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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, NOVEMBER 28, 2023 - 5:30 PM
*Attend virtually: bit.ly/GJ-PC-11-28-2023***

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider a request by The Eddy at Grand Junction LLC to vacate portions of the public trail easement across the property located at 347 and 348 Eddy Drive.
2. Consider a request by Foothills Housing 2 LLC and Foothills Housing 5 LLC to rezone approximately 174.3 acres located Between 23 ¼ and 23 ¾ Roads, from G Road to Highway 6 and 50, from PD (Planned Development) to PD (Planned Development) and adopt an Outline Development Plan for "Mesa Trails."
3. Consider a request by Flavius Real Estate LLC to zone 2.96 acres within the Hartman Brothers Annexation to I-1 (Light Industrial) located at 821 21 ½ Road.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
November 14, 2023, 5:30 PM
MINUTES

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

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

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Kris Ashbeck (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 22 members of the public in attendance, and 3 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from October 10, 2023.

2. Orchard Estates Easement Vacation

VAC-2023-567

Consider a Request by Ruckman Holdings LLC, Terry Ruckman, to Vacate a Portion of a Public Utility Easement Located within the Orchard View Way Right-of-Way.

Commissioner Secrest Moved to approve the item.

Commissioner Ehlers seconded; motion passed 7-0.

REGULAR AGENDA

1. Zoning and Development Code Update – GJMC Title 21

ZCA-2023-172

Consider a Repeal of the 2010 Title 21 Zoning and Development Code and Adoption of the 2023 Zoning and Development Code; Consider Transitioning Zone Districts on the Official Zoning Map in Accordance with the 2023 Zoning and Development Code.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Elizabeth Garvin and Gabby Hart, consultants with Clarion and Associates, expanded on Mrs. Galehouse's presentation.

Kevin Bray, a member of the Zoning and Development Code Committee, gave a presentation and spoke on behalf of the committee.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, November 7, 2023, via www.GJSpeaks.org.

Dave Zollner spoke against the retirement of the R-1 and R-2 zone districts. He argued that retirement of these districts would reduce housing options.

Bob Fuoco agreed with Mr. Zollner.

Will Findlay with PRAB provided context about the discussions around the revisions to the Open Space requirements.

Larry Tyson agreed with Mr. Zollner and Mr. Fuoco.

Hogan Peterson commented that while the code revisions were not unanimously agreed on, they did achieve a broad degree of consensus. He expressed concerns about the additional documents because they conflicted with the recommendations of the Zoning Code Committee.

Shiloh White stated that the retiring of the R-E, R-1, and R-2 zoning was counterproductive to the goal of increasing housing options. She provided housing statistics and argued that while the zones would not be immediately removed, it would be easier for developer to rezone to higher density moving forward.

Mike Wall with Wall Development Group spoke on the criticality of drive-thrus on retail redevelopment. He noted that many traditionally “sit-down” restaurants were starting to include drive-thrus to capture a larger customer base.

Doug Poppe with Equity Ventures recommending creating design standards for analysis of compatibility of drive-thru uses along the 24 Road corridor.

Ron Abeloe suggested changes for the language in the open space dedications pertaining to easements being allowed in parks and the economic goals of the developer when determining which land would be dedicated. He agreed with Mr. Wall and Mr. Poppe on the drive-thru standards for 24 Road. He argued in favor of the changes to downtown parking requirements and utilities undergrounding.

Mike Foster spoke in opposition of the drive-thru regulations on 24 Road. He argued in favor of the reduced requirements for undergrounding utilities.

The public comment period was closed at 7:16 p.m. on November 14, 2023.

Commissioner Weckerly clarified that if a property currently existed as R-E, R-1, or R-2, it could be further developed as such, but if it was annexed it would need to be zoned to a higher density

as outlined in the Comprehensive Plan. She noted that these retired zones were already prohibited in the Comprehensive Plan and that the code update was just bringing the code into alignment with the Comp Plan. She asked who would be impacted if they approved the retirement of the R-1 and R-2 zone districts.

Conversation ensued about the 24 Road overlay, site access and restrictions around drive thrus, the impact of the overlay on the affected property owners, and the existing overlay and its implementation.

Commissioner Ehlers asked about size requirements for parks.

The public hearing was closed at 7:43pm on November 14, 2023.

Discussion

Commissioner Ehlers suggested placing the most controversial items on an adjacent issues list and creating a separate committee to assess those items prior to bringing the code changes to City Council.

Chairman Teske asked if there was discussion about formation of an adjacent issues committee at the November 13, 2023 City Council workshop.

Commissioner Scissors agreed with Commissioner Ehlers that there should be more outreach and input from the owners along 24 Road to ensure their voices would be heard prior to making a decision. He also asked for clarification of “adjacent issues”.

Commissioner Secret asked for clarification on how code revisions could take place after adoption.

Conversation ensued about amending any suggested motions to include formation of an adjacent issues committee, CUPs for drive-thrus along the 24 Road corridor, parking in the downtown area, and Open Space designations.

Motion and Vote

Commissioner Weckerly made the following motion “Mr. Chairman, on the request to repeal and replace the 2010 Title 21 Zoning and Development Code of the Grand Junction Municipal Code as amended, City file number ZCA-2023-172, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report. This is a motion to adopt the draft as presented tonight. Additionally, we recommend formation of a post-adoption advisory committee to further discuss the adjacent issues.”

Commissioner Ehlers amended the motion with “The ongoing committee should be an advisory committee from local expertise as well as relevant city personnel and resources to address the adjacent issues because we had scope limitation issues previously.”

Commissioner Secrest seconded; motion passed 5-2.

Commissioner Weckerly made the following motion “Mr. Chairman, I move that the Planning Commission forward a recommendation of approval to City Council to incorporate the proposed revisions in Exhibit 8 – Addendum to the Adoption Draft into the Zoning and Development Code prior to final adoption.”

Commissioner Secrest seconded; motion passed 7-0.

Commissioner Weckerly made the following motion “Mr. Chairman, on the request to transition zone districts on the Official Zoning Map in accordance with the 2023 Zoning and Development Code, City file number ZCA-2023-172, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”

Commissioner Scissors seconded; motion passed 7-0.

Commissioner Weckerly made the following motion “Mr. Chairman, I move that we move issues B & C from Exhibit 6, specifically drive-throughs on 24 Road and open space dedication process to the adjacent issues list to be discussed by a future committee.”

Commissioner Scissors seconded; motion passed 6-1.

2. Comp Plan Amendment – Chapter 3: Land Use Designation **CPA-2023-177**

An Ordinance Amending the One Grand Junction Comprehensive Plan with Revised Zone Districts to be Consistent with the Zoning & Development Code Update.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for staff

Chairman Teske asked for clarification as to why staff believed Criterion 1 had not been met.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, November 7, 2023, via www.GJSpeaks.org.

There were no comments from the public or from online attendees.

The public comment period was closed at 9:07 p.m. on November 14, 2023.

Discussion

No discussion occurred between the commissioners.

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the One Grand Junction Comprehensive Plan Amendment, City file number CPA-2023-177, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and condition as listed in the staff report.”

Commissioner Scissors seconded; motion passed 7-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Scissors moved to adjourn the meeting.
The vote to adjourn was 7-0.

The meeting adjourned at 9:09 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: November 28, 2023
Presented By: Jessica Johnsen, Senior Planner
Department: Community Development
Submitted By: Jessica Johnsen, Senior Planner

Information

SUBJECT:

Consider a request by The Eddy at Grand Junction LLC to vacate portions of the public trail easement across the property located at 347 and 348 Eddy Drive.

RECOMMENDATION:

Staff recommends conditional approval of this request.

EXECUTIVE SUMMARY:

The Applicant, The Eddy at Grand Junction LLC., is requesting the vacation of portions of the public trail easement, located south of C ½ Road, and in portions of the properties at 347 and 348 Eddy Drive. The Applicant is currently in the process of a Simple Subdivision application review to create a tract (4.89 acres) that will be transferred to the City of Grand Junction. A public pedestrian trail that is a part of the Riverfront Trail is constructed and will be subsequently dedicated to the City (pending acceptance) within the proposed Tract A. A separate north/south public pedestrian easement will be dedicated connecting the Riverfront Trail to C 1/2 and 27 1/2 Road. The project is on 16.24 acres in a C-1 (Light Commercial) zone district

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

In 2013, a voter-approved measure, resulting from a challenge to the rezoning of the property, created an easement for the development of a section of the Colorado Riverfront Trail through the subject property, which is now known as the Eddy Riverfront Subdivision. Most of the existing easement is located along the riverbank and reaches 50' north of the bank on 347 and 348 Eddy Dr with a connection to C1/2 Road along the east edge of Lot 2 of the Eddy Riverfront Subdivision. The width of the easement along the river was greater than some that have been granted for a trail as it had not been determined where on the site along the riverfront would be most

appropriate.

The site was more fully reviewed with the Eddy Riverfront Subdivision. A second ballot question was approved by the people in April 2020 to allow for some modification of the trail easement in accordance with the development of Lot 1 and Lot 2, a campground and residential multifamily respectively. In addition, the 2021 approval for the development was conditional and required a review of the site to provide a more detailed analysis of the stability of the riverbank in this area, which has consequences for the viability of constructing an extension of the Colorado Riverfront Trail within the easement.

The Applicant's request is to vacate a portion of the existing trail easement while concurrently pursuing a simple subdivision that includes a tract which encompasses the trail. Staff has considered the information now available and determined that Tract A which is offered by the Applicant to be dedicated to the City is sufficient for use by the public of the trail and for maintaining the trail. The vacation of the easement portion requested is recommended by staff with the condition that Tract A be dedicated to the City of Grand Junction for use of the public.

NOTIFICATION REQUIREMENTS

A neighborhood meeting is not required per Grand Junction Municipal Code Section 21.02.070. 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 November 13, 2023. 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 November 16, 2023. The notice of this public hearing was published on November 19, 2023 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between November 21, 2023 and November 27, 2023 through the GJSpeaks platform.

ANALYSIS

The criteria for review is set forth in Section 21.02.100(c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements provided the vacation shall conform to the following:

1. The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City;

The request to vacate a portion of an existing trail easement does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. There is consistency with the Active Transportation Corridor as well. Vacation of this easement will have no impact on public facilities or services provided to the general public since the City is to receive a tract which encompasses the trail as part of the simple subdivision. Further, the vacation request is consistent

with the following goals and policies of the Comprehensive Plan:

- o Plan Principle 6: Efficient and Connected Transportation - Active Transportation. The coordination of the active transportation network with the recreational trail system on public lands ensures that biking and walking contribute to the Grand Junction experience for residents and visitors alike. The Colorado River Trail is the spine of Grand Junction's trail system and a key route for transportation and recreation on the south side of the city. Supported by connections to the city's other active transportation corridors along drainage and utilities, the Colorado River Trail provides access to riverfront recreational opportunities, a transportation connection for bike commuters, and non-motorized access to many destinations in the Grand Valley.
- o Plan Principle 7: Great Places and Recreation. Excellent Amenities. The community center is a hub of activity for residents and visitors of all ages, supporting both the physical and mental health and wellness of the community. The riverfront, once used as a dumping ground, has become a distinct linear parks system and treasured waterfront, connected by the Riverfront Trail and accessible from all areas of the city via the Active Transportation Corridors that intersect it. The riverfront parks connect to key destinations, including the Riverfront at Las Colonias, the Riverfront at Dos Rios, new event spaces, and the Western Colorado Botanical Gardens. Grand Junction's Arts and Culture Commission, through their work and involving the Grand Junction Creative District, provides abundance of festivals, theater, and music; places for arts organizations; and a strengthened awareness and involvement of citizens in the community. Therefore, staff has found this criterion has been met.

2. No parcel shall be landlocked as a result of the vacation;

All adjacent parcels have, and shall continue to have, direct access to public Rights of Way before and after the proposed easement vacation. Therefore, staff finds that this criterion has been met.

3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

This vacation does not impact access to any parcel with the condition of the tract being granted to the City and as such, staff finds this criterion has been met.

4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services;

No adverse impacts on the health, safety, and/or welfare of the general community have been identified and the quality of public facilities and services provided to any parcel of land will not be reduced as a result of this vacation as the City will receive a tract of land from the Applicant/Owner of the property which serves the purpose of providing a trail for public use; therefore, staff finds this criterion has been met.

5. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

Neither staff nor utility providers have identified that this request will inhibit the provision of adequate public facilities and services. Staff finds that this criterion has been met.

6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

The vacation will help connect the future trail to the existing connections, clean up portions of the easement to prepare for the Simple Subdivision application that will include dedicating the easement (Tract A) back to the City. The dedication will have the additional benefit of the City owning and maintaining the trail easement and protecting the riverfront. As such, staff finds that this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing The Eddy – Easement Vacation, VAC-2023-305, located south of C ½ Road, running along the southern portion of both properties located at 347 and 348 Eddy Drive, the following findings of fact based on two conditions have been made:

1. The requests conform with Section 21.02.100(c) of the Zoning and Development Code.

Conditions:

1. Tract A, as proposed in File No. SSU-2023-304, be dedicated to and accepted by the city which encompasses the constructed east/west Riverfront Trail, and

2. A minimum 10 foot wide pedestrian easement along the existing north/south sidewalk connecting Tract A to C ½ Road where it meets 27 ½ Rd be recorded by separate instrument.

Therefore, Staff recommends conditional approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on The Eddy – Easement Vacation located south of C ½ Road and in portions of the properties at 347 and 348 Eddy Dr., City file number VAC-2023-305, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report.

Attachments

1. Exhibit 1 - Development Application
2. Exhibit 2 - Site Map
3. Exhibit 3 - Zoning Map
4. Exhibit 4 - Subdivision Plat (draft)
5. Exhibit 5 - Vacation Exhibits & Legal Descriptions

6. Exhibit 6 - Draft Resolution

Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

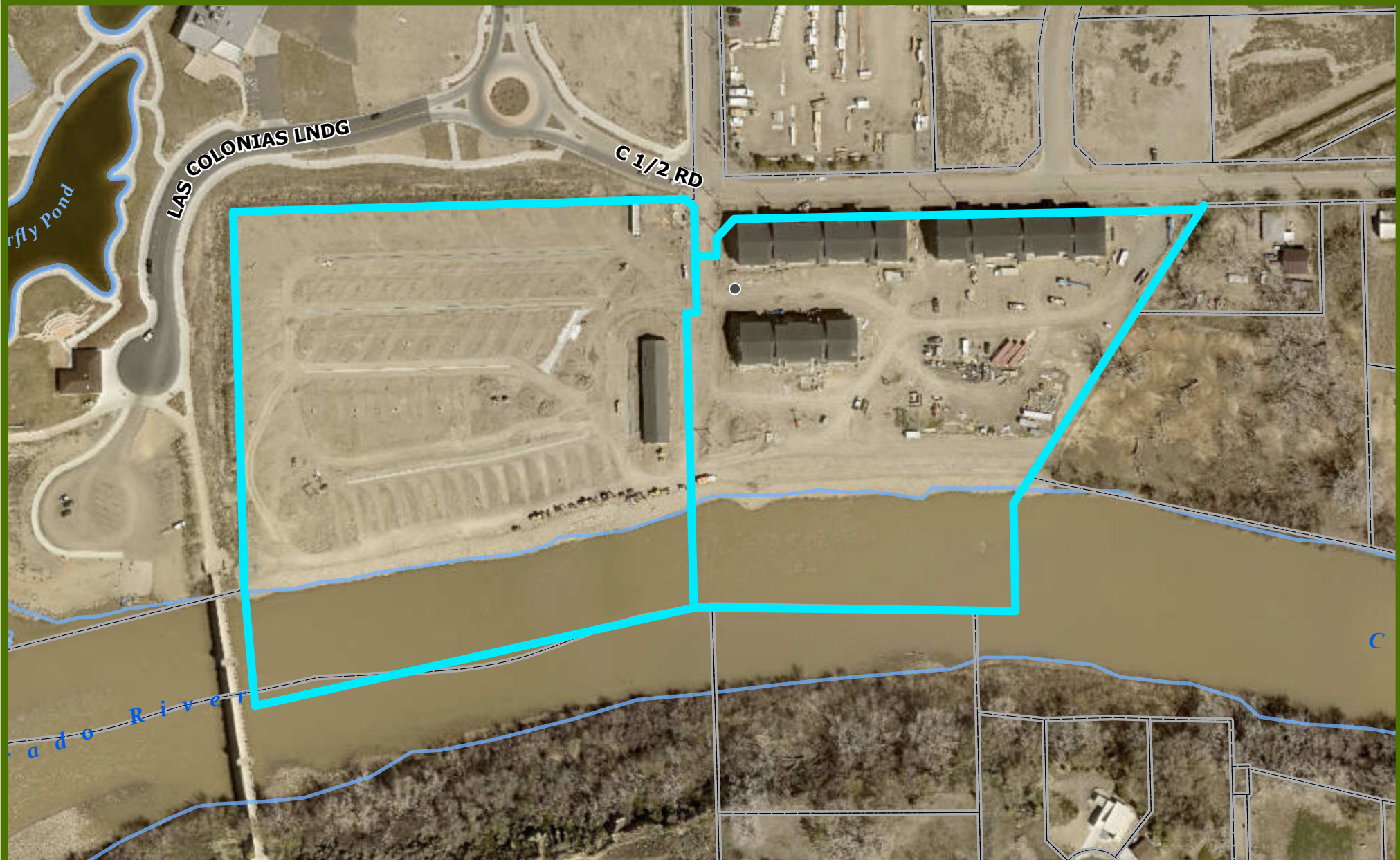
Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

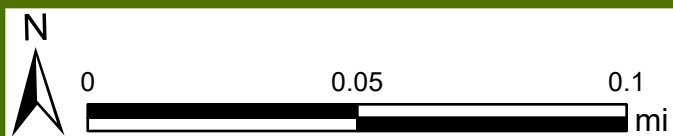
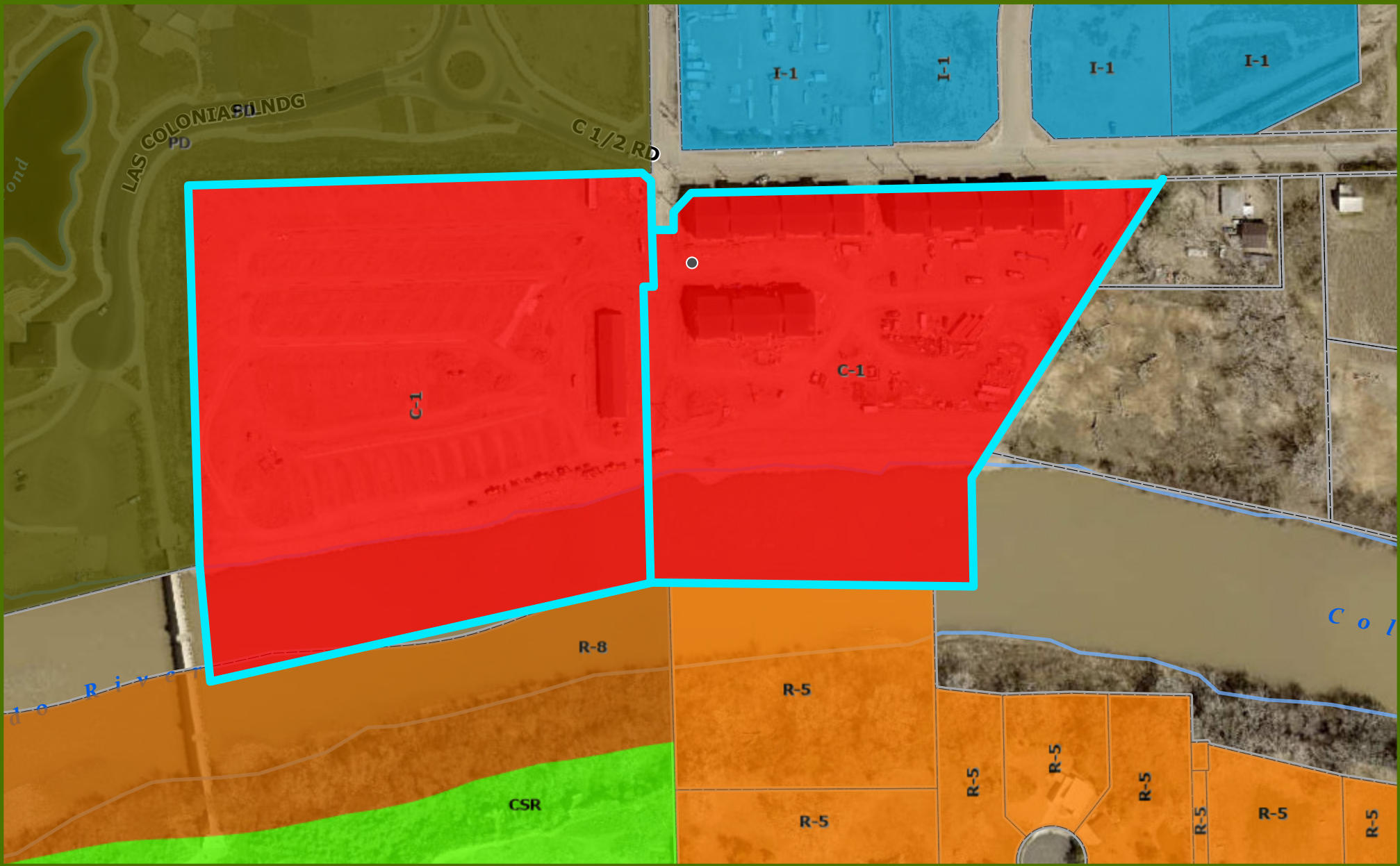
Site Map



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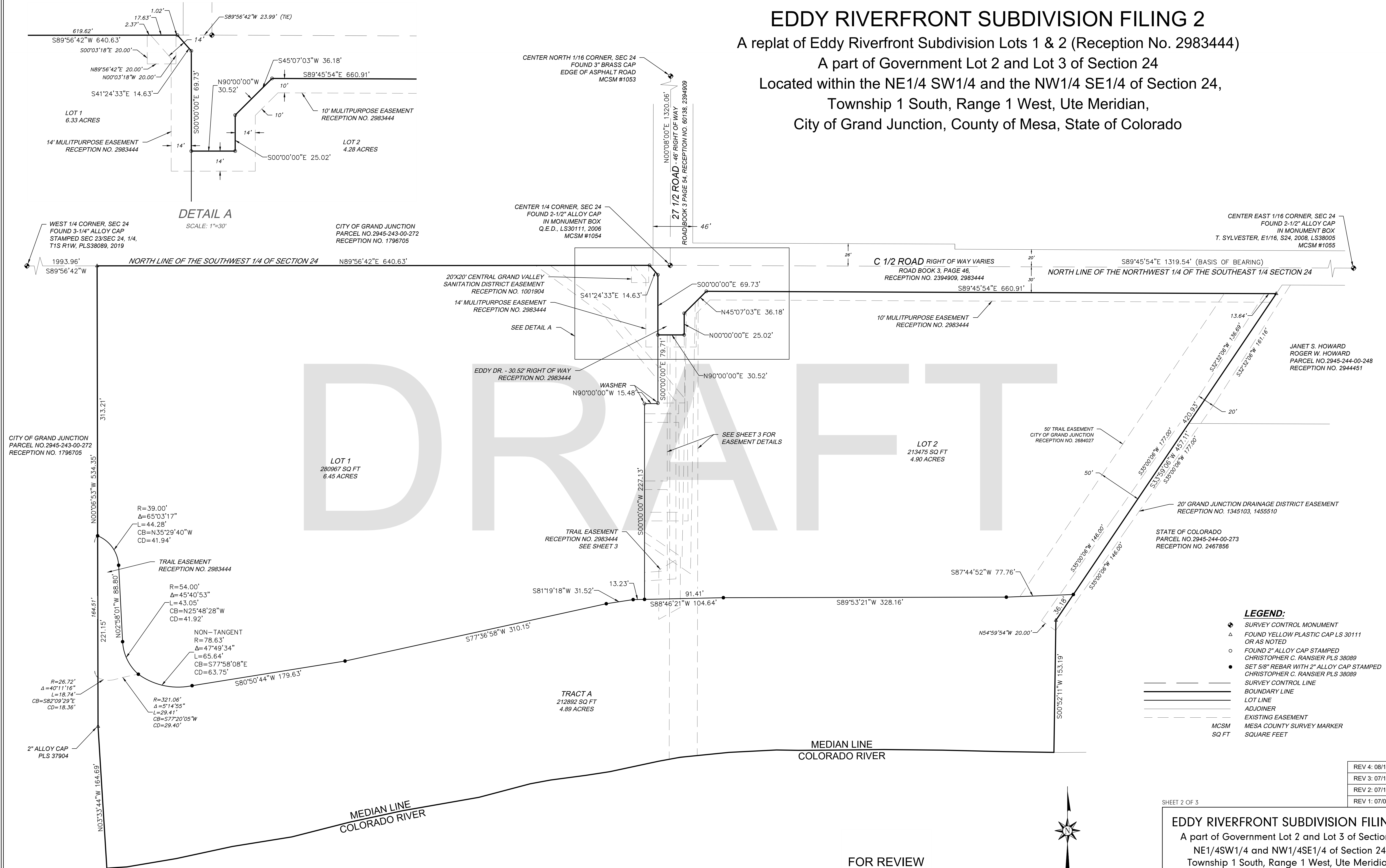
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Packet Page 13

City of Grand Junction

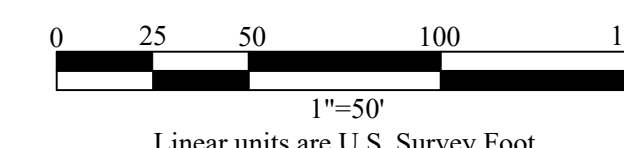


Printed: 11/21/2023
1 inch equals 188 feet
Scale: 1:2,257
Packet Page 14

EDDY RIVERFRONT SUBDIVISION FILING 2
A replat of Eddy Riverfront Subdivision Lots 1 & 2 (Reception No. 2983444)
A part of Government Lot 2 and Lot 3 of Section 24
Located within the NE1/4 SW1/4 and the NW1/4 SE1/4 of Section 24,
Township 1 South, Range 1 West, Ute Meridian,
City of Grand Junction, County of Mesa, State of Colorado



Christopher C. Ransier
Colorado PLS 38089



SHEET 2 OF 3

EDDY RIVERFRONT SUBDIVISION FILING 2
A part of Government Lot 2 and Lot 3 of Section 24,
NE1/4SW1/4 and NW1/4SE1/4 of Section 24,
Township 1 South, Range 1 West, Ute Meridian,
City of Grand Junction, County of Mesa, State of Colorado

Surveyed by: RAC/CCR
Drawn by: CCR/ABL
Job #: 2420523
Date: 05/17/2023

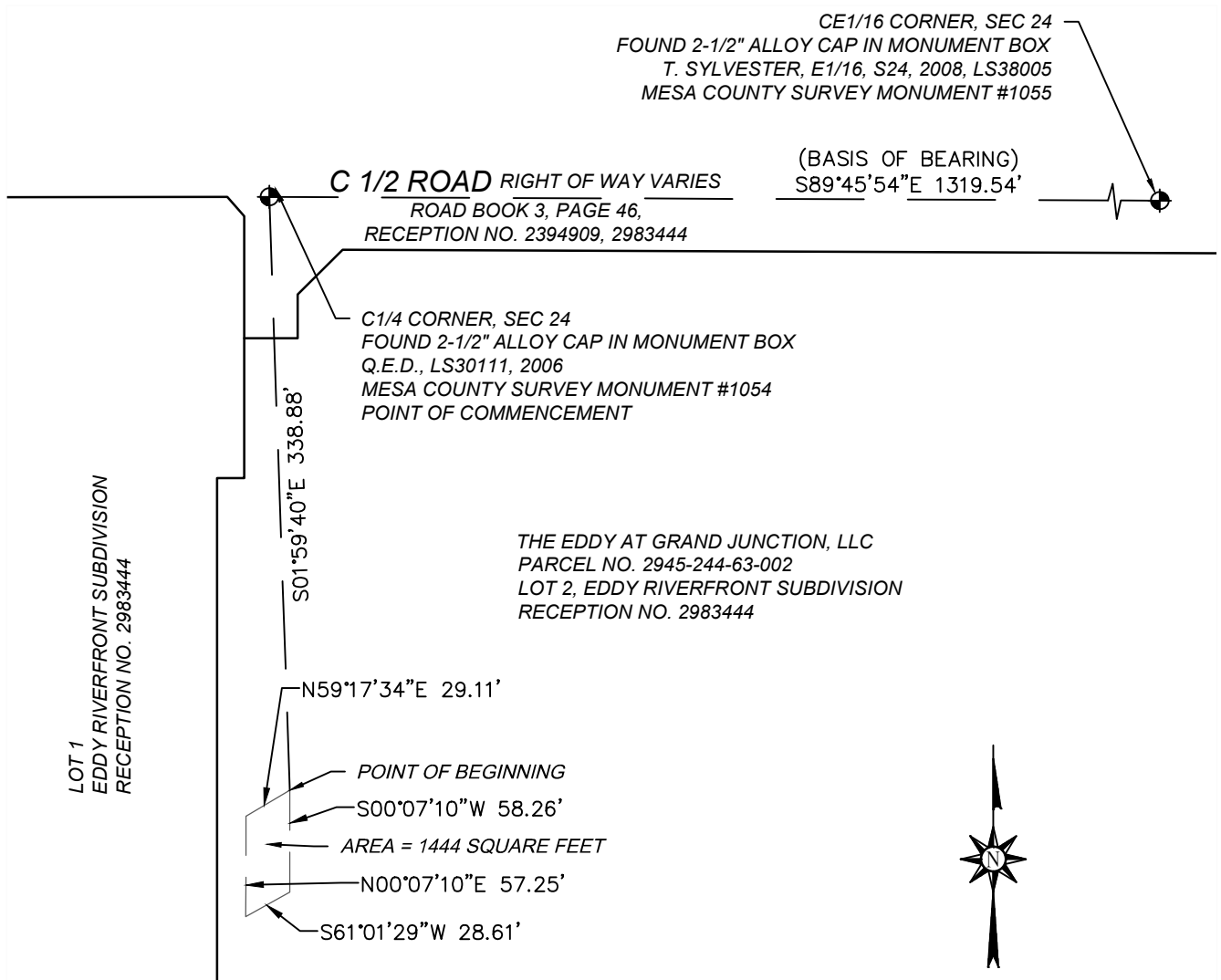


Kart Surveying, LLC
734 Main St.
Grand Junction, CO 81501
970.201.4081 surveying@kart.com

REV 4: 08/18/2023
REV 3: 07/18/2023
REV 2: 07/13/2023
REV 1: 07/05/2023

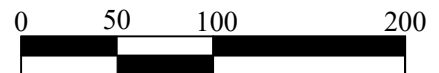
TRAIL EASEMENT VACATION EXHIBIT

348 Eddy Drive, Grand Junction, CO 81501



Alexandre B. Lheritier
Colorado PLS 38464

THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY
REPRESENTING A WRITTEN DESCRIPTION - IT DOES
NOT REPRESENT A MONUMENTED BOUNDARY SURVEY



1"=100'

Linear units are U.S. Survey Foot

LEGEND:

— SURVEY CONTROL LINE
— LOT LINE
— EASEMENT LINE

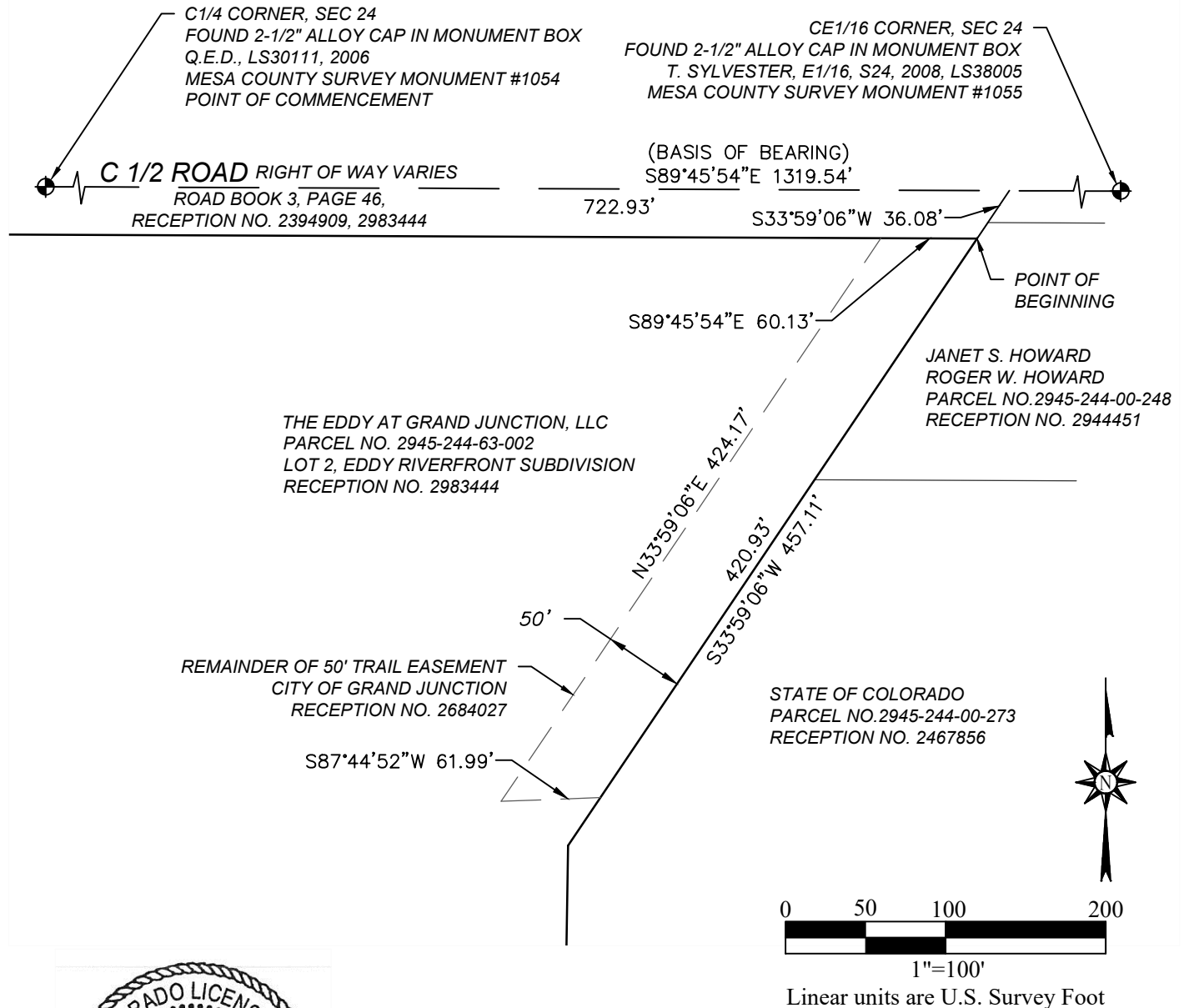
Job #: 2420523

Date: 11/02/2023



Kaat Land Solutions, LLC
734 Main St.
Grand Junction, CO 81501
970.201.4081 surveying@kaart.com

TRAIL EASEMENT VACATION EXHIBIT
347 & 348 Eddy Drive, Grand Junction, CO 81501



Alexandre B. Lheritier
Colorado PLS 38464

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LEGEND:

- SURVEY CONTROL LINE
- LOT LINE
- ADJOINER
- - - EASEMENT LINE

Job #: 2420523

Date: 11/02/2023



Kaat Land Solutions, LLC
734 Main St.
Grand Junction, CO 81501
970.201.4081 surveying@kaart.com

Trail Easement Vacation – 348 Eddy Drive

A parcel of land located in Lot 2, Eddy Riverfront Subdivision (Reception No. 2983444), situated in Government Lot 2 and Government Lot 3, Section 24, Township 1 South, Range 1 West, of the Ute Meridian, Grand Junction, Mesa County, Colorado, described as:

All of that trail easement in Lot 2, shown and dedicated on the Eddy Riverfront Subdivision plat, more particularly described as:

Commencing at the C1/4 of said Section 24, whence the CE1/16 bears S89°45'54"E, running thence S01°59'40"E 338.88 feet to the northeast corner of said dedicated trail easement and the Point of Beginning.

Running thence S00°07'10"W 58.26 feet; thence S61°01'29"W 28.61 feet; thence N00°07'10"E 57.25 feet; thence N59°17'34"E 29.11 feet to the Point of Beginning.

Parcel contains 1444 square feet.

Description prepared by:
Alexandre B. Lheritier, PLS 38464
Kart Land Solutions, LLC
734 Main St.
Grand Junction, CO 81501



Trail Easement Vacation - Eddy Riverfront Subdivision Filing 2

A parcel of land located in Lots 1 & 2, Eddy Riverfront Subdivision (Reception No. 2983444), situated in Government Lot 2 and Government Lot 3, Section 24, Township 1 South, Range 1 West, of the Ute Meridian, Grand Junction, Mesa County, Colorado, described as:

All of that trail easement described in Reception No. 2684027, EXCEPTING THE FOLLOWING:

Commencing at the C1/4 of said Section 24, whence the CE1/16 bears S89°45'54"E, running thence along said center of section line S89°45'54"E 722.93 feet to the northeast corner of said Eddy Riverfront Subdivision; thence S33°59'06"W 36.08 feet to the northeast corner of Lot 2, Eddy Riverfront Subdivision, and the Point of Beginning.

Running thence along the east line of said Lot 2 S33°59'06"W 420.93 feet; thence S87°44'52"W 61.99 feet; thence N33°59'06"E 424.17 feet to the north line of said Lot 2; thence along said north line S89°45'54"E 60.13 feet to the northeast corner of said Lot 2 and the Point of Beginning.

Description prepared by:
Alexandre B. Lheritier, PLS 38464
Kart Land Solutions, LLC
734 Main St.
Grand Junction, CO 81501



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION VACATING PORTIONS OF THE PUBLIC TRAIL EASEMENT AS IDENTIFIED ALONG THE SOUTHERN AND EASTERN PROPERTY LINES AT 347 27 ½ ROAD, 2757 C ½ ROAD, AND MESA COUNTY TAX PARCEL NO. 2945-244-00-080

LOCATED AT 347 27 ½ ROAD, 2757 C ½ ROAD, and MESA COUNTY TAX PARCEL NO. 2945-244-00-080

RECITALS:

A vacation of portions Public Trail Easement has been requested by the property owners, The Eddy at Grand Junction, LLC, with assurances of a reciprocal dedication of the easement (Tract A) to the City of Grand Junction and facilitating connection to existing trail connections.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate portions of the Public Trail Easement is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100(c) of the Grand Junction Zoning & Development Code.

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

The following described publicly dedicated 50' Public Trail Easement is hereby vacated subject to the listed conditions:

1. The dedication of Tract A to the City of Grand Junction.
2. A pedestrian easement will be created and dedicated to the City that runs north and south from Tract A to C ½ Road where it meets 27 ½ Rd by separate instrument.

A certain parcel of land described at Reception No.2684027 and lying in Government Lots 2 and 3 of Section 24, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

A certain 50.00 foot wide parcel of land entirely within the following three (3) parcels of land: Parcel No.1 and No.2 of the lands described in Book 4172, Page 725 and Parcel

No2 of the lands described in Book 4172, Page 722, all in the Public Records of Mesa County, Colorado, lying North of the Northerly top of bank for the Colorado River and South of a line 50.00 feet North of and parallel with said Northerly top of bank.

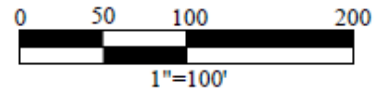
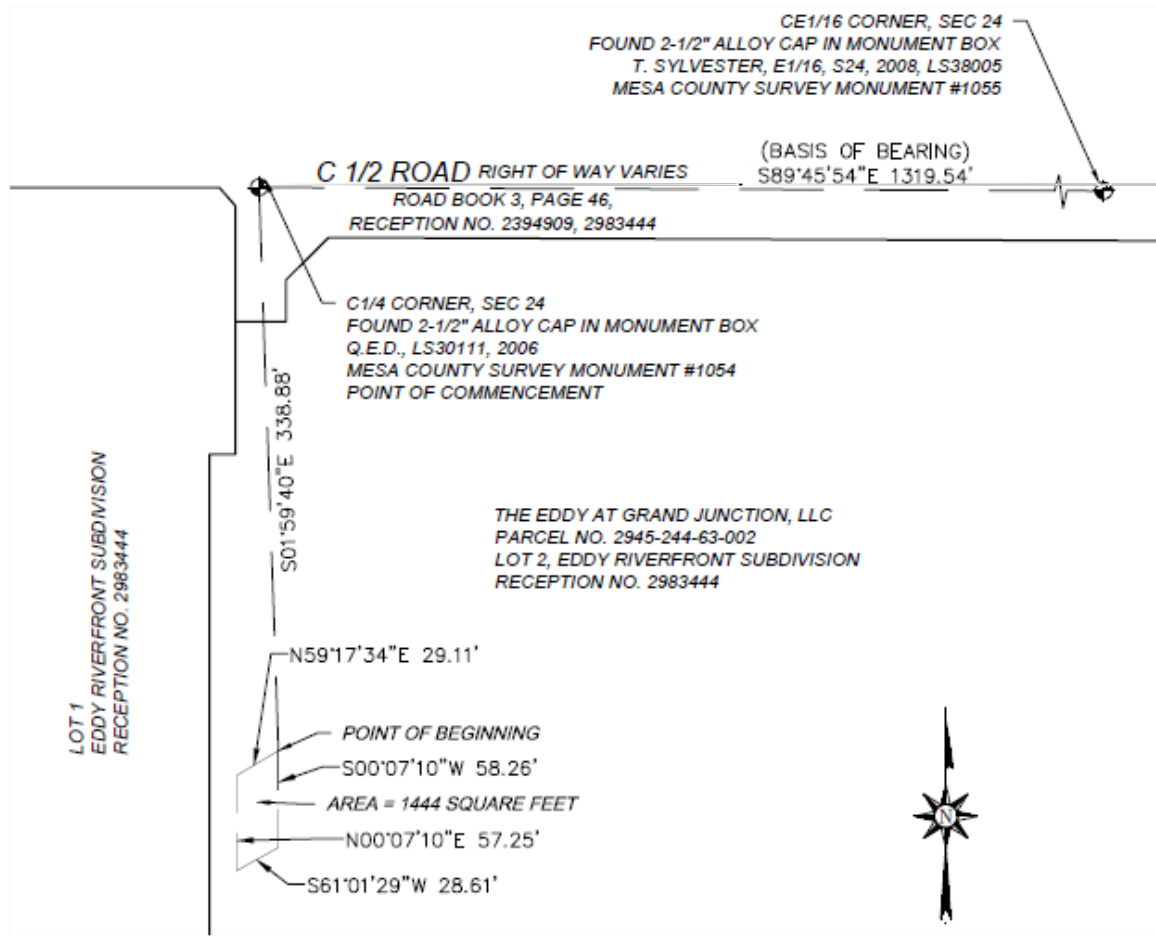
PASSED and ADOPTED this _____ day of _____, 2023.

ATTEST:

President of City Council

City Clerk

TRAIL EASEMENT VACATION EXHIBIT
348 Eddy Drive, Grand Junction, CO 81501



Linear units are U.S. Survey Foot



Alexandre B. Lheritier
 Colorado PLS 38464

THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY
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LEGEND:

——— SURVEY CONTROL LINE
 ——— LOT LINE
 - - - - - EASEMENT LINE

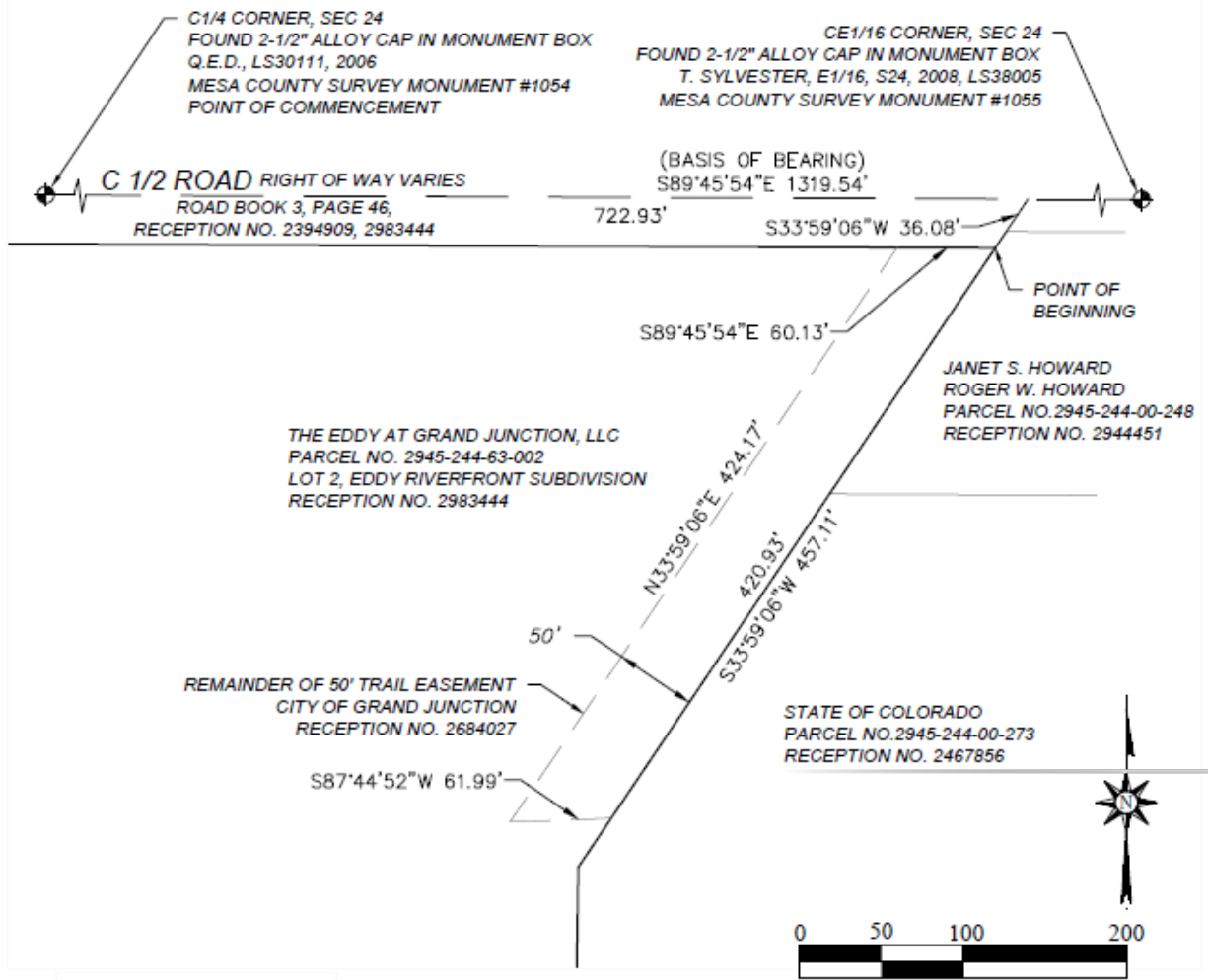
Job #: 2420523

Date: 11/02/2023



Kart Land Solutions, LLC
 734 Main St.
 Grand Junction, CO 81501
 970.201.4081 surveying@kart.com

TRAIL EASEMENT VACATION EXHIBIT
347 & 348 Eddy Drive, Grand Junction, CO 81501



Alexandre B. Lheritier
 Colorado PLS 38464

THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY
 REPRESENTING A WRITTEN DESCRIPTION - IT DOES
 NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

LEGEND:

- SURVEY CONTROL LINE
- LOT LINE
- ADJOINER
- - - EASEMENT LINE

Job #: 2420523

Date: 11/02/2023



Kart Land Solutions, LLC
 734 Main St.
 Grand Junction, CO 81501
 970.201.4081 surveying@kart.com



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: November 28, 2023
Presented By: Timothy Lehrbach, Senior Planner
Department: Community Development
Submitted By: Tim Lehrbach, Senior Planner

Information

SUBJECT:

Consider a request by Foothills Housing 2 LLC and Foothills Housing 5 LLC to rezone approximately 174.3 acres located Between 23 ¼ and 23 ¾ Roads, from G Road to Highway 6 and 50, from PD (Planned Development) to PD (Planned Development) and adopt an Outline Development Plan for "Mesa Trails."

RECOMMENDATION:

Staff recommends approval of the request for rezone and Outline Development Plan.

EXECUTIVE SUMMARY:

Foothills Housing 2 LLC and Foothills Housing 5 LLC (collectively, Applicant) are requesting a rezone from Planned Development (PD) to Planned Development (PD) and approval of an Outline Development Plan (ODP) for the Mesa Trails (fka The Community) development, replacing the previously approved PD and ODP for the project.

The Applicant received City Council approval for the PD and associated ODP on August 19, 2015 by Ordinance No. 4676. The original approval was amended on May 15, 2019, by Ordinance No. 4855, which included a revised phasing schedule along with other changes to uses, pod configuration and composition, and bulk standards. The 2019 amendment assumed that development would occur one pod at a time. However, as development progressed on the site, this approach proved not to be feasible. The Applicant therefore requested an extension along with a revised phasing schedule for the PD and ODP which provided for completion of the remaining phases of development within 10 years. This revised phasing schedule was approved and adopted by the City Council on May 17, 2023, by Ordinance No. 5150.

However, since the previous Phase 1 deadline passed two days prior to the date of adoption, the Applicant has chosen to apply for a rezone for a "new" Planned

Development and Outline Development Plan out of an abundance of caution to preclude the possibility of the ODP being construed as lapsed, rendering the PD null and void.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject property, located between the proposed 23 ¼ and 23 ¾ Roads, from G Road to Highway 6 and 50, was annexed in 1995 as part of the Northwest Enclave. Initially known in project documents as OneWest, then The Community, prior to its current iteration as Mesa Trails, this project is a proposed Planned Development scheduled to be completed over a total of three phases. The project mixes manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses over its approximate 174 acres.

The project received initial approval for the PD and ODP on August 19, 2015, by Ordinance No. 4676. On May 15, 2019, by Ordinance No. 4855, an amendment to the PD ordinance was approved, which included a revised phasing schedule along with other changes to uses, pod configuration and composition, and bulk standards. Since 2019, the applicant has sought and received approvals for four applications, including two subdivisions, a site plan for a 256,000 SF manufacturing facility, and a site plan for the first phase (77 units) of a multifamily development. A subdivision review is currently underway that encompasses portions of multiple pods. The phasing schedule, however, set the first threshold as a preliminary development plan for any one pod within 4 years.

As development progressed on the site, it became apparent that the broad phasing schedule requiring plans for an entire pod at a time was not feasible. The Applicant therefore requested an extension along with a revised phasing schedule for the PD and ODP which provided for completion of the remaining phases of development within 10 years. This revised phasing schedule was approved and adopted by the City Council on May 17, 2023, by Ordinance No. 5150. However, since the previous Phase 1 deadline passed two days prior to the date of approval of the extension, the Applicant has chosen to apply for a rezone for a “new” Planned Development and Outline Development Plan out of an abundance of caution to preclude the possibility of the ODP being construed as lapsed, rendering the PD null and void.

This new application and supporting materials replicate what has been previously submitted and approved, except for the following modifications, based on refinements that have been made through the development review process:

- the alignment of the future segment of 23 ½ Road;
- the approximate geometry of entrance features, stormwater management, and irrigation storage;
- the number and location of future access points; and
- the project phasing schedule

The future segment of 23 ½ Road – a minor arterial on the Grand Junction Circulation Plan (GJCP) – within the subject property has been updated on the ODP map to reflect its projected intersection with F ½ Road – a principal arterial on the GJCP – at a roundabout which also accesses pod 4 to the south of the intersection. This revision is consistent with the 2018 update to the GJCP. The ODP map does not represent a precise final alignment, which is subject to major subdivision review and all applicable development and engineering standards.

The project phasing schedule is updated to adjust the required project milestones and deadlines forward based on the adoption date of this new proposed ordinance.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held via zoom on Friday, July 28, 2023, in accordance with Section 21.02.080(e) of the Zoning and Development Code. Stuart Borne, for the applicants, Ty Johnson, the applicants' representative, and Niki Galehouse, Planning Supervisor for the City of Grand Junction, were present. No members of the public attended the meeting.

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 application signs on each street frontage on October 26, 2023. 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 November 16, 2023. The notice of the Planning Commission public hearing was published November 19, 2023 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between November 21, 2023 and November 27, 2023 through the GJSpeaks platform.

ANALYSIS

Rezone

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 if the proposal meets one or more of the following rezone criteria as identified:

- (1) *Subsequent events have invalidated the original premises and findings; and/or* The Applicant has opted to apply for this rezone to a new PD and ODP out of an abundance of caution that one may construe the previously approved, amended, and extended Outline Development Plan to have lapsed because the Phase 1 expiration date of May 15, 2023 was extended by the City Council on May 17, 2023. It is the position of the City that no such lapse occurred. A timely and complete application requesting the extension was received, processed, and scheduled for hearings prior to the May 15, 2023 expiration date of Phase 1. Neither the submittal of the rezone application nor its acceptance and recommendation for approval by staff is an acknowledgment that a lapse occurred. Rather, again, these decisions

reflect an abundance of caution and an opportunity to make certain limited updates to the ODP. Therefore, staff finds that no subsequent event has invalidated its original premises and findings, and this criterion is not met.

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

The 2010 Comprehensive Plan has been superseded by the 2020 One Grand Junction Comprehensive Plan. The proposed ODP and the supporting application materials demonstrate consistency with the 2020 Comprehensive Plan. However, this criterion states that a change to the character and/or condition of the area, not a change to the Plan itself, renders the amendment consistent with the Plan. In this case, the previously adopted ODP already anticipated the completion of Community Hospital adjacent to the subject property, which is the only substantial recent development in the vicinity. The character and/or condition of the area remain otherwise relatively unchanged since the adopted amendment to the existing PD in 2019. Therefore, this criterion is not met.

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

Water, sanitary sewer, storm water, and electric infrastructure exist on or adjoining the subject properties. Each of the existing and future public streets at the perimeter of the development pods and the entire area subject to the proposed ODP is identified as a collector or arterial in the Grand Junction Circulation Plan. The West Junction Metropolitan District has been established for the funding of necessary infrastructure to serve the development area. The available public facilities, coupled with capital improvement projects in progress and such improvements as will occur as the properties develop, are adequate to serve the housing, services, retail, commercial, manufacturing, and employment uses proposed to be allowed within the Planned Development district. Therefore, 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 that proposed land use; and/or

The subject properties are presently zoned Planned Development with an approved Outline Development Plan. The adopted PD and ODP are substantially similar to the proposed PD and ODP, including accommodating the same range of land uses within the proposal. There exists therefore precisely the same supply of suitably designated land available for the proposed development as there would be following the passage of the proposed zoning map amendment. Therefore, this criterion is not met.

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

The community will benefit from the mobility enhancements provided by the multimodal improvements to be constructed with the development, from the mix and concentration of uses in a new neighborhood center, which reduces demand on transportation facilities outside of the project area, from the creation of new public

and/or private open spaces and trail connections, from the introduction of a variety of housing types and densities, and from the protection of a wetland on the site. These project features enhance the development and provide citywide benefit. This criterion is met.

Implementing the Comprehensive Plan

In addition to the above criteria, the City may rezone property only 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.

- 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 Mixed Use north of F ½ Road and a designation of Commercial south of F ½ Road. The default zoning proposed for the northern portion of this project is BP (Business Park Mixed Use), which implements the Mixed Use designation. The default zoning proposed for the southern portion of this project is C-2 (General Commercial), which implements the Commercial designation.

- Plan Principle 2: Resilient and Diverse Economy

How We Will Get There

- 1. Foster a vibrant, diverse, and resilient economy.*
- 3. Promote business growth for a diverse and stable economic base.*

The proposal supports the formation of a health care industry cluster around the Community Hospital campus, emphasizes recruitment of development projects that have a positive impact on sales tax generation, and leverages proactive capital improvement plan investments.

- Plan Principle 3: Responsible and Managed Growth

How We Will Get There

- 2. Encourage infill and redevelopment to leverage existing infrastructure.*
- 6. Support the development of neighborhood-centered commercial uses and mixed-use development.*

The proposal coordinates the development of blocks and segments of corridors where a property-by-property approach would limit development potential, creates new places for employment growth, supports the creation of a mix of uses along prominent corridors, supports the development of a walkable neighborhood commercial center

providing a variety of services and amenities to the immediate area, expands housing options, and emphasizes strategies that will expand housing options and available services within the immediate area.

- Plan Principle 5: Strong Neighborhoods and Housing Choices

How We Will Get There

1. Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes.

4. Promote the integration of transportation mode choices into existing and new neighborhoods.

The proposal promotes a variety of housing types – detached and attached single-family, multifamily – that can provide housing options in a new neighborhood at the densities indicated by the Comprehensive Plan. The new neighborhood will feature integration of walking and bicycling infrastructure to link both new and existing destinations within and surrounding the neighborhood.

- Plan Principle 6: Efficient and Connected Transportation

How We Will Get There

1. Continue to develop a safe, balanced, and well-connected transportation system that enhances mobility for all modes.

4. Encourage the use of transit, bicycling, walking, and other forms of transportation.

The proposal will create and support infrastructure that connects the new neighborhood internally and to existing destinations surrounding the neighborhood. The mix of uses and densities combined with new infrastructure for all modes will support the use of transit, bicycling, walking, and other forms of transportation.

- Intensification and Tiered Growth Plan

Tier 1: Urban Infill – Tier 1 applies to areas where urban services already exist. Development should be directed towards vacant and underutilized parcels located primarily within Grand Junction’s municipal limits.

The proposal utilizes existing and planned infrastructure at its perimeter as well as between the development pods and directs a mix of uses and densities to one of the largest properties held in common ownership within the City limits.

Outline Development Plan

Section 21.02.150(b)(2) provides the approval criteria for an Outline Development Plan. An ODP application shall demonstrate conformance with all of the following (with staff findings):

(i) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies;

As addressed in the Implementing the Comprehensive Plan analysis above, the subject properties are designated as Mixed Use and Commercial on the 2020 One Grand Junction Comprehensive Plan land use map. The proposed ODP implements each designation by means of its default zone districts and appropriate adjustments. As further addressed above, the proposed ODP contributes to four Plan Principles and multiple strategies.

Additionally, the proposed development implements the Grand Junction Circulation Plan through its contributions to the City's network of arterial and collector roads and Active Transportation Corridors. The construction of complete streets and other multimodal infrastructure will increase mobility throughout the area.

Finally, the proposed development implements the 24 Road Corridor Subarea Plan through its provision of market uses that complement existing and desired uses and its contributions to connectivity within the subarea.

This criterion is met.

(ii) The rezoning criteria provided in GJMC 21.02.140;

As discussed above in the rezone analysis, two of the five criteria for approval of a rezone are met. This satisfies the requirement that at least one such criterion be met. This criterion is met.

(iii) The planned development requirements of Chapter 21.05 GJMC;

Section 21.05.010 provides that "Planned Development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved." The section further provides an inexhaustive list of eight specific benefits which would support PD zoning: (a) more effective infrastructure; (b) reduced traffic demands; (c) a greater quality and quantity of public and/or private open space; (d) other recreational amenities; (e) needed housing types and/or mix; (f) innovative designs; (g) protection and/or preservation of natural resources, habitat areas and natural features; and (h) public art. As detailed in Exhibit 1, which includes the proposed ODP and supporting application materials, and as discussed above under zoning amendment criterion (5), the project can be expected to achieve all eight benefits as the properties are developed and upon completion of the project at full build-out.

Section 21.05.020 requires that default standards be derived from the underlying zoning. Any deviations from such standards shall be limited to those allowed by 21.05.040(f-g). The applicant proposes default standards for each pod that are derived from the default zones applicable to each (BP or C-2). All proposed deviations are in accordance with the requirements of 21.05.040(f-g) and are explicitly stated in the proposed ordinance adopting the PD and ODP. The character of the proposed planned development is consistent with the default zones on which the PD is based.

Section 21.05.030 requires that allowed and conditional uses be established at the time PD zoning is adopted, and that such uses be consistent in type and density with the Comprehensive Plan. The proposed PD ordinance includes a use table, and Staff has determined that the proposed allowed uses are consistent with the Mixed Use and Commercial land use designations applied to the subject property.

Section 21.05.040 provides the requirements and limitations of project-specific development standards:

(a) Generally. Planned development shall minimally comply with the development standards of the default zone and all other applicable code provisions, except when the City Council specifically finds that a standard or standards should not be applied. Planned development shall comply with GJMC 21.02.150.

All deviations from the default zone development standards are proposed in accordance with the applicable provisions at 21.05.040(f-g) and are subject to approval by the City Council. The proposed development shall otherwise be subject to all requirements of the default zones and all applicable code provisions.

(b) Residential Density. Dwelling unit densities in planned development shall comply with the maximum and minimum densities of the Comprehensive Plan or default zone.

The proposed PD is a mixed use development subject to the provisions at 21.05.040(d)(1-2), addressed below. This provision (b) does not apply.

(c) Nonresidential Intensity. A maximum floor area shall be established at the time of planned development approval. In determining the maximum floor area, the Planning Commission and City Council shall consider:

- (1) The intensity of adjacent development;*
- (2) The demand for and/or mix of residential and nonresidential development in the proposed PD and in the vicinity of the proposed PD;*
- (3) The availability of transportation facilities, including streets, parking, transit facilities and bicycle/pedestrian facilities;*
- (4) The adequacy of utilities and public services.*

The proposed PD is a mixed use development subject to the provisions at 21.05.040(d)(1-2), addressed below. These provisions (c)(1-4) do not apply.

(d) Mixed Use Intensity.

- (1) In mixed use developments in areas designated for residential development in the Comprehensive Plan, no more than 10 percent of the land area may be dedicated to nonresidential uses.*

The proposed PD is in areas designated as Commercial and Mixed Use. This provision does not apply.

(2) The maximum residential densities within mixed use developments designated for nonresidential development in the Comprehensive Plan shall not exceed 24 dwelling units per acre. In such developments, residential uses shall not constitute more than 75 percent of total floor area.

The portion of the proposed PD in an area designated as Commercial is proposed to be limited to 12-24 units per acre, and residential uses will not constitute more than 75 percent of total floor area.

(e) Minimum District Size. A minimum of five acres is recommended for a planned development unless the Planning Commission recommends and the City Council finds that a smaller site is appropriate for the development or redevelopment as a PD.

The property subject to the proposed PD totals approximately 174.3 acres.

(f) Development Standards. Planned development shall meet the development standards of the default zone or the following, whichever is more restrictive. Exceptions may be allowed only in accordance with this section.

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone unless the applicant can demonstrate that:

- (i) Buildings can be safely designed and that the design is compatible with lesser setbacks. Compatibility shall be evaluated under the International Fire Code and any other applicable life, health or safety codes;*
- (ii) Reduced setbacks are offset by increased screening or primary recreation facilities in private or common open space;*
- (iii) Reduction of setbacks is required for protection of steep hillsides, wetlands or other environmentally sensitive natural features.*

The proposed PD reduces setbacks from 15 feet front and 10 feet rear standard for BP and C-2 to 10 feet front and 0 feet rear in all pods. All primary and accessory structures shall be designed to applicable building and fire code requirements. Provision (i) is met.

(2) Open Space. All residential planned developments shall comply with the minimum open space standards established in the open space requirements of the default zone.

No minimum open space standards are indicated for the BP or C-2 zones.

(3) Fencing/Screening. Fencing shall comply with GJMC 21.04.040(i).

Fencing shall comply with 21.04.040(i). No deviations or exceptions are proposed.

(4) Landscaping. Landscaping shall meet or exceed the requirements of GJMC 21.06.040.

Landscaping shall meet or exceed all applicable requirements. No deviations or exceptions are proposed.

(5) Parking. Off-street parking shall be provided in accordance with GJMC 21.06.050.

Off-street parking shall meet all applicable requirements. No deviations or exceptions are proposed.

(6) Street Development Standards. Streets, alleys and easements shall be designed and constructed in accordance with TEDS (GJMC Title 29) and applicable portions of GJMC 21.06.060.

All streets, alleys, and easements shall meet all applicable requirements. No deviations or exceptions are proposed. Any exceptions to TEDS must be requested and approved in accordance with the provisions of Title 29.

(g) Deviation from Development Default Standards. The Planning Commission may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation, the listed amenities to be provided shall be in excess of what would otherwise be required by the code. These amenities include:

- (1) Transportation amenities including, but not limited to, trails other than required by the multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelters;*
- (2) Open space, agricultural land reservation or land dedication of 20 percent or greater;*
- (3) Community facilities for provision of public services beyond those required for development within the PD;*
- (4) The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than 20 years; and*
- (5) Other amenities, in excess of minimum standards required by this code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.*

Deviations from default zone standards beyond those specifically allowed under subsection (f) above are proposed for minimum lot size and minimum lot width. The proposal reduces minimum lot size from 1 acre standard for BP to 1,800 square feet in pods 1, 2, and 3, and from 20,000 square feet standard for C-2 to no minimum in pod 4. Proposed minimum lot width is reduced from 100 feet standard for BP to 20 feet in pods 1, 2, and 3, and from 50 feet standard for C-2 to no minimum in pod 4. The project proposes transportation amenities (trails) in excess of those indicated on the Active Transportation Corridors map. Therefore, the Planning Commission may recommend and the City Council may approve the proposed deviations.

Section 21.05.050 pertains to transfer of ownership, limitations on signs, and procedural requirements for the Outline Development Plan and Final Development Plan.

The ODP demonstrates conformance with the Comprehensive Plan, compatibility of land use, and coordination of improvements, as required. Zoning for each development pod is established, as required. The provisions concerning signage and the final development plan shall be applied to subsequent approvals within the area subject to the proposed Planned Development.

In accordance with all provisions of 21.05, the proposed zoning map amendment satisfies the applicable requirements, while the remaining requirements will apply over the life of the development process or over the properties in perpetuity (until and unless one or more property is subsequently rezoned).

This criterion is met.

(iv) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24, and 25;

The ODP states that Title 25 (24 Road Corridor Design Standards) shall apply. Conformance with these standards will be evaluated with the Final Development Plan for each pod or portion thereof and at the appropriate stages of development review for individual sites and structures. This criterion is met.

(v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;

All public facilities, including streets and utilities, will be provided as the project develops, pursuant to applicable requirements and the intergovernmental agreement between the City of Grand Junction and the West Junction Metropolitan District.

The adjacent Community Hospital and projected future medical office uses will provide health services to the development and surrounding area. Canyon View Park is located 0.5 miles from the subject property, and additional trails and open space will be provided throughout the development. Appleton and Pomona Elementary

Schools are roughly equidistant to the property at approximately 2 miles. Fire Station #3 is likewise 2 miles from the site. Grand Valley Transit Station is approximately 1 mile from the site. These facilities are adequate to serve the new neighborhood.

This criterion is met.

(vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed;

The boundaries for each of the pods are derived from the location of designated arterial and collector streets in the Grand Junction Circulation Plan within and at the perimeter of the development. This configuration provides each pod with access to the street network and active transportation corridors. Circulation within each pod via additional dedicated public streets or onsite driveways and drive aisles will be reviewed with the Final Development Plan for each pod or portion thereof and site plan review for individual buildings or sites, subject to the Transportation Engineering Design Standards (Title 29) and all applicable site circulation standards at 21.06.090. This criterion is met.

(vii) Appropriate screening and buffering of adjacent property and uses shall be provided;

Screening and buffering will be provided between zoning districts as required by Section 21.06.040. This criterion is met.

(viii) An appropriate range of density for the entire property or for each development pod/area to be developed;

A variety of residential housing types and densities is proposed. Pods 1-3 allow detached and attached single family, townhomes, and duplexes at a minimum density of 5.5 dwelling units per acre. These uses shall not exceed 70% of the acreage in pod 1, 40% of the acreage in pod 2, and 55% of the acreage in pod 3. All pods 1-4 allow multifamily with a minimum density of 12 dwelling units per acre and a maximum density of 24 dwelling units per acre. The proposed housing mix is appropriate to the property's Mixed Use and Commercial land use designations, complements the proposed nonresidential uses, and benefits the City's housing goals. This criterion is met.

(ix) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;

Development standards applicable to each pod are detailed in the proposed ODP and PD ordinance and are appropriate to each applicable default zone and to the applicable Comprehensive Plan land use designation. Reductions in minimum lot size (from 1 acre standard for BP to 1,800 square feet in pods 1, 2, and 3, and from 20,000 square feet standard for C-2 to no minimum in pod 4), minimum lot width

(from 100 feet standard for BP to 20 feet in pods 1, 2, and 3, and from 50 feet standard for C-2 to no minimum in pod 4), and setbacks (from 15 feet front and 10 feet rear standard for BP and C-2 to 10 feet front and 0 feet rear in all pods) will provide the flexibility needed to achieve the mixed-use, neighborhood commercial center intended, while preserving the intended form and function of each default zone district and land use designation. This criterion is met.

(x) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed

The applicants request to allow the development to be completed in 3 phases over 10 years. Portions approved and under development under the previously adopted PD and ODP are excluded from this schedule. A phasing or development schedule sets forth expiration deadlines and conditions for a lapse of plan. These deadlines and conditions are as follows:

Phase	Portion of Site	Requirement	Expiration Date
<i>Approved subdivisions excluded (PLD-2021-523, PLD-2021-654) - 33 acres</i>			
1	At least 20% (28 acres) of remaining 144 acres	Final Plat recorded within 5 years from date of approved PD Ordinance	December 20, 2028
2	At least an additional 25% (36 acres) of remaining 144 acres	Final Plat recorded within 7 years from date of approved PD Ordinance	December 20, 2030
3	Remaining 80 acres	Final Plat recorded within 10 years from date of approved PD Ordinance	December 20, 2033

The Applicant's request to allow the development to be completed in 3 phases over 10 years is consistent with the Code in regard to requisite timeframes for the overall project. This criterion is met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request for Mesa Trails, PLD-2023-550, located at 2350 Highway 6 and 50 between the proposed 23 ¼ road and 23 ¾ Road, from G Road to Highway 6 and 50, to rezone from "PD" (Planned Development) to "PD" (Planned Development) and adopt an Outline Development Plan, the following findings of fact have been made:

1. The proposed development implements the principles and policies of the 2020 One Grand Junction Comprehensive Plan, the Grand Junction Circulation Plan, and the 24 Road Corridor Subarea Plan.
2. The rezone request conforms with Section 21.02.140 of the Zoning and Development Code pertaining to rezone approval.
3. The Outline Development Plan conforms with Section 21.02.150 of the Zoning and Development Code pertaining to Planned Development approval.
4. The proposed development conforms and will conform with Section 21.05 of the Zoning and Development Code pertaining to Planned Development standards.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the request to rezone the approximately 174.3 acres located between the proposed 23 ¼ road and 23 ¾ Roads, from G Road to Highway 6 and 50, from “PD” (Planned Development) to “PD” (Planned Development) and adopt an Outline Development Plan for “Mesa Trails,” City file number PLD-2023-550, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as provided within the staff report.

Attachments

1. Exhibit 1 - Development Application with ODP
2. Exhibit 2 - Neighborhood Meeting Summary
3. Exhibit 3 - Location and Zoning Maps
4. Exhibit 4 - Ordinance 4676 (2015)
5. Exhibit 5 - Ordinance 4855 (2019)
6. Exhibit 6 - Ordinance 5150 (2023)
7. Exhibit 7 - Draft Zoning Map Amendment and ODP 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 Mixed Use

Existing Zoning PD

Proposed Land Use Designation NA

Proposed Zoning PD

Property Information

Site Location: 675 23 1/2 Rd.; 649 23 3/4 Rd.

Site Acreage: 144; 16.2

Site Tax No(s): 2945-052-26-001; 2945-054-26-002

Site Zoning: PD

Project Description: Rezone from PD to PD

Property Owner Information

Name: Foothills Housing 2 LLC

Street Address: 55 Madison St.

City/State/Zip: Denver, CO 80206

Business Phone #:

E-Mail: stuart.borne@mosaic-housing

Fax #: n/a

Contact Person: Stuart Borne

Contact Phone #: 720-276-0060

Applicant Information

Name: Foothills Housing 2 LLC

Street Address: 55 Madison St.

City/State/Zip: Denver, CO 80206

Business Phone #:

E-Mail: stuart.borne@mosaic-housing

Fax #: n/a

Contact Person: Stuart Borne

Contact Phone #: 720-276-0060

Representative Information

Name: Kaart Planning

Street Address: 734 Main St.

City/State/Zip: G.J. CO 81501

Business Phone #: 241-0745

E-Mail: ty.johnson@kaart.com

Fax #: n/a

Contact Person: Ty Johnson

Contact Phone #: 241-0745

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

[Signature]

Date

10/4/2023

Signature of Legal Property Owner

[Signature]

Date

10/5/2023

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 Mixed Use

Existing Zoning PD

Proposed Land Use Designation NA

Proposed Zoning PD

Property Information

Site Location: 699 23 1/2 RD

Site Acreage: 13.99

Site Tax No(s): 2945-052-24-002

Site Zoning: PD

Project Description: Rezone from PD to PD

Property Owner Information

Name: Foothills Housing 5 LLC

Street Address: 55 Madison St.

City/State/Zip: Denver, CO 80206

Business Phone #:

E-Mail: stuart.borne@mosaic-housing

Fax #: n/a

Contact Person: Stuart Borne

Contact Phone #: 720-276-0060

Applicant Information

Name: Foothills Housing 5 LLC

Street Address: 55 Madison St.

City/State/Zip: Denver, CO 80206

Business Phone #:

E-Mail: stuart.borne@mosaic-housing

Fax #: n/a

Contact Person: Stuart Borne

Contact Phone #: 720-276-0060

Representative Information

Name: Kaart Planning

Street Address: 734 Main St.

City/State/Zip: G.J. CO 81501

Business Phone #: 241-0745

E-Mail: ty.johnson@kaart.com

Fax #: n/a

Contact Person: Ty Johnson

Contact Phone #: 241-0745

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.

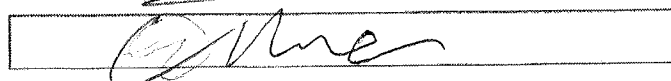
Signature of Person Completing the Application



Date

10/4/2023

Signature of Legal Property Owner



Date

10/15/23

STATEMENT OF AUTHORITY
(SECTIONS 38-30-108.5 and 38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity named:

Foothills Housing 2 LLC, a Colorado limited liability company.
2. The type of entity is a limited liability company.
3. The entity is formed under the laws of the State of Colorado.
4. The current mailing address for the entity is:

55 Madison Street, Suite 530, Denver, Colorado 80206.
5. The name and position of each person authorized to execute instruments conveying, encumbering and otherwise affecting title to real property on behalf of the entity is:

Stuart Borne, as Manager of BLS II LLC, a Colorado limited liability company, Manager of Foothills Technologies LLC, a Colorado limited liability company, Manager of Foothills Housing 2 LLC, a Colorado limited liability company.
6. The authority of the foregoing persons to bind the entity is not limited.
7. Other matters concerning the manner in which the entity deals with interests in real property: N/A.
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of Sections 38-30-108.5 and 38-30-172, C.R.S.
9. This Statement of Authority amends and supersedes in all respects any prior Statement of Authority executed on behalf of the entity.

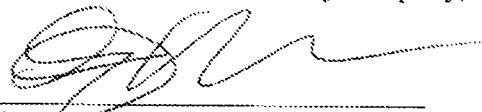
[SIGNATURE PAGE FOLLOWS]

Executed on this 30th day of March, 2021.

Foothills Housing 2 LLC, a Colorado limited liability company

By: Foothills Technologies LLC,
a Colorado limited liability company, its Manager

By: BLS II LLC,
a Colorado limited liability company, its Manager

By: 
Stuart Borne, Manager

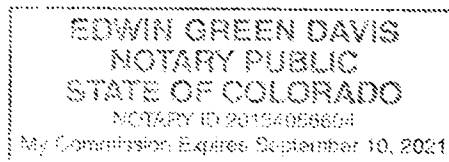
STATE OF COLORADO

CITY AND COUNTY OF DENVER

The foregoing instrument was acknowledged before me this 30 day of March, 2021, by Stuart Borne, as Manager of BLS II LLC, a Colorado limited liability company, Manager of Foothills Technologies LLC, a Colorado limited liability company, Manager of Foothills Housing 2 LLC, a Colorado limited liability company.

Witness my hand and official seal.


Notary Public
My Commission Expires: 9/10/21



THIS DOCUMENT MAY AFFECT YOUR LEGAL RIGHTS. LEGAL ADVICE SHOULD BE OBTAINED IN THE DRAFTING OF ANY LEGAL DOCUMENT.

STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
Foothills Housing 5 LLC
2. The type of entity is a:

☐ corporation	☐ registered limited liability partnership
☐ nonprofit corporation	☐ registered limited liability limited partnership
☒ limited liability company	☐ limited partnership association
☐ general partnership	☐ government or governmental subdivision or agency
☐ limited partnership	☐ trust
☐	
3. The entity is formed under the laws of Colorado
4. The mailing address for the entity is 2360 E Evans Ave. 1118 Denver, CO 80210
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 Stuart Borne, Manager
6. The authority of the foregoing person(s) to bind the entity: ☒ is² 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. The Statement of Authority amends and supercedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

10/11/23
Executed this _____ day of _____,



CEO

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.

State of Colorado)
County of Denver) ss

The foregoing Statement of Authority was acknowledged before me this 11th day of October, 2023 by Stuart Borne

Witness my hand and official seal.

My commission expires:

Jun 14 2025



Notary Public

WHEN RECORDED RETURN TO:



OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Foothills Housing 2 LLC ("Entity") is the owner of the following property:

(b) 675 23 1/2 Rd. (parcel #2945-052-24-001)

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) 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.

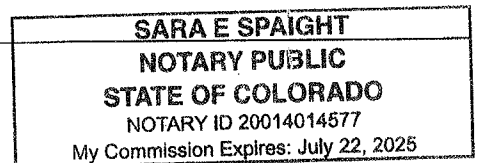
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: 

Printed name of person signing: Stuart Borne

State of CO)

County of Denver) ss.

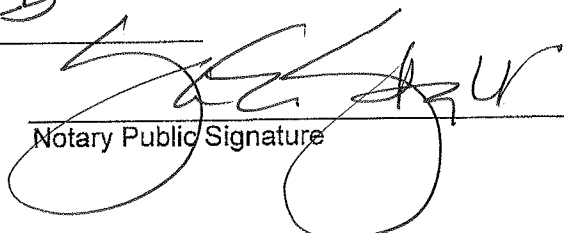


Subscribed and sworn to before me on this 5th day of Oct, 2023

by Stuart Borne, Manager of Foothills Housing 2 LLC,
a Colorado Limited Liability Company

Witness my hand and seal.

My Notary Commission expires on 7/22/25


Notary Public Signature

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Foothills Housing 2 LLC ("Entity") is the owner of the following property:

(b) 649 23 3/4 RD (parcel #2945-054-26-002)

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) 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.

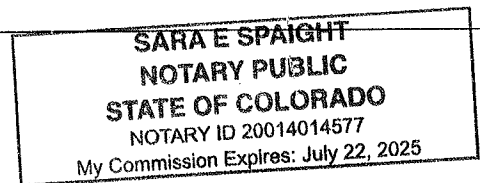
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: [Signature]

Printed name of person signing: Stuart Borne

State of CO)

County of Denver) ss.



Subscribed and sworn to before me on this 5th day of Oct, 2023.

by Stuart Borne, manager of Foothills Housing 2 LLC
a Colorado Limited Liability Company

Witness my hand and seal.

My Notary Commission expires on 7/22/25

[Signature]
Notary Public Signature

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Foothills Housing 5 LLC ("Entity") is the owner of the following property:

(b) 699 23 1/2 Rd.

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) 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: Stuart Borne

State of Colorado)

County of Denver) ss.

Subscribed and sworn to before me on this 5/6 day of October, 20 23

by Stuart Borne

Witness my hand and seal.

My Notary Commission expires on 11/27/2024




Notary Public Signature



State Documentary Fee
Date: January 28, 2022
\$392.04

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

Grantor(s), **FOOTHILLS HOUSING 2 LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **55 MADISON STREET SUITE 530, Denver, CO 80206**, City or Town of **Denver**, County of **Denver** and State of **Colorado**, for the consideration of **(\$3,920,400.00) ***Three Million Nine Hundred Twenty Thousand Four Hundred and 00/100 ***** dollars, in hand paid, hereby sell(s) and convey(s) to **FOOTHILLS HOUSING 5 LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **55 MADISON ST SUITE 530, Denver, CO 80206**, City or Town of **Denver**, County of **Denver** and State of **Colorado**, the following real property in the County of **Mesa** and State of **Colorado**, to wit:

LOT 2 OF THREE ARROWS SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **LOT 2 OF THREE ARROWS SUBDIVISION, GRAND JUNCTION, CO 81505**

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 **January 28, 2022**.

FOOTHILLS HOUSING 2 LLC, A COLORADO LIMITED LIABILITY COMPANY

By: 

STUART BORNE, AS MANAGER OF BLS II LLC, A COLORADO LIMITED LIABILITY COMPANY, AS MANAGER OF FOOTHILLS TECHNOLOGIES, LLC, A COLORADO LIMITED LIABILITY COMPANY AS MANAGER

State of **Colorado**

)

)ss.

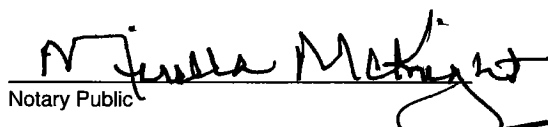
County of **DENVER**

)

The foregoing instrument was acknowledged before me on this day of **January 28th, 2022** by **STUART BORNE AS MANAGER OF BLS II LLC, A COLORADO LIMITED LIABILITY COMPANY, AS MANAGER OF FOOTHILLS TECHNOLOGIES, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS MANAGER OF FOOTHILLS HOUSING 2 LLC, A COLORADO LIMITED LIABILITY COMPANY**

Witness my hand and official seal

My Commission expires: 8/26/2024


Notary Public

MIRELLA McKNIGHT
Notary Public
State of Colorado
Notary ID: 19924011461
My Commission Expires 8/26/2024

When recorded return to: **FOOTHILLS HOUSING 5 LLC, A COLORADO LIMITED LIABILITY COMPANY**
55 MADISON ST SUITE 530, Denver, CO 80206



Quit Claim Deed

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

THIS DEED, made on **January 5th, 2021** by **GUS R. HALANDRAS AND CHRIS R HALANDRAS AND APP INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantor(s) of the County of **Rio Blanco** 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 **FOOTHILLS HOUSING 2 LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantee(s), as Entity, whose street address is **3900 E MEXICO AVE SUITE 300, DENVER, CO 80210** City and County of **Denver**, State of **Colorado**, the following legally described water rights:

ANY AND ALL WATER AND MINERAL RIGHTS AS REFERRED TO IN PURCHASE AND SALE AGREEMENT SECTION (ix) SUBSECTION (c) and (d)

Appurtenant to:

**LOT 2 OF CENTENNIAL COMMERCIAL CENTER,
COUNTY OF MESA, STATE OF COLORADO.**

also known by street and number as **VACANT LAND - LOT 2 CENTENNIAL COMMERCIAL CENTER, GRAND JUNCTION, CO 81505**

Gus R Halandras

GUS R. HALANDRAS

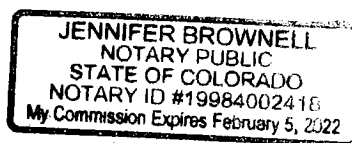
Chris R Halandras

CHRIS R HALANDRAS

**APP INVESTMENTS, LLC, A COLORADO LIMITED
LIABILITY COMPANY**

Steve Raftopoulos

STEVE RAFTOPOULOS, MANAGER



State of **Colorado**

)
)ss.

County of **Mesa**

County of **MESA**

)

The foregoing instrument was acknowledged before me on this day of **January 5th, 2021** by **GUS R. HALANDRAS AND CHRIS R HALANDRAS AND STEVE RAFTOPOULOS AS MANAGER OF APP INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY**

Witness my hand and official seal

My Commission expires: 2/5/22

Jennifer Brownell
Notary Public



Mesa Trails

Rezone Request
675 23 ½ Rd.
August 9, 2023
General Project Report

Project Description

The subject property is located at 675 23 ½ Rd and is approximately 144 acres in size. The existing PD that was approved in 2019 was recently extended at City Council on May 17, 2023.



There was a 2-day lapse between the expiration of the PD on May 15, 2023 and the approval for an extension by City Council on May 17, 2023. The City has indicated that this lapse is not a threat to the validity of the zoning. However, the applicant has decided to go through the rezone process again to completely eliminate any possibility of a challenge to the validity of the zoning.

Public Benefit

The proposed development provides a public benefit by creating developable lots out of vacant land. City services including utilities are in close proximity and are available to serve the site. The subject property is well positioned to develop as residential and commercial uses as it is located off HWY 6 & 50 and near Community Hospital.

Project Compliance, Compatibility, and Impact Comprehensive Plan

The subject property is designated as Mixed Use and Commercial in the future land use map of the Comprehensive Plan. The proposed development meets a number of goals and policies from the Comprehensive Plan:

Plan Principle 2: Resilient and Diverse Economy

Policy 1. Foster a vibrant, diverse, and resilient economy

Policy 1-A: Economic Diversity Support the further diversification of the economy that is prepared to anticipate, innovate, and proactively respond to cyclical economic fluctuation and evolution.

Policy 1-B: Employment Base Continue to collaborate with local and regional partners to expand the community's economic base and primary job creation by focusing on retention, expansion, incubation, and recruitment efforts that create jobs and import income or dollars to the community, particularly businesses in targeted industries.

Policy 1-G: Sales and Tax Revenue Partner in supporting programs that encourage residents to spend retail dollars locally 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.

Policy 3. Promote Business Growth for a Diverse and Stable Economic Base.

Policy 3-E. Business Retention and Attraction. Support economic development partners to encourage the retention and expansion of existing businesses and industries and the establishment of new businesses in industries that support City initiatives, especially those that offer a livable wage.

Policy 3-F. Barriers. Continue to identify and pursue ways to reduce barriers to entry for new businesses.

Plan Principle 3: Responsible and Managed Growth

Limited Supply of Land: The timing and location of development in Grand Junction today are influenced by several interconnected factors, including available land, infrastructure, and services as well as the Persigo Agreement and market demand. While there is no lack of vacant land to accommodate new growth within the City's Urban Development Boundary, there is a lack of land with the existing urban infrastructure required by the City. Balancing the need for investments in new infrastructure to support greenfield development with the need for improvements to existing infrastructure in established areas of the city to support infill and redevelopment is an ongoing challenge.

Plan Principle 3: Responsible and Managed Growth

Policy 2. Encourage infill and redevelopment to leverage existing infrastructure.

Zoning & Surrounding Land Use

The subject property is currently zoned PD. The existing PD regulations allow for a variety of uses including residential, commercial, and industrial. Surrounding area zoning and land uses include:

- North: Business Park Mixed Use zoning with Community Hospital land use.
- South: I-1 Industrial zoning with a variety of industrial land uses.
- West: I-1 Industrial zoning with a mobile home park and vacant land uses.
- East: Mixed use and Commercial zoning with commercial and vacant land uses.

Site Access and Traffic

Access to Phase I of the development will be provided by 23 ½ Rd., F ¾ Rd., and 23 ¾ Rd. Public infrastructure will be fully built out, per details in the adopted IGA, during phase II.

Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the development have the capacity and willingness to serve the development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site.

Utility providers for the site are as follows:

- Sewer: City of Grand Junction/Persigo Wastewater Treatment Plant
- Water: Ute Water Conservation District
- Drainage: Grand Valley Drainage District
- Electric: Xcel Energy & Grand Valley Power
- Irrigation: Grand Valley Irrigation Company

All utilities shall be constructed to the standards and specifications of the service provider at the time of construction.

Approval Criteria

Section 21.02.150(b)(2) states that an ODP application shall demonstrate conformance with all of the following:

(i) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans

Response: This ODP complies with the Comp Plan and all other adopted plans of the City as detailed earlier in this project report on page 2.

(ii) The rezoning Criteria provided in GJMC 21.02.140

Response: The ODP meets at least one of the approval criteria outlined in section 21.02.140(a) as described below.

21.02.140(a)

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

Response: This criteria is not met.

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

Response: A new Comp Plan has been adopted since this zoning was originally approved. This application meets the goals and priorities as defined in the 2020 Comp Plan. This is described in detail on pages 2-3.

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

Response: This area is ripe for development considering it is surrounded by dedicated and built public infrastructure, commercial and residential uses, and planned infrastructure improvements such as the F.5 corridor.

(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

Response: There are very few, if any, infill sites of this size that can accommodate a development of this size. This vision for this development is a mixture of land uses that are cohesive and complementary to the existing and planned land uses in the area.

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

Response: The site is currently vacant and the community will derive many benefits from the development as proposed including extension of public infrastructure, creation of missing middle housing, and the creation of bike and pedestrian infrastructure that will connect to surrounding infrastructure.

(iii) The planned development requirements of Chapter 21.05 GJMC

Response: A detailed response outlining how this project complies with these criteria is listed in the section below.

(iv) The applicable corridor guidelines and other overlay districts in GJMC titles 23, 24, and 25.

Response: The ODP was created to comply with and exceed any requirements of the 24 Rd. corridor overlay.

(v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development

Response: All required public services and facilities will be provided to support the development. The project is currently under review for a phase I final plan and will comply with all requirements of the City through that review process.

(vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed

Response: The applicant has participated in extensive discussions with the City to ensure that the proposed infrastructure will support access and circulation of vehicles, pedestrians, and cyclists.

(vii) Appropriate screening and buffering of adjacent property and uses shall be provided
Response:

Response: The project has been designed to integrate with surrounding land uses. Landscape screening will be used where necessary to provide for any needed buffering.

(viii) An appropriate range of density for the entire property or for each development pod/area to be developed

Response: The proposed density has been determined to be adequate for the area as evidenced by previous public hearings on this project.

(ix) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed

Response: Minimum standards have been set for the entire project by pod and detailed in density and public amenity requirements.

(x) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed

Response: The applicant worked extensively with the City on establishing a phasing schedule that will serve the needs of both the development and the City. The phasing schedule is detailed in the ODP and will allow for the planned schedule of development to be achieved.

Section 21.05.010 of the GJMC states that a Planned development zoning should be used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved. The Director shall determine whether substantial community benefits will be derived. Specific benefits that the Director may find that would support a PD zoning include, but are not limited to:

(a) More effective infrastructure;

Response: The proposed development will result in more effective infrastructure as it implements key connections for F1/2 Rd. and 23 ½ Rd. The infrastructure is proposed to support the envisioned build out and master plan of the PD, and is therefore more efficient than a piecemeal approach typical with smaller developments. Additionally, the PD has proposed an abundance of public amenities in the form of trails and trailheads throughout the development.

(b) Reduced traffic demands;

Response: The PD allows us to take a long term approach to this large area and anticipate traffic impacts. A TIS has been completed and takes a conservative view of future use and associated traffic impacts. As a result, the project is well designed to accommodate future traffic. The project also contributes to connecting bike and pedestrian infrastructure which will reduce vehicular traffic. The development is mixed use and will allow residents to access commercial and retail that is within the development by walking and biking.

(c) A greater quality and quantity of public and/or private open space;

Response: The PD will provide open space and trails in excess of what would typically be required outside of a PD process. Public amenities have been included throughout the project in the form of trails and trailheads.

(d) Other recreational amenities;

Response: A significant amount of trails have been provided and the applicant is considering turning the wetlands into an amenity with walking trails as well, which would be proposed in phase II.

(e) Needed housing types and/or mix;

Response: The development proposes medium density residential in the form of attached single-family and multi-family.

(f) Innovative designs;

Response: The project as a whole is an innovative design that has meshed light industrial, residential, and commercial land uses while providing recreational amenities and preserving and enhancing existing wetlands.



(g) Protection and/or preservation of natural resources, habitat areas and natural features; and/or

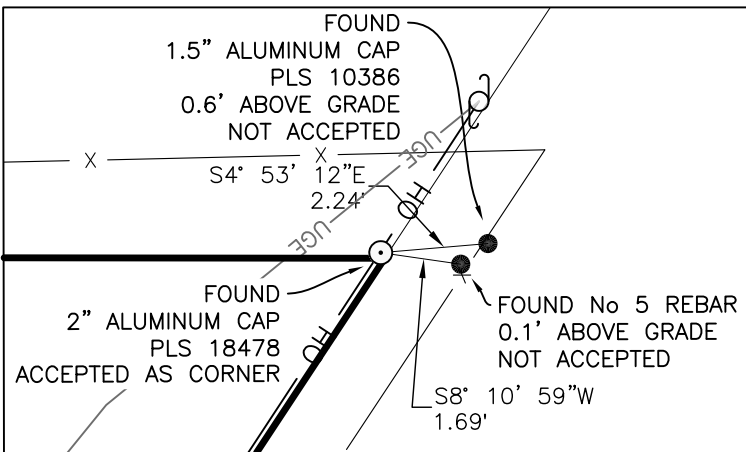
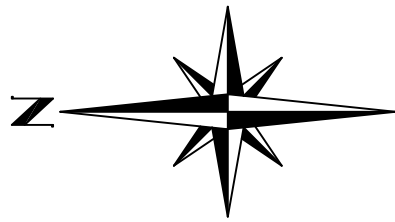
Response: The project preserves and enhances existing wetlands on the site.

(h) Public art.

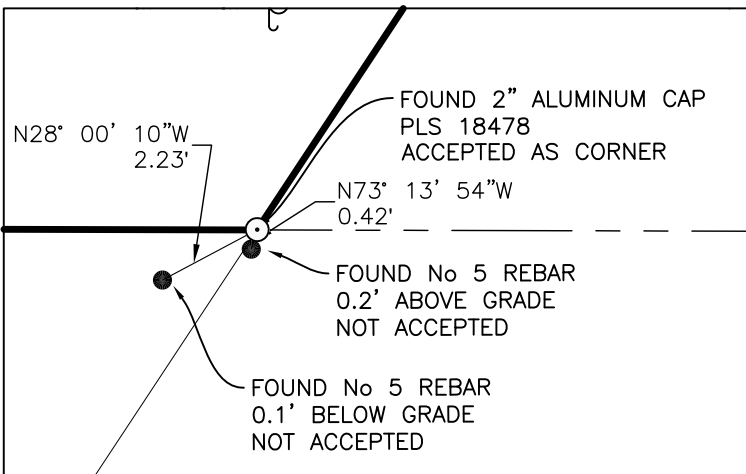
Response: Trailhead features in the development will include public art.

IMPROVEMENT SURVEY

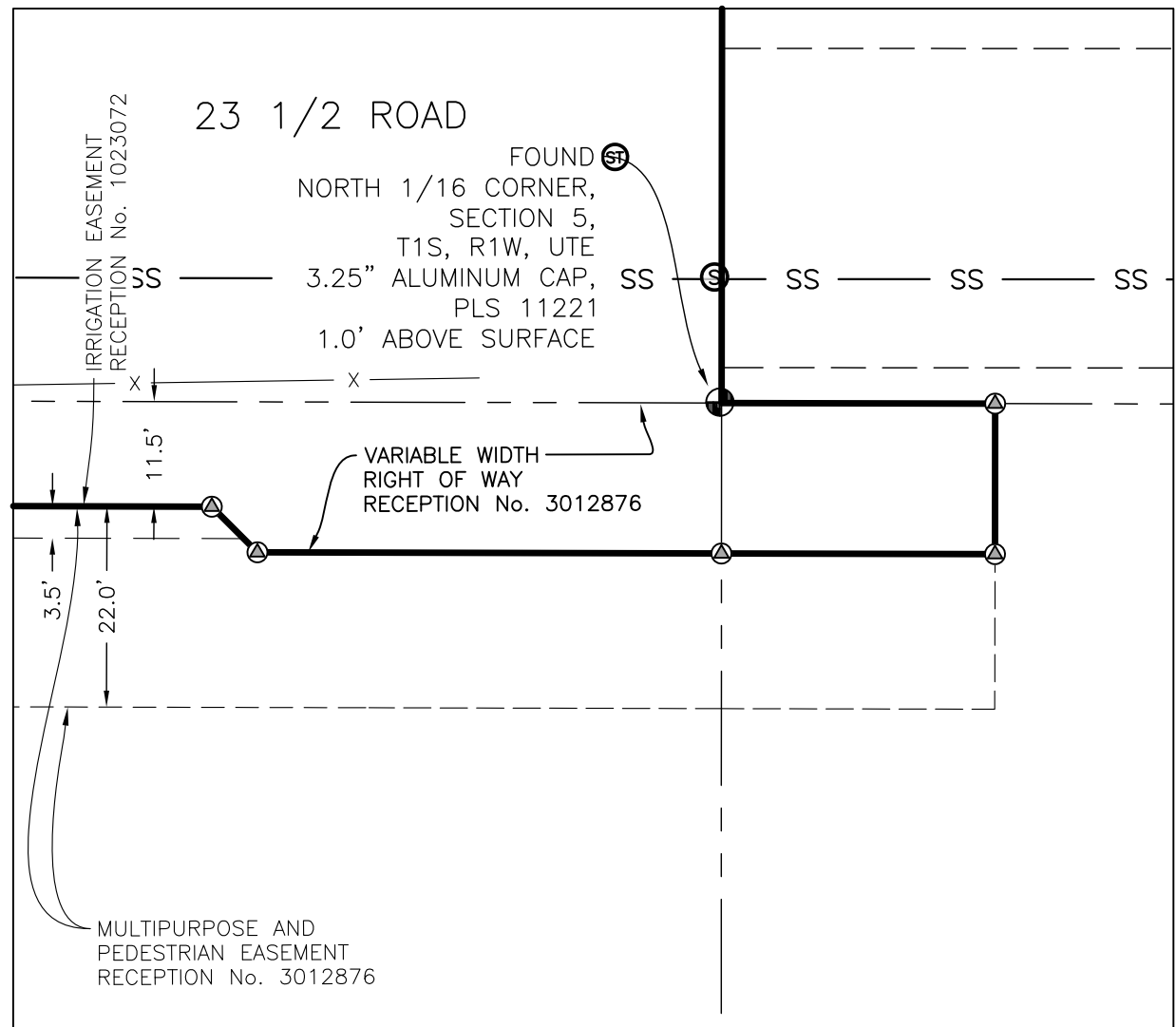
LOT 1 FOOTHILLS FACTORY SUBDIVISION
AND SITUATED IN SECTION 5
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



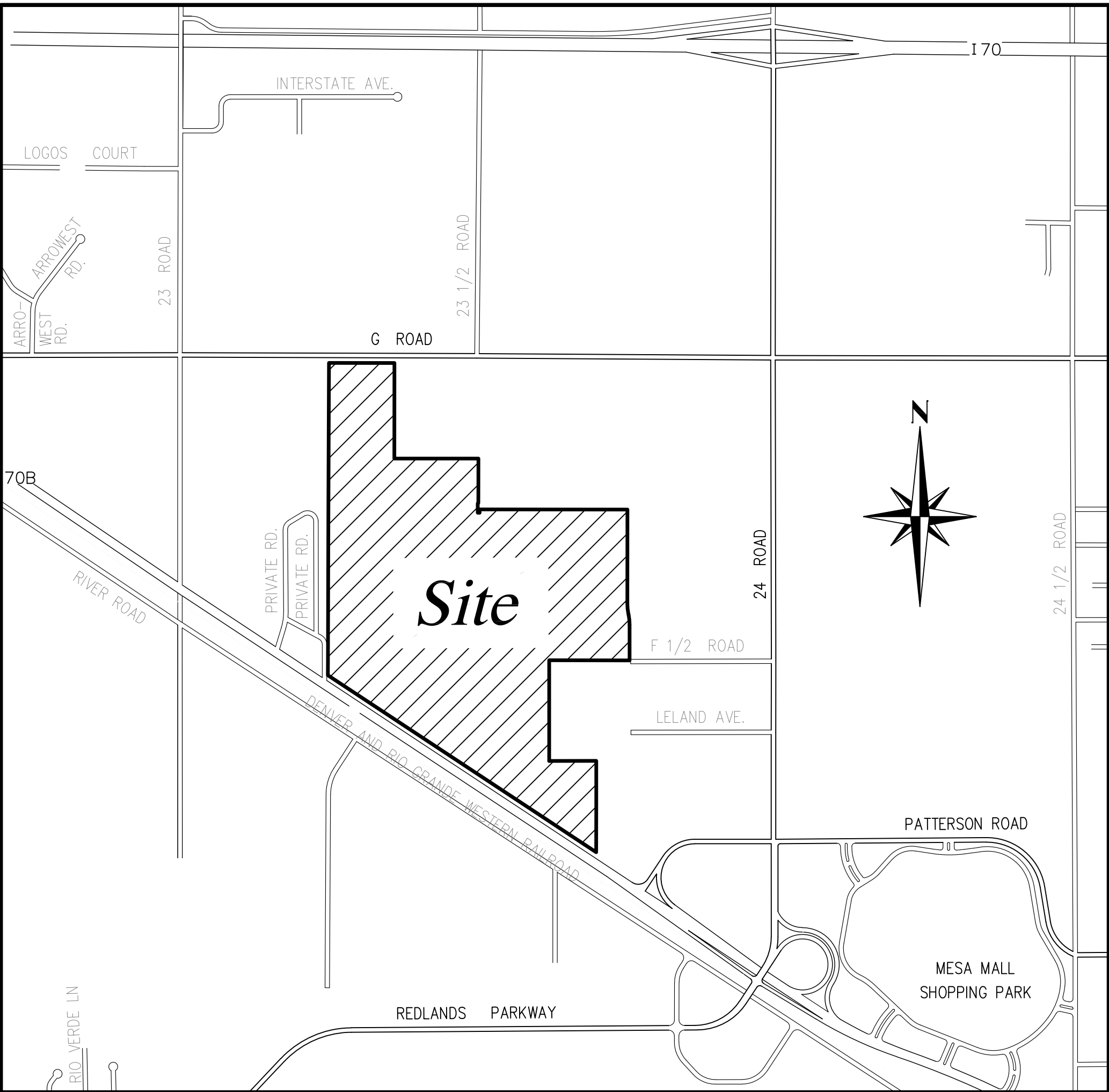
DETAIL A GRAPHIC SCALE 1"=4'



DETAIL B GRAPHIC SCALE 1"=4'



DETAIL C
DETAIL SCALE: 1"=20'



VICINITY MAP: NOT TO SCALE

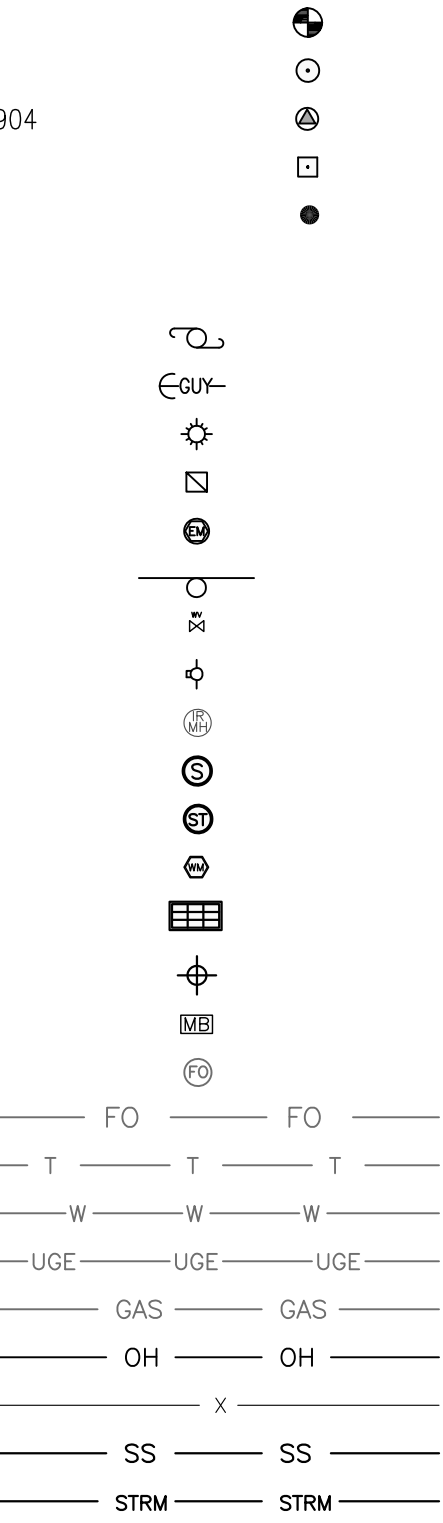
NOTES

- OWNERSHIP, RECORDED RIGHTS--OF--WAY, AND EASEMENT INFORMATION WAS DONE WITH A CURRENT TITLE POLICY BY LAND TITLE GUARANTEE COMPANY POLICY No. GJC65052372.
- BEARINGS ARE BASED ON THE EAST LINE OF NE¼ NW¼ SECTION 5, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN. THE VALUE USED S00°08'35"W, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. SURVEY MARKERS WERE FOUND AT THE NORTH AND SOUTH ENDS OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2975194, OF THE MESA COUNTY RECORDS.
- PROPERTY SURVEYED HEREON IS SUBJECT TO WASTE WATER RIGHTS ALONG THE EAST LINE OF THE NW¼ NW¼ SECTION 5, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN AS RECORDED AT RECEPTION No. 42542. THE CALLED FOR WASTE DITCH NO LONGER EXISTS AND THE RIGHTS GRANTED ARE NOT A SURVEY MATTER.

LEGEND:

FOUND SURVEY MARKER AS DESCRIBED
FOUND 2 INCH ALUMINUM CAP PLS 18478
RECOVERED No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
FOUND No. 5 REBAR NO CAP

EXISTING UTILITY POLE
EXISTING GUY WIRE
EXISTING LIGHT POLE
EXISTING UTILITY PEDESTAL
EXISTING ELECTRIC METER
EXISTING SIGN
EXISTING WATER VALVE
EXISTING FIRE HYDRANT
EXISTING IRRIGATION MANHOLE
EXISTING SANITARY SEWER MANHOLE
EXISTING STORM MANHOLE
EXISTING WATER METER
EXISTING STORM INLET
EXISTING PIPE INVERT
EXISTING MAILBOX
EXISTING FIBER OPTIC MANHOLE
EXISTING UNDERGROUND FIBER OPTIC LINE
EXISTING UNDERGROUND TELEPHONE LINE
EXISTING UNDERGROUND WATER LINE
EXISTING UNDERGROUND ELECTRIC LINE
EXISTING UNDERGROUND GAS LINE
EXISTING OVERHEAD UTILITY LINE
EXISTING FENCE LINE
EXISTING SANITARY SEWER LINE
EXISTING STORM SEWER LINE



ABBREVIATIONS:

N NORTH
S SOUTH
E EAST
W WEST
T TOWNSHIP
R RANGE
MCSM MESA COUNTY SURVEY MARKER
ROW RIGHT OF WAY
SIMS SURVEY INFORMATION MANAGEMENT SYSTEM
PLS PROFESSIONAL LAND SURVEYOR
No. NUMBER
GPS GLOBAL POSITIONING SYSTEM
ID IDENTIFICATION
SQ SQUARE
FT FEET
AVE. AVENUE
ST. STREET
CT. COURT
LN. LANE
DR. DRIVE
U.S. UNITED STATES
L.C.E. LIMITED COMMON ELEMENT
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING

CURVE LABEL ABBREVIATIONS:

RAD RADIUS
L ARC LENGTH
CHORD LONG CHORD DISTANCE
BRG LONG CHORD BEARING
Δ CURVE CENTRAL ANGLE

SURVEYOR'S CERTIFICATION:

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

COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY
LOT 1 FOOTHILLS FACTORY SUBDIVISION
AND SITUATED IN SECTION 5
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

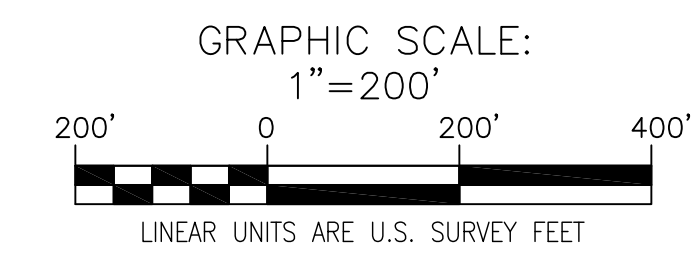
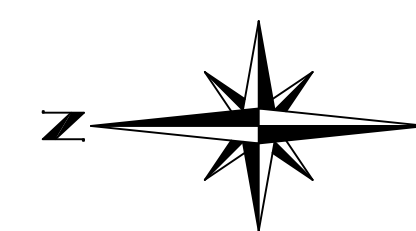
JOB #: 2021-064 FIELD WORK: SL DRAWN BY: JW
DATE: 10/5/2022 DRAWING NAME: LOT 100 CHECKED BY: PC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.
3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

IMPROVEMENT SURVEY

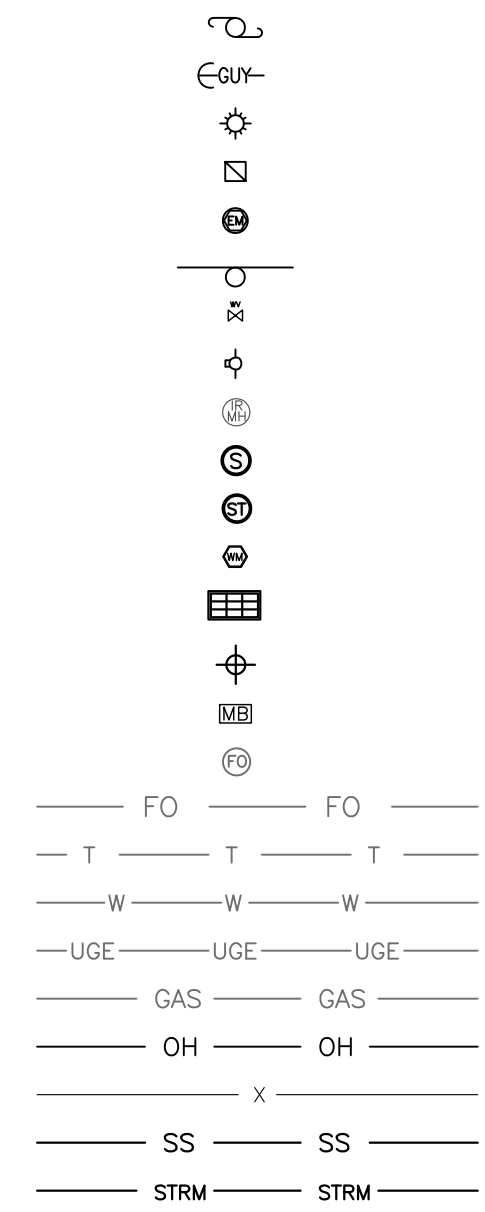
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CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



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EXISTING UNDERGROUND ELECTRIC LINE
EXISTING UNDERGROUND GAS LINE
EXISTING OVERHEAD UTILITY LINE
EXISTING FENCE LINE
EXISTING SANITARY SEWER LINE
EXISTING STORM SEWER LINE



Line Table		
Line #	Direction	Length
L1	S89° 57' 17"E	571.57'
L2	S00° 08' 35"W	387.73'
L3	S45° 05' 03"W	7.08'
L4	S00° 08' 35"W	50.89'
L5	S00° 07' 29"W	30.00'
L6	S89° 58' 11"E	16.50'
L7	N00° 07' 29"E	30.00'

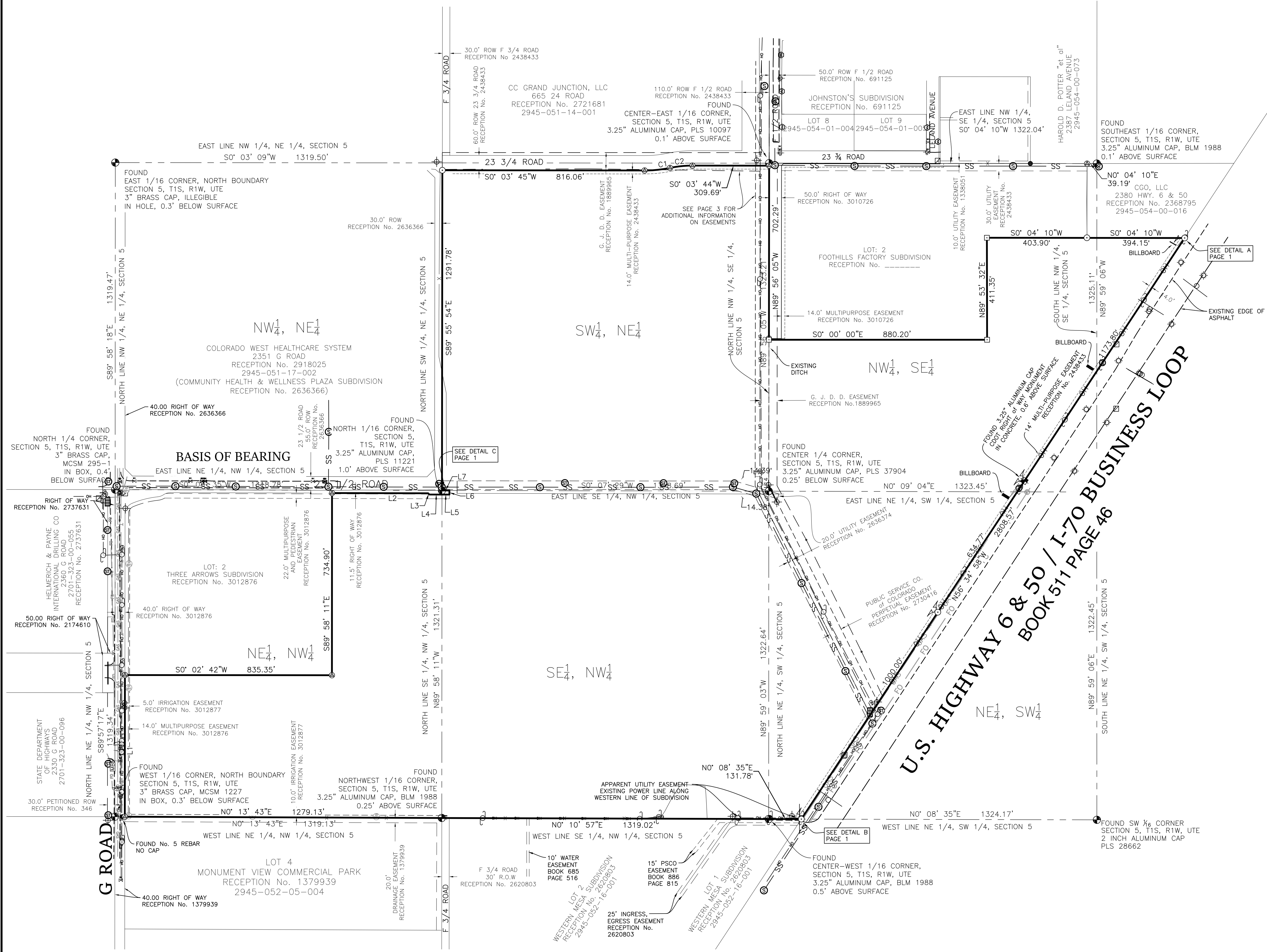
Curve Table					
Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	500.00'	103.33'	011° 50' 25"	103.14'	S05° 51' 27"E
C2	440.00'	90.93'	011° 50' 25"	90.77'	S05° 51' 27"E

IMPROVEMENT SURVEY
LOT 1 FOOTHILLS FACTORY SUBDIVISION
AND SITUATED IN SECTION 5
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

JOB #: 2021-064 FIELD WORK: SL DRAWN BY: JW
DATE: 10/5/2022 DRAWING NAME: LOT 100 CHECKED BY: PC

POLARIS SURVEYING
PATRICK W. CLICK P.L.S.

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



Purpose

The proposed Planned Development will provide for a mix of manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

Unified Development

The project will be developed over time in a phased fashion, but in a unified manner with similar architectural styles and themes throughout. Detached sidewalks, where appropriate, along the arterial frontages are intended to provide for a safe multi-modal transportation haven and provide access to uses within the development. These detached sidewalks will also provide connectivity from the development to other existing and future points of interest adjacent to the subject property.

Default Zones

The default land use zones are as follows:

Pods One, Two and Three: BP (Business Park Mixed Use) with deviations contained within this Ordinance.

Pod Four: C-2 (General Commercial) with deviations as defined herein.

Pod Character

The property will be developed into four distinct areas (Pods) within the development that have a character similar to the following primary uses as more particularly detailed in the Pod Use Table:

Pod 1: Default zone - BP; POD 1 will generally consist of Medical Office/Clinic, Group Living, Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 70% of the acreage in POD 1 . Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 2: Default zone - BP; POD 2 will generally consist of Medical Office/Clinic, Group Living, Retail Sales and Services, Personal Care, General Offices; Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 40% of the acreage in POD 2. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 3: Default zone - BP POD 3 will generally consist of Multi-Family Residential, Attached and Detached Residential, Hotel/Motel, General Offices, Contractor Shops w/ Outdoor Storage, Auto Service, Retail Sales and Services. A list of allowed land uses is included in this ODP. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 55% of the acreage in POD 3. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 4: Default zone - C-2, POD 4 will generally consist of Shopping Center (Small and Big Box), Restaurants, Retail Sales and Services, Auto Service, General Offices and Manufacturing and Production; Freight Movement and Storage; Mixed-Use Multifamily//Commercial/Retail. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Authorized Uses

The list of authorized uses allowed within the BP and C-2 zone is hereby amended to include only the following, which are allowed without the need for approval of a conditional use permit.

Uses	POD 1 BP Default	POD 2 BP Default	POD 3 BP Default	POD 4 C-2 Default
Multi-family	X	X	X	X
Single-family detached	X	X	X	
Single-family attached (Townhomes)	X	X	X	
Accessory Dwelling Units	X	X	X	
Duplexes	X	X	X	
Business Residence	X	X	X	X
Group Living	X	X	X	
Colleges and Universities	X	X	X	
Vocational, Technical and Trade Schools	X	X	X	
Community Activity Building	X	X	X	
All other Community Service	X	X	X	
Museums, Art Galleries, Opera Houses, Libraries	X	X	X	
General Day Care	X	X	X	X
Medical and Dental Clinics	X	X	X	X
Physical and Mental Rehabilitation (Resident)	X	X	X	X
All other Health Care	X	X	X	X
Religious Assembly	X	X	X	X
Funeral Homes, Mortuaries, Crematories	X	X	X	X
Public Safety and Emergency Response Services			X	X
Hotels, Motels and Lodging	X	X	X	X
General Offices	X	X	X	X
Health Club	X	X	X	X
Alcohol Sales, Retail			X	X
Bar/Nightclub			X	X
Drive Through Restaurants	X	X	X	X
Drive Through Retail	X	X	X	X
Retail (small and large box)				X
Food Service, Catering	X	X	X	X
Food Service, Restaurant (Including Alcohol Sales)	X	X	X	X
Fuel Sales, Automotive/Appliance			X	X

General Retail Sales, Indoor Operations, Display and Storage	X	X	X	X
General Retail Sales, Outdoor Operations, Display or Storage	X	X	X	X
Repair, Small Appliance				X
Personal Services	X	X	X	X
All other Retail Sales and Services	X	X	X	X
Manufacturing and Production – Indoor Operations and Storage	X	X	X	X
Manufacturing and Production – Indoor Operations with Outdoor Storage	X	X	X	X
Mini-Warehouse			X	X
Auto and Light Truck Mechanical Repair			X	
Car Wash, Gasoline Service Station, Quick Lube			X	X
Landscaping Material, Indoor Greenhouse and Outdoor Nursery Plant Growing/Sales			X	X
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials (indoor and/or Outdoor Operations and Storage)			X	X
Warehouse and Freight Movement – Indoor Operations, Storage and Loading with Outdoor Loading Docks			X	X
Wholesale Business (excluding highly flammable Materials/Liquids)			X	X
Bus/Commuter Stops	X	X	X	X
Government and Public Purpose Facilities	X	X	X	X
Parks and Open Space	X	X	X	X
Agricultural Uses*	X	X	X	X

* Agricultural Uses including indoor or outdoor activities primarily involving raising, producing or keeping plants or animals but excluding uses such as industrialized agricultural for example feedlots, pig farming, a use of a scale that requires significant structures or accessory structures, or a use that has the propensity to be a significant nuisance such as pig farming or other particularly odiferous. This use is intended to be interim in nature.

Uses Not Mentioned

- 1) To change uses from those specified above, the developer must request an amendment consistent to the Zoning and Development Code as amended, to allow a use which is not currently an allowed use for a particular pod.
- 2) If a question or interpretation arises regarding where, how or whether a proposed use fits into the list of uses found in this section, the Director shall decide if a use not specifically mentioned can reasonably be interpreted to fit into a principal use category or a general use category where similar uses are described as found in the Use Table within the City's Zoning and Development Code.

Dimensional and Intensity Standards

Minimum Lot Area	
Pod 1, 2 and 3	1,800 sf
Pod 4	No minimum

Minimum Lot Width	
Pod 1, 2 and 3	20 feet
Pod 4	No minimum

Minimum Street Frontage	
Pod 1, 2, 3, and 4	No minimum

Minimum Setbacks Pod 1, 2, 3 and 4	Principle Structure / Accessory Structure
Street (see footnote 1)	10' / 25'
Side / Rear yard	0'

Density (Minimum/Maximum)	
Pod 1, 2 and 3	5.5 du/ac min. density for Single Family Attached, Single Family Detached, Townhomes, and Duplexes 12 du/ac to 24 du/ac max. for Multi-Family
Pods 4	12 du/ac min./24 du/ac max

Maximum Height	
Pod 1, 2, and 3	65 feet
Pod 4	65 feet

Footnotes:

1. Non-Residential buildings shall be setback a minimum of 30 feet from “Arterial” designated rights-of-ways.

Deviations from bulk standards from default zones

To provide for flexibility necessary for the unique, efficient and effective design of the site, the following deviations from the default zone standards shall be applied to the site:

- Minimum lot size shall be 1800 square feet
- Minimum lot width shall be 20'
- Maximum building height shall be 65'
- Front (street) yard setback shall be 10'
- Rear yard setback shall be 0'

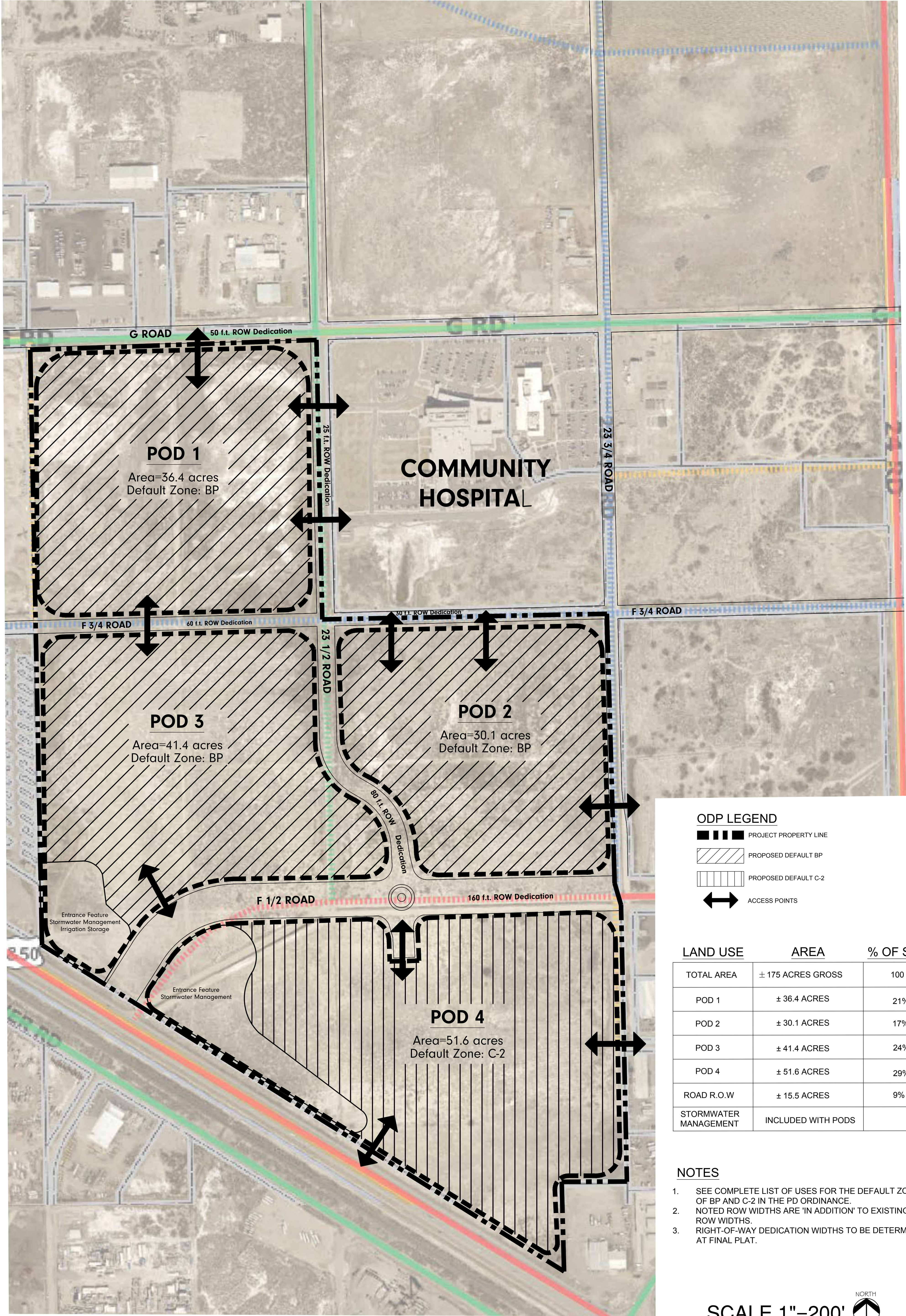
Lapse of Plan

Phase	Portion of Site*	Requirement	Expiration Date
<i>Approved subdivisions excluded (PLD-2021-523 & PLD-2021-654) - 33 acres</i>			
1	At least 20% (28 acres) of remaining 144 acres	Final Plat recorded within 5 years from date of approved PD Ordinance	TBD, 2028
2	At least an additional 25% (36 acres) of remaining 144 acres	Final Plat recorded within 7 years from date of approved PD Ordinance	TBD 2030
3	Remaining 80 acres	Final Plat recorded within 10 years from date of approved PD Ordinance	TBD 2033

*Acreage only includes final lots, created, excluded the remaining site acreage identified on the plat as “Lot 100”

Other Regulations

- Title 25, 24 Road Corridor Standards of the Zoning and Development Code shall apply, unless otherwise amended by the City.
- Unless otherwise included in this PD Ordinance, the development regulations, standards and administration contained within Section 21.06 of the Code, as may be amended including any applicable overlay zones apply to this PD and ODP, except the following
 - There are no hours of operation limitations for uses in all Pods
- Signage regulations and standards contained within Section 21.06 of the GJMC shall apply with the following modifications:
 - A sign package will be required as part of each Final Development Plan or Site Plan
 - The existing billboards located within Pod Four may remain as nonconforming uses until such time as site development activity begins on Pod Four.
 - New Outdoor Advertising
 - Signs (Billboards) within the PD will not be permitted.
- All applications for the development of the property (subdivisions, site plans, etc.) shall be subject to the Code in effect at the time of submittal, including the standards of this ODP and the PD Ordinance as may be amended.



SCALE 1"=200'



Kaart
Planning
734 Main Street
Grand Junction, CO 81501
970.241.0745 (P)
kaart.com

MESA TRAILS
GRAND JUNCTION, CO

SUBMITTAL TYPE
Outline Development Plan

DRAWN BY
MR
CHECKED
TJ
JOB NUMBER
2223
DATE
07/29/2022
REVISIONS
10/24/2023



734 Main Street
Grand Junction
CO 81501
970.241.0745
planning@kaart.com

Neighborhood Meeting Summary

A neighborhood meeting was held on Friday, July 28th on zoom to inform neighbors about the intent to submit an application to rezone the subject property from PD to PD. There were no participants at the meeting. Nicole Galehouse, Stuart Borne, and myself were the only attendees. We waited approximately 15 minutes for participants to arrive, from 5:30-5:45 pm. No one showed up and it was determined by the City that the meeting could end.



734 Main Street
Grand Junction
CO 81501
970.241.0745
planning@kaart.com

Dear Property Owner,

You are invited to attend a virtual neighborhood meeting on Friday, July 28th at 5:30 pm for an application to rezone three properties located at 675 23 ½ Rd., 699 23 ½ Rd., and 649 23 ¾ Rd to Planned Development (PD). The subject properties are approximately 177 acres in size combined.

An overview of the project will be presented at the neighborhood meeting and you will have an opportunity to ask questions about the application. The neighborhood meeting will be held on Zoom at 5:30 pm on Friday, July 28th. Please use the link below and then enter the meeting ID and passcode to log into the meeting.

<https://zoom.us/join> or dial in at +1 719 359 4580

Meeting ID: 851 1353 7650

Passcode: 132828

Please reach out directly to me with any questions about attending the meeting, or if you would like me to email you a link for the meeting.

Ty Johnson

A handwritten signature in black ink, appearing to read "Ty Johnson", with a stylized flourish at the end.

Planning Manager

ty.johnson@kaart.com



Subject Property

Nicole

ADJACENT PROPERTY OWNER NAME & ADDRESS ORDER FORM

- ☒ Please check if labels are needed for a Neighborhood Meeting. Name & address lists are valid for 6 months only. If the project goes to Planning Commission later than 6 months from submittal, another request for names & addresses must be submitted, along with an additional \$50.

Tax Parcel #(s): 2945-052-24-002; 2945-052-24-001; 2945-054-19-002

Property Address: 675 23 1/2 Rd.; 699 23 1/2 Rd.; 649 23 1/2 Rd.

Property Owner: Foothills Housing 2 LLC

Contact Person: Stuart Borne

Mailing Address:

E-Mail Address: stuart.borne@mosaic-housing.com

Applicant: Kaart Planning

Contact Person: Ty Johnson

Mailing Address: 734 Main St. Grand Junction CO 81501

E-Mail Address: ty.johnson@kaart.com

Project Representative: Kaart Planning

Contact Person: Ty Johnson

Mailing Address: 734 Main St. Grand Junction CO 81501

Phone Number: 970-241-0745

E-Mail Address: ty.johnson@kaart.com

***This request for labels and/or the name and address list MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR to a Neighborhood Meeting.**

The adjacent property mailing list is created by pulling all property owners within 500 feet and all registered Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens' groups on record with the City of Grand Junction Community Development Department.

23.2 ROAD LLC
3980 BROADWAY STE 103 UNIT 150
BOULDER CO 80304

A & G PARTNERSHIP LLP
710 S 15TH ST
GRAND JUNCTION CO 81501

ADELA ANCHONDO
2322 HIGHWAY 6 AND 50 UNIT 50
GRAND JUNCTION CO 81505

ANCHONDO ADELA
2322 HIGHWAY 6 AND 50 UNIT 67
GRAND JUNCTION CO 81505

ANCHONDO JUAN RICARDO PEREZ
3017 GUNNISON AVE
GRAND JUNCTION CO 81504

BERTRAND ALAN A
2322 HIGHWAY 6 AND 50 UNIT 65
GRAND JUNCTION CO 81505

BOOKCLIFF COMMERCIAL
PROPERTIES LLC
PO BOX 492
DELTA CO 81416

BROTHERS INVESTMENTS LLC
2308 HIGHWAY 6 AND 50
GRAND JUNCTION CO 81505

CANAS JUAN CARLOS
475 EL JARDIN LN
CLIFTON CO 81520

CASS MARY
508 1/2 29 RD
GRAND JUNCTION CO 81504

CC GRAND JUNCTION LLC
65 QUEEN STREET WEST STE 2400
TORONTO ONTARIO M5H 2M8

CGO LLC
1205 RIVERSIDE DR
ASPEN CO 81611

CHIN CHIN LLC
3168 STONEBURRO DR
GRAND JUNCTION CO 81504

CITY OF GRAND JUNCTION
NICOLE GALEHOUSE
250 N 5TH ST
GRAND JUNCTION CO 81505

COLORADO WEST HEALTHCARE
SYSTEM
2351 G RD
GRAND JUNCTION CO 81505

CORTES MARTHA CATALINA
2322 HIGHWAY 6 AND 50 UNIT 26
GRAND JUNCTION CO 81506

CROWN RESERVE LLC
704 23 2/10 RD
GRAND JUNCTION CO 81505

DAVIS RICHARD
897 23 RD
GRAND JUNCTION CO 81505

DESROSIERS CHARLES J
2643 F 1/2 RD
GRAND JUNCTION CO 81506

DURAN ESTEBAN R
WOODARD T D
2322 HIGHWAY 6 AND 50 UNIT 30
GRAND JUNCTION CO 81505

ELAM CONSTRUCTION INC
PO BOX 849
MAGNA UT 84044

ENGLAND REBECCA D
PO BOX 3752
GRAND JUNCTION CO 81502

ENGSTROM GEORGE R
2322 HIGHWAY 6 AND 50 UNIT 31
GRAND JUNCTION CO 81505

EN-SIM QOF LLC
2303 W RIDGES BLVD
GRAND JUNCTION CO 81507

FAWCETT BRIDGETT
2322 HIGHWAY 6 AND 50 UNIT 55
GRAND JUNCTION CO 81505

FOOTHILLS HOUSING 2 LLC;
FOOTHILLS HOUSING 5 LLC
STUART BORNE
55 MADISON ST STE 530
DENVER CO 80206

GAGNON RUSTIN
2322 HIGHWAY 6 AND 50 UNIT 34
GRAND JUNCTION CO 81505

GARCIA FERNANDO G
SALAZAR MARIA
2322 HIGHWAY 6 AND 50 UNIT 22
GRAND JUNCTION CO 81505

GARCIA RYAN C
2322 HIGHWAY 6 AND 50 UNIT 77
GRAND JUNCTION CO 81505

GJ PROPERTIES CENTRAL LLC; GJ
PROPERTIES WEST LLC
VOYTILLA SCOTT
2276 HOLLAND DR
GRAND JUNCTION CO 81507

GS MOBILE CITY LLC
2100 E COLFAX AVE
DENVER CO 80206

GUTIERREZ JOSE
GUTIERREZ MAYRA T
2322 HIGHWAY 6 AND 50 UNIT 71
GRAND JUNCTION CO 81505

HECTOR DENNIS
2322 HIGHWAY 6 AND 50 UNIT 27
GRAND JUNCTION CO 81505

HELMERICH & PAYNE INTERNATIONAL
DRILLING CO
1437 S BOULDER AVE STE 1400
TULSA OK 74119

HIGUERA JESUS
2322 HIGHWAY 6 AND 50 UNIT 58
GRAND JUNCTION CO 81505

HUBBARD GLEN E
HUBBARD JERRI L
2322 HIGHWAY 6 AND 50 UNIT 52
GRAND JUNCTION CO 81505

HUNGER SYDNEY
3233 LAKESIDE DR UNIT 205
GRAND JUNCTION CO 81506

JD WINDOW CLEANING LLC
508 1/2 29 RD
GRAND JUNCTION CO 81504

JOHNSON CHRIS J
2322 HIGHWAY 6 AND 50 UNIT 56
GRAND JUNCTION CO 81505

KAART PLANNING
TY JOHNSON
734 MAIN ST
GRAND JUNCTION CO 81505

KEENEY BETTY L
2322 HIGHWAY 6 AND 50 UNIT 9
GRAND JUNCTION CO 81505

KNIGHT CONSTRUCTION AND
DEVELOPMENT LLC
397 RIDGE CIRCLE DR UNIT 8
GRAND JUNCTION CO 81507

LAMMERS JOSHUA
1015 UNAWEAP AVE
GRAND JUNCTION CO 81503

LICATA MARIO
PO BOX 441
PALISADE CO 81526

LUCERO LLC
2385 F 1/2 RD
GRAND JUNCTION CO 81505

M & D ENTERPRISES LLC
AZCARRAGA MARTIN; AZCARRAGA
DONNA
PO BOX 2072
GRAND JUNCTION CO 81502

MARSH INVESTMENT PROPERTIES
LLC
1760 10 1/2 RD
MACK CO 81525

MONUMENT INVESTMENT COMPANY
LLC
349 BUFFALO CT
GRAND JUNCTION CO 81507

MSBSRV LLC
2122 HWY 6 & 50
GRAND JUNCTION CO 81505

NAVARETTE-PEREZ ARSENIO
LOPEZ DINA GUERRERO
2322 HIGHWAY 6 AND 50 UNIT 20
GRAND JUNCTION CO 81505

NESS JONATHAN T
1647 NICHOLAS LN UNIT 2
CHIPPEWA FALLS WI 54729

NUMMELIN EDWARD A
2322 HIGHWAY 6 AND 50 UNIT 75
GRAND JUNCTION CO 81505

ORPINEL DORA M
2322 HIGHWAY 6 AND 50 UNIT 79
GRAND JUNCTION CO 81505

OTT PAULA M
2322 HIGHWAY 6 AND 50 UNIT 7
GRAND JUNCTION CO 81505

OWENS TIMOTHY CURTIS
PO BOX 3522
GRAND JUNCTION CO 81502

PACIFIC HIDE & FUR DEPOT
PO BOX 1549
GREAT FALLS MT 59403

PALMA AMBER
MOLINA FRANCISCO R PALMA
2322 HIGHWAY 6 AND 50 UNIT 61
GRAND JUNCTION CO 81505

PETITT EDWARD
PETITT HELEN
538 PEARCE AVE #53
GRAND JUNCTION CO 81520

PETITT WILLIA GENE
PETITT JIMMY LEE
2322 HIGHWAY 6 AND 50 UNIT 39
GRAND JUNCTION CO 81505

PH PROPERTIES LLC
1033 22 RD
GRAND JUNCTION CO 81505

POLLOCK ANGELA
2322 HIGHWAY 6 AND 50 UNIT 63
GRAND JUNCTION CO 81505

POTTER HAROLD D
POTTER CORY L
2045 RIVER RD
FRUITA CO 81521

POWER LAND COMPANY II LLC
PO BOX 28
DENVER CO 80201

RANDALL AUSTIN
3060 UPHAM ST
WHEAT RIDGE CO 80033

ROBERT D STOTT LIVING TRUST
2536 RIMROCK AVE STE 400-301
GRAND JUNCTION CO 81505

RODRIGUEZ ELADIA A
2322 HIGHWAY 6 AND 50 UNIT 15
GRAND JUNCTION CO 81505

RUSSELL PAMELA
2322 HIGHWAY 6 AND 60 UNIT 83
GRAND JUNCTION CO 81505

RUVALCABA OSCAR
2322 HIGHWAY 6 AND 50 UNIT 16
GRAND JUNCTION CO 81505

SAWYER ROBERT ARTHUR
SAWYER CHRISTOPHER
2322 HIGHWAY 6 AND 50 UNIT 36
GRAND JUNCTION CO 81505

SIEFKES GUNDA
2322 HIGHWAY 6 AND 50 UNIT 37
GRAND JUNCTION CO 81505

SMR & 6 LLC
680 INDEPENDENCE VALLEY DR
GRAND JUNCTION CO 81507

SOLOMON TRANSFORMERS LLC
PO BOX 245
SOLOMON KS 67480

SOLOMON TRANSFORMERS LLC DBA
SUNBELT SOLOMON SERVICES
1922 S MLK JR DR
TEMPLE TX 76504

SPENDRUP MARY E
SPENDRUP EMILY M & ZEBADIAH O
GRANTEE BENEFICIARIES
218 PLEASANT VALLEY RD
BRATTLEBORO VT 0

STATE DEPARTMENT OF HIGHWAYS
606 S 9TH ST STE 1
GRAND JUNCTION CO 81501

STORAGE PLACE LLC
PO BOX 9443
RANCHO SANTA FE CA 92067

TARANGO JOSE
TARANGO GABRIEL
480 28 1/4 RD UNIT 112
GRAND JUNCTION CO 81501

TORRES NOHEMI ESTRADA
2322 HIGHWAY 6 AND 50 UNIT 69
GRAND JUNCTION CO 81505

TORTORELLI TONY
BURROUGHS ANNA
2322 HIGHWAY 6 AND 50 UNIT 57
GRAND JUNCTION CO 81505

TURNER JOHN A
SALAZAR ANGELINA
528 GUNNISON AVE
GRAND JUNCTION CO 81501

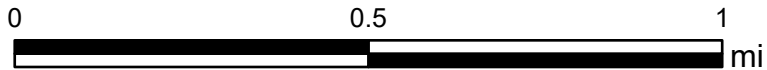
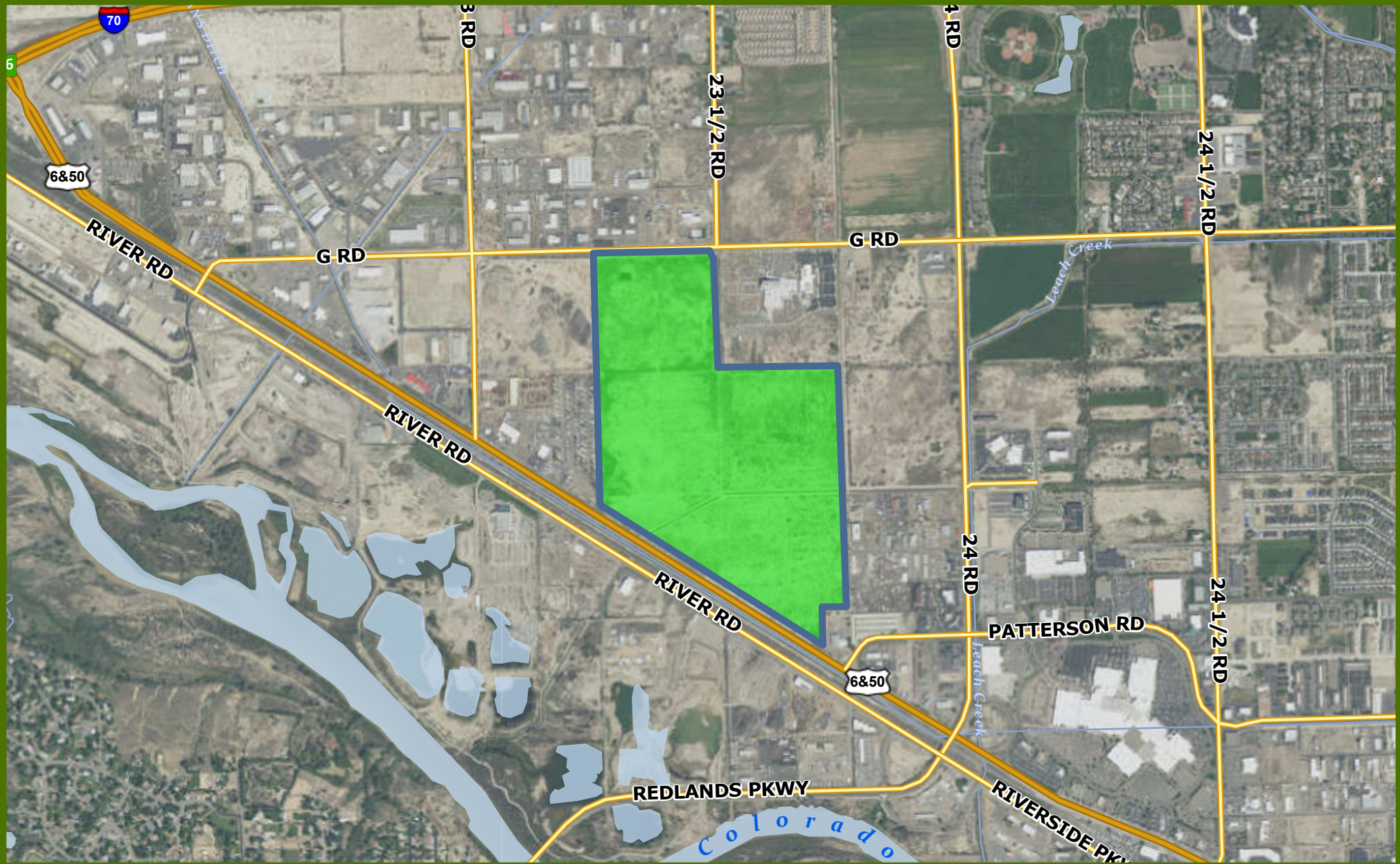
VARGAS HERIBERTO
2322 HIGHWAY 6 AND 50 UNIT 48
GRAND JUNCTION CO 81505

WESTERN SLOPE CENTER FOR
CHILDREN
PO BOX 3978
GRAND JUNCTION CO 81502

WILLIAMS LINDA K
2322 HIGHWAY 6 AND 50 UNIT 81
GRAND JUNCTION CO 81505

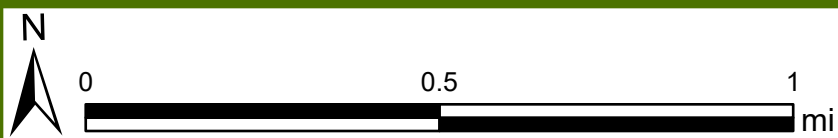
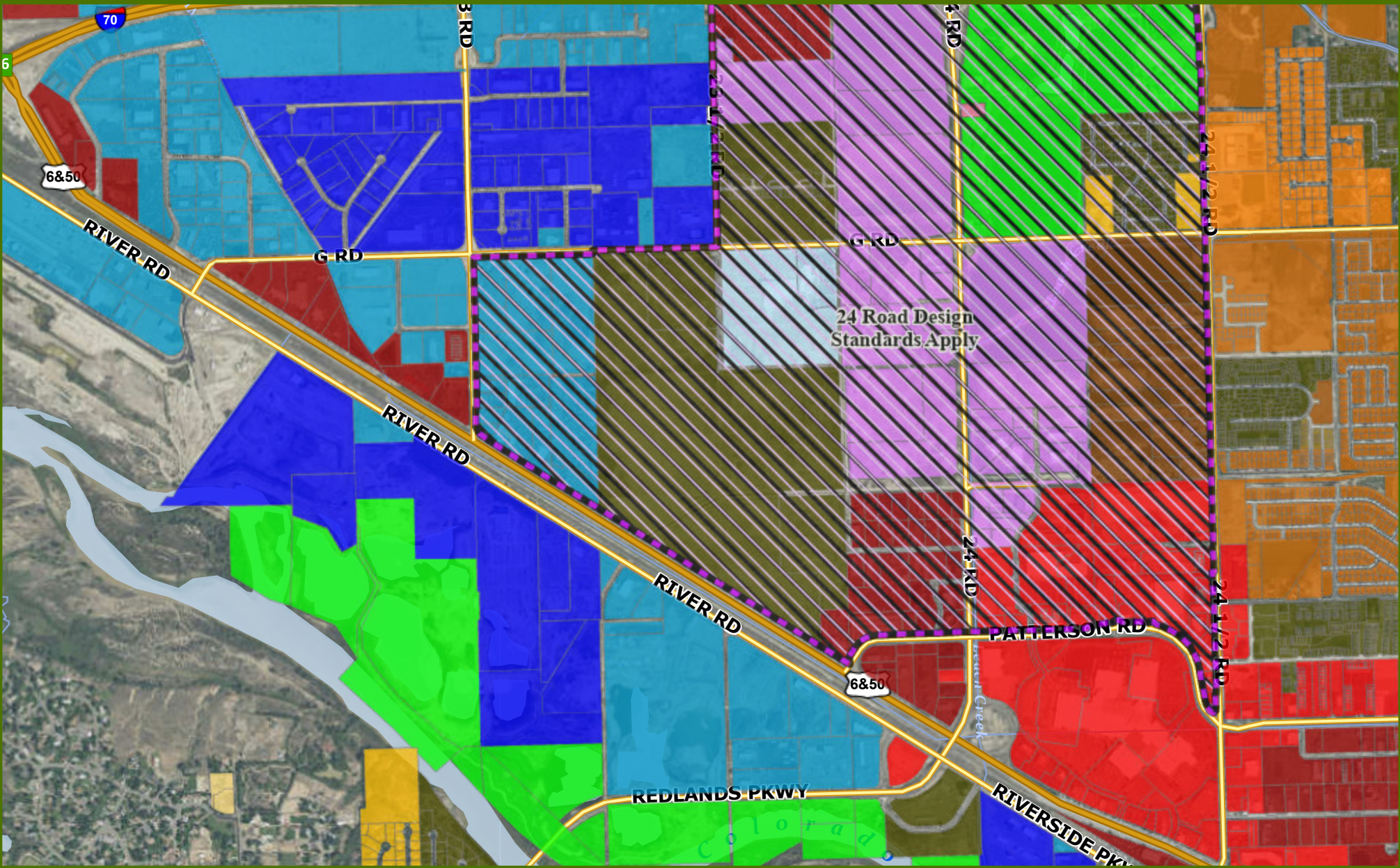
WPW HOLDINGS LLC
709 23 2/10 RD
GRAND JUNCTION CO 81505

Mesa Trails Location Map



Printed: 10/26/2023
1 inch equals 1,433 feet
Scale: 1:17,196
Packet Page 74

Mesa Trails Zoning Map



Printed: 10/26/2023
1 inch equals 1,433 feet
Scale: 1:17,196
Packet Page 75

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4676

**AN ORDINANCE ZONING THE ONEWEST DEVELOPMENT
TO A PD (PLANNED DEVELOPMENT) ZONE,
BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH DEFAULT ZONES OF
BP (BUSINESS PARK MIXED USE) AND C-2 (GENERAL COMMERCIAL)**

**LOCATED AT 2350 HIGHWAY 6 AND 50
BETWEEN 23 ¼ AND 23 ¾ ROADS, FROM G ROAD TO HIGHWAY 6 AND 50**

Recitals:

A request to zone approximately 177 acres to PD (Planned Development) by approval of an Outline Development Plan (Plan) with default zones of BP (Business Park Mixed Use) and C-2 (General Commercial) has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning, and adopt the Outline Development Plan for the OneWest Development. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards specified herein.

In public hearings, the Planning Commission and City Council reviewed the request for Outline Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved "long-term community benefits" through the provision of more effective infrastructure.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED TO PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONE AND STANDARDS:

- A. ALL of Lot 2, Centennial Commercial Center, City of Grand Junction, Mesa County, Colorado.
- B. OneWest Outline Development Plan is approved with the Findings of Fact/Conclusions, and Conditions listed in the Staff Report including attachments and Exhibits.
- C. Purpose

The proposed Planned Development will provide for a mix of manufacturing, office park employment centers, health care facilities, retail services and multifamily residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

D. Unified Development

The project will be developed over time in a phased fashion, but in a unified manner with similar architectural styles and themes throughout. Detached sidewalks along the arterial frontages are intended to provide for safe multi-modal transportation haven and provide access to uses within the development. These detached sidewalks will also provide connectivity from the development to other existing and future points of interest adjacent to the subject property.

E. Default Zones

The default land use zones are as follows:

Pods One and Two: BP (Business Park Mixed Use) with deviations contained within this Ordinance.

Pods Three and Four: C-2 (General Commercial) with deviations contained within this Ordinance.

F. Pod Character

The property will be developed into four distinct areas (Pods) within the development that have a character similar to the following primary uses as more particularly detailed in the Pod Use Table:

Pod 1: Default zone – BP; Medical Office/Clinic, Manufacturing and Production, Group Living

Pod 2: Default zone – BP; Medical Office/Clinic, Group Living, Multi-Family Housing, Retail Sales and Services, Personal Care, General Offices

Pod 3: Default zone – C-2; Hotel/Motel, General Offices, Contractor Shops w/ Outdoor Storage, Auto Service, Retail Sales and Services

Pod 4: Default zone – C-2; Shopping Center (Big Box), Restaurants, Retail Sales and Services, Auto Service, General Offices

G. Authorized Uses

1. The list of authorized uses allowed within the BP and C-2 zone is hereby amended to include only the following, which are allowed without the need for approval of a conditional use permit.

a) POD 1 – BP Default Zone

- 1) Multifamily
- 2) Unlimited Group Living
- 3) Colleges and Universities
- 4) Vocational, Technical and Trade Schools
- 5) Community Activity Building
- 6) All other Community Service
- 7) Museums, Art Galleries, Opera Houses, Libraries
- 8) General Day Care

- 9) Medical and Dental Clinics
- 10) Physical and Mental Rehabilitation (Resident)
- 11) All other Health Care
- 12) Religious Assembly
- 13) Funeral Homes, Mortuaries, Crematories
- 14) Hotels and Motels
- 15) General Offices
- 16) Health Club
- 17) Drive Through Restaurants
- 18) Drive Through Retail
- 19) Food Service, Catering
- 20) Food Service, Restaurant (including Alcohol Sales)
- 21) General Retail Sales, Indoor Operations, Display and Storage
- 22) General Retail Sales, Outdoor Operations, Display or Storage
- 23) Personal Services
- 24) All other Retail Sales and Services
- 25) Manufacturing and Production - Indoor Operations and Storage
- 26) Manufacturing and Production – Indoor Operations with Outdoor Storage
- 27) Bus/Commuter Stops

b) POD 2 – BP Default Zone

- 1) Multifamily
- 2) Unlimited Group Living
- 3) Colleges and Universities
- 4) Vocational, Technical and Trade Schools
- 5) Community Activity Building
- 6) All other Community Service
- 7) Museums, Art Galleries, Opera Houses, Libraries
- 8) General Day Care
- 9) Medical and Dental Clinics
- 10) Physical and Mental Rehabilitation (Resident)
- 11) All other Health Care
- 12) Religious Assembly
- 13) Funeral Homes, Mortuaries, Crematories
- 14) Hotels and Motels
- 15) General Offices
- 16) Health Club
- 17) Drive Through Restaurants
- 18) Drive Through Retail
- 19) Food Service, Catering
- 20) Food Service, Restaurant (including Alcohol Sales)
- 21) General Retail Sales, Indoor Operations, Display and Storage
- 22) General Retail Sales, Outdoor Operations, Display or Storage
- 23) Personal Services
- 24) All other Retail Sales and Services
- 25) Manufacturing and Production - Indoor Operations and Storage
- 26) Manufacturing and Production – Indoor Operations with Outdoor Storage

27) Bus/Commuter Stops

c) POD 3 – C-2 Default Zone

- 1) Colleges and Universities
- 2) Vocational, Technical and Trade Schools
- 3) Community Activity Building
- 4) All other Community Service
- 5) Museums, Art Galleries, Opera Houses, Libraries
- 6) General Day Care
- 7) Medical and Dental Clinics
- 8) Physical and Mental Rehabilitation (Resident)
- 9) All other Health Care
- 10) Religious Assembly
- 11) Funeral Homes, Mortuaries, Crematories
- 12) Public Safety and Emergency Response Services
- 13) Hotels and Motels
- 14) General Offices
- 15) Health Club
- 16) Alcohol Sales, Retail
- 17) Bar/Nightclub
- 18) Drive Through Restaurants
- 19) Drive Through Retail
- 20) Food Service, Catering
- 21) Food Service, Restaurant (including Alcohol Sales)
- 22) Fuel Sales, Automotive/Appliance
- 23) General Retail Sales, Indoor Operations, Display and Storage
- 24) General Retail Sales, Outdoor Operations, Display or Storage
- 25) Repair, Small Appliance
- 26) Personal Services
- 27) All other Retail Sales and Services
- 28) Mini-Warehouse
- 29) Auto and Light Truck Mechanical Repair
- 30) Car Wash, Gasoline Service Station, Quick Lube
- 31) Manufacturing and Production - Indoor Operations and Storage
- 32) Manufacturing and Production – Indoor Operations with Outdoor Storage
- 33) Manufacturing and Production – Outdoor Operations and Storage
- 34) Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials (Indoor and/or Outdoor Operations and Storage)
- 35) Warehouse and Freight Movement – Indoor Operations, Storage and Loading with Outdoor Loading Docks
- 36) Wholesale Business (No Highly Flammable Materials/Liquids)
- 37) Bus/Commuter Stops

d) POD 4 – C-2 Default Zone

- 1) General Day Care
- 2) Medical and Dental Clinics

- 3) Physical and Mental Rehabilitation (Resident)
- 4) All other Health Care
- 5) Religious Assembly
- 6) Funeral Homes, Mortuaries, Crematories
- 7) Public Safety and Emergency Response Services
- 8) Hotels and Motels
- 9) General Offices
- 10) Health Club
- 11) Alcohol Sales, Retail
- 12) Bar/Nightclub
- 13) Drive Through Restaurants
- 14) Drive Through Retail
- 15) Food Service, Catering
- 16) Food Service, Restaurant (including Alcohol Sales)
- 17) Fuel Sales, Automotive/Appliance
- 18) General Retail Sales, Indoor Operations, Display and Storage
- 19) General Retail Sales, Outdoor Operations, Display or Storage
- 20) Repair, Small Appliance
- 21) Personal Services
- 22) All other Retail Sales and Services
- 23) Auto and Light Truck Mechanical Repair
- 24) Car Wash, Gasoline Service Station, Quick Lube
- 25) Wholesale Business (No Highly Flammable Materials/Liquids)
- 26) Bus/Commuter Stops

e) Uses Not Allowed

- 1) To change uses from those specified above, the developer must request that the City Council consider an amendment to allow a use which is not currently an allowed use for a particular pod.

H. Performance Standards

1. Title 25, 24 Road Corridor Standards in the current Zoning and Development Code (Code) shall apply, unless otherwise amended by the City.
2. Loading docks and trash areas or other service areas shall be located only in the side or rear yards and must be screened from adjacent right-of-ways with either a wall or landscaping.
3. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials.
 - a. Vibration: Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

- b. Noise: The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point along the property line.
- c. Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
- d. Solid and Liquid Waste: All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
- e. Hazardous Materials: Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director
- f. Outdoor Storage and Display: Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC 21.04.040(h).

I. Dimensional and Intensity Standards

Minimum Lot Area	
Pod 1 and 2	1 acre
Pod 3	0.5 acre
Pod 4	No minimum

Minimum Lot Width	
Pod 1 and 2	100 feet
Pod 3	50 feet
Pod 4	No minimum

Minimum Street Frontage	
Pod 1, 2, 3, and 4	No minimum

Minimum Setbacks	Principle Structure / Accessory Structure
Pod 1, 2, 3 and 4	
Street (see footnote 1)	15' / 25'
Side / Rear yard	0' except identified Buffer Area is 15'

Density (Minimum/Maximum)	
Pod 1 and 2	8 du/ac min. / 24 du/ac max.
Pods 3 and 4	N/A

Maximum Height	
Pod 1	65 feet
Pod 2, 3, and 4	40 feet

Footnotes:

1. Non-Residential buildings shall be setback a minimum of 30 feet from "Arterial" designated right-of-ways.

J. Development Schedule

A Final Development Plan and plat must be approved within six (6) years of the PD Ordinance. If a Final Development Plan and plat is not approved within six (6) years, the ODP will expire and the zoning will revert back to the original MU and C-2. The area(s) required as determined by the City for the regional drainage facilities shall be dedicated to the City at the time the first plat is recorded for any land included within the ODP.

All subsequent plans and/or plats must be reviewed under the code in effect at the time of submittal, including the standards of this ODP and the PD Ordinance and/or any subsequent amendments thereto.

K. Other Regulations

Development regulations and standards contained within Section 21.06 of the GJMC apply to all Pods, except the following:

One (1) freestanding project identification monument sign shall be allowed at no more than two intersecting corners along all roadways within the development.

A sign package will be required as part of each Final Development Plan and/or Site Plan.

The existing billboards located within Pod Four may remain as nonconforming uses until such time as site development activity begins on Pod Four. New billboards within the PD will not be permitted.

Hours of Operation – All Pods - unrestricted

Introduced for first reading on this 5th day of August, 2015 and ordered published in pamphlet form.

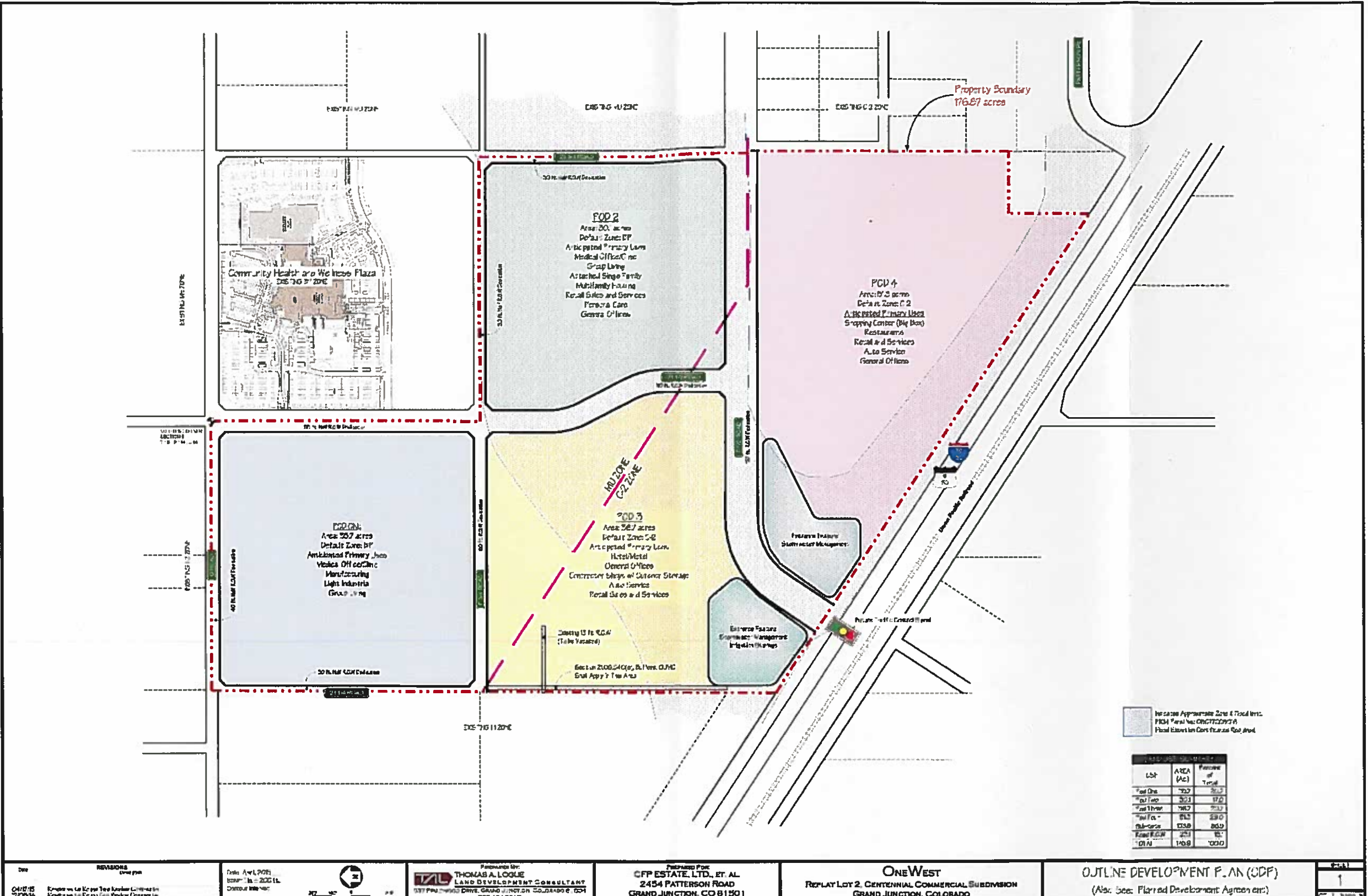
PASSED and ADOPTED this 19th day of August, 2015 and ordered published in pamphlet form.

ATTEST:

Barbara Forre
President of City Council

Stephanie Turner
City Clerk





I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4676 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 5th day of August, 2015 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 19th day of August, 2015, at which Ordinance No. 4676 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 21st day of August, 2015.


Stephanie Tuin, MMC
City Clerk

Published: August 7, 2015
Published: August 21, 2015
Effective: September 20, 2015



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4855

**AN ORDINANCE AMENDING PLANNED DEVELOPMENT ZONING ORDINANCE
NO. 4676 AND AMENDING THE OUTLINE DEVELOPMENT PLAN FOR
"ONEWEST" DEVELOPMENT, NOW KNOWN AS "THE COMMUNITY" PLANNED
DEVELOPMENT, LOCATED AT 2350 HIGHWAY 6 AND 50
BETWEEN 23 ¼ AND 23 ¾ ROADS, FROM G ROAD TO HIGHWAY 6 AND 50**

Recitals:

The owner of approximately 177 acres of property located at 2350 Highway 6 and 50 has requested an amendment to the PD zoning and to the Outline Development Plan (ODP) applicable to the property.

The amendments revise the standards, default zoning and development schedule established by Ordinance No. 4676 and amend the Outline Development Plan as follows:

1. Allows the following additional land uses in Pods in accordance with the table (found in Section G) in this ordinance:
 - a. Single Family detached
 - b. Single Family attached (Townhomes)
 - c. Accessory Dwelling Units
 - d. Duplexes
 - e. Business Residence
 - f. Retail (small and large box
 - g. Landscaping Material, Indoor Greenhouse and Outdoor Nursery Plant Growing/Sales
 - h. Government and Public Purpose Facilities
 - i. Parks and Open Space
 - j. Agricultural Uses
2. Limits the total acreage in each Pod for Single Family detached, Single Family attached, and Duplexes and require a minimum density of 5.5 du/ac for these land uses.
3. Some land uses consistent with the overall PD character that were restricted to certain pods are allowed in other Pods as well.
4. Updates the ODP map showing changes to the default zones by Pod, reconfigures 23 ½ Road and its intersection with F ½ Road, and adjusts Pod acreage.
5. Revises the bulk standards of the PD zone including deviations from the default standards for street setback, lot width, minimum lot area, and maximum height; and establishes a multi-family minimum density.

6. Removes redundancy in the Performance Standards and clarifies decision making by the City.
7. Establishes a new Development and Phasing Schedule.

In recommending and approving Ordinance No. 4676 and the ODP adopted therewith, the Planning Commission and City Council determined that the PD zoning ordinance and ODP satisfied the criteria of the Code, was consistent with the purpose and intent of the Comprehensive Plan, and achieved long-term community benefits through the provision of more effective infrastructure.

The Planning Commission found in a public hearing held on April 23, 2019, and the City Council hereby finds, that the proposed amendments likewise satisfy the applicable criteria of the Zoning and Development Code, are consistent with the purpose and intent of the Comprehensive Plan, and achieve the same long-term community benefits as the previously adopted ODP. In addition, the amended PD and Plan also achieve additional "long-term community benefits" by providing needed housing types and mix and reducing traffic demands.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONES AND STANDARDS:

- A. ALL of Lot 2, Centennial Commercial Center, City of Grand Junction, Mesa County, Colorado.
- B. "The Community" Outline Development Plan (ODP) is approved with the Findings of Fact/Conclusions, and Conditions listed in the Staff Report dated April 23, 2019 and including attachments and Exhibit A and Exhibit B attached to this ordinance.
- C. Purpose

The proposed Planned Development will provide for a mix of manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

- D. Unified Development

The project will be developed over time in a phased fashion, but in a unified manner with similar architectural styles and themes throughout. Detached sidewalks, where appropriate, along the arterial frontages are intended to provide for a safe multi-modal transportation haven and provide access to uses within the development. These detached sidewalks will also provide connectivity from the

development to other existing and future points of interest adjacent to the subject property.

E. Default Zones

The default land use zones are as follows:

Pods One, Two and Three: BP (Business Park Mixed Use) with deviations contained within this Ordinance.

Pod Four: C-2 (General Commercial) with deviations contained within this Ordinance.

F. Pod Character

The property will be developed into four distinct areas (Pods) within the development that have a character similar to the following primary uses as more particularly detailed in the Pod Use Table:

Pod 1: Default zone – BP; POD 1 will generally consist of Medical Office/Clinic, Group Living, Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 70% of the acreage in POD 1. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 2: Default zone – BP; POD 2 will generally consist of Medical Office/Clinic, Group Living, Retail Sales and Services, Personal Care, General Offices; Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 40% of the acreage in POD 2. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 3: Default zone – BP POD 3 will generally consist of Multi-Family Residential, Attached and Detached Residential, Hotel/Motel, General Offices, Contractor Shops w/ Outdoor Storage, Auto Service, Retail Sales and Services. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 55% of the acreage in POD 3. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 4: Default zone – C-2, POD 4 will generally consist of Shopping Center (Small and Big Box), Restaurants, Retail Sales and Services, Auto Service, General Offices and Manufacturing and Production; Freight Movement and Storage; Mixed-Use Multifamily//Commercial/Retail. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

G. Authorized Uses

1. The list of authorized uses allowed within the BP and C-2 zone is hereby amended to include only the following, which are allowed without the need for approval of a conditional use permit.

Uses	POD 1 BP Default	POD 2 BP Default	POD 3 BP Default	POD 4 C-2 Default
Multi-family	X	X	X	X
Single-family detached	X	X	X	
Single-family attached (Townhomes)	X	X	X	
Accessory Dwelling Units	X	X	X	
Duplexes	X	X	X	
Business Residence	X	X	X	X
Group Living	X	X	X	
Colleges and Universities	X	X	X	
Vocational, Technical and Trade Schools	X	X	X	
Community Activity Building	X	X	X	
All other Community Service	X	X	X	
Museums, Art Galleries, Opera Houses, Libraries	X	X	X	
General Day Care	X	X	X	X
Medical and Dental Clinics	X	X	X	X
Physical and Mental Rehabilitation (Resident)	X	X	X	X
All other Health Care	X	X	X	X
Religious Assembly	X	X	X	X
Funeral Homes, Mortuaries, Crematories	X	X	X	X
Public Safety and Emergency Response Services			X	X
Hotels, Motels and Lodging	X	X	X	X
General Offices	X	X	X	X
Health Club	X	X	X	X
Alcohol Sales, Retail			X	X
Bar/Nightclub			X	X
Drive Through Restaurants	X	X	X	X
Drive Through Retail	X	X	X	X
Retail (small and large box)				X
Food Service, Catering	X	X	X	X
Food Service, Restaurant (Including Alcohol Sales)	X	X	X	X
Fuel Sales, Automotive/Appliance			X	X

General Retail Sales, Indoor Operations, Display and Storage	X	X	X	X
General Retail Sales, Outdoor Operations, Display or Storage	X	X	X	X
Repair, Small Appliance				X
Personal Services	X	X	X	X
All other Retail Sales and Services	X	X	X	X
Manufacturing and Production – Indoor Operations and Storage	X	X	X	X
Manufacturing and Production – Indoor Operations with Outdoor Storage	X	X	X	X
Mini-Warehouse			X	X
Auto and Light Truck Mechanical Repair			X	
Car Wash, Gasoline Service Station, Quick Lube			X	X
Landscaping Material, Indoor Greenhouse and Outdoor Nursery Plant Growing/Sales			X	X
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials (indoor and/or Outdoor Operations and Storage)			X	X
Warehouse and Freight Movement – Indoor Operations, Storage and Loading with Outdoor Loading Docks			X	X
Wholesale Business (excluding highly flammable Materials/Liquids)			X	X
Bus/Commuter Stops	X	X	X	X
Government and Public Purpose Facilities	X	X	X	X
Parks and Open Space	X	X	X	X
Agricultural Uses*	X	X	X	X
* Agricultural Uses including indoor or outdoor activities primarily involving raising, producing or keeping plants or animals but excluding uses such as industrialized agricultural for example feedlots, pig farming, a use of a scale that requires significant structures or accessory structures, or a use that has the propensity to be a significant nuisance such as pig farming or other particularly odiferous. This use is intended to be interim in nature.				

e) Uses Not Mentioned

- 1) To change uses from those specified above, the developer must request an amendment consistent to the Zoning and Development Code as amended, to allow a use which is not currently an allowed use for a particular pod.
- 2) If a question or interpretation arises regarding where, how or whether a proposed use fits into the list of uses found in this section, the Director shall decide if a use not specifically mentioned can reasonably be interpreted to fit into a principal use category or a general use category where similar uses are described as found in the Use Table within the City's Zoning and Development Code.

H. Dimensional and Intensity Standards

Minimum Lot Area	
Pod 1, 2 and 3	1,800 sf
Pod 4	No minimum

Minimum Lot Width	
Pod 1, 2 and 3	20 feet
Pod 4	No minimum

Minimum Street Frontage	
Pod 1, 2, 3, and 4	No minimum

Minimum Setbacks Pod 1, 2, 3 and 4	Principle Structure / Accessory Structure
Street (see footnote 1)	10' / 25'
Side / Rear yard	0'

Density (Minimum/Maximum)	
Pod 1, 2 and 3	5.5 du/ac min. density for Single Family Attached, Single Family Detached, Townhomes, and Duplexes 12 du/ac to 24 du/ac max. for Multi-Family
Pods 4	12 du/ac min./24 du/ac max

Maximum Height	
Pod 1, 2, and 3	65 feet
Pod 4	65 feet

Footnotes:

1. Non-Residential buildings shall be setback a minimum of 30 feet from "Arterial" designated right-of-ways.

I. Deviations from bulk standards from default zones.

1. To provide for flexibility necessary for the unique, efficient and effective design of the site, the following deviations from the default zone standards shall be applied to the site:

- a. Minimum lot size shall be 1800 sf.
- b. Minimum lot width shall be 20'.
- c. Maximum height shall be 65'.
- d. Front (street) yard setback shall be 10'.
- e. Rear yard setback shall be 0'.

J. Development Schedule, Extensions and Lapse of Plan

1. Development and Phasing Schedule

Phase	Pod	Threshold 1	Threshold 2
1	Any one Pod	Preliminary Development Plan approval within 4 years from date of approved PD ordinance	An approved final plat of 25% of the area within 2 years of Preliminary Plan approval
2	Any second Pod	Preliminary Development Plan approval within 7 years from date of approved PD Ordinance	An approved final plat of 25% of the area within 2 years of Preliminary Plan approval
3	Remaining two Pods	Preliminary Development Plan approval within 10 years from date of approved PD Ordinance	An approved final plat of 25% of the area within 2 years of Preliminary Plan approval
The area(s) required as determined by the City for the regional drainage facilities shall be dedicated to the City at the time the first plat is recorded for any land included within the ODP.			

2. Should the Development and Phasing Schedule need to be extended, the city shall consider and hear the request consistent with the provisions of the Code in place at that time. A request for extension shall be timely in that the request shall be received by the City prior to the lapse or expiration of one of the established phasing Thresholds.
3. Failure to develop the PD and ODP as shown in the adopted Development and Phasing Schedule will result in the lapse of approval of the PD and ODP. Upon lapse, the zoning of the property will revert back to MU (Mixed-Use) and C-2 (Heavy Commercial) as shown in Exhibits A & B.

K. Other Regulations

- 1, Title 25, 24 Road Corridor Standards of the Zoning and Development Code shall apply, unless otherwise amended by the City.
2. Unless otherwise included in this PD Ordinance, the development regulations, standards and administration contained within Section 21.06 of the Code, as

may be amended including any applicable overlay zones apply to this PD and ODP, except the following:

There are no hours of operations limitations for uses in all Pods

3. Signage regulations and standards contained within Section 21.06 of the GJMC shall apply with the following modifications:
 - a. A sign package will be required as part of each Final Development Plan and/or Site Plan.
 - b. The existing billboards located within Pod Four may remain as nonconforming uses until such time as site development activity begins on Pod Four.

New Outdoor Advertising Signs (Billboards) within the PD will not be permitted.

L. All applications for the development of the property (subdivision, site plans, etc.) shall be subject to the Code in effect at the time of submittal, including the standards of this ODP and the PD Ordinance as may be amended.

Introduced for first reading on this 1st day of May, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this 15th day of May, 2019 and ordered published in pamphlet form.

ATTEST:



President of City Council



City Clerk



Outline Development Plan (ODP)

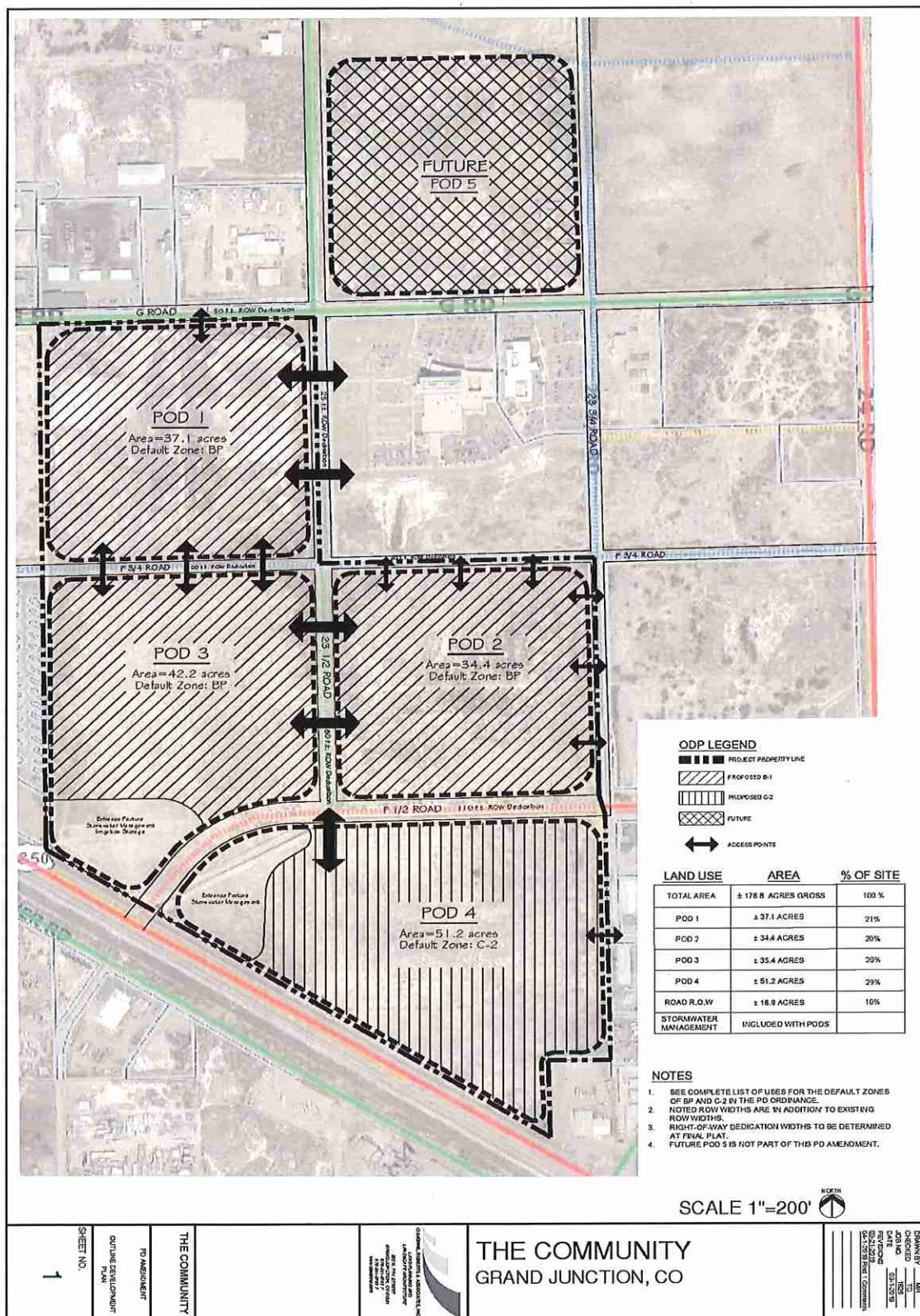


EXHIBIT B
Default Zones



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4855 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 1st day of May, 2019 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 15th day of May, 2019, at which Ordinance No. 4855 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 17th day of May, 2019.


Deputy City Clerk

Published: May 3, 2019
Published: May 17, 2019
Effective: June 16, 2019

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5150

**AN ORDINANCE AMENDING ORDINANCE NO. 4855 REGARDING THE
PLANNED DEVELOPMENT ZONING AND THE OUTLINE DEVELOPMENT PLAN
FOR THE COMMUNITY PLANNED DEVELOPMENT, NOW KNOWN AS MESA
TRAILS PLANNED DEVELOPMENT, LOCATED AT 2350 HIGHWAY 6 AND 50
BETWEEN 23 ¼ AND 23 ¾ ROADS, FROM G ROAD TO HIGHWAY 6 AND 50**

Recitals:

The owner of the approximately 177-acre property located at 2350 Highway 6 and 50 has requested an amendment to the phasing schedule for the Mesa Trails Planned Development established by and with Ordinance No. 4855; the amendment of the schedule does not and will not modify any other aspects of Ordinance No. 4855 or of the Outline Development Plan (ODP).

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of the extended phasing schedule for the Mesa Trails Planned Development.

The City Council finds that the review criteria for the planned development that were established at the time of adoption of Ordinance No. 4855 are still applicable and are still met, and that the findings and approval of the ODP are not affected by the extension of the phasing schedule.

The City Council finds that extending the phasing schedule is reasonable considering the current market conditions and economic feasibility of the Mesa Trails Planned Development project, and the amendment of the schedule and ratification of the ODP as provided herein is best interests of the community.

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

The foregoing Recitals are adopted and incorporated as the findings of the City Council and further that the development phasing schedule established by Ordinance No. 4855, Section J.1. for the development project now known as Mesa Trails Planned Development is amended as follows:

1. Development and Phasing Schedule

Phase	Portion of Site*	Requirement	Expiration Date
<i>Approved subdivisions excluded (PLD-2021-523 & PLD-2021-654) – 33 acres</i>			
1	At least 20% (28 acres) of remaining 144 acres.	Final Plat recorded within 5 years from date of approved PD Ordinance	May 17, 2028
2	At least an additional	Final Plat recorded within 7 years	May 17, 2030

	25% (36 acres) of remaining 144 acres	from date of approved PD Ordinance	
3	Remaining 80 acres	Final Plat recorded within 10 years from date of approved PD Ordinance	May 17, 2033

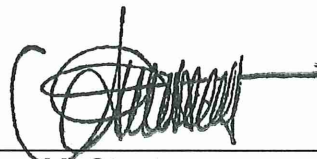
*Acreage only includes final lots created, excluding the remaining site acreage identified on the plat as "Lot 100".

2. The area(s) required as determined by the City for the regional drainage facilities shall be dedicated to the City when the first plat is recorded for any land included within the ODP.
3. Should the Development and Phasing Schedule need to be extended, the City shall consider and hear the request consistent with the provisions of the Code in place at that time. A request for extension shall be timely in that the request shall be received by the City prior to the lapse or expiration of one of the established phasing Thresholds.
4. Once a Final Plat has been recorded for a phase outlined above, that phase can develop under the provisions of the PD and ODP. Failure to develop the PD and ODP as shown in the adopted Development and Phasing Schedule according to the phasing schedule will result in the lapse of approval of the PD and ODP. Upon lapse, the zoning of the property will revert back to MU (Mixed-Use) and C-2 (Heavy Commercial) as shown in Exhibits A & B.

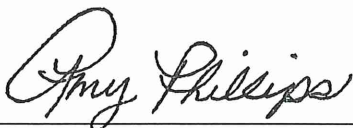
Introduced for first reading on this 3rd day of May 2023 and ordered published in pamphlet form.

PASSED and ADOPTED this 17th day of May 2023 and ordered published in pamphlet form.

ATTEST:



Anna M. Stout
President of the Council



Amy Phillips
City Clerk



EXHIBIT A Outline Development Plan (ODP)

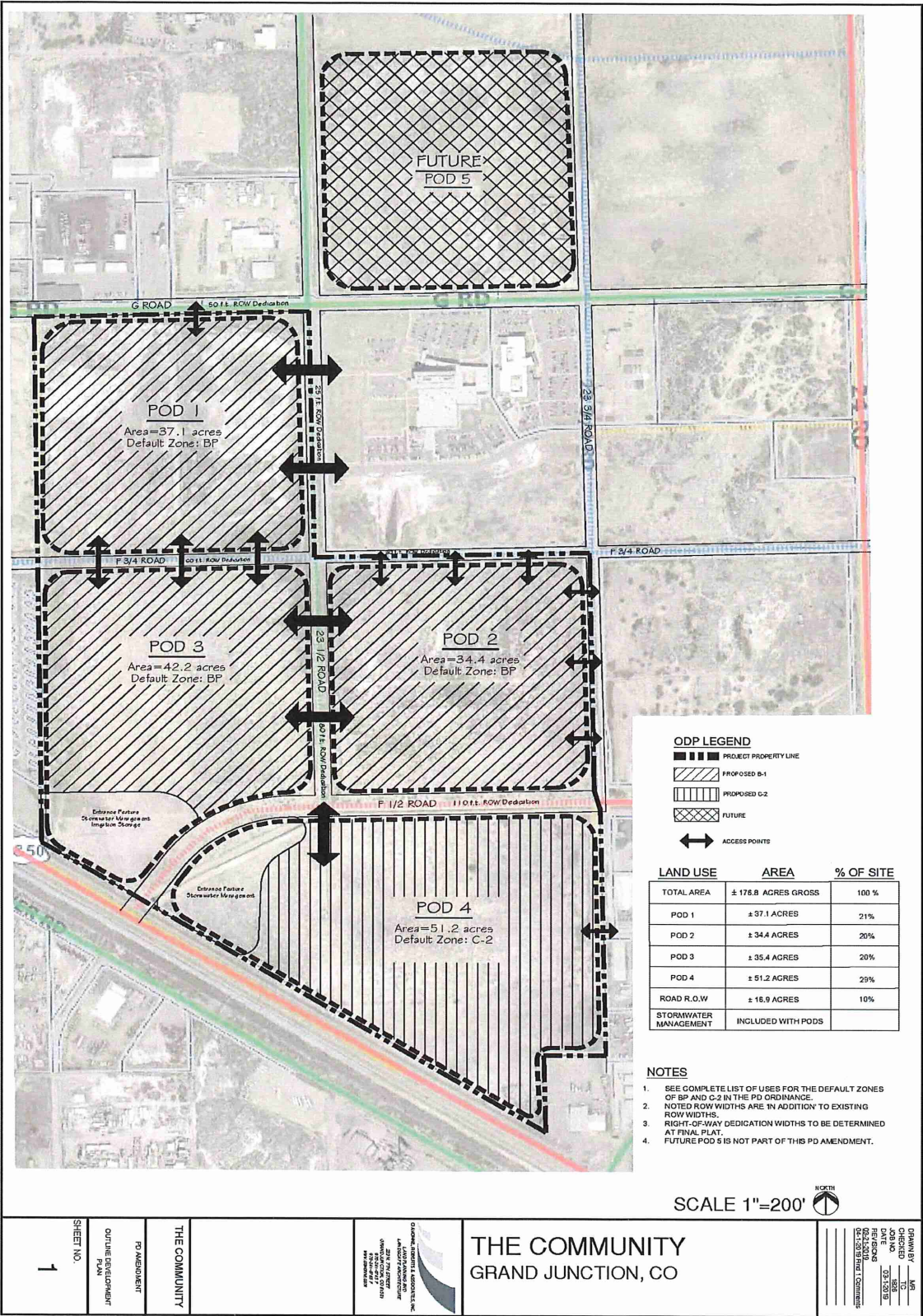
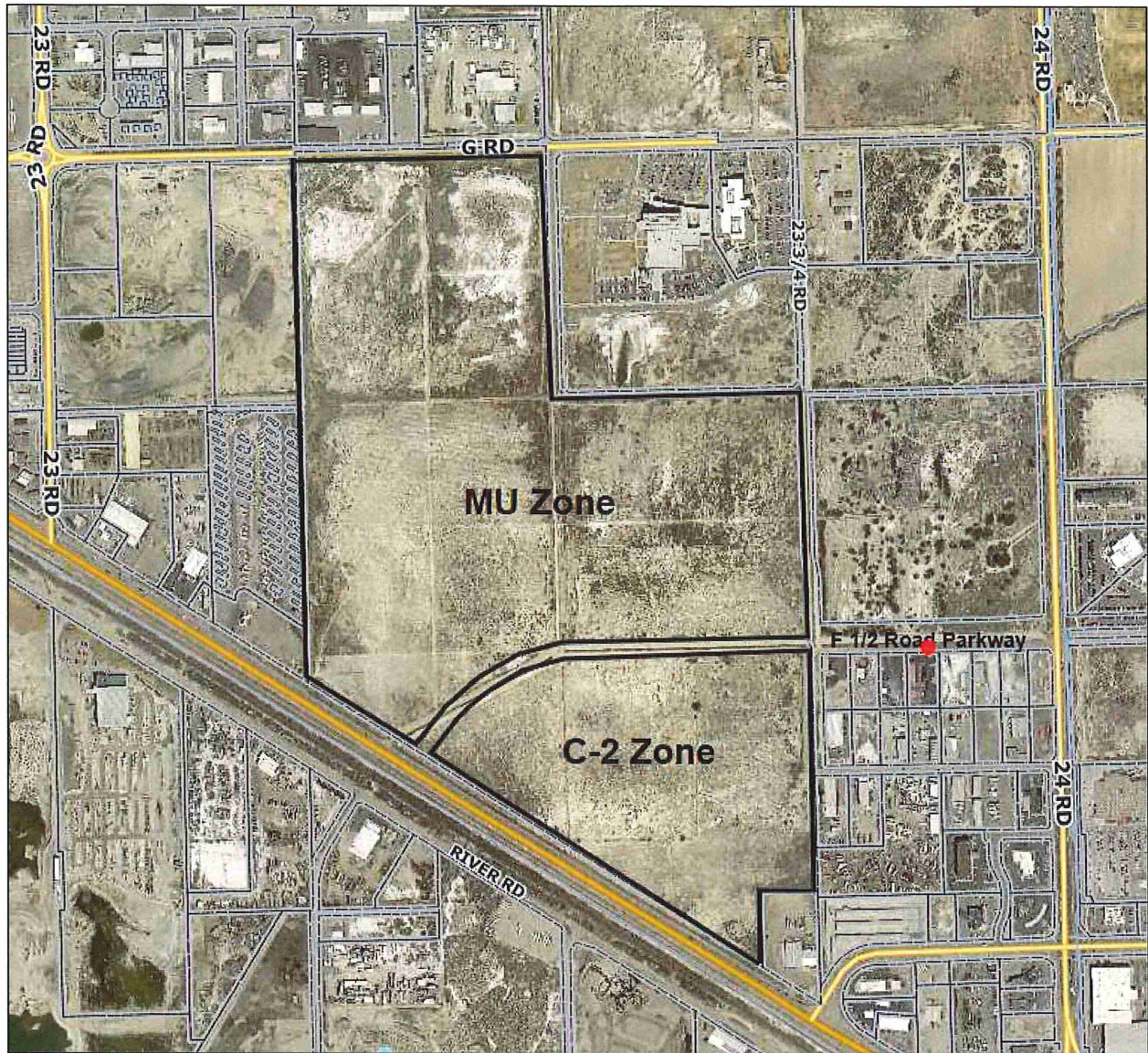


EXHIBIT B
Default Zones



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5150 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 3rd day of May 2023 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 17th day of May 2023, at which Ordinance No. 5150 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 19th day of May 2023.



City Records Manager

Published: May 05, 2023
Published: May 17, 2023
Effective: June 18, 2023



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE TO ZONE THE MESA TRAILS DEVELOPMENT
TO A PD (PLANNED DEVELOPMENT) ZONE DISTRICT,
BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH DEFAULT ZONES OF
BP (BUSINESS PARK MIXED USE) AND C-2 (GENERAL COMMERCIAL)**

LOCATED BETWEEN 23 ¼ AND 23 ¾ ROADS, FROM G ROAD TO HIGHWAY 6 AND 50

Recitals:

A request to zone approximately 174.3 acres to PD (Planned Development) by approval of an Outline Development Plan (Plan) with default zones of BP (Business Park Mixed Use) and C-2 (General Commercial) has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning, and adopt the Outline Development Plan for the Mesa Trails development. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards specified herein.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Planning Commission and City Council reviewed the request for Outline Development Plan approval and determined that the Plan satisfied the approval criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan

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

The following parcels in the City of Grand Junction, County of Mesa, State of Colorado are hereby zoned PD (Planned Development):

A parcel of land being LOT 2, THREE ARROWS SUBDIVISION, same as recorded at Reception No. 3012876, situated in Section 5, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado. Said parcel of land CONTAINING 13.99 Acres, more or less.

A parcel of land being LOT 1, FOOTHILLS FACTORY SUBDIVISION, same as recorded at Reception No. 3072081, situated in Section 5, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado. Said parcel of land CONTAINING 144.05 Acres, more or less.

A parcel of land being LOT 2, FOOTHILLS FACTORY SUBDIVISION, same as recorded at Reception No. 3072081, situated in Section 5, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado. Said parcel of land CONTAINING 16.30 Acres, more or less.

The aforementioned parcels shall be subject to the Outline Development Plan hereby adopted and described as follows:

A. Purpose

The proposed Planned Development will provide for a mix of manufacturing, office park employment centers, health care facilities, retail services, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, enhancement of natural features and other amenities such as shared drainage facilities and common landscape and streetscape character.

B. Unified Development

The project will be developed over time in a phased fashion, but in a unified manner with similar architectural styles and themes throughout. Detached sidewalks, where appropriate, along the arterial frontages are intended to provide for a safe multi-modal transportation haven and provide access to uses within the development. These detached sidewalks will also provide connectivity from the development to other existing and future points of interest adjacent to the subject property.

C. Default Zones

The default zones are as follows:

Pods One, Two and Three: BP (Business Park Mixed Use) with deviations contained within this Ordinance.

Pod Four: C-2 (General Commercial) with deviations contained within this Ordinance.

D. Pod Character

The property will be developed into four distinct areas (Pods) within the development that have a character similar to the following primary uses as more particularly detailed in the Pod Use Table:

Pod 1: Default zone - BP; POD 1 will generally consist of Medical Office/Clinic, Group Living, Attached, Detached Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 70% of the acreage in POD 1. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 2: Default zone - BP; POD 2 will generally consist of Medical Office/Clinic, Group Living, Retail Sales and Services, Personal Care, General Offices; Attached, Detached

Residential and Multi-Family Residential land uses. A list of allowed land uses is included under Section G. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 40% of the acreage in POD 2. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 3: Default zone - BP POD 3 will generally consist of Multi-Family Residential, Attached and Detached Residential, Hotel/Motel, General Offices, Contractor Shops w/ Outdoor Storage, Auto Service, Retail Sales and Services. A list of allowed land uses is included in this ODP. Authorized Uses in this Ordinance. All Single Family Detached, Single Family Attached, Duplexes land uses will have a minimum density of 5.5 dwelling units per acre and shall not exceed more than 55% of the acreage in POD 3. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

Pod 4: Default zone - C-2, POD 4 will generally consist of Shopping Center (Small and Big Box), Restaurants, Retail Sales and Services, Auto Service, General Offices and Manufacturing and Production; Freight Movement and Storage; Mixed-Use Multifamily//Commercial/Retail. Multi-Family residential uses shall have a density between 12 and 24 units per acre.

E. Authorized Uses

The list of authorized uses allowed within the BP and C-2 zone is hereby amended to include only the following, which are allowed without the need for approval of a conditional use permit. "X" indicates the use is allowed.

Uses	Pod 1 BP default	Pod 2 BP default	Pod 3 BP default	Pod 4 C-2 default
Multi-family	X	X	X	X
Single-family Detached	X	X	X	
Single-family Attached (Townhomes)	X	X	X	
Accessory Dwelling Units	X	X	X	
Duplexes	X	X	X	
Business Residence	X	X	X	X
Group Living	X	X	X	
Colleges and Universities	X	X	X	
Vocational, Technical and Trade Schools	X	X	X	
Community Activity Building	X	X	X	
All Other Community Service	X	X	X	
Museums, Art Galleries, Opera Houses, Libraries	X	X	X	
General Day Care	X	X	X	X
Medical and Dental Clinics	X	X	X	X
Physical and Mental Rehabilitation (Resident)	X	X	X	X

All Other Health Care	X	X	X	X
Religious Assembly	X	X	X	X
Funeral Homes, Mortuaries, Crematories	X	X	X	X
Public Safety and Emergency Response Services			X	X
Hotels, Motels, and Lodging	X	X	X	X
General Offices	X	X	X	X
Health Club	X	X	X	X
Alcohol Sales, Retail			X	X
Bar/Nightclub			X	X
Drive Through Restaurants	X	X	X	X
Drive Through Retail	X	X	X	X
Retail (Small and Large Box)				X
Food Service, Catering	X	X	X	X
Food Service, Restaurant (Including Alcohol Sales)	X	X	X	X
Fuel Sales, Automotive/Appliance			X	X
General Retail Sales, Indoor Operations, Display and Storage	X	X	X	X
General Retail Sales, Outdoor Operations, Display or Storage	X	X	X	X
Repair, Small Appliance				X
Personal Services	X	X	X	X
All Other Retail Sales and Service	X	X	X	X
Manufacturing and Production – Indoor Operations and Storage	X	X	X	X
Manufacturing and Production – Indoor Operations with Outdoor Storage	X	X	X	X
Mini-warehouse			X	X
Auto and Light Truck Mechanical Repair			X	X
Car Wash, Gasoline Service Station, Quick Lube			X	X
Landscaping Material, Indoor Greenhouse and Outdoor Nursery Plant Growing/Sales			X	X
Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations without Hazardous Materials (Indoor and/or Outdoor Operations and			X	X

Storage)				
Warehouse and Freight Movement – Indoor Operations, Storage and Loading with Outdoor Loading Docks			X	X
Wholesale Business (Excluding Highly Flammable Materials/Liquids)			X	X
Bus/Commuter Stops	X	X	X	X
Government and Public Purpose Facilities	X	X	X	X
Parks and Open Space	X	X	X	X
Agricultural Uses*	X	X	X	X
*Agricultural Uses including indoor or outdoor activities primarily involving raising, producing, or keeping plants or animals but excluding uses such as industrialized agriculture, for example feedlots, pig farming, a use of a scale that requires significant structures or accessory structures, or a use that has the propensity to be a significant nuisance such as pig farming or other particularly odiferous uses. This use is intended to be interim in nature.				

F. Uses Not Mentioned

1) To change uses from those specified above, the developer must request an amendment consistent to the Zoning and Development Code as amended, to allow a use which is not currently an allowed use for a particular pod.

2) If a question or interpretation arises regarding where, how or whether a proposed use fits into the list of uses found in this section, the Director shall decide if a use not specifically mentioned can reasonably be interpreted to fit into a principal use category or a general use category where similar uses are described as found in the Use Table within the City's Zoning and Development Code.

G. Dimensional and Intensity Standards

Minimum Lot Area	
Pod 1, 2, and 3	1,800 square feet
Pod 4	No minimum
Minimum Lot Width	
Pod 1, 2, and 3	20 feet
Pod 4	No minimum
Minimum Street Frontage	
Pod 1, 2, 3, and 4	No minimum
Minimum Setbacks	Principal Structure/Accessory Structure
Pod 1, 2, 3, and 4	
Street (see footnote 1)	10 feet/25 feet
Side/Rear Yard	0 feet
Density (Minimum/Maximum)	
Pod 1, 2, and 3	12 du/ac min./24 du/ac max. for multi-family

	5.5 du/ac min. density for all others
Pod 4	12 du/ac min./24 du/ac max. for multi-family
Maximum Height	
Pod 1, 2, 3, and 4	65 feet
Footnotes	
1. Nonresidential buildings shall be setback a minimum of 30 feet from arterial designated rights-of-way.	

H. Deviations from Bulk Standards from Default Zones

To provide for flexibility necessary for the unique, efficient and effective design of the site, the following deviations from the default zone standards shall be applied to the site and are represented in the table above:

- Minimum lot size shall be 1800 square feet or none
- Minimum lot width shall be 20' or none
- Maximum building height shall be 65'
- Front (street) yard setback for principal structures shall be 10'
- Side and rear yard setbacks shall be 0'

I. Lapse of Plan

Phase	Portion of Site	Requirement	Expiration Date
<i>Approved subdivisions excluded (PLD-2021-523 & PLD-2021-654) – 33 acres</i>			
1	At least 20% (28 acres) of remaining 144 acres	Final Plat recorded within 5 years from date of approved PD Ordinance	December 20, 2028
2	At least an additional 25% (36 acres) of remaining 144 acres	Final Plat recorded within 7 years from date of approved PD Ordinance	December 20, 2030
3	Remaining 80 acres	Final Plat recorded within 10 years from date of approved PD Ordinance	December 20, 2033

J. Other Regulations

- Title 25, 24 Road Corridor Standards of the Zoning and Development Code shall apply, unless otherwise amended by the City.
- Unless otherwise included in this PD Ordinance, the development regulations, standards and administration contained within Section 21.06 of the Code, as may be amended including any applicable overlay zones apply to this PD and ODP, except the following
 - There are no hours of operation limitations for uses in all Pods
- Signage regulations and standards contained within Section 21.06 of the GJMC shall apply with the following modifications:
 - A sign package will be required as part of each Final Development Plan or Site Plan
 - The existing billboards located within Pod Four may remain as nonconforming uses until such time as site development activity begins on Pod Four.
 - New Outdoor Advertising Signs (Billboards) within the PD will not be permitted.

- All applications for the development of the property (subdivisions, site plans, etc.) shall be subject to the Code in effect at the time of submittal, including the standards of this ODP and the PD Ordinance as may be amended.

INTRODUCED on first reading this 6th day of December 2023 and ordered published in pamphlet form.

ADOPTED on second reading this 20th day of December 2023 and ordered published in pamphlet form.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: November 28, 2023
Presented By: Timothy Lehrbach, Senior Planner
Department: Community Development
Submitted By: Tim Lehrbach, Senior Planner

Information

SUBJECT:

Consider a request by Flavius Real Estate LLC to zone 2.96 acres within the Hartman Brothers Annexation to I-1 (Light Industrial) located at 821 21 ½ Road.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Flavius Real Estate LLC, is requesting a zone of annexation to I-1 (Light Industrial) for the Hartman Brothers Annexation. The approximately 2.96 acres of land is located at 821 21 ½ Road. The applicant intends to occupy the existing building with light industrial and retail uses on the property, which requires a zone change constituting "annexable development" in accordance with the Persigo Agreement. The request for annexation will be considered separately by City Council but concurrently with the zoning request and is currently scheduled to be heard by the City Council on December 20, 2023. The zone district of I-1 is consistent with the Industrial land use category of the Comprehensive Plan.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant, Flavius Real Estate LLC, has requested annexation into the City of Grand Junction of its approximately 2.96 acres of land located at 821 21 ½ Road and a zone of annexation to I-1 (Light Industrial). The applicant intends to occupy the existing building with light industrial and retail uses on the property, which requires a zone change constituting "annexable development" under the Persigo Agreement.

The Applicant is requesting a zone district of I-1 (Light Industrial). The subject property is Lot 2-B of the 21 ½ Road Energy Park subdivision and is currently zoned PUD

(Planned Unit Development) in Mesa County. The single other property within this subdivision remains outside of the City limits and is zoned County PUD. Properties to the north of the subdivision have been annexed and are zoned I-1 (Light Industrial).

The annexation area has all urban services available to the property. The subject property abuts 21 ½ Road, identified as a major collector on the Grand Junction Circulation Plan. The subject property is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The goal to “encourage infill and redevelopment to leverage existing infrastructure” supports the Applicant’s intent to repurpose the property and request of a zone of annexation of I-1.

The I-1 requested zoning implements the Comprehensive Plan’s Industrial land use category. The purpose of the I-1 (Light Industrial) zone district is to provide for areas of light fabrication, manufacturing, and industrial uses which are compatible with existing adjacent land uses, access to transportation, and the availability of public services and facilities.

In addition to the I-1 zoning requested by the petitioner, the following zone districts would also be consistent with the proposed Comprehensive Plan designation of Industrial:

- a. General Commercial (C-2)
- b. Industrial/Office Park (I-O)
- c. General Industrial (I-2)

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on zoom on August 17, 2023, in accordance with Section 21.02.080(e) of the Zoning and Development Code. Property owners within 500 feet of the subject property were notified of the meeting by mail sent August 7, 2023. There were three attendees including owner and applicant Kirk Hartman, Ty Johnson, representing the applicant, and Dave Thornton, Principal Planner, representing the City of Grand Junction. No members of the public attended the meeting.

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 application signs on October 17, 2023. 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 November 16, 2023. The notice of the Planning Commission public hearing was published November 19, 2023 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between November 21, 2023 and November 27, 2023 through the GJSpeaks platform.

ANALYSIS

Section 21.02.160(f) provides that land annexed to the City shall be zoned to a district that is consistent with the adopted Comprehensive Plan in accordance with the criteria for zoning map amendments set forth at Section 21.02.140(a). At least one such criterion must be met. These criteria and staff's findings are as follows:

(1) Subsequent events have invalidated the original premises and findings; and/or The property owners have requested to annex and zone the property to I-1 which is compatible with the Comprehensive Plan Land Use Map designation of Industrial. When a property annexes into the City, the assumptions and facts used to assign County zoning are no longer valid. County zoning is not carried forward into the City and by Colorado Statute municipal zoning must be assigned to the property within 90 days of the effective date of annexation. The property currently has 'no zoning designation' within City limits; therefore, there are no original premises and findings which must be invalidated. Staff finds that this criterion is not applicable.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or The original building on the subject site was constructed in 1965 and has been expanded over time. Additional industrial development occurred around the subject site, especially during the 1980s, and has remained occupied by industrial uses since. The 2020 One Grand Junction Comprehensive Plan identified the area as Industrial on the land use map, and the character and condition of the area has not changed. Therefore, 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 Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the I-1 zone district. The site fronts 21 ½ Road, identified in the Grand Junction Circulation Plan as a major collector. Ute Water and City of Grand Junction sanitary sewer are presently available to the site in 21 ½ Road. Grand Valley Power serves the area with electric power. The expected impact of the proposed development on emergency services, parks, and schools is minimal. In general, staff has found public and community facilities are adequate to serve the type and scope of the commercial land use proposed. 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 There is not a demonstrated lack of industrially zoned property in this area or in the city altogether which would necessitate the addition of this property to industrial zoning. Therefore, staff finds this criterion is not met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment. Annexation and zoning of the property will create additional land within the City limits for growth and help to fill in the patchwork of unincorporated and/or urban area that is

adjacent to the City limits. The annexation and appropriate zoning of the property are also consistent with the City and County 1998 Persigo Agreement, which provides for the orderly urbanization of undeveloped land within the boundary subject to the Agreement. This area was reviewed as a part of the 2020 One Grand Junction Comprehensive Plan and it was determined that this subdivision area be changed to Industrial from Commercial/Industrial. Therefore, staff finds that this criterion is met.

Consistency with Comprehensive Plan

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.

- **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 Industrial. The I-1 zone district implements the Commercial designation. While there are additional implementing districts for the Industrial land use designation, the I-1 zone district provides for a range of allowed uses most consistent with existing adjacent development and development standards most appropriate to the location of the subject property along 21 ½ Road and within the H Road - Northwest Area Plan overlay.

- **Plan Principle 3: Responsible and Managed Growth**

Where We are Today: Maintaining Quality – The Comprehensive Plan raises concerns about the unsightly development patterns resulting from the patchwork of City and unincorporated areas and expresses the community's desire to see continued improvements to the built environment. The annexation and appropriate zoning of property within this developed commercial and industrial area ensures the implementation and monitoring of City of Grand Junction standards for construction and property maintenance.

- **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 adjacent to improved rights-of-way with existing water and sewer lines available to the site.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Hartman Brothers Zone of Annexation, ANX-2023-564, request for

the property located at 821 21 ½ Road to zone to I-1 (Light Industrial), 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 property located at 821 21 ½ Road, City file number ANX-2023-564, 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. Annexation Schedule and Summary Table
3. Exhibit 3. Hartman Brothers Annexation Plat
4. Exhibit 4. Site Maps
5. Exhibit 5. Zone of Annexation 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: Annexation/Zone of Annexation

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

Existing Land Use Designation Industrial

Existing Zoning County PUD

Proposed Land Use Designation N/A

Proposed Zoning I-1

Property Information

Site Location: 821 21 1/2 Rd.

Site Acreage: 2.95

Site Tax No(s): 2697-253-21-002

Site Zoning: County PUD

Project Description: Annexation and Zone of Annexation

Property Owner Information

Name: Flavius Real Estate LLC

Street Address: 531 MAIN ST.

City/State/Zip: MONTROSE, CO 81401

Business Phone #: 970 240 9556

E-Mail: khartman@hntmaabrothers.biz

Fax #: 970-240-4276

Contact Person: KIRK HARTMAN

Contact Phone #: 970-417-9873

Applicant Information

Name: Kaart

Street Address: 734 Main St.

City/State/Zip: G.J. CO 81501

Business Phone #: 241-0745

E-Mail: ty.johnson@kaart.com

Fax #: n/a

Contact Person: Ty Johnson

Contact Phone #: 241-0745

Representative Information

Name: Kaart

Street Address: 734 Main St.

City/State/Zip: G.J. CO 81501

Business Phone #: 241-0745

E-Mail: ty.johnson@kaart.com

Fax #: n/a

Contact Person: Ty Johnson

Contact Phone #: 241-0745

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

8/15/23

Signature of Legal Property Owner



Date

8-15-23

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Flavius Real Estate LLC ("Entity") is the owner of the following property:

(b) 821 21 1/2 Rd. GRAND JUNCTION, CO 81505 (2697-253-21-002)

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/OFFICER 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 and 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: Kirk Hartman

Printed name of person signing: KIRK HARTMAN

State of Colorado)

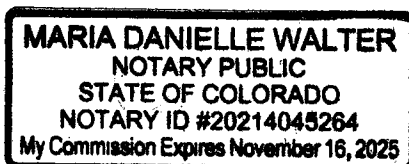
County of Montrose) ss.

Subscribed and sworn to before me on this 15th day of August, 20 23

by Kirk Hartman

Witness my hand and seal.

My Notary Commission expires on 11/16/25



Maria D. Walter
Notary Public Signature

STATEMENT OF AUTHORITY

E-RECORDED

1. This Statement of Authority relates to an entity named: **Flavius Real Estate, LLC**
2. The Entity is a: **Limited Liability Company**
3. The Entity is formed under the laws of: **Colorado**
4. The mailing address for the entity is:
531 E. Main Street, Montrose, CO 81401
5. 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 are: **Kirk Thomas Hartman, Jay Bryon Hartman, and Sidney Carlton Hartman, as Members / Managers**
6. The authority of the foregoing person(s) to bind the entity **requires designation by a separate resolution signed by all Members / Managers appointing one (1) Member / Manager to sign independently on behalf of said entity.**
7. Other matters concerning the manner in which the entity deals with interests in real property: **NONE**
8. This Statement of Authority is executed on behalf of the Entity pursuant to the provisions of C.R.S. Section §38-30-172.

Executed this: June 20, 2023

Flavius Real Estate, LLC, a Colorado Limited Liability Company



By: Kirk Thomas Hartman, as Member / Manager

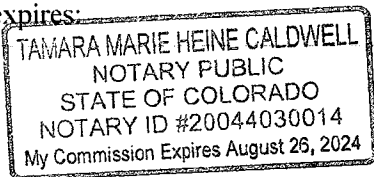
STATE OF: Colorado

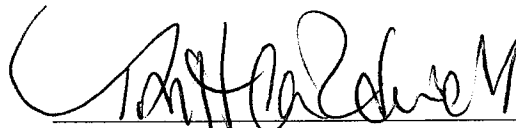
COUNTY OF: Mesa

The foregoing instrument was acknowledged before me this 20 day of June, 2023, by **Kirk Thomas Hartman, as Member / Manager of Flavius Real Estate, LLC, a Colorado Limited Liability Company.**

Witness my hand and seal.

My commission expires:




Notary Public

RETURN RECORDED DOCUMENT TO:

Flavius Real Estate, LLC, a Colorado Limited Liability Company
531 E Main Street, Montrose, CO 81401

Document Fee: \$115.00

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, dated 15TH day of June, 2023, is made between **Craig and Donna Wilson Living Trust, dated December 7, 2017** ("Grantor"), of the State of Nebraska.

AND

Flavius Real Estate, LLC, a Colorado Limited Liability Company ("Grantee"), of the State of Colorado., whose legal address is 531 E Main Street, Montrose, CO 81401.

WITNESS, that the Grantor(s), for and in consideration of ONE MILLION ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$1,150,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, and convey unto the Grantee, and the heirs, successors and assigns of the Grantee forever, all the real property, together with fixtures and improvements located thereon, if any, situate, lying and being in the County of **Mesa** and State of Colorado, described as follows:

Lot 2-B of 21 1/2 ROAD ENERGY PARK, County of Mesa, State of Colorado
ALSO KNOWN AS: 821 21 1/2 Road, Grand Junction, CO 81505

TOGETHER WITH, all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor(s), either in law or in equity, of, in and to the above-bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the heirs, successors and assigns of the Grantee forever. The Grantor, for the Grantor and the heirs, successors and assigns of the Grantor, warrants title to the same, subject to the Statutory Exceptions

EXECUTED AND DELIVERED by Grantor on the date first set forth above.

Craig and Donna Wilson Living Trust, dated December 7, 2017

Donna R. Wilson
By: Donna R. Wilson, as Sole Trustee

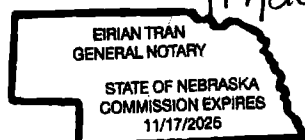
State of: Nebraska

County Of Dawson

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 9th day of **June, 2023**, by **Donna R. Wilson, as Sole Trustee of the Craig and Donna Wilson Living Trust, dated December 7, 2017.**

My Commission expires: 11/17/2025

Witness my hand and official seal.



Eirian Tran
Notary Public

****If tenancy is unspecified, the legal presumption shall be tenants in common (C.R.S. 38-31-101)**

General Warranty Deed

17619CEM

Hartman Brothers Annexation
Annexation and Zone of Annexation
821 21 ½ Rd.
August 11, 2023
General Project Report

Project Description

The subject property is approximately 3 acres in size and is located at 821 21 ½ Rd., as displayed below.



Public Benefit (of the entire project):

This project will benefit the public by implementing the 201 Persigo Agreement and enabling a successful business, Hartman Brothers Medical Supply, to operate on the property. The I-1 zoning, if granted, will create opportunities for light industrial business.

Neighborhood Meeting

A neighborhood meeting was held on Wednesday, August 17th on zoom to inform neighbors about the intent to submit an application for annexation and zone of annexation to the City of Grand Junction. There were no participants at the meeting. Dave Thornton, Kirk Harman (owner), and myself were the only attendees. We waited approximately 15 minutes for participants to arrive, from 5:30-5:45 pm. No one showed up and it was determined by the City that the meeting could end.

Project Compliance, Compatibility, and Impact

Adopted Plans and/or Policies

The subject property is designated as commercial in the future land use map of the comprehensive plan. The proposal meets a number of goals and policies in the City's comp plan.

Plan Principle 2: Resilient and Diverse Economy Policy 1. Foster a vibrant, diverse, and resilient economy

Policy 1-A: Economic Diversity Support the further diversification of the economy that is prepared to anticipate, innovate, and proactively respond to cyclical economic fluctuation and evolution.

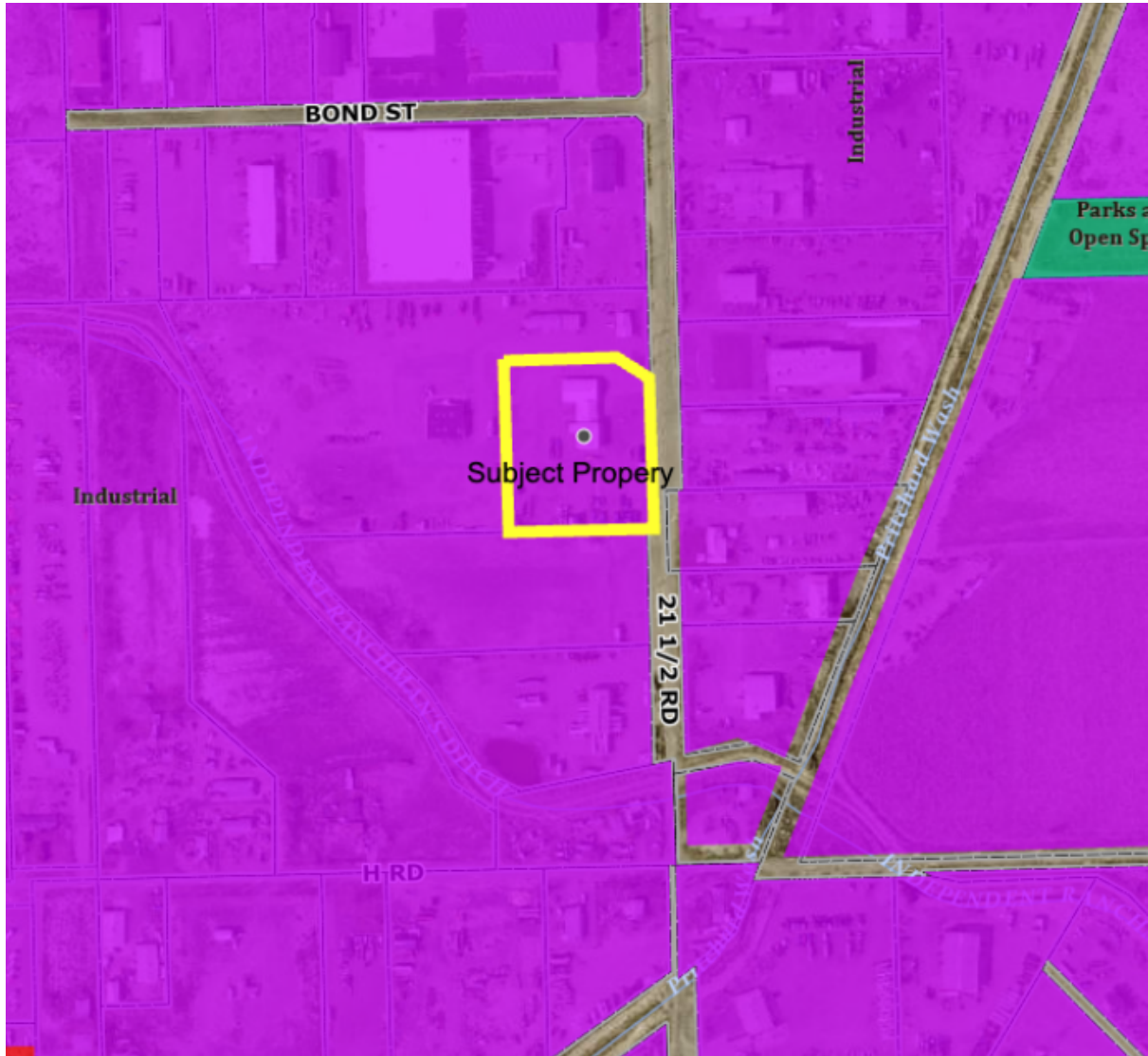
Policy 1-B: Employment Base Continue to collaborate with local and regional partners to expand the community's economic base and primary job creation by focusing on retention, expansion, incubation, and recruitment efforts that create jobs and import income or dollars to the community, particularly businesses in targeted industries.

Policy 1-G: Sales and Tax Revenue Partner in supporting programs that encourage residents to spend retail dollars locally 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.

Policy 3. Promote Business Growth for a Diverse and Stable Economic Base.

Policy 3-E. Business Retention and Attraction. Support economic development partners to encourage the retention and expansion of existing businesses and industries and the establishment of new businesses in industries that support City initiatives, especially those that offer a livable wage.

Policy 3-F. Barriers. Continue to identify and pursue ways to reduce barriers to entry for new businesses.



Surrounding Land Use

The subject property is currently surrounded by industrial development to the north, west, east, and south.

Availability of Utilities

- Sanitary Sewer: City of Grand Junction
- Water: Ute Water
- Storm Sewer: NA
- Gas: Excel

Approval Criteria

The proposed annexation will meet the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, as described below.

a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described.

Response: The petition has been signed by 100% of property owners of the subject property.

This criterion has been met.

b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits.

Response: This requirement is being met, as demonstrated by the improvement survey plat submitted with the application package.

This criterion has been met.

c) A community of interest exists between the area to be annexed and the City.

Response: Annexation of the subject property will contribute to implementation of the 201 Persigo Agreement which benefits the community as whole.

This criterion has been met.

d) The area is or will be urbanized in the near future.

Response: The applicant is preparing the property for development consistent with the standard and regulations of the I-1 zone district.

This criterion has been met.

e) The area is capable of being integrated with the City.

Response: The proposed annexation area is adjacent to the city limits.. Utilities and City services are available and currently serve the existing urban area near this site.

This criterion has been met.

f) No land held in identical ownership is being divided by the proposed annexation.

Response: The entire property owned by the applicant is being annexed.

This criterion has been met.

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

Response: Contiguous property owned by the petitioner is less than 20 acres in size, so this requirement does not apply. However, the petitioners have granted consent to the City to annex the property.

This criterion is not applicable.



734 Main Street
Grand Junction
CO 81501
970.241.0745
planning@kaart.com

Neighborhood Meeting Summary

A neighborhood meeting was held on Wednesday, August 17th on zoom to inform neighbors about the intent to submit an application for annexation and zone of annexation to the City of Grand Junction. There were no participants at the meeting. Dave Thornton, Kirk Harman (owner), and myself were the only attendees. We waited approximately 15 minutes for participants to arrive, from 5:30-5:45 pm. No one showed up and it was determined by the City that the meeting could end.

**HARTMAN BROTHERS ANNEXATION
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 821 21 1/2 Road, Grand Junction, CO 81505
Tax ID #: 2697-253-21-002

LOT 2-B 21 1/2 ROAD ENERGY PARK SEC 25 1N 2W UM PER PLAT AT RN 2871150 RECD 02/26/2019 MESA CO RECDS - 2.96AC

This foregoing description describes the parcels; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Hartman Brothers Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Flavius Real Estate, LLC,
a Colorado Limited Liability Company
NAME

531 E Main Street, Montrose, CO 81401
ADDRESS



SIGNATURE
Kirk Hartman, Member/Manager

8-22-2023
DATE



SIGNATURE
Jay Bryon Hartman, Member/Manager

8-22-23
DATE



SIGNATURE
Sidney Carlton Hartman, Member/Manager

8-23-23
DATE

(Hartman Brothers Annexation Petition)

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

KIRK HARTMAN, of lawful age, being first duly sworn, upon oath,
deposes and says:

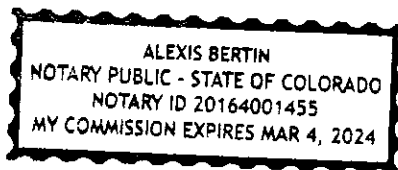
That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name
it purports to be.

Kirk Hartman

Subscribed and sworn to before me this 24th day of August, 2023.

Witness my hand and official seal.



[Signature]

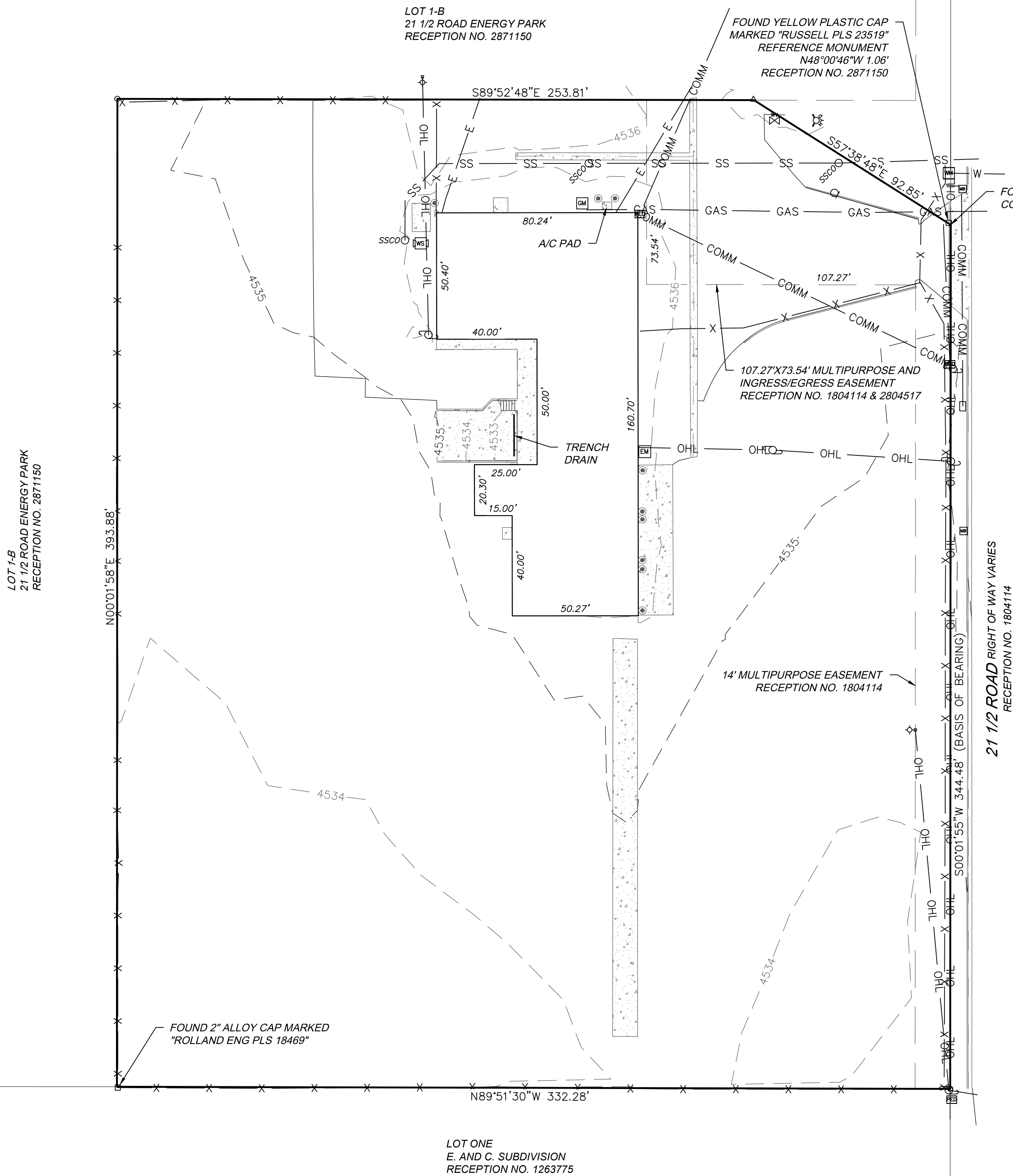
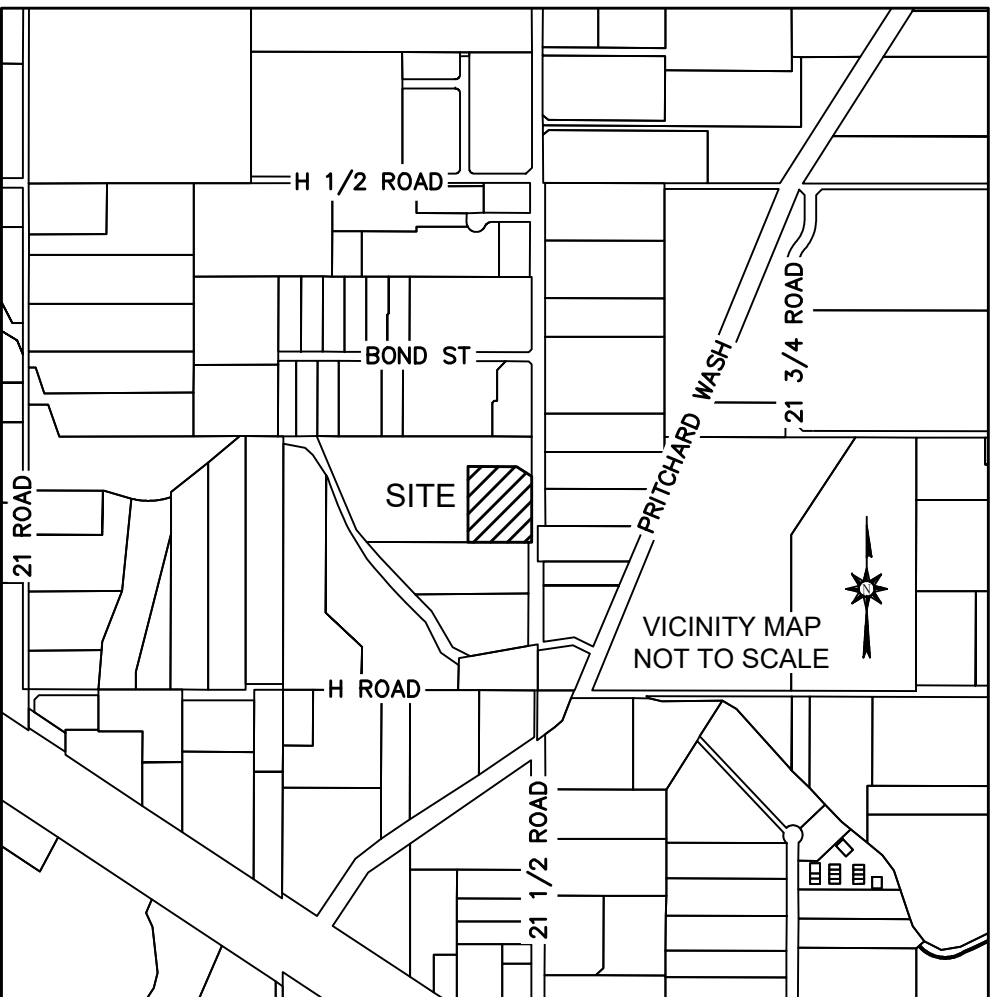
Notary Public

200 W. Townsend Ave. Montrose, CO
Address 81401

My commission expires: 3-4-24

IMPROVEMENT SURVEY PLAT

Located in the SE1/4 of the SW1/4 of Section 25,
Township 1 North, Range 2 West, Ute Meridian,
Mesa County, Colorado



LEGEND:	
	SURVEY CONTROL MONUMENT
	FOUND 5/8" REBAR
	FOUND PK NAIL
	FOUND MONUMENT AS NOTED
	BOUNDARY LINE
	ADJOINER
	EASEMENT
	BUILDING
	EDGE OF ASPHALT
	EDGE OF CONCRETE
	FENCE
	WATER LINE
	GAS LINE
	UNDERGROUND ELECTRIC LINE
	OVERHEAD UTILITY LINE
	UNDERGROUND TELECOM LINE
	SANITARY SEWER LINE
	MAJOR CONTOUR
	MINOR CONTOUR
	ASPHALT
	CONCRETE
	SANITARY SEWER CLEANOUT
	YARD HYDRANT
	WATER VALVE
	FIRE HYDRANT
	WATER METER
	ELECTRIC METER
	LIGHT POLE, UTILITY POLE
	GAS METER
	TELECOM PEDESTAL
	BOLLARD
	MAILBOX

SURVEY NOTES:

- Title information provided by Abstract & Title Company of Mesa County, File No. 17619CEM, Dated June 15, 2023, and the Mesa County Assessor - Real Property Public Information System.
- The location of underground utilities as shown on this plat are based on visible surface evidence and utility markings. Actual locations of utilities may vary and should be verified prior to any construction.
- The ditch easement along the east property line recorded as Reception No. 621542 is subject to forfeiture due to lack of maintenance.
- The bearings and distances shown hereon represent the results of the Legal Description rotated to grid north of the Mesa County Local Coordinate System for the Grand Valley Area with respect to the physical locations of accepted survey monuments.
- According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

PARCEL DESCRIPTION:

Reception No: 3066616

Lot 2-B of 21 1/2 ROAD ENERGY PARK, County of Mesa, State of Colorado.

BASIS OF BEARINGS:

The bearing between the NE corner of Lot 2-B, 21 1/2 ROAD ENERGY PARK, a found "X" mark in concrete, and the SE corner of Lot 2-B, 21 1/2 ROAD ENERGY PARK, a found 5/8" rebar in concrete, is S00°01'55"W. This bearing corresponds with grid north of the Mesa County Local Coordinate System for the Grand Valley Area.

CERTIFICATION:

I, Alexandre B. Lheritier, a registered Professional Land Surveyor in the State of Colorado, do hereby certify the Improvement Survey Plat represented hereon was performed by me or under my responsible charge. It is based upon my professional knowledge, information, and belief according to acceptable standards of practice and the laws of the State of Colorado. This statement is not a guarantee or warranty, either expressed or implied.

FOR REVIEW

Alexandre B. Lheritier
Colorado PLS 38464

LAND SURVEY DEPOSITS

Mesa County Surveyor's Office

Date: _____

Deposit No: _____

821 21 1/2 Road

SE1/4SW1/4 of Section 25,
Township 1 North, Range 2 West, Ute Meridian,
Mesa County, Colorado

Surveyed by: RAC, INH
Drawn by: ABL
Job #: 3046223
Date: 08/14/2023



Kaat Surveying, LLC
734 Main St.
Grand Junction, CO 81501
970.201.4081 surveying@kaat.com

ANNEXATION SCHEDULE & SUMMARY WORKSHEET

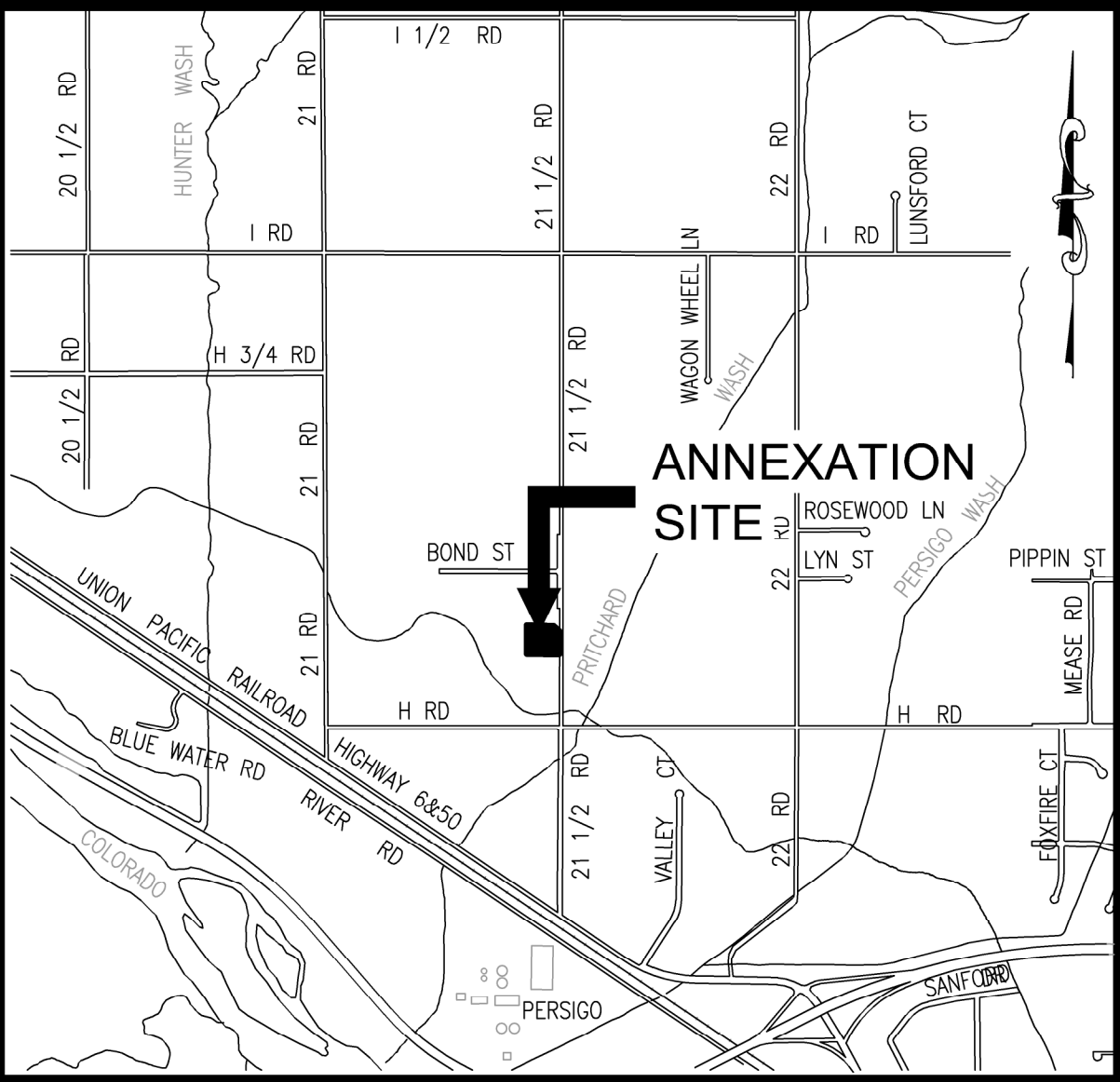
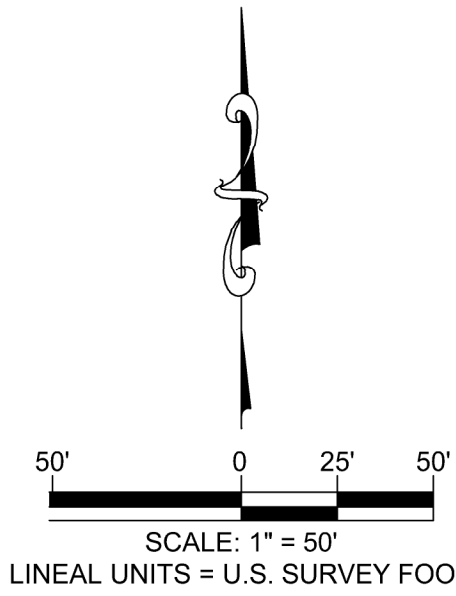
11/15/2023	Referral of Petition, Intro Proposed Ordinance, Exercise Land Use
11/28/2023	Planning Commission Considers Zone of Annexation
12/6/2023	City Council Intro Proposed Zoning Ordinance
12/20/2023	City Council Accept Petition/Annex and Zoning Public Hearing
1/21/2024	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

File Number		ANX-2023-564
Location		821 21 ½ Rd.
Tax ID Number(s)		2697-253-21-002
Number of Parcel(s)		1
Existing Population		0
No. of Parcels Owner Occupied		0
Number of Dwelling Units		0
Acres Land Annexed		2.96
Developable Acres Remaining		2.96
Right-of-way in Annexation		n/a
Previous County Zoning		PUD
Proposed City Zoning		I-1 Light Industrial
Surrounding Zoning:	North:	PUD (Mesa County)
	South:	PUD (Mesa County)
	East:	PUD (Mesa County), I-1 Light Industrial
	West:	PUD (Mesa County)
Current Land Use		Vacant
Proposed Land Use		Industrial Services
Surrounding Land Use:	North:	Heavy Commercial (Construction)
	South:	Vacant
	East:	Heavy Commercial (Homebuilder, Fence Contractor)
	West:	Heavy Commercial (Construction)
Comprehensive Plan Designation:		Industrial Services, Retail Sales and Service
Zoning within Comprehensive Plan Designation:		Yes: ☐ ☐ ☐ ☐
Values:	Assessed	\$226,090
	Actual	\$810,360
Address Ranges		821 21 ½ Rd.
Special Districts:	Water	Ute Water
	Sewer	Persigo
	Fire	Lower Valley Fire
	Irrigation/Drainage	Grand Valley Irrigation/Grand Valley Drainage
	School	School District 51
	Pest	Upper Grand Valley Pest
	Pest	Grand River Mosquito Control
	Other	n/a

HARTMAN BROTHERS ANNEXATION

Located in the SE1/4 SW1/4 SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SITE LOCATION MAP SCALE: 1" = 800'

LEGAL DESCRIPTION

A parcel of land being Lot 2-B within 21 1/2 Road Energy Park subdivision (Reception Number 2871150), being more particularly described as follows:
Commencing at the Center South 1/16th corner of Section 25, T.1N., R.2W. of the Ute Meridian, whence the South 1/4 corner of said Section 25 bears S00°00'30"E, a distance of 1320.84 feet, with all bearings being relative thereto; Thence S89°59'34"W, a distance of 30.00'; thence S00°00'30"E, a distance of 207.53 feet, to a point on the westerly right of way of 21 1/2 Road and the westerly line of the Kelley Annexation No. 3 (Ordinance No. 3990), said point also being the Point of Beginning;
Thence along said Kelley Annexation No. 3, S00°00'30"E, a distance of 343.18 feet; thence N89°53'54"W, a distance of 332.28 feet; thence N00°00'26"W, a distance of 393.88 feet; thence S89°55'12"E, a distance of 253.81 feet; thence S57°00'48"E, a distance of 93.55 feet to the Point of Beginning.

Said Parcel of land CONTAINING **128,904** Square Feet or **2.96** Acres, more or less.

AREAS OF ANNEXATION

ANNEXATION PERIMETER	1,416.70 FT.
CONTIGUOUS PERIMETER	353.18 FT.
AREA IN SQUARE FEET	128,904 FT ²
AREA IN ACRES	2.96
AREA WITHIN R.O.W.	0.00 FT ²
AREA WITHIN DEEDED R.O.W.	0.00 ACRES

LEGEND

ANNEXATION BOUNDARY	
ANNEXATION AREA	
EXISTING CITY LIMITS	

SURVEY ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
NO.	NUMBER
REC.	RECEPTION

SQ. FT.	SQUARE FEET
Δ=	CENTRAL ANGLE
RAD.	RADIUS
ARC	ARC LENGTH
CHD.	CHORD LENGTH
CHB.	CHORD BEARING
BLK.	BLOCK
P.B.	PLAT BOOK
BK.	BOOK
PG.	PAGE
HOR. DIST.	HORIZONTAL DISTANCE

ORDINANCE NO.
PRELIMINARY

EFFECTIVE DATE
PRELIMINARY

NOTE:
THE DESCRIPTION(S) CONTAINED HEREIN HAVE BEEN DERIVED FROM SUBDIVISION PLAT, DEED DESCRIPTIONS & DEPOSIT SURVEYS AS THEY APPEAR IN THE OFFICE OF THE MESA COUNTY CLERK & RECORDER. THIS PLAT OF ANNEXATION DOES NOT CONSTITUTE A LEGAL BOUNDARY SURVEY, AND IS NOT INTENDED TO BE USED AS A MEANS OF ESTABLISHING OR VERIFYING PROPERTY BOUNDARY LINES.

PRELIMINARY

Jodie L Grein DATE
STATE OF COLORADO - P.L.S. NO. 38075
ROLLAND CONSULTING ENGINEERS
405 RIDGES BLVD. SUITE A
GRAND JUNCTION, CO. 81507

C:\Projects\C3407 City 6J Project Review\Hartman Brothers Annexation - ANX-2023-564\Hartman Brothers Annexation.dwg - PLOTTED 2023-10-04

THIS IS NOT A BOUNDARY SURVEY

NOTICE:
ACCORDING TO COLORADO LAW ANY LEGAL ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY MUST COMMENCE WITHIN THREE (3) YEARS AFTER THE DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

DRAWN BY: JLG DATE: 10/03/2023
DESIGNED BY: JLG DATE: 10/03/2023
CHECKED BY: JAM DATE: 10/03/2023

50' 0 25' 50'
SCALE: 1" = 50'
LINEAL UNITS = U.S. SURVEY FOOT

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

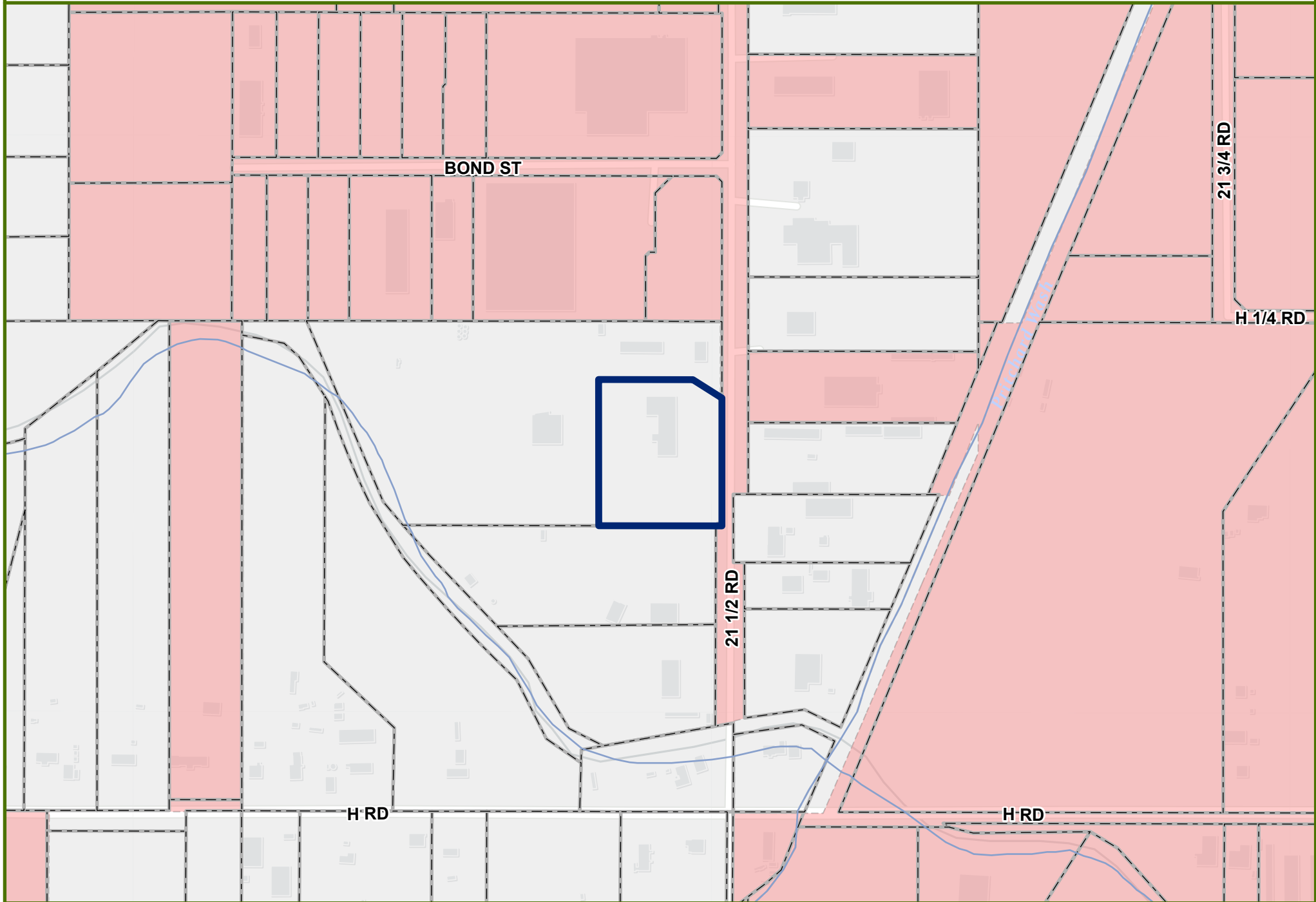
PUBLIC WORKS
ENGINEERING DIVISION

HARTMAN BROTHERS ANNEXATION

Located in the SE1/4 SW1/4 SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

1
OF
1

Hartman Brothers Annexation



0 0.05 0.1 Miles

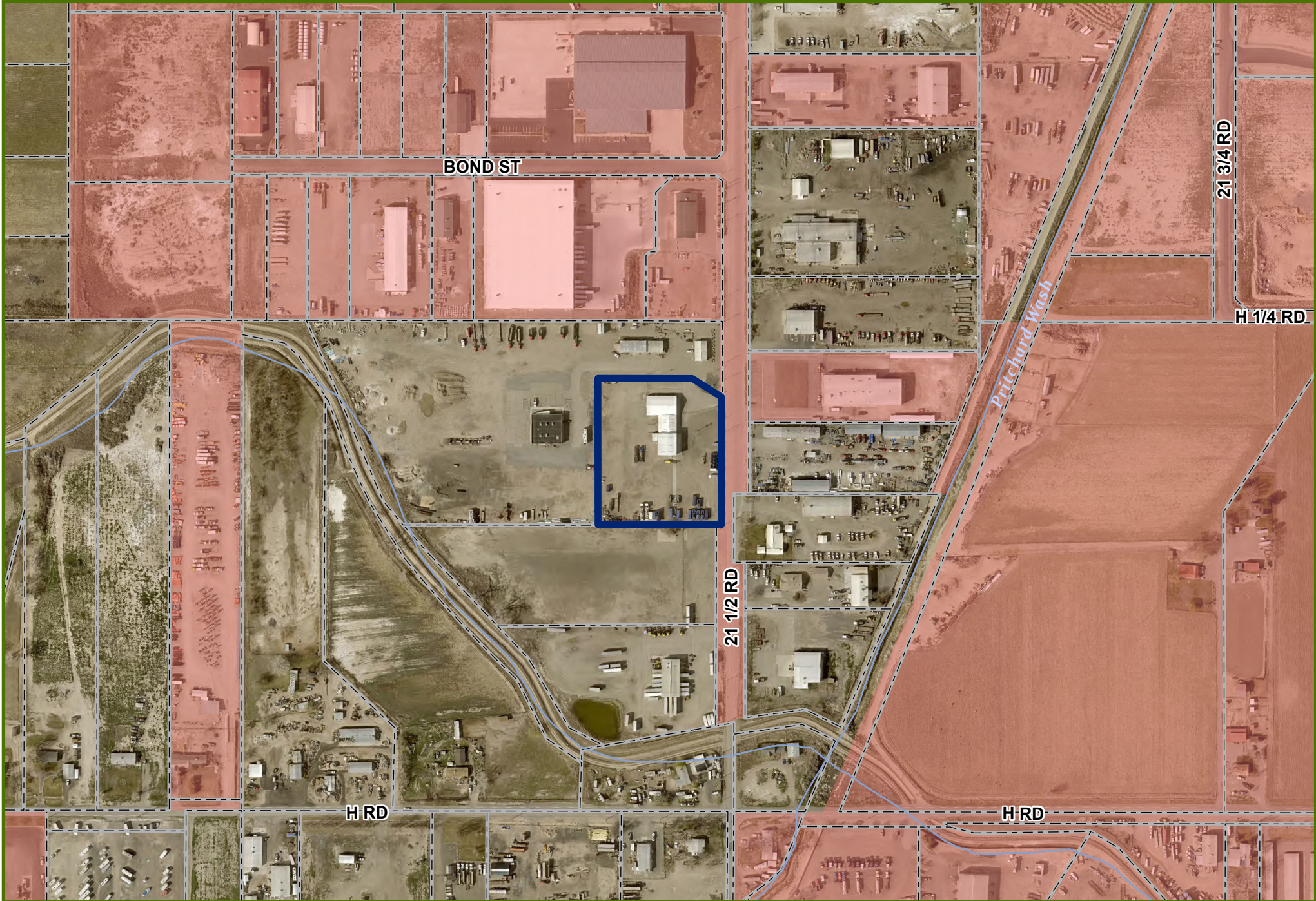


Annexation Site



City Limits

Hartman Brothers Annexation



0 0.05 0.1 Miles

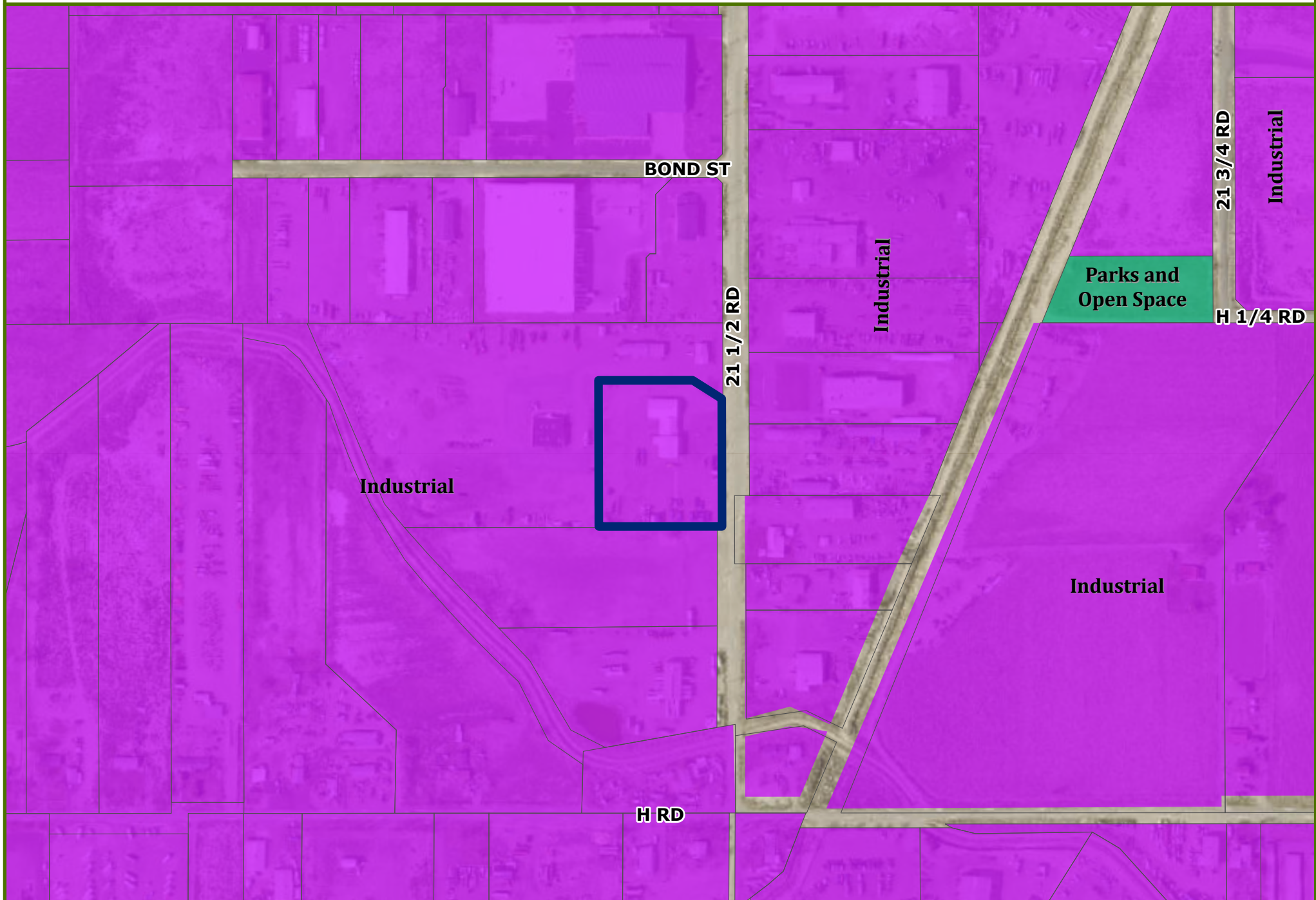


Annexation Site



City Limits

Hartman Brothers Annexation - Land Use

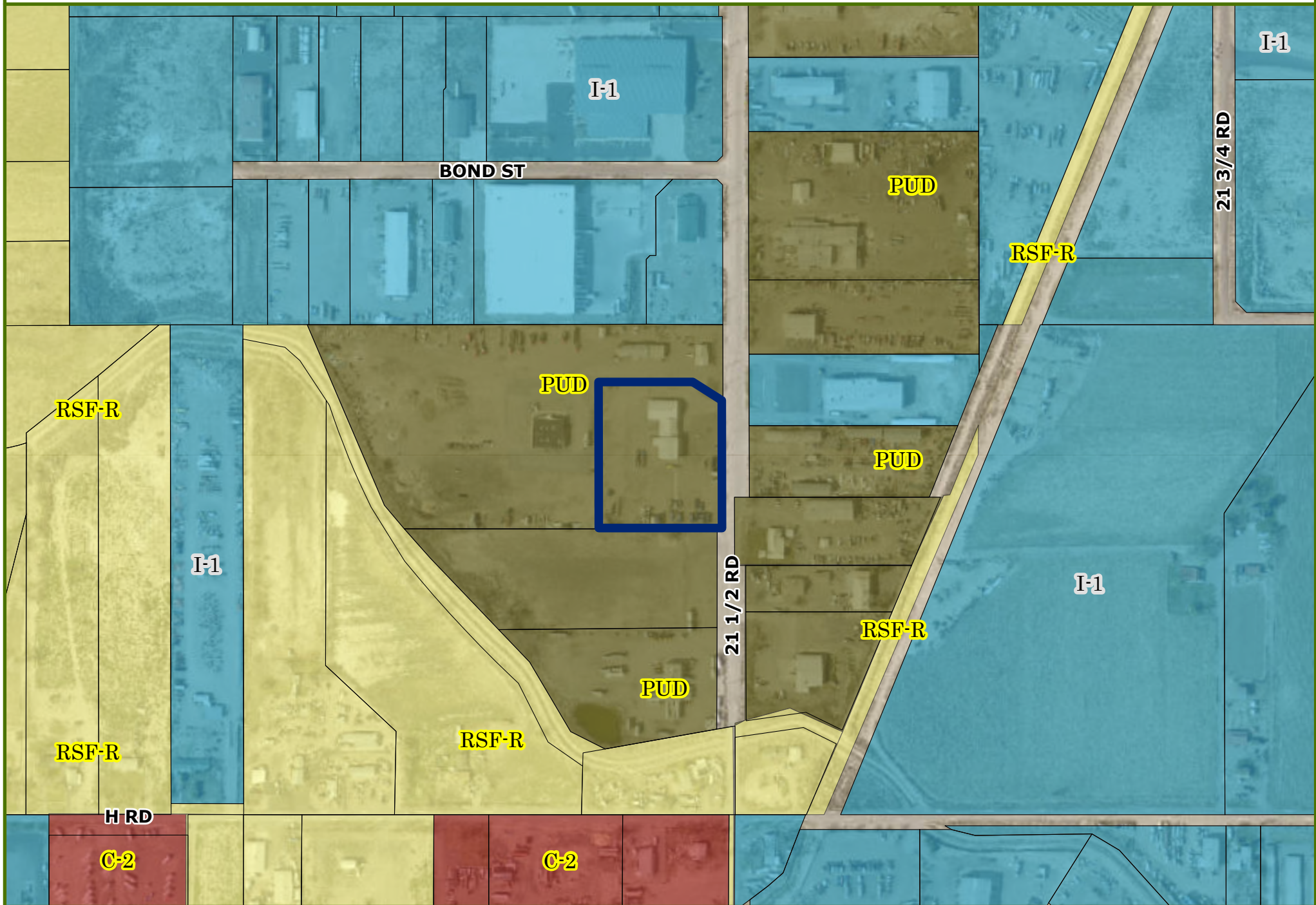


0 0.05 0.1 Miles

 Annexation Site
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Date Created: 9/1/2023

Hartman Brothers Annexation - Zoning



0 0.05 0.1 Miles



Annexation Site

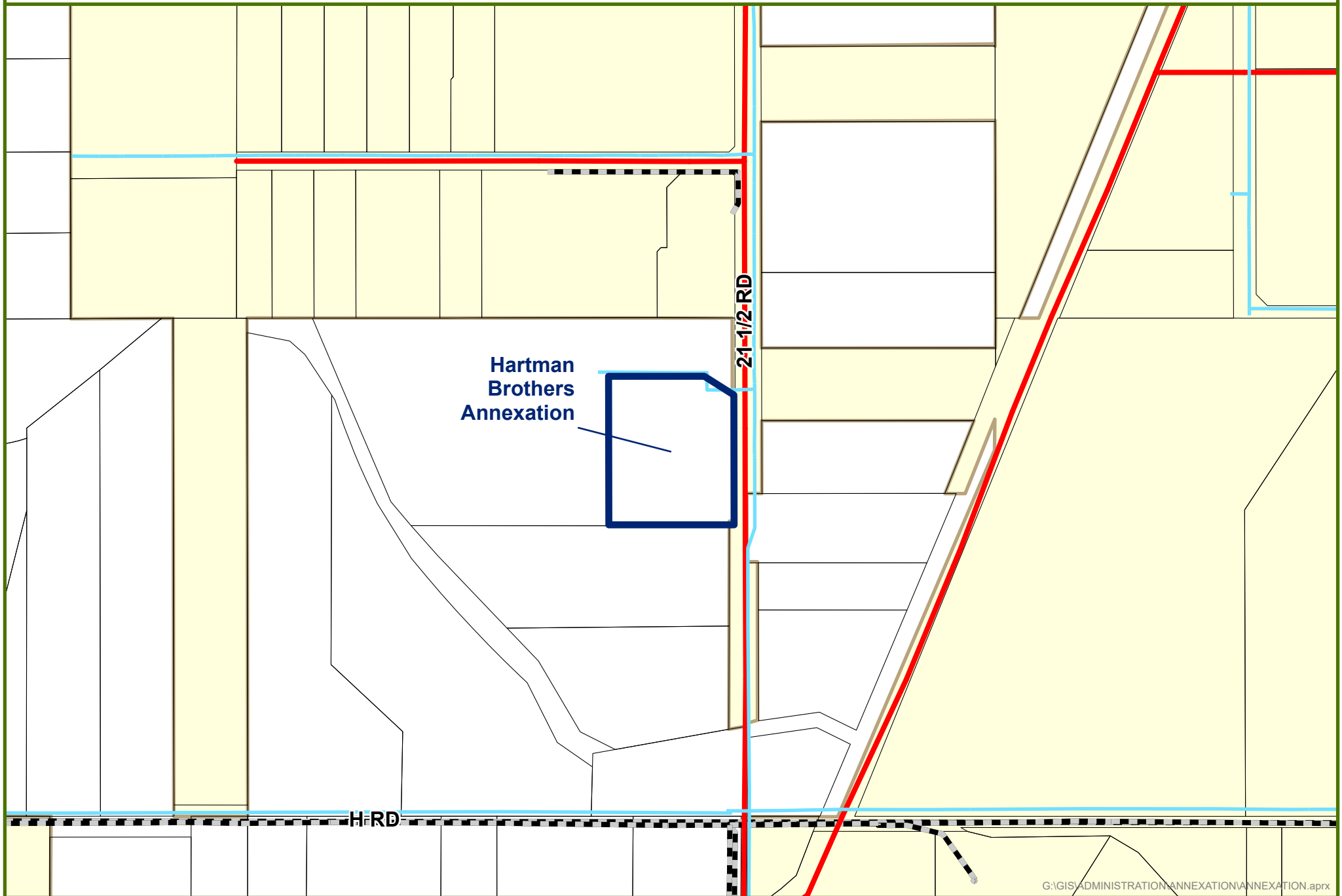
City Zoning

County Zoning

Date Created: 9/1/2023



Hartman Brothers Annexation - Utilities



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0 0.05 0.1 Miles

— CITY WATER
— UTE WATER
— SEWER
— CITY FIBER
- - - NON-CITY FIBER
 CITY LIMITS

Date Created: 9/1/2023



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING HARTMAN BROTHERS ANNEXATION
TO I-1 (LIGHT INDUSTRIAL) ZONE DISTRICT**

LOCATED AT 821 21 ½ ROAD

Recitals:

The property owner has petitioned to annex their 2.96 acres into the City limits. The annexation is referred to as the "Hartman Brothers Annexation."

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the Hartman Brothers Annexation consisting of 2.96 acres to I-1 (Light Industrial) finding that both the I-1 zone district conforms with the designation of Industrial 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 I-1 (Light Industrial) zone district 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 HARTMAN BROTHERS ANNEXATION

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

A parcel of land being Lot 2-B within 21 1/2 Road Energy Park subdivision (Reception Number 2871150), being more particularly described as follows;

Commencing at the Center South 1/16th corner of Section 25, T.1N., R.2W. of the Ute Meridian, whence the South 1/4 corner of said Section 25 bears S00°00'30"E, a distance of 1320.84 feet, with all bearings being relative thereto; Thence S89°59'34"W, a distance of 30.00'; thence S00°00'30"E, a distance of 207.53 feet, to a point on the westerly right of way of 21 1/2 Road and the westerly line of the Kelley Annexation No. 3 (Ordinance No. 3990), said point also being the Point of Beginning;

Thence along said Kelley Annexation No. 3, S00°00'30"E, a distance of 343.18 feet; thence N89°53'54"W, a distance of 332.28 feet; thence N00°00' 26"W, a distance of 393.88 feet; thence S89°55'12"E, a distance of 253.81 feet; thence S57°00'48"E, a distance of 93.55 feet to the Point of Beginning.

Said Parcel of land CONTAINING 128,904 Square Feet or 2.96 Acres, more or less.

Said parcel shall hereby be zoned I-1 (Light Industrial).

INTRODUCED on first reading this 6th day of December 2023 and ordered published in pamphlet form.

ADOPTED on second reading this 20th day of December 2023 and ordered published in pamphlet form.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk