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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, OCTOBER 26, 2021 @ 5:30 PM**

Register for the meeting using the link below:

<https://attendee.gotowebinar.com/register/8680143341448141584>

After registering, you will receive a confirmation email containing information about joining the webinar.

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s) from October 12, 2021.

Regular Agenda

1. Consider a request by Louise A. Miller to rezone 8.84 acres from R-1 (Residential - 1 du/ac) to R-4 (Residential – 4 du/ac).

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
October 12, 2021, MINUTES
5:30 p.m.

The meeting of the Planning Commission was called to order at 5:42 p.m. by Commissioner Christian Reece.

Those present were Planning Commissioners; Keith Ehlers, Christian Reece, Ken Scissors, Andrea Haitz, and Shanon Secrest.

Also present were Jamie Beard (Assistant City Attorney), Felix Landry (Community Development), Senta Costello (Associate Planner) and Kalli Savvas (Planning Technician).

There were 2 members of the public in attendance.

CONSENT AGENDA

Commissioner Secrest moved to adopt Consent Agenda Item #1-2. Commissioner scissors seconded the motion. The motion carried 5-0.

1. Approval of Minutes

Minutes of Previous Meeting(s) from September 28, 2021.

2. Rimrock Public Easement Vacation **VAC-2021-697**

Consider a request by Copper Village Apartments LLC, Silas Colman to vacate a portion of an emergency access easement totaling 0.26 acres, located within Tract C of Sundance Village Subdivision.

REGULAR AGENDA

1. Orchard Avenue Right-of- Way Vacation **File # VAC-2021-561**

Consider a request by Colorado Mesa University (CMU) to vacate a portion of the Orchard Avenue right-of-way, located near 1040 Mesa Avenue (CMU baseball field).

Staff Presentation

Senta Costello, Associate Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

None.

Applicant Presentation

The applicant was present and available for questions.

Questions for Applicant

None.

Public Hearing

The public hearing was opened at 5 p.m. on Tuesday, September 21, 2021, via www.GJSpeaks.org.

No public comment.

The Public hearing was closed at 5:53 p.m. on October 12, 2021.

Discussion

Keith Ehlers excused himself.

Commissioner Haitz, Reece and Secrest made comments in support of proposal.

Motion and Vote

Commissioner Secrest made the following motion, Chairman, on the request to vacate a portion of the Orchard Avenue public right-of-way as set forth in the attached description and sketch, City file number VAC-2021-561, located near Orchard Avenue and North 10th Street, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and conditions as listed in the staff report.

Commissioner Scissors seconded the motion. The motion carried 4-0.

2. Graff Dairies Rezone File # RZN-2020-739

Consider a request by Darin Carei to rezone 0.276 acres from R-5 (Residential 5 du/ac) to C-1 (Light Commercial), located at 2894 Presley Avenue.

Staff Presentation

Senta Costello, Associate Planner introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Secrest asked about C-1 uses for the future.

Commissioner Reece asked about the neighborhood meeting.

Commissioner Secrest made comment about parking issues.

Commissioner Reece asked for clarification on future consolidation.

Applicant Presentation

The applicant was present and made statements about the request.

Questions for Applicant

Commissioner Reece made comment in support of applicant's presentation.

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, October 5, 2021, via www.GJSpeaks.org.

No public comment

The public hearing was closed at 6:11 p.m. on October 12, 2021.

Discussion

Commissioner Secrest and Scissors made comment in support of proposal.

Motion and Vote

Commissioner Haitz made the following motion, Chairman, on the Comprehensive Plan Amendment request for the property located at 2894 Presley Avenue, 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.

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

Commissioner Haitz made the following motion, Chairman, on the rezone for the property located at 2894 Presley Avenue, City file number RZN-2020-739, 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 and with the condition that City Council approves the Comprehensive Plan Land Use Map Amendment to Commercial.

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

3. Other Business

None.

4. Adjournment

Commissioner Reece moved to adjourn the meeting. Commissioner Ehlers seconded. The meeting adjourned at 6:14 PM.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: October 26, 2021
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request by Louise A. Miller to rezone 8.84 acres from R-1 (Residential - 1 du/ac) to R-4 (Residential – 4 du/ac).

RECOMMENDATION:

Staff recommends approval of the Rezone request.

EXECUTIVE SUMMARY:

The Applicant, Louise A. Miller, is requesting a rezone from R-1 (Residential - 1 du/ac) to R-4 (Residential – 4 du/ac) for 8.84-acres located at the NW corner of 26 Road and I-70 Frontage Road, in anticipation of future development. The requested R-4 zone district would be consistent with the Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac), if approved.

BACKGROUND OR DETAILED INFORMATION:

The subject property is situated in Appleton at the NW corner of 26 Road and I-70 Frontage Road. The property annexed in 1995 is currently vacant and is 8.84-acres in size. The applicant is seeking a change in zoning that implements the 2020 One Grand Junction Comprehensive Plan adopted by the City in December 2020 and in preparation for future residential subdivision development. The current City zoning for the property is R-1 (Residential 1 du/ac).

The rezone request to R-4 is in keeping with urban residential densities as envisioned by the Comprehensive Plan adopted by the City in December 2020. The property has access to sewer service with a sewer trunk line running along its NW border. The property was annexed by the City in 2003. It is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan supporting the

request to intensify land use through infill in this area. The Land Use Map identifies the site as “Residential Low”, a designation within the Urban Development Boundary and Tier 1 that supports zoning that requires a minimum density of 2 units per acre.

Rezone Request:

The Applicant is interested in preparing the property for future development that may include selling the property to a developer for future urban residential development, and that would be consistent with the scope and type of development envisioned by the Comprehensive Plan with a Residential Low (2 – 5.5 du/ac) density. The R-4 zoning requires a minimum of 2 dwelling units per acre, therefore the requested zoning of R-4 implements the Comprehensive Plan.

The purpose of the R-4 (Residential – 4 du/ac) zone district is to provide for low density attached and detached dwellings. As noted above, the R-4 ensures minimum densities of 2 dwelling units per acre are met.

In addition to the R-4 (Residential – 4 du/ac) zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designations of Residential Low (2 – 5.5 du/ac).

Residential Low (2 – 5.5 du/ac)

- a. R-5 (Residential – 5 du/ac)
- b. CSR (Community Services and Recreation)

In reviewing the other zoning district options for the proposed Residential Low (2 – 5.5 du/ac) category, all applicable zoning districts allow single-family detached and two-family development with the R-5 zone district allowing for additional multi-family development.

The property adjacent to the subject property to the east is zoned R-1 in the City, established under the 2010 Comprehensive Plan’s land use designation for Residential Low (0.5 to 2 du/ac). To the south is Bookcliff Gardens Nursery, zoned B-1 in the city. To the southeast is city R-4 zoning and property adjacent to the west and north is unincorporated land zoned RSF-R (Residential Single Family Rural) in Mesa County but shown as Residential Low on the Land Use Map.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Rezone request was held on Tuesday, August 17, 2021 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 two citizens. A presentation of the rezone request to R-4 was made by the owner’s representative; information regarding the City’s review process for a rezone

request was also presented including opportunities on how citizens can participate and provide comments throughout the City's review process.

The following is a summary of the primary concerns and questions raised during the meeting:

- Question with future access to future subdivision.
- Question on irrigation water availability.
- Questions on the future height of the homes.
- Information was presented regarding the timeline of the rezone request, opportunities for public comment, and public notification for the rezone request and for future development applications.

The meeting lasted 15 minutes from 5:30 pm to 5:45 pm.

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 a new application sign on September 8, 2021. 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 on October 11, 2021. The notice of this public hearing was published October 19, 2021 in the Grand Junction Daily Sentinel.

ANALYSIS - Rezone

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 R-1 (Residential – 1 du/ac) zoning is no longer a valid zone district for the property due to the 2020 Comprehensive Plan designating it for Residential Low with a minimum of 2 dwelling units per acre. The 2010 Comprehensive Plan allowed for a larger range of density through its Blended Map including densities smaller than 2 units per acre. With the 2020 One Grand Junction Comprehensive Plan, this is no longer recommended.

The current zoning of R-1 occurred at the time of annexation in 1995. It was zoned R-1, a zone district at the time that was supported by surrounding County rural zoning and larger lot residential development occurring in the area. Since 1995, Woodridge Subdivision (3.6 du/ac), Ruby Ranch Subdivision (3 du/ac) and Blue Heron Estates (2.5 du/ac) all located to the south of the subject property have been developed and constructed.

The property is located at the fringe of the developable area in the City, just on the other side of I-70 from these subdivisions mentioned and is seeing the pressures of urbanization due to its location to jobs, goods and services. Although these other

developments are on the other side of I-70, the logical progression of growth is for it to now occur on this property and other neighboring properties.

The subject property is located within Tier 1 on the Intensification and Growth Tiers Map of the 2020 One Grand Junction Comprehensive Plan supporting urban infill. Tier 1's focus is on intensifying residential growth.

Therefore, staff finds that this criterion is met.

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

The current zoning of R-1 occurred at the time of annexation in 1995. It was zoned R-1, a zone district at the time that was supported by surrounding County rural zoning and larger lot residential development occurring in the area. Since 1995, Woodridge Subdivision (3.6 du/ac), Ruby Ranch Subdivision (3 du/ac) and Blue Heron Estates (2.5 du/ac) all located to the south of the subject property have been developed and constructed.

The property is located at the fringe of the developable area in the City, just on the other side of I-70 from these subdivisions mentioned and is seeing the pressures of urbanization due to its location to jobs, goods and services. Although these other developments are on the other side of I-70, the logical progression of growth is for it to now occur on this property and other neighboring properties.

Therefore, staff finds that this criterion is met.

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

Public sanitary sewer service, Ute Water domestic water service, Grand Valley Power and Xcel electrical gas service, and public stormwater sewer are available to the site. Transportation infrastructure is generally adequate to serve development of the type and scoped associated with the R-4 zone district.

Therefore, staff finds that this criterion is 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 city is broadly in need of additional residential development if it is to meet the needs of a growing population. Citywide, low-density residential zoning is common, but very few properties with low-density residential zoning remain undeveloped. It is thus logical that, in order to continue to provide housing opportunities, and to include low-density housing patterns in the range of housing options available in the City of Grand Junction, additional land must be zoned to low-density residential districts such as R-4.

Therefore, Staff finds this criterion to be met.

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

This 8.84-acre property has been in the City limits since 1995. At the time of annexation, it was zoned R-1 (Residential 1 du/ac) due to its location within an area of existing large lot residential properties and existing county zoning.

Rezoning the property to R-4 allows the property to be subdivided and to be developed at urban densities defined in the Comprehensive Plan, a minimum of 2 dwelling units per acre. The Appleton community will benefit from this change in zoning to R-4 by increasing undeveloped land to potential R-4 densities as the area continues to attract urban residential development at densities needing existing sanitary sewer and city services. Much of the existing adjacent urban area to the south is zoned R-4 and growth is expanding to the north. This property will be available to provide more housing choices to city residents of different ages, abilities, and incomes seeking the living environment of the Appleton area and its proximity to jobs in the area including 24 Road, the medical community around and including St. Mary's Hospital and the Horizon Drive business district, as well as Downtown Grand Junction, just 3 miles to the south. It is also near great recreational opportunities in Canyon View Park and District 51 schools of Appleton Elementary, West Middle School and Grand Junction High School.

Therefore, Staff finds this criterion to be met.

Changes are consistent with the vision, goals and policies of the Comprehensive Plan.

Implementing the Comprehensive Plan. The proposed rezone to R-4 (Residential – 4 du/ac) implement's the following Plan principles, goals and policies of the Comprehensive Plan:

Plan Principle 3: Responsible and Managed Growth

Goal: Support fiscally responsible growth...that promote a compact pattern of growth...and encourage the efficient use of land.

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.

Intensification and Tiered Growth Plan (Chapter 3). Subject property is located within Tier 1 (Urban Infill) – Description: Areas where urban services already exist and generally meet service levels, usually within existing City limits, where the focus is on intensifying residential and commercial areas through infill and redevelopment.

Policy: Development should be directed toward vacant and underutilized parcels located

primarily within Grand Junction's existing municipal limits. This will encourage orderly development patterns and limit infrastructure extensions while still allowing for both residential and business growth. Development in this Tier, in general, does not require City expansion of services or extension of infrastructure, though improvements to infrastructure capacity may be necessary.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation; and as a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Miller Rezone request, for a rezone from R-1 (Residential 1 du/ac) to R-4 (Residential (2 – 4 du/ac) for the property located at the NW corner of 26 Road and I-70 Frontage Road, the following findings of facts and condition 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, City Staff recommends approval of the requested Rezone request.

SUGGESTED MOTION:

Mr. Chairman, on the Rezone request for the property located at NW corner of 26 Road and I-70 Frontage Road, City file number RZN-2021-609, 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. Development Application
2. Maps and Locations
3. Public Correspondence received
4. Draft 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: Rezone

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

Existing Land Use Designation Residential

Existing Zoning R-1

Proposed Land Use Designation Residential

Proposed Zoning R-4

Property Information

Site Location: No Physical Address (26 Road & I-70 Frontage Road)

Site Acreage: 8.8 Acres

Site Tax No(s): 2701-341-00-016

Site Zoning: R-1

Project Description: To rezone the property from R-1 (1 per 30,000 SF) to R-4 (2-4 DU/Acre)

Property Owner Information

Name: Louise A. Miller

Street Address: 2934 Joan Way

City/State/Zip: Grand Junction, CO 81501

Business Phone #:

E-Mail:

Fax #:

Contact Person: Louise Miller

Contact Phone #: 970-424-0623

Applicant Information

Name: McCurter Land Company, LLC

Street Address: 2458 Home Ranch Ct.

City/State/Zip: Grand Junction, CO 81501

Business Phone #: 970-260-0604

E-Mail: mccurter@suddenlinkmail.com

Fax #:

Contact Person: Jim McCurter

Contact Phone #: 970-260-0604

Representative Information

Name: River City Consultants, Inc.

Street Address: 215 Pitkin Ave. #201

City/State/Zip: Grand Junction, CO 81501

Business Phone #: 970-241-4722

E-Mail: tstates@rccwest.com

Fax #:

Contact Person: Tracy States

Contact Phone #: 970-241-4722

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

Tracy States

Digitally signed by Tracy States
Date: 2021.07.28 13:05:25 -06'00'

Date: July 28, 2021

Signature of Legal Property Owner

Louise A. Miller

Date: 07-30-2021

General Project Report

Miller Property Rezone

No Physical Address (26 Road and I-70 Frontage Road)

Parcel No. 2701-341-00-016

August 18, 2021

Prepared for:

McCurter Land Company, LLC

2458 Home Ranch Court, Grand Junction, CO 81505

Prepared by:



215 Pitkin, Grand Junction, CO 81501

Grand Junction, CO 81506

Phone: (970) 241-4722

Fax: (970) 241-8841

A. Project Description

1) Location: The project is located on the west side of 26 Road, just north of the I-70 Frontage Road (2701-341-00-016).

2) Acreage: The subject parcel contains approximately 8.84 Acres.

3) Proposed Use: This submittal is for the Rezoning of the parcel from R-1 to R-4. The future land use is Residential Low (2-5.5 DU/Acre). The proposed R-4 zoning (2-4 DU/Acre) meets the intent of the 2020 Comprehensive Plan with regards to density and use. The current R-1 zoning does not meet the intent of the 2020 Comprehensive Plan.

B. Public Benefit

The proposed Rezone will provide low density, single family residential lots needed to keep up with growth and demand for housing.

C. Neighborhood Meeting

A neighborhood meeting was held virtually via a zoom meeting on August 17, 2021. A summary of the meeting is included with this submittal.

D. Project Compliance, Compatibility, and Impact

1) Adopted plans and/or policies:

The proposed Rezoning, in conjunction with the 2020 Comprehensive Plan, will comply with the adopted codes, plans and requirements for the property. The R-4 zoning is an appropriate district for the Residential Low category of the Comprehensive Plan.

2) Land use in the surrounding area:

The uses contained within the surrounding area are a mix of large lot residential and agricultural uses, as well as low density residential.

3) Site access and traffic patterns:

Not applicable for this submittal.

4) Availability of utilities, including proximity of fire hydrants:

The subject parcel is served by the following:

Ute Water
City of Grand Junction Sewer
Grand Valley Water Users Association
Xcel Energy (Gas)
Grand Valley Power
City of Grand Junction Fire – Station 6
Spectrum/Charter

CenturyLink/Lumen

A Fire Flow Form will be obtained at the Preliminary/Final submittal stage.

5) Special or unusual demands on utilities:

There will be no unusual demand on utilities as a result of the Rezone.

6) Effects on public facilities:

The Rezone will have no adverse effect on public facilities.

7) Hours of operation:

Typical of residential development.

8) Number of employees:

Not applicable.

9) Signage:

Not applicable.

10) Site Soils Geology:

Not applicable.

11) Impact of project on site geology and geological hazards:

None are anticipated.

E. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted

Section 21.02.070 (6) of the Zoning and Development Code:

General Approval Criteria. No permit may be approved unless all of the following criteria are satisfied:

(i) Compliance with the Comprehensive Plan and any applicable adopted plan.

The Rezone request is in compliance with the newly adopted 2020 Comprehensive Plan.

(ii) Compliance with this zoning and development code.

The Rezone request is in compliance with the zoning and development code.

(iii) Conditions of any prior approvals.

There are no conditions of prior approvals.

(iv) Public facilities and utilities shall be available concurrent with the development.

All public facilities and utilities will be available concurrent with the rezoning and subsequent development of this property.

- (v) **Received all applicable local, State and federal permits.**
All applicable permits will be obtained for this project.

Section 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 premises and findings; and/or

The proposed Rezone request to the R-4 zone districts will bring the parcel into compliance with the newly adopted 2020 Comprehensive Plan. The current R-1 zoning does not implement the plan.

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

The amendment would allow the continuation of low density, affordable, quality housing in this much desired area of Grand Junction and is consistent with the Comprehensive Plan.

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

Public and community facilities are existing and adequate and will support low density residential and industrial developments and are not affected as a result of the Rezone request.

(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

This parcel of land is adequately serviced by utilities and roadways. There is an inadequate supply of low-density development parcels in this area, that haven't already been developed, to meet demand.

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

The area will benefit with the development of low-density residential development with the extension of services.

F. Development Schedule

Not applicable for this submittal.

LEGAL DESCRIPTION

That part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 1 North, Range 1 West of the Ute Principal Meridian, lying North of the County Road and South and East of the Wash, which is also known as Leach Ditch, and North of Interstate Highway No. 70.

Except easements and right-of-ways previously conveyed and of record.

Together with all water, ditch and lateral rights used therewith or appurtenant thereto.

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Louise A. Miller, am the owner of the following real property:

(b) No physical address (26 Rd. & I-70 Frontage Road)
Parcel No. 2701-341-00-016

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☒ I am the sole owner of the property.

☐ I own the property with other(s). The other owners of the property are (c):

I have reviewed the application for the (d) Rezone pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) None

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed:

Louise A. Miller

Printed name of owner: Louise A. Miller

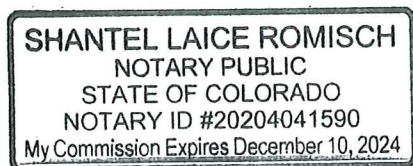
State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 30th day of July, 20 21
by Louise A. Miller

Witness my hand and seal.

My Notary Commission expires on December 10, 2024



Shantel Romisch
Notary Public Signature

THIS DEED, Made this 27th day of June ,
19 68, between

LINCOLN D. COIT and DOROTHY E. COIT

of the County of Mesa and State of
Colorado, of the first part, and

THOMAS E. MILLER and LOUISE A. MILLER

of the County of Mesa and State of Colorado, of the second part:

WITNESSETH, that the said part ies of the first part, for and in consideration of the sum of
ONE DOLLAR AND OTHER VALUABLE CONSIDERATION-----DOLLARS

to the said part ies of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the following described lot S or parcel S of land, situate, lying and being in the County of Mesa and State of Colorado, to wit:

That part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 1 North, Range 1 West of the Ute Principal Meridian, lying North of the County Road and South and East of the Wash, which is also known as Leach Ditch, and North of Interstate Highway No. 70.

Together with all water, ditch and lateral rights used therewith or appurtenant thereto.

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, their heirs and assigns forever. And the said part ies of the first part, for them selves, their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensealing and delivery of these presents are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever, Subject to taxes for the year 1968, payable in 1969 and subsequent taxes,

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part ies of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF the said part ies of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Lincoln D. Coit [SEAL]

Dorothy E. Coit [SEAL]

[SEAL]

STATE OF COLORADO, }
County of M E S A } ss.

The foregoing instrument was acknowledged before me this 27th day of June
19 68 by Lincoln D. Coit and Dorothy E. Coit

My commission expires February 20 , 19 71. Witness my hand and official seal.

Ruth H. Sutton
Notary Public.

1998810 05/31/01 0324PM
 MONIKA TODD CLK&REC MESA COUNTY CO
 REC FEE \$5.00
 DOCUMENTARY FEE \$NO FEE

QUITCLAIM DEED

Grantor(s) **Thomas E. Miller and Louise A. Miller**

whose address is **Post Office Box 177-221, Evanston**

County of **Uinta** and State of **Wyoming**, for the consideration of

-----no consideration----- Dollars,

in hand paid, hereby sell(s) and quitclaim(s) to **Louise A. Miller**

whose address is **Post Office Box 177-221, Evanston** 82931

County of **Uinta** and State of **Wyoming**, the following real

property, in the County of **Mesa** and State of **Colorado**, to wit:

That part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 1 North, Range 1 West of the Ute Principal Meridian, lying North of the County Road and South and East of the Wash, which is also known as Leach Ditch, and North of Interstate Highway No. 70.

Except easements and right-of-ways previously conveyed and of record.

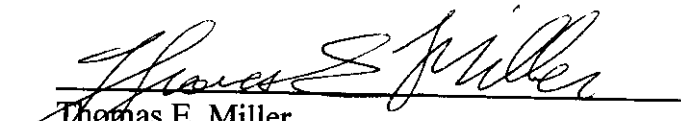
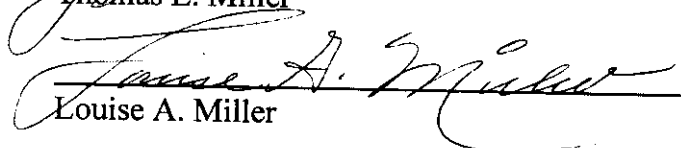
Together with all water, ditch and lateral rights used therewith or appurtenant thereto.

also known as street and number:

assessor's schedule or parcel number:

with all its appurtenances, subject to taxes for the year 2001, payable in 2002 and subsequent taxes

Signed this 25th day of MAY, 2001.

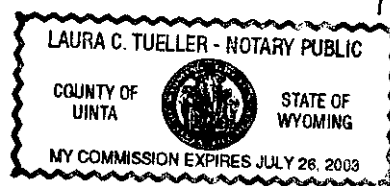

 Thomas E. Miller

 Louise A. Miller

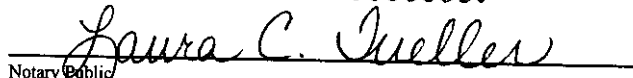
STATE OF ^{WYOMING} ~~COLORADO~~)
) ss.
 COUNTY OF ~~MESA~~ **UINTA**)

The foregoing instrument was acknowledged before me this 25th day of May, 2001, by Thomas E. Miller and Louise A. Miller.

Witness my hand and official seal.

My commission expires: July 26, 2003




 Notary Public

*If in Denver, insert "City and."

Name and Address of Person Creating Newly Created Legal Description (section 38-35-106.5, C.R.S.)



**SW Corner 26 Road and the I-70 Frontage Road
No Physical Address (Parcel No. 2701-341-00-016) - Rezone**

**SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING
TUESDAY, AUGUST 17, 2021 @ 5:30 PM
VIA ZOOM**

A virtual neighborhood meeting for the above-referenced Rezone, was held Tuesday, August 17, 2021 via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on August 5, 2021, per the mailing list received from the City of Grand Junction. There were four attendees including Tracy States, Project Coordinator, with River City Consultants, and Scott Peterson, Senior Planner with the City of Grand Junction. There were two neighbors from the same household in attendance.

The meeting included a brief presentation and a question/answer session. Information about the proposed subdivision was presented, and it was explained the zoning district proposed was R-4 (2 to 4 dwelling units per acre) and that 20-23 single family residential building lots were proposed on 8.8 acres. A Concept Plan was shown to the attendees and a copy is included with this summary.

The couple in attendance was concerned about the density and access and seemed pleased that only 20-23 single-family lots were being proposed. The proposed access point aligns with their driveway on 26 Road. Tracy explained that CDOT would not likely allow access on the frontage road and aligned access points are preferred. They also asked how much irrigation water was available. Tracy explained that she did not know how many shares were available but that the subdivision could not take more water than was allotted. The couple also asked about the height of the homes which Tracy explained was limited at 40' and that two-story homes were a possibility if someone wanted one. They were not really concerned as the project sits below their property.

Tracy directed the attendees to Aspen Valley Estates if they were interested to see what product might look like with this project and showed them the location on the City map. Tracy also asked that any concerns be emailed to her so they could be shared with and addressed by the developer, Jim McCurter.

Scott Peterson wrapped up by explaining the process and that cards would be sent out notifying when the project was scheduled for public hearings.

The meeting adjourned at approximately 5:45 PM.

Location Map



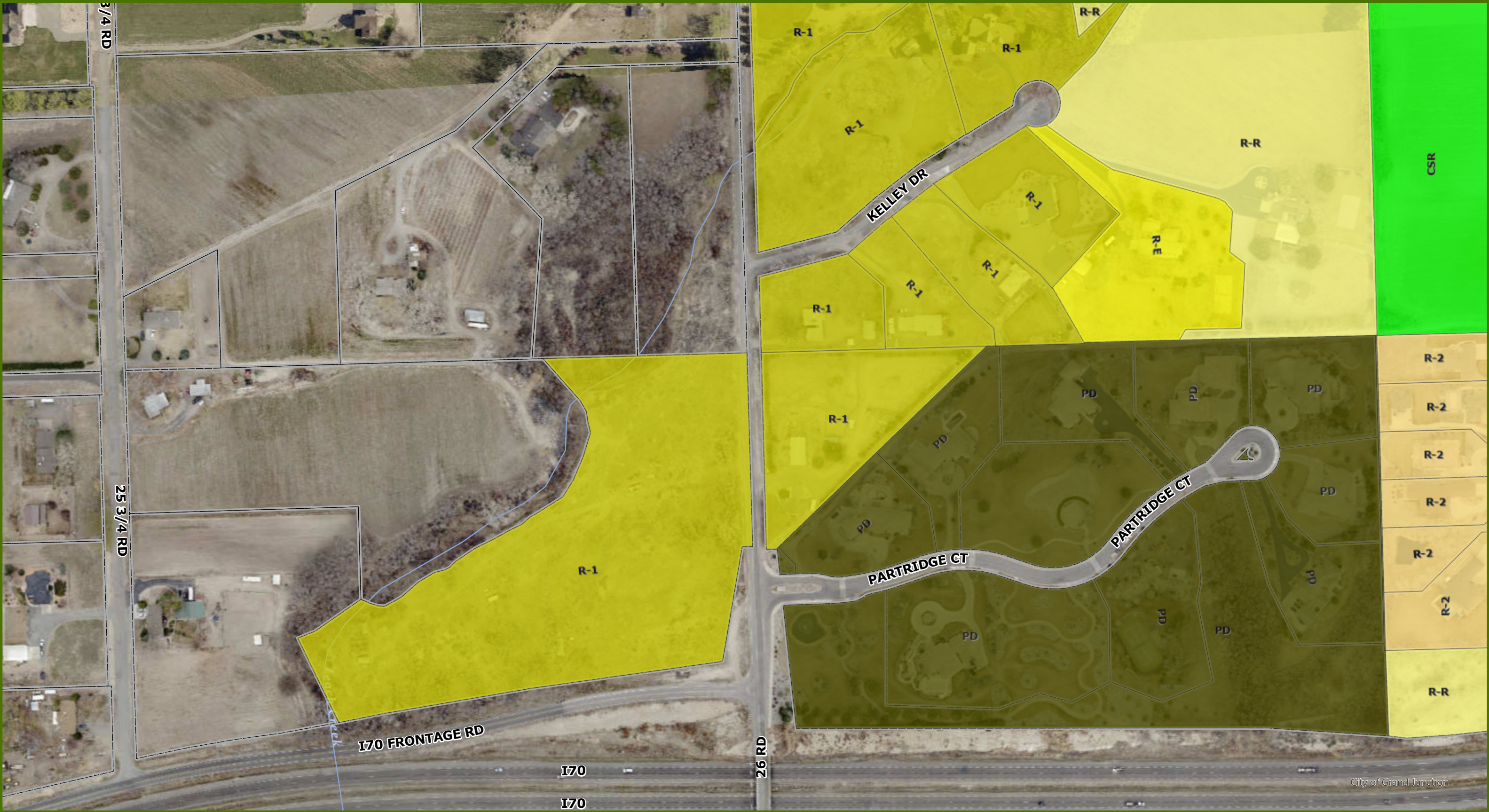
City of Grand Junction



Printed: 8/17/2021
1 inch equals 188 feet
Scale: 1:2,257



City of Grand Junction Zoning Map



Printed: 8/17/2021
1 inch equals 188 feet
Scale: 1:2,257

2020 Comprehensive Plan Map



Printed: 8/17/2021
1 inch equals 188 feet
Scale: 1:2,257



UNCC
Utility Notification
800.922.1987
www.uncc.org
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE
YOU DIG, GRADE, OR EXCAVATE FOR THE
MARKING OF UNDERGROUND MEMBER UTILITIES.

811
Know what's below.
Call before you dig.

Project Benchmark
MCSM xxxx
x" Brass Cap
Intersection of x Road and x Road
Sec. xx, Txx, Rxx, U.M.
Northing: xxxxxxxx
Easting: xxxxxxxx
Elevation: xxxxx
Datum Source: MGLCS Zone "GVA" (NAVD 88)

SCALE
50 0 25 50 100
(IN FEET)
CONTOUR INTERVAL = 1 FOOT
ORIGINAL SHEET SIZE: 22 x 34

NO.	DATE	REVISIONS DESCRIPTION	BY

PRELIMINARY

215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
www.rcwest.com
Phone: 970.241.4722
Fax: 970.241.8841

PROJECT #:
DRAWN BY:
CHECKED BY:

DATE ISSUED: 11.AUG.2021
AS SHOWN
VERT: N/A

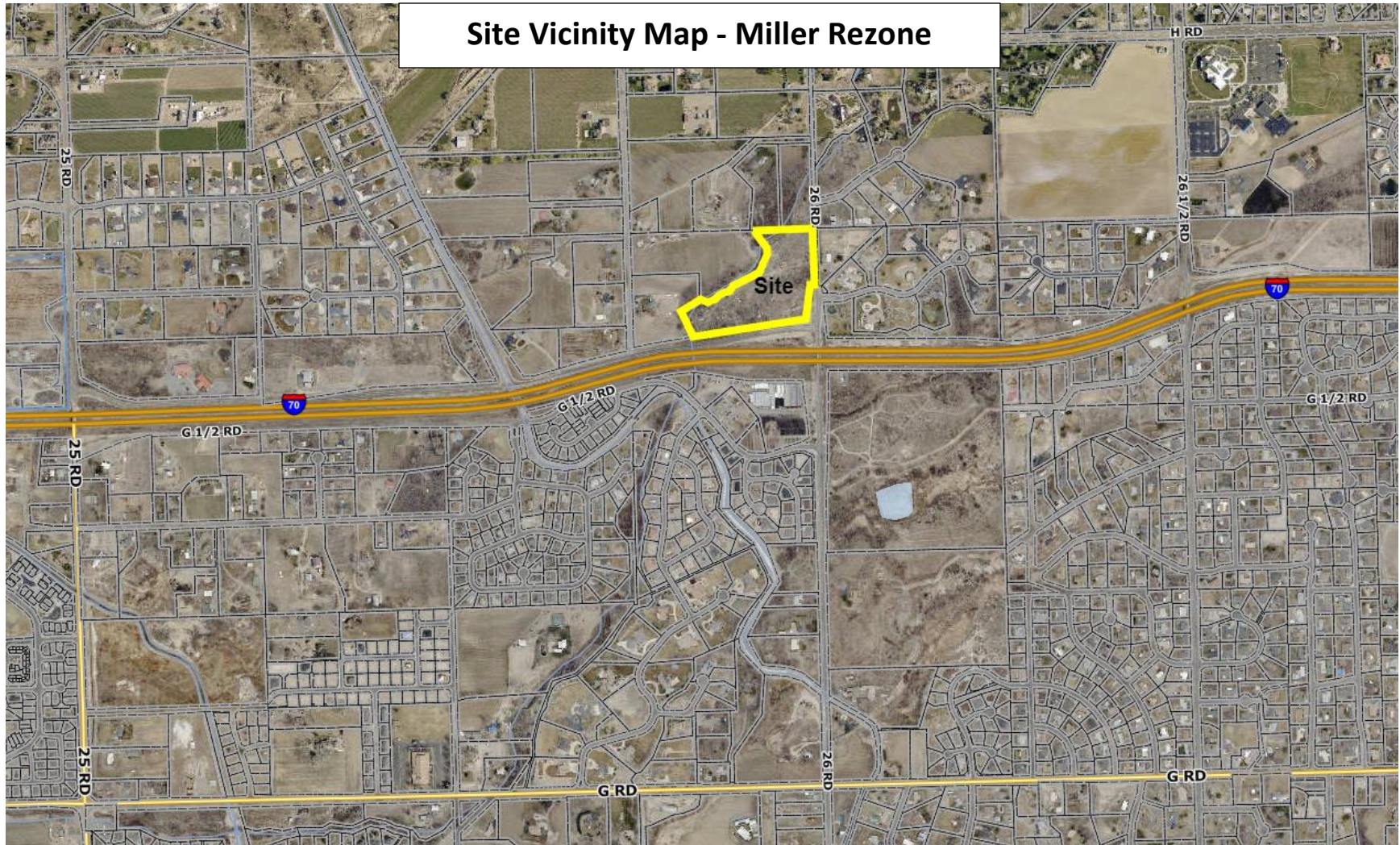
McCURTER LAND COMPANY, LLC
I-70/26 Road
Concept 1

C1

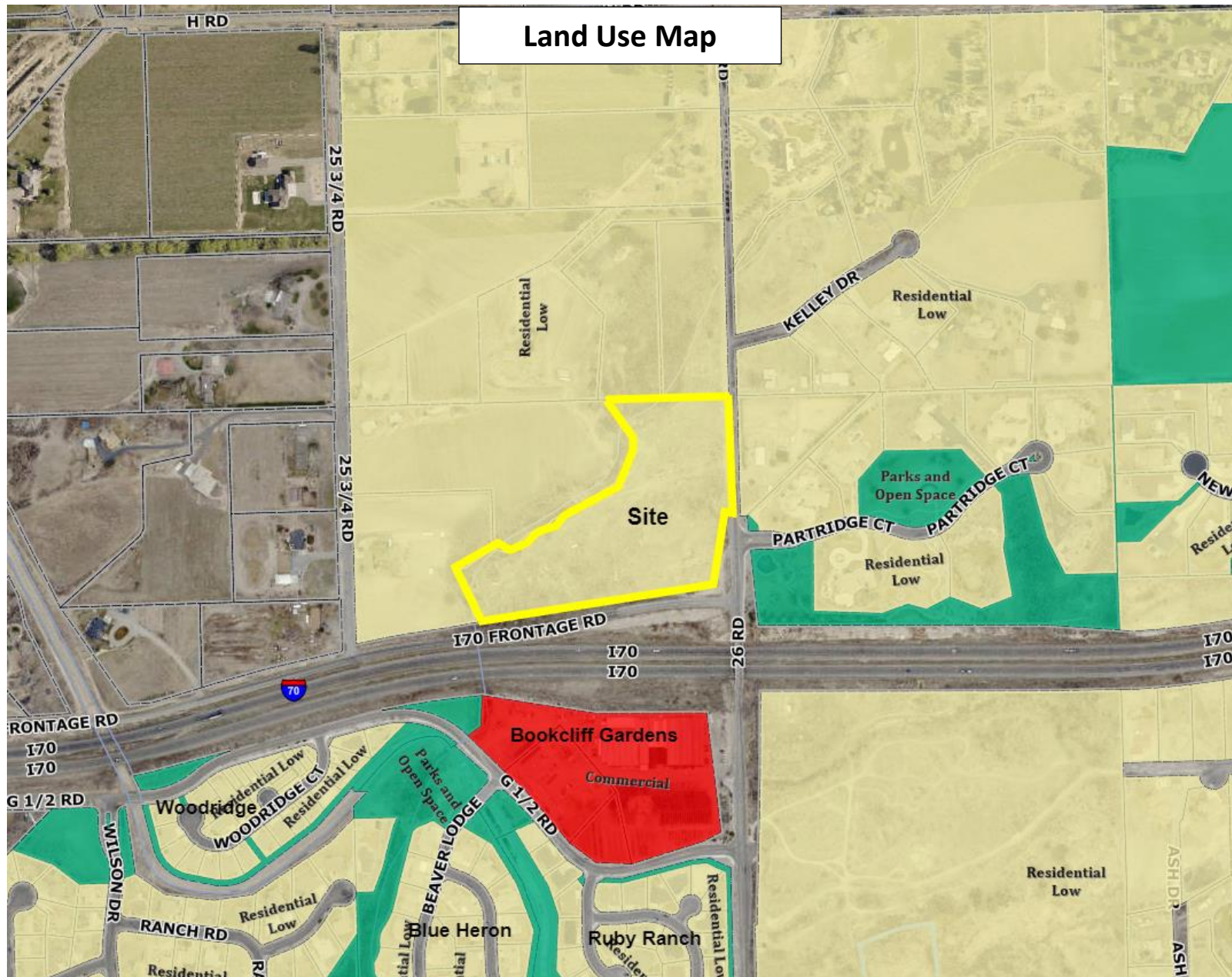
S:\PROJECTS\1071 Freeway Properties (McCurter)\016 26 RD AND 170 FRONTAGE RD\Design\DWG\02--Linework\1071-016 Parcel-LW.dwg [Concept 1] 8/11/2021 8:18:52 AM

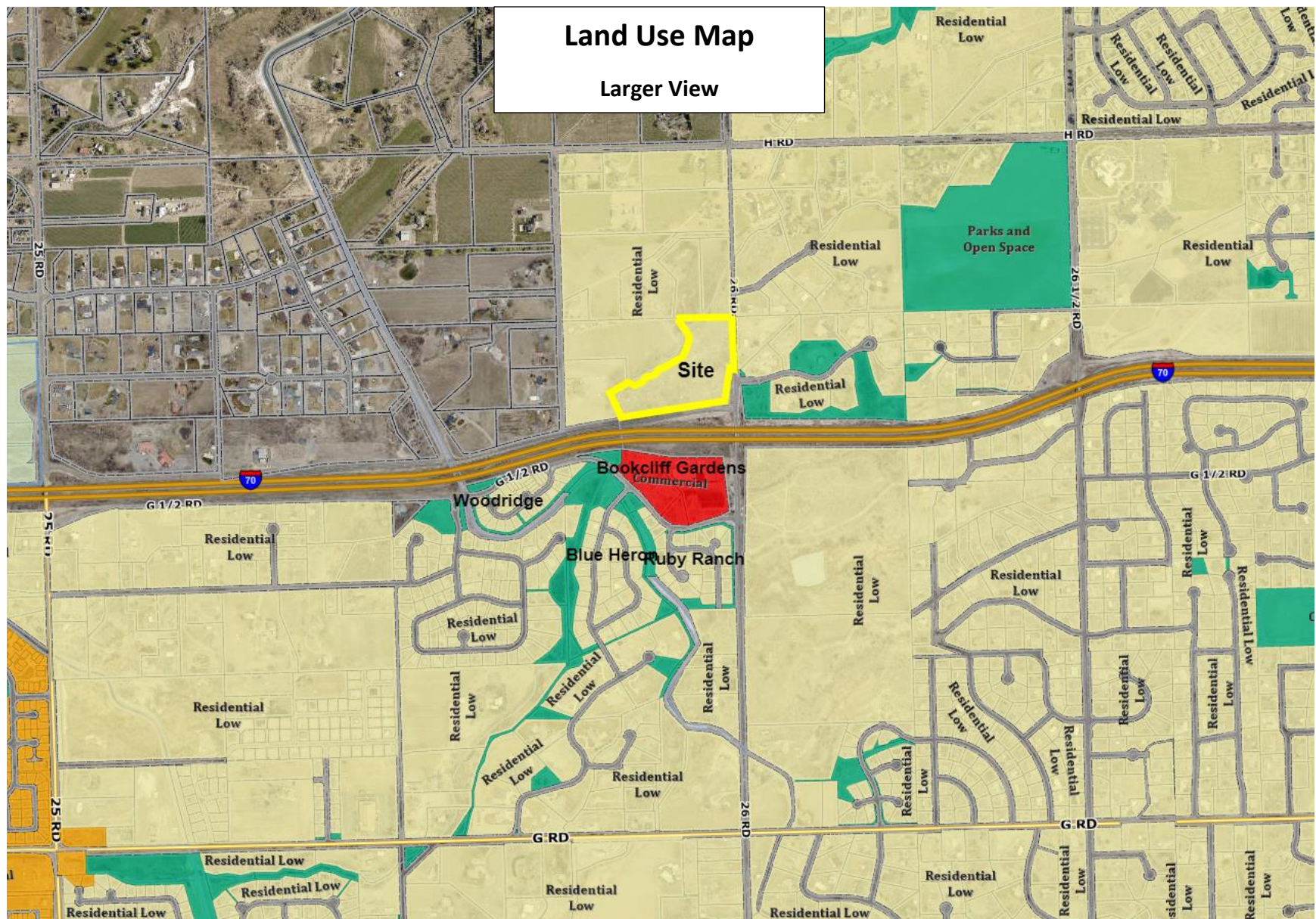
Packet Page 24

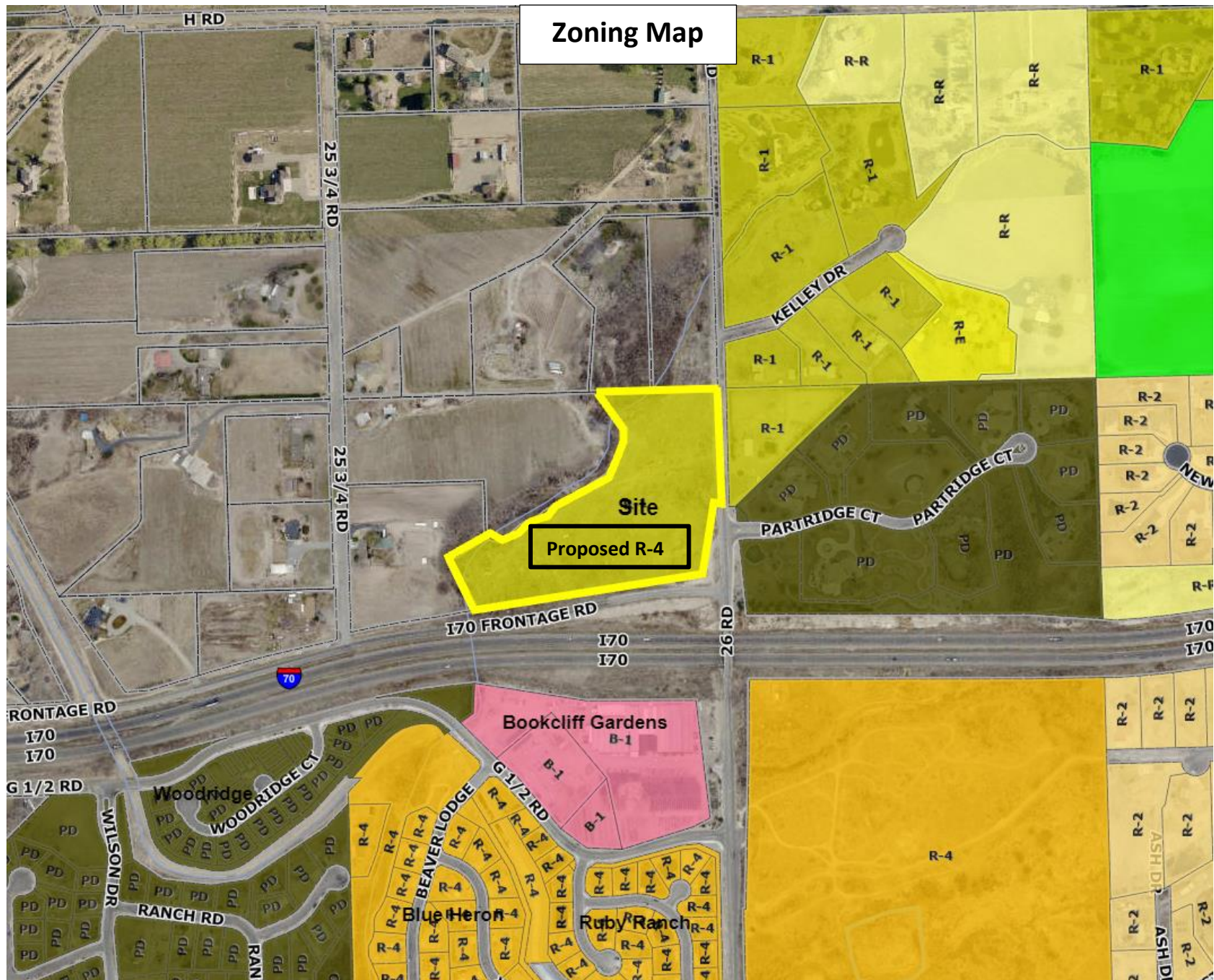
Site Vicinity Map - Miller Rezone











Zoning Map

Site

Proposed R-4



Google Maps Street view of property from 26 Road and I-70 Frontage Road intersection, looking northwest

David Thornton

From: Larry Tice <larry.d.tice@gmail.com>
Sent: Saturday, September 18, 2021 3:29 PM
To: David Thornton
Subject: Development parcel R018679

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****

Dear David Thornton,
after calling number listed onsite for parcel corner of 26 and frontage road, I spoke to Pat at City who gave me your email address stating you were reviewing the application for zoning change. I reside at 775 26 road in parcel owned since 1981 in name of my wife Sharon Tice and I am principal in adjoining properties under names DAELT, LLLP and Fox Run Enterprises, LLC. I have spoken to River City Consultants, who informed me the plan was to change from R-1 to allow up to 24 sites on the 8.8 acre parcel in question. I would object to putting more than 8 houses on the property for a variety of reasons. First because of the rural and farming use of adjoining land, only 3 houses occupy the approximately 20 adjoining acres. Other nearby homes in the county exist on approximately 5 acres. Second issue is Leach Creek which would be overstressed with the population from 24 homes. Currently the presence of wildlife including the recent cougar kill pose additional concern. Traffic on 26 road I think would be unnecessarily burdened with particular problems turning left onto frontage road going north and even entering 26 Road from the frontage road being a problem. Finally given the rural and estate composition of other established developments like Partridge Farms, Kelly Drive, and more recent ones like Freedom Height and Quail Meadows being zoned only R-1 my best hope is this small, irregular site with close access to LeachCreek not be allowed density change from R1. I suspect other residents close by in the county will agree. I am sure Louise Miller would like to sell and I support her endeavor but I strongly object to the zoning changes as it appears
I am happy to discuss further , my cell 970-261-0496
Cordially,

--

Larry D. Tice, MD



14 October 2021

Grand Junction Community Development
250 North 5th Street
Grand Junction, CO 81501

RE: Rezone **RZN-2021-609**

26 Road/I-70

Mr. Dave Thornton:

I am not opposed to the proposed rezone, but I do suggest [early on] that the Preliminary Plat Map in the 'Neighborhood Meeting Summary' proposes too high a density within that rezone relative to the existing neighborhood.

While the Preliminary Plat Map proposed is clearly within the 2020 Comp Plan, I suggest [by the examples below] that it does not adequately integrate the more subjective aspects of the Plan ...that is, it **does not adequately blend in to the surrounding area as quality growth, respecting existing developed uses ...as the area is materially and substantially developed.**

I suggest the subject's neighborhood is: **North and East of 25.75 Road and I-70 within the Urban Growth Boundary** [with I-70 being the great separator in the area of 24.5 to 26.5 Roads, below I-70 is not a part of the subject's neighborhood because walking I-70 narrow bridge is realistically prohibitive, high speed traffic distraction, etc].

Using the City's GIS Map of property information, areas of this neighborhood are:

Partridge Farms Subdivision immediately East:

9 Dwelling Units on 19.8 acres [6.8 open] w/o streets; avg 2.2 ac/DU : 1.45ac lot size

Freedom Estates Subdivision ¼ mile NE:

22 Dwelling Units on 22.5 acres [6.5 ac open space] w/o streets; avg 1.02ac/DU : 0.73 ac lot size

Individual Developed Homes E+N – Kelley Drive/26 Road/H Road 26-26¼:

19 Dwelling Units on 54.1 acres w/o streets; avg 2.85ac/DU [of the 19 lots only 4 have a reasonable possibility of further dividing, to allow for an estimated 6 more DUs]

Individual Developed Homes N+W – I-70 to H Rd and 25¾ to 26 Roads:

13 parcels and 11 Dwelling Units on 50.4 acres; avg 4.6ac/DU; avg 3.9ac/parcel.
[Approximately 15-20 acres could be easily and aesthetically amenable to low density city development. A few of the other lots with existing residences could be aesthetically and economically amenable to splits into ¾ to 1 acre parcels, but even so this whole area would average something well over 1 acre average lots sizes]

<u>Summary:</u>	DUs _____	Acres <u>in lots</u>	Acres <u>OpnSpc</u>	Acres <u>Streets</u>	Acres <u>Total</u>	Acres/ <u>DU</u>
Freedom Sub:	22	16.0	6.5	3.0	25.5	1.16 ac
Partridge:	9	19.8	6.8	1.6	28.2	3.13 ac
Kelly/HRd East:	19	54.1	na	4.9	59.0	3.10 ac
North+West:	13	50.4	na	2.1	52.5	4.03 ac
SUBJECT:	20	5.3	2.2	1.3	8.8	0.44 ac

For additional perspective, to get the same density for the whole neighborhood to match the Preliminary Plat Map of the SUBJECT, **the city would have to add 312 MORE DUs/homes to the neighborhood** [165.2 total acres divided by 0.44 SUBJECT density = 375 DUs less 63 existing DUs = 312 more DUs]. That is clearly NOT how this area has developed over the past 40-50 years and inserting this density would present an incongruent neighborhood.

As this neighborhood is substantially built out, I suggest that the SUBJECT needs to be closer to the density of recently developed Freedom Subdivision, something **more like 12-14 lots**. Inserting the proposed density is not quality growth in orderly transition, respectful of this materially developed neighborhood.

Reducing the ultimate developed density, recommended here, is STILL WITHIN the 2020 Comp Plan and the proposed rezone, and better maintains the spirit of the neighborhood.

Thank you for your consideration.

Dave Zollner
2562 H Road Grand Junction CO 81505

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING FROM R-1 (RESIDENTIAL - 1 DU/AC) TO R-4
(RESIDENTIAL – 4 DU/AC) ZONE DISTRICT**

**LOCATED AT THE NW CORNER OF 26 ROAD AND I-70 FRONTAGE ROAD
Tax Parcel No. 2701-341-00-016**

Recitals:

The property owner, Louise A. Miller, proposes a rezone from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) on a total of 8.84-acres, located at the NW corner of 26 Road and I-70 Frontage Road.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Residential Low (2 – 5.5 du/ac) of the 2020 One Grand Junction 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 rezoning from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the R-4 (Residential – 4 du/ac) zone district, is consistent and is in conformance with the Comprehensive Plan and 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 property shall be zoned R-4 (Residential – 4 du/ac) on the zoning map:

That part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 1 North, Range 1 West of the Ute Principal Meridian, lying North of the County Road and South and East of the Wash, which is also known as Leach Ditch, and North of Interstate Highway No. 70. Except easements and rights-of-way previously conveyed and of record.

Introduced on first reading this ____ day of _____, 2021 and ordered published in pamphlet form.

Adopted on second reading this ____ day of _____, 2021 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor