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

TUESDAY, SEPTEMBER 8, 2020 @ 6:00 PM

Call to Order - 6:00 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from August 11, 2020.

Regular Agenda

1. Consider a request by Hilltop Health Services LLC to rezone 8.24 acres from R-O (Residential Office) to BP (Business Park) located at 1405 Wellington Avenue. - [Staff Presentation](#)
2. Consider a request by Mesa County Valley School District 51 to vacate a public alley right-of-way adjacent five properties located at 520, 522, 538, 542 and 552 West Main Street and a public sewer easement, located at 552 West Main Street. - **Application Withdrawn.**
3. Consider a request by STGC Holdings, LLC to amend the Comprehensive Plan Future Land Use designation for a property of 4.52 acres located at 2515 Riverside Parkway from Business Park Mixed Use to Commercial and to rezone said property from CSR (Community Services and Recreation) to C-2 (General Commercial). - **Request to Continue to September 22, 2020.**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
August 11, 2020 MINUTES
6:00 p.m.

The meeting of the Planning Commission was called to order at 6:10 p.m. by Chairman Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Bill Wade, Keith Ehlers, Ken Scissors and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), and Scott Peterson (Senior Planner).

There were approximately 5 members of the public in attendance.

CONSENT AGENDA

Commissioner Susuras moved to adopt Consent Agenda Item #1. Commissioner Wade seconded the motion. The motion carried 5-0.

1. Minutes of Previous Meeting(s)

The Planning Commission reviewed the meeting minutes from the July 28, 2020 meeting.

REGULAR AGENDA

1. Mallard View Rezone and Comprehensive Plan Amendment

File # RZN-2020-288; CPA-2020-289 | [Agenda item can be viewed at 3:50](#)

Consider a request by Mallard View LLC, for a Comprehensive Plan Amendment from Residential High Mixed Use (16 – 24 du/ac) to Residential Medium (4 – 8 du/ac) and Village Center and a rezone from R-E (Residential – Estate) to R-8 (Residential – 8 du/ac) and C-1 (Light Commercial) on a total of 17.84-acres, located at 785 24 Road.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant's Presentation

The Applicant's representative, Stephen Swindell, Vortex Engineering, was present and was available for questions.

Questions for Applicant

Commissioner Wade asked a question regarding the request.

Commissioner Teske asked a question regarding the dimension of the proposed C-1 zone.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, August 4, 2020 via www.GJSpeaks.org.

Robert W Carlson, Sandra Holloway, Melanie Jane Jackson, Richard A Pennington, and Cynthia W. Komlo made comments in opposition of the request via GJSpeaks.

Additional comments were received from Sarah S. Abraham and James H. Abraham, Don Fry, David Lacy, and Nancy Miller in opposition of the request.

Dick Pennington, 780 27 7/10 Road, and Nancy Miller, 2363 H Road, made comments in opposition of the request.

The public hearing was closed at 6:42 p.m. on August 11, 2020.

Applicant's Response

Mr. Swindell did not provide a response to public comment.

Questions for Applicant or Staff

Commissioner Wade made a comment clarifying the status of the 2020 Comprehensive Plan.

Discussion

Commissioners Ehlers and Wade made comments in support of the request

Motion and Vote

Commissioner Susuras made the following motion, "Mr. Chairman, on the Comprehensive Plan Amendment request for the property located at 785 24 Road, City file number CPA-2020-289, I move the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Wade seconded the motion. The motion carried 5-0.

Commissioner Scissors made the following motion, "Mr. Chairman, on the Rezone request for the property located at 785 24 Road, City file number RZN-2020-288, I move

the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Susuras seconded the motion. The motion carried 5-0.

2. Other Business

Tamra Allen, Community Development Director, informed the Commission that the August 25, 2020 meeting will be canceled.

3. Adjournment

Commissioner Wade moved to adjourn the meeting. Commissioner Susuras seconded the motion. The meeting adjourned at 6:58 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: September 8, 2020

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

Consider a request by Hilltop Health Services LLC to rezone 8.24 acres from R-O (Residential Office) to BP (Business Park) located at 1405 Wellington Avenue. - [Staff Presentation](#)

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Hilltop Health Services ("Hilltop"), is requesting a rezone from R-O (Residential – Office) to BP (Business Park) for 8.224 acres, to better align with the existing use of the property and facilitate anticipated future development on the site including, at this time, expanding the number of residents and the types of services available on the property called Bacon Campus.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Hilltop Health Services Bacon Campus provides adults with traumatic brain injuries the home, community, and support essential to maintaining health and independence. Hilltop would like to be able to expand their Life Assistance Program on the western side of their campus and is looking to rezone the property to Business Park Mixed Use (BP) to better accommodate their facility and operation plans.

R-O zoning currently (1) limits the hours of operation from 7:30 AM to 8:00 PM for non-residential uses; (2) limits the size of buildings to no more than 10,000 square feet; and

(3) requires buildings to align along adjacent streets with main entries opening onto the adjacent streets. These requirements in the R-O zoning requirements present several obstacles for Hilltop -

- The existing and proposed expanded services provided to Hilltop's clients can extend beyond the designated hours of operation and may include clients that are not residents of the site.

- The site currently has one building that exceeds the 10,000-sf limit, which at the time was allowed in a R-O zone with a Conditional Use Permit. Hilltop's current facilities are spread out across the campus. State health care regulations have changed over the years and now facilities are required to provide constant oversight of their tenants. To efficiently accomplish this, facility layouts have living facilities and access corridors that connect to a common support staff central station, which ultimately require larger building footprints to comply. Hilltop is looking to expand their LAP program to the western side of the campus and anticipates the new building will be larger than 10,000 square feet in size.

- The property is currently developed in a campus style configuration with a majority of the buildings not having the entrance facing the street or oriented toward the street.

The Bacon Campus is currently zoned (R-O) Residential Office. The Comprehensive Plan Future Land Use Map for the campus is Residential Medium on the eastern portion of the property encompassing approximately 6.6 acres and Business Park Mixed Use on the western portion of approximately 1.6 acres.

Hilltop is requesting a proposed BP zone district which is compatible with the Comprehensive Plan Future Land Use Map as well as the surrounding zone districts which range from B-1, PD and R-O zoning. The surrounding area provides a mix of existing commercial and residential land uses.

The following zone districts would also be consistent with the Future Land Use designation of Business Park Mixed Use/Residential Medium for the subject property:

- a. R-4 (Residential 4 du/ac)
- b. R-5 (Residential 5.5 du/ac)
- c. R-8 (Residential 8 units/acre)
- d. R-12 (Residential 12 units/acre)
- e. R-16 (Residential 16 units/acre)
- f. R-24 (Residential – 24 units/acre)
- g. B-1 (Neighborhood Business)
- h. CSR (Community Services and Recreation)
- i. BP (Business Park Mixed Use)

j. I-O (Industrial/Office Park)

In reviewing the other zoning district options, the residential zone districts of R-4, R-5, R-8, R-12, R-16 and R-24 could accommodate use of the properties for housing. The non-residential zones of CSR, BP, I-O are not as conducive to an entirely residential use. The BP zone district, however, allows the unlimited group living facility as it exists today, allows for the expansion of the residential component of the site and provides opportunity to further expand services the site can provide to its residents, clients and the community.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held on February 19, 2020 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Eleven neighbors attended and asked questions focused on planned construction, timing, parking, and traffic impacts on Wellington Avenue.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on August 28, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on August 28, 2020. The notice of this public hearing was published on September 1, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

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

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

Hilltop Health Services has been operating on this property since 1985. The need for services/homes for brain injury residents continues to grow. Hilltop is looking to continue and expand its services for these residents.

The R-O zone district previously had an allowance for buildings over 10,000 sf with a Conditional Use Permit which has been removed. The site received a CUP in 2001 for it's administrative / dining hall building which exceeds 10,000.

The applicant is anticipating the need for additional structures on the property for its LAP program on the property that will need to exceed the 10,000-sf cap in order to meet State requirements for staffing and care of the residents.

The growing needs of the applicant and the services needed by its clients, the R-O zone district is no longer the best fit as it creates operational challenges for Hilltop and how it serves its clients and residents.

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 area has changed with the rezone of the property at the southeast corner of N 12th Street and Wellington Avenue to B-1 (Neighborhood Business) and the addition of the City Market shopping center at the west end of Wellington Avenue on the northeast corner, both adding new commercial uses to the neighborhood that are easily accessible to area residents and employees via walking, biking or driving.

The BP zone district allows for both non-residential and residential uses that facilitate a buffer between the developing commercial area at the west end of the block with the residential uses to the east. The rezone would allow the Applicant to expand its operations without heavily impacting the existing residential uses and being able to benefit from the proximity of the neighborhood commercial.

Staff has found this criterion has been met.

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

The public facilities including water, sewer and utilities are available and adequate to serve any future development of the west end of site with the expansion of the LAP program or other services Hilltop provides its clients. In addition, the area has access to shopping, restaurants, banking and other personal services within walking, biking as well as driving in close proximity.

Staff has found 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 purpose of the BP zone district is to provide for a mix of light manufacturing and employment centers, limited commercial services, and multifamily residential uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.

The City has over 21,000 acres of property zoned inside the City limits. Of that

approximately 7,400 acres (approximately 35%) is zoned for some form of mixed-use or non-residential. There is over 2,000 acres of land designated with the BP-MU (Business Park Mixed Use) Future Land Use designation and only 98 acres of land designated with the BP (Business Park) zone district (less than 1% of the total 21,000, just over 1% of the mixed-use/non-residential zones and just under 5% of the BP-MU Future Land Use land).

The stretch of N 12th Street between Patterson Road and North Avenue and partially extending to N 7th Street has a mix of multifamily, general commercial and medical office uses and is designated as BP-MU on the Future Land Use Map. There is a mix of R-8, R-16, R-24, B-1, R-O and PD zone district that fall within the same area; however, there aren't any properties zoned BP. The BP zone district has been introduced into the Zoning and Development Code after the adoption of the Comprehensive Plan in 2009, well after this area of the City was developed. As redevelopment occurs, opportunities to further evolve the area with business park type developments also occur.

With Goals of providing areas that are a mix of employment opportunities, housing types and utilizing existing infrastructure, the limited amount of land specifically zoned to provide for those purposes is inadequate.

Staff has found this criterion has been met.

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

The proposed BP zone district would work to implement Goal 5 of the Comprehensive Plan "To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages." and Goal 12 "Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy."

The BP zone supports both Goals by creating an opportunity for Hilltop to expand its housing and services provided at the Bacon Campus for persons with special needs. The most recent Grand Valley Housing Needs Assessment identified a need for housing for persons with special needs; thus, expansion of the Bacon Campus will provide a benefit to the community to help meet this need.

Staff has found this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Hilltop Health Services rezone request, RZN-2020-223, for the property located at 1405 Wellington Avenue, the following findings of fact have been

made:

1) The request has met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code.

2) The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the rezone for the property located at 1405 Wellington Avenue, City file number RZN-2020-223, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Location Maps
3. Exhibit 3 - Proposed Zoning Ordinance



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

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Date

5-7-20

Signature of Legal Property Owner

Date

5-1-20

**General Project Report
For
Hilltop Health Service Corp
Bacon Campus Rezone**

Project Description (location, Acreage, Proposed Use):

The purpose of this application submittal is to obtain approval from the City of Grand Junction to rezone an 8.22-acre site located at 1405 Wellington Avenue from Residential Office (RO) to Business Park / Mixed Use (BP). The property is located on the southwest corner of Wellington Avenue and 15th Street. An air photo of the project site is depicted below:



Project Site Location

The property is owned and operated by Hilltop Health Services Corp and is known as the Hilltop Bacon Campus. The site is care facility for individuals with traumatic brain injuries facility that provides personalized care to allow individuals to achieve maximum self-sufficiency. Hilltop is looking to expand their Life Assistance Program (LAP) on the western side of their campus and is looking to rezone the property to Business Park Mixed Use (BP) to better accommodate their facility and operation plans.

R-O zoning currently (1) limits the hours of operation from 7:30 AM to 8:00 PM; (2) limits the size of buildings to no more than 10,000 square feet; and (3) requires buildings to align along adjacent streets with main entries opening onto the adjacent streets. These requirements in the R-O zoning requirements present several obstacles for Hilltop.

General Project Report For Hilltop Health Service Corp Bacon Campus Rezone

The Hilltop Bacon Campus is operated and maintained 24-hours a day, seven days a week.

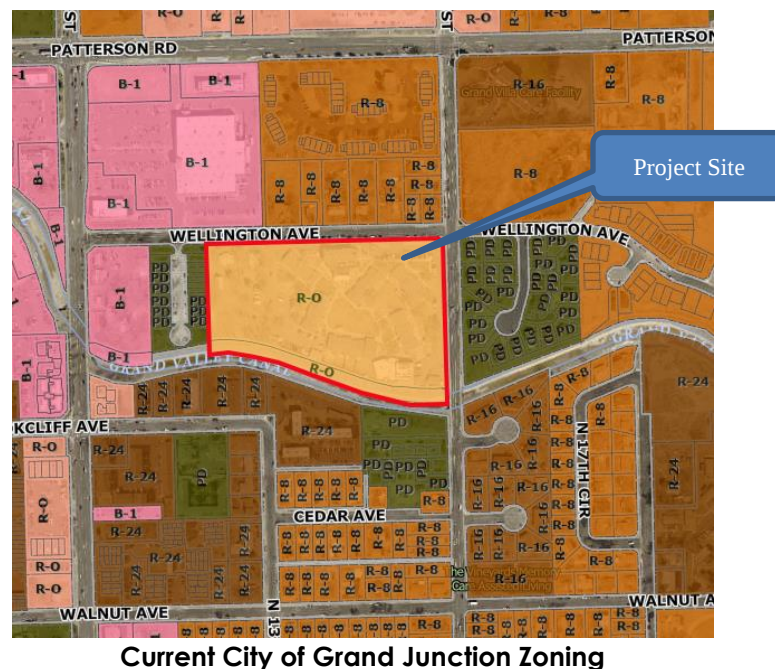
Hilltop's current facilities are spread out across the campus. State health care regulations have changed over the years and now facilities are required to provide constant oversight of their tenants. To efficiently accomplish this, facility layouts have living facilities and access corridors that connect to a common support staff central station, which ultimately require larger building footprints to comply. Hilltop is looking to expand their LAP program to the western side of the campus and anticipates the new building will be larger than 10,000 square feet in size.

Finally, the vast majority of building on the campus are not orientated to the adjacent streets nor have main access on of the adjacent streets.

In examining rezone options with City staff, the Business Park zoning designation appears to be the best option for allowing Hilltop to continue operations at this campus as well as allowing for expansion to address their future needs.

Surrounding Land Uses and Zoning:

The 5 parcels are currently zoned R-8. The current City of Grand Junction Zoning Map is depicted below:

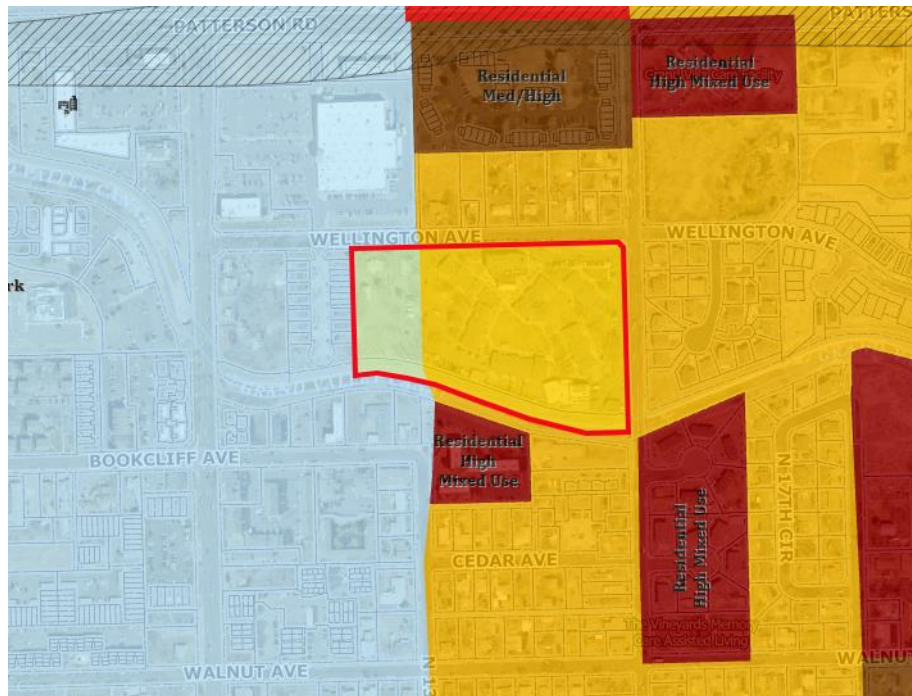


The existing land uses adjacent to the project site include the following:

**General Project Report
For
Hilltop Health Service Corp
Bacon Campus Rezone**

DIRECTION	ZONING	USE
North	B-1/R-8	City Market / Single Family Residential
South	R-24/PD	Multi-family Housing
East	PD	Single Family Residential
West	PD	Residential Townhomes

The future land use for this project area consist of Business Park / Mixed Use or Residential Medium 4-8 Units per Acre. The City of Grand Junction Future Land Use Map area is depicted in the graphic below:



Future Land Use Designation

Neighborhood Meeting

A neighborhood meeting for this rezone request was conducted on February 20, 2020. The meeting was attended by eleven neighbors and all neighbors were in support of the rezone request.

Roads & Access

Access to the site will be from two new driveways on Wellington Avenue.

Utilities

There are no changes to existing utilities needed for this project.

**General Project Report
For
Hilltop Health Service Corp
Bacon Campus Rezone**

21.02.140 Code Amendment and Rezoning

(a) 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 premise and findings; and/or

Applicant's Response: The applicant has been operating the current Bacon Campus Facility (1405 Wellington Avenue) since 1985. The community need for these types of facilities has grown and Hilltop Health Services (HHS) is looking to continue operations and planned expansion at this facility. A Business Park / Mixed Use zoning designation is a better fit for their existing and future operations.

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

Applicant's Response: HHS has operated this facility since 1985. The current code definition for R-O is not a fit for the type of operation and existing facilities on this site. The rezone request to BP is consistent with the Future Land Use plan and also allows HHS the opportunity to meet the community needs by expanding their operations.

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

Applicant's Response: The rezone request will not modify or change any of the current public or community facilities needed to serve the facility.

- (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

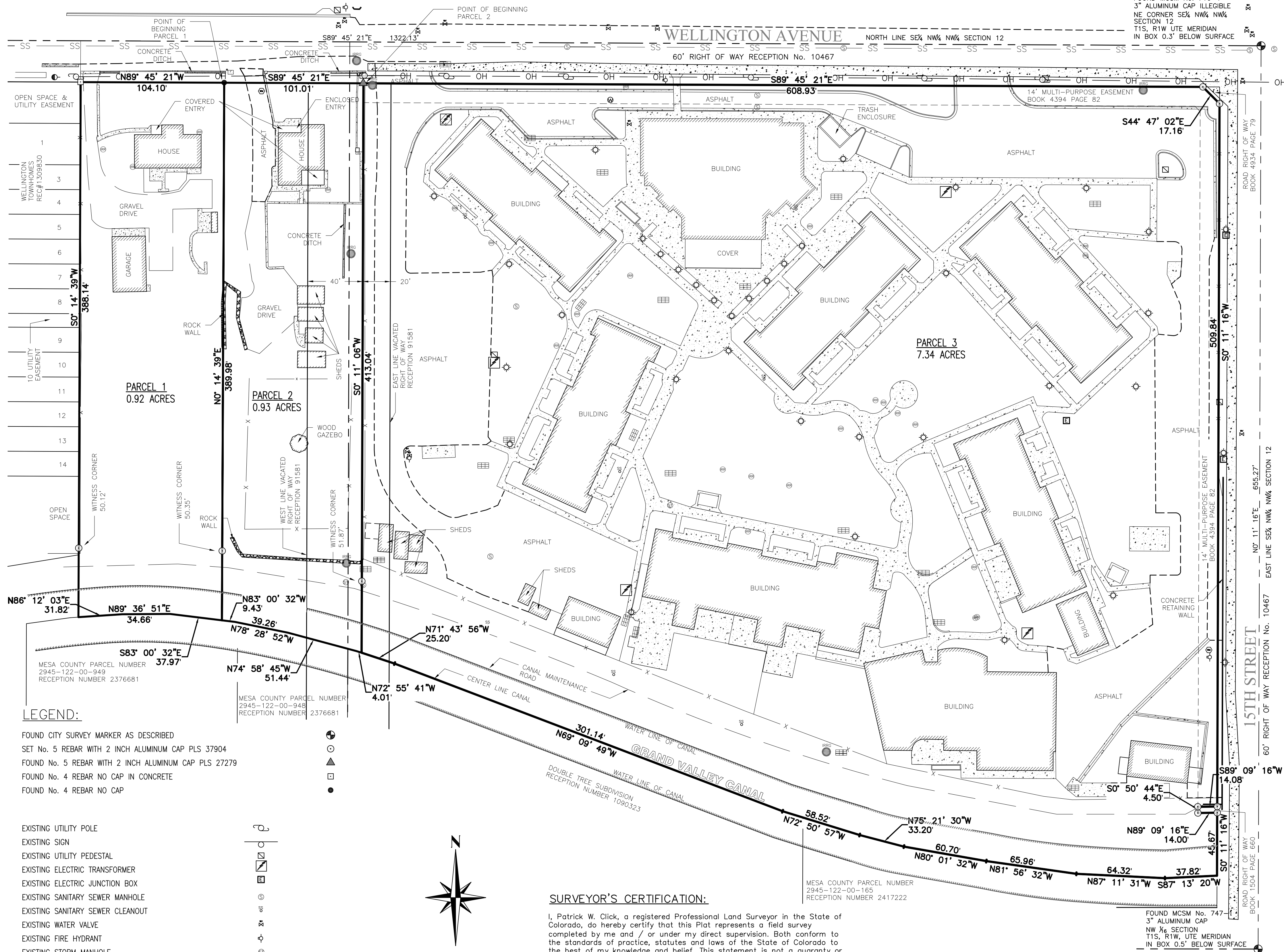
Applicant's Response: As previously stated, HHS has operated this facility since 1985. The current code definition for R-O is not a fit for the type of operation and existing facilities on this site. The rezone request to BP is consistent with the Future Land Use plan and also allows HHS the opportunity to meet the community needs by expanding their operations.

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

Applicant's Response: There is a strong need in the community for these type of special care facilities and rezoning the site allows HHS the opportunity to expand their services to meet the need of the community.

IMPROVEMENT SURVEY PLAT

SITUATED IN THE NW¼ NW¼ SECTION 12
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
AND BEING A PART OF FAIRMOUNT SUBDIVISION
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

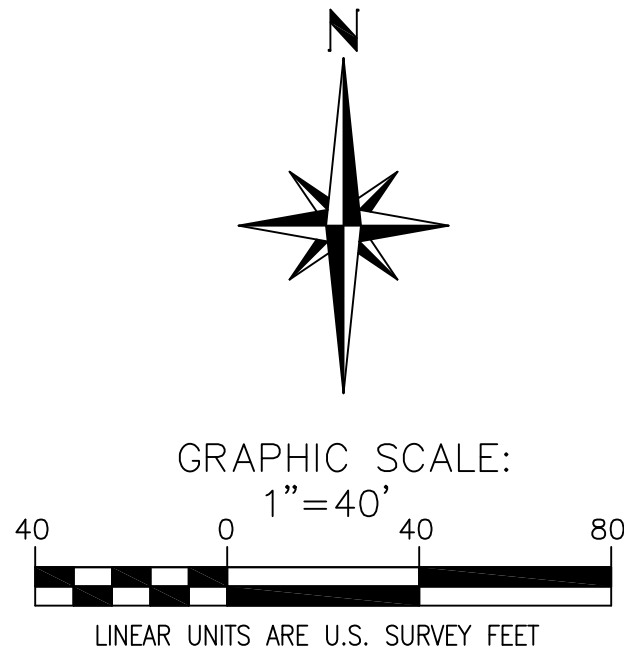


LEGEND:

FOUND CITY SURVEY MARKER AS DESCRIBED
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
FOUND No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 27279
FOUND No. 4 REBAR NO CAP IN CONCRETE
FOUND No. 4 REBAR NO CAP

EXISTING UTILITY POLE
EXISTING SIGN
EXISTING UTILITY PEDESTAL
EXISTING ELECTRIC TRANSFORMER
EXISTING ELECTRIC JUNCTION BOX
EXISTING SANITARY SEWER MANHOLE
EXISTING SANITARY SEWER CLEANOUT
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
EXISTING STORM MANHOLE
EXISTING WATER METER
EXISTING LIGHT POLE
EXISTING WATER MANHOLE
EXISTING IRRIGATION AND / OR DRAINAGE STRUCTURE
EXISTING IRRIGATION CONTROL BOX
EXISTING OVERHEAD UTILITY LINE
EXISTING FENCE LINE
EXISTING SANITARY SEWER LINE

OH OH
X X
SS SS



SURVEYOR'S CERTIFICATION:

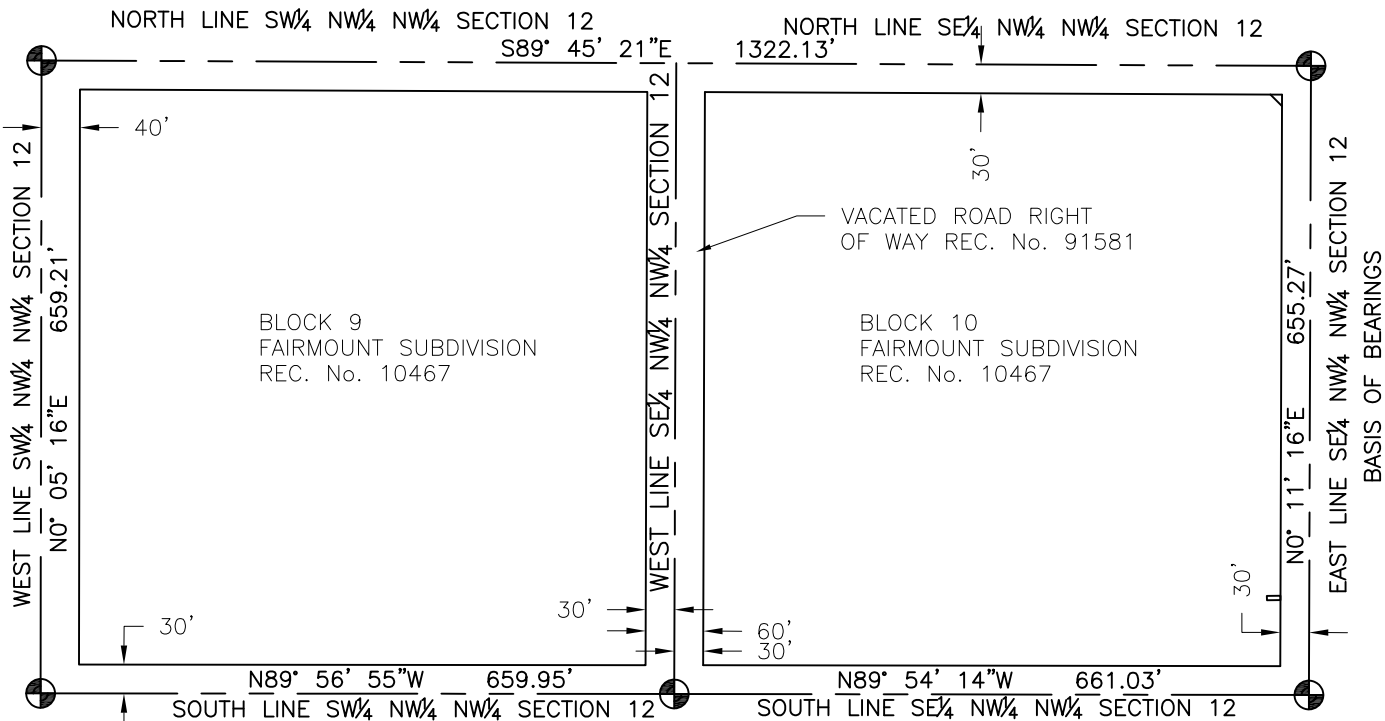
I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



COLORADO REGISTERED LAND SURVEYOR PLS #37904

FOUND MCSM 3" BRASS CAP No. 821-1
NW CORNER SW¼ NW¼ SECTION 12
T1S, R1W, UTE MERIDIAN
IN BOX 0.3' BELOW SURFACE

FOUND MCSM No. 716-1
3" ALUMINUM CAP ILLEGIBLE
NE CORNER SE¼ NW¼ NW¼ SECTION 12
T1S, R1W, UTE MERIDIAN
IN BOX 0.3' BELOW SURFACE



FOUND MCSM No. 820-1
3" BRASS CAP ILLEGIBLE
NORTH ½ WEST LINE SECTION 12
T1S, R1W, UTE MERIDIAN
IN BOX 0.3' BELOW SURFACE

FOUND CITY 2" ALUMINUM CAP ILLEGIBLE
SW CORNER SE¼ NW¼ NW¼ SECTION 12
T1S, R1W, UTE MERIDIAN
FLUSH WITH SURFACE

FOUND MCSM No. 747-1
3" ALUMINUM CAP
NW ¼ SECTION 12
T1S, R1W, UTE MERIDIAN
IN BOX 0.5' BELOW SURFACE

CONTROL SKETCH

LEGAL DESCRIPTIONS:

PARCEL 1: DEED RECORDED AT RECEPTION NUMBER 2739270

BEGINNING AT A POINT 425.9 FEET EAST OF THE NORTHWEST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION; THENCE EAST 104.1 FEET; THENCE SOUTH 350 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF THE GRAND VALLEY CANAL; THENCE N88°54' WEST ALONG SAID CANAL 104.1 FEET; THENCE NORTH 348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF MESA, STATE OF COLORADO.

PARCEL 2: DEED RECORDED AT RECEPTION NUMBER 2734216

BEGINNING AT A POINT 40 FEET EAST OF THE NORTHEAST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION IN SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN; THENCE WEST 100 FEET; THENCE SOUTH 350 FEET TO THE GRAND VALLEY IRRIGATION CANAL; THENCE EASTERLY ALONG SAID CANAL TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING, COUNTY OF MESA, STATE OF COLORADO.

PARCEL 3: DEED RECORDED AT RECEPTION NUMBER 2373564

THAT PART OF BLOCK 10 OF FAIRMOUNT SUBDIVISION, ACCORDING TO THE PLAT RECORDED NOVEMBER 4, 1891 IN PLAT BOOK 1 AT PAGE 19 OF MESA COUNTY RECORDS LYING NORTH OF THE RIGHT-OF-WAY OF THE GRAND VALLEY IRRIGATION COMPANY 'S CANAL; TOGETHER WITH THE EAST 20 FEET OF THE VACATED ROAD RIGHT OF WAY ADJACENT TO THE WEST SIDE OF SAID BLOCK 10 AND LYING NORTH OF THE RIGHT-OF-WAY OF SAID CANAL; IN THE CITY OF GRAND JUNCTION;

EXCEPT A PARCEL OF LAND FOR ROAD AND UTILITY RIGHT OF WAY PURPOSES CONVEYED TO CITY OF GRAND JUNCTION BY INSTRUMENT RECORDED AUGUST 2, 1984 IN BOOK 1504 AT PAGE 660,

AND ALSO EXCEPT A PARCEL OF LAND FOR ROAD AND UTILITY RIGHT OF WAY PURPOSES CONVEYED TO CITY OF GRAND JUNCTION BY INSTRUMENT RECORDED APRIL 05, 2007 IN BOOK 4934 AT PAGE 79,

COUNTY OF MESA, STATE OF COLORADO.

NOTES

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING CURRENT TITLE POLICIES BY LAND TITLE GUARANTEE COMPANY.
- BEARINGS ARE BASED ON THE EAST LINE OF THE SE¼ NW¼ SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, THE BEARING USED N89°54'16"W IS BASED ON GPS OBSERVATIONS WHILE USING THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM. FOUND IN PLACE WAS A MESA COUNTY SURVEY MARKER NUMBER 747 AT THE SOUTH END OF SAID LINE AND A MESA COUNTY SURVEY MARKER NUMBER 716-1 AT THE NORTH END OF SAID LINE.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THE PARCELS SURVEYED HEREON CALL TO THE RIGHT OF WAY, NORTHERLY BANK OR TO THE CANAL OF THE GRAND VALLEY IRRIGATION COMPANY CANAL. NO RIGHT OF WAY HAS BEEN DISCLOSED IN THE RECORDED DOCUMENTS AND THE PARCELS SURVEYED HEREON ARE SHOWN TO THE CENTERLINE OF SAID CANAL AT THE TIME OF THIS SURVEY AND DOES NOT INFER ANY RIGHT OF THE OWNER OF THE PARCELS SURVEYED HEREON TO INTERFERE WITH OPERATION AND MAINTENANCE OF SAID CANAL.

IMPROVEMENT SURVEY PLAT

HILLTOP HEALTH SERVICES CORPORATION
SITUATED IN THE NW¼ NW¼ SECTION 12
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

JOB #: 2016035 FIELD WORK: OM
DATE: 4/25/16 DRAWING NAME: WELLINGTON DRAWN BY: PC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE., #B
GRAND JUNCTION, CO 81504
PHONE/FAX (970)434-7038

Type legal description below.

EXHIBIT A

Lot 1 Bacon Community Campus Subdivision as recorded at reception number 2798998 in the office of the Mesa County clerk and recorder, Mesa County, Colorado



Austin Civil Group, Inc.

Land Planning ▪ Civil Engineering ▪ Development Services

February 25, 2020

Mr. Landon Hawes, AICP
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

**Re: Hilltop Bacon Campus Rezone
Neighborhood Meeting Summary**

Dear Mr. Hawes:

The purpose of this letter is to summarize the neighborhood meeting comments for the Hilltop Bacon Campus rezone application. The project site is located at 1405 Wellington Avenue in Grand Junction, Colorado.

1. The neighborhood meeting was conducted at 5:30 PM on February 20, 2020 at the Hilltop Corporate Office building located at 1331 Hermosa Avenue.
2. The meeting was attended by 11 neighbors, three members from Hilltop, and two Austin Civil Group staff. A copy of the sign in sheet is attached.
3. Mark Austin with ACG described the purpose of the meeting which was to rezone the current "R-O" property to a "BP" zone.
4. The R-O zone district does not allow buildings larger than 10,000 square feet in size, limits the hours of operations from 7:30 AM to 8:00 PM., and requires the main entries for the building to open on the public streets. Hilltop currently have facilities larger than 10,000 square feet, operates 24/7, and none of the buildings on campus have main access location onto the adjacent streets.
5. The primary reason for the rezone request is Hilltop anticipates constructing a new assisted living care facility on the existing campus and the square footage of the new building is anticipated to exceed 10,000 square feet in size.
6. Hilltop explained the State of Colorado Licensing requires Hilltop of have their residence "under one roof" and no scattered across the campus.
7. Hilltop met with City Planning and discussed options for allowing expansion on their facility and the consensus was the BP designation was the best fit for their type of operation.

8. The neighbors had questions about what was to be constructed on the property and Mark Austin presented a conceptual plan for an assisted living facility located on the western side of the campus. This plan was only conceptual and the final plan will change from this.
9. The neighbors asked what would happen if the rezone request was not approved. Mark Austin explained the existing site has several non-conforming items from a zoning perspective that would be worked out in the site plan review process with the City.
10. Hilltop explained they aren't sure when this new facility would be constructed as it depends on their ability to obtain funding.
11. The neighbors were concerned about parking for the new facility and Hilltop explained that additional parking will be provided within the project site.
12. The neighbors agreed that Hilltop has done a good job addressing parking issues on Wellington Avenue and when it was brought to their attention, they no longer parked on the north side of the roadway.
13. The neighbors stated they were in the process of forming a neighborhood association and asked if Hilltop was interested in being a part of this program.
14. The neighbors were concerned with the amount of traffic on Wellington, especially after the new City Market development. Neighbors stated it was difficult to exit from Wellington onto 12th Street and Wellington is now busy alternate street to and from City Market.
15. The meeting concluded about 6:15 PM.

If you have any comments or notes that I may have missed, please contact me at 970-242-7540.

Sincerely,



Austin Civil Group, Inc.

Mark Austin, P.E.
President

Attachment:
(1) Sign in Sheet

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Hilltop Health Services ("Entity") is the owner of the following property:

(b) The Hilltop Bacon Campus, 1405 Wellington Avenue

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) CEO 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:

As Approved by the Board of Directors in Annual Budgets

☐ 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) Rezone

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

(e) None

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: J. Michael Stahl

Printed name of person signing: J. MICHAEL STAHL

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 1 day of May, 2020

by J. Michael Stahl

Witness my hand and seal.

My Notary Commission expires on October 30, 2022

TRACEY BARBIERI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184042530
MY COMMISSION EXPIRES OCTOBER 30, 2022

Tracey Barbieri
Notary Public Signature

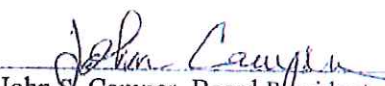


HILLTOP HEALTH SERVICES, CORPORATION
D.B.A. Hilltop Community Resources, Inc.

RESOLUTION

IT IS HEREBY RESOLVED this 10th day of September, 2015, that the Chief Executive Officer, J. Michael Stahl, is hereby authorized to make, execute and deliver, on behalf of the Board, all contracts, grant agreements, representations, receipts, reports, and other instruments of every kind for Hilltop Health Services, Corporation, d.b.a. Hilltop Community Resources, Inc. and its subsidiaries / affiliates.

IT IS FURTHER RESOLVED that such authorization on behalf of the Board obligates Hilltop Health Services, Corporation, d.b.a. Hilltop Community Resources, Inc. and its subsidiaries / affiliates to observe all of the terms and conditions placed on grant agreements, representations, receipts, reports, and all other instruments of every kind.


John S. Camper, Board President

I, Jim Grisier, Secretary of Hilltop Community Resources, Inc. Board of Directors, hereby certify on this 10th day of September, 2015 that this is an exact copy of a resolution for Hilltop Community Resources, Inc.


Jim Grisier, Board Secretary

SPECIAL WARRANTY DEED

BOOK 1612 PAGE 205

VALLEY FEDERAL SAVINGS AND LOAN ASSOCIATION OF GRAND JUNCTION ("Grantor"), a corporation organized and existing under the laws of the United States of America, whose address is Grand Junction, Colorado, in consideration of the payment of EIGHT HUNDRED FIFTY ONE THOUSAND ONE HUNDRED FIFTY EIGHT AND NO/100 DOLLARS and other valuable consideration, sells and conveys to HILLTOP SPECIAL SERVICES DIVISION, INC., a Colorado Non-Profit Corporation ("Grantee"), whose address is 2503 Foresight Circle, Grand Junction, CO, 81501, the following described real property ("Property") located in Mesa County, Colorado:

BOOK 1645 PAGE 931

That part of Block 10 of FAIRMOUNT SUBDIVISION, according to the plat recorded November 4, 1890 in Plat Book 1 at page 19 of Mesa County Records lying North of the Right-of-way of the Grand Valley Irrigation Company's Canal; TOGETHER WITH the East 20 feet of the vacated road right of way adjacent to the West side of said Block 10 and lying North of the right-of-way of said Canal; in the City of Grand Junction; EXCEPT a parcel of land for road and utility right of way purposes conveyed to City of Grand Junction by instrument recorded August 2, 1984 in Book 1504 at page 660, County of Mesa, State of Colorado.

1456712 DDC NO FEE 03:23 PM
JUN 02, 1987 E.SAWYER, CLK&REC MESA CTY, CO

TOGETHER WITH all water and water rights appurtenant to the real property described above, if any,

also known as 1405 Wellington, Grand Junction, CO 81501

Grantor warrants title to the Property against all lawful claims of persons and entities claiming an interest in the Property by, through or under Grantor, subject to general property taxes for 1986 and all subsequent years, City of Grand Junction Special Paving Assessment 84-A, and a deed of trust payable to Valley Federal Savings and Loan Association of Grand Junction dated August 24, 1977 and recorded September 1, 1977 in Book 1118 at Page 428, Mesa County records, all of which Grantee assumes and agrees to pay; and further subject to easements, restrictions, reservations and rights of way of record, if any.

Dated this 31st day of October, 1986.

ATTEST

Sara E. Kaley
Assistant Secretary

VALLEY FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GRAND JUNCTION

By Edward R. Frost
Edward R. Frost
President

Re-acknowledged and re-recorded for the purpose of correcting the legal description.

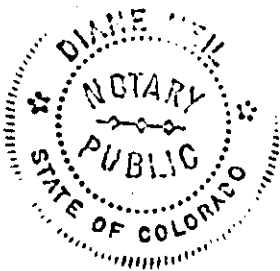
STATE OF COLORADO)
COUNTY OF MESA) ss.

The foregoing instrument was acknowledged before me this 31st day of October, 1986 by Edward R. Frost as President and Sara E. Kaley as Assistant Secretary of Valley Federal Savings and Loan Association of Grand Junction.

Witness my hand and official seal.

[Signature]
Notary Public
Address: P.O. Box 400
G.J. CO 81502

My commission expires: 11-30-87



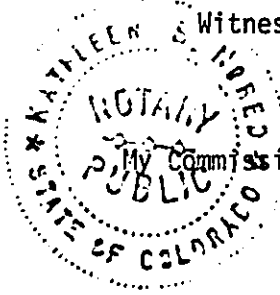
STATE OF COLORADO)
COUNTY OF MESA) ss.

The foregoing instrument was re-acknowledged before me this 2nd day of June, 1987 by William P. Inscho, II as Senior Vice President and Patsy G. McDaniel as Assistant Secretary of Valley Federal Savings and Loan Association of Grand Junction.

Witness my hand and official seal.

[Signature]
Notary Public
Address: P.O. Box 400
G.J. CO 81502

My Commission Expires: 3-5-90





Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

State Documentary Fee
Date: August 14, 2015
\$ 26.00

THIS DEED, made on **August 14, 2015** by **BRUCE H. VERSTRAETE AND PATRICIA A. VERSTRAETE** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of **(\$260,000.00) *** Two Hundred Sixty Thousand and 00/100 ***** dollars in hand paid, hereby sells and conveys to **HILLTOP HEALTH SERVICES CORPORATION** Grantee(s), whose street address is **1331 HERMOSA AVE GRAND JUNCTION, CO 81501**, County of **MESA**, and State of **COLORADO**, the following real property in the County of **Mesa**, and State of **Colorado**, to wit:

**BEGINNING AT A POINT 40 FEET EAST OF THE NORTHEAST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION IN SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;
THENCE WEST 100 FEET;
THENCE SOUTH 350 FEET TO THE GRAND VALLEY IRRIGATION CANAL;
THENCE EASTERLY ALONG SAID CANAL TO A POINT DUE SOUTH OF THE POINT OF BEGINNING;
THENCE NORTH TO THE POINT OF BEGINNING,
COUNTY OF MESA, STATE OF COLORADO.**

also known by street and number as: **1321 WELLINGTON AVE GRAND JUNCTION CO 81501**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2015 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE*



BRUCE H. VERSTRAETE



PATRICIA A. VERSTRAETE

State of **COLORADO**

County of **MESA**

)
) ss.
)

The foregoing instrument was acknowledged before me on this day of **August 14, 2015**
by **BRUCE H. VERSTRAETE AND PATRICIA A. VERSTRAETE**



Notary Public
My commission expires 01/05/2017

DANYA M. POTTS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20004035620
My Commission Expires January 5, 2017

When Recorded Return to: **HILLTOP HEALTH SERVICES CORPORATION**
1331 HERMOSA AVE GRAND JUNCTION, CO 81501



Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

State Documentary Fee
Date: October 02, 2015
\$ 26.00

THIS DEED, made on **October 02, 2015** by **STEPHON P. MILLER** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of **(\$260,000.00) *** Two Hundred Sixty Thousand and 00/100 ***** dollars in hand paid, hereby sells and conveys to **HILLTOP HEALTH SERVICES CORPORATION** Grantee(s), whose street address is **1331 HERMOSA AVE GRAND JUNCTION, CO 81506**, County of **MESA**, and State of **COLORADO**, the following real property in the County of **Mesa**, and State of **Colorado**, to wit:

**BEGINNING AT A POINT 425.9 FEET EAST OF THE NORTHWEST CORNER OF BLOCK 9 OF FAIRMOUNT SUBDIVISION;
THENCE EAST 104.1 FEET;
THENCE SOUTH 350 FEET, MORE OR LESS, TO THE NORTHERLY BANK OF THE GRAND VALLEY CANAL;
THENCE N88°54' WEST ALONG SAID CANAL 104.1 FEET;
THENCE NORTH 348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,**

COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **1313 WELLINGTON AVE GRAND JUNCTION CO 81501**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2015 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE*

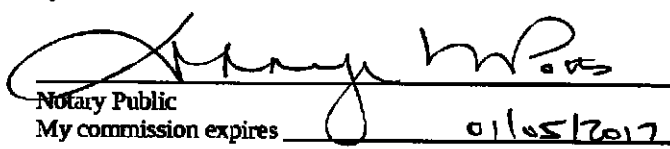

STEPHON P. MILLER

State of **COLORADO**

County of **MESA**

)
) ss.
)

The foregoing instrument was acknowledged before me on this day of **October 02, 2015**
by **STEPHON P. MILLER**


Notary Public

My commission expires 01/05/2017

DANYA M. POTTS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20004035620
My Commission Expires January 5, 2017

When Recorded Return to: **HILLTOP HEALTH SERVICES CORPORATION**
1331 HERMOSA AVE GRAND JUNCTION, CO 81506

City of Grand Junction Application Review Comments

Date: May 27, 2020	Comment Round No. 1	Page No. 2
Project Name: Hilltop Bacon Center Rezone	File No: RZN-2020-223	
Project Location: 1450 Wellington Ave		
Check appropriate box(es)		
Property Owner(s): Hilltop Health Services – Mike Stahl		
☒	Email: mikes@htop.org	Telephone: 970-242-4400
Applicant(s): Hilltop Health Services – Don Kendall		
☐	Mailing Address: 1331 Hermosa Ave, Grand Junction CO 81506	
☒	Email: don@htop.org	Telephone: 970-244-0808 / 970-210-1348
Representative(s): Austin Civil Group Inc- Mark Austin		
☐	Mailing Address: 123 N 7 th St, STE 300, Grand Junction CO 81501	
☒	Email: marka@austincivilgroup.com	Telephone: 970-242-7540
Project Manager: Senta Costello	Email: sentac@jcity.org	Telephone: 970-244-1442
Development Engineer: Rick Dorris	Email: rickdo@jcity.org	Telephone: 970-256-4034

City of Grand Junction REQUIREMENTS (with appropriate Code citations)

PLANNING

Requirements: 1. Please provide a copy of the deed evidencing ownership of the lands included in the application as required as part of the Ownership Statement.

Applicant's Response: [The deeds for the property are attached.](#)

Document Reference:

Requirements: 2. I'm looking at the following hearing schedule. Please let me know if you have any concerns with these dates:

- Planning Commission: July 14, 2020
- City Council 1st Reading: August 5, 2020
- City Council 2nd Reading: August 19, 2020

Applicant's Response: [These dates work for us](#)

Document Reference:

CITY DEVELOPMENT ENGINEER

Requirements: No comments.

CITY SURVEYOR

Requirements: The Improvement Survey Plat was done on the parcel in 2016 prior to the BACON COMMUNITY CAMPUS SUBDIVISION being recorded at Rec. No. 2798998 (2017). No concerns with this. New Legal description 'LOT 1, BACON COMMUNITY CAMPUS' with an acreage of 8.22 Acres appears correct for the parcel being rezoned.

Applicant's Response: [No Response Required.](#)

Document Reference:

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

Date due: August 26, 2020

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

A handwritten signature in blue ink, appearing to be "M. A. [unclear]", written over a horizontal line.

Applicant's Signature

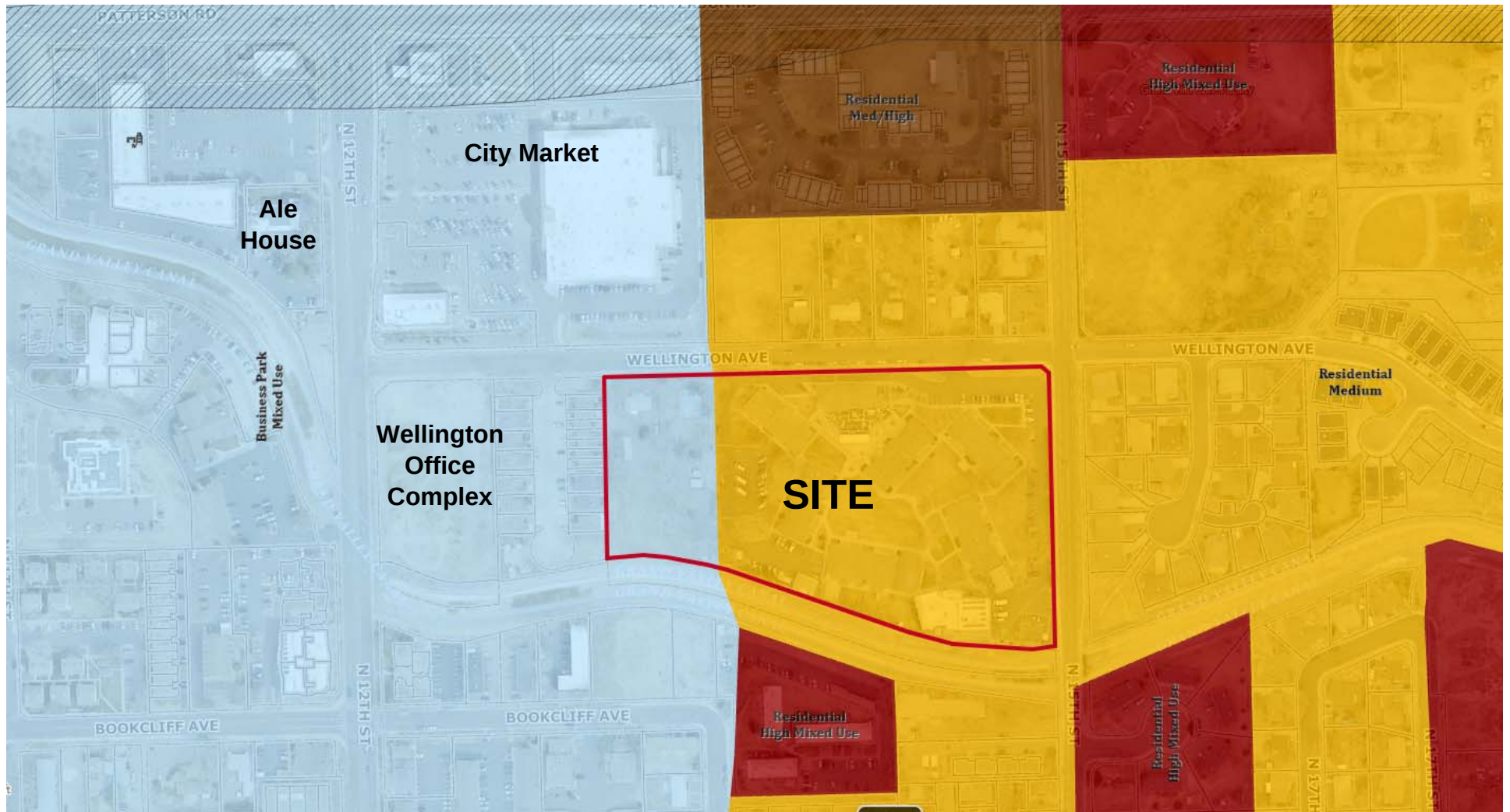
6-9-20

Date

LOCATION MAP



FUTURE LAND USE MAP



ZONING MAP



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING HILLTOP BACON CAMPUS
FROM R-O (RESIDENTIAL – OFFICE)
TO BP (BUSINESS PARK)**

LOCATED AT 1405 WELLINGTON AVENUE

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Hilltop Bacon Campus to the BP (Business Park) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Business Park Mixed Use of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the BP (Business Park) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following properties shall be zoned BP (Business Park):

Lot 1 Bacon Community Campus Subdivision as recorded at reception number 2798998 in the office of the Mesa County Clerk and Recorder.

Introduced on first reading this 7^h day of October, 2020 and ordered published in pamphlet form.

Adopted on second reading this 21st day of October, 2020 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: September 8, 2020

Presented By:

Department: Community Development

Submitted By:

Information

SUBJECT:

Consider a request by Mesa County Valley School District 51 to vacate a public alley right-of-way adjacent five properties located at 520, 522, 538, 542 and 552 West Main Street and a public sewer easement, located at 552 West Main Street. - **Application Withdrawn.**

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

SUGGESTED MOTION:

Attachments

None



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: September 8, 2020

Presented By:

Department: Community Development

Submitted By:

Information

SUBJECT:

Consider a request by STGC Holdings, LLC to amend the Comprehensive Plan Future Land Use designation for a property of 4.52 acres located at 2515 Riverside Parkway from Business Park Mixed Use to Commercial and to rezone said property from CSR (Community Services and Recreation) to C-2 (General Commercial). - **Request to Continue to September 22, 2020.**

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

SUGGESTED MOTION:

Attachments

None