

ORDINANCE NO. 2508

CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY LOCATED ON 12TH STREET (27 ROAD) BETWEEN G ROAD AND HORIZON DRIVE, KNOWN AS HORIZON PARK SUBDIVISION

Except as indicated below, the City Council finds that the applicant has complied with applicable provisions of the City's Zoning and Development Code for re-zoning and that the Planning Commission has recommended that the re-zoning request be granted.

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

1. That the zoning of the lands herein described be changed as indicated:

(a) Proposed Lots 1 and 2, of the proposed Horizon Park Subdivision, City of Grand Junction, County of Mesa, State of Colorado, consisting of approximately 10 acres are hereby re-zoned from PR-8 to PR-6;

(b) The proposed lot 3 of the proposed Horizon Park subdivision, City of Grand Junction, County of Mesa, State of Colorado, consisting of approximately 17 acres is hereby re-zoned from PB to Highway Oriented (HO). Any subsequent changes to the zoning code providing for uses by right or development without a further plat or plan shall not effect the requirement that, as to this property, no development can occur without a plat or plan having been approved.

The precise boundaries of the areas being re-zoned are as shown on the attached map, which indicates the boundaries of the proposed three lots, which is incorporated herein by this reference.

2. Because the applicant has not yet submitted a plan for the three proposed lots, the City Council cannot approve any particular uses of any of the property. The owner, therefor, shall not develop the property until such time as a plan is submitted and approved pursuant to the Zoning and Development code in accordance with all applicable sections, including but not limited to, 4-5, 4-6, 5-6-5, 5-6-6, 5-6-7 and 6-8. This re-zoning and any future development of the property, and any portion thereof, is subject to the specific requirements to be set forth by the Grand Junction Planning Commission, pursuant to the Grand Junction Zoning and Development Code, as it may then exist. Such specific requirements include, but are not limited to, the filing of development plans in conformance with the then existing Zoning and Development Code and acceptance of the duly filed development plans by the Grand Junction Planning Commission.

3. The applicant for the re-zoning requested that the owner not be required to construct, or pay for the costs of constructing, half of the adjacent streets to collector standards. The Council specifically rejects that request because such a waiver would

transfer the burden of constructing adjacent roads (required because of the increased traffic once the property is developed) from the development to the citizens of the City.

4. All development costs and fees are and shall be due as specified in the Code of Ordinances of the City of Grand Junction and the Grand Junction Zoning and Development Code. The Council expressly denies waiver of any or all development fees, including parks and open space fees and any others which are required at the time of recordation of plat(s) or development plan(s), except as otherwise specifically set forth in this ordinance.

5. The Council approves the plat of the subdivision of the property into three lots, as described on the attached exhibit, because of the representations of the applicant that no development can occur until such time as each lot is further subdivided or until a final plat and plan is submitted and approved, according to the development Code. The proposed plat shall be submitted on or before December 31, 1991 and shall comply with the following before it is recorded:

(a) the limits of the wetlands, if any, shall be shown;

(b) a sewer easement across Lot 3 (for the benefit of Lot 2) shall be shown;

(c) current and updated reports, as required by sections 5-6-1 and 5-6-2 of the Zoning and Development code, shall be submitted and have received approval;

(d) a drainage plan must be submitted and have received approval;

(e) any other areas which are not presently usable or developable shall be delimited by said plat and plan.

6. Lots 1, 2, and 3, Horizon Park Subdivision, shall be subject to the payment of development fees, including "half street improvements", to be improved at such time as:

(b) with respect to each lot, at the time the lot develops (e.g. is platted or for which a plan is approved).

7. A plan of development for each of the lots shall be submitted on or before September 1, 1993.

INTRODUCED this 6th day of February, 1991.

PASSED AND ADOPTED this 6th day of March, 1991.

President of the Council

Attest:

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2508, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 6th day of February, 1991, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of March, 1991.

Neva B. Lockhart, CMC
City Clerk

Published: February 15, 1991

Published: March 8, 1991

Effective: April 7, 1991