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**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, JANUARY 23, 2018, 6:00 PM**

Call to Order - 6:00 P.M.

***** CONSENT CALEDAR *****

1. Minutes of Previous Meetings

Action: Approve the minutes from the December 12, 2017 meeting

[Attach 1](#)

***** INDIVIDUAL CONSIDERATION *****

2. CMU Outline Development Plan Extension 29 Rd & Riverside Pkwy [Attach 2](#)

FILE #ODP-2008-154

Consider a request for an extension of five (5) years for an approved Outline Development Plan approved for the 154.08 acre property located at the northwest corner of 29 Road and D Road.

Action: Recommendation to City Council

Applicant: Colorado Mesa University Real Estate Foundation - R Arnold Butler

Location: 2899 D 1/2 RD

Staff Presentation: Kathy Portner

3. Cannell Ave ROW Vacation

[Attach 3](#)

FILE #VAC-2017-581

Consider a request to vacate a portion of the Cannell Avenue Right-of-Way south of Orchard Avenue

Action: Recommendation to City Council

Applicant: Colorado Mesa University - Derek Wagner

Location: Cannell Avenue

Staff Presentation: Kathy Portner

4. 1st and W Main Street Alley Vacation

[Attach 4](#)

FILE #VAC-2017-566

Consider a request to vacate the North/South alley Right-of-Way between 1st Street and Spruce Street, South of West Main Street.

Action: Recommendation to City Council

Applicant: CenterPointe Development Group - J Clint Jameson

Location: 105 West Main Street

Staff Presentation: Lori Bowers

5. Adams Annexation Zoning

[Attach 5](#)

FILE #ANX-2017-451

Consider a request to zone 13.3 acres from County RSF-4 (Residential Single-Family - 4 du/ac) to a City R-8 (Residential - 8 du/ac) zone district.

Action: Recommendation to City Council

Applicant: Paul Adams

Location: Adjacent to B 1/4 Road, No designated address

Staff Presentation: Scott Peterson

6. Patterson Pines Rezone

[Attach 6](#)

FILE #RZN-2017-553

Consider a request to rezone 3.99 acres from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac) for the property located at 2920 E 7/8 Road.

Action: Recommendation to City Council

Applicant: James Cagle

Location: 2920 E 7/8 Road

Staff Presentation: Scott Peterson

Other Business

Adjournment

Attach 1

**GRAND JUNCTION PLANNING COMMISSION
December 12, 2017 MINUTES
6:00 p.m. to 8:46 p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Christian Reece. The hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

Also in attendance representing the City Planning Commission were, Kathy Deppe, Bill Wade, Keith Ehlers, George Gatseos, and Brian Rusche.

In attendance, representing the Community Development Department –Tamra Allen, (Community Development Director), Kathy Portner, (Community Services Manager) and Lori Bowers, (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 4 citizens in attendance during the hearing.

*****CONSENT CALENDAR*****

1. Minutes of Previous Meetings

Action: Approve the minutes from the November 28, 2017 meeting.

Chairman Reece briefly explained the Consent Agenda. Noting that only the minutes from the November 28, 2017 meeting were on the Consent Agenda, Chairman Reece called for a motion to approve the Consent Agenda.

MOTION: (Commissioner Wade) “Madam Chairman, I move approve the Consent Agenda.”

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

*****INDIVIDUAL CONSIDERATION*****

2. 1st Church of the Nazarene Rezone

FILE # RZN-2017-577

A request to rezone the property located at 2802 Patterson Road from R-4 (Residential, 4 du/ac) to MXOC (Mixed Use Opportunity Corridor).

Action: Recommendation to City Council

Applicant: First Church of the Nazarene of Grand Junction, Larry Chovancek
Location: 2802 Patterson Road

Staff Presentation: Kathy Portner

Staff Presentation

Ms. Portner began her presentation by showing an aerial photo of the site and stated that this request is for a rezone of 2802 Patterson Road from R-4 to MXOC. The 6.2-acre property is located at the NE corner of Patterson Road and 28 Road. The 1st Church of the Nazarene and Heaven's Little Steps Child Care Center are located on the property. Religious assembly is a use by right in all residential zone districts and the child care facility is allowed as an accessory use.

The property to the north is owned by the City of Grand Junction and contains a stormwater detention facility. Properties to the south across Patterson Road are single family homes and an assisted living facility. Townhomes are to the west across 28 Road, and the adjacent property to the east is a mixed use development with commercial, multifamily and assisted living.

The next slide displayed showed the property from different road approaches. Ms. Portner explained that the property has over 590 linear feet along Patterson Road and 440 linear feet along 28 Road. The Church currently has a 24 square foot internally illuminated sign along the Patterson Road frontage and would like to replace it with a larger, more visible sign with digital display. However, the R-4 zoning on the property restricts permanent signs to 24 square feet and does not allow digital display. The applicant is requesting a rezone to MXOC (Mixed Use Opportunity Corridor) to accommodate the proposed sign. Both the church use and the day care are allowed in the MXOC zone district.

Ms. Portner displayed the site with the Future Land Use Map overlay and explained that this section of Patterson Road has a Future Land Use designation of Mixed Use Opportunity Corridor which allows for rezoning to MXOC. The surrounding future land use designation is Residential Medium (4-8 d/a) to the north and south, residential medium/high (8-12 d/a) to the west and residential high mixed use (12+d/a) to the east.

The next slide featured the site with the current zoning overlay. The church property is currently zoned R-4 (Residential, 4 d/a) as is the property to the north. The property to the east is zoned Planned Development with commercial development at the NW corner of Patterson and 28 ¼ Road and multifamily and assisted living on the remainder. Properties to south across Patterson Road are zoned R-5 (residential, 5 d/a) and the townhomes to the west across 28 Road are zoned Planned Development.

Ms. Portner explained that rezoning of property may be considered if the proposed changes are consistent with the Comprehensive Plan and meet at least one of the criteria as listed in section 21.02.140 of the Code. Ms. Portner displayed a slide that listed the five criteria.

Staff finds that the request to rezone to MXOC is consistent with the Future Land Use designation of Mixed Use Opportunity Corridor and meets 4 of the listed criteria as follows:

- 1) The R-4 zoning on this property predates the 2010 Comp Plan that designated Patterson Road as MXOC.
- 2) The property directly to the east is zoned PD and is a mixed use development.

East of 28 ¼ Road is another large church and the 200+ acre Matchett Park property planned for a Regional Park and a property approx. ½ mile east was rezoned to MXOC.

- 3) Adequate public facilities and services are available in the area, and
- 4) The proposed MXOC zoning will create an opportunity at this key location along Patterson Road to provide for additional uses that could serve the community.

Staff recommends approval of the proposed rezone based on the following findings:

- The requested zone is consistent with the goals and policies of the Comp Plan.
- In accordance with Section 21.02.140 of the Zoning and Development Code, Criteria 1,2,3 and 5 have been met.
- In accordance with Section 21.02.140(c)(2) of the Code the residentially zoned property has a lot depth greater than 150 feet, and the rezone furthers the goals and policies of the Comprehensive Plan and enhances the surrounding neighborhood.

Applicants Presentation

Larry Chovancek, 2802 Patterson stated that he was the Pastor of the First Church of the Nazarene of Grand Junction as well as Chairman of the Board which operates the Heaven's Little Steps Daycare Center.

Pastor Chovancek stated that the Church has been at that location for 20 years although they will celebrate 100 years in ministry in Grand Junction in 2018. Pastor Chovancek noted that their present sign is 20 years old and in disrepair. They would like a larger sign, about 60 square feet, and learned that a variance was not possible. They also would like a taller sign as the church is lower than the elevation of Patterson. The larger sign would allow them to have more information about the congregation as well as the daycare. Presently, they have two banners on the pump house and would like to remove them.

Questions for Applicant

Commissioner Rusche asked if the church had any expansion plans in the near future. Pastor Chovancek stated that the present space is adequate however the long range plan is to build a worship center on the property and use the present building for child care and youth/community ministries.

Commissioner Ehlers commented that churches often have deed restrictions on the property in the event they were to sell, and wanted to know if they have any restrictions. Pastor Chovancek stated that they have no plans on selling and the only restrictions that he is aware of is an agreement that the church made with the City when they started the day care. That agreement was to permit a 17-foot maximum right turn lane from westbound Patterson to north bound 28 Rd should the City want to upgrade Patterson.

Commissioner Discussion

Commissioner Wade noted that Pastor Chovancek had come before the Board of

Appeals when he originally requested a zoning variance and he appreciates his patience and efforts to rezone the property which is more in line with the Patterson Corridor planning. He stated that he intends to vote in favor of the proposal. Commissioner Deppe agreed with Commissioner Wade.

Commissioner Gatseos stated that he was a member of the Board of Appeals at that time and is glad to see it come back as a rezone. He is in agreement with the staff report and feel the proposed rezone request makes sense in that area.

Chairman Reece agreed the change to MXOC zoning, as it allows for flexibility along the high-use corridors and if they ever did decide to sell, there would be more uses available than under the R-4 zoning. Chairman Reece noted that the MXOC zoning is a new category under the most recent zoning code changes.

MOTION: (Commissioner Rusche) “Madam Chairman, on the Rezone request RZN-2017-577, I move that the Planning Commission forward a recommendation of approval for the 1st Church of the Nazarene Rezone of 6.2 acres, located at 2802 Patterson Road, from an R-4 (Residential 4 dwelling units per acre) to MXOC (Mixed Use Opportunity Corridor) zone district with the findings of fact as listed in the staff report.”

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

3. H Road Comprehensive Plan Amendment and Rezone FILES # CPA-2017-520 and RZN-2017-544

Request to amend the Comprehensive Plan from Neighborhood Center to Business Park MU and rezone the properties to I-O (Industrial Office) on 8.6 acres.

Action: Recommendation to City Council

Applicant: Jerry Patterson and; TEK Leasing, LLC
Location: 2202 and 2202 1/2 H Road
Staff Presentation: Lori Bowers

Staff Presentation

Lori Bowers, Senior Planner, stated that this request is to consider amending the Comprehensive Plan Future Land Use Map from Neighborhood Center Mixed Use to Business Park Mixed Use for two parcels of land located at 2202 and 2202 ½ H Road. If the Comp Plan Amendment is approved, the applicants also wish to rezone their properties from Mixed Use General – Low, to Industrial /Office Park, which will be in conformance with the Comprehensive Plan.

Ms. Bowers displayed an aerial photo of the area with the City limits highlighted and stated that the subject parcels are within the City Limits located at 2202 and 2202 ½ H Road this is considered to be in the Appleton area.

Ms. Bowers explained that the applicants, Jerry Patterson and TEK Leasing, LLC, are requesting an amendment to the Comprehensive Plan Future Land Use Map designation for their properties as outlined in blue. The total acreage is 8.59 acres.

The Applicants held a Neighborhood Meeting on October 18, 2017 at Appleton Elementary School. Four citizens attended the meeting. There were a few general questions about the description of the proposed Comprehensive Plan Amendment /Rezone to (BPMU Business Park Mixed Use/ I-O Industrial/Office Park). There was one objection to the requested rezone. The attendee in opposition expressed concerns about the sale of his own property having to compete with the rezoned properties, which he felt would make their property more attractive to potential buyers than his.

The next slide presented displayed the Future Land Use Map over the property, with the parcels outlined in blue. Ms. Bowers explained that the property located at 2202 H Road consists of 4.99 acres. It is currently developed with a single family residence and a garage/hay barn. The parcel located at 2202 ½ H Road consists of 3.6 acres of vacant land. There would be no change to the other parcels, they would remain as shown on the map. The neighbors on both sides were asked if they would like to participate in this request to amend the Future Land Use Map but they declined. If this amendment is approved, it will keep about 23 acres still designated as Neighborhood Center. This would be a good transition from one designation to another.

The parcels were annexed in 2007 and zoned to Mixed Use (M-U) at that time. The staff report gives the detailed history of how these parcels came to be zoned as they are, and how the Comprehensive Plan designated them.

The following slide depicted that existing zoning layer and Ms. Bowers stated that the applicants feel their properties have been passed on by potential buyers who would like to use the land for purposes other than the allowed uses in the MXG-3 (Mixed Use General) zone district. The MXG-3 zone district is a form based zone district that is intended to create pedestrian-friendly urban areas. The building form in this zone district is intended for ground floor office and personal services uses (but does not include sales, repair or entertainment oriented uses) with upper-story residential or offices. Based on the desire of the Applicants to be able to develop/redevelop their properties for a use such as outdoor storage, it was discussed that the current Comprehensive Plan designation does not support rezoning to I-O, but that an amendment to the Comprehensive Plan may be considered to assign the properties a designation of "Business Park Mixed Use."

Ms. Bowers stated that in the opinion of staff, this would still meet the intent of the Comprehensive Plan to buffer the residential areas to the north from the heavier industrial uses to the west. Business Park Mixed Use is also one of the lesser land use designations that the City has, the closest being over five miles away along the Riverside Parkway. This will provide more opportunities for this area if the amendment is approved.

The criteria for reviewing a Comprehensive Plan Amendment and the Criteria for a Rezone are the same. In the staff report the five criteria have been broken out into reviewing the Comprehensive Plan amendment first and then the same criteria for the rezone as follows:

- (1) Subsequent events have invalidated the original premise and findings; and/or*
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or*
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
- (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*
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*

Ms. Bowers stated that in her professional opinion, all criteria have been met.

Ms. Bowers displayed several slides of street level photos showing how the area has grown. It is not pedestrian friendly as large trucks frequent the area. Love's Travel Stop, RV storage, and diesel services are nearby.

Staff recommends approval of the proposed vacation based on the following findings:

1. In accordance with Section 21.02.130 of the Grand Junction Municipal Code, the requested amendment to the Comprehensive Plan has met Criteria 1, 2, 3, 4 and 5 and the requested amendment to the Comprehensive Plan is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Sections 21.02.140 of the Grand Junction Municipal Code, the requested rezone has met Criteria 1, 2, 3, 4, and 5 have been met and the requested rezone is consistent with the goals and policies of the Comprehensive Plan;

Staff recommends the Planning Commission consider two separate motions for the two-part request for the amendment of the Comprehensive Plan and the Rezone.

Questions for Staff

Commissioner Ehlers asked what the zone designations are for a Neighborhood Center/Mixed Use. Ms. Bower replied that it is presently zoned MXG-3 that allows for a mix of apartments, townhomes, multi-use with small family business type development. It is intended for much less intense use and to be pedestrian friendly.

Commissioner Ehlers noted that the Neighborhood Center/Mixed Use is a unique designation of the Future Land Use Map and asked what zones were intended to fit within that. Commissioner Ehlers clarified that if you zoom out, looking at the Future Land Use Map, one can see where there are nodes that are specifically placed at intersections of higher classifications. Commissioner Ehlers stated that it was his understanding that the nodes were based on having components, such as a neighborhood grocery or other services, that the neighborhood can utilize at these junction points. Commissioner Ehlers's concern was that these were designated as Neighborhood Centers at a particular intersection for a reason and wondered what the

thought process was when they put them there. If they change it, it will become something more consistent with the industrial use there.

Ms. Bowers stated that staff discussions included the idea that Business Park Mixed Use could serve as a good buffer to a Neighborhood Center and has a much broader range of options. Commissioner Ehlers clarified that his understanding is that the Neighborhood Center is a place where surrounding neighborhoods could come for resources and wondered if that is consistent with the plan. Ms. Bowers referred to criteria #2 "*The character and/or condition of the area has changed such that the amendment is consistent with the Plan*" and noted the heavier uses such as the truck stop, diesel services, Ute Water, and Grand Valley Power have moved in nearby, changing the area. Ms. Bowers explained that the Business Park Mixed Use could now serve as a buffer to those more intensive uses that are ½ mile away.

Chairman Reece asked if she understood correctly that other properties owners in the Neighborhood Center were asked to come in on this rezone. Ms. Bowers clarified that at one time the property owners to the east were going to come in on the rezone, however they changed their minds. The other owners around did not want to participate. The applicant and the property to the east and north were approached by buyers who want to do outdoor storage on these lots, but that was not an allowable use in the zone district. Chairman Reece asked if the property owner who objected to the rezone, feeling their property would become less valuable, were located in the Neighborhood Center. Ms. Bowers replied that that property is further north and not in the Neighborhood Center designation.

Commissioner Wade asked why the other property owners declined to participate. Ms. Bowers thought the property owners directly to the east that backed out were happy with their single family use. Ms. Bowers added that the applicant's representative is present and may be able to shed light.

Chairman Reece asked what type of screening would be required if this was zoned I-O for outdoor storage use. Ms. Bowers stated that I-O requires a 20-foot setback with appropriate screening and landscaping unlike Industrial where only the frontage is required.

Commissioner Ehlers thought he understood there to be a limitation to the I-O zone district elsewhere. Ms. Bowers clarified that it is the limitation of the Business Park/Mixed Use designation in the Comprehensive Plan. Ms. Bowers noted the other one is five miles away on Riverside Parkway and then around 7th and Patterson is another node.

Chairman Reece asked if the property owners to the east, who have a single family home, expressed concern about the property being rezoned to a heavier industrial use. Ms. Bowers stated that she had not heard that they were concerned, in fact they were a party to this rezone and then backed out in the end.

Applicant Presentation/Questions

Kim Kerk, Land Development and Consulting LLC, 564 S. Commercial Dr. #4, stated that she is representing the property owners. Ms. Kerk stated that they feel this level of industrial use is a good buffer between the heavier uses and residential. She noted that

in the past ten years the area has developed with several outdoor storage uses as well as Ute Water and Grand Valley Power offices and more proposed.

Commissioner Wade stated he was interested in the reason why the property owners backed out who were originally involved. Ms. Kerk replied that they were involved before her firm was hired and had since sold the property. She did not approach the new home owners as it was too late in the process.

Commissioner Rusche asked if the new homeowners had been invited to the neighborhood meeting. Ms. Kerk replied that they had not moved in by then. Commissioner Rusche stated that he found that disconcerting.

Public Comment

John McDermott, 819 22 Rd. stated that he expressed his disagreement at the neighborhood meeting. Mr. McDermott stated that he has been on 22 Rd. since 2001 and when it rezoned they were not happy about it, but they accepted it. Mr. McDermott stated that there are 6 acres to the west of the subject property that has been for sale for 5 years. Mr. McDermott agreed with Commissioner Ehlers comments that it was Mixed Use for a reason when it was put in the Comprehensive Plan. Mr. McDermott expressed concern about the proposed development effecting the value of his land.

Commissioner Wade asked Mr. McDermott to point out his land on the map. Mr. McDermott identified his parcel as one that is across 22 Rd. and to the northwest of the subject property. He said he has 3.9 acres and his neighbors both have over one acre and they are still I-0 as is a lot of the parcels to the north of them. Mr. McDermott asked the Commission why they would consider taking away from the Mixed-Use area and allow it to become Industrial when there is still vacant land zoned I-O to the west.

Commissioner Gatseos noted that Mr. McDermott's property is pretty much surrounded by I-1. Mr. McDermott stated that although he officially has his property for sale, his other two neighbors, with smaller lots, are hoping to sell their property to whoever buys his.

Rusty Walters, 2205 Lynn St. stated that his property is to the north of the subject property. Mr. Walters stated that he was never notified of a community meeting regarding this proposal. Mr. Walters stated that his neighbor to the south does barrel racing and this rezone would interfere with her and his community of 7 houses. They have animals and are concerned about loud noises and other issues.

Alyce Coats, 2205 Lynn St. stated that they have coyotes and use shotguns on their property. She feels her view will be greatly impacted and does not understand why they would take this corner and rezone to develop storage units. Ms. Coats stated that she is in the County, in a shoot zone where they protect each other's animals and enjoy a rural way of life.

Commissioner Wade asked if the Industrial uses to the west bother them. Ms. Coats stated that they are great neighbors and have no issues with them. She stated they are quite and generally not there at night or on weekends.

Applicant Rebuttal

Ms. Kerk stated that she recalled that she had contacted the realtor of the new property owners to the east and extended an invitation to the neighborhood meeting and the realtor came back and said they declined.

Ms. Kerk stated that they are not asking for a very big change as the biggest difference between the I-1 and I-0 is the outdoor storage which is already in the area with the other uses. Ms. Kerk added that traffic is already heading north off H Rd. with people going to Ute Water and Grand Valley Water to pay bills.

Commissioner Deppe asked for the definition of “outdoor storage” and also if the property owners plan to keep the single family home. Ms. Kerk clarified that the owners did separate deeds for the house and property so they could keep the house if they decided to.

Ms. Bowers responded to Commissioner Deppe’s question regarding “outdoor storage” and said it means “keeping in an unenclosed area, unscreened any goods, junk materials, merchandise, vehicles, and vehicles for repair in the same place for more than 48 hrs.” Ms. Bowers pointed out the caveat of the I-0 zoning which does require screening and buffering.

Commissioner Ehlers asked if outdoor storage is allowed in I-1. Ms. Bowers responded that it is allowed. Chairman Reece asked if the I-1 had the same buffering and screening requirements as I-0. Ms. Bowers replied that it has less, therefore I-0 is more restrictive when it comes to screening and buffering.

Commissioner Ehlers noted the H Road Northwest Area Plan overlay to the west of the properties and asked Ms. Kerk if she is familiar with the development requirements for those properties vs the I-O without that overlay. Ms. Kerk stated she is not familiar with that plans requirements, but stated that the development pattern has changed so much that current zoning may not be the most appropriate. Commissioner Ehlers expressed concern that the Comprehensive plan change and rezone may have not considered the H Road Northwest Area Plan in that maybe it would be appropriate to carry over that designation to the subject property. Commissioner Ehlers stated that he is pro-business and pro-smart growth, however he has concerns that they are not considering what the implications might be with relation to the H Road Northwest Area Plan.

Chairman Reece asked Ms. Bowers about the H Road Northwest Area Plan. Ms. Bowers believed the plan called for greater setbacks and screening from H Road, 21 Rd. and 22 Rd. Ms. Bowers noted that the I-0 zone has performance standards for screening that would be similar to the H Road Northwest Area Plan.

Chairman Reece asked how far away is the nearest I-0 zoned parcel. Ms. Bowers stated that there is I-0 zoned parcels out by the airport and possibly Foresight Park.

Commissioner Gatseos stated that there is an I-1 southeast to the property and asked if there was an application for the properties to the south. Ms. Bowers stated that it was in the County. Commissioner Gatseos asked Ms. Bowers what the uses were for MXG-3. Ms. Bowers responded that it is intended to be a mix of apartments, townhomes, multifamily, small neighborhood businesses.

Commissioner Discussion

Noting that only one of the criteria must be met, Commissioner Ehlers acknowledged that several of the criteria had been met. Commissioner Ehlers stated that the other component of a Comprehensive Plan amendment is that the proposed changes need to be consistent with vision, intent, goals and policies of the comprehensive plan in addition to meeting one or more of the criteria.

Commissioner Ehlers stated that unless the Love's Travel Center area has taken the place of the Neighborhood Center, his concern is that they would be omitting the intent of having that neighborhood center at that location. Commissioner Ehlers noted that all of the other proposed Neighborhood Centers in the plan are located at intersections.

Commissioner Ehlers asked if the intent of the Neighborhood Center been met in a nearby area such that this Neighborhood Center designation is no longer needed at this location.

Commissioner Ehlers stated that he feels it would not be appropriate to make this change unless the area plan changed with it. Along those lines, Commissioner Ehlers stated that he does not feel the change to I-0 should happen unless the standards required meets or exceeds those in the H Road Northwest Area Plan. Commissioner Ehlers added that although he is not in opposition to the plan, he does not feel he has enough information about the H Road Northwest Area Plan or the definition of Neighborhood Centers to make a decision.

Tamra Allen, Community Development Director, clarified that the subject parcels are not included in the H Road Northwest Area Plan as that plan is to the west. To provide requested information, Ms. Allen referred to the analysis in the staff report regarding the Comprehensive Plan amendment. The first criteria speaks to the intent of the Neighborhood Mixed Use category as follows;

“Neighborhood Mixed Use contemplates limited employment, residential, open space and limited retail, focused on uses that provide convenience items for the immediate neighborhood. Residential uses are encouraged to integrate with commercial uses.”

Given that clarification, Commissioner Ehlers revised his comments to say that he believes that the Love's Travel Center and other gas station could fulfill some of the components of the Neighborhood Center. Commissioner Ehlers stated that he still would like to know if the standards in the I-0 zone meets or exceeds those in the H Road Northwest Area Plan and encouraged the applicant to clarify that for City Council.

Commissioner Wade stated that he agreed with Commissioner Ehlers in that he is uncomfortable making a decision without comparing the standards of the H Road Northwest Area Plan with those of the requested I-0 zoning.

Commissioner Deppe agreed with the other two Commissioners that she would like more detailed information before she can make a decision.

Chairman Reece stated that they have the option to continue the item if they choose.

Commissioner Ehlers asked if it was appropriate to give the applicant the option to have the Commissioners vote, having heard the Commissioners concerns, and possibly continue on with the process to avoid delay. Ms. Allen responded that she feels this is an issue of the Planning Commission and if they are ready to take action on the item, regardless if it is a decision in favor or not, then they should do that. If they feel they need additional information, then they should table it.

Commissioner Gatseos stated he agrees with the staff report and referenced the land use changes that have occurred in the area since the Comprehensive Plan was done. Commissioner Gatseos stated that he would like to review the H Road Northwest Area Plan and would favor a continuation and added that if he was to vote now he would vote in favor of the rezone.

Commissioner Ehlers added that he would like to vote with respect to the applicant's timeframe and based on the fact that they can clearly articulate the reasons for their vote and have done so through the comments. This gives City Council the Planning Commission's recommendation based on what those considerations have been. Commissioner Ehlers encouraged the neighbors to continue to stay involved, but cautioned that development is coming and the Planning Commission will review developments based on the land uses allowed by the zone district and the master plans.

Commissioner Rusche noted that his concerns are less with the color it winds up being on the map but more with the process. Commissioner Rusche stated that he disagrees with the idea a lot has changed in that area since 2010, but due to the recession, things have not changed enough for the lot to be marketable. Commissioner Rusche stated that this corner could easily mirror the industrial properties to the west and added that the H Rd. plan has a 25-foot buffer which is only a 5 to 10 buffer difference.

Commissioner Rusche added that there are three other properties that have the potential to preserve the Neighborhood Center concept even though two of the nearby parcels are not designated as Neighborhood Center. Commissioner Rusche recalled that there is a provision in the plan that the Neighborhood Centers were able to "float" (not locked into a particular parcel) as the needs dictate. Commissioner Rusche feels that some of the neighbors may not realize that the existing MXG-3 uses could include apartments. Commissioner Rusche stated that if this recommendation should go to City Council, it may result in a re-evaluation of the area, but he does not have an overwhelming disagreement with the proposal.

MOTION: (Commissioner Gatseos) "Madam Chairman, on the request to amend the Comprehensive Plan as presented in file CPA-2017-520, I move that the Planning Commission forward a recommendation of approval for a Comprehensive Plan Amendment to change the Future Land Use Map designation from "Neighborhood Center Mixed Use" to "Business Park Mixed Use" on the 8.59 +/- acres located at 2202 and 2202 ½ H Road with the findings of fact as listed in the staff report."

Commissioner Deppe seconded the motion. A vote was called and the motion passed by a vote of 4-2 with Commissioners Ehlers and Wade voting Nay.

MOTION: (Commissioner Deppe) “Madam Chairman, on the request to Rezone the subject parcels as presented in file RZN-2017-544, I move that the Planning Commission forward a recommendation of approval for a Rezone to Rezone from MXG-3 (Mixed Use General-Low) to I-O (Industrial/Office Park) Zone District on the 8.59 +/- acres located at 2202 and 2202 ½ H Road with the findings of fact as listed in the staff report.”

Commissioner Gatseos seconded the motion. A vote was called and the motion passed by a vote of 4-2 with Commissioners Ehlers and Wade voting Nay.

The Planning Commission took a short break.

4. Hilton Tru Alley Vacation

FILE # VAC-2017-516

Request to vacate the east/west alley ROW for the future development of a new hotel on 1.2 acres in a B-2 (Downtown Business) zone district.

Action: Recommendation to City Council

Applicant: Western Hospitality LLC, Kevin Reimer
Location: 243 Colorado Avenue
Staff Presentation: Lori Bowers

Staff Presentation

Lori Bowers, Senior Planner, began her PowerPoint presentation with a slide containing an aerial photo of the alley and surrounding properties and stated that this request to consider the vacation of the 20-foot wide alley right-of-way of Block 123 of the original town site (between 2nd and 3rd Streets), between Colorado Avenue and Ute Avenue, and retain the area for utility easements and access for service and emergency responders. This request has been brought forth by Western Hospitality, LLC to be able to implement the proposed site plan for a new hotel (Hilton Tru) at 243 Colorado Avenue.

Ms. Bowers reported that the applicant has assembled approximately 1.2 acres of currently vacant land to develop a new hotel. The properties combined form a reverse “L” shape, shown here outlined in red, with the southernmost property line bounding Ute Avenue, and the western most property line bounding 2nd Street. The proposed alley vacation will facilitate the applicant’s desired traffic flow for the new hotel parking lot. The applicant plans on fencing the parking lot to increase security and safety for hotel guests and their vehicles. Currently there is significant transient foot traffic through this area.

Ms. Bowers stated that a Neighborhood Meeting was held on September 20, 2017. Three neighbors (adjacent property owners) were present at the meeting. The applicant also indicated that they had spoken in person, by phone, and by email with other property owners adjacent to the alley regarding the proposal. All comments were supportive of the proposal and did not object to the alley vacation.

Ms. Bowers explained that pursuant to Section 21.02.100 of the Zoning and Development Code the vacation of the ROW is in conformance with the Comprehensive

Plan, and The Grand Valley Circulation Plan, there are six criteria to be reviewed when considering a vacation as follows:

- 1) *The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.*
 - 2) *It will not land lock any parcel as a result of the vacation.*
 - 3) *The vacation will not restrict access to any parcel or reduce or devalue any property affected by the proposed vacation.*
 - 4) *There will be no adverse impacts on the health, safety or welfare of the community, or the quality of public facilities and services such as police, fire or utility providers.*
 - 5) *All existing easements and services located within the right-of-way shall be retained, so services will not be inhibited.*
- And
- 6) *The benefit to the City is the reduced maintenance of the alley.*

The next slide Ms. Bowers displayed illustrated the detail of the 20-foot alley ROW.

Staff recommends approval of the proposed vacation based on the following findings:

After reviewing VAC-2017-516, a request to vacate the entire alley right-of-way and maintain existing easements and cross access easements for safety and emergency responders, the entire east-west alley right-of-way of Block 123, First Division, Resurvey, Town of Grand Junction Plat the following findings of fact have been made:

The proposal conforms with Section 21.02.100 (c) of the Grand Junction Zoning and Development Code.

Therefore, staff recommends approval of the request to vacate the subject alley right-of-way and retain existing easements and provide access easements for service and emergency responders.

Questions for Staff

Chairman Reece asked if the property owners at 201 and 209 ½, who have building that directly abut the alley, utilize the alley for access or uses that would change as a result of this vacation. Ms. Bower responded that trash trucks can still come in and that is the biggest use of the alley.

Commissioner Ehlers asked if the buildings at 201 and 209 ½ were to be destroyed in a fire, would they have to rebuild with different setbacks. Ms. Bowers replied that they could rebuild with the same footprint.

Chairman Reece asked if the parcels to the south, at 244, 248 and 260 are still vacant. Ms. Bowers replied that they still are vacant although one of the parcels has a billboard.

Commissioner Wade asked Ms. Bowers to point out where the proposed fence would be for the parking lot and asked if the alley, if vacated would have an open access. Ms. Bowers responded that the entire lot would be gated for security and they are still working out the details for access. Ms. Bowers noted that the city will no longer maintain that alleyway, but it is in best interest of the hotel owners to maintain the alley.

Chairman Reece asked if the hotel will go across the open space that the alley currently occupies. Ms. Bowers replied that the hotel will not be located there and the alley will become a drive isle.

Commissioner Rusche noted criteria C mentions access easements provided and asked if that will happen as part of this vacation or with the future hotel development. Ms. Bowers stated that this vacation allows the easements to be retained. Commissioner Rusche asked if the alley is vacated is there an access easement that covers the 20 feet because the ordinance only shows a utility easement not an access easement. Ms. Bower stated the access easement would be intended for emergency services. Commissioner Rusche asked if the access easements will be in the ordinance and Ms. Bowers stated it was. Ms. Allen added that under the staff recommendations and findings of fact, the last sentence speaks to the retention of easements which would include the utility easement as well as provide emergency access. Chairman Reece asked if the property owners that abut the alley will have access. Ms. Bowers replied that they will have the access and as they will receive half of the right-of-way.

Applicants Presentation

Steve Reimer stated he and his brother are the owner/developers for the three existing hotels downtown and the applicant for this right-of-way vacation for the next hotel they are developing. Mr. Reimer stated that Shane Burton who owns the property at 201 Colorado #4 was present.

Mr. Reimer added that he owned and just sold the other property that abuts the alley (209 ½), and the new owners plan to open a tapas/bar/brewpub on that parcel along with the one to the north of it. Mr. Reimer stated that there are 3 parking spaces between the buildings and those owners will have access to those spots even if they need to put in a gate. Mr. Reimer noted that he has not fenced and secured the three other hotels downtown, however they plan to fence this one due to the location and Two Rivers Convention Center parking. Mr. Reimer added that he purchased the lots to the south and the City is buying them from him for public parking for Two Rivers and other downtown events.

Commissioner Rusche asked for clarification where the alley gates would be. Mr. Reimer referred to the photo and explained the areas. Commissioner Rusche asked if they were part of this application as they will own half of the alley. Mr. Reimer stated that he has had conversations with all of the owners either at the neighborhood meeting or after and they all were ok with working out an arrangement. Commissioner Rusche asked about the access to the gate for emergency services. Mr. Reimer replied that he thinks the gate will be a simple wood arm that in an emergency, they could go thru.

Public Comments

Shane Burton, representing Two Rivers Condominiums 201 Colorado #4, stated that he is fine with the right-of-way arrangements after conversations with Mr. Reimer. Mr. Burton noted that the three parking spaces are already gated.

Desiree Colmenero, representing the Historic Melrose 337 Colorado Ave., stated that the owner, Joya Depasquale, did not receive a notice of the neighborhood meeting. Ms. Colmenero stated that there are 19 properties owned by Western Hospitality, LLC in

Mesa County and three hotels in a small area. Ms. Colmenero stated that the Historic Melrose is a small locally owned business and she feels they are creating a monopoly. Ms. Colmenero stated she has safety concerns in that there is a lot of transients in the area and they have asked police to drive by more often.

Ms. Colmenero asked if the City will no longer maintain that alley, does the maintenance responsibility fall on 251 and 259 Colorado for the alley along their properties. Ms. Colmenero wanted to note that on 11/29/1999, the property at 202 Ute was sold by the City to Steve Reimer for ten dollars.

Ms. Colmenero stated that she is a native of Grand Junction, works downtown and feels a five story hotel takes away from the historic aspect of the adjacent brick buildings. Ms. Colmenero wanted to know how high the gate will be as she feels a 4-foot gate around the parking lot is not going to be useful.

Commissioner Ehlers explained that the site plan is an opportunity to comment about fences etc. although it is processed administratively. Commissioner Ehlers stated that in an alley right-of-way vacation there is set criteria that they are required to review based on community plans.

Applicants Rebuttal

Mr. Reimer stated that he could meet with Ms. Colmenero and answer some of her questions. Mr. Reimer stated that he wished they had a monopoly on hotel rooms in Grand Junction but there are a lot of them around. Mr. Reimer suggested that the Historic Melrose may be another type of market and he has heard employees at the front desk refer guests to there when they were sold out or were looking for a different price rate. Mr. Reimer stated that he will make sure they are invited to any future neighborhood meetings.

Questions for Staff

Kathy Portner, (Community Services Manager) clarified that the way the ordinance is proposed, the easement will only be retained as a utility easement. If they were to retain it as an access easement then it would have to remain open, so the gating would not be allowed. If there is a need for some type of joint access on the west end, it really needs to be a private agreement between the property owners.

Chairman Reece asked if there is a problem with not having those details negotiated in advance. Ms. Portner stated that it was a little unusual and they usually like to have it all worked out in advance, however since the property owners are in agreement, they moved forward with it.

Commissioner Gatseos asked Jamie Beard (Assistant City Attorney) if the emergency services have a device that opens gates. Ms. Beard responded that she is not aware of a special device like that, however during the development review process, police and fire will have the opportunity to review the project and make comments at that time.

Commissioner Gatseos noted that in the comments of for this vacation, police had not commented but fire had replied they were not against it. Ms. Portner commented that there have been other private streets that have a "Knox Box" that gives emergency services access to a key.

Commissioner Discussion

Commissioner Rusche stated he does not see any future use for the alley, but it is a departure from regular protocol in terms of the other two hotels that were built where they have partial alleys remaining along the last business that were left. Commissioner Rusche acknowledged that the emergency services can have access anywhere but he noted that it needs to be addressed at site plan review stage along with the other concerns voiced by neighbors such as height of fence, etc. Commissioner Rusche stated he is not voicing a yes or no, but wanted to note that this is a departure from how they usually treat these type of vacations. What is unusual is that the entire alley is being vacated and that it is being done by faith rather than is writing.

Chairman Reece agreed with Commissioner Rusche and suggested that the agreements be in writing as soon as possible as sometimes things change once construction starts. She also noted that when they look at vacations for the University or other properties, it is usually worked out in writing. Chairman Reece stated that she was mostly comfortable with the proposal and feels she can support it.

Commissioner Ehlers referred back to the mandate that the criteria for Planning Commission is to determine if it effects health, safety and welfare and he does not believe it does. Commissioner Ehlers stated that it is not their job to protect the property owners from themselves and they have been properly notified of the process. Commissioner Ehlers noted that there is precedence for this and that there is reason and logic that supports it, in addition to the future site plan process.

Commissioner Deppe stated that she is leery of the lack of a written agreement and she cannot support this until this is done.

Ms. Allan reminded the Commission that they have the ability to condition the request and if they need to see these types of easements or other agreements in writing.

Commissioner Rusche stated that it would be challenging to write the condition as they make the motion and he is aware that they can add that before the City Council hears it regardless of the recommendation that the Commission provides. Commissioner Rusche also stated that the official recording of the easement can be held up until the easement is in writing to the satisfaction of the Planning Department if that is Council's direction. Commissioner Rusche reiterated that he is not inclined to write the condition and the motion speaks to what they want; to retain easements and provide emergency access, and let the Council or staff decide how to implement it.

Commissioner Wade asked Ms. Beard if they made a motion with the condition that access is addressed, would they have to be more specific than that. Ms. Beard stated that they would have to rely on what the condition is that you do as a recommendation going forward. Ms. Beard explained that the City Council is not held to those conditions but can consider them with regards to the recommendation that is made.

Commissioner Ehlers stated that he will read a motion that is the favored motion and give the Commissioners the opportunity to indicate how they may vote based on why, and that could give the City Council the record that is needed. Should they choose to say no, then it would be clear that they feel the easements are needed or they could

choose to say yes and the comments that have been made could be put there as well.

Chairman Reece asked the Commissioners if they were comfortable with that and the Commissioners indicated they were.

MOTION: (Commissioner Ehlers) “Madam Chairman, on the request to vacate the alley right-of-way and retain easements and provide access easements for safety and emergency responders within the vacated east-west alley, between 2nd and 3rd Streets south of Colorado Avenue, Block 123, First Division, Resurvey, Town of Grand Junction Plat, file number VAC-2017-516, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report.”

Commissioner Rusche seconded the motion. A vote was called and the motion passed 5-1 with Commissioner Deppe voting Nay.

5. Amendment to Various Sections of the Zoning and Development Code

FILE # ZCA-2017-580

A request to amending various sections of the Zoning and Development Code regarding administration and procedure, setbacks, cluster development, fences and flood damage prevention.

Action: Recommendation to City Council

Applicant: City of Grand Junction, Community Development Director

Location: City wide

Staff Presentation: Kathy Portner

Staff Presentation

Ms. Portner explained that there were of number of Code amendments they will be going over and that none of them are very substantive. Most of the amendments are for clarification purposes or corrections or eliminating redundancy.

Ms. Portner began her PowerPoint and stated that one item will be to update the code by replacing all references to the Public Works and Planning Department and/or Director with the Community Development Department and/or Director.

Proposed changes to Section 21.02.070(a) include formatting changes and the deletion of “Building Permits” from Section 21.02.070(a)(8)(i) showing expiration of permits, since Building Permits are issued by the Mesa County Building Department and can often times be extended for periods greater than 180 days.

Another proposed changes to Section 21.02.070(l) Administrative Adjustment clarifies the criteria to be used in considering a request for a 10% deviation from bulk standards, including setbacks for additions and construction errors. It also modifies the existing provision allowing the Director to permit an accessory structure in a front yard or side yard of a corner lot to allow an accessory structure in any setback, including fences and retaining walls, subject to specific criteria.

Commissioner Gatseos asked for verification that this means that the Director has the

discretion on a case by case basis. Ms. Portner stated that if Director finds that the criteria listed has not been met, then the only other option is for the applicant to go through a variance process.

Commissioner Ehlers asked about an example Ms. Portner gave where a retaining wall over 4 feet may need to be closer to the edge of property, for example, so allowing it within setback makes sense. Commissioner Ehlers asked about item G where the request for deviation is listed as 10% or less. If you have to meet all the criteria and then you say it can only be 10% or less, then the Director would not have the ability to allow that retaining wall. Ms. Portner clarified that this is completely separate from the 10% or less provision. The 10% or less provision is a separate section. Under Administrative Adjustment, number 1, the director may permit deviation from any bulk standard upon finding compliance with this section and then the subsections under that talk about additions and construction errors. Ms. Portner referred to number 2 and stated that it is a separate section. Number 2 refers to “the director may permit a fence or retaining wall, that are considered structures, in a required setback, upon the finding that...” and the provisions that follow that.

Commissioner Ehlers asked that under Administrative Adjustment, Section 1, in the first paragraph they are crossing out the 10% and allowing the Director to make these decisions, but then under Section 1, item G, the requested deviation is only 10% or less. Ms. Portner indicated that it was correct and still stands. Commissioner Ehlers asked for clarification of the difference of Section 1 and Section 2. Ms. Portner stated that they are dealing with separate issues. Section 1 is dealing with additions to a structure and construction errors. Section 2 is dealing specifically with accessory structures and fences and retaining walls that require a building permit.

Commissioner Ehlers asked about the 10% limitation. Ms. Portner responded that when it was put into the code in 2010, it was felt that that is the most that could be done at an administrative level and anything beyond that should go through the full variance process. It was meant to give some latitude, especially to the construction errors, because they would find that they have set all the forms and they are a few inches off. In the case of an addition, a house already might not meet setbacks, so this would allow for the director to provide minor deviation from setbacks.

Ms. Portner display the next slide, proposed revisions to Section 21.02.200-Variances, and explained that this consolidates the criteria and deletes redundancy and clarifies that all of the criteria must be met for a variance to be granted.

Chairman Reece inquired about Section 21.02.070(a), where they deleted the paragraph on appeals and amendments and broke it out into two separate paragraphs. One sentence is on amendments and one sentence on appeals. Chairman Reece asked if in practice, does this actually change the process or does it just break it out into two separate designations. Ms. Portner responded that it does not change the process and that it is to just make it clearer.

Chairman Reece referred to Section 4 in the Administrative Adjustment section, where there is a whole paragraph that was struck out about application and review procedure and asked why that was eliminated. Ms. Portner stated that it was redundant. Ms. Allan inquired if Chairman Reece was talking about number 4 of the application and review

procedure that talks specifically about the covenants and enforcement of the covenants. Chairman Reece responded that she was, and Ms. Allan asked Ms. Beard to speak to that section. Ms. Beard stated that it boils down to that it's not up to the City to enforce Homeowners Association's covenants. It is up to the HOAs to enforce their covenants.

Commissioner Gatseos asked if this amendment will take care of that concern. Ms. Beard replied that the main difference is that the City will not make an applicant go the extra step to show proof that they have approval of their HOA. It won't be put back on the City to in regard to the enforcement of any HOA documents which has been her advice all along as these matters are between the property owners and the HOA.

The next slide referred to two zoning districts where there are proposed amendments regarding what is allowed to encroach into setbacks. The first change is to change what they believe was a scrivener's error. Ms. Portner explained that the proposed change to section 21.03.030(d)(2)(xiii) is to correct an error to one of the allowed encroachments into a required setback. This section allows for uncovered terraces, patios and porches to extend into a required setback up to 6 feet, but no closer than 3 feet to a property line. The proposed amendment clarifies that the allowed 6 feet encroachment is into the setback and it corrects the inconsistency in the text that states "uncovered, unenclosed terraces, patio 'covers' or porches..." by deleting the term "covers".

Chairman Reece asked if an awning would be allowed to encroach into the setback. Ms. Portner stated they are not allowed to encroach, however there is a provision for an eve to hang over into a setback by 3 feet.

Ms. Portner stated that the proposed changes to 21.03.060 Cluster Provisions include corrections to the table showing examples of lot size modifications allowed based on percentage of open space provided. The specific equation used to calculate lot size is also added and is the example of the formula already provided and maintained in the Code.

Commissioner Ehlers asked if this provision is just to correct a math error and not changing any content on how cluster provisions are applied in the code. Ms. Portner responded that he was correct.

Ms. Portner's next slide was regarding uses in Section 21.04.040(i) and explained that this proposed amendment deletes the section allowing the Director to increase the allowable fence height, with or without a retaining wall, and places that provision in Section 21.02.070(l) as an Administrative Adjustment.

Commissioner Ehlers was concerned that people in the private sector that use the code may not think to look in the Administrative Adjustment section for these types of provisions and although he doesn't want to encourage redundancy, he questioned whether it should be left in this section. Ms. Portner replied that it would be incumbent on the staff to direct people to what an option may be when something they are proposing to do does not meet the strict application of the code.

The next slide displayed was regarding special regulations in Section 21.07.010. Ms. Portner explained that in 2012, the City adopted floodplain management regulations in accordance with minimum standards established by the National Flood Insurance

Program (NFIP) and the State of Colorado. Guidance was provided by the Colorado Water Conservation Board with a model ordinance. In a side-by-side comparison, staff found the section specific to Recreational Vehicles includes two significant deviations. One is a prohibition of Recreational Vehicles being located in a special flood hazard area between April 1st and June 30th of each year. Since that prohibition is not in the model ordinance staff is proposing to delete it, finding that all the other regulations in place provide adequate protection.

The other proposed amendment appears to be a scrivener's error where "and" was used rather than "or" between sections that detail requirements as a temporary structure versus a permanent structure.

Commissioner Ehlers asked if the definition of a recreational vehicle as "occupied as a temporary dwelling" was necessary in that section. Ms. Portner clarified that it is defined in the ordinance and is specific to the floodplain regulations. Chairman Reece added that it says "on site for fewer than 180 days."

Staff recommends approval of the proposed amendments based on the following findings:

Staff finds that the proposed amendments to the Zoning and Development Code are necessary to provide consistency and clarity to the Code provisions and therefore recommends approval.

Ms. Portner asked that they consider an addition so that within Section 21.02.070(1)(2) that "an accessory structure" is added.

Commissioner Discussion

Commissioner Ehlers referred to the Recreational Vehicles that were discussed and asked if there was an "opportunity" or possible an omission in that codes may not be up to date with new modern RV Park terminology. For example, along with recreational vehicles there are "recreational park models" that are like RVs. These units are usually owned by the park and can be a tiny home or RV that is rented out by the park. Commissioner Ehlers asked if there is any reason to omit or include language that is applied to that industry.

Ms. Portner replied that the floodplain regulations would consider that a permanent structure and it would have to meet those standards which includes anchoring and whatever is written into that section as a permanent structure. Ms. Portner stated that they would still be allowed to be there but they would have different standards they need to meet. Ms. Portner added that the length of stay and how it is attached is what is addressed in this section.

Ms. Allan added that the City has a lengthy list of standards that are required for RV parks and campgrounds. Ms. Allan recognized that the RV Park industry has evolved and suggested that the Planning Commission may want to look at those standards at some point in time to possible update them.

Commissioner Ehlers added that he would like to see those definitions and standards reviewed in the future. Some RV parks have what is defined as a "tiny homes", however

the whole conversation of all types of “tiny homes” needs to be addressed. Ms. Allan agreed that the RVs, tiny homes and recreational park homes all need to be reviewed to see how they fit into the Land Use Codes.

Commissioner Deppe asked Commissioner Ehlers if a Park Home has a license plate on it. Commissioner Ehlers replied that a Recreational Park Model, also referred to as a Park Home, is required to be constructed to the same building code standards as an RV is. In order for them to be registered at the DMV, with a tag that is labeled on them, that it is an RVIA certified. They are issued plates and technically have wheels, tires and axles under them and can be driven out, however for the most part they are affixed.

MOTION: (Commissioner Ehlers) “Madam Chairman, on the Zoning and Development Code Amendments, ZCA-2017-580, I move that the Planning Commission forward a recommendation of approval finding that the amendments are necessary to provide consistency and clarity to the Zoning and Development Code with the addition of adding to Section 21.02.070(1)(2) to include an “accessory structure” as follows: “the director may permit an accessory structure, including a fence or retaining wall that are considered structures in a required setback upon the finding that...”

Commissioner Wade seconded the motion. A vote was called and the motion passed unanimously 6-0.

Other Business

Ms. Allan reminded the Commission that Commissioner Wade had extended an invitation to a reception on Thursday for both Ebi Eslami’s going away party and a holiday reception.

Adjournment

The meeting was adjourned at 8:46 pm.

PLANNING COMMISSION AGENDA ITEM

Project Name: Colorado Mesa University Outline Development Plan Extension
Applicant: Colorado Mesa University Real Estate Foundation
Representative: Derek Wagner
Addresses: 2899 D ½ Road
Existing Zoning: PD (Planned Development)
Staff: Kathy Portner, Community Services Manager
File No. ODP-2008-154
Date: January 23, 2018

I. SUBJECT

Consider a request by Colorado Mesa University Real Estate Foundation for a five-year extension of the approved Colorado Mesa University Outline Development Plan for 154 acres located at 2899 D ½ Road on the northwest corner of Riverside Parkway and 29 Road.

II. EXECUTIVE SUMMARY

The Applicant, Colorado Mesa University, requests a five-year extension of the Outline Development Plan (ODP) for the 154-acre property located 2899 D ½ Road at the northwest corner of Riverside Parkway and 29 Road. The ODP was originally approved in 2008 and has been approved for two extensions. The ODP is a mixed-use development with light industrial, office, retail, service and multifamily residential uses and establishes a general circulation plan for the development, including access to 29 Road and Riverside Parkway, as well as site design standards. The Applicant requests the development schedule extension to allow for market conditions to improve to the point that development of the property becomes feasible. If granted, the extension would expire December 15, 2022.

III. BACKGROUND

The 154 acres property, located at 2899 D ½ Road (northwest corner of Riverside Parkway and 29 Road), was annexed into the City in 2008 and zoned PD (Planned Development) with a default zone of Mixed Use (M-U). The subsequent 2010 Comprehensive Plan Future Land Use Map designated this property as Village Center, Residential Medium High (8 – 16 du/ac), Urban Residential Mixed Use (24+ du/ac) and Commercial/Industrial, consistent with the Outline Development Plan (ODP) approved for the subject property.

The ODP allows multi-family residential, commercial and industrial uses within four pods, as defined by Ordinance 4314 (see attached) and as shown on the included ODP Map. Pod A (44.3 acres) allows light industrial uses, Pods B (56.4 acres) and Pod C (15.5 acres) allow retail/service/restaurant and multi-family uses. Pod D (31.5 acres) allows multi-family uses and limited retail/service/restaurant uses. The ODP also establishes a general circulation plan for the property, including access points to 29 Road and Riverside

Parkway. Site Design Standards include the establishment of a Design Review Committee, screening of mechanical and HVAC systems, unified site design and architecture, and detached trails.

The original approval of the PD zoning and Outline Development Plan in 2008 required that a preliminary development plan be submitted within 2 years. In 2010, the City Council approved a two-year extension until December 15, 2012 and in 2013 granted another extension of five-years to December 15, 2017. The Applicant submitted their request for extension to the City on November 1, 2017, preserving the ability for an extension to be considered for this ODP. If granted, the extension would expire December 15, 2022.

IV. NOTIFICATION REQUIREMENTS

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. Mailed notice of the public hearing in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 12, 2018. The subject property was posted with an application sign on December 15, 2017 and notice of the public hearing was published on January 16, 2018 in the Grand Junction Sentinel.

V. ANALYSIS

In a letter dated November 1, 2017, the applicant has requested an additional 5-year extension of the Outline Development Plan. Section 21.02.080(n)(2)(i) and (ii) of the Zoning and Development Code allow for the City to consider extensions to Outline Development Plans, as follows:

- (a) *The decision-making body may extend any deadline if the applicant demonstrates why the original effective period or development phasing schedule was not sufficient and cannot be met.*

The Applicant, in their letter dated November 1, 2017, requested an extension to the current ODP for a period of 5 more years to wait for market conditions to improve to the point that development of the property becomes feasible. The original effective period has not allowed for favorable market conditions for this site to develop.

- (b) *The decision-making body shall consider when deciding to extend or change any deadlines if development regulations have materially changed so as to render the project inconsistent with the regulations prevailing at the time the extension would expire.*

The original approval of the PD zoning and Outline Development Plan was in 2008. The extension granted in 2013 also required that the ODP be subject to the 2010 Zoning and Development Code, which did not substantially change the requirements applicable to this development. The only significant change made to the Planned Development section of the Code was to allow for administrative review and approval of a Preliminary Plan. The approved ODP meets the requirements of the most current Zoning and Development Code and is consistent with the Comprehensive Plan goals and policies, as well as the

Future Land Use designation for this area. A process to update the Comprehensive Plan is anticipated to commence in late 2018, but to the degree staff can predict, this property's designation for intensive mixed-use development will likely still be an important component for infill development in this area, resulting in the ODP as originally approved continuing to be relevant.

- (c) *A request to extend any deadline shall be submitted in writing to the Director prior to the expiration of the original approval or deadline.*

The Applicant submitted their request for extension to the City on November 1, 2017 prior to the expiration or their extended approval on December 15, 2017.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the ODP-2008-154, a request for a five-year extension of the Colorado Mesa University Outline Development Plan for the 154 acres property located at 2899 D ½ Road, the following findings of fact have been made:

1. The requested extension meets the criteria of Section 21.02.080(n)(2)(i) of the Zoning and Development Code in that Applicant has demonstrated why the original effective period or development phasing schedule was not sufficient and cannot be met.
2. The development regulations have not materially changed so as to render the project inconsistent with the regulations prevailing at the time the extension would expire.
3. The request for extension was submitted in writing to the Director prior to the expiration of the original approval.

Therefore, Staff recommends approval of the request for a five-year extension.

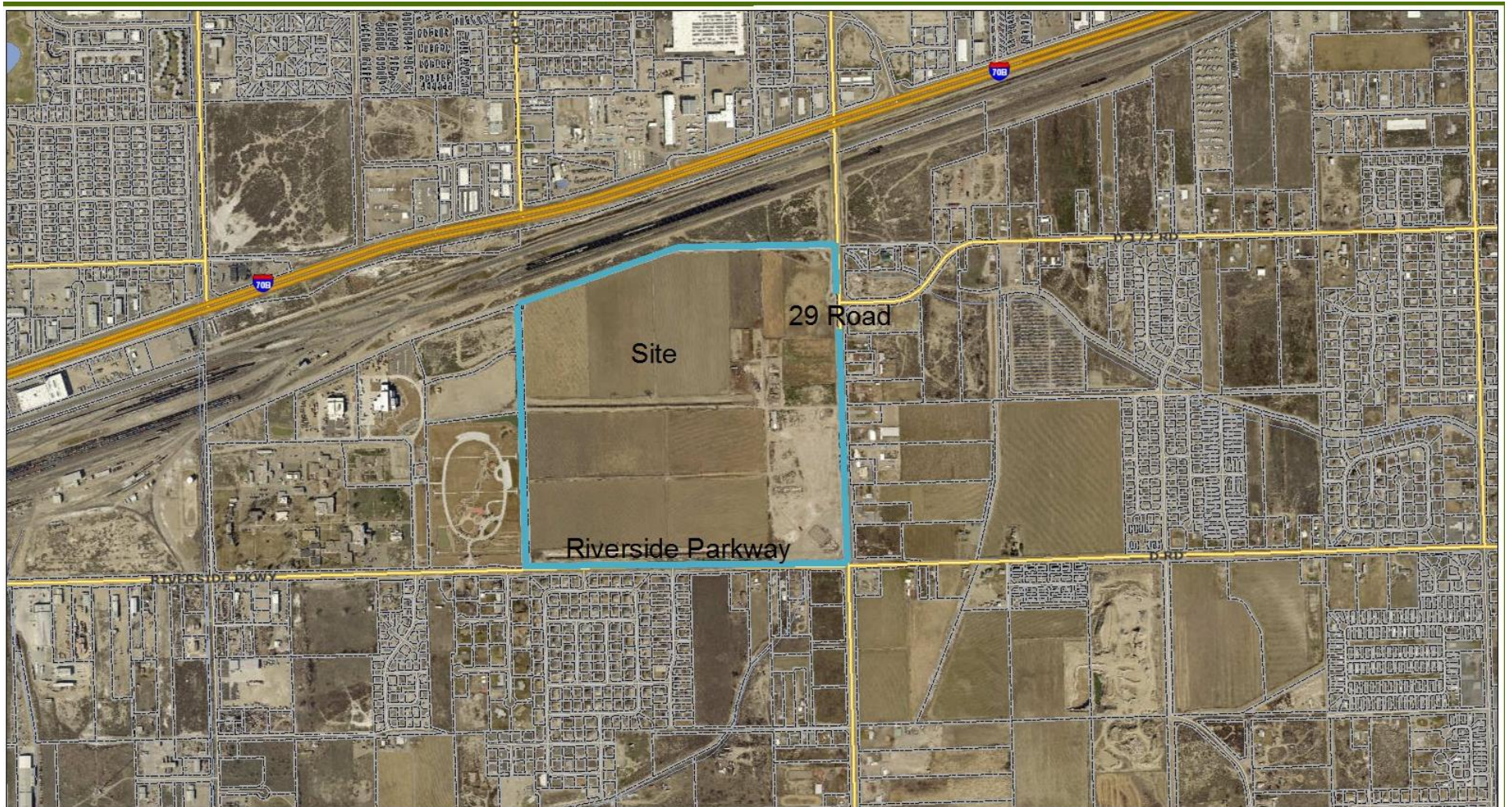
VII. RECOMMENDED MOTION

Madam Chairman, on the request for a five-year extension of the Colorado Mesa University Outline Development Plan, ODP-2008-154, I move that the Planning Commission forward a recommendation of approval for the extension to expire December 15, 2022 with the findings of fact as listed in the staff report.

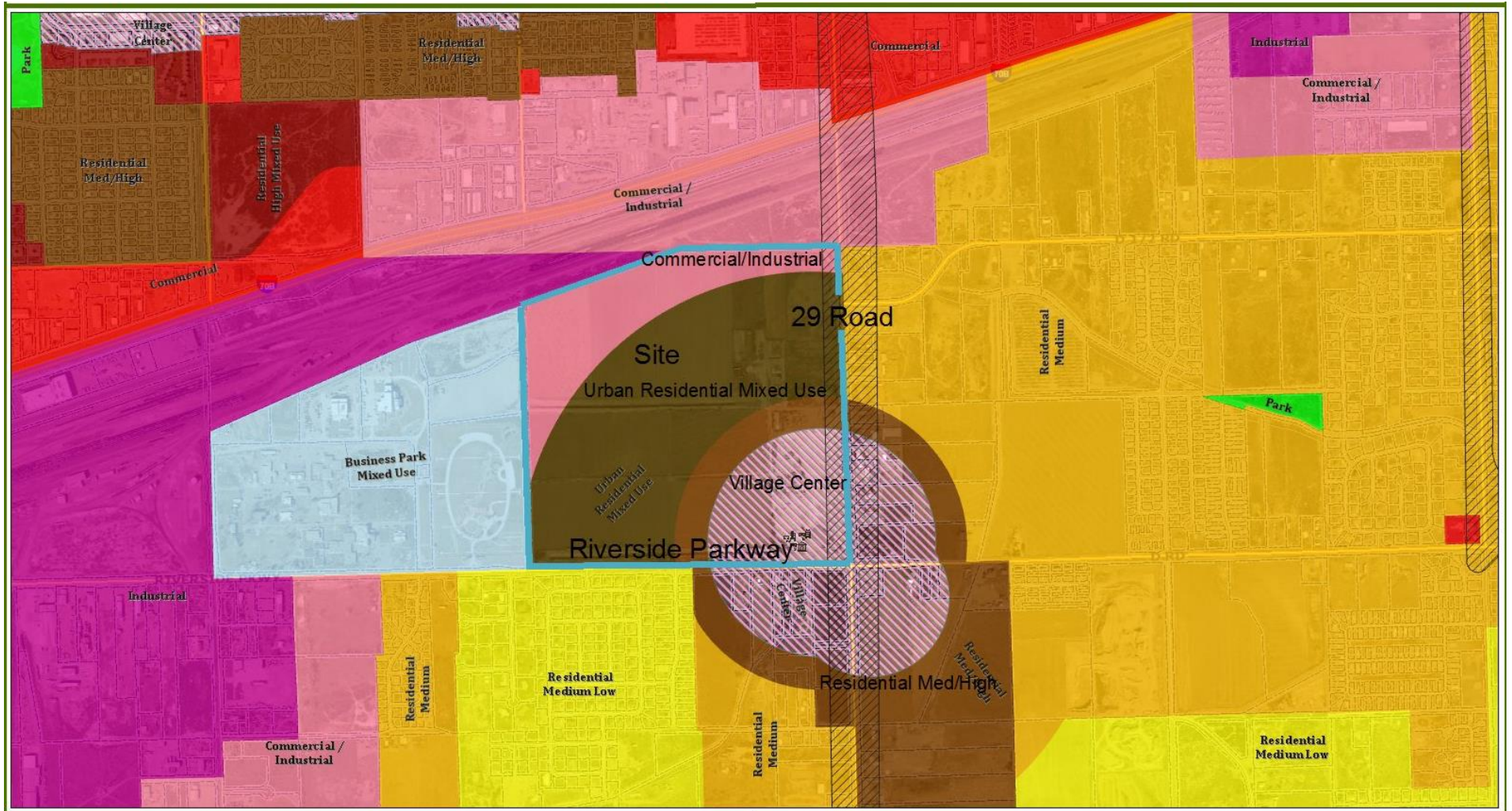
Attachments:

1. Vicinity Map
2. Site Location Map
3. Comprehensive Plan Future Land Use Map
4. Existing Zoning Map

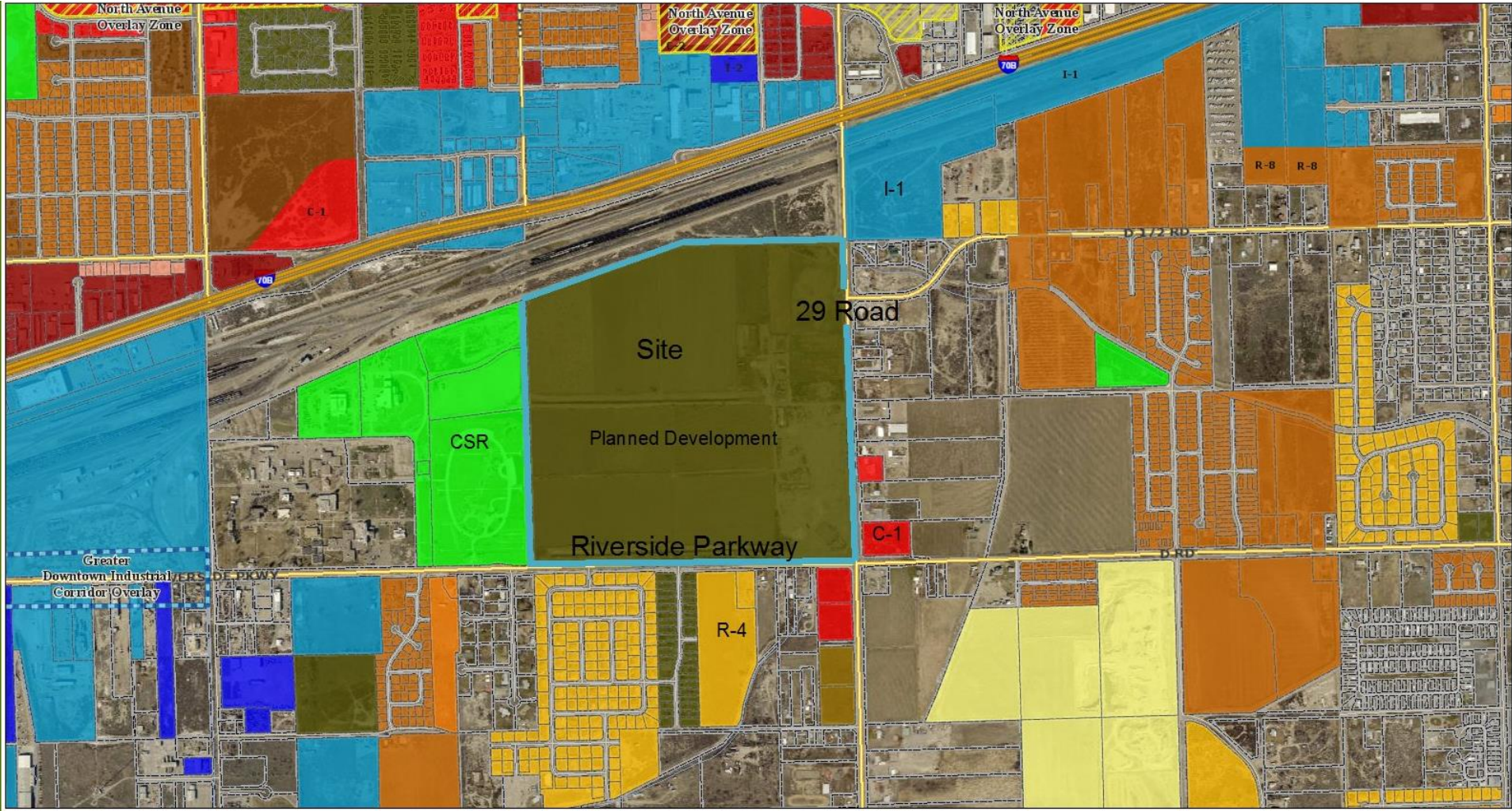
Vicinity Map



Comprehensive Plan Future Land Use



Existing Zoning



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

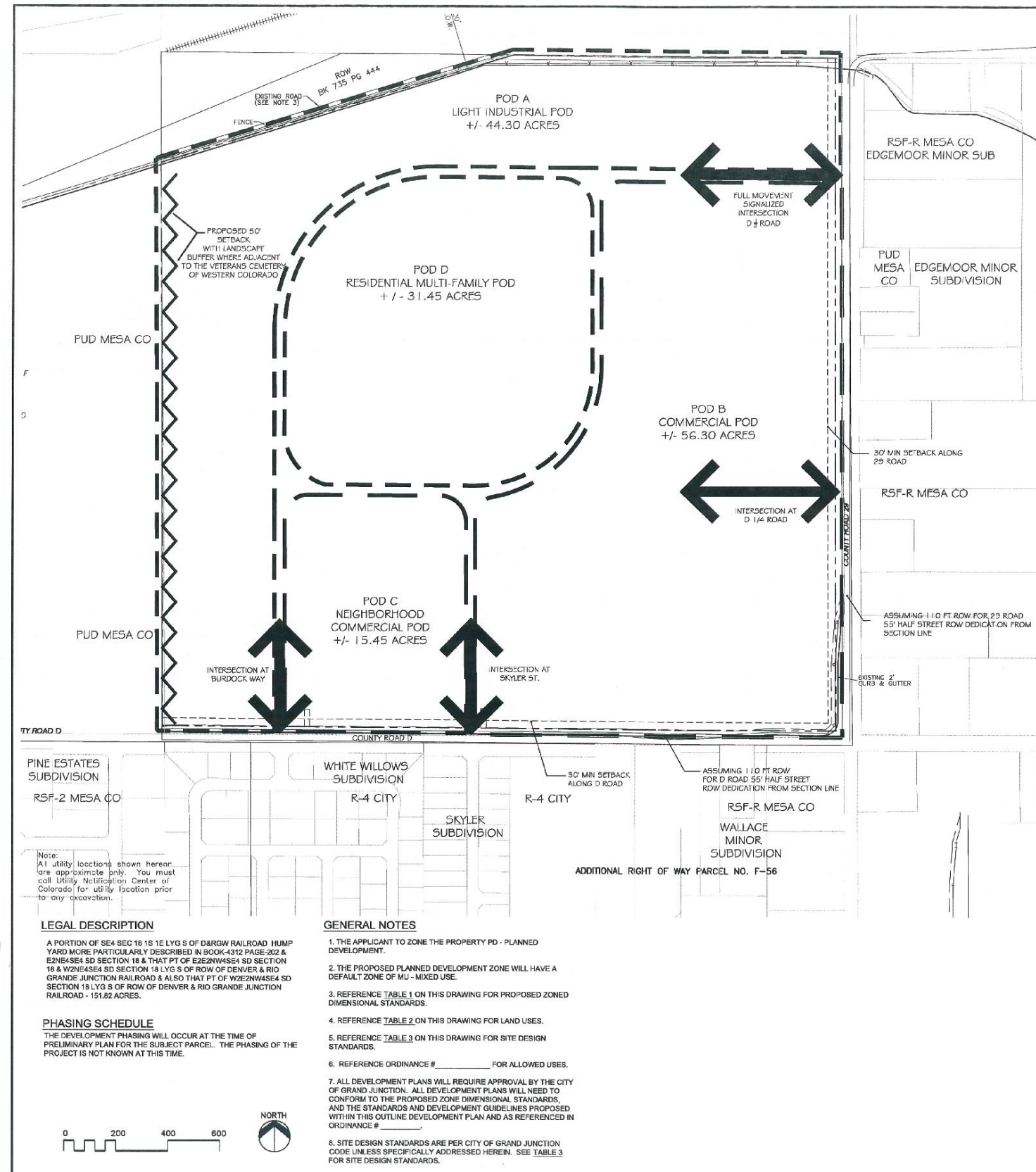


TABLE 1
PROPOSED ZONE DIMENSIONAL STANDARDS (Table 3.2 ZDC)

POD	DEFAULT ZONING DISTRICT	MIN LOT SIZE		MIN STREET FRONTAGE (FT.)	MINIMUM SETBACKS (1), (2), (3), (9)			MAX. LOT COVERAGE	MAX. F.A.R. (4)	MAX. HEIGHT (5)
		AREA (SQ. FT.)	WIDTH (FT.)		FRONT	SIDE	REAR			
POD A	MU	1 AC	100'	N/A	15/25	5/5	25/5	N/A	2.0	40'
POD B	MU	N/A	N/A	N/A	15/25	0/0	10/10	N/A	2.0	40'/65'
POD C	MU	N/A	N/A	N/A	15/25	0/0	10/10	N/A	2.0	40'/65'
POD D	MU	N/A	N/A	N/A	15/20	5/3	10/5	80%	N/A	65'

- (1) PRINCIPAL / ACCESSORY BUILDING
- (2) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 30' FROM THE RIGHT-OF-WAY OF 29 ROAD AND D ROAD
- (3) NON-RESIDENTIAL BUILDINGS SHALL BE SETBACK A MINIMUM OF 15' FROM THE RIGHT-OF-WAY OF ALL NON-ARTERIAL STREETS.
- (4) UNDER GROUND PARKING OR PARKING UNDER BUILDINGS IS EXCLUDED FROM MAX. F.A.R. CALCULATIONS.
- (5) IN 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 65' IN HEIGHT. A MULTI-FAMILY RESIDENTIAL BUILDING IN ANY POD CAN BE LESS THAN OR EQUAL TO 65' IN HEIGHT.
- (6) REAR YARD SETBACKS IN POD D THAT ARE LOCATED ALONG THE WESTERN PROPERTY LINE ADJACENT TO THE VETERANS CEMETERY OF WESTERN COLORADO SHALL BE FIFTY FEET (50').

TABLE 2
LAND USE TABLE

LAND USE	AREA	% OF SITE	USES	ESTIMATED INTENSITY/DENSITY
GENERAL USES	TOTAL AREA	100 %	GENERAL USES PER POD	POD INTENSITY / DENSITY (3) (4)
INDUSTRIAL				
POD A	± 44.30 ACRES	29 %	LIGHT INDUSTRIAL	N/A
COMMERCIAL				
POD B	± 56.30 ACRES	37 %	RETAIL/SERVICE/RESTAURANT MULTI-FAMILY DWELLINGS	± 450,000 SQ. FEET
POD C (1)	± 15.45 ACRES	10 %	RETAIL/SERVICE/RESTAURANT MULTI-FAMILY DWELLINGS	± 15,000 SQ. FEET / RESIDENTIAL DENSITY RANGE ALLOWING BETWEEN 123 TO 370 DWELLING UNITS
RESIDENTIAL (2)				
POD D (1)	± 31.45 ACRES	20 %	MULTI-FAMILY DWELLINGS WITH THE ABILITY FOR LIMITED RETAIL/SERVICE/RESTAURANT AS GROUND-LEVEL MIXED-USE BUILDING	RESIDENTIAL DENSITY RANGE ALLOWING BETWEEN 231 TO 754 DWELLING UNITS AND UP TO 10,000 SQ. FEET OF GROUND-LEVEL COMMERCIAL USES IN MIXED-USE BUILDINGS
ARTERIAL RIGHT OF WAYS	± 6.58 ACRES	4 %	N/A	N/A
GROSS SITE AREA	± 154.08 ACRES	100 %	100 %	100 %

- NOTE (1): NON-RESIDENTIAL INTENSITY CAN BE CONVERTED TO RESIDENTIAL DENSITY. SEE ORDINANCE FOR DETAILS ON CONVERSION RATIOS.
- NOTE (2): DEVELOPMENT DENSITY - MINIMUM OF 8 DWELLING UNITS PER ACRE AND A MAXIMUM OF 24 DWELLING UNITS PER ACRE FOR PODS WITH RESIDENTIAL USES ALLOWED. DENSITY CAN BE AVERAGED ACROSS THE PODS.
- NOTE (3): THE MAXIMUM NUMBER OF RESIDENTIAL UNITS ALLOWED ON THE PROPERTY IS 1124
- NOTE (4): ADDITIONAL COMMERCIAL SQUARE FOOTAGE CAN BE CONSTRUCTED WITHIN PODS B AND C IF IT CAN BE ACCOMMODATED BY ADJACENT ARTERIAL STREETS. THE TRAFFIC IMPACT STUDY SHALL ADDRESS ANY ADDITIONAL COMMERCIAL SQUARE FOOTAGE REQUEST.

TABLE 3
SITE DESIGN STANDARDS

- (1) THE DESIGN REVIEW COMMITTEE MUST APPROVE ALL ARCHITECTURE PRIOR TO SUBMITTAL OF TO THE CITY OF GRAND JUNCTION.
- (2) IN PODS B AND C ALL ROOF TOP AND GROUND MOUNTED MECHANICAL AND HVAC EQUIPMENT SHALL BE SCREENED FROM ON-SITE PARKING LOTS.
- (3) ALL UTILITY METERS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE PAINTED THE SAME COLOR AS THE BUILDING OR SCREENED FROM VIEW.
- (4) IN POD D ALL HVAC EQUIPMENT LOCATED ON THE GROUND SHALL BE SCREENED FROM VIEW. LATTICE OR PLANT MATERIAL IS A SUFFICIENT SCREEN.
- (5) UNIFIED DEVELOPMENT
THE PROJECT SHALL BE DEVELOPED IN A UNIFIED MANNER WITH SIMILAR ARCHITECTURAL STYLES AND THEMES THROUGHOUT. DETACHED TRAILS ALONG THE ARTERIAL FRONTAGES ARE INTENDED TO PROVIDE A SAFE MULTI-MODAL TRANSPORTATION HAVEN AND PROVIDE ACCESS 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.
- (6) SIDE AND REAR YARD LOADING AREAS SHALL BE SCREENED FROM VIEW FROM ARTERIAL ROADWAYS. FRONT FACADE LOADING DOCKS SHALL BE RECESSED A MINIMUM OF 20' BEHIND THE FRONT FACADE OF THE BUILDING.
- (7) AN OPEN SIX FOOT (6') FENCE IS REQUIRED ALONG THE WESTERN MOST PROPERTY LINE OF POD D WHERE ADJACENT TO VETERANS CEMETERY OF WESTERN COLORADO.

Note:
All utility locations shown hereon are approximate only. You must call Utility Notification Center of Colorado for utility location prior to any excavation.

LEGAL DESCRIPTION

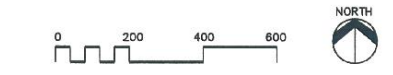
A PORTION OF SE4 SEC 18 1S 1E LYG S OF D&RGW RAILROAD HUMP YARD MORE PARTICULARLY DESCRIBED IN BOOK-4312 PAGE-202 & E2NE4SE4 SD SECTION 18 & THAT PT OF E2E2NW4SE4 SD SECTION 18 & W2NE4SE4 SD SECTION 18 LYG S OF ROW OF DENVER & RIO GRANDE JUNCTION RAILROAD & ALSO THAT PT OF W2E2NW4SE4 SD SECTION 18 LYG S OF ROW OF DENVER & RIO GRANDE JUNCTION RAILROAD - 151.82 ACRES.

PHASING SCHEDULE

THE DEVELOPMENT PHASING WILL OCCUR AT THE TIME OF PRELIMINARY PLAN FOR THE SUBJECT PARCEL. THE PHASING OF THE PROJECT IS NOT KNOWN AT THIS TIME.

GENERAL NOTES

1. THE APPLICANT TO ZONE THE PROPERTY PD - PLANNED DEVELOPMENT.
2. THE PROPOSED PLANNED DEVELOPMENT ZONE WILL HAVE A DEFAULT ZONE OF MU - MIXED USE.
3. REFERENCE TABLE 1 ON THIS DRAWING FOR PROPOSED ZONED DIMENSIONAL STANDARDS.
4. REFERENCE TABLE 2 ON THIS DRAWING FOR LAND USES.
5. REFERENCE TABLE 3 ON THIS DRAWING FOR SITE DESIGN STANDARDS.
6. REFERENCE ORDINANCE # _____ FOR ALLOWED USES.
7. ALL DEVELOPMENT PLANS WILL REQUIRE APPROVAL BY THE CITY OF GRAND JUNCTION. ALL DEVELOPMENT PLANS WILL NEED TO CONFORM TO THE PROPOSED ZONE DIMENSIONAL STANDARDS, AND THE STANDARDS AND DEVELOPMENT GUIDELINES PROPOSED WITHIN THIS OUTLINE DEVELOPMENT PLAN AND AS REFERENCED IN ORDINANCE # _____.
8. SITE DESIGN STANDARDS ARE PER CITY OF GRAND JUNCTION CODE UNLESS SPECIFICALLY ADDRESSED HEREIN. SEE TABLE 3 FOR SITE DESIGN STANDARDS.



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

DRAWN BY: JJC
CHECKED: TC
JOB NO.: 0729
DATE: 05-01-08
REVISIONS:
09-16-08 Comments
10-20-08 Comments
10-30-08 Comments
DRAWING NO.: 0729_10-30-08

SHEET NO.: 1
STATUS:
● ODP & REZONE
○ PRELIMINARY PLAN
○ FINAL PLAN

CLAVONNE, ROBERTS & ASSOC., INC.
LANDSCAPE AND PLANNING ARCHITECTS
222 NORTH 7TH STREET
GRAND JCT, CO 81501
PH: 970-241-0745
FAX: 970-241-0785
EMAIL: info@clavonne.com

**OUTLINE
DEVELOPMENT
PLAN**

Attach 3

EXHIBIT LIST

**CANNELL RIGHT OF WAY VACATION
FILE NO. VAC-2017-581**

Exhibit Item #	Description
1	Application dated November, 2017
2	Staff Report dated January 23, 2017
3	CMU Civic and Institutional Master Plan Map dated March 2017
4	City of Grand Junction and Colorado Mesa University Utility Easement and Maintenance Agreement dated September 126, 2017
5	Staff Presentation dated January 23, 2017

Exhibit #1

GENERAL PROJECT REPORT FOR:

VACATION APPLICATION

CANNELL AVENUE SOUTH OF
ORCHARD AVENUE

GRAND JUNCTION, COLORADO
November, 2017

PREPARED FOR:
COLORADO MESA UNIVERSITY
1100 NORTH AVENUE
GRAND JUNCTION, CO 81501

PART A REQUEST

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ACCESS AND TRAFFIC CIRCULATION	2
LAND USE ZONING	2
LAND USE ZONING MAP	2
FUTURE LAND USE MAP	3
SURROUNDING LAND USE	3
LAND USE MAP	

PART B EVALUATION OF THE REQUEST

	PAGE
VACATION APPROVAL CRITERIA	4 & 5

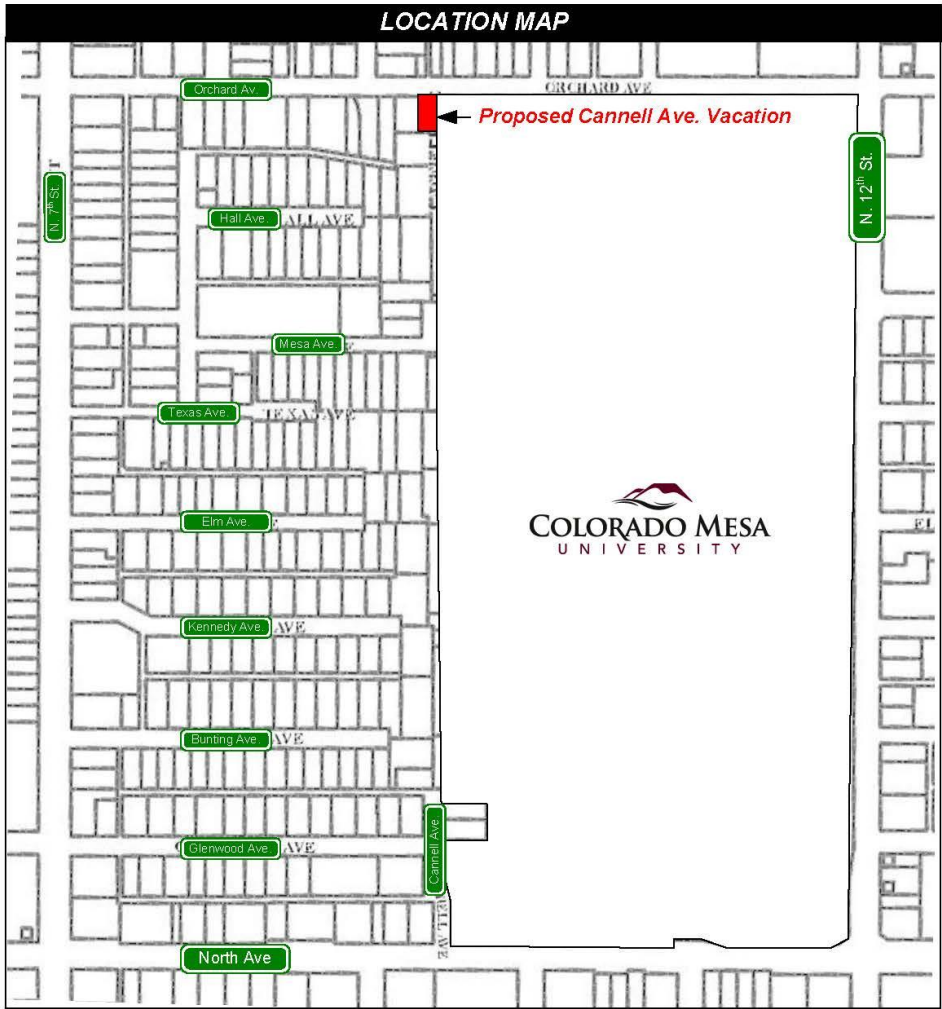
This application is a request to vacate 109 centerline feet of a 60 foot wide Cannell Avenue south of Orchard Avenue comprising approximately 6,540 square feet. The land adjoining the requested vacated area is under the control of Colorado Mesa University (CMU). Vacation of the streets and alleys will permit the future westward expansion efforts planned for the CMU campus.

The following are justifies for the vacation of the right-of-way:

- ✓ Reduced public alley maintenance costs.
- ✓ Allow CMU to carry on with the implementation of their facilities master plan.
- ✓ An increase in economic construction activity in the community.
- ✓ The request meets all of the approval criteria contained within the development code for vacation requests.

SITE LOCATION DATA

Common Location: North 109 feet of Cannell Avenue South of Orchard Avenue
Aliquot Section: NE ¼ Section 11, Township 1 South, Range 1 East, Ute Meridian
Latitude and Longitude: 39° 05' 03", -108° 33' 25"



REQUEST - This application is a request to vacate 109 centerline feet of a 60 foot wide Cannell Avenue south of Orchard Avenue comprising approximately 6,540 square feet.

The land adjoining the requested vacated areas is under the control of Colorado Mesa University (CMU). Vacation of the alley will permit the future westward expansion efforts planned for the CMU campus.

The requested vacated areas will not impede access to any property not currently owned by CMU. Drawings contained herein, illustrates the relationship of the proposed right-of-way vacation to the universities current land ownership and the existing land uses adjoining the proposed street and alley vacations.

ACCESS AND TRAFFIC CIRCULATION - The *Grand Valley Circulation Plan* establishes functional road classifications and a conceptual local street network plan. According to the plan, Cannell Avenue is classified as a "local" street. Other nearby streets is Orchard Avenue, and North 7th Street which are classified as a "minor arterials".

LAND USE ZONING - An examination of the Grand Junction Zoning Map reveals that the property adjacent to the vacated area is zoned: R-8, (Residential Multi Family). A patchwork of "CSR" (Community Services Recreational) zone designation for the main CMU campus can be found east of the subject vacated areas.




SURROUNDING LAND USE - The surrounding land uses in the vicinity of the proposed street and alley vacations are considered to be "medium" intensity. The area is dominated by the main CMU campus. There are no business/commercial uses nearby. Most the land west of the subject vacated area, not owned by CMU, are single family dwellings on small lots. The majority property owned by CMU is currently used as interim parking areas that were previously occupied by single family dwellings. The following Existing and Surrounding Land Use Map portrays the properties owned by CMU and land uses in the vicinity of the requested vacated alley and street:

SURROUNDING LAND USE MAP (2016 Air Photo)



P Campus Parking

 Property Owned by CMU



SCALE: 1 in. = 100 ft.



Evaluation of the **Vacation Request** is accomplished by using the six approval criteria for “Vacations of Rights-of-Way or Easements” in section 21.02.100 of the *Grand Junction Municipal Code*. The following response to each of the criteria illustrates compliance:

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

Criteria 1: The Growth Plan, major street plan and other adopted plans and policies of the City;

RESPONSE: According to the major street plan the subject street is classified as a: local streets. The street plan does not include any specific requirement for the subject street and are not included in any other known adopted plans and policies. Vacation of the requested right-of-way will allow conformance with the following statements contained with the Comprehensive Plan:

Higher education is a key component of Grand Junction's status as a Regional Center. CMU helps train workers for local employment, attracts students that contribute to the local economy, is a significant employer in its own right, and brings recreational and cultural activities that appeal to the whole community.

Yearly growth of the facility has recently been between 2 — 5 %. There is a need to triple the number of dormitory beds, to 3,000. A Master Plan for expansion includes locations of future buildings and facilities.

The CMU Special Use Overlay is intended to allow adequate space around the college to accommodate school facility expansion as well as associated businesses (book stores, retail establishments, offices, etc., restaurants and residential uses.

Criteria 2: No parcel shall be landlocked as a result of the vacation;

RESPONSE: No parcels of land not under the control of CMU will be landlocked as a result of the proposed vacation.

Criteria 3: 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;

RESPONSE: Access to parcels not owned by CMU will not be restricted as a result of the requested right-of-way vacation because of proposed existing and future drive lanes within campus parking areas.

Criteria 4: 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 service);

RESPONSE: During the interim period of time between the vacation of the subject alley and the actual redevelopment of the adjoining properties existing traffic circulation patterns and accessibility to services will not substantially change.

Criteria 5: The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06;

RESPONSE: All necessary public facilities exist, or can be up-graded once the vacation of the right-of-way has occurred. New easements can be dedicated to the various utility providers in order that they can continue to operate and maintain their facilities until redevelopment of the surrounding properties occur.

Criteria 6: The proposal shall provide benefits to the City such as reduced maintenance requirement, improved traffic circulation, etc.

RESPONSE: Following are benefits to the community that will occur once the subject right-of-way vacations are granted:

- ✓ Reduced public street and alley maintenance costs.
- ✓ Allow CMU to carry on with the implementation of their facilities master plan.
- ✓ An increase in economic construction activity in the community.

PLANNING COMMISSION AGENDA ITEM

Project Name:	Vacation of a Portion of the Cannell Street Right-of-Way
Applicant:	Colorado Mesa University
Representative:	Tom Logue
Address:	Cannell Avenue, South of Orchard Avenue
Zoning:	N/A
Staff:	Kathy Portner, Community Services Manager
File No.	VAC-2017-581
Date:	January 23, 2018

I. SUBJECT

Consider a request to vacate that portion of Cannell Avenue right-of-way (ROW) south of Orchard Avenue, consisting of 109 linear feet by 60 feet wide for a total of 6,540 square feet. The properties adjoining the requested area to be vacated are owned by Colorado Mesa University (CMU). Vacation of the right-of-way will permit the future north and westward expansion planned for the CMU campus.

II. EXECUTIVE SUMMARY

Colorado Mesa University (CMU) is requesting to vacate the remaining portion of the Cannell Street right-of-way (ROW) directly south of Orchard Avenue, consisting of 109 linear feet by 60 feet wide, to allow for the future north and westward expansion of the CMU campus. CMU owns the adjacent properties, as well as properties to the south where the Cannell Street ROW was vacated in 2015. The vacated ROW will be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*. Private easement for Xcel Energy’s utilities will be provided and access to privately owned properties north of Hall Avenue and east of N. 8th Street via the alley will be maintained. This section of ROW falls outside of CMU’s Institutional and Civic Master Plan, therefore the vacation request is not subject to an administrative review and must proceed through the codified process for right of way vacation requests.

III. BACKGROUND

As Colorado Mesa University (CMU) has acquired properties for campus expansion, requests for right-of-way (ROW) vacations have been made to consolidate CMU’s ownership. In June of 2017, the City approved an Institutional and Civic Master Plan for Colorado Mesa University and an administrative process for future vacations of ROW interior to the campus once certain conditions were met. However, the proposed boundary of the Master Plan and administrative review process does not include this portion of the Cannell Street ROW; therefore, this specific request is required to follow the codified process for the vacation of a right of way, including review and recommendation by Planning Commission and final decision by City Council.

The Cannell Street ROW to the south of the requested vacation was previously vacated in 2015, along with a portion of the east end of Hall Avenue and the alleys to the north and south of Hall Avenue. This request completes the vacation of Cannell Street to Orchard Avenue. No privately held parcels will be landlocked as a result of the requested vacation. All properties abutting the proposed vacation are under the control of CMU and the private parcels to the west of the proposed vacation front on Orchard Avenue.

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on September 12, 2017 consistent with the requirements of Section 21.02.080(e). Twenty neighbors attended the meeting along with the Applicant. The Applicant provided an update on various campus projects, including the proposal to vacate the portion of the Cannell Street Right-of-Way south of Orchard Avenue. Area residents did not voice any concerns regarding the proposed ROW vacation. To date, the City has received three phone calls inquiring about the request to vacate of this portion of Cannell Street.

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. Mailed notice of the public hearing in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 12, 2018. The subject property was posted with an application sign on December 15, 2017 and notice of the public hearing was published on January 16, 2018 in the Grand Junction Sentinel.

V. ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public 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.*

The vacation of this segment of the Cannell Street right-of-way will allow for the consolidation of CMU properties for future development. This does not impact the Grand Valley Circulation Plan and is consistent with the Comprehensive Plan by supporting the University's facilities and building expansion projects, thereby enhancing a healthy, diverse economy and improving the City as a regional center of commerce, culture and tourism. Therefore, staff believes this criterion has been met.

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

No privately held parcels will be landlocked as a result of the requested vacation. All properties abutting the proposed vacation are under the control of CMU and the private parcels to the west of the proposed vacation front on Orchard Avenue. Therefore, staff finds this criterion has been met.

- 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 privately held parcel. All properties abutting the proposed vacation are under the control of CMU. However, reasonable access to the remaining east-west alley south of Orchard Avenue must be maintained for the private property owners. Therefore, with the recommended condition to provide reasonable access to the alley, staff finds this criterion has been met.

- 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 Grand Junction Fire Department and Police Department expressed no objections to the request. As previously agreed, it is expected that CMU must provide for general circulation and emergency access as needed. The vacated ROW will also be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*, and necessary easements for Xcel Energy shall be provided. Therefore, with the recommended condition to provide necessary easements for Xcel Energy, staff finds that this criterion has been met.

- 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.*

The Grand Junction Fire Department and Police Department expressed no objections to the request. All City utilities are subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus* and necessary easements will be granted to Xcel Energy. As such, staff finds this criterion has been met.

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

Maintenance requirements for the City will be reduced as a result of the street right-of-way vacation. The vacated right-of-way will be incorporated into the overall CMU campus expansion and will be included within their ownership. As such, staff finds this criterion has been met.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing VAC-2017-581, a request to vacate a portion of the Cannell Street right-of-way south of Orchard Avenue, the following findings of fact and conditions have been made:

1. The proposal conforms with Section 21.02.100 (c) of the Grand Junction Zoning and Development Code, provided the following conditions are met prior to recordation of the ordinance:

- a. CMU shall plan for and provide circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
- b. All City utilities shall be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*; and,
- c. CMU shall grant, as applicable, necessary utility easements to Xcel Energy.

Therefore, staff recommends approval of the request to vacate a portion of the Cannell Street right-of-way south of Orchard Avenue.

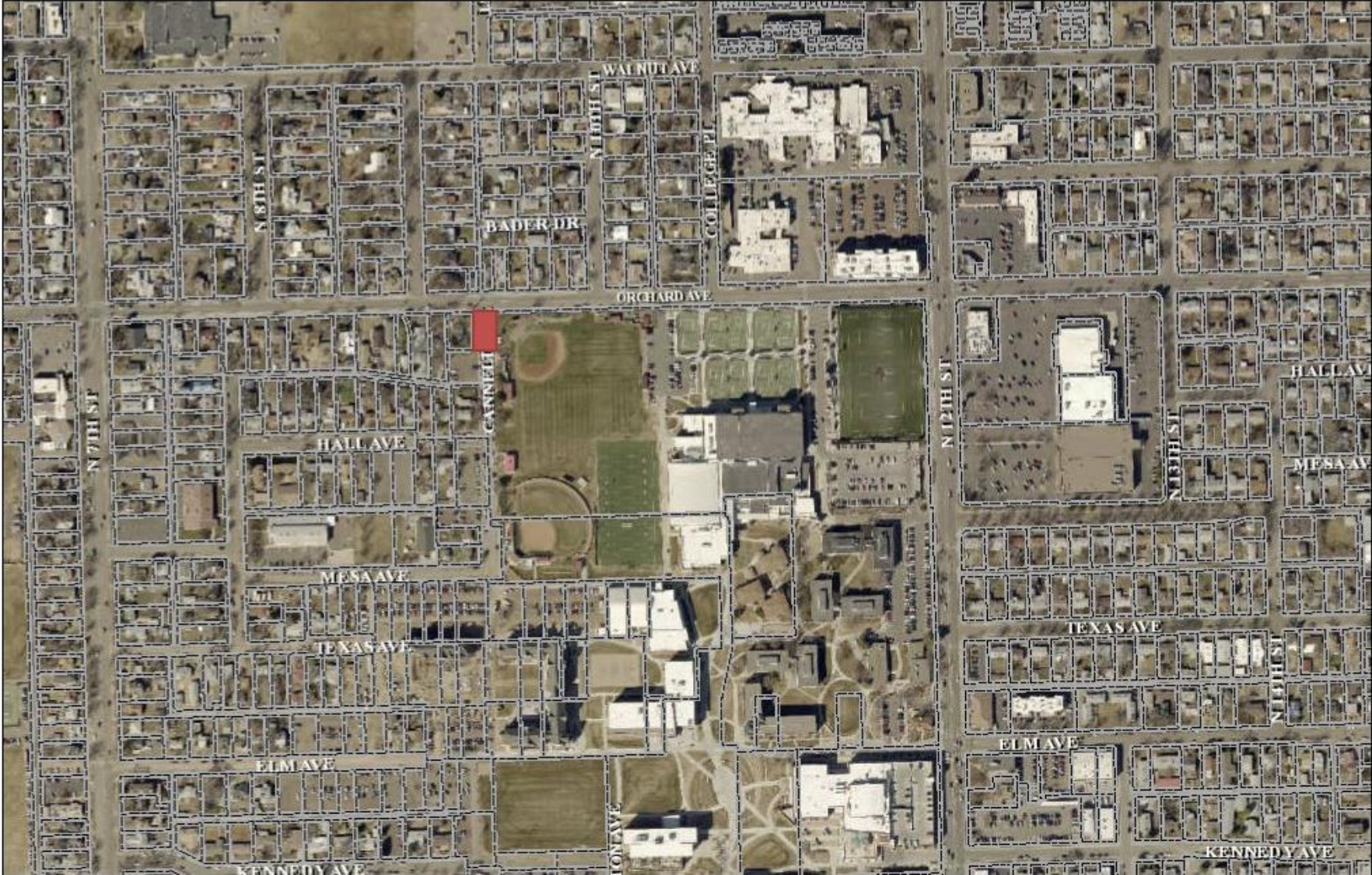
VII. RECOMMENDED MOTION

Madam Chairman, on the request to vacate a portion of the Cannell Street right-of-way south of Orchard Avenue, VAC-2017-581, I move that the Planning Commission forward a recommendation of conditional approval with the findings of fact and conditions as listed in the staff report.

Attachments:

5. Site Location Map
6. Proposed Cannell Street Vacation Map

Site Location Map




Proposed Cannell Street Vacation

SURROUNDING LAND USE MAP (2016 Air Photo)



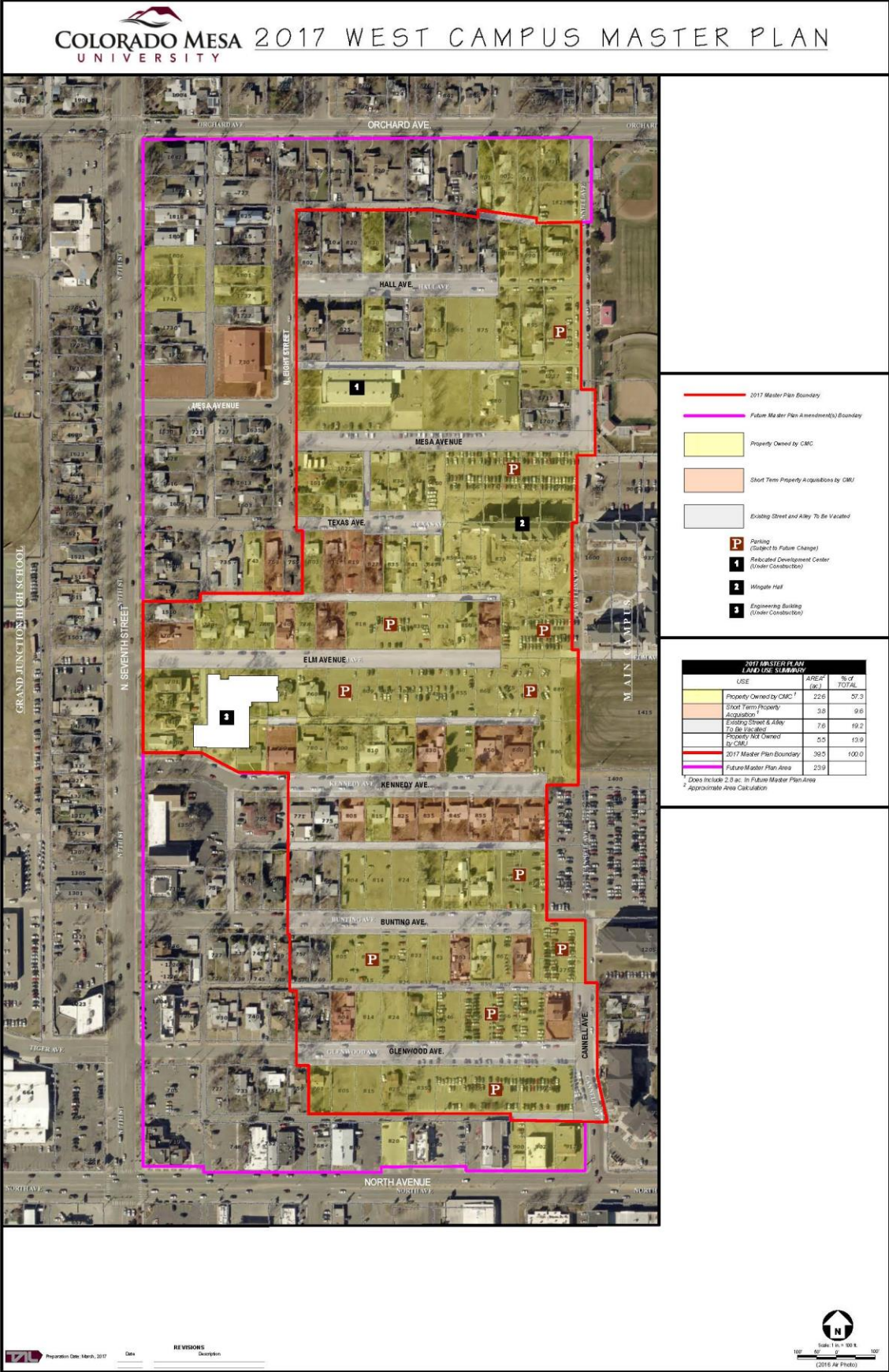
P Campus Parking

 Property Owned by CMU



SCALE: 1 in. = 100 ft.

Exhibit 4



COLORADO MESA UNIVERSITY AND CITY OF GRAND JUNCTION UTILITY EASEMENT AND MAINTENANCE AGREEMENT-CMU MAIN CAMPUS

This Agreement is made by and between the City of Grand Junction, a Colorado home rule city ("City"), and the Board of Trustees of Colorado Mesa University ("CMU"), and is effective as of the date that both parties have signed below.

Recitals.

- A. CMU continues to expand its campus to serve the needs of Western Colorado and of the entire State of Colorado. For this Agreement, "campus" means the area generally bounded by North Avenue, Orchard Avenue, 7th Street and 12th Street, in Grand Junction, Colorado, within which exists the main CMU campus and within which CMU is expected to expand.
- B. CMU has adopted a master plan, the current iteration of which shows that in the years to come the campus can be expected to encompass many existing properties west of the now developed main campus. A copy of the current master plan is attached as **Exhibit A**. When land use is changed from residential to campus buildings and facilities, the number of service lines will decrease substantially yet the size of the lines and the complexity of the maintenance of the lines may increase and/or some lines may need to be relocated. A 'service line' for purposes of this Agreement is the water and/or the sewer pipe(s) connecting the structures on the campus with the City water or sewer pipe(s) that carry water or sewage, respectively, to and/or away from the campus and other structures served by such service lines.
- C. CMU has relied, and will continue to rely, on the City's water, sanitary sewer and other services provided to other citizens and land owners within the City.
- D. To utility providers and engineers, there is a distinction between 'main' or 'trunk' water, sanitary sewer and storm sewer lines (typically 4" or larger for water, 8" or larger for sanitary sewer and 12" or larger for storm sewer) and 'service' lines that are typically smaller and are owned and maintained by the owner of the served parcel. For purposes of this Agreement, the larger 'main' or 'trunk' lines as described above are the primary concern of the City and CMU under this agreement, not 'service lines (Wet Utilities)

The City desires to support the expansion of the CMU campus, and agrees that the City should continue to own, operate and maintain the main or trunk lines providing service to and within the campus as it exists and is planned to exist.

- E. At the present time, CMU is requesting City approval of a plat and vacation of existing City rights-of-way as shown on said plat, attached as **Exhibit B**. This Agreement is agreed to in part to facilitate the City's approval of such plat.

NOW THEREFORE, in consideration of the many benefits received by CMU and the City, individually and collectively, as a result of this Agreement, the City of Grand Junction and Colorado Mesa University agree as follows:

1. CMU, as the owner of the property described on Exhibit B, hereby grants to the City as the owner and service provider of the Wet Utilities serving the property shown on Exhibit B, a perpetual and non-exclusive easement to be used by the City to access, operate, maintain, improve, repair and replace as necessary the Wet Utilities serving the property shown on Exhibit B in accordance with City standards.
2. The City agrees that it will continue to own, operate, maintain, improve, repair and replace as needed the main and trunk lines as described in recital C above, that serve the property shown on Exhibit B now and as it is planned to exist in the future except as the deviation procedure in paragraph 4 below applies.
3. While the City standards ordinarily require unobstructed ten-foot-wide access on either side of the centerline of Wet Utilities, the City recognizes that doing so within the campus may unduly limit the ability of CMU to make the most efficient use of its limited area and lands. Thus, the City agrees to accept existing accesses to existing Wet Utilities, so long as at least ten feet of unobstructed access is provided, centered over the Wet Utility in question.
4. CMU shall deliver its construction plans to the City with respect to Wet Utilities so that the City has an opportunity to improve the efficiency and effectiveness of Wet Utility service line that will serve the campus both now and in the future. When, CMU determines that one or more City standard(s) must be deviated from when constructing or locating Wet Utilities, CMU shall consult with the City's Engineers to obtain City approval of such deviation(s). If the City's Engineers do not approve such deviation(s), then CMU may request review of such denials by the City Director of Public Works and if said Director does not approve such deviation(s) then CMU may request the City Manager to review such denial and if said City Manager does not approve such deviation(s), and CMU elects to construct the deviations anyway CMU shall be responsible for maintenance, repair and replacement of such service, trunk or main line(s) for that segment or portion of the Wet Utilities that do not meet the City's specifications. Deviations that are approved shall be described in writing, typically including drawing(s) specifying the deviation(s).
5. For buildings and other improvements within the area described on Exhibit A, and for future easements for the campus as it will exist, CMU agrees to provide ready and safe access to the City for Wet Utilities.
6. In the event the City concludes that it cannot reasonably obtain access to Wet Utilities because the CMU design access is too narrow, short or small, City Engineers will inform the City Director of Public Works who shall consult with the CMU consultant/engineer to determine a practical solution, on a case-by-case basis.
7. In any instance where the wet utilities do not meet city standards and where the Campus surface has been improved (e.g., sidewalks and landscaping), including within the area described in Exhibit A, if the City cannot reasonably obtain access to or perform its necessary maintenance,

improvement, repairs or replacement to Wet Utilities owned by the City, the City shall inform CMU which shall perform the needed maintenance, improvement, repair or replacement; however, in an emergency, the City may damage or remove such surface improvements without notice to CMU and in such event, the City shall not be obligated to replace the improved surface of the damaged area to its prior condition, but shall return the surface to a substantially equivalent of grade and elevation.

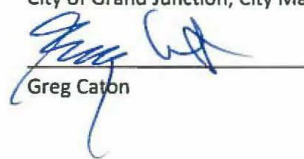
8. CMU shall pay for the costs to repair or replace any improvements damaged by the City as a result of the reasonable exercise of maintenance, repair or replacement of City Wet Utilities in locations where such Wet Utilities do not meet City standards.
9. Notwithstanding any provision of this Agreement to the contrary, CMU shall prohibit the construction of any structures on the Campus as it exists or will exist that are not at least ten feet at the centerline from any Wet Utilities existing as of the date of the Agreement.
10. The parties agree that the existing rights-of-way for Cannell and Elm and any existing multi-purpose easements ("MPE"s) shall be vacated, and title thereto shall vest in CMU, subject to reservation by the City of easements (the "Cannell and Elm Easements") for any such MPEs and for access for utilities. The legal description of the Cannell and Elm Easements that are being vacated shall be identical to the description of the vacated rights-of-way and any adjacent MPEs.
11. The City agrees that CMU shall have the right to install improvements such as fiber optic lines and related facilities within the Cannell and Elm Easements, subject to CMU's duty to abide by the law applicable to easements.
12. To facilitate the logical and efficient expansion of CMU on land presently owned or owned in the future either in the name of the CMU Real Estate Foundation or titled in the name of the State of Colorado for the benefit of CMU, or in the name of any entity controlled by the CMU Board of Trustees, this Agreement shall apply to all Wet Utilities serving the present and future CMU main campus.
13. The term of this Agreement shall be for a five year period and can be renewed for another five year term provided both parties are agree able. The term also provides for a two year review by both parties from the effective date of the agreement. This two year review will be an opportunity for the two parties to meet and assess how the agreement is working and make appropriate changes to the agreement as agreed upon by both parties.

Colorado Mesa University, President



By: Tim Foster

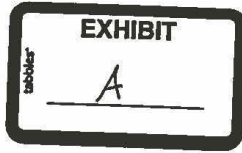
City of Grand Junction, City Manager



Greg Caton

Dated: 2-12-16

Dated: 9/12/2016



MESA STATE COLLEGE

PROGRAM PLAN
WEST EXPANSION PROPERTY ACQUISITION PROJECT

APRIL 8, 2011



C H A M B E R L I N
A R C H I T E C T S

CONTRIBUTORS

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Mesa State College Foundation Officers

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Keith Gilstrap, Vice-President
Travis Perry, Secretary/Treasurer

PREFACE

The project described herein continues the activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and, beginning in 2004 with the approval of the “House Demolition and Ground Recovery Project” program plan, began gifting the properties to the College. Originally the 2004 program plan was expected to take 15 years to complete; however, with only five remaining properties to be acquired, it is approaching its successful completion in half the time. This coupled with the unprecedented enrollment growth that has occurred during this time period places the College in a position where it needs to proceed with phase two its land expansion plan. Approval of this program plan will authorize the Foundation to acquire the additional properties described herein.

Coordinators for this project were Pat Doyle, Vice President, Finance and Administrative Services, Derek Wagner, Director, Strategic Initiatives, Kent Marsh, Director of Facilities Services; and Andy Rodriguez, Director of Purchasing. Program plan documentation was accomplished by Ed Chamberlin, Chamberlin Architects, Campus Architect. This document has been approved by Tim Foster, President of Mesa State College, as well as by the senior administration of the College.

This document responds to the outline requirements of CCHE policy Section III.E, *Guidelines for Facilities Program Planning* last revised April 5, 2001. Some outline sections have been omitted because the project does not deal with new capital construction or building renovation.

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EXECUTIVE SUMMARY

It is the purpose of this project to consolidate activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and giving it to the College through Foundation, Trustee, Colorado Commission on Higher Education, and Legislative actions. The College now needs to be able to accept the gift of additionally acquired properties and to consolidate those and prior associated properties into useful capital construction expansion sites.

This project is necessitated by the continued growth of Mesa State College. In the past ten years, unduplicated fiscal year FTE has increased from 4302 to 6555 or 52.4%. Likewise, unduplicated fiscal year headcount has grown from 5212 to 8131 or 56.0%. These figures indicate a growth rate of almost 4.5% per year.

The specific additional property being considered by the College by its Foundation consists of 214 residential lots, 2 churches, and 21 commercial properties comprising a total of 77.3 acres. Other property that is being given to the College consists of city streets and alleys that will become within the College boundaries.

The land gifts are part of the Land Acquisition Project begun in 1999 with donations from the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals. The original acquisition project was identified in the 1999 *Mesa State College Facilities Master Plan*. This project will allow for the acceptance of gifted properties within specified boundaries which have yet to be acquired by the College, the Mesa State College Foundation, or through subsequent capital construction projects. The boundaries for the main campus will be North Avenue on the south, Orchard Avenue on the north, Seventh Street on the west, and with the addition of one block east of 12th Street, 12th Street on the east. There are also two other large tracts that, if they become available, will be valuable additions to the campus. These are at the northwest and southeast corners of 12th and Orchard.

Consolidation of the properties into useful sites will consist of demolition of the existing structures and surveying and replatting of the individual lots, streets, and alleys into one parcel that belongs to the College. Existing structures include those being donated to the College under this project as well as those yet to be acquired by the Foundation. The consolidated parcel will then be available for construction of temporary parking lots and green spaces, provide ongoing revenue sources and sites for significant campus expansion projects.

The project will be self-financed over time by the College through the use of cash exempt funds and donations. As those funds become available, parts of the project will be finished. No endowment is included with the gifted properties. It is understood that the College will maintain them within its own budgeted resources.

PROGRAM INFORMATION

DESCRIPTION OF THE PROGRAM

For the past several years, Mesa State College has been increasing its enrollment. In 1996, it was recognized that this enrollment growth would require additional land and facilities, placing its main campus in need of a significant boundary expansion. Since approval of the *Mesa State College Facilities Master Plan* in 1999, the Mesa State College Foundation with the help of the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals, has acquired several properties to help meet expansion needs. The Foundation has already gifted many of these to the college. The project described herein continues this gifting process that began in 2004. The project gives additional properties to the college in accordance with current and future facilities master plan needs.

HISTORY, ROLE AND MISSION, NEEDS AND TRENDS

Mesa State College's current role and mission:

There is hereby established a college at Grand Junction, to be known as Mesa state college, which shall be a general baccalaureate and specialized graduate institution with moderately selective admission standards. Mesa state college shall offer liberal arts and sciences, professional and technical degree programs and a limited number of graduate programs. Mesa state college shall also maintain a community college role and mission, including career and technical education programs. Mesa state college shall receive resident credit for two-year course offerings in its commission-approved service area. Mesa state college shall also serve as a regional education provider.¹

As regional education provider, Mesa State College serves 14 counties in western Colorado. The region's population continues to grow, providing the College with additional students every year. According to the State's Demographic Office, all of the counties in Mesa State's region have grown and will continue to grow.² (The period in question is from 2000 to 2040 for 15 to 25 year olds. These dates are the period analyzed for the *Mesa State College Facilities Master Plan*.) Historically, well over half of the College's enrollment comes from this region.³ However, recent enrollment growth from outside Mesa County and outside Colorado has been dramatic. Non-resident student FTE has grown from 438 to 614 since 2007 – a 40% increase confirming the College's need for additional land to support its mission.

¹ Colorado Revised Statutes 23-53-101, College Established – Role and Mission.

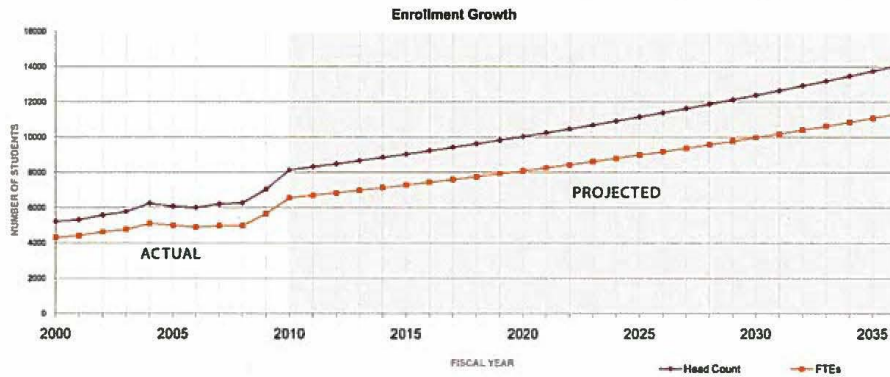
² Rather than reprint the demographic information within this document, the reader is referred to <http://dola.colorado.gov/demog/demog.cfm> for backup information from the Colorado Demography Office on the population trends for each county.

³ See Appendix A of this document for student demographic information.

RELATION TO ACADEMIC/STRATEGIC PLANS

Mesa State College anticipates continued enrollment growth. The *Mesa State College Strategic Plan*⁴ recognizes the need to balance sustainable growth with maintaining the institution's role as a regional education provider for 14 counties in western Colorado. With a focus on enhancing quality in the institution's programs, faculty, students, technology and facilities, sustainable enrollment growth is likely over the life of the plan. As financial support from the State of Colorado continues to dwindle, the institution is focused on strategic growth initiatives that enhance our competitiveness and strengthen our financial position.

The following graph presents enrollment growth, actual and projected, for the thirty-five year period from 2000 to 2035.



Using 2000 as the base year, the graph shows that for fiscal year 2010, the actual FTE of 6555 and actual headcount of 8131 represent a growth rate of over 2.1% and 4.5% respectively. The trend for both FTE and headcount is continued growth especially among out of town students who will need on-campus housing. The projection anticipates a growth rate of 2.125% per year.

The College is reevaluating its strategic planning documents in the light of the current economic climate in its current role and mission. However, it is known that, because of its designation as regional education provider for 14 counties, the College will need to be able to respond to the increasing educational needs of a growing western Colorado

⁴ <http://www.mesastate.edu/president/documents/StrategicPlan01-27-11.PDF>

population. It is anticipated that College growth and the subsequent need for additional land will continue.⁵

RELATION TO OTHER PROGRAMS OR AGENCIES

This program is integral to the college being able to fulfill its role and mission. Without the ability to expand the campus boundaries, the college will be limited in its ability to provide access to students outside of its immediate geographic location i.e. Mesa county. Having the capacity to continue to grow enrollment throughout Colorado and surrounding Western Undergraduate Exchange (WUE) states is key to the long term financial stability of the institution.

PROGRAM ALTERNATIVES

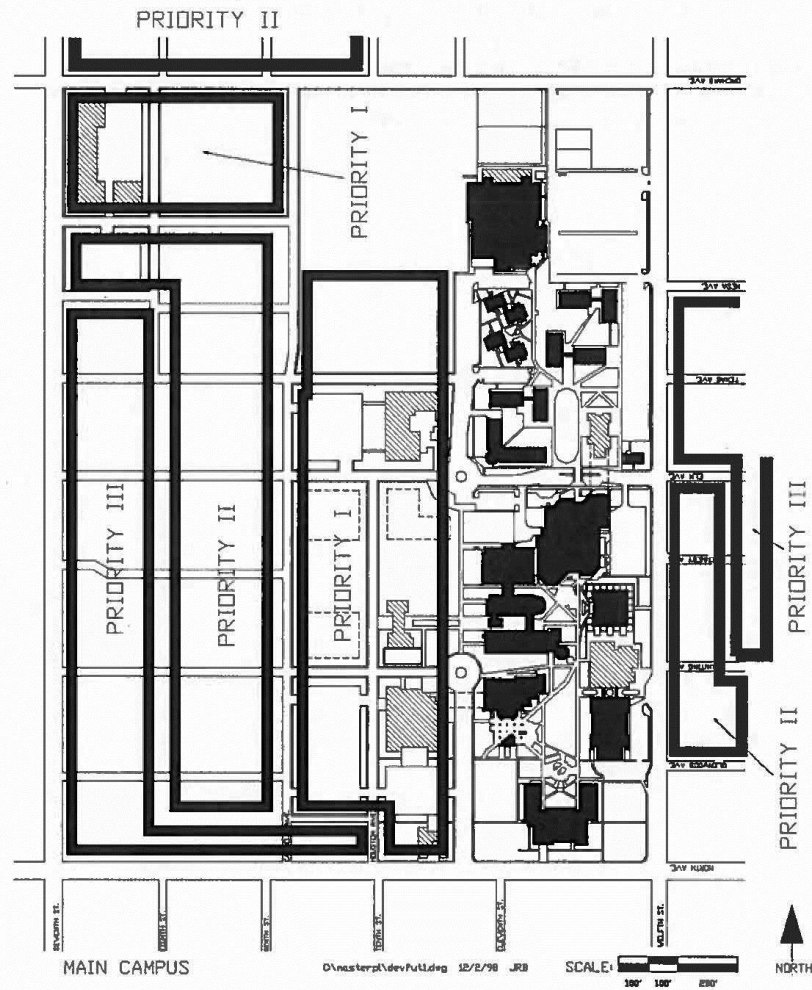
The only alternative to this project is to cap enrollment. This is not acceptable and contrary to the College's role and mission.

⁵ It should be noted that this Program Plan discusses only the needs of the main campus. Enrollment growth with subsequent land and facility needs are also anticipated for the UTEC and Montrose campuses.

FACILITIES NEEDS

TOTAL SPACE AND SITE REQUIREMENTS

Prior to the 2004 acquisition project, the main campus contained approximately 45 acres of land. The 1999 Facilities Master Plan identified several areas of potential expansion in accordance with the map shown below.⁶



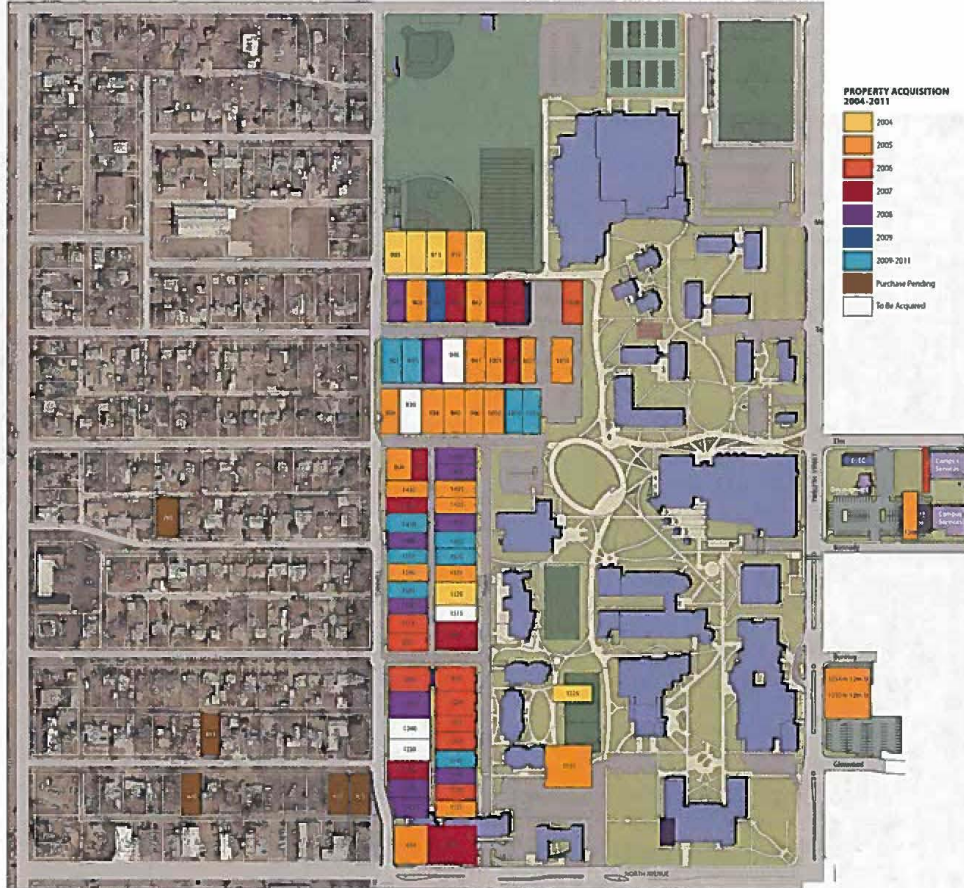
⁶ This map is a reprint of that in the 1999 *Mesa State College Facilities Master Plan*, page 113.

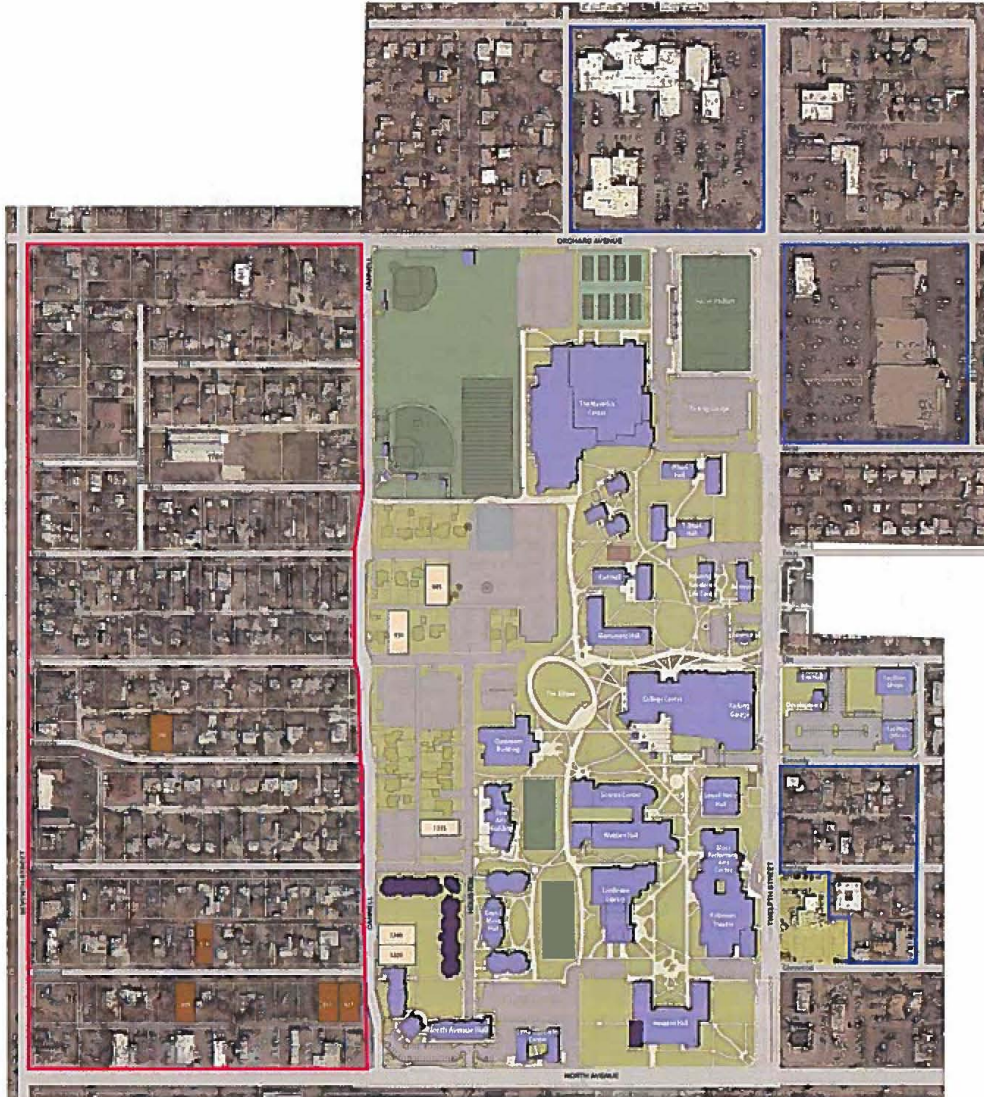
Mesa State College – Program Plan, West Expansion Property Acquisition Project

The background of this map shows concepts developed for the 1999 Facilities Master Plan. Several of the capital building projects indicated with diagonal lines on the map have already occurred.

The 2004 House Demolition & Ground Recovery project added most of the property between Cannell and Houston. All but 5 lots within this area have been acquired as shown on the inserted graphic titled Property Acquisitions 2004-2011.

The second inserted graphic titled Acquisition Priorities shows the new priority areas. Priority I areas are those the college is actively trying to purchase. Priority II areas are those the college will pursue if they become available.





- | | |
|---|--|
| Priority I (59 Acres) | Under contract April 12, 2011 |
| Priority II (27 Acres) | To be acquired w/in campus area |

ACQUISITION OF REAL PROPERTY

Appendix B includes a listing of properties under consideration by the College. The list indicates the street address and parcel number.

The property locations are shown by their street address number. Within the Priority I area there are 214 single family houses most of which were constructed in the 1950's and 1960's. Some are vacant while others are rentals. There are also 20 commercial and church properties.

Following discussion with the City of Grand Junction the streets and alleys will be vacated and deeded to the College in sections at different times where property ownership surrounding the various rights-of-way has been completed.

PROJECT DESCRIPTION

Improvements:

As stated, it is the intention of this phase of the land acquisition project to establish complete new boundaries for the main campus of Mesa State College. The western boundary from North Ave. to Orchard Ave. will move from Cannell Ave to Seventh Street. The southern boundary of North Ave. will not change. The eastern boundary of 12th Street will also not change except for the area bounded by Orchard Ave., 13th Street, and Glenwood Ave. The northern boundary may include the Community Hospital property if it becomes available.

Once acquired, it is the intention of the College to replat the land parcels into one parcel belonging to the College, remove structures, and to prepare the ground for construction of College related facilities, parking areas, and green space in accordance with the *Mesa State College Facilities Master Plan*.

The first part of this project will consolidate all properties between Cannell Street, North Avenue, Seventh Street and Orchard Avenue, and within the block shown east of 12th Street. The maps on the next several pages show the campus after completion of incremental consolidation work on a five year basis. Once all structures have been demolished, the lots, streets, and alleys will be surveyed and replatted to identify one parcel belonging to the College.

Initially, the area will become either green space or temporary parking. Green space work will consist of leveling the ground and providing dust and weed control. As more houses are removed and large areas become available, the area will be covered with grass and sprinklered. Lights and appropriate sidewalks will also be provided. Temporary parking work will consist of leveling the ground and providing a gravel surface with dust and weed control, parking bumpers, parking control equipment, and appropriate lighting. Mature trees in good condition will be flagged and protected during construction.

Mesa State College – Program Plan, West Expansion Property Acquisition Project

It will take a period of time to acquire all properties, remove all structures, and convert all areas to either parking or green space. All work under this program plan, whether designated as parking or green space, should be viewed as temporary, as all areas will serve as sites for future capital construction projects.⁷

The building areas, parking and land area requirements are based on projected enrollment by prorating approximate facilities in use today. A spreadsheet showing these projections follows.

Mesa State College													
Campus Expansion Projection											CHAMBERLIN ARCHITECTS		
April 7, 2011													
	2010-11 Factor			Growth	2015-16	Growth	2020-21	Growth	2025-26	Growth	2030-31	Growth	2035-36
Student Enrollment													
Main Campus only													
Headcount													
On Campus	1624	11%	5-year	180	1,804	200	2,004	222	2,226	247	2,473	274	2,747
Off Campus	6486	11%	5-year	719	7,205	799	8,004	887	8,891	966	9,877	1,095	10,972
Total	8,110			899	9,009	999	10,008	1,109	11,117	1,232	12,350	1,369	13,719
Buildings													
Main Campus only													
Academic	688,000	85 sf per Student		76,272	764,272	84,727	848,999	94,120	943,119	104,554	1,047,673	116,145	1,163,818
Residence Halls	402,500	62 sf per Student		44,621	447,121	49,568	496,689	55,063	551,752	61,167	612,919	67,948	680,867
Non-Academic	91,500	11 sf per Student		10,144	101,644	11,268	112,912	12,517	125,429	13,905	139,334	15,447	154,781
Total	1,182,000	158 per Student		131,037	1,313,037	145,563	1,458,600	161,700	1,620,300	178,626	1,799,927	199,540	1,999,466
Parking													
Main Campus only													
Residential	1,056	65%	On Campus	117	1,173	130	1,303	144	1,447	160	1,607	178	1,786
Commuter	1,881	29%	Off Campus	209	2,099	232	2,321	257	2,578	286	2,864	318	3,182
Reserved													
Total				326	3,262	362	3,624	402	4,025	446	4,472	496	4,967
Land Area													
Main Campus only													
Total SF	3,189,330			353,569	3,542,899	389,719	3,932,618	432,588	4,365,206	480,173	4,845,379	532,992	5,378,370
Acres	73			8	81	9	90	10	100	11	111	12	123

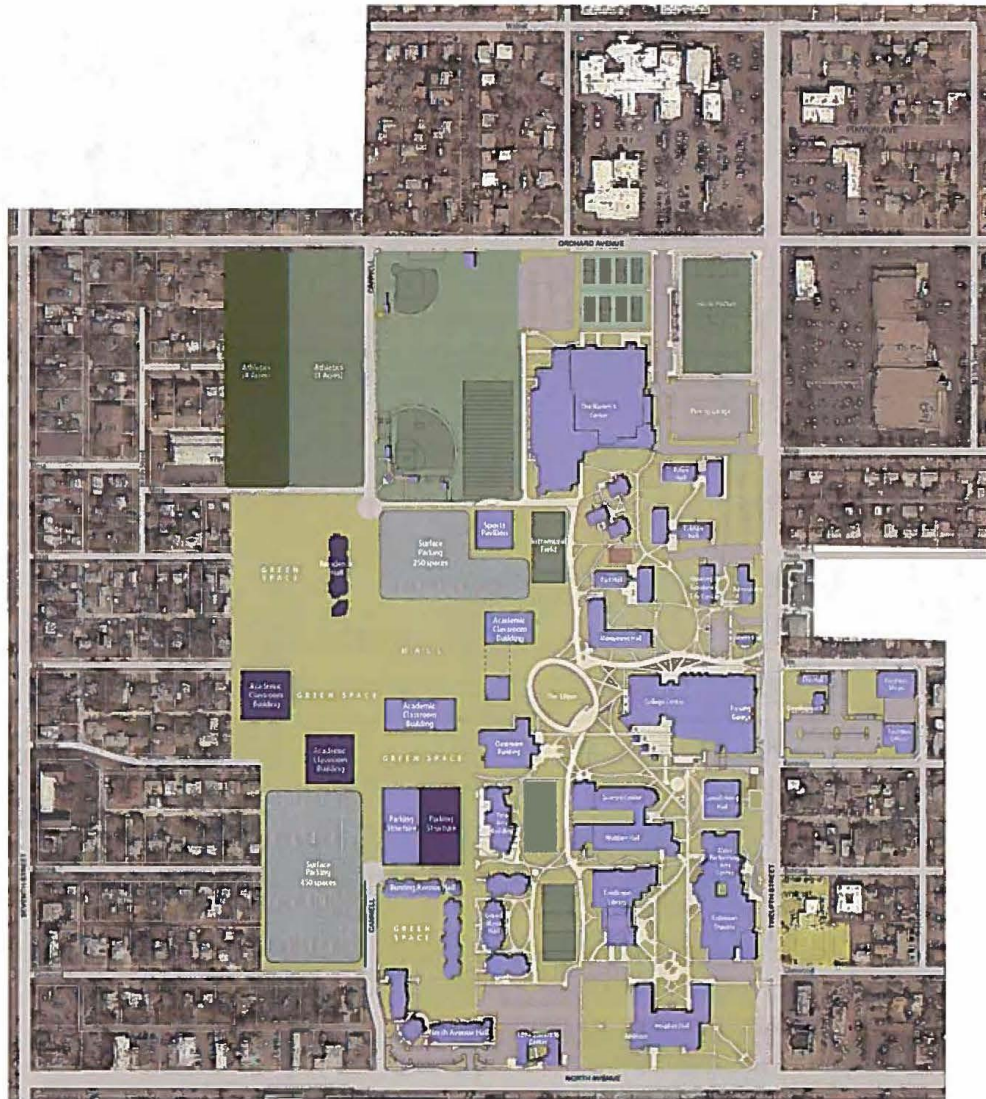
⁷ Program Plans for future capital construction projects within the revised boundary areas will be submitted to CCHE for consideration and approval.

RELATION TO THE MASTER PLAN / OTHER PROJECTS

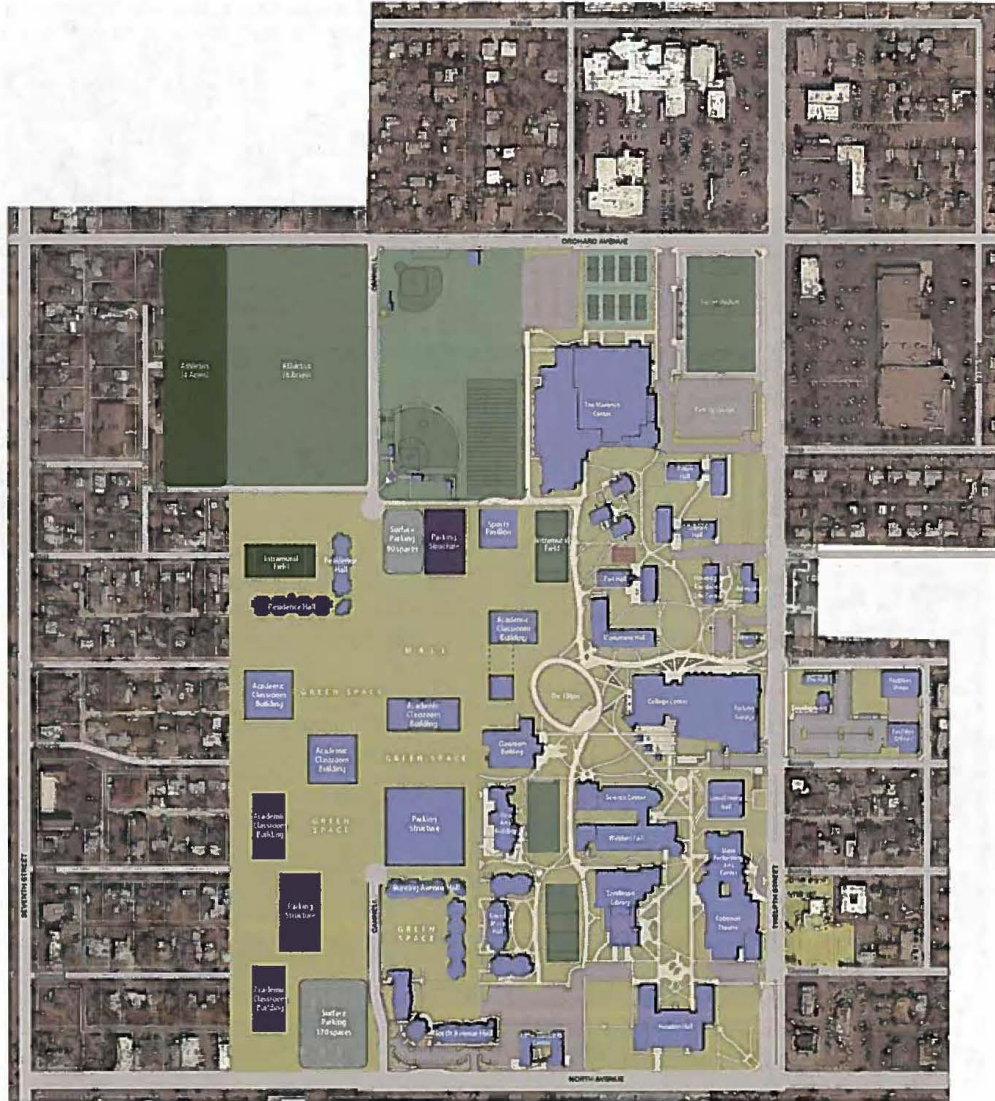
This project is part of “Project A1 – Land Acquisition, Main Campus” as described in the 1999 *Mesa State College Facilities Master Plan*, Volume 1, pages 114 – 116. In coordination with CCHE and the State of Colorado, Mesa State College has already accepted other properties under this project and will quite probably be working to accept additional properties as they become available within the priority areas established in this plan.



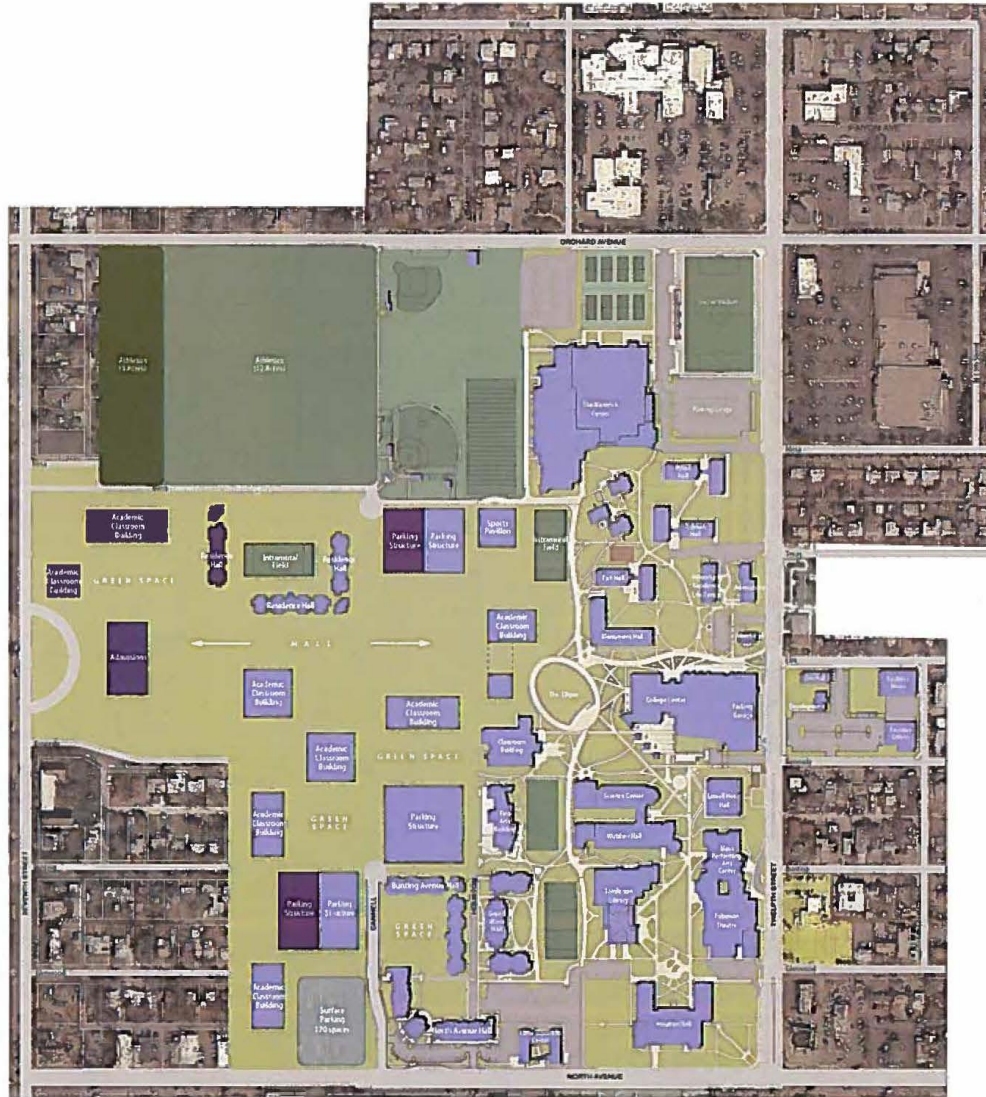
- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



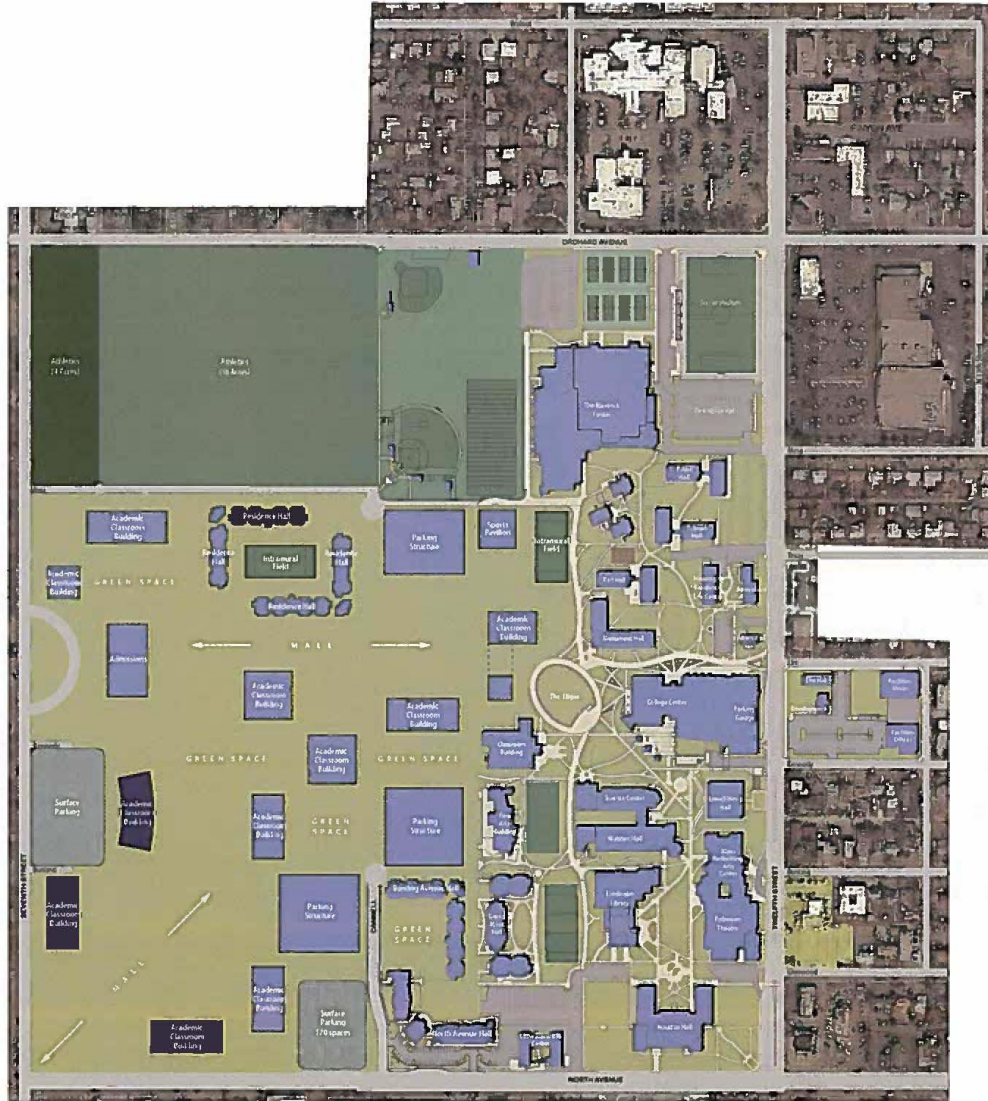
- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking

**APPENDIX A
STUDENT DEMOGRAPHICS**

Actual Student and FTE Enrollment Data

<u>Year</u>	<u>Count</u>	<u>Head</u> <u>FTEs</u>
1997	4900	4135
1998	5042	4219
1999	4904	4096
2000	5212	4302
2001	5303	4405
2002	5572	4625
2003	5765	4751
2004	6235	5096
2005	6062	4992
2006	5994	4891
2007	6199	4961
2008	6261	4973
2009	7042	5661
2010	8131	6555

<u>Student</u> <u>Origin</u>	<u>Number of</u> <u>Students</u>	<u>Percent</u>
Mesa State's 14 County Region	5488	67.5%
All Other Colorado	1667	20.5%
Out of State	941	11.6%
International	35	0.4%
Total	8131	

**APPENDIX B
PROPERTY LISTING**

Number	PARCEL_NUM	LOCATION
1	2945-114-08-010	1825 CANNELL AVE
2	2945-114-11-008	850 TEXAS AVE
3	2945-114-08-023	1816 N 8TH ST
4	2945-114-10-009	1727 CANNELL AVE
5	2945-114-09-019	725 ORCHARD AVE
6	2945-114-10-012	1717 CANNELL AVE
7	2945-114-08-016	860 HALL AVE
8	2945-114-11-005	828 TEXAS AVE
9	2945-114-08-014	888 HALL AVE
10	2945-114-09-008	1720 N 7TH ST
11	2945-114-08-020	820 HALL AVE
12	2945-114-11-004	816 TEXAS AVE
13	2945-114-10-004	847 HALL AVE
14	2945-114-09-020	749 ORCHARD AVE
15	2945-114-09-006	1742 N 7TH ST
16	2945-114-09-018	1808 N 7TH ST
17	2945-114-09-014	1825 N 8TH ST
18	2945-114-09-007	1730 N 7TH ST
19	2945-114-08-021	810 HALL AVE
20	2945-114-10-011	1735 CANNELL AVE
21	2945-114-08-019	830 HALL AVE
22	2945-114-10-005	855 HALL AVE
23	2945-114-08-012	890 HALL AVE
24	2945-114-08-017	848 HALL AVE
25	2945-114-10-001	1750 N 8TH ST
26	2945-114-09-005	1752 N 7TH ST
27	2945-114-08-013	880 HALL AVE
28	2945-114-09-011	1801 N 8TH ST
29	2945-114-11-009	858 TEXAS AVE
30	2945-114-08-006	845 ORCHARD AVE
31	2945-114-09-010	1737 N 8TH ST
32	2945-114-10-007	875 HALL AVE
33	2945-114-11-010	866 TEXAS AVE
34	2945-114-09-002	1828 N 7TH ST
35	2945-114-09-951	730 MESA AVE
36	2945-114-08-015	868 HALL AVE
37	2945-114-08-018	840 HALL AVE
38	2945-114-09-001	1842 N 7TH ST

Mesa State College – Program Plan, West Expansion Property Acquisition Project

39	2945-114-08-025	905 ORCHARD AVE
40	2945-114-09-013	1815 N 8TH ST
41	2945-114-11-003	804 TEXAS AVE
42	2945-114-08-003	817 ORCHARD AVE
43	2945-114-10-010	895 HALL AVE
44	2945-114-10-002	829 HALL AVE
45	2945-114-08-002	809 ORCHARD AVE
46	2945-114-08-022	802 HALL AVE
47	2945-114-09-004	1806 N 7TH ST
48	2945-114-11-007	842 TEXAS AVE
49	2945-114-08-008	911 ORCHARD AVE
50	2945-114-11-002	1616 N 8TH ST
51	2945-114-08-001	759 ORCHARD AVE
52	2945-114-09-017	1816 N 7TH ST
53	2945-114-11-001	1622 N 8TH ST
54	2945-114-11-006	836 TEXAS AVE
55	2945-114-08-011	898 HALL AVE
56	2945-114-09-021	723 ORCHARD AVE #N
57	2945-114-09-009	1727 N 8TH ST
58	2945-114-10-006	865 HALL AVE
59	2945-114-10-013	1707 CANNELL AVE
60	2945-114-08-009	921 ORCHARD AVE
61	2945-114-10-003	835 HALL AVE
62	2945-114-08-005	841 ORCHARD AVE
63	2945-114-10-008	885 HALL AVE
64	2945-114-08-004	829 ORCHARD AVE
65	2945-114-10-014	825 HALL AVE
66	2945-114-09-012	1805 N 8TH ST
67	2945-114-08-024	901 ORCHARD AVE
68	2945-114-13-021	888 ELM AVE
69	2945-114-14-032	1416 N 7TH ST
70	2945-114-15-013	1343 CANNELL AVE
71	2945-114-13-017	873 TEXAS AVE
72	2945-114-14-006	843 ELM AVE
73	2945-114-12-011	727 MESA AVE
74	2945-114-14-026	830 KENNEDY AVE
75	2945-114-15-003	771 KENNEDY AVE
76	2945-114-13-001	1524 N 7TH ST
77	2945-114-13-024	860 ELM AVE
78	2945-114-12-009	1625 N 8TH ST
79	2945-114-12-003	1628 N 7TH ST
80	2945-114-15-004	775 KENNEDY AVE
81	2945-114-15-012	885 KENNEDY AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

82	2945-114-14-010	803 ELM AVE
83	2945-114-13-011	827 TEXAS AVE
84	2945-114-13-028	820 ELM AVE
85	2945-114-14-013	749 ELM AVE
86	2945-114-12-001	1630 N 7TH ST
87	2945-114-14-024	810 KENNEDY AVE
88	2945-114-13-007	755 TEXAS AVE
89	2945-114-14-019	740 KENNEDY AVE
90	2945-114-13-003	1516 N 7TH ST
91	2945-114-13-032	760 ELM AVE
92	2945-114-13-034	740 ELM AVE
93	2945-114-14-027	840 KENNEDY AVE
94	2945-114-13-019	889 TEXAS AVE
95	2945-114-13-031	774 ELM AVE
96	2945-114-13-014	849 TEXAS AVE
97	2945-114-13-016	865 TEXAS AVE
98	2945-114-13-033	748 ELM AVE
99	2945-114-11-014	898 TEXAS AVE
100	2945-114-13-005	743 TEXAS AVE
101	2945-114-15-020	824 BUNTING AVE
102	2945-114-14-007	833 ELM AVE
103	2945-114-15-005	805 KENNEDY AVE
104	2945-114-11-013	890 TEXAS AVE
105	2945-114-13-026	834 ELM AVE
106	2945-114-15-002	755 KENNEDY AVE
107	2945-114-14-011	769 ELM AVE
108	2945-114-13-027	830 ELM AVE
109	2945-114-13-004	735 TEXAS AVE
110	2945-114-15-015	874 BUNTING AVE
111	2945-114-12-008	1613 N 8TH ST
112	2945-114-13-972	704 ELM AVE
113	2945-114-13-009	811 TEXAS AVE
114	2945-114-15-009	845 KENNEDY AVE
115	2945-114-14-030	890 KENNEDY AVE
116	2945-114-14-002	883 ELM AVE
117	2945-114-13-002	1520 N 7TH ST
118	2945-114-15-019	834 BUNTING AVE
119	2945-114-13-035	730 ELM AVE
120	2945-114-15-008	835 KENNEDY AVE
121	2945-114-11-011	874 TEXAS AVE
122	2945-114-11-012	882 TEXAS AVE
123	2945-114-14-031	701 ELM AVE
124	2945-114-13-013	841 TEXAS AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

125	2945-114-14-004	863 ELM AVE
126	2945-114-14-012	761 ELM AVE
127	2945-114-13-012	835 TEXAS AVE
128	2945-114-12-012	1604 N 7TH ST
129	2945-114-14-018	1400 N 7TH ST
130	2945-114-13-030	780 ELM AVE
131	2945-114-15-006	815 KENNEDY AVE
132	2945-114-13-010	819 TEXAS AVE
133	2945-114-15-011	865 KENNEDY AVE
134	2945-114-13-029	818 ELM AVE
135	2945-114-15-017	854 BUNTING AVE
136	2945-114-14-005	855 ELM AVE
137	2945-114-14-001	889 ELM AVE
138	2945-114-13-008	803 TEXAS AVE
139	2945-114-14-021	760 KENNEDY AVE
140	2945-114-14-003	875 ELM AVE
141	2945-114-15-007	825 KENNEDY AVE
142	2945-114-12-007	1603 N 8TH ST
143	2945-114-12-010	1635 N 8TH ST
144	2945-114-12-004	1616 N 7TH ST
145	2945-114-13-022	886 ELM AVE
146	2945-114-13-023	880 ELM AVE
147	2945-114-13-025	850 ELM AVE
148	2945-114-14-023	800 KENNEDY AVE
149	2945-114-14-029	860 KENNEDY AVE
150	2945-114-14-028	850 KENNEDY AVE
151	2945-114-12-002	721 MESA AVE
152	2945-114-15-010	855 KENNEDY AVE
153	2945-114-13-036	1510 N 7TH ST
154	2945-114-13-015	859 TEXAS AVE
155	2945-114-13-018	881 TEXAS AVE
156	2945-114-14-017	1410 N 7TH ST
157	2945-114-14-008	817 ELM AVE
158	2945-114-14-025	820 KENNEDY AVE
159	2945-114-14-009	809 ELM AVE
160	2945-114-13-020	895 TEXAS AVE
161	2945-114-13-006	753 TEXAS AVE
162	2945-114-15-018	844 BUNTING AVE
163	2945-114-14-020	750 KENNEDY AVE
164	2945-114-15-016	864 BUNTING AVE
165	2945-114-14-014	745 ELM AVE
166	2945-114-14-022	780 KENNEDY AVE
167	2945-114-17-012	856 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

168	2945-114-16-014	752 GLENWOOD AVE
169	2945-114-19-006	865 GLENWOOD AVE
170	2945-114-18-001	763 GLENWOOD AVE
171	2945-114-17-013	846 GLENWOOD AVE
172	2945-114-17-014	836 GLENWOOD AVE
173	2945-114-17-017	804 GLENWOOD AVE
174	2945-114-16-006	727 BUNTING AVE
175	2945-114-19-007	875 GLENWOOD AVE
176	2945-114-16-012	730 GLENWOOD AVE #B
177	2945-114-15-023	768 BUNTING AVE
178	2945-114-17-024	888 GLENWOOD AVE
179	2945-114-15-028	710 BUNTING AVE
180	2945-114-16-010	720 GLENWOOD AVE
181	2945-114-16-003	749 BUNTING AVE
182	2945-114-15-025	750 BUNTING AVE
183	2945-114-17-021	866 GLENWOOD AVE
184	2945-114-19-005	845 GLENWOOD AVE
185	2945-114-17-006	853 BUNTING AVE
186	2945-114-19-008	911 GLENWOOD AVE
187	2945-114-16-008	1226 N 7TH ST
188	2945-114-19-003	825 GLENWOOD AVE
189	2945-114-17-018	867 BUNTING AVE
190	2945-114-15-024	762 BUNTING AVE
191	2945-114-15-021	814 BUNTING AVE
192	2945-114-17-009	887 BUNTING AVE
193	2945-114-21-951	1350 N 7TH ST
194	2945-114-19-002	815 GLENWOOD AVE
195	2945-114-16-004	745 BUNTING AVE
196	2945-114-19-001	805 GLENWOOD AVE
197	2945-114-16-016	1204 N 7TH ST
198	2945-114-17-002	815 BUNTING AVE
199	2945-114-18-003	751 GLENWOOD AVE
200	2945-114-17-003	825 BUNTING AVE
201	2945-114-16-005	739 BUNTING AVE
202	2945-114-17-005	843 BUNTING AVE
203	2945-114-19-004	835 GLENWOOD AVE
204	2945-114-16-001	769 BUNTING AVE
205	2945-114-18-005	727 GLENWOOD AVE
206	2945-114-18-002	759 GLENWOOD AVE
207	2945-114-17-015	824 GLENWOOD AVE
208	2945-114-17-016	814 GLENWOOD AVE
209	2945-114-17-004	833 BUNTING AVE
210	2945-114-16-013	740 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

211	2945-114-16-002	757 BUNTING AVE
212	2945-114-17-007	859 BUNTING AVE
213	2945-114-17-001	805 BUNTING AVE
214	2945-114-18-004	733 GLENWOOD AVE
215	2945-114-15-030	730 BUNTING AVE
216	2945-114-18-006	705 GLENWOOD AVE
217	2945-114-15-026	740 BUNTING AVE
218	2945-114-16-007	1236 N 7TH ST
219	2945-114-16-015	760 GLENWOOD AVE
220	2945-114-15-022	804 BUNTING AVE
221	2945-114-17-950	875 BUNTING AVE
222	2945-114-10-953	1704 N 8TH ST
223	2945-114-10-954	

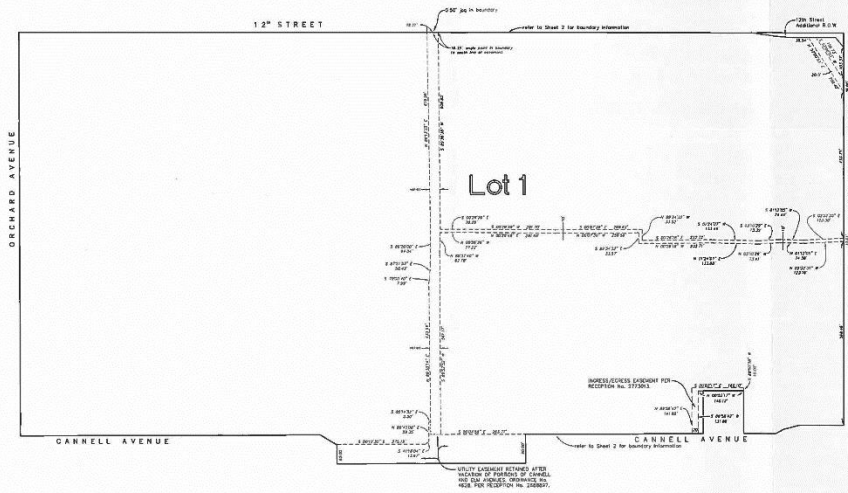
APPENDIX C
THIRD PARTY REVIEW

APPENDIX D
CCHE FORM CC-C

COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAN SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAN II SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 245822, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, McWELLEN & GORNELLY SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 348926, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE BE-TING PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444750, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 38, INCLUSIVE, AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 539508, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AT RECEPTION NUMBER 458210, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEY WAYS INDICATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THESE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1020, 1078, 2013, 2016, 3729, 4100, 4282, 4431, 4990 AND 4928, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

AREA = 73,848 ACRES +/-
Sheet 1 of 1



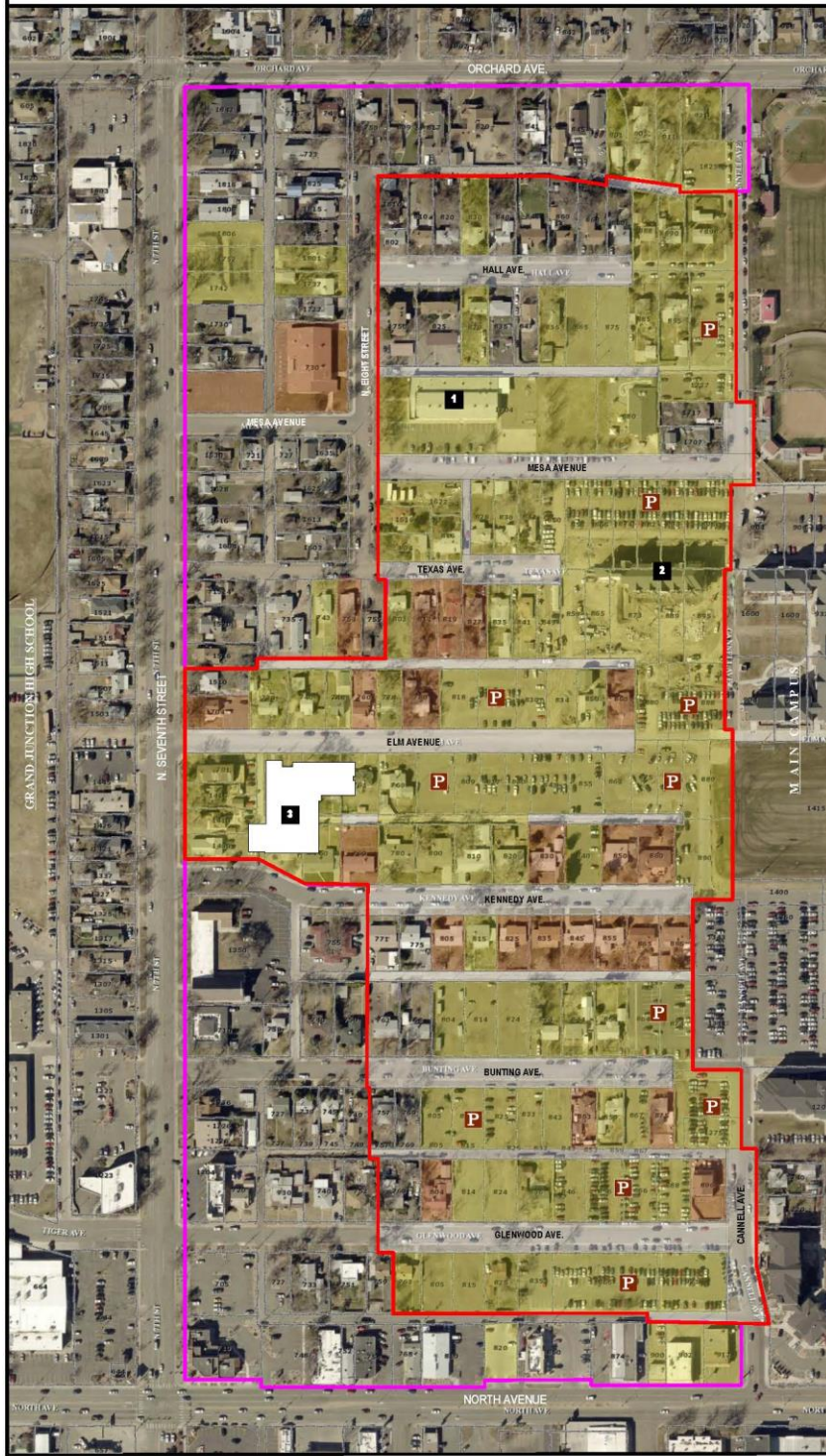
Easement Deductions
 1) Unless stated otherwise, all easements shown on this plat are in conformity with the City of Grand Junction City Engineer's office.

Colorado Mesa University Subdivision
 LOCATED IN THE SE 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

Sheet 1 of 1 - Easement Deductions

Drawn	Drewell, Brunsell & Co.
Checked	Drewell, Brunsell & Co.
Designed	Drewell, Brunsell & Co.
Reviewed	Drewell, Brunsell & Co.
Date	02/21/19
Project	02019-02

COLORADO MESA UNIVERSITY 2017 WEST CAMPUS MASTER PLAN



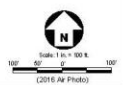
- 2017 Master Plan Boundary
- Future Master Plan Amendment(s) Boundary
- Property Owned by CMU
- Short Term Property Acquisitions by CMU
- Existing Street and Alley To Be Vacated
- P** Parking (Subject to Future Change)
- 1** Relocated Development Center (Under Construction)
- 2** Wingle Hall
- 3** Engineering Building (Under Construction)

2017 MASTER PLAN LAND USE SUMMARY		
USE	AREA (sq-ft)	% of TOTAL
Property Owned by CMU ¹	226	57.3
Short Term Property Acquisitions	38	9.8
Existing Street & Alley To Be Vacated	76	19.2
Property Not Owned by CMU ²	55	13.9
2017 Master Plan Boundary	395	100.0
Future Master Plan Area	239	

¹ Does include 2.0 ac. in Future Master Plan Area
² Approximate Area Calculation

Preparation Date: March, 2017

REVISIONS	Description



COLORADO MESA UNIVERSITY AND CITY OF GRAND JUNCTION UTILITY EASEMENT AND MAINTENANCE
AGREEMENT-CMU MAIN CAMPUS

This Agreement is made by and between the City of Grand Junction, a Colorado home rule city ("City"), and the Board of Trustees of Colorado Mesa University ("CMU"), and is effective as of the date that both parties have signed below.

Recitals.

- A. CMU continues to expand its campus to serve the needs of Western Colorado and of the entire State of Colorado. For this Agreement, "campus" means the area generally bounded by North Avenue, Orchard Avenue, 7th Street and 12th Street, in Grand Junction, Colorado, within which exists the main CMU campus and within which CMU is expected to expand.
- B. CMU has adopted a master plan, the current iteration of which shows that in the years to come the campus can be expected to encompass many existing properties west of the now developed main campus. A copy of the current master plan is attached as Exhibit A. When land use is changed from residential to campus buildings and facilities, the number of service lines will decrease substantially yet the size of the lines and the complexity of the maintenance of the lines may increase and/or some lines may need to be relocated. A 'service line' for purposes of this Agreement is the water and/or the sewer pipe(s) connecting the structures on the campus with the City water or sewer pipe(s) that carry water or sewage, respectively, to and/or away from the campus and other structures served by such service lines.
- C. CMU has relied, and will continue to rely, on the City's water, sanitary sewer and other services provided to other citizens and land owners within the City.
- D. To utility providers and engineers, there is a distinction between 'main' or 'trunk' water, sanitary sewer and storm sewer lines (typically 4" or larger for water, 8" or larger for sanitary sewer and 12" or larger for storm sewer) and 'service' lines that are typically smaller and are owned and maintained by the owner of the served parcel. For purposes of this Agreement, the larger 'main' or 'trunk' lines as described above are the primary concern of the City and CMU under this agreement, not 'service lines (Wet Utilities)

The City desires to support the expansion of the CMU campus, and agrees that the City should continue to own, operate and maintain the main or trunk lines providing service to and within the campus as it exists and is planned to exist.

- E. At the present time, CMU is requesting City approval of a plat and vacation of existing City rights-of-way as shown on said plat, attached as Exhibit B. This Agreement is agreed to in part to facilitate the City's approval of such plat.

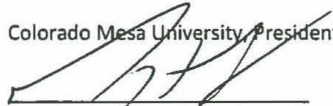
NOW THEREFORE, in consideration of the many benefits received by CMU and the City, individually and collectively, as a result of this Agreement, the City of Grand Junction and Colorado Mesa University agree as follows:

1. CMU, as the owner of the property described on Exhibit B, hereby grants to the City as the owner and service provider of the Wet Utilities serving the property shown on Exhibit B, a perpetual and non-exclusive easement to be used by the City to access, operate, maintain, improve, repair and replace as necessary the Wet Utilities serving the property shown on Exhibit B in accordance with City standards.
2. The City agrees that it will continue to own, operate, maintain, improve, repair and replace as needed the main and trunk lines as described in recital C above, that serve the property shown on Exhibit B now and as it is planned to exist in the future except as the deviation procedure in paragraph 4 below applies.
3. While the City standards ordinarily require unobstructed ten-foot-wide access on either side of the centerline of Wet Utilities, the City recognizes that doing so within the campus may unduly limit the ability of CMU to make the most efficient use of its limited area and lands. Thus, the City agrees to accept existing accesses to existing Wet Utilities, so long as at least ten feet of unobstructed access is provided, centered over the Wet Utility in question.
4. CMU shall deliver its construction plans to the City with respect to Wet Utilities so that the City has an opportunity to improve the efficiency and effectiveness of Wet Utility service line that will serve the campus both now and in the future. When, CMU determines that one or more City standard(s) must be deviated from when constructing or locating Wet Utilities, CMU shall consult with the City's Engineers to obtain City approval of such deviation(s). If the City's Engineers do not approve such deviation(s), then CMU may request review of such denials by the City Director of Public Works and if said Director does not approve such deviation(s) then CMU may request the City Manager to review such denial and if said City Manager does not approve such deviation(s), and CMU elects to construct the deviations anyway CMU shall be responsible for maintenance, repair and replacement of such service, trunk or main line(s) for that segment or portion of the Wet Utilities that do not meet the City's specifications. Deviations that are approved shall be described in writing, typically including drawing(s) specifying the deviation(s).
5. For buildings and other improvements within the area described on Exhibit A, and for future easements for the campus as it will exist, CMU agrees to provide ready and safe access to the City for Wet Utilities.
6. In the event the City concludes that it cannot reasonably obtain access to Wet Utilities because the CMU design access is too narrow, short or small, City Engineers will inform the City Director of Public Works who shall consult with the CMU consultant/engineer to determine a practical solution, on a case-by-case basis.
7. In any instance where the wet utilities do not meet city standards and where the Campus surface has been improved (e.g., sidewalks and landscaping) , including within the area described in Exhibit A, if the City cannot reasonably obtain access to or perform its necessary maintenance,

improvement, repairs or replacement to Wet Utilities owned by the City, the City shall inform CMU which shall perform the needed maintenance, improvement, repair or replacement; however, in an emergency, the City may damage or remove such surface improvements without notice to CMU and in such event, the City shall not be obligated to replace the improved surface of the damaged area to its prior condition, but shall return the surface to a substantially equivalent of grade and elevation.

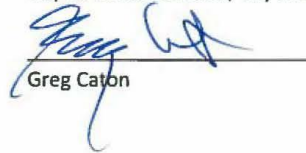
8. CMU shall pay for the costs to repair or replace any improvements damaged by the City as a result of the reasonable exercise of maintenance, repair or replacement of City Wet Utilities in locations where such Wet Utilities do not meet City standards.
9. Notwithstanding any provision of this Agreement to the contrary, CMU shall prohibit the construction of any structures on the Campus as it exists or will exist that are not at least ten feet at the centerline from any Wet Utilities existing as of the date of the Agreement.
10. The parties agree that the existing rights-of-way for Cannell and Elm and any existing multi-purpose easements ("MPE"s) shall be vacated, and title thereto shall vest in CMU, subject to reservation by the City of easements (the "Cannell and Elm Easements") for any such MPEs and for access for utilities. The legal description of the Cannell and Elm Easements that are being vacated shall be identical to the description of the vacated rights-of-way and any adjacent MPEs.
11. The City agrees that CMU shall have the right to install improvements such as fiber optic lines and related facilities within the Cannell and Elm Easements, subject to CMU's duty to abide by the law applicable to easements.
12. To facilitate the logical and efficient expansion of CMU on land presently owned or owned in the future either in the name of the CMU Real Estate Foundation or titled in the name of the State of Colorado for the benefit of CMU, or in the name of any entity controlled by the CMU Board of Trustees, this Agreement shall apply to all Wet Utilities serving the present and future CMU main campus.
13. The term of this Agreement shall be for a five year period and can be renewed for another five year term provided both parties are agree able. The term also provides for a two year review by both parties from the effective date of the agreement. This two year review will be an opportunity for the two parties to meet and assess how the agreement is working and make appropriate changes to the agreement as agreed upon by both parties.

Colorado Mesa University, President



By: Tim Foster

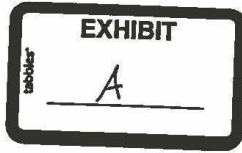
City of Grand Junction, City Manager



Greg Caton

Dated: 2-12-16

Dated: 9/12/2016



MESA STATE COLLEGE

PROGRAM PLAN
WEST EXPANSION PROPERTY ACQUISITION PROJECT

APRIL 8, 2011



C H A M B E R L I N
A R C H I T E C T S

CONTRIBUTORS

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Charlie Monfort, Chair
Kathleen Eck
Lena Elliott
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Derek Wagner, Director of Strategic Initiatives

Mesa State College Foundation Officers

Doug May, President
Keith Gilstrap, Vice-President
Travis Perry, Secretary/Treasurer

PREFACE

The project described herein continues the activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and, beginning in 2004 with the approval of the “House Demolition and Ground Recovery Project” program plan, began gifting the properties to the College. Originally the 2004 program plan was expected to take 15 years to complete; however, with only five remaining properties to be acquired, it is approaching its successful completion in half the time. This coupled with the unprecedented enrollment growth that has occurred during this time period places the College in a position where it needs to proceed with phase two its land expansion plan. Approval of this program plan will authorize the Foundation to acquire the additional properties described herein.

Coordinators for this project were Pat Doyle, Vice President, Finance and Administrative Services, Derek Wagner, Director, Strategic Initiatives, Kent Marsh, Director of Facilities Services; and Andy Rodriguez, Director of Purchasing. Program plan documentation was accomplished by Ed Chamberlin, Chamberlin Architects, Campus Architect. This document has been approved by Tim Foster, President of Mesa State College, as well as by the senior administration of the College.

This document responds to the outline requirements of CCHE policy Section III.E, *Guidelines for Facilities Program Planning* last revised April 5, 2001. Some outline sections have been omitted because the project does not deal with new capital construction or building renovation.

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EXECUTIVE SUMMARY

It is the purpose of this project to consolidate activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and giving it to the College through Foundation, Trustee, Colorado Commission on Higher Education, and Legislative actions. The College now needs to be able to accept the gift of additionally acquired properties and to consolidate those and prior associated properties into useful capital construction expansion sites.

This project is necessitated by the continued growth of Mesa State College. In the past ten years, unduplicated fiscal year FTE has increased from 4302 to 6555 or 52.4%. Likewise, unduplicated fiscal year headcount has grown from 5212 to 8131 or 56.0%. These figures indicate a growth rate of almost 4.5% per year.

The specific additional property being considered by the College by its Foundation consists of 214 residential lots, 2 churches, and 21 commercial properties comprising a total of 77.3 acres. Other property that is being given to the College consists of city streets and alleys that will become within the College boundaries.

The land gifts are part of the Land Acquisition Project begun in 1999 with donations from the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals. The original acquisition project was identified in the 1999 *Mesa State College Facilities Master Plan*. This project will allow for the acceptance of gifted properties within specified boundaries which have yet to be acquired by the College, the Mesa State College Foundation, or through subsequent capital construction projects. The boundaries for the main campus will be North Avenue on the south, Orchard Avenue on the north, Seventh Street on the west, and with the addition of one block east of 12th Street, 12th Street on the east. There are also two other large tracts that, if they become available, will be valuable additions to the campus. These are at the northwest and southeast corners of 12th and Orchard.

Consolidation of the properties into useful sites will consist of demolition of the existing structures and surveying and replatting of the individual lots, streets, and alleys into one parcel that belongs to the College. Existing structures include those being donated to the College under this project as well as those yet to be acquired by the Foundation. The consolidated parcel will then be available for construction of temporary parking lots and green spaces, provide ongoing revenue sources and sites for significant campus expansion projects.

The project will be self-financed over time by the College through the use of cash exempt funds and donations. As those funds become available, parts of the project will be finished. No endowment is included with the gifted properties. It is understood that the College will maintain them within its own budgeted resources.

PROGRAM INFORMATION

DESCRIPTION OF THE PROGRAM

For the past several years, Mesa State College has been increasing its enrollment. In 1996, it was recognized that this enrollment growth would require additional land and facilities, placing its main campus in need of a significant boundary expansion. Since approval of the *Mesa State College Facilities Master Plan* in 1999, the Mesa State College Foundation with the help of the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals, has acquired several properties to help meet expansion needs. The Foundation has already gifted many of these to the college. The project described herein continues this gifting process that began in 2004. The project gives additional properties to the college in accordance with current and future facilities master plan needs.

HISTORY, ROLE AND MISSION, NEEDS AND TRENDS

Mesa State College's current role and mission:

There is hereby established a college at Grand Junction, to be known as Mesa state college, which shall be a general baccalaureate and specialized graduate institution with moderately selective admission standards. Mesa state college shall offer liberal arts and sciences, professional and technical degree programs and a limited number of graduate programs. Mesa state college shall also maintain a community college role and mission, including career and technical education programs. Mesa state college shall receive resident credit for two-year course offerings in its commission-approved service area. Mesa state college shall also serve as a regional education provider.¹

As regional education provider, Mesa State College serves 14 counties in western Colorado. The region's population continues to grow, providing the College with additional students every year. According to the State's Demographic Office, all of the counties in Mesa State's region have grown and will continue to grow.² (The period in question is from 2000 to 2040 for 15 to 25 year olds. These dates are the period analyzed for the *Mesa State College Facilities Master Plan*.) Historically, well over half of the College's enrollment comes from this region.³ However, recent enrollment growth from outside Mesa County and outside Colorado has been dramatic. Non-resident student FTE has grown from 438 to 614 since 2007 – a 40% increase confirming the College's need for additional land to support its mission.

¹ Colorado Revised Statutes 23-53-101, College Established – Role and Mission.

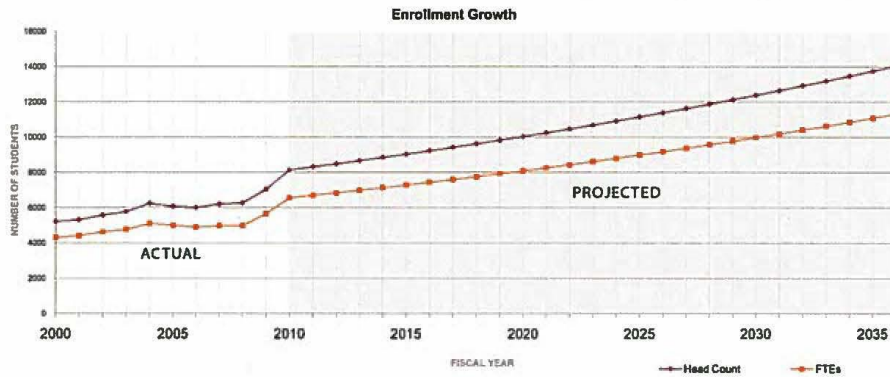
² Rather than reprint the demographic information within this document, the reader is referred to <http://dola.colorado.gov/demog/demog.cfm> for backup information from the Colorado Demography Office on the population trends for each county.

³ See Appendix A of this document for student demographic information.

RELATION TO ACADEMIC/STRATEGIC PLANS

Mesa State College anticipates continued enrollment growth. The *Mesa State College Strategic Plan*⁴ recognizes the need to balance sustainable growth with maintaining the institution's role as a regional education provider for 14 counties in western Colorado. With a focus on enhancing quality in the institution's programs, faculty, students, technology and facilities, sustainable enrollment growth is likely over the life of the plan. As financial support from the State of Colorado continues to dwindle, the institution is focused on strategic growth initiatives that enhance our competitiveness and strengthen our financial position.

The following graph presents enrollment growth, actual and projected, for the thirty-five year period from 2000 to 2035.



Using 2000 as the base year, the graph shows that for fiscal year 2010, the actual FTE of 6555 and actual headcount of 8131 represent a growth rate of over 2.1% and 4.5% respectively. The trend for both FTE and headcount is continued growth especially among out of town students who will need on-campus housing. The projection anticipates a growth rate of 2.125% per year.

The College is reevaluating its strategic planning documents in the light of the current economic climate in its current role and mission. However, it is known that, because of its designation as regional education provider for 14 counties, the College will need to be able to respond to the increasing educational needs of a growing western Colorado

⁴ <http://www.mesastate.edu/president/documents/StrategicPlan01-27-11.PDF>

population. It is anticipated that College growth and the subsequent need for additional land will continue.⁵

RELATION TO OTHER PROGRAMS OR AGENCIES

This program is integral to the college being able to fulfill its role and mission. Without the ability to expand the campus boundaries, the college will be limited in its ability to provide access to students outside of its immediate geographic location i.e. Mesa county. Having the capacity to continue to grow enrollment throughout Colorado and surrounding Western Undergraduate Exchange (WUE) states is key to the long term financial stability of the institution.

PROGRAM ALTERNATIVES

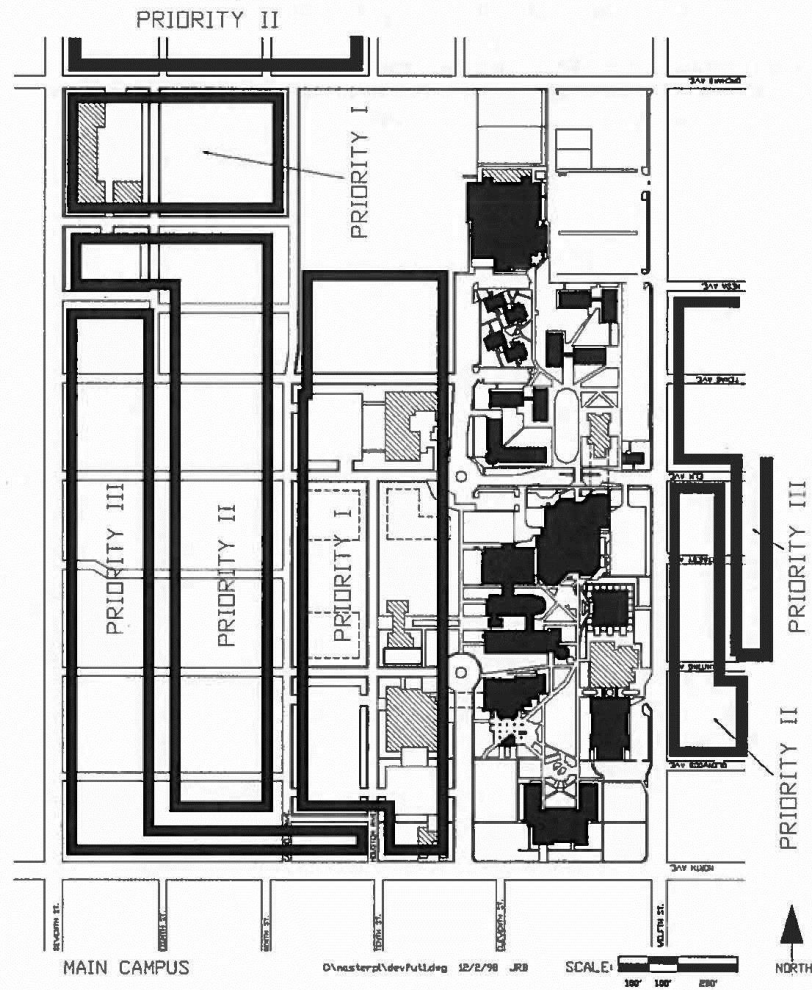
The only alternative to this project is to cap enrollment. This is not acceptable and contrary to the College's role and mission.

⁵ It should be noted that this Program Plan discusses only the needs of the main campus. Enrollment growth with subsequent land and facility needs are also anticipated for the UTEC and Montrose campuses.

FACILITIES NEEDS

TOTAL SPACE AND SITE REQUIREMENTS

Prior to the 2004 acquisition project, the main campus contained approximately 45 acres of land. The 1999 Facilities Master Plan identified several areas of potential expansion in accordance with the map shown below.⁶



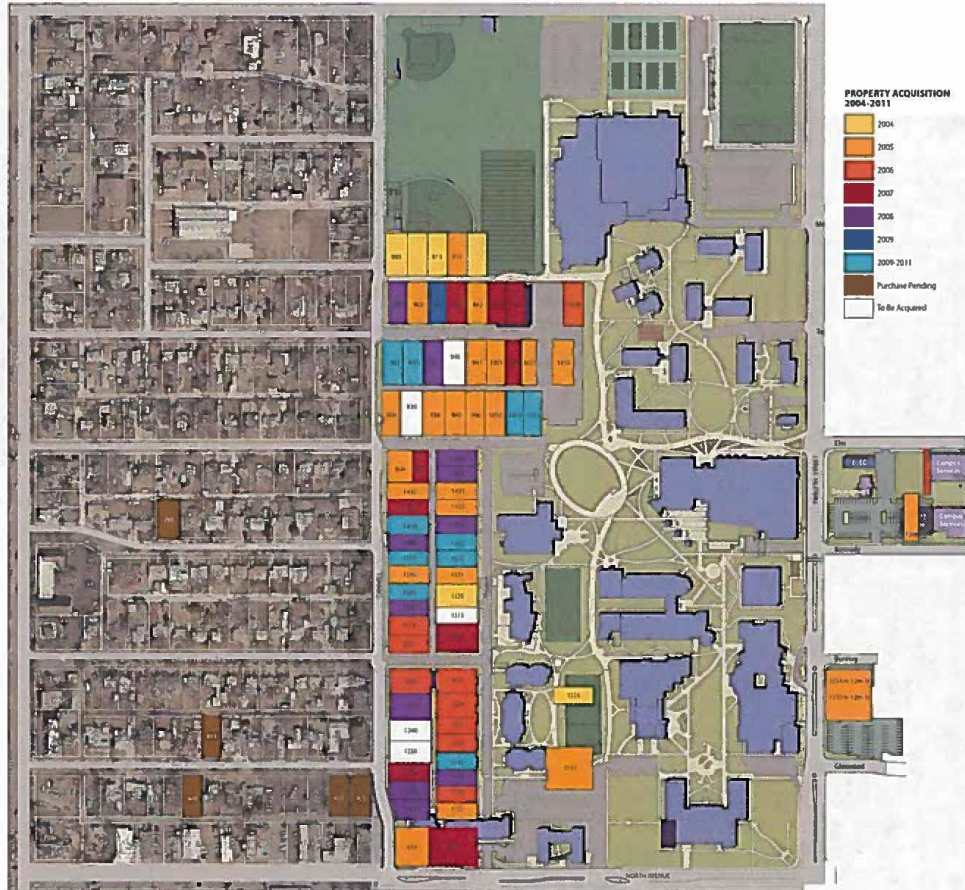
⁶ This map is a reprint of that in the 1999 *Mesa State College Facilities Master Plan*, page 113.

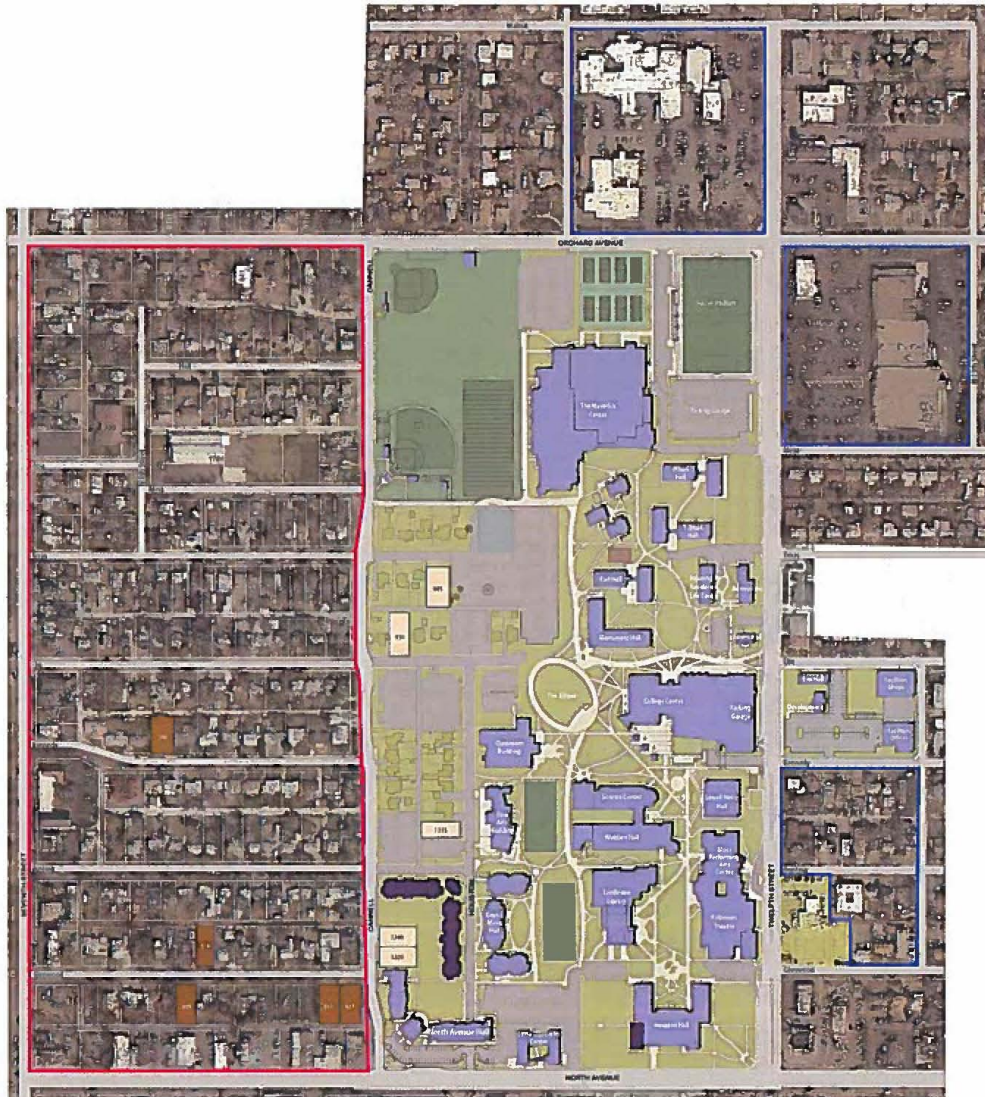
Mesa State College – Program Plan, West Expansion Property Acquisition Project

The background of this map shows concepts developed for the 1999 Facilities Master Plan. Several of the capital building projects indicated with diagonal lines on the map have already occurred.

The 2004 House Demolition & Ground Recovery project added most of the property between Cannell and Houston. All but 5 lots within this area have been acquired as shown on the inserted graphic titled Property Acquisitions 2004-2011.

The second inserted graphic titled Acquisition Priorities shows the new priority areas. Priority I areas are those the college is actively trying to purchase. Priority II areas are those the college will pursue if they become available.





- | | |
|--|---|
|  Priority I (59 Acres) |  Under contract April 12, 2011 |
|  Priority II (27 Acres) |  To be acquired w/in campus area |

ACQUISITION OF REAL PROPERTY

Appendix B includes a listing of properties under consideration by the College. The list indicates the street address and parcel number.

The property locations are shown by their street address number. Within the Priority I area there are 214 single family houses most of which were constructed in the 1950's and 1960's. Some are vacant while others are rentals. There are also 20 commercial and church properties.

Following discussion with the City of Grand Junction the streets and alleys will be vacated and deeded to the College in sections at different times where property ownership surrounding the various rights-of-way has been completed.

PROJECT DESCRIPTION

Improvements:

As stated, it is the intention of this phase of the land acquisition project to establish complete new boundaries for the main campus of Mesa State College. The western boundary from North Ave. to Orchard Ave. will move from Cannell Ave to Seventh Street. The southern boundary of North Ave. will not change. The eastern boundary of 12th Street will also not change except for the area bounded by Orchard Ave., 13th Street, and Glenwood Ave. The northern boundary may include the Community Hospital property if it becomes available.

Once acquired, it is the intention of the College to replat the land parcels into one parcel belonging to the College, remove structures, and to prepare the ground for construction of College related facilities, parking areas, and green space in accordance with the *Mesa State College Facilities Master Plan*.

The first part of this project will consolidate all properties between Cannell Street, North Avenue, Seventh Street and Orchard Avenue, and within the block shown east of 12th Street. The maps on the next several pages show the campus after completion of incremental consolidation work on a five year basis. Once all structures have been demolished, the lots, streets, and alleys will be surveyed and replatted to identify one parcel belonging to the College.

Initially, the area will become either green space or temporary parking. Green space work will consist of leveling the ground and providing dust and weed control. As more houses are removed and large areas become available, the area will be covered with grass and sprinklered. Lights and appropriate sidewalks will also be provided. Temporary parking work will consist of leveling the ground and providing a gravel surface with dust and weed control, parking bumpers, parking control equipment, and appropriate lighting. Mature trees in good condition will be flagged and protected during construction.

Mesa State College – Program Plan, West Expansion Property Acquisition Project

It will take a period of time to acquire all properties, remove all structures, and convert all areas to either parking or green space. All work under this program plan, whether designated as parking or green space, should be viewed as temporary, as all areas will serve as sites for future capital construction projects.⁷

The building areas, parking and land area requirements are based on projected enrollment by prorating approximate facilities in use today. A spreadsheet showing these projections follows.

Mesa State College													
Campus Expansion Projection											CHAMBERLIN ARCHITECTS		
April 7, 2011													
	2010-11 Factor			Growth	2015-16	Growth	2020-21	Growth	2025-26	Growth	2030-31	Growth	2035-36
Student Enrollment													
Main Campus only													
Headcount													
On Campus	1624	11%	5-year	180	1,804	200	2,004	222	2,226	247	2,473	274	2,747
Off Campus	6486	11%	5-year	719	7,205	799	8,004	887	8,891	966	9,877	1,095	10,972
Total	8,110			899	9,009	999	10,008	1,109	11,117	1,232	12,350	1,369	13,719
Buildings													
Main Campus only													
Academic	688,000	85 sf per Student		76,272	764,272	84,727	848,999	94,120	943,119	104,554	1,047,673	116,145	1,163,818
Residence Halls	402,500	62 sf per Student		44,621	447,121	49,568	496,689	55,063	551,752	61,167	612,919	67,948	680,867
Non-Academic	91,500	11 sf per Student		10,144	101,644	11,268	112,912	12,517	125,429	13,905	139,334	15,447	154,781
Total	1,182,000	158 per Student		131,037	1,313,037	145,563	1,458,600	161,700	1,620,300	178,626	1,799,927	199,540	1,999,466
Parking													
Main Campus only													
Residential	1,056	65%	On Campus	117	1,173	130	1,303	144	1,447	160	1,607	178	1,786
Commuter	1,881	29%	Off Campus	209	2,099	232	2,321	257	2,578	286	2,864	318	3,182
Reserved													
Total				326	3,262	362	3,624	402	4,025	446	4,472	496	4,967
Land Area													
Main Campus only													
Total SF	3,189,330			353,569	3,542,899	389,719	3,932,618	432,588	4,365,206	480,173	4,845,379	532,992	5,378,370
Acres	73			8	81	9	90	10	100	11	111	12	123

⁷ Program Plans for future capital construction projects within the revised boundary areas will be submitted to CCHE for consideration and approval.

Project Cost Estimate:

Each property will be independently appraised to determine a fair acquisition price. Based on the results of the 2004 House Demolition and Ground Recovery project, the average purchase price over the past seven years was \$180,000. However, with the housing market somewhat depressed this may be higher than what the market currently reflects but can serve as a conservative estimate. In the end, each house will be based on its unique characteristics. Total estimated average recovery costs per parcel:

Property Acquisition (projected average):	\$180,000
Testing, Abatement, Demolition	\$ 36,000
Temporary Parking Improvements	\$ 16,500
Planning and Approvals	\$ 500

PER RESIDENTIAL LOT TOTAL \$233,000

The initial consolidation work includes environmental assessments and removal of hazardous material in accordance with current laws and regulations. Acquisition will be accomplished by the College or the Mesa State College Foundation through donation, nonexempt funds, or through other capital construction projects.

Projected acquisition cost for the residential lots is based on the average of 17 recently purchased in the neighborhood. The projected acquisition cost for commercial property is an average of the values on a per acre basis considering comparable sales, lease rates and other factors. Projected testing, abatement, demolition, lighting, grading and gravel cost is based on the average of 67 lots recently completed.

Financial Analysis:

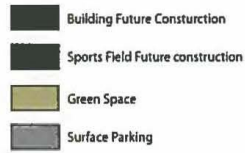
The project will be self-financed by the College through the use of cash exempt funds and donations. The Board of Trustees will be requested to authorize the transfer of funds to the Mesa State College Foundation for property acquisition identified in this program plan. This request will be part of the annual budget process. It should be noted that funds to accomplish the entire project are not currently available.

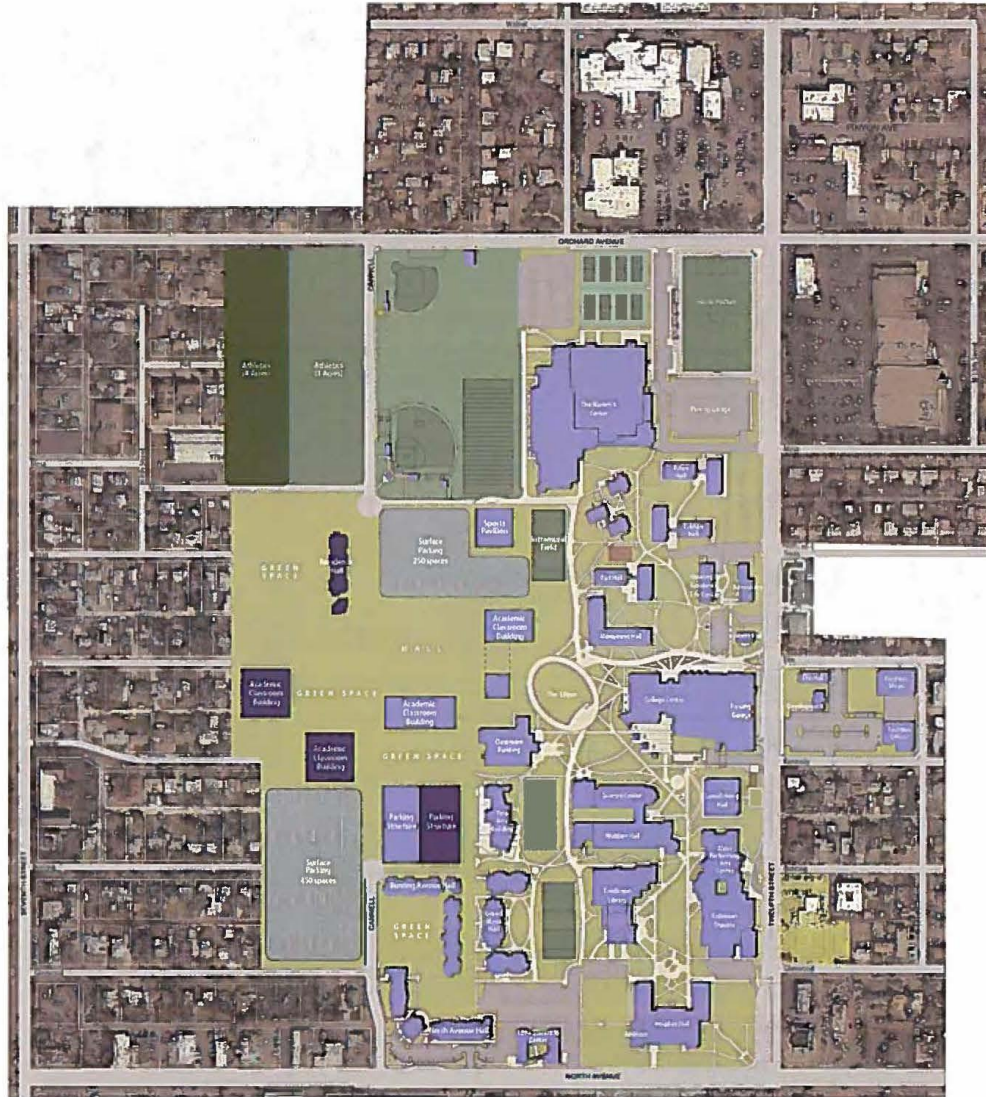
Project Schedule:

It is anticipated that the project will be completed incrementally over the next ten years. Parts of the project will be completed as money becomes available and as the final properties become available for acquisition. In addition, many of the properties will become rentals providing a revenue stream that can assist in the funding of the acquisition program.

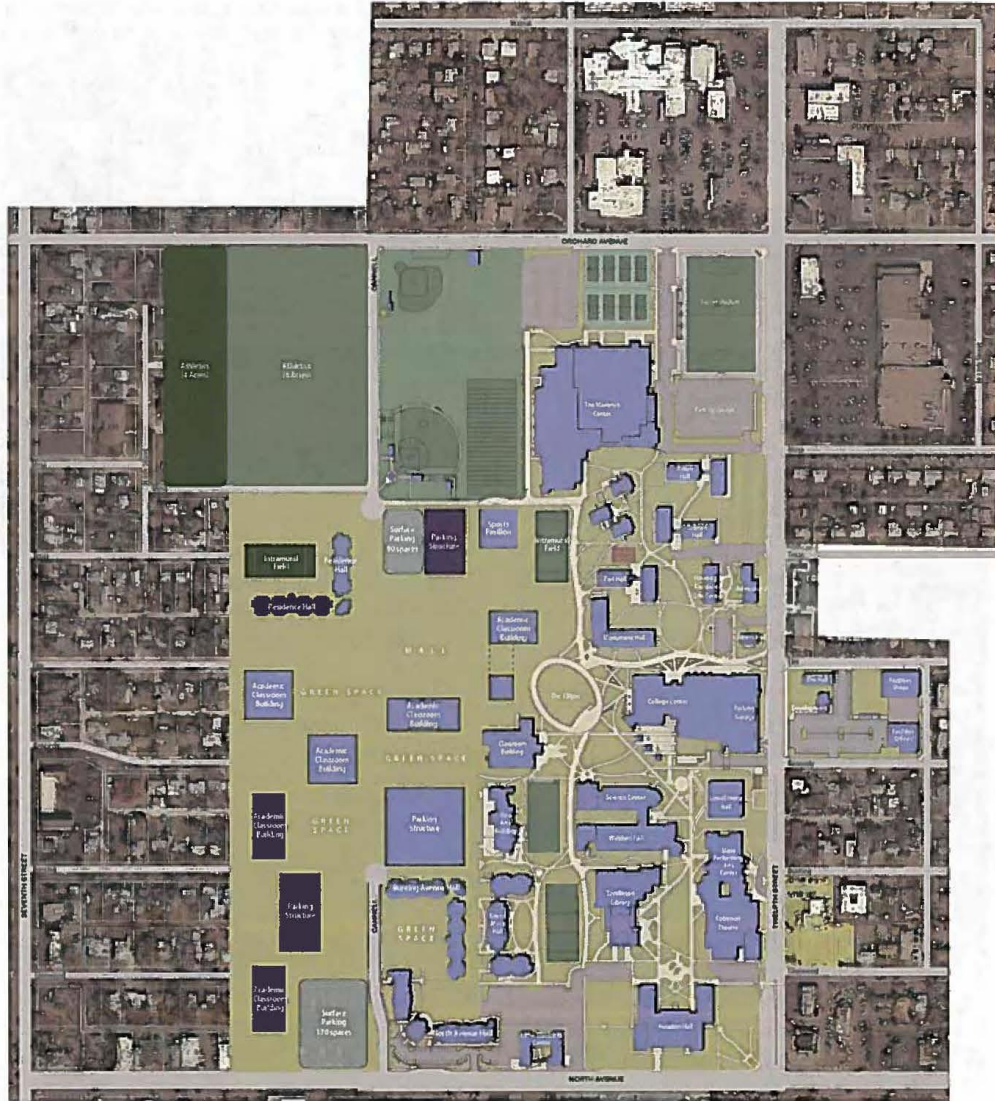
RELATION TO THE MASTER PLAN / OTHER PROJECTS

This project is part of “Project A1 – Land Acquisition, Main Campus” as described in the 1999 *Mesa State College Facilities Master Plan*, Volume 1, pages 114 – 116. In coordination with CCHE and the State of Colorado, Mesa State College has already accepted other properties under this project and will quite probably be working to accept additional properties as they become available within the priority areas established in this plan.

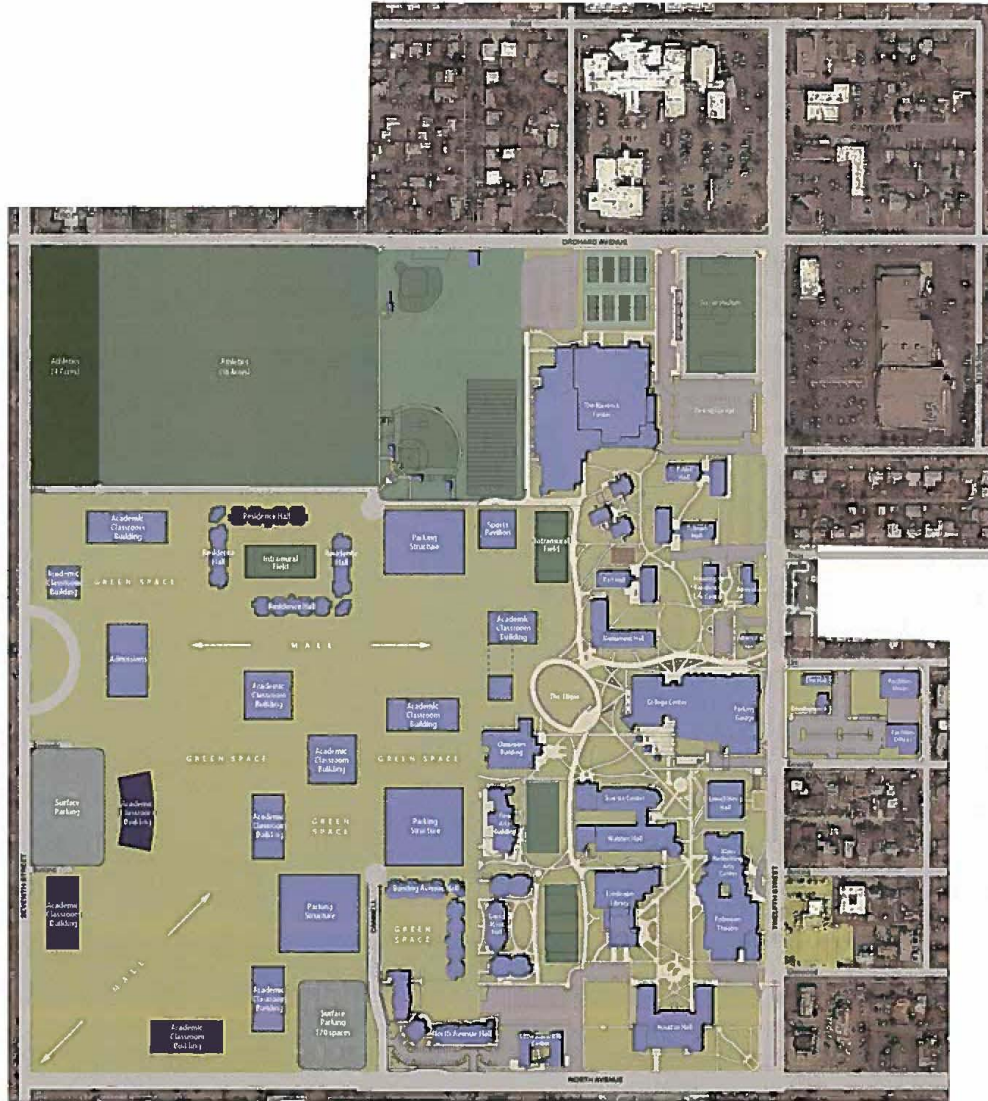




- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking



- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking

**APPENDIX A
STUDENT DEMOGRAPHICS**

Actual Student and FTE Enrollment Data

<u>Year</u>	<u>Count</u>	<u>Head</u> <u>FTEs</u>
1997	4900	4135
1998	5042	4219
1999	4904	4096
2000	5212	4302
2001	5303	4405
2002	5572	4625
2003	5765	4751
2004	6235	5096
2005	6062	4992
2006	5994	4891
2007	6199	4961
2008	6261	4973
2009	7042	5661
2010	8131	6555

<u>Student</u> <u>Origin</u>	<u>Number of</u> <u>Students</u>	<u>Percent</u>
Mesa State's 14 County Region	5488	67.5%
All Other Colorado	1667	20.5%
Out of State	941	11.6%
International	35	0.4%
Total	8131	

**APPENDIX B
PROPERTY LISTING**

Number	PARCEL_NUM	LOCATION
1	2945-114-08-010	1825 CANNELL AVE
2	2945-114-11-008	850 TEXAS AVE
3	2945-114-08-023	1816 N 8TH ST
4	2945-114-10-009	1727 CANNELL AVE
5	2945-114-09-019	725 ORCHARD AVE
6	2945-114-10-012	1717 CANNELL AVE
7	2945-114-08-016	860 HALL AVE
8	2945-114-11-005	828 TEXAS AVE
9	2945-114-08-014	888 HALL AVE
10	2945-114-09-008	1720 N 7TH ST
11	2945-114-08-020	820 HALL AVE
12	2945-114-11-004	816 TEXAS AVE
13	2945-114-10-004	847 HALL AVE
14	2945-114-09-020	749 ORCHARD AVE
15	2945-114-09-006	1742 N 7TH ST
16	2945-114-09-018	1808 N 7TH ST
17	2945-114-09-014	1825 N 8TH ST
18	2945-114-09-007	1730 N 7TH ST
19	2945-114-08-021	810 HALL AVE
20	2945-114-10-011	1735 CANNELL AVE
21	2945-114-08-019	830 HALL AVE
22	2945-114-10-005	855 HALL AVE
23	2945-114-08-012	890 HALL AVE
24	2945-114-08-017	848 HALL AVE
25	2945-114-10-001	1750 N 8TH ST
26	2945-114-09-005	1752 N 7TH ST
27	2945-114-08-013	880 HALL AVE
28	2945-114-09-011	1801 N 8TH ST
29	2945-114-11-009	858 TEXAS AVE
30	2945-114-08-006	845 ORCHARD AVE
31	2945-114-09-010	1737 N 8TH ST
32	2945-114-10-007	875 HALL AVE
33	2945-114-11-010	866 TEXAS AVE
34	2945-114-09-002	1828 N 7TH ST
35	2945-114-09-951	730 MESA AVE
36	2945-114-08-015	868 HALL AVE
37	2945-114-08-018	840 HALL AVE
38	2945-114-09-001	1842 N 7TH ST

Mesa State College – Program Plan, West Expansion Property Acquisition Project

39	2945-114-08-025	905 ORCHARD AVE
40	2945-114-09-013	1815 N 8TH ST
41	2945-114-11-003	804 TEXAS AVE
42	2945-114-08-003	817 ORCHARD AVE
43	2945-114-10-010	895 HALL AVE
44	2945-114-10-002	829 HALL AVE
45	2945-114-08-002	809 ORCHARD AVE
46	2945-114-08-022	802 HALL AVE
47	2945-114-09-004	1806 N 7TH ST
48	2945-114-11-007	842 TEXAS AVE
49	2945-114-08-008	911 ORCHARD AVE
50	2945-114-11-002	1616 N 8TH ST
51	2945-114-08-001	759 ORCHARD AVE
52	2945-114-09-017	1816 N 7TH ST
53	2945-114-11-001	1622 N 8TH ST
54	2945-114-11-006	836 TEXAS AVE
55	2945-114-08-011	898 HALL AVE
56	2945-114-09-021	723 ORCHARD AVE #N
57	2945-114-09-009	1727 N 8TH ST
58	2945-114-10-006	865 HALL AVE
59	2945-114-10-013	1707 CANNELL AVE
60	2945-114-08-009	921 ORCHARD AVE
61	2945-114-10-003	835 HALL AVE
62	2945-114-08-005	841 ORCHARD AVE
63	2945-114-10-008	885 HALL AVE
64	2945-114-08-004	829 ORCHARD AVE
65	2945-114-10-014	825 HALL AVE
66	2945-114-09-012	1805 N 8TH ST
67	2945-114-08-024	901 ORCHARD AVE
68	2945-114-13-021	888 ELM AVE
69	2945-114-14-032	1416 N 7TH ST
70	2945-114-15-013	1343 CANNELL AVE
71	2945-114-13-017	873 TEXAS AVE
72	2945-114-14-006	843 ELM AVE
73	2945-114-12-011	727 MESA AVE
74	2945-114-14-026	830 KENNEDY AVE
75	2945-114-15-003	771 KENNEDY AVE
76	2945-114-13-001	1524 N 7TH ST
77	2945-114-13-024	860 ELM AVE
78	2945-114-12-009	1625 N 8TH ST
79	2945-114-12-003	1628 N 7TH ST
80	2945-114-15-004	775 KENNEDY AVE
81	2945-114-15-012	885 KENNEDY AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

82	2945-114-14-010	803 ELM AVE
83	2945-114-13-011	827 TEXAS AVE
84	2945-114-13-028	820 ELM AVE
85	2945-114-14-013	749 ELM AVE
86	2945-114-12-001	1630 N 7TH ST
87	2945-114-14-024	810 KENNEDY AVE
88	2945-114-13-007	755 TEXAS AVE
89	2945-114-14-019	740 KENNEDY AVE
90	2945-114-13-003	1516 N 7TH ST
91	2945-114-13-032	760 ELM AVE
92	2945-114-13-034	740 ELM AVE
93	2945-114-14-027	840 KENNEDY AVE
94	2945-114-13-019	889 TEXAS AVE
95	2945-114-13-031	774 ELM AVE
96	2945-114-13-014	849 TEXAS AVE
97	2945-114-13-016	865 TEXAS AVE
98	2945-114-13-033	748 ELM AVE
99	2945-114-11-014	898 TEXAS AVE
100	2945-114-13-005	743 TEXAS AVE
101	2945-114-15-020	824 BUNTING AVE
102	2945-114-14-007	833 ELM AVE
103	2945-114-15-005	805 KENNEDY AVE
104	2945-114-11-013	890 TEXAS AVE
105	2945-114-13-026	834 ELM AVE
106	2945-114-15-002	755 KENNEDY AVE
107	2945-114-14-011	769 ELM AVE
108	2945-114-13-027	830 ELM AVE
109	2945-114-13-004	735 TEXAS AVE
110	2945-114-15-015	874 BUNTING AVE
111	2945-114-12-008	1613 N 8TH ST
112	2945-114-13-972	704 ELM AVE
113	2945-114-13-009	811 TEXAS AVE
114	2945-114-15-009	845 KENNEDY AVE
115	2945-114-14-030	890 KENNEDY AVE
116	2945-114-14-002	883 ELM AVE
117	2945-114-13-002	1520 N 7TH ST
118	2945-114-15-019	834 BUNTING AVE
119	2945-114-13-035	730 ELM AVE
120	2945-114-15-008	835 KENNEDY AVE
121	2945-114-11-011	874 TEXAS AVE
122	2945-114-11-012	882 TEXAS AVE
123	2945-114-14-031	701 ELM AVE
124	2945-114-13-013	841 TEXAS AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

125	2945-114-14-004	863 ELM AVE
126	2945-114-14-012	761 ELM AVE
127	2945-114-13-012	835 TEXAS AVE
128	2945-114-12-012	1604 N 7TH ST
129	2945-114-14-018	1400 N 7TH ST
130	2945-114-13-030	780 ELM AVE
131	2945-114-15-006	815 KENNEDY AVE
132	2945-114-13-010	819 TEXAS AVE
133	2945-114-15-011	865 KENNEDY AVE
134	2945-114-13-029	818 ELM AVE
135	2945-114-15-017	854 BUNTING AVE
136	2945-114-14-005	855 ELM AVE
137	2945-114-14-001	889 ELM AVE
138	2945-114-13-008	803 TEXAS AVE
139	2945-114-14-021	760 KENNEDY AVE
140	2945-114-14-003	875 ELM AVE
141	2945-114-15-007	825 KENNEDY AVE
142	2945-114-12-007	1603 N 8TH ST
143	2945-114-12-010	1635 N 8TH ST
144	2945-114-12-004	1616 N 7TH ST
145	2945-114-13-022	886 ELM AVE
146	2945-114-13-023	880 ELM AVE
147	2945-114-13-025	850 ELM AVE
148	2945-114-14-023	800 KENNEDY AVE
149	2945-114-14-029	860 KENNEDY AVE
150	2945-114-14-028	850 KENNEDY AVE
151	2945-114-12-002	721 MESA AVE
152	2945-114-15-010	855 KENNEDY AVE
153	2945-114-13-036	1510 N 7TH ST
154	2945-114-13-015	859 TEXAS AVE
155	2945-114-13-018	881 TEXAS AVE
156	2945-114-14-017	1410 N 7TH ST
157	2945-114-14-008	817 ELM AVE
158	2945-114-14-025	820 KENNEDY AVE
159	2945-114-14-009	809 ELM AVE
160	2945-114-13-020	895 TEXAS AVE
161	2945-114-13-006	753 TEXAS AVE
162	2945-114-15-018	844 BUNTING AVE
163	2945-114-14-020	750 KENNEDY AVE
164	2945-114-15-016	864 BUNTING AVE
165	2945-114-14-014	745 ELM AVE
166	2945-114-14-022	780 KENNEDY AVE
167	2945-114-17-012	856 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

168	2945-114-16-014	752 GLENWOOD AVE
169	2945-114-19-006	865 GLENWOOD AVE
170	2945-114-18-001	763 GLENWOOD AVE
171	2945-114-17-013	846 GLENWOOD AVE
172	2945-114-17-014	836 GLENWOOD AVE
173	2945-114-17-017	804 GLENWOOD AVE
174	2945-114-16-006	727 BUNTING AVE
175	2945-114-19-007	875 GLENWOOD AVE
176	2945-114-16-012	730 GLENWOOD AVE #B
177	2945-114-15-023	768 BUNTING AVE
178	2945-114-17-024	888 GLENWOOD AVE
179	2945-114-15-028	710 BUNTING AVE
180	2945-114-16-010	720 GLENWOOD AVE
181	2945-114-16-003	749 BUNTING AVE
182	2945-114-15-025	750 BUNTING AVE
183	2945-114-17-021	866 GLENWOOD AVE
184	2945-114-19-005	845 GLENWOOD AVE
185	2945-114-17-006	853 BUNTING AVE
186	2945-114-19-008	911 GLENWOOD AVE
187	2945-114-16-008	1226 N 7TH ST
188	2945-114-19-003	825 GLENWOOD AVE
189	2945-114-17-018	867 BUNTING AVE
190	2945-114-15-024	762 BUNTING AVE
191	2945-114-15-021	814 BUNTING AVE
192	2945-114-17-009	887 BUNTING AVE
193	2945-114-21-951	1350 N 7TH ST
194	2945-114-19-002	815 GLENWOOD AVE
195	2945-114-16-004	745 BUNTING AVE
196	2945-114-19-001	805 GLENWOOD AVE
197	2945-114-16-016	1204 N 7TH ST
198	2945-114-17-002	815 BUNTING AVE
199	2945-114-18-003	751 GLENWOOD AVE
200	2945-114-17-003	825 BUNTING AVE
201	2945-114-16-005	739 BUNTING AVE
202	2945-114-17-005	843 BUNTING AVE
203	2945-114-19-004	835 GLENWOOD AVE
204	2945-114-16-001	769 BUNTING AVE
205	2945-114-18-005	727 GLENWOOD AVE
206	2945-114-18-002	759 GLENWOOD AVE
207	2945-114-17-015	824 GLENWOOD AVE
208	2945-114-17-016	814 GLENWOOD AVE
209	2945-114-17-004	833 BUNTING AVE
210	2945-114-16-013	740 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

211	2945-114-16-002	757 BUNTING AVE
212	2945-114-17-007	859 BUNTING AVE
213	2945-114-17-001	805 BUNTING AVE
214	2945-114-18-004	733 GLENWOOD AVE
215	2945-114-15-030	730 BUNTING AVE
216	2945-114-18-006	705 GLENWOOD AVE
217	2945-114-15-026	740 BUNTING AVE
218	2945-114-16-007	1236 N 7TH ST
219	2945-114-16-015	760 GLENWOOD AVE
220	2945-114-15-022	804 BUNTING AVE
221	2945-114-17-950	875 BUNTING AVE
222	2945-114-10-953	1704 N 8TH ST
223	2945-114-10-954	

APPENDIX C
THIRD PARTY REVIEW

APPENDIX D
CCHE FORM CC-C

EXHIBIT
B

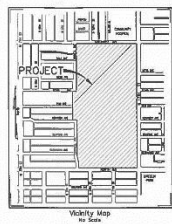
COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2456222, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, MCGILLI & CORNELI SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 349626, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE RE-PLACING PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444750, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 30, INCLUSIVE AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 633609, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 458000, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEYS WAYS DESIGNATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THOSE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1359, 1679, 2813, 3356, 3726, 4106, 4252, 4431, 4598 AND 4628, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

AREA = 73,848 ACRES +/-
Sheet 1 of 2

DEDICATION AND OWNERSHIP STATEMENT

KNOW ALL MEN BY THESE PRESENTS THAT COLORADO MESA UNIVERSITY IS THE OWNER OF THAT REAL PROPERTY DESCRIBED AS FOLLOWS:
A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2456222, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, MCGILLI & CORNELI SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 349626, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE RE-PLACING PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444750, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 30, INCLUSIVE AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 633609, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 458000, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEYS WAYS DESIGNATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THOSE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1359, 1679, 2813, 3356, 3726, 4106, 4252, 4431, 4598 AND 4628, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.



Lot	Area	Description
1	73,848 ACRES +/-	THE ENTIRE TRACT OF THE CITY OF GRAND JUNCTION

NOTARY PUBLIC CERTIFICATION
I, _____, Notary Public, do hereby certify that the foregoing instrument was acknowledged before me by the person or persons named therein as the grantor or grantors of the above described premises, and that the execution of the same was voluntary and in conformity with the law.

NOTES

1. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S ZONING ORDINANCES AND THE CITY OF GRAND JUNCTION'S SUBDIVISION REGULATIONS.
2. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
3. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
4. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
5. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
6. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
7. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
8. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
9. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.
10. THE PROPERTY IS SUBJECT TO THE CITY OF GRAND JUNCTION'S PLANNING AND ZONING COMMISSION'S REVIEW AND APPROVAL.

APPROVED STATEMENT

I, _____, President of Colorado Mesa University, do hereby certify that the above described premises are owned by Colorado Mesa University and that the execution of the same was voluntary and in conformity with the law.

CITY OF GRAND JUNCTION APPROVAL

THE PLAT OF COLORADO MESA UNIVERSITY SUBDIVISION, A SUBDIVISION IN THE CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO IS HEREBY APPROVED BY THE CITY OF GRAND JUNCTION.

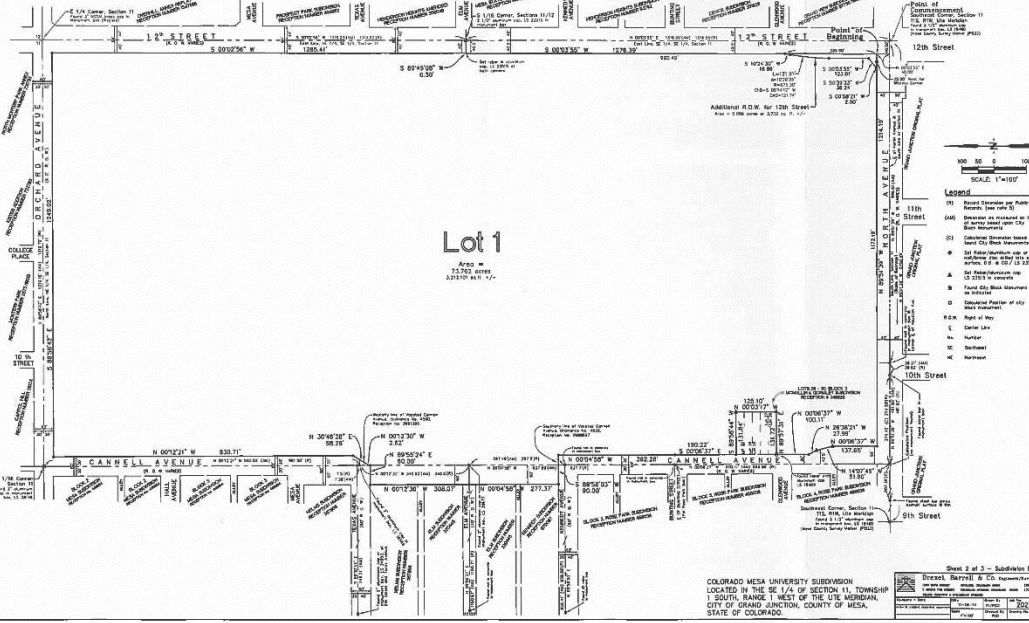
OWNER AND RECORDS CERTIFICATE
I, _____, Owner of the above described premises, do hereby certify that the above described premises are owned by Colorado Mesa University and that the execution of the same was voluntary and in conformity with the law.

COLORADO MESA UNIVERSITY SUBDIVISION
LOCATED IN THE SE 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2456222, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, MCGILLI & CORNELI SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 349626, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE RE-PLACING PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444750, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 30, INCLUSIVE AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 633609, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 458000, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEYS WAYS DESIGNATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THOSE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1359, 1679, 2813, 3356, 3726, 4106, 4252, 4431, 4598 AND 4628, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

AREA = 73,848 ACRES +/-
Sheet 2 of 2

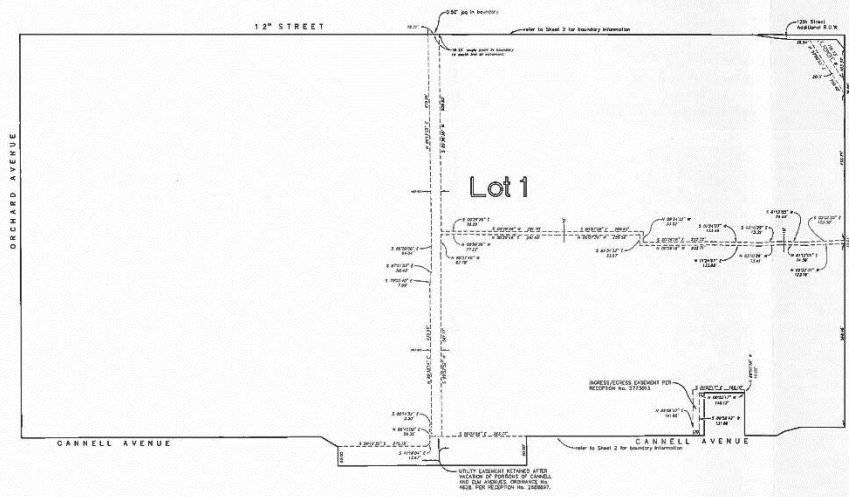


COLORADO MESA UNIVERSITY SUBDIVISION
LOCATED IN THE SE 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE 10TH MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAN SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAM II SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 245822, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, McWELLEN & GORNELLY SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 348926, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE BE-TING PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444750, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 36, INCLUSIVE, AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 539508, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AT RECEPTION NUMBER 458210, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEY WAYS INDICATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THESE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1020, 1079A, 2013, 2016, 3729, 4100, 4282, 4431, 4990 AND 4928, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

AREA = 73,848 ACRES +/-
Sheet 3 of 4



Cannell Easements
 1) Unless noted otherwise, all easements shown on this plat are to the City of Grand Junction for City easement utility.

Colorado Mesa University Subdivision
 LOCATED IN THE SE 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

Sheet 3 of 4 - Internal Definition	
	Easement
	Utility Easement
	Right-of-Way
	Boundary
	Survey Point
	Corner
	Monument
	Easement
	Utility Easement
	Right-of-Way
	Boundary
	Survey Point
	Corner
	Monument

Attach 4

EXHIBIT LIST

1st STREET ALLEY RIGHT OF WAY VACATION

FILE NO. VAC-2017-566

Exhibit Item #	Description
1	Application dated November 17, 2017
2	Staff Report dated January 23, 2017
3	Staff Presentation dated January 23, 2017

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation <input type="text"/>	Existing Zoning <input type="text"/>
Proposed Land Use Designation <input type="text"/>	Proposed Zoning <input type="text"/>

Property Information

Site Location: <input type="text" value="105 W. Main Street, Grand Junction"/>	Site Acreage: <input type="text" value="Approx. .65 AC"/>
Site Tax No(s): <input type="text" value="2945-154-07-013"/>	Site Zoning: <input type="text"/>
Project Description: <input type="text" value="Construct a new 2,200 SF QSR, but need to officially create the parcel and vacate the alley"/>	

Property Owner Information

Applicant Information

Representative Information

Name: <input type="text" value="Prinster Brothers, LLC"/>	Name: <input type="text" value="CenterPointe Development"/>	Name: <input type="text"/>
Street Address: <input type="text" value="6122 Songbird Circle"/>	Street Address: <input type="text" value="4014 N. Goldwater"/>	Street Address: <input type="text"/>
City/State/Zip: <input type="text" value="Boulder, CO 80303"/>	City/State/Zip: <input type="text" value="Scottsdale, AZ 85251"/>	City/State/Zip: <input type="text"/>
Business Phone #: <input type="text" value="719-330-1816"/>	Business Phone #: <input type="text" value="602-538-3637"/>	Business Phone #: <input type="text"/>
E-Mail: <input type="text" value="prinster.david@gmail.com"/>	E-Mail: <input type="text" value="clint@centerpointe-dev.com"/>	E-Mail: <input type="text"/>
Fax #: <input type="text"/>	Fax #: <input type="text"/>	Fax #: <input type="text"/>
Contact Person: <input type="text" value="David Prinster"/>	Contact Person: <input type="text" value="J. Clint Jameson"/>	Contact Person: <input type="text"/>
Contact Phone #: <input type="text" value="719-330-1816"/>	Contact Phone #: <input type="text" value="602-538-3637"/>	Contact Phone #: <input type="text"/>

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application	Date <input type="text" value="11/15/17"/>
Signature of Legal Property Owner <input type="text"/>	Date <input type="text"/>

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Prinster Brothers LLC ("Entity") is the owner of the following property:

(b) SEE ATTACHED DESCRIPTION

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) MANAGING PARTNER for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

[Empty box for limited authority details]

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

[Empty box for other owners]

On behalf of Entity, I have reviewed the application for the (d) Simple Subdivision

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) NA

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: [Signature]

Printed name of person signing: DAVID PRINSTER

State of CO)

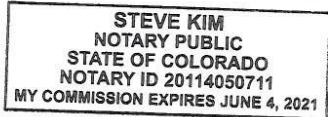
County of Boulder) ss.

Subscribed and sworn to before me on this 9 day of OCT, 20 17

by David Prinster

Witness my hand and seal.

My Notary Commission expires on 06-04-2021



[Signature]
Notary Public Signature

THE DESCRIPTION BELOW IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A LEGAL PROPERTY DESCRIPTION, AND SHOULD NOT BE USED OR CONSTRUED AS SUCH.

Commencing at the City Block Monument at the corner of 1st and Main Streets, Grand Junction, Colorado, whence the City Block Monument at the corner of 1st and Colorado bears S00°05'34"W a distance of 370.25 feet for a Basis of Bearings with all bearings contained herein relative thereto;

Thence S36°58'26"W a distance of 99.97 feet to the Point of Beginning; thence S00°05'34"W a distance of 207.50 feet; thence N89°52'34"W a distance of 135.00 feet; thence N00°05'34"E a distance of 207.50 feet; thence S89°52'34"E a distance of 135.00 feet to the Point of Beginning.

Proposed Starbucks
Major Site Plan Review
November 15, 2017
General Project Report

Project Overview

The owner of the subject property is Prinster Brothers, LLC (David Prinster, contact). CenterPointe Development Group is under contract to purchase approximately .65 AC located at the southwest corner of 1st Avenue & Main Street and being a portion of APN 2945-154-07-013. CenterPointe is proposing to develop a new 2,400 SF Starbucks with drive-thru on the property along with all associated parking and landscape improvements. Since this proposal only accounts for a portion of the tax parcel, we will also be processing a plat to legally split the lot and abandon the “alley” between the parcels.

This parcel is zoned B-2.

A. Project Description

Location and Site Features

- Southwest corner of 1st Avenue and Main Street
- The site was previously developed as an office building, but has since been razed and is now just a vacant piece of dirt.
- The topography of the site is mainly flat with +/- 1' of grade variation from east to west

Existing Zoning

- The subject property is zoned B-2, Downtown Business.
- This zoning permits our proposed use.

B. Public Benefit

Our proposed project will benefit the community and surrounding area in multiple ways. First of all, we will provide a much-needed service in a dense downtown area with a lot of daytime employees. Second, this project will turn an unsightly dirt lot into a beautiful new and modern building which will improve the downtown area. Lastly, this project will not only create new jobs, it will also generate incremental sales tax revenue for the City.

C. Neighborhood Meeting

A neighborhood meeting wasn't required for this submittal

D. Project Compliance, Compatibility, and Impact

1. **Adopted Plans and/or Policies**

- City Code

- B-2 Zoning

2. Surrounding Land Uses

To the north, across Main Street, is Weaver's Red Room, a sport bar/restaurant. To the west, across Spruce, is a parking lot that services the County offices. To the south of our proposed project, is the Mesa County offices. To the east, across 1st Street, is an office building. All uses/properties surrounding our proposed project are zoned B-2.

3. Site Access and Traffic

- There is an existing curb cut on 1st Avenue. However, per initial discussions with CDOT, CDOT will require closure of this curb cut and therefore, we will need to pursue cross access to the west to connect to Spruce Street.
- There's also a curb cut on Main Street that will be improved during our project to create good circulation for incoming and outgoing traffic
- We will provide for 25 parking stalls on the subject property
- Our project will create new incremental traffic above the previous use of the site, but we generally think that Starbucks is a traffic capturer rather than a traffic generator. Meaning, our customers were already driving this route to get to work rather than going out of their way to visit our store.

4. Availability and Utilities and Unusual Demands

All utilities (water, sewer, gas, telephone) are adjacent to the subject property.

5. Effects on Public Utilities

There are no unusual demands on utilities

6. Site Soils

No unusual soils are expected on this site.

7. Site Geology and Geologic Hazards

We aren't expecting any hazards

8. Hours of Operation

Stores hours haven't been determined at this point, but typical store hours in this region are 5 AM – 10 PM.

9. Number of Employees

Upon completion, the new project expects to employ 10-12 full time and part time employees

10. Signage Plans

To be completed by Starbucks. Forthcoming

11. Irrigation

The proposed landscaping on the subject property will be irrigated

E. Development Schedule and Phasing

- 10/10/17 – Submit Site Plan Review Application
- 3/18/18 – Submit for building permits
- 6/24/18 – Pull building permits and start construction
- 10/17/18– Complete Construction and delivery to tenant
- 11/17/18 – Tenant completes interiors and opens for business

11/13/17

Neighborhood meeting

Sign-in Sheet

Amy Mueller

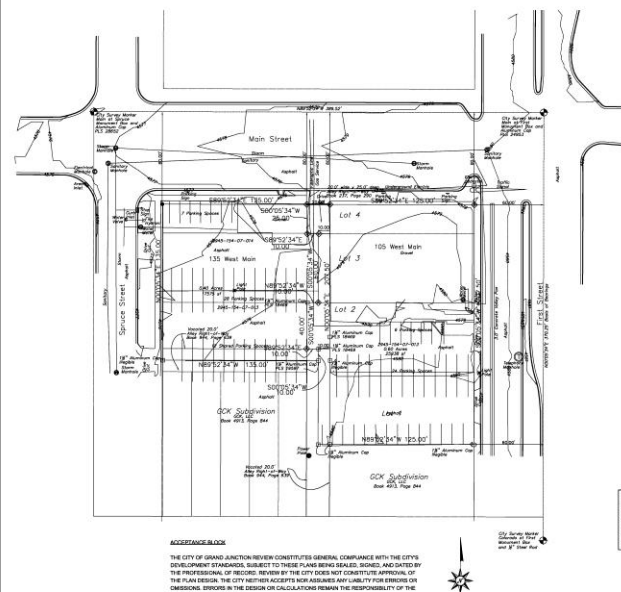
Greg Mueller 970-245-1227 PARIHLAW @ AOL.COM

Lori Bowers - City Rep.

Mike Foster

ALTA/ACSM LAND TITLE SURVEY

BLOCK 7, RICHARD D. MOBLEY'S FIRST SUBDIVISION TO THE TOWN OF GRAND JUNCTION SE 1/4 SECTION 15, T1S, R1W, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO



- LEGEND**
- ALTA/ACSM SURVEY MARKER, AS NOTED
 - FOUND REBAR AND CAP AS NOTED
 - SET 2" ALUMINUM WASHER, PLS 24555 ON P.A. NAL IN CONCRETE
 - SET 2" ALUMINUM CAP ON 24" N.S. REBAR, PLS 24953

BOUNDARY DESCRIPTION

A parcel of land located in the Southwest Quarter of Section 15, Township 1 South, Range 1 West of the 10th Meridian and being a part of Block 7, Richard D. Mobley's First Subdivision to the Town of Grand Junction as shown and not recorded in that Block 7, Page 52, when certain records were being more particularly described in Book 4832, Page 71, Mesa County records as follows:

The West 1/2 of Lot 1 is equal to the East 1/2 of Lot 1, together with the West 1/2 of Lot 4, and the East 1/2 of Lot 3 and 4, the East 1/2 of the North 20 feet 3 inches of Lot 2, and the South 1/2 of Lot 3 and 4, the East 1/2 of the North 20 feet 3 inches of Lot 1, and the West 1/2 of Lot 1 and the South 1/2 of the West 1/2 of Lot 1, all in Block 7 of Richard D. Mobley's First Subdivision to the Town of Grand Junction, City of Grand Junction Ordinance No. 1344 recorded in Book 894, Page 639, Mesa County records, when the said city is in compliance with the above-mentioned portion of Book 10, 2003 C.R.S. a parcel of 100 acres, to be 1/2 of the said section by instrument recorded January 10, 1951, in Book 237 of Page 200, in Mesa County, Colorado.

- GENERAL NOTES**
1. Block of bearings in the City Block line between the City Block monuments between Main Street and First Street and Colorado Avenue and First Street located in the Southwest Quarter of Section 15, which bears North 00°02'24" East, a distance of 370.25 feet, established by "CORRECTION OF AN ERROR" survey records, which is based on the NAD 83 for horizontal and 2011 for vertical measurements.
 2. Easement and this information provided by Thomas Tika & Egan, LLC for First American Title Insurance Company, Commission No. 1250742, dated May 18, 2017.
 3. Owner's Interests: 2495-154-20-04 was 2495-154-07-03, Name: Frisco Business, LLC, Parcel: 154-07-03, Grand Junction, CO 81505, Book: 4832 Page: 71.
 4. Zoning District: Central Business District (C-2 Downtown Business)
 - Utility Easements: Minimum Lot Size (Area): N/A, Minimum Lot Size (Area): N/A, Front Setback: 0 Feet, Side Setback: 0 Feet, Rear Setback: 0 Feet, Fronting Setback: 20 Feet, Minimum Lot Coverage: N/A, Maximum Height: 35 Feet, Maximum Density: 10 units/acre, Density (Max): 8 units/acre, Density (Min): 10 units/acre, maximum density.
 5. The property shown herein is located in Zone 8 which is suitable for the C-2B short-term food uses according to Grand Junction's municipal Agency Flood Insurance Rate Map Community Flood Number (B077C) 0844, dated October 18, 2017.
 6. The survey was made on the ground according to the field notes set forth in all exterior corners and finished iron monuments, and in true, correct and permanent in the boundaries and areas of the subject property and the location of buildings and improvements thereon. Any errors in this survey shall be the responsibility of the person or persons who prepared the same.
 7. The survey shows the location of all easements, rights-of-way and other similar matters of record in a plan affecting the subject property and in the case of recorded easements, that they are noted per the legal description of the recorded easement.
 8. There are 65 potential regular parking spaces and 12 shared parking spaces.

SCHEDULE B EXCEPTIONS

1. Through S Schedule B - Section 1 EXCEPTIONS - None are survey notes.

LAND SURVEY DEPOSIT

MESA COUNTY SURVEYOR'S OFFICE

BOOK _____ PAGE _____

DATE _____

DEPOSIT NO. _____

ALTA/ACSM LAND TITLE SURVEY
BLOCK 7, RICHARD D. MOBLEY'S FIRST
SUBDIVISION TO THE TOWN OF GRAND JUNCTION
SE 1/4 SECTION 15, T1S, R1W, UTE MERIDIAN
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC
105 West 1st Street, Suite 200
Grand Junction, Colorado 81505
Telephone: 970-244-6438 Fax: 970-250-7847
www.hdsurveying.com

Surveyed by: _____ Date: _____

Checked by: _____ Date: _____

Plotted by: _____ Date: _____

ACCESS EASEMENTS

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY HEREBY ACCEPTS NO LIABILITY FOR ERRORS OR OMISSIONS, ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER _____ DATE _____

CITY PLANNER _____ DATE _____

ALTA/ACSM LAND TITLE SURVEY CERTIFICATION

I, **High Desert Surveying, LLC**, a Colorado Limited Liability Company, and **Abstract & Title Company of Mesa County**

This is to certify that this map as plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Legal Requirements for ALTA/ACSM Land Title Surveys, fully understood and satisfied by ALTA and ACSM, and includes items B, C, E, F, H, and I, of Table A Hereof. This statement was completed on August 11, 2017.



THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, ISSUED AND SEALED DOCUMENT.

a SHELL BUILDING
for STARBUCKS COFFEE
105 W. Main Street
Grand Junction, CO

CENTERPOINT DEVELOPMENT GROUP, LLC
4254 North Colorado Street, Suite 204
Scottsdale, AZ 85251

Design Review Submitted: 05.23.17
Preliminary Plat Submitted: 11.18.17

No.	Description	Date
17-047	Plan No.	17-047
_____	Checked by	_____
_____	Reviewed by	_____
_____	Date	AS NOTED
_____	Scale	AS NOTED
_____	Sheet	15.8.2017
_____	Sheet No.	_____

IMPROVEMENT SURVEY

Sheet **C2**

2016 ARCHITECTURE BSA ALL RIGHTS RESERVED

Mesa County Treasurer
544 Rood Ave - Grand Junction CO 81501
Dept. 5027 - PO Box 20,000 - Grand Junction CO 81502-5001
Phone Number: (970) 244-1824

Account Number R065324
 Acres 0.00
 Assessed To

Parcel 294515407013
 PRINSTER BROTHERS LLC
 6122 SONGBIRD CIRCLE
 BOULDER, CO 80303

Legal Description	Situs Address				
N 62.5FT OF LOT 1 & E2 OF LOT 2 & W 125FT OF SD LOT 2 & THAT PT OF LOTS 3 & 4 LYG E OF ALY & S 10FT OF W 135FT OF LOT 3 BLK 7 RICHARD D MCLEYS FIRST SUB DIVISION SEC 15 1S 1W 1/4 & THAT PTN VACATED ALY ADJ ON S OF W 125FT OF SD LOT 2 AS DESC IN B-944 P-639 MESA CO RECDS - 34103.11 SQ FT/0.78 AC PER AUTOCAD	105 W MAIN ST				
Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2016	\$13,073.64	\$0.00	\$0.00	(\$13,073.64)	\$0.00
Total Tax Charge					\$0.00
Special Assessment: GJDWTN BID					
2016	\$1,080.24	\$0.00	\$0.00	(\$1,080.24)	\$0.00
Total Special Assessment: GJDWTN BID					\$0.00
GRAND TOTAL					\$0.00
Grand Total Due as of 05/22/2017					\$0.00

Tax Billed at 2016 Rates for Tax Area 10107 - 10107 TIF

Authority	Mill Levy	Amount	Values	Actual	Assessed
COLORADO RIVER WATER CONSER	0.2530000	\$48.84	OFFICES - LAND	\$597,380	\$173,240
DOWNTOWN DEVELOPMENT AUTHOR	5.0000000	\$965.20	OFFICES - IMPS	\$68,280	\$19,800
MESA CNTY ROAD & BRIDGE- GRA	0.2215000	\$42.76	Total	\$665,660	\$193,040
CITY OF GRAND JUNCTION	8.0000000	\$1,544.32			
GRAND RIVER MOSQUITO CTRL	1.5130000	\$292.07			
GRAND VALLEY DRAINAGE DIST	1.6530000	\$319.10			
LIBRARY DISTRICT	3.0130000	\$581.63			
COUNTY - DEVELOP DISABLED	0.2940000	\$56.75			
COUNTY GENERAL FUND	9.1410000	\$1,764.56			
COUNTY ROAD & BRIDGE-1/2 LE	0.2215000	\$42.76			
SOCIAL SERVICES	2.3310000	\$449.98			
COUNTY TRANSLATOR TV FUND	0.0050000	\$0.97			
SCHOOL DIST# 51 GENERAL	24.3770000	\$4,705.74			
SCHOOL DIST# 51 BOND	6.4830000	\$1,251.48			
SCHOOL DIST# 51 OVERRIDE	2.8480000	\$549.78			
SCHOOL DIST# 51 2006 OVERID	2.3710000	\$457.70			
Taxes Billed 2016	67.7250000	\$13,073.64			
GJDWTN BID					\$1,080.24

EXHIBIT A
17-92 ROW Vac Exhibit A-North

A parcel of land located in Block 7, Richard D. Mobley's First Subdivision to the Town of Grand Junction as shown on plat recorded in Reception Number 11306 of the Mesa County records and in the Southeast Quarter (SE $\frac{1}{4}$) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, in the city of Grand Junction, Mesa County, Colorado and being that Alley right-of-way as described in Reception Number 166098, Mesa County records and more particularly described as follows:

Commencing at the City Survey Marker at the intersection of Main Street and First Street, whence the City Survey Marker at the intersection of Colorado Street and First Street bears South 00°05'34" West, a distance of 370.25 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°05'34" West, a distance of 80.00 feet, along the said block line; thence North 89°52'34" West, a distance of 60.00 feet, to the Northeast corner of Lot 4, said Block 7, Richard D. Mobley's First Subdivision; thence North 89°52'34" West, a distance of 125.00 feet, along the North line of said Lot 4, Block 7 to the POINT OF BEGINNING; thence South 00°05'34" West, a distance of 25.00 feet; thence North 89°52'34" West, a distance of 20.00 feet; thence North 00°05'34" East, a distance of 25.00 feet; thence South 89°52'34" East, a distance of 20.00 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.01 Acres, as herein described.

17-92 ROW Vac Exhibit A-N.doc/knr
Prepared by:
Jeffrey C. Fletcher PLS24953
High Desert Surveying LLC
1673 Highway 50 Unit C
Grand junction, Colorado 81503

EXHIBIT B ALLEY RIGHT-OF-WAY VACATION

Main Street

City Survey Marker
Main at First
Monument Box and
Aluminum Cap
PLS 24953

POINT OF
COMMENCEMENT

20.0' wide x 25.0' deep
Alley Right-of-Way
Reception 166098
To Be Vacated
500 sf
0.01 Acres

POINT OF
BEGINNING

E 135.00'

S89°52'34"E
20.00'

S89°52'34"E 125.00'

N00°05'34"E
25.00'

S00°05'34"W Lot 4
25.00'

N89°52'34"W
60.00'

N89°52'34"W
20.00'

Lot 3

105 West Main

135 West Main

N89°52'34"W
10.00'

1½" Aluminum Cap
PLS 18469

S00°05'34"W
60.00'

N00°05'34"E 207.50'

Lot 2

1½" Aluminum Cap
PLS 18469

50.00'
S00°05'34"W
40.00'

1½" Aluminum Cap
PLS 19597

1½" Aluminum Cap
PLS 18469

1½" Aluminum Cap
illegible

Richard D. Mobley's
First Subdivision to the
City of Grand Junction
Reception 11306

10'



S00°05'34"W 207.50'

S00°05'34"W 370.25' Basis of Bearings

City Survey Marker
Colorado at First
Monument Box
and ½" Steel Rod

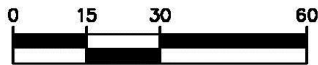
Lot 1

High Desert Surveying, LLC

1673 Highway 50 Unit C
Grand Junction, Colorado 81503

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

GCK Subdivision
GCK, LLC
Reception 2504527



SCALE: 1" = 30'

PROJ. NO. 17-92	Drawn knr	APP'D jcf	SHEET 1	OF 1
DATE: September, 2017				

EXHIBIT A
ROW Vacation Exhibit A-South

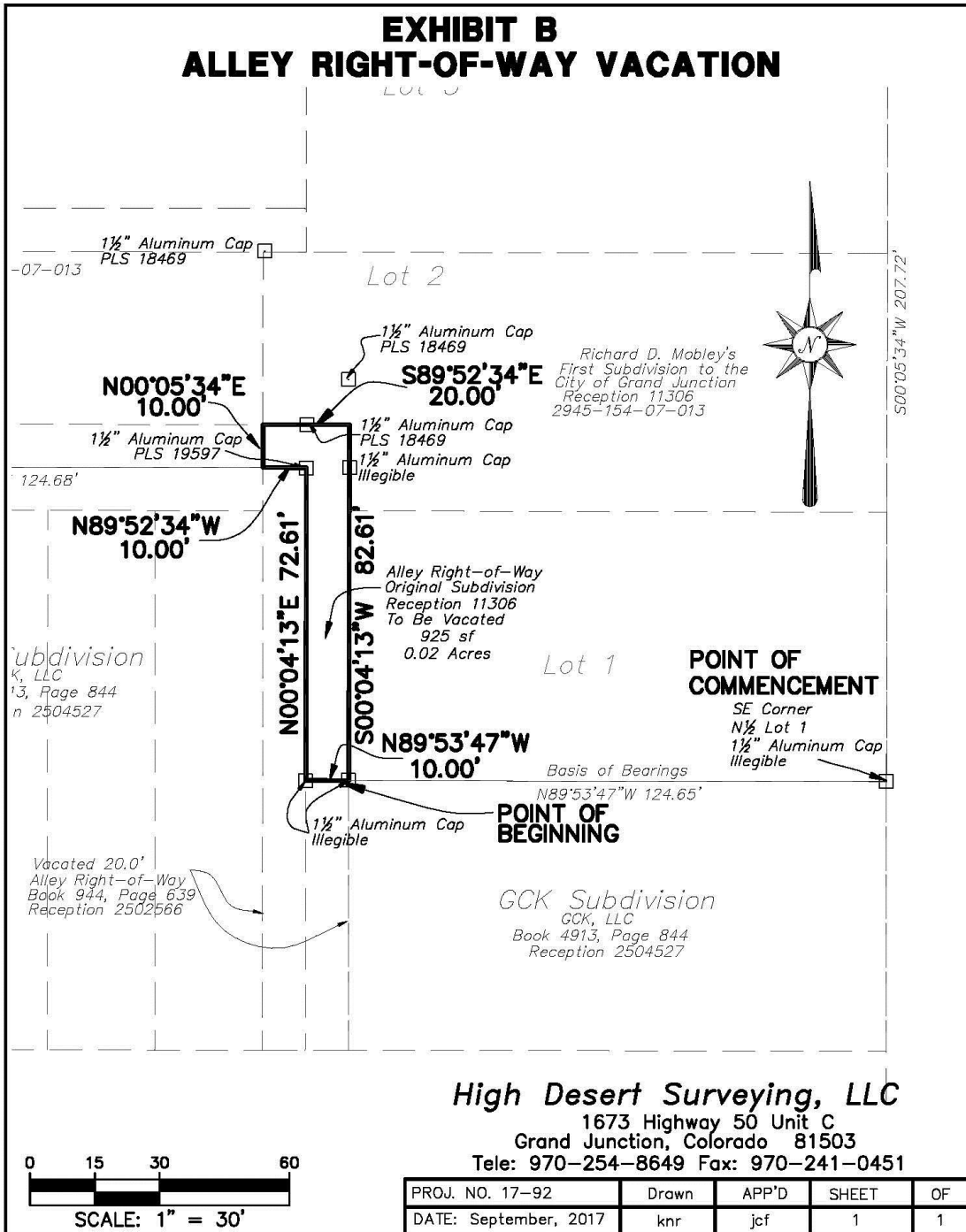
A parcel of land located in Block 7, Richard D. Mobley's First Subdivision to the Town of Grand Junction as shown on plat recorded in Reception Number 11306 of the Mesa County records and in the Southeast Quarter (SE $\frac{1}{4}$) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, in the city of Grand Junction, Mesa County, Colorado and being that Alley right-of-way as described in Reception Number 166098, Mesa County records and more particularly described as follows:

Commencing at the Southeast corner of Lot 1, said Block 7, Richard D. Mobley's First Subdivision; thence North 89°52'34" West, a distance of 124.65 feet, along the South line of said Lot 1, Block 7, also being the Basis of Bearings, with all bearings contained herein relative thereto, to the POINT OF BEGINNING; thence N89°53'47"W, a distance of 10.00 feet; thence North 00°04'13" East, a distance of 72.61 feet; thence North 89°52'34" West, a distance of 10.00 feet; thence North 00°05'34" East, a distance of 10.00 feet; thence South 89°52'34" East, a distance of 20.00 feet; thence South 00°04'13" West, a distance of 82.61 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.02 Acres, as herein described.

17-92 ROW Vac Exhibit A-S.doc/knr
Prepared by:
Jeffrey C. Fletcher PLS24953
High Desert Surveying LLC
1673 Highway 50 Unit C
Grand junction, Colorado 81503

EXHIBIT B ALLEY RIGHT-OF-WAY VACATION



City of Grand Junction Application Review Comments

Date: December 8, 2017		Comment Round No. 1		Page No. 1 of 2	
Project Name: Alley Vacation 1 st & W Main Streets			File No.: VAC-2017-566		
Project Location: 105 W Main Street					
Check appropriate box(es)		<input checked="" type="checkbox"/> if comments were mailed, emailed, and/or picked up.			
Property Owner(s): Prinster Brothers LLC c/o David Prinster					
<input type="checkbox"/>	Mailing Address: 6122 Songbird Circle, Boulder, CO 80303-1476				
<input checked="" type="checkbox"/>	Email: prinster.david@gmail.com		Telephone: --		
Applicant(s): CenterPointe Real Estate c/o J Clint Jameson					
<input type="checkbox"/>	Mailing Address: 4014 N Goldwater Blvd. Scottsdale, AZ 85251-4336				
<input checked="" type="checkbox"/>	Email: clint@centerpointe-dev.com		Telephone: 602-538-3637		
Representative(s): Same as applicant					
<input type="checkbox"/>	Mailing Address:				
<input checked="" type="checkbox"/>	Email:		Telephone:		
Project Manager: Lori Bowers		Email: lorib@gjcity.og		Telephone: 970-256-4033	
Development Engineer: Rick Dorris		Email: rickdo@gjcity.org		Telephone: 970-256-4034	

City of Grand Junction REQUIREMENTS (with appropriate Code citations)

PLANNING

Requirements: Make sure the legal description includes the entire alley right-of-way. A partial vacation is not allowed. The vacated alley will be retained as a utility easement.

I am suggesting the following Public Hearing schedule:

Planning Commission - January 23, 2018 - Public Hearing to make recommendation to City Council.
 City Council - First reading of Ordinance - February 7, 2018 (Consent Agenda—no need to be present)
 City Council - Second reading and Public Hearing - February 21, 2018

My staff report must be completed by December 28, 2017 to meet this schedule. I will need responses from you by December 21, 2017.

Applicant's Response: Noted
Document Reference:

CITY DEVELOPMENT ENGINEER

No comments on the alley vacation. Will be reviewing the plat next week.

Applicant's Response: Noted
Document Reference:

CITY SURVEYOR

REVIEW COMMENTS:

The dimensions shown on the exhibits and contained with the descriptions do not match the dimensions shown on the proposed Centerpointe Subdivision.

Applicant's Response: This has been addressed, See attached files
Document Reference:

CITY SANITATION

No comment on the alley vacation.

Applicant's Response: Noted
Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS
(Non-City Agencies)

Review Agency: Xcel Energy
Contact Name: Brenda Boes
Email / Telephone Number:

Comments: Xcel has no objections at this time.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.

Applicant's Response: Noted. We have started the application process already
Document Reference:

Please provide a response for each comment and, for any changes made to other plans or documents, indicate specifically where the change was made.

Date due: December 21, 2017

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.



Applicant's Signature

J. Clint Jameson

12/21/17

Date

PLANNING COMMISSION AGENDA ITEM

Project Name: Alley Right-of-Way Vacation 1st Street and W Main Street
Applicant: CenterPoint Development Group c/o J Clint Jameson
Representative: Clint Jameson
Address: 105 W Main Street
Zoning: B-2 (Downtown Business)
Staff: Lori V. Bowers
File No.: VAC-2017-566
Date: January 23, 2018

I. SUBJECT

Consider a request to vacate the alleyway south of West Main Street, between South Spruce Street and South 1st Street, specifically being a portion of the north-south alley right-of-way of Block 7, Richard D. Mobley's First Sub-Division, to the Town of Grand Junction.

II. EXECUTIVE SUMMARY

The Applicant, CenterPoint Development Group, is requesting vacation of the remainder of the alleyway south of West Main Street and between South Spruce Street and South 1st Street. The remaining alley right of way to be vacated is divided into two pieces. The northern portion is a square, approximately 0.01 Acre; 20-feet by 25-feet in size. The second portion of the alley right-of-way is 0.02 Acres and is an irregularly shaped piece. The east side is 82.61 feet in length, the west side is 72.61 feet, with a 10-foot by 10-foot jog at the northern end. The attached survey map provides clarity regarding the exact dimensions and location of this vacate request. Another exhibit, a copy of the GCK Subdivision, shows how a previous portion of the alley was partially vacated and will be completed with this vacation request. The vacation of the alley will enable the Applicant to develop the property using their preferred site plan.

III. BACKGROUND

The building at 105 West Main was demolished in 2016. It was originally home to the accounting offices for City Market. The building located at 137 West Main was also demolished, clearing the way for the potential redevelopment of the area consisting of 1.06 acres, owned by Prinster Brothers LLC.

There are two areas as shown in the attached maps that are included in this request to vacate this alley. Of these two areas, the small area adjacent to and south of West Main Street created by instrument recorded in Book 237, Page 290, Reception No. 166098. The second portion, the irregularly shaped island of an area, was platted as part of the Richard D. Mobley's First Subdivision Reception No. 11306, Plat Book 1, Page 22. A portion of this alley was vacated by Ordinance #1344 in 1970 and Ordinance No. 4339 in 2009. The remaining portion of the alley was retained at that time. It also appears that the majority of physically present north/south alleyway was never actually platted as

a public right of way but has been used for a long period of time for this purpose and should be considered as a public way by prescription.

Within the area used as a public way, of which some is right-of-way, there exists overhead power lines owned by Xcel. These lines are private lines and as such, the property owner is working with Xcel to grant an easement appropriate for Xcel's ongoing use of these lines. The Applicant is also working with the City to replat these properties. In the replat process, staff will ensure that the easements have been secured for Xcel's purposes.

The current property owner, Prinster Brothers, LLC, is currently under contract with CenterPointe Development Group to purchase the property located at the southwest corner of 1st Street and West Main Street. The Applicant, CenterPointe Development Group, is proposing to develop a new 2,400 square foot Starbucks with a drive-through on the property. The vacation of the alley will enable the Applicant to develop the property using their preferred site plan.

The property directly south is owned by Mesa County. It houses Motor Vehicle, Planning and the Building Department offices. The county does not utilize the alley as they have direct access to South Spruce Street.

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on November 13, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Three citizens attended the meeting along with the Applicant's representative. All comments were supportive of the proposal but they questioned the traffic impacts to the area. In general, those in attendance did not object to the alley vacation.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on November 17, 2017. The subject property was posted with an application sign on December 4, 2017 and notice of the public hearing was published January 16, 2018 in the Grand Junction Sentinel.

V. ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public right-of-way shall conform to the following:

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

The proposed alley vacation is supported by the following Goals and Policies of the Comprehensive Plan.

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers._

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

Policy A: The City and County will support the vision and implement the goals and actions of the Downtown Strategic Plan.

The Grand Valley Circulation Plan does not address alley right-of-ways. The alley currently has overhead power lines in place but is surrounded by vacant land. Adjacent streets will not be impacted by the alley vacation.

This request conforms with the Comprehensive Plan, the Grand Valley Circulation Plan and other adopted plans of the City. Staff therefore finds this request conforms with this criterion.

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

The request to vacate the remaining alley in Block 7, Richard D. Mobley's First Subdivision, approximately 0.03 acres, will not leave any parcel landlocked as these portions of right of way do not currently provide contiguous access and the properties will continue to have access from West Main, South 1st Street, and South Spruce Street. Therefore, staff finds this request conforms with this criterion.

i. 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.

No access to any parcel will be restricted. The properties will continue to have access from West Main, South 1st Street and from South Spruce Street. Due to the high traffic counts associated with the Applicant's proposed land use, the Applicants have been notified that access may become a right-in, right-out only from West Main Street when they develop due to safety and stacking issues. Staff has found this request conforms with this criterion.

j. 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).

This request was sent as a referral to the Fire Department, Police Department and City Sanitation for review and comment. These city review agencies expressed no concerns with this alley vacation. Xcel Energy reviewed the request and did not have a problem with the alley vacation as long as an easement is retained for the overhead power lines in this area. It is not anticipated that there will be any adverse impacts on the health, safety, and/or

welfare of the general community, nor will the quality of public facilities and services provided to any parcel of land be reduced as a result of this vacation request. Staff, therefore has found this request conforms with this criterion.

- k. *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.*

Adequate public facilities exist for these parcels. No additional services will be impacted or inhibited by this request. Staff has therefore, found this request to conform with this criterion.

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

With the vacation of this alley, the City will be relieved of any future maintenance of this alley. Staff therefore finds this request to conform with this criterion.

V. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing VAC-2017-566, a request to vacate two areas of alley right-of-way within the north-south alley right-of-way of Block 7, Richard D. Mobley's First Sub-Division to the Town of Grand Junction, the following findings of fact have been made:

- 2. The proposal conforms with Section 21.02.100 (c) of the Grand Junction Zoning and Development Code.

Therefore, staff recommends approval of the request to vacate the subject alley right-of-way.

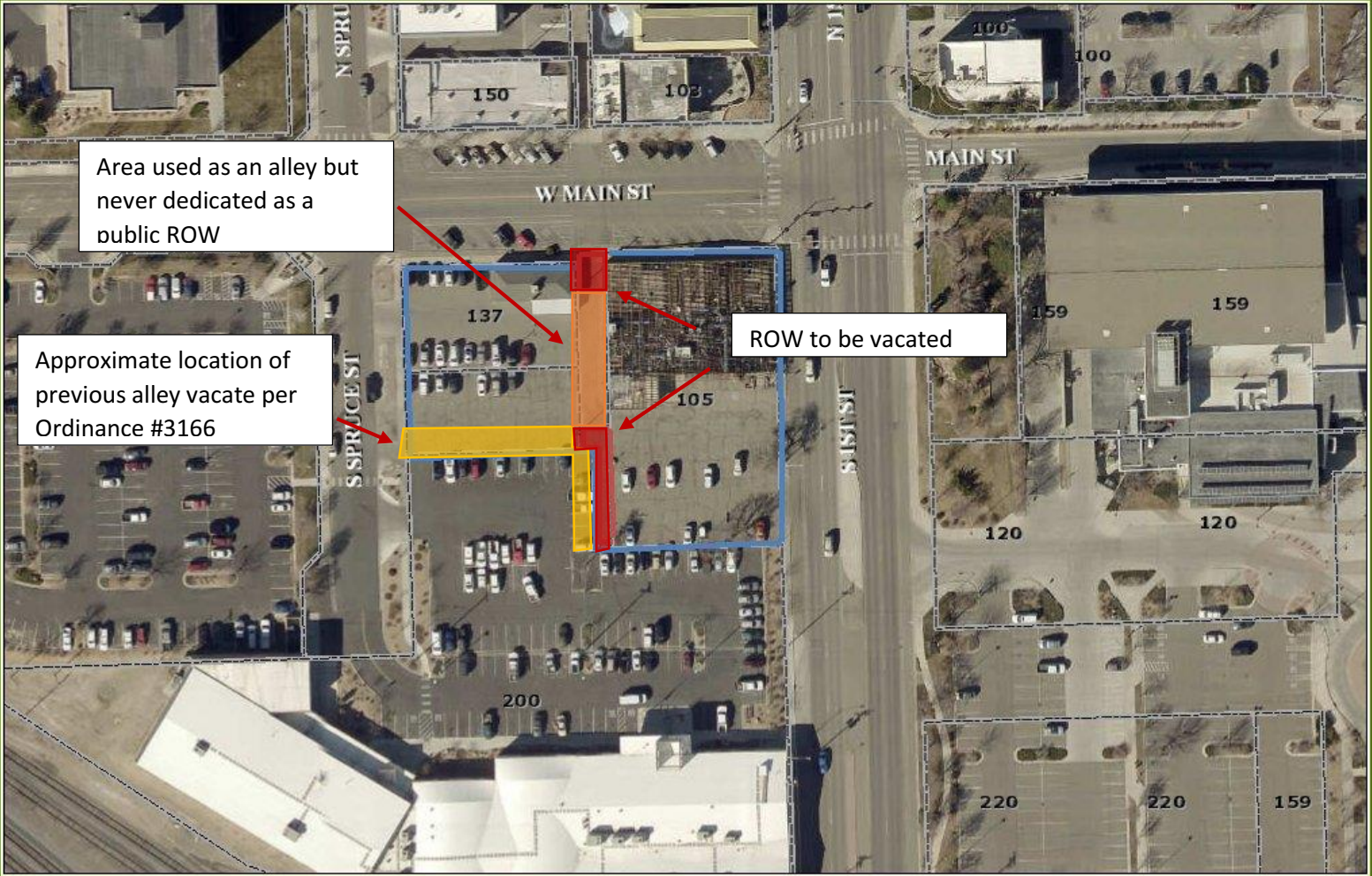
VI. RECOMMENDED MOTION

Madam Chairman, on the request to vacate the remaining portions of alley and relinquish any public access rights to the alleyway of Block 7, Richard D. Mobley's First Subdivision Town of Grand Junction Plat, file number VAC-2017-566, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report.

Attachments:

- 7. Vicinity Map
- 8. Prinster Property specific areas
- 9. Survey showing subject areas to be vacated
- 10. GCK Plat showing previous vacation
- 11. Exhibits B – 2 pgs.

Vicinity Map / Alley ROW shown in Red



Area used as an alley but never dedicated as a public ROW

Approximate location of previous alley vacate per Ordinance #3166

ROW to be vacated



Printed: 1/4/2018

1 inch = 94 feet



Prinster Property in blue / Areas to be vacated red



Printed: 1/3/2018

1 inch = 47 feet



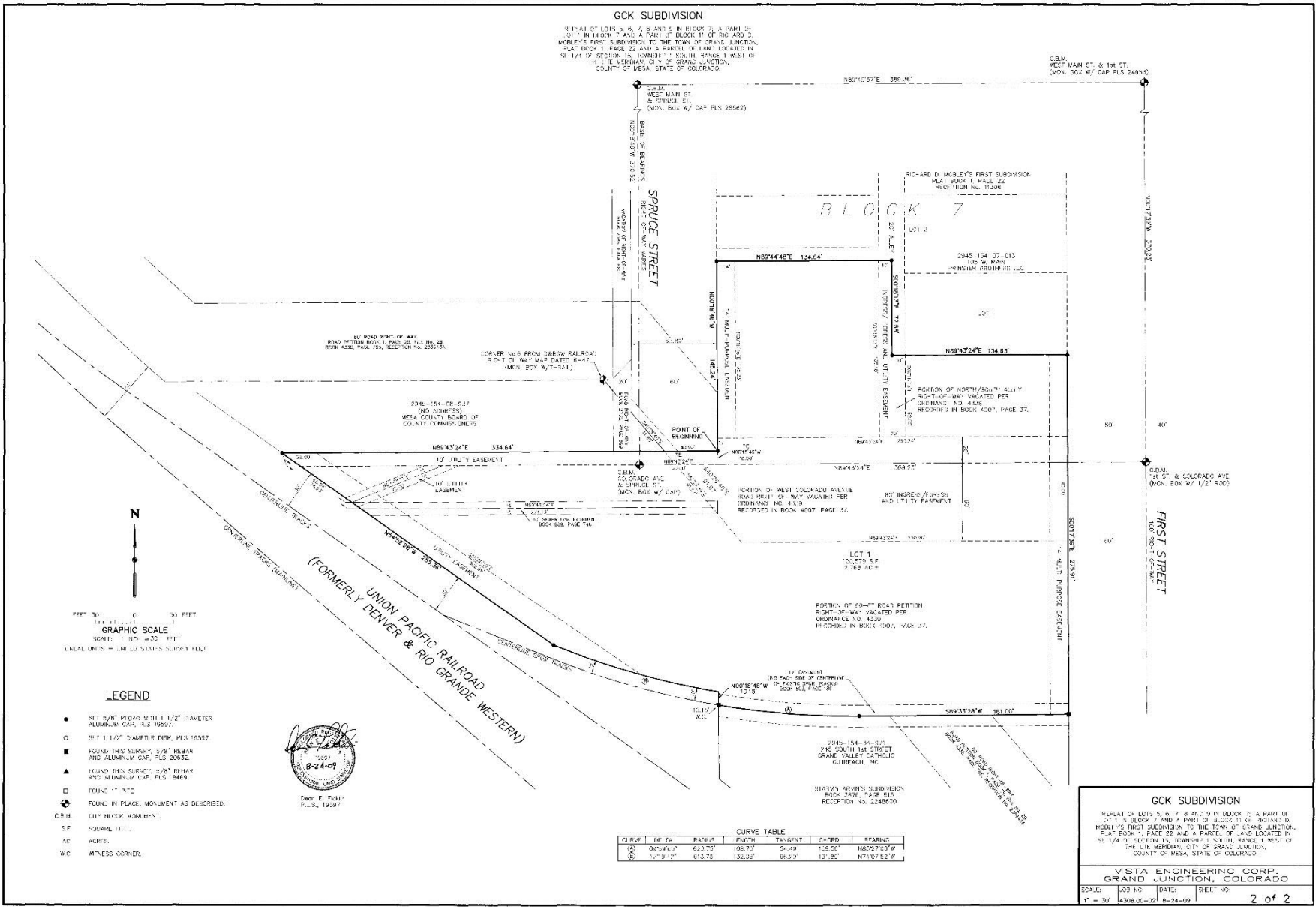
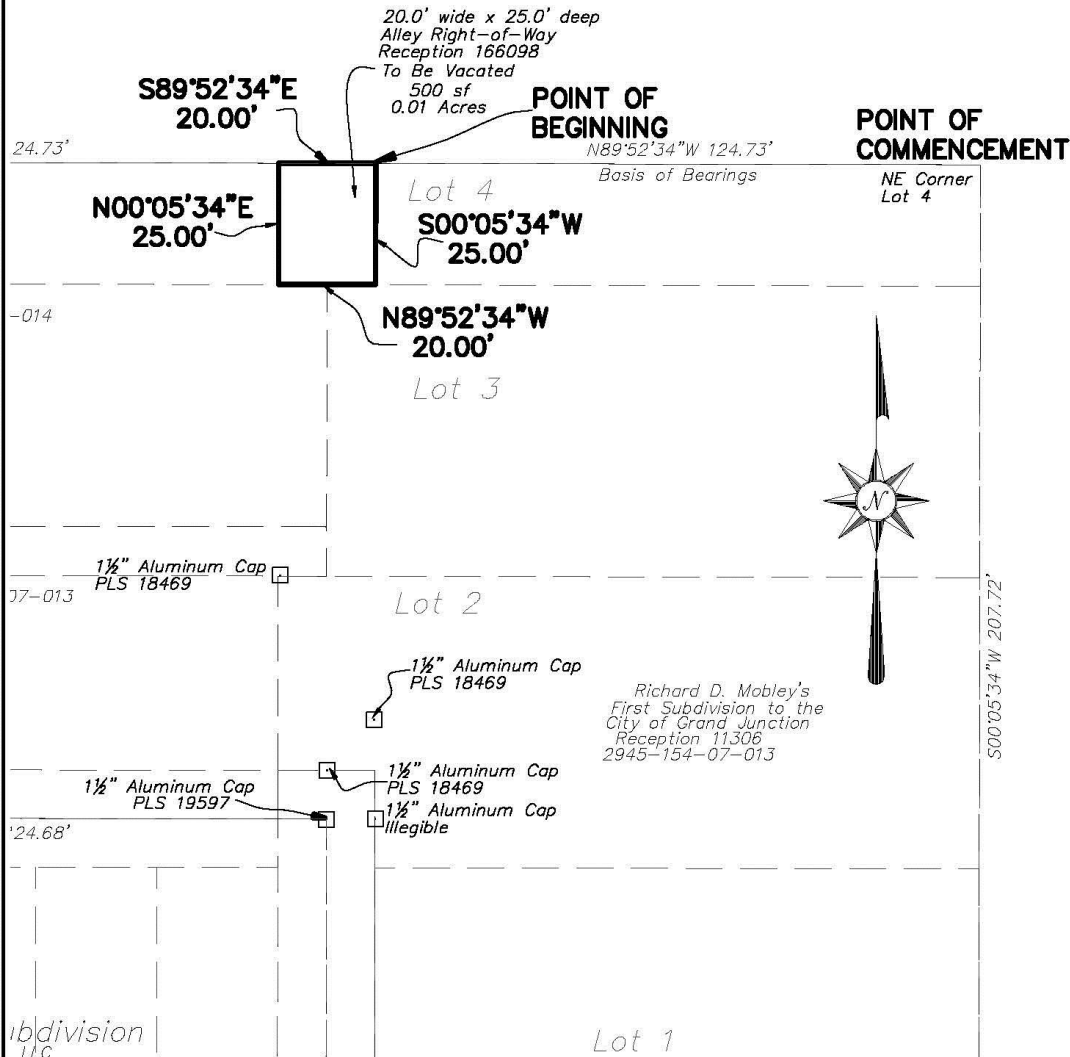
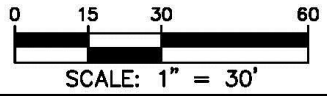


EXHIBIT B ALLEY RIGHT-OF-WAY VACATION

Main Street

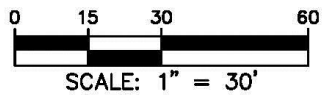
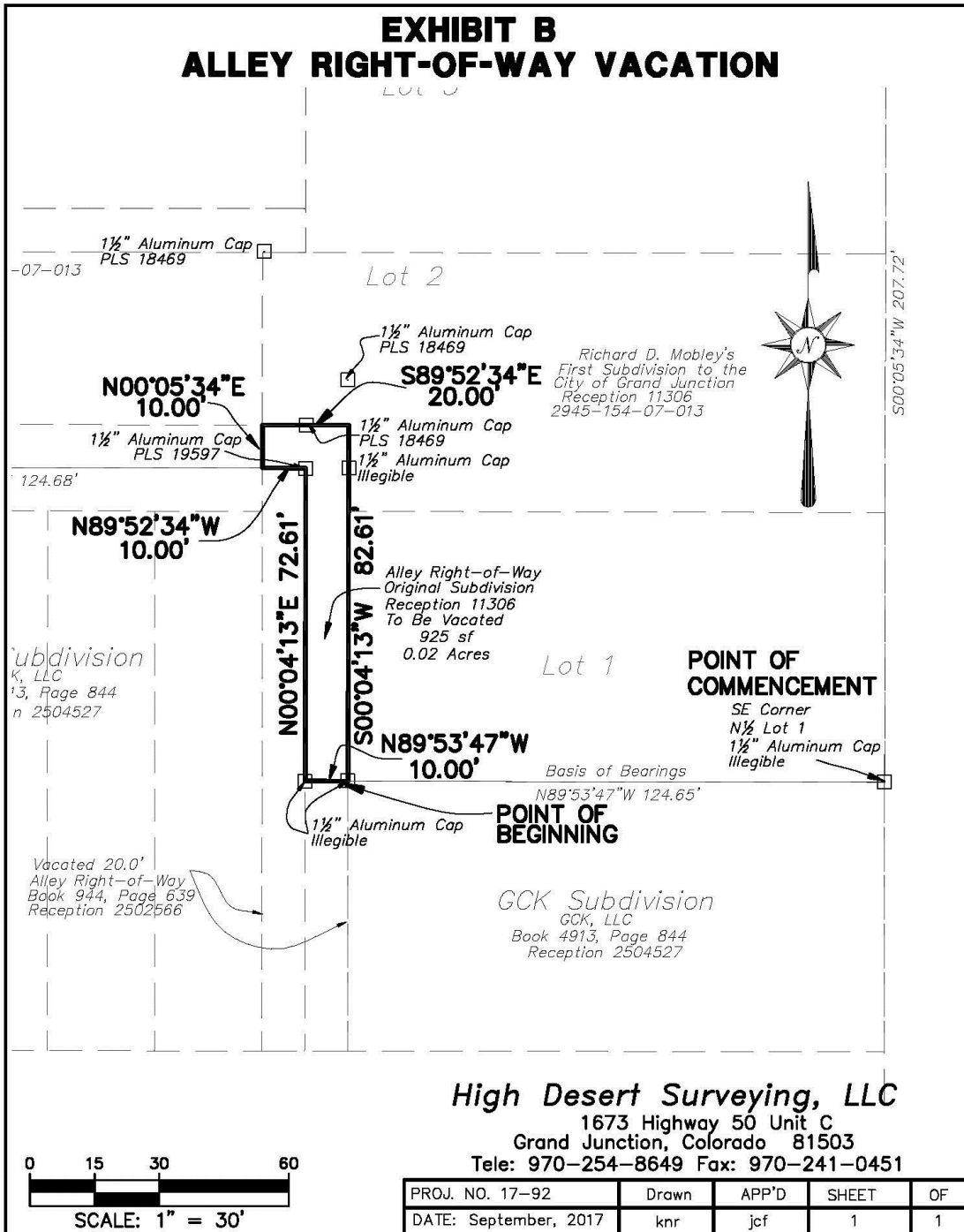


High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503
Tele: 970-254-8649 Fax: 970-241-0451



PROJ. NO. 17-92	Drawn knr	APP'D jcf	SHEET 1	OF 1
DATE: September, 2017	knr	jcf	1	1

EXHIBIT B ALLEY RIGHT-OF-WAY VACATION



PROJ. NO. 17-92	Drawn	APP'D	SHEET	OF
DATE: September, 2017	knr	jcf	1	1

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING THE REMAINING NORTH-SOUTH
ALLEY RIGHT-OF-WAY OF BLOCK 7,
RICHARD D. MOBLEY'S FIRST SUBDIVISION**

Recitals:

The subject alley was dedicated as part of the original plat from 1891. The owners wish to subdivide the remaining parcels into two lots. The subject area consists of 1.06 acres and is currently in the subdivision review process to be subdivided into two lots. CenterPointe Development Group is proposing to develop a new 2,400 square foot Starbucks with a drive-through on the property along with all associated parking and landscaping improvements. By vacating the alley right-of-way, the property may be better utilized for the future development.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the alley right-of-way is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY IS VACATED AS SHOWN ON TWO ATTACHED EXHIBITS LABELED B.

A PARCEL OF LAND LOCATED IN BLOCK 7, RICHARD D. MOBLEY'S FIRST SUBDIVISION TO THE TOWN OF GRAND JUNCTION AS SHOWN ON PLAT RECORDED IN RECEPTION NUMBER 11306 OF THE MESA COUNTY RECORDS AND IN THE SOUTHEAST QUARTER (SE¼) OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, IN THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO AND BEING THAT ALLEY RIGHT-OF-WAY AS DESCRIBED IN RECEPTION NUMBER 166098, MESA COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 4, SAID BLOCK 7, RICHARD D. MOBLEY'S FIRST SUBDIVISION; THENCE NORTH 89°52'34" WEST, A DISTANCE OF 124.73 FEET, ALSO BEING THE BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, ALONG THE NORTH LINE OF SAID LOT 4, BLOCK 7 TO THE POINT OF BEGINNING; THENCE SOUTH 00°05'34" WEST, A DISTANCE OF 25.00 FEET; THENCE NORTH 89°52'34" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 00°05'34" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 89°52'34" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING AN AREA OF 0.01 ACRES, AS HEREIN DESCRIBED.

AND

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, SAID BLOCK 7, RICHARD D. MOBLEY'S FIRST SUBDIVISION; THENCE NORTH 89°52'34" WEST, A DISTANCE OF 124.65 FEET, ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 7, ALSO BEING THE BASIS OF BEARINGS, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, TO THE POINT OF BEGINNING; THENCE N89°53'47"W, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°04'13" EAST, A DISTANCE OF 72.61 FEET; THENCE NORTH 89°52'34" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°05'34" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 89°52'34" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 00°04'13" WEST, A DISTANCE OF 82.61 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING AN AREA OF 0.02 ACRES, AS HEREIN DESCRIBED.

Introduced on first reading this _____ day of _____, 2018 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

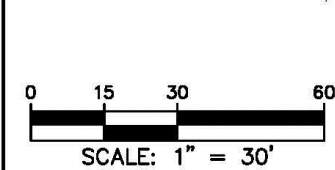
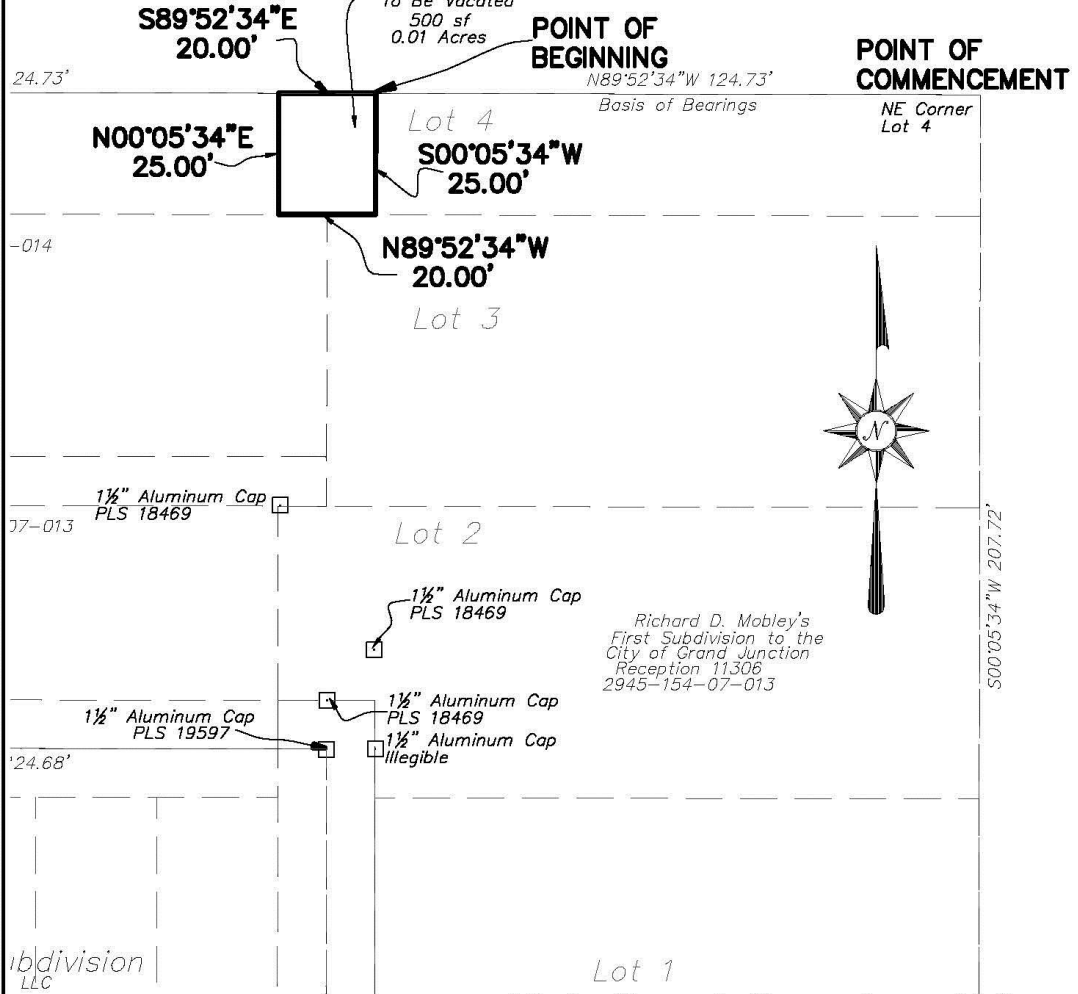
City Clerk

Mayor

EXHIBIT B ALLEY RIGHT-OF-WAY VACATION

Main Street

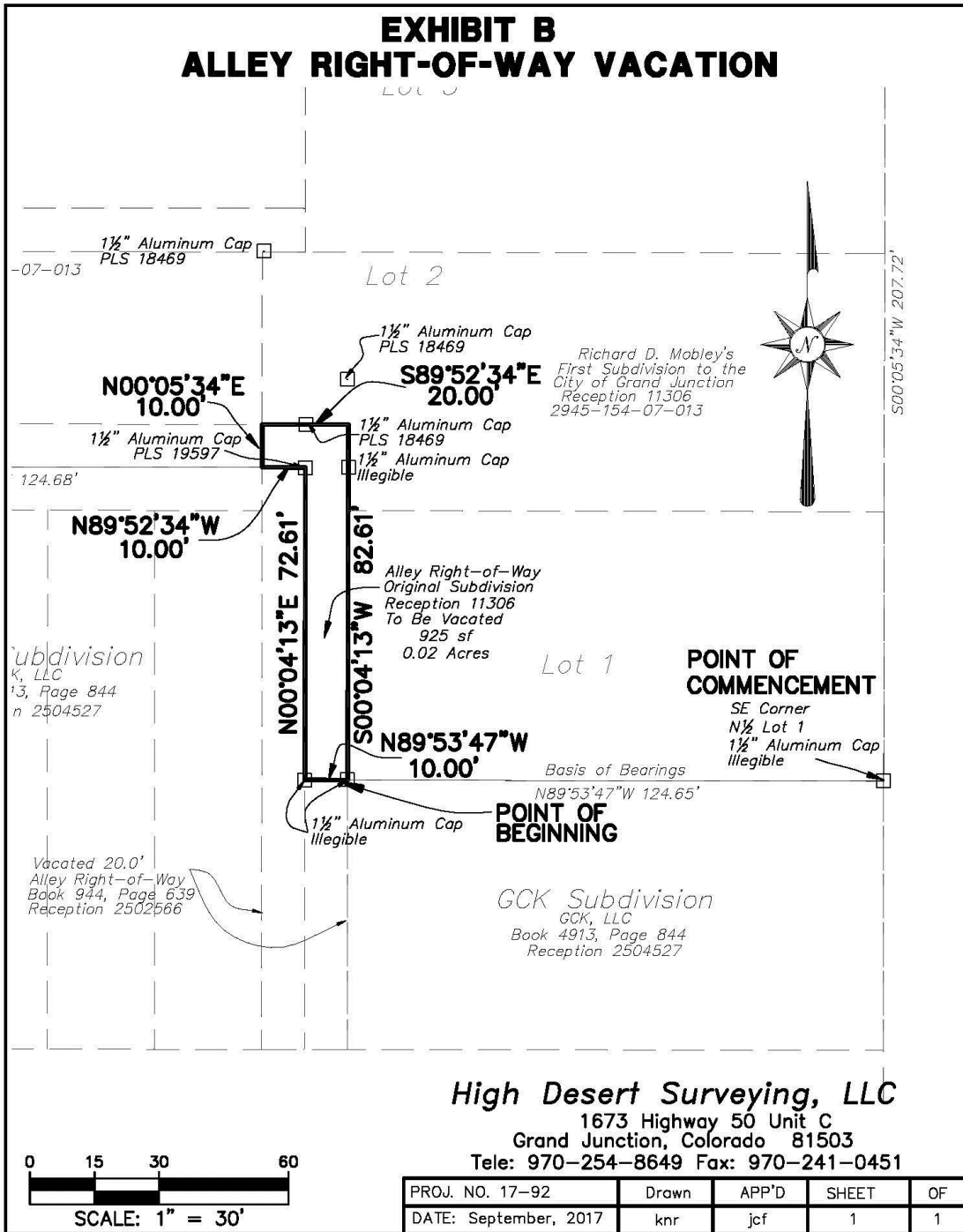
*20.0' wide x 25.0' deep
Alley Right-of-Way
Reception 166098
To Be Vacated
500 sf
0.01 Acres*



High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503
Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO. 17-92	Drawn	APP'D	SHEET	OF
DATE: September, 2017	knr	jcf	1	1

EXHIBIT B ALLEY RIGHT-OF-WAY VACATION



Attach 5

EXHIBIT LIST

**ADAMS ZONE OF ANNEXATION
FILE NO. ANX-2017-451**

Exhibit Item #	Description
1	Application dated September 19, 2017
2	Staff Report dated January 23, 2017
3	Written Public Comment
4	Staff Presentation dated January 23, 2017



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Petition For Annexation

Please fill in blanks below **only** for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation 	Existing Zoning
Proposed Land Use Designation 	Proposed Zoning

Property Information

Site Location: 	Site Acreage:
Site Tax No(s): 	Site Zoning:
Project Description: 	

Property Owner Information

Applicant Information

Representative Information

Name: Paul ADAMS	Name: 	Name:
Street Address: 216 2D 1/2 RD	Street Address: 	Street Address:
City/State/Zip: Grand Junction	City/State/Zip: 	City/State/Zip:
Business Phone #: 242-0506	Business Phone #: 	Business Phone #:
E-Mail: WARBIRDS LOFT @ GCL.com	E-Mail: 	E-Mail:
Fax #: 	Fax #: 	Fax #:
Contact Person: Paul	Contact Person: 	Contact Person:
Contact Phone #: Same	Contact Phone #: 	Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application [Signature]	Date 9-18-17
Signature of Legal Property Owner [Signature]	Date 9-18-17

Instructions

An ownership statement must be provided by each and every owner of the property.

- (a) Insert name of owner as it appears on deed that conveys property to the owner.
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries does/do not match those on the plat, provide an explanation.
- (c) Insert name of all other owners, if any.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Explain actual or possible conflicts you have knowledge of. If none, state "none." Attach copies of related documents and refer to them here.

I, Sheila Reiner, County Clerk and Recorder in and for the County of Mesa, State of Colorado, do hereby certify that the foregoing is a full, true and correct copy of the document Recorded in my office.



By: *Rose Tafaya*
Deputy Clerk and Recorder

Date: 8/23/2017 8:03 AM

HTC

Doc Fee: \$18.00

WARRANTY DEED

This Deed, made October 28, 2013

Between 2731 B 1/4 Road Trust dated December 28, 2007 of the County Mesa, State of COLORADO, grantor(s) and Paul Adams, whose legal address is 216 27 1/2 Road, Grand Junction, CO 81503 County of Mesa, and State of COLORADO, grantee.

WITNESS, That the grantor, for and in the consideration of the sum of ONE HUNDRED EIGHTY THOUSAND DOLLARS AND NO/100'S (\$180,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Mesa, State of COLORADO described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as TBD B 1/4 Road, Grand Junction, CO 81503

TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the sealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated October 4, 2013, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLER:

2731 B 1/4 Road Trust dated December 28, 2007

Katherine Kellerby
by Katherine Kellerby, Trustee

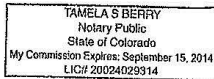
STATE OF COLORADO
COUNTY OF MESA

}ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me October 28, 2013 by Katherine Kellerby, Trustee of the 2731 B 1/4 Road Trust dated December 28, 2007

Witness my hand and official seal.

Tamela S Berry
Notary Public
My Commission expires:



Wdcorp

ESCROW NO. 460-H0385587-097-NMC

HTC

RECEPTION #: 2673136, BK 5541 PG 724 10/29/2013 at 11:51:57 AM, 2 OF 2, R
\$15.00 S \$1.00 D \$18.00 Sheila Reiner, Mesa County, CO CLERK AND RECORDER

Exhibit A

Parcel 1

The N1/2 of the SE1/4 of the SW1/4 of Section 25, Township 1 South, Range 1 West of the Ute Meridian;
EXCEPT the West 310 feet thereof;
AND EXCEPT the East 132 feet thereof.

County of Mesa, State of Colorado

To: Scott Peterson
Senior Planner
City of Grand Junction

From: Paul Adams
216 27 ½ Rd.
Grand Junction, Co, 81503

I am requesting the City of Grand Junction to annex my 13 acres parcel, adjacent to my address, to the City of Grand Junction. The property is on the market for sale and it my understanding that the property must be annexed before anything can be built.

I am making the request now so that the property is more marketable and to speed up the process.

I am requesting a zoning of R-8. I have no plans for building on this parcel. Requesting zoning and annexation only.

Paul Adams

 Sent 19, 2017

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

PAUL ADAMS

, of lawful age, being first duly sworn, upon oath, deposes and says:

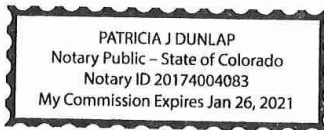
That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Paul Adams

Subscribed and sworn to before me this 18TH day of SEPTEMBER, 2017.

Witness my hand and official seal.



Patricia J. Dunlap
Notary Public

250 N 5th St, Grand Junction, CO 81501
Address

My commission expires: Jan. 26, 2021

**ADAMS ANNEXATION
PETITION FOR ANNEXATION**

I THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcel to the said City:

GENERAL LOCATION: TBD B ¼ Road

Tax ID # 2945-253-00-047

The N ½ of the SE ¼ of the SW ¼ of Section 25, Township 1 South, Range 1 West of the Ute Meridian; EXCEPT the West 310 feet thereof; AND EXCEPT the East 132 feet thereof. County of Mesa, State of Colorado - 13.31AC

This foregoing description describes the parcels; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Adams Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petition further states that they are the owner of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, this petition prays that this petition be accepted and that the said annexation be approved and accepted by ordinance. This petitioner by his signature acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Paul Adams

216 27 1/2 Road, Grand Junction, CO 81503

ADDRESS


SIGNATURE

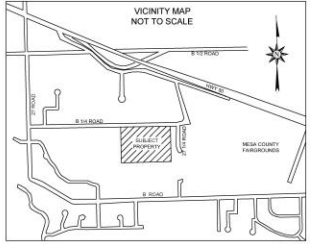
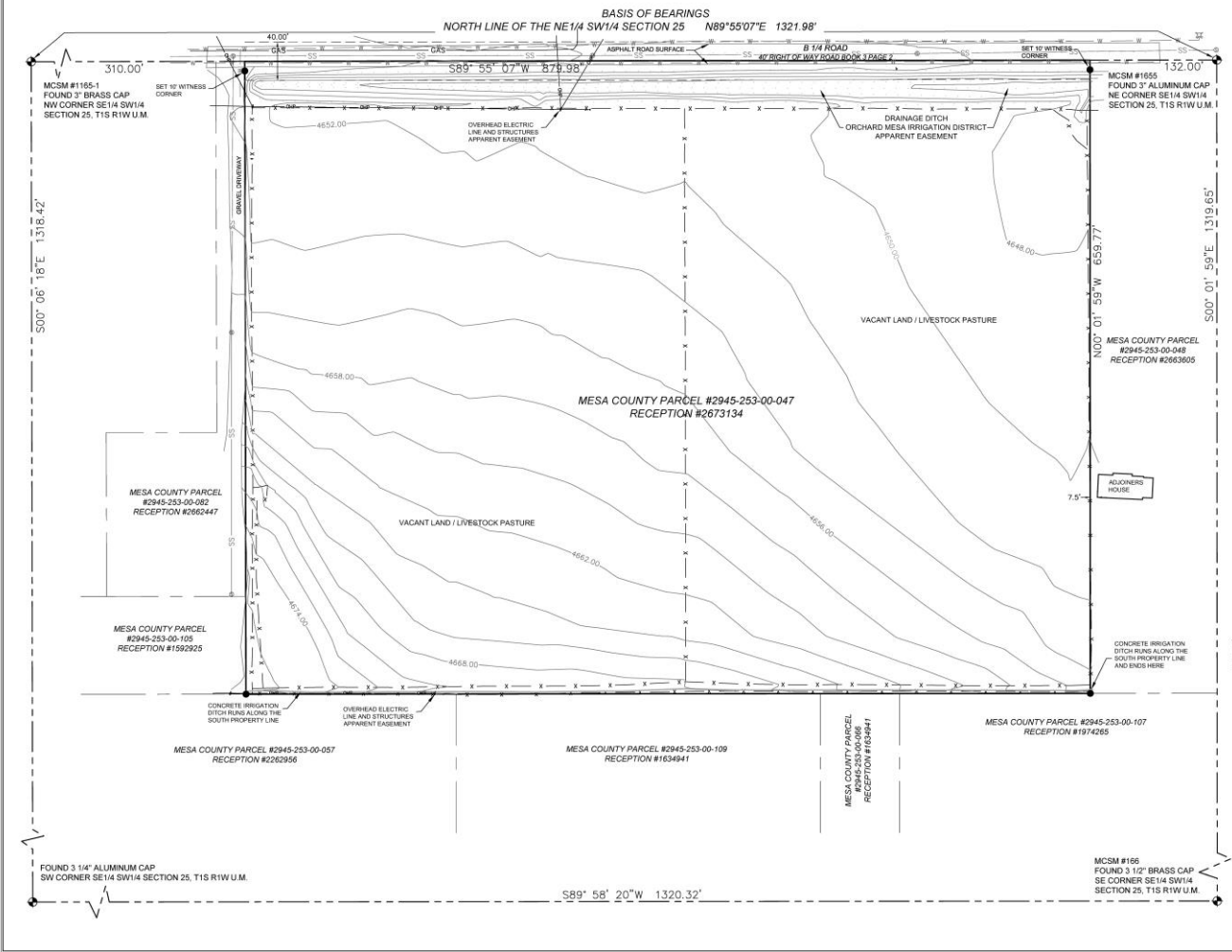
9-18-17
DATE

(Adams Annexation Petition)

ADAMS ANNEXATION SCHEDULE		
January 3, 2018	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use	
January 23, 2018	Planning Commission considers Zone of Annexation	
February 7, 2018	Introduction of a Proposed Ordinance on Zoning by City Council	
February 21, 2018	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council	
March 25, 2018	Effective date of Annexation	
ANNEXATION SUMMARY		
File Number:	ANX-2017-451	
Location:	South of B ¼ Road	
Tax ID Numbers:	2945-253-00-047	
# of Parcels:	1	
Existing Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	13.159	
Developable Acres Remaining:	13.159	
Right-of-way in Annexation:	0	
Previous County Zoning:	RSF-4 (Residential Single Family – 4 du/ac)	
Proposed City Zoning:	R-8 (Residential – 8 du/ac)	
Current Land Use:	Vacant land	
Future Land Use:	Residential Medium (4 – 8 du/ac)	
Values:	Assessed:	\$4,940
	Actual:	\$17,020
Address Ranges:	2735 – 2797 B ¼ Road (Odd Numbers)	
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	GJ Rural Fire District
	Irrigation/Drainage:	Orchard Mesa Irrigation District
	School:	Grand Junction HS / Orchard Mesa Middle / Dos Rios Elementary
	Pest:	Grand River Mosquito Control District

IMPROVEMENT SURVEY PLAT

Lo [unclear] SE [unclear] S [unclear] E
 To [unclear] So [unclear] R [unclear] [unclear] U [unclear] M [unclear] r [unclear] d [unclear]
 Co [unclear] M [unclear] S [unclear] o [unclear] Co [unclear] r [unclear] d [unclear] o



LEGAL DESCRIPTION:
 The North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 1 South, Range 1 West of the 10th Meridian,
 EXCEPT the West 1/4 foot thereof;
 AND EXCEPT the East 1/2 foot thereof;
 County of Mesa, State of Colorado.

BASIS OF BEARINGS:
 The bearing between the MCSM #1655 the NE corner of the NE 1/4 of the SW 1/4 of Section 25, Township 1 South, Range 1 West of the 10th Meridian and the MCSM #1651, the NW corner of the NE 1/4 of the SW 1/4 of Section 25, Township 1 South, Range 1 West of the 10th Meridian is N89°55'07\"/>

- SURVEY NOTES:**
1. Each bearing north line believed to fall under the authority of the Orchard Mesa Irrigation District.
 2. No Title Commitment was provided by the client.
 3. All information regarding ownership, rights-of-way and easements shown herein are from the Mesa County Recorder Office.
 4. Underground utility marks were provided by a qualified utility locator.
 5. Lateral area in U.S. Survey Feet.
 6. The bearings and distances shown herein represent the results of the Legal Description returned to grid north of the Mesa County Local Coordinate System with respect to the physical locations of accepted survey measurements.
 7. According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

CERTIFICATION:
 I, Christopher C. Ranier, a registered Professional Land Surveyor in the State of Colorado, do hereby certify the Improvement Survey Plat represented herein was conducted by me and was prepared under my responsible charge in best faith upon my knowledge, information and belief; in accordance with acceptable standards of practice and the laws of the State of Colorado. This statement is a quantity of warranty, either expressed or implied.



- LEGEND:**
- Set 3/4\"/>
- LAND SURVEY DEPOSITS:**
- MCSM Mesa County Survey Monument
 - ME Meridian
 - W Water valve

IMPROVEMENT SURVEY PLAT

For [unclear]

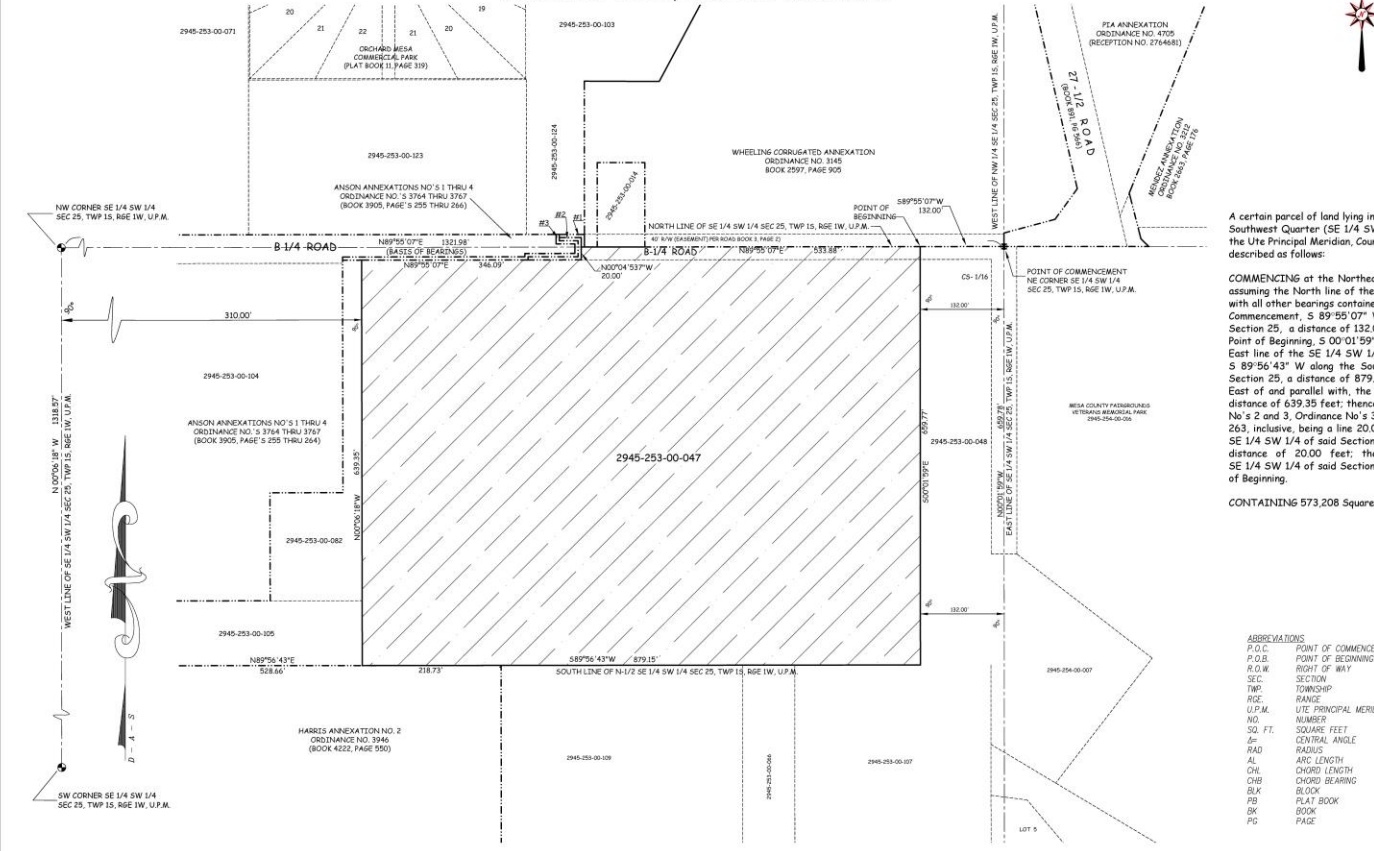
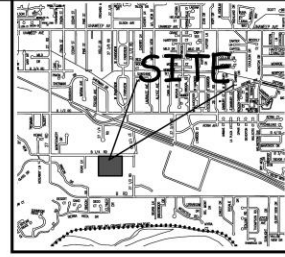
Lo [unclear] SE [unclear] S [unclear] E
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 Co [unclear] M [unclear] S [unclear] o [unclear] Co [unclear] r [unclear] d [unclear] o

CR SURVEYING LLC
 GRAND JUNCTION, COLORADO

SURVEYED - Y - CCR DRA. N - Y - CCR DATE: [unclear]

ADAMS ANNEXATION

SITUATE IN THE SE 1/4 OF THE SW 1/4 OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears N 89°55'07" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'07" W, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 132.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°01'59" E along a line 132.00 feet West of and parallel with, the East line of the SE 1/4 SW 1/4 of said Section 25, a distance of 659.77 feet; thence S 89°56'43" W along the South line of the N-1/2 of the SE 1/4 SW 1/4 of said Section 25, a distance of 879.15 feet; thence N 00°06'18" W along a line 310.00 feet East of and parallel with, the West line of the SE 1/4 SW 1/4 of said Section 25, a distance of 639.35 feet; thence N 89°55'07" E along the South line of Anson Annexation No's 2 and 3, Ordinance No's 3765 and 3766, as recorded in Book 3905, Pages 258 thru 263, inclusive, being a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 346.09 feet; thence N 00°04'53" W, a distance of 20.00 feet; thence N 89°55'07" E, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 533.88 feet, more or less, to the Point of Beginning.

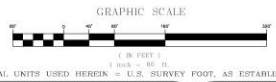
CONTAINING 573,208 Square Feet or 13.159 Acres, more or less, as described

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
CR.	CENTRAL ANGLE
RD.	RADIUS
AL	ARC LENGTH
CH	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PL	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

AREA OF ANNEXATION	
ANNEXATION PERIMETER	3,078.24 FT.
CONTIGUOUS PERIMETER	1,044.87 FT.
AREA IN SQUARE FEET	573,208
AREA IN ACRES	13.159
**PARCEL INCLUDES NO PUBLIC RIGHT OF WAY	

LEGEND	
ANNEXATION BOUNDARY	---
EXISTING CITY LIMITS	---



ORDINANCE NO. ????
EFFECTIVE DATE ??????????

THIS IS NOT A BOUNDARY SURVEY

PRELIMINARY

FETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

Notice:
According to Colorado law you must commence any legal action based upon this defect in this survey within three months after the date shown on this defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

DRAWN BY	P.T.K.	DATE	10-25-2017
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE	1" = 80'
-------	----------



PUBLIC WORKS
AND UTILITIES
ENGINEERING DIVISION
SURVEY DEPARTMENT

ADAMS ANNEXATION

PLANNING COMMISSION AGENDA ITEM

Project Name: Adams Zone of Annexation
Applicant: Paul Adams, Owner
Representative: N/A
Address: South of B ¼ Road in Orchard Mesa
Zoning: Proposed R-8 (Residential – 8 du/ac)
Staff: Scott D. Peterson, Senior Planner
File No: ANX-2017-451
Date: December 29, 2017

I. SUBJECT

Consider a request by Paul Adams for a Zone of Annexation from County RSF-4 zone district to R-8 (Residential – 8 du/ac) on 13.159 +/- acres, located south of B ¼ Road, west of 27 ½ Road and just west of the Mesa County Fairgrounds.

II. EXECUTIVE SUMMARY

The Applicant, Paul Adams, is requesting to zone 13.159 acres of currently undeveloped property located west of 27 ½ Road and just west of the Mesa County Fairgrounds from County RSF-4 zone district to R-8 (Residential – 8 du/ac) as part of the Adams Annexation request. This property does not have an assigned address. The Applicant would like to market and sell the property for future residential subdivision development. The proposed zoning of R-8 implements the Comprehensive Plan Future Land Use Map, which has designated the property as Residential Medium (4 – 8 du/ac). The property is currently zoned RSF-4 (Residential Single Family – 4 du/acre) in the County. The request for annexation will be considered by the City Council.

III. BACKGROUND

The Applicant has requested annexation into the City limits and a zoning of R-8 (Residential – 8 du/ac) in order to market and sell the 13.159 +/- acre undeveloped property in anticipation of future residential subdivision development. Though there is not a pending development application, should the Applicant or future owner want to develop they would be subject to annexation as compelled by the 1998 Persigo Agreement with Mesa County. This agreement requires all future residential development that is considered annexable development be annexed zoned and reviewed by the City.

Adjacent properties to the south, west and east are single-family detached homes on properties ranging in size from 0.56 to 5.45 acres which are zoned 4 dwelling units to the acre in a mixture of both City and County zoning. To the north are also single-family homes zoned RSF-4 in the County along with a commercial property (City zoned C-2) which contains Humphrey RV's sales lot, etc.

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on August 21, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning & Development Code. Four neighbors attended the meeting along with the applicant and City Staff. The applicant discussed the proposed annexation, zoning request and provided some additional background information and history. Area residents did voice concern regarding the anticipated subdivision development of the property and the potential for an increase in residential density to the area. To date, the City has received one email from the public concerning the proposed zoning.

Notice was completed consistent to the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. Mailed notice of the application in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on September 26, 2017. The subject property was posted with an application sign on September 27, 2017 and notice of the public hearing was published on January 16, 2018 in the Grand Junction Sentinel.

V. ANALYSIS

Section 21.02.160 (f) of the Grand Junction Zoning & Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth.

The criteria for review is set forth in Section 21.02.140 (a) and includes that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

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

The property owner has petitioned for annexation into the City limits with a requested zoning district of R-8 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). Since the property is currently in the County, there have been no subsequent events that have invalidated the original premise.

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

The adoption of the Comprehensive Plan in 2010, designated this property as Residential Medium (4 – 8 du/ac). The Applicant is requesting an allowable zone district that is consistent with the density range allowed by the Residential Medium category.

Existing properties to north, south, east and west are within Mesa County jurisdiction and are zoned RSF-4. City zoning adjacent to the property to the north is zoned C-2 (General Commercial) with R-4 (Residential – 4 du/ac) to the south and west. The residential character of this area of Orchard Mesa is single-family detached on properties ranging in size from 0.56 to 5.45 acres. The

character and current condition of the area has not significantly changed in recent history however, the requested zone district is compatible with the Comprehensive Plan designation. Staff does not find this criterion has been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-8 zone district. Ute Water and City sanitary sewer are both presently available in B ¼ Road. Property can also be served by Xcel Energy natural gas and Grand Valley Power electric. A short distance away is Dos Rios Elementary School and further to the north along Highway 50 are commercial retail centers that includes offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store. Near the property directly to the east is the Mesa County Fairgrounds. Due to the proximity and availability of services and facilities, Staff finds this criterion has been met.

(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

The community as a whole has more than 1,868 acres of R-8 zoned land. This zone district comprises the largest amount of residential acreage within the City limits. However, in Orchard Mesa and south of Highway 50, there exists no R-8 zoning. The lack of supply for this zone type impedes the ability to provide a diverse supply of housing types; a key principle in the Comprehensive Plan. Because of lack of supply in this part of the community, staff has found there exists an inadequate supply of suitably designated land available and has therefore found this criterion been met.

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

Annexation and zoning of the property will create consistent land use jurisdiction and allows for efficient provision of municipal services, as the property is located within the Persigo 201 boundary which requires eventual annexation of all developing properties. In addition, the proposed annexation along with the rezone also provides additional larger acreage of undeveloped land that will, when developed provide additional housing opportunities and choices to meet the needs of a growing community. The community will also derive benefits from the proposed rezone of this property as it would add more residential density to this parcel and to the area generally which will work to support commercial uses along the Highway 50 corridor and provide additional options for different housing types in this area. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting infill development.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

The zone of annexation request is consistent with the following vision, goals and/or policies of the Comprehensive Plan.

Future Land Use Map: The Comprehensive Plan Future Land Use Map for this area is designated as Residential Medium (4 – 8 du/ac). The Comprehensive Plan Future Land Use Map designates the property as Residential Medium (4 – 8 du/ac). The request for an R-8 (Residential – 8 du/ac) zone district is consistent with this designation. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. Current County zoning for the property is RSF-4 (Residential Single Family – 4 du/ac).

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

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.

Policy B: Encourage mixed-use development and identification of locations for increased density.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Adams Annexation, ANX-2017-451, for a Zone of Annexation from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-8 (Residential – 8 du/ac), the following findings of fact have been determined:

4. The requested zone of annexation is consistent with the goals and policies of the Comprehensive Plan.
5. In accordance with Section 21.02.140(a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
6. In accordance with Section 21.02.160(f) of the Zoning and Development Code the application is consistent with the adopted Comprehensive Plan.

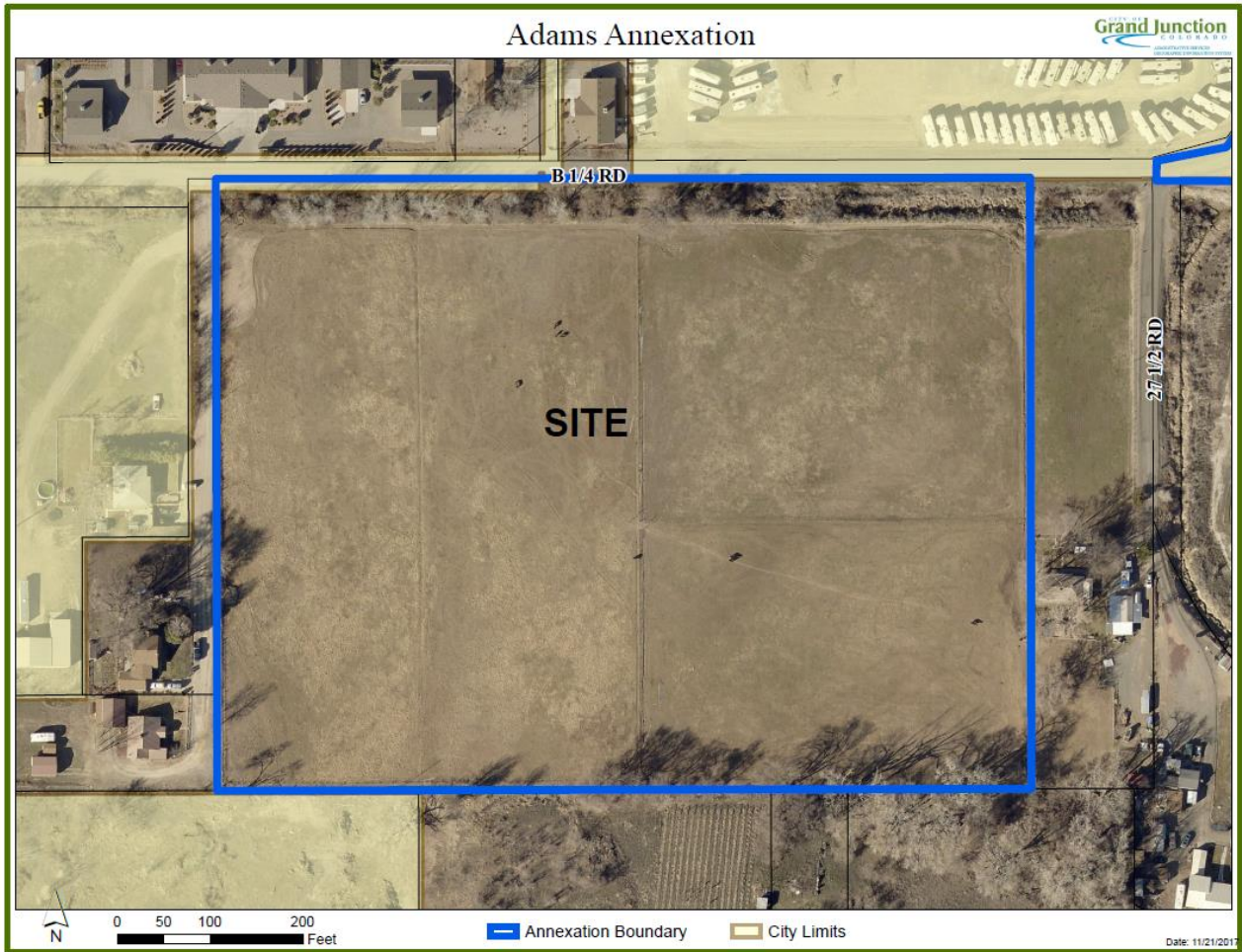
VII. RECOMMENDED MOTION

Madam Chairman, on the Adams Zone of Annexation, ANX-2017-451, I move that the Planning Commission forward to the City Council a recommendation of approval of the Zone of Annexation from a County RSF-4 zone district to a City R-8 zone district with the findings of facts and conclusions listed in the staff report.

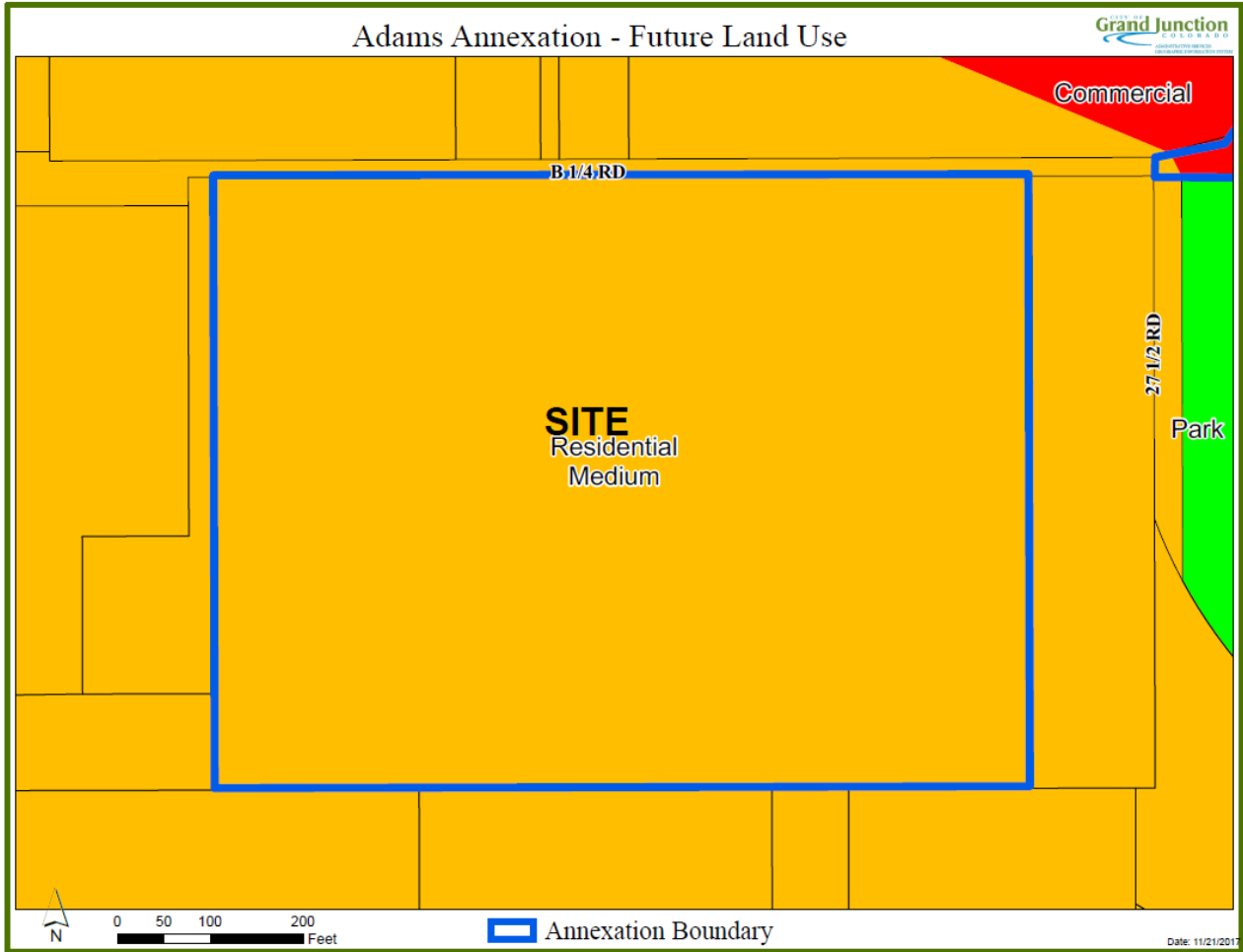
Attachments:

- 12. Site Location Map
- 13. Aerial Photo Map
- 14. Comprehensive Plan Future Land Use Map – 2 Maps
- 15. City / County Existing Zoning Map
- 16. Site Photos

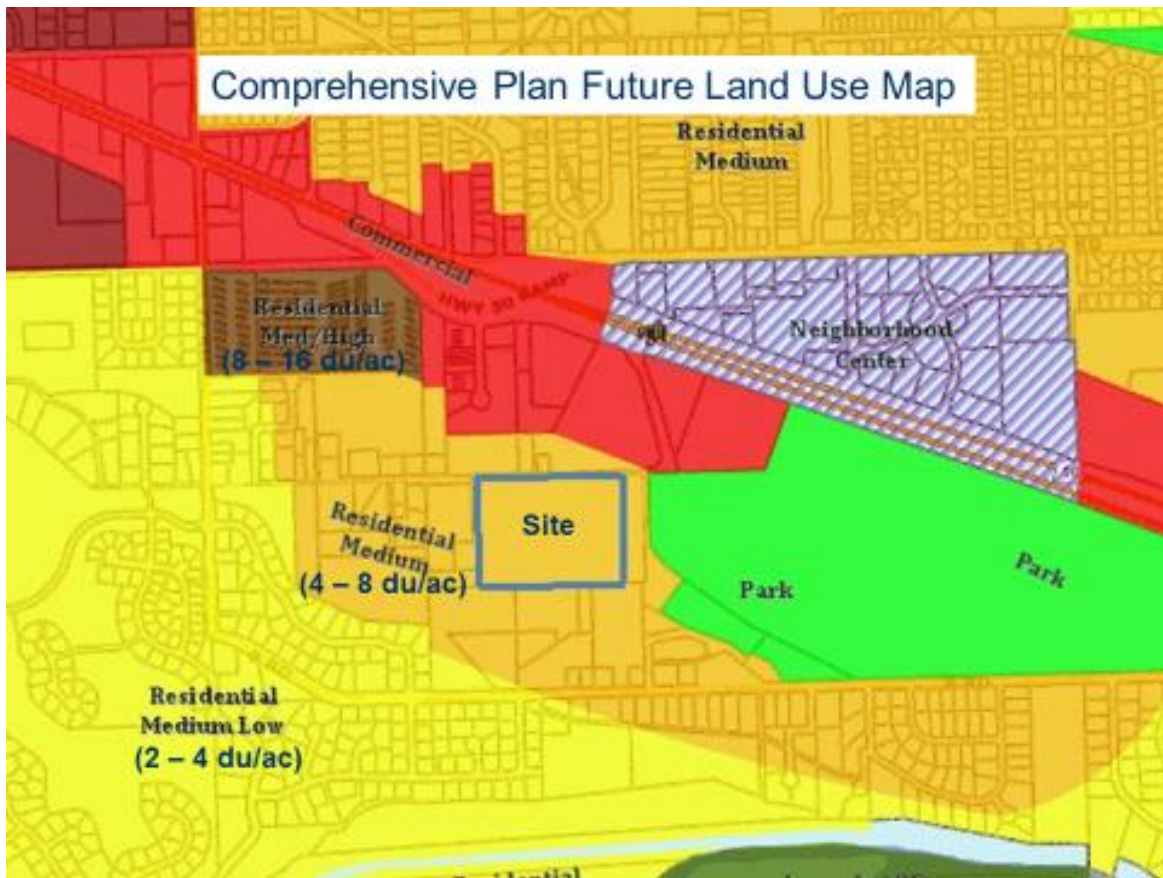


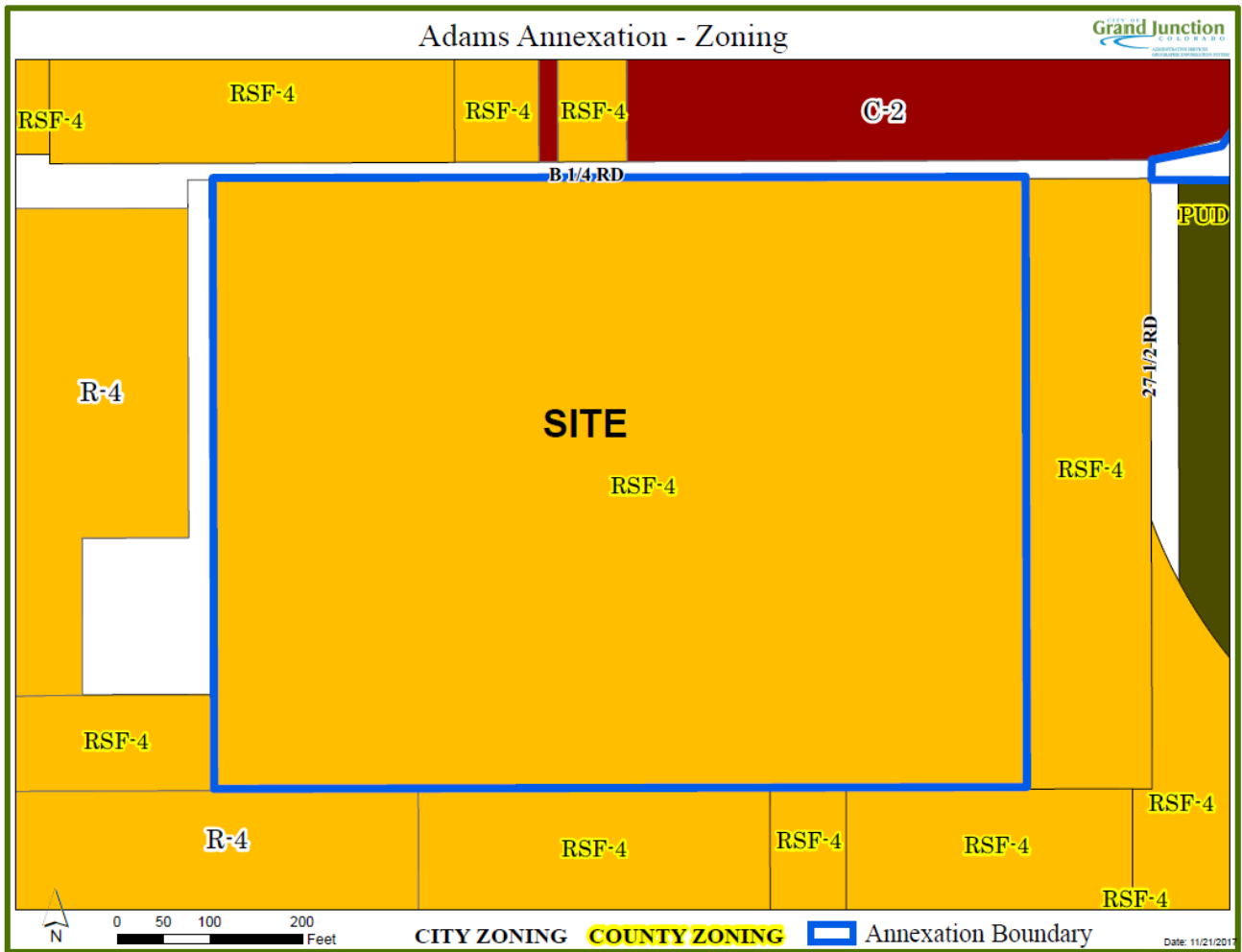


Proposed Zone of Annexation does not include adjacent right-of-way, property only.



Proposed Zone of Annexation does not include adjacent right-of-way, property only.





Proposed Zone of Annexation does not include adjacent right-of-way, property only.



Exhibit 2

Scott Peterson

From: Rachael Reed <rachael.reed@live.com>
Sent: Monday, October 02, 2017 12:27 PM
To: Scott Peterson
Subject: Adams annexation ANX-2017-451

Good Afternoon Scott,

We have received the notice regarding the annexation of Paul Adams property into the city. As direct neighbors of this annex we would like to express our concerns with changing the zoning to a potential R-8. At 8 houses per acre that would likely mean multi family units, which would no doubt create an increase in crime and stress on the infrastructure here. We, along with our two neighbors (2729 and 2733 B 1/4) who reside on our private road directly adjacent to the property would be negatively impacted by this development.

Every property around the annexation in question is zoned at R-4. It does not make sense to squeeze one parcel zoned at R-8 into a surrounding map of R-4 parcels.

While we understand we cannot stop the annexation or development process, we hope that you hear our concerns as neighbors who's lives will be directly negatively impacted by an R-8 zone change.

Thank you for your time and consideration,

Jesse and Rachael Reed
2731 B 1/4 Rd
(Neighbors Merl Thomas and Christy Baker)
2729 B 1/4 Rd
2733 B 1/4 Rd

Sent from my iPhone

Scott Peterson

From: tony bates <tonybates@animas.net>
Sent: Wednesday, January 10, 2018 1:40 PM
To: Scott Peterson
Subject: ANX-2017-451 Adams Annexation

1-10-18

Mr. Scott Peterson
Senior Planner
City of Grand Junction, Colorado

Re: ANX-2017-451 – Adams annexation – Adjacent to B ¼ Road

Dear Mr. Peterson,

We own two parcels (2945-253-00-109 and 2945-253-00-066) just south of property proposed for annexation and zoning.

We reviewed the zoning of the properties adjacent to the property proposed for annexation and south of B ¼ Road. Two of the properties have been annexed into the city and are zoned R-4. The remainder are still in the county and are zoned RSF-4.

Because the request to rezone to property to R-8 is not consistent with the zoning that already exists on city and county parcels that are adjacent to the property, we request that should the property be annexed it be zoned R-4.

Sincerely,

Tony Bates
Sharon Weidner
2736 B Rd.
Grand Junction, CO 81503

Attach 6

EXHIBIT LIST

**PATTERSON PINES REZONE
FILE NO. RZN-2017-553**

Exhibit Item #	Description
1	Application dated November 7, 2017
2	Staff Report dated January 23, 2017
3	Written Public Comment
4	Staff Presentation dated January 23, 2017

12/17

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: REZONE

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation	<u>Residential</u>	Existing Zoning	<u>R-4</u>
Proposed Land Use Designation	<u>Residential</u>	Proposed Zoning	<u>R-8</u>

Property Information

Site Location:	<u>2920 E7/8 Rd</u>	Site Acreage:	<u>apprx 4</u>
Site Tax No(s):	<u>2943-082-00-052</u>	Site Zoning:	<u>R4</u>
Project Description: <u>Rezone of Parcel # 2943-082-00-052 from R4 to R8</u>			

Property Owner Information

Name:	<u>Dominguez LLC</u>
Street Address:	<u>438 Athens Way</u>
City/State/Zip:	<u>Grand Junction, CO 8</u>
Business Phone #:	<u>970-433-7961</u>
E-Mail:	<u>dmcinlay@bresnan.net</u>
Fax #:	
Contact Person:	<u>David McInay</u>
Contact Phone #:	<u>970-433-7961</u>

Applicant Information

Name:	<u>JAMES P. Cagle Jr.</u>
Street Address:	<u>PO Box 2300</u>
City/State/Zip:	<u>G.J. CO. 81502</u>
Business Phone #:	<u>970 623-7677</u>
E-Mail:	<u>jim@jrestgroup.com</u>
Fax #:	<u>970-245-2214</u>
Contact Person:	<u>Maranda Fenton</u>
Contact Phone #:	<u>970-985-2822</u>

Representative Information

Name:	<u>Ted Ciavonne</u>
Street Address:	<u>222 N 7th</u>
City/State/Zip:	<u>GJ CO. 81501</u>
Business Phone #:	<u>970 241-0745</u>
E-Mail:	<u>ted@ciavonne.com</u>
Fax #:	<u>970-241-0765</u>
Contact Person:	<u>Ted</u>
Contact Phone #:	<u>970-241-0745</u>

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application	<u>J. P. Cagle Jr.</u>	Date	<u>11-07-17</u>
Signature of Legal Property Owner	<u>David McInay</u>	Date	<u>10/27/17</u>

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Dominguez LLC ("Entity") is the owner of the following property:

(b) 2920 E7/8 or 2943-082-00-052

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Manger for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

In accordance with Operating agreement

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d)

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) No Conflict

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: David McClain

Printed name of person signing: David McClain

State of Colorado)

County of mesa) ss.

Subscribed and sworn to before me on this 27th day of October, 20 17

by David McClain

Witness my hand and seal. Penny Howard

My Notary Commission expires on 03/09/2021

PENNY L. HOWARD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20014007429
MY COMMISSION EXPIRES 03/09/2021

Penny Howard
Notary Public Signature



WARRANTY DEED

THIS DEED, Made this 27th day of November, 2017 between
Dominguez, LLC, a Colorado Limited Liability Company
of the City and County of Mesa, State of Colorado, grantor and

James Cagle
pe box 2300, Grand Junction, CO 81507
whose legal address is: 438 Athens Way, Grand Junction, CO 81507

of the City and County of Mesa, State of Colorado, grantee:
WITNESSETH, That the grantor for and in consideration of the sum of One Hundred Ninety Thousand Dollars and No/100's (\$190,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of Mesa, and State of COLORADO, described as follows:

The East 4 Acres of the N 1/2 of the SE 1/4 of the NW 1/4 of Section 8, Township 1 South, Range 1 East of the Ute Meridian,

County of Mesa,
State of Colorado.

THIS DESC OK

Doc Fee
\$ 19.00

also known by street and number as 2920 E 7/8 Road , Grand Junction, CO 81504

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 "Title Review", of the contract dated August 9, 2017, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

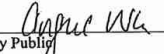
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SELLER:


Bill Martin, Operating Member

STATE OF COLORADO } ss:
COUNTY OF Mesa

The foregoing instrument was acknowledged before me this 27th day of November, 2017 by Bill Martin, Operating Member of Dominguez, LLC, a Colorado Limited Liability Company


Notary Public

Witness my hand and official seal.
My Commission expires:

ANGELA WALTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20034021431
My Commission Expires June 27, 2019



Patterson Pines
Rezone
November 7, 2017
Project Description

Project Overview

The property is a 4 acre parcel located at 2920 E 7/8 Road within the City of Grand Junction, Colorado. The owner of the property is South Dominguez Estates, LLC. , and the name of the project is Patterson Pines. The owner is proposing a Rezone of Patterson Pines from R-4 to R-8. In 2014 the 4.4 acre parcel that abuts this Patterson Pines parcel to the south (2921 E 7/8 Road) was successfully rezoned to R-8. Recently the owner was able to purchase the northern 4 acre parcel (this one requesting this rezone) allowing a complete and cohesive planning approach to an entire 8.4 acre infill area. Staggered with this rezone request, the owner hopes to submit a major subdivision for approximately 51 single family homes on the entire 8.4 acres. The combination of the two properties, along with accommodating 'interconnectivity' to five existing streets on all four sides of the combined acreage, allows for an efficient layout of single family lots ... whereas the individual +/- 4 acre parcel was less efficient, somewhat forcing a housing product that was not single family.

A. Project Description

Location and Site Features

- The parcel is located southeast of the intersection of 29 Road and Patterson, at the eastern end of the existing E 7/8 Road right of way, the southern end of Redwing Lane right of way, and the western end of Wellington Avenue right of way. The property is in the City.
- Years ago the property had started development and a road cut, sewer line, and water line were partially installed. New development being considered will abandon the old plan and unused infrastructure.
- Surrounding land use /zoning is under developed residential R-4 and developed R-5 to the north, developed R-5 to the east; undeveloped R-8 to the south; and single family R-4 to the west.
- There are currently three access points to Patterson Pines, but E 7/8 is too narrow, so future access will be from the existing Redwing Lane and Wellington Avenue. With consideration to the associated development of the vacant R-8 property to the south, additional access includes Bookcliff Avenue and Dawn Drive.
- Topography of the parcel gently slopes southeast from the northwest corner of the site, with approximately 5 feet of grade variation.

Existing Zoning

- The parcel is zoned to R-4
- The proposed plan rezones the existing R-4 zoning to an R-8. This rezone meets the Future Land Use Plan requirement of Residential Medium of 4-8 DU/Acre.
- The purpose of the rezone is to allow a cohesive and efficient single family development in association with the vacant R-8 parcel to the south.

B. Public Benefit:

- the cohesive and efficient development of two abutting +/- 4 acre parcels of property adjacent to existing City services;
- providing a transition of density between existing housing types and densities (Dawn Drive multifamily at +/- 12 units / acre to the south, and single family R-5 along the east and north);
- increasing the developability of a property that will help complete utility and roadway interconnectivity;
- development of a larger infill property.

C. Neighborhood Meeting

A Neighborhood Meeting was held on November 6, 2017 for the rezone of Patterson Pines and proposed subdivision of Patterson Pines and South Dominguez Estates. Approximately 15 neighbors attended. Those that attended the South Dominguez rezone of 2014 were pleased to see the current proposed single family product over both parcels. The biggest concern heard was increased traffic related to +/- 51 homes.

D. Project Compliance, Compatibility, and Impact

1. Adopted Plans and/or Policies

The Future Land Use Plan; the Blended Land Use Policy;

2. Surrounding Land Use

The land surrounding the subject parcel has gradually converted from agricultural uses to residential uses through the County and City subdivision process. To the northwest is the Safeway and shopping center at the corner of 29 Rd. and Patterson. The north and east boundaries of the site are predominantly developed R-5 density neighborhoods; the parcel to the south (aka South Dominguez) is vacant; to the west is a single family on an R-4 zone.

3. Site Access and Traffic

There are currently three access points to Patterson Pines, but E 7/8 is too narrow, so future access will be from the existing Redwing Lane to the north and Wellington Avenue to the east. With consideration to the associated development of the vacant R-8 to the south, additional access includes Bookcliff Avenue to the east and Dawn Drive to the south. The plan provides internal road connections to existing road stubs which are consistent with the City of Grand Junction standards and TEDS. It was determined by staff and their engineers that vehicular connection to E 7/8 Road is not feasible or appropriate at this time so right of way will be dedicated to Kokopelli Lane, but blocked by bollards at the request of the neighbors and the approval of Staff.

4 & 5. Availability of Utilities and Unusual Demands

Sanitary Sewer: The sanitary sewer system was designed to follow the City of Grand Junction's guidelines. It was determined that an 8" line will be placed in the center of the streets and released to existing sanitary manholes in Bookcliff Avenue to the east and Dawn Drive to the south.

Storm Sewer: Per the City of Grand Junction's guidelines, the storm system will be engineered to collect the storm water in the street gutters and drainage basins and graded

to drain towards the south east corner of the site. Curb inlets will drain the collected water into the designed detention facility. Smaller detention facilities will be located throughout the overall development, with the primary detention occurring in the SE corner of the South Dominguez parcel to the south.

Water will be provided by Ute Water via the existing lines in Bookcliff Avenue and Redwing Lane. Sufficient fire flow will be provided.

6. Effects On Public Facilities

The addition of more residential sites and the resulting new homes will have expected, but not unusual impacts on the fire department, police department, and the public school system. In fact, the collective development of both parcels (the entire 8 acres) will allow interconnectivity that allows secondary emergency access to a number of previous ‘dead end’ streets, and allows choices for entering and exiting this project as well as the existing developed neighborhoods. All utilities are to be upgraded for the entire new development.

7. Site Soils

No unusual or unexpected soil issues are present at the proposed site.

8. Site Geology and Geologic Hazards N/A

9. Hours of Operation N/A

10. Number of Employees N/A

11. Signage Plans N/A

12. Irrigation

E. Development Schedule and Phasing

- Submit rezone mid-November 2017
- Submit Major Subdivision mid-January 2018
- Approval of both mid-March 2018
- Begin Construction mid-April of 2018. The project will be constructed in a single phase.

PLANNING COMMISSION AGENDA ITEM

Project Name: Patterson Pines Rezone
Applicant: James Cagle, Owner
Representative: Ted Ciavonne, Ciavonne Roberts & Associates
Address: 2920 E 7/8 Road
Zoning: Proposed R-8 (Residential – 8 du/ac)
Staff: Scott D. Peterson
File No.: RZN-2017-553
Date: January 23, 2018

I. SUBJECT

Consider a request by James Cagle to rezone property at 2920 E 7/8 Road from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac) on 3.99 acres.

II. EXECUTIVE SUMMARY

The Applicant, James Cagle, is requesting a rezone of 3.99 acres of property located at 2920 E 7/8 Road from R-4 (Residential - 4 dwelling units per acre) to R-8 (Residential - 8 dwelling units per acre) The purpose of the request is to rezone the property to a higher density in anticipation of future single-family residential subdivision development. This property is proposed to be developed in conjunction with an existing vacant property to the south (4.39 +/- acres) located at 2921 E 7/8 Road which is presently zoned R-8 and is also owned by the applicant. The proposed zoning of R-8 implements the Comprehensive Plan Future Land Use Map, which has designated the property as Residential Medium (4 – 8 du/ac).

III. BACKGROUND

The Applicant is requesting to rezone 3.99 +/- acres from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac) for the vacant property located at 2920 E 7/8 Road. The requested rezone is in anticipation of future single-family residential subdivision development in conjunction with the existing vacant property to the south (4.39 +/- acres) located at 2921 E 7/8 Road which is presently zoned R-8 and is also owned by the Applicant. The property owner is requesting review of the rezone application prior to formal submittal of the subdivision application in order to determine overall density and lot layout. The proposed zoning of R-8 implements the Comprehensive Plan Future Land Use Map, which has designated the property as Residential Medium (4 – 8 du/ac).

Adjacent properties to the east, north and west are single-family detached and are zoned R-4 and R-5 along with a commercial designation of Planned Development – Commercial for the existing Safeway grocery store and commercial center located along Patterson Road. To the south is vacant property owned by the Applicant and is currently zoned R-8. Further to the east is a PD zone district that has a residential density of 3.13 dwelling units to the acre (New Beginnings Subdivision).

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on November 6, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Nine citizens attended the meeting along with the applicant, applicant's representative and City Staff. The Applicant's representative discussed the proposed rezoning request and anticipated subdivision development and provided some additional background information and history. Area residents did voice concern regarding the anticipated subdivision development of the property and the potential for an increase in traffic, residential density in the area and interconnectivity with existing streets. To date, the City has received one email from the public concerning the proposed subdivision development that has been included for review.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on November 21, 2017. The subject property was posted with an application sign on November 21, 2017 and notice of the public hearing was published January 16, 2018 in the Grand Junction Sentinel.

V. ANALYSIS

Pursuant to Section 21.02.140 (a) of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

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

The property owner wishes to rezone the property to a higher density and develop the property in the near future in conjunction with the vacant property to the south which is also owned by the Applicant. The Applicant would like to develop a residential subdivision with a density between 5.5 to 8 dwelling units an acre which is considered appropriate development within the existing Residential Medium category. However, because there are no significant events that have occurred since the zoning of this property has occurred, nor is there a specific event that has invalidated the original premise, staff is unable to find that this this criterion has been met.

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

The property is surrounded by single-family detached on three sides with single-family detached, two-family and multi-family dwelling units further to the south that were all constructed in the late 1970's to mid-1980's. Directly to the northwest of the property is a Safeway grocery store that was constructed in 1996.

Existing properties to north, east and west are zoned R-4, R-5 and PD (Planned Development – Commercial). To the south is R-8. Staff has not found that the character of the area has changed and therefore finds this criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve residential land uses associated with the R-8 zone district. Ute Water and City sanitary sewer are both presently available in Redwing Lane and Wellington Avenue. Property can also be served by Xcel Energy natural gas and electric. A short distance away is Bookcliff Junior High School on Orchard Avenue with Fruitvale Elementary School located nearby on 30 Road. Adjacent to the property to the northwest is a Safeway grocery store and retail commercial center that includes gas islands, restaurants and commercial businesses. Public transit stops are also located along 29 Road and Patterson Road. Area churches are also nearby. Due to the proximity and availability of services and facilities, staff finds this criterion has been met.

(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

The community as a whole has more than 1,868 acres of R-8 zoned land. This zone district comprises the largest amount of residential acreage within the City limits. However, the zoning within approximately ½ mile of this area south of Patterson and east of 29 Road is predominately zoned R-5 or Planned Development with density of 3.13 du/ac. The lack of supply for this zone type impedes the ability to provide a diverse supply of housing types; a key principal in the Comprehensive Plan. Because of a lack of supply in this part of the community, staff has found that an inadequate supply of suitability designated land is available in this area of the community and therefore has found this criterion has been met.

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

The area and community, in general, would derive benefits from the proposed rezone of this property as it would add more residential density to this parcel. This principle is supported and encouraged by the Comprehensive Plan and furthers the goal of promoting infill development. The proposed rezone will also provide the City with land that can be developed at an increased density. This increase of density may also work to provide, when developed, residents with more housing choices. R-8 properties for example are generally developed with different lot sizes and housing designs than properties with an R-4 zone designation. These two benefits are enumerated in the adopted Comprehensive Plan as Goal 3 and Goal 5. Because the community and area will derive benefits, staff has found this criterion has been met.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

Future Land Use Map:

The Comprehensive Plan Future Land Use Map designates the property as Residential Medium (4 – 8 du/ac). The request for an R-8 (Residential – 8 du/ac) zone district is consistent with this designation and works to implement the Comprehensive Plan. The Blended Land Use Map also designates the property as Residential Medium at 4 – 16 dwelling units an acre. The proposed rezone creates an opportunity for ordered and balanced growth spread throughout the community. The Comprehensive Plan supports the potential for increased residential densities where applicable along with the desire for development of more infill properties, which the applicant is proposing with this application. Staff believes this is an appropriate location for increased density. Though this rezone would allow for additional density, the residential character of the area will remain intact. The proposed rezone also provides additional housing opportunities and choices to meet the needs of a growing community, which implements the following goals and polices from 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.

Policy B: Encourage mixed-use development and identification of locations for increased density.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Patterson Pines Rezone application, RZN-2017-553, for a request to rezone from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac), the following findings of fact and conclusions have been determined:

7. The requested rezone is consistent with the goals and policies of the Comprehensive Plan.
8. In accordance with Section 21.02.140 of the Zoning and Development Code, the application meets one or more of the rezone criteria.

VII. RECOMMENDED MOTION

Madam Chairman, on the Patterson Pines Rezone application, RZN-2017-553, I move that the Planning Commission forward to the City Council a recommendation of approval from R-4 to the R-8 zone district with the findings of facts as listed in the staff report.

Attachments:

17. Site Location Map
18. Aerial Photo Map
19. Comprehensive Plan Future Land Use Map
20. City / County Existing Zoning Map
21. Site Photos











View of property from Wellington Avenue



Overhead view of property from Redwing Lane

Exhibit 3

Scott Peterson

From: argeigle@earthlink.net
Sent: Tuesday, October 31, 2017 11:48 AM
To: Scott Peterson
Subject: Dominguez re-zone

Scott, I drove thru the area in question today. It appears that most of the immediately adjacent homes are on lots of obviously larger size than the proposal by South Dominguez estates. The ingress and egress is severely limited and would require E&7/8 to be extremely altered, probably at the expense of the people whose property borders it. I would hope that the limited number of neighboring property owners will not be rolled over by the developer.

Best Regards,

Allen Geigle
2914 B Walnut Ave
Grand Jct. CO 81504