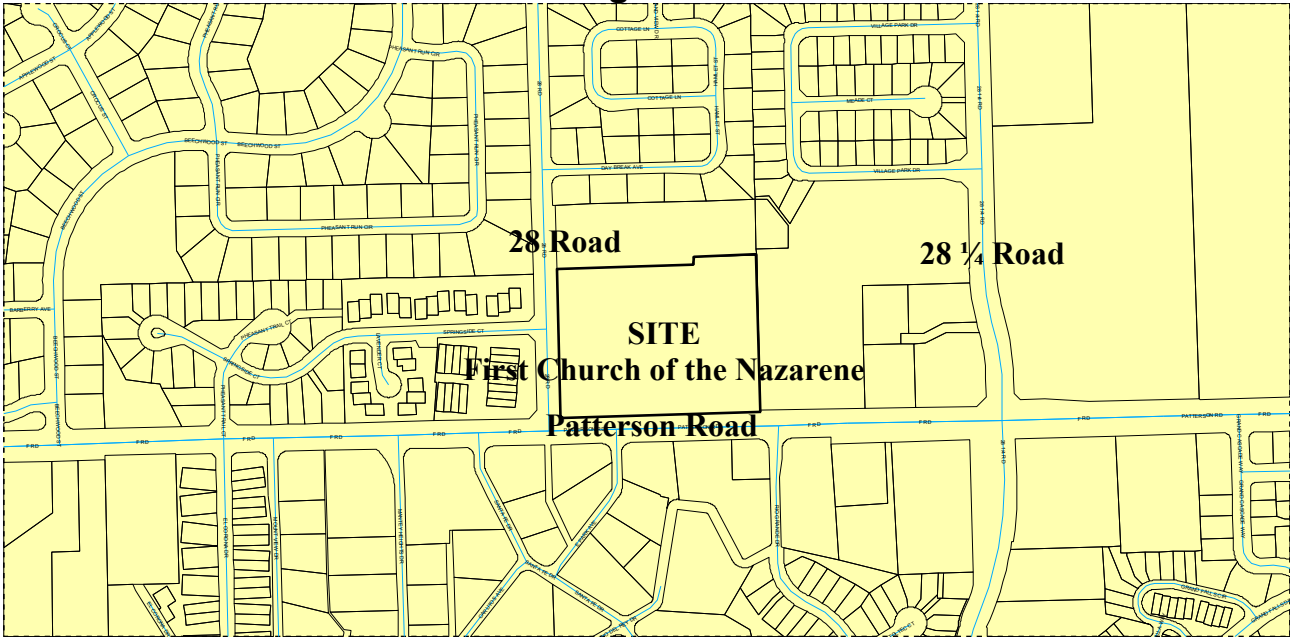
Mr. Chairman, on the request for a Conditional Use Permit for Heaven's Little Steps Daycare application, project number CUP-2010-072 to be located at 2802 Patterson Road, I move that the Planning Commission approve the Conditional Use Permit with the facts and conclusions listed in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map/ Existing City Zoning Map
Neighborhood support letters

Site Location Map

Figure 1



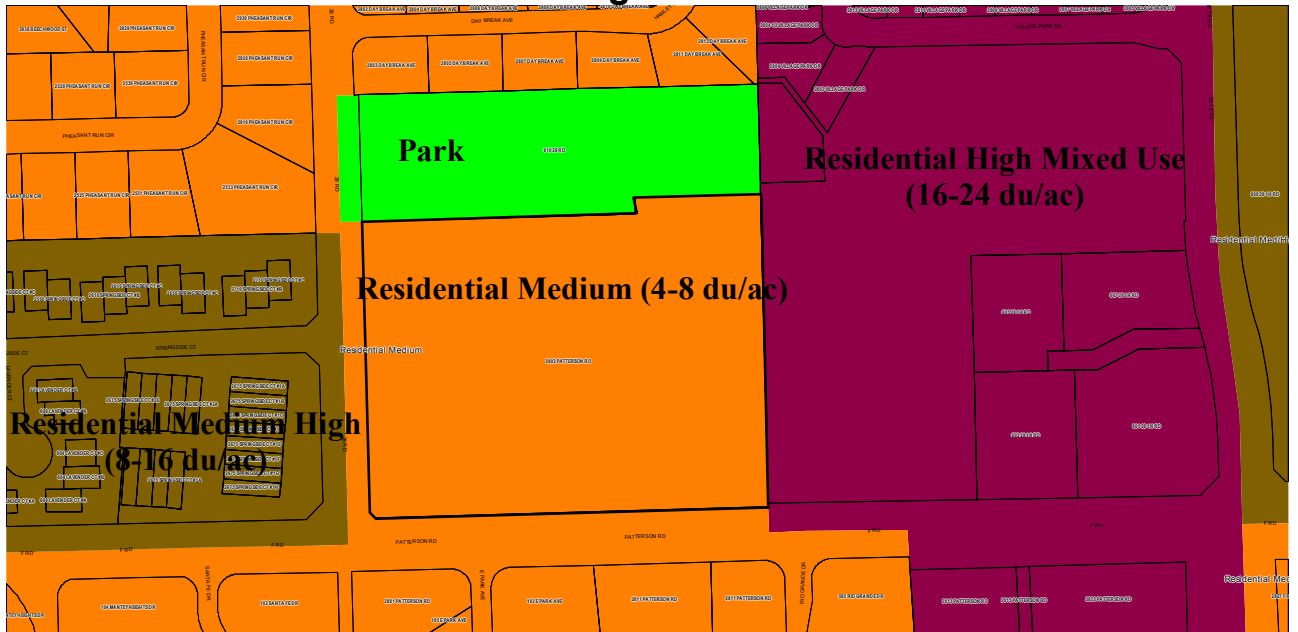
Aerial Photo Map

Figure 2



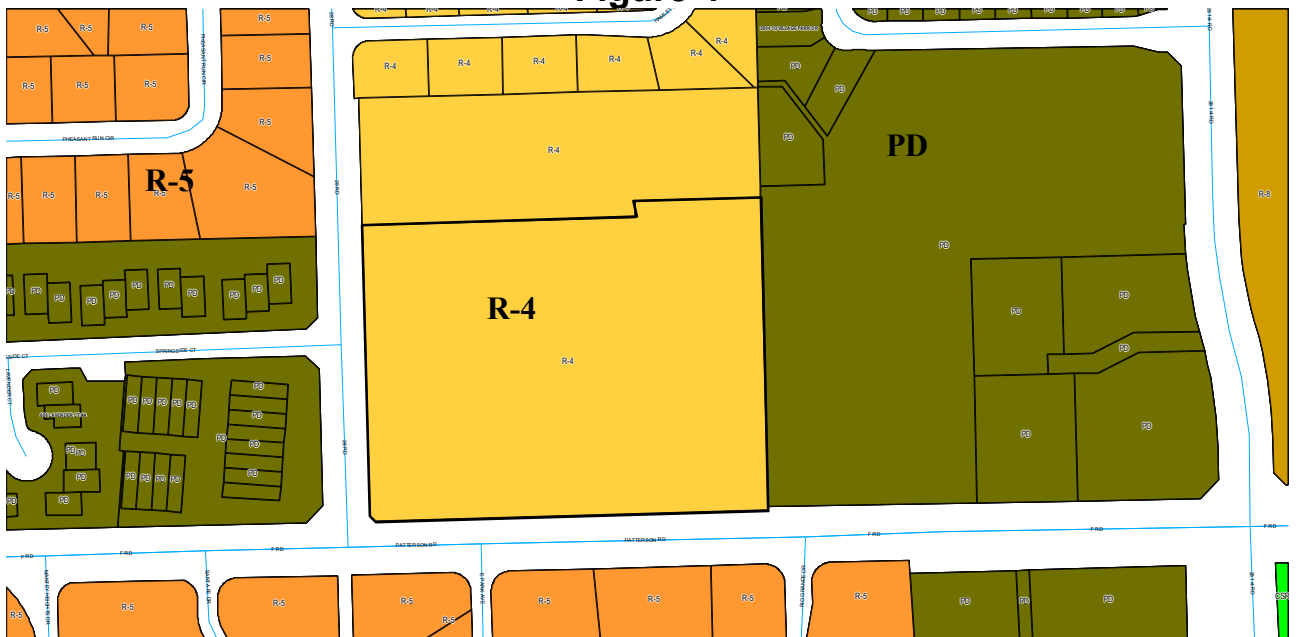
Comprehensive Plan Map

Figure 3



Existing City Zoning Map

Figure 4



2803 Day Break Pl
Grand Junct, CO. 81506
May 18, 2010

Dear Becky Meyer,
What a lovely thought to include
the much needed care of your targeted
age group! I definitely support
your proposal and would rather
hear the sounds of young children
being socialized at that critical
age than the "noisy spiders" on
adjacent 284 Patterson roads!!

Sincerely,
Barbara Cummings
(retired teacher)

I would like to express my support for the Heaven's Little Steps Daycare that may be
opening at First Church of the Nazarene.

I am a neighbor of the Nazarene Church and received a letter about a meeting on May 27th.
I won't be able to attend that meeting, but wanted to let you know that I am in favor of the
plan.

Sincerely,

Mary Jo Diemer
2806 1/2 Village Park Dr.
Grand Junction CO 81506
(970) 260-8831

Scott Peterson - CUP-2010-072

From: Pat Dunlap
To: Scott Peterson
Date: 6/16/2010 2:35 PM
Subject: CUP-2010-072

Scott,

Mrs. Eleanor Heffner, at 2801 Patterson Rd, said she is in favor of the daycare (Heaven's Little Steps Daycare) at 2802 Patterson Rd.

Thank you,

Pat

Pat Dunlap
Planning Tech
City of Grand Junction
(970) 256-4030
(970) 256-4031 fax

**Attach 6
Mesa State College Right-of-Way Vacations**

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: July 13, 2010
PRESENTER: Scott D. Peterson

AGENDA TOPIC: Mesa State College Vacation VR-2010-068

ACTION REQUESTED: Recommendation to City Council to vacate specified right-of-way.

BACKGROUND INFORMATION					
Location:		Texas, Elm, Houston and Bunting Avenue areas near Mesa State College			
Applicants:		Mesa State College			
Existing Land Use:		City street and alley rights-of-way			
Proposed Land Use:		Mesa State College building and parking lot expansions			
Surrounding Land Use:	North	Mesa State College properties			
	South	Mesa State College properties			
	East	Mesa State College properties			
	West	Single-family residential			
Existing Zoning:		R-8 (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	CSR (Community Services and Recreation)			
	South	R-8 (Residential – 8 du/ac) and CSR (Community Services and Recreation)			
	East	CSR (Community Services and Recreation)			
	West	R-8 (Residential – 8 du/ac)			
Future Land Use Designation:		Business Park MU			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Mesa State College is requesting to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys.

RECOMMENDATION: Recommendation of conditional approval.

ANALYSIS

1. **Background:**

The applicant, Mesa State College, wishes to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys all located east of Cannell Avenue in anticipation of current and future building and parking lot expansions for the campus.

With the vacation of the right-of-way requested, the City of Grand Junction ("City") shall reserve Utility and Public Access Easements. These easements shall be temporary. Much of the right-of-way requested to be vacated includes utility infrastructure and provides public access. As part of the Mesa State College Master Plan, much of the utilities infrastructure will be relocated. The applicant has agreed that upon the City approving and agreeing to the final location of the utilities, permanent utility easements shall be granted to the City and the portion of the temporary utility easements reserved that are no longer needed by the City shall be released and/or vacated after relocation of the utilities.

Presently there are eight (8) remaining parcels of land that are held by private individuals (five of the parcels are owned by one owner) located within the area of the vacation requests. (See the attached Mesa State Overview and Ownership Map.) Five of these parcels are being impacted by the present construction currently underway at the campus. Mesa State College is requesting that portions of the right-of-way not be reserved as temporary public access easements due to this construction and expected use of the property. In return, the Applicant is providing to the City two (2) separate temporary public access easements across its property to serve the public, including the parcels being impacted. A condition of the vacation of the right-of-way includes the grant of these temporary public access easements. The location of these easements must be found satisfactory by the City's Director of Public Works and Planning.

2. **Section 21.02.100 of the Zoning and Development Code:**

The vacation of the right-of-way shall conform to the following:

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

Granting the request to vacate the existing street portions and alley portions does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. Utility and public access easements will be retained to allow for the continuation of general traffic circulation and existing utilities.

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

No parcel will be landlocked as a result of these vacations. Access easements shall be reserved and Applicant shall provide additional access easements as needed.

- 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 as access easements shall be reserved and additional access easements granted by the Applicant.

- 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).

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the vacation requests.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code (“GJMC”).

With the reserved easements and the grant of additional easements, the provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 21.06 of the GJMC. No adverse comments were received from the utility review agencies during the staff review process.

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

Maintenance requirements for the City will not change as a result of the proposed vacations as easements will be reserved and additional access easements shall be granted by the approved City Ordinance.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Mesa State College application, VR-2010-068 for the vacation of public rights-of-way, I make the following findings of fact, conclusions and conditions:

1. The requested vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 21.02.100 (c) of the Grand Junction Municipal Code have all been met.
3. Approval of the street and alley vacation requests is conditioned upon the reservation and grant of temporary easements that the Director of Public Works and Planning determines to be satisfactory for the continued utility infrastructure and necessary public access for the area being vacated.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of conditional approval of the requested vacations, VR-2010-068 to the City Council with the findings, conclusions and conditions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

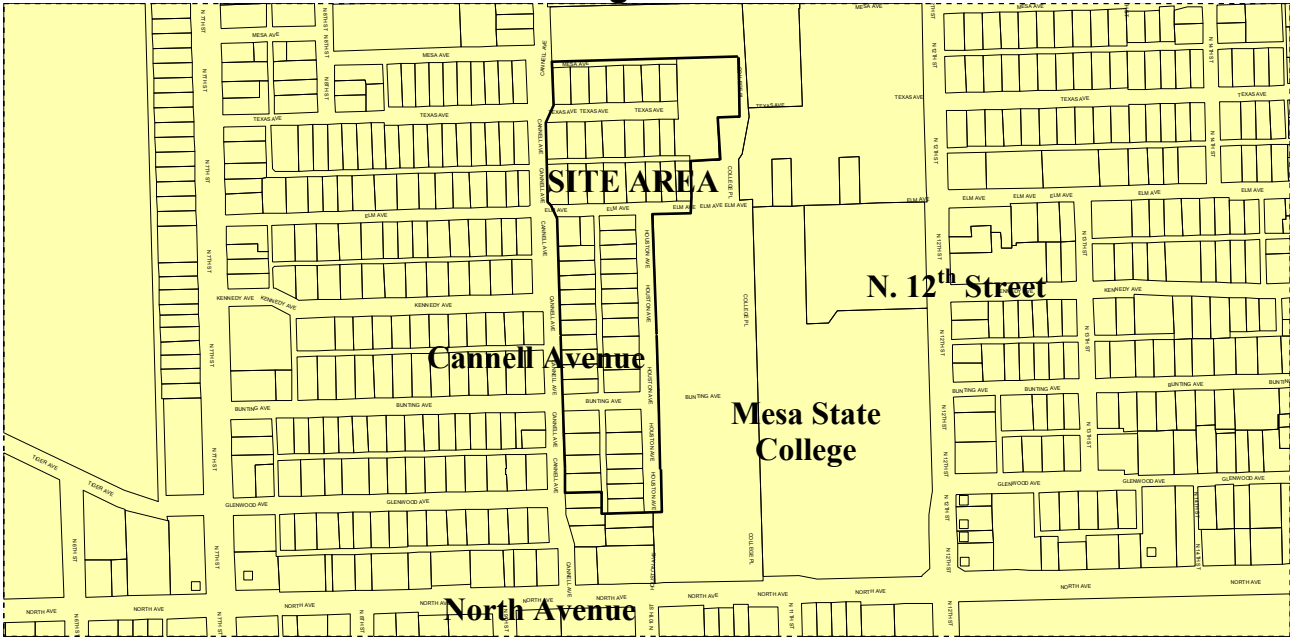
Mr. Chairman, on item VR-2010-068, I move we forward a recommendation of conditional approval to the City Council on the request to vacate portions of Texas, Elm, Houston and Bunting Avenues and associated alleys with the findings of fact, conclusions and conditions as identified in the staff report.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan / City Zoning Map
Mesa State Overview and Ownership Map
DRAFT Ordinance

Site Location Map

Figure 1



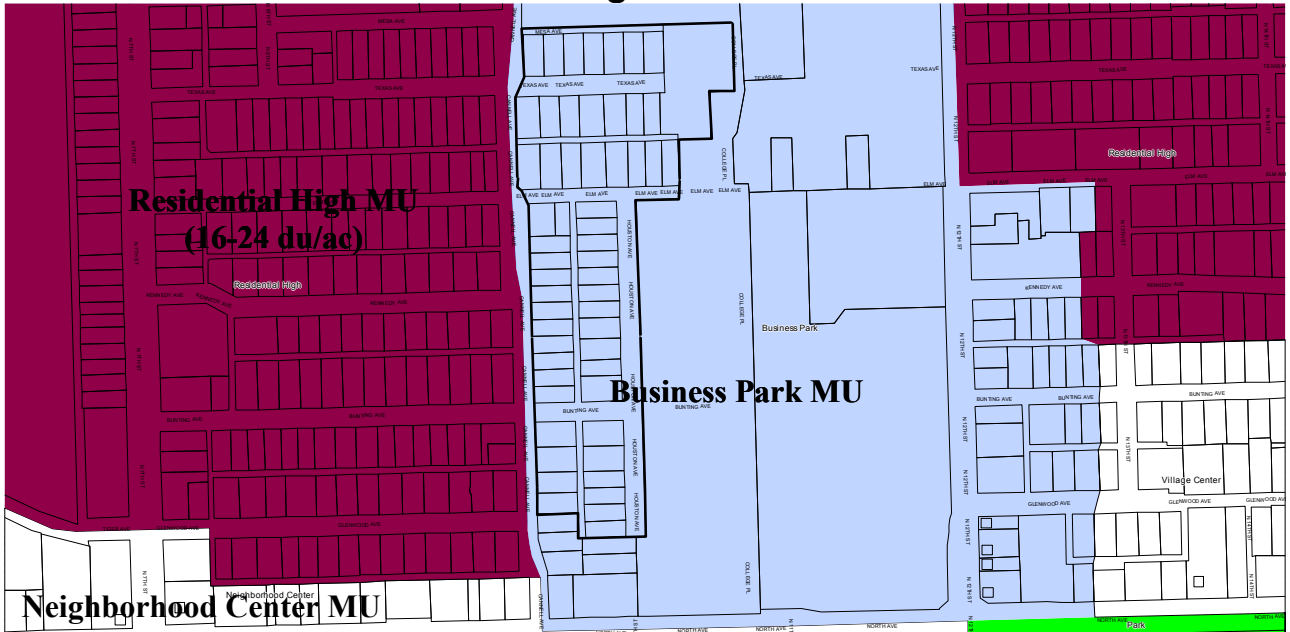
Aerial Photo Map

Figure 2



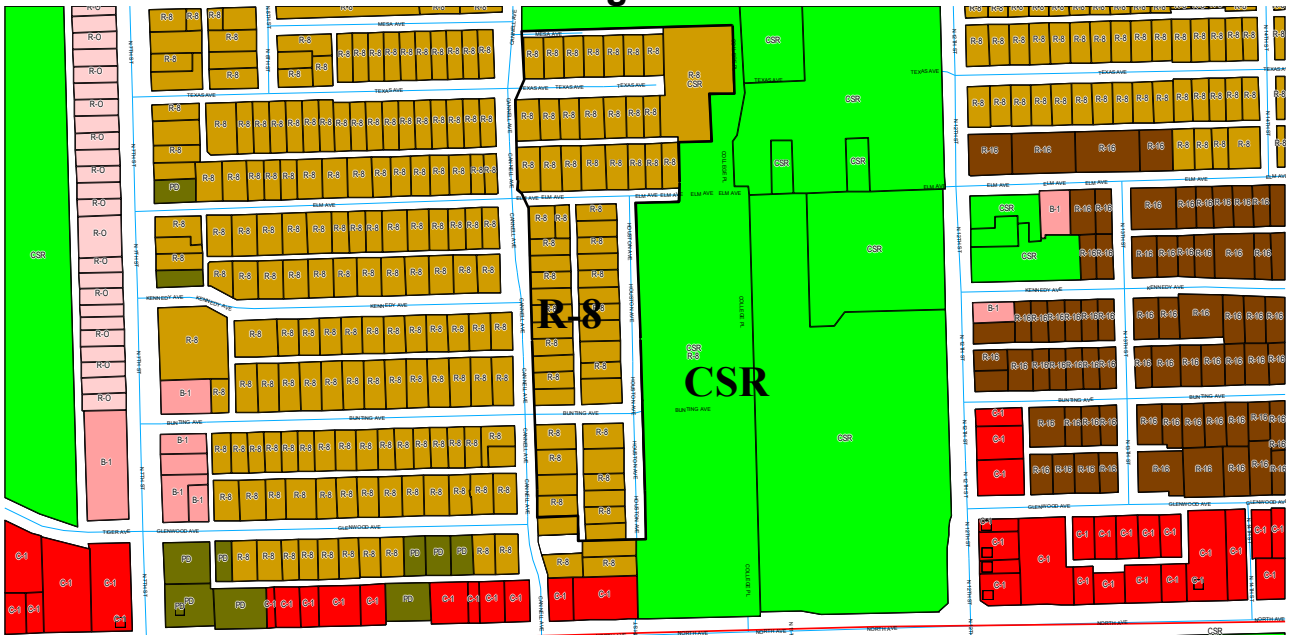
Comprehensive Plan

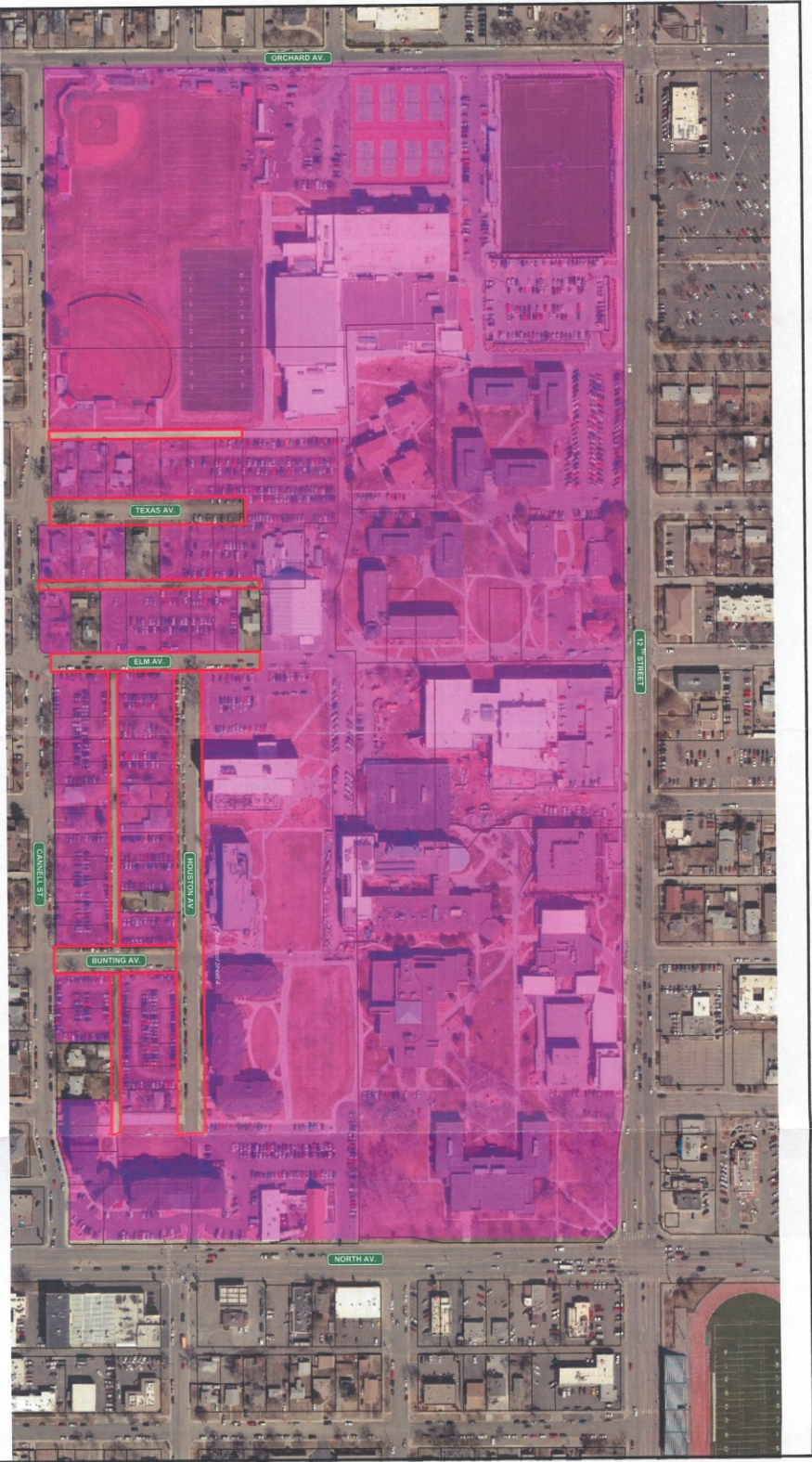
Figure 3



Existing City Zoning

Figure 4





<p>REVISIONS</p> <p>Date: 10/17/11 Drawn by: J. BRITTO Checked by: J. BRITTO P/N No.:</p>	<p>THOMAS L. TORJE LAND DEVELOPMENT CONSULTANTS 5017 UNIVERSITY BLVD. SUITE 200 DENVER, CO 80202-3815</p>	<p>MESA STATE COLLEGE GRAND JUNCTION COLLEGE 2701 28th AVE GRAND JUNCTION, CO 81505</p>	<p>STREETS AND ALLEYS VACATION GRAND JUNCTION, COLORADO</p>	<p>OVERVIEW and OWNERSHIP MAP (2010 AV PINK)</p>	<p>SHEET 1 OF 2 SHEETS</p>
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PROPOSED ALLEY STREET VACATIONS

MESA STATE COLLEGE PROPERTY

CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING PORTIONS OF TEXAS, ELM, HOUSTON AND BUNTING AVENUES AND ASSOCIATED ALLEY RIGHTS-OF-WAY IN THE MESA STATE COLLEGE AREA

RECITALS:

Mesa State College has requested the vacation of street and alley rights-of-way in the Mesa State College area to allow for expansion of the campus, in accordance with the 1999 Facilities Master Plan. The vacated rights-of-way shall be retained as a Utility and Public Access Easement to allow for the adequate circulation of through traffic and accessibility to non-Mesa State owned property and also utilities. Only asphalt or other surface treatment will be allowed within said Utility and Public Access Easements. Other surface treatment shall be subject to review and approval by the City of Grand Junction.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Chapter 21.02.100 of the Zoning and Development Code with the conditions of approval which are the dedication of the Utility and Access Easements.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met with the conditions of approval, 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 rights-of-way are hereby vacated subject to the listed conditions:

All public Streets and Alleys situate within the SE ¼ of Section 11, Township One South, Range One West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, more particularly described as follows:

1. All of the east-west alley on the north side of Block 6, Garfield Park Subdivision, Reception No, 44476
2. All of Texas Avenue lying east of the east right-of-way line of Cannell Avenue and west of the westerly line of Elam II Subdivision, Reception No. 2455662
3. All of the east-west alley in South Garfield Park Subdivision, Reception No. 539508
4. All of Elm Avenue lying east of the east right-of-way line of Cannell Avenue and west of the westerly line of Elam II Subdivision, Reception No. 2455662

5. All of Houston Avenue

6. All of the north-south alley in Block 2, McMullin-Gormley Subdivision, Reception No. 349926

7. All of the north-south alley in Block 3, McMullin-Gormley Subdivision, Reception No. 349926

8. All of Bunting Avenue lying east of the east right-of-way line of Cannell Avenue and west of the east right-of-way line of Houston Avenue

The identified rights-of-way as shown on "Exhibit A" as part of this vacation description.

Provided, however, that those rights-of-way vacated herewith shall be retained by the City as a Public Utility and Access Easement for general traffic circulation and access to existing utilities.

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

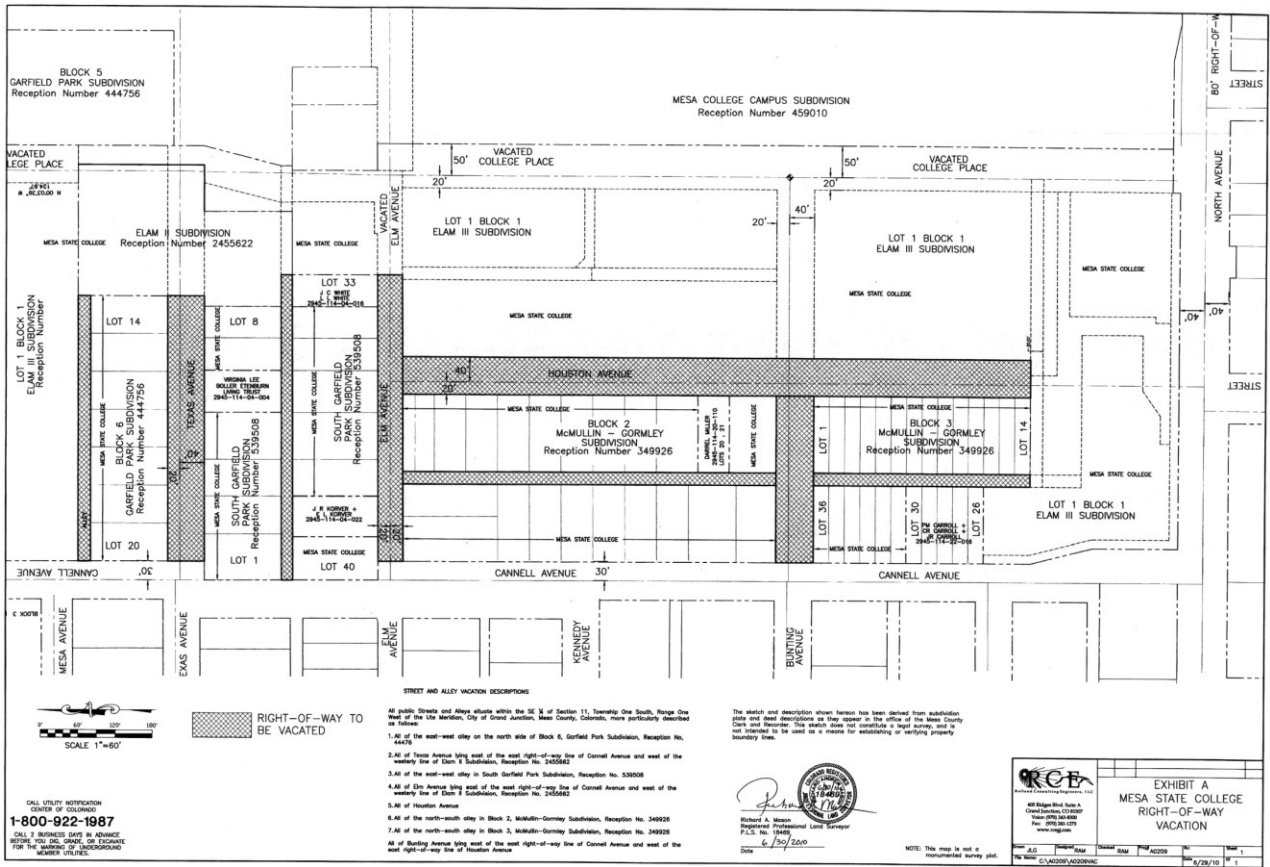
Introduced for first reading on this _____ day of _____, 2010.

PASSED and ADOPTED this _____ day of _____, 2010.

ATTEST:

President of City Council

City Clerk



- STREET AND ALLEY VACATION DESCRIPTIONS**
- All public Streets and Alleys abutting within the SE 1/4 of Section 11, Township One South, Range One East of the 10th Meridian, City of Grand Junction, Mesa County, Colorado, more particularly described as follows:
1. All of the east-west alley on the north side of Block 6, Garfield Park Subdivision, Reception No. 444756.
 2. All of Texas Avenue lying east of the east right-of-way line of Cannell Avenue and west of the westerly line of Elm I Subdivision, Reception No. 2455622.
 3. All of the east-west alley in South Garfield Park Subdivision, Reception No. 539508.
 4. All of Elm Avenue lying east of the east right-of-way line of Cannell Avenue and west of the westerly line of Elm I Subdivision, Reception No. 2455622.
 5. All of Houston Avenue.
 6. All of the north-south alley in Block 2, McMullin-Gormley Subdivision, Reception No. 349926.
 7. All of the north-south alley in Block 3, McMullin-Gormley Subdivision, Reception No. 349926.
 8. All of Bunting Avenue lying east of the east right-of-way line of Cannell Avenue and west of the east right-of-way line of Houston Avenue.

The sketch and description shown herein has been derived from subdivision plans and deed descriptions on file on record 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.

Richard A. Mason
 Registered Professional Land Surveyor
 P.L.S. No. 3849
 Date: 6/30/2000

RECA
 REAL ESTATE CONTRACTORS ASSOCIATION OF COLORADO
 400 Ridge Blvd. Suite A
 Grand Junction, CO 81507
 Phone: (970) 241-0200
 Fax: (970) 241-0205
 www.reca.org

EXHIBIT A
 MESA STATE COLLEGE
 RIGHT-OF-WAY
 VACATION

Project: _____
 Date: 5/28/10

CALL UTILITY NOTIFICATION
 CENTER OF COLORADO
1-800-922-1987
 CALL 7 BUSINESS DAYS IN ADVANCE
 BEFORE YOU DIG, TRADE, OR EXCAVATE
 FOR THE PROTECTION OF UNDERGROUND
 MEMBER UTILITIES.

NOTE: This map is not a
 photostatic survey plat.