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**PLANNING COMMISSION AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET  
TUESDAY, MARCH 27, 2018, 6:00 PM**

**Call to Order - 6:00 P.M.**

**1. Minutes of Previous Meetings**

[Attach 1](#), [Attach 2](#)

*Action: Approve the minutes from the February 20 and February 27, 2018 meetings*

**2. Darla Jean Walkway Tract Vacation**

[Attach 3](#)

**FILE # VAC-2018-44**

Consider a request to vacate a walkway tract located in the Darla Jean Subdivision.

*Action:* Recommendation to City Council

Applicant: Raquel Mollenkamp  
Location: Darla Jean Subdivision  
Staff Presentation: Kristen Ashbeck

**3. Elevation 4591**

[Attach 4](#)

**FILE # PLD-2017-435**

Consider a request of an Outline Development Plan (ODP) and Rezone to PD (Planned Development) zone district with a default zone of R-8 (Residential - 8 du/ac) to develop 19 single-family detached lots with one additional lot proposed for a two-family dwelling for a total of 21 dwelling units all on 2.99 +/- acres.

*Action:* Recommendation to City Council

Applicant: Chronos Builders LLC - Cody Davis  
Location: 2524 F 1/2 RD  
Staff Presentation: Scott Peterson

**4. Other Business**

**5. Adjournment**

**Attach 1**

**GRAND JUNCTION PLANNING COMMISSION  
February 20, 2018 MINUTES  
6:00 p.m. to 9:13 p.m.**

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

In attendance representing the City Planning Commission were, Christian Reece, Jon Buschhorn, Kathy Deppe, Keith Ehlers, Andrew Teske, Bill Wade, and Steve Tolle.

In attendance, representing the Community Development Department –Tamra Allen, (Community Development Director) and Kristen Ashbeck, Senior Planner.

Also present was John Shaver (City Attorney).

Lydia Reynolds was present to record the minutes.

There were 13 citizens in attendance during the hearing.

**\* \* \* CONSENT CALEDAR \* \* \***

**1. Minutes of Previous Meetings**

*Action: Approve the minutes from the January 23, 2018 meeting*

Chairman Reece briefly explained the Consent Agenda. Noting that only the minutes from the January 23<sup>rd</sup>, 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 to approve the Consent Agenda.”

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

Chairman Reece explained there will be a written and video recording of the meeting. The order of the meeting will be as follows:

- 1) Examination of the application and a determination concerning the adequacy of notification.
- 2) Presentation, description and analysis of the application by the staff,
- 3) Opportunity for the applicant to present evidence and arguments concerning their position on the project
- 4) All other interested parties may then address the Commission, with comments limited to three minutes per speaker.



6. Applicant's response to Staff Report (handed out at meeting)

The Commission took a fifteen-minute break to read the handouts.

**Staff Presentation**

Ms. Ashbeck stated that this proposal is to consider a request for review of a Service Plan for the proposed Lowell Village Metropolitan District. The applicant is ReGeneration LLC.

Ms. Ashbeck displayed a PowerPoint slide with an aerial photo of the site and explained that the applicant is planning for the proposed Lowell Village project to be constructed on the easterly two-thirds or just over 1.5 acres of Block 84 of the Original City Plat also known as the R-5 High School Block located at 310 North 7<sup>th</sup> Street.

Per preliminary plans, the development will consist of 36 townhome units, each with the potential for an accessory dwelling unit above a garage on each lot. As a means of generating capital for the construction and on-going maintenance of the proposed public improvements within the development, the Applicant is proposing to form a Metropolitan District. Ms. Ashbeck noted that per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City.

Ms. Ashbeck displayed a slide with the zoning illustrated and noted that the property is zoned B-2 (Downtown Business) which allows for a mix of uses, including multifamily residential such as the townhomes proposed. The block is also within the Greater Downtown Overlay which includes development guidelines and standards for new construction. While the property is also a part of the North Seventh Street Historic Residential District, the guidelines and standards adopted for that district are advisory only.

As indicated on the Applicant's preliminary concept plan in the Service Plan, the density of the development will be approximately 22 dwelling units per acre. This density is consistent with existing multifamily development to the north and east that is zoned RO (Residential Office). Properties to the south and west are also zoned B-2 and are developed as downtown commercial uses, primarily offices.

Ms. Ashbeck explained that special districts are quasi-municipal corporations that are organized to act for a particular purpose. A metropolitan district is a special district that provides any two or more services which may include fire protection, parks and recreation, safety protection, sanitation, solid waste, street improvements or water, to name a few.

A district has the ability to acquire bonds for the construction of the improvements and to levy taxes to the area within their boundaries to repay those bonds. The financing, construction, and operation and maintenance of improvements and services to support new development is legally the responsibility of the district if formed.

Ms. Ashbeck displayed a slide of bullet points and explained that the Municipal Code does not contain provisions for review of service plans. Therefore, the process of submittal and review of a Service Plan must be in compliance with requirements in Title 32 of the Colorado Revised Statutes. The requirements include submittal of the service plan to the City Clerk who, in turn, provides notice to the Colorado Department of Local Affairs – this was completed February 2 and 5, 2018.

Then per local policy, the Service Plan is referred to the Planning Commission for review and recommendation. City Council then sets a Public Hearing date and holds the Hearing. If approved by City Council, affected property owners must vote to approve the district.

Ms. Ashbeck added that if the District is formed, the sale of municipal bonds generates funding for infrastructure and amenities. As development occurs, bonds are repaid by property owners within the district through the additional taxes paid by district residents. The applicant maintains oversight of the district, an annual audit is conducted and reports are submitted to the City and State. The City has no legal or financial liability during the life of the district; it does not reduce tax revenues and it does not draw from the City's capital improvement budget or capital reserves.

The trend with special district legislation has been to allow local governments to have greater control over the formation and operation of special districts. The approval process for the Service Plan is the key to exercising that control as a means of preventing unnecessary proliferation and fragmentation of local government and tax sources, and eliminating overlapping services.

Ms. Ashbeck displayed a slide showing an aerial view with the property highlighted and explained that the Service Plan proposes to serve the Lowell Village development, a 36-unit development with potentially 36 accessory dwelling units. The applicant submitted a Preliminary Plat and Plan for the project on February 8, 2018 which has not been reviewed or approved by the City. This results in a review of the Service Plan without an accompanying Approved Development Plan as defined by the Service Plan.

The area defined as the boundary of the District includes the easterly two-thirds of Block 84 of the Original City Plat also known as the R-5 block. However, the Service Plan states: "It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions subject to Statute."

Ms. Ashbeck clarified that the primary purpose of the District is to provide for the Public Improvements associated with development and the ongoing operation and maintenance of them. Statutory requirements state that a Metropolitan District may include a variety of services, but is required to provide at least two services that benefit the public.

The next slide displayed outlined the required submittal elements for a service plan included in Section 32-1-202 of C.R.S. The first element is a description of services. Ms. Ashbeck explained that the Service Plan provides a list of potential services but also states that these may or may not be services that the district provides. The Service Plan for the Lowell Village Metropolitan District is to construct and provide on-going maintenance of the following elements:

- Community Greenhouse/Gardens, Community Recycling/Composting and Public Event Space - a parks and recreation service,
- Solid waste disposal facilities or collection and transportation of solid waste - a sanitation service,
- Public Roads and Private Drives - a streets improvement service, and
- Domestic water lines - a water service.

Ms. Ashbeck stated that another required element of a Service Plan is a financial plan. For the proposed Lowell Village District, the Financial Plan was included in the Service Plan and was reviewed by the City's Deputy Finance Director, Jay Valentine. The financing assumptions in the plan were modeled by D.A. Davidson and Company.

Ms. Ashbeck stated that Mr. Valentine had commented that the financial plan of the District, specifically the revenues acquired through the issuance of debt, at first appeared to be insufficient to construct the public improvements since the service plan states an estimated cost of the Public Improvements is \$1,600,000 while the revenue generated by the issuance of debt is \$697,000.

The applicant has since provided information stating the gap can be filled by conventional loans, proceeds from the property sales and additional bond revenue. This additional information was acceptable to Mr. Valentine. The repayment of the estimated \$697,000 debt is proposed to be achieved by imposing a mill levy targeted at 55.277 mills on the taxable property of this District.

The next slide illustrated the required elements of a Service Plan which are a Preliminary Engineering drawing and a Map of the proposed District boundaries. For the proposed Lowell Village District, Preliminary Plans have been included in the Service Plan to serve as the required drawing. These plans were submitted by the Applicant for review through the City development process on February 8, 2018 so have not received approval nor do they constitute the Approved Development Plan as defined in the Service Plan. Thus, staff believes this requirement has not been met; and is recommending that if a District is approved, an Approved Preliminary Plan consistent with the Code shall be completed prior to the Metropolitan District Service Plan becoming effective.

Ms. Ashbeck stated that the District boundary shown here is inconsistent with the legal description stated in the Service Plan since, per the Map and the subsequent Preliminary Plans and listing of site improvements, it appears the District is intended to include the public alley rights-of-way but the legal description does not include them.

In addition, lots stated in the legal description as filed do not presently exist until a new subdivision plat has been recorded. Staff expects to record the plat this week. These discrepancies in the maps and legal description must be revised prior to approval.

Ms. Ashbeck stated the Service Plan must also include a description of facilities to be constructed and cost estimates of those. Standards for the proposed construction were discussed and a statement was included in the Construction Standards Limitation section V.c. of the Service Plan that ensures Public Improvements are designed and constructed in accordance with the applicable standards and specifications of the City consistent with the Approved Development Plan.

However, Ms. Ashbeck noted that the Preliminary Plans do not specifically show which improvements and services are to be provided within the proposed District since the boundary is not shown on this plan. Instead, the plans show the ultimate build-out of the site, including areas that are not being proposed as part of the initial District boundaries as well as areas that are within City public rights-of-way and not within the District boundaries.

The facilities to be constructed include landscaping, community gardens and event space, private drives and public alleys including street lighting, sanitary sewer, storm sewer, domestic water and electrical distribution. While the Service Plan gives a description, it is unclear from the Preliminary Plans included in the Service Plan the extent of which, what and where facilities are to be provided via the District.

Thus, Staff concludes this submittal element has not been met and is reflected in condition 1 in the staff report. The plan provides estimated costs for engineering, surveyor and construction management, and construction of improvements based on the plans included in the Service Plan. Ms. Ashbeck emphasized that it is important to note that where these initial estimates might vary from the actual costs developed from detailed design, the actual cost of development shall be based on cost estimates associated with the Development Improvements Agreement that will be required with Final Plan review, and not those estimates contained within the Service Plan.

The next slide illustrated the proposed agreements. Ms. Ashbeck explained that the Service Plan states that an agreement for the performance of services between the City and others and the district is not anticipated.

However, Ms. Ashbeck stated that staff has identified the need for intergovernmental or private agreements to address construction and maintenance of site improvements shown on the Preliminary Plans that are not within the proposed boundaries of the District. One can see that much of the landscaping and other improvements shown on the Preliminary Plans that are to be constructed and maintained by the District are within the public rights-of-way of interior alleys and perimeter streets as outlined in red on the illustration. An agreement is needed to make clear the obligation for construction and maintenance of these improvements.

Similarly, the Stormwater Detention areas shown on the Preliminary Plans, shown in blue on the illustration, are on private property which appears outside of the proposed District Boundaries. Easement agreements are needed to address these areas. Such agreements are not attached to the Service Plan as presently filed. Staff believes this submittal element has not been met and recommends that such agreements be submitted and reviewed prior to approval of the Service Plan.

The next slide outlined the “criteria for action”. C.R.S. §32-1-203 contains the criteria for action on a service plan stating that the jurisdiction shall disapprove the service plan unless evidence satisfactory to the Council of each of the following is presented:

1. There is sufficient existing and projected need for the services to be provided by the proposed Metropolitan District.
2. The existing services in the area are determined inadequate.
3. The District is capable of providing the proposed services.
4. The District has the financial ability to discharge debt.

Ms. Ashbeck noted that these criteria are further discussed in the staff report, taking into consideration that this is an infill site, the services the City provides are or can be made available and the additional information provided by the Applicant.

The following slide Ms. Ashbeck displayed explained that statutes state that the jurisdiction may disapprove the service plan if evidence satisfactory to the Council of any of the following, at the discretion of the Council, is not presented:

- adequate service is not, or will not be, available to the area through the City or other existing municipal or quasi-municipal corporations.
- the proposed facility and service standards are compatible with those of the City
- the proposal is in substantial compliance with the Comprehensive Plan.
- the proposal is in compliance with an adopted water quality management plan.
- creation of the District will be in the best interests of the area proposed to be served.

Ms. Ashbeck added that a detailed discussion of these criteria is included in the staff report. Similar to the previous slide, in examining these criteria, consider that the Lowell Village property is an infill development site within downtown Grand Junction. Utility services exist to and within the perimeter rights-of-way that can be improved and extended to serve any proposed project. While the City does provide some of the proposed services, not all of them are provided within private property.

Ms. Ashbeck stated that in addition to the statutory review criteria discussed on the previous 2 slides, the statute gives the City broad power to establish requirements for service plan approval that exceed or enhance those specifically cited in the statutes.



The staff report includes analysis of the need for additional information. Upon further review of the Service Plan and with new information provided by the Applicant, Finance and Planning staff now believes that there is no need for additional information in these areas.

### **Findings of Fact**

Ms. Ashbeck explained that in accordance with State Statute, the findings of the City shall be based solely upon the service plan and evidence presented at the hearing by the petitioners, planning commission, and any interested party.

After reviewing this request to consider formation of a Metropolitan District for the proposed Lowell Village project to be located on the R-5 block, the following findings of fact have been made:

1. The Lowell Village Metropolitan District Service Plan is consistent with the Comprehensive Plan;
2. The Lowell Village Metropolitan District Service Plan does not meet Title 32 Colorado Revised Statutes requirements for formation of a Metropolitan District without the following conditions being met.
  - Approved Development Plan as defined in the Service Plan.
  - The Plans do not specifically show the location of the public improvements to be completed by the District and
  - There are conflicts between the District boundary map and its legal description.
  - Need for Private and Intergovernmental Agreements.

Ms. Ashbeck noted that these requirements for amendments to the Service Plan are outlined in the proposed conditions listed in the staff report.

### **Planning Commission Action**

Ms. Ashbeck explained that the action, pursuant to state statute, is recommendation to the City Council which has the authority to either:

1. Approve the Service Plan without condition or modification;
2. Disapprove the Service Plan; or
3. Conditionally approve the Service Plan subject to modifications of the proposed Service Plan.

In accordance with State Statute, the City may conditionally approve the service plan of a proposed special district upon satisfactory evidence that it does not comply with one or more of the criteria. Final approval shall be contingent upon modification of the service plan to include such changes or additional information as shall be specifically stated in the findings of the City Council.

Ms. Ashbeck added that the staff report lists 8 conditions of approval but, with the further analysis of the Service Plan and new information provided by the Applicant, 5 of the conditions are no longer necessary.

The three remaining are conditions 1 through 3 as listed in the staff report:

- 1) Revise legal description and boundary map within the Service Plan that correlate to each other and accurately depict the location of the services to be provided and an accurate map of Areas of Operations and Maintenance that clearly show the areas within which the services will be provided by the District and whether the areas are within or outside the District Boundaries.
- 2) An Approved Development Plan
- 3) An Intergovernmental or other Agreements acceptable to the City for the performance of any services between the proposed District and the City or other entities that shall be attached to the Service Plan.

### **Questions for Staff**

Commissioner Teske asked about condition # 3 and asked for clarification regarding what agreements, besides the intergovernmental agreements that need to be in place for the condition to be met. Ms. Ashbeck responded that there needs to be easement agreements for off-site construction that may be on private property and the City would like to see those in place.

Chairman Reece, noting the applicant's response to comments, said it appears that they need to be a legal entity before entering into the Intergovernmental Agreements (IGAs) and asked if that is necessary.

John Shaver, City Attorney, explained that Exhibit 6 from the applicant did mention that, however, staff is not asking for the agreements to be executed but simply in a form that would be proposed for purposes of dealing with the service and the expectation of the service; so the technical issue of the execution is not what is being requested.

Commissioner Ehlers asked what is staff's concern of the absence of the IGA at this time vs. "prior to construction" which is what the applicant was requesting. Mr. Shaver responded that it is the nature of the agreement is that it is to be negotiated. Because if and when it is **not** negotiated, and the district is approved and up and running, then there may not be a basis to negotiate. Therefore, the lack of this information for an IGA with the City or private entity, creates an impediment potentially for the delivery of service. Mr. Shaver clarified that Metropolitan Districts are really about service delivery models, typically in larger scale projects. Because this is considered an infill project, surrounded on all sides by City service, therefore having City services seems to make sense. The District, if formed, may choose to contract with the City, not the City contracting with the District, so the formation of the IGA's prior to approval is important.

Commissioner Ehlers inquired about the timeline, in light of the elections, and asked if there is a way to address the concerns via the Development Proposal. Commissioner

Ehlers asked if they could accomplish the goals and have the same platform for negotiation as the City, if they tie it to the Development Plan.

Mr. Shaver noted that there are a lot of other steps as well. Metropolitan Districts are supervised by the District Court. In order for this to proceed, there needs to be a petition filed and a District Court process followed, in addition to the election mentioned in Exhibit 6. From the City's perspective it is efficient, and preferred, to have these agreements done in advance rather than after the fact. If the Commission believe this is something that can be done later, that is fine as the Statute does not provide much guidance as to the what the Commission's review ought to be. The City's view is that they would rather deal with potential problems now rather than later.

Ms. Ashbeck referred to a Statute that states the Service Plan should contain the following: Item G; a description of any arrangement or proposed agreement with any political subdivision for the performance of any services, between the proposed Special District and such other political subdivision, and if the form contact to be used is available, it shall be attached to the Service Plan.

Regarding the language of the conditional approvals, Commissioner Teske noted that it was mentioned that the conditions shall be met prior to the plan becoming effective and asked what that meant from the City's perspective.

Mr. Shaver explained there were a couple of ways to approach that, one being from the legal perspective and the other is from the policy perspective. From the legal perspective, Mr. Shaver referred to the District Court review process as being the final and effective step and then the recordation of that, for the purposes of beginning the taxing authority. Mr. Shaver noted the policy perspective addresses the satisfaction of the conditions.

Ms. Allen added that staff anticipated that at the time it would be approved at the District Court level, the IGAs would be in place, giving the applicant a little time to pull the pieces into place.

Mr. Shaver referred back to Commissioner Ehlers question regarding the timing and stated that although it is an important consideration of the applicant as mentioned in Exhibit 6, it is not the City's problem. The City's primary issue is the satisfaction of the Statutory conditions.

### **Applicants Presentation**

Jeremy Nelson, Managing Member of Downtown Regeneration Development Strategies LLC thanked the Commission and the staff for their help with this project. Mr. Nelson noted that the conditions that needed to be addressed has already gone from 8 to 3 in the past 24 hours. Mr. Nelson stated that they are confident that they can satisfy the City's conditions and still move the project forward with the timeline they identified.

Although the project itself is not before the Commission for approval, Mr. Nelson gave an overview of the project. The first slide Mr. Nelson presented listed the proposed program and the economic impacts. There will be 36 townhomes for sale in on the former R-5 School site in partnership with the DDA who is the landowner. The townhomes will have detached garages with flex studios above. There is a Neo-traditional site plan in terms of design and site planning. The landscape plan is to benefit the residents as well as the community at large. Community gardens, a greenhouse, event space and other public amenities are proposed.

Regarding the economic impacts, Mr. Nelson stated that there will be \$7.5 million in townhome construction costs (estimated) and \$1.5 million in infrastructure construction costs (estimated). This project will increase property tax and sales tax revenues. One benefit is the urban infill housing choices that will support local economic development efforts such as the retention and recruitment of millennial entrepreneurs.

Mr. Nelson displayed a site plan that showed the alleys, private drives and other amenities. Mr. Nelson noted that 29 of the 36 homes have small yards. Mr. Nelson pointed out that they are proposing a density that is lower than the density allowed by right. In a future phase they hope to move forward with the rehabilitation, restoration and adaptive reuse of the old R-5 school as a community use.

Mr. Nelson's next three slides depicted sketches of the conceptual elevations and conceptual cross sections and a conceptual perspective of 11 units along White Ave.

Chris Bremner, Metropolitan District Consultant, stated that he has been a master plan developer on the Front Range for the past 15 years specializing in setting up Metropolitan Districts, running them and working through the issues associated with them. Mr. Bremner noted that he has been on 6 Metropolitan District boards and set up 4 of them.

Mr. Bremner stated that he tries to see the District be designed to be a cohesive community that will last long after the developer is gone. Mr. Bremner stated that there are upfront financial benefits, but also long term benefits to the residents of this community to have a financing taxing mechanism to be able to keep the aesthetics and beauty of the community to what they initially bought into.

Mr. Bremner display a slide highlighting a few points of special districts as follows:

CRS Title 32 Special Districts:

- Have proven increasingly popular tools for providing services to identify geographic areas.
- 1995: 875 Title 32 special districts
- 2017: approximately 2,160 Title 32 special districts
- Formation of new Metropolitan Districts account for nearly all of the recent growth in Title 32 special districts.

Mr. Bremner stated that almost all new growth in the Denver area has some type of metropolitan district associated with it. Mr. Bremner stated that the reason for that is that the infrastructure costs have outgrown the home costs.

Mr. Bremner's next slide displayed the following bullet points which he then explained:

- Facilitates the financing, construction, and operation/maintenance of improvements and services to support new development.
- Does NOT exempt a project from the City's long-range land use planning:
  - The decision on where to allow, encourage, or discourage new development is still made through the city's land use planning process.
- Does NOT exempt a project from the City's development entitlement approvals process:
  - A development project must still go through entitlement approvals (planning clearance)
- Better balances flexibility and accountability compared to local assessment district (DIDs, LIDs, etc.).
- Bottom line; an implementation tool to harness private investment to achieve City's planning, redevelopment, and economic development goals.

The next two slides Mr. Bremner displayed highlighted the legal basis for formation with the following points that he reviewed:

- District must provide at least two different "services" as defined by C.R.S.
- District infrastructure must serve a specific area and be necessary to support the redevelopment of that area.
- Allows for infrastructure cost to borne by the property owners in the development itself:
  - Does NOT tax anyone outside the district (e.g. adjacent property owners)
  - Does NOT reduce current/future tax revenues of other public agencies (e.g. TIF)
  - Does NOT draw from the City's capital improvement budget or capital reserves.
- Importantly, C.R.S. does NOT define as a legal basis for Metro District formation or Service Plan approval:
  - District size
  - District location
  - Buyer tax burden (as long as C.R.S. disclosure requirements are met)
  - Whether other infrastructure financing tools may or may not be viable.

Mr. Bremner next slide gave six comparable examples of Metropolitan Districts in Colorado as follows:

- 1997: Deer Creek Metropolitan District (Pine, CO)
- 2006: Fitzsimons Village Metropolitan District (Greenwood Village, CO)
- 2007: Solaris Metropolitan District (Vail, CO)
- 2017: RiverView Metropolitan District (Steamboat Springs, CO)
- 2017: Sunlight Metropolitan District (Steamboat Springs, CO)
- 2017: Jackson Creek Metropolitan District (Monument, CO)

Mr. Bremner explained that the proposed District meets C.R.S. formation and approval criteria and displayed a list of possible services. Two or more of these services is required: fire protection, mosquito control, parks and recreation, safety protection,

sanitation (solid waste disposal facilitates or collection and transportation of solid waste), street improvement, television relay and translation, transportation or water service. Mr. Bremner noted that Parks and Recreation, Sanitation, and Street improvements are three services that are proposed with this District upon the construction and completion of the development.

Mr. Bremner stated that C.R.S. 32 also allows a Metropolitan District to levy and collect ad valorem taxes on and against all taxable property within the special district, which may be used to meet the obligations of the special district for bond interest repayment and for maintenance and operation. Mr. Bremner displayed a slide of services that a proposed district can and may seek reimbursement for as follows:

parks and recreation, safety protection, sanitation (solid waste disposal facilitates or collection and transportation of solid waste), street improvement, television relay and translation, transportation and water service. Mr. Bremner added that this particular Metro District plans to seek reimbursement for the following five items: parks and recreation, sanitation, transportation of solid waste, street improvements, and water.

In summary, Mr. Bremner pointed out that the general public will directly or indirectly benefit from the following amenities: Community greenhouse/gardens, community recycling/composting, public event space (mini plaza behind the school and "great lawn" in front of the R-5 school building, future restoration and re-use of historic R-5 school, maintenance of all to the infrastructure, construction of public roads, increased property values and increased tax revenue (without a general tax increase), and increased downtown population/vitality.

Mr. Nelson displayed a comparison of the costs to homebuyers when they have an HOA (exp. The Peaks in Redlands Mesa) compared to the Metropolitan District and pointed out that HOA payments are in the form of dues, and the Metropolitan District is a form of property tax making it easier for compliance. In this comparison, the District would be \$1,400 less per year and the tax is an income tax deduction where HOA dues is not.

Mr. Nelson's next slide addressed the developer's accountability which is to 1) maintain oversight of the district, 2) an annual outside audit conducted of the district's books, and 3) annual transparency reports that are submitted to DOLA and publically available.

Mr. Nelson stated that the City has no management, legal, or financial liability for a Metropolitan District. In addition, Property values will be better protected compared to HOA which is a less stringent assessment than Metropolitan District fees. Another advantage for neighboring properties is that there is reduced opportunity for blight and the need for code compliance complaints to the City since there will be a District contact person to address issues.

Mr. Nelson stated that their only intent for possible future expansion would be to develop the R-5 school building that DDA currently owns. Once the original bond debt is retired, they could generate additional revenue by re-issuing a bond. For this to occur,

there would need to be an agreement of the property owners, a service plan amendment and City Council approval.

### **Questions for Applicant**

Commissioner Wade asked Mr. Nelson if approval based on the three conditions, would allow him to continue to work with the development timeframe they have. Mr. Nelson replied yes, but with one caveat which is listed in the response to comments, as to when the Service Plan becomes effective. Mr. Nelson stated that if the City simply wants “approved as to form IGA attached to the Service Plan” then their position is that they would be ok with the City using an IGA that shows the form of the future IGA and attaching it to the Service Plan. Mr. Nelson went on to explain that they can’t negotiate the roles and responsibilities of an IGA when they don’t have an approved Development Plan. Mr. Nelson suggested the effective date of the Service Plan is not the approval by City Council, but when they actually begin to accrue revenues from bond issuance and begin to build at which point they agree they will have an IGA and an approved Development Plan before the City would allow them to build anything.

Chairman Reece asked if the taxes are still collected after the term of the bond is fulfilled. Mr. Nelson stated that they have in their Service Plan how the dissolution of the District will occur or whether it will not occur in conversation with the City. Under C.R.S., the District cannot dissolve if it has any outstanding indebtedness. Mr. Bremner added that what usually happens, depending on what’s happening in the District, is that when the debt is retired the Board may continue to tax for maintenance of the infrastructure but they can choose to lower the mill levy.

Chairman Reece asked what the term of the bond is. Mr. Bremner replied that it is typically 20 years but it can be 30 years depending on the market. Commissioner Buschhorn asked if the District can be dissolved after repayment of the bond. Mr. Bremner replied that it can as long as you have an entity in place to takeover whatever maintenance responsibilities the District had. Commissioner Bushhorn asked if the City could be responsible. Mr. Bremner replied that there would be an IGA in place once you have an approved Development Plan identifying what areas are private and what areas are the responsibility of the District which could include the responsibility into perpetuity unless the City wanted to take the responsibility.

Commissioner Bushhorn noted that some of the proposed services are private services and asked if any of the services are open to the general public. Mr. Bremner clarified that the term “public,” when setting up the District, implies the general public such as in the case of hearing notifications for example. Once the District is in place, C.R.S. refers to the inhabitants of the District as the “public” as far as repayment of the infrastructure. Commissioner Buschhorn asked if the “public” space for events was ultimately a “private” space just for the benefit of the 36 homeowners. Mr. Nelson clarified that they are creating infrastructure that will specifically benefit the 36 homeowners, but they are also going above and beyond that infrastructure to provide truly public infrastructure such as the event space shown behind the school, which also doubles as a firetruck turn-around, the community gardens, a mini park and a plaza for example. Mr. Nelson

stated that this is not a gated community. Mr. Nelson gave some examples of partnerships that may develop to utilize the public spaces and stated that they are trying to create a community subdivision not a commodity subdivision.

Chairman Reece noted that two of the services the District anticipates providing is private roads and streets improvements as well as solid waste disposal facilities. Chairman Reece stated that a subdivision would have to provide those whether or not they are a Metropolitan District. Mr. Nelson stated that the sanitary services are referring to the composting and recycling that is not required. Mr. Bremner clarified that the sanitary sewer and roads is an investment to benefit the public, and the more important feature is that the maintenance will be the responsibility of the District.

Commissioner Buschhorn stated that his understanding of Metropolitan Districts is that they usually occur on the outskirts of a municipality and they are set up to bring infrastructure to the District so the municipality doesn't carry the cost burden and asked if that was the original intent of the Districts. Mr. Nelson replied that he would have to go back to C.R.S. to see what the original intent was, but basically it is a financing mechanism that has a maintenance aspect to it. It provides an option for the developer when the cost of the infrastructure can be cost prohibitive to the development of the subdivision.

Commissioner Ehlers asked if the developer has the benefit of recouping costs over time, will the cost of homeownership be less. Mr. Nelson stated that the traditional use of Metropolitan Districts has been greenfield, increasingly they have been used in infill sites especially if the developer is willing to go above and beyond minimum requirements in terms of landscaping. Mr. Nelson stated that half of the site is open space which is double or triple the space a typical subdivision has which raises costs and lowers yield. This model justifies the need of a District. Mr. Nelson stated that since the costs to build are the same or more than the Denver area, the price of housing is about half. Typically, the cost of homes is front loaded to absorb the infrastructure costs and with a District, these costs can be amortized over time while providing the homeowner a tax deduction as well.

Commissioner Ehlers spoke to the difficulty of local bankers and appraisers to appraise homes because of the influx of foreclosures. Commissioner Ehlers asked what the impact of a District would be regarding financing for the homeowners to make sure it is viable. Mr. Nelson suggested looking at it as a housing affordability mechanism. Either a homeowner pays the infrastructure costs upfront, which can price-out an entry level buyer, or they pay it over time. Commissioner Ehlers commented that as a land planner, he sees where a concept can start out looking good and then costs require them to strike out the amenities.

Commissioner Ehlers asked if they will be paying the water and sewer tap fees. Mr. Nelson stated that Community Development will still charge the fees although they may be allowed to defer them until certificate of occupancy which is currently an option at the City.



Commissioner Ehlers stated that he is sensitive to the timing of the proposal, however he is concerned about the absence of the Development Plan. Commissioner Ehlers asked what happens if they need to modify the design and/or density before it is all said and done.

Mr. Nelson responded that the Service Plan is a high-level framework. Given that they have gone through the process and have done market studies, had pre-app and general meetings with the City and a community meeting, they hope there are no modifications necessary. The high-level frame of the Service Plan can be amended in response to changes that happen through the development approval process or through the negotiation of the IGA. Mr. Nelson stated that they are asking to have this approved conditionally to allow it to proceed to City Council and that the effective date of the Service Plan is not the City Council approval, (which essentially is denying the Service Plan because they cannot reasonably get the Development Plan and the IGA negotiated in a month), but the effective date of the Service Plan becomes some date to be negotiated with the City staff and attorney prior to expenditure of revenues, construction or permits. That gives them time to concurrently negotiate the IGA or take the project through entitlements. Mr. Nelson noted that they have been working on this for 1-½ years and they feel they can work on these two pieces while keeping the Service Plan moving forward.

Commissioner Ehlers asked if the Service Plan can be amended. Mr. Nelson replied that under C.R.S., the service plan can be amended if needed. Mr. Nelson clarified that they can go through the amendment process, including going back to City Council, without going through another election process. Commissioner Ehlers asked if the Commission considered moving forward without certain items....appreciating good faith, the design, and understanding the history to make sure the City's interests are secured...would the City be able to come in at a later date and impose conditions that may require an amendment to the Service Plan.

Mr. Nelson stated that they would not want to specify those specific changes that require that amendment to be done. Mr. Nelson stated that he was confident that City staff would inform him if the IGA or Development Plan was an issue.

Mr. Bremner added that at the time a preliminary plan gets approved, an IGA would be approved alongside that, so the City would know what the District's responsibilities would be. Those two items would go hand in hand and don't hold up the Service Plan approval in order to get it to an election.

Commissioner Ehlers stated that they want to make sure that they have options and that they are not approving something too early just because of the sensitivity of the elections cycles. Mr. Bremner added that in his experience, the developer can't issue debt without a preliminary plan approval and the bond holders will be looking for City approval to issue the bonds. Therefore, the City would not be at risk to approve without

all the steps in place because there are other (like bond holders) that will require the preliminary plan be in place before the District can become viable.

Chairman Reece asked about the language stating that the Service Plan will be in place once it becomes effective. She recalled that they said that to be “once it start collection revenue to pay for the services”. Chairman Reece asked why the service plan wouldn’t be finalized beforehand considering part of the services that are listed are main sewer lines and transportation improvements, which are going to occur before a single unit is sold.

Mr. Nelson recapped that that they are asking for the Service Plan to be conditionally approved, to move it forward to City Council, and he would be happy to work with City staff to wordsmith the necessary language to establish what the appropriate “effective date” when the IGA and the Development Plan get tacked on to the Service Plan. Mr. Nelson stated that they have until whenever the packet deadline is for the March 21<sup>st</sup> City Council meeting. Mr. Nelson added that it could be a condition of approval.

Chairman Reece referred to a rendering and asked if the studio/flex space above the garage were to become established as an accessory dwelling space, was that considered when they calculated density.

Mr. Nelson stated that the homeowner can choose to finish it by having storage, a studio or accessory dwelling however the District, though the covenants would not allow the space to become short term vacation rentals. Ms. Ashbeck added that accessory dwelling units are not considered in density calculation according to the Code.

Commissioner Wade stated that it is his understanding that the applicant’s preference is to change the language “*prior to the Service Plan becoming effective*” to be “*prior to construction of infrastructure and amenities*” as noted in the response to comments. Commissioner Wade asked if he understood correctly that they were willing to come up with difference language between now and the City Council meeting. Mr. Nelson stated that the suggestion to change the language was a first response after seeing the language “becoming effective” listed in the conditions for approval. Mr. Nelson stated that it was felt that the language could potentially tangle up their preferred approach, so they proposed some initial language but they are flexible.

Chairman Reece called for a 10-minute recess.

Chairman Reece called the meeting back to order, for Public Comment.

### **Public Comment**

Treece Bohall, stated he was a local builder and interested in partnering with REgeneration Development Strategies LLC to build this development and he would recommend approval of the District so they can move forward with the project.

Brian Bray, stated that he was managing broker at Bray Commercial Real Estate and had an office right next to the project. Mr. Bray stated that it looks like a great design and would be proud to have it as their neighbors and feels it would flow well with the downtown. Mr. Bray noted that Downtown Grand Junction has had problems with penciling in a project. Mr. Bray stated that the applicant's group has been innovative in a way that the financing can make sense for Downtown Grand Junction. Mr. Bray expressed his support for this project.

Rob Breeden, stated he is with Nvision Design Studio, Fruita, Colorado. Mr. Breeden stated that he is working with the developers and is able to answer questions about the proposed community gardens and public spaces. Mr. Breeden stated that he was in support of the formation of the District as it does a lot of things for the City and the community at large that we haven't seen in Grand Junction. The Metro District will provide a vehicle for them to operate in a way that makes things more efficient and cost effective for the owners. Mr. Breeden noted that he is the treasurer for a local Conservation District in Mesa County and they act in a similar way that the Metropolitan District is proposed and has worked on Public/Private partnerships to promote conservation and education projects.

Aaron Young stated that he is a local business owner and commercial property owner on 8<sup>th</sup> and Main Street. Mr. Young expressed his support for this project and thought it was being done in a creative and innovative way. Mr. Young stated that he has 45 employees and downtown has struggled with housing. Mr. Young stated that the project is two blocks north of his business and looks forward to this development.

Brandon Stam, Director of the DDA, stated that the DDA is in support of this project. The DDA sees this as a core component of many of the other economic development projects that are underway such as Las Colonias, revitalizing the riverfront, Two Rivers renovation and hotels. Mr. Stam stated that this will help with infill and create more needed housing downtown.

Chairman Reece asked if the DDA was comfortable with the Commission moving forward on approving the District without an IGA in place to address the detention ponds. Mr. Stam stated that he is confident that an easement would be something both sides could resolve. Mr. Stam noted that it would be necessary to have easements and Mr. Nelson is aware of that.

Chairman Reece asked if it would be DDA's preference to have the pond easements in place at the front end of the project since they are on DDA property. Mr. Stam responded that the topic came up at a predevelopment meeting two or three months ago. The applicant wanted to know if it was something that the City would be open to. Mr. Stam stated that the conversation also included Stormwater treatment. Mr. Stam stated that he does not feel the timing is as important, but they would need to have the easements in place eventually as part of the project.

For clarification, Mr. Breeden added that from the time they put the illustration together that is before the Commission, to the time they submitted the application to the City, his civil engineer determined that the pond to the north would not be necessary.

Harry Hotimsky, First Choice Realty, stated he is in support of this project noting that there are not enough housing projects in the downtown.

Steve Ammentorp, ANB Bank, stated that as a banker he knows the demand for housing in the downtown area is huge among both young people and retirees for a variety of reasons. Mr. Ammentorp feels the market demand will support this type of project and he is in support of it.

### **Questions for Staff**

Commissioner Ehlers asked Mr. Shaver if the Service Plan could be approved with a different milestone for the “becoming effective” component, that may allow this to move forward and yet still address the ability for the City to have the right negotiating platform.

Mr. Shaver stated that in the statutory section 32-1-204 there is not a lot of guidance and in most cases you can run down a list and see if it complies, however this is not one of those matters. In subsection “e”, it talks about “in your discretion, you are to determine whether or not the creation of the proposed District will be in the best interest of the area proposed to be served”. Mr. Shaver clarified that “the area” is not only the proposed District area, but the broader area of interest of the community, therefore the area to be served will need to be defined.

Mr. Shaver reminded the Commission that the project is not what is being approved, the Service Plan is what they will vote on. Because the Service Plan is integral to what the project will be, that is why the exhibit is relevant. The relationship of the approval of the Development Plan and the approval of the Service Plan is at the core of the issue. From the City’s perspective, Mr. Shaver felt it was something they could work through, but he hopes the Commission recognizes that the Development Plan informs the Service Plan closely. For example, if the Development Plan as approved, said that those streets were going to be private streets instead of public streets, then there would be a significant change in the context and applicability of that Service Plan. Similarly, if the City, in the development planning process were to say that the sewer line would be a City sewer line, instead of a sewer line constructed by the District, then that would be a significant change to the Service Plan.

Mr. Shaver stated that between now and the City Council meeting the Development Plan could be informed a little bit more specifically as far as these basic elements, as there is a conceptual plan that these are going to be public streets. Mr. Shaver feels that the Commission would be safe in making what they think would be the appropriate condition of approval, if these other conditions were met as Ms. Ashbeck outlined earlier. The biggest difficulty will be time and although there may not be an approved Development Plan in that time, there could be very likely be a more concrete development plan. Mr. Shaver noted that that was the staff’s perspective, but the

Commission could always take a different perspective and choose not to put any conditions at all.

Ms. Allen, Community Development Director, concurred with Mr. Shaver's comments about the timing and the importance of having an approved Development Plan and understanding of what the Service Plan will provide. Ms. Allen stated that having an agreement in place, at least in draft form, is critical for the understanding of which entity will be responsible for things such as the maintenance of streets. Mr. Alan noted that they just received the preliminary plan and have been working with the concept plan up to now without the engineering details and design.

Ms. Allen stated that when they proposed the effective date as the condition of approval, they saw that as the time of the District Service Plan going to election. Ms. Allen felt that waiting until time of construction was too late to have those assurances.

Commissioner Wade asked if they made a recommendation with a condition of approval to City Council, and City Council then approves it, what is the timeline after that for the other pieces of the process that are necessary. Mr. Shaver stated that he would defer to the applicant as they have very specific expectations for those timelines.

Mr. Shaver added that they will be noticing this for City Council for March 7<sup>th</sup> and they then have statutory deadlines for when they can conduct the hearing. Based upon that, staff is expecting that Council will consider it on March 21<sup>st</sup>. Based upon the Council consideration on the 21<sup>st</sup>, it is staff's understanding that it fits with the developer's timeline for purposes of then taking it to the next step of the notice of election and then the election itself and the District Court petition. The City intends to meet those timelines, however, a lot will depend on what the conditions are that the Planning Commission may suggest.

Chairman Reece asked the applicant if they had any comments regarding the timeline that Mr. Shaver spoke about. Mr. Nelson noted that the filed Service Plan is the fourth draft of the plan in nearly four months. Mr. Nelson stated that the language just proposed by Ms. Allen around the certified election results, would seem to be an effective date that they could live with as far as the development timeline, but it also aligns with what is likely the City's capacity to review and provide feedback to revise the Development Plan and develop the IGA off of that Development Plan. The District Court filing date is March 29<sup>th</sup>. If the applicant was to miss that date, then it would push it back to a November election, however if they do make that date then they would have a May 8<sup>th</sup> election which is a 6-month difference in moving dirt.

Commissioner Ehlers asked if, as a condition of approval, instead of the response saying that it should be "prior to the construction of infrastructure and amenities, that it be changed to "**prior** to certified election results".

Mr. Nelson added "**at the time of** the certified election results" which is when the Service Plan would become effective as a document. Mr. Nelson noted that DOLA has

to then recognize the District based on the submission of the certified election results. Essentially, the effective date of the Service Plan is when the District is recognized by the State of Colorado.

Mr. Nelson noted that on condition of approval #1, he feels like this can be done at a 1-hour meeting as it deals with formatting and they need to have a discussion on legal description versus District Boundaries. On condition of approval #2, the approved Development Plan, it is up to the Community Development Department, given their constraints, as to whether they will have enough time to review the plan and what the implications would be if there would need to be variances that will need to be processed.

Commissioner Wade asked for clarification on their desired effective date. Mr. Nelson clarified that on condition #2, an approved Development Plan and condition #3, an executed IGA, they would be comfortable with those being approved and executed at the time that the Service Plan becomes effective, whether that's the DOLA recognition, or when the election results are certified adding that he would defer that to the attorneys. Mr. Nelson had a question with condition #1 because it states they need to revise the exhibits because they are not compliant with C.R.S., however they feel they are compliant. Mr. Nelson stated that they will work with the City to make sure that the exhibits, the service plan and the legal description, are compliant with C.R.S.

Commissioner Wade stated that the condition says that they will work with the City to create accurate boundaries and show what services will be provided and where they will be provided. Commissioner Wade asked if they use the date of the certification of the election as the date of effectiveness of the Service Plan, would they be able to get everything resolved before that date. Mr. Nelson stated that he would defer to City staff for their timeline for reviewing the Development Plan.

Commissioner Wade noted that the District Court filing date is March 29, 2018 and asked if they were to get in on that filing date, when would the election be. Mr. Nelson replied May 8, 2018. Commissioner Wade asked if they were in the election for May 8, 2018 when would the certification date be. Staff replied that they believe it would be 30 days later.

Commissioner Wade asked Ms. Allen if the certification date was June 8, 2018, would staff be able to work through the 3 conditions of approval and have everything ready by June 8, 2018. Ms. Allen stated that there are a lot of variables concerning the question. Ms. Allen noted that there are unresolved issues as far as the review goes, and they haven't even began to dig into the preliminary plan that was recently submitted. Ms. Allen stated that it appears to be a doable timeline, however it depends on the responsiveness of the applicant to address review agency issues/concerns and staff's ability to get their review done given their other workload.

Chairman Reece asked if the items would need to be firmed up before going to City Council. Ms. Allen responded that ideally they would be, but these are conditions of

approval that are penciled in and there is a certain amount of trust and obligation on the part of the Commission and Council as to whether these are appropriate levels of responsibility for staff to work with and to work with the developer to negotiate these. They are presented as conditions of approval to the Commission and would be left to staff to negotiate, and it is up to the Commission and Council if they are comfortable in not seeing this as part of the Service Plan at this point in time.

Chairman Reece asked Mr. Shaver if based on the discussion of when the effective date is, should they modify the language of the motion. Mr. Shaver replied that due to the fact that there are specific expectations of the Commission as to the condition, it would be best if specific terms were stated in the motion.

Mr. Shaver added that regarding the question of the legal description versus the District description, he stated that staff can easily deal with that and of the 3 conditions, that one can be easily resolved. The one that the Commission is grappling with is the effective date and is the one that is the most significant because the plan informs that as to what is approved and what is approved will determine what the services will be.

Commissioner Wade asked if the motion is better if they had a specific date in it. Mr. Shaver responded that it can be, but the question of what happens if that date is not met. Mr. Shaver reminded him that this is a recommendation only to Council.

Commissioner Ehlers would like the record to be clear that he agrees with staff and legal as far as a concern to make sure that we aren't jumping ahead and limiting the ability to do what is best for the City. Commissioner Ehlers offered for consideration that there could be an amended motion for approval with condition #1 being there but not including #2 and #3. Commissioner Ehlers stated that it is based on his understanding that all of the concerns and items raised by staff and legal, can still be addressed by staff because of the flexibility to be able to amend the Service Plan as a result of any an evolution of the Development Plans.

Commissioner Ehlers stated that he agrees with the comments Mr. Shaver referred to in the statutes that "public benefit of the area" can be a consideration. Commissioner Ehlers added that he believes that the time is right, time is critical in this type of development, and it supports economic development associated with this type of housing. Commissioner Ehlers noted that development in this area has met with resistance in the past.

Commissioner Ehlers believes that with the ability to amend the Service Plan to reflect evolutions of the Development Plan, and can do so in a manner that is less restrictive than the election cycle, then he is in favor of approval with condition #1 being met. In this recommendation, it would not require that the approved Development Plan or the approved IGAs have to happen before the Service Plan can become effective. If the Commission chose to go that route, some of the language can be modified in that recommendation...perhaps an addition at the end...that the conditions shall be met

prior to the Service Plan becoming effective upon DOLA's certification of the election results.

Chairman Reece stated that she understands Commissioner Ehlers thoughts regarding the potential motion, however if that was the motion, she would vote no. The reason she would vote no is because the final Development Plan directly informs the Service Plan and the motion is not to approve a development, but to vote on a Service Plan. Chairman Reece stated that without having those items locked down, she does not feel comfortable moving forward without the condition of having a final approved Development Plan. Chairman Reece added that whether they are formal IGAs or they are in the early stages of negotiation...even though the DDA is ok with the schematics...it is still putting a schematic over someone else's private property, without an easement put in place. For those reasons, Chairman Reece stated that she would not be in favor of that motion.

Commissioner Wade agrees that this is a wonderful development and feels it is badly needed. Having said that, Commissioner Wade stated he is not in favor of moving forward without the 3 conditions in there. Commissioner Wade felt they could modify the language to indicate that the effective date is defined as the date that DOLA approves the election results. If that were the motion, then he would be in favor of approval.

Commissioner Deppe stated that while she agrees with the improvements to Downtown Grand Junction, it is such a great concern to everyone and they need to do this right, and carefully. She would be in favor of a motion that requires that the 3 conditions are met partly due to the fact that she does not have much faith in the amendment process.

Commissioner Buschhorn stated that he would be in favor of approval with the 3 conditions. Commissioner Buschhorn thought this could be a fabulous addition to the downtown.

Commissioner Ehlers added that he agrees with what the other Commissioners have said and feels he offers an alternative. Commissioner Ehlers addressed staff, and indirectly City Council, that they consider the timeframes and recognize the importance...not only an individual project...but a developer that is trying to make this economically feasible. Commissioner Ehlers stressed that considering the impact that time has...to do everything that we can, given the resources that we have, to facilitate these dates if these conditions remain in the motion.

Commissioner Teske suggested that while they put the dates in that need to be complied with, they should be sending along a message with that to show they expect staff and the applicant to do what they can do with the resources available to meet those time frames.

Commissioner Wade asked Mr. Shaver if they can just list the 3 conditions in the motion. Mr. Shaver replied that they can list them and amend as they see fit. Mr. Shaver stated that when he spoke of specificity he did not mean every detail, but rather if there



was a date or something such as the DOLA certification, those would be helpful to have in the record.

**MOTION:(Commissioner Deppe)** “Madam Chairman, on the request for consideration of the formation of a metropolitan district service plan for the proposed Lowell Village development, SDS-2017-558, I move that the Planning Commission forward a recommendation of approval with the following three (3) conditions that shall be met prior to the Metropolitan District Service Plan becoming effective with the effective date defined as the date the election results are certified by the Department of Local Affairs. Condition #1 as written, condition #2 as written, condition #3 Intergovernmental Agreements and such other agreements, may be acceptable to the City for the performance of any services.”  
Commissioner Ehlers seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

### **Other Business**

Ms. Alean reminded Commissioners that there is a work session scheduled for this Thursday.

### **Adjournment**

The meeting was adjourned at 9:13

## Attach 2

### GRAND JUNCTION PLANNING COMMISSION February 27, 2018 MINUTES 6:00 p.m. to 6:19 p.m.

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

In attendance representing the City Planning Commission were Christian Reece, Kathy Deppe, Keith Ehlers, Brian Rusche and Bill Wade.

In attendance, representing the Community Development Department –Tamra Allen, (Community Development Director) and Kathy Portner, (Community Development Manager).

Also present was Jamie Beard (City Attorney).

Lydia Reynolds was present to record the minutes.

There were 5 citizens in attendance during the hearing.

#### \* \* \* CONSENT CALEDAR \* \* \*

### 3. Minutes of Previous Meetings

*Action: Approve the minutes from the February 20<sup>th</sup>, 2018 meeting*

Chairman Reece briefly explained the Consent Agenda and noted that there were no minutes available to approve from the previous week's meeting.

Chairman Reece explained there will be a written and video recording of the meeting. The order of the meeting will be as follows:

- 12) Examination of the application and a determination concerning the adequacy of notification.
- 13) Presentation, description and analysis of the application by the staff,
- 14) Opportunity for the applicant to present evidence and arguments concerning their position on the project
- 15) All other interested parties may then address the Commission, with comments limited to three minutes per speaker.
- 16) Planning Commission may ask questions from staff, applicant, or members of the Public after each presentation.
- 17) The public comment section of the hearing may be closed after all public comment has been received.
- 18) The applicant will be given the opportunity to respond or give a rebuttal.

- 19) Staff may respond to any statement made by applicant, public or Planning Commission.
- 20) The Chair will close the public hearing and no further evidence will be accepted.
- 21) The evidentiary portion may be reopened only by a majority vote of the Planning Commission.
- 22) After the closure of the public hearing the Planning Commission will begin its deliberation which will end with a passage of a motion.

**\* \* \* INDIVIDUAL CONSIDERATION \* \* \***

**4. The Camp Annexation      FILE # ANX-2017-611**

Consider a request to zone 8.626 acres from County RSF-R (Residential Single Family, Rural) to City CSR (Community Services and Recreation) and C-1 (Light Commercial) zone districts.

*Action: Recommendation to City Council*

Applicant:                Mirror Pond LLC – Kevin Bray  
Location:                 171 Lake Rd.  
Staff Presentation:    Kathy Portner

Chairman Reece asked the applicant to identify themselves for the record. Tracy States, River City Consultants explained she is representing the applicant.

Chairman Reece began by asking if the required public notice was given pursuant to the City's noticing requirements. Kathy Portner, Community Development Manager, replied that notice was provided in accordance with the code.

Ms. Portner stated that there were five exhibits entered into the record for this item.

7. Camp Zone of Annexation application dated Dec. 7<sup>th</sup>, 2017
8. Staff Report dated February 27, 2018
9. Staff Presentation, February 27, 2018
10. Letter dated Feb. 22, from Dave F. Brock, distributed at meeting.

**Staff Presentation**

Ms. Portner began her presentation with a PowerPoint slide showing an aerial photo of the property and surrounding area with City properties highlighted. Ms. Portner stated that this property is located at 171 Lake Road, south of the Safeway shopping center on the Redlands, and explained that the applicant has requested annexation in anticipation of future development of the property. Ms. Portner added that the adjacent properties to the south and east are already within the city limits.

The next slide showed a closer view of the property and Ms. Portner stated that the property consists of 8.626 acres and is bounded by Power Road on the south, Dike Road on the east and Lake Road on the north.

Ms. Portner displayed a slide with the future land use map overlay and explained that the designation on the south half of the property is Neighborhood Center Mixed Use, which would allow for limited employment, residential, open space and limited retail. Ms. Portner added that the future land use designation on the north half of the property is Conservation in recognition of that portion of the property being in the floodway.

The next slide showed the current zoning overlay on the property, and Ms. Portner explained that the property, as well as the properties to the north and west have a County zoning of RSF-R (Res. Single family, rural). The property to the south (Safeway Center) is zoned C-1 and the property to the west is zoned C-2. The applicant is proposing a split zoning of C-1 for 4.181 acres of the southern half of the property and CSR for 4.445 acres of the northern half.

The following slide identified where the floodplain and floodways were Mr. Portner explained the proposed C-1 zoning would encompass the area in the 100-year floodplain as was shown on the map and is consistent with the future land use designation of Neighborhood Center. Development in the Floodplain requires a floodplain permit and any proposed buildings would be required to be elevated one foot above the flood elevation. The CSR zoning would be for that area shown in the floodway and is consistent with the future land use designation of Conservation. The CSR zone district is intended for uses such as parks, open space and recreational uses and can be applied to environmentally sensitive lands.

Ms. Portner displayed photos showing the property from each of the 3 street frontages. The view along Power Road shows the entrance to the Camp, which is a primitive campground used for special events and operates from April through October. There is an existing residential structure on the site, accessed from Lake Road, that is used for an on-site caretaker. The property also extends along Dike Road.

The next slide listed the rezone criteria and Ms. Portner stated that Pursuant to Section 21.02.140 of the Zoning and Development Code, rezoning must be consistent with the Comprehensive Plan and meet one or more of the following criteria:

1. *Subsequent events have invalidated the original premises and findings;*
2. *The character and/or condition of the area has changed such that the amendment is consistent with the Plan;*
3. *Public and community facilities are adequate to serve the type and scope of land use proposed;*
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.*

In evaluating criteria, staff finds that the rezone meets the following criteria of section 21.02.140 of the Z & D Code:

- *The future land use map adopted in 2010 has invalidated the County zoning of RSF-R*
- *Adequate public and community facilities and services are available to the property and are sufficient to serve the future development of uses allowed in the C-1 and CSR zone districts.*
- *There is an inadequate supply of C-1 zoning in the area designated as a Neighborhood Center and an inadequate supply of CSR zoning within the designated floodway areas.*
- *The area and community will derive benefits from the proposed zoning by providing mixed use opportunities in an identified Neighborhood Center and preserving and protecting the designated floodway.*
- *In addition, the request to zone the property C-1 and CSR is consistent with the Comprehensive Plan*

**Staff recommends approval of the request for the Zoning of the Camp Annexation finding that:**

After reviewing the Zoning of the Camp Annexation, ANX-2017-611, a request to zone the 8.626 -acre property to the C-1 zone district (4.181 acres) and CSR zone district (4.445 acres), the following findings of fact have been made:

- *The requested zone is consistent with the goals and policies of the Comprehensive Plan.*
- *More than one of the applicable review criteria in Section 21.02.140 of the Grand Junction Municipal Code have been met.*
- *The applicable review criteria in Section 21.02.160(f) of the Grand Junction Municipal Code have been met.*

**Applicants Presentation**

Tracy States, River City Consultants stated that they don't have a presentation because they concur with the staff's presentation. Ms. States noted that they proposed a split zoning to be compatible with the Future Land Use Map.

**Public Comment**

Joe Gonzales stated that he lives in the area and doesn't care about the rezoning, but thinks they should clear out Dike Road and pave it for bikes. Mr. Gonzales stated that when there are bike rallies, the riders are all over the street and it is a danger.

Ronald J Wriston, stated that he has property in the area and it glad to see something being done with that side of the river. Mr. Wriston stated that he supports the proposed rezone.

**Commissioner Discussion**

Commissioner Wade stated that he lives in the Redlands and is familiar with the property and recognizes that it is in an area that is difficult to develop. Commissioner Wade stated that the split zoning makes sense since part of the property is in a floodway and he sees this as the best use of the property. Commission Wade stated he is in support of the proposal.

Commissioner Ehlers agreed with Commissioner Wade and stated that the rezone fits with the Master Plan and meets its criteria. Commissioner Ehlers stated that this would be good for bike rallies and other events, however he would encourage the applicant to research the state regulations and requirements for campgrounds. Commissioner Ehlers stated that he would not like to see the applicant encounter unintended consequences from the annexation.

**MOTION:(Commissioner Wade)** “Madam Chairman, on the Camp Annexation Zoning application, ANX-2017-611, I move that the Planning Commission forward to the City Council a recommendation of approval of the C-1 and CSR zone districts with the findings of facts as listed in the staff report.”

Commissioner Ehlers seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

**Other Business**

None

**Adjournment**

The meeting was adjourned at 6:19

**Attach 3**



**EXHIBIT LIST**

**DARLA JEAN WALKWAY VACATION**

**FILE NO. VAC-2018-44**

Exhibit Item	Description
1	Darla Jean Walkway Vacation Information Submitted by Applicant
2	Staff Report dated March 27, 2018
3	Correspondence from Citizens





# VACATION OF WALKWAY BETWEEN DARLA DRIVE AND JEAN LANE

January 10, 2018

## OVERVIEW

### 1. Project Background and Description

The property owners that live on both sides of the walkway 2881 Darla drive (Donald Mollenkamp), 2883 Darla drive (Brian Porter), also 2882 Jean Lane (George Freeman), 2884 Jean Lane (Curt Wilson). Have decided that vacating the walkway would be the best solution due to the crime and loitering that takes place in this area. The property owners have been maintaining this area at their own expense. The walkway is not part of the neighborhood property. Therefore, there is no financial support from the neighborhood. The walkway is very rarely used as a walkway, due to there being an alternative route.

### 2. Project Scope

Our plan for the property would be a Resident medium. Each resident would close the walkway off with fences. The walkway would be equally divided.

### 3. Meeting notes

A neighborhood meeting was held on October 12<sup>th</sup>, 2017. 10 Neighbors attended this meeting. Out of the 10 that attended, 5 agreed, 2 disagreed, and 3 were undecided. There were others that didn't attend due to prior obligations. After speaking to 3 of them, they are aware and agree with it. The concerns that were stated was mainly about the irrigation pipe that runs along the walkway. The concern was the easement and it being more difficult to fix a break if the walkway was closed off. Another concern was the change of a neighbor's view. She likes the openness of the walkway and doesn't want that to change.

### 4. Review Criteria

The proposed vacation leaves no parcel land locked. There is a reasonable alternative route through the neighborhood. The vacation does not devalue properties affected. There are no adverse impacts on the health, safety, and/or welfare of the general community. The quality of public facilities and services are in no way affected. The proposal will benefit the neighborhood, as it will minimize unwanted loitering and crime. It will improve the look of the street as it will no longer be vacant. Due to the land being part of the 4 property owners land. Increase in property taxes will benefit the City.

### 5. Affected parties

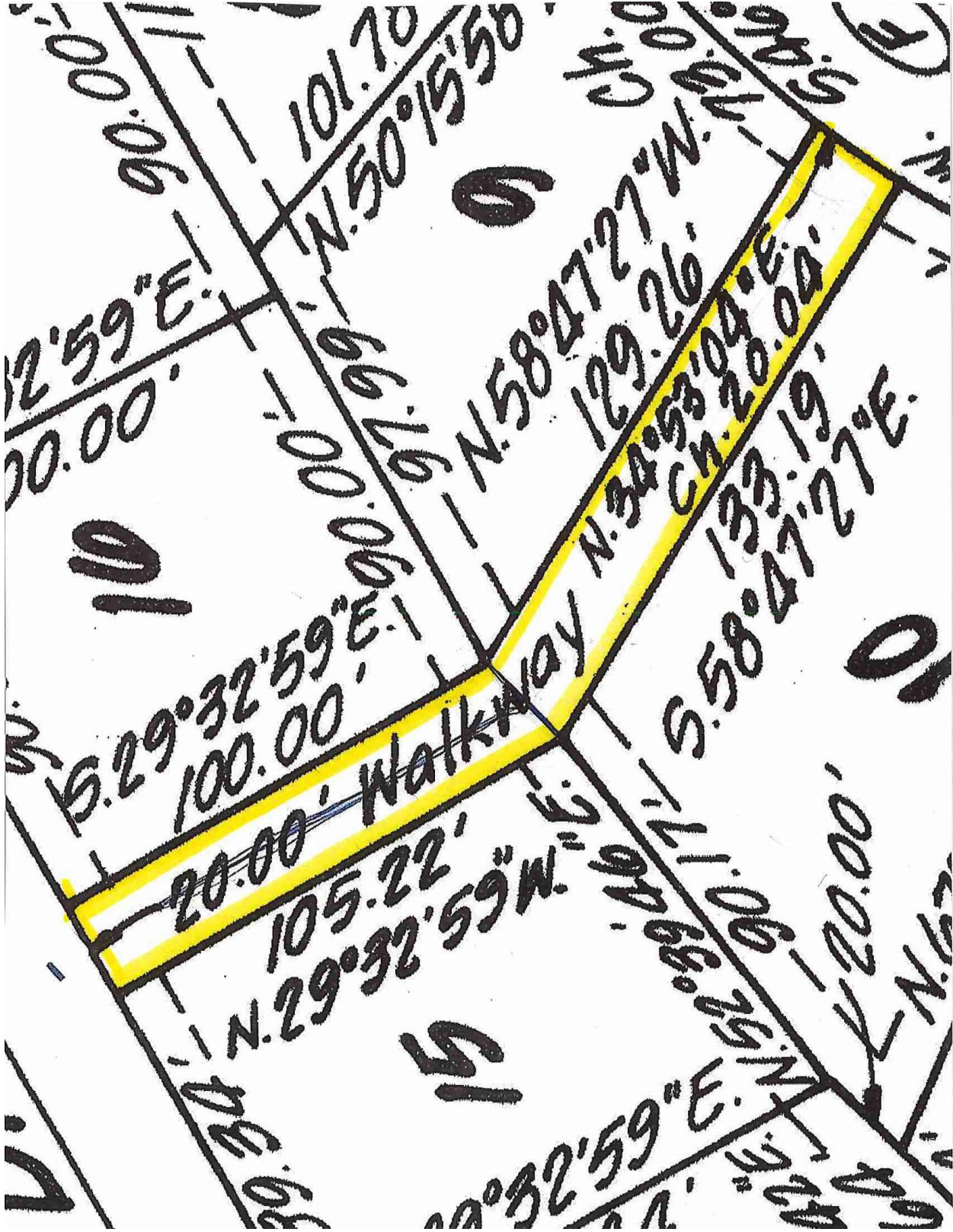
A utility locate request was submitted for Charter, Grand Valley Rural Power, Palisade Irrigation Dist, Ute Water Conservancy Dist, City of Grand Junction, Xcel Energy, and Century Link, with a positive response. There is a neighborhood irrigation line in the walkway. The irrigation line will not move. An easement will be provided.

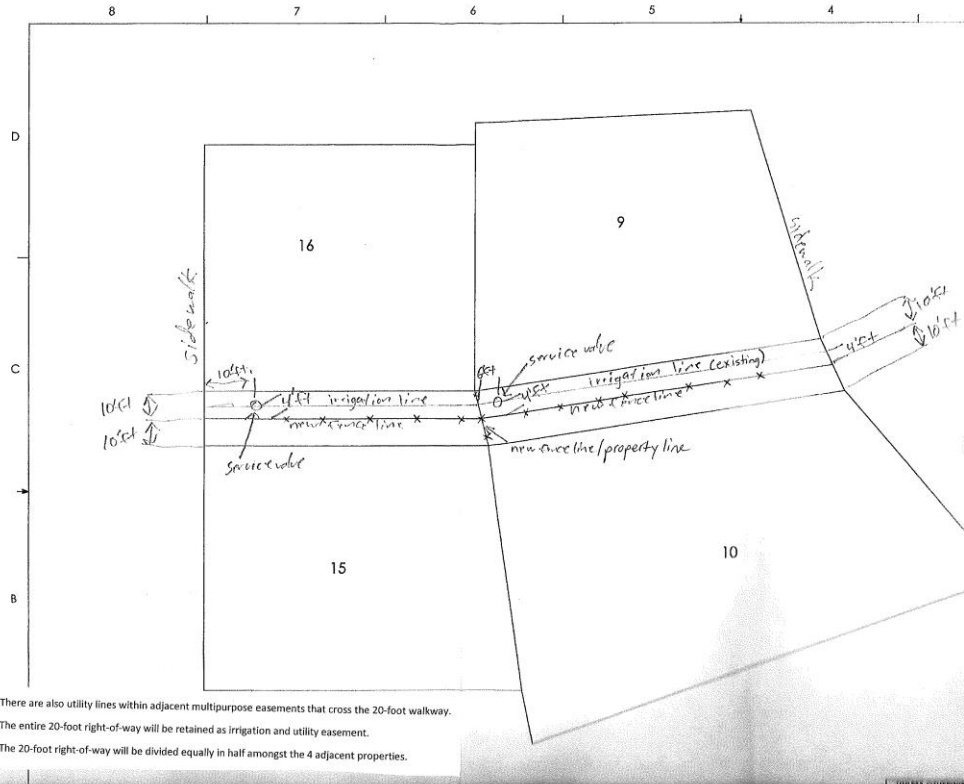
**LEGAL DESCRIPTION**

The entire 20-foot side right-of-way depicted on the Darla Jean Subdivision Plat as a Walkway, lying between Jean Lane and Darla Drive between Lots 9 and 10 and 15 and 16, Block 5.

There is an existing underground irrigation line within the walkway and there are utilities within the multipurpose easements along the street frontages of the lots that cross the walkway.

The entire 20-foot width will be retained as irrigation and utility easement.





SITE PLAN

## **PLANNING COMMISSION AGENDA ITEM**

**Project Name:** Darla Jean Walkway Vacation  
**Applicant:** Raquel Mollencamp  
**Representative:** Raquel Mollencamp  
**Location:** Platted Walkway between Lots 15 and 16 and Lots 9 and 10, Block 5 Darla Jean Subdivision  
**Existing Zoning:** R-5 (Residential 5 dwelling units per acre)  
**Staff:** Kristen Ashbeck, Senior Planner  
**File No.** VAC-2018-44  
**Date:** March 27, 2018

### **I. SUBJECT**

Consider a request to vacate a walkway tract within the Darla Jean Subdivision.

### **II. EXECUTIVE SUMMARY**

The Darla Jean subdivision was platted in Mesa County in 1975 and annexed to the City in 1994. The subdivision plat includes a 20-foot wide tract of land indicated as Walkway that runs from Jean Lane to Darla Drive between Lots 9 and 10 and Lots 15 and 16 of Block 5 of the subdivision. There is no dedication language on the subdivision plat for the walkway; it is just depicted on the map; also, there is no recorded deed granting the tract to any person or entity, public or private. A reasonable presumption, given Colorado case law on missing dedication language, is that the intent was for the pedestrian right-of-way to be public. The four neighbors abutting the tract have requested that the public interest in the walkway be vacated.

### **III. BACKGROUND**

The 33.32-acre Darla Jean subdivision includes 101 single family lots, a 2.798 public park site and a walkway that runs from Jean Lane to Darla Drive between four of the lots of the subdivision. There is no dedication language on the subdivision plat and no recorded deed conveying the tract. The 20-foot wide by approximately 240 feet long walkway has never been improved as such with a sidewalk or path; it has remained vacant with historically little maintenance.

The Darla Jean neighborhood has a water users' association (the Association) with an irrigation line serving the neighborhood running under the walkway tract that has been in use for many years. City staff recommends retaining and granting, without any warranties of title, an irrigation easement for/to the Association, in order to help protect the Association's interest in and ability to maintain the line in this area and to help perfect the Association's implied irrigation easement.

Written public comments have been received and are attached for review. In general, these written comments do not support the vacation, primarily due to potential maintenance of the irrigation line (in which the City has no interest or responsibility), not

because of its use as a neighborhood walkway. It is intended that the reservation/grant of easement for the irrigation line will help address these neighbor concerns.

In addition, the area contains a power line administered by Grand Valley Power as well as other public utilities. Therefore, Staff recommends that the City retain a utility easement over the area for Grand Valley Power and other dry utilities within the tract.

#### **IV. NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting was held on October 12, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Eleven citizens attended the meeting along with the Applicant. Comments were both supportive and against the proposal, with concerns raised about an existing irrigation line that is within the walkway tract and future access to it if needed.

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 and the subject property was posted with an application sign on January 23, 2018. The notice of this public hearing was published March 20, 2018 in the Grand Junction Daily Sentinel.

#### **V. ANALYSIS**

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

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

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

**Goal 8:** *Create attractive public spaces and enhance the visual appeal of the community through quality development.*

**Policy A.** *Design streets and walkways as attractive public spaces.*

This walkway is not an improved walkway nor does it have an entity charged with improving or providing for ongoing maintenance of the walkway. Thus, it is viewed as being potentially detrimental to the visual quality of this neighborhood. By virtue of it not meeting the above stated goal and policy of the Comprehensive Plan, vacation of the walkway would allow for this tract of land to become integrated into adjacent properties and have greater potential for the property to be incorporated into the developed yards of the adjacent homeowners.

The Grand Valley Circulation Plan does not show, require or otherwise contemplate this particular pedestrian walkway. It is presently an undeveloped tract. Adjacent streets will not be impacted by the vacation of this presumed pedestrian right-of-way.

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.

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

The request to vacate the walkway tract in Block 5, Darla Jean Subdivision, of approximately 0.1 acres, will not render any parcel landlocked. Moreover, the tract does not provide contiguous access to any adjacent parcel(s). Therefore, the vacation request meets with this criterion.

*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.*

No access to any parcel will be restricted. The adjacent properties will continue to have access from the public streets along the front of the parcels. This criterion is 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 walkway tract is not needed to provide emergency or sanitation services to adjacent parcels. Such services are provided from the public streets adjacent to the residential lots. The request was sent as a referral to all of the potentially-affected utility providers including Charter, Century Link, Grand Valley Power and Xcel Energy. Of these, Grand Valley Power indicated that there is underground high voltage single-phase power in the area to be vacated and that it should be retained as a utility easement and a no structure zone. The other utilities had no comment or concern but the applicants requested a utility locate and there appear to be other public utilities in portions of the tract. The City Development Engineer commented that an easement be retained for this tract to allow for the continued existence of the irrigation line.

Those requesting the vacation state that there are public safety concerns with the tract, specifically related to loitering and crime. City staff has not independently verified these claims and has not determined whether vacation

of the tract would result in a measurable improvement to public safety in the neighborhood. However, since the tract serves no real public purpose and its public nature is bothersome to abutting property owners, Staff recommends vacation of the public interest in the tract.

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.

- 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.*

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.

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

With the vacation of this walkway, the area can be included in the front and side yards of the adjacent parcels and may be improved by the owners to enhance the overall visual quality of the neighborhood. The City does not currently provide maintenance to this tract. With the vacation, there is potential for visual and aesthetic improvements, however no improvements are specifically guaranteed. Staff finds this request conforms with this criterion.

## **VI. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing VAC-2018-44, a request to vacate a walkway tract within the Darla Jean Subdivision, the following findings of fact have been made:

1. The proposal conforms with Section 21.02.100 (c) of the Grand Junction Zoning and Development Code;
2. An irrigation easement should be reserved for and granted to the Darla Jean Water Users Association for maintenance of the irrigation line existing in the tract, without any warranties of title;
3. A utilities easement should be reserved for public utilities in the tract; and



4. The four abutting property owners should execute an easement in favor of the Darla Jean Water Users Association for maintenance of the irrigation line to be recorded concurrent with the vacation ordinance.

Therefore, staff recommends approval of the request to vacate the walkway tract within the Darla Jean Subdivision subject to the conditions that an easement for irrigation facilities be reserved for and granted to the Darla Jean Water Users Association and an easement be reserved for public utilities.

## **VII. RECOMMENDED MOTION**

Madam Chairman, on the request to vacate a walkway tract within the Darla Jean Subdivision, file number VAC-2018-44, I move that the Planning Commission forward a recommendation of approval with the findings of fact and conditions as listed in the staff report.

### **Attachments:**

1. Vicinity Map
2. Subdivision Plat Showing Subject Tract to be Vacated

# Darla Jean Walkway Vacation Vicinity Map





This is in reference to the vacation of the WALKWAY and IRRIGATION PIPE EASEMENT -VAC-2018-44

I am opposed to this land grab by the 4 petitioners as The Darla Jean Water Users Assoc. has a significant amount of irrigation pipe and 3 isolation valves within the easement. This pipe and valves are unfettered at this time for easy repair and or replacement. If this easement is to be awarded to these people they will put fences, concrete, lean-to structures, unused cars, boats and campers on their newly acquired land grab. The ultimate cost for repair and replacement of these structures in case there is a maintenance problem on this easement will fall to the other 101 water users. Our dues will go up to compensate the water users assoc. for damage done to fences and structures for the repair.

We also have come up with a neighborhood volunteer group which will be responsible for the maintenance of the walk-way. Apparently in the last 25 years 3 beer bottles and 2 condoms have surfaced. We would keep this walkway clean. The 4 people who stand to gain will tell you there are problems in the walk-way but there has never been any reports to the police or sheriff's office.

In closing, I as a water user along with many of my neighbors implore you to leave this easement as is. It is not broken so why would you want to fix it? THIS IS NOTHING MORE THAN A LAND GRAB AT THE EXPENSE OF OTHERS. If we have a small strip of open land why do we have to fence it off? This strip also belongs to the other 101 residents of the Darla Jean subdivision and a vast majority are opposed to this petition

Richard Curfman, 24 year resident at  
2882 Darla Drive



**Kristen Ashbeck**

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**From:** Jim.S.Parman@wellsfargo.com  
**Sent:** Wednesday, February 28, 2018 8:36 AM  
**To:** Kristen Ashbeck  
**Cc:** Jim.S.Parman@wellsfargo.com  
**Subject:** FW: darla jean subdivision alley vacation, revised.

I have resided at 2868 Darla Drive within Darla Jean Subdivision since 1986. I have also been a volunteer board member of the DJWUA (Darla Jean Water Users Association) multiple terms. I still am a member of that board although not currently an officer. The subdivision's irrigation system is maintained by and or under the direction the board. Board members must be an owner of one of the 105 or so households in the subdivision. It is funded by an annual assessment based on the estimated operating costs including scheduled and unscheduled maintenance.

The unscheduled maintenance can and usually does include leaks in an aging system that was installed more than 40 years ago. There is a high pressure irrigation line that pretty much travels right down the middle of the tract that is the subject of VAC2018-44. Whether this tract is called an alley, undivided easement, etc., it is the purpose VAC2018-44 to partition the aforementioned tract between the four adjoining property owners that abut this parcel. I understand that as it currently stands, this is a tract's ownership is unrecorded nor is it a dedicated right of way.

The subject tract has one of the main irrigation lines that does not currently require DJWUA to obtain permission, move fences, etc., or to enter any property owner's back yards for this line's maintenance. It also has a couple of block isolation valves that are used on a more frequent basis. In the past, we have had difficulty with some property owners in granting access despite a dedicated easement.

Please do not vacate this cleared right of way, alley, what other term one would like to use despite there not being a formal recording that was obviously an oversight by the original developer. Clearly, the intent was to leave this open for access to the utility lines and perhaps other reasons. I can attest that after this many years in the subdivision, there are times an urgent need arises to get unabated access to the high pressure irrigation lines. Delays can result in property damage, frustrated homeowners, and multiple other difficulties for subdivision.

It has been voiced this small tract has been burdensome for adjoining property owners. Their concerns include but not limited to upkeep, disturbances of their quiet property enjoyment, annoyances, etc. While I am very familiar with such issues as my property adjoins the Darla Jean Park on two sides and the old Matchet property to the west, I purchased my property knowing full well its issues. This undedicated alley with its easements is necessary for subdivision's utility maintenance. Its closure and restricted access will be a burden for all who are served by DJWUA whether they currently know it or not. The developer's intent dating back to 1974 was very clear.

## EXHIBIT LIST

**ELEVATION 4591 - ODP- REZONE TO PD  
FILE NO. PLD-2017-435**

Exhibit Item #	Description
1	Application dated September 8, 2017
2	Staff Report dated March 27, 2018
3	Public Correspondence Received
4	Staff Presentation dated March 27, 2018

## 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" value="Residential Medium (4-8 DU/Acre)"/>	Existing Zoning	<input type="text" value="PD with R8 default zone"/>
Proposed Land Use Designation	<input type="text" value="N/A"/>	Proposed Zoning	<input type="text" value="N/A"/>

**Property Information**

Site Location: <input type="text" value="2524 F 1/2 Road"/>	Site Acreage: <input type="text" value="3.23 acres"/>
Site Tax No(s): <input type="text" value="2945-032-00-118"/>	Site Zoning: <input type="text" value="PD with R8 default zone"/>
Project Description: <input type="text" value="Single Family Subdivision for Elevation 4591, containing 21 lots."/>	

**Property Owner Information**

Name: <input type="text" value="Divine Guidance, LLC"/>
Street Address: <input type="text" value="637 25 Road"/>
City/State/Zip: <input type="text" value="Grand Junction, CO"/>
Business Phone #: <input type="text" value="(970) 640-4320"/>
E-Mail: <input type="text"/>
Fax #: <input type="text"/>
Contact Person: <input type="text" value="John Davis"/>
Contact Phone #: <input type="text" value="(970) 640-4320"/>

**Applicant Information**

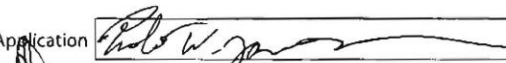
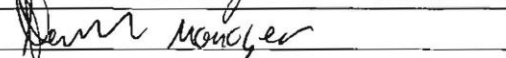
Name: <input type="text" value="Chronos Builders, LLC"/>
Street Address: <input type="text" value="637 25 Road"/>
City/State/Zip: <input type="text" value="Grand Junction, CO"/>
Business Phone #: <input type="text" value="(970) 640-4330"/>
E-Mail: <input type="text" value="cody@chronosbuilders.com"/>
Fax #: <input type="text"/>
Contact Person: <input type="text" value="Cody Davis"/>
Contact Phone #: <input type="text" value="(970) 640-4330"/>

**Representative Information**

Name: <input type="text" value="Vortex Engineering, Inc."/>
Street Address: <input type="text" value="2394 Patterson Rd."/>
City/State/Zip: <input type="text" value="Grand Junction, CO"/>
Business Phone #: <input type="text" value="(970) 245-9051"/>
E-Mail: <input type="text" value="jatkinson@vortexeng.us"/>
Fax #: <input type="text"/>
Contact Person: <input type="text" value="Jim Atkinson"/>
Contact Phone #: <input type="text" value="(970) 245-9051"/>

**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="9/6/2017"/>
Signature of Legal Property Owner 	Date <input type="text" value="9/6/2017"/>

**General Project Report  
for  
Elevation 4591  
Outline Development Plan (ODP) Rezone  
Grand Junction, CO**

Date: September 6, 2017

Prepared by: Robert W. Jones II, P.E.  
Vortex Engineering and Architecture, Inc.  
2394 Patterson Road, Suite 201  
Grand Junction, CO 81505  
(970) 245-9051  
VEI# F17-021

Submitted to: City of Grand Junction  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

Type of Design: Rezone from PD (Planned Development with R8 default)  
to PD (Planned Development with R8 default) based on revised ODP

Applicant: Cody Davis  
Chronos Builders  
637 25 Road  
Grand Junction, CO 81505

Property Owner: John Davis, Manager  
Divine Guidance LLC  
637 25 Road  
Grand Junction, CO 81505

Property Address: 2524 F 1/2 Road  
Grand Junction, CO 81505

Tax Schedule No: 2945-032-00-118



**1. Project Intent**

This request is made to rezone approximately 3.23 acres from PD (Planned Development with R8 default zone) to a new PD (Planned Development with R8 default zone) for the proposed Elevation 4591 Outline Development Plan (ODP), which supports the Comprehensive Plan's goal for infill development. The owner's intent is to rezone the subject property in anticipation of residential development that will focus on smaller, single family homes.

**2. Project Background and Description**

The subject property is located at 2524 F ½ Road and is currently zoned PD (Planned Development with R8 default zone) based on a previously approved Preliminary Plan known as Cobble Creek. The site is approximately 3.23 acres and can best be described as a long, narrow lot with approximately 116 feet of frontage on F ½ Road. The site is bounded by residential uses to the east, the Grand Valley Canal and residential uses to the north, residential uses to the west and commercial/industrial uses to the south. There is one single family home and two small storage outbuildings located on the property. These structures will either be removed or demolished to allow construction of the new subdivision. (see Attachment A)

Legal Description

The legal description of this site is:

BEG SW COR SE4NW4 SEC 3 1S 1W E 116FT N TO ROW G V CNL NLY CNL ROW TO N LI SE4NW4 W TO W LI SE4NW4 S TO BEG EXC ROW ON S AS DESC B-2821 P-451/454 MESA CO RECDS

Proposed new development

Previous approval through a Planned Development zoning for a 12-lot, single family subdivision known as Cobble Creek, has expired. The applicant would like to construct a new, single family subdivision to be known as Elevation 4591 with a focus on smaller homes that are geared to a first time buyer or perhaps an older, retired individual who does not want the responsibility of a large yard. This type of home will appeal to a portion of the Grand Valley population that are in different life stages other than the traditional nuclear family unit.

A total of twenty-one lots on 3.23 acres are proposed with an overall density of 6.5 dwelling units per acre. Due to the constraints of the existing PD zoning which limited development to 12 larger lots, it will be necessary to rezone the property. The applicant would like to maintain the PD with R8 default zone but understands that it will be necessary to develop a new plan which will need to be approved through the rezoning process.

The Comprehensive Plan assumes that most built neighborhoods will continue to exist as they do today. These are "areas of stability." The land uses for the "areas of stability" remain virtually the same as they were in the previous City and County plans. On the Future Land Use map, most new growth

will occur in "areas subject to change," which include: areas near and within Centers (shown on the Future Land Use map), vacant and undeveloped land, and underutilized land. These areas are not likely to remain as they are today. The vacant land will eventually be developed.

The subject property and proposed development is classic infill development because it is surrounded on three sides by existing subdivisions and is located in an urbanizing area of the City. Future residential development of the subject property will provide needed housing for the buyer interested in a smaller home other than what is typically constructed in the Grand Valley.

#### Rezone request to Planned Development

Due to the unusual shape and size of the subject property, the developer has requested a rezone to the Planned Development (PD) zone district. There are unusual constraints involved with the infill development of this property which can best be mitigated using the PD zoning and other tools through the Transportation Engineering Design Standards (TEDS) exception process. The property is exceptionally long and narrow which makes access very challenging. The property is constrained by having only one point of access from F ½ Road as a result of earlier development occurring to the west and east without provision of any stub streets.

The developer requests approval to rezone the subject property to the Planned Development (with R8 default) zone district based on a revised Outline Development Plan (ODP). The new ODP proposes 21 single family detached homes which will range between 840 square feet and 1300 square feet, and use of an Alternative Street design to accommodate the narrow width of the property.

#### Deviations from the R8 Bulk Standards

The proposed rezone will utilize the bulk standards from the R8 default zone district. Allowed uses will be the same as those permitted in the R8 zone district. There are three deviations from the R8 bulk standards included with the request to rezone. The developer proposes to increase the rear setback from 10' to 15' and to decrease the maximum building height from 40' to 30'. The third deviation is to allow a 35' lot width. Other development standards, such as those regarding fencing and accessory uses, shall be as permitted by the R8 zone district and the Zoning and Development Code.

The proposed deviations, specifically those regarding the increased rear yard setback and the reduced height limitation, come as a result of discussions with area residents during the Neighborhood Meeting. Residents expressed concern with homes being located close to their existing fences in the rear yards and with the maximum height allowed by the R8 zone district. In response to the concerns of the residents, the developer has elected to increase the rear yard setback and to limit the overall height of the homes to not more than 30 feet.

The request to vary the minimum lot width to 35' is in keeping with the developer's vision to provide smaller homes on smaller lots to ensure that the price is affordable and therefore more available to a wider range of first time buyers or older individuals who no longer desire a larger lot.

**R-8: Residential – 8.**

<b>Primary Uses</b>			
Detached Single-Family, Two-Family Dwelling, Multifamily, Civic			
See GJMC <a href="#">21.04.010</a> , Use Table			
<b>Lot</b>			
Area – Detached Single-Family (min. sq. ft.)	3,000		
Area – Two-Family, Attached (min. sq. ft.)	6,000		
Area – Multifamily (min. sq. ft.)	20,000		
Area – Civic (min. sq. ft.)	20,000		
Width (min. ft.)	<del>40</del> 35		
Width – Two-Family (min. ft.)	60		
Frontage (min. ft.)	20		
<b>Setback</b>			
	<b>Principal</b>		<b>Accessory</b>
Front (min. ft.)	20		25
Side (min. ft.)	5		3
Rear (min. ft.)	<del>10</del> 15		5
<b>Bulk</b>			
Lot Coverage (max.)	70%		
Height (max. ft.)	<del>40</del> 30		
Height (max. stories)	3		
Density (min.)	5.5 units/acre		
Density (max.)	8 units/acre		
Cluster Allowed	No		

### Design and Community Benefit

Planned development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved.

The Grand Junction Comprehensive Plan establishes “Six Guiding Principles” that will shape future growth. The proposed development specifically addresses the following Guiding Principles:

#2: Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services.

#3: Housing Variety – Allow, encourage more variety of housing types (more than just large lot single family homes) that will better meet the needs of our diverse population – singles, couples, families, those just starting out, children who have left home, retirees, etc.

The Elevation 4591 project is infill development of a substantially constrained property which is long, narrow and has limited street frontage. The proposed density of 6.5 dwelling units per acre is the mid-range for the Residential Medium land use classification which anticipates 4-8 dwelling units per acre. The proposed density is an efficient, cost-effective manner of constructing new homes without excessive streets, water and sewer lines which will be less expensive for the community to maintain. This supports Guiding Principle #2.

The developer commissioned an architect to specifically design smaller, more efficient homes that would appeal to first time buyers and older individuals who may be retired, or who no longer desire to maintain a large yard space. This type of housing supports Guiding Principle #3.

The community will benefit from the infill development of a property that is substantially constrained and challenging to develop. The proposed density is within the allowable range of the Residential Medium land use classification and permits a cost-effective way to construct only that portion of street, water lines, sewer lines and other infrastructure that the public must then maintain. The community will also benefit from the provision of smaller homes other than what are generally constructed in the Grand Valley that will provide housing variety to the diverse population in our community.

### Section 21.03.040(g)(2)(v), Residential 8

Each of the home types that have been specifically designed for the Elevation 4591 development meet the requirements of Section 21.03.040(g)(2)(v), which states:

(v) For all lots created after October 22, 2006, garage doors cannot exceed 45 percent of the width of the street-facing facade on single-family detached dwellings or two-family dwellings. The garage door can be up to a maximum of 60 percent of the street-facing facade if the garage door is recessed at least four feet behind the front facade of the house.

Architectural renderings of the proposed homes are shown below:



jb DESIGN  
plan 2-a  
1296 sf





**ELEVATION 4591** plan 1  
840 s.f.  
conceptual 1-a

**chronos**  
builders



jb  
DESIGN  
plan 3-a  
1025 sf



Signage

The applicant is proposing signage as permitted by Sec. 21.06.070(7), Signs, Planned Development, which states:

(ii) One permanent monument sign up to 32 square feet in area is allowed at a multifamily apartment/condominium building/complex and on each common area parcel that abuts a public right-of-way; for purposes of this subsection, “common area parcel” means a parcel that is owned by a homeowners’ association for the benefit of all lot owners in a planned community, common interest community or condominium.

The proposed sign will be located at the entrance to the subdivision in a tract owned by the Home Owners Association (HOA) and will be externally illuminated with lighting directed to the sign face. The sign will be owned and maintained by the HOA. Final design of proposed signage will be included with final plat and plans and will measure no more than 32 square feet in accordance with Section 21.06.07(7) of the Zoning and Development Code.



Fencing and Right-of-Way Landscaping

Fencing will be installed by the developer around the perimeter of the subdivision and in the open space areas where fencing does not currently exist. This includes the open space area at the entrance to the development, the west property line from the entrance up to Lot 6 and the east property line between Lots 17-20. Perimeter fencing materials will include one of two types of fencing materials: vinyl or wood panel and will be constructed at a height not to exceed six feet. Fencing in the open space area located at the entrance and along the street frontage will be split two-rail fencing to maintain an



open view of the area. All fencing shall meet the requirements of Section 21.06.040(g), Residential Perimeter Subdivision Enclosure, of the Zoning and Development Code.

Landscaping with trees, shrubs and ground cover shall be installed along the F ½ Road right-of-way and shall be maintained by the HOA.

Open space and trail

As an amenity to the residents of the development, the open space area located at the entrance to the subdivision will be landscaped and include such amenities as a shade shelter with a picnic table and benches. The open space and amenities will be in a tract owned and maintained by the HOA.

A trail will be provided in a tract parallel to the Grand Valley Canal and will be owned and maintained by the HOA.

Examples of open space amenities include:



POLYGON PARK BENCH SHADE STRUCTURES - 10'X10' FLAT TRELLIS



CANAAN (CL-805) - 8' METAL PARK BENCH



POLYGON PICNIC SHADE STRUCTURES - 10'X20' LOW PITCH RECTANGULAR SHELTER, CANTILEVER STYLE



CANAAN (CT-035) - 8' METAL PICNIC TABLE

**3. Neighborhood Meeting**

A Neighborhood Meeting was held on Monday, July 10, 2017 at 5:30 pm at the Canyon View Vineyard Church, located at 736 24 ½ Road, Grand Junction. The owner's representative provided an overview of the rezone request to the PD with R8 default zone district, as well as a presentation on the future single family residential subdivision known as Elevation 4591. Scott Peterson, Senior Planner with the City of Grand Junction also attended the meeting to answer questions about the rezone and subdivision review and approval process. A list of all those attending the meeting is attached to the end of this

report, as well as the primary issues of concern that were discussed during the meeting. (see Attachment D)

The meeting was well attended by approximately 22 citizens, although not everyone signed the Attendance Sheets. Comments from citizens included questions about the housing type and height, zoning, setbacks, density, trails/open space, traffic and parking, fencing, the location of the sidewalk and street. Color renderings of the proposed homes were displayed.

Public notice for this application will be provided in accordance with Sec. 21.02.080(g) of the Grand Junction Municipal Code, including posting the subject property on all public rights-of-way.

#### 4. Comprehensive Plan

The Comprehensive Plan's Future Land Use Map shows the subject property as Residential Medium (RM, 4-8 du/ac). The property is identified by the Comprehensive Plan as an "area of change" which anticipates new growth and development for vacant properties located within the Urban Growth Boundary.

The subject property is located within the 201 Sewer Service Boundary and the Urban Development Boundary. Properties within these boundaries are expected to grow and develop with urban densities and services.

The applicant has requested a rezone from the current zoning of PD (Planned Development with R8 default zone) to PD (Planned Development with R8 default zone) based on a revised ODP for the Elevation 4591 development. Both the current zoning and the requested rezone to PD (with R8 default zone) are consistent with, and support, the Comprehensive Plan designation of Residential Medium.

The proposed development meets a number of the goals and policies of the Comprehensive Plan:

**Goal 1, Policy D:** For development that requires municipal services, those services shall be provided by a municipality or district capable of providing municipal services.

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

**Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.

**Goal 8, Policy A:** Design streets and walkways as attractive public spaces.

In addition to the goals and policies, the proposed development also meets the following Guiding Principles of the Comprehensive Plan:

**Guiding Principle 2:** Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services.

**Guiding Principle 3: Housing Variety** – Allow, encourage more variety of housing types (more than just large lot single family homes) that will better meet the needs of our diverse population – singles, couples, families, those just starting out, children who have left home, retirees, etc.

## **5. Zoning and Surrounding Areas**

The applicant is requesting a rezone from the current PD (with R8 default) to the PD (with R8 default) zone district based on a revised ODP. This request is consistent with, and supports, the Comprehensive Plan's Future Land Use Map classification of Residential Medium (RM 4-8 du/ac).

Surrounding area zoning and land uses include:

North – Planned Development (PD) with single family residential land uses

South – Industrial Office Park (IO) with commercial/industrial land uses

West – Residential 5 du/ac (R5) and Planned Development (PD) with single family residential land uses

East – Planned Development (PD) with single family residential land uses

The Elevation 4591 development will provide housing between the existing subdivisions with development at the middle range allowed by the Residential Medium (RM 4-8 du/ac) land use classification at 6.5 dwelling units per acre. The new development will be isolated from the existing subdivisions because there are no connecting streets between the existing developments and the proposed Elevation 4591 project.

The proposed Elevation 4591 ODP has been designed to comply with the provisions of Sec. 21.03, Zoning Districts; Sec. 21.04, Uses and Sec. 21.06, Development Standards of the Zoning and Development Code. Proposed deviations from the R8 default zone district have been identified in this report.

## **6. Airport Environs**

The subject property is not located within the Airport Environs Area.

## **7. Utility Providers**

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the Elevation 4591 development have the capacity and willingness to serve the development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site.

Utility providers for the site are as follows:

Sewer: City of Grand Junction/Persigo

Water: Ute Water

Gas/Electric: Xcel

Cable: Spectrum

**8. Soils and Drainage**

The topography of the site is generally flat with a high point of 4602' at the north end of the property, then gently sloping to the south with a low point of 4598'. The detention will be constructed with a system of underground pipes to allow the surface to be utilized as active open space.

A detailed drainage report will be submitted with the final plat and plans subsequent to the approval of the ODP.

**9. Wetlands and Floodplain**

There are no known wetlands or floodplains associated with the subject property.

**10. Alternative Street design and TEDS exception**

Due to the long, narrow configuration of the property, and the fact that there are no stub streets to connect the subject property to adjacent developments, it is necessary to construct a dead-end street to provide access to the new development. Section 29.20.050 of the Transportation Engineering Design Standards (TEDS) limits the length of a cul-de-sac, or dead end street, to 750 feet. Because of the unusually long and narrow shape of the subject property, it is necessary to extend the length of the street slightly beyond what is currently allowed by TEDS. The developer requested a TEDS exception to permit a dead-end street of not more than 835', which was granted on May 24, 2017 (see Attachment B).

The developer also requested approval to utilize an Alternative Street due to the narrow configuration of the property. The proposed Alternative Street includes a 30' right-of-way, 22.5' of asphalt pavement and curb, gutter and sidewalk on the east side of the street. There are two Fire Department turnarounds provided for emergency access. No parking is permitted on the west side of the street or in the areas of the Fire Department turnarounds. No Parking signs will be posted on the street in appropriate locations.

The TEDS committee approved the proposed Alternative Street section on August 15, 2017 subject to the provision of 21 off-lot parking spaces in addition to the on-site parking requirement. The total amount of required parking spaces per the TEDS committee is 63 spaces. The developer has provided a total of 64 parking spaces. (See Parking Exhibit attached to this report)

During the design and review process of the alternative street, City staff requested that the street be located on the west property line. Moving the street to the west property line would provide access to the adjacent property should the owner wish to further develop that property in the future. At the request of the City staff the alternative street was moved to the west property line.

## 11. Approval Criteria

Section 21.02.150(b), **Outline Development Plan (ODP)**.

(1) **Applicability.** An outline development plan is required. The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the approval of a final plat. At ODP, zoning for the entire property or for each "pod" designated for development on the plan is established. This step is recommended for larger, more diverse projects that are expected to be developed over a long period of time. Through this process, the general pattern of development is established with a range of densities assigned to individual "pods" that will be the subject of future, more detailed planning.

(2) **Approval Criteria.** An ODP application shall demonstrate conformance with all of the following:

(i) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

**Response:** The Elevation 4591 Future Land Use classification is Residential Medium (RM, 4-8 du/ac). This land use classification is supported by the current zoning of the property of PD (with R8 default zone) and the requested rezone to PD (with R8 default zone). The property is identified by the Comprehensive Plan as an "area of change" which anticipates new growth and development for vacant properties located within the Urban Growth Boundary. Residential development of this property will provide needed housing. In addition, the proposed development supports several of the goals, policies and Guiding Principles of the Comprehensive Plan as noted earlier in this report.

The proposed development is designed to be compliant with the Grand Valley Circulation Plan. Specifically the development meets Sec. 31.08.020(d) which states: "Subdivisions and other development shall be designed to continue or create an integrated system of streets and trails that provide for efficient movement of pedestrians, bicycles, and automobiles to and from adjacent development." Sidewalk and a trail along the canal have been included in the design to meet the needs of an integrated system of streets and trails.

**This criterion has been MET.**

(ii) The rezoning criteria provided in GJMC 21.02.140;

Section 21.02.140(a), **Code amendment and rezoning, Approval Criteria.** In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

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

**Response:** There have not been subsequent events that have invalidated the original premises and findings regarding the subject property. The Residential Medium land use classification has remained the same and continues to anticipate medium level density for future growth and development. The surrounding properties have been developed and no new development has occurred in the general vicinity of the subject property. The City goals and policies for future growth and development in the general area of the subject property have not changed since adoption of the Comprehensive Plan in 2010. This criterion is not applicable.

**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

**Response:** The character of the area has not changed significantly in recent years because the larger parcels located to the north, east and west of the subject property have already been developed. The subject property has been underutilized in terms of the residential development potential anticipated by the Comprehensive Plan for quite some time. The requested ODP and rezone to PD (with R8 default zone) furthers the goals and policies, in addition to the Guiding Principles, of the Comprehensive Plan by providing for density in the mid-range of the Residential Medium (4-8 du/ac) land use classification. Development of the long, narrow property will complement the existing residential development and be consistent with the residential nature of the neighborhood.

**This criterion has been MET.**

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

**Response:** All required and necessary utilities shall be constructed concurrent with development of the subject property. Utility providers for the subject property have the capacity and willingness to serve future development. Public facilities such as medical facilities, schools, library and parks are adequate to serve the scope of anticipated residential development.

**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

**Response:** There are very few vacant parcels of land available within a half mile radius of the subject property. Most vacant parcels to the east have been designated for significantly lower density or have already been developed. There are a few vacant parcels located to the west of the subject property; however, many of them are currently under review for development applications.

The subject property is an isolated parcel that is underutilized and does not meet its development potential as anticipated by the Comprehensive Plan. Very few other parcels exist in the nearby area that could accommodate the proposed land use which constitutes an inadequate supply of suitably designated land.

**This criterion has been MET.**

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

**Response:** The Elevation 4591 project is infill development of a substantially constrained property which is long, narrow and has limited street frontage. The proposed density of 6.5 dwelling units per acre is the mid-range for the Residential Medium land use classification which anticipates 4-8 dwelling units per acre. The proposed density is an efficient, cost-effective manner of constructing new homes without excessive streets, water and sewer lines which will be less expensive for the community to maintain.

The developer commissioned an architect to specifically design smaller, more efficient homes that would appeal to first time buyers and older individuals who may be retired, or who no longer desire to maintain a large yard space.

The community will benefit from the infill development of a property that is substantially constrained and challenging to develop. The proposed density is within the allowable range of the Residential Medium land use classification and permits a cost-effective way to construct only that portion of street, water lines, sewer lines and other infrastructure that the public must then maintain. The community will also benefit from the provision of smaller homes than what are generally constructed in the Grand Valley that will provide variety to the diverse population in our community.

**This criterion has been MET.**

(iii) The planned development requirements of Chapter 21.05 GJMC;

**Response:** The proposed Elevation 4591 development meets the following requirements for Planned Developments:

Sec. 21.05.010, Purpose: Planned development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved. The Elevation 4591 development will provide a smaller housing type than what is generally constructed in the Grand Valley. The proposed development meets several of the goals and policies, as well as Guiding Principles, of the Comprehensive Plan as noted earlier in this report.

Sec. 21.05.020, Default Standards: The deviations from the R8 default zone have been noted in this report. The deviations noted reflect the least amount of deviation possible in order to implement the proposed design. In two cases, with the increase of the rear yard setback and the decrease of the maximum building height, the impacts of the proposed development have actually been diminished on the adjacent property owners.

Sec. 21.05.030, Establishment of Uses: Allowed uses will be the same as those permitted in the R8 zone district including accessory uses.

Sec. 21.05.040, Development Standards: The development standards, such as those regarding fencing and accessory uses, shall be the same as those permitted by the R8 zone district.

Sec. 21.05.050, Planned Development Phases and Signage: The proposed development will be constructed in one phase. Information regarding proposed signage has been included with this report including a graphic representation of the signage.

**This criterion has been MET.**

(iv) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24 and 25;

**Response:** There are no corridor guidelines that are applicable to the Elevation 4591 development. Title 23, North Avenue Overlay Zone; Title 24, Greater Downtown Overlay Zone; and Title 25, the 24 Road Corridor Design Standards do not apply to the proposed development, therefore this criterion is not applicable.

**This criterion has been MET.**

(v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;

**Response:** The subject property is located within the 201 Sewer Service Boundary and the Urban Development Boundary. These areas are expected to grow and development with urban densities and services. All necessary and required utilities shall be provided concurrent with construction of the Elevation 4591 development. Utilities shall be installed to current City standards and specifications. Public facilities such as medical facilities, schools, library and parks are adequate to serve the scope of anticipated residential development.

**This criterion has been MET.**

(vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed;

**Response:** Due to the long, narrow configuration of the subject property, the site may only be served by a dead-end street. All necessary design standards have been incorporated into the



Alternative Street which was approved through the City's TEDS review process. In addition to street circulation of traffic, a trail along the canal will be constructed to provide pedestrian and bicycle circulation as well.

**This criterion has been MET.**

(vii) Appropriate screening and buffering of adjacent property and uses shall be provided;

**Response:** The HOA shall maintain a minimum 14-foot-wide street frontage landscape with appropriate trees and shrubs adjacent to the public F ½ Road right-of-way. No other screening or buffering is required.

Fencing will be installed by the developer around the perimeter of the subdivision and in the open space areas where fencing does not currently exist. This includes the open space area at the entrance to the development, the west property line from the entrance up to Lot 6 and the east property line between Lots 17-20. Perimeter fencing materials will include one of two types of fencing materials: vinyl or wood panel and will be constructed at a height not to exceed six feet. Fencing in the open space area located at the entrance and along the street frontage will be split two-rail fencing to maintain an open view of the area. All fencing shall meet the requirements of Section 21.06.040(g), Residential Perimeter Subdivision Enclosure, of the Zoning and Development Code.

**This criterion has been MET.**

(viii) An appropriate range of density for the entire property or for each development pod/area to be developed;

**Response:** The proposed density of 6.5 dwelling units per acre is the mid-range for the Residential Medium land use classification which anticipates 4-8 dwelling units per acre. The proposed density is an efficient, cost-effective manner of constructing new homes without excessive streets, water and sewer lines which will be less expensive for the community to maintain.

The proposed density is consistent with the anticipated future growth and development of the Comprehensive Plan and supports Guiding Principles number 2 and 3.

**This criterion has been MET.**

(ix) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;

**Response:** The deviations from the R8 bulk standards have been noted in this report which will apply to the entire property. Allowed uses will be the same as those permitted in the R8 zone

district including accessory uses. Other development standards, such as those regarding fencing, shall be the same as those permitted by the R8 zone district.

**This criterion has been MET.**

(x) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed; and

**Response:** Development of the subject property will be completed in a single filing as noted in this report.

**This criterion has been MET.**

## **12. Development Schedule**

It is anticipated that the request to rezone will be reviewed and scheduled for Planning Commission recommendation to City Council in approximately 8-10 weeks. City Council consideration is anticipated to be scheduled by January 2018.

The proposed Elevation 4591 Outline Development Plan will be developed in one phase. The final plat and plans are expected to be submitted for review upon approval of the ODP. Development of the subject property is expected to be completed within one year from the commencement of construction.

## **13. Conclusion**

The request to rezone from the expired PD (Planned Development with R8 default zone) to PD (Planned Development with R8 default) based on a revised Outline Development Plan supports the Comprehensive Plan's Future Land Use Map classification of Residential Medium (4-8 du/ac).

After demonstrating how the proposed Elevation 4591 development meets the design and development standards of the Zoning and Development Code and other development regulations and standards, we respectfully request approval of the request to rezone to the Planned Development (with R8 default zone district) and the Outline Development Plan.

## **14. Limitations/Restrictions**

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Grand Junction, affiliates, and review agencies is fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

Vortex Engineering, Inc. represents this report has been prepared within the limits prescribed by the owner and in accordance with the current accepted practice of the civil engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or in any of our contracts.

ATTACHMENT A  
LOCATION MAP



ATTACHMENT B



May 24, 2017

Mr. Cody Davis  
Chronos  
637 25 Road  
Grand Junction, CO 81505

Re: TEDS Exception TED-2017-232  
Elevation 4591, 2524 F 1/2 Road

The TED's Exception Committee has approved the TEDS exception request as presented. Please note this confirms only the cul de sac length and not the fire turn-around drawing. I'm out of the office till June 12<sup>th</sup> so please work with Scott Peterson and the Fire Department on that.

If you have any questions, please feel free to contact me at 256-4034.

Sincerely,

Rick Dorris

Digitally signed by Rick Dorris  
DN: cn=Rick Dorris, o=City of Grand  
Junction, CO, ou=Public Works,  
email=rick.dorris@gjcity.org, c=US  
Date: 2017.05.24 13:51:18 -0600

Rick Dorris, PE, CFM  
Development Engineer

Cc: Scott Peterson  
Robert Jones, Vortex

ATTACHMENT C



August 15, 2017

Mr. Cody Davis  
Chronos  
637 25 Road  
Grand Junction, CO 81505

Re: *Alternative Street Request  
Elevation 4591  
MTG-2017-171*

The TED's Exception Committee has approved the request with the condition to provide 21 off-lot parking spaces. The alternative street criteria in TEDS require between 0.5 and 1.5 off-lot parking spaces. Given the project design with one-car garages and one-car driveways, the decision is at least the mid-point of the range (1 space per lot) must be provided.

If you have any questions, please feel free to contact me at 256-4034.

Sincerely,

**Rick  
Dorris**

Digitally signed by Rick Dorris  
DN: cn=Rick Dorris, o=City of  
Grand Junction, CO, ou=Public  
Works, email=rickdo@gjcity.org  
c=US  
Date: 2017.08.15 15:30:53 -0600

Rick Dorris, PE, CFM  
Development Engineer

Cc: Scott Peterson

## ATTACHMENT D

Elevation 4591  
July 10, 2017  
Neighborhood Meeting Sign In Sheet

	Full Name (Printed)	Address	City	Zip
1	Ray & Sheila Campbell	664 Miranda St	G.J.	81505
2	Dick & Betty Biedelstein	662 Miranda St.	GJ	81505
3	Ron Stoneburner	653 Longhorn St	GT	81505
4	Kathy & Don Martin	656 Miranda St	GJ	81505
5	SCOTT PERSESON	CITY PLANNING		
6	Charles D Goenther	Grass Valley Tr. Co.	GJ	81506
7	Charlie Rodis	2529 Westwood Ct	GJ	81505
8	Shirley Rodis	" " "	"	
9	J. Polhamus	2528 Porena Way	GJ	81505
10	Marguerite Tuttle	672A Gemstone Ct	GJ	81505
11	Paula & Larry Fivote	657 Longhorn St	GJ	81505
12	Seth Rokey	672 Miranda St	GJ	81505
13	FRANK & MARY MEDITZ	675 B GEMSTONE CT	GJ	81505
14	Phil Bertrand	688-26 Rd G D L C	G.J.	81506
15				

Elevation 4591  
 July 10, 2017  
 Neighborhood Meeting Sign In Sheet

	Full Name (Printed)	Address	City	Zip
16	ROSS BARFOOT	2519 ONIX DR	GJ	81505
17	AL RAMAKERS	658 Miranda St		81505
18	JERRY BARRA	2521 Falls View Circle	GS	81505
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				



July 11, 2017

City of Grand Junction  
Community Development Department  
Attn: Scott Peterson, Senior Planner  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

RE: Elevation 4591 Neighborhood Meeting  
Date: Monday, July 10, 2017  
Time: 5:30 – 6:30 PM  
Location: Canyon View Vineyard Church

Dear Mr. Peterson:

On Monday, July 10, 2017, a Neighborhood Meeting was held from 5:30 – 6:30 pm at the Canyon View Vineyard Church for the proposed Elevation 4591 development. An overview of the proposed development and rezone to PD (with R8 default) was presented by Lisa Cox of Vortex Engineering, Inc., followed by questions from the neighborhood residents.

The meeting was well attended with approximately twenty-two citizens at the meeting. Comments and concerns were voiced during the meeting. No written comments were received.

The following is a synopsis of the questions posed by the neighborhood residents; the responses were provided by Lisa Cox and Jim Atkinson, unless otherwise noted.

**Q:** There are gaps in the existing fences. Will the developer add fencing?

**A:** Yes, there are two areas where the developer plans to install perimeter fencing where it does not currently exist. The first place is on F ½ Road at the entrance on the western property line; and the second location will be on the eastern property line at the northern end of the site where the Westwood Ranch detention pond is located. There is existing fencing along the western and eastern property lines where existing homes have fenced their back yards. The developer plans to install fencing where the fencing does not exist.

**Q:** There have been drainage issues in the past with water draining to the east. How will drainage be handled to so the water does not drain to the east and cause problems? Can the drainage be moved to the west side of the proposed street where the new homes will be located?

**A:** Jim Atkinson stated that he thought the curb and gutter could be moved from the east side of the street to the west side of the new street. Drainage would then be collected from the street and taken down to F ½ Road.

**Q:** A question was asked about fencing along the canal and whether or not the developer would be fencing that area?

**A:** The developer could install fencing, depending on the review of the ODP and final plans.

**Q:** Traffic volumes have increased on F ½ Road, especially during rush hour. Was a traffic study done for this development?

**A:** A traffic study is generally not required until 100 or more homes are being developed. The proposed development will only have 21 lots and therefore does not require a traffic study. The developer is proposing to construct a street that will meet City standards and provide for safe traffic to and from the new subdivision.

**Q:** A statement was made that residents in the Diamond Ridge subdivision, located to the west, have also experienced drainage problems and would like the drainage directed back towards the east along the street. Problems have happened in the past when water came off the land and towards the west.

**A:** The lots in the proposed subdivision will drain to the new street, which will be away from the backyards of the existing properties in the Diamond Ridge subdivision. The drainage will collect at the street in the gutter, and then travel to F ½ Road to an inlet in the City's drainage system. There should be no problems with drainage flowing the western property line towards the Diamond Ridge properties.

**Q:** Diamond Ridge has experienced problems in the past and don't want problems with the lots draining to their backyards.

**A:** The drainage of the proposed new lots will drain to the new street, capture the water and take it to F ½ Road to an inlet in the City's system.

**Q:** Rear yard setbacks are a concern. The previous requirement was for 15 foot rear setback. Residents don't want people to look down into their back yards.

**A:** The developer was proposing a 10 foot rear yard setback which is a standard setback in the R8 zone district. The neighbors didn't think the minimum setback was enough and that people would be looking into their back yards. The developer could provide a 15 foot rear yard setback which is what was approved for the previous development known as Cobble Creek.

**Q:** A question was asked about how much parking was going to be provided.

**A:** Parking was being provided at 2.5 spaces per lot. Each house would have a one-car garage and a parking space in front of the garage. There will also be a limited amount of parking allowed on the street except in areas of the Fire Department turnarounds and at the entrance. Some residents didn't think that a one-car garage was enough because people store their things in the garage. It was explained that the parking that was being provided met the City's requirement for parking for single family homes.

**Q:** Residents were concerned about the homes being 2 story buildings and having people looking into their backyards. They prefer ranch style homes and are concerned with a loss of privacy with people looking into their houses from the 2<sup>nd</sup> story.

**A:** The height limitation for the R8 zone (and also for the R4 and R5 zones) is 40 feet. It was explained that the existing home owners could add to their homes up to a height of 40 feet. The actual height of the proposed new homes was approximately 20 feet, well below the allowed maximum height allowed. It was also explained that the existing height of the ranch style homes in Diamond Ridge and Westwood Ranch were approximately the same height of the proposed new homes because of the existing pitch of the roofs. The existing homes and the new homes would actually be about the same height.

**Q:** Residents were concerned about who would purchase the new homes. Would they be college kids?

**A:** The developer was targeted a first time buyer for the new homes and/or retired people who wanted a right-sized home that they could lock and leave if they wanted to travel. The developer was targeting people who wanted a smaller home, which could include college kids, or young professional couples.

**Q:** Some residents thought that the homes were shoe horned in and that greed was driving the number of lots in the development.

**A:** The developer was proposing to use the same zoning (PD with R8 default) as was approved for the previous Cobble Creek project. Because the new homes are smaller there would be more lots in the proposed development than in the previously approved project. The proposed density met the City's requirements for the Comprehensive Plan and the proposed zoning. The City's Comprehensive Plan also encouraged infill development such as the proposed project, and for new development to be more compact, especially in the City Center. This allows more efficient use of new and existing infrastructure.

**Q:** Residents expressed concern about people living in existing subdivisions now versus the City's desires for more compact new development. Residents questions if their concerns would be considered by the City?

**A:** Scott Peterson, Senior Planner with the City Community Development Department stated that he was present to observe and hear the resident's concerns. He explained that residents had many opportunities to be involved and to express their concerns including at the Planning Commission public hearing and the City Council public hearing. Lisa Cox encouraged residents to submit their concerns in writing to the City and to attend the public hearings. She stated that residents within 500 feet of the proposed development would receive a notice card when the project had been submitted to the City for review; and a second notice card when the project was submitted for Planning Commission consideration. She advised that City Council does not send out notice cards for items scheduled on their meeting agendas.

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**Q:** Residents stated that they preferred 8-12 houses, and thought that would be a better fit for the area. They wanted to see fewer and nicer lots that were the same as theirs.

**A:** The proposed development did have more lots than the previously approved project, but there was a new land owner and the current developer wanted to construct smaller homes for a different housing market. The density that was proposed met the City's Comprehensive Plan goals and objectives.

**Q:** Residents were concerned that the market was not a good fit and that the new housing was not like their homes.

**A:** The developer was targeting a different housing market; one for a first-time buyer or retiree that only wanted a smaller home. The developer commissioned an architect to specifically design these homes for the new subdivision to appeal to the younger buyer or possibly a retired person.

**Q:** A resident stated that a Planned Development needed to be 5 acres and couldn't even be approved because the site wasn't big enough.

**A:** It was explained that the Zoning code suggests that a Planned Development should be 5 acres in size, but that smaller lots were allowed to develop as a Planned Development as long as they meet the City's standards. The previously approved Cobble Creek project was approved as a PD at the current acreage of 3.23 acres.

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**Q:** One resident had submitted written comments in support of the proposed development, although the owner not present at the neighborhood meeting. He stated that the 20' setback to 10' was not a problem.

**A:** Zoning is what determines the setbacks for new development. The proposed subdivision was proposing to retain the PD with R8 default zoning which is what was approved for the Cobble Creek project earlier.

**Q:** There was a question about the City's process.

**A:** Scott Peterson responded and explained how the City's review and approval process worked. He stated that each resident within 500 feet of the boundary of the site would receive a notice card when the project was formally submitted for review. He said several agencies are asked for review comments. Residents could send their comments to him at the City. The Planning Commission would review the proposed project and make a recommendation to City Council who was the final decision maker.

**Q:** A resident asked if the impact to the quality of life of the residents was considered by the City? Does the City care?

**A:** Scott Peterson responded that the City reviews for compliance with all development standards. Resident concerns are considered which was why he was present at the neighborhood meeting. He asked the resident if the number of lots were reduced would the project be acceptable then? The resident responded no because he didn't like the proposed houses.

**Q:** Would there be an HOA? Would there be owners only or would there be renters?

**A:** It was explained that an HOA would be formed to be responsible for the open space areas and irrigation water for the new homes. There was no way to know if the new homes would be owner occupied or if some might be rented.

**Q:** Some residents stated that they bought their homes because of the open space with horses in the pasture and were told it would never develop. They were told there was a greenbelt behind their properties and felt there were misguided.

A: Lisa Cox said that it was unfortunate that people were told that the area behind their homes was a greenbelt and would never be developed because the property had always been privately owned. The only way the land would stay open space would be if it were owned by the City or other agency and it was dedicated as open space or a park.

Q: Some residents felt that they were seeing the same problems as in 2007 all over again with the proposed new subdivision.

A: The developer was following all City guidelines and development standards in the design of the proposed new development. The goal was to construct a new, high quality development for first time buyers or retired people who wanted a small, starter home.

Q: Concerns were voiced about the demographics of the home owners, the home values and the type of new residents.

A: The residents' concerns were noted with an explanation that the new construction would not likely have a negative impact on the value of their homes.

Q: Diamond Ridge residents voiced concerns about the new homes blocking solar availability for their homes.

A: It was explained that because the new homes were approximately 20 feet in height, that they would not block the sun and prevent solar access to their homes.

Q: Some residents expressed that the houses would be ok if they were in a different subdivision but that they won't fit in the area.

A: The resident's comments were acknowledged.

Q: A comment was made that they were against Agenda 21 "cracker box" homes.

A: The resident's comment was acknowledged.

Q: A resident stated that ranch homes, not this type of house, was preferred. No homeowner wanted to see this in their neighborhood.

A: The resident's comments were acknowledged.

At 6:30 p.m. Lisa Cox thanked those who attended the neighborhood meeting and shared their concerns. The meeting was then closed.

Upon review of the meeting notes, please do not hesitate to contact me by phone at 970-245-9051 or by email at [rjones@vortexeng.us](mailto:rjones@vortexeng.us) should you have any questions.

Sincerely,

James Atkinson, P.E.  
Vortex Engineering & Architecture, Inc.

Cc: Cody Davis  
File



OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Divine Guidance, LLC ("Entity") is the owner of the following property:

(b) 2524 F 1/2 Road

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) manager 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:

\_\_\_\_\_

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) Elevation 4591

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

(e) in/A

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: \_\_\_\_\_

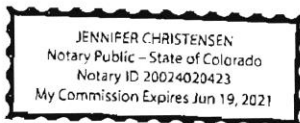
State of Colorado )

County of Mesa ) ss.

Subscribed and sworn to before me on this 6<sup>th</sup> day of September, 2017  
by John Davis

Witness my hand and seal.

My Notary Commission expires on June 19, 2021



[Signature]  
Notary Public Signature





July 11, 2017

City of Grand Junction  
Community Development Department  
Attn: Scott Peterson, Senior Planner  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

RE: Elevation 4591 Neighborhood Meeting  
Date: Monday, July 10, 2017  
Time: 5:30 – 6:30 PM  
Location: Canyon View Vineyard Church

Dear Mr. Peterson:

On Monday, July 10, 2017, a Neighborhood Meeting was held from 5:30 – 6:30 pm at the Canyon View Vineyard Church for the proposed Elevation 4591 development. An overview of the proposed development and rezone to PD (with R8 default) was presented by Lisa Cox of Vortex Engineering, Inc., followed by questions from the neighborhood residents.

The meeting was well attended with approximately twenty-two citizens at the meeting. Comments and concerns were voiced during the meeting. No written comments were received.

The following is a synopsis of the questions posed by the neighborhood residents; the responses were provided by Lisa Cox and Jim Atkinson, unless otherwise noted.

**Q:** There are gaps in the existing fences. Will the developer add fencing?

**A:** Yes, there are two areas where the developer plans to install perimeter fencing where it does not currently exist. The first place is on F ½ Road at the entrance on the western property line; and the second location will be on the eastern property line at the northern end of the site where the Westwood Ranch detention pond is located. There is existing fencing along the western and eastern property lines where existing homes have fenced their back yards. The developer plans to install fencing where the fencing does not exist.

**Q:** There have been drainage issues in the past with water draining to the east. How will drainage be handled to so the water does not drain to the east and cause problems? Can the drainage be moved to the west side of the proposed street where the new homes will be located?

**A:** Jim Atkinson stated that he thought the curb and gutter could be moved from the east side of the street to the west side of the new street. Drainage would then be collected from the street and taken down to F ½ Road.

**Q:** A question was asked about fencing along the canal and whether or not the developer would be fencing that area?

**A:** The developer could install fencing, depending on the review of the ODP and final plans.

**Q:** Traffic volumes have increased on F ½ Road, especially during rush hour. Was a traffic study done for this development?

**A:** A traffic study is generally not required until 100 or more homes are being developed. The proposed development will only have 21 lots and therefore does not require a traffic study. The developer is proposing to construct a street that will meet City standards and provide for safe traffic to and from the new subdivision.

**Q:** A statement was made that residents in the Diamond Ridge subdivision, located to the west, have also experienced drainage problems and would like the drainage directed back towards the east along the street. Problems have happened in the past when water came off the land and towards the west.

**A:** The lots in the proposed subdivision will drain to the new street, which will be away from the backyards of the existing properties in the Diamond Ridge subdivision. The drainage will collect at the street in the gutter, and then travel to F ½ Road to an inlet in the City's drainage system. There should be no problems with drainage flowing the western property line towards the Diamond Ridge properties.

**Q:** Diamond Ridge has experienced problems in the past and don't want problems with the lots draining to their backyards.

**A:** The drainage of the proposed new lots will drain to the new street, capture the water and take it to F ½ Road to an inlet in the City's system.

**Q:** Rear yard setbacks are a concern. The previous requirement was for 15 foot rear setback. Residents don't want people to look down into their back yards.

**A:** The developer was proposing a 10 foot rear yard setback which is a standard setback in the R8 zone district. The neighbors didn't think the minimum setback was enough and that people would be looking into their back yards. The developer could provide a 15 foot rear yard setback which is what was approved for the previous development known as Cobble Creek.

**Q:** A question was asked about how much parking was going to be provided.

**A:** Parking was being provided at 2.5 spaces per lot. Each house would have a one-car garage and a parking space in front of the garage. There will also be a limited amount of parking allowed on the street except in areas of the Fire Department turnarounds and at the entrance. Some residents didn't think that a one-car garage was enough because people store their things in the garage. It was explained that the parking that was being provided met the City's requirement for parking for single family homes.

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Upon review of the meeting notes, please do not hesitate to contact me by phone at 970-245-9051 or by email at [rjones@vortexeng.us](mailto:rjones@vortexeng.us) should you have any questions.

Sincerely,

James Atkinson, P.E.  
Vortex Engineering & Architecture, Inc.

Cc: Cody Davis  
File

## ATTACHMENT D

Elevation 4591  
July 10, 2017  
Neighborhood Meeting Sign In Sheet

	Full Name (Printed)	Address	City	Zip
1	Ray & Sheila Campbell	664 Miranda St	G.J.	81505
2	Dick & Betty Biedelstein	662 Miranda St.	GJ	81505
3	Ron Stoneburner	653 Longhorn St	GT	81505
4	Kathy & Don Martin	656 Miranda St	GJ	81505
5	SCOTT PERSESON	CITY PLANNING		
6	Charles D Gouther	Grass Valley Tr. Co.	GJ	81506
7	Charlie Rodis	2529 Westwood Ct	GJ	81505
8	Shirley Rodis	" " "	"	
9	J. Polhamus	2528 Porena Way	GJ	81505
10	Marguerite Tuttle	672A Gemstone Ct	GJ	81505
11	Paula & Larry Fivote	657 Longhorn St	GJ	81505
12	Seth Rokey	672 Miranda St	GJ	81505
13	FRANK & MARY MEDITZ	675 B GEMSTONE CT	GJ	81505
14	Phil Bertrand	688-26 Rd G D L C	G.J.	81506
15				

Elevation 4591  
 July 10, 2017  
 Neighborhood Meeting Sign In Sheet

	Full Name (Printed)	Address	City	Zip
16	ROSS BARFOOT	2519 ONIX DR	GJ	81505
17	AL RAMAKERS	658 Miranda St		81505
18	JERRY BARRA	2571 Falls View Circle	GS	81505
19				
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November 13, 2017

City of Grand Junction – Planning Department  
Attn: Scott Peterson, Senior Planner  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

RE: Elevation 4591 – ODP  
Response to Comments – Round 1  
2524 F ½ Road  
Grand Junction, CO  
VEAI #: F17-021  
FILE #: PLD-2017-435

Dear Mr. Peterson,

Chronos Builders, LLC is proposing the development of Elevation 4591 at the above-referenced location in the City of Grand Junction. The following information is provided in response to Round 1 Review Comments dated October 19, 2017 from various City Departments and outside agencies.

#### **CITY PLANNING**

##### **Comments:**

1. Proposal is for approval of an Outline Development Plan (ODP) with a rezone to PD (Planned Development) with a default zoning designation of R-8 (Residential – 8 du/ac) in order to develop 21 +/- single-family detached lots and six (6) tracts of land on 2.99 +/- acres. Subdivision is proposed to be developed within one (1) phase. Proposed residential density would be 7.02 +/- dwelling units/acre. The Comprehensive Plan Future Land Use Map identifies the property as Residential Medium (4 - 8 dwelling units/acre). Existing zoning for the property is PD (Planned Development) with a default zone district of R-8 (Residential – 8 du/ac) (City Ordinance 4243). Outline Development Plan application will need to be reviewed by Planning Commission and City Council to approve a new PD Ordinance for the property since the previous Outline Development Plan and Zoning have lapsed. No additional response required. Code Reference: Section 21.02.150 (b) of the Zoning and Development Code.

**Response:** As a point of clarification, the applicant's survey of the subject property shows that the site contains 3.23 acres. A total of 21 dwelling units are proposed which yields an overall density of 6.5 dwelling units per acre. (Note: The ODP has been revised to show 20 lots to accommodate the parking pod requested by City Development Engineer Rick Dorris. Lot 20 now contains one duplex unit. The total number of dwelling units is 21.)

2. General Project Report:
  - a) If seeking a PD zone district, please specifically addresses the purpose and applicant's justification of the community benefit of the proposed Planned Development Zone District as identified within Section 21.05.010 of the Zoning and Development Code.



**Response:** The applicant has requested a rezone to Planned Development with the R8 default zone district. Section 21.05.010 of the Zoning and Development Code states:  
The planned development (PD) zone applies to mixed use or unique single-use projects where design flexibility is desired and is not available through application of the standards established in Chapter 21.03 GJMC. Planned development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved. The Director shall determine whether substantial community benefits will be derived. Specific benefits that the Director may find that would support a PD zoning include, but are not limited to:

1. More effective infrastructure;

**Response:** The use of narrow lots allows an increase in density which in turns creates more efficient use of infrastructure such as water and sewer lines, streets and sidewalks, street lighting and stormwater facilities. More compact development makes delivery of services more efficient by reducing the vehicle miles driven by school buses, trash and delivery trucks. Increasing the number of dwelling units on any given street (in accordance with the Comprehensive Plan's anticipated density range) helps reduce urban sprawl and reduces repair, pavement resurfacing costs and maintenance of the community's streets, sidewalks and other infrastructure. The Elevation 4591 development is proposing density at the mid-range of the Residential Medium (4-8 du/ac) density range which is consistent the Comprehensive Plan. The proposed density makes effective and efficient use of the required infrastructure.

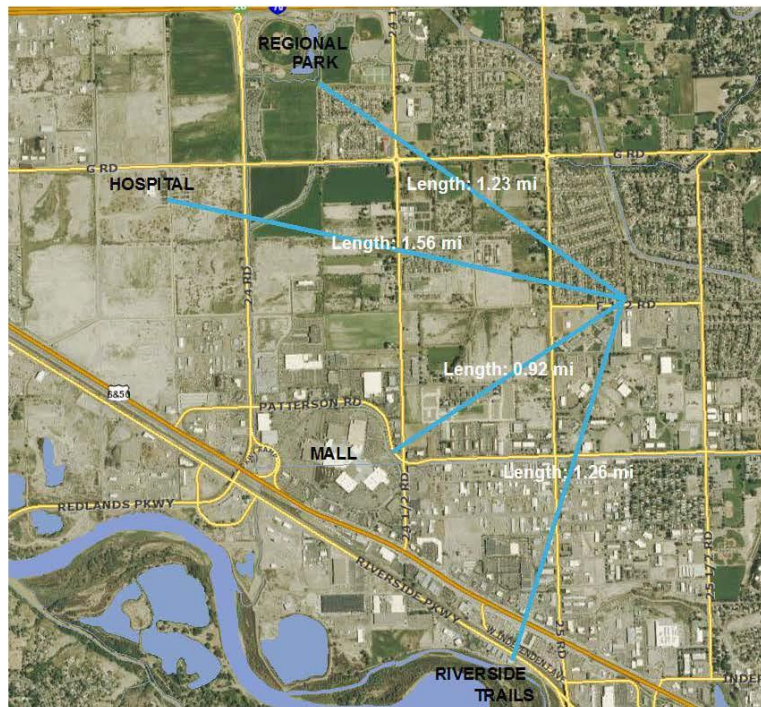
2. Reduced traffic demands;

**Response:** The Elevation 4591 project is an infill development located within approximately 1.5 miles of numerous community facilities, services and employment centers. Such close proximity to employment and services reduces cross-town traffic demands as residents travel to work, school, entertainment and recreational activities.

The Elevation 4591 development is located within approximately 1.5 miles of the following services as shown on the map below:

Mesa Mall (retail shopping, restaurants, personal services)  
City Market grocery  
Grand Valley Transit bus transfer station  
Western Colorado Community College  
Community Hospital  
Canyon View Regional Park  
Riverside pedestrian and bicycle trail  
Regal and The Picture Show movie theaters  
Numerous churches: Vineyard Christian Fellowship, Koinonia Church  
Numerous restaurants: Boston's, Chili's, Café Rio,  
Numerous banks: Vectra, Timberline, US Bank, ANB Bank  
Schools: Cap Rock Academy, Juniper Ridge, Pomona Elementary, West Middle, and Grand Junction High School

Infill development of this unique and challenged piece of property (due to the physical configuration and the limited access to public streets) will help reduce traffic demands because of the proximity to so many goods, services and employment opportunities.



3. A greater quality and quantity of public and/or private open space;  
**Response:** The applicant intends to construct a pedestrian trail (required) along the Grand Valley Canal in accordance with the Urban Trails Master Plan and to provide a pocket park (not required) with amenities such as a shade shelter and picnic table in an area that will also function as a detention facility (with underground detention to allow the surface to be used as active open space). Landscaping (trees) have been added to the pedestrian trail and amenities (shade shelter, picnic table) have been added to the park area to increase the quality of the public and private open space.
4. Other recreational amenities;  
**Response:** Recreational opportunities will be available to the public through the pedestrian trail along the Grand Valley Canal and with the pocket park located at the entrance to the Elevation 4591 development at F ½ Road.

5. Needed housing types and/or mix;

**Response:** The applicant is proposing to build homes that range between approximately 800 to 1300 square feet on small lots that will require little to no maintenance. Recent conversations with local realtors indicate that there is strong, local market demand for smaller, modern homes with smaller lots requiring little to no maintenance. Unfortunately, there are very few homes in the local housing inventory or with new construction that meet this demand. Consequently, when this smaller type of housing becomes available on the local market, they are immediately sold.

Concerning the changing housing market, the Grand Junction Comprehensive Plan states that “as the baby-boomer generations reach retirement age, the housing market is reflecting a desire for smaller yards, or no yards to maintain at all. At the same time, a younger generation is discovering the benefits of urban living: shorter commute times, more activities and less expensive housing. As a result of both of these trends, there is a resurging interest throughout the U.S. for smaller homes, townhomes, condominiums and urban living. Under these circumstances, providing opportunity for a variety of housing types (including higher density units) is sound, sustainable planning strategies to accommodate market pressure. (See Guiding Principle 3: Housing Variety)”

The applicant has commissioned an architect to design 3 model homes that seek to meet the strong, local market demand for smaller housing. Color renderings have been included with the General Report to show what the homes will look like. The exterior will be a compilation of metal, composite and stone façade for a modern look but with low maintenance requirements. The homes will be equipped with wireless technology to control thermostats, lighting, entertainment technology and garage doors. Interior finishes will be high end, modern materials such as quartz countertops, plank flooring and modern cabinets with splashes of industrial hardware to accent the modern look of the homes.

Landscaping will combine a small amount of grass in the front yards with shrubs and trees and the back yards will have patios with xeric landscaping and a fire pit feature to create an active social area with low maintenance. The use of solar panels is currently being explored and will be installed with each home if it is not cost prohibited.

Provision of smaller, energy efficient, technology smart homes that are in great demand in the Grand Valley may be the most significant community benefit offered by the Elevation 4591 development.

6. Innovative designs;

**Response:** The subject property is unique due to the long, narrow configuration and very limited street frontage on a publically maintained street. Because properties to the east and west were allowed to develop without providing any stub streets to the subject property, there are unusual constraints that must be addressed through innovation design.

The applicant has worked with City staff and the Transportation Engineering Design Standards (TEDS) to design an alternate street that provides access to the long, narrow parcel and still provide safe access and maneuverability for emergency service vehicles, school buses, trash and delivery trucks without compromising pedestrian sidewalk and trail access.

In addition, the detention facility located at the entrance to the development will be dual purpose utilizing underground detention with above ground pocket park. This multi-functional facility will serve to address stormwater needs and provide open space for the residents and public.

7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or

**Response:** The subject property is currently being utilized for single family residential use with an animal pasture area. Although there are no areas that will be preserved, a pedestrian trail will be provided along the Grand Valley Canal for use by residents and the public.

8. Public art.

**Response:** The applicant is not proposing the installation of public art at this time.

- b) As a suggestion, rather than requesting a PD zone district, couldn't a rezone to a straight R-8 zone district still accommodate the applicant's request?

**Response:** The applicant gave serious consideration to the various zone districts that would implement the Residential Medium (4-8 du/ac) land use classification prior to submitting a request for the Planned Development with R8 default zone district. The combination of the unique challenges of developing this physically constrained property and the applicant's desire to provide a smaller type of housing led to the decision to seek the PD zoning. The ability to utilize narrow lots is essential in the design of the development and that unfortunately can't be done with the straight R8 zone district.

- c) City Project Manager understands that the applicant is requesting a more restrictive rear yard building setback of 15' rather than the R-8 standard of 10' and an overall more restrictive building height of 30' rather than the R-8 standard of 40'. Applicant is also proposing a 35' lot width rather than the R-8 standard of 40'. Please provide additional justification on why these three deviations are necessary to the default standards as identified within Section 21.05.040 (g) of the Zoning and Development Code. City Project Manager suggests that the minimum lot width remain as 40'. See City Development Engineer review comment concerning the parking situation and possibly losing a lot or two which the applicant would then be able to obtain the 40' lot width for all lots.

**Response:** The bulk standards for zone districts in the Zoning and Development Code establish minimum and maximum standards. Technically, there is no deviation required to use a 15' rear yard setback, or to limit the building height to 35 feet. The applicant has the prerogative to be more restrictive with bulk standards in the design process. However, the applicant does not have the ability to reduce the minimum lot width from 40' to 35' without a variance, or a deviation through the PD zoning process.

As noted above, there are many reasons why the 35' lot width is being requested. The primary reason is to accommodate a smaller home on a smaller lot, which is what (a portion of) the local market is currently expressing a strong demand for in the Grand Valley. There are also practical reasons that should appeal to the City and overall community in terms of effective and efficient use of infrastructure. Providing appropriate density (in accordance with the Comprehensive Plan's anticipated density range) addresses many of the goals and objectives of the Comprehensive Plan to provide a diversity of housing for a changing population, and by reducing sprawl and the cost to maintain excessive infrastructure such as extra miles of pavement, water and sewer lines, etc.

The applicant's market research indicates that the buyers who will be attracted to the proposed housing type in the Elevation 4591 development don't want a large yard to maintain. They are more interested in owning a home and property that requires little to no maintenance and allows the freedom of spending their time invested in activities other than home and yard maintenance.

- d) Applicant is proposing to develop the entire site within 1 phase. Proposed phasing schedule would need to be determined at time of ODP review and identified within the proposed Ordinance. City Project Manager suggests applicant specifically propose that the ODP be valid for a period of three years from the date of approval.  
Code Reference: Section 21.05 of the Zoning and Development Code.

**Response:** The applicant indicated in the General Report that the Elevation 4591 development would be constructed in one year; however, upon the recommendation of the City Project Manager, the applicant is agreeable that the ODP be valid for a period of three years and requests that the three year phasing schedule be included in the rezoning ordinance.

3. Outline Development Plan Drawing:

- a) Label proposed locations for new subdivision perimeter fencing (including overall height) and add icon to Legend Block for clarity. Also, since F ½ Road is classified as a Major Collector, a 6' tall subdivision perimeter fence will be required along the north property line of Tract F (Section 21.06.040 (g) of the Zoning and Development Code).

**Response:** The fencing locations are more clearly shown on the revised site plan and legend.

- b) Applicant will need to dedicate a Drainage Easement to the City of Grand Junction at time of Final Subdivision Plan review over proposed Tract F.

**Response:** A drainage easement will be dedicated at time of Final Plan.

- c) Label 14' wide Multi-Purpose Easement required to be adjacent to all street frontages.

**Response:** The 14' MPE is shown along all frontages.

- d) Is applicant proposing any private HOA drainage and/or irrigation easements within the subdivision, if so label locations at time of formal submittal.

**Response:** Drainage easements are depicted within Tract E.

- e) Urban Trails Map indicates a future canal path located along the canal on the north side of the property. Therefore, a minimum 15' wide pedestrian/trail easement will be required within proposed Tract B. Label location of easement on ODP drawing.

**Response:** The trail/walk is shown on the drawing with a 15' easement within Tract B.

4. Fees:

- a) City Park Fee: \$225 per lot payable at time of subdivision plat recording.

**Response:** Comments acknowledged.

- b) City Open Space Fee: 10% of the value of the raw land payable at time of subdivision plat recording. Submit MAI Appraisal Report at time of Final Subdivision Plan application.

**Response:** Comments acknowledged.

- c) School Impact Fee: \$560 per dwelling unit payable at time of Planning Clearance issuance.

**Response:** Comments acknowledged.

- d) Plant Investment Fees: Contact City Customer Service Division for sewer fees payable at time of Planning Clearance issuance. Contact Ute Water Conservancy District for water tap fees payable at time of Planning Clearance issuance.  
Code Reference: Section 21.06.020 and 030 of the Zoning and Development Code.

**Response:** Comments acknowledged.

5. Covenants & Dedication Documents, etc.:  
FYI. At time of final subdivision plan review, submit covenant and warranty deed documents for creation of homeowner's association tracts of land and private utility easements, etc. Also, prior to approval of the Final Subdivision Plan, submit evidence that the proposed Homeowner's Association has filed with the Colorado Secretary of State Office.  
Code Reference: IV-2 of the SSIDS Manual.

**Response:** Comments acknowledged.

6. Landscaping Plan:  
At time of Final Subdivision Plan submittal, a Landscaping Plan for proposed HOA Tract areas shall be prepared by a Licensed Landscape Architect registered in the State of Colorado. At time of subdivision infrastructure acceptance, Licensed Landscape Architect shall provide a letter to the City Project Manager stating that all landscaping was installed per the approved Landscaping Plan.  
Code Reference: Sections 21.06.040 (g) and 21.06.060 (h) (9) of the Zoning and Development Code and V-10 of the SSIDS Manual.

**Response:** A revised landscaping plan is submitted with this resubmittal.

7. Subdivision Signage:  
Proposed subdivision signage shall not exceed 32 sq. ft. in size and must be placed in an HOA tract that abuts a public right-of-way. Proposed signage must not exceed 8' in height. Applicant has stated within the General Project Report that proposed subdivision signage will be in compliance with the Zoning and Development Code. No further response required.  
Code Reference: Section 21.06.070 (h) (1) (ii) & (iv) of the Zoning and Development Code.

**Response:** Comments acknowledged.

8. Planning Commission/City Council Public Hearings:  
Once outstanding ODP and other applicable review items have been completed and addressed by the applicant and approved by the respective review agencies, City Project Manager will schedule Outline Development Plan for the next available Planning Commission and City Council meetings.  
Code Reference: Section 21.02.150 (b) of the Zoning and Development Code.

**Response:** Comments acknowledged.

9. Public Correspondence Received:  
As of this date, City Project Manager has received two letters and one email from the public concerning the proposed development. I have included these letters and email for the applicant's information and file.

**Response:** Comments acknowledged.

## **CITY DEVELOPMENT ENGINEER**

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### **General:**

1. Per the approved alternate street standard, the condition is to provide 21 off-lot parking spaces. This plan shows two cars in between driveways. There is only 40' in between drives and 5' on each end must be clear for legal parking. This leaves 30' and the standard parking stall length for parallel parking is 22 feet. This allows only one parking space in between the driveways. Suggest losing a lot or two and creating a parking pod between the houses. This can be combined with the fire turnaround.

**Response:** A revised parking concept is proposed. A new parking pod has been located within the subdivision, see revised OPD Plan. A 2<sup>nd</sup> Sheet has been added to show parking and fire truck turning templates.

2. The Westwood Ranch subdivision to the east experienced significant ground issues. Water actually came up in the asphalt joint at the crown of the street. This project must address groundwater and build measures to protect the houses and the public infrastructure.

**Response:** A detailed sub-drain system will be designed at Final. The pipe is shown on the ODP Plan, Sheet C2.0.

3. All normal reports, plans, and permits are required at final.

**Response:** Comments acknowledged.

4. Refer to the comments provided for the formal pre-app (MTG-2017-171) for final plan requirements.

**Response:** Comments acknowledged.

## **CITY SURVEYOR – Peter Krick – [peterk@gjcity.org](mailto:peterk@gjcity.org) (970) 256-4003**

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### **Comments:**

No comments at this time. Comments will be issued upon receipt of the subdivision plat.

**Response:** Comments acknowledged.



**CITY FIRE DEPARTMENT – Mike Gazdak - [mikega@gjcity.org](mailto:mikega@gjcity.org) (970) 549-5854**

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**Comments:**

1. Fire Flow:  
Fire flow form submitted indicates 3844 gpm at 20 psi and is acceptable for this project.

**Response:** Comments acknowledged.

2. Fire Hydrants:  
An additional fire hydrant must be added at the subdivision entrance due to the length of the cul-de-sac, narrowness of the proposed street, and other tactical/strategic considerations (i.e. hose length limitations). Locations of the other two proposed fire hydrants are acceptable.

**Response:** An additional fire hydrant has been shown on the plan at the entrance.

3. Fire Department Access:
  - a) TEDS/Alternative Streets processes were utilized for this project. The long narrow configuration of the property along with the lack of street connections to the adjoining subdivisions presented a unique challenge for this development. Strategically placed fire apparatus turnarounds, designated no parking areas (west side of street, turnarounds) and designated parking on the east side of the created a que effect were designed in an effort to mitigate access issues.

**Response:** Comments acknowledged.

- b) Access has been generally accepted in concept.

**Response:** Comments acknowledged.

- c) Please show exact locations of all no parking signs along the west side of the street and in all areas of the designated fire apparatus turn-arounds. Please provide a detailed information concerning which entity will be responsible for no parking enforcement (HOA or City).

**Response:** No parking signs have been shown on the 1<sup>st</sup> & 2<sup>nd</sup> Sheets of the ODP Plans, Sheet C2.0. The City is responsible for enforcement of the "No Parking" areas, and requires that specific language be included in the CC&R's to give them authority to enforce the "no parking areas".

- d) Please demonstrate fire apparatus can navigate subdivision entry and all fire apparatus turn-arounds in the project through the use of AUTOTurn or similar program (apparatus overlay on site plan) to ensure turning radius requirements are met.

**Response:** An Auto-turn template for the fire truck turning movement is shown on Sheet C2.0.

Please contact Steve Kollar at the Grand Junction Fire Department at 970-549-5800 should there be any questions.

**CITY ADDRESSING – Pat Dunlap – [patd@gjcity.org](mailto:patd@gjcity.org) (970) 256-4030**

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**Comments:**

1. Elevation 4591 is an acceptable subdivision name.

**Response:** Comments acknowledged.

2. Elevation Way is an acceptable road name.

**Response:** Comments acknowledged.

3. Addresses will be provided at time of final plat recording.

**Response:** Comments acknowledged.

**OUTSIDE REVIEW AGENCY COMMENTS  
(Non-City Agencies)**

**Mesa County Building Department – Darrell Bay – [Darrell.bay@mesacounty.us](mailto:Darrell.bay@mesacounty.us)  
(970) 242-4343**

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**Comments:**

MCBD has no objections to this project with the following provided to our office in paper form. Drainage plan, soil report and a TOF tabulation sheet.

**Response:** Comments acknowledged.

**5-2-1 Drainage Authority – Mark Barslund – [markb@gjcity.org](mailto:markb@gjcity.org) - (970) 244-2698**

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**Comments:**

This project will require both a 521 and CDPHE storm water permit.

**Response:** Comments acknowledged.

**Xcel Energy – Brenda Boes – [Brenda.boes@xcelenergy.com](mailto:Brenda.boes@xcelenergy.com) – (970) 244-2698**

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**Comments:**

Xcel Energy 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.

**Response:** Comments acknowledged.

**Ute Water Conservancy District – Jim Daugherty – [jdaugherty@utewater.org](mailto:jdaugherty@utewater.org)  
(970) 242-7491**

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**Comments:**

1. Water mains shall be C900, minimum DR18 PVC. Installation of all pipe, fittings, valves, and services, including testing and disinfection shall be in accordance with Ute Water standard specifications and drawings.

**Response:** Comments acknowledged.

2. Developer is responsible for installing meter pits and yokes (pits and yokes supplied by Ute Water)

**Response:** Comments acknowledged.

3. Construction plans required 48 hours before construction begins. If plans change the developer must submit a new set of plans.

**Response:** Comments acknowledged.

4. Electronic drawings of the utility composite for the subdivision, in Autocad.dwg format, must be provided prior to final acceptance of the water infrastructure.

**Response:** Comments acknowledged.

5. Water meters will not be sold until final acceptance of the water infrastructure.

**Response:** Comments acknowledged.

6. Abandoned services shall be removed and capped at main.

**Response:** Comments acknowledged.

7. Show dry utilities.

**Response:** Comments acknowledged.

8. Reduce water main to 4-inch after FH not before.

**Response:** The 4" line is reduced after the fire hydrant.

9. See Redline drawing.

**Response:** Comments acknowledged.

10. ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.

**Response:** Comments acknowledged.

If you have any questions concerning any of this, please feel free to contact Ute Water.

**Grand Valley Drainage District – Tim Ryan – [tim.admin@gvdd.org](mailto:tim.admin@gvdd.org) – (970) 242-4343**

**Comments:**

GVDD had an open drain across the property, there is a recorded document stating the drain was to be filled in. The drain was filled in and the Grand Valley Drainage District holds this issue to be resolved and therefore has no comment on the rezone.

**Response:** Comments acknowledged.

**REVIEW AGENCIES**

**(Responding with “No Comment” or have not responded as of the due date)**

**The following Review Agencies have not responded as of the comment due date.**

1. Grand Valley Irrigation District
2. Urban Trails Committee

3. City Transportation Engineer
4. Mesa County Valley School District #51

The Petitioner is required to submit electronic responses, labeled as “**Response to Comments**” for the following agencies:

1. **City Planning**
2. **City Development Engineer**
3. **City Fire Department**
4. **Ute Water Conservancy District**

Date due: **January 19, 2018**

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

Vortex Engineering, Inc. looks forward to working successfully with the City of Grand Junction to permit this project.

Upon your review of this information, should you have any questions or require additional information, please do not hesitate to contact me at 970-245-9051. Thank you.

Sincerely,  
**Vortex Engineering, Inc.**



**Robert W. Jones, II, P.E.**

Cc: File

January 18, 2018

City of Grand Junction – Planning Department  
Attn: Scott Peterson, Senior Planner  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

RE: Elevation 4591 – ODP  
Response to Comments – Round 2  
2524 F ½ Road  
Grand Junction, CO  
VEAI #: F17-021  
FILE #: PLD-2017-435

Dear Mr. Peterson,

Chronos Builders, LLC is proposing the development of Elevation 4591 at the above-referenced location in the City of Grand Junction. The following information is provided in response to Round 2 Review Comments dated December 28, 2017 from various City Departments and outside agencies.

#### **CITY PLANNING**

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##### **Comments:**

1. PD Zone Request:

Applicant is proposing a 35' minimum lot width rather than the R-8 standard of 40' as a requested deviation from the development default standards. In order for the Planning Commission and City Council to recommend approval of the requested 35' minimum lot width, proposed community amenities as identified in Section 21.05.040 (g) of the Zoning and Development Code will need to be met. City Project Manager finds that the proposed subdivision development does not provide any of the community amenities at this time as identified within this section of Code that allows the applicant to deviate to a lesser standard from a required default standard. Further discussion on this topic is needed.

FYI: The applicant's trail construction and trail easement dedication located within proposed Tract B is a required improvement since the trail is identified on the Urban Trails Map and thus cannot be counted towards a community amenity as identified within this section of the Code.

**Response:** Comment acknowledged.

Section 21.05.040(g) states:

(g) **Deviation from Development Default Standards.** The Planning Commission may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation, the listed amenities to be provided shall be in excess of what would otherwise be required by the code. These amenities include:

(1) Transportation amenities including, but not limited to, trails other than required by the multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelters;

**Response:** The applicant has added a covered school bus shelter to the open space area at the entrance to the development. The shelter will be constructed on a concrete pad with a covered shelter for use by children waiting for school buses, and could be used by the Grand Valley Transit system in the future if the GVT established a route on F ½ Road in this area.

The subject property is long and narrow making the provision of other transportation amenities difficult. In addition to the covered school bus shelter, the proposed development provides all other required transportation and pedestrian improvements including a sidewalk on the public street and a 10' wide concrete trail along the canal in accordance with the Urban Trails Master Plan. *The covered school bus shelter is provided as a community benefit for the residents of the proposed development and other neighborhood children.*

(2) Open space, agricultural land reservation or land dedication of 20 percent or greater;

**Response:** The size of this infill development does not allow for a large open space dedication; however, in order to maximize the open space that is provided, the applicant has designed the detention facility to be underground so that the surface may be utilized for recreational purposes. The open space will be fenced, landscaped and include leisure amenities such as a shade shelter, picnic table and a covered school bus shelter.

The open space has been intentionally enhanced as a community benefit. There is no requirement for the detention facility to be constructed underground, or for the park amenities to be provided; however, the applicant is trying to create a desirable residential community and is providing the added value improvements *as a community benefit.*

(3) Community facilities for provision of public services beyond those required for development within the PD;

**Response:** As noted earlier, the detention facility (which is required to provide stormwater detention) has been designed to be constructed underground so that the surface area may be used for recreational activities. The detention facility could be constructed above ground; however, that would preclude any opportunity for use of the open space by the community.

*Construction of the underground detention facility as an open space area with amenities is provided as a community benefit.*

(4) The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than 20 years; and

**Response:** The applicant is proposing to build homes that range between approximately 800 to 1300 square feet on small lots that will require little to no maintenance. Recent conversations with local realtors indicate that there is strong, local market demand for smaller, modern homes with smaller lots requiring little to no maintenance. Unfortunately, there are very few homes in the local housing inventory or with new construction that meet this demand. Consequently,

when this smaller type of housing becomes available on the local market, they are immediately sold.

Concerning the changing housing market, the Grand Junction Comprehensive Plan states that “as the baby-boomer generations reach retirement age, the housing market is reflecting a desire for **smaller yards**, or no yards to maintain at all. At the same time, a younger generation is discovering the benefits of urban living: shorter commute times, more activities and less expensive housing. As a result of both of these trends, there is a resurging interest throughout the U.S. for smaller homes, townhomes, condominiums and urban living. Under these circumstances, providing opportunity for a variety of housing types (including higher density units) is sound, sustainable planning strategies to accommodate market pressure. (See Guiding Principle 3: Housing Variety)”

Although the housing units that are proposed do not meet the HUD definition for moderate, low and very low income households, they have been specifically designed to meet a specific need in the local housing market. The smaller housing units support the Comprehensive Plan Guiding Principle 3: Housing Variety, in a way that other new development does not *which is a direct community benefit*.

(5) Other amenities, in excess of minimum standards required by this code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.

**Response:** An indirect amenity, or community benefit, that will result from the proposed development, is the *increased* rear yard setback from 10' to 15' and the *reduction* of the maximum height from 40' to 30'. The proposed deviations come as a direct result of discussions with area residents during the Neighborhood Meeting. Residents expressed concern with homes being located close to their existing fences in the rear yards and with the maximum height allowed by the R8 zone district. In response to the concerns of the residents, the developer has elected to increase the rear yard setback and to limit the overall height of the homes to not more than 30 feet. *The changes to the bulk standards are included in the design as a community benefit for the adjacent neighborhoods.*

The applicant's Response to Comments from Round 1 provided information regarding the community benefits for the proposed development as required by Section 21.05.010, Planned Development, Purpose. Each item of Section 21.05.010 was addressed with examples of how the proposed development met each item (if applicable) and provided a community benefit.

In addition to the evidence of community benefit provided with the Round 1 Response to Comments, the initial General Project Report identified specific goals and policies that the proposed development support from the Grand Junction Comprehensive Plan. Examples of how Guiding Principles 2 and 3 regarding Sustainable Growth Patterns (fiscal sustainability where the city grows efficiently and cost-effectively) and Housing Variety (to encourage more variety of housing types, ***more than just large lot single family homes***, that will better meet the needs of the City's diverse population, have also been provided.



In summary, the applicant has provided numerous community benefits and amenities (beyond what is required by the Zoning Code or other development regulations). The applicant has addressed the community benefits for **seven** of the eight categories listed in Section 21.05.010. The applicant has identified how the proposed development supports **four** of the goals and policies of the Comprehensive Plan, and provided examples of how the proposed development supports **two** of the Guiding Principles (#2 and #3) of the Comprehensive Plan. The applicant has addressed how the proposed development provides community benefits and amenities through the **five** items in Section 21.05.040(g) of the Zoning Code.

The applicant is attempting to provide an infill development project for a very challenging piece of property. In general, most new residential developments have double-loaded streets that provide access to lots on both sides of the street. Double-loaded streets help defray the cost of infrastructure and reduce the cost of lots and housing by spreading the cost over a larger number of lots. The proposed Elevation 4591 development is a single-loaded street with limited space for housing units; however, every effort has been made to meet, or exceed, the development standards of the City and the requests of the adjacent residents to create a high quality residential neighborhood. When designing the subdivision alternate street section, the off-street parking, and the enhanced open space at the F ½ Road entrance, the applicant has met every standard and attempted to exceed them when possible. The only reduction in a standard Code requirement has been the request to reduce the lot width by 5 feet, which is supported by the Comprehensive Plan's Guiding Principle #3.

There are many reasons why the 35' lot width is being requested. The primary reason is to accommodate a smaller home on a smaller lot, which is what (a portion of) the local market is currently expressing a strong demand for in the Grand Valley. The request to reduce the lot width is supported by the Comprehensive Plan's Guiding Principle #3 as noted above. There is no evidence to suggest (including from the Fire Department) that a reduced lot width will compromise the public health, safety or welfare. There is however, evidence within Grand Junction plans and documents such as the Comprehensive Plan, that the community has a desire to encourage more variety of housing types, ***more than just large lot single family homes***, that will better meet the needs of the City's diverse population.

There are also practical reasons that should appeal to the City and the overall community in terms of effective and efficient use of infrastructure. Providing a diversity of housing and lot sizes for a changing population addresses many of the goals and objectives of the Comprehensive Plan, reduces sprawl *and* the cost to maintain excessive infrastructure.

The applicant is very invested in the proposed development and wants to create a high quality residential community. No corners have been cut; no short cuts have been taken in the design. The property is unique and somewhat awkward to development. The applicant is not trying to get rich quick by short changing the design and development requirements of the Code. The applicant has listened to the adjacent residents and made design changes in response to their concerns (in addition to the changes requested by the Fire Department and Development

Engineer). The proposed development has evolved as the end result of meeting City design and Code requirements, trying to add as much community benefit and amenities as possible while maintaining a financially viable development project.

Having met the design requirements of the City and having responded to the concerns of area residents to the greatest extent possible, the applicant respectfully requests approval of the proposed Elevation 4591 development.

2. Outline Development Plan/Site Plan Drawing (Sheet C1.0):
  - a. In the Legend Block, add icon for ----x----- and label what it is. Existing fence?
  - b. Label required 14' wide Multi-Purpose Easement on Lot 20.
  - c. For the duplex proposed for Lot 20, how is Unit B going to get out of the drive-way if a visitor or the owner of Unit A is parked in the drive-way?
  - d. In proposed Tract D, provide a landscape island at the end of the parking row adjacent to Elevation Way (Section 21.06.040 (c) (1) of the Zoning and Development Code).
  - e. Landscaping Plan references a split-rail fence, monument sign and bench & shelter. Please identify on ODP/Site Plan drawing.
  - f. Since the Urban Trails Map indicates a future canal path located within proposed Tract B, the minimum width of the concrete trail needs to be 10', not 5' as proposed. Please connect this proposed canal trail to the existing 10' wide concrete trail located within the Colonial Heights (Tract D, Colonial Heights Subdivision).  
Code Reference: V-14 of the SSIDS Manual.

**Response:** Comments acknowledged.

- a. – The ----x----- symbol has been added to the legend and is an existing fence.
- b. – The 14' MPE has been added and labeled.
- c. – Access with parked cars has been more clearly shown.
- d. – Two landscaped islands have been provided which reduces the total parking count by two spaces.
- e. – The sign, bench, shelters and split rail fence have been shown.
- f. -- The trail width has been increased to 10' wide. Access across the Diamond Ridge development to Tract D of Colonial Heights is not possible because our property does not connect.

3. Landscaping Plan:

See Review Comment #2 d. & f. and revise landscaping plan as necessary.

Code Reference: Sections 21.06.040 (g) and 21.06.060 (h) (9) of the Zoning and Development Code and V-10 of the SSIDS Manual.

**Response:** Comment acknowledged. The landscape plan has been updated.

4. Planning Commission/City Council Public Hearings:

Once outstanding ODP and other applicable review items have been completed and addressed by the applicant and approved by the respective review agencies, City Project Manager will schedule Outline Development Plan for the next available Planning Commission and City Council meetings.

Code Reference: Section 21.02.150 (b) of the Zoning and Development Code.

**Response:** Comment acknowledged.

#### **CITY DEVELOPMENT ENGINEER**

##### **General:**

1. The approved alternate street standard requirement for 21 off-lot parking spaces has been met with the addition of the parking pod between lots 8 and 9. The first space, just behind the walk, in this parking pod needs to be landscaped instead of an asphalt space. The parking requirement is still met.

**Response:** Comment acknowledged.

2. The underdrain flowing into the detention basin will need a unique arrangement to avoid interfering with basin volumes and operation. Details to be worked out at final.

**Response:** Comment acknowledged.

3. Access to the driveway for lot 20, unit B, doesn't appear to work. Revise as necessary.

**Response:** Comments acknowledged. The plan has been revised and detailed to more clearly illustrate parking and clear access for each unit.

#### **CITY FIRE DEPARTMENT**

##### **Comments:**

Fire Department Access. General street access and AutoTurn apparatus turn radius have been accepted. No parking signs appear to be placed in fire apparatus turn arounds only. No parking sign should be placed along the entire length of the west side of Elevation Way. In addition, the parking plan shows a vehicle parking space in front of the fire hydrant between Lot 7 and Lot 8. It appears every parking space is essential for this project, but the applicant should be aware that hydrants may not be obstructed per State of Colorado parking regulations (15 feet either side) and therefore this space would not be viable.

Please contact Steve Kollar at the Grand Junction Fire Department at 970-549-5800 should there be any questions.

**Response:** The location of the fire hydrant has been moved from the lot line between Lots 7 and 8 to a location adjacent to the landscape island at the parking pod in Tract D. The spacing between fire hydrants has not been affected. This allows for the on-street parking between the lots to remain.

#### **OUTSIDE REVIEW AGENCY COMMENTS (Non-City Agencies)**

**Ute Water Conservancy District – Jim Daugherty – [jdaugherty@utewater.org](mailto:jdaugherty@utewater.org) (970) 242-7491**

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1. Eliminate inline valve adjacent to lot eighteen.
2. Show dry utilities.

**Response:** Comments acknowledged. The valve has been removed. Dry utilities are shown. As soon as we receive final layout and design from the utility companies (part of the final design) we will update.

#### **REVIEW AGENCIES (Responding with “No Comment” or have not responded as of the due date)**

**The following Review Agencies have not responded as of the comment due date.**

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1. N/A

The Petitioner is required to submit electronic responses, labeled as “**Response to Comments**” for the following agencies:

1. City Planning
2. City Development Engineer
3. City Fire Department
4. Ute Water Conservancy District

**Date due: March 28, 2018**

Vortex Engineering, Inc. looks forward to working successfully with the City of Grand Junction to successfully permit this project.

Upon your review of this information, should you have any questions or require additional information, please do not hesitate to contact me at 970-245-9051. Thank you.

Sincerely,  
**Vortex Engineering, Inc.**



**Robert W. Jones, II, P.E.**

Cc: File

## PLANNING COMMISSION AGENDA ITEM

**Project Name:** Elevation 4591 - Outline Development Plan and Rezone to PD with a Default Zone of R-8  
**Applicant:** Chronos Property LLC, Owner  
**Representative:** Vortex Engineering Inc., Robert Jones II  
**Address:** 2524 F ½ Road  
**Zoning:** Planned Development (PD)  
**Staff:** Scott D. Peterson  
**File No.** PLD-2017-435  
**Date:** March 27, 2018

### I. SUBJECT

Consider a request of an Outline Development Plan (ODP) for Elevation 4591 and a rezone to Planned Development (PD) with an R-8 (Residential – 8 du/ac) default zone district, located at 2524 F ½ Road.

### II. EXECUTIVE SUMMARY

The Applicant, Chronos Property LLC, is requesting a rezone to Planned Development (PD) with an R-8 (Residential – 8 du/ac) default zone district as well as the approval of an Outline Development Plan (ODP) for Elevation 4591, a residential subdivision. The proposed plan will develop 19 single-family detached lots with one additional lot proposed for a two-family attached dwelling unit for a total of 21 dwelling units on 3.23 acres. The Outline Development Plan establishes specific performance standards that the development will be required to meet and conform with through each and every development phase, as authorized by Section 21.02.150 (b) of the Zoning and Development Code. The project is located at 2524 F ½ Road.

### III. BACKGROUND

The Zoning and Development Code (“The Code”) sets the purpose of a Planned Development (PD) zone and enables the PD to be used for unique single-use projects where design flexibility is desired and is not available through application of the standards established in Chapter 21.03 GJMC. In this case, the only deviation from the required minimum standards R-8 zone district is the request to reduce the minimum lot width from 40 feet to 35 feet. The Code provides Planned Development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved

The subject property is currently vacant, Unplatted land with the exception of a manufactured home which will be removed prior to subdivision development. Current

zoning is PD (Planned Development) with a default zone of R-8 (Residential – 8 du/ac). A previous ODP (City file #PP-2007-169) for this property was approved in May 2008, by the City Council for a project with 12 single-family detached lots, however, that plan has since lapsed. The property owner now wishes to apply for a new Planned Development zone district with a default zone of R-8 (Residential – 8 du/ac) and provide for 21-residential units on 20 lots for a project density of 6.50 dwelling units per acre.

The property was annexed into the City in 2000. The 2.99-acre parcel is a challenging property lot to develop due to its long narrow design of approximately 120' wide by 1,300 feet in length. The site is bounded on the west by Diamond Ridge Subdivision, Filing 2 (4.92 du/ac) and on the east by Westwood Ranch, Filing Two (5.44 du/ac). Valley Meadows Subdivision (2.67 du/ac) is directly to the north with Colonial Heights Subdivision (3.58 du/ac) to the northwest. The only access to the applicant's property is from F ½ Road. The property is also bounded on the north by an existing irrigation canal which is operated by Grand Valley Irrigation Company.

Proposed Tract B (0.15-acres) has been included in the proposed subdivision's open space, connecting to open space areas already owned by the City of Grand Junction adjacent to the canal. As part of the ODP request, the Applicant will dedicate and construct a 10 feet wide concrete trail within a 15 feet public trail easement as required by the Urban Trails Master Plan adjacent to the existing irrigation canal.

This parcel is bordered on all sides by existing development that has occurred over the years. Generally, sites such as these are considered "infill" sites and generally sit vacant because they were considered of insufficient size for development, property owners were unwilling to sell or want to work with developers or because there were other more desirable or less costly sites for development. The subdivisions on either side of the proposed development were not required to stub streets to the property lines for access to this parcel due to the previous property owner's demands, which has left the site constrained for access.

**Establishment of Uses:**

The Plan allows only single-family detached units on Lots 1-19 with one two-family attached dwelling proposed for Lot 20.

**Density:**

The proposed density of the subdivision is 6.50 dwelling units per acre (21 dwelling units on 3.23 acres). The Comprehensive Plan Future Land Use Map designates this property as Residential Medium (4 – 8 du/ac). The Applicant is requesting a default zone of R-8, which has a minimum density of 5.5 and a maximum density of 8 dwelling units/acre.

**Access:**

The only public access available to this property is from F ½ Road. The internal street design was reviewed and approved by the City's engineering team as an alternative street standard (30 feet right-of-way including curb, gutter, sidewalk on the east side

with 22.5 feet of asphalt width) with the condition that the Applicant provide sufficient parking. To meet the required parking (21 off-lot stalls) the Applicant has provided a total of 25 off-lot parking spaces (14 spaces within proposed Tract D and 11 on-street parking spaces). As part of the alternative streets review, the City's engineering team only allowed for on-street parking on one side of the street (east side). Each lot will contain the minimum required 2 off-street parking spaces (one in garage and one in driveway) as consistent with Section 21.06.050 (c) of the Zoning and Development Code.

A TEDS Exception (Transportation Engineering Design Standards) was also approved by the City to allow a dead-end street to be longer than the Code provision of 750 feet, provided that a Fire Department turn-around was installed (proposed Tract C). The Applicant proposed a dead-end street to be approximately 835 feet in length.

**Open Space and Pedestrian Amenities:**

Tract E is located adjacent to F ½ Road at the subdivision entrance and provides for the installation of a park bench/shelter, picnic shelter and a separate school bus shelter for the usage of the neighborhood. Tract E will also contain an underground stormwater detention facility to optimize above ground landscaped open space (turf grass, trees and shrubs). The installation of the underground stormwater detention facility, school bus shelters are considered a community benefit for the Planned Development zone district, since these subdivision amenities are not required by Code.

Within Tract B, at the north end of the property adjacent to the GVIC canal, the Applicant will dedicate and construct a 10-foot wide concrete trail for public use within a 15-foot public trail easement as required by the Urban Trails Master Plan. This trail connection would connect with other City owned open space in the area along the canal, north of Westwood Ranch Subdivision and within the Colonial Heights Subdivision to the northwest.

**Phasing:**

The Applicant is proposing to develop the subdivision in a single phase with the final plat being filed on or before December 31, 2021

**Lot Layout:**

All proposed single-family detached lots are 3,011 sq. ft. in size with the exception of the two-family attached dwelling lot which will be 9,037 sq. ft. in size. The default zoning district of R-8 allows for a minimum lot size of 3,000 sq. ft. for detached single-family and 6,000 sq. ft. for a two-family dwelling.

**Landscaping & Fencing:**

Landscaping per Code requirements with trees and shrubs will be provided within proposed Tracts B, C, D and E. Six-foot tall privacy fencing will be provided where fencing does not currently exist which is along the southside of proposed Lot 1 to help screen and buffer the property from F ½ Road and along the west property line to screen the property adjacent to 2522 F ½ Road. Six-foot tall privacy fencing will also



be installed on the eastside of the property adjacent to the existing open space located within Westwood Ranch subdivision at the northern end of the property. Additional fencing will not be required adjacent to Westwood Ranch nor Diamond Ridge Subdivision's since these existing properties already contain privacy fencing along their back yards adjacent to the Applicant's property. All proposed tracts of land will be conveyed to and maintained by the proposed Homeowner's Association with exception of Tract A that will be conveyed to GVIC.

**Subdivision Signage:**

The Applicant is proposing to have one subdivision sign located at the subdivision entrance. Subdivision signage will be placed in an HOA tract that abuts the public right-of-way (proposed Tract E) and will not exceed 8 feet in height and 32 sq. ft. in size as is consistent with Section 21.06.070 (h) (1) of the Zoning and Development Code.

**Long-Term Community Benefit:**

The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

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

The Applicant provided justification within their application that addressed all of the above listed long-term benefits. However, in review of the project, City Staff found that three of the seven long-term community benefits, are being met with this proposed development application:

*#3 Greater quality and quantity of public and/or private open space.* The Applicant intends to provide a landscaped open space tract (proposed Tract E – 0.17 acres) with amenities such as bench and picnic shelters and school bus shelter in an area that will also function as a detention facility (with underground detention to allow the surface to be utilized as active open space) which will all be owned and maintained by a homeowners' association. The installation of the proposed shelters/benches and underground detention facility are not required by Code and will serve a community amenity for the subdivision. A trail, as required by the Urban Trails Master Plan, will be constructed by the developer(s) and maintained by the HOA for the benefit and use of the public.

In order to maximize the open space provided, the Applicant has designed the detention facility to be underground so that the surface may be utilized as active open space without regard to if and when the detention basin is filled with stormwater. The Applicant notes that with these amenities they will create a more desirable residential community and will add additional value to the greater community. The Code requires only a minimum 14-foot landscaping strip along F ½ Road, however the additional 75 feet of open space identified within Tract E is in excess of Code requirements (6,565 sq. ft.) The Code also does not require the detention basin be buried. This feature will ensure uninterrupted use of the surface area as usable open space thereby providing for a greater quality of open space within the development.

*#5 Needed housing types and/or mix.* The Applicant is proposing to build homes that range between approximately 800 to 1,300 square feet on small lots that will require little to no maintenance. Recent conversations by the Applicant with local realtors indicate that there is a strong, local market demand for smaller, modern, wireless technology homes on small lots requiring little to no maintenance. There are very few homes in the local housing inventory or with new construction that meet this demand. Consequently, it has been represented that when this type of housing becomes available on the local market, they are immediately sold.

Concerning the changing housing market, the Grand Junction Comprehensive Plan states that “as the baby-boomer generations reach retirement age, the housing market is reflecting a desire for smaller yards, or no yards to maintain at all. At the same time, a younger generation is discovering the benefits of urban living: shorter commute times, more activities and less expensive housing. As a result of both of these trends, there is a resurging interest throughout the U.S. for smaller homes, townhomes, condominiums and urban living. Under these circumstances, providing opportunity for a variety of housing types (including higher density units) is sound, sustainable planning strategies to accommodate market pressure. (See Guiding Principle 3: Housing Variety)”

The proposed housing product is a needed housing type and an important part of providing a mix of housing options within the City.

*#6 Innovative Designs.* The Applicant is proposing to build homes that range between 800 to 1,300 sq. ft. in size on smaller lots that require little maintenance.

Recent planning and housing trends nationwide indicate that as the baby-boomer generation ages, the housing market is reflecting a desire for smaller yards and homes. At the same time, the younger generation is also discovering the benefits of urban living with shorter commute times, living closer to City amenities and more moderately size homes.

The Applicant has commissioned an architect to design 3 model homes that seek to meet the strong, local market demand for smaller housing. Color renderings have

been attached as an Exhibit to show what the homes will look like. The Applicant provides the following regarding the innovative design of their housing product “The exterior will be a compilation of metal, composite and stone façade for a modern look but with low maintenance requirements. The homes will be equipped with wireless technology to control thermostats, lighting, entertainment technology and garage doors. Interior finishes will be high end, modern materials such as quartz countertops, plank flooring and modern cabinets with splashes of industrial hardware to accent the modern look of the homes. Landscaping will combine a small amount of grass in the front yards with shrubs and trees and the back yards will have patios with xeric landscaping and a fire pit feature to create an active social area with low maintenance. The use of solar panels is currently being explored and will be installed with each home if it is not cost prohibitive. Provision of smaller, energy efficient, technology smart homes that are in great demand in the Grand Valley may be the most significant community benefit offered by the Elevation 4591 development.”

**Default Zone and Deviations:**

The Applicant is proposing to utilize the dimensional standards for the R-8 (Residential – 8 du/ac) zone district with three (3) deviations including and as shown in the following table:

- 1) Decreasing below the minimum standard the required width of a lot from 40 feet to 35 feet;
- 2) Increasing above the minimum requirement the rear yard setback from 10 feet to 15 feet;
- 3) Decreasing the maximum building height from 40 feet to 30 feet; and
- 4) A minimum increase in lot area from 3,000 to 3,011

Dimensional Standard	R-8	Proposed ODP
Front yard setback (Principal/Accessory):	20'/25'.	Same
Side yard setback (Principal/Accessory):	5'/3'.	Same
Rear yard setback (Principal/Accessory):	10'/5'	15'/5'
Maximum building height:	40'.	30'
Maximum Lot Coverage:	70%.	same
Minimum Lot Area:	3,000 sq. ft.	3,011 sq. ft.
Minimum Lot Width:	40'	35'

**Deviations:**

Section 21.05.040 (g) of the Zoning and Development Code allows for the Planning Commission to recommend the City Council deviate from the default district standards

subject to the provision of any of the community amenities as identified below. In order for the Planning Commission to recommend and the City Council to approve the deviation, the listed amenities to be provided shall be in excess of what would otherwise be required by the code. These amenities include:

*1. Transportation amenities including, but not limited to, trails other than required by multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelter;*

The Applicant has provided a covered school bus shelter to the open space area (proposed Tract E of .17 acres) at the entrance to the development adjacent to F ½ Road. The shelter will be constructed on a concrete pad with covered shelter for use by children waiting for school buses and could be used by the Grand Valley Transit (GVT) system in the future should GVT establishes a route in this area. The school bus shelter facility is not required by the Code and as such are in excess of what would otherwise be required.

*2. Open space, agricultural land reservation or land dedication of 20% or greater;*

The size of this infill development does not allow for a large open space dedication, however, in order to maximize the open space provided, the Applicant has designed the detention facility to be underground so that the surface may be utilized as active open space (proposed Tract E of 0.17 acres) without regard to if and when the detention basin is filled with water. The open space will be landscaped and include amenities such as a shade shelter, picnic tables and covered school bus shelter.

There is no requirement for the detention facility to be constructed underground or for the park amenities to be provided. The Applicant notes that with these amenities they will create a more desirable residential community and will add additional value to the greater community. The Code requires a 14-foot landscaping strip along F ½ Road, however the additional 75 feet of open space is in excess of Code requirements.

*3. Community facilities for provision of public services beyond those required for development within the PD;*

The Applicant is not proposing to provide any traditional community facilities for the provision of public service.

*4. The provision of affordable housing for moderate, low and very low income household pursuant to HUD definitions for no less than 20 years; and*

The Applicant is not proposing to provide any affordable housing for moderate, low or very low households consistent with HUD definitions for these households.

5. *Other amenities, in excess of minimum standards required by this Code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.*

A direct benefit to the adjacent neighborhood will be the increased rear yard setback from 10 feet to 15 feet and the reduction of the maximum building height from 40 feet to 30 feet. The proposed increase of the minimum setback comes as direct result of discussions with area residents during the Neighborhood Meeting at which time residents expressed concern with homes being located close to their existing fences and with the maximum height allowed by the R-8 zone district. Both the rear yard setback and lowering of building height are restrictions in excess of the required Code.

#### **IV. NOTIFICATION REQUIREMENTS**

##### **Neighborhood Meeting:**

A Neighborhood Meeting regarding the proposed Outline Development Plan (ODP) was held on July 10, 2017 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were in attendance along with over 22 citizens. Comments and concerns expressed by the attendees centered on the proposed density of the development, increased traffic on F ½ Road, drainage concerns, building setbacks and height, etc. Since the Neighborhood Meeting, City Staff has received numerous inquiries regarding the proposed subdivision requesting more information along with five emails and letters commenting on the proposed development, which are attached 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 and the subject property was posted with an application sign on September 26, 2017. The notice of this public hearing was published March 20, 2018 in the Grand Junction Daily Sentinel.

#### **V. ANALYSIS**

Pursuant to Section 21.02.150 (b) of the Grand Junction Zoning and Development Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

- a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The proposed Outline Development Plan complies with the Comprehensive Plan, specifically, Goals 3 and 5 as provided below. Regarding the Future Land Use Map, the proposed development of 6.50 dwelling units per acre is within the residential density range of the Residential Medium (4 – 8 du/ac) category as identified on the Future Land Use Map. This Outline Development Plan request is

consistent with the following vision, goals and/or policies of the Comprehensive Plan:

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

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

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 C: Increasing the capacity of housing developers to meet housing demand.

Throughout the Comprehensive Plan, an emphasis is also placed on infill redevelopment of underutilized land. By growing inward (infill and redevelopment) allows the community to take advantage of land with existing services and reduces sprawl.

As proposed, the application is in conformance with the Grand Valley Circulation Plan, Urban Trails Master Plan, and other applicable adopted plans and policies.

b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.

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

A previously adopted PD has lapsed (previous zoning before that was R-R (Residential – Rural), requiring that the property be rezoned. The Applicant is now requesting the same zone category of Planned Development and default R-8 zone district with a different Outline Development Plan. The lack of timely execution of the previously approved PD renders the previous plan invalidate; as it was not able to be developed/constructed according to the approved Plan. Staff has found 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 character and/or condition of the area has not changed in recent years because the adjacent residential subdivisions have been existing for many years. The subject property continues to be underutilized in terms of the residential development potential anticipated by the Comprehensive Plan designation of

Residential Medium (4 – 8 du/ac) for quite some time. The requested ODP and rezone to PD (with a R-8 default zone) furthers the goals and policies of the Comprehensive Plan by providing for density in the mid-range of the Residential Medium (4 – 8 du/ac) land use classification. Because there has been no apparent change of character and/or condition, Staff finds that 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

Existing public and community facilities and services are available to the property and are sufficient to serve the single-family residential land uses allowed in the PD zone district. Ute Water and City sanitary sewer are both located within the F ½ Road right-of-way. The property can also be served by Xcel Energy electric and natural gas. Located within approximately one mile of the Mesa Mall commercial center along Patterson Road and Highway 6 & 50 that includes retail stores, general offices, grocery store, banks, restaurants, etc. Community Hospital is also located a little over a mile and half directly to the west on G Road. Also along G Road is Canyon View Park.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. The location of this development meets response time parameters from Fire Station 3, the primary response station located at 582 25 1/2 Road. Station 3 has a significant call volume and while any increase in population or development can add to call volume, the number of units and level of this development is not expected to significantly effect current levels. The City is currently evaluating relocating Fire Station 3 to a site farther northwest, which should not effect this development. Long range planning recommends an additional fire station north of Interstate 70, which would provide for quicker back-up response to this area.

Grand Junction Police Department estimates this development will increase at a 'normal' rate as estimated by utilizing calls values from nearby residential areas similar in size and location. The estimated average call volume increase is 17.5 calls per year. GJPD will not need an increase in personnel or equipment in order to provide services to those within this proposed development

The public and community facilities are adequate to serve the type and scope of the residential land use proposed, therefore, 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 Elevation 4591 property is an undeveloped parcel of land that would be considered an infill development project that is adjacent to all existing utility infrastructure and is ready for development. The Applicant is requesting to develop a residential subdivision within an existing residential zone, as a Planned Development that provides additional community benefits that would not otherwise be required under conventional zoning. This property is proposed to be zoned PD to allow for design flexibility and additional long-term community benefits. Because PD is a zone category based on specific design and is applied on a case-by-case basis, staff finds this criterion is not applicable to this request, and, therefore has not been met.

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

The community will benefit from this infill development of a property that is substantially constrained and challenging to develop. The proposed density is within the allowable range of the Residential Medium Future Land Use Map category. As discussed in the section titled Long-Term Community Benefit, the area will also derive benefits from the zoning of PD (Planned Development) by the proposed development by the installation of park and picnic bench/shelters and separate school bus shelter to be located within proposed Tract E adjacent to F ½ Road. The construction of an underground detention facility so that the open space (Tract E) can be utilized as turf grass and a landscaped subdivision amenity. In order to maximize the open space provided, the Applicant has designed the detention facility to be underground so that the surface may be utilized as active open space without regard to if and when the detention basin is filled with water. A 10-foot wide concrete trail will also be constructed adjacent to the existing canal along the north property line to provide interconnectivity with existing, adjacent subdivisions per the requirements of the Urban Trails Master Plan. This project also provides for a smaller lot size and housing type that is not regularly available within the City. Staff, therefore finds this criterion has been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone

The Applicant is proposing to deviate but *increase* (not lessen) the rear yard building setback to create a larger buffer from the adjacent neighborhood than is



required from the default R-8 zone district minimum standard of 10 feet to 15 feet, to help mitigate the impact of the proposed development on the adjacent neighborhood to the east. The proposed development complies with this standard.

(2) Open Space. All residential planned developments shall comply with the minimum open space standards established in the open space requirements of the default zone.

The Applicant is proposing five tracts of land in which four (4) tracts will be dedicated to the homeowner's association for ownership and maintenance. Of these, one (Tract B) will contain a 10-foot wide concrete trail that connects to City owned property to the west as a required trail connection on the Urban Trails Map (4.68% of the overall project site). One tract (Tract E) will be used as open space in accordance with the plan. This open space is equivalent to 5.34% of the total project. For this Tract, the Applicant is also proposing the installation of park and picnic bench/shelters and separate school bus shelter to be located adjacent to F ½ Road along with the construction of an underground detention facility so that the open space can be utilized as turf grass and a landscaped subdivision amenity. In order to maximize the open space provided, the Applicant has designed the detention facility to be underground so that the surface may be utilized as active open space without regard to if and when the detention basin is filled with stormwater.

The remaining tracts (Tract D and C) will be landscaped in accordance with City requirements. Section 21.96.020 requires the owner of any residential development of 10 or more lots or dwelling units shall dedicate 10 percent of the gross acreage of the property or the equivalent of 10 percent of the value of the property. For this project, the trail and open space combine for a total of 10.02% of the overall site and therefore meets the requirements of the Zoning and Development Code.

(3) Fencing/Screening. Fencing shall comply with GJMC 21.04.040(i).

Six-foot tall privacy fencing will be provided where fencing does not currently exist which will be along the southside of proposed Lot 1 to help screen and buffer the property from F ½ Road and along the west property line to screen the property adjacent to 2522 F ½ Road. Six-foot tall privacy fencing will also be installed on the eastside of the property adjacent to the existing open space located within Westwood Ranch subdivision at the northern end of the property. Additional fencing will not be required adjacent to Westwood Ranch nor Diamond Ridge Subdivision since these existing properties already contain privacy fencing along their back yards adjacent to the applicant's property. All fencing will comply with all applicable requirements of the Code.

(4) Landscaping. Landscaping shall meet or exceed the requirements of GJMC 21.06.040.

Landscaping with trees, shrubs, turf grass and native grass seed mix is being provided in all open space tracts and will meet or exceed the requirements of the Code. Section 21.06.040 (g) (5) of the Zoning and Development Code requires a minimum 14-foot wide landscape buffer outside a perimeter enclosure adjacent to arterial and collector streets (F ½ Road is classified as a Major Collector). The proposed width of Tract E is 89 feet adjacent to F ½ Road. Tract E will also include picnic and park bench/shelters and a school bus shelter. Construction of a 10-foot-wide concrete trail will also be developed adjacent to the Grand Valley Irrigation Company canal along the north side of the property per the requirements of Urban Trails Master Plan. All proposed landscaped areas meet or exceed the requirements of the Zoning and Development Code.

(5) Parking. Off-street parking shall be provided in accordance with GJMC 21.06.050.

The Applicant has provided a total of 25 off-lot parking spaces (14 spaces within proposed Tract D and 11 on-street parking spaces) per the conditions of the City engineering team's review and approval of an Alternative Street section. On-street parking shall only be allowed on one side of the street (east side). Each lot will contain the minimum required two (2) off-street parking spaces (one in garage and one in drive-way) per Section 21.06.050 (c) of the Zoning and Development Code.

(6) Street Development Standards. Streets, alleys and easements shall be designed and constructed in accordance with TEDS (GJMC Title 29) and applicable portions of GJMC 21.06.060.

The proposed subdivision can only take access from F ½ Road. The internal street was approved by the City as an alternative street standard (30-foot right-of-way including curb, gutter, sidewalk on the east side with 22.5 feet asphalt width) with the condition that the Applicant provide 21 off-lot parking spaces. A separate TEDS Exception (Transportation Engineering Design Standards) was also approved by the City to allow a dead-end street to be longer than the Code provision of 750 feet, provided that a Fire Department turn-around was installed. This was accomplished in the proposed Tract C. The Applicant proposed a dead-end street to be over 835 feet in length. With the approved TEDS Exception and approved Alternative street design, the streets will be constructed in accordance with TEDS and applicable portions of the Code.

d) The applicable corridor guidelines and other overlay districts.

There are no corridor guidelines or overlay district that are applicable for this development.

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

Existing public and community facilities and services are available to the property and are sufficient to serve the single-family residential land uses allowed in the PD zone district. Ute Water and City sanitary sewer are both located within the F ½ Road right-of-way. The property can also be served by Xcel Energy electric and natural gas. Located within a mile to a mile and half of the property is the Mesa Mall commercial area along Patterson Road and Hwy 6 & 50 that includes retail stores, general offices, grocery store, banks, restaurants, etc. Community Hospital is also located a little over a mile and a half directly to the west on G Road. Also along G Road is Canyon View Park. The public and community facilities are more than adequate to serve the type and scope of the residential land use proposed.

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

The proposed subdivision can only take access from F ½ Road. All necessary design standards have been incorporated into the Alternative Streets review that was administratively approved by the City. In addition to street circulation of traffic, a trail along the canal will be constructed to provide pedestrian and bicycle circulation between adjoining subdivisions. The ODP is consistent with the City's adopted Circulation Plan for this area.

- g) Appropriate screening and buffering of adjacent property and uses shall be provided;

As noted in the previous discussion of (3), Six-foot tall privacy fencing will be provided where fencing does not currently exist which will be along the southside of proposed Lot 1 to help screen and buffer the property from F ½ Road and along the west property line to screen the property adjacent to 2522 F ½ Road. Six-foot tall privacy fencing will also be installed on the eastside of the property adjacent to the existing open space located within Westwood Ranch subdivision at the northern end of the property. All HOA tracts will also be landscaped. Staff has found the proposed screening and buffering to be appropriate for the proposed residential development.

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

The proposed density for Elevation 4591 is 6.50 dwelling units per acre (21 dwelling units on 2.99 acres). The Comprehensive Plan Future Land Use Map

designates this property as Residential Medium (4 – 8 du/ac). The Applicant is requesting a default zone of R-8, which has a minimum density of 5.5 and a maximum density of 8 dwelling units/acre and is thus considered an appropriate range of density for the proposed development.

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

The Applicant is proposing an R-8 default zone district for establishing density. The Applicant is proposing to deviate from the R-8 standards regarding the minimum lot width, required to be 40 feet to a proposed 35 feet minimum lot width. The Applicant, in turn, is proposing an increase in the rear yard setback from the minimum required 10 feet to 15 feet along with a reduction of the maximum building height from 40 feet to 30 feet. Staff has found the standards as proposed are appropriate for the development.

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

The Applicant is proposing to develop the subdivision in a single phase with the final plat to receive approval on or before December 31, 2021. Staff find this development schedule to be appropriate for the proposed development.

In accordance with Section 21.05.040 (e) of the Zoning and Development Code, a minimum of five acres is recommended for a Planned Development unless the Planning Commission recommends and the City Council finds that a smaller site is appropriate for the development as a Planned Development. In approving a Planned Development smaller than five acres, the Planning Commission and City Council shall find that the proposed development:

1. Is adequately buffered from adjacent residential property;

Typically, residential zones abutting residential zones do not require additional buffering or screening. However, the Applicant is proposing an increase in the rear yard setback from the minimum required R-8 standards of 10 feet to 15 feet along with a reduction of the maximum building height from 40 feet to 30 feet in order to help mitigate impacts of the proposed subdivision development on adjacent residential properties to the east. Staff has found the proposed development to be adequately buffered from adjacent residential property

2. Mitigates adverse impacts on adjacent properties; and

As stated above in (1), to help address the impacts of development, the Applicant is proposing an increase in the rear yard setback from the minimum required R-8 standards of 10 feet to 15 feet along with a reduction of the maximum building height from 40 feet to 30 feet. Also, six-foot tall privacy fencing will be provided where

fencing does not currently exist which is along the west property line to screen the property adjacent to 2522 F ½ Road. Six-foot tall privacy fencing will also be installed on the eastside of the property adjacent to the existing open space located within Westwood Ranch subdivision at the northern end of the property. Additional fencing will not be required adjacent to Westwood Ranch nor Diamond Ridge Subdivision's since these existing properties already contain privacy fencing along their back yards adjacent to the Applicant's property. Staff has found the proposed development adequately mitigates adverse impacts on adjacent properties.

3. Is consistent with the goals and policies of the Comprehensive Plan. The proposed Outline Development Plan complies with the Comprehensive Plan, specifically, Goals 3 and 5 as provided below. Therefore, Staff has found this Outline Development Plan request to be consistent with the following vision, goals and/or policies of the Comprehensive Plan:

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

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

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 C: Increasing the capacity of housing developers to meet housing demand.

Throughout the Comprehensive Plan, an emphasis is also placed on infill redevelopment of underutilized land. By growing inward (infill and redevelopment) allows the community to take advantage of land with existing services and reduces sprawl.

## **V. STAFF RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the application for a rezone to PD with an R-8 default zone district and an Outline Development Plan for the proposed Elevation 4591, PLD-2017-435, the following findings of fact have been made:

1. The Planned Development is in accordance with all criteria in Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code.
2. Pursuant to Section 21.05.010, the Planned Development has been found to have long term community benefits including:
  - a. A greater quality and quantity of public and/or private open space;
  - b. A needed housing type and/or mix; and

- c. Innovative designs.
3. Pursuant to 21.05.040(e), it has been found that a smaller site (3.23 acres) is appropriate for the development as a Planned Development.
4. The Planned Development is consistent with the vision, goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the request for a Planned Development Zone District and Outline Development Plan (ODP) for Elevation 4591.

#### **VI. RECOMMENDED MOTION**

Madam Chairman, on the Rezone to Planned Development (PD) with an R-8 (Residential – 8 du/ac) default zone district and an Outline Development Plan to develop 19 single-family detached homes and one two-family attached dwelling for a total of 21 dwelling units located on 20 lots, file number PLD-2017-435, I move that the Planning Commission forward a recommendation of approval to City with the findings of fact listed in the staff report.

#### **Attachments:**

3. Site Location Map
4. Aerial Photo Map
5. Comprehensive Plan Future Land Use Map
6. Existing Zoning Map
7. Outline Development Plan
8. Landscaping Plans
9. Parking and Auto Turn Exhibit
10. Conceptual House Designs
11. Proposed Subdivision Entrance Sign
12. Proposed Picnic/Bench Shelter Designs

# Attachment 1



Attachment 2





Attachment 3

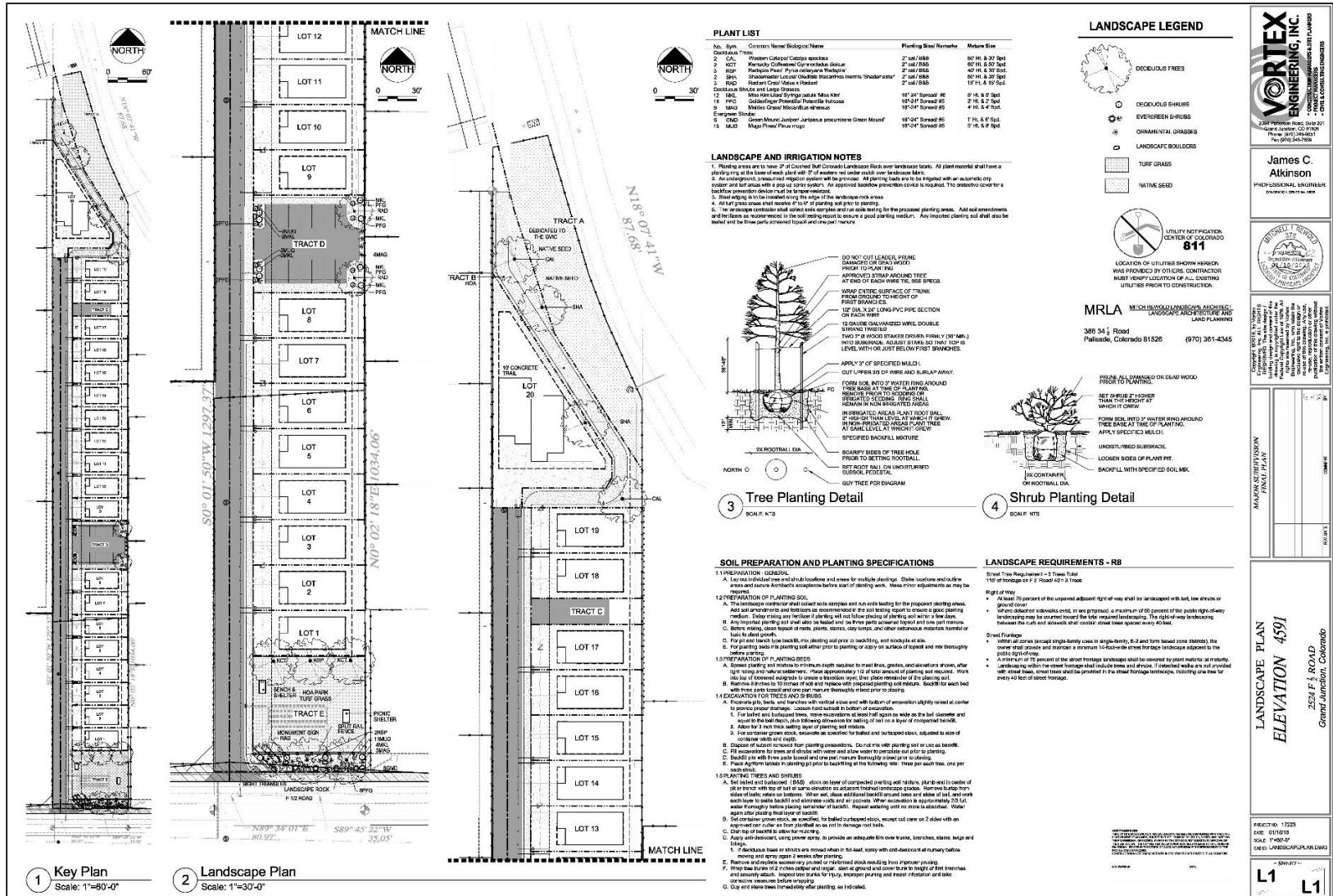


Attachment 4





# Attachment 6 Landscaping Plan



1 Key Plan  
Scale: 1"=80'-0"

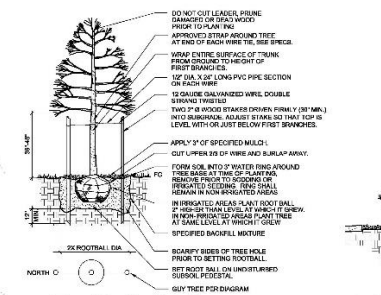
2 Landscape Plan  
Scale: 1"=30'-0"

### PLANT LIST

No.	Sym.	Common Name/Botanical Name	Planting Size/Remarks	Mature Size
1	CAJ	Western Calfornia Canna	2" cal/ 1888	60" H. & 30" Spd
2	WCT	Wormy Cutworm	2" cal/ 1888	60" H. & 30" Spd
3	RSP	Red Sp. Pines	2" cal/ 1888	60" H. & 30" Spd
4	SHI	Shoestring Plant	2" cal/ 1888	60" H. & 30" Spd
5	RSD	Red Sp. Pines	2" cal/ 1888	15' H. & 10' Spd
6	CON	Concordia	1st yr approx 48"	10' H. & 8' Spd
7	ABE	Abies	18" x 24" Sun/45	2' H. & 2' Spd
8	PHI	Philadelphus	18" x 24" Sun/45	4' H. & 4' Spd
9	EMG	Emerald Green	18" x 24" Sun/45	1' H. & 8' Spd
10	EMG	Emerald Green	18" x 24" Sun/45	1' H. & 8' Spd
11	EMG	Emerald Green	18" x 24" Sun/45	1' H. & 8' Spd
12	EMG	Emerald Green	18" x 24" Sun/45	1' H. & 8' Spd

### LANDSCAPE AND IRRIGATION NOTES

1. Planting areas are to have 3" of Cultured Half Cowork Landscaping Rock over landscape fabric. All plant material shall have a planting hole as shown on sheet with 2" of mulch and soil under landscape fabric.
2. An underground, cross-feed irrigation system will be provided. All planting beds are to be irrigated with an automatic drip system and areas with a top soil cover. An approved landscape protection cloth is required. The protective cover for a backfill protection fabric shall be as recommended.
3. Final grades are to be established during the site of the landscape rock area.
4. All top soil areas shall receive 2" of top soil and prior to planting.
5. The irrigation system shall be installed and tested prior to the proposed planting area. Add soil amendments and fertilizers as recommended in the soil testing report to ensure a good planting medium. Any required planting soil shall also be tested and the final report reviewed and approved.



3 Tree Planting Detail  
SOIL F.N.T.S.

### SOIL PREPARATION AND PLANTING SPECIFICATIONS

#### 1.1 PREPARATION - GENERAL

A. See soil test report for soil conditions and areas for multiple plantings. Slope conditions and surface areas and surface treatments acceptance before start of planting work. Make final adjustments as may be required.

#### 1.2 PREPARATION OF PLANTING SOIL

A. The landscape contractor shall conduct soil samples and soil tests for the proposed planting areas. Add soil amendments and fertilizers as recommended in the soil testing report to ensure a good planting medium. Final grades and soil conditions shall be established during the site of the landscape rock area.

B. Any imported planting soil shall also be tested and the final report reviewed and approved.

C. Before planting, clear topsoil of rocks, debris, stumps, etc., and other obstructions and remove to a suitable disposal area.

D. Top soil and backfill shall be placed and compacted, and rock shall be placed and compacted.

#### 1.3 PREPARATION OF PLANTING BEDS

A. Remove planting soil and replace with topsoil to meet tree, shrub, and vegetation shown, after topsoil and soil amendments. Make approximately 1/2" of soil amendments to planting soil. Work shall be done in 10' wide rows and replace with topsoil and soil amendments. Backfill for each bed with topsoil and soil amendments and compacted. The placement of the planting soil.

B. Backfill in 10' wide rows and replace with topsoil and soil amendments. Backfill for each bed with topsoil and soil amendments and compacted. The placement of the planting soil.

#### 1.4 EXCAVATION FOR TREES AND SHRUBS

A. Prepare pits, beds, and trenches with vertical sides and with bottom of excavation slightly raised at center to provide proper drainage. Excavation shall be as follows:

1. For ball and burlap trees, vertical excavations at least 1/2" larger in width and 1/2" deeper in depth and equal to the ball diameter. The bottom shall be 1/2" above the bottom of the ball diameter.
2. For container trees, vertical excavations at least 1/2" larger in width and 1/2" deeper in depth and equal to the ball diameter. The bottom shall be 1/2" above the bottom of the ball diameter.
3. For container trees, vertical excavations at least 1/2" larger in width and 1/2" deeper in depth and equal to the ball diameter. The bottom shall be 1/2" above the bottom of the ball diameter.

B. Excavation for trees and shrubs for planting conditions. Do not mix with planting soil or use as backfill.

C. Excavation for trees and shrubs for planting conditions. Do not mix with planting soil or use as backfill.

D. Excavation for trees and shrubs for planting conditions. Do not mix with planting soil or use as backfill.

#### 1.5 PLANTING TREES AND SHRUBS

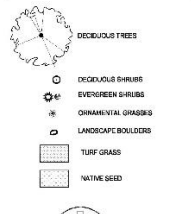
A. Set ball and burlap (BB) stock on layer of compacted planting soil. Reduce 1/2" to 1" in center of pit or trench with soil or excavation to about 1/2" above planting soil. Remove ball and burlap from sides of ball, set on bottom. When set, place additional backfill around base and sides of ball, and work each side to ball height and sides of ball and replace with topsoil and soil amendments. Water thoroughly before planting and after setting. Repair working until soil is substantial. Water again after setting and after setting.

B. Set container trees, shrubs, etc., as specified, for ball and burlap trees, except cut care on a side with an additional 1/2" of soil or excavation to about 1/2" above planting soil.

C. Apply water immediately, using proper care, to provide an adequate film over trunks, branches, stems, and bags and mulch.

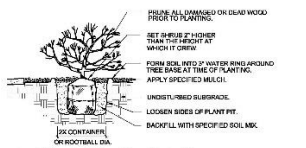
D. Mulch trees or shrubs as recommended in the soil testing report with soil amendments and fertilizer. Apply water immediately after planting, as directed.

### LANDSCAPE LEGEND



LOCATION OF UTILITIES SHOWN HEREIN WAS PROVIDED BY CLIENT. CONTRACTOR MUST VERIFY LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

MRLA MICHIGAN LANDSCAPE ARCHITECTS  
LANDSCAPE ARCHITECTURE AND LAND PLANNING  
385 5th St., Colorado  
Palmdale, Colorado 81252 (970) 361-4343



4 Shrub Planting Detail  
SOIL F.N.T.S.

### LANDSCAPE REQUIREMENTS - R8

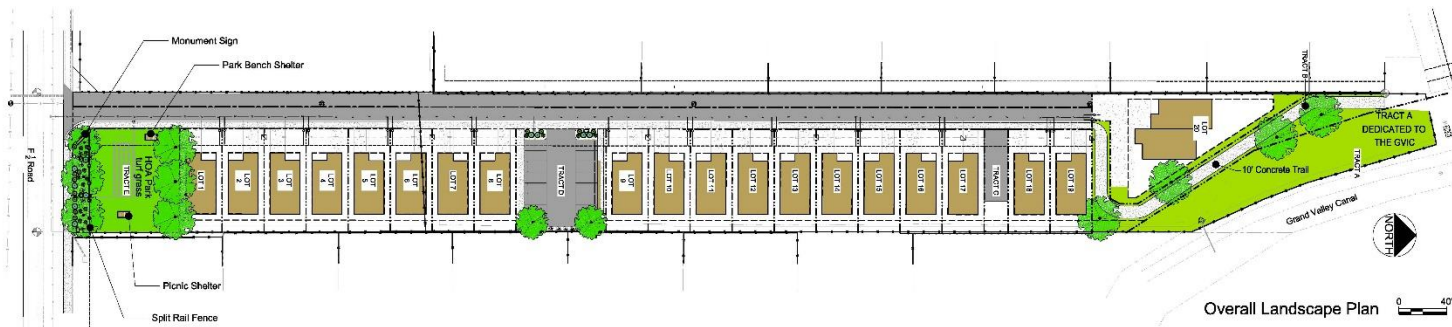
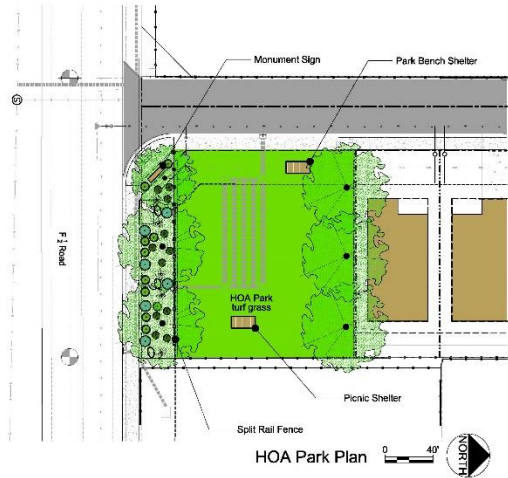
Street Tree Requirement - 3 Trees Total 170' or more on 2' Road 45'-9' Trees

Planting:

- At least 75 percent of the unpaved adjacent right-of-way shall be landscaped with turf, low shrubs or ground cover.
- Where adjacent sidewalks exist, or are proposed, a minimum of 50 percent of the public right-of-way landscaping must be covered toward the side nearest landscaping. The closest new landscaping between the curb and sidewalk shall consist of trees spaced every 40 feet.

Street Furniture:

- Where all trees (except single-family uses in single-family, 2- and 3- and 4- and 5- and 6- and 7- and 8- and 9- and 10- and 11- and 12- and 13- and 14- and 15- and 16- and 17- and 18- and 19- and 20- and 21- and 22- and 23- and 24- and 25- and 26- and 27- and 28- and 29- and 30- and 31- and 32- and 33- and 34- and 35- and 36- and 37- and 38- and 39- and 40- and 41- and 42- and 43- and 44- and 45- and 46- and 47- and 48- and 49- and 50- and 51- and 52- and 53- and 54- and 55- and 56- and 57- and 58- and 59- and 60- and 61- and 62- and 63- and 64- and 65- and 66- and 67- and 68- and 69- and 70- and 71- and 72- and 73- and 74- and 75- and 76- and 77- and 78- and 79- and 80- and 81- and 82- and 83- and 84- and 85- and 86- and 87- and 88- and 89- and 90- and 91- and 92- and 93- and 94- and 95- and 96- and 97- and 98- and 99- and 100- and 101- and 102- and 103- and 104- and 105- and 106- and 107- and 108- and 109- and 110- and 111- and 112- and 113- and 114- and 115- and 116- and 117- and 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MRLA MERRILL DENNIS LANDSCAPE ARCHITECTS  
 LANDSCAPE ARCHITECTURE AND  
 LAND PLANNING  
 385 34 1/2 Road  
 Palisade, Colorado 81526 (970) 381-4345



James C. Atkinson  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 10014

EXPLANATION: THIS PLAN IS A PRELIMINARY DESIGN. IT IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGN. THE DESIGNER ASSUMES NO LIABILITY FOR THE CONSTRUCTION OF THE PROJECT OR FOR THE PERFORMANCE OF THE PROJECT.

DATE	DESCRIPTION

LANDSCAPE PLAN  
**ELEVATION 4591**  
 2524 F 1/2 ROAD  
 Grand Junction, Colorado

PROJECT NO: 17235  
 DATE: 01/18/18  
 SCALE: 1"=40'-0"  
 GSD: LANDSCAPE/PLANNING

L1 L1



# Attachment 8 Conceptual House Designs









**Attachment 9  
Proposed Subdivision Entrance Sign**



subdivision sign concept 1-a

# Attachment 10 Proposed Picnic/Bench Shelter Designs



046668 (2-80) - 8' METAL PARK BENCH



046668 (2-608) - 8' METAL PICNIC TABLE

**WESTWOOD RANCH HOMEOWNERS ASSOCIATION**  
2525 SHETLAND AVENUE  
GRAND JUNCTION, CO 81505

August 2, 2017

Robert W. Jones, II, P.E.  
Vortex Engineering, Inc.  
2394 Patterson Road, Suite 201  
Grand Junction, CO 81505



Dear Mr. Jones:

Following our quarterly Board meeting on July 28, I have been instructed to write to you with comments we have concerning the proposed subdivision on 2524 F 1/2 Road next to the Westwood Ranch Subdivision. We are sorry that none of our Board members could attend the July 10 meeting.

We have been in contact with Ron Stoneburner, who did attend as a resident so we know that the houses will be built on the west side of the land rather than our side. We are pleased with this design because it gives our residents more privacy and it also lessens the drainage problem for our subdivision homes which have crawl spaces. You may not know that we have had problems with ground water drainage even before the subdivision was turned over to us. In fact, the City asked John Davis, the developer, to put in an extra drainage line along Longhorn because of water coming up in the streets.

We also know that you intend to complete the fence between our property and yours but we are wondering what your plans are for the existing fence? Property owners have been able to care for their side of the fence for the past 17 years, but no one has ever maintained the west side which also has all the posts and lateral supports. We know from experience with our other outside fences that the posts and laterals will likely need to be repaired all along the perimeter and a good preservative or paint be applied. Because there will be no homes on that side, I assume this cost will have to be paid for by the developer. We would also like to have your subdivision fenced so that foot traffic won't be coming into our "Natural Park" space. I'm sure by now you have discovered that the Grand Valley Canal is private ground.

Our final request is that you plan for a slope on the sidewalk which will guarantee that the water will drain into your street rather than the adjoining back yards.

Thank you for this opportunity to voice our comments while there is still time to plan for a successful construction. Westwood Ranch, having gone through the water issues blindly, would like to have others benefit from our experience.

Sincerely yours,

Carol McManus, Secretary

CC: ✓ Scott Peterson, City Planning  
A. Berg - P. Hawkins - B. Spacek - J. Groey

September 14, 2017

Carol McManus  
Westwood Ranch Home Owners Association  
2525 Shetland Avenue  
Grand Junction, CO 81505

Re: Elevation 4591

Dear Ms. McManus,

Thank you for your recent letter outlining the concerns of the Westwood Ranch Home Owners Association regarding the proposed Elevation 4591 development. This letter is to let you know that the plans for the proposed development have been submitted to the City of Grand Junction Community Development Department for review. I have attached a copy of the plan, known as an Outline Development Plan, for your convenience.

When reviewing the plan you will notice that the street has been relocated to the west side of the property. This is not where the street was located on the plans that were reviewed during the Neighborhood Meeting, held on July 10, 2017. The street has been moved to the west side of the property at the request of City Development Engineer Rick Dornis. The City would like street access provided to the property located adjacent to the west property line for possible future development and requested that it be moved accordingly.

Drainage from the new development will be directed from each lot toward the street where it will be captured in the gutters and directed to the detention area located at the entrance on F 1/2 Road. We do not expect any issues with drainage to be a problem with the new location of the street, gutter and sidewalk. I realize that drainage is a matter of concern for the residents in Westwood Ranch and want to assure you that it will be addressed in accordance with City design regulations.

Another issue that your letter raised concerned fencing. I have attached an aerial photo showing the location of the proposed new fencing. Construction of the fencing will address your concern for foot traffic entering the Natural Park space in Westwood Ranch. The maintenance of fences, both new and existing, will be the property owner's responsibility, which is a standard practice.

I hope this information has been helpful. Please don't hesitate to contact me at (970) 245-9051, or by email at [rjones@vortexeng.us](mailto:rjones@vortexeng.us), should you have any questions. Thank you.

Sincerely,

**Robert W. Jones II, P.E.**  
**Vortex Engineering, Inc.**

Attachments: Proposed Outline Development Plan  
Proposed new fencing

cc: Cody Davis, Bookcliff Orchards, LLC  
Scott Peterson, Senior Planner  
File

Proposed new fencing in the Elevation 4591 development



**Scott Peterson**

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**From:** Kim Leonard and Jerry Green <LEONARD\_GREEN@mcn.com>  
**Sent:** Thursday, October 12, 2017 2:53 PM  
**To:** Scott Peterson  
**Subject:** Elevation 4591

Sent from [Mail](#) for Windows 10

I have serious concerns with the proposed Elevation 4591 that is proposed in an already residential community. 21 two story houses does not fit the desired neighborhoods that surround this project. I hope you have respect for the families that have already made this their home and not to be invaded by a project such as this one being presented to you.

Please update me on this project as the surrounding neighborhoods will be adversely affected.

Thanks

Jerry M Green



October 3rd, 2017

Mr. Dorris,

I am writing to you concerning the subdivision plan/proposal for the property at 2524 F 1/2 Road. I own a home on a parcel of property located at 653 Longhorn Street, in the Westwood Ranch Subdivision which abuts up to the east property boundary for the newly proposed subdivision.

On July 10th, 2017 I attended a public meeting to discuss concerns with the initial plan as submitted by the builder/developer via Vortex Engineering. The initial plot plan was designed and drawn with the houses being built on the west boundary of the property abutting up to the parcels of the Diamond Ridge Subdivision and the street location being on the east boundary to the Westwood Ranch Subdivision parcels.

On October 1st, 2017 I was notified via email from a neighbor in my subdivision that the parcel/plot planned had been changed to propose the houses now be constructed on the East boundary of the Westwood Ranch Subdivision and the street now on the West boundary of the Diamond Ridge subdivision. As a result on October 2nd, 2017 I went to Grand Junction City Hall and met with Planner Scott Peterson. Mr. Peterson informed me the reason for the redesign change is due to your recommendation in order to plan for future needs for the possible development of the property at 2522 F 12/ Road. According to Mr. Peterson the design change was made so only one street curb cut would be made to allow access to F 1/2 Road from the aforementioned properties. I am submitting this email to object to the design change for this accommodation regarding street access. I will address the issues for the objection as documented below.

As you are aware, there is a significant problem and history of a pre-existing high water table in the Westwood Ranch Subdivision. I have attached several past letters of correspondence for your reference dealing with the high water table issues when and after the Westwood Subdivision was built. Not only do I feel that the high water table is a concern but also the density of houses planned for this size of property is not practical. The small lots and setbacks reasonably do not fit the characteristics of the two adjoining subdivisions. The density is simply too high which will detract from the resale value of the already existing subdivisions.

Having so many units "crammed" into this parcel looks simply like greed on behalf of the builder/developer so they can make as much money as possible in spite of these concerns. Having this type of attitude tends to equalize things in the end when no consideration is given

to the homeowners of the adjoining subdivisions. At the July 10th meeting the builder/developer could not even take the time to be present to hear the concerns of the adjacent property owners and let the poor Vortex Engineering folks do their "dirty work". So it is plainly obvious the builder/developer has no interest in these issues. They just want to make their money regardless of the impacts and consequences.

This leads in to the issues regarding the pre-existing high water table. With a greater density in the number of houses planned, obviously more water will be used for more lawns. This amount of water will only add to the already existing issue of the high water table for my property and the others on the East boundary of the newly proposed subdivision. The last time a developer wanted to build on the property city planning department reduced the number of housing units allowed due to the issues I have just raised to you.

In order to avoid more changes before the presentation to city council why not address these issues right now with the builder/developer and possibly have them actually meet with the adjoining parcel owners face to face. I as well as other residence in my subdivision are fully prepared to stop this new/changed proposed plan from proceeding by any legal means necessary if need be. This can certainly be avoided with prudent, reasonable, common sense measures. I am certain the builder/developer would be more than willing to engage the residents of both subdivisions to accomplish this rather than be subjected to costly litigation in the future due to the high water table issues as well as other concerns.

For example, would it not be a much simpler and less costly and a common sense solution on behalf of the builder/developer to leave the properties as is in the original plan on the west side by simply redesigning the street to curve on a tangent over to the East boundary that could still allow for street access to the 2522 F 1/2 Road property with T intersection incorporated to the access road for the 2524 F 1/2 Road parcel? Thus still only having one curb cut on F 1/2 road as you propose? Taking into consideration the possibility of problems with pre-existing high water table in Westwood Ranch I hope you as an engineer will address this with builder/developer and express to them the potential of future problems that could possibly involve costly litigation for the them. The attached letters clearly state the high water table is a major concern thus could easily be defended in litigation.

It should also be noted that the builder/developer of the Westwood Subdivision was done by John Davis. Per the attached documentation it is clear Mr. Davis was not exactly forthcoming about the high water table issues as well as not taking the initiative or responsibility under warranty to remedy the problems without having to be reminded to do so several times by your department. Mr. Davis's sons have now acquired his company so if high water table

04/09/14

issues again arise due to the design proposal by you I have great concern issues will not be appropriately dealt with. As such, I as well as the other parcel owners in my subdivision who will be affected if high water issues occur due to the redesign of houses now proposed to be built on the East boundary of the 2524 F 372 Road property, will seek legal remedies to the fullest extent for compensation.

Thank you for your attention to this matter. I look forward to having a response from you to address these issues.

Respectfully submitted,  
Ronald N. Stoneburner  
653 Lorghorn Street  
Phone: 970 778.2696  
Email: rndstone@q.com

**Scott Peterson**

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**From:** Debra Roberts <debrobe125@aol.com>  
**Sent:** Tuesday, February 06, 2018 2:15 PM  
**To:** Scott Peterson; DebRobe125@aol.com  
**Subject:** 2524 F 1/2 Road New Subdivision

Dear Mr. Peterson

My name is Debra Roberts and I live at 667 Gemstone Ct in Diamond Ridge Subdivision. I writing in regard to the subdivision proposed at 2524 F 1/2.

I was not able to make the last public meeting, so all the information I have is second hand, so please forgive me if my facts are wrong. My property does not abut the new subdivision, but I am extremely concerned that the new subdivision will contain 21 new homes on a mere 3 acres. Is that true? 1/14th of an acre per house?

I moved from Main Street. It was nice when I moved in but as the years progressed, it went from a family neighborhood to rentals. Crime increased, my property was broken into and homeless people squatted in my garage. Drug incidents, wandering pitbulls, the list was endless. So I sold up and bought in Diamond Ridge. We have strict covenants and they are enforced. It is safe and clean. It is good for families and good for retirees. It is a much sought after neighborhood because we work hard to keep it safe and clean.

I can't imagine how tiny the homes will be to squeeze in 21 homes onto 3 acres. These would not be family homes. Transition homes at best meaning there would be a lot of short term rentals. Short term rentals inevitably turn into unkempt neighborhoods and crime moves in. Not conducive to family living and it will affect our property values. I cannot afford to move again.

If you must approve a subdivision on that three acre plot, please, I implore you, make it family homes that will blend with the neighborhood. Be considerate of the people that have already live here. Please consider no more than one house per quarter acre. Single level so there is a degree of privacy for both sides of the fence. Please ensure they will have strict covenants that will protect those of us that already live here.

Lastly, the traffic on 25 Road and F 1/2 is already intolerable and dangerous. We need a traffic light on 25 and F 1/2. Better lighting along F 1/2 would not go amiss either!

Thank you for your time and consideration.

Debra Roberts

**Scott Peterson**

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**From:** Ross Barefoot <ross.a.barefoot@gmail.com>  
**Sent:** Tuesday, February 06, 2018 12:05 PM  
**To:** Scott Peterson  
**Subject:** Elevation 4591, 2524 F 1/2 Road, Proposed Development

Dear Scott,

This email is to express our objection to the plans for the development of the lot at 2524 F 1/2 Road.

We live at 2519 Onyx Dr, so our house is right at the edge of this development. Our objection to the development plans are as follows:

1) The density of the proposed construction is not in keeping with the neighborhood and represents a radical departure from the character of the surrounding parcels. I (Ross) put together a brief video illustrating my non-technical observation of the density of the homes along Miranda, not to mention the homes to the East of the property in question. Although I'm not a surveyor, looking at satellite imagery it's easy to see that 21 homes crammed into those 3 acres is not just more dense than the surrounding neighborhood, but more dense by an order of magnitude.

See my video illustrating this here: <http://bit.ly/2ESyCJ5>

Please note that the difference in density is not because the lot size on Miranda are overly large. In fact the lots for the homes along Miranda are not spacious at all, and the distance between each home is fairly tight. Yet it appears as though that level of density would allow only about 9 or 10 homes, not 21.

2) The size of the setback as well as the decision of the property owners to develop 2 story properties will dramatically change the quality of life of the people who own the homes that are next to this development, especially those on the West, namely the homeowners on Miranda. Having a dense row of 2-story houses only six feet away from the back yard fence of those homeowners means they will forever lose light from the rising sun and will forever have bedroom windows almost on top of their back yards with an unobstructed view from those bedrooms into the windows along the East side of their homes. Since this passive invasion of privacy would occur from the second floor of these proposed new houses, the folks on Miranda cannot build a fence high enough to give them privacy again.

3) For the above stated reasons, common sense indicates that this development will significantly reduce the marketability and value of the homes along Miranda, and to a lesser degree, most likely the homes along Loughorn Street as well. This represents a significant cost to existing homeowners in order to maximize the profits of the developers, in effect taking money out of the pocket of those who actually live in the neighborhood in order to line the pockets of those who don't.

Based on these factors, I would request that the City Planners exercise their authority and their responsibility to protect the interests of all homeowners in this area to a proper enjoyment of their property.

Many of these people bought their homes with limited funds and are trying their best to enjoy their retirement years on fixed incomes. While a reduction in the density of this development might reduce the profit of the developers, it will mean the difference between a satisfactory and unsatisfactory quality of life for the people who already live here.

Please weigh the relative impact on the lives of the people involved and help protect the interests of those who are counting on the City Planners to fulfill this role.

Thank you for listening.

Ross and Tina Barefoot  
2519 Onyx Dr.