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PLANNING COMMISSION AGENDA
TUESDAY, JULY 12, 2022 - 5:30 PM
CITY HALL AUDITORIUM - 250 N 5th STREET
Virtual Meeting Link - bit.ly/3yqpaPR

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider a request by Upper Limits Investments, LLC to zone 19.77 acres from County RSF-R (Residential Single Family Rural) to R-8 (Residential – 8 du/ac) located at 364 29 Road; 370 29 Road; and 374 29 Road.

2. Consider a Request by the On the Horizon LLC and Over the Horizon LLC to Rezone Two Parcels Totaling Approximately 17.4 Acres from PD (Planned Development) to C-1 (Light Commercial) Located at the Southern Corner of Horizon Drive and 27 ½ Road

3. Consider a request by Olan Clark, on behalf of Dry Dock Development, LLC, Property Owner, to rezone 4.69 acres from R-4 (Residential - 4 du/ac) to R-5 (Residential – 5 du/ac) located at the southwest corner of Unaweep Ave and Alta Vista Ct.

4. Consider a request by Stacey Cook, on behalf of Lucky Us Properties, LLC, Property Owner, to rezone 8.25 acres from R-5 (Residential - 5 du/ac) to R-8 (Residential – 8 du/ac) located at 3124 D Road.

5. Consider a request by Douglas A. Pritchard Revocable Trust to rezone 0.45 acres from R-O (Residential Office) to C-1 (Light Commercial) located at 1215 N 1st St.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
May 24, 2022, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:30 p.m. by Vice Chair Ken Scissors.

Those present were Planning Commissioners; Ken Scissors, Sandra Weckerly, Kimberly Herek, Melanie Duyvejonck, and Shanon Secrest.

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Jace Hochwalt (Senior Planner) and Kalli Savvas (Planning Technician).

There were members 1 of the public in attendance, and 1 virtually.

CONSENT AGENDA

1. **Approval of Minutes**
Minutes of Previous Meeting(s) from May 24, 2022.

REGULAR AGENDA

1. **Landing on Horizon** **RZN-2022-228**
Consider a Request by EN-SIM Partnership LLC, Oxford Select Investors – Grand Junction LLC, and Mesa Junction, LTD to Rezone Three Parcels Totaling Approximately 8.27 acres from I-O (Industrial Office) to C-1 (Light Commercial) Located at the Northeast Corner of Horizon Drive and Hilaria Avenue.

Staff Presentation
Jace Hochwalt, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Presentation
Applicant was present and available for questions.

Questions for staff or applicant
Commission Ehlers asked if this was a horizon drive district.

Public Hearing
The public hearing was opened at 5:00 p.m. on Tuesday, June 7, 2022, via www.GJSpeaks.org.

The public hearing was closed at 5:56 p.m. on June 14, 2022.

DRAFT

Discussion
Commissioner Ehlers and Weckerly made comments about watching industrial zoning changing rezoning.
Commissioner Scissors made comments that there are a lot of open land on H road. A solid base of residents would be a great influence on the horizon district.
Commissioner Secrest stated that this housing is needed for this area.

Motion and Vote
Commissioner Ehlers made the following motion on the rezone request from an I-O (Industrial Office) zone district to a C-1 (Light Commercial) zone district for 8.27 acres located at the northeast corner of Horizon Drive and Hilaria Avenue, City File Number RZN-2022-228, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Commissioner Secrest seconded; motion passed 6-0.

2. Other Business

3. Adjournment

Commissioner Ehlers moved to adjourn the meeting; Weckerly seconded.
The vote to adjourn was 6-0.

The meeting adjourned at 6:00 p.m.

DRAFT

Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: July 12, 2022

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request by Upper Limits Investments, LLC to zone 19.77 acres from County RSF-R (Residential Single Family Rural) to R-8 (Residential – 8 du/ac) located at 364 29 Road; 370 29 Road; and 374 29 Road.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Upper Limit Investments, LLC is requesting a zone of annexation to R-8 (Residential 5.5 du/ac to 8 du/ac) for the If Land Annexation. The approximately 19.77 -acres consists of 3 parcels of land located at 364 29 Road; 370 29 Road; and 374 29 Road. The majority of the subject property is undeveloped.

The property is Annexable Development per the Persigo Agreement. The zone district of R-8 is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan. The request for annexation will be considered separately by City Council, but concurrently with the zoning amendment request.

BACKGROUND OR DETAILED INFORMATION:

Annexation Request:

The Applicant, Upper Limits Investments, LLC is requesting annexation of approximately 19.77 acres consisting of three parcels of land located at 364 29 Road, 370 29 Road, and 374 29 Road. There is a portion of the 29 Road right-of-way included (0.623 acres) in the annexation. The subject property has an existing residence on each property for a total of three residential dwellings.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits. Annexation is being sought in anticipation of developing the three properties. The request for zoning will be considered separately by City Council, but concurrently with the annexation request and will be heard in a future Council action.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – June 15, 2022.
- Planning Commission considers Zone of Annexation – July 12, 2022, moved from June 28, 2022.
- Introduction of a Proposed Ordinance on Zoning by City Council – July 6, 2022.
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – July 20, 2022.
- Effective date of Annexation and Zoning – August 21, 2022.

Zone of Annexation Request:

The Applicant is requesting a zone district of R-8 (Residential – 8 du/ac. The property is currently zoned in the County as RSF-R (Residential Single Family Rural – one dwelling per five acres). The proposed zone district of R-8 is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan and city R-12 to the west. The surrounding County zoning is generally RSF-R, a zone district that provides zoning for interim agricultural uses prior to urbanization that is expected by the Comprehensive Plan.

Historically surrounding development in the County has been large lot residential with agricultural uses, but this area is part of the Pear Park planning area which is seeing further development of properties consisting of more dense development with urban lot sizes and single family and multi-family uses and densities. Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The annexation area has sewer service and all other urban amenities to the property. It is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The comprehensive plan goal to “encourage infill and redevelopment to leverage existing infrastructure” supports the Applicant’s request of a zone of annexation of R-8.

The R-8 zoning establishes densities between 5.5 and 8 dwelling units per acre which will allow the property to also develop at densities like the other R-8 zoned properties that have been developed recently. The R-8 requested zoning implements the Comprehensive Plan’s Residential Medium Land Use category.

The purpose of the R-8 (Residential – 8 du/ac) zone district is to provide for medium-

high density attached and detached dwellings, two-family dwelling and multifamily in areas where adequate public facilities and services are available. R-8 is a transitional district between lower density single-family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district. R-8 supports the Comprehensive Plan's principles of concentrating urban growth. This property is located within a sub-urban infill area of the community.

In addition to the R-8 zoning requested by the petitioner, the following zone districts would also be consistent with the proposed Comprehensive Plan designation of Residential Medium (5.5 to 12 du/ac).

a. R-12 (Residential – 2-4 du/ac)
b. CSR (Community Services and Recreation)
c. Mixed Use Residential (MXR-3)
d. Mixed Use General (MXG-3)
e. Mixed Use Shopfront (MXS-3)

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:
A Neighborhood Meeting regarding the proposed Annexation and Zoning was held in-person on January 10, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on June 22, 2022. 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 June 17, 2022. The notice of the Planning Commission public hearing was published June 21, 2022 in the Grand Junction Daily Sentinel.

Other Notification:
Public comment was offered through the GJSpeaks platform, no public comments were received.

ANALYSIS

Zone of Annexation Analysis

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

(1) Subsequent events have invalidated the original premises and findings; and/or
The property owners have petitioned for annexation into the City limits and requested zoning of R-8 which is compatible with the Comprehensive Plan Land Use Map designation of Residential Medium (5.5 to 12 du/ac). Since the Applicant's properties are currently in the County, the annexation of the property is a subsequent event that will invalidate one of these original premises, a county zoning designation.

However, staff has found this to not be enough justification and finds this criterion has not been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
The character or condition of the area is changing with the further development of the 29 Road area. Two Convenience Stores and one car wash have developed in the past few years a short distance to the north at the intersection of 29 Road and Riverside Parkway further introducing urbanization in the immediate area. However, infill development is also occurring throughout the Pear Park planning area and the 29 Road area is in a prime location for urban infill to occur.

Staff finds that this criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
Existing public and community facilities and services are available in close proximity to and can be extended into the annexation area. These services are sufficient to serve land uses associated with the proposed R-8 zone district for these properties, and the expected 108 to 158 dwelling units at full buildout of the annexation area when developed. Water and sewer services are available. This property is within the Ute Water District service area. A 12-inch water line runs along 29 Road. The area can be served by Xcel Energy for natural gas and Grand Valley Power for electricity.

The property is currently within the Persigo 201 Sewer Service Area and has an 8-inch sewer line in the 29 Road right-of-way with available capacity to accommodate future development of this property. Based on the Future Land Use (FLU) designation and expected number of dwelling units, the maximum anticipated additional flow assuming 280 gallons per day per EQU is about 500 gallons per day is 42,560 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently receives approximately 8 million gallons per day. Therefore, the plant has capacity to accommodate this additional flow.

This property is in the Grand Junction Rural Fire Protection District served by the Grand Junction Fire Department through an intergovernmental agreement between the City and the rural fire district. With build out of residential dwelling units, no changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 4 at 2884 B ½ Road and from that location

response times are within National Fire Protection Association guidelines. Fire Station 4 has the capacity to handle the increase in calls for service resulting from this annexation and development.

Pear Park Elementary School is approximately 1.5 miles to the east. The site is within the enrollment boundaries of East Middle School and Grand Junction High School. Two convenience stores with gas are located less than 1 half mile to the north. Major goods and services can be found nearby on North Avenue a mile to the north and downtown Grand Junction is located a couple of miles to the west.

Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed at the R-8 densities, therefore 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 subject property and surrounding area are designated on the Comprehensive Plan Land Use Map as Residential Medium (5.5 to 12 du/ac). The proposed zoning designation of R-8 meets the intent of achieving the minimum and desired density for the property with this request, to develop at the low to middle range of the Residential Medium land use category. The property across 29 Road to the northwest is already annexed into the City limits and zoned R-12, also in compliance to the Residential Medium land use category.

For unincorporated areas of Pear Park surrounding this annexation, Mesa County has zoned the majority of the area as RSF-R, a zone district established as an interim zoning until the area is annexed by the city and urban development occurs supportive of the Comprehensive Plan. Much of the adjacent surrounding area in unincorporated Mesa County is agriculturally used with large properties including a single-family home on them. The Land Use Map defines much of the immediate half mile area around the subject property as Residential Medium and located in Tier 1 of the Intensification and Growth Tiers Map. Staff finds that the R-8 zone district provides the appropriate density that the city is seeing demand for in the Pear Park area and matches the R-8 types of development already constructed within a half mile and beyond.

Therefore, staff find this criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.
Annexation and zoning of the properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated and/or urban area that is adjacent to the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district provides housing within a range of density that has been defined as urban densities in the 2020 One Grand Junction Comprehensive Plan and is consistent with the needs of the community. This principle is supported and encouraged by the Comprehensive Plan and furthers the

plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the Comprehensive Plan.

Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though the R-12 zone district as well the CSR, MX-R-3, MXG-3 and MXS-3 zone districts could be considered in a Residential Medium Land Use area, the R-8 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surrounding neighborhood and provides for housing on a smaller residential lot, thereby providing more housing to the community.

Consistency with Comprehensive Plan

Further, the zoning request is consistent with the following chapters, goals and principles of the Comprehensive Plan:

Chapter 2
Plan Principle 3: Responsible and Managed Growth
Goal: Support fiscally responsible growth and annexation policies 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.

Chapter 3
Intensification and Tiered Growth Plan. Subject property is located within Tier 1 where the focus is on intensifying residential and commercial areas through infill and redevelopment. In Tier 1, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.
- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

RECOMMENDATION AND FINDINGS OF FACT
After reviewing the If Land Zone of Annexation, ANX-2022-114 request for the properties located at 364 29 Road; 370 29 Road; and 374 29 Road from County RSF-R

(Residential Single Family Rural) to R-8 (Residential – 8 du/ac), the following findings of facts have been made:

1. The request conforms with 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 Zone of Annexation request for the properties located at 364 29 Road; 370 29 Road; and 374 29 Road, City file number ANX-2022-114, 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. Revised Annexation Schedule - Table - If Land Annexation
3. If Land Annexation Plat-Annexation Plat
4. Maps and Photos - If Land Annex
5. ORD-Zoning - If Land ANX

City of Grand Junction Colorado
PUBLIC WORKS & PLANNING

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: Annexation/Zone of Annexation

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

Existing Land Use Designation	Residential	Existing Zoning	RSF-R (Mesa County)
Proposed Land Use Designation	Residential Medium	Proposed Zoning	R-8

Property Information

Site Location:	364 29 Road, Grand Junction, CO 81504	Site Acreage:	6.36 Acres
Site Tax No(s):	2943-202-00-054	Site Zoning:	Proposed R-8

Project Description: To Annex and Zone approximately 6.36 acres from County RSF-R to City R-8.

Property Owner Information		Applicant Information		Representative Information	
Name:	Upper Limit Investments, LLC	Name:	IF LAND, LLC	Name:	River City Consultants, Inc.
Street Address:	P. O. Box 952	Street Address:	429 29 1/2 Road	Street Address:	215 Pitkin Ave. #201
City/State/Zip:	Grand Junction, CO 8	City/State/Zip:	Grand Junction, CO 8	City/State/Zip:	Grand Junction, CO 8
Business Phone #:	970-250-7200	Business Phone #:	480-215-0949	Business Phone #:	970-241-4722
E-Mail:	lewwunderwald@msn.com	E-Mail:	dtowler@visionpartnersllc.com	E-Mail:	tstates@rccwest.com
Fax #:		Fax #:		Fax #:	
Contact Person:	Lew Wunderwald	Contact Person:	Doug Towler	Contact Person:	Tracy States
Contact Phone #:	970-250-7200	Contact Phone #:	480-215-0949	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: 2022.01.11 14:59:43 -07'00'	Date	January 11, 2022
Signature of Legal Property Owner		Date	1/13/22

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: Annexation/Zone of Annexation

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

Existing Land Use Designation	Residential	Existing Zoning	RSF-R (Mesa County)
Proposed Land Use Designation	Residential Medium	Proposed Zoning	R-8

Property Information

Site Location:	370 29 Road, Grand Junction, CO 81504	Site Acreage:	6.44 Acres
Site Tax No(s):	2943-202-00-050	Site Zoning:	Proposed R-8

Project Description: To Annex and Zone approximately 6.44 acres into the City of Grand Junction limits.

Property Owner Information		Applicant Information		Representative Information	
Name:	Don L. Balerio, Sr. & Pauline M	Name:	IF LAND, LLC	Name:	River Consultants, Inc.
Street Address:	370 29 Road	Street Address:	429 29 1/2 Road	Street Address:	215 Pitkin Ave. #201
City/State/Zip:	Grand Junction, CO 8	City/State/Zip:	Grand Junction, CO 8	City/State/Zip:	Grand Junction, CO 8
Business Phone #:	970-270-5489	Business Phone #:	480-215-0949	Business Phone #:	970-241-4722
E-Mail:	d.balerio@yahoo.com	E-Mail:	dtowler@visionpartnersllc.com	E-Mail:	tstates@rccwest.com
Fax #:		Fax #:		Fax #:	
Contact Person:	Don Balerio	Contact Person:	Doug Towler	Contact Person:	Tracy States
Contact Phone #:	970-270-5489	Contact Phone #:	480-215-0949	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: 2022.01.13 14:02:52 -07'00'	Date	January 13, 2022
Signature of Legal Property Owner		Date	1/28/2022

Grand Junction
COLORADO
PUBLIC WORKS & PLANNING

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: Annexation/Zone of Annexation

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

Existing Land Use Designation	Residential	Existing Zoning	RSF-R (Mesa County)
Proposed Land Use Designation	Residential Medium	Proposed Zoning	R-8

Property Information

Site Location:	374 29 Road, Grand Junction, CO 81504	Site Acreage:	6.45 AC
Site Tax No(s):	2943-202-00-051	Site Zoning:	Proposed R-8

Project Description: To Annex and Zone approximately 6.45 acres from County RSF-R to City R-8.

Property Owner Information		Applicant Information		Representative Information	
Name:	Merle Weaver	Name:	IF LAND, LLC	Name:	River City Consultants, INc.
Street Address:	296 Little Park Road	Street Address:	429 29 1/2 Road	Street Address:	215 Pitkin Ave. #201
City/State/Zip:	Grand Junction, CO 8	City/State/Zip:	Grand Junction, CO 8	City/State/Zip:	Grand Junction, CO 8
Business Phone #:	970-234-3088	Business Phone #:	480-215-0949	Business Phone #:	970-241-4722
E-Mail:	cmcweaver@gmail.com	E-Mail:	dtowler@visionpartnersllc.com	E-Mail:	tstates@rccwest.com
Fax #:		Fax #:		Fax #:	
Contact Person:	Merle Weaver	Contact Person:	Doug Towler	Contact Person:	Tracy States
Contact Phone #:	970-234-3088	Contact Phone #:	480-215-0949	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: 2022.01.13 14:22:03 -07'00'	Date	January 13, 2022
Signature of Legal Property Owner		Date	2/11/22

General Project Report

29 Road Properties Annexation & Zoning
364, 370 & 274 29 Road, Grand Junction, CO
Parcel Nos. 2943-202-00-054, 050 & 051

February 2, 2022

Prepared for:

IF LAND, LLC

429 29 ½ Road, Grand Junction, CO 81504

Prepared by:

215 Pitkin, Grand Junction, CO 81501

Grand Junction, CO 81506

Phone: (970) 241-4722

info@rccwest.com

A. Project Description

1) Location: The project is located at 364, 370 and 374 29 Road.

2) Acreage: The subject parcels, combined contains approximately 19.25 Acres.

3) Proposed Use: This submittal is for the Annexation into the City of Grand Junction limits and a request of zoning the parcels to R-8. The future land use is Residential Medium (5.5 – 12 DU/AC). The proposed R-8 zoning (5.5 - 8 DU/Acre) meets the intent of the 2020 Comprehensive Plan with regards to density and use. A separate submittal will be made with regards to the subdivision of the parcel.

B. Public Benefit

The proposed Annexation and Zoning will provide medium density, single family residential detached and attached product needed to keep up with growth and demand for housing. No multi-family is being proposed for this project but would also be an allowable use.

C. Neighborhood Meeting

A neighborhood meeting was held virtually via a zoom meeting on January 20, 2022. A summary of the meeting is included with this submittal.

D. Project Compliance, Compatibility, and Impact

1) Adopted plans and/or policies:

The proposed Annexation and Zoning, in conjunction with the 2020 Comprehensive Plan, will comply with the adopted codes, plans and requirements for the property. The R-8 zoning is an appropriate district for the Residential Medium 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, with a sprinkling of low density residential. A townhome project is located in the vicinity at D Road and 29 ¼ Road.

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 (Electric)
City of Grand Junction Fire

Spectrum/Charter
CenturyLink/Lumen

A Fire Flow Form is included with this submittal.

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 Annexation and Zoning 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 Annexation and Zoning request is in compliance with the newly adopted 2020 Comprehensive Plan.

(ii) Compliance with this zoning and development code.
The Annexation and Zoning 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.

<u>Section 21.02.140 Code amendment and rezoning:</u>

(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 Annexation and Zoning request to the R-8 zone district will bring the parcel into compliance with the newly adopted 2020 Comprehensive Plan. The parcel's location within the 201 boundary dictates that the project must annex and establish zoning in the City limits in order to develop.

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

The annexation and zoning would allow the continuation of medium density, attainable, quality housing 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 medium density residential and industrial developments and are not affected as a result of the Annexation and Zoning 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 medium-density development parcels in this area 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 medium-density residential development with the extension of services.

F. Development Schedule

Not applicable for this submittal.

364, 370 and 374 29 Road Annexation and Zoning
(Parcel Nos. 2943-202-00-054, 050 & 051)

SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING
TUESDAY, JANUARY 10, 2022 @ 5:30 PM
VIA ZOOM

A virtual neighborhood meeting for the above-referenced Annexation and Zoning, was held January 10, 2022, via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on December 29, 2021, per the mailing list received from the City of Grand Junction. There were five attendees including Tracy States, Project Coordinator, with River City Consultants, Doug Towler, the Developer and Jace Hochwalt, Senior Planner with the City of Grand Junction. There were two neighbors in attendance.

After some brief technical difficulties, the meeting included a brief presentation and a question/answer session. Information about the proposed R-8 zoning and what is allowed was presented. It was explained that the anticipated development would be a mixture of single family detached and two to four attached dwelling units (105 to 154 dwelling units on 19.25 acres). Ms. States explained that another neighborhood meeting will be held when a plan is developed.

No concerns were identified at this stage. Jace Hochwalt 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 6 PM.

Location Map

N

0 0.05 0.1 mi

Printed: 12/27/2021

1 inch equals 94 feet

Scale: 1:1,128

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Recorders office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys.
The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.

Current County Zoning

Print Date: January 7, 2022

0 0.0125 0.025 0.05 mi

0 0.015 0.03 0.06 km

Mesa County, Colorado
GIS/IT Department
gis.mesacounty.us

Current City GJ Zoning

N

0 0.05 0.1 mi

Printed: 1/7/2022

1 inch equals 94 feet

Scale: 1:1,128

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

Urban Development Boundary

N

0 0.05 0.1 mi

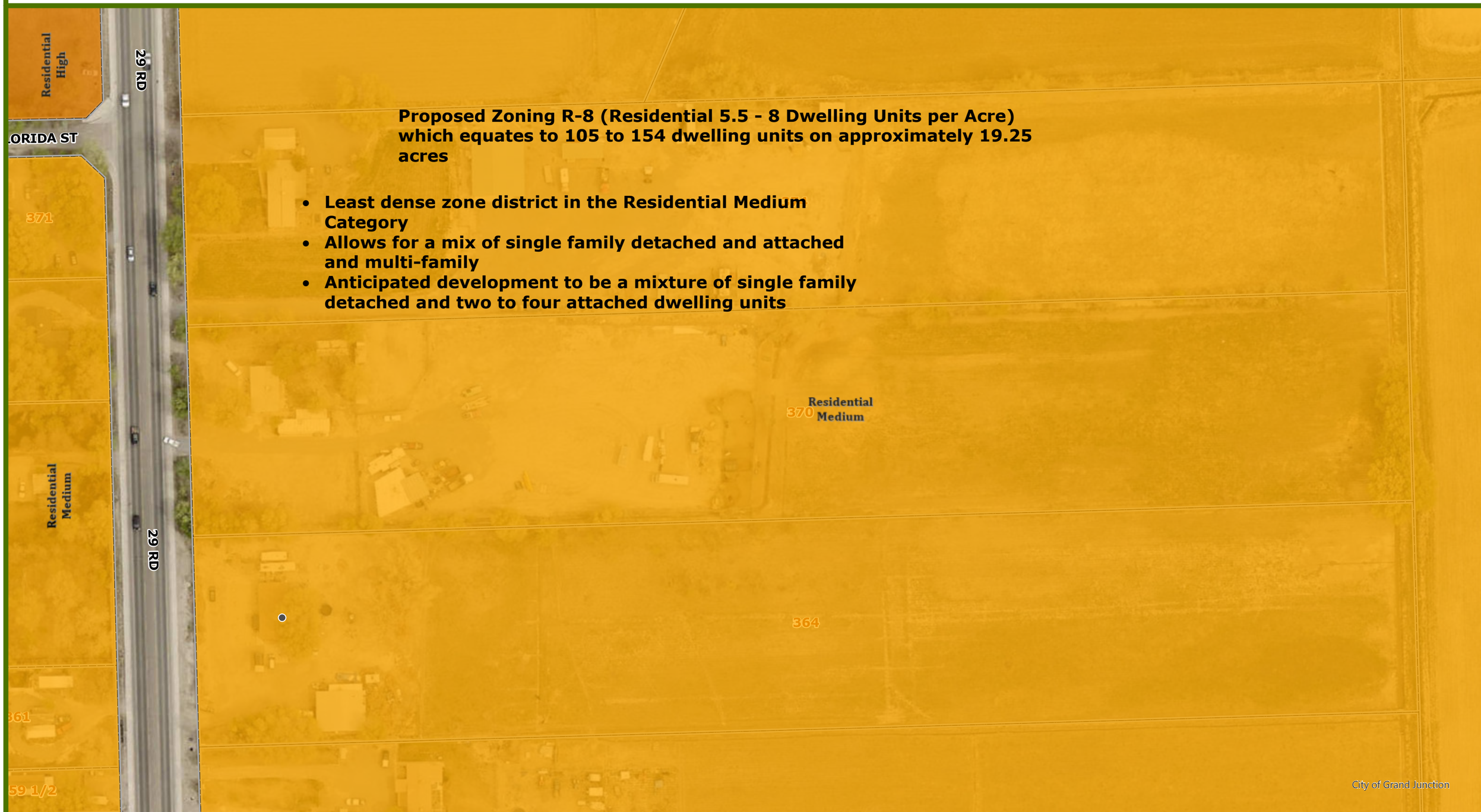
Printed: 1/7/2022

1 inch equals 94 feet

Scale: 1:1,128

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

2020 Comprehensive Plan



Proposed Zoning R-8 (Residential 5.5 - 8 Dwelling Units per Acre) which equates to 105 to 154 dwelling units on approximately 19.25 acres

- **Least dense zone district in the Residential Medium Category**
- **Allows for a mix of single family detached and attached and multi-family**
- **Anticipated development to be a mixture of single family detached and two to four attached dwelling units**

N

0 0.05 0.1 mi

Printed: 1/7/2022
1 inch equals 94 feet
Scale: 1:1,128

City of Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

UPPER LIMIT INVESTMENTS LLC

is a

Limited Liability Company

formed or registered on 08/28/1996 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19961113223 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 01/12/2022 that have been posted, and by documents delivered to this office electronically through 01/13/2022 @ 15:46:15 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 01/13/2022 @ 15:46:15 in accordance with applicable law. This certificate is assigned Confirmation Number 13717362 .

Secretary of State of the State of Colorado

**********End of Certificate**********

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, http://www.sos.state.co.us/biz/CertificateSearchCriteria.do entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, http://www.sos.state.co.us/ click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

SITE SKETCH

Southwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado

PROPERTY DESCRIPTIONS

RECEPTION NUMBER 2529102

THE NORTH 220 FEET OF THE SW¼NW¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
EXCEPT THE WEST 30 FEET THEREOF FOR RIGHT OF WAY;
ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY BY INSTRUMENT RECORDED SEPTEMBER 14, 2005 IN BOOK 3992 AT PAGE 172,
COUNTY OF MESA, STATE OF COLORADO.

RECEPTION NUMBER 2854491

BEGINNING AT A POINT 220 FEET SOUTH 0°07' WEST FROM THE NORTHWEST CORNER OF THE SW¼NW¼ OF SECTION 20,
TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, THENCE NORTH 89°56' EAST 1318.08 FEET, THENCE SOUTH 0°05' WEST 220 FEET, THENCE SOUTH 89°56' WEST 1318.21 FEET, THENCE NORTH 0°07' EAST 220 FEET TO THE POINT OF BEGINNING,
EXCEPT THE WEST 30 FEET THEREOF FOR ROAD RIGHT OF WAY, AND
EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY, STATE OF COLORADO IN INSTRUMENT RECORDED AUGUST 1, 2005 IN BOOK 3955 AT PAGE 820,
COUNTY OF MESA, STATE OF COLORADO.

RECEPTION NUMBER 2537109

BEGINNING AT A POINT 440 FEET SOUTH 0°07' WEST FROM THE NORTHWEST CORNER OF THE SW¼
NW¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
THENCE NORTH 89°56' EAST 1,318.21 FEET;
THENCE SOUTH 0°05' WEST 220 FEET;
THENCE SOUTH 89°56' WEST 1,318.34 FEET;
THENCE NORTH 0°07' EAST 220 FEET TO THE POINT OF BEGINNING;
EXCEPT THE WEST 30 FEET FOR ROAD RIGHT-OF-WAY,
AND ALSO EXCEPT A TRACT OR PARCEL OF LAND CONVEYED TO MESA COUNTY, A DIVISION OF THE STATE OF COLORADO, BY INSTRUMENT RECORDED OCTOBER 11, 2005 IN BOOK 4012 AT PAGE 787
COUNTY OF MESA, STATE OF COLORADO.

20 acres, more or less.

1. There exists a blanket easement for The Mountain States Telephone and Telegraph Co., at Reception number 306083 and 306081 over the entirety of the property described hereon.
2. There exists an easement at Reception Number 1023614 for "1300 feet of 18 inch concrete tile", "running diagonally across the property". granted to Grand Junction Drainage District over the entirety of the property described hereon.
3. Easements put forth in document at Reception Number 1890725 were described as "Temporary Easements". this easement appears to affect only parcel recorded at Reception Number 2529102.
4. Instrument at Reception Number 2285218 notes this as a "prescriptive easement" for "irrigation facilities". no width is given.
5. The deeds reviewed by this survey describing the parcels platted hereon all contain language excepting the west 30' for road right-of-way. This exception does not necessarily remove the 30' from the ownership of the property. Additional Right-of-Way was subsequently Deeded to Mesa County immediately east of and contiguous with said 30' exception.

Subsurface and environmental conditions were not examined or considered as a part of this process. No statement is made concerning the existence of underground vessels that may affect the use or development of this land.

No excavations were made during this process to determine exact locations and depths of underground utilities and structures. Existence and locations of all underground utilities and structures should be verified prior to construction on this property.

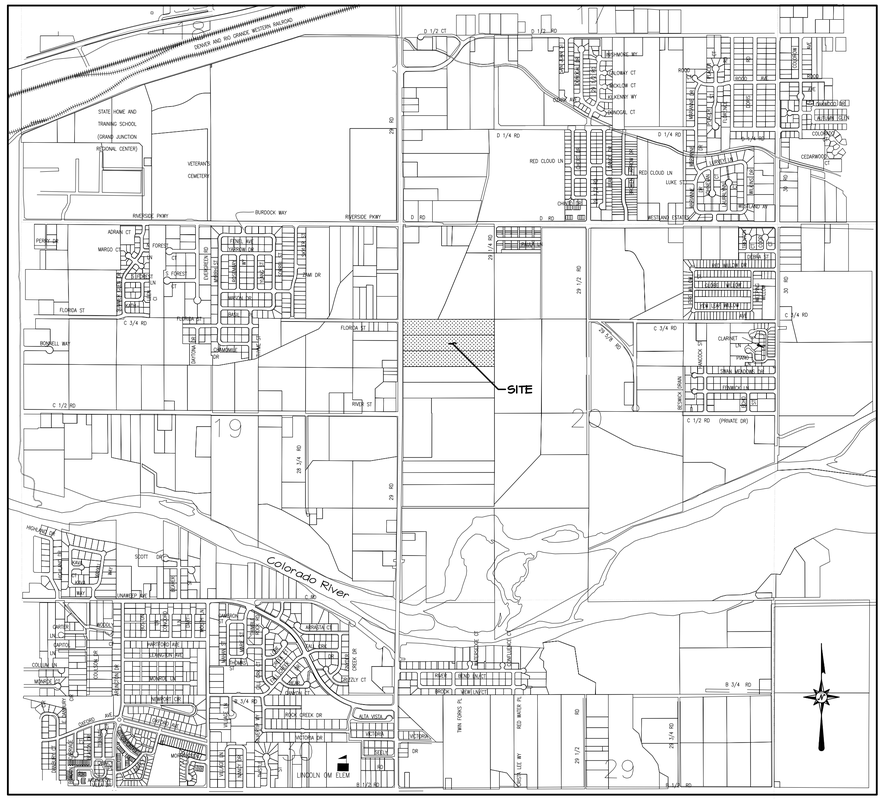
Site shown hereon is located entirely within Flood Zone X according to Flood Insurance Rate Map panel number 08077C0817F, Effective date July 6, 2010.

ACCEPTANCE BLOCK

The City of Grand Junction review constitutes general compliance with the City's Development Standards, subject to these plans being sealed, signed, and dated by the Professional of Record. Review by the City does not constitute approval of the plan design. The City neither accepts nor assumes any liability for errors or omissions. Errors in the design or calculations remain the responsibility of the Professional of Record. Construction must commence within one year from the date of plan signature.

City Planner — Date

City Development Engineer — Date



Lineal Units of Measurement are U.S. Survey Foot.

MCLCS ZONE "GVA"
TRANSVERSE MERCATOR PROJECTION
POINT OF ORIGIN (GN01) AND CENTRAL MERIDIAN:
LATITUDE: 39°06'22.72746N
LONGITUDE: 108°32'01.43552W
NORTHING: 50,000FT
EASTING: 100,000FT
SCALE FACTOR: 1.000218181798
PROJECT/SCALE FACTOR HEIGHT: 4644FT(NAVD88)

SYMBOLS AND ABBREVIATIONS USED ON THIS PLAT

A:	ARC LENGTH OF CURVE
BOB:	BASIS OF BEARING
C:	CENTER
CCR:	COVENANT CONDITIONS & RESTRICTIONS
E:	EAST
N:	NORTH
NO:	NUMBER
PLS:	PROFESSIONAL LAND SURVEYOR
MCSM:	MESA COUNTY SURVEY MARKER
MPE:	MULTI-PURPOSE EASEMENT
PLS:	PROFESSIONAL LAND SURVEYOR
CH:	CHORD LENGTH
BRG:	CHORD BEARING
HDS:	HIGH DESERT SURVEYING
L:	ARC LENGTH
RAD:	RADIUS
Δ:	CENTRAL ANGLE DELTA
T:	TOWNSHIP
R:	RANGE IN DEFINING LOCATION IN PLSS:
PLSS:	PUBLIC LAND SURVEY SYSTEM
REC:	REC NO
ROW:	RIGHT OF WAY
S:	SOUTH
T:	TOWNSHIP
UM:	UTE MERIDIAN
W:	WEST
Ø	DIAMETER

LEGEND

- 1.5" ALUMINUM CAP, LS 17485 - LANDESIGN
- 2" ALUMINUM CAP, PLS 24953 - HIGH DESERT SURVEYING
- ALIQUOT MONUMENT AS NOTED
- FOUND #5 REBAR
- SET 1.5" ALUMINUM CAP ON # 5 REBAR PLS 38274 RIVER CITY CONSULTANTS
- ELEC — ELECTRIC BOX
- SEWER CLEANOUT
- AREA INLET
- FIRE HYDRANT
- WATER VALVE
- D — STORM MANHOLE
- S — SANITARY MANHOLE
- I — IRRIGATION VAULT
- GAS METER
- WM — WATER METER
- ELECTRIC METER
- EASEMENT LINE
- PARCEL LINE
- ROW LINE
- ALIQUOT LINE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- EDGE OF CONCRETE
- FLOW LINE
- —OHE— OVERHEAD ELECTRIC LINE
- WOOD FENCE
- CHAIN LINK/IRON FENCE
- —X— FENCE
- LIGHT POLE
- POWER POLE
- GUY ANCHOR
- SIGN
- MAIL BOX
- WATER SPIGOT
- CONCRETE

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
www.rccwest.com
Phone: 970.241.4722
Fax: 970.241.8841

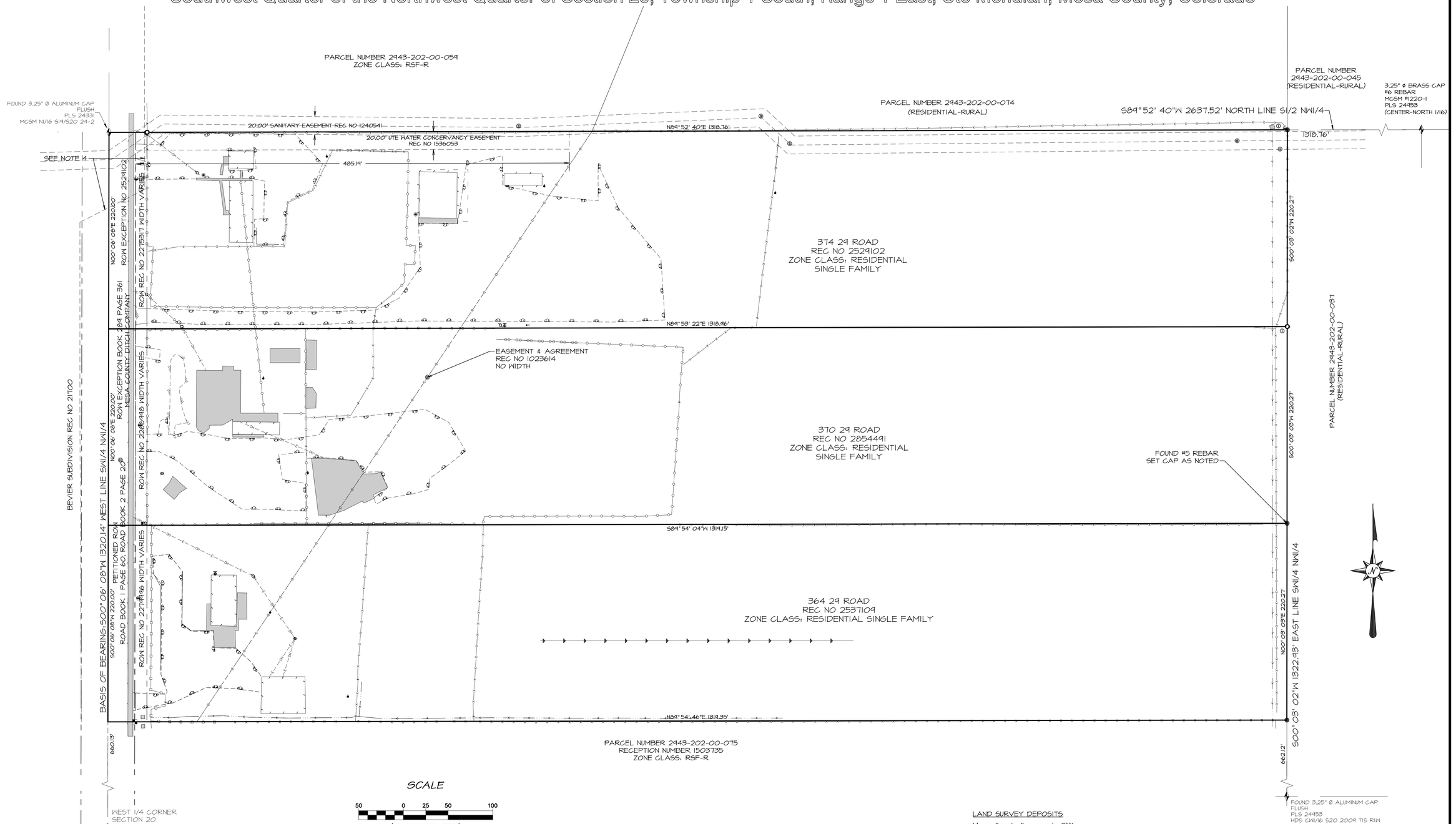
SITE SKETCH
Southwest Quarter of the Northwest Quarter of Section 20,
Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado

Sheet 1 of 2 Date: 10/08/2021		Job No. 2025-001
Surveyed: TPJ	Drawn: AKT	Checked: BDM

Drawing name: S:\PROJECTS\2025 JF LAND, LLC\001 310 24 Road\Survey\DWG\2025-001 site sketch.dwg

SITE SKETCH

Southwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado



SCALE

50 0 25 50 100

(IN U.S. SURVEY FEET)

BASIS OF BEARINGS

The bearings hereon are grid bearings of the Mesa County Local Coordinate System, GVA, as defined at http://emap.mesacounty.us/gps_survey/GVAZONE.htm, determined by GPS observation of the west line of the SW1/4 NW1/4 of Section 20, T.1S., R.1E., Ute Meridian, the north 1/16 corner of said Section 20 and Section 19, being a 3.25" aluminum cap flush with the asphalt marked "PLS 24331 - MCSM" whence the West 1/4 Corner of said Section 20, being a 3.25" aluminum cap flush with the asphalt marked "PLS 24331 MCSM", bears South 00°06'08" West, as shown hereon.

SURVEYOR'S STATEMENT

I, Alec K Thomas, a registered Professional Land Surveyor in the State of Colorado, do hereby state: the Improvement Survey represented hereon was performed by me or under my responsible charge; it is based upon my knowledge, information and belief; it is in accordance with applicable standards of practice. This statement is not a guaranty, either expressed or implied.

Alec K Thomas,
Colorado PLS 38274

COLORADO LICENSED
ALEC KNALL THOMAS
38274
PROFESSIONAL LAND SURVEYOR

LAND SURVEY DEPOSITS

Mesa County Surveyor's Office
Date_____.

Deposit Number_____.

NOTICE: According to Colorado lan you must commence any legal action based upon any defect in this survey within three years after you first discover 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.

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
www.rccwest.com
Phone: 970.241.4722
Fax: 970.241.8841

SITE SKETCH
Southwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado

Sheet 2 of 2	Date: 10/08/2021	Job No. 2025-001
Surveyed: TPJ	Drawn: AKT	Checked: BDM

Drawing name: S:\PROJECTS\2025 JF LAND, LLC\001 370 29 Road\Survey\DWG\2025-001 site sketch.dwg

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.[1] The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.[2]

SECTION A

Date: January 11, 2022

Project Name: 29 Road Annexation & Zoning

Project Street Address: 364, 370 and 374 29 Road, Grand Junction

Assessor's Tax Parcel Number: 2943-202-00-054, 050 & 051

Project Owner Name: Upper Limits Investments, LLC; Gallegos & Bale

City or County project file #: _____

Name of Water Purveyor: Ute Water

Applicant Name/Phone Number: Doug Towler 480-215-0949

Applicant E-mail: dtowler@visionpartnersllc.com

1. If the project includes one or more one or two-family dwelling(s):
   a. The maximum fire area (see notes below) for each one or two family dwelling will be 2,045 square feet.
   b. All dwelling units will ☐, will not ☒ include an approved automatic sprinkler system.
   Comments: This will be a mixture of single-family detached, duplex and four plex attached single-family on 19.25
2. If the project includes a building other than one and two-family dwelling(s):
   a. List the fire area and type of construction (See International Building Code [IBC]for all buildings used to determine the minimum fire flow requirements:
   _____
   b. List each building that will be provided with an approved fire sprinkler system:
   _____
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code[IFC]): 1,000 g.p.m at 20 p.s.i

Comments: _____

Note:
Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code[3] sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet[4]. Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B
[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants
Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: **Ute** **Clifton** **Grand Junction**
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:
   SEE ATTACHED MAP

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:
   SEE ATTACHED RESULTS

[Or: **1.** attach a map or diagram with the same information, or **2.** attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: _____

Print Name and Title of Water Supplier Employee completing this Form:

DUSTY KRIEGSHAUSER MAINTENANCE II/HYDRANT MAINTENANCE Date: 1/11/22

Contact phone/E-mail of Water Supplier: 970-242-7491 hydrant@utewater.org

****

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer[5] to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

[1] There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

[2] Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

[3] International Fire Code, 2012 Edition

[4] http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/

[5] City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Fire Flow Hydrant Master
With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Company Name: Ute Water Conservancy District
Address: 2190 H 1/4 Rd
City: Grand Junction
State: Colorado
Zip: 81505

Work Order: 1,189
Operator: DUSTY K, TONY N.

Test Date: 1/11/22 1:30 pm

NFPA Classification:

Blue	AA
3475.48	

Test did not reach recommended drop of 25% per NFPA 291

Test Hydrant: 3174
Address: 370 THYME ST
Cross Street:
Location:
District:
Sub-Division: WHITE WILLOWS SUB

Latitude: 714375.203
Longitude: 4326223.98
Elevation: 4595.78
State X / Y: _____ / _____

Pumpers: **Nozzles:** **Open Dir:**

Manuf: Mueller
Model: Centurion 5 1/4

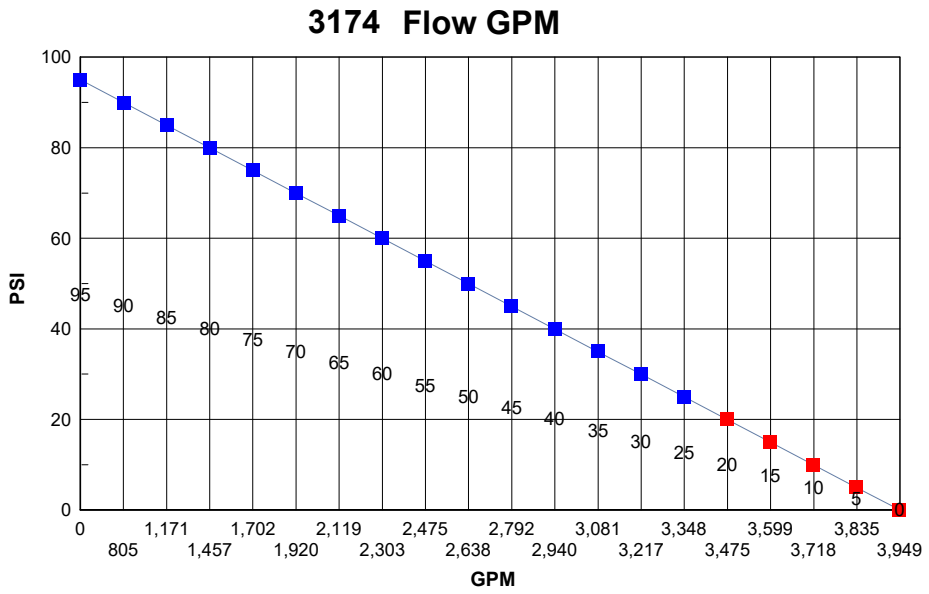
Installed: 01/01/2005
Main Size: 0.00

Vandal Proof:
Bury Depth: 0.00

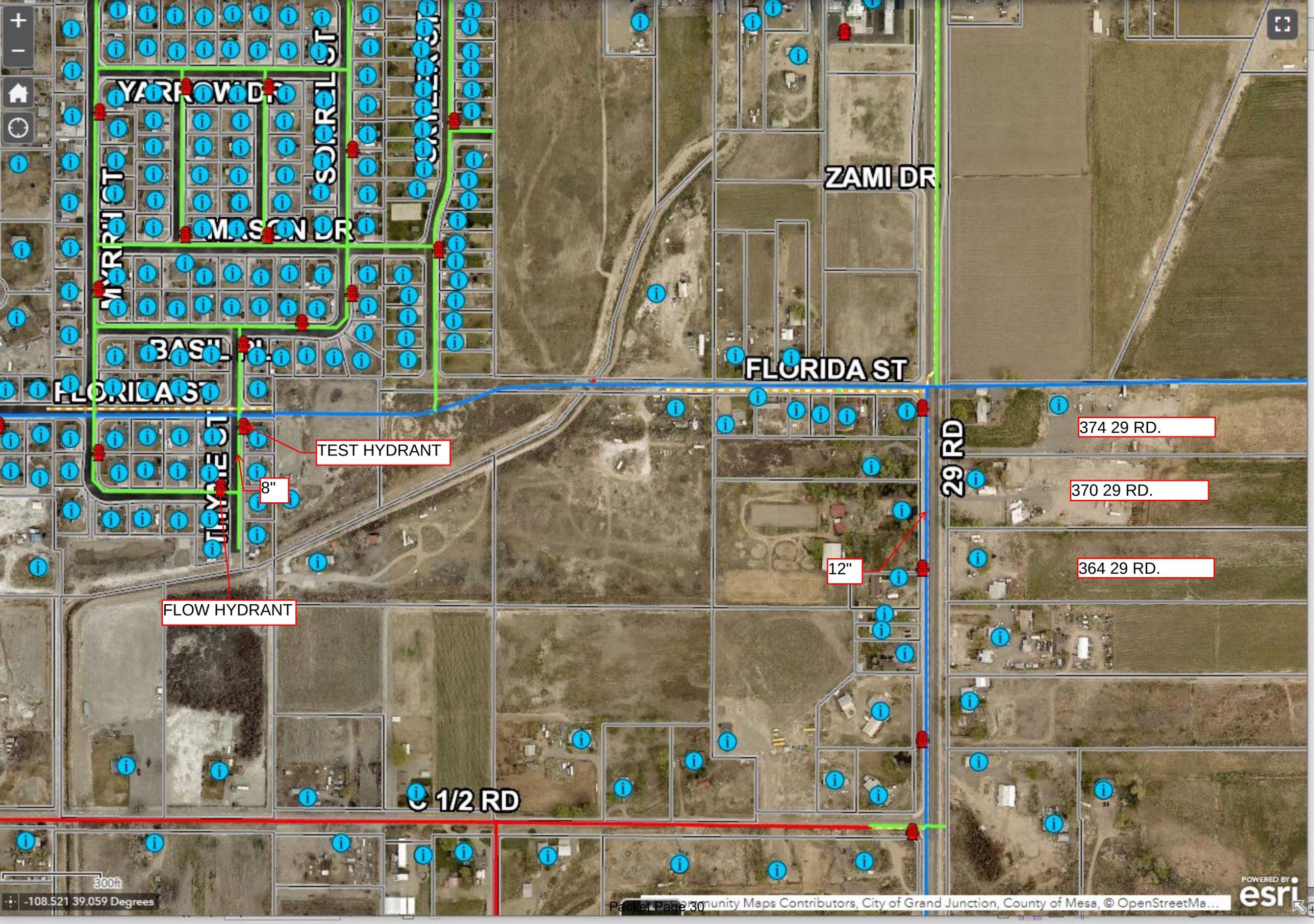
	Flow Hydrant	Flow Device	Diameter	GPM	Gallon Used
1:	3175	2.5" Hose Monster	2.50	1106.04	5530.22
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 43.00
Static PSI: 95.00
Residual PSI: 86.00
Percent Drop: 9.47

Total Gallons Used: 5530.22
Max GPM during test: 1,106.04
Elapsed Time Min:Sec: 5 : 0
Predicted GPM @ 20 PSI: 3475.48



GPM rounded to nearest gallon *Values inside grid below flow line are PSI @ predicted flow*


YARROW DR
SORREL ST
CRESTVIEW ST
MYRRH CT
MASON DR
BASIL PL
FLORIDA ST
TIMBER ST
ZAMI DR
FLORIDA ST
29 RD
TEST HYDRANT
8"
FLOW HYDRANT
12"
374 29 RD.
370 29 RD.
364 29 RD.
C 1/2 RD
300ft
-108.521 39.059 Degrees
Community Maps Contributors, City of Grand Junction, County of Mesa, © OpenStreetMa...
POWERED BY esri

From:	Dave Priske
To:	Tracy States
Cc:	Hydrant Crew
Subject:	RE: Fire Flow Form 364, 370 & 374 29 Road
Date:	Wednesday, January 12, 2022 8:23:50 AM
Attachments:	image002.png image003.png

Thanks Dusty. Tracy: we have assumed the development may extend a waterline from our existing 12-inch ac which is why the fire flow was performed on Thyme to the west.
Let me know if you have any other insight.
Thanks, Dave

David J Priske, PE | **District Engineer**
Ute Water Conservancy District
2190 H ¼ Road, Grand Junction, CO 81505
Direct: (970) 256-2876
Mobile: (970) 260-1408

From: Hydrant Crew <hydrant@utewater.org>
Sent: Tuesday, January 11, 2022 4:22 PM
To: Tracy States <tstates@rccwest.com>
Cc: Dave Priske <dpriske@utewater.org>
Subject: Fire Flow Form 364, 370 & 374 29 Road

Good afternoon Tracy,
Attached is the completed fire flow form for 29 Rd. If you have any questions please feel free to contact us.

Thank You,

Dusty Kriegshauser | Hydrant Maintenance
Ute Water Conservancy District
2190 H ¼ Road, Grand Junction, CO 81505
P: (970) 256-2882
M: (970) 778-1158

From: Tracy States <tstates@rccwest.com>
Sent: Tuesday, January 11, 2022 3:49 PM
To: Hydrant Crew <hydrant@utewater.org>
Subject: EXTERNAL Fire Flow Form 364, 370 & 374 29 Road

[CAUTION!] This email originated from outside your organization. DO NOT click on links or open attachments that you specifically did not request or that came from unknown senders.

Hi Dusty,

Can you please return the attached fire flow form to me at your earliest convenience? Thank you!

Tracy States
Project Coordinator

River City Consultants, Inc.
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
O 970-241-4722
F 970-241-8841
tstates@rccwest.com

IMPROVEMENT SURVEY PLAT

Southwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado

PROPERTY DESCRIPTIONS

RECEPTION NUMBER 2529102

THE NORTH 220 FEET OF THE SW¼NW¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
EXCEPT THE WEST 30 FEET THEREOF FOR RIGHT OF WAY;
ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY BY INSTRUMENT RECORDED SEPTEMBER 14, 2005 IN BOOK 3992 AT PAGE 172,
COUNTY OF MESA, STATE OF COLORADO.

RECEPTION NUMBER 2854491

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TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, THENCE NORTH 89°56' EAST 1318.08 FEET, THENCE SOUTH 0°05' WEST 220 FEET, THENCE SOUTH 89°56' WEST 1318.21 FEET, THENCE NORTH 0°07' EAST 220 FEET TO THE POINT OF BEGINNING,
EXCEPT THE WEST 30 FEET THEREOF FOR ROAD RIGHT OF WAY, AND
EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY, STATE OF COLORADO IN INSTRUMENT RECORDED AUGUST 1, 2005 IN BOOK 3955 AT PAGE 820,
COUNTY OF MESA, STATE OF COLORADO.

RECEPTION NUMBER 2537109

BEGINNING AT A POINT 440 FEET SOUTH 0°07' WEST FROM THE NORTHWEST CORNER OF THE SW¼
NW¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
THENCE NORTH 89°56' EAST 1,318.21 FEET;
THENCE SOUTH 0°05' WEST 220 FEET;
THENCE SOUTH 89°56' WEST 1,318.34 FEET;
THENCE NORTH 0°07' EAST 220 FEET TO THE POINT OF BEGINNING;
EXCEPT THE WEST 30 FEET FOR ROAD RIGHT-OF-WAY,
AND ALSO EXCEPT A TRACT OR PARCEL OF LAND CONVEYED TO MESA COUNTY, A DIVISION OF THE STATE OF COLORADO, BY INSTRUMENT RECORDED OCTOBER 11, 2005 IN BOOK 4012 AT PAGE 787
COUNTY OF MESA, STATE OF COLORADO.

SAID PROPERTIES CONTAIN 20.0 ACRES MORE OR LESS.

1. There exists a blanket easement for The Mountain States Telephone and Telegraph Co., at Reception number 306083 and 306081 over the entirety of the property described hereon.
2. There exists an easement at Reception Number 1023614 for "1300 feet of 18 inch concrete tile", "running diagonally across the property". granted to Grand Junction Drainage District over the entirety of the property described hereon.
3. Easements put forth in document at Reception Number 1890725 were described as "Temporary Easements". this easement appears to affect only parcel recorded at Reception Number 2529102.
4. Instrument at Reception Number 2285218 notes this as a "prescriptive easement" for "irrigation facilities". no width is given.
5. The deeds reviewed by this survey describing the parcels platted hereon all contain language excepting the west 30' for road right-of-way. This exception does not necessarily remove the 30' from the ownership of the property. Additional Right-of-Way has subsequently Deeded to Mesa County immediately east of and contiguous with said 30' exception.

This plat is a graphical representation of the professional opinion of the undersigned surveyor of the location of the property as described in the title documents referenced. The bearings of the boundary lines on the drawing represent the title description rotated to grid north of the Mesa County Local Coordinate System (MCLCS) noted above. The geometric integrity of the lines has been preserved except where they yield to record monuments and/or senior or controlling lines.

Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground vessels that may affect the use or development of this land.

No excavations were made during this survey to determine exact locations and depths of underground utilities and structures. Existence and locations of all underground utilities and structures should be verified prior to construction on this property.

This survey was conducted with the benefit of multiple title commitments prepared by Land Title Guarantee Company: Order Number: GJR65048602-2 dated 07/30/2021, GJR65048661 dated 08/03/2021 and GJIF65049286 dated 09/15/2021. Evidence of title, easements of record, rights of way, adjoiners, and encumbrances affecting this property reviewed and considered part of the this survey are noted hereon. There may exist other documents, both recorded and unrecorded, that would affect title to this parcel.

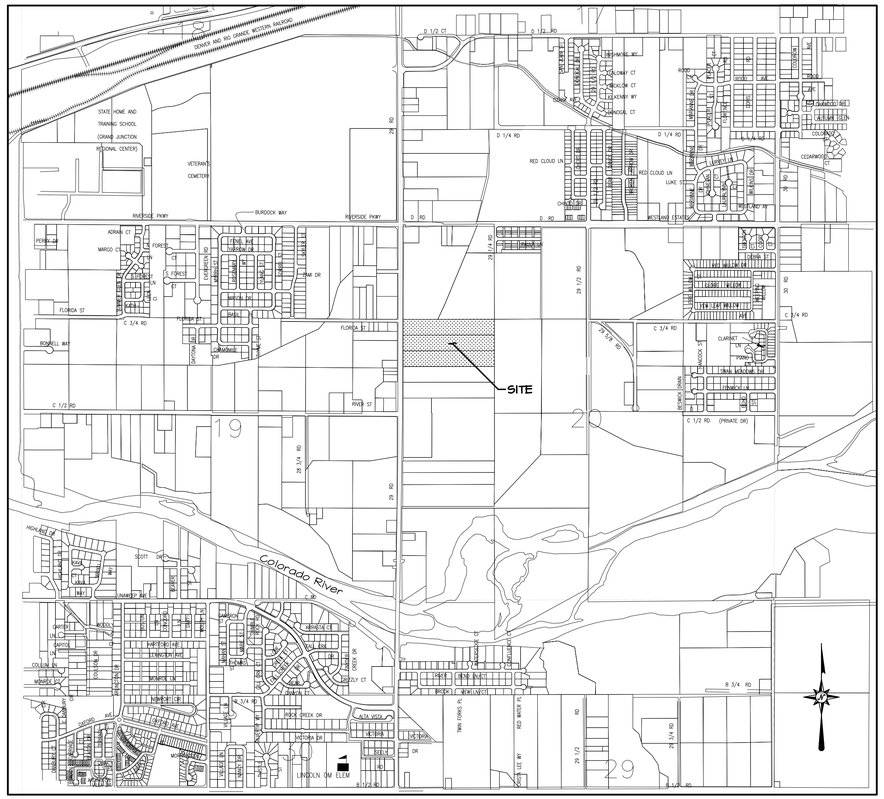
Adjoiner information was acquired from the Mesa County GIS website on September 29, 2021.

SURVEYOR'S STATEMENT

I, Alec K Thomas, a registered Professional Land Surveyor in the State of Colorado, do hereby state: the Improvement Survey represented hereon was performed by me or under my responsible charge; it is based upon my knowledge, information and belief; it is in accordance with applicable standards of practice. This statement is not a guaranty, either expressed or implied.

Alec K Thomas,
Colorado PLS 38274

COLORADO LICENSED
ALEC KHALIL THOMAS
38274
PROFESSIONAL LAND SURVEYOR



Lineal Units of Measurement are U.S. Survey Foot.

MCLCS ZONE "GVA"
TRANSVERSE MERCATOR PROJECTION
POINT OF ORIGIN (SN01)AND CENTRAL MERIDIAN:
LATITUDE: 39°06'22.72746N
LONGITUDE: 108°32'01.43552W
NORTHING: 50,000FT
EASTING: 100,000FT
SCALE FACTOR: 1.000218181798
PROJECT/SCALE FACTOR HEIGHT: 4644FT(NAVD88)

SYMBOLS AND ABBREVIATIONS USED ON THIS PLAT

A:	ARC LENGTH OF CURVE
BOB:	BASIS OF BEARING
C:	CENTER
CCR:	COVENANT CONDITIONS & RESTRICTIONS
E:	EAST
N:	NORTH
NO:	NUMBER
PLS:	PROFESSIONAL LAND SURVEYOR
MCSM:	MESA COUNTY SURVEY MARKER
MPE:	MULTI-PURPOSE EASEMENT
PLS:	PROFESSIONAL LAND SURVEYOR
CH:	CHORD LENGTH
BRG:	CHORD BEARING
HDS:	HIGH DESERT SURVEYING
L:	ARC LENGTH
RAD:	RADIUS
Δ:	CENTRAL ANGLE DELTA
T:	TOWNSHIP
R:	RANGE IN DEFINING LOCATION IN
PLSS:	PUBLIC LAND SURVEY SYSTEM
REC:	REC NO
ROW:	RIGHT OF WAY
S:	SOUTH
T:	TOWNSHIP
UM:	UTE MERIDIAN
W:	WEST
Φ	DIAMETER

LAND SURVEY DEPOSITS

Mesa County Surveyor's Office
Date_____.

Deposit Number_____.

LEGEND

- 1.5" ALUMINUM CAP, LS 17485 - LANDESIGN
- 2" ALUMINUM CAP, PLS 24953 - HIGH DESERT SURVEYING
- ALIQUOT MONUMENT AS NOTED
- FOUND #5 REBAR
- SET 1.5" ALUMINUM CAP ON # 5 REBAR PLS 38274 RIVER CITY CONSULTANTS
- ELEC — ELECTRIC BOX
- SEWER CLEANOUT
- AREA INLET
- FIRE HYDRANT
- WATER VALVE
- D — STORM MANHOLE
- S — SANITARY MANHOLE
- I — IRRIGATION VAULT
- GAS METER
- WM — WATER METER
- ELECTRIC METER
- EASEMENT LINE
- PARCEL LINE
- ROW LINE
- ALIQUOT LINE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- EDGE OF CONCRETE
- FLOW LINE
- —OHE— OVERHEAD ELECTRIC LINE
- WOOD FENCE
- CHAIN LINK/IRON FENCE
- —X— FENCE
- LIGHT POLE
- POWER POLE
- GUY ANCHOR
- SIGN
- MAIL BOX
- WATER SPIGOT
- CONCRETE

NOTICE: According to Colorado lan you must commence any legal action based upon any defect in this survey within three years after you first discover 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.

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
www.rccwest.com
Phone: 970.241.4722
Fax: 970.241.8841

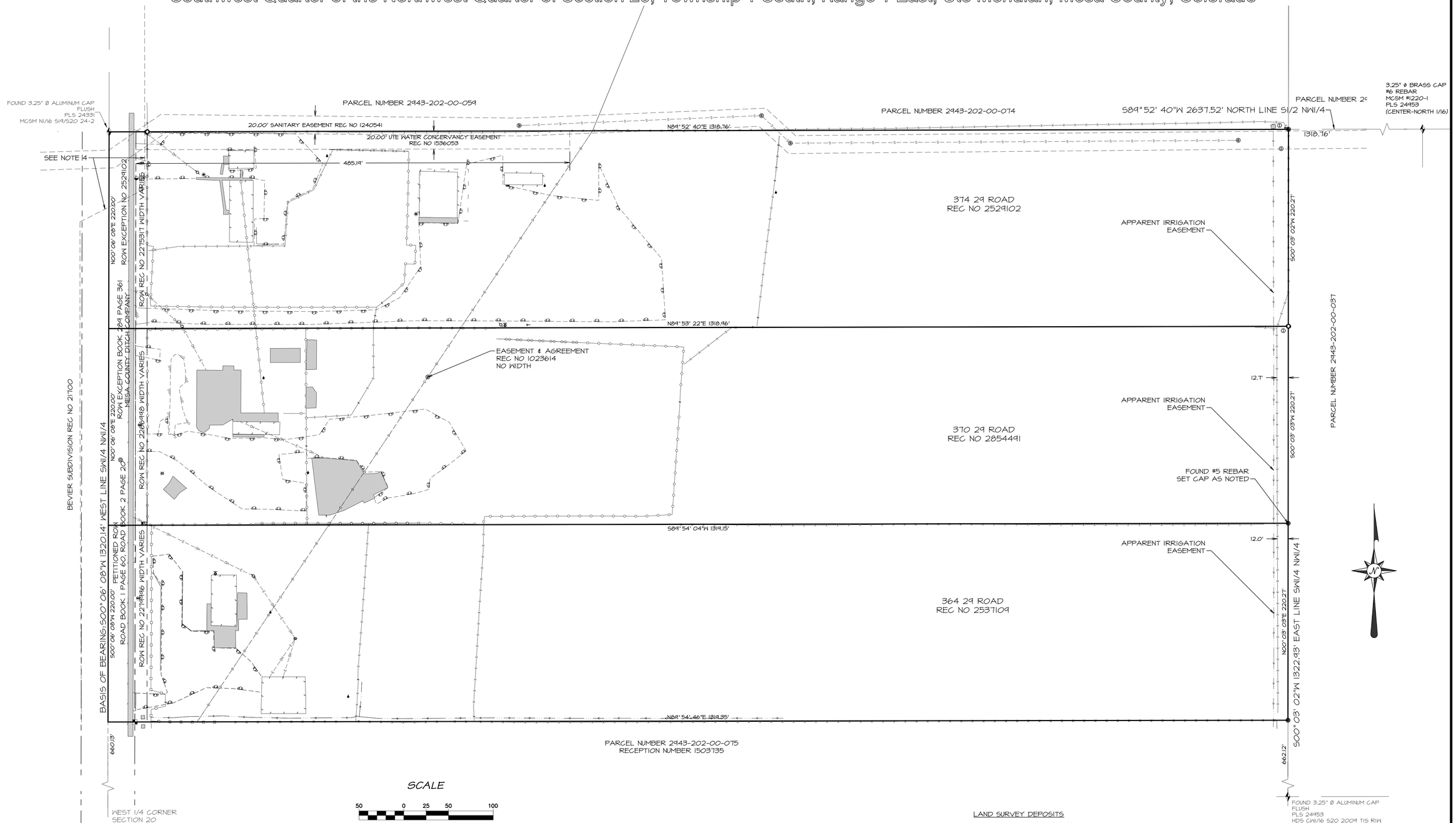
IMPROVEMENT SURVEY PLAT
Southwest Quarter of the Northwest Quarter of Section 20,
Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado

Sheet 1 of 2 Date: 10/08/2021		Job No. 2025-001
Surveyed: TPJ	Drawn: AKT	Checked: BDM

Drawing name: S:\PROJECTS\2025 JP LAND, LLC\001 370 24 Road\Survey\DWG\2025-001 ISP.dwg

IMPROVEMENT SURVEY PLAT

Southwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado



SCALE

50 0 25 50 100

(IN U.S. SURVEY FEET)

BASIS OF BEARINGS

The bearings hereon are grid bearings of the Mesa County Local Coordinate System, GVA, as defined at http://emap.mesacountyus/gps_survey/GVAZONE.htm, determined by GPS observation of the west line of the SW1/4 NW1/4 of Section 20, T.1S., R.1E., Ute Meridian, the north 1/16 corner of said Section 20 and Section 19, being a 3.25" aluminum cap flush with the asphalt marked "PLS 24331 - MCSM" whence the West 1/4 Corner of said Section 20, being a 3.25" aluminum cap flush with the asphalt marked "PLS 24331 MCSM", bears South 00°06'08" West, as shown hereon.

SURVEYOR'S STATEMENT

I, Alec K Thomas, a registered Professional Land Surveyor in the State of Colorado, do hereby state: the Improvement Survey represented hereon was performed by me or under my responsible charge; it is based upon my knowledge, information and belief; it is in accordance with applicable standards of practice. This statement is not a guaranty, either expressed or implied.

Alec K Thomas,
Colorado PLS 38274

COLORADO LICENSED ALEC KHALIL THOMAS 38274 PROFESSIONAL LAND SURVEYOR

LAND SURVEY DEPOSITS

Mesa County Surveyor's Office
Date_____.
Deposit Number_____.

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
www.rccwest.com
Phone: 970.241.4722
Fax: 970.241.8841

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover 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.

IMPROVEMENT SURVEY PLAT
Southwest Quarter of the Northwest Quarter of Section 20,
Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado

Sheet 2 of 2	Date: 10/08/2021	Job No. 2025-001
Surveyed: TPJ	Drawn: AKT	Checked: BDM
Drawing name: S:\PROJECTS\2025 IF LAND, LLC\001 370 24 Road\Survey\DWG\2025-001 ISP.dwg		

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Upper Limit Investments, LLC ("Entity") is the owner of the following property:

(b) 364 29 Road, Grand Junction, CO

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

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

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

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

◉ The Entity is the sole owner of the property.

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

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

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:

Printed name of person signing: Lew E. Wunderwald, Manager

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 13th day of January, 20 22

by Lew E. Wunderwald

Witness my hand and seal.

My Notary Commission expires on 11/06/2022

TRACY A. STATES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20064045541
My Commission Expires November 6, 2022

Tracy A. States
Notary Public Signature

186

2165059 12/09/03 0101PM
JANICE WARD CLK&REC MESA COUNTY CO
RECFEE $5.00 SURCHG $1.00

03007091

STATEMENT OF AUTHORITY

BOOK3546 PAGE593

1. This Statement of Authority relates to an entity named **UPPER LIMIT INVESTMENTS, LLC**

   and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172 C.R.S.

2. The type of entity is Trust.

3. The mailing address for the entity is: **P.O. BOX 952, GRAND JUNCTION, CO 81502**

4. The entity is formed under the laws of **COLORADO**

5. The name of the person(s) authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is:

   LEW E. WUNDERWALD, AS MANAGER

6. The authority of the foregoing person(s) to bind the entity is __X__ not limited **OR** _____ limited as follows:

7. Other matters concerning the manner in which the entity deals with interests in real property:

stewart title

UPPER LIMIT INVESTMENTS, LLC.

By: _____
LEW E. WUNDERWALD, AS MANAGER Trustee

By: _____
Trustee

State of **COLORADO**)
) ss.
County of **MESA**)

The foregoing instrument was acknowledged before me this **5th** day of **December**, **2003**, by **LEW E. WUNDERWALD, AS MANAGER OF UPPER LIMIT INVESTMENTS, LLC.**

as Trustee(s) of **UPPER LIMIT INVESTMENTS, LLC.**

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires:

November 13, 2005

Notary Public

File No. 03007091C Stewart Title of Western Colorado, Inc.
STATEMENT OF AUTHORITY
Rev. 03/02 (YSOA)

RECEPTION #: 2524963, BK 4984 PG 546 03/01/2010 at 02:33:29 PM, 1 OF 2, R
$10.00 S $1.00 EXEMPT Janice Rich, Mesa County, CO CLERK AND RECORDER

2 PAGE DOCUMENT

PUBLIC TRUSTEE'S CONFIRMATION DEED

(C.R.S. 38-38-502)

Public Trustee's Foreclosure #2009-0396

This Deed is made 3/1/2010, between the Public Trustee, of Mesa County, State of Colorado, and **LEW E. WUNDERWALD AND NORMA K. WUNDERWALD** , Grantee, the holder of the Certificate of Purchase, whose legal address is 1204 N 7TH STREET , GRAND JUNCTION, CO 81501.

WHEREAS, **KESLER GROUP LLC,** did by Deed of Trust dated 8/11/2008, and recorded in the office of the Clerk and Recorder of the County of Mesa, Colorado, on 8/15/2008, at Reception No. 2453461, Book 4714, Page 63, convey to the Public Trustee, in Trust, the property hereinafter described to secure the payment of the indebtedness provided in said Deed of Trust, and **WHEREAS,** a violation was made in certain of the terms and covenants of said Deed of Trust as shown by the Notice of Election and Demand for Sale filed with the Public Trustee; the said property was advertised for public sale at the place and in the manner provided by law and by said Deed of Trust; Combined Notice of Sale and Right to Cure and Redeem was given as required by law; said property was sold according to said Combined Notice; and a Certificate of Purchase thereof was made and recorded in the office of the Mesa County Clerk and Recorder, and

WHEREAS, all periods of redemption have expired.

NOW, THEREFORE, the Public Trustee, pursuant to the power and authority vested by law and by the said Deed of Trust, confirms the foreclosure sale and sells and conveys to Grantee the following described property located in the County of Mesa, State of Colorado, to-wit:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH FULLY SET FORTH.

also known by street and number as:

3810 G 2/10 ROAD, AND 364 29 RD GRAND JUNCTION, CO 81504
PALISADE, CO 81526

TO HAVE AND TO HOLD the same, with all appurtenances, forever.

Executed 3/1/2010.

PAUL N. BROWN
Public Trustee, Mesa County
State of Colorado

PUBLIC TRUSTEE SEAL PUBLIC TRUSTEE MESA COUNTY, COLORADO

By: Sharon Ener

Sharon Ener
Chief Deputy Public Trustee

Consideration: $581,531.49

cms

PT
10+1

Exhibit "A"

PARCEL A:
TRACT NO. 31 OF THE VINELANDS 1979 TRACT RESURVEY AS FILED ON THE 12TH DAY OF AUGUST, 1981,
ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN PLAT BOOK 12 AT PAGE 409, OFFICIAL RECORDS OF
MESA COUNTY.

PARCEL B:
BEGINNING AT A POINT 440 FEET SOUTH 0°07' WEST FROM THE NORTHWEST CORNER OF THE SW1/4 NW1/4 OF
SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
THENCE NORTH 89°56' EAST 1,318.21 FEET;
THENCE SOUTH 0°05' WEST 220 FEET;
THENCE SOUTH 89°56' WEST 1,318.34 FEET;
THENCE NORTH 0°07' EAST 220 FEET TO THE POINT OF BEGINNING;
EXCEPT THE WEST 30 FEET FOR ROAD RIGHT-OF-WAY,
AND ALSO EXCEPT A TRACT OR PARCEL OF LAND CONVEYED TO MESA COUNTY, A DIVISION OF THE STATE OF
COLORADO, BY INSTRUMENT RECORDED OCTOBER 11, 2005 IN BOOK 4012 AT PAGE 787,
COUNTY OF MESA, STATE OF COLORADO.

Also Known As: 3810 G 2/10 Road, Palisade, CO 81526 and 364 29 Road, Grand Junction, CO 81504, respectively.

RECEPTION #: 2537109, BK 5024 PG 819 06/24/2010 at 11:26:55 AM, 1 OF 2, R
$10.00 S $1.00 D $0.00 Janice Rich, Mesa County, CO CLERK AND RECORDER

Quit Claim Deed

(Pursuant to 38-30-116 C.R.S.)

THIS DEED, made on **June 23, 2010** by **LEW E. WUNDERWALD AND NORMA K. WUNDERWALD** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of ***** Ten Dollars and Other Good and Valuable Consideration ***** dollars in hand paid, hereby sells and quitclaims to **UPPER LIMIT INVESTMENTS, LLC** Grantee(s), whose street address is **PO BOX 952 GRAND JUNCTION, CO 81502** County of **MESA**, State of **COLORADO**, the following real property in the County of **MESA**, and State of **Colorado**, to wit:

SEE ATTACHED "EXHIBIT A"
also known by street and number as **364 29 ROAD GRAND JUNCTION CO 81504**

with all its appurtenances.

LEW E. WUNDERWALD

NORMA K. WUNDERWALD

State of **COLORADO**)
)ss
County of **MESA**)

The foregoing instrument was acknowledged before me this day of **June 23, 2010** by **LEW E. WUNDERWALD AND NORMA K. WUNDERWALD**

Notary Public
My commission expires

SUSAN J. OTTMAN
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 11/02/2013
County of Mesa

When recorded return to: **UPPER LIMIT INVESTMENTS LLC**
PO BOX 952 GRAND JUNCTION, CO 81502

Land Title
GUARANTEE COMPANY

EXHIBIT A

BEGINNING AT A POINT 440 FEET SOUTH 0 degrees07' WEST FROM THE NORTHWEST CORNER OF THE SW 1/4 NW 1/4 OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN,
THENCE NORTH 89 degrees56' EAST 1,318.21 FEET;
THENCE SOUTH 0 degrees05' WEST 220 FEET;
THENCE SOUTH 89 degrees56' WEST 1,318.34 FEET;
THENCE NORTH 0 degrees07' EAST 220 FEET TO THE POINT OF BEGINNING;
EXCEPT THE WEST 30 FEET FOR ROAD RIGHT-OF-WAY,
AND ALSO EXCEPT A TRACT OR PARCEL OF LAND CONVEYED TO MESA COUNTY, A DIVISION OF THE STATE OF COLORADO, BY INSTRUMENT RECORDED OCTOBER 11, 2005 IN BOOK 4012 AT PAGE 787
COUNTY OF MESA, STATE OF COLORADO.

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Don L. Balerio Sr. , am the owner of the following real property:

(b) 370 29 Road, Grand Junction, CO 81504

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):

Pauline M. Gallegos

I have reviewed the application for the (d) Annexation/Zone of Annexation 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: D. L. Balerio

Printed name of owner: Don L. Balerio

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 28th day of January, 2022

by Monica Hillyer

Witness my hand and seal.

My Notary Commission expires on 9-27-2025

MONICA J. HILLYER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20214037866
My Commission Expires September 27, 2025

Monica Hillyer
Notary Public Signature

2214195 BK 3740 PG 85
09/17/2004 11:31 AM
Janice Ward CLK&REC Mesa County, CO
RecFee $5.00 SurChg $1.00
DocFee $22.00

WARRANTY DEED

BK 3740 PG 85

Grantor(s):

DANA DEANN MCCULLOUGH who acquired title as LOYD DEAN MCCULLOUGH and BRENDA JULENE MCCULLOUGH

whose address is , ,

*County of Mesa , and State of

Colorado , for the consideration of TWO HUNDRED TWENTY THOUSAND AND NO/100--- dollars, in hand paid, hereby sell(s) and convey(s) to:

FELIX FREDERICK GALLEGOS and DON L. BALERIO SR. as ~~Joint~~ Tenants in Common

whose address is ~~370 29 Road, Grand Junction, Colorado 81501~~ 561 Casa Rio Ct, Grand Junction, CO 81503

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

TAX SCHEDULE NUMBER: 2943-202-00-050 &7008-052-11-407 &7008-018-00-015

Beginning at a point 220 feet South 0°07' West from the Northwest corner of the SW 1/4 NW 1/4 of Section 20, Township 1 South, Range 1 East of the Ute Meridian, thence North 89°56' East 1318.08 feet, thence South 0°05' West 220 feet, thence South 89°56' West 1318.21 feet, North 0°07' East 220 feet to the point of beginning,
EXCEPT the West 30 feet thereof for road right of way,
Mesa County, Colorado.

also known by the street and number as 370 29 Road, Grand Junction, Colorado 81501

with all its appurtenances, and warrant(s) the title to the same, subject to

current year real property taxes; and easements, reservations, restrictions, covenants and rights of way of record, if any; and distribution utility easements; and matters not shown by the Public Records but of which Grantee has actual knowledge; and inclusion of the Property within any special taxing district; and the benefits and burdens of any declaration and party wall agreements, if any.

Signed this 15 th day of September , 2004

Dana Deann McCullough who acquired title as Loyd Dean McCullough

DANA DEANN MCCULLOUGH who acquired title as LOYD DEAN MCCULLOUGH

Brenda Julene McCullough

BRENDA JULENE MCCULLOUGH

STATE OF COLORADO }
County of MESA } ss.

The foregoing instrument was acknowledged before me this 15 th day of September 2004 .

BY: DANA DEANN MCCULLOUGH who acquired title as LOYD DEAN MCCULLOUGH and BRENDA JULENE MCCULLOUGH

My Commission expires 12-5-05 , Witness my hand and official seal.

JESSICA SMITH
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires 12/05/2005

Notary Public

*If in Denver, insert "City and" County of Mesa

No. 897.Rev. 12-85. WARRANTY DEED (Short Form)

Meridian Land Title, LLC 71775

2200

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Merle W. Weaver, am the owner of the following real property:

(b) 374 29 Road, Grand Junction, CO 81504

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):

Patty Weaver owed 1988

I have reviewed the application for the (d) Annexation/Zone of Annexation 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: Merle W Weaver

Printed name of owner: Merle Weaver

State of North Dakota)

County of Mountrail) ss.

Subscribed and sworn to before me on this 11th day of Feb, 2022

by Merle Wayne Weaver

Witness my hand and seal.

My Notary Commission expires on 02/13/2022

CAL F. O'CLAIR
Notary Public
State of North Dakota
My Commission Expires Feb. 13, 2022

Cal F. O'Clair
Notary Public Signature

2 PAGE DOCUMENT

State Documentary Fee
Date: April 05, 2010
$ 28.73

Warranty Deed

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

THIS DEED, made on **April 05, 2010** by **ROBERT JIMENEZ AND STARLIETH JIMENEZ** Grantor(s), of the County of **MESA** and State of **COLORADO** for the consideration of (**$287,260.00**) ***** Two Hundred Eighty Seven Thousand Two Hundred Sixty and 00/100 ***** dollars in hand paid, hereby sells and conveys to **MERLE WEAVER** Grantee(s), whose street address is **296 LITTLE PARK ROAD GRAND JUNCTION, CO 81503**, County of **MESA**, and State of **COLORADO**, the following real property in the County of **Mesa**, and State of Colorado, to wit:

SEE ATTACHED "EXHIBIT A"
also known by street and number as: **374 29 ROAD AND 296 LITTLE PARK ROAD GRAND JUNCTION CO 81504**

with all its appurtenances and warrants the title to the same, subject to *all taxes and assessments for the year 2010 and the matters stated in Section 13 (transfer of title) of the Contract to Buy and Sell Real Estate (a) those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8.1 (Title Review); (b) distribution utility easements (including cable TV); (c) 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 Section 8.2 (Matters not Shown by the Public Records) and Section 8.3 (Survey Review); (d) inclusion of the Property within any special tax district; and, (e) other* **NONE**

ROBERT JIMENEZ

STARLIETH JIMENEZ

State of **COLORADO**)
) ss.
County of **MESA**)

The foregoing instrument was acknowledged before me on this day of **April 05, 2010**
by **ROBERT JIMENEZ AND STARLIETH JIMENEZ**

Notary Public
My commission expires

SUSAN J. OTTMAN
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 11/02/2013
County of Mesa

When Recorded Return to: **MERLE WEAVER**
296 LITTLE PARK ROAD GRAND JUNCTION, CO 81503

Land Title GUARANTEE COMPANY

EXHIBIT A

TRACT I:
THE NORTH 220 FEET OF THE SW 1/4 NW 1/4 OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, EXCEPT THE WEST 30 FEET THEREOF FOR RIGHT OF WAY;
ALSO EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO MESA COUNTY BY INSTRUMENT RECORDED SEPTEMBER 14, 2005 IN BOOK 3992 AT PAGE 172,
MESA COUNTY, COLORADO.

~~TRACT II:~~
COMMENCING AT THE NORTHEAST CORNER OF THE NE 1/4 NW 1/4 OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN;
THENCE NORTH 89 degrees17' WEST ALONG THE NORTH BOUNDARY OF SAID SECTION 27 A DISTANCE OF 310 FEET;
THENCE SOUTH 0 degrees50' WEST 251.4 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 89 degrees17' WEST 504.8 FEET;
THENCE SOUTH 30 degrees28' WEST 179.3 FEET;
THENCE SOUTH 14 degrees45' WEST 40.1 FEET;
THENCE SOUTH 89 degrees17' EAST 603.1 FEET;
THENCE NORTH 0 degrees50' EAST 194.6 FEET TO THE POINT OF BEGINNING,
COUNTY OF MESA, STATE OF COLORADO.

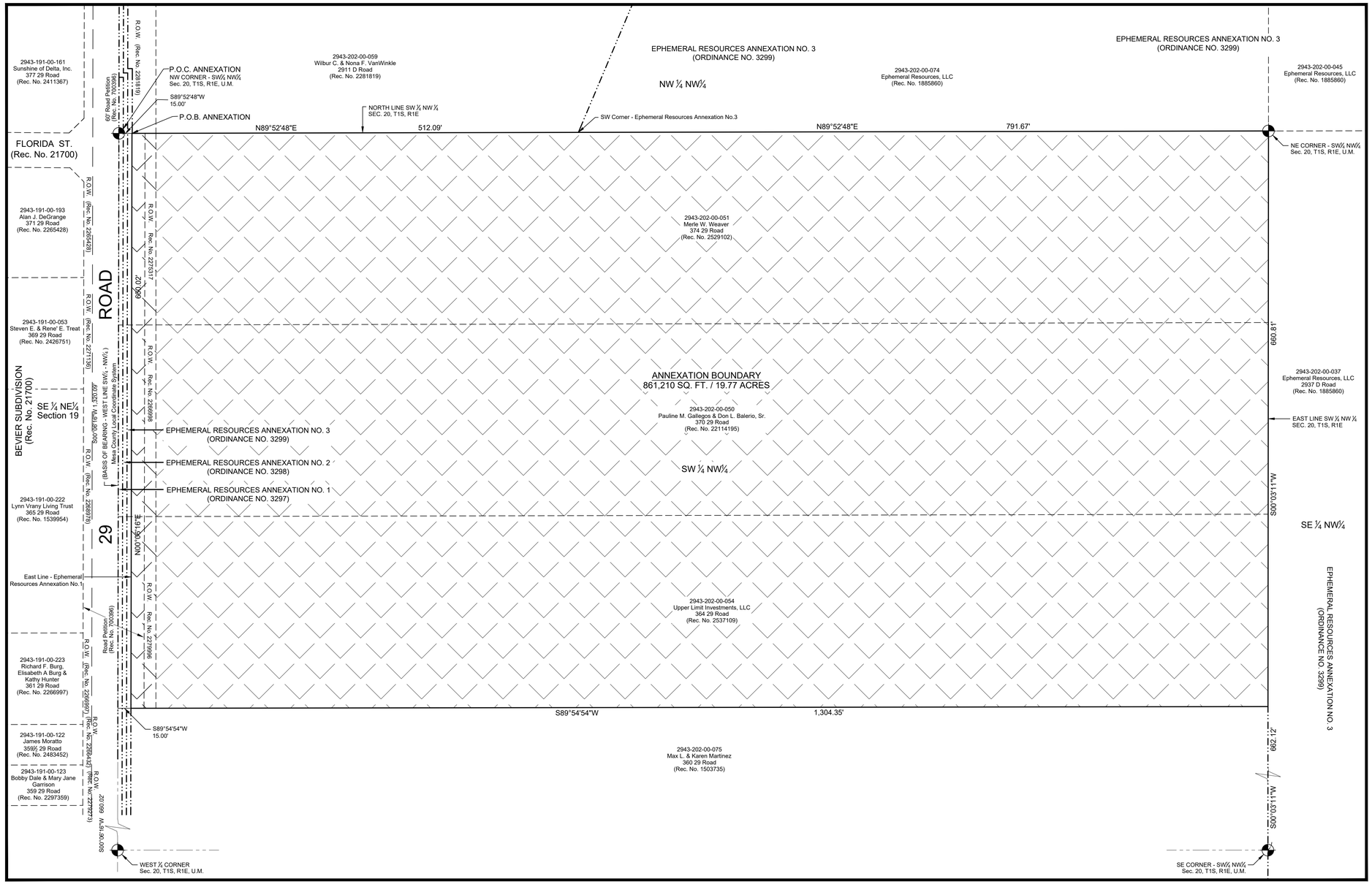
IF LAND ANNEXATION SCHEDULE	
June 15, 2022	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
July 12, 2022 **Revised from June 28th**	Planning Commission considers Zone of Annexation
July 6 2022	Introduction of a Proposed Ordinance on Zoning by City Council
July 20, 2022	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 21, 2022	Effective date of Annexation and Zoning

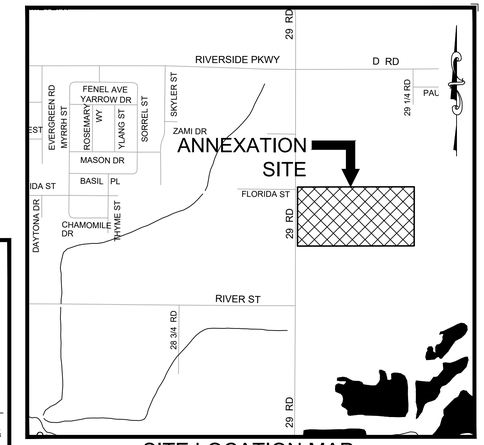
ANNEXATION SUMMARY		
File Number:		ANX-2022-114
Location:		364 / 370 / 374 29 Road
Tax ID Numbers:		2943-202-00-050; 2943-202-00-051; 2943-202-00-054
# of Parcels:		3
Existing Population:		7
# of Parcels (owner occupied):		?
# of Dwelling Units:		3
Acres land annexed:		19.77
Developable Acres Remaining:		19.147
Right-of-way in Annexation:		0.623
Previous County Zoning:		RSF-R
Proposed City Zoning:		R-8
Current Land Use:		Single Family and Agriculture
Comprehensive Plan Land Use:		Residential Medium
Values:	**Assessed:**	$33,450
	Actual:	$451,600
Address Ranges:		364 thru 374 (even only) 29 Road
Special Districts:	**Water:**	Ute
	Sewer:	City
	Fire:	GJ Rural
	Irrigation/Drainage:	Grand Valley Irrigation Company
	School:	District 51
	Pest:	Grand River Mosquito District
	Other:	Colorado River Water Conservancy

IF LAND ANNEXATION

Located in the SW 1/4 NW 1/4 SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

60' 0 30' 60'
SCALE: 1" = 60'
LINEAL UNITS = U.S. SURVEY FOOT





SITE LOCATION MAP SCALE: 1" = 800'

LEGAL DESCRIPTION

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Said Parcel of land CONTAINING **861,210** Square Feet or **19.77** Acres, more or less.

AREAS OF ANNEXATION

ANNEXATION PERIMETER	3,928.94 FT.
CONTIGUOUS PERIMETER	2,112.50 FT.
AREA IN SQUARE FEET	861,210 FT^2
AREA IN ACRES	19.77
AREA WITHIN R.O.W.	18,158 FT^2 0.425 ACRES
AREA WITHIN DEEDED R.O.W.	8,619 FT^2 0.198 ACRES

LEGEND

ANNEXATION BOUNDARY
ANNEXATION AREA
EXISTING CITY LIMITS

SURVEY ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT	SQ. FT.	SQUARE FEET
P.O.B.	POINT OF BEGINNING	Δ=	CENTRAL ANGLE
R.O.W.	RIGHT OF WAY	RAD.	RADIUS
SEC.	SECTION	ARC	ARC LENGTH
TWP.	TOWNSHIP	CHD.	CHORD LENGTH
RGE.	RANGE	CHB.	CHORD BEARING
U.M.	UTE MERIDIAN	BLK.	BLOCK
NO.	NUMBER	P.B.	PLAT BOOK
REC.	RECEPTION	BK.	BOOK
		PG.	PAGE
		HOR. DIST.	HORIZONTAL DISTANCE

ORDINANCE NO.
XXXX

EFFECTIVE DATE
JUNE XX, 2022

NOTE:
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RENEE BETH PARENT DATE
STATE OF COLORADO - PL.S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501

G:\Data\SURVEY\Annexations\2022\2022-113 if\Annexation Files\if Land Annexation Plat.dwg – PLOTTED 2022-05-16

THIS IS NOT A BOUNDARY SURVEY

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DRAWN BY: NCW	DATE: 05//12/2022	
DESIGNED BY: RBP	DATE: 05/12/2022	
CHECKED BY: CVW	DATE: 05/13/2022	
APPROVED BY: RBP	DATE: 05/16/2022	

60' 0 30' 60'
SCALE: 1" = 60'
LINEAL UNITS = U.S. SURVEY FOOT

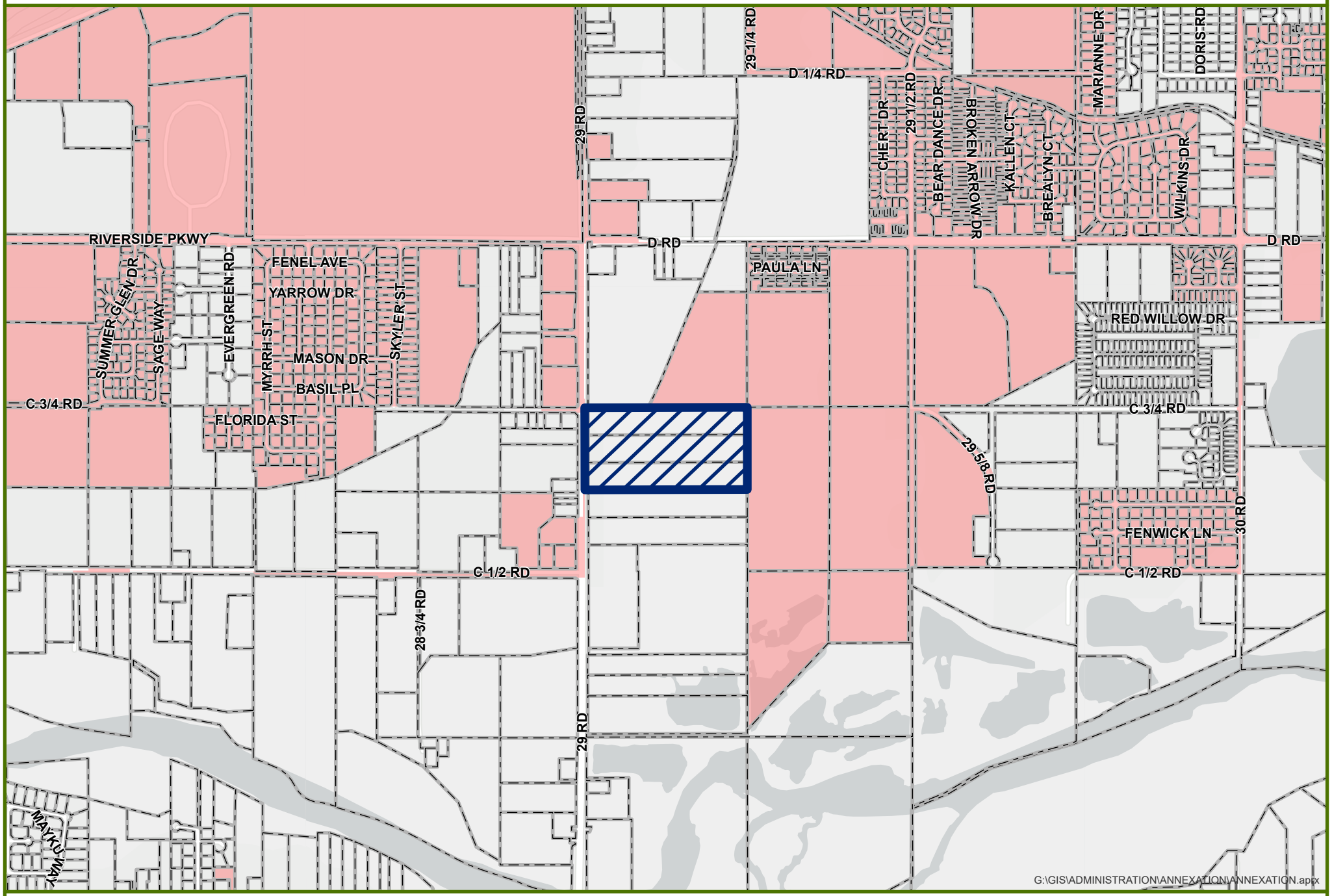
CITY OF Grand Junction COLORADO
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501

PUBLIC WORKS
ENGINEERING DIVISION

IF LAND ANNEXATION
Located in the SW 1/4 NW 1/4 SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

1 OF 1

IF LAND ANNEXATION



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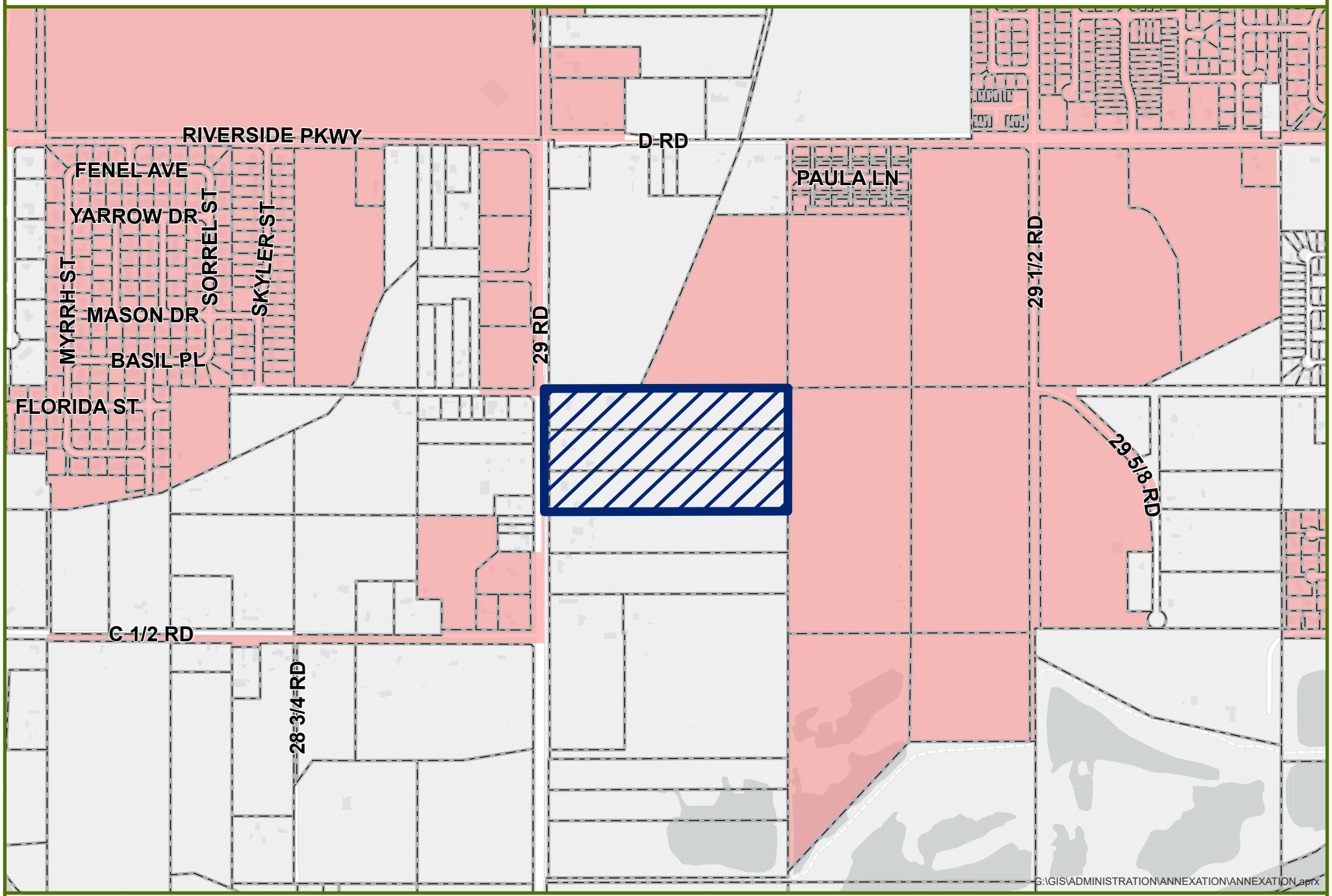
0 0.1 0.2 Miles

Annexation

City Limits

Date Created: 5/16/2022

IF LAND ANNEXATION



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City Limits

Date Created: 5/17/2022

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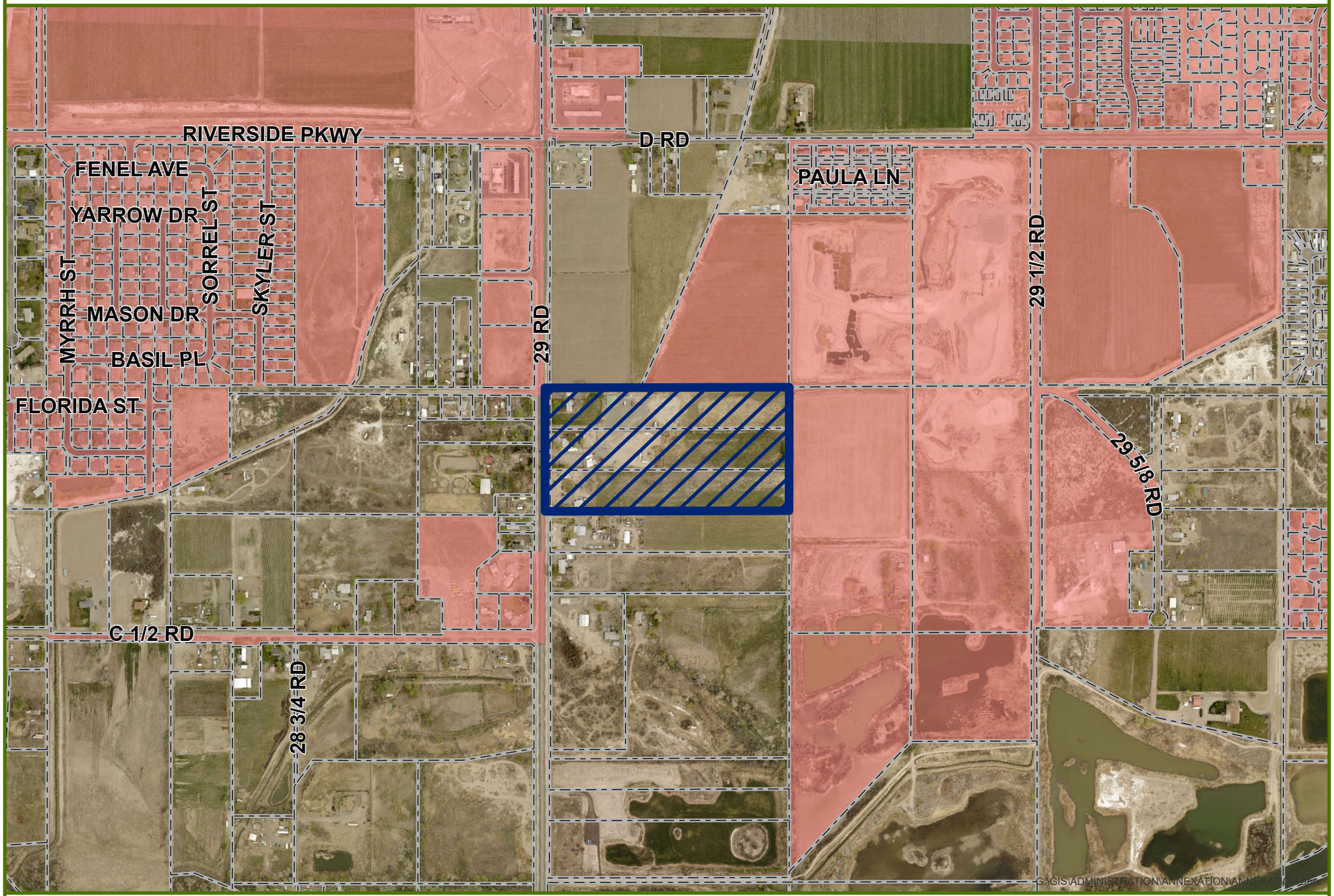


N

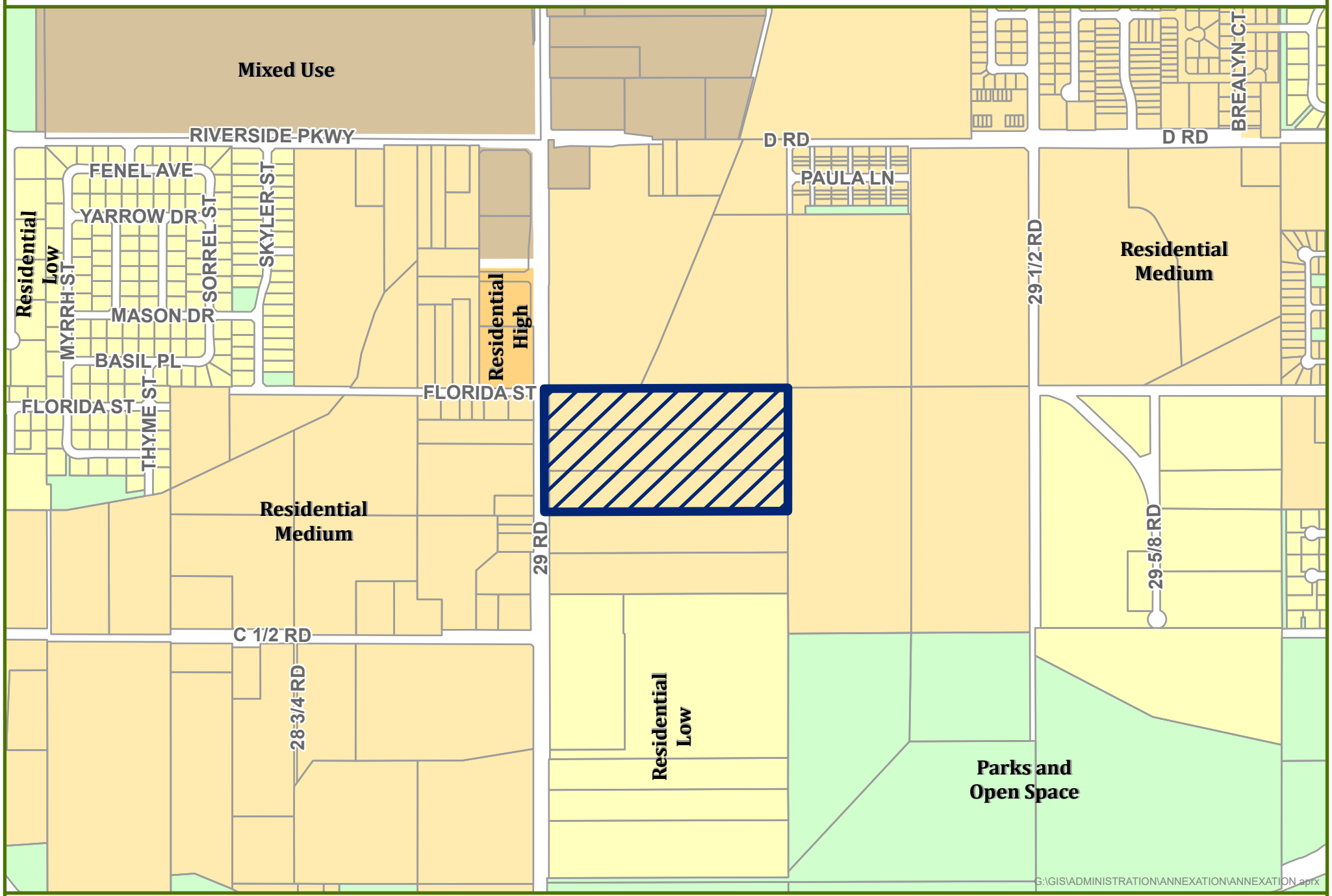
0 0.1 0.2 Miles

Annexation

City Limits

Date Created: 5/17/2022

IF LAND ANNEXATION - LAND USE



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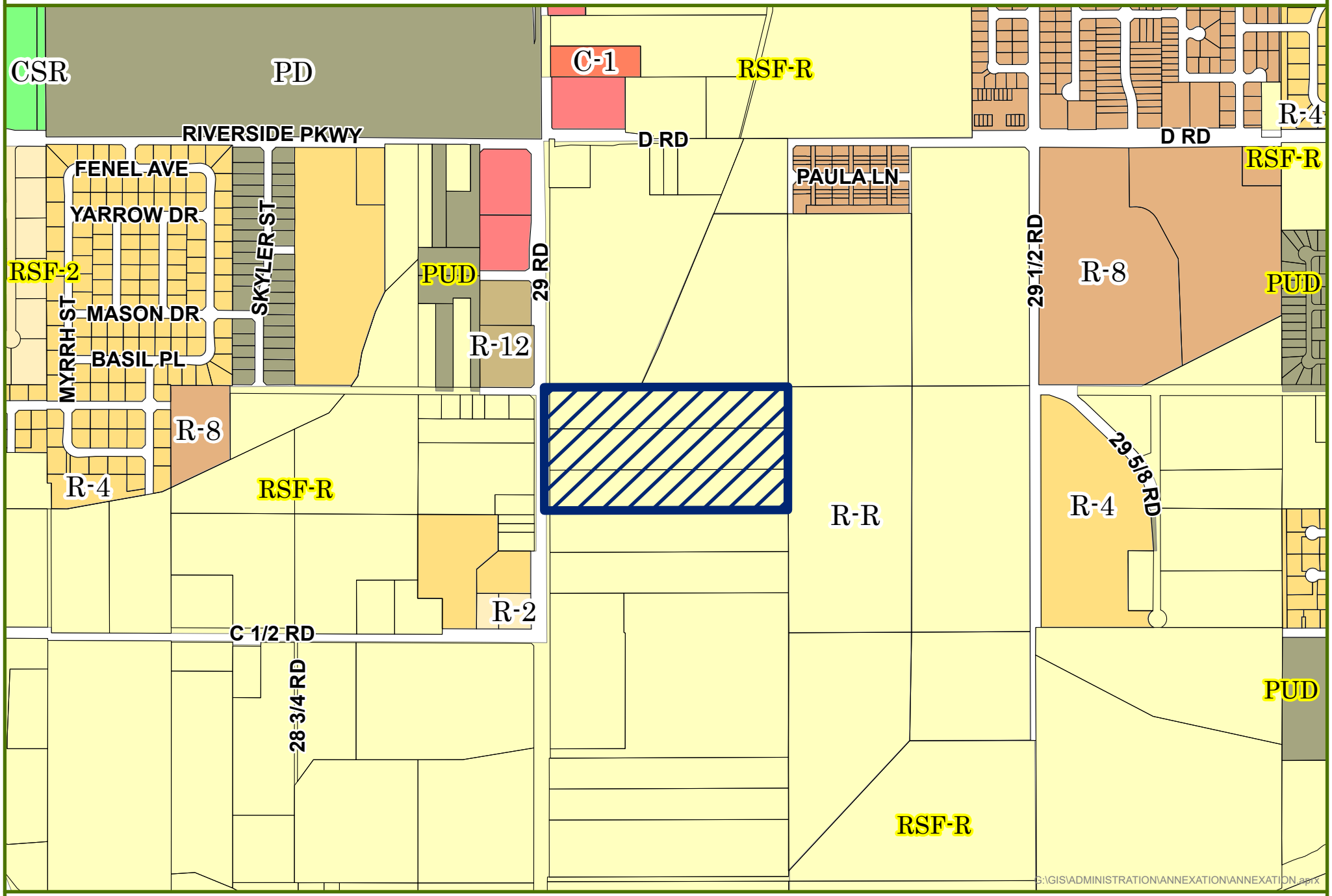
0 0.1 0.2 Miles

Annexation Boundary

Date Created: 5/17/2022

IF LAND ANNEXATION - ZONING



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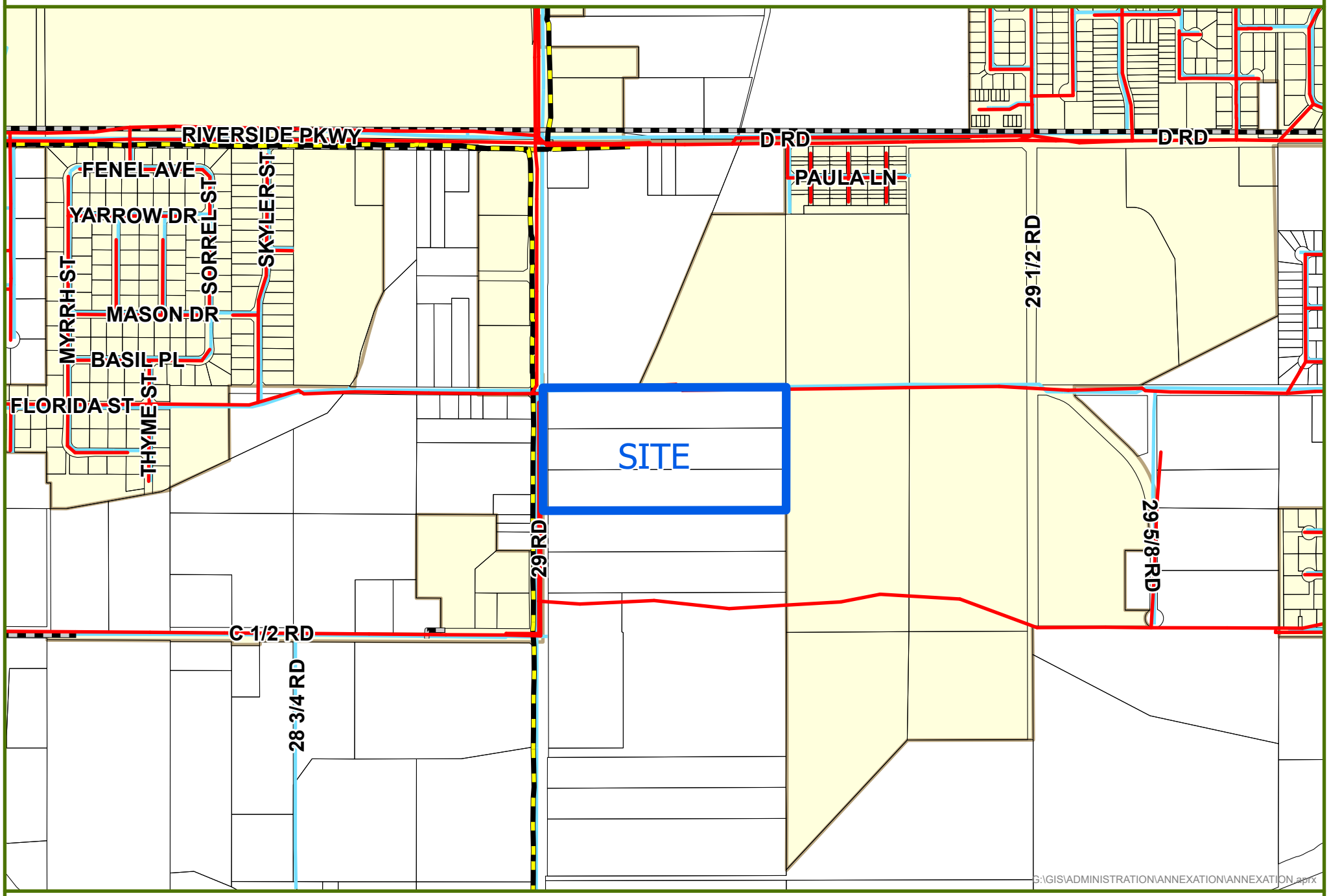
0 0.1 0.2 Miles

Annexation City Zoning County Zoning

Date Created: 5/17/2022

City of Grand Junction Colorado

IF LAND ANNEXATION - UTILITIES



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0 0.1 0.2 Miles

CITY FIBER
NON-CITY FIBER
SEWER
UTE WATER
CITY LIMITS

Date Created: 5/17/2022

City of Grand Junction Colorado

Looking SE from the NW corner of the annexation

Looking NE from the SW corner of the annexation

IF LAND ANNEXATION

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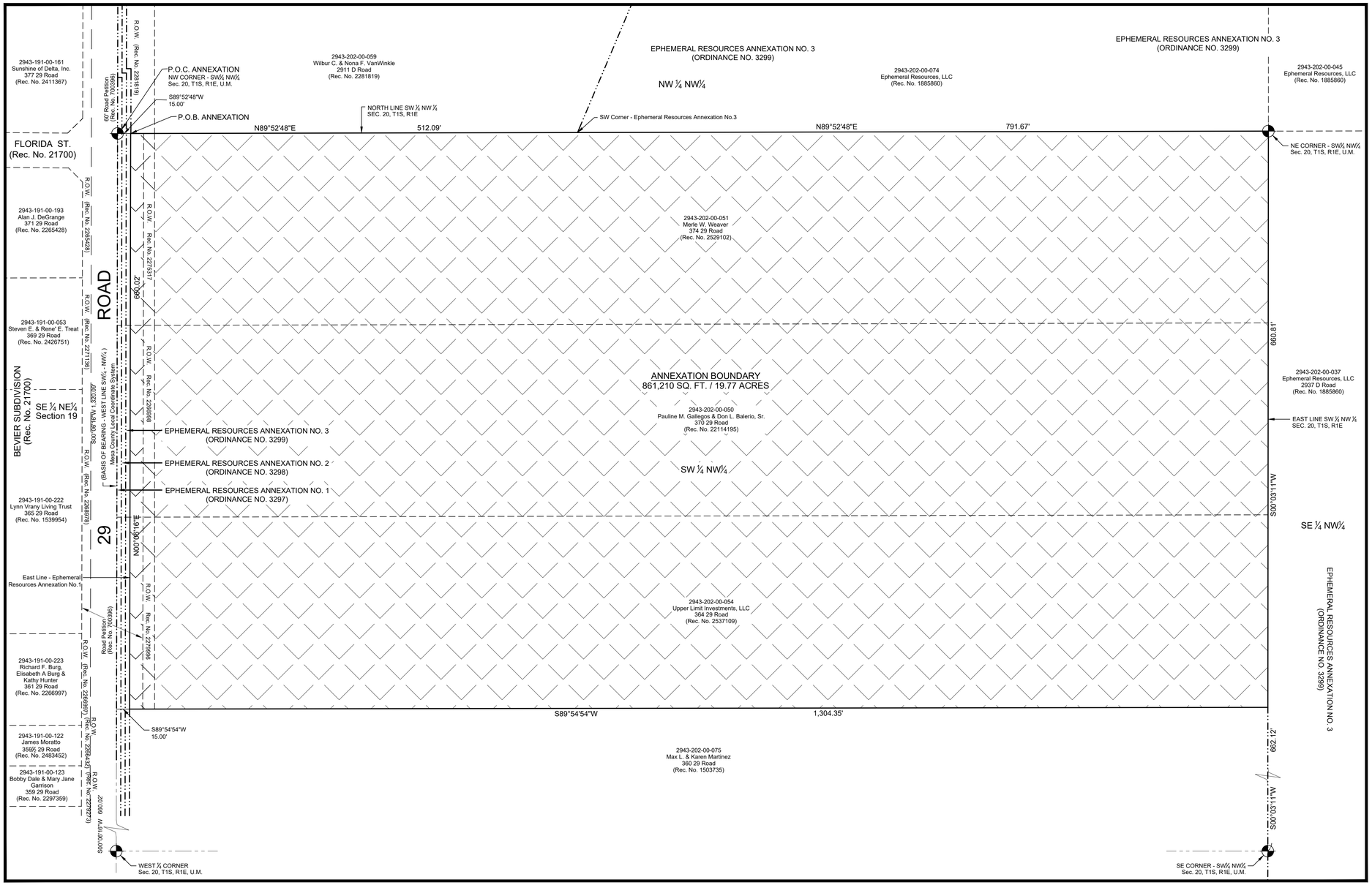

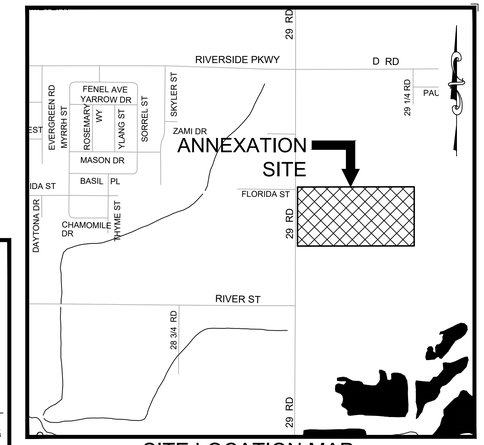

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NO.	NUMBER	P.B.	PLAT BOOK
REC.	RECEPTION	BK.	BOOK
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		HOR. DIST.	HORIZONTAL DISTANCE

ORDINANCE NO.	EFFECTIVE DATE
XXXX	JUNE XX, 2022

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RENEE BETH PARENT DATE
STATE OF COLORADO - PL.S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501

THIS IS NOT A BOUNDARY SURVEY

G:\Data\SURVEY\Annexations\2022\2022-113 if\Annexation Files\if Land Annexation Plat.dwg – PLOTTED 2022-05-16

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PUBLIC WORKS
ENGINEERING DIVISION

IF LAND ANNEXATION
Located in the SW 1/4 NW 1/4 SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

1 OF 1

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING IF LAND ANNEXATION TO R-8 (RESIDENTIAL – 8 DU/AC) ZONE DISTRICT

LOCATED ON PROPERTIES AT 364 29 ROAD, 370 29 ROAD, AND 374 29 ROAD (TERRITORY) THE TERRITORY IS COLLECTIVELY KNOWN AS AND REFERRED TO AS THE IF LAND ANNEXATION WHICH IS IN TOTAL APPROXIMATELY 19.77 ACRES

Recitals:

The property owner has petitioned to annex their 19.77 acres into the City limits. The annexation is referred to as the "If Land Annexation."

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the If Land Annexation consisting of 19.77 acres from County RSF-R (Residential Single Family Rural) to R-8 (Residential – 8 du/ac) finding that both the R-8 zone district conforms with the designation of Residential Medium as shown on the Land Use Map of the Comprehensive Plan and conforms with its designated zone with 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 R-8 (Residential – 8 du/ac) zone districts, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code for the parcel as designated.

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

ZONING FOR THE IF LAND ANNEXATION

The following parcel in the City of Grand Junction, County of Mesa, State of Colorado is hereby zoned as follows:

PERIMETER BOUNDARY LEGAL DESCRIPTION
IF LAND ANNEXATION

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Said Parcel of land CONTAINING 861,210 Square Feet or 19.77 Acres, more or less.

INTRODUCED on first reading this _____ day of _____, 2022 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2022 and ordered published in pamphlet form.

_____
Anna M. Stout
President of the Council

ATTEST:

_____
Wanda Winkelmann
City Clerk

Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: July 12, 2022

Presented By: Jace Hochwalt, Senior Planner

Department: Community Development

Submitted By: Jace Hochwalt, Senior Planner

Information

SUBJECT:

Consider a Request by the On the Horizon LLC and Over the Horizon LLC to Rezone Two Parcels Totaling Approximately 17.4 Acres from PD (Planned Development) to C-1 (Light Commercial) Located at the Southern Corner of Horizon Drive and 27 ½ Road

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

On the Horizon LLC and Over the Horizon LLC are requesting the rezone of two parcels totaling approximately 17.4 acres from PD (Planned Development) to C-1 (Light Commercial) located at the southern corner of Horizon Drive and 27 ½ Road. The requested C-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

BACKGROUND OR DETAILED INFORMATION:

The proposed rezone comprises two parcels totaling 17.4 acres situated at the southern corner of Horizon Drive and 27 ½ Road that has sat vacant and has not been formally subdivided. The southernmost parcel has an address of 682 Horizon Drive, but the northernmost parcel does not contain an address at this time. The property was annexed into the Grand Junction city limits in 1978 as part of the Etter Annexation No. 2, and has a PD zone district which was approved in February of 2001 as City File Number ODP-2000-058. The subject site was only a portion of the approved Outline Development Plan (ODP), and a majority of its use designation was Business/Commercial, which allowed for a number of commercial, multi-family, and retail type uses. There were also some Open Space and Residential designations proposed along the existing drainage way and southern boundary of both parcels that

abut against the existing residential neighborhoods. At the time of approval, the Outline Development Plan had a three-year expiration, which was extended for another three years in April of 2004. There was no follow-up or development of the site following the 2004 extension, and as such, the Outline Development Plan formally expired on April 7, 2007. While the site currently has a PD zoning designation, there is no active plan in place, and a rezone is required prior to any major development of the site.

The site is situated at the southern corner of the Horizon Drive and 27 ½ Road intersection and surrounded by several different uses. Adjacent to the north is underdeveloped land, to the south is the Ptarmigan Ridge Subdivision, to the east are single-family residential uses and the First Presbyterian Church of Grand Junction, and to the west is the Safeway Shopping Center. Adjacent zoning to the north and west is Light Commercial (C-1), with the zoning to the south and east as R-4 (Residential 4 units/acre) and PD (Planned Development). The 2020 One Grand Junction Comprehensive Plan classifies the subject property and adjacent properties to the north and west with a Commercial land use designation. Zone districts that may implement the Commercial Land Use classification include Mixed Use (M-U), Business Park (B-P), Industrial Office Park (I-O), Light Commercial (C-1), General Commercial (C-2), as well as the form-based Mixed Use Residential and Commercial districts. As such, the Comprehensive Plan land use classification of Commercial does support the rezone request to C-1 (Light Commercial).

Because of the expiration of the formerly approved ODP that encompassed the subject site, the Applicant is proposing a rezone to Light Commercial to allow for future development of the site. While no development is currently proposed for the site, if the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held virtually on April 12, 2022 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present, as well as 13 members of the public. The rezone request was discussed as well as the allowed uses within the C-1 zone district.

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 May 2, 2022. 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 July 1, 2022. The notice of the Planning Commission public hearing was published on July 5, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to

maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

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

The Comprehensive Plan Land Use Map identifies the subject property as Commercial, which is generally similar to the designation the property had in 2001 when the ODP was approved (which at the time was Mixed-Use). According to the 2001 ODP, a majority of the subject site had a designation of Business/Commercial, which allowed for a variety of commercial, multi-family, and retail uses. With that said, the ODP formally expired in April of 2007 and while the site has a zoning designation of Planned Development, no approved plan is in place. Therefore, no major development can occur on site until the property is either rezoned, or a new Outline Development Plan (ODP) is proposed. Although the ODP has expired, staff finds that the original premises of the prior land use classification of Business/Commercial under the approved ODP, which accommodated very similar uses to the C-1 (Light Commercial) zone district, are not invalidated. As such, staff finds this criterion has not been met.

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

As previously indicated, the subject site has not been subdivided and has remained vacant. There is still a sizable amount of vacant or underdeveloped land in the surrounding area, albeit much of the vacant land does have some topographical challenges, including the subject site. There has been some development in the surrounding area of the subject site since the original Outline Development Plan was approved in 2001, with the largest development being the Safeway and associated shopping center to the west which was constructed in phases between 2002 and 2008. While the rezone would allow for further development of the subject site, the character and/or condition of the area hasn't necessarily changed since the expiration of the ODP, and as such, staff finds that this criterion is not met.

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

The subject property is within an urbanized area in the north portion of the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the C-1 zone district. The type and scope of land-use allowed within the C-1 zone district is similar in character and extent to the existing land-use of many nearby properties, which include restaurants, hotels, gas stations, and grocery stores/shopping centers. The subject site is currently served by Ute Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). Additionally, multi-modal access to the site is sufficient, with multiple bus stops within a few hundred feet of the subject site. There is also a proposed roundabout currently under design for the Horizon and G Road/27 ½ Road intersection that will

likely be under construction in the next couple years. The application packet was sent out to applicable utility companies for this rezone proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that 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 subject site has a Planned Development zoning designation, but has no approved plan that is in effect. As such, a rezone is necessary for future development of the site. The Applicant is proposing a zoning designation of C-1 (Light Commercial) to allow flexibility of uses on the site. The C-1 zone district accounts for approximately 1,158 acres of City zoned land (or 5.6%), and of that, approximately 67 acres are vacant within the City limits. While the site has sat vacant, staff believes that there is land throughout the City (and in close proximity of the subject site) available to accommodate the diversity of uses allowed within the C-1 zone district. Based on these considerations, staff finds that this criterion has not been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to commercial and employment centers. While the site has a Planned Development zoning designation, there is no approved Outline Development Plan in effect, as it expired in 2007. As such, a rezone of the property will accommodate future development of the site that couldn't otherwise occur in its current capacity, thus providing benefits to the surrounding area and community. As such, staff finds this criterion has been met.

The rezone criteria provide the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

i. Tier 1: Urban Infill
ii. Tier 2: Suburban Infill
iii. Tier 3: Rural Areas and County Development

Plan Principle 3.6.b. Mix of Uses - Support the creation of a mix of uses as in neighborhood centers and along prominent corridors that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including, but not limited

to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

FINDINGS OF FACT AND RECOMMENDATION
After reviewing the On/Over the Horizon Rezone, RZN-2022-272, rezoning two parcels totaling 17.4 acres from PD (Planned Development) to C-1 (Light Commercial) for the property located at the south corner of Horizon Drive and 27 ½ Road, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and

2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Chairman, on the On/Over the Horizon Rezone request from a PD (Planned Development) zone district to a C-1 (Light Commercial) zone district for the 17.4-acre property located at the south corner of Horizon Drive and 27 ½ Road, City File Number RZN-2022-272, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Attachments

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Neighborhood Meeting Documentation
3. Exhibit 3 - Maps and Exhibits
4. Exhibit 4 - Proposed Zoning Ordinance

General Project Report

Over/On the Horizon Rezone

682 Horizon Drive and Adjacent Parcel to the North

Parcel No. 2945-012-00-092 & 094

April 13, 2022

Prepared for:

On the Horizon, LLC and Over the Horizon, LLC

1111 S. 7th Street, Grand Junction, CO 81501

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 east side of Horizon Drive26 Road, at 682 Horizon Drive and the parcel to the north (2945-012-00-094).

2) Acreage: The subject parcels contain approximately 17.4 acres, combined.

3) Proposed Use: This submittal is for the Rezoning of the parcel from PUD to C-1. The future land use is Commercial. The proposed C-1 zoning meets the intent of the 2020 Comprehensive Plan with regards to density and use. The current PD zoning is expired does not meet the intent of the 2020 Comprehensive Plan.

B. Public Benefit

The proposed Rezone will provide commercial zoned properties along the commercial corridor of Horizon Drive.

C. Neighborhood Meeting

A neighborhood meeting was held virtually via a zoom meeting on Tuesday, April 12, 2022. 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 C-1 zoning is an appropriate district for the Commercial category of the Comprehensive Plan.

2) Land use in the surrounding area:

The uses contained within the surrounding area are a mix of medium/high density residential, as well as commercial uses along Horizon (i.e. Safeway shopping center across the street and restaurants, offices located further to the northwest), a couple of churches and vacant parcels. A new Mormon Temple is being built on the vacant site just to the southwest.

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 & Electric)
City of Grand Junction Fire – Station 6

Spectrum/Charter
CenturyLink/Lumen

The location of existing fire hydrants has not been investigated and is not applicable to the Rezone request. No development of the parcels is anticipated.

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:

Not applicable.

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 of this property.

(v) Received all applicable local, State and federal permits.
No development is proposed for the parcels, therefore permits will not be required at a result of the rezone.

<u>Section 21.02.140 Code amendment and rezoning:</u>

(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 C-1 zone district will bring the parcels into compliance with the newly adopted 2020 Comprehensive Plan. The current, and expired PD 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 commercial along the Horizon Drive corridor 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 the proposed C-1 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 commercial 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 addition of commercial zoned properties along an existing commercial corridor.

F. Development Schedule

Not applicable for this submittal.

Grand Junction
COLORADO
PUBLIC WORKS & PLANNING

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	Planned Development	Existing Zoning	PD
Proposed Land Use Designation	Commercial	Proposed Zoning	C-1

Property Information

Site Location:	682 Horizon Drive, Grand Junction, CO	Site Acreage:	4.19 Acres
Site Tax No(s):	2945-012-00-092	Site Zoning:	PD

Project Description: To rezone from PD to C-1 to bring the expired PD in conformance with the 2020 Comprehensive Plan.

Property Owner Information		Applicant Information		Representative Information	
Name:	On the Horizon LLC	Name:	Same as Property Owner	Name:	River City Consultants, Inc.
Street Address:	1111 S. 7th Street	Street Address:		Street Address:	215 Pitkin Ave. #201
City/State/Zip:	Grand Junction, CO 8	City/State/Zip:		City/State/Zip:	Grand Junction, CO 8
Business Phone #:	970-234-0708	Business Phone #:		Business Phone #:	970-241-4722
E-Mail:	dcarei@senergybuilders.com	E-Mail:		E-Mail:	tstates@rccwest.com
Fax #:		Fax #:		Fax #:	
Contact Person:	Darin Carei	Contact Person:		Contact Person:	Tracy States
Contact Phone #:	970-234-0708	Contact Phone #:		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: 2022.03.24 12:46:35 -06'00'	Date	March 24, 2022
Signature of Legal Property Owner		Date	3/28/22

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) 682 Horizon Drive, Grand Junction, CO

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

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

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

◉ The Entity is the sole owner of the property.

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

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

Printed name of person signing: Darin J. Carei, Member

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 28th day of March, 2022

by Darin Carei

Witness my hand and seal.

My Notary Commission expires on 1-25-2025

KIM L SMEINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904000196
MY COMMISSION EXPIRES JANUARY 25, 2025

Notary Public Signature

QUITCLAIM DEED

The "Grantor," Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005, whose legal address is 12143 88th Avenue North, Seminole, Florida 33772, of the County of Pinellas and State of Florida, for the consideration of --NO CONSIDERATION--, hereby sells and quitclaims to **On The Horizon LLC**, a Colorado limited liability company, the "Grantee," whose legal address is **Post Office Box 400, Mesa, Colorado 81643**, County of **Mesa** and State of **Colorado**, the following real property, including after-acquired title, in the County of **Mesa** and State of **Colorado**, to wit:

Parcel 1:
That part of the NW1/4NW1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, lying South and East of the County Road as recorded in Book 822 at Page 245;
LESS AND EXCEPT any portion lying in Horizon Drive,
ALSO LESS AND EXCEPT tract(s) as described in document recorded April 3, 1962 in Book 822 at Page 245 and tract(s) as described in document recorded April 10, 1962 in Book 822 at Page 480,
ALSO LESS AND EXCEPT tract(s) as described in document recorded April 8, 1982 in Book 1426 at Page 244 and tract(s) as described in document recorded September 6, 2002 in Book 3149 at Page 414.

Parcel 2:
That part of the NE1/4NW1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, lying North and West of the County Highway, as recorded in Book 822 at Page 245;
LESS AND EXCEPT any portion lying in Horizon Drive,
ALSO LESS AND EXCEPT tract(s) as described in document recorded April 8, 1982 in Book 1426 at Page 244 and tract(s) as described in document recorded September 6, 2002 in Book 3149 at Page 414.

with all its appurtenances.

Signed this 20th day of November, 2020.

EMANUEL EPSTEIN REVOCABLE TRUST DATED JUNE 16, 2004, AS AMENDED AND RESTATED ON APRIL 18, 2005

By: Deborah Schneide, Trustee
Deborah Schneide, Trustee

STATE OF FLORIDA)
) ss.
County of Pinellas)

The foregoing instrument was acknowledged before me this 20th day of November, 2020, by Deborah Schneide, Trustee of the Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005.

Witness my hand and official seal.
My commission expires: 05/19/2021

Notary Public

ROBERT ANTHONY FERRI
Notary Public - State of Florida
Commission # GG 069302
My Comm. Expires May 19, 2021
Bonded through National Notary Assn.

2 PAGE DOCUMENT

916485

2283131 BK 4025 PG 189-190
10/28/2005 02:29 PM
Janice Ward CLK&REC Mesa County, CO
RecFee $10.00 SurChg $1.00
DocFee $45.00

PERSONAL REPRESENTATIVE'S DEED
(Sale)

THIS DEED is made by **B. J. Jacquelin**, as Personal Representative of the Estate of Jimmie Lee Etter, a/k/a Jimmie L. Etter, a/k/a Jimmie Etter, a/k/a J. L. Etter, deceased, Grantor, to **Emanuel Epstein**, Grantee, whose legal address is 1900 Quentin Road, Apt. E-14, Brooklyn, New York 11229 of the *County of Kings, State of New York.

WHEREAS, the decedent died on the date of August 19, 2000 and Grantor was duly appointed Personal Representative of the Estate by the District Court in and for the County of Mesa, State of Colorado, Probate No. 00 PR 287, on the date of December 14, 2004, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby sell and convey unto Grantee ~~(in joint tenancy),~~** for and in consideration of Four Hundred Fifty Thousand and no/100 ($450,000.00)------- Dollars the following described real property situate in the County of Mesa, State of Colorado:

See attached Exhibit A and by this reference incorporated herein

also known by street and number as: vacant land at Horizon Drive and G Road, Grand Junction, Colorado 81506
assessor's schedule or parcel number: 2945-012-00-072, 2945-012-00-074 and 2945-012-00-076

It is believed this is referencing Parcel Nos. 2945-012-00-092 & 094 072 & 074 don't exist.

With all appurtenances.

As used herein, the singular includes the plural and the plural the singular.

NOTE: Letters Testamentary evidencing the appointment of the personal representative were recorded on June 8, 2005, in Book 3915 at Page 113 of the Mesa County records.

Executed: 10-27-05

B. J. Jacquelin
Personal Representative of the Estate of Jimmie Lee Etter, a/k/a Jimmie L. Etter, a/k/a Jimmie Etter, a/k/a J. L. Etter, Deceased

STATE OF COLORADO)
COUNTY OF MESA) ss.

The foregoing instrument was acknowledged before me this 27th day of October, 2005, by B. J. Jacquelin as Personal Representative of the Estate of Jimmie Lee Etter, a/k/a Jimmie L. Etter, a/k/a Jimmie Etter, a/k/a J. L. Etter, Deceased.

Witness my hand and official seal.
My commission expires: 8-12-09.

NOTARY PUBLIC JULIE HILTBRAND STATE OF COLORADO

20091

My Commission Expires 08/12/2005

Notary Public

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

No. 46. Rev. 9-01. PERSONAL REPRESENTATIVE'S DEED (Sale)

EXHIBIT A

An undivided 1/4 interest in the following described property located in Mesa County, Colorado:

Part of the NE 1/4 NW 1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, (also known as Lots 13, 14, 15 and 16 of the Jaynes Subdivision as recorded in plat book 2 on page 12), described as follows:

Beginning at the Northeast corner of the NE 1/4 NW 1/4 of said Section 1,
thence South 782.5 feet;
thence West 408 feet;
thence South 82°49' West 220 feet;
thence South 55°57' West 596 feet;
thence West 190 feet more or less to the West line of the said NE 1/4 NW 1/4;
thence North to the Northwest corner of the NE 1/4 NW 1/4;
thence East to the point of beginning.
EXCEPT beginning at the NE corner of the NE 1/4 NW 1/4 of Section 1, Township 1 South , Range 1 West of the Ute Meridan;
thence South 230 feet;
thence West 230 feet;
thence North 230 feet;
thence East 230 feet to the point of beginning.
EXCEPT road as platted along the North boundary thereof and a strip lying East of the following described line;
Beginning at a point 782.5 feet South and 40 feet West of the Northeast corner of the said NE 1/4 NW 1/4;
thence North 702.5 feet;
thence Northwesterly along a curve whose radius is 60 feet through a central angle of 90°.

AND

All that part of the NW 1/4 NW 1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian lying South and East of the County Road as recorded in Book 822 at Page 245.

EXCEPT tracts of land deeded to County of Mesa and the City of Grand Junction in Deeds recorded in Book 822 at Page 245, Book 822 at Page 480, Book 1426 at Page 244, Book 2896 at Page 419 and Book 3149 at Page 414.

Assessor's tax schedule or parcel numbers: 2945-012-00-072
Assessor's tax schedule or parcel numbers: 2945-012-00-074
Assessor's tax schedule or parcel numbers: 2945-012-00-076

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:
On The Horizon, LLC.
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: Limited Liability Company

The entity is formed under the laws of the State of Colorado.

The mailing address for the entity is: 1111 S. 7th St
Grand Jct, CO 81501.

The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
Darin J. Carei, member.

The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 17th day of March, 2022

Signature (Type or Print Name Below)
Darin J. Carei

STATE OF COLORADO)
)ss.
COUNTY OF ~~Colorado~~ Mesa)

The foregoing instrument was acknowledged before me this 17th day of March, 2022, by Darin J Carei (insert name of individual) as member (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for On The Horizon, LLC (insert name of corporation or LLC).

Witness my hand and official seal.
My commissioner expires: 1-25-2025

Notary Public

KIM L SMEINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904000196
MY COMMISSION EXPIRES JANUARY 25, 2025

Grand Junction
COLORADO
PUBLIC WORKS & PLANNING

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	Planned Development	Existing Zoning	PD
Proposed Land Use Designation	Commercial	Proposed Zoning	C-1

Property Information

Site Location:	No Physical Address	Site Acreage:	13.21 Acres
Site Tax No(s):	2945-012-00-094	Site Zoning:	PD

Project Description: To rezone from PD to C-1 to bring the expired PD in conformance with the 2020 Comprehensive Plan.

Property Owner Information		Applicant Information		Representative Information	
Name:	Over the Horizon LLC	Name:	Same as Property Owner	Name:	River City Consultants, Inc.
Street Address:	1111 S. 7th Street	Street Address:		Street Address:	215 Pitkin Ave. #201
City/State/Zip:	Grand Junction, CO 8	City/State/Zip:		City/State/Zip:	Grand Junction, CO 8
Business Phone #:	970-234-0708	Business Phone #:		Business Phone #:	970-241-4722
E-Mail:	dcarei@senergybuilders.com	E-Mail:		E-Mail:	tstates@rccwest.com
Fax #:		Fax #:		Fax #:	
Contact Person:	Darin Carei	Contact Person:		Contact Person:	Tracy States
Contact Phone #:	970-234-0708	Contact Phone #:		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: 2022.03.24 12:46:35 -06'00' — Date: March 24, 2022

Signature of Legal Property Owner: [signature] — Date: 3/28/22

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

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

(b) No Physical Address (Parcel No. 2945-012-00-094)

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

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

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

◉ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) 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: [signature]

Printed name of person signing: Darin J. Carei, Member

State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 28th day of March, 2022

by Darin Carei

Witness my hand and seal.

My Notary Commission expires on 1-25-2022

KIM L SMEINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904000196
MY COMMISSION EXPIRES JANUARY 25, 2025

[signature]
Notary Public Signature

FNTC

SPECIAL WARRANTY DEED

The "Grantor," **Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005**, whose legal address is 12701 126th Avenue North, #213, Largo, Florida 33774, of the County of Pinellas and State of Florida, for the consideration of Ten and no/100--- DOLLARS, ($10.00), in hand paid, hereby sells and conveys to **Over The Horizon LLC**, a Colorado limited liability company, the "Grantee," whose legal address is **Post Office Box 400, Mesa, Colorado 81643**, County of **Mesa** and State of **Colorado**, all of Grantor's interest in the following real property in the County of Mesa and State of Colorado, to wit:

See attached Exhibit A and by this reference incorporated herein,

also known by street address as: TBD, Grand Junction, Colorado 81506
and assessor's parcel numbers: TBD.

with all its appurtenances, and warrants the title against all persons claiming under the Grantor, except for: liens for real property taxes and assessments for the year of 2019; the standard printed exceptions and all matters that are or would be contained in owner's title insurance commitment or policies; matters that would be disclosed by an accurate survey or personal inspection of the parcel(s) conveyed; zoning and other regulatory laws and ordinances affecting the parcel(s) conveyed; and easements, plats, rights of way, limitations, conditions, reservations, covenants, restrictions, and other matters of record.

Dated this 2nd day of January, 2020.

EMANUEL EPSTEIN REVOCABLE TRUST DATED JUNE 16, 2004, AS AMENDED AND RESTATED ON APRIL 18, 2005

By: Deborah Schneide Trustee
Deborah Schneide, Trustee

STATE OF FLORIDA)
) ss.
County of Pinellas)

The foregoing instrument was acknowledged before me this 2nd day of January, 2020, by Deborah Schneide, Trustee of the Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005. by means of physical presence
Witness my hand and official seal.
My commission expires: 5/28/23
Prod ID

Carmen F. Alvarez
Notary Public

No. 900. Rev. 1-06. SPECIAL WARRANTY DEED (Short Form) (Page 1 of 2)

CARMEN F ALVAREZ
Notary Public - State of Florida
Commission # GG 325364
My Comm. Expires May 28, 2023
Bonded through National Notary Assn.

EXHIBIT A

That parcel of land located in the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian in Grand Junction, Mesa County, Colorado and being more particularly described as follows:

PARCEL 2:

COMMENCING at the Northeast corner of the NE¼ NW¼ of Section 1, Township 1 South, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado, whence the Southeast corner of said NE¼ NW¼ bears South 00°03'04" West, a distance of 1322.09 feet, for a basis of bearings with all bearings contained herein relative thereto; South 00°03'04" West, a distance of 782.50 feet; thence North 89°56'56" West, a distance of 40.00 feet to the West right-of-way line of 27½ Road, as defined in Reception No. 718654, Mesa County records to the POINT OF BEGINNING; thence along the North line of Ptarmigan Pointe, Filings One through Four and Ptarmigan Ridge, Filing Six the following five (5) courses: (1) North 89°56'56" West, a distance of 368.00 feet; (2) South 82°52'04" West, a distance of 220.00 feet; (3) South 56°00'04" West, a distance of 596.00 feet; (4) South 89°31'47" West, a distance of 201.45 feet; (5) North 00°09'26" East, a distance of 381.12 feet, to a point on the South right-of-way line of Horizon Drive as recorded at Reception No. 813145 and Reception No. 813634; thence along said South right-of-way line as described in Reception No. 813634 the following two (2) courses: (1) North 52°45'00" East, a distance of 714.45 feet; (2) with a curve turning to the left having a delta angle of 06°08'04", a radius of 1960.00 feet, an arc length of 209.85 feet, and a chord length of 209.75 feet, with a chord bearing of North 49°40'55" East, to a point on the Southerly right-of-way of 27½ Road, as defined in Reception No. 2075083, Mesa County records; thence along said Southerly right-of-way line of 27½ Road the following six (6) courses: (1) South 43°24'24" East, a distance of 4.77 feet; (2) North 46°22'36" East, a distance of 14.87 feet; (3) South 88°57'02" East, a distance of 17.49 feet; (4) South 44°19'26" East, a distance of 633.32 feet; (5) with a curve turning to the right having a delta angle of 27°59'02", a radius of 320.00 feet, an arc length of 156.29 feet, and a chord length of 154.74 feet, with a chord bearing of South 30°19'55" East; (6) South 00°03'04" West, a distance of 7.21 feet to the POINT OF BEGINNING.

Said parcel containing an area of 13.21 Acres, as herein described.

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:
OVER The Horizon, LLC.
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: Limited Liability Company.

The entity is formed under the laws of the State of Colorado.

The mailing address for the entity is: 1111 S. 7th St
Grand Jct, Co 81501.

The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
Darin J Carei, member.

The authority of the foregoing person(s) to bind the entity is (not limited), (limited as follows):

Other matters concerning the manner in which the entity deals with interests in real property:

Executed this 17th day of March, 2022.

Darin Carei
Signature (Type or Print Name Below)

Darin J. Carei

STATE OF COLORADO)
)ss.
COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 17th day of March, 2022, by Darin J Carei (insert name of individual) as member (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for Over The Horizon LLC (insert name of corporation or LLC).

Witness my hand and official seal.
My commissioner expires: 1-25-2025

KIM L SMEINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904000196
MY COMMISSION EXPIRES JANUARY 25, 2025

Notary Public

682 Horizon Drive & the Parcel Adjacent to the north, REZONE
(Parcel Nos. 2945-012-00-092 and 094)

SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING
TUESDAY, APRIL 12, 2022, @ 5:30 PM
VIA ZOOM

A virtual neighborhood meeting for the above-referenced Rezone, was held Tuesday, April 12, 2022, via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on March 30, 2022, per the mailing list received from the City of Grand Junction. There were 15 attendees including Tracy States, Project Coordinator, with River City Consultants and Jace Hochwalt, Senior Planner with the City of Grand Junction. There were 13 neighbors in attendance.

The meeting began at approximately 5:30 PM with attendees beginning to join at 5:15 PM. Tracy States explained where the project was located, that the existing zoning of PD had expired and did not implement the 2020 Comprehensive Plan future land use of Commercial. She explained that a C-1 zoning would be requested (light commercial) and that there was no development currently planned for either parcel, rather the owner was preparing the sites for sale and was proposing the rezone to make the properties more attractive to potential buyers with the rezoning already completed. Ms. States also explained that the owner would likely be doing some grading to the north parcel, also in order to make the property more attractive to a potential buyer.

Jace Hochwalt added that in order for the properties to develop at all, due to the expired PD zoning, the properties would have to be rezoned. One of the attendees asked Jace if Staff supported the rezone request of C-1 and he replied yes, it conforms to the newly adopted 2020 Comprehensive Plan. Mr. Hochwalt also answered questions regarding the process when the properties do develop. One of the attendees asked what type of uses would be allowed. Jace explained there was a table in the Zoning and Development Code that listed allowed uses in the C-1 zone district but would likely mirror existing retail and office uses that already exist on Horizon Drive.

There were some concerns about mitigation of the adjacent residential properties and the wetlands area during the grading process. Ms. States explained that the owner would be applying for a grading permit and plans would be reviewed by City Staff. She also offered to have the attendees contact her and she could provide information as it becomes available and that it would also be available for viewing on the City website. Mr. Hochwalt also offered that the attendees could reach out to him for information and the City would ensure mitigation.

The meeting adjourned at approximately 6:00 PM.

Location Map

N

0 0.28 0.55 mi

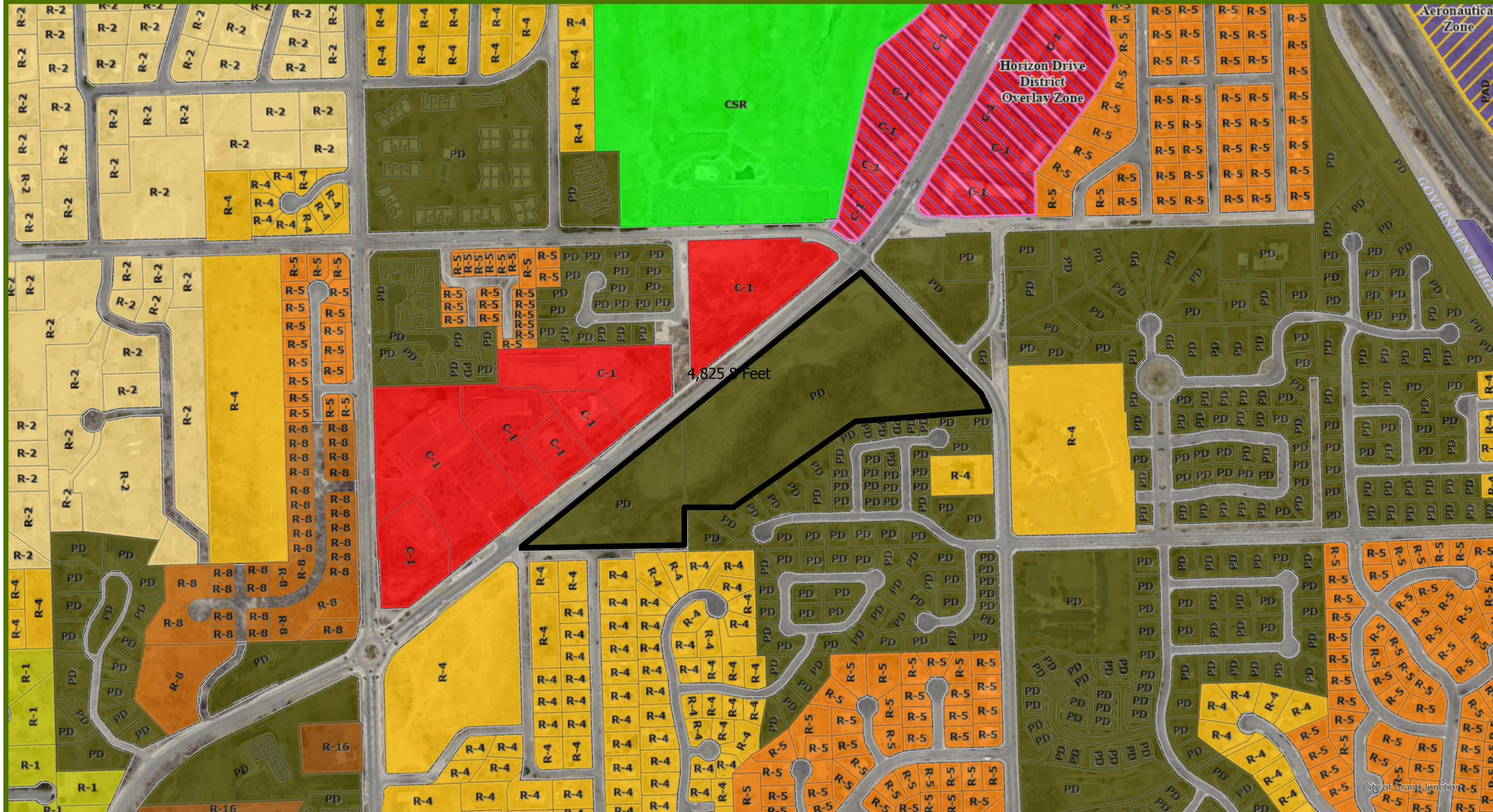
Printed: 4/12/2022

1 inch equals 376 feet

Scale: 1:4,514

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

Existing Zoning Map



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0 0.28 0.55 mi

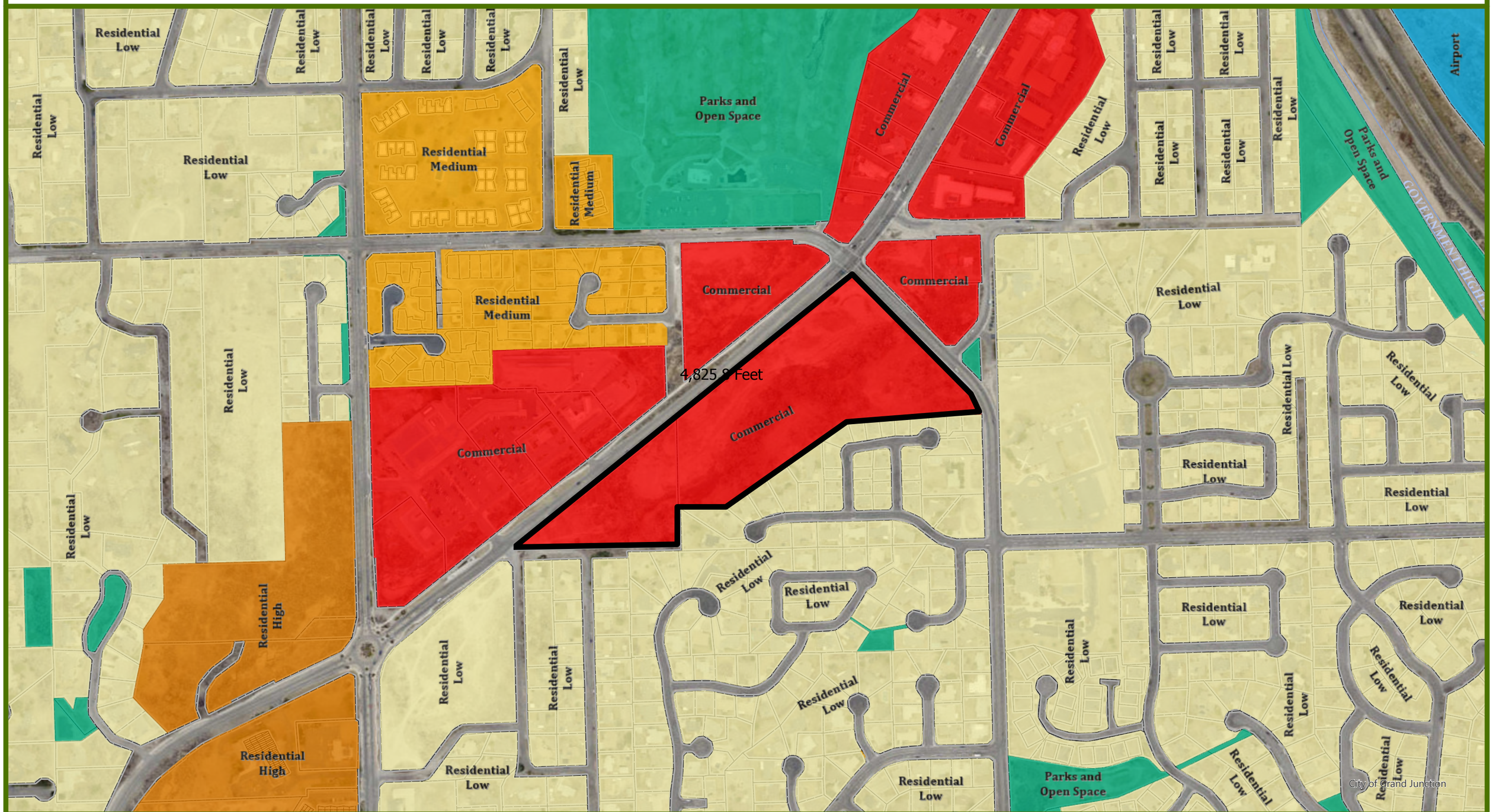
Printed: 4/12/2022

1 inch equals 376 feet

Scale: 1:4,514

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

2020 Comprehensive Plan Designation



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Printed: 4/12/2022

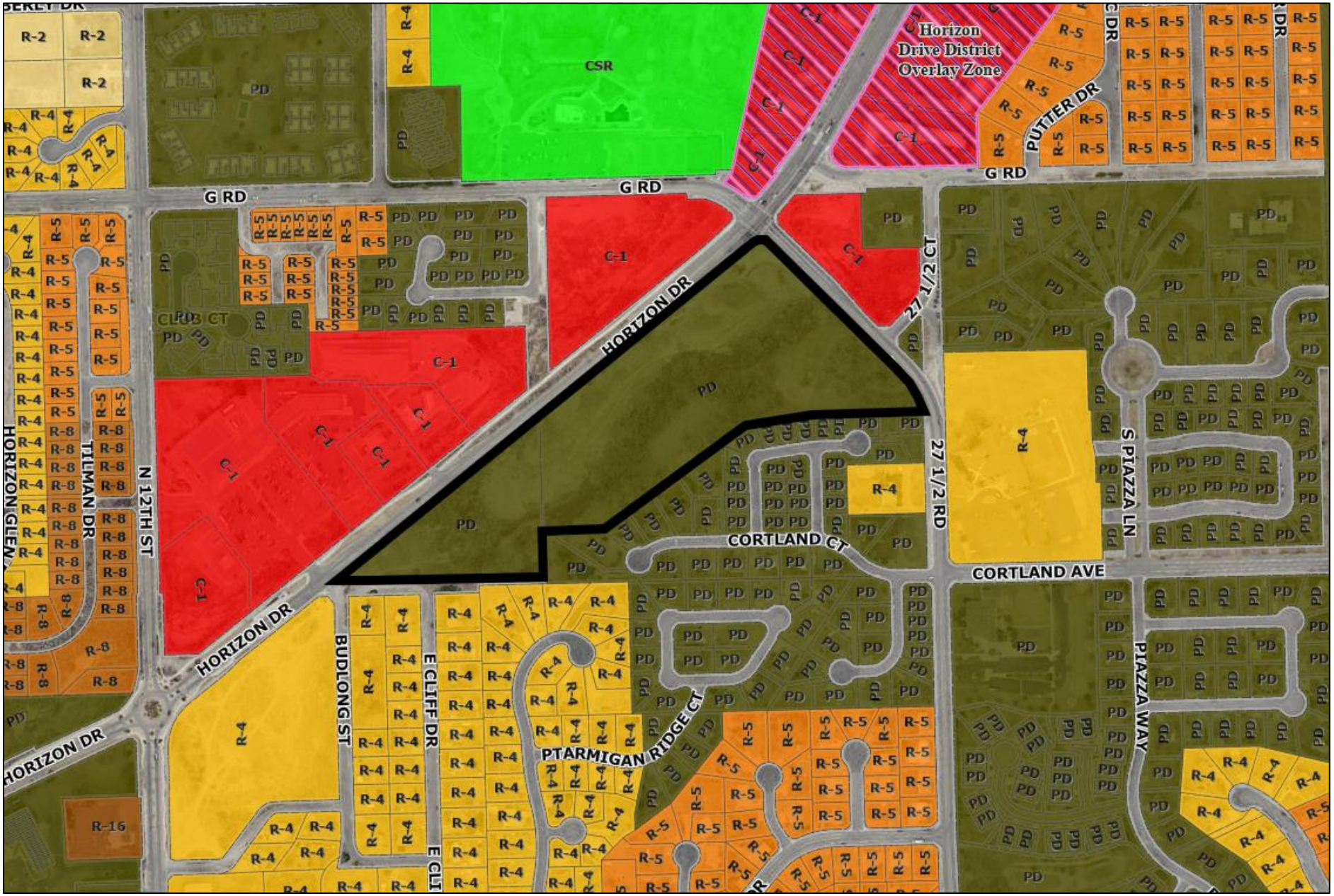
1 inch equals 376 feet

Scale: 1:4,514

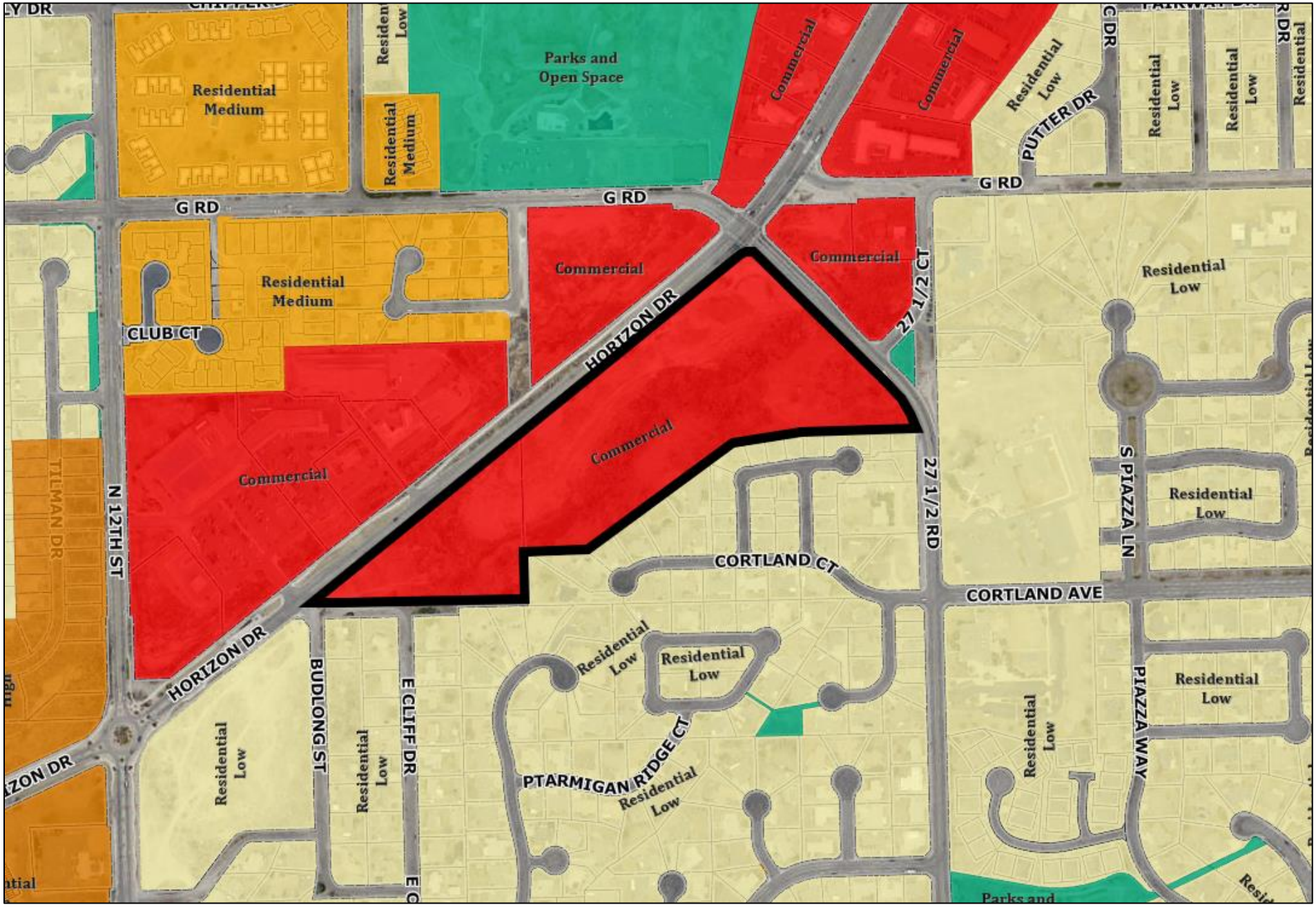
CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

Vicinity Map

Zoning Map


Horizon Drive District Overlay Zone
CSR
G RD
HORIZON DR
N 12TH ST
TILLMAN DR
HORIZON GLEN
CLUB CT
BUDLONG ST
E CLIFF DR
PTARMIGAN RIDGE CT
CORTLAND CT
CORTLAND AVE
27 1/2 RD
27 1/2 CT
S PIAZZA LN
PIAZZA WAY
PUTTER DR
R-2
R-4
R-5
R-8
R-16
C-1
PD

Comprehensive Plan Land Use Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE REZONING APPROXIMATELY 17.4 ACRES FROM PD (PLANNED DEVELOPMENT) TO C-1 (LIGHT COMMERCIAL) LOCATED AT THE SOUTHERN CORNER OF HORIZON DRIVE AND 27 ½ ROAD

Recitals:

On the Horizon LLC and Over the Horizon LLC (Owners) own two parcels located at the southern corner of Horizon Drive and 27 ½ Road totaling approximately 17.4 acres (referred to herein and more fully described below as the "Property"). The Property is designated by the Comprehensive Plan Land Use Map as having a Commercial designation. The Owners propose that the property be rezoned from PD (Planned Development) to C-1 (Light Commercial).

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 Property to the C-1 (Light Commercial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Land Use designation of Commercial, 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 C-1 (Light Commercial) 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 property shall be zoned C-1 (Light Commercial):

Parcel No. 2945-012-00-092
Parcel 1:

That part of the NW1/4NW1/4 of Section 1, Township I South, Range 1 West of the Ute Meridian, lying South and East of the County Road as recorded in Book 822 at Page 245; LESS AND EXCEPT any portion lying in Horizon Drive,

ALSO LESS AND EXCEPT tract(s) as described in document recorded April 3, 1962 in Book 822 at Page 245 and tract(s) as described in document recorded April 10, 1962 in Book 822 at Page 480,

ALSO LESS AND EXCEPT tract(s) as described in document recorded April 8, 1982 in Book 1426 at Page 244 and tract(s) as described in document recorded September 6, 2002 in Book 3149 at Page 414,

ALSO LESS AND EXCEPT that parcel of land described at Reception Number 648982.

Parcel No. 2945-012-00-094

That parcel of land located in the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian in Grand Junction, Mesa County, Colorado and being more particularly described as follows:

PARCEL 2:

COMMENCING at the Northeast corner of the NE¼ NW¼ of Section 1, Township 1 South, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado, whence the Southeast corner of said NE¼ NW¼ bears South 00°03'04" West, a distance of 1322.09 feet, for a basis of bearings with all bearings contained herein relative thereto; South 00°03'04" West, a distance of 782.50 feet; thence North 89°56'56" West, a distance of 40.00 feet to the POINT OF BEGINNING; thence along the North line of Ptarmigan Pointe, Filings One through Four and Ptarmigan Ridge, Filing Six the following five (5) courses: (1) North 89°56'56" West, a distance of 368.00 feet; (2) South 82°52'04° West, a distance of 220.00 feet; (3) South 56°00'04" West, a distance of 596.00 feet; (4) South 89°31'47" West, a distance of 201.45 feet; (5) North 00°09'26" East, a distance of 381.12 feet, to a point on the South right-of-way line of Horizon Drive as recorded at Reception No. 813145 and Reception No. 813634; thence along said South right-of-way line as described in Reception No. 813634 the following two (2) courses: (1) North 52°45'00" East. a distance of 714.45 feet; (2) with a curve turning to the left having a delta angle of 06°08'04", a radius of 1960.00 feet, an arc length of 209.85 feet, and a chord length of 209.75 feet, with a chord bearing of North 49°40'55" East, to a point on the Southerly right-of-way of 27 ½ Road, as defined in Reception No. 2075083, Mesa County records; thence along said Southerly right-of-way line of 27½ Road the following six (6) courses: (1) South 43°24'24" East, a distance of 4.77 feet; (2) North 46°22'36" East, a distance of 14.87 feet; (3) South 88°57'02" East, a distance of 17.49 feet; (4) South 44°19'26" East, a distance of 633.32 feet; (5) with a curve turning to the right having a delta angle of 27°59'02", a radius of 320.00 feet, an arc length of 156.29 feet, and a chord length of 154.74 feet, with a chord bearing of South 30°19'55" East; (6) South 00°03'04" West, a distance of 7.21 feet to the POINT OF BEGINNING.

Said parcel containing an area of 13.21 Acres, as herein described.

Introduced on first reading this 20th day of July, 2022 and ordered published in pamphlet form.

Adopted on second reading this 3rd day of August, 2022 and ordered published in pamphlet form.

ATTEST:

_____	_____
Amy Phillips	Anna Stout
City Clerk	President of City Council/Mayor

Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: July 12, 2022

Presented By: Nicole Galehouse, Principal Planner

Department: Community Development

Submitted By: Nicole Galehouse, AICP, Senior Planner

Information

SUBJECT:

Consider a request by Olan Clark, on behalf of Dry Dock Development, LLC, Property Owner, to rezone 4.69 acres from R-4 (Residential - 4 du/ac) to R-5 (Residential – 5 du/ac) located at the southwest corner of Unaweep Ave and Alta Vista Ct.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Olan Clark, on behalf of Dry Dock Development, LLC, Property Owner, is requesting a rezone from R-4 (Residential - 4 du/ac) to R-5 (Residential – 5 du/ac) for 4.69-acres located at the southwest corner of Unaweep Ave and Alta Vista Dr in anticipation of future development. The requested R-5 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 on the south side of Unaweep Ave near its eastern termination at 29 Road, approximately ¼ mile south of the Colorado River. The property is currently vacant. The applicant is seeking a change in zoning that implements the 2020 One Grand Junction Comprehensive Plan adopted by the City in December 2020 to expand options for future development on the site. The current City zoning for the property is R-4 (Residential 4 du/ac).

The property has access to utility services with sewer and water lines running along Unaweep Ave, Alta Vista Ct, and Rock Creek Dr, which terminates on the property's western boundary. The property was annexed by the City in 2006. It is located within

Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan, which supports growth on properties that are adjacent to existing developments. The subject property is surrounded by existing subdivisions, minimizing the impact on infrastructure. The "Residential Low" land use designation within this category is implemented through zone districts with a range of 2 to 5.5 units per acre.

The request for a rezone anticipates future subdivision and development on the property. The Comprehensive Plan adopted in 2020 changed the future land use designations in the comprehensive plan, amending the subject property from Residential Medium Low (2 – 4 du/ac) to Residential Low (2 – 5.5 du/ac). While the current zone district of R-4 implements the future land use designation, the R-5 zone district supports the comprehensive plan goals of concentrating urban growth and reinforcing community standards by providing greater flexibility in dwelling types.

The purpose of the R-5 (Residential – 5 du/ac) zone district is to provide for medium density detached and attached dwellings and multifamily where there are adequate public facilities and where it is not ideal for large lot development. While it allows for multifamily development, the R-5 zone district is more commonly flagged by townhome development, allowing for greater density while maintaining a more traditional neighborhood character.

In addition to the R-5 (Residential – 5 du/ac) zoning requested by the applicant, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Low (2 – 5.5 du/ac):

a. R-4 (Residential – 4 du/ac)
b. CSR (Community Services and Recreation)

The properties adjacent to the subject property to the south and northwest are still in the County with a zoning of RSF-4 (Residential Single Family – 4), with City future land use designations of Residential Low and Mixed Use, respectively. The properties to the east and north are within the City, zoned R-4 with a future land use designation of Residential Low.

NOTIFICATION REQUIREMENTS

A virtual Neighborhood Meeting regarding the proposed rezone request was held through Zoom on Thursday, February 3, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The applicant and their representative were in attendance, along with a representative from City Staff and approximately 10-12 neighbors. The owner's representative provided an overview of the proposed development and the City review process.

There was concern at the neighborhood meeting regarding the increased density of the project and the impact of the project on traffic at the intersection of Unaweep Ave and the 29 Rd. Neighbors also had questions about how irrigation would be provided, the price range and specifications of the proposed homes, and fencing and landscaping

requirements.

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 June 15, 2022. 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 July 1, 2022. The notice of this public hearing was published July 5, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.140 (a) of the Zoning and Development Code, which 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

With the existing R-4 zoning on the property, development could still occur and be consistent with the 2020 Comprehensive Plan. The R-5 zone district provides the ability for up to an additional 7 units on the property along with increased flexibility in dwelling type. During the 2020 Comprehensive Plan adoption process, the land use designation on this site was amended from Residential Medium Low to Residential Low. In name only, this may seem like a decrease in intensity, but the amended Plan consolidated land use designations. The new Residential Low designation contemplates a desired density of 2 – 5.5 du/ac, where the Residential Medium Low only permitted 2 – 4 du/ac. This change to the Comprehensive Plan constitutes a subsequent event which now allows for the R-5 zone district to implement the future land use. 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 surrounding neighborhoods have been largely unchanged in the time since the property was annexed and the R-4 zone district was applied. While there has been some residential development, the overall character of this growth has not been significantly altered. So while the amendment is consistent with the Plan, the character of the area is not the impetus for the request. Therefore, staff finds that this criterion has not been met.

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

Public sanitary sewer service, Ute Water domestic water service, Xcel electrical gas and power service, stormwater sewer through Orchard Mesa Drainage District, and irrigation through Orchard Mesa Irrigation Company are available to the site. Transportation infrastructure is generally adequate to serve development of the

type and scoped associated with the R-5 zone district. The City Fire Department expressed no concern with providing service for the additional density proposed by the rezone. 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

As demonstrated in the City's recent Housing Needs Assessment, Grand Junction has a need for additional housing, both in terms of general quantity and as it relates to varied housing types and price ranges. This property is one of the last vacant large tracts in the area that is available for new housing. By allowing for smaller lot sizes yet maintaining the low density character, the proposed rezone creates the opportunity for lower priced lots that are suitable for entry level and/or retirement housing. 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.

While the property remains vacant, it underutilizes the land use vision for this property/area as provided in the 2020 Comprehensive Plan. By rezoning the property to R-5, the City encourages attainable housing development by allowing the developer to increase the number of units that can be built on the required infrastructure, thus lowering the price per lot. The property is located 2 miles south of I70B and 1 mile north of US 50, providing reasonable access to employment opportunities. It also creates a new community that can benefit from a close location to the outdoor recreational opportunities of the Colorado River. Therefore, Staff finds this criterion to be met.

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of the relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The proposed rezone to R-5 (Residential – 5 du/ac) implements the following Plan principles, goals, and policies of the Comprehensive Plan:

- Land Use Plan: Relationship to Existing Zoning
    - Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.
    - The 2020 Comprehensive Plan provides the subject property with a land use designation of Residential Low. As outlined in the

background section of this staff report, the R-5 zone district is a permissible district to implement the Residential Low designation.

- 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.
    - The proposed rezone will allow for infill development in an area of the City where infrastructure is readily available and other neighborhoods with similar densities have been constructed. The R-5 zone district creates opportunities for more attainable housing while maintaining the low density residential character, increasing compatibility with the surrounding neighborhoods.
- 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.
    - The R-5 (Residential – 5 du/ac) zone district allows for flexibility in low density residential development through reduced bulk standards and additional dwelling types, which in turn creates opportunities for housing options to meet a variety of needs in the community.
- Plan Principle 6: Efficient and Connected Transportation
    - Goal: Encourage the use of transit, bicycling, walking, and other forms of transportation.
    - The subject property is located just along one of the City's Active Transportation Corridors that runs along Unaweep Ave. With its close proximity to 29 Road, the trail network also connects to the Colorado Riverfront Trail System, providing greater connectivity throughout the City.
- Plan Principle 8: Resource Stewardship
    - Goal: Promote the use of sustainable development.
    - Plan Principle 8 encourages thoughtful planning as it relates to the natural resources and development occurring in the City. It promotes sustainable development through the concentration of development in areas that maximize existing infrastructure, which is already available on the site of the proposed rezone.
- Chapter 3 – Land Use and Growth: Intensification and Tiered Growth Plan
    - Subject property is located within Tier 2 (Suburban Infill) – Description: Areas within the existing UDB and 201 that are urbanizing or proximate to areas that are urbanizing. This Tier also includes areas that were mostly developed in unincorporated Mesa County and infrequently improved with urban infrastructure such as curb, gutter, sidewalks, and parks. Annexation is appropriate for new development and redevelopment in Tier 2 areas, though annexation for existing subdivisions and/or neighborhoods is not generally desirable.
    - Policy: In Tier 2, the City should promote the annexation of those parcels which are surrounded by, or have direct adjacency to, the City

limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services. Tier 2 includes western portions of Redlands on the City's west side, as well as Pear Park and Orchard Mesa.
    - As previously discussed, the subject property has infrastructure that is already available on-site. As one of the only vacant properties in the area, it is a prime candidate for suburban infill development.
- Orchard Mesa Neighborhood Plan: Housing Trends
    - Goal: A broad mix of housing types is available on Orchard Mesa to meet the needs of a variety of incomes, family types, and life stages.
    - The R-5 (Residential – 5 du/ac) zone district allows for flexibility in the lot layouts and type of dwelling units that can be built per the Zoning & Development Code. With this ability, it becomes easier to add diversity to the housing stock in the area that meets different generational and demographic needs.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Ute Canyon Rezone request, for a rezone from R-4 (Residential 4 du/ac) to R-5 (Residential – 5 du/ac) for the property located at the southwest corner of Unaweep Ave and Alta Vista ct, the following findings of facts 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 request for the property located at the southwest corner of Unaweep Ave and Alta Vista Ct, City file number RZN-2022-271, 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 - Development Application Form
2. Exhibit 2 - Neighborhood Meeting Information
3. Exhibit 3 - Site Maps & Pictures of Site
4. Exhibit 4 - Draft Zoning Ordinance

City of Grand Junction Colorado
PUBLIC WORKS & PLANNING

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: PUMPKIN RIDGE SUBDIVISION (LOT 1)

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

Existing Land Use Designation	RESIDENTIAL	Existing Zoning	R-4
Proposed Land Use Designation	SAME	Proposed Zoning	R-5

Property Information

Site Location:	SOUTH OF UNAWEEP, WEST OF 29 ROAD	Site Acreage:	4.69
Site Tax No(s):	2943-301-94-001	Site Zoning:	R-4

Project Description: REZONE TO R-5 (21 LOTS) ON 4.69 ACRES

Property Owner Information		Applicant Information		Representative Information	
Name:	DRY DOCK DEVELOPMENT, LLC	Name:	OLAN CLARK	Name:	ROLLAND CONSULTING ENG.
Street Address:	444 MONTERO ST	Street Address:	131 N 6th ST #200	Street Address:	405 RIDGES BLVD
City/State/Zip:	GJ, CO 81507	City/State/Zip:	GJ, CO 81501	City/State/Zip:	GJ, CO 81507
Business Phone #:	970 250-2809	Business Phone #:	970-242-5505	Business Phone #:	970 243-8300
E-Mail:	REAGENT@GJHOMES.COM	E-Mail:	REAGENT@GJHOMES.COM	E-Mail:	KENT@REEGJ.COM
Fax #:	970-243-2896	Fax #:	"	Fax #:	N/A
Contact Person:	OLAN CLARK	Contact Person:	OLAN CLARK	Contact Person:	KENT SHAFFER
Contact Phone #:	970 250-2809	Contact Phone #:	970 250-2809	Contact Phone #:	970-243-8300

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	4/6/22
Signature of Legal Property Owner		Date	4/6/22

Pumpkin Ridge II

Neighborhood Meeting Minutes
Date: February 03. 2022 5:30 p.m.
Held: Lincoln Orchard Mesa Elementary School

A total of about 136 notices were mailed out on January 24, 2022. It was attended by approximately 10-12 neighbors in addition to the developer group of 2312 Monument Road LLC, Scott Peterson of City of Grand Junction Senior Planner and Kent Shaffer of Rolland Consulting Engineers. A copy of the sign in sheet is attached.

An explanation was given for the purpose of the meeting and the steps of the development and approval process. The meeting lasted approximately 1.5 hours.

A concept plan was presented showing a potential road and lot layout

Some of the concerns raised by the attendees were:

1. If irrigation water is to be provided, how will it be delivered.
2. Some indicated that the proposed number of lots on the west side was too dense, fewer lots would be more palatable with existing surrounding neighborhoods.
3. Questions regarding the price range of the new homes, style and size.
4. Discussion about impacts on the Unaweep and 29 Road intersection traffic signal.
5. Questions regarding landscaping and fencing requirements.

PUMPKIN RIDGE II SUBDIVISION NEIGHBORHOOD MEETING

Date: February 3, 2022

NAME	ADDRESS	PHONE/EMAIL
Shannon Lowery	2872 Grizzly CT	970-712-6061

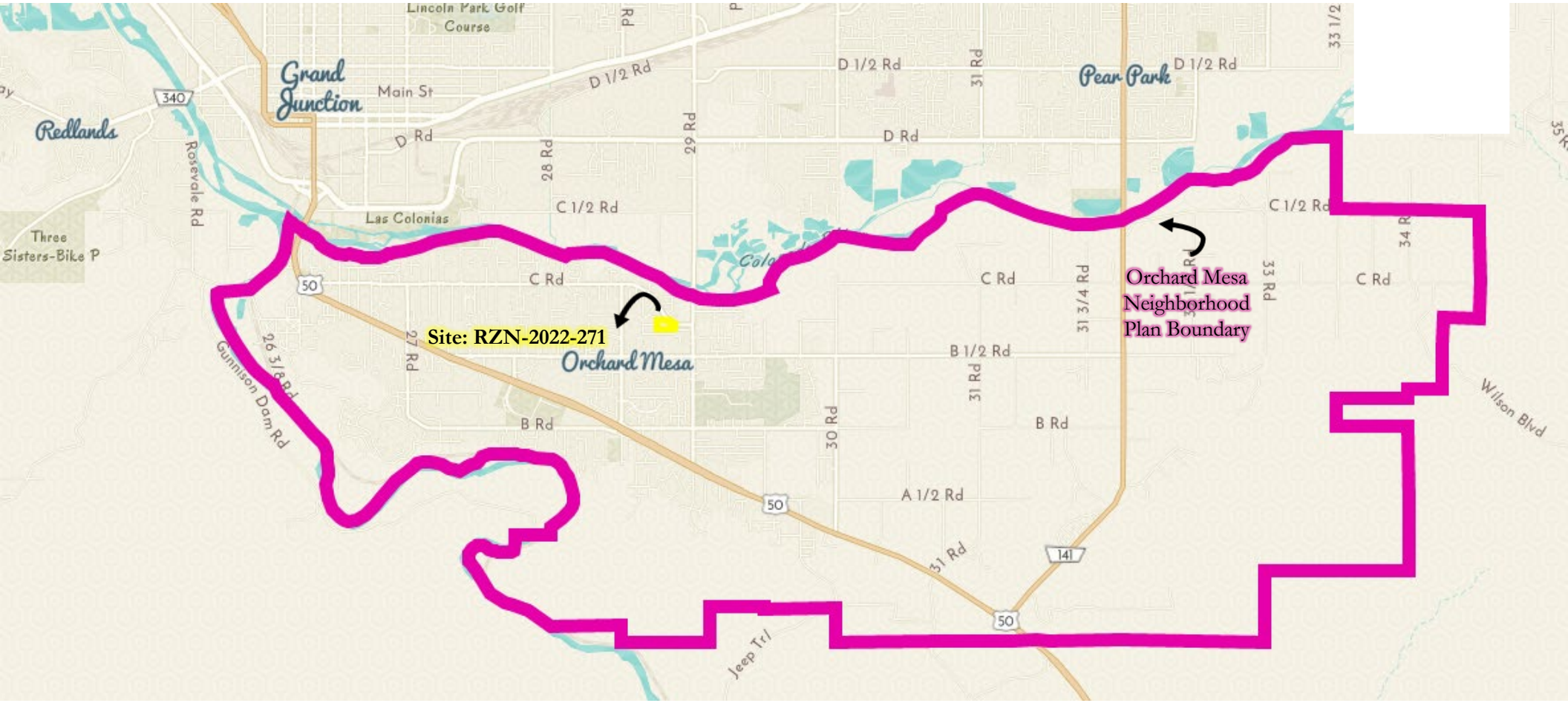
PUMPKIN RIDGE II SUBDIVISION NEIGHBORHOOD MEETING

Date: February 3, 2022

NAME	ADDRESS	PHONE/EMAIL
Tom and Cindy McKenzie		
Gaylon Reynolds	2878 Victoria dr.	
Todd Lococino	2875 Bear Canyon	970-985-0446
Marilyn & Bill Stroo	2862 Victoria Dr	970-314-2683
Scott Peterson	City Planning	970 244-1447 scottp@gjcity.org
Rob & L. Lawrence	2895 Alta Vist Dr	241-5229
Chris + Jeanie McGillivary	2877 Fall Creek Dr.	970-434-4027

Pumpkin Ridge Rezone

Vicinity Map

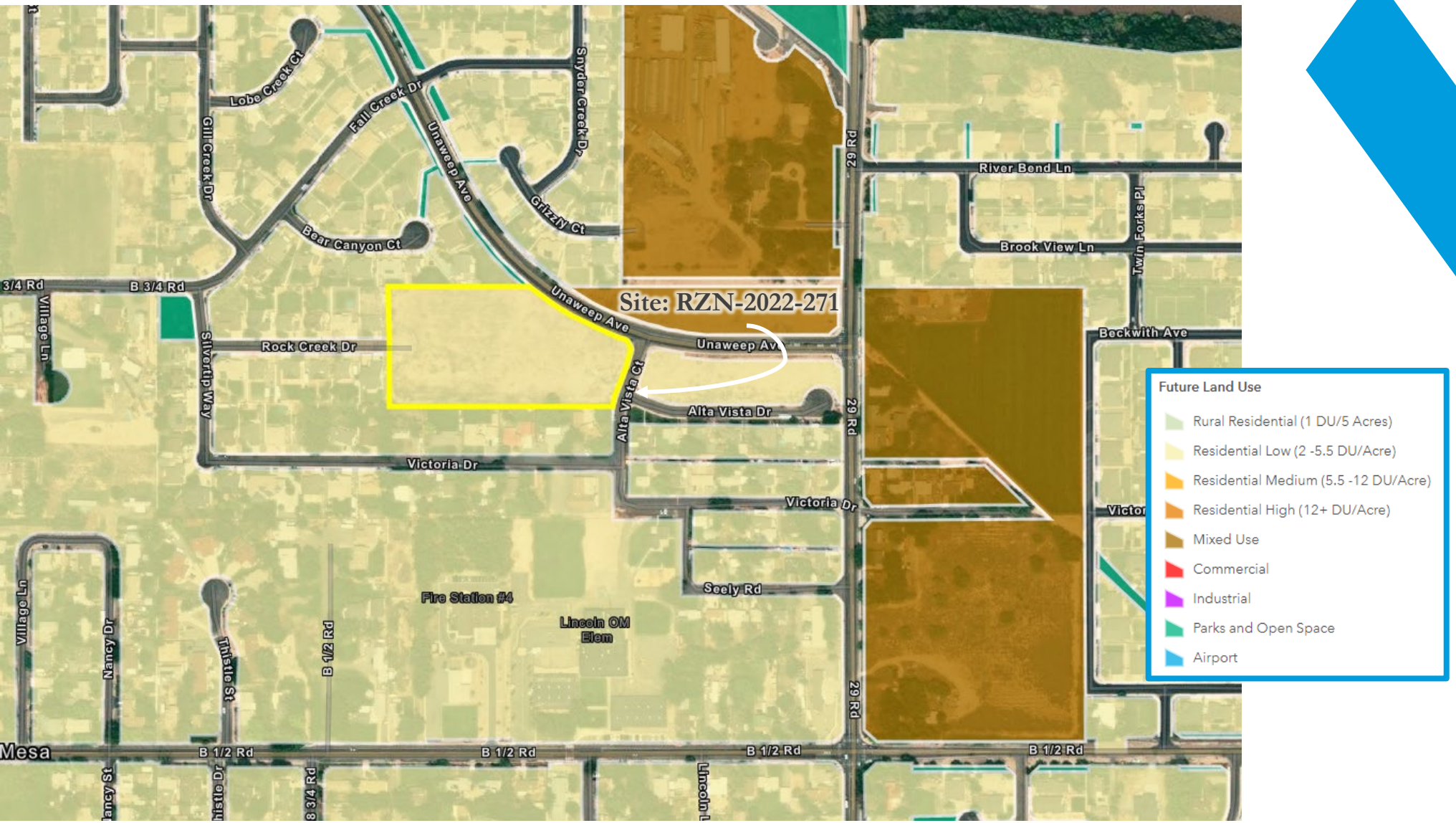


Pumpkin Ridge Rezone

Site Location Map

Pumpkin Ridge Rezone

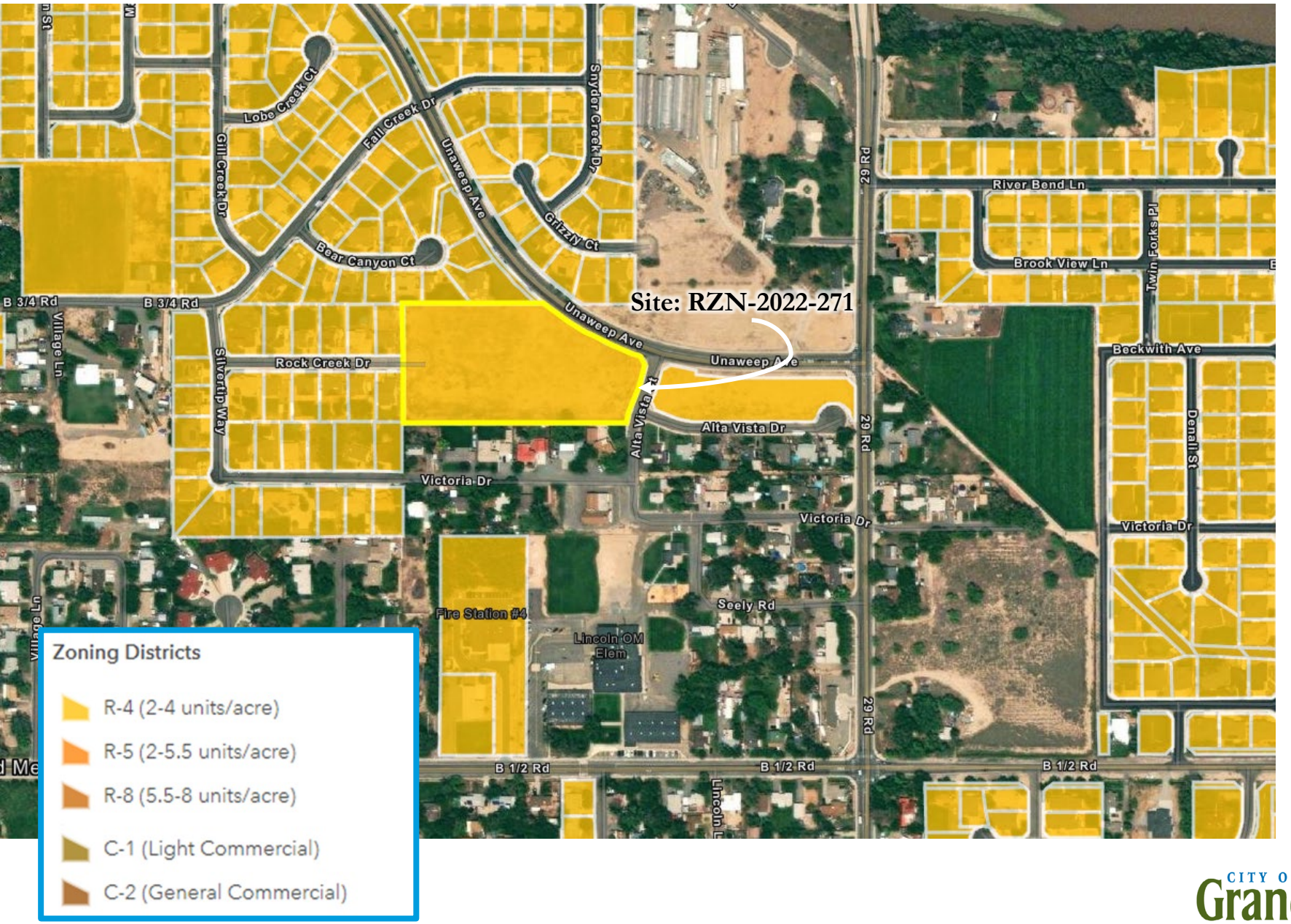
Land Use Map



CITY OF Grand Junction COLORADO

Pumpkin Ridge Rezone

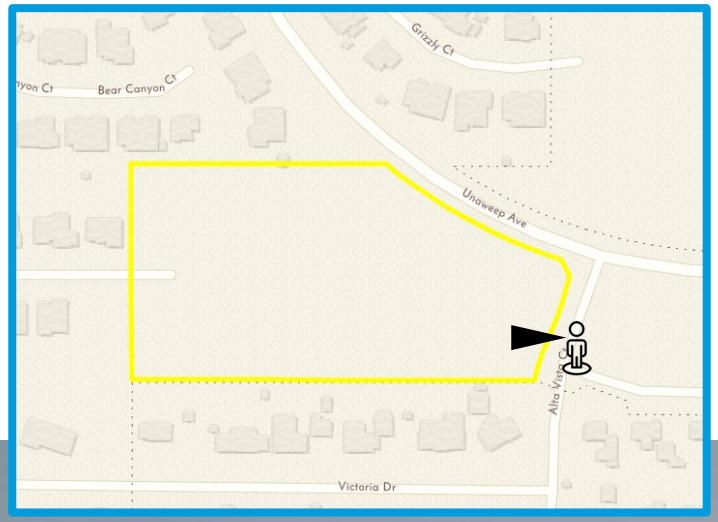
Zoning Map



Pumpkin Ridge Rezone

Site Photo

Google Maps street view of property looking west from Alta Vista Ct



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING FROM R-4 (RESIDENTIAL - 4 DU/AC) TO R-5 (RESIDENTIAL – 5 DU/AC) ZONE DISTRICT

LOCATED AT THE SOUTHWEST CORNER OF UNAWEEP AVENUE AND ALTA VISTA COURT
Tax Parcel No. 2943-301-94-001

Recitals:

The property owner, Dry Dock Development, LLC, proposes a rezone from R-4 (Residential – 4 du/ac) to R-5 (Residential – 5 du/ac) on a total of 4.69-acres located at 3124 D 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-4 (Residential – 4 du/ac) to R-5 (Residential – 5 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-4 (Residential – 4 du/ac) to R-5 (Residential – 5 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-5 (Residential – 5 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-5 (Residential – 5 du/ac) on the zoning map:

LOT 1 PUMPKIN RIDGE SUBDIVISION SEC 30 1S 1E

Introduced on first reading this ___ day of _____, 2022 and ordered published in pamphlet form.

Adopted on second reading this ___ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: July 12, 2022

Presented By: Nicole Galehouse, Principal Planner

Department: Community Development

Submitted By: Nicole Galehouse, AICP, Senior Planner

Information

SUBJECT:

Consider a request by Stacey Cook, on behalf of Lucky Us Properties, LLC, Property Owner, to rezone 8.25 acres from R-5 (Residential - 5 du/ac) to R-8 (Residential – 8 du/ac) located at 3124 D Road.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Stacey Cook, on behalf of Lucky Us Properties, LLC, Property Owner, is requesting a rezone from R-5 (Residential - 5 du/ac) to R-8 (Residential – 8 du/ac) for 8.25-acres located at 3124 D Road in anticipation of future development. The requested R-8 zone district would be consistent with the Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 8 du/ac), if approved.

BACKGROUND OR DETAILED INFORMATION:

The subject property is situated along D Road approximately ¼ mile east of 31 Road and just under ½ mile north of the Colorado River. The property currently has one single-family home on the site, along with associated carport, shed, and barn. The applicant is seeking a change in zoning that implements the 2020 One Grand Junction Comprehensive Plan adopted by the City in December 2020 to expand options for future development on the site. The current City zoning for the property is R-5 (Residential 5 du/ac) which is not consistent with nor implements the adopted Comprehensive Plan.

The property has access to utility service with both water and sewer trunk lines running along D Road. The property was annexed by the City in 2006. 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 “Residential Medium” land use designation within this category is implemented through zone districts requiring a minimum density of 5.5 units per acre.

The request for a rezone anticipates future subdivision and development on the property. Understanding that the Comprehensive Plan adopted in 2020 promotes growth through infill, the Residential Medium future land use requires a minimum density of 5.5 units per acre. The current zone district of R-5 (Residential – 5 du/ac) does not implement this goal, as the maximum permitted density (5.5 du/ac) is the minimum required by the Comprehensive Plan (5.5 du/ac). The R-5 zone district allows a minimum density of 2 du/acre while proposed R-8 (Residential – 8 du/ac) zone district has a minimum density requirement of 5.5 units per acre that aligns well with and implements the land use designation of Residential Medium.

The purpose of the R-8 (Residential – 8 du/ac) zone district is to provide for medium-high density attached and detached dwellings, two-family dwellings, and multi-family uses, providing a transition between lower density single-family districts and higher density multi-family or business developments. As noted above, the R-8 zone district ensures the minimum density of 5.5 dwelling units per acre is met.

In addition to the R-8 (Residential – 8 du/ac) zoning requested by the applicant, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Medium (5.5 – 12 du/ac):

a. R-12 (Residential – 12 du/ac)
b. CSR (Community Services and Recreation)
c. MXR-3 (Mixed Use Residential)
d. MXG-3 (Mixed Use General)
e. MXS-3 (Mixed Use Shopfront)

The properties adjacent to the subject property to the north and west are still in the County with a zoning of RSF-R (Residential Single Family – Rural), with a City future land use designation of Residential Medium. The properties to the west are also still in the County with a County zoning of RMF-5 (Residential Multi Family – 5) and a City land use designation of Residential Low. Properties to the south are within the City, zoned R-8 with a future land use designation of Residential Medium.

NOTIFICATION REQUIREMENTS

A virtual Neighborhood Meeting regarding the proposed rezone request was held through Zoom on Wednesday, April 11, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The applicant and their representative were in attendance, along with approximately 12 neighbors. The owner’s representative provided an overview of the proposed development and the City review process.

Discussion at the neighborhood meeting largely centered on the existing irrigation and ditch laterals and the importance of maintaining these facilities. The applicant indicated that individual irrigation is not anticipated for each lot. Additional topics included support of the proposed buffer strip on the east side of the property, maximum building height, architectural style and character, and future D ¼ Road extension and improvements.

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 May 3, 2022. 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 July 1, 2022. The notice of this public hearing was published July 5, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.140 (a) of the Zoning and Development Code, which 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

While the property owner could still develop under the R-5 zone district, they have requested a rezone to increase the density consistent with the Land Use Map in the 2020 Comprehensive Plan. The land use designation for this site remained Residential Medium through adoption of the 2020 Comprehensive Plan adoption, however the density range for Medium changed from 4-8 du/ac to 5.5-12 du/ac. This change to the Comprehensive Plan constitutes a subsequent event that invalidates the original premise of the zoning, which was in alignment with the density ranges from the 2010 Comprehensive Plan.

The subject property is also located within Tier 1 on the Intensification and Growth Tiers Map of the 2020 One Grand Junction Comprehensive Plan. The primary goal of Tier 1 is to support urban infill with a focus 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 existing structures on the site were built in the late 1990s, prior to the annexation of the property in 2006. In general, even though the subject area has seen additional housing developments since the original home was built, the overall character of this growth has not been significantly altered. So while the amendment is consistent with the Plan, the character of the area is not the impetus for the request. Therefore, staff finds that this criterion has not been met.

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

Public sanitary sewer service, Clifton Water domestic water service, Xcel electrical gas and power service, stormwater sewer through Grand Valley Drainage District, and irrigation through Grand Valley Irrigation Company are available to the site. Transportation infrastructure is generally adequate to serve development of the type and scoped associated with the R-8 zone district. Development on the site will further implement the Grand Junction Circulation Plan and the Pear Park Access Management Plan. The City Fire Department expressed no concern with providing service for the additional density proposed by the rezone. 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

As demonstrated in the City's recent Housing Needs Assessment, Grand Junction has a need for additional housing, both in terms of general quantity and as it relates to varied housing types and price ranges. Medium-density residential dwelling types are a critical piece in providing housing that is attainable to a wider demographic and the demand for this product type remains high. While there are still some large swaths of land nearby that can be developed under the Residential Medium future land use, much of this land is currently outside City limits and not available for development until after annexation. 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.

The current property use of a single-family home on 8.25 acres underutilizes the land use vision for this property/area as provided in the 2020 Comprehensive Plan. By rezoning the property to R-8 and developing at a minimum of 5.5 du/ac, the City will provide additional opportunity for housing to be constructed at a higher density; this may result in the construction of new, more attainable housing units in this area of the community. The location of the property provides proximate access to the I-70B corridor as well as to outdoor recreational opportunities, including the Colorado River, which is a key principle within the Comprehensive Plan. Therefore, Staff finds this criterion to be met.

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of the relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The proposed rezone to R-8 (Residential – 8 du/ac) implements the following Plan principles, goals, and policies of the Comprehensive Plan:

- Land Use Plan: Relationship to Existing Zoning
    - Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.
    - The 2020 Comprehensive Plan provides the subject property with a land use designation of Residential Medium. As outlined in the background section of this staff report, the R-8 zone district is a permissible district to implement the Residential Medium designation.
- 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.
    - The proposed rezone will provide for a higher density of development in an area of the City where infrastructure is readily available and other neighborhoods with similar densities have been constructed. The higher density implements a more compact pattern of growth, utilizing a smaller footprint for a greater number of residential units.
- 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.
    - The R-8 (Residential – 8 du/ac) zone district allows for a more compact growth pattern to occur, which is important to allowing development on property that may otherwise be difficult to build on with larger bulk standard requirements. This flexibility creates opportunities for additional housing options.
- Plan Principle 6: Efficient and Connected Transportation
    - Goal: Encourage the use of transit, bicycling, walking, and other forms of transportation.
    - The subject property is located just a quarter mile from 31 Road, which is part of the City's Active Transportation Corridor that connects to the Colorado Riverfront Trail. This is a safe pedestrian and cyclist east-west route through this part of the City, and can connect to other trails into the more central areas.
- Plan Principle 8: Resource Stewardship
    - Goal: Promote the use of sustainable development.
    - Plan Principle 8 encourages thoughtful planning as it relates to the natural resources and development occurring in the City. It promotes sustainable development through the concentration of development in areas that maximize existing infrastructure, which is already available on the site of the proposed rezone.
- Chapter 3 – Land Use and Growth: Intensification and Tiered Growth Plan

- 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.
- As previously discussed, the subject property has infrastructure that is already available on-site. It currently only has one single-family home on the property, which indicates that it is underutilized as the land use designation would allow up to 99 units on the site.

- Pear Park Neighborhood Plan: Land Use and Growth
  - Goal: Establish areas of higher density to allow for a mix in housing options.
  - The R-8 (Residential – 8 du/ac) zone district allows for flexibility in the type of housing units that can be built per the Zoning & Development Code, allowing for both single-family and multifamily construction. With this ability, it becomes easier to add diversity to the City's housing stock. While the R-5 (Residential – 5 du/ac) zone district also allows for the same flexibility, the R-8 provides the higher density desired by the Pear Park Neighborhood Plan & the 2020 Comprehensive Plan.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Ute Canyon Rezone request, for a rezone from R-5 (Residential 5 du/ac) to R-8 (Residential – 8 du/ac) for the property located at 3124 D Road, the following findings of facts 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.

<u>SUGGESTED MOTION:</u>

Mr. Chairman, on the Rezone request for the property located at 3124 D Road, City file number RZN-2022-294, 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 - Development Application
2. Exhibit 2 - Neighborhood Meeting Information
3. Exhibit 3 - Site Maps & Pictures of Site
4. Exhibit 4 - Draft Zoning Ordinance

City of Grand Junction Colorado
PUBLIC WORKS & PLANNING

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	Residental	Existing Zoning	R-5
Proposed Land Use Designation	Residental	Proposed Zoning	R-8

Property Information

Site Location:	3124 D Road	Site Acreage:	8.25
Site Tax No(s):	2943-153-48-002	Site Zoning:	R-5

Project Description: Change in Zoning from R-5 to R-8

Property Owner Information		Applicant Information		Representative Information	
Name:	Luck Us Properties, LLC.	Name:	See Owner	Name:	Tom Logue
Street Address:	3002 N. I-70 Frontage	Street Address:		Street Address:	537 Fruitwood Drive
City/State/Zip:	Grand Junction, CO 81	City/State/Zip:		City/State/Zip:	Grand Junction, CO 81
Business Phone #:	970-250-4663	Business Phone #:		Business Phone #:	970-434-8215
E-Mail:	stacey@hillandhomes.com	E-Mail:		E-Mail:	talldc@msn.com
Fax #:		Fax #:		Fax #:	970-434-0676
Contact Person:	Stacey Cook	Contact Person:		Contact Person:	Tom Logue
Contact Phone #:	970-250-4663	Contact Phone #:		Contact Phone #:	970-260-2911 (M)

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: Tom Logue — Digitally signed by Tom Logue DN: cn=Tom Logue, o, ou, email=talldc@msn.com, c=US Date: 2015.09.29 05:46:22 -06'00' — Date: September 13, 2021

Signature of Legal Property Owner: — Date: Sept 13, 2021

UTE CANYON SUBDIVISION
Rezone and Preliminary/Final Plan Application Request
NEIGHBORHOOD MEETING
April 13, 2022

A neighborhood meeting to discuss the pending Rezone and Preliminary/Final Plan application request was held at 5:30 p.m. on April 11 at 3210 I-70 Business Loop Unit 14N in the Mesa Pointe Shopping Center adjacent to Chin-Chin Restaurant.

In addition to the applicant and his representative, 12 neighbors out of the approximately 138 that were notified of the Neighborhood Meeting attended. An attendance roster is attached.

An overview of the proposed development and the City's approval process was presented by the owner's representative and the staff planner. The meeting lasted about 60 minutes.

Topics specific to development proposal discussed mainly included the existing irrigation ditch laterals located on the east, west and north sides of the proposed development and the importance of maintaining these laterals. The applicant indicated to the neighbors that irrigation water is not anticipated to be delivered to each lot due to their small size.

Other topics that were discussed included:

- Support of the proposed buffer strip along the east boundary of the development.
- The architectural style and character of the proposed dwellings.
- Maximum building heights.
- Type and style of boundary fencing.
- Future D ¼ Road extension and improvements.
- Development schedule and City approval processing.

Respectfully submitted,

Stacey Cook, Manager
Lucky Us Properties, LLC.

Attachment: Attendance Roster

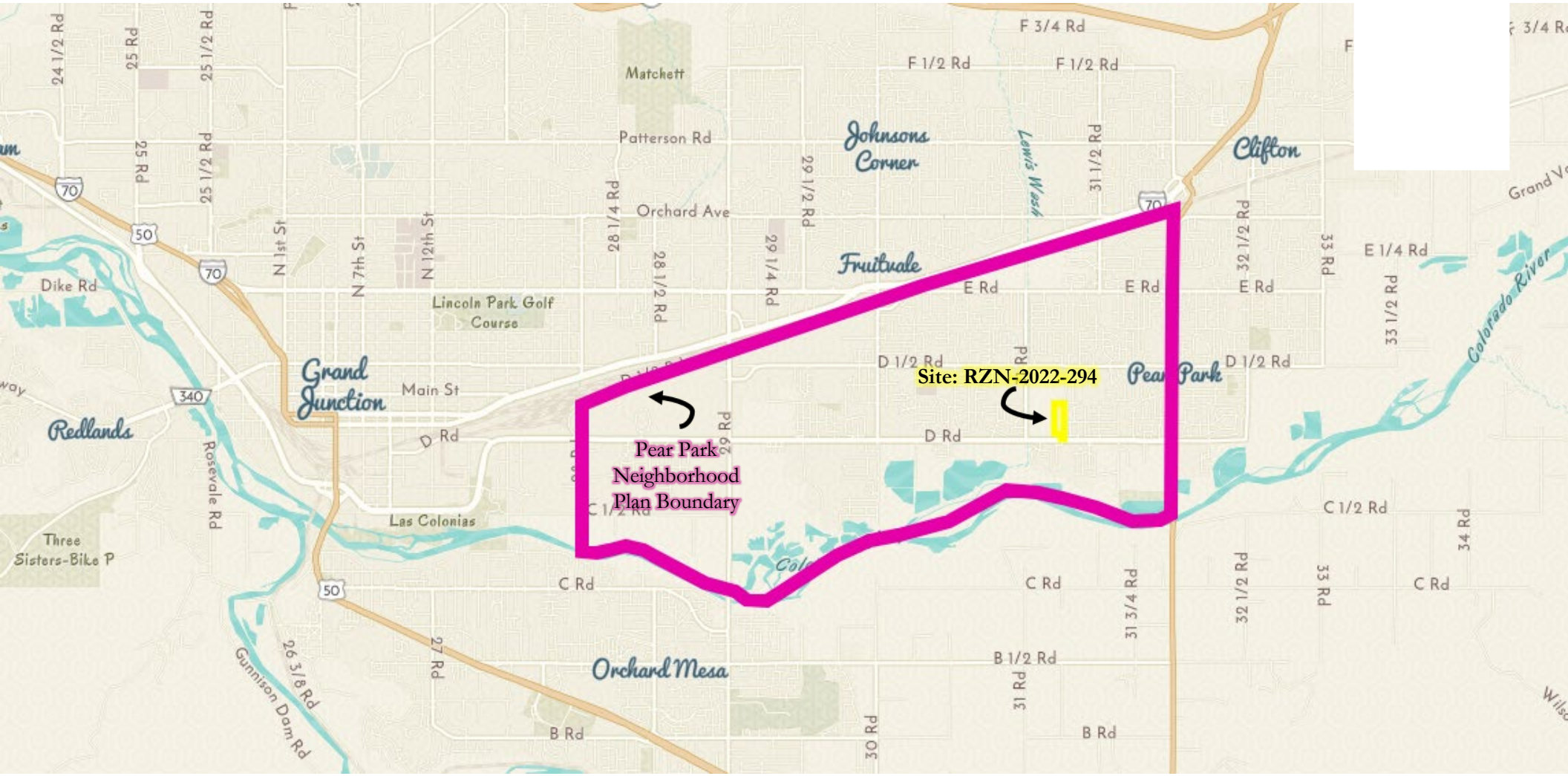
UTE CANYON SUBDIVISION
GRAND JUNCTION DEVELOPMENT APPLICATION

NEIGHBORHOOD MEETING
3210 I-70 Business Loop, Unit 14N
5:30 pm, April 11, 2022

Print Name	Address	E-Mail
James Baker	3122 D Road	jim.a.baker@gmail.com
Felicia Baker	3122 D Rd	fselby11@gmail.com
Art Thompson	3126 N Teal Ct	
Jan Thompson	3126 N Teal Ct	coloradomimi@aol.com
Candace & Felimon Ruiz	3125½ N. Teal Ct	candace.ruiz@gmail.com
Sue & Gary Miller	413 W Mallard Way	gmsm4u@gmail.com
Jeff Albright	3110 D Rd	
Jack Albright	3110 D rd	jackal81503@gmail.com
Bob Kopetsky & Marsha	425 W Mallard Way	bdkopetsky@gmail.com
~~Felimon Ruiz~~		Felimon Ruiz 63
Chuck Reid Bloss	412 31 Road	—

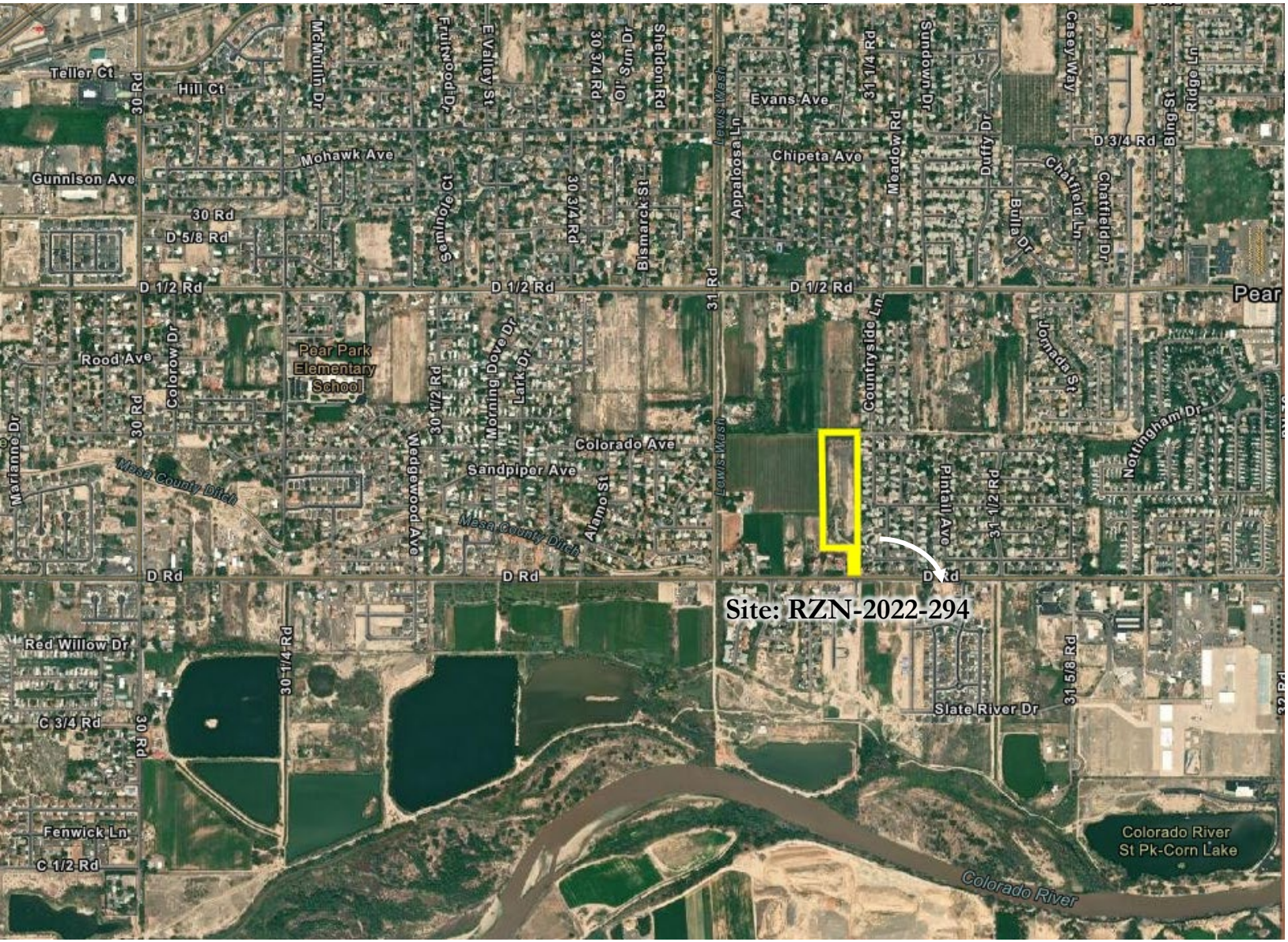
Ute Canyon Rezone

Vicinity Map



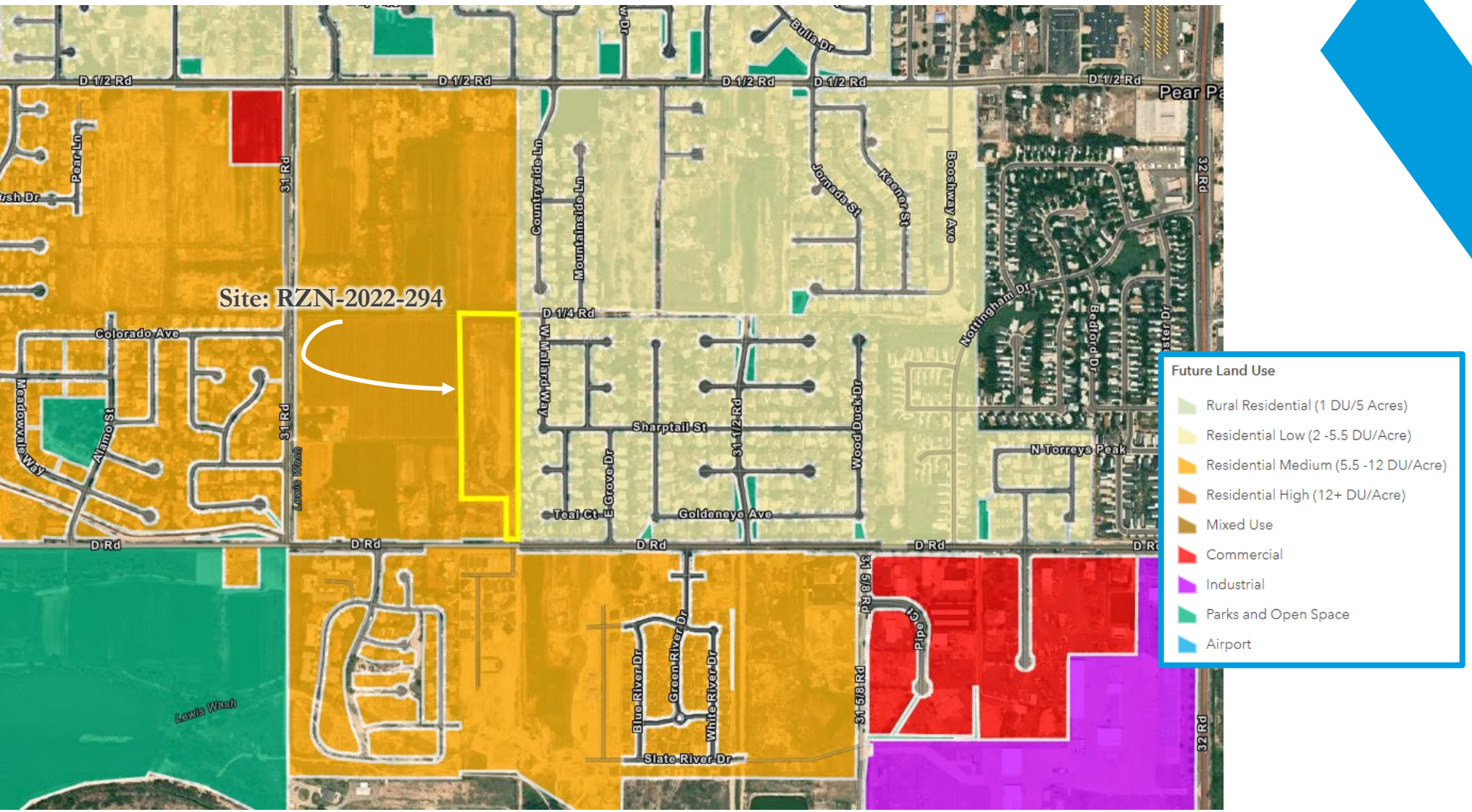
Ute Canyon Rezone

Site Location Map



Ute Canyon Rezone

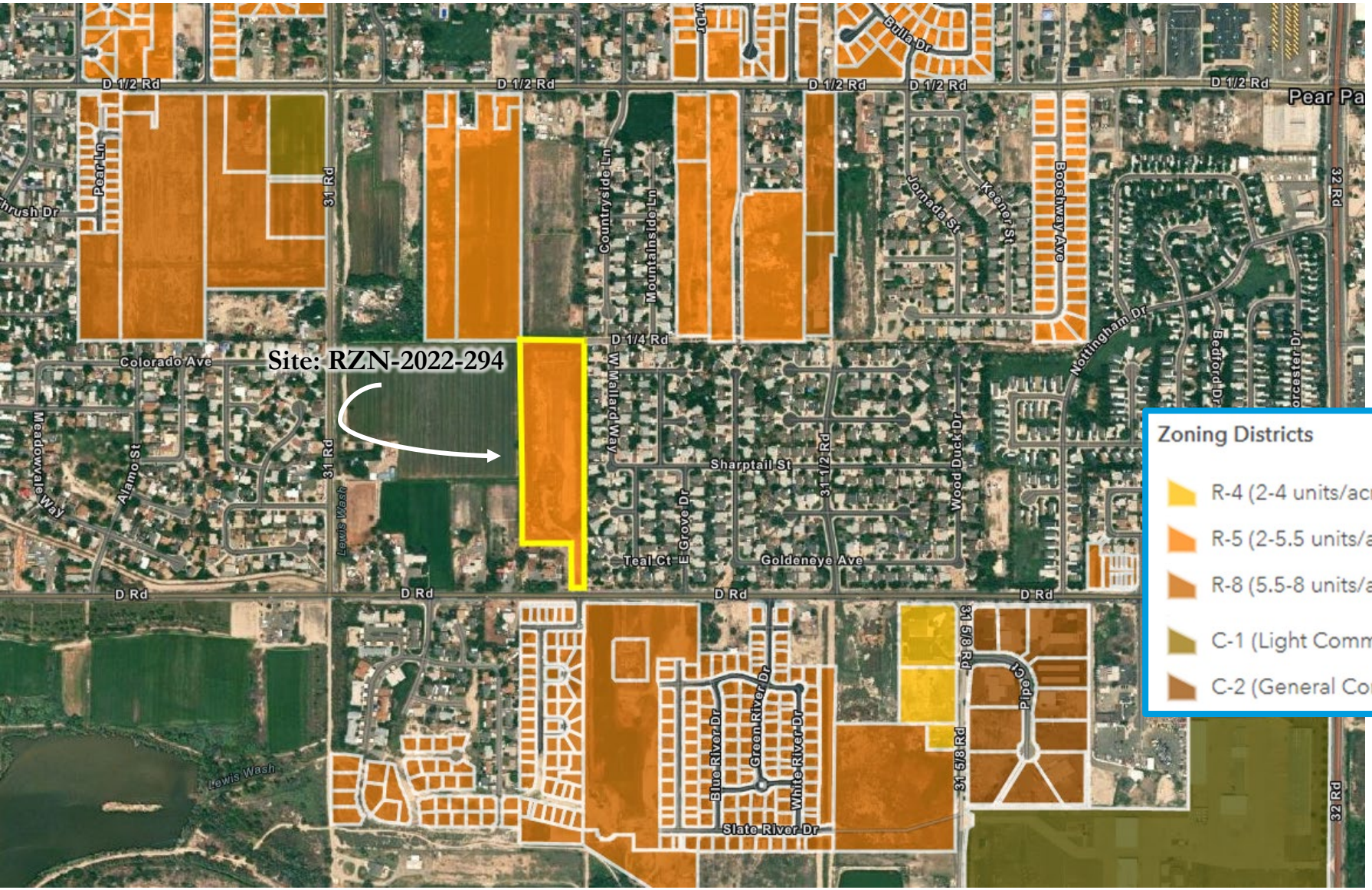
Land Use Map



CITY OF Grand Junction COLORADO

Ute Canyon Rezone

Zoning Map

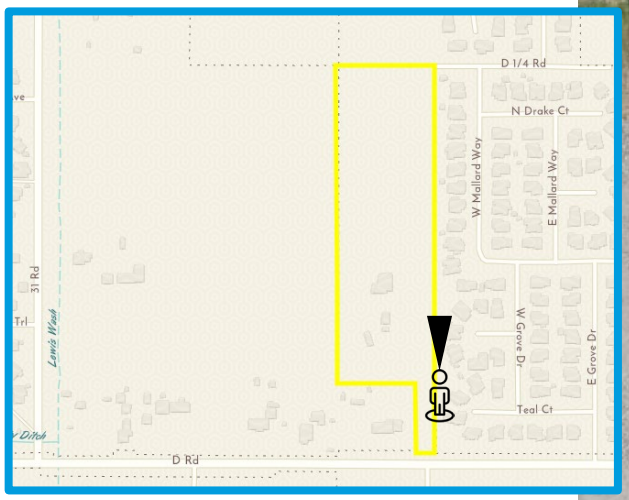


CITY OF Grand Junction COLORADO

Ute Canyon Rezone

Site Photo

Google Maps street view of property looking north from D Rd



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING FROM R-5 (RESIDENTIAL - 5 DU/AC) TO R-8 (RESIDENTIAL – 8 DU/AC) ZONE DISTRICT

LOCATED AT 3124 D ROAD
Tax Parcel No. 2943-153-48-002

Recitals:

The property owner, Lucky Us Properties, LLC, proposes a rezone from R-5 (Residential – 5 du/ac) to R-8 (Residential – 8 du/ac) on a total of 8.25-acres located at 3124 D 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-5 (Residential – 5 du/ac) to R-8 (Residential – 8 du/ac) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Residential Medium (5.5 – 12 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-5 (Residential – 5 du/ac) to R-8 (Residential – 8 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-8 (Residential – 8 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-8 (Residential – 8 du/ac) on the zoning map:

Lot 2 Bailey Minor Subdivision, Grand Junction, Mesa County, Colorado

Introduced on first reading this ___ day of _____, 2022 and ordered published in pamphlet form.

Adopted on second reading this ___ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

To access the Agenda and Backup Materials electronically, go to www.gjcity.org

PLANNING COMMISSION AGENDA
TUESDAY, JULY 12, 2022 - 5:30 PM
CITY HALL AUDITORIUM - 250 N 5th STREET
VIRTUAL MEETING

Grand Junction Planning Commission

Regular Session

Item #5.

Meeting Date: July 12, 2022

Presented By: Daniella Acosta, Senior Planner

Department: Community Development

Submitted By: Daniella Acosta, Senior Planner

Information

SUBJECT:

Consider a request by Douglas A. Pritchard Revocable Trust to rezone 0.45 acres from R-O (Residential Office) to C-1 (Light Commercial) located at 1215 N 1st St.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Trustee, Mr. Douglas A. Pritchard, acting on behalf of the Applicant, Douglas A. Pritchard Revocable Trust, is requesting the rezone of one parcel totaling 0.45 acres from R-O (Residential Office) to C-1 (Light Commercial) located at 1215 N 1st Street.

The purpose of the rezone is to allow for more flexibility for future retail development.

The requested C-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial. The C-1 zone district is an appropriate zone district for commercial areas along arterial streets and allows for a greater number of potential commercial and business uses.

BACKGROUND OR DETAILED INFORMATION:

The proposed rezone comprises one parcel totaling 0.45 acres situated at 1215 N 1st Street and is located within the Sherwood Park Mixed-Use District, which is part of the 2011 North Avenue West Corridor Plan.

As indicated, the subject site is currently zoned R-O. The building on the property was remodeled in 2004 (SPR-2004-148) to include an office under the Home Occupation permit requirements. The subject site was annexed into the City in 1959 as part of the West Lake Park Annexation. The property underwent a rezone from RMF-24 (Residential Multi-Family – 24 du/ac) to R-O in 2004 (RZ-2004-129). The property abuts N 1st St, which is a minor arterial.

To the south is a strip mall containing both retail shops and a used-car dealership. To the east of the property are medical professional services. To the west and north exist multifamily apartments.

Any subsequent application to bring in retail or other commercial uses will require at a minimum a change of use permit to establish the new use. A major/minor site plan may be required depending on the use or if there are significant changes or alterations to the structure or redevelopment of the site.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property and properties to the south of the site as Commercial. Under the Grand Junction Zoning & Development Code, the zone districts that may implement the Commercial land use classification include Mixed Use (M-U), Business Park (B-P), Industrial Office (I-O), Light Commercial (C-1), General Commercial (C-2), Mixed Use Residential High (MXR-8), Mixed Use General Low, Medium and High (MXG-3, 5, 8), and Mixed Use Shopfront (MXS-3, 5, 8), and Mixed Use Opportunity Corridor (MXOC) zone districts. The Comprehensive Plan classifies the adjacent properties to the north as Residential High and the properties to the east as Mixed Use.

The Applicant is now requesting a rezone to C-1. If the rezone application is approved and a new commercial use is subsequently proposed, it would be required to go through a formal review process.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held virtually on May 12th, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Five participants were in attendance, including City staff, the applicants and two neighbors.

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 June 15, 2022. 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 July 1, 2022. The notice of the Planning Commission public hearing was published on July 5, 2022, in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Municipal Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

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

The Comprehensive Plan Land Use Map identifies the subject property as Commercial, which is different from the 2010 Comprehensive Plan designation of Residential High Mix Use. The applicant's proposed zoning of C-1 implements the 2020 Comprehensive Plan Land Use of Commercial, whereas the existing zoning of R-O is an invalid zone designation for Commercial land use under the 2020 Comprehensive Plan.

The existing zoning designation of R-O is not supported by the recently adopted 2020 Comprehensive Plan, which anticipates more commercial type uses such as retail sales and services in the area. There are 30 principal uses under the Retail Sales and Services use category in the Zoning and Development Code. Out of those 30 principal uses, only four are allowed by right and one is conditionally allowed within the existing zoning designation of R-O. In contrast, a zone designation of C-1 would allow for the introduction of a greater range of retail services and sales businesses. This is attributed to the site's location at the gateway of the North Avenue West Corridor and exposure adjacent to the intersection at North Avenue and Highway 6. This fact is consistent with the Comprehensive Plan's Growth Framework, which identifies proximity to intersections or along major local, state or interstate roadways as a defining characteristic of the Commercial land use designation. Based on the preceding information, staff finds 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

As previously mentioned, the site is located within the 2011 North Avenue West Corridor Plan. Up until the 1990s, the corridor along North Avenue was the primary retail tax generator for the City. Despite the significant brick and mortar business attrition experienced along the corridor in the early aughts, the Comprehensive Plan

still maintains the western section of the corridor as an area of focus for continued commercial development and reinvestment.

Since 2013, there has been one change of use from office to retail (COU-2013-522) in the area and one condominium plat for the creation of three commercial condominium units in the adjacent Sherwood Plaza Condominiums (SUB-20140337). While there has been a steady level of planning clearances processed for activities like remodeling of existing businesses nearby, there has not been a significant amount of new retail development coming into the west side of the corridor in recent years. It is premature to conclude that the areas have changed dramatically enough in character to warrant a rezone. Based on the preceding information, staff finds this criterion has not been met.

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

Adequate public infrastructure and community facilities and services are available and sufficient to serve uses associated with the C-1 zone district. The subject site is currently served by City of Grand Junction Water and Sewer District, the Grand Valley Irrigation Company, the Grand Valley Irrigation Company, the Grand Valley Drainage District, and Xcel Energy. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process.

A 1,500-10,000 gallons per minute fire hydrant is located at the corner of N 1st Street and W Sherwood Drive and along N 1st Street at 1114 N 1st Street. City Water runs to the building on the property and there is a 12’ water line in N 1st Street. As mentioned, the property is located within the 201 Persigo boundary and there is sanitary sewer that runs along the eastern half of N 1st Street.

Multimodal access is sufficient. The subject site is proximate to a secondary truck route that runs along North Avenue/Highway 6 with access via N 1st Street. The stretch of N 1st Street that runs adjacent to the subject site is classified as an Active Transportation Corridor. As aforementioned, the site has access off of N 1st Street. The site currently does not meet the access spacing standards of the City’s Transportation Engineering Design Standards (TEDS). The current size of the parcel and position of the site relative to the neighboring properties and the intersection at 1st Street and North Avenue, may complicate the site’s feasibility to make the required improvements to meet those standards. The Applicant has been advised of these concerns and that the access will have challenges, which will be addressed in a future site plan submittal.

Because any traffic improvements are highly dependent on the nature of the future commercial use, staff finds that multimodal access is currently sufficient by virtue of being physically available and serving the current medical office, which is also classified under commercial use.

Based on the preceding information, staff finds this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

While there are some similarities between the R-O and C-1 zone districts, there are also differences, primarily being that C-1 allows for more commercial and retail types. The C-1 zone district accounts for approximately 5.5% of City zoned land, whereas the R-O zone district accounts for approximately 0.4% of City zoned land. There are approximately 12 other parcels within the immediate vicinity of the subject site that have a current zone designation of C-1, as well as other zone districts nearby, such as C-2 and B-1, which are also able to implement the Commercial Land Use designation. Staff has been unable to determine if there is an inadequate supply of land to accommodate the proposed land use. Therefore, staff does not find this criterion to be met.

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

The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

i. Tier 1: Urban Infill
ii. Tier 2: Suburban Infill
iii. Tier 3: Rural Areas and County Development

The subject property is located within the Tier 1 – Urban Infill tier as identified in the City's Growth Plan. Rezoning to C-1 opens up opportunities for more compact retail and commercial development in an area that the 2020 Comprehensive Plan identifies as a priority for infill. As stated in the 2020 Comprehensive Plan, development of parcels located within Tier 1 will provide development opportunities that do not require extension of infrastructure or the expansion of City Services. Rezoning to C-1 may help direct future commercial and retail development to an area that has adequate public infrastructure and amenities to accommodate that growth.

Plan Principle 2.1.g. Sales and Use Tax Revenue – Partner in supporting programs that encourage residents to spend retail dollars locally and before looking elsewhere

for goods and services. Emphasize the retention and recruitment of retailers or development projects that have a positive impact on sales tax generation, specifically focused on increasing retail sales inflow and reducing retail sales leakage.

As mentioned previously, the western corridor of North Avenue was a critical retail tax generator for the City but began to see significant business and retail attrition beginning in the 1990s as the City saw an influx of newer and larger shopping centers along the western edge of the City. Additionally, the impact of the 2008 recession resulted in many businesses closing their doors along the corridor. The 2011 North Ave West Corridor Plan reported a vacancy rate along the corridor nearly double that of other commercial areas in the City combined. Both the 2020 Comprehensive Plan and the 2011 North Avenue West Corridor Plan acknowledge the importance of reprogramming key areas like the North Avenue West Corridor into mixed use areas and neighborhood retail centers as a key strategy to building a resilient and diverse economy. Because C-1 allows for a greater number of retail uses, rezoning to this zone district could enable and encourage increased brick and mortar retail investment along the corridor.

Based on the preceding information, staff finds that the community and area will derive benefits from the proposed amendment. Therefore, staff finds that this criterion has been met.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Pritchard Rezone, RZN-2022-368, rezoning one parcel totaling 0.45 acres from R-O (Residential Office) to C-1 (Light Commercial) for the property located at 1215 N 1st Street, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria has been met.

Therefore, staff recommends approval of the request.

SUGGESTED MOTION:

Chairman, on the Pritchard Rezone request from an R-O (Residential Office) zone district to a C-1 (Light Commercial) zone district for the 0.45-acre property located at 1215 N 1st Street, City File Number RZN-2022-368, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Attachments

1. Exhibit 1 - Development Application

2. Exhibit 2 - Neighborhood Meeting Documentation
3. Exhibit 3 - Maps & Exhibits
4. Exhibit 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: Commercial

Existing Zoning: R-O

Proposed Land Use Designation: Commercial

Proposed Zoning: C-1

Property Information

Site Location: 1215 North 1st Street Grand Junction, CO 81501

Site Acreage: 0.36 ac

Site Tax No(s): 2945-104-00-053

Site Zoning: R-O

Project Description: Rezone

Property Owner Information	Applicant Information	Representative Information
Name: Douglas A. Pritchard	Name: Douglas A. Pritchard	Name: Ryan Pritchard
Street Address: 106 Lawson Overlook	Street Address: 106 Lawson Overlook	Street Address: 6032 Fieldstone Dr.
City/State/Zip: Mountain Village, CO	City/State/Zip: Mountain Village, CO	City/State/Zip: Ste C Baton Rouge, LA
Business Phone #: ZIP: 81435	Business Phone #: ZIP: 81435	Business Phone #: ZIP: 70809
E-Mail: moveher@hotmail.com	E-Mail: moveher@hotmail.com	E-Mail: ryan@pritchardre.com
Fax #:	Fax #:	Fax #:
Contact Person: Douglas Pritchard	Contact Person: Douglas Pritchard	Contact Person: Ryan Pritchard
Contact Phone #: 225-964-0032	Contact Phone #: 225-964-0032	Contact Phone #: 225-235-9509

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: 04-26-2022

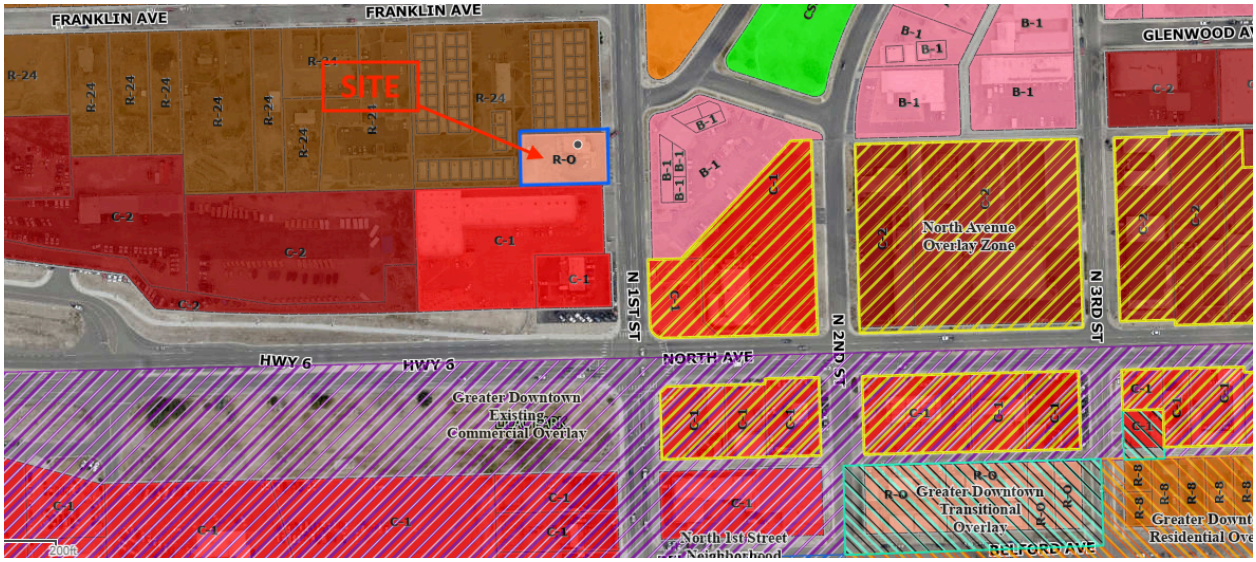
Signature of Legal Property Owner: Date: 04-26-2022

GENERAL PROJECT REPORT for REZONING of:

1215 North 1st Street Grand Junction, CO 81501
Tax Parcel #: 2945-104-00-053

Contact: Ryan Pritchard | 225-235-9509 | ryan@pritchardre.com

A. Project Description
   a. Location: 1215 North 1st Street Grand Junction, CO 81501
   b. Acres: 0.36
   c. Proposed Use: C-1
   d. The purpose of this submittal is to obtain approval from the City of Grand Junction to rezone the above stated site from R-O to C-1
   e. Site Sketch



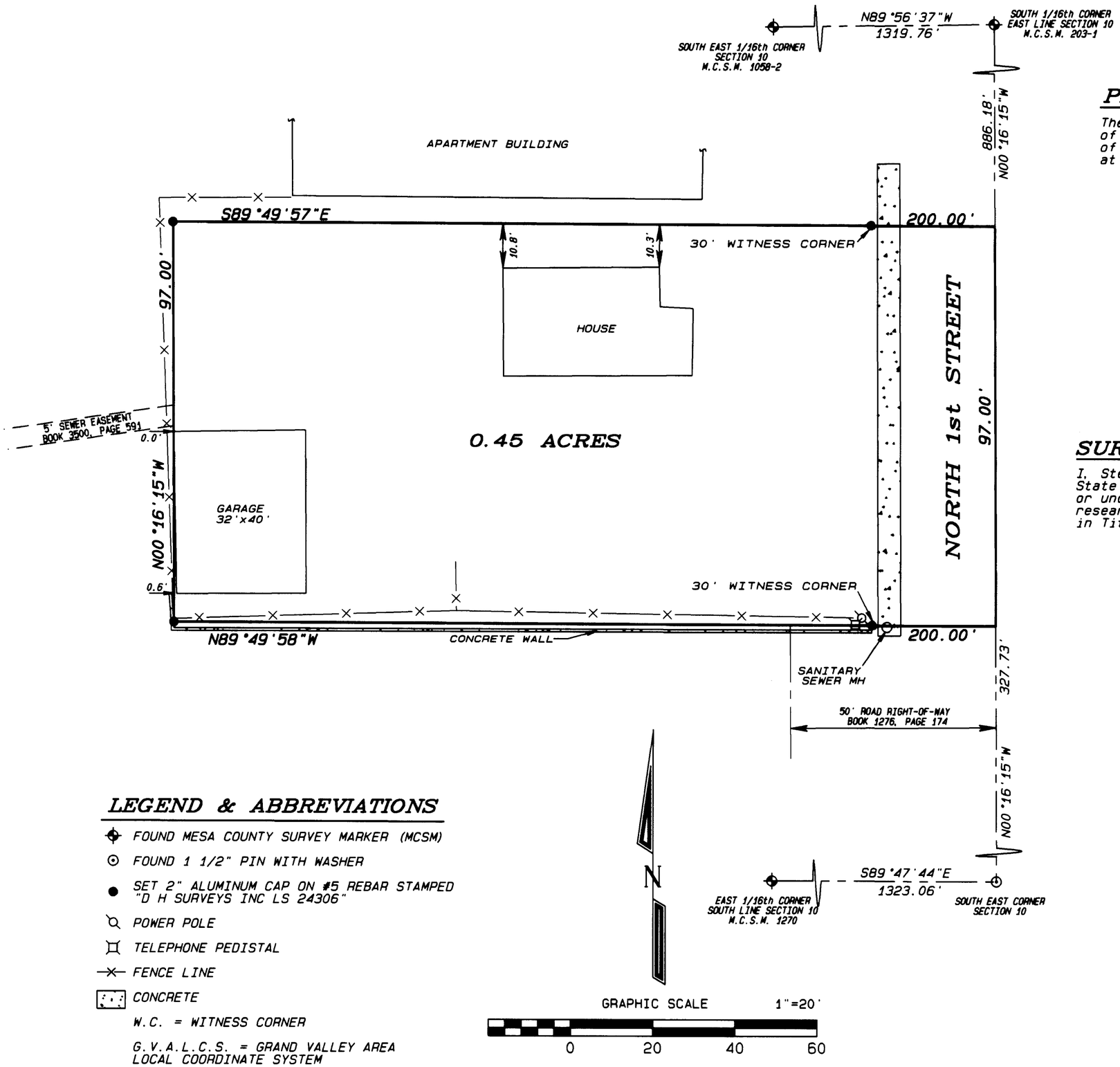
B. Public Benefit: The public will gain access to more convenient retail businesses and it will generate more sales tax income for the city

C. Project Compliance, Compatibility, and Impact
   a. Adopted plans and/or policies (for rezones, variances, conditional and special use, revocable permits, and vacations, discuss the circumstances that justify the request, as required by the Zoning and Development Code)
      i. The character and/or condition of the area has changed such that the amendment is consistent with the Plan
         1. Adjacent property is zoned C-1 and is a retail strip center
      ii. Public and community facilities are adequate to serve the type and scope of land use proposed
         1. Rezoning to C-1 should not have any significant impact on the public and community facilities

iii. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use
    1. The commercial real estate market shows there is a shortage of available C-1 retail space in the area and majority of potential tenants require C-1 zoning
iv. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment
    1. The community will gain access to more convenient retail businesses which will generate more sales tax income for the city

b. Land use in the surrounding area
    i. Surrounding and adjacent properties are majority C-1 retail commercial use

BOUNDARY SURVEY



PROPERTY DESCRIPTION

The East 200 feet of the South 97 feet of the North 1/2 South 1/2 of the SE 1/4 SE 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado as recorded in Book 2559 at Page 165 of the Mesa County Records.

SURVEYOR'S STATEMENT

I, Steven L. Hagedorn, a licensed Professional Land Surveyor in the State of Colorado, do hereby state that this survey was performed by me or under my direct responsibility, supervision, and checking. That title research was supplied by Security Union Title Insurance Company in Title Commitment No. [illegible]

Steven L. Hagedorn

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR STEVEN L. HAGEDORN 24306 5-11-04

LEGEND & ABBREVIATIONS

- FOUND MESA COUNTY SURVEY MARKER (MCSM)
- FOUND 1 1/2" PIN WITH WASHER
- SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "D H SURVEYS INC LS 24306"
- POWER POLE
- TELEPHONE PEDISTAL
- FENCE LINE
- CONCRETE

W.C. = WITNESS CORNER

G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM

GRAPHIC SCALE 1"=20'

0 20 40 60

LAND SURVEY DEPOSIT

Mesa County Surveyor's Office

Date May 25, 2004

Book 1 Page 93

Deposit No. 3004-04

BOUNDARY SURVEY
GATEWAY CONSTRUCTION & DESIGN
LOCATED IN THE SE1/4 SE1/4, SECTION 10, T.1S.,R.1W., UTE MERIDIAN
MESA COUNTY, COLORADO

D H SURVEYS INC.
118 OURAY AVE. – GRAND JUNCTION, CO.
(970) 245-8749

Designed By S.L.H.	Checked By M.W.D.	Job No. 805-04-01
Drawn By TERRAMODEL	Date APRIL, 2004	Sheet 1 OF 1

NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after you first discover 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 this certification/statement shown hereon.

DEPOSIT 3004-04

LEGAL DESCRIPTION for REZONING of:

1215 North 1st Street Grand Junction, CO 81501

THE EAST 200 FEET OF THE SOUTH 97 FEET OF THE N1/2 S1/2 OF THE SE1/4 SE1/4 OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT RIGHT OF WAY AS DESCRIBED IN DEED RECORDED MAY 10, 2006 IN BOOK 4153 AT PAGE 66, COUNTY OF MESA, STATE OF COLORADO

OWNERSHIP STATEMENT - TRUST

(a) Douglas A. Pritchard Revocable Trust ("Trust") is the owner of the following property:

(b) 1215 North 1st Street Grand Junction, CO 81501

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 is also attached.

I, (c) Douglas A. Pritchard, am the Trustee for the Trust. I have the legal authority to bind the Trust to agreements concerning financial obligations and this property. I have attached the most recently recorded Statement of Authority of the Trust.

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

○ My legal authority to bind the Trust financially and/or concerning this property is limited in the following manner:

All other Trustees and their authority to bind the Trust are listed and described here:

● Trust is the sole owner of the property.

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

(d)

On behalf of Trust, I have reviewed the application for the (e) Rezoning

I understand the continuing duty to inform the City planner of any changes in my authority to bind the Trust or regarding any interest in the property, such as ownership, easement, right-of-way, encroachment, boundary disputes, lienholder and any other interest in the property.

● I and the Trustees have no knowledge of any possible conflicts between the boundary of the property and abutting properties.

○ I and the Trustees have the following knowledge (indicate who has the knowledge) and evidence concerning possible boundary conflicts between the property and the abutting property(ies):

(f)

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

Signature of Partnership representative:

Printed name of person signing: Douglas A. Pritchard

State of FLORIDA)

County of SANTA ROSA) ss.

Subscribed and sworn to before me on this 27 day of April, 20 22

by Douglas A. Pritchard

Witness my hand and seal.

My Notary Commission expires on

KIMBERLY SCHNEIDER
Commission # GG 266288
Expires October 19, 2022
Bonded Thru Budget Notary Services

Notary Public Signature

Land Title GUARANTEE COMPANY

State Documentary Fee
Date: April 25, 2022
$37.00

Special Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(b))

Grantor(s), **ONB, LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **312 RIMROCK CT, GRAND JUNCTION, CO 81507**, City or Town of **GRAND JUNCTION**, County of **Mesa** and State of **Colorado** , for the consideration of (**$370,000.00**) ***Three Hundred Seventy Thousand and 00/100*** dollars, in hand paid, hereby sell(s) and convey(s) to **DOUGLAS A. PRITCHARD REVOCABLE TRUST**, whose street address is **6032 FIELDSTONE DRIVE, SUITE C, Baton Rouge, LA 70809**, City or Town of **Baton Rouge**, County of **East Baton Rouge** and State of **Louisiana**, the following real property in the County of **Mesa** and State of Colorado, to wit:

THE EAST 200 FEET OF THE SOUTH 97 FEET OF THE N1/2 S1/2 OF THE SE1/4 SE1/4 OF SECTION 10, TOWNSHIP 1 SOUTH , RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT RIGHT OF WAY AS DESCRIBED IN DEED RECORDED MAY 10, 2006 IN BOOK 4153 AT PAGE 66, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **1215 NORTH 1ST STREET, GRAND JUNCTION, CO 81501**

with all its appurtenances and warrant(s) the title to the same against all persons claiming under me(us), subject to Statutory Exceptions.

Signed this day of **April 25, 2022**.

ONB, LLC, A COLORADO LIMITED LIABILITY COMPANY

By: _____

JILLIAN E. DEVANEY AS MANAGING MEMBER

State of **Colorado**)
)ss.
County of **MESA**)

The foregoing instrument was acknowledged before me on this day of **April 25th, 2022** by **JILLIAN E. DEVANEY, AS MANAGING MEMBER OF ONB, LLC, A COLORADO LIMITED LIABILITY COMPANY**

Witness my hand and official seal

My Commission expires: 11-15-25

Notary Public

JULIANNA MCNEILL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19934017213
My Commission Expires November 15, 2025

County of Mesa

When recorded return to: **DOUGLAS A. PRITCHARD REVOCABLE TRUST**
6032 FIELDSTONE DRIVE, SUITE C, Baton Rouge, LA 70809

Form 1090 closing/deeds/statutory/swd_statutory.html 65051577 (100268428)

WHEN RECORDED RETURN TO: DOUGLAS A. PRITCHARD REVOCABLE TRUST
6032 FIELDSTONE DRIVE, SUITE C
Baton Rouge, LA 70809

Land Title

STATEMENT OF AUTHORITY

(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity[1] named **DOUGLAS A. PRITCHARD REVOCABLE TRUST**
2. The type of entity is a:
   - ☐ Corporation
   - ☐ Nonprofit Corporation
   - ☐ Limited Liability Company
   - ☐ General Partnership
   - ☐ Limited Partnership
   - ☐
   - ☐ Registered Limited Liability Partnership
   - ☐ Registered Limited Liability Limited Partnership
   - ☐ Limited Partnership Association
   - ☐ Government or Governmental Subdivision or Agency
   - ☒ Trust
3. The entity is formed under the laws of
4. The mailing address for the entity is **6032 FIELDSTONE DRIVE, SUITE C, Baton Rouge, LA 70809**
5. The ☒ name ☒ position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **DOUGLAS A. PRITCHARD, AS TRUSTEE**
6. The authority of the foregoing person(s) to bind the entity: ☒ is[2] not limited ☐ is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S. [3]
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed **this day of April ~~25th~~ 21st, 2022**

DOUGLAS A. PRITCHARD REVOCABLE TRUST

By: _____
DOUGLAS A. PRITCHARD AS TRUSTEE

State of FLORIDA)
)ss.
County of SANTA ROSA)

The foregoing instrument was acknowledged before me on this day of **April ~~25th~~ 21st, 2022** by **DOUGLAS A. PRITCHARD, AS TRUSTEE OF THE DOUGLAS A. PRITCHARD REVOCABLE TRUST**

Witness my hand and official seal

My Commission expires: 10/19/22 _____
Notary Public

NOTARY PUBLIC STATE OF FLORIDA

KIMBERLY SCHNEIDER
Commission # GG 266288
Expires October 19, 2022
Bonded Thru Budget Notary Services

[1]This form should not be used unless the entity is capable of holding title to real property.
[2]The absence of any limitation shall be prima facie evidence that no such limitation exists.
[3]The statement of authority must be recorded to obtain the benefits of the statute.

Neighborhood Meeting Notes for REZONING of:

1215 North 1st Street Grand Junction, CO 81501

Neighborhood Meeting

a. A neighborhood meeting was held via Zoom on May 12, 2022 5:30 Mountain Time. Meeting ID was 920 6858 2015

b. Attendees included Ryan Pritchard, Douglas Pritchard, Zac Obst, Janel Green, and Daniella Acosta. Douglas Pritchard explained the rezoning desired. Daniella Acosta explained the process and then the meeting was open to questions. Janel Green asked if there were any plans to change the look of the exterior building. Douglas Pritchard answered that there are no such intentions. Janel Green said she wishes us the best of luck on the rezoning and welcome to the neighborhood. No further questions were asked. Meeting ended.

Site Map

N

0 0.005 0.01 mi

Printed: 6/22/2022

1 inch = 24 feet

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

Vicinity Map

N

0 0.05 0.1 mi

Printed: 6/22/2022

1 inch = 188 feet

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

Zoning Map

N

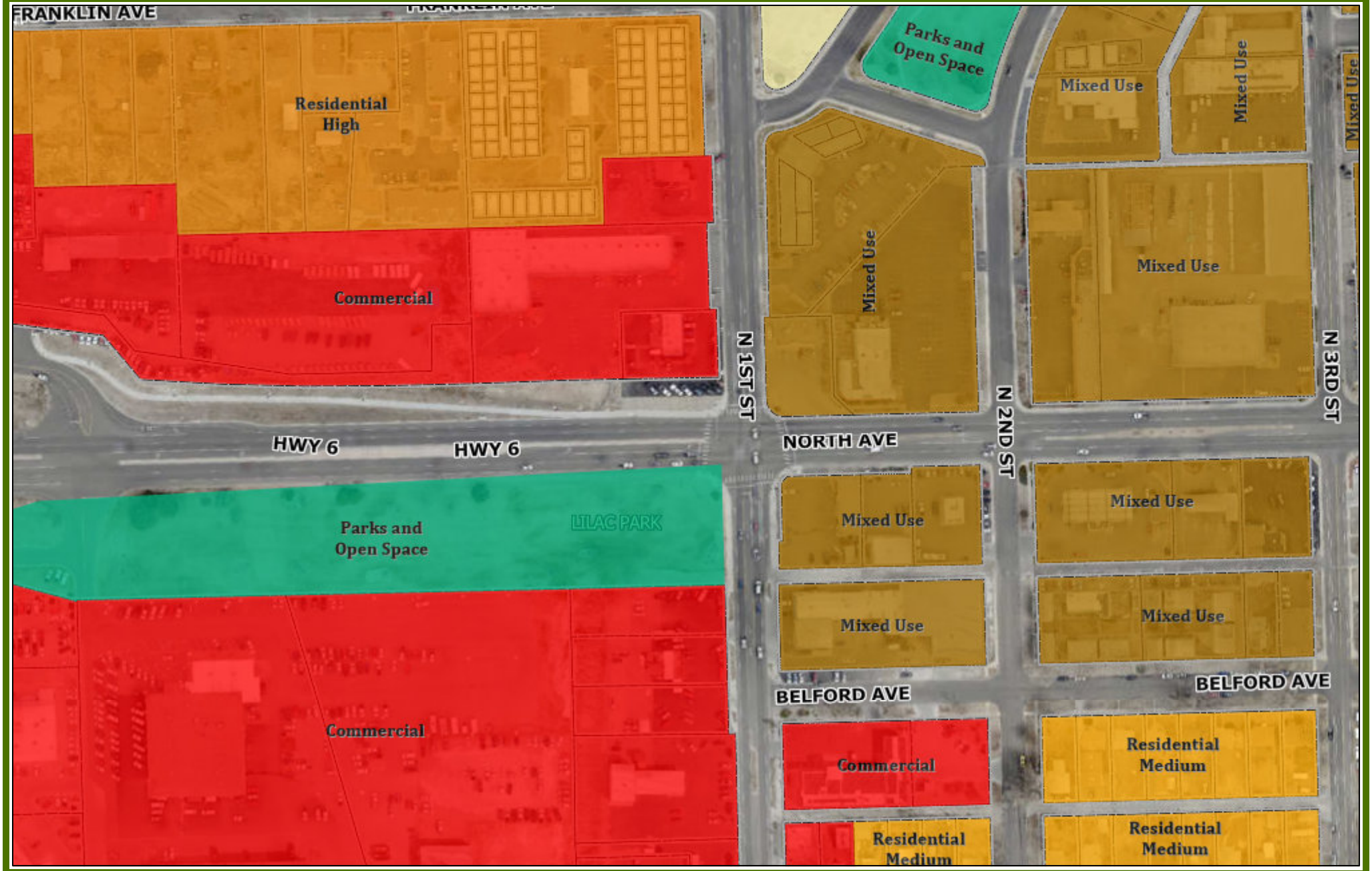
0 0.05 0.1 mi

Printed: 6/22/2022

1 inch = 188 feet

City of Grand Junction Colorado Geographic Information System

Comprehensive Future Land Use Map



N

0 0.05 0.1 mi

Printed: 6/22/2022

1 inch = 188 feet

CITY OF Grand Junction COLORADO GEOGRAPHIC INFORMATION SYSTEM

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING THE EAST 200 FEET OF THE SOUTH 97 FEET OF THE N1/2 S1/2 OF THE SE1/4 SE1/4 OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT RIGHT OF WAY AS DESCRIBED IN DEED RECORDED MAY 10, 2006 IN BOOK 4153 AT PAGE 66, COUNTY OF MESA, STATE OF COLORADO 1215 N 1ST ST FROM R-O (RESIDENTIAL OFFICE) TO C-1 (LIGHT COMMERCIAL)

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code ("Code"), the Grand Junction Planning Commission recommended zoning the East 200 Feet Of The South 97 Feet Of The N1/2 S1/2 Of The Se1/4 Se1/4 Of Section 10, Township 1 South, Range 1 West Of The Ute Meridian, Except Right Of Way As Described In Deed Recorded May 10, 2006 In Book 4153 At Page 66, County Of Mesa, State Of Colorado, to the C-1 (Light Commercial) zone district. The Planning Commission found that the C-1 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Residential Medium of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-1 (Light Commercial) zone district is in conformance with at least one of the stated criteria of §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 East 200 Feet Of The South 97 Feet Of The N1/2 S1/2 Of The Se1/4 Se1/4 Of Section 10, Township 1 South, Range 1 West Of The Ute Meridian, Except Right Of Way As Described In Deed Recorded May 10, 2006 In Book 4153 At Page 66, County Of Mesa, State Of Colorado is and shall be zoned C-1 (Light Commercial) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 6th day of June 2022 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

DRAFT

Amy Phillips City Clerk	Anna M. Stout President of City Council

DRAFT