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**PLANNING COMMISSION AGENDA  
IN-PERSON/VIRTUAL HYBRID MEETING  
CITY HALL AUDITORIUM, 250 N 5<sup>th</sup> STREET  
TUESDAY, FEBRUARY 14, 2023 - 5:30 PM  
*Attend virtually: <https://bit.ly/GJ-PC-2-14-23>***

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**Call to Order - 5:30 PM**

**Consent Agenda**

1. Minutes of Previous Meeting(s)

**Regular Agenda**

1. Consider a request by Vista 5, LLP, Property Owner, to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road.

**Other Business**

**Adjournment**

**GRAND JUNCTION PLANNING COMMISSION**  
**January 10, 2023, 5:30 PM**  
**MINUTES**

The meeting of the Planning Commission was called to order at 5:33 p.m. by Commissioner Teske.

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

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), Nicole Galehouse (Principal Planner), Scott Peterson (Senior Planner), Dani Acosta (Senior Planner), and Jacob Kaplan (Planning Technician).

There were 28 members of the public in attendance, and 2 virtually.

**CONSENT AGENDA**

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**1. Approval of Minutes**

Minutes of Previous Meeting(s) from December 13, 2022.

**2. Eagle Estates Extension Request**

**SUB-2017-605**

Consider a Request by Normal Brothers, LLC to Extend for One-Year until January 11, 2024 the Conditional Administrative Approval to Record the Plat for Eagle Estates, 10 Lots on 5.44 acres in an R-2 (Residential-2 du/ac) zone district.

**REGULAR AGENDA**

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**1. Grand Valley Estates Annexation**

**ANX-2022-478**

Consider a request by Grand Junction Venture LLC to zone 17.42 acres from County Residential Single Family – 4 (RSF-4) to R-12 (Residential – 12 du/ac) located at the northeast corner of 31 Road and E ½ Road.

**Staff Presentation**

Nicole Galehouse, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request. Additionally, she gave a brief history of the public notice activities for this item.

Applicant Ty Johnson was present and available for questions/comments.

Commissioner Secrest made the following motion “I’ll make a motion to approve that the proper notification was provided.”

*Commissioner Scissors seconded; motion passed 7-0.*

**Questions for staff**

Commissioner Weckerly asked staff to elaborate on the portion of the presentation pertaining to road improvements.

Commissioner Scissors asked the applicant what the advantages of zoning R-12 are.

Commissioner Teske asked the applicant why they were requesting R-12 instead of the previously requested R-8 zoning.

### **Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, January 3, 2023, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

Carroll Aamold remarked on the downsides of the site for development. Specifically, he noted the potential flooding issues from Lewis Wash, the increased traffic/parking issues, and safety for pedestrians trying to cross on E ½ Road.

Stuart Foster commented that the R-12 zone designation would be incompatible with the existing surrounding land uses. He also spoke about the current safety and traffic issues on E ½ Road that may be exacerbated by development. He mentioned the neighborhoods near Colorado Mesa University and noted the differences in character between those neighborhoods and the one in question.

R. C. Buckley introduced a petition opposing the development and spoke about the lack of notification. He noted that the nearest development that matched the size of the one proposed was 3 miles away. He wondered why the acreage of the parcel was increasing over time and compared the proposed number of units for the site with that of the Eastbrook subdivision.

Rosemary Bonine requested that the property be annexed to R-5. She stated that E ½ Road is currently the 3<sup>rd</sup> largest route for east-west bound traffic and that it is not currently wide enough for turn lanes, sidewalks, and paths. She said the existing infrastructure and amenities are overwhelmed and wondered if police/fire would be able to keep up with the potential rise in crime. She pointed to “East States Garden Orchards” as reason to change the zoning to R-5.

Rod Hoover commented that 31 Road had been planned to be relocated on the East side of Lewis Wash. He said that he had not heard anything about a roundabout at 31 Road and E ½ Road and expressed that he would like to be better informed in the future. He brought up that the owner of the property across E1/2 Road was waiting to see what the plan was for the property in question, and worried that another large development might follow suit.

Lisa Cothrun requested that the planning commissioners visit Long’s Park. She mentioned that there was wildlife inhabiting Lewis Wash and asked that the developer factor that into their plans.

Marc Baker commented that he wasn’t particularly concerned about an R-8 zoning but was worried about the impact and R-12 zoning might have. He remarked on the size and location of the public notice sign.

Joe Jones brought up the importance of the quality of life in Grand Junction and the impact this subdivision would have. He also spoke about the existing traffic problems in the area.

Dave Dearborn questioned the noticing distance for properties adjacent to the proposed subdivision. He echoed concerns of car accidents at 31 and E ½ Road due to increased traffic.

Labecca Jones spoke with the Audobahn society on the endangered wildlife in the area. She also expressed concerns about the proximity of the new development to Lewis Wash and the dangers it could pose to children and pets.

Scott Rafferty listed a number of accidents he has seen along 31 Road and at the intersection with E ½ Road. He expressed that he would like to see development of single-family homes instead of apartments.

Miles Cothrun noted that 31 Road is the main thoroughfare for traffic moving from Patterson to E ½ Road. He commented on the noise and crime at Long's Park. He also commented on the views from his property.

*The public hearing was closed at 7:10 p.m. on January 10, 2023.*

## **Discussion**

Applicant Ty Johnson noted that there are pending improvements to 31 Road and E ½ Road. He also noted that there would be an in-depth site plan review prior to any development. He reiterated that the R-12 zone is more desirable than R-8 given the relaxed lot requirements and the site's proximity to amenities. He noted that there is a housing shortage in Grand Junction, and this development would provide many new units for residents.

Commissioner Weckerly inquired about the "sliver" of the parcel as shown on the staff presentation. She requested confirmation that the 31 Road improvements would occur through development of the adjacent properties. She wondered whether the City or County would be responsible for completion of 31 Road improvements. She reiterated that the R-12 zone does not allow for Single-Family detached homes. She listed the approval criteria and elaborated on the ways in which the development met or did not meet them.

Commissioner Duyvejonck asked about the proposed 31 Road extension. She said she the "efficient and connective transportation" would be worth more consideration if the improvements to 31 Road continued all the way to Patterson. She expressed agreement with the community that the new development would not be compatible with the surrounding area. She noted that the existing infrastructure didn't necessarily support development of this kind.

Commissioner Scissors asked what the West boundary of the property is. He spoke to the abundance of public input about the R-12 zoning and their arguments that it would not be compatible with the existing development. He asked what the specific difference in max building

height was between R-8 and R-12. He expressed agreement with the community that the new development would not be compatible with the surrounding area.

Commissioner Phillips asked if the plan was to build 31 Road on top of Lewis Wash. He mentioned that there are many new drivers on 31 Road and E ½ Road due to the proximity to Central High School. He talked about the high crime rate at Long's Park and the surrounding area. He was skeptical that this development would provide people a reason to take alternative forms of transportation. He wondered if the site did not meet the "efficient and connective transportation" standards as stated in the staff presentation. He brought up safety concerns for children crossing E ½ Road to attend the proposed charter school to the South.

Commissioner Herek inquired as to how the City/County ensured that the proposed 31 Road improvements continued beyond the Northern lot line of the property in question. She echoed Commissioner Weckerly's concerns about accountability between the City and County over 31 Road improvements. She said one of the main reasons she did not support the annex to R-12 was its inability to allow single-family homes.

Commissioner Secrest reiterated some of the concerns stated by the other Commissioners and expressed agreement with the community that the new development would not be compatible with the surrounding area.

Development Engineer Rick Dorris spoke about the current plan for improvements to 31 Road. He stated that improvements to 31 Road would likely occur via the Traffic Impact studies/fees as a result of development.

Commissioner Teske mentioned that many of the issues brought up by the public would be addressed during site plan review. He noted that the 2020 One Grand Junction Plan was drafted with community input and one of the main considerations was combatting the housing shortage.

Assistant City Attorney Jamie Beard responded to Commissioner questions.

Felix Landry explained some of the planning considerations around crime and traffic.

### **Motion and Vote**

Commissioner Scissors made the following motion "Mr. Chairman, on the Zone of Annexation request for the property located at the northeast corner of 31 Road and E ½ Road, City file number ANX-2022-478, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

*Commissioner Secrest seconded; motion failed 1-6.*

## **2. Roy's RV Annexation**

**ANX-2021-770**

Consider a request by Roy A. Laplante, III, to zone 1.45 acres from County RSF-R (Residential Single Family Rural - one dwelling per five acres) to City I-1 (Light Industrial) located at 2795 Riverside Parkway.

### **Staff Presentation**

Dani Acosta, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Representative Eric Slivon was present and available for questions.

### **Questions for staff**

### **Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, January 3, 2023, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 8:06 p.m. on January 10, 2023.*

### **Discussion**

Commissioner Teske inquired why the preceding annexation (Grand Valley Estates) met the criteria whereas the current item did not.

### **Motion and Vote**

Commissioner Scissors made the following motion “Mr. Chairman, on the Zone of Annexation for the Roy’s RV Annexation to I-1 (Light Industrial) zone district, file number ANX-2021-770, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

*Commissioner Secrest seconded; motion passed 7-0.*

### **3. Casas de Luz Unit 4 Building Height Amendment PLD-2022-824**

Consider a request by Casas Land Partners LLC, to Amend Ordinance 4482 for the Casa de Luz Planned Development to adjust the maximum building height for only Unit 4 from 24’ to 34’, located at 365 W. Ridges Boulevard.

### **Staff Presentation**

Due to a potential conflict of interest, Commissioner Teske recused himself from deliberating on the item.

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

Representative Mike Stubbs was present and available for questions.

### **Questions for staff**

Commissioner Weckerly asked where max building elevation is measured from. She also asked for confirmation that the building heights would not be further increased in the future.

Commissioner Scissors reaffirmed that the proposed building height amendment would not increase the overall building height. He inquired as to the topography of the site and the impact of this amendment on the solar efficiency of the sites to the North.

Representative Mike Stubbs elaborated on the request and responded to the commissioner's questions and comments.

### **Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, January 3, 2023, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

Ulrike Magdalenski expressed the challenges that the current Casas de Luz development has brought about and her concern about future building height increases.

Christine Tuthill mentioned the previous covenants restrictions on building heights and viewsheds to maintain aesthetics. She also noted the status of projects under construction in the surrounding area.

Russ Carson requested better methods for indicating to residents what the proposed developments will look like prior to construction.

Kendra Samart spoke about the passive solar heating for the properties to the North of the proposed development and how the new buildings could block sunlight from reaching their homes.

Representative Mike Stubbs remarked that the public comments did not pertain to the amendment in question.

*The public hearing was closed at 8:44 p.m. on January 10, 2023.*

### **Discussion**

Commissioner Weckerly agreed that the buildings do look larger from the road given the drastic slope of the site. She also agreed that the buildings did have a negative impact on the aesthetic of the area, however the buildings were already approved and to deny the proposed amendment would seem like a punishment to the developer.

Commissioner Secret echoed the comments of Commissioner Weckerly.

### **Motion and Vote**

Commissioner Phillips made the following motion "Mr. Chairman, on the request to Amend Ordinance 4482 for the Casa de Luz Planned Development to adjust the maximum building height for only Unit 4 from 24' to 34', I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

*Commissioner Herek seconded; motion passed 6-0.*

## **OTHER BUSINESS**

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Felix Landry noted that this would be Scott Peterson's last Planning Commission Hearing before his retirement.

## **ADJOURNMENT**

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Commissioner Scissors moved to adjourn the meeting.

*The vote to adjourn was 7-0.*

The meeting adjourned at 8:52 p.m.

DRAFT



## Grand Junction Planning Commission

### Regular Session

Item #1.

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**Meeting Date:** February 14, 2023  
**Presented By:** Nicole Galehouse, Principal Planner  
**Department:** Community Development  
**Submitted By:** Nicole Galehouse, Principal Planner

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### Information

#### **SUBJECT:**

Consider a request by Vista 5, LLP, Property Owner, to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road.

#### **RECOMMENDATION:**

Staff recommends approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, Vista 5, LLP, property owner, is requesting a rezone of 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road. The requested R-5 zone district would be consistent with the Comprehensive Plan Land Use Map designation of Residential Low, if approved.

#### **BACKGROUND OR DETAILED INFORMATION:**

##### **BACKGROUND**

The subject property is situated along the north side of H Road approximately 1/4 of a mile east of 24 Road. The property is currently vacant. The property was annexed by the City in 2019, at which time the site was zoned R-1 (Residential – 1 du/ac). During the annexation process, the former property owner requested a zone district of R-4 (Residential – 4 du/ac), which implemented the 2010 Comprehensive Plan designation of Residential Medium Low (2 – 4 du/ac). In December 2020, the 2020 One Grand Junction Comprehensive Plan was adopted by the City and the subject property was provided with a future land use designation of Residential Low (2 – 5.5 du/ac). The future land use map, as adopted, does not support the R-1 zone district for either future land use designation. This property is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan, supporting the request to intensify land use through redevelopment in this area. The “Residential Low” land use designation within this category is implemented through zone districts which are comprised of

varying housing types and lot sizes and are designed to provide a transition between the less-developed edges of the City and the denser urban areas.

The purpose of the R-5 (Residential – 5 du/ac) zone district is to provide for medium density detached and attached dwellings and multifamily in areas where large-lot development is discouraged and adequate public facilities and services are available. The R-5 district supports the Comprehensive Plan principles of concentrating urban growth and reinforcing community centers.

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:

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

The properties adjacent to the subject property to the north, west, and south are still in the County with a zoning of AFT (Agricultural, Forestry, Transitional), which provides for a maximum density of 1 lot per 5 acres. The properties to the west have a City land use designation of Residential Low, while the property to the north is not within the Persigo boundary and is not contemplated for annexation into the City. The properties to the east and south are also still in the County with a zoning of RSF-E (Residential Single Family – Estate) with a City land use of Rural Residential to the east and Residential Low to the south.

## **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held via Zoom on Wednesday, November 9, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The applicant and their representatives were in attendance, along with a representative from City staff and approximately 11 neighbors. The owner's representative provided an overview of the proposed development and reason for the rezone. There was significant discussion on the impacts of the project and how these would be managed. Residents in the area had concerns about the traffic, proposed increase in density, development of infrastructure, impacts to Appleton Elementary School, and irrigation rights. General opposition was expressed with regard to the requested rezone.

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 November 23, 2022. The Applicant checked the site on January 24, 2023 and January 31, 2023 and confirmed with staff that the sign was still on the property. 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 February 2, 2023. The notice of this public hearing was published February 7, 2023 in the Grand Junction Daily Sentinel.

Other Notification:

Public comment was also received in an online hearing between February 7, 2023 and February 13, 2023 through the GJSpeaks platform.

## **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

The property owners have requested to rezone the property to R-5 which is compatible with the Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). During the 2020 One Grand Junction process, the land use designation on the property was changed from Residential Medium Low (2 – 4 du/ac) to Residential Low (2 – 5.5 du/ac). The current zoning of R-1 (Residential – 1 du/ac) is not supported by the Comprehensive Plan to implement either the Residential Medium Low or the Residential Low land use. While the property owner could still develop using the R-1 zone district, the requested zoning of R-5 implements the Residential Low future land use designation. Staff finds that this criterion has been met.

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

The adoption of the Comprehensive Plan in 2020, designated this property as Residential Low (2 – 5.5 du/ac). The Applicant is requesting an allowable zone district that is consistent with the higher end of the density range allowed by the Residential Low category. The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently large acreage and have not yet fully developed, however, the requested zone district is compatible with the Comprehensive Plan designation. Staff is unable to identify any apparent change of character and/or condition and 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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-5 zone district. Ute Water is presently available to the site along H Road. The property is within the Persigo boundary, with adequate capacity for development and infrastructure that is proximate and can be extended to the property. The property can be served by Xcel Energy natural gas and Grand Valley Power electricity. Appleton Elementary School is about 6/10 mile to the west and Canyon View Park is located approximately a mile to the

southwest. Further to the south along Patterson Road are commercial retail centers that include Mesa Mall, offices, convenience stores with gas islands, restaurants, commercial businesses, and a grocery store. Community Hospital is also nearby on G Road.

The area is served by Fire Station #3, however response times are estimated to be 6 to 8 minutes from time of dispatch for an emergency call for service, which is longer than National Fire Protection Association response time standards. The subject property can be reached in approximately the same time from three different stations, increasing the service potential. The City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station at 23 and H Roads.

In general, staff has found public and community facilities are adequate to serve the type and scope of the residential land use proposed. As such, 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

There is minimal property north of I-70 that has been incorporated into the City west of 26 Road. What does exist in this area is commercial in the 24 Road Corridor and a mix of R-4 and R-8 zone districts. Looking further out from this there is approximately 100 acres of R-5 zoning between 24 ½ Road and 25 ½ Road along G Road. The R-5 zone district is prevalent east of Horizon Drive. Therefore, Staff finds 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 community and area may benefit from this proposed request. The requested zone provides an opportunity for housing within a range of density that is consistent with the Comprehensive Plan in this area to meet the needs of the growing community. However, Plan Principle 3, along with the Tiered Growth Plan, provides that growth be carefully guided, prioritizing infill & redevelopment. The subject property is located on the periphery of the urban service boundary as well as the Persigo 201 service area & the service area for the nearest fire station. Surrounding properties are outside of the 201 boundary in addition to being outside of City limits. While the existing R-1 zone district does not implement the Comprehensive Plan, the R-5 request may not be the most appropriate zone district to strike balance desired by the Comprehensive Plan to reach appropriate benefits. Therefore, Staff finds that this criterion has not been 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 relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The following narrative evaluates the proposed rezone to R-5 (Residential – 5 du/ac) against the 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 implements the Residential Low designation.

- Plan Principle 1: *Collective Identity*

*Where We are Going* – The narrative associated with the future of the City's identity has a strong focus on retaining character as growth continues. An important part of the community's culture comes from its agricultural roots. It's important to respect these and ensure maximum compatibility and appropriate transitions from long-term agricultural zones to more dense urban settings.

The proposed rezone is on the edge of the Urban Development Boundary and isolated in the Persigo 201 service area. The properties to the north are outside of the City's Urban Development Boundary while the remaining properties on the perimeter are within the boundary, but outside of the Persigo 201 service area. While the request to increase density on the property is one of two implementing zone districts of the Comprehensive Plan, the request for an R-5 zone district may not be the most appropriate zone district to strike the balance between growth and maintaining a sense of place as contemplated by this principle.

- Plan Principle 3: *Responsible and Managed Growth*

*Where We are Today (and Where We are Going)* – The One Grand Junction Comprehensive Plan raises concerns about a waning supply of attainable housing combined with limited supply of land that has existing infrastructure available. To move forward effectively and manage growth, priority has been placed on infill and redevelopment projects.

*How We Will Get There* – The policies in this Principle address the manner in which growth must happen within the City. One such policy is to support a compact pattern of growth and encourage the efficient use of land through the Zoning & Development Code (ZDC). The ZDC is currently undergoing an update to implement the 2020 One Grand Junction Comprehensive Plan and identify ways to prioritize this type of development. An example of this particularly comes into play with the proposed

removal of multifamily component of the R-5 zone district while creating new use categories for duplexes and triplexes. One of the concerns that is typically brought up about the R-5 zone district is the allowance of multifamily, despite the fact that the district is rarely developed as anything other than single-family detached dwellings. The proposed ZDC amendment takes this into account and seeks to create resolution.

- Plan Principle 4: *Strong Neighborhoods and Housing Choices*

*Where We are Today (and Where We are Going)* – Housing within the City of Grand Junction is in crisis. The majority of the existing stock is single-family homes, with little of other product types. This principle outlines how in the decade preceding its adoption, the City saw an increase of over 70% in the cost of for-sale housing and more than 50% of renters are cost-burdened. To address these issues, more units are needed, and those units must be diverse. The development should be high quality, focusing on development near amenities and with high levels of walkability and bikeability. Neighborhoods should be strengthened not only through the creation of third places where people can interact, such as cafes, parks, trails, and restaurants, but also through diverse and interspersed housing options.

*How We Will Get There* – Since the adoption of the Comprehensive Plan approvals for multifamily developments have increased, with hundreds of apartment units being approved. However, the ‘missing middle’ housing type – duplexes, triplexes, townhomes, and other non-traditional multifamily products, have been pursued in insignificant quantities. The R-5 zone district, both as it exists and with proposed changes, allows for those housing options to be built. The 2020 One Grand Junction Comprehensive Plan encourages a variety of housing types, which can assist in increasing density while maintaining neighborhood character. The subject property is close to an elementary school, ¼ mile from the 24 Road Corridor, including access to Canyon View Park and the retail centers near Highway 6 & 50, while also being only ½ mile from I-70, providing ease of access to nearby communities. It is also located less than ¼ mile from an active transportation corridor, providing access to the City’s multimodal facilities despite being in a more remote area of the City.

- Plan Principle 8: *Resource & Stewardship*

*How We Will Get There* – Part of properly managing the City’s resources and being good stewards of the environment is to promote sustainable development. This can be done by maximizing existing infrastructure. The subject property is located along an improved right-of-way with existing water lines available to the site. Sanitary sewer would need to be brought to the site but is in close proximity.

- Intensification and Tiered Growth Plan

*Tier 2: Suburban Infill* – Tier 2 is intended to apply to areas of the City that are urbanizing or close to areas that are urbanizing. The area immediately surrounding the subject property is not currently urbanizing, however the property is very close to

the 24 Road Corridor, which is seeing significant growth. Development in this area is anticipated to “provide development opportunities while minimizing the impact on infrastructure and City services”.

The need for housing in the City of Grand Junction is clearly outlined in the Comprehensive Plan. This need encompasses not only attainable housing but a variety of housing options, including those that could be provided through the requested rezone. The Comprehensive Plan designation of Residential Low for the subject property indicates that any of the implementing zone districts (R-4, R-5, or CSR) will “provide a transition between the open, less dense edges of Grand Junction and the denser urban areas toward the City’s center.”

### **RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Vista Five Rezone request, for a rezone from R-1 (Residential – 1 du/ac) to R-5 (Residential 3 – 5.5 du/ac) located at 2428 H 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.

### **SUGGESTED MOTION:**

Mr. Chairman, on the Rezone request for the property located at 2428 H Road, City file number RZN-2022-845, 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 2-Development Application
2. Exhibit 3 - Site Maps & Pictures of Site
3. Exhibit 4 - Draft Zoning Ordinance
4. Exhibit 5 - Public Comments Pre Agenda Publication
5. Exhibit 6 - Public Letter
6. Exhibit 7 - Public Comment Post Agenda Publication

## Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Digitally signed by Tracy States  
Date: 2022.10.13 14:57:11 -06'00'

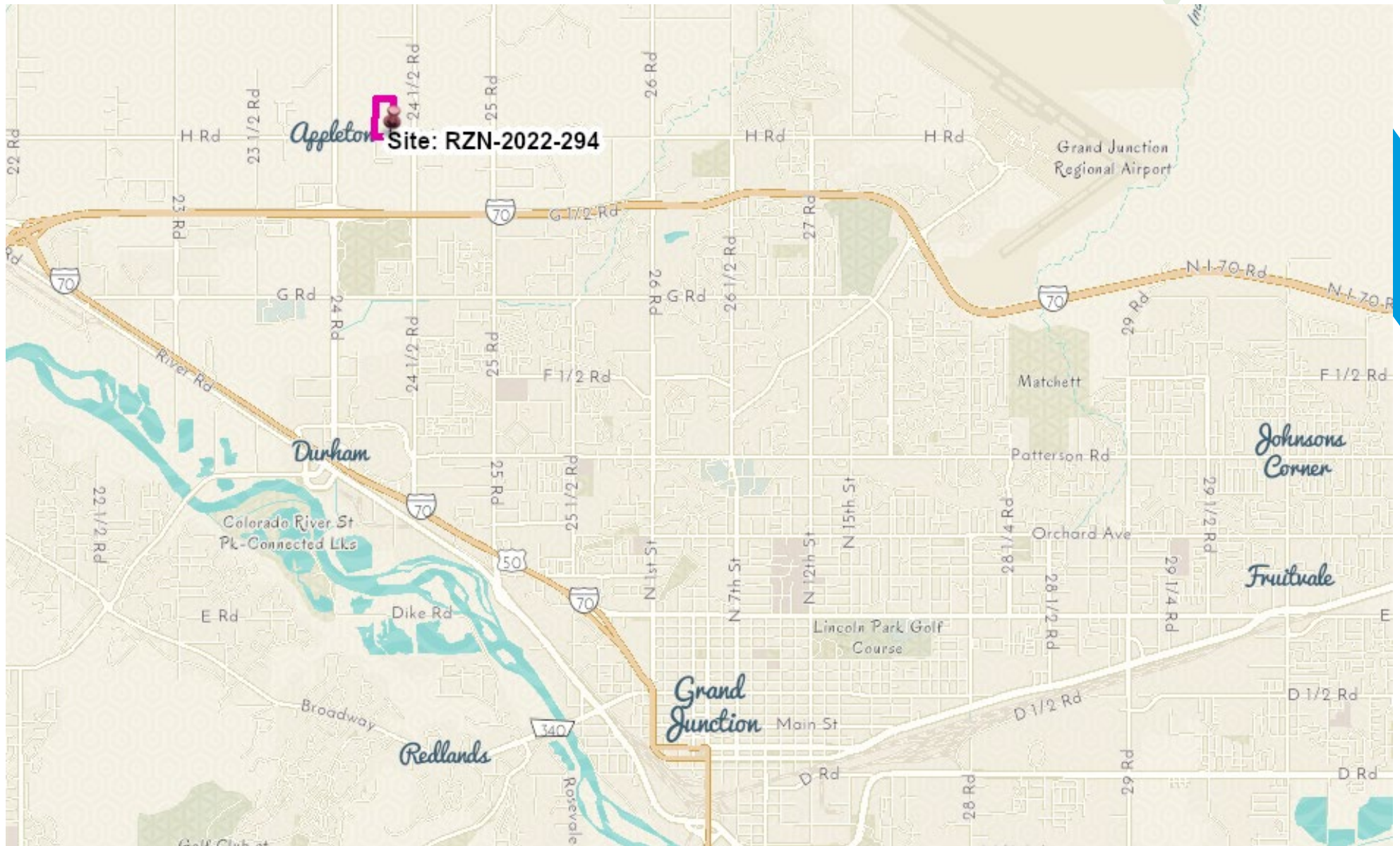
Date

Signature of Legal Property Owner 

Date

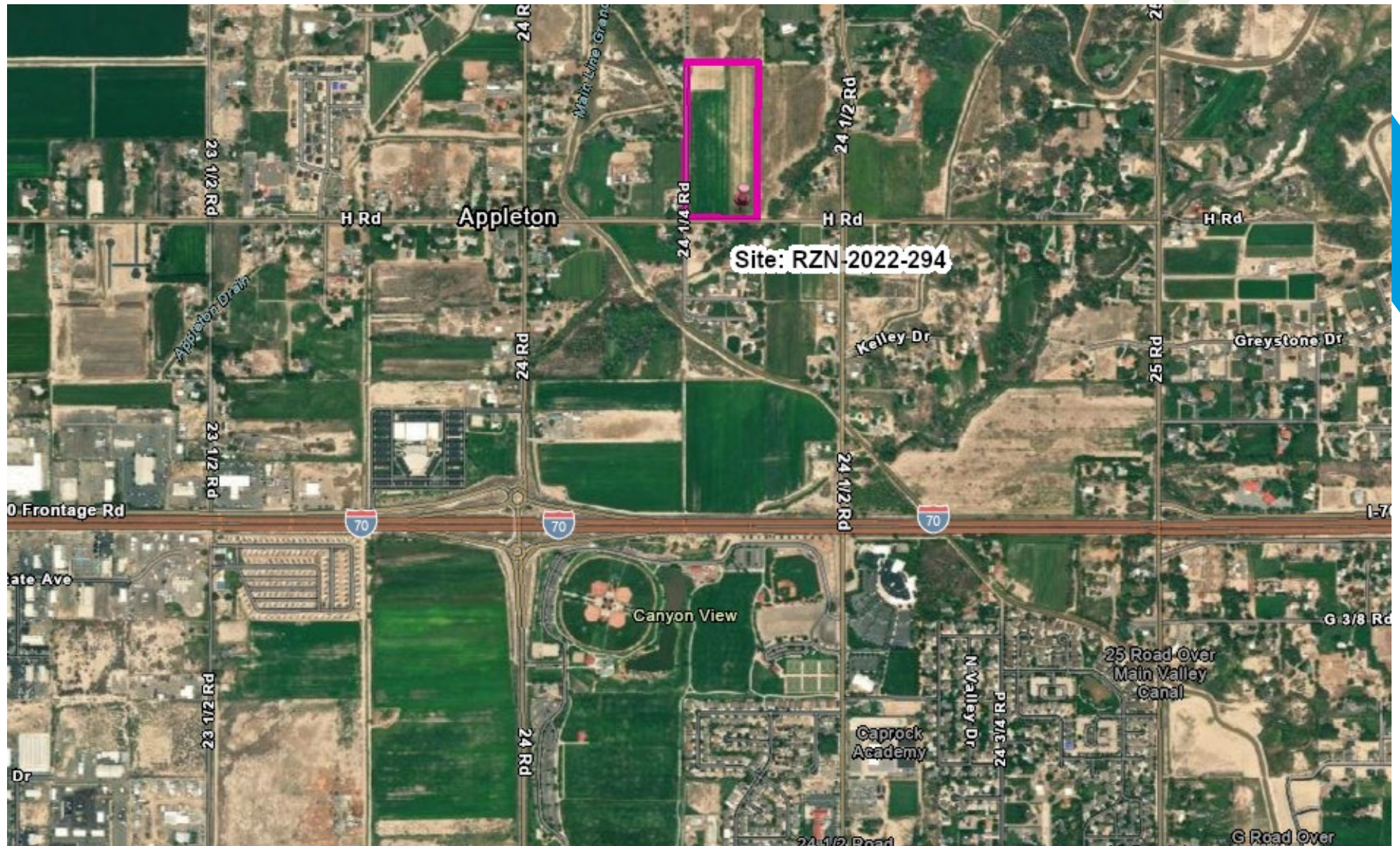
# Vista Five Rezone

## Vicinity Map



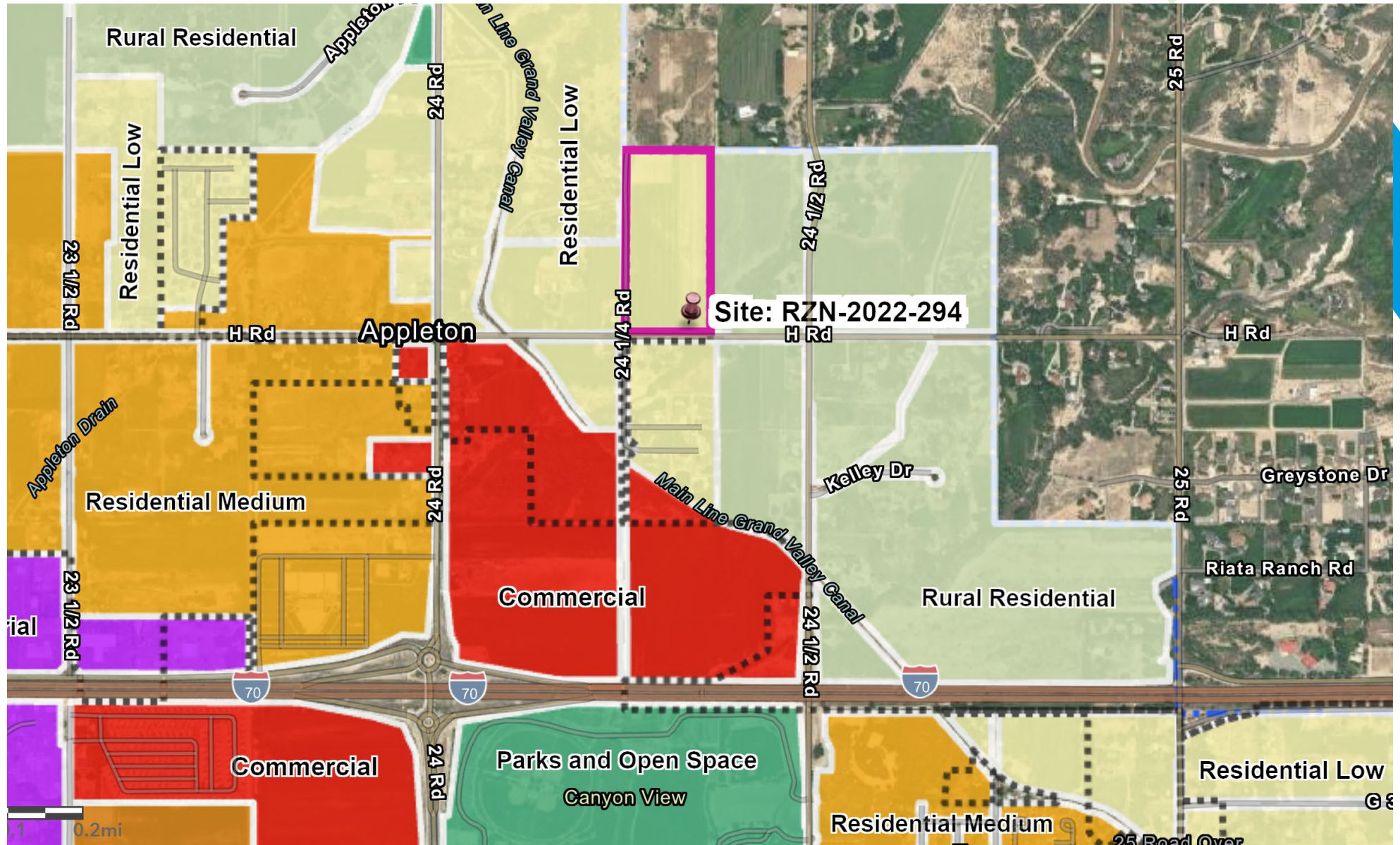
# Vista Five Rezone

## Site Location Map



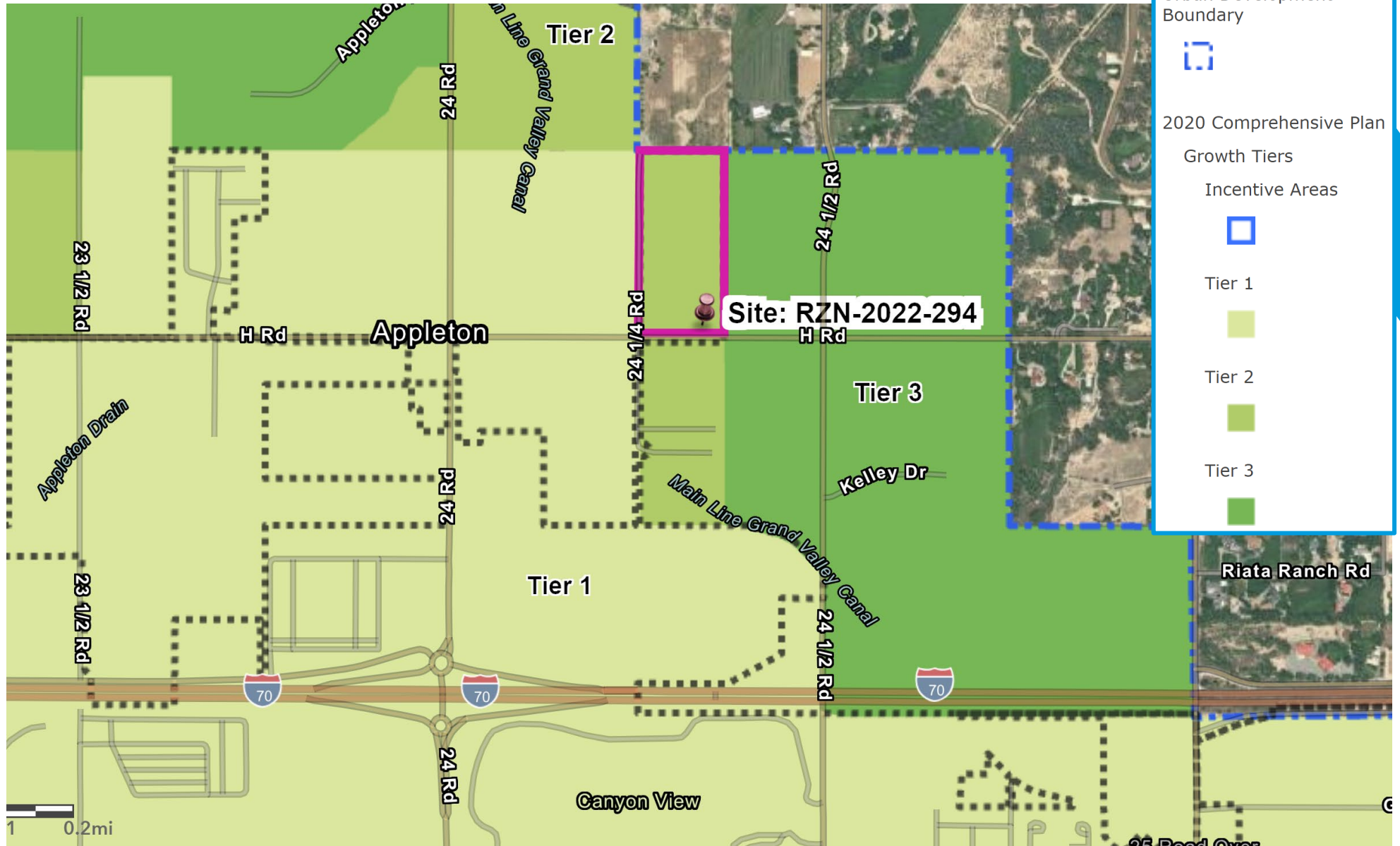
# Vista Five Rezone

## Land Use Map



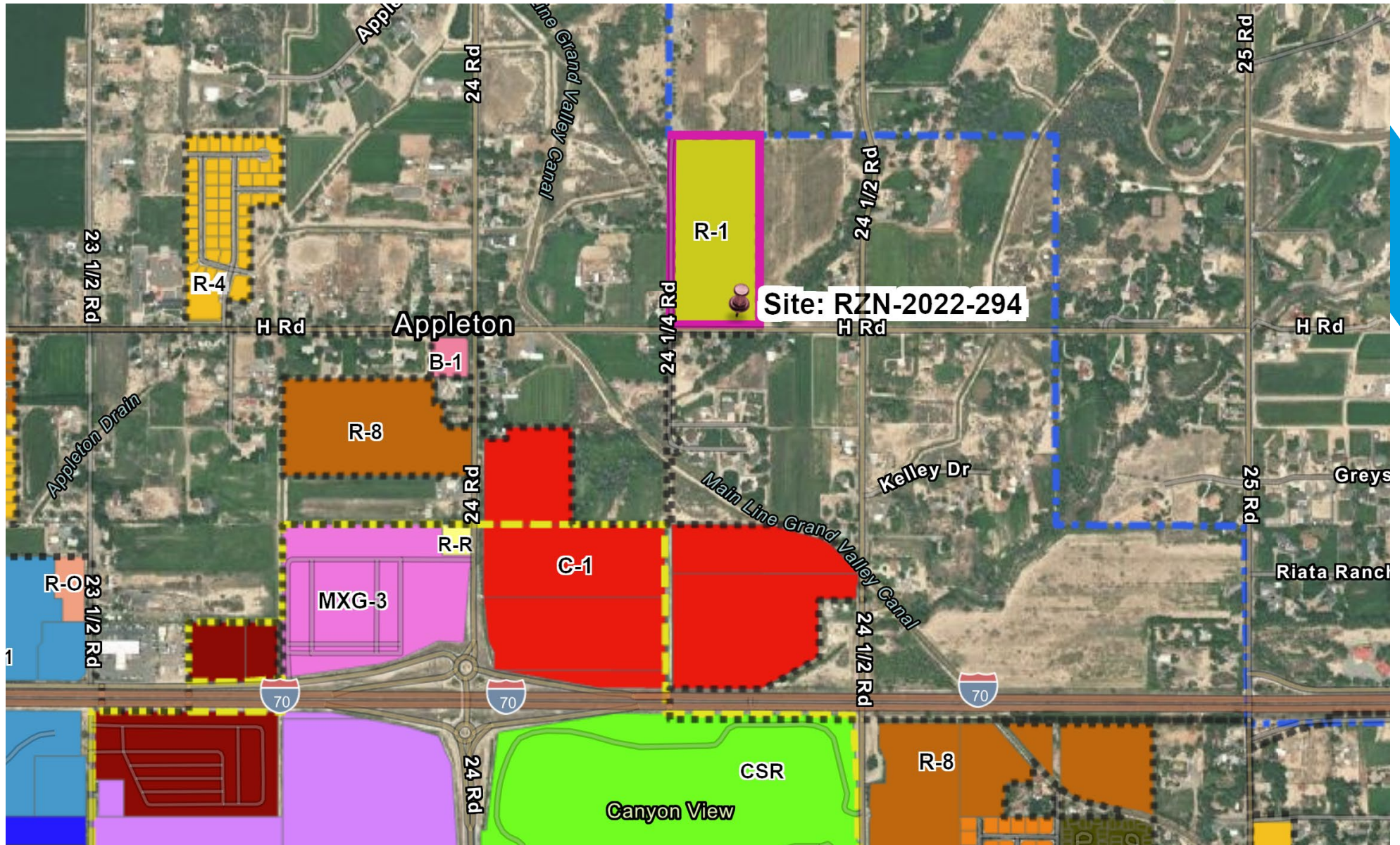
# Vista Five Rezone

## Tiered Growth Plan



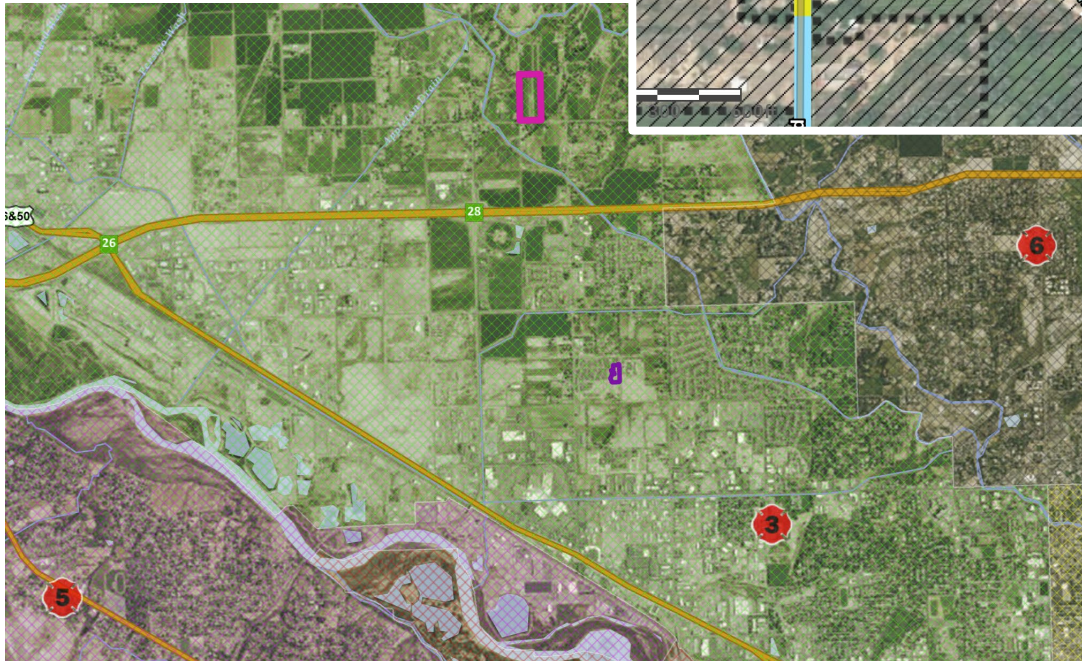
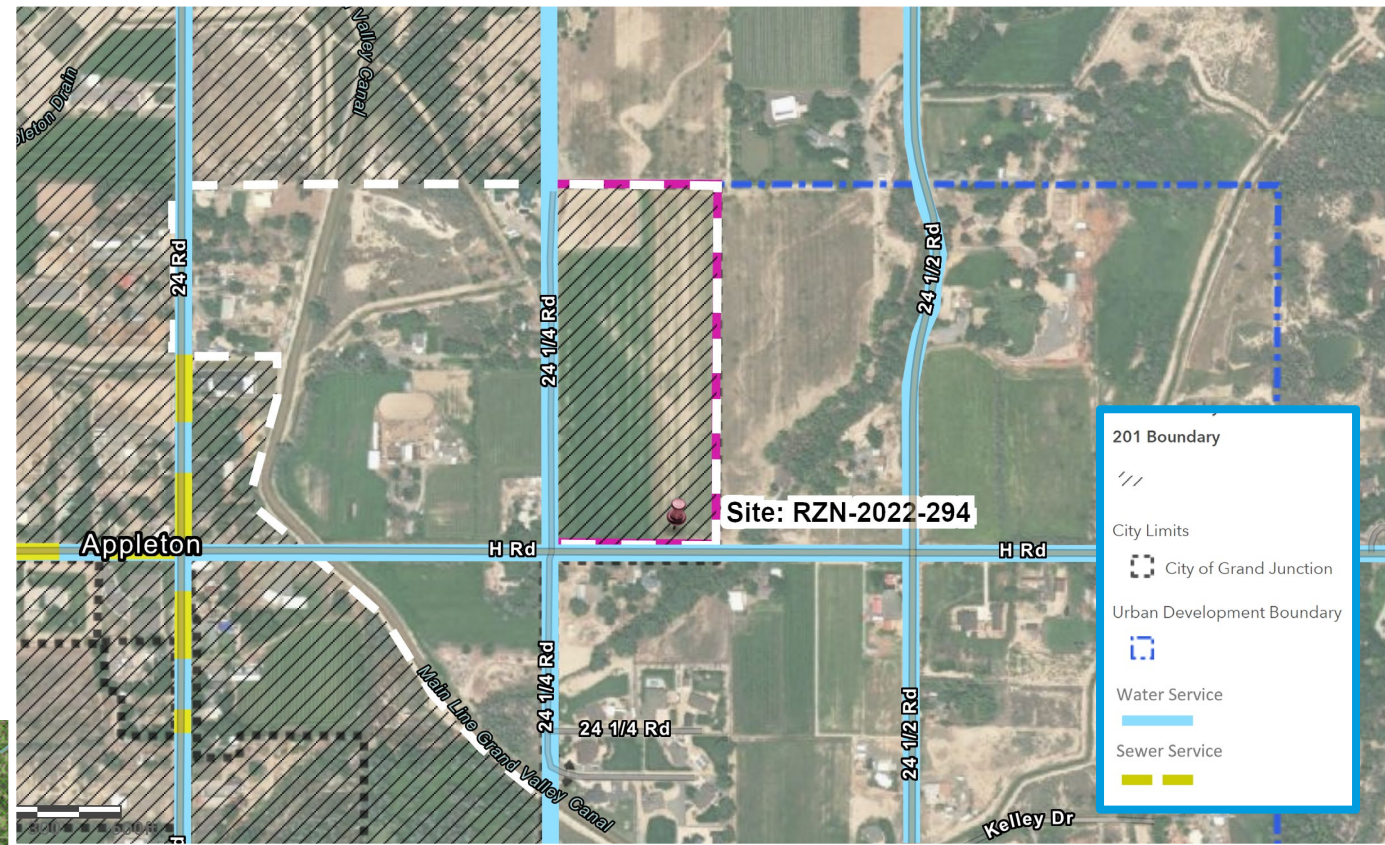
# Vista Five Rezone

## Zoning Map



# Vista Five Rezone

## Availability of Services



Fire Station 3 Service Area

Approximately 8-9 minutes  
from Stations 3, 5, & 6

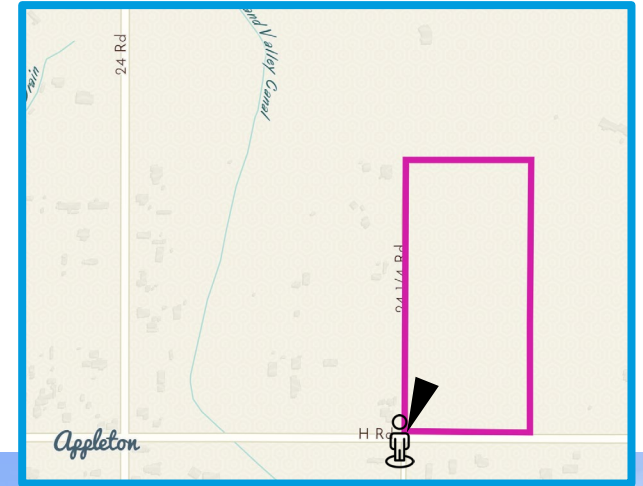
Station 7 planned



# Vista Five Rezone

## Site Photo

Google Maps street view of property northeast from the intersection of 24 1/4 Road and H Road



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING FROM R-1 (RESIDENTIAL - 1 DU/AC) TO R-5  
(RESIDENTIAL – 5 DU/AC) ZONE DISTRICT**

**LOCATED AT 2428 H ROAD  
Tax Parcel No. 2701-283-04-001**

Recitals:

The property owner, Vista 5, LLP, proposes a rezone from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5 du/ac) on a total of 17.37-acres located at 2428 H Road.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from R-1 (Residential – 1 du/ac) to R-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-1 (Residential – 1 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 OF VENEGAS MINOR SUBDIVISION NO. 2, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this \_\_\_\_ day of \_\_\_\_\_, 2023 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_ day of \_\_\_\_\_, 2023 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

## Nicole Galehouse

---

**From:** Robert Fuoco <bfuoco2467@gmail.com>  
**Sent:** Friday, December 9, 2022 9:24 AM  
**To:** Nicole Galehouse  
**Cc:** Dan Komlo; shillard@counciltree.com  
**Subject:** 2022-845, 2428 H Rd

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Good morning Nicole,

I understand you are the planner for this project. Just two years ago this property was zoned R-1 because City Council recognized higher density was not compatible with the surrounding area. It also received substantial pushback from the affected neighbors. Many of those Council members are still on Council. I urge you to take into account the prior history of this property when making a decision to recommend R-5 density to planning.

Bob Fuoco  
2467 H Rd  
970-216-3476

7 Feb 2023

**RE: Vista 5 LLP Rezone  
RZN-2022-845  
2428 H Road**

The City rezoned this subject parcel to R-1 in late 2019. Why did they do that?

What has changed in 3+ years? Will a different decision blow in the winds of a different developer or Commission or Council ... or is there something more fundamental and important going on here that should influence a decision?

I suggest the primary issue revolves around the **historical use of the neighborhood**. This neighborhood can be reasonably defined as from 24 to 26 Roads North of I-70 [with a notable exception as the NE corner of 24Rd/I-70 as Commercial]. This area has been steadily **built out over the past 60 years as large lots**, as a semi-rural rolling hills area. To date, roughly **75-80% of it has been built** out this way in **lots of 10, 5, 2, and 1 acre parcels**.

This area has **long had that established character** and the City Council recognized this as such in 2019. I submit that nothing has changed.

Do we not want diversity of land use in the City? Do we want everything to look the same? Or will we reasonably respect historical land use, especially that already established with so much effort and heart and soul?

This is not a 'Not-In-My-BackYard' issue. This is about a **reasonable respect for the past** and for a **reasonable diversity of land use** and **vision for the long-term** good of greater Grand Junction.

There is already established higher density West of 24 Road North of I-70 that the City has recognized with many years, with a great supply of land that has not been built out as the subject larger lot area east of 24 Road.

Please don't **introduce a conflicting land use** into this largely built out area that will then spread further as a wildfire in and amongst the existing housing.

Sincerely,

Dave Zollner  
2562 H Road  
Grand Junction CO 81505

**From:** [Neil Morris](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** Proposed Development at 2425 H Rd  
**Date:** Saturday, February 4, 2023 2:18:49 PM

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Hello Nicole,

My name is Neil Morris. I live at 818 24 1/2 Rd. The reason I am writing is to express my concerned interest in the proposed development, across the Cochran Creek, from my house at 2425 H Rd. I have been told the developer is asking the City of Grand Junction to designate it as a 5 houses to an acre development.

When I purchased my home in June of 2020, I was assured that the farm areas surrounding my land were designated to be developed at 1 home per acre. I spoke with neighbors and researched the City and Mesa County plans for the area to make sure. As you can imagine, hearing that the City is now considering changing this area to allow for a population dense subdivision with potential condo and apartment complexes has come as a surprise to me. My understanding is that this area North of I-70 between 24 and 26 Roads was part of a long term growth plan since the 1970s and that a mere three years ago the City approved an R-1 designation for this area. When I purchased my home, the conditions stated that I may divide it into 1 acre parcels but no smaller. I accepted those terms- so should the purchaser of the property at 2425 H Rd.

I think that 1 house per 1/2 acre is an acceptable compromise that would allow the area to retain its country feel while allowing for the inevitable growth of the Valley.

Best regards,  
Neil Morris  
720-788-3197

## Nicole Galehouse

---

**From:** Robert Fuoco <bfuoco2467@gmail.com>  
**Sent:** Wednesday, February 1, 2023 2:14 PM  
**To:** Nicole Galehouse  
**Subject:** Re: 2428 H Rd.

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Thank you. It is such an important issue to us and I did not want it to slip through the cracks.

On Wed, Feb 1, 2023 at 1:11 PM Nicole Galehouse <[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)> wrote:

Mr. Fuoco,

I apologize sincerely. I was trying to finalize some information about the item which was only confirmed yesterday morning. I should have acknowledged your email in the interim. You are correct, the item is scheduled for hearing on February 14, 2023 with Planning Commission. It will be on consent to set the public hearing with City Council on March 1 & the public hearing will be held with City Council on March 15.

The item will be posted on our City's website for public input, [GJSpeaks](#), a week prior to the hearing. I will include your email as public input with the agenda item but you can also add public comment to the item through this site.

**Nicole Galehouse, AICP**

Principal Planner

[970.256.4014](tel:970.256.4014)

[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)



---

**From:** Robert Fuoco <[bfuoco2467@gmail.com](mailto:bfuoco2467@gmail.com)>

**Sent:** Wednesday, February 1, 2023 1:04 PM

**To:** Dan Komlo <[dan.komlo26@gmail.com](mailto:dan.komlo26@gmail.com)>; Nicole Galehouse <[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)>; Steve Hillard - Council Tree <[shillard@counciltree.com](mailto:shillard@counciltree.com)>; [dzollner@gvii.net](mailto:dzollner@gvii.net)

**Subject:** 2428 H Rd.

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Good morning Nicole,

I am disappointed that you did not respond to my email last week. I just learned that planning commission is meeting on the 14th to discuss the project at 2428 H Rd.

I want to formally record my opposition to the project. Just over two years ago City Council recognized the need to reserve a small portion of our City for larger, nicer homes, much like our forefathers did on North 7th and prior to that Gunnison Avenue. That is why they approved the zoning at one unit per acre.

I don't understand the "Build it and they will come" mentality. Because of that we have experienced increased traffic, homelessness, crime, drugs and deteriorating air quality, not to mention the increased demand on our water supply.

Please urge planning to only consider the lowest possible density for this property.

Bob Fuoco

2467 H Rd.

## Nicole Galehouse

---

**From:** Robert Fuoco <bfuoco2467@gmail.com>  
**Sent:** Friday, December 9, 2022 7:38 PM  
**To:** Dan Komlo  
**Cc:** Nicole Galehouse  
**Subject:** Re: RZN-2022-845

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Thank you for your response.

On Fri, Dec 9, 2022, 5:14 PM Dan Komlo <[dan.komlo26@gmail.com](mailto:dan.komlo26@gmail.com)> wrote:

Hello Nicole,

In March 2020 the former owner of the property at 2428 H Road applied for a land development zoning density to R-4. After the public hearings and review City Council recognized the higher density was not compatible with the existing neighborhood and zoned the property R-1. I urge you to consider the affected neighbors' concerns from 2020 when making a decision to recommend an R-5 density to planning.

Daniel Komlo  
852 24 1/2 RD  
970 260 2227

**From:** [Kristin Rau](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** Vista 5 LLP Rezone RZN-2022-845  
**Date:** Sunday, February 5, 2023 6:58:24 AM

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**Please DO NOT REZONE to R5!**

City Council barely more than 3 years ago thoughtfully approved R-1 (1 Dwelling per acre) because this area between 24 Road and 26 Road North of I-70 has been methodically and purposely built out this way since about 1970,

This was etched in planning departments codes since 1990, and this area is roughly 75% or more developed already in mostly 10, 5, 2, and one acre lots.

To introduce such a radical change in a substantially developed area is not quality growth and does not respect a diversity and variety of land use, but rather puts pressure to 5 units and greater density throughout Grand Junction.

**Please do not allow this to set a new precedent for our beloved North area!**

Thank you,

Kristin Rau  
2573 I Rd

In regard to RZN-2022-845 Vista 5 LLP Rezone of 2428 H Road

I am La Nona Wyatt and am writing this for the eleven people who have signed below. We own the properties directly west of the proposed zone change and have many concerns. We are agricultural with crops and livestock that would be impacted by the people, traffic, noise, domestic animals and extra ditch water that an urban development would bring to this area.

The area is now and has been for over fifty years agricultural and Estate with one house per five acres. If you rezone, we could see 2000 units on three hundred acres when all is developed. If this area is developed with five units per acre we will need a larger police force and fire department within this area to handle the additional problems. The proposed change could put up to 85 or more units in the area, which could bring 340 more people at a minimum. If there are just four people per unit, with 2 personal cars per unit, the neighborhood would be looking at 170 new vehicles when adding delivery, postman, friends, ext. per day. If there are only two children per unit, that will add 170 more children to an already overburdened school. One pet per unit would be 85 more to deal with, and most people have more than one pet. Then there is the water. Farmers are having problems as it is getting enough water for their crops. We do not need more personal lawns to use our limited ditch water! Also, every year the agricultural lands have to burn the fields in order for new, healthy crops to come in to feed all these new people in the area, and they will not understand the process of burning, shooting varmints, and trapping animals that are not welcome with livestock.

There is no R5 zone west of 25 road and east of 24 road or north of I 70. What has changed in the last three years to warrant such a large increase in density? Does quality of life not matter or is it only if the developer makes money on land they purchased knowing what the zoning was when they purchased it? Developers are in favor of this plan, but they are in the business to make money so of course they are in favor!

Since you incorporated this plot into your City in 2019 no infrastructure has changed. There is only one mile of road that will be affected by this change currently, between 24 and 25 road on H Road. The bridge over I 70 at 24 1/2 road is dangerous to walk or bike over and that is the only access to Caprock school from this neighborhood. There is no way to safely cross the roundabout on 24 road at I 70 on foot or bike and Canyon view park is on the other side of the interstate from H road. H road is in very bad shape. Schools are already overcrowded. The nearest police and fire stations are several miles away. H road between 24 and 25 roads are overburdened now, we have no transit, bike or pedestrian trails.

We respectfully request that you leave the zoning R 1 on this property.

Thank You for your consideration.

La Nona Wyatt

Dr. John Wyatt

Dr. Shalona Mcfarland

Joestes Wyatt

Grant Mcfarland

Grace Hann

Patricia Amrine

Anthony Tailleir

Marya Tailleir

Katie Laitiner

Crista Knoll

*La Nona Wyatt*  
*Grant Mcfarland*  
*Grace Hann*  
*Crista Knoll*

*Patricia Amrine*  
*Anthony Tailleir*  
*Marya Tailleir*  
*Katie Laitiner*

**From:** [Bajorek, Andrew](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** 2428 H Rd (RZN-2022-845)  
**Date:** Monday, February 13, 2023 3:01:21 PM

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To whom it may concern:

I am writing to express my strong opposition to the proposed rezoning of the property located at 2428 H Rd. This land, which is primarily zoned for residential, agricultural operations, and open space, is an essential part of our community's character and should be protected from further development. Please consider the following points for this matter:

1. **Findings remain valid from 2019 attempt for rezoning:** Subsequent events have not invalidated the original premises and findings for the area, which is primarily zoned for residential low and intended to maintain the existing character and stability of the neighborhood.
2. **The character and condition of the area has not changed in a way that would make the proposed amendment consistent with the comprehensive plan:** The area remains primarily zoned for low-density residential development and preserving the natural environment. The proposed rezoning is not in line with the surrounding zoning designations, which prioritize the preservation of agricultural operations, open space, and home-based businesses. Keeping the zoning of 2428 H Rd as rural residential would maintain the consistent and cohesive character of the surrounding area, which is primarily zoned for residential uses.
3. **Public and community facilities are not adequate to serve the type and scope of land use proposed:** The proposed multi-story residential units would require significant investment in infrastructure, including wastewater treatment and transportation, which are currently not available in the area.
4. **There is not an inadequate supply of suitably designated land available in the community to accommodate the proposed land use.** The comprehensive plan prioritizes the preservation of residential neighborhoods and open spaces, and there are alternative locations available for new development that would not have the same negative impact on the character and stability of the community.
5. **The community would not derive benefits from the proposed amendment,** as it would disrupt the existing character of the neighborhood, negatively impact the natural environment, and require significant investments in infrastructure that are currently not available. Residential low zoning can help to protect the property values of surrounding homes by ensuring that new development is consistent with the existing character of the neighborhood.

The 2020 One Grand Junction Comprehensive Plan also outlines the importance of maintaining consistency in land use and zoning designations, which helps to protect property values and ensure that new development is compatible with the existing character of the neighborhood. The proposed rezoning of 2428 H Rd would disrupt this consistency and could have a negative impact on property values in the surrounding area.

In conclusion, I strongly urge the rejection of the proposed rezoning of 2428 H Rd. This property should remain zoned as is, in line with the Grand Junction Comprehensive Plan's goals of preserving the existing character of residential neighborhoods, promoting stability, and protecting the natural environment.

Thank you for considering my perspective on this matter.

Sincerely,  
Andrew Bajorek

-----  
**Andrew D. Bajorek, M.M.** Associate Director of Bands  
**Colorado Mesa University**  
Department of Music | Moss Performing Arts Center 004  
970.248.1163 (text preferred) | [abajorek@coloradomesa.edu](mailto:abajorek@coloradomesa.edu)  
[Schedule a Meeting with Mr. Bajorek](#)

**Follow @CMUBands on social media:**  
[Facebook](#) [Instagram](#) [Twitter](#) [TikTok](#)

**From:** [Sarah Bajorek](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** 2428 H Rd (RZN-2022-845)  
**Date:** Monday, February 13, 2023 2:02:29 PM  
**Attachments:** [Outlook-i1gqi5i3.png](#)  
[Outlook-cidimage00.png](#)  
[Outlook-cidimage00.png](#)  
[Outlook-cidimage00.png](#)  
[Outlook-cidimage00.png](#)  
[Outlook-Text Desc.png](#)

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To whom it may concern,

I am writing to express my strong opposition to the proposed rezoning from R1 to R5 of the property located at 2428 H Rd (RZN-2022-845). As you are aware this property rezoning several years ago caused much concern amongst the neighbors. There was a website for the neighbors to try to gather support due to their concerns of changing the zoning from rural to residential. They feared that the property owner would continue to try to increase the allowed density of the zoning to then sell the land and maximize his profit. Several of the neighbors became so concerned and frustrated that they decided to sell their house and move away. We purchased the property across the street from this parcel. We have the same concerns that the prior owners had.

The current zoning of 1.5 units per acre is appropriate and should be maintained, as increasing the density to 4-6 units per acre would have a significant negative impact on the surrounding community. First and foremost, increasing the density of the property would put a strain on already limited resources such as water, sewage (it does not extend to this parcel), and road infrastructure. It is imperative that we consider the long-term impact of this decision and ensure that our infrastructure is able to meet the needs of the community. Furthermore, the increased density would negatively impact the quality of life for residence living in the area. Many of the owners of surrounding houses moved to the area to not live in town and to have a somewhat quieter life. Also, there are livestock including horses, cows, goats, and chickens in surrounding properties. There are already cars that speed down the road at 50 mph and the added traffic, noise, and overcrowding would disrupt the peaceful atmosphere. Appleton school already is one of the schools with the most students in the district and adding this many houses would put significant stress on this school.

I also want to bring to your attention the potential impact on property values. Studies have shown that high-density housing developments can have a detrimental effect on the value of surrounding properties. This could result in a decline in property values, which would have a significant impact on the financial well-being of residents in the area.

While I understand that Grand Junction is growing and the area around the mall is going to be built up, I do not believe the parcel this far North should have 4-6 houses per acre. I am also concerned that the owner of the property is desiring this rezoning to try to maximize his

profit without considering his neighbors and community. In conclusion, I strongly urge the City Council to maintain the current zoning of 1.5 units per acre for the property located at 2428 H Rd. Thank you for your time and consideration.

Best,

---

**Sarah Bajorek, DO FAAP**

Neonatologist

St. Mary's Hospital

Intermountain Health, Peaks Region

2635 N 7<sup>th</sup> Street, Grand Junction, CO, 81501

P: 970.298.2279 | F: 970.298.2694

[sarah.bajorek@imail.org](mailto:sarah.bajorek@imail.org)



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**From:** [stephen hillard](#)  
**To:** [Nicole Galehouse](#)  
**Cc:** [stephen hillard](#); [Dave/Corrine Zollner](#); [Bob Fuoco](#); [Dan Komlo](#)  
**Subject:** Opposition to Vista 5, LLP Rezoning Application  
**Date:** Sunday, February 12, 2023 11:04:54 AM  
**Attachments:** [GJN LETTER 21223 copy.pdf](#)

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Nicole, please find attached my opposition to the above rezoning application. Please distribute this to the members of the Planning Commission before the February 14, 2023 meeting.

Sincerely,

Steve Hillard

**Stephen Hillard  
887 25 Road  
Grand Junction, CO 81505**

To: Grand Junction Planning Commission

Re: Opposition to Vista 5, LLP Rezoning Application

Date: February 11, 2023

The last time this parcel was proposed for dense development, the approval decision of the Planning Commission ended in rejection by the community, the County, and the City Council. In fact, the City Council voted unanimously to limit any development to one unit per acre. See Maverick Subdivision proceedings.

Rather than repeat this process, and all the wasteful use of public and community resources it entails, the Planning Commission should stand by the prior City Council decision and recommend denial of the current application.

As detailed below, the February 14, 2023 study by the Planning Department (the “Study”) is flawed. In fact, it requires denial of the application for the following reasons:

1. Technical Factors. The Study relies on the “one of five” factors position to justify approval. Finding one of the five factors to exist only leads to the result that the rezoning “may” occur. Under the 2020 Comprehensive Plan (the “Plan”), the decision must still be carefully weighed in light of the various factors.

More important, in this case, none of the five factors can be sustained.

The Study has already found that three of the five factors (items 2,4 and 5) were not met. Those factors are real and critically important to correctly conducting the people’s business under the Plan.

Restated in plain English, the Study found:

A. The character of the area has **not** changed, and therefore the rezoning would **not be consistent** with the Plan. (page 3, item 2).

B. An adequate supply of suitably designated land **is available** in the community to accommodate the proposed use. (page 4, item 4).

C. The community will **not derive benefits** from the proposed amendment. (page 4, item 5).

2. Subsequent Events. Having established that the proposed rezoning is inconsistent with the Plan, unnecessary, and not beneficial, the Study then incorrectly suggests that subsequent events have invalidated the original premises and findings. (page 2, item 1). However, the land use map designation only provides for possible consideration of a higher density. It does not establish the substantive requirement that the original premises and findings, which are matters of fact, have been invalidated. To the contrary, the record before the Planning Commission now establishes that the premises and findings for the existing zoning (no change of character, other land available, no benefit to community) have once again been validated.

In short, the Study utterly fails the “Subsequent Events” test.

3. Adequate Facilities. The Study erroneously finds that the public and community facilities are adequate to serve the higher density. (page 5, item 3). There is no basis for this finding, especially in regards to:

- Schools. The fact that Appleton Elementary is 6/10 of a mile away just glosses over the fact that the school is already severely overcrowded. Adding another 80-plus residences nearby will compound this situation. The Analysis fails to even address this key problem. Moreover, the status of the Appleton School is an open question, now pending before the District 51 school board. See Daily Sentinel, February 12, 2023.
- Parks. The location of Canyon View Park is in fact a problem for the rezoning. The park is a magnet for kids walking or taking their bikes to the park, which means that from this proposed subdivision they will typically go over a dangerous, no-walk-way,

highly inadequate bridge on 24 1/2 Road. As pointed out to the City Council previously, this is a disservice to the public and an open invitation for municipal liability.

- Fire Department Response. This is serious, life-or-death business. The Study, however, again glosses over this critical facility. It admits that the response time does not meet the required response time under the National Fire Protection Association standards. Those standards set a required performance limit. See NFPA Section 1710 (2020). That other fire stations could also arrive late doesn't help. Nor does recitation that the City "has been working on it" address this problem of absolute non-compliance of a critical facility.

Accordingly, as to the "Adequate Facilities" test, the proposed rezoning flunks. It is unsafe and invites disaster for the public and the City along the way.

4. Generalizations. Lastly, the Study resorts to a generalized review of "visions, goals and policies" under the Plan. (page 5). The points already admitted in the Study (no change of character, other land available, no benefit to community) already invalidate this approach. Also, glossing things over with reference to "ZDC undergoing an update" again puts speculation before the horse of sound decision-making.

As established above, none of the elements required to even consider a rezoning of this parcel have been established.

The simple truth is that elements within the City have for years sought to disrupt this long-established rural neighborhood. This application is merely *deja vu* all over again and should not be approved.

Sincerely,

Stephen Hillard  
[shillard@counciltree.com](mailto:shillard@counciltree.com)

**From:** [Dan Komlo](#)  
**To:** [Nicole Galehouse](#)  
**Cc:** [Steve Hillard - Council Tree](#); [Robert Fuoco](#); [Dave/Corrine Zollner](#)  
**Subject:** Opposition to Vista5, LLP Rezone Application  
**Date:** Sunday, February 12, 2023 4:25:09 PM  
**Attachments:** [Vista 5 Planning.docx](#)

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Hello Nicole, please find my attached letter of opposition to RZN-2022-845 rezone application. Thankyou in advance for your assistance in distributing this to the Planning Commission before the Feb. 14, 2023 meeting.

Thank-you,

Dan Komlo

**Dan Komlo  
852 24 ½ Rd  
Grand, Junction, CO 81505**

To: Grand Junction Planning Commission  
Re: Opposition to Vista 5, LLP Rezoning Application  
Date: February 11, 2023

I am writing this letter to urge the Planning Commission to limit the allowable dwelling density for the RZN 2022 845 rezone request to no more than R-2 rather than the requested R-5. My wife and I live at 852 24½ Rd. We purchased our property in 1984 and have been involved with the North Grand Junction planning process the entire time.

Once again, as in 2019 most of the local neighbors were not notified about the Nov. 9th neighborhood meeting due to the 500-foot notification process. The meeting notes, as published, reported that only 11 residents joined the call, and it does not appear that any of those residents favored the rezone from R-1 to R-5. I feel that most of the additional neighbors that were not informed of the meeting would echo the sentiment of those that did attend. Because the proposed R-5 would be contrary to the character of the neighborhood.

Just three years ago after much debate the G.J. City Council voted to only allow R-1 for this very same property at 2428 H Rd. citing that the requested R-4 density would not be compatible to the character of the existing neighborhood.

The 2020 Comprehensive Plan states (Page 60) that residential low "...secondary uses are designed in a manner to fit the character of the neighborhood and provide a transition between the open, less developed edges of Grand Junction". I feel that an increased density shift from R-1 to R-5 will not fit the character or provide a proper transition for the areas surrounding this property.

The use of the disfavored "flagpole annexation" in 2019 has resulted in a leap frog, irregular, tentacle-like city limit. The Comp. Plan (Page 56) Tier 2, policy states "the city should promote annexation of those parcels which are surrounded by, or have direct adjacency to, the City limits of Grand Junction". Promoting R-5 for this property under these circumstances should be re-evaluated.

Lack of safe neighborhood connections, (Page 26) of the Comprehensive Plan indicates the I-70 overpasses at 23 & 26 Rd as being "Non-Existing Crossings" as "... multimodal grade separated crossings". Both 24½ and 25 road overpasses can also share that designation as they currently do not safely provide pedestrian or bicycle traffic.

Page 29 of the Comp. Plan also states we should "promote housing density to be located near existing or future transit routes and in areas where pedestrian and bicycle facilities can provide a safe and direct connection to neighborhood and employment centers". CDOT has recently indicated there are no future plans to improve pedestrian access for any of the four overpasses indicated above.

I am not against additional housing in the Appleton area, a subdivision such as Golden Leaf Estates that is currently under planning review located at 26 Rd. and the Frontage rd. north of I-70, if approved will provide 22 dwellings on 9 acres for a density of 2.4 units per acre. It is my opinion that this type of development would enhance our neighborhood and help transition the growth that will undoubtedly follow.

Thank you for your consideration on this matter.

Dan Komlo

Dan.komlo26@gmail.com

**From:** [Robert Fuoco](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** Re: 2428 H Rd.  
**Date:** Friday, February 10, 2023 2:04:47 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image002.png](#)

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Thank you for the information.

I am very curious as to the total acreage in tier 1.

If I understand correctly all R-1 was eliminated with the 2020 plan so the only options are R-4 or R-5 meaning R-1 is no longer an option. Is that correct?

Bob Fuoco

On Fri, Feb 10, 2023 at 1:41 PM Nicole Galehouse <[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)> wrote:

Mr. Fuoco,

The R-1 and R-2 zone districts are not supported by the One Grand Junction Comprehensive Plan, which was adopted in December 2020. The land development code revision will essentially “retire” these zone districts to be consistent with the Comprehensive Plan. They will remain in the code so the standards can be used for properties that have that zoning, but properties will no longer be allowed to rezone to those districts. The lowest density zone district will be R-R (Residential-Rural), which has a maximum density of 1 unit per 5 acres and implements the Future Land Use designation of *Rural Residential*. The property at 2428 H Road has a Future Land Use designation of *Residential Low*, which can be implemented by the R-4 (Residential – 2-4 du/ac) or the R-5 (Residential – 3-5.5 du/ac).

For the tiers in the comprehensive plan, I’m including a screenshot below from the Comprehensive Plan, which can also be found on the City’s website. Essentially, Tier 1 is urban infill, where services already exist and development is either filling in vacant properties in urban areas or intensifying existing uses/structures. Tier 2 is suburban infill, which extends a little further out but encourages urbanizing of properties where infrastructure is available or proximate. Tier 3 is predominantly rural and not served by infrastructure.

## Intensification and Tiered Growth Plan

Intensification of the City should be achieved through infill, redevelopment of underutilized properties, and new development of vacant lots. Further, this should be achieved by offering incentives for infill/redevelopment in specific areas as well as through a Tiered Growth approach. The Growth Tiers focus on intensifying the City's urban and suburban areas, prioritizing areas that have the existing urban infrastructure, and in a manner that will both preserve the City's character and capitalize on its development opportunities while also providing opportunities for greenfield development as the City grows.

### Tiered Growth

The Growth Tiers Map are intended to guide the City's long-term planning and reflect locational priorities for which the City should accommodate and prioritize the future population. This starts with the intensification of the City's urban core, which allows the City to support the efficient use of existing public facilities and services by directing development to locations where it can be adequately served by existing water, sewer, police, transportation, schools, fire, stormwater management, and parks. Also, it allows the City to better align capital improvements and infrastructure investments with its financial resources and focus improvements in areas that already provide some level of urban service.

Growth in Grand Junction will continue to recognize the Urban Development Boundary as the area in which urban level development should occur and as such, this Comprehensive Plan focuses on urban intensification and three general tiers of development that fit within, and directly respond to, the established boundary. By adhering to the growth tiers for future development, Grand Junction will be well-positioned to prepare for steady population growth, manage its existing land uses, and achieve its vision of responsible and managed growth.

#### 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. Portions of the Redlands, Orchard Mesa, Pear Park, and Northwest areas offer some of the most significant opportunities for Tier 1 infill development and growth within City limits.

#### 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.

#### Tier 3: Outward Growth

**Description:** Areas predominantly characterized as rural and larger acreage properties not currently served by urban infrastructure and that are prioritized to stay rural for the duration of the 20-year planning horizon to promote more focused development activity in Tier 1 and Tier 2.

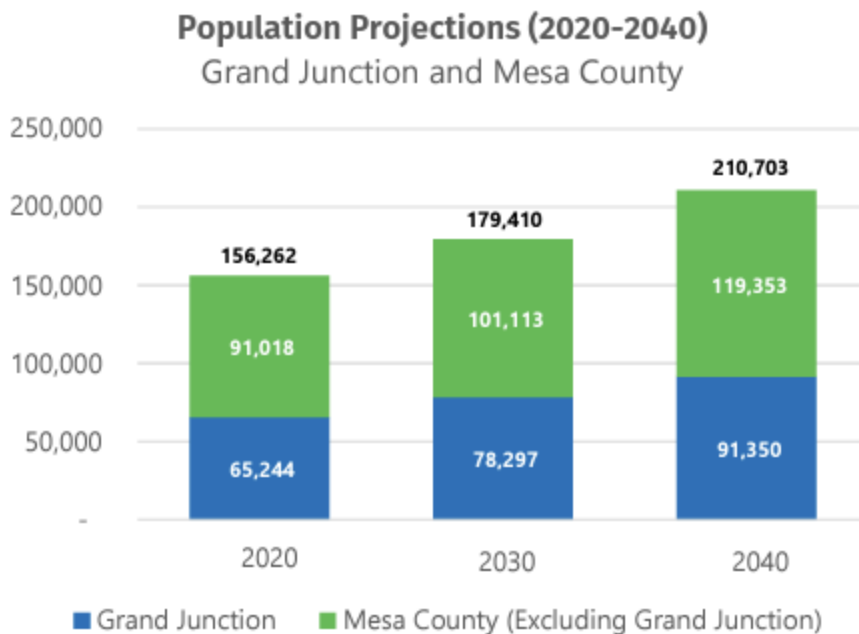
**Policy:** The priority for Tier 3 is to continue outward growth and annexation into the Urban Growth Boundary after substantial infill and growth in Tier 1 and Tier 2 areas. Tier 3 growth areas include large parcels that provide development potential, can be served by an extension of utilities and urban infrastructure, and are identified as Rural Residential the Future Land Use Map.

### Incentive Areas

**Description:** Areas consistent with past City plans and in general include the Rail, River, Downtown, and University Districts as well as the North Avenue Corridor. The State Highway 50 corridor in Orchard Mesa is also included.

**Policy:** These areas within the City should be considered the highest priority for infill and redevelopment and the City may consider additional incentives for infill and redevelopment in these areas. Over time, other areas may be considered to be included in the incentive area as may be consistent with established City goals.

I don't have the acreage number of vacant land in Tiers 1 and 2, but I can ask our GIS department if that's something they can calculate. For population growth, see the table below from our Comprehensive Plan.



**Nicole Galehouse, AICP**

Principal Planner

[970.256.4014](tel:970.256.4014)

[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)



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**From:** Robert Fuoco <[bfuoco2467@gmail.com](mailto:bfuoco2467@gmail.com)>  
**Sent:** Tuesday, February 7, 2023 8:10 AM  
**To:** Nicole Galehouse <[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)>  
**Subject:** Re: 2428 H Rd.

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Good morning Nicole,

In preparation for the planning and council meetings could you provide me with some information.

Is it true R-1 and R-2 designations are going away? If so what will be the lowest density classification and how many units per acre will it allow?

Can you explain the definitions of tier 1, tier 2 and tier 3 properties.

What is the current inventory of un built acreage in tiers 1 and 2?

What is the City's estimated population growth in the next ten years?

Thanks,

Bob Fuoco

On Wed, Feb 1, 2023 at 2:13 PM Robert Fuoco <[bfuoco2467@gmail.com](mailto:bfuoco2467@gmail.com)> wrote:

Thank you. It is such an important issue to us and I did not want it to slip through the cracks.

On Wed, Feb 1, 2023 at 1:11 PM Nicole Galehouse <[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)> wrote:

Mr. Fuoco,

I apologize sincerely. I was trying to finalize some information about the item which was only confirmed yesterday morning. I should have acknowledged your email in the interim. You are correct, the item is scheduled for hearing on February 14, 2023 with Planning Commission. It will be on consent to set the public hearing with City Council on March 1 & the public hearing will be held with City Council on March 15.

The item will be posted on our City's website for public input, [GJSpeaks](#), a week prior to the hearing. I will include your email as public input with the agenda item but you can also add public comment to the item through this site.

**Nicole Galehouse, AICP**

Principal Planner

[970.256.4014](tel:970.256.4014)

[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)



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**From:** Robert Fuoco <[bfuoco2467@gmail.com](mailto:bfuoco2467@gmail.com)>

**Sent:** Wednesday, February 1, 2023 1:04 PM

**To:** Dan Komlo <[dan.komlo26@gmail.com](mailto:dan.komlo26@gmail.com)>; Nicole Galehouse <[nicoleg@gjcity.org](mailto:nicoleg@gjcity.org)>;  
Steve Hillard - Council Tree <[shillard@counciltree.com](mailto:shillard@counciltree.com)>; [dzollner@gvii.net](mailto:dzollner@gvii.net)

**Subject:** 2428 H Rd.

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Good morning Nicole,

I am disappointed that you did not respond to my email last week. I just learned that planning commission is meeting on the 14th to discuss the project at 2428 H Rd.

I want to formally record my opposition to the project. Just over two years ago City Council recognized the need to reserve a small portion of our City for larger, nicer homes, much like our forefathers did on North 7th and prior to that Gunnison Avenue. That is why they approved the zoning at one unit per acre.

I don't understand the "Build it and they will come" mentality. Because of that we have experienced increased traffic, homelessness, crime, drugs and deteriorating air quality, not to mention the increased demand on our water supply.

Please urge planning to only consider the lowest possible density for this property.

Bob Fuoco

2467 H Rd.

|||

**From:** [Cynthia Komlo](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** RZN-2022-845 Rezone Application Comments  
**Date:** Monday, February 13, 2023 3:06:11 PM  
**Attachments:** [RZN 2022 845 REZONE APPLICATION.docx](#)

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Dear Grand Junction Planning Department and City Council,

Forgive me, I forgot to include my attachment in my first email.

For the record I am opposed to RZN-2022-845 Rezone Application that requests the 17.38 acre property, 2428 H Road, to be changed from R-1 to R-5. This high density of 5.5 homes per acre with the possibility of townhomes does not follow the 2020 Comprehensive Plan to maintain the characteristics and integrity of the surrounding area. Please read additional talking points in my husband's attached letter which he gives me permission to submit his "talking points" as my additional "talking points" for the Planning Commission meeting on February 14, 2023 opposing the RZN-2022-845 Rezone Application.

I do suggest R-2 zoning as a more fitting rezone for this lot that can integrate into our North neighborhood IF a quality contractor is used such as Nate Porter.

One of my fears is to have another "Willowbrook" duplicated.

I will be attending the February 14, 2023 meeting remotely.

Thank you for your consideration,

Cynthia Komlo  
852 24 1/2 Rd.  
Grand Junction, CO 81505  
(970) 270-7052  
[cynthia.komlo@gmail.com](mailto:cynthia.komlo@gmail.com)

**Dan Komlo  
852 24 ½ Rd  
Grand, Junction, CO 81505**

To: Grand Junction Planning Commission  
Re: Opposition to Vista 5, LLP Rezoning Application  
Date: February 11, 2023

I am writing this letter to urge the Planning Commission to limit the allowable dwelling density for the RZN 2022 845 rezone request to no more than R-2 rather than the requested R-5. My wife and I live at 852 24½ Rd. We purchased our property in 1984 and have been involved with the North Grand Junction planning process the entire time.

Once again, as in 2019 most of the local neighbors were not notified about the Nov. 9th neighborhood meeting due to the 500-foot notification process. The meeting notes, as published, reported that only 11 residents joined the call, and it does not appear that any of those residents favored the rezone from R-1 to R-5. I feel that most of the additional neighbors that were not informed of the meeting would echo the sentiment of those that did attend. Because the proposed R-5 would be contrary to the character of the neighborhood.

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The 2020 Comprehensive Plan states (Page 60) that residential low "...secondary uses are designed in a manner to fit the character of the neighborhood and provide a transition between the open, less developed edges of Grand Junction". I feel that an increased density shift from R-1 to R-5 will not fit the character or provide a proper transition for the areas surrounding this property.

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Thank you for your consideration on this matter.

Dan Komlo

Dan.komlo26@gmail.com

**From:** [Melanie Hylan](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** Vista 5 LLP Rezone RZN-2022-845  
**Date:** Monday, February 13, 2023 8:04:09 PM

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To Whom It May Concern:

This email is in regards to Vista LLP Rezone RZN-2022-845. It is our understanding that in 2019 the parcel 2701 283 04 001 (2428 H Rd) was approved for one house per acre, which seems reasonable. As homeowners in the area, we are **STRONGLY OPPOSED** to re-zoning this area from R-1 to R-5 as requested by the developer. The area surrounding this parcel is made up of 1-10 acre lots and for decades has been purposely and methodically developed this way. Randomly allowing high density housing in the middle of it is not quality growth. It is a radical change or rather intrusion, that if allowed, will continue to spread through and disrupt the area between 24 Road and 26 Road North of I-70. An area that was meant for and should remain low density. There are plenty of areas in the valley where R-5 zoning is appropriate, this is not one of them. We urge you to keep parcel 2701 283 04 001 zoned R-1. Thank you for your time.

Sincerely,  
Chad and Melanie Hylan

Sent from my iPhone

**From:** [brad.m.kiser](mailto:brad.m.kiser)  
**To:** [Nicole Galehouse](#)  
**Subject:** Vista 5 LLP Rezone RZN-2022-845  
**Date:** Monday, February 13, 2023 9:56:47 AM

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Subject: Vista 5 LLP Rezone RZN-2022-845

Nicole,

My name is Brad Kiser I live at 794 24 1/4 Road Grand Junction and I'm writing you this morning with my concerns that the city is considering rezoning the 17 acre parcel at 2425 H Road from the current zoning R1 (Residential 1 dwelling unit/ac) to an R5 (Residential 5 dwelling units/ac) . The City voted on this same parcel of land barely 3-years ago and unanimously decided to zone it as R1 which I believe was the right decision then and I believe that it's the right decision now. This is 5 times as many homes as was originally approved by the City in 2019, and has ever been allowed in the area. Of equal concern is that this radical density increase will then spread rapidly in the area between 24 Road and 26 Road North of I-70 and materially change the large lot land use that has been in place for 50 years. To introduce such a radical change in a substantially developed area, I suggest, is not quality growth and does not respect a diversity and variety of land use, but rather puts pressure to 5 units and greater density throughout Grand Junction. I would like to express my concern for the proposal and would like to ask the City Council to stand by the decision that they made back in 2019.

Respectfully,

Brad Kiser

This message (including any attachments) is confidential and intended for a specific individual and purpose. If you are not the intended recipient, please notify the sender immediately and delete this message.

**From:** [Sue Magee](#)  
**To:** [Nicole Galehouse](#)  
**Cc:** [Dave/Corrine Zollner](#); [Bob Fuoco](#); [Stephen & Sharmaine Hillard](#); [Dan Komlo](#)  
**Subject:** Vista 5 LLP Rezone RZN-2022-845  
**Date:** Wednesday, February 8, 2023 11:21:06 AM

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Dear Ms. Galehouse and City Planning Team,

We purchased our property north of I-70 in 1995 under the development plan that had been in place since the 1970's and etched in planning department codes since 1990.

Several times since then, the Planning Commission has considered changing the code from R1 to R5. Most recently R1 was approved in the Development Plan in 2019. **Much** thought and input was given to that plan when it was approved.

Once again, a proposal for high density development in a section of the county where it is not in the development plan is being considered. We have learned that a developer is requesting a change in zoning to R5 for a 17 acre parcel at 2425 H Road which according to the **2019 approved plan is zoned for R1.**

**One of the assets of the Grand Junction area is the diversity of development. The Area north of I-70 zoned as R1 that is still relatively close to town is unique to our city and an asset to the City and County.**

There is land south of I-70 that is zoned appropriately for the R5 development.

My concerns also consider traffic on small roads but I am most concerned about the Planning Department not following the development plan that was most recently approved in 2019.

Thank you for your time and consideration in this matter.

Sincerely,  
Archie and Sue Magee

**From:** [Jared and Becky](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** Vista 5 LLP Rezone  
**Date:** Tuesday, February 14, 2023 11:40:09 AM

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I was writing to voice concern over  
Vista 5 LLP Rezone  
RZN-2022-845

When discussing growth in this particular area, I have serious concerns. Several years ago we had a similar meeting and City Council agreed that 5 homes per acre was too much for this particular area. Growth is important and planning for that growth is also very important. Please understand I am not suggesting we do not have any building in this area. What I am suggesting is keeping the integrity of this area. It is roughly  $\frac{3}{4}$  developed thus far and consists mostly of 2-10 acre lots. That is part of the charm of Grand Junction. There are areas so close to the city that still feel country. One could take a drive and find quiet, serene streets with open space. 24 road is one of the only roads I know that has a twisty bend in it. That along with the huge oak trees that give the bend shade in the summertime and cover it during the autumn, with its yellow leaves, is one of the reasons we bought the home we did. Character is part of a town. I imagine the character of that road would be destroyed if a second road into a neighborhood housing 5 homes per acre was carried out. The way this area was planned was done so on purpose. It adds value to our community with its character, larger lots, open space, wildlife etc. The suggested 5 homes to 1 acre is a radical change that does not support what has been developed in this area. In fact it feels slapped together and stuck into an area without much thought.

Obviously there are the concerns over traffic, bridges, schools etc. However, the greatest concern is this plan is not quality growth. It does not respect the way this particular area of Grand Junction has been purposely built out. Once you start, where do we stop? 3 years ago, you approved R-1. Please do not go back on that decision. Lets continue to grow Grand Junction in a purposeful way. 5 lots per acre are not appropriate for this particular area. Lets talk about a plan that is.

Respectfully,

Jared and Becky Chisholm

**From:** [Robert Fuoco](#)  
**To:** [Nicole Galehouse](#)  
**Subject:** Vista 5, 2428 H Rd  
**Date:** Monday, February 13, 2023 9:52:23 AM

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Nicole,

Please pass this e:mail onto the Planning Commission. I plan on using it at the Planning meeting on the 16th. I will also bring copies for the Commissioners.

Currently the City of Grand Junction encompasses just over 40 square miles or 25,600 acres. If you deduct 40% for commercial, parks, etc. that leaves 15,360 acres for residential. At just three units per acre and an average of three residents per home that allows for a population of 138,240. This is without any additional annexation. That population is over 50% above the 90,000 estimated by 2040. Obviously the numbers grow exponentially with the higher density the City is requiring. What is the motivation?

Bob Fuoco