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**CITY COUNCIL AGENDA
WEDNESDAY, SEPTEMBER 18, 2019
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

To become the most livable community west of the Rockies by 2025

Call to Order. Pledge of Allegiance. Moment of Silence

Appointments

To the Ridges Architectural Control Committee

Citizen Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

- a. Supplemental Documentation

City Manager Report

Council Reports

CONSENT AGENDA

The Consent Agenda includes items that are considered routine and will be approved by a single motion. Items on the Consent Agenda will not be discussed by City Council, unless an item is removed for individual consideration.

1. Approval of Minutes

- a. Minutes of the September 4, 2019 Regular Meeting

2. Set Public Hearings

All ordinances require two readings. The first reading is the introduction of an ordinance and generally not discussed by City Council. Those are listed in Section 2 of the agenda. The second reading of the ordinance is a Public Hearing where public comment is taken. Those are listed below.

a. Legislative

- i. Introducing an Ordinance Amending Industrial Pretreatment Regulations Title 13 of the Grand Junction Municipal Code Section 13.04.370 Regarding Limits for Metals in Industrial Wastewater Discharge and Set a Public Hearing for November 6, 2019

b. Quasi-judicial

- i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Adams II Annexation of 1.999-Acres, Located at 216 27 ½ Road and Set a Public Hearing for November 6, 2019
- ii. Introduction of an Ordinance to Vacate a Portion of the East-West Alley Right-of-Way on the South Side of the Property Located at 845 Orchard Avenue and Set a Public Hearing for October 2, 2019
- iii. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for Zona's Annexation of 2.0 Acres, Located at 408 29 Road and Set a Public Hearing for November 6, 2019

3. Contracts

- a. 2019 CDBG Subrecipient Agreements between the Counseling and Education Center, Riverside Educational Center, Mesa Youth Services dba Mesa County Partners, Marillac Clinic and STRIVE and the City of Grand Junction

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

4. Resolutions

Citizen comment will be taken for this agenda item.

- a. A Resolution Supporting District 51 Board of Education Ballot Issue 4A

5. Public Hearings

- a. Quasi-judicial
 - i. An Ordinance to Rezone the Community Pod 5 from Mixed Use (MU) to Planned Development (PD) and Approve an Outline Development Plan (ODP) for Approximately 39.25 Acres at 2372 G Road
- b. Legislative
 - i. An Ordinance Amending Ordinance No. 4861 to Change the Name of the Grand Junction Dos Rios General Improvement District to the City of Grand Junction Dos Rios General Improvement District

6. Non-Scheduled Citizens & Visitors

This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

7. Other Business**8. Adjournment**



Grand Junction City Council

Regular Session

Item #

Meeting Date: September 18, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Ridges Architectural Control Committee

RECOMMENDATION:

Appoint member to Ridges Architectural Control Committee.

EXECUTIVE SUMMARY:

There are three vacancies on the Architectural Control Committee.

BACKGROUND OR DETAILED INFORMATION:

Vacancies are due to resignations and inability to solicit applicants.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the applicant.

Attachments

None



Grand Junction City Council

Regular Session

Item #a.

Meeting Date: September 18, 2019

Presented By:

Department: City Clerk

Submitted By:

Information

SUBJECT:

Supplemental Documentation

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

1. Citizen Comments - Supplemental Documentation

CITY COUNCIL MEETING
CITIZEN PRESENTATION

Date

09/18/19

**Citizen's
Name**

Richard Swingle

Subject

Boardman

**Phone
Number
(optional)**

*Including your phone number is helpful if
we would like to contact you in response to
your questions, comments, or concerns.
Thank you!*

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

September 4, 2019

Call to Order. Pledge of Allegiance. Invocation

The City Council of the City of Grand Junction convened into regular session on the 4th day of September, 2019 at 6:00 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Duke Wortmann and Council President Rick Taggart. Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Taggart called the meeting to order. Student Kai Richardson led the Pledge of Allegiance which was followed by an invocation by Baha'i Faith member Chris Cholas.

Presentations

District 51 Bond Presentation: Building our Kid's Future - Dan Prinster

St. Mary's Business Development Vice President Dan Prinster presented "Building our Kid's Future" about Mesa County Valley School District 51's bond measure.

Proclamations

Proclaiming September 7, 2019 as Sister City Day in the City of Grand Junction

Councilmember Stout read the proclamation. Dr. Chris Hoppe accepted the proclamation.

Proclaiming September 13 - October 15, 2019 as Hispanic Heritage Month in the City of Grand Junction

Councilmember Wortmann read the proclamation. Hispanic Heritage Month Chair Sonia Gutierrez accepted the proclamation.

Proclaiming September 17 - 23, 2019 as Constitution Week in the City of Grand Junction

Councilmember Andrews read the proclamation. Mount Garfield Chapter - Daughters of the American Revolution Regent Deana Znamenacek accepted the proclamation.

Appointments**To One Riverfront**

Councilmember Norris moved to appoint Lewis Patterson to One Riverfront for a three-year term expiring July 2022. Councilmember Wortmann seconded the motion. Motion carried by unanimous voice vote.

Citizen Comments

Kevin Bray introduced students from the Colorado Mesa University Real Estate course and described some class topics.

Bruce Lohmiller spoke on the Point of Light certificate he received, his interaction with a local broadcasting station and air compression power.

Randy Spydell spoke about ranked choice voting.

Elliot Van Meter, Mikaela Sullivan and Currey Ventling spoke on the Foundation for Cultural Exchange.

Liliana Flanigan, Sarah Shrader and Suzanne Foster Porter spoke about School District 51's bond measure.

City Manager Report

City Manager Greg Caton did not give a report.

Council Reports

Councilmember Stout noted the Commission on Arts and Culture is coordinating events for National Arts and Humanities Month during October and commended the Grand Junction Police Department on their service.

CONSENT AGENDA

Councilmember Wortmann moved to adopt Consent Agenda items #1 - # 5. Councilmember McDaniel seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the August 19, 2019 Workshop

- b. Minutes of the August 21, 2019 Regular Meeting
- c. Summary of the August 22, 2019 Joint DDA Workshop

2. Set Public Hearings

- a. Legislative
 - i. An Ordinance Amending Ordinance No. 4861 to Change the Name of the Grand Junction Dos Rios General Improvement District to the City of Grand Junction Dos Rios General Improvement District and Set a Public Hearing for September 18, 2019
- b. Quasi-judicial
 - i. Introduction of an Ordinance to Rezone the Community Pod 5 from Mixed Use (MU) to Planned Development (PD) and Approve an Outline Development Plan (ODP) for Approximately 39.25 Acres at 2372 G Road and Set a Public Hearing for September 18, 2019

3. Contracts

- a. Authorize the City Manager to Enter into a Community Solar Garden Subscription Agreement with Oak Leaf Energy Partners
- b. Contract for Assessment, Repair and Maintenance Services for the Solar Farm at the Persigo Wastewater Treatment Plant

4. Resolutions

- a. Assignment of the City's 2019 Private Activity Bond Allocation to Colorado Housing and Finance Authority

5. Other Action Items

- a. Ratification of Adopted Resolutions Concerning the November 2019 Special Election

REGULAR AGENDA**An Ordinance 1) Amending the Comprehensive Plan from Park to Residential Medium, Retaining the Mixed Use Corridor Designation along Patterson Road; and 2) Rezoning from CSR (Community Services and Recreation) to R-8 (Residential Medium) and MXOC (Mixed Use Opportunity Corridor) for Two Properties with a Total of 18.433 Acres, Located at 2980 and 2982 Patterson Road (Currently Known as the Burkey Park Property)**

The Applicant, the City of Grand Junction, requested multiple actions on two vacant properties that total 18.433 acres, located at 2980 and 2982 Patterson Road, currently known as Burkey Park. The proposed actions are: 1) amend the Comprehensive Plan from Park to Residential Medium, retaining the Mixed Use Corridor Designation along Patterson Road; and 2) rezone the properties from Community Services and Recreation (CSR) to MXOC (Mixed Use Opportunity Corridor) along the 4.0 acres of Patterson Road frontage which encompasses area of both parcels and R-8 (Residential 8 units per acre) for the remaining 14.433 acres of the 2982 Patterson Road property.

The proposed changes are intended to expand options for future private development, particularly for mixed use projects that would optimize the properties' location along the Patterson Road Mixed Use Corridor. The City is reviewing a concurrent application to subdivide the property which would plat the parcels into two lots that correspond to the areas in which these zone districts are being considered.

Principle Planner Kristin Ashbeck presented this item.

The public hearing opened at 7:17 p.m.

The following spoke against this item: Mary Combs, Kevin Carson, Eric Farslow, Lauren Ratzloff, Steve Moore, Cindie Downs, Ron Teck, Federico Vargas, William Springer, Weston Witt, Sherryl Buckley, Paula Emmert, Keith Rose, Darren Jowers, Garrett Pierce, Derrick Jowers, Marilyn Richardson and Shane Page.

The public hearing closed at 7:57 p.m.

Council discussion included the area sewer service provider, an R-8 zone typically results in a net density of 5.5 du/ac, more development flexibility would be available without a rezone, a park could still be developed with rezone, professional recommendation was to rezone prior to sale, zoning establishes bulk standards (e.g. lot sizes, setbacks, etc.) not development, the non-restricted Youth Corp Great Outdoors Colorado grant funds, a Matphet Park shelter/pavilion would be built from Burkey Park sale proceeds, $\frac{3}{4}$ access options (no eastbound exit), residential street congestion, public safety and other available zoning options.

Councilmember McDaniel moved to adopt Ordinance No. 4871, an ordinance amending the Comprehensive Plan Future Land Use Map Designation to Residential Medium retaining the Mixed Use Corridor for the property known as Burkey Park on 18.433 acres, located at 2980 and 2982 Patterson Road on final passage and ordered final publication in pamphlet form. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

Councilmember Wortmann moved to adopt Ordinance No. 4871, an ordinance rezoning to R-5 (Residential 5 units per acre) and MXOC (Mixed Use Opportunity Corridor) for the property known as Burkey Park on 18.433 acres, located at 2980 and 2982 Patterson Road on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Council took a break at 8:25 p.m.

The meeting resumed at 8:35 p.m.

A Resolution Accepting the Petition for Annexation of 3.557 Acres of Land and Ordinances Annexing and Zoning the Kiser Annexation to R-2 (Residential - 2 du/ac), Located at 136 Vista Grande Road

Applicants Stan and Judy Kiser requested annexation and zone of annexation to R-2 (Residential – 2 du/ac) for the Kiser Annexation located at 136 Vista Grande Road. The approximately 2.887 acre parcel is located in the Redlands at the intersection of Vista Grande Road and S. San Miguel Drive, north of Broadway (Hwy 340) and has a Comprehensive Plan Future Land Use Map designation of Residential Medium Low (2 – 4 du/ac). The total area requested for annexation is 3.557 acres which includes 0.67 acres of the adjacent S. San Miguel Drive right-of-way. The subject property currently contains a single-family detached house along with various accessory structures. The owners requested annexation in conformance with the requested R-2 zone district in anticipation of a future residential subdivision development in order to subdivide their property to create one additional lot and construct another single-family detached home in the near future, which constitutes "annexable development" and as such is required to annex in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction.

Senior Planner Scott Peterson presented this item.

The public hearing opened at 8:43 p.m.

There were no public comments.

The public hearing closed at 8:43 p.m.

Council discussed the current sewer service provider.

Councilmember Stout moved to adopt Resolution No. 58-19, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Kiser Annexation, located at 136 Vista Grande Road is eligible for annexation, Ordinance No. 4872, an ordinance annexing territory to the City of Grand Junction, Colorado, Kiser Annexation, approximately 3.557 acres, located at 136 Vista Grande Road on final passage and ordered final publication in pamphlet form and Ordinance No. 4873, an ordinance zoning the Kiser Annexation to R-2 (Residential - 2 du/ac), located at 136 Vista Grande Road, on final passage and ordered final publication in pamphlet form. Councilmember Wortmann seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Placing a Charter Amendment Concerning the Authorized Length of Leases on the Election Ballot for the Special Municipal Election

The purpose of this item is to place a Charter amendment on the November ballot concerning the leasing of property in and near Las Colonias.

City Attorney John Shaver presented this item.

The public hearing opened at 8:46 p.m.

Dennis Simpson requested Council clarify with staff the provisions of this proposed amendment, noted the Las Colonias Development Corporation (Corporation) governs the business park and the State and Federal Governments have authority regarding the sale of this property.

Janet Johnson said a similar ballot question did not pass in the previous election and expressed concern regarding the ground water.

The public hearing closed at 8:50 p.m.

Discussion included how the Corporation (a Colorado not for profit corporation) was set up and operates, this item is not to be a conveyance, this ballot question is not the same as the previous ballot question regarding leases, environmental considerations regarding Las Colonias are detailed in the master lease covenants and do not preclude development, and that banks prefer lengthy business leases.

Councilmember Wortmann moved to adopt Ordinance No. 4874, an ordinance placing a Charter amendment to change the authorized length of leases of certain public property from twenty-five up to ninety-nine years on the election ballot for the Special Municipal Election to be held the 5th day of November, 2019 on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

Janet Johnson spoke in support of building a new Grand Junction High School and asked Council to work with Mesa County Valley School District 51, the Department of Energy and the Colorado Department of Public Health and Environment to remove the mill tailings there.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:00 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: September 18, 2019

Presented By: Randi Kim, Utilities Director

Department: Utilities

Submitted By: Randi Kim, Utilities Director

Information

SUBJECT:

Introducing an Ordinance Amending Industrial Pretreatment Regulations Title 13 of the Grand Junction Municipal Code Section 13.04.370 Regarding Limits for Metals in Industrial Wastewater Discharge and Set a Public Hearing for November 6, 2019

RECOMMENDATION:

Introduction of a proposed ordinance amending Industrial Pretreatment Regulations Title 13 of the Grand Junction Municipal Code and set a hearing for November 6, 2019.

EXECUTIVE SUMMARY:

Revisions in metals discharged to the Persigo Wastewater Treatment Facility are necessary to meet State and Federal wastewater discharge permit requirements. Federal regulations require a City Council reading of the proposed changes to the Code, public notice by the US Environmental Protection Agency and final approval in a hearing.

BACKGROUND OR DETAILED INFORMATION:

The US Environmental Protection Agency (USEPA) and the Colorado Department of Public Health and Environment (CDPHE) require approved Industrial Pretreatment Program municipalities, such as Grand Junction, to enforce and periodically update the Local Limits.

Title 13 of the Grand Junction Municipal Code (GJMC) Section 13.04.370 (d) Specific Discharge Limitations: reflects the total daily maximum discharge limit in mg/L of metals that can be allocated safely to all permitted Significant Industrial Users and other Industrial Users by the City without causing harm to the Persigo Wastewater Treatment

Facility (Persigo). The City includes each permitted industry's specific metals allocation in the Industrial User's Discharge Permit.

The City is switching from Mass Based to Uniform Concentration Based Local Limits. The change makes it easier to understand and implement Local Limits to Industrial Users. There will not be any impacts to current Industrial Users, based on historical monitoring data.

USEPA requires Persigo to have an Industrial Pretreatment Program to prevent certain pollutants from entering the wastewater system. The pollutants of concern are those that can interfere with the operation of the wastewater treatment process, pass through the wastewater treatment system without adequate treatment or contaminate treatment plant biosolids.

The City Industrial Pretreatment program was delegated approval authority from USEPA in 1984. The initial version of the City's Pretreatment Regulations was included in the City's Wastewater Code and approved by USEPA at that time. There are currently over 5,000 local businesses included in the Pretreatment Program's database and City Industrial Discharge Permits are issued to 15 industries and 14 waste haulers.

Persigo received its renewed State of Colorado Discharge Permit (Permit) in 2018.

The 2018 Permit required the City to perform an evaluation of the City's local limits for aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, zinc along with biochemical oxygen demand, total suspended solids, total dissolved solids, phosphorus and ammonia. The City performed the local limits evaluation, based on Outfall 002A which is the newly installed diffuser to the Colorado River, and is now increasing the total available amount of these metals available to Industrial Users. The diffuser installation increased plant treatment capacity and provides current and new Industrial Users expansion.

After City Council's First Reading, the revised Uniform Concentration Based Local Limits for metals will be sent to USEPA for formal approval. The final reading and uniform concentration based Local Limits for Metals revision adoption will take place in about 60 days, after the USEPA provides a 30-day federal public notice of the revisions and addresses all related public comments. Note that USEPA has already performed an informal review of the proposed Local Limits and it met their approval. The Second (Final) Council reading is scheduled to take place on November 6, after the City receives USEPA approval.

FISCAL IMPACT:

There are no anticipated financial impacts to regulated industries.

SUGGESTED MOTION:

I move to introduce an ordinance amending Industrial Pretreatment Regulations Title

13 of the Grand Junction Municipal Code (GJMC) Section 13.04.370 Regarding Limits for Metals in Industrial Wastewater Discharge and set a public hearing for November 6, 2019.

Attachments

1. Letter from City Attorney to U.S. Environmental Protection Agency
2. 13.04.370 New-Proposed
3. 13.04.370 Revised
4. Proposed Ord - Amending Pretreatment Regulations



August 15, 2019

Al Garcia
EPA Region 8 Pretreatment Coordinator
MailCode: 8P-W-WW
1595 Wynkoop
Denver, CO 80202

Re: Industrial Pretreatment -Local Limits for Metals

Dear Mr. Garcia,

Please accept this letter as a statement of my opinion that the proposed revisions to the Grand Junction Municipal Code (GJMC or Code) concerning uniform concentration based local limits for metals (attached) is in compliance with applicable law. Specifically, it is my opinion that the proposed changes to the GJMC will positively affect the ability of the Persigo Wastewater Treatment Facility to carry out the responsibilities of the Grand Junction Industrial Pretreatment Program in accordance with all applicable federal and state statutory and regulatory requirements.

In accordance with the City Charter and the rights and responsibilities established therein, the City has the legal authority to adopt Codes for the protection of the general health, safety and welfare of the citizens of Grand Junction. The content of the attachment is such a Code.

Following public notice and the required hearings on the proposed Code, the City Council will be duly authorized to adopt the Code. The professional staff of the City, including but not limited to the undersigned, will recommend to the City Council that it approve the proposed Code as written.

Approval of the proposed Code will enhance the commitment of Grand Junction to its Industrial Pretreatment Program and is consistent with the City's CDPS permit.

Should you have any questions or if I may otherwise be of assistance on this or any other matter, please let me know.

OFFICE OF THE CITY ATTORNEY

By: _____
John P. Shaver
City Attorney

Attachment

13.04.370 Industrial pretreatment program – Prohibited discharges and limitations.

(a) **General Discharge Prohibitions.** An industrial user may not introduce into a POTW any pollutant(s) which cause(s) pass through or interference. These general prohibitions and the specific prohibitions in subsection (b) of this section apply to each industrial user, unless otherwise specified, introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or requirements.

(b) **Specific Prohibitions.**

- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR Section 261.21. The City Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent, or any one reading more than 10 percent, of the lower explosive limit (LEL) of the meter.
- (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 S.U., unless the works is specifically designed to accommodate such discharges.
- (3) Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
- (4) Any pollutant, including oxygen demanding pollutants (BOD₅, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
- (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Celsius (104°F) unless the EPA, upon request of the POTW, approves alternate temperature limits. No liquid or vapor having a temperature higher than 140 degrees Fahrenheit or exceeding any lower limit fixed by the City Manager to prevent odor nuisance shall be discharged.
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the City. The discharge of any trucked or hauled waste originating outside of Mesa County is prohibited.

(9) The following nondomestic discharge limitations are established to protect sludge quality and prevent pass through and interference with the proper operation of the POTW. These limits are shown in maximum allowable concentrations:

(i)	Benzene	50.0 µg/L
(ii)	BTEX (aggregate parameter of benzene, ethyl benzene, toluene, and xylene)	750 µg/L
(iii)	Fats, oil and grease (animal/vegetable) (HEM polar)	200 mg/L
(iv)	Total petroleum hydrocarbons (SGT-HEM-non-polar)	50 mg/L

(10) Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the City Manager.

(11) Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points or any other drainage associated with construction without prior approval by the City Manager.

(12) Bulk, expired, outdated or concentrated prescription or nonprescription drugs. Hazardous waste pharmaceuticals or DEA controlled substances to the POTW by a healthcare facility or reverse distributor pursuant to 40 CFR Section 266.505.

(13) Any waters or wastes containing grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.

(14) Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the POTW.

(15) Any waters or wastes that contain a corrosive, noxious or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

(16) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable State or federal regulations.

(17) A slug discharge as defined in GJMC [13.04.360\(a\)](#).

(18) Stormwater drainage from ground resulting in infiltration and inflow (I&I) through the industrial user's service line(s) or surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City Manager. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No industrial user shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.

(19) Any pollutant or discharge directly into a manhole or other opening in the POTW unless specifically authorized by the City Manager or as otherwise permitted under this code. Prohibited is the opening of a manhole or discharging into any opening in violation of this code.

(20) Liquid wastes from chemical toilets and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.

(21) No chemicals, materials, or substances, including but not limited to paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings. Containers shall be clearly labeled and stored in a place where the chemicals, materials, substances or wastes, in case of leakage or rupture of the container, cannot enter the wastewater collection system. The storage of any chemicals, materials, substances or wastes that leak or have potential to leak or discharge into the wastewater collection system which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the general public, the environment, or the receiving stream shall be prohibited.

(22) Any water contaminated as a result of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.

(23) Any wastes containing detergents, surface-active agents, or other substances in concentrations which causes or may cause excessive foaming in the POTW or cause or contribute to interference or pass through.

(24) Any pollutant or wastewater containing pollutants with UV (254 nm) absorbing substances which causes or may cause interference with UV disinfection at the WWTP.

(25) Wastes that have been collected and/or held in a tank or other container and where such wastes fail to comply with any pretreatment standard or requirement.

(26) Discharge of nonylphenol from the use of bulk or concentrated nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.

(27) Discharge of any wastewater containing perchloroethylene (PCE) (also known as tetrachloroethene and tetrachloroethylene) from any industrial user involved in the dry cleaning business.

(c) Dilution is prohibited as a substitute for treatment; dilution when used or attempted as a substitution for treatment shall be a violation of this code. Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or pretreatment requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(d) Specific Discharge Limitations

No Significant Industrial User (SIU) or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant	Daily Maximum Discharge Limits ⁽¹⁾ (mg/L as Total)
Arsenic	0.244
Cadmium	0.145
Chromium	4.12
Copper	4.10
Lead	0.89
Mercury	0.0075
Nickel	4.39
Selenium	0.16
Silver	0.432
Zinc	4.05

- (1) Maximum Allowable Industrial Loading (MAIL). The City may implement local limits through allocation of the MAIL to SIUs and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above and are hereby incorporated by reference. The MAILs are shown in the document "Persigo Wastewater Treatment Facility, Grand Junction, CO Local Limits" dated July 24, 2019.

(e) **Surcharge.** Industrial users that discharge wastewater that exceeds normal domestic strength wastewater as defined in GJMC [13.04.010](#) may be surcharged in accordance with adopted surcharge rates for flow, BOD₅ and/or TSS (see GJMC [13.04.250](#)). In no case shall a surcharge be allowed that causes a violation of the general or specific prohibitions or an industrial discharge permit, results in a mass-based local limit to be exceeded, causes the WWTP hydraulic or treatment capacity to be exceeded or results in a violation of a categorical pretreatment standard.

(f) All industrial users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this code. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be in the timeframe specified in the applicable categorical pretreatment standard.

(g) The City may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, and/or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this code.

(h) **Promulgation of Standards.**

(1) Upon the promulgation of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed by this code for sources in that subcategory, shall immediately supersede the limitations imposed by this code as required by the applicable categorical pretreatment standard.

(2) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standard and pretreatment requirements or those in this code.

(Ord. 4640, 11-5-14; Ord. 4574, 4-3-13)

13.04.370 Industrial pretreatment program – Prohibited discharges and limitations.

(a) **General Discharge Prohibitions.** An industrial user may not introduce into a POTW any pollutant(s) which cause(s) pass through or interference. These general prohibitions and the specific prohibitions in subsection (b) of this section apply to each industrial user, unless otherwise specified, introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or requirements.

(b) **Specific Prohibitions.**

- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR Section 261.21. The City Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent, or any one reading more than 10 percent, of the lower explosive limit (LEL) of the meter.
- (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 S.U., unless the works is specifically designed to accommodate such discharges.
- (3) Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
- (4) Any pollutant, including oxygen demanding pollutants (BOD₅, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
- (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Celsius (104°F) unless the EPA, upon request of the POTW, approves alternate temperature limits. No liquid or vapor having a temperature higher than ~~150~~ 140 degrees Fahrenheit or exceeding any lower limit fixed by the City Manager to prevent odor nuisance shall be discharged.
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the City. The discharge of any trucked or hauled waste originating outside of Mesa County is prohibited.

(9) The following nondomestic discharge limitations are established to protect sludge quality and prevent pass through and interference with the proper operation of the POTW. These limits are shown in maximum allowable concentrations:

(i)	Cyanide	1-2 mg/L
(ii) (i)	Benzene	50.0 µg/L
(iii) (ii)	BTEX (aggregate parameter of benzene, ethyl benzene, toluene, and xylene)	750 µg/L
(iv) (iii)	Fats, oil and grease (animal/vegetable) (HEM polar)	200 mg/L
(v) (iv)	Total recoverable petroleum hydrocarbons (SGT-HEM non-polar)	50 mg/L

(10) Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the City Manager.

(11) Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points or any other drainage associated with construction without prior approval by the City Manager.

(12) Bulk, expired, outdated or concentrated prescription or nonprescription drugs.

(13) Any waters or wastes containing grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.

(14) Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the POTW.

(15) Any waters or wastes that contain a corrosive, noxious or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

(16) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable State or federal regulations.

(17) A slug discharge as defined in GJMC [13.04.360\(a\)](#).

(18) Stormwater drainage from ground resulting in infiltration and inflow (I&I) through the industrial user's service line(s) or surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City Manager. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No industrial user shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.

(19) Any pollutant or discharge directly into a manhole or other opening in the POTW unless specifically authorized by the City Manager or as otherwise permitted under this code. Prohibited is the opening of a manhole or discharging into any opening in violation of this code.

(20) Liquid wastes from chemical toilets and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.

(21) No chemicals, materials, or substances, including but not limited to paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings. Containers shall be clearly labeled and stored in a place where the chemicals, materials, substances or wastes, in case of leakage or rupture of the container, cannot enter the wastewater collection system. The storage of any chemicals, materials, substances or wastes that leak or have potential to leak or discharge into the wastewater collection system which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the general public, the environment, or the receiving stream shall be prohibited.

(22) Any water contaminated as a result of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.

(23) Any wastes containing detergents, surface-active agents, or other substances in concentrations which causes or may cause excessive foaming in the POTW or cause or contribute to interference or pass through.

(24) Any pollutant or wastewater containing pollutants with UV (254 nm) absorbing substances which causes or may cause interference with UV disinfection at the WWTP.

(25) Wastes that have been collected and/or held in a tank or other container and where such wastes fail to comply with any pretreatment standard or requirement.

(26) Discharge of nonylphenol from the use of bulk or concentrated nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.

(27) Discharge of any wastewater containing perchloroethylene (PCE) (also known as tetrachloroethene and tetrachloroethylene) from any industrial user involved in the dry cleaning business.

(c) Dilution is prohibited as a substitute for treatment; dilution when used or attempted as a substitution for treatment shall be a violation of this code. Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or pretreatment requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(d) Specific Discharge Limitations — ~~Mass-Based Local Limits.~~

~~The following table shows the total Maximum Allowable Industrial Load (MAIL) in pounds per day that can be allocated to all significant industrial users and other permitted industrial users. The City, at its sole discretion, will establish the industry specific allocation in the industrial user's industrial discharge permit as a mass or concentration-based limit. It shall be unlawful for any significant industrial user or other permitted industrial user to discharge or cause to be discharged any waste or wastewater that exceeds the allocations established by the City.~~

No Significant Industrial User (SIU) or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant	Total Maximum Allowable Industrial Load (lbs/day) <u>Daily Maximum Discharge Limits ⁽¹⁾</u> <u>(mg/L as Total)</u>
Arsenic	0.86 <u>0.244</u>
Cadmium	0.49 <u>0.145</u>
Chromium	89.92 <u>4.12</u>
Copper	12.28 <u>4.10</u>
Lead	6.57 <u>0.89</u>
Mercury	0.049 <u>0.0075</u>
Nickel	9.07 <u>4.39</u>
Selenium	0.14 <u>0.16</u>

Pollutant	Total Maximum Allowable Industrial Load (lbs/day) <u>Daily Maximum Discharge Limits ⁽¹⁾</u> <u>(mg/L as Total)</u>
Silver	1.83 <u>0.432</u>
Zinc	53.4 <u>4.05</u>

- (1) Maximum Allowable Industrial Loading (MAIL). The City may implement local limits through allocation of the MAIL to SIUs and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above and are hereby incorporated by reference. The MAILs are shown in the document "Persigo Wastewater Treatment Facility, Grand Junction, CO Local Limits" dated July 24, 2019.

(e) **Surcharge.** Industrial users that discharge wastewater the exceeds normal domestic strength wastewater as defined in GJMC [13.04.010](#) may be surcharged in accordance with adopted surcharge rates for flow, BOD₅ and/or TSS (see GJMC [13.04.250](#)). In no case shall a surcharge be allowed that causes a violation of the general or specific prohibitions or an industrial discharge permit, results in a mass-based local limit to be exceeded, causes the WWTP hydraulic or treatment capacity to be exceeded or results in a violation of a categorical pretreatment standard.

(f) All industrial users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this code. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be in the timeframe specified in the applicable categorical pretreatment standard.

(g) The City may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, and/or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this code.

(h) **Promulgation of Standards.**

(1) Upon the promulgation of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed by this code for sources in that subcategory, shall immediately supersede the limitations imposed by this code as required by the applicable categorical pretreatment standard.

(2) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standard and pretreatment requirements or those in this code.

(Ord. 4640, 11-5-14; Ord. 4574, 4-3-13)

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCES 4640 AND 4574 RELATING TO CHAPTER
13, ARTICLE 4 OF THE GRAND JUNCTION MUNICIPAL CODE PERTAINING TO
PRETREATMENT REGULATIONS

RECITALS:

The 2018 discharge permit required the City to perform an evaluation of the City's local limits for aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, zinc along with biochemical oxygen demand, total suspended solids, total dissolved solids, phosphorus and ammonia. The City performed the local limits evaluation, based on Outfall 002A which is the newly installed diffuser to the Colorado River; installation of the diffuser, among other things, increases the total amount of these metals that permitted Industrial Users may lawfully discharge.

The revised Uniform Concentration Based Local Limits for metals are subject to formal approval by the United States Environmental Protection Agency (USEPA.) The uniform concentration based Local Limits for Metals provided by this ordinance is subject to a 30-day federal public notice and public comment process. The USEPA has informally reviewed and approved the proposed Local Limits.

In compliance with the USEPA requirements, City staff has proposed the revisions relating to industrial pretreatment to the Grand Junction Municipal Code ("Code" or "GJMC") and now recommends that the City Council approve the proposed changes to the Code.

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

Chapter 13 of the Code is amended as shown below.

13.04.370 Industrial pretreatment program – Prohibited discharges and limitations.

(a) General Discharge Prohibitions. An industrial user may not introduce into a POTW any pollutant(s) which cause(s) pass through or interference. These general prohibitions and the specific prohibitions in subsection (b) of this section apply to each industrial user, unless otherwise specified, introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or requirements.

(b) Specific Prohibitions.

(1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR Section 261.21. The City Manager may require industrial users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent, or any one reading more than 10 percent, of the lower explosive limit (LEL) of the meter.

(2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 S.U., unless the works is specifically designed to accommodate such discharges.

(3) Any solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.

(4) Any pollutant, including oxygen demanding pollutants (BOD5, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Celsius (104°F) unless the EPA, upon request of the POTW, approves alternate temperature limits. No liquid or vapor having a temperature higher than 140 degrees Fahrenheit or exceeding any lower limit fixed by the City Manager to prevent odor nuisance shall be discharged.

(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the City. The discharge of any trucked or hauled waste originating outside of Mesa County is prohibited.

(9) The following nondomestic discharge limitations are established to protect sludge quality and prevent pass through and interference with the proper operation of the POTW. These limits are shown in maximum allowable concentrations:

(i) Benzene 50.0 µg/L

(ii) BTEX (aggregate parameter of benzene, ethyl benzene, toluene, and xylene) 750 µg/L

(iii) Fats, oil and grease (animal/vegetable) (HEM polar) 200 mg/L

(iv) Total petroleum hydrocarbons (SGT-HEM-non-polar) 50 mg/L

(10) Sludge or other material from sewage or industrial waste treatment plants or from water treatment plants, unless agreed to by the City Manager.

(11) Water accumulated in excavations or accumulated as the result of grading, water taken from the ground by well points or any other drainage associated with construction without prior approval by the City Manager.

(12) Bulk, expired, outdated or concentrated prescription or nonprescription drugs. Hazardous waste pharmaceuticals or DEA controlled substances to the POTW by a healthcare facility or reverse distributor pursuant to 40 CFR Section 266.505.

(13) Any waters or wastes containing grease or oil or other substances that will solidify or become discernibly viscous at temperatures between 32 degrees Fahrenheit and 150 degrees Fahrenheit.

(14) Any waters or wastes that contain concentrated dye waste or other waste that is either highly colored or could become highly colored by reacting with any other waste, and which is not removable in the POTW.

(15) Any waters or wastes that contain a corrosive, noxious or malodorous gas or substance which, either singly or by reaction with other wastes, is capable of causing damage to the system or to any part thereof, of creating a public nuisance or hazard, or of preventing entry into the sewers for maintenance and repair.

(16) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Manager in compliance with applicable State or federal regulations.

(17) A slug discharge as defined in GJMC 13.04.360(a).

(18) Stormwater drainage from ground resulting in infiltration and inflow (I&I) through the industrial user's service line(s) or surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City Manager. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No industrial user shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.

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(21) No chemicals, materials, or substances, including but not limited to paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings. Containers shall be clearly labeled and stored in a place where the chemicals, materials, substances or wastes, in case of leakage or rupture of the container, cannot enter the wastewater collection system. The storage of any chemicals, materials, substances or wastes that leak or have potential to leak or discharge into the wastewater collection system which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the general public, the environment, or the receiving stream shall be prohibited.

(22) Any water contaminated as a result of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining a permit prior to discharge.

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(24) Any pollutant or wastewater containing pollutants with UV (254 nm) absorbing substances which causes or may cause interference with UV disinfection at the WWTP.

(25) Wastes that have been collected and/or held in a tank or other container and where such wastes fail to comply with any pretreatment standard or requirement.

(26) Discharge of nonylphenol from the use of bulk or concentrated nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes or asphalt manufacturers or other industrial users.

(27) Discharge of any wastewater containing perchloroethylene (PCE) (also known as tetrachloroethene and tetrachloroethylene) from any industrial user involved in the dry cleaning business.

(c) Dilution is prohibited as a substitute for treatment; dilution when used or attempted as a substitution for treatment shall be a violation of this code. Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or pretreatment requirement. The City may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

(d) Specific Discharge Limitations

No Significant Industrial User (SIU) or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant

Daily Maximum Discharge Limits (1)

(mg/L as Total)

Arsenic 0.244

Cadmium 0.145

Chromium 4.12

Copper 4.10

Lead 0.89

Mercury 0.0075

Nickel 4.39

Selenium 0.16

Silver 0.432

Zinc 4.05

(1) Maximum Allowable Industrial Loading (MAIL). The City may implement local limits through allocation of the MAIL to SIUs and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above and are hereby incorporated by reference. The MAILs are shown in the document "Persigo Wastewater Treatment Facility, Grand Junction, CO Local Limits" dated July 24, 2019.

(e) Surcharge. Industrial users that discharge wastewater the exceeds normal domestic strength wastewater as defined in GJMC 13.04.010 may be surcharged in accordance with adopted surcharge rates for flow, BOD5 and/or TSS (see GJMC 13.04.250). In no case shall a surcharge be allowed that causes a violation of the general or specific prohibitions or an industrial discharge permit, results in a mass-based local limit to be exceeded, causes the WWTP hydraulic or treatment capacity to be exceeded or results in a violation of a categorical pretreatment standard.

(f) All industrial users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this code. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards shall be in the timeframe specified in the applicable categorical pretreatment standard.

(g) The City may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, and/or additional pretreatment requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this code.

(h) Promulgation of Standards.

(1) Upon the promulgation of the federal categorical pretreatment standard for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed by this code for sources in that subcategory, shall immediately supersede the limitations imposed by this code as required by the applicable categorical pretreatment standard.

(2) State requirements and limitations on discharges shall apply in any case where they are more stringent than federal pretreatment standard and pretreatment requirements or those in this code.

The remainder of Chapter 13, not specifically amended herein, shall remain in full force and effect.

INTRODUCED on this first reading and authorized for publication in pamphlet form this 18th day of September 2019.

Rick Taggart
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: September 18, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Adams II Annexation of 1.999-Acres, Located at 216 27 ½ Road and Set a Public Hearing for November 6, 2019

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Adams II Annexation, introducing the proposed Ordinance and setting a hearing for November 6, 2019.

EXECUTIVE SUMMARY:

The Applicant, Paul Adams, is requesting to annex 1.999-acres located at 216 27 ½ Road, just west of the Mesa County Fairgrounds. There is no publicly dedicated right-of-way proposed with this annexation request, however the Applicant's property does extend to the centerline of B ¼ and 27 ½ Roads through the use of a road easement. Upon further development of the property, the applicable rights-of-way would be dedicated. As part of this annexation, the City would take ownership & maintenance responsibilities of this combined 6400 square feet of roadway. The subject property currently contains a single-family detached house and various accessory structures. The owner is requesting annexation in anticipation of future residential subdivision development in order to market and sell the property in conjunction with the neighboring property to the west, which is also owned by the applicant and previously annexed and zoned R-8 (Residential – 8 du/ac) (Adams Annexation) in 2018, which constitutes "annexable development" and as such is required to annex in accordance

with the Persigo Agreement. Consideration for zoning of this annexation will be heard in a future action.

BACKGROUND OR DETAILED INFORMATION:

The Adams II Annexation consists of one 1.999-acre parcel of land located at 216 27 ½ Road. The property contains a single-family detached house and various accessory structures. The Applicant wishes to annex the property into the City limits in anticipation of future residential subdivision development in order to market and sell the property in conjunction with the neighboring property to the west which is also owned by the applicant and previously annexed and zoned R-8 (Residential – 8 du/ac) (Adams Annexation) in 2018. The Applicant will be requesting a zoning for the property of R-8 (Residential – 8 du/ac). Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

There is no dedicated right-of-way included in the annexation, however, the Applicant's property extends to the centerline of both B ¼ and 27 ½ Road through the use of a road easement which means the City will take ownership and maintenance obligations for this 6400 square feet of roadway. All road pavement appears fairly worn and there is no curb, gutter, sidewalk present.

The property is currently adjacent to existing city limits and is within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owner has signed a petition for annexation of the property.

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Adams II Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;

- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- 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.

The proposed annexation and zoning schedule with a summary is attached.

FISCAL IMPACT:

As the property is developed, property tax levies and municipal sales and use tax will be collected, as applicable. For every \$250,000 of actual value, City property tax revenue on residential property at the current assessment rate would be \$144 annually. Sales and use tax revenues will be dependent on construction activity and ongoing consumer spending on City taxable items for residential and commercial uses.

Fire

Currently the property is in the Grand Junction Rural Fire Protection District (Rural District) which is served by the Grand Junction Fire Department through a contract with the Rural District. The Rural District collects a 5.938 mill levy that generates \$44 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy will be removed and the City's 8 mills that will generate property tax revenue of \$60 per year. Property tax will need to pay for not only fire and emergency medical services but also other City services provided to the area.

No changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 4 at 2884 B ½ Road. Response time from Fire Station 4 is within National Fire Protection Association guidelines and any increase in calls for service based on the proposed zoning is predicted to be minimal.

Utilities

Water and sewer services are available to this property.

This property is within the Ute Water District service area. An 8-inch water line runs along the northern boundary on B ¼ Road.

The property is currently within the Persigo 201 Sewer Service Area and currently has sewer connection to the existing one home on the property. There is sufficient sewer collection and treatment capacity for 16 additional dwelling units.

Plant Capacity: Based on the Future Land Use (FLU) designation, the maximum anticipated additional flow associated with 16 equivalent units (EQUs) is about 1,920 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently only receives approximately 9 million gallons per day. Therefore, the plant has ample capacity to accommodate this additional flow. If the property constructs 16 additional dwelling units, it would be assessed the current plant investment fee (PIF) of \$4,776 per equivalent unit (2019 rate) or \$19,104. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure.

Ability to Serve Area: The property is currently served by an 8-inch sewer main on 27 ½ Road. There is available capacity in this sewer collection system to accommodate future development of this property with 16 additional dwelling units.

Sewer Service Charges: Monthly sewer service rates for single family units are \$22.40. These rates have been determined sufficient to cover the cost of service.

Police

To determine/anticipate what the impact may be to the GJPD in providing police services should the city proceed with this development, calls for service during 2017 and 2018 were pulled. A review of that data revealed that there were no calls for service. A review of data of like density address (Kelso Mesa Dr., Trevor Mesa Dr., and Love Mesa Dr.) revealed that there were 16 calls for service in 2017 and 23 calls for service in 2018 at (Kelso Mesa Dr., Trevor Mesa Dr., and Love Mesa Dr.) which is similar in residential density. Based on that information, we anticipate that any calls for service by GJPD for this location will equal to .1% of an officer.

With that said, at this point, the City Police Department does not anticipate a need for an increase in personnel or equipment in order to provide law enforcement services to this proposed annexation. However, this annexation, along with any future annexations/developments will no doubt have an ultimate cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works

B ¼ Road was previously annexed, however additional 130 feet of open drainage facilities will be added to the City's inventory to maintain. 27 ½ Road consists of 20-foot wide asphalt pavement in poor to fair condition. Approximately 6400 square feet of asphalt is part of the annexation. No curb, gutter, sidewalk or streetlights are present. An open drain is on the east side of 27 ½ Road outside the annexation boundary that will remain Mesa County's responsibility.

As 27 ½ Road is a local road, the developer would be required to construct its half of the road and therefore there would be no future capital construction impact on the City.

Future chip seal costs for 27 ½ Road are estimated at \$1,750 for the current width and would be planned as part this area's normal chip seal cycle in the next six years. As the road is a local road there would be no striping and minimal signage. There are no street lights. Annual maintenance for the 130 feet of open drain on the south side of B ¼ Rd would run approximately \$100/year.

SUGGESTED MOTION:

I move to adopt Resolution No. 59-19, a resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation, and exercising land use control, Adams II Annexation, approximately 1.999-acres, located at 216 27 ½ Road as well as introduce a proposed ordinance annexing territory to the City of Grand Junction, Colorado, Adams II Annexation, approximately 1.999-acres, located at 216 27 ½ Road, and set a public hearing for November 6, 2019.

Attachments

1. Site Location & Zoning Maps, etc.
2. Adams II Annexation Schedule & Summary
3. Resolution - Referral of Petition (Land Use Control)- Adams II Annexation
4. Annexation Ordinance



Map of Grand Junction, Colorado, showing the proposed annexation boundary for a site. The site is a rectangular area outlined in blue, labeled "SITE" and "216". It is located south of B 1/4 RD and east of 27 1/2 RD. The map includes surrounding parcels with addresses (2749, 2738, 2736, 2749, 2765, 2785, 212, 2785, 2736) and a legend for "Annexation Boundary" (blue line) and "City Limits" (yellow area). A scale bar (0 to 100 feet) and a north arrow are also present.

8/6/2019

Adams II Annexation



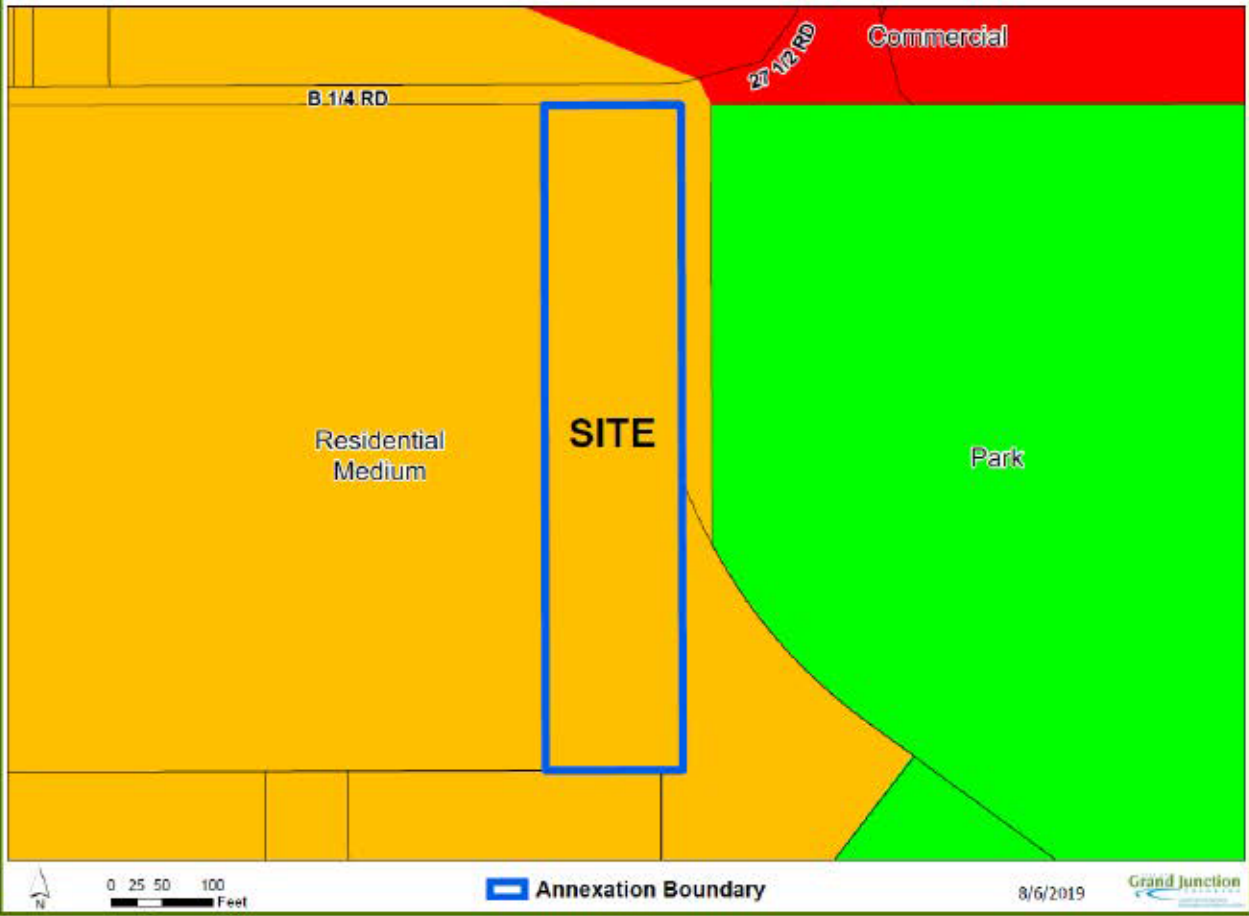
 Annexation Boundary

 City Limits

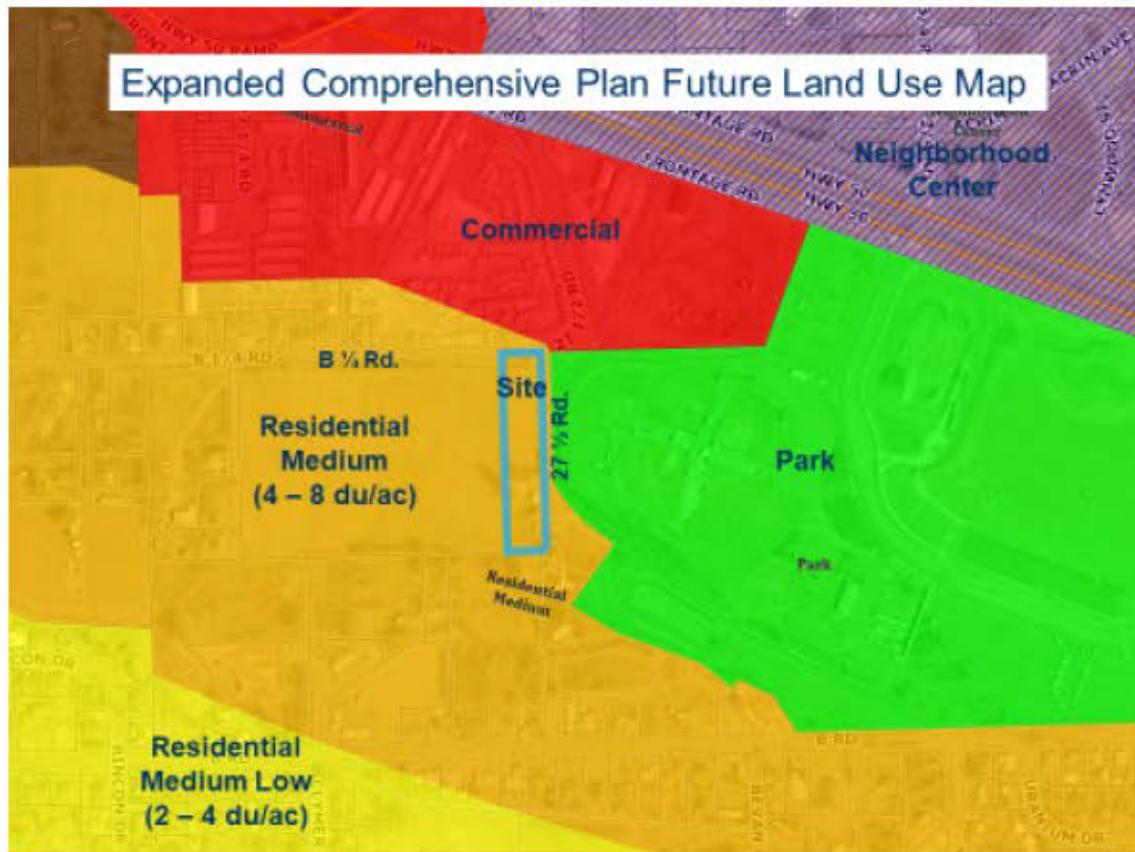
8/6/2019

 Grand Junction

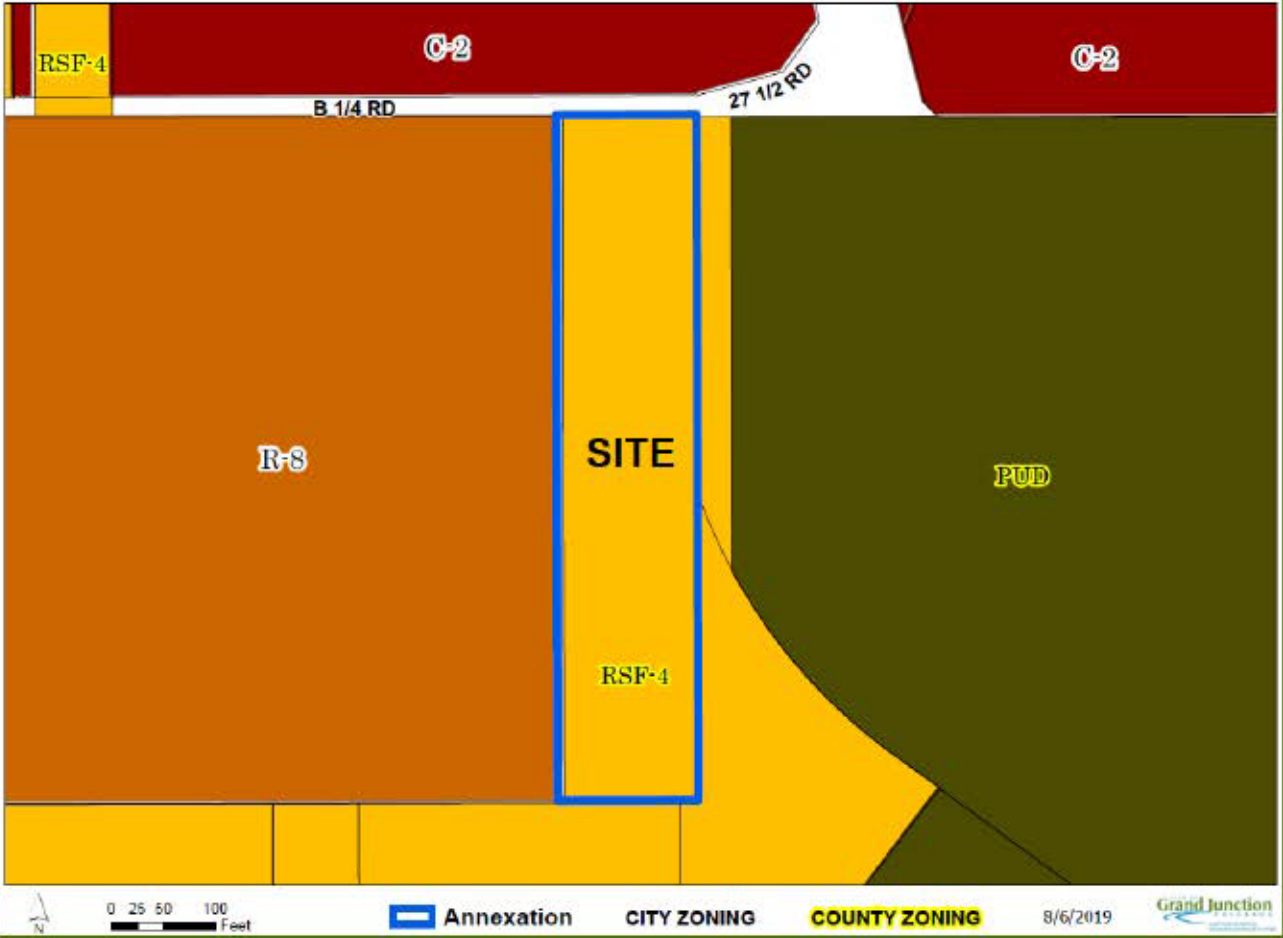
Adams II Annexation - Future Land Use



Expanded Comprehensive Plan Future Land Use Map



Adams II Annexation - Zoning



Expanded Zoning Map

Site

C-2

R-8

R-4

County PUD

County RSF-4

HWY 50

FRONTAGE RD

ACRIN AVE

LYNNWAY

27 1/4 RD

B 1/4 RD

B RD

RINCON DR

CLYME RD

BEVANLE

QUANTUM DR



View of property from the intersection of B ¼ Road & 27 ½ Road

ADAMS II ANNEXATION SCHEDULE

September 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 24, 2019	Planning Commission considers Zone of Annexation
October 16, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
November 6, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 8, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2019-384
Location:	216 27 ½ Road
Tax ID Numbers:	2945-253-00-048
# of Parcels:	1
Existing Population:	2
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	1.999
Developable Acres Remaining:	1.999
Right-of-way in Annexation:	0
Previous County Zoning:	RSF-4 (Residential Single Family – 4 du/ac)
Proposed City Zoning:	R-8 (Residential – 8 du/ac)
Current Land Use:	Single-family house
Future Land Use:	Residential Medium (4 – 8 du/ac)
Values:	Assessed: \$7,480
	Actual: \$94,970
Address Ranges:	216 27 ½ Road
Special Districts:	Water: Ute Water Conservancy District
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural Fire District
	Irrigation/Drainage: Orchard Mesa Irrigation District
	School: Grand Junction HS / Orchard Mesa Middle / Dos Rios Elementary
	Pest: Grand River Mosquito Control District

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 18th day of September 2019, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

ADAMS II ANNEXATION

APPROXIMATELY 1.999 ACRES LOCATED AT 216 27 ½ ROAD

WHEREAS, on the 18th day of September 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

ADAMS II ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 132.0' of the North one-half of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian.

CONTAINING 87,094 Square Feet or 1.999 Acres, more or less, as described

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 6th day of November, 2019, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership

has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the 18th day of September, 2019.

President of the Council

Attest:

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
September 20, 2019
September 27, 2019
October 4, 2019
October 11, 2019

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

ADAMS II ANNEXATION

APPROXIMATELY 1.999 ACRES LOCATED AT 216 27 ½ ROAD

WHEREAS, on the 18th day of September 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of November 2019; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

ADAMS II ANNEXATION

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East 132.0' of the North one-half of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian.

CONTAINING 87,094 Square Feet or 1.999 Acres, more or less, as described

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 18th day of September, 2019 and ordered published in pamphlet form.

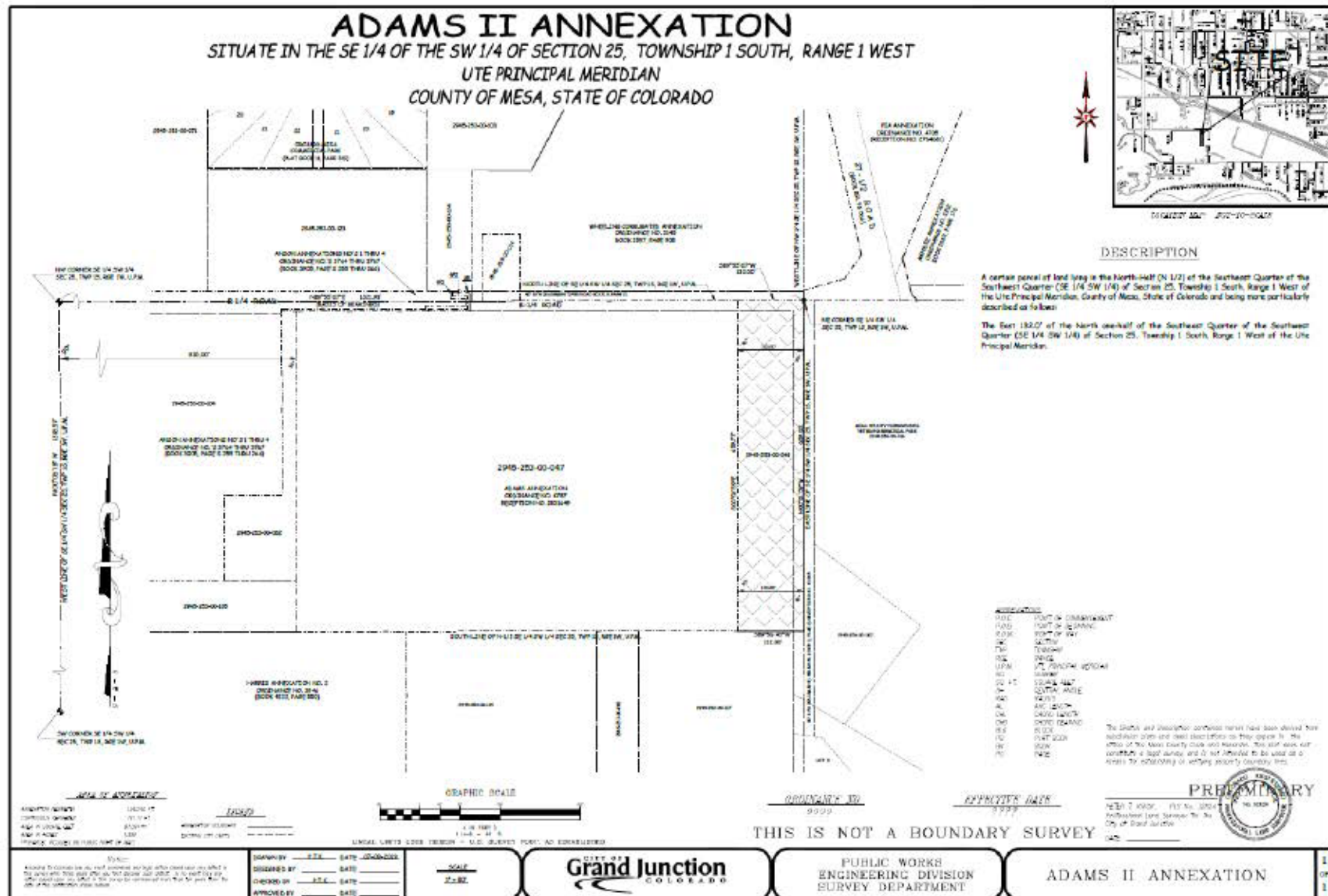
ADOPTED on second reading the _____ day of _____, 2019 and
ordered published in pamphlet form.

President of the Council

Attest:

City Clerk

Exhibit A





Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: September 18, 2019

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Principal Planner

Information

SUBJECT:

Introduction of an Ordinance to Vacate a Portion of the East-West Alley Right-of-Way on the South Side of the Property Located at 845 Orchard Avenue and Set a Public Hearing for October 2, 2019

RECOMMENDATION:

The Planning Commission will hear this item at its September 24, 2019 meeting.

EXECUTIVE SUMMARY:

Consider a request by the Applicant, Colorado Mesa University (CMU) on behalf of the property owner, Johnny Jr. and Colleen Martin, to vacate a portion of the East-West Alley right-of-way (2,348 square feet) on the south side of the property located at 845 Orchard Avenue. CMU is currently under contract to purchase the property and the vacated area would become part of the campus.

BACKGROUND OR DETAILED INFORMATION:

Colorado Mesa University (CMU) is in the process of acquiring the property on the north side of the alley that is presently owned by Johnny Jr. and Colleen Martin located at 845 Orchard Avenue. The property currently has three dwelling units on it. The sales contract on the property is conditioned upon the current owner having an opportunity to move the existing structures to a different location. Thus, final purchase of the property by CMU is not scheduled to occur until November 2019.

In the meantime, CMU, is requesting the vacation of a portion of the public right-of-way (2,348 square feet) in the east-west alley on the south side of the property. CMU

already owns the two properties on the south side of the alley that abut this segment proposed to be vacated. The vacation will aid in the continued westward expansion efforts planned for the campus. Consistent with CMU's approved Civic and Institutional Master Plan, this area of the campus is proposed to be a new outdoor track and field facility.

This particular segment of alley lies outside of the CMU Master Plan area boundary subject to Ordinance 4754 which established an agreement between the City and CMU to enable rights-of-way to be vacated through an administrative process. Since it is outside that area, the vacation process for this segment of alley right-of-way is subject to the City's standards processes as defined by the Zoning and Development Code and may only be approved by recommendation of the Planning Commission to City Council for final action.

Presently, the alley contains a City sewer line and Xcel Energy electrical and gas infrastructure. The relocation and/or easement needs for the City utility are subject to the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus executed in September 2016. The Agreement was executed with the common understanding that 1) CMU has relied, and will continue to rely, on the City's water, sanitary sewer and other services to other citizens and landowners within the City; and 2) the City desires to support the expansion of the CMU campus and agrees that the City should continue to own, operate and maintain the main or trunk lines providing service to and within the campus as it exists and as it plans to exist. The Agreement outlines the responsibilities of each agency in providing access to and maintenance of utilities within rights-of-way proposed to be vacated and stipulates that the City will agree to vacations of rights-of-way, so long as at least 10 feet of unobstructed access is provided, centered over each wet utility line (e.g. sewer and water). The Agreement does not state that the access need be provided via an easement.

The alley does contain Xcel Energy infrastructure (electric and natural gas), however these existing utilities will be moved and relocated by Xcel Energy as part of the construction of the new track and field facility and if necessary, appropriate easements to Xcel Energy will be dedicated at that time.

The Grand Junction Fire Department has no objections to the proposed right-of-way vacation provided remaining existing and all future access roads created with new construction on the CMU campus are compliant with the state and locally adopted International Fire Code. Given the requirement and CMU's intention to develop and construct fire access lanes, it is Staff's assessment that the proposed vacation would not impede traffic, pedestrian movement or access to private property or obstruct emergency access.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on August 26, 2019. There were 20 people in attendance. The Applicant provided a presentation with an update on various activities going on across campus and information regarding the most recent vacation requests. The discussion concerned alley access to the east, trash service in the alley, how traffic will be addressed to prevent people from driving through driveways that connect to Orchard Avenue, and emergency access to go south from Orchard Avenue on what used to be the Cannell Avenue alignment.

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 and 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 September 13, 2019. The notice of the public hearing for the Planning Commission meeting was published September 17, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public right-of-way shall conform to the following:

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

Granting the request to vacate a portion of an existing alley right-of-way meets the following Goal and Policy of the Comprehensive Plan by supporting the University in their facilities and building expansion projects, enhances a healthy, diverse economy and improves the City as a regional center of commerce, culture and tourism.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Policy A: Through the Comprehensive Plan's policies the City and County will improve as a regional center of commerce, culture and tourism.

In addition to the goal and policy above the Grand Junction Comprehensive Plan states: "Due to the inefficiencies of low density sprawl, a significant amount of projected future growth is focused inward on vacant and underutilized land throughout the community. This takes advantage of land that already has roads, utilities and public services. Infill and redevelopment is especially focused in the City Center. Reinvestment and revitalization of the center, and maintaining and expanding a 'strong downtown', is a high priority of the Comprehensive Plan and essential for the area's regional economy. (Guiding Principle 1: Centers - Downtown)"

The requested vacation also does not conflict with the Grand Valley Circulation Plan and other adopted plans and policies of the City.

Therefore, this criterion has been met.

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

No private parcels shall be landlocked as a result of the proposed vacations as all remaining private properties west of this requested vacation will continue to have access to street and alley rights-of-way.

Therefore, 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;

All properties abutting the proposed portion of alley requested for vacation are owned by or soon to be owned by CMU. Therefore, provided CMU follows through with the acquisition of 845 Orchard Avenue prior to recording the vacation ordinance, there are no other properties in the vicinity that will rely on this alley for access to their property.

Therefore, this criterion will be 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);

There are both City and Xcel utilities located within the segment of alley right-of-way requested to be vacation. City utilities will be accommodated via the previously-mentioned agreement which preserves a minimum 10-foot wide access centered on all wet utility lines. Xcel has not requested an easement be retained at this time for the existing utilities. Xcel utilities will be relocated and/or easements provided at the time the future facilities are to be constructed. CMU has provided an emergency access plan for this area of the campus including with the construction of the new track and field facility and the Fire Department has approved the plan. In addition, for City Sanitation, CMU will provide a hammerhead turnaround at the east end of the vacated alley that can still accommodate trash pick-up in the alley. The requested vacation does not adversely impact police/fire protection to the remaining adjacent private properties.

Therefore, the requested vacation has no identified 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.

Thus, Staff has found 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 of the Grand Junction Zoning and Development Code; and

No adverse comments concerning the proposed right-of-way vacations were received from the utility review agencies during the review process including Xcel Energy. Sanitary sewer is located in the alley but its future relocation and/or need for easement is addressed in the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus. Xcel utilities will be relocated if needed and/or easements provided at the time the future facilities are to be constructed.

Therefore, this criterion has been met.

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

Maintenance requirements for the City will be reduced as a result of the proposed portion of alley right-of-way to be vacated since the City will not have to maintain the right-of-way. The benefit to the City is the expansion of CMU and its mission to educate and by enhancing and preserving Grand Junction as a regional center. The proposed alley right-of-way vacation is needed by CMU as part of their continued campus expansion to the west.

Therefore, this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Colorado Mesa University Vacation of Alleyway Right-of-Way, VAC-2019-444, located at 845 Orchard Avenue, the following findings of fact have been made with the recommended conditions of approval:

1. The request conforms with Section 21.02.100 (c) of the Zoning & Development Code.

2. The requested vacation does not conflict with the goals and policies of the Comprehensive Plan.

Condition 1. The applicant shall provide evidence of ownership of the property located

at 845 Orchard Avenue (parcel number 2945-111-08-006) prior to the ordinance being recorded with the Mesa County Clerk and Recorder in order for the vacation to take effect.

Condition 2. The Applicant shall pay all recording/documentary fees for the Vacation Ordinance.

Condition 3. The Applicant shall meet all terms and conditions of the Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement- CMU Main Campus and all requirements of the Grand Junction Fire Department for construction of proposed campus facilities.

FISCAL IMPACT:

Values of the real property associated with right-of-way differ depending on the current market and the area of the City. Staff's experience is that it can range from two to four dollars per square foot. The alley right-of-way requested to be vacated is 2,348 square feet and will become part of the Colorado Mesa University campus and allow for development of additional facilities.

SUGGESTED MOTION:

I move to introduce an ordinance vacating a portion of alley right-of-way located between Orchard Avenue and Hall Avenue on the south side of the property located at 845 Orchard Avenue and set a public hearing for October 2, 2019.

Attachments


1. 845 Orchard Avenue Vacation Location Maps
2. Proposed Track and Field Facility Showing Access
3. CCON 3946 Contract - 2016 - Utility Easement and Maintenance Agreement within Campus - Colorado Mesa University (CMU)
4. CMU Alley Vacation 845 Orchard Ave Ordinance

LOCATION MAP



AERIAL PHOTO LOCATION MAP



 2017 Master Plan Boundary

 Property Owned by CMU

COLORADO MESA UNIVERSITY AND CITY OF GRAND JUNCTION UTILITY EASEMENT AND MAINTENANCE
AGREEMENT-CMU MAIN CAMPUS

This Agreement is made by and between the City of Grand Junction, a Colorado home rule city ("City"), and the Board of Trustees of Colorado Mesa University ("CMU"), and is effective as of the date that both parties have signed below.

Recitals.

- A. CMU continues to expand its campus to serve the needs of Western Colorado and of the entire State of Colorado. For this Agreement, "campus" means the area generally bounded by North Avenue, Orchard Avenue, 7th Street and 12th Street, in Grand Junction, Colorado, within which exists the main CMU campus and within which CMU is expected to expand.
- B. CMU has adopted a master plan, the current iteration of which shows that in the years to come the campus can be expected to encompass many existing properties west of the now developed main campus. A copy of the current master plan is attached as Exhibit A. When land use is changed from residential to campus buildings and facilities, the number of service lines will decrease substantially yet the size of the lines and the complexity of the maintenance of the lines may increase and/or some lines may need to be relocated. A 'service line' for purposes of this Agreement is the water and/or the sewer pipe(s) connecting the structures on the campus with the City water or sewer pipe(s) that carry water or sewage, respectively, to and/or away from the campus and other structures served by such service lines.
- C. CMU has relied, and will continue to rely, on the City's water, sanitary sewer and other services provided to other citizens and land owners within the City.
- D. To utility providers and engineers, there is a distinction between 'main' or 'trunk' water, sanitary sewer and storm sewer lines (typically 4" or larger for water, 8" or larger for sanitary sewer and 12" or larger for storm sewer) and 'service' lines that are typically smaller and are owned and maintained by the owner of the served parcel. For purposes of this Agreement, the larger 'main' or 'trunk' lines as described above are the primary concern of the City and CMU under this agreement, not 'service lines (Wet Utilities)

The City desires to support the expansion of the CMU campus, and agrees that the City should continue to own, operate and maintain the main or trunk lines providing service to and within the campus as it exists and is planned to exist.

- E. At the present time, CMU is requesting City approval of a plat and vacation of existing City rights-of-way as shown on said plat, attached as Exhibit B. This Agreement is agreed to in part to facilitate the City's approval of such plat.

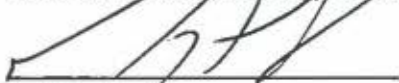
NOW THEREFORE, in consideration of the many benefits received by CMU and the City, individually and collectively, as a result of this Agreement, the City of Grand Junction and Colorado Mesa University agree as follows:

1. CMU, as the owner of the property described on Exhibit B, hereby grants to the City as the owner and service provider of the Wet Utilities serving the property shown on Exhibit B, a perpetual and non-exclusive easement to be used by the City to access, operate, maintain, improve, repair and replace as necessary the Wet Utilities serving the property shown on Exhibit B in accordance with City standards.
2. The City agrees that it will continue to own, operate, maintain, improve, repair and replace as needed the main and trunk lines as described in recital C above, that serve the property shown on Exhibit B now and as it is planned to exist in the future except as the deviation procedure in paragraph 4 below applies.
3. While the City standards ordinarily require unobstructed ten-foot-wide access on either side of the centerline of Wet Utilities, the City recognizes that doing so within the campus may unduly limit the ability of CMU to make the most efficient use of its limited area and lands. Thus, the City agrees to accept existing accesses to existing Wet Utilities, so long as at least ten feet of unobstructed access is provided, centered over the Wet Utility in question.
4. CMU shall deliver its construction plans to the City with respect to Wet Utilities so that the City has an opportunity to improve the efficiency and effectiveness of Wet Utility service line that will serve the campus both now and in the future. When, CMU determines that one or more City standard(s) must be deviated from when constructing or locating Wet Utilities, CMU shall consult with the City's Engineers to obtain City approval of such deviation(s). If the City's Engineers do not approve such deviation(s), then CMU may request review of such denials by the City Director of Public Works and if said Director does not approve such deviation(s) then CMU may request the City Manager to review such denial and if said City Manager does not approve such deviation(s), and CMU elects to construct the deviations anyway CMU shall be responsible for maintenance, repair and replacement of such service, trunk or main line(s) for that segment or portion of the Wet Utilities that do not meet the City's specifications. Deviations that are approved shall be described in writing, typically including drawing(s) specifying the deviation(s).
5. For buildings and other improvements within the area described on Exhibit A, and for future easements for the campus as it will exist, CMU agrees to provide ready and safe access to the City for Wet Utilities.
6. In the event the City concludes that it cannot reasonably obtain access to Wet Utilities because the CMU design access is too narrow, short or small, City Engineers will inform the City Director of Public Works who shall consult with the CMU consultant/engineer to determine a practical solution, on a case-by-case basis.
7. In any instance where the wet utilities do not meet city standards and where the Campus surface has been improved (e.g., sidewalks and landscaping) , including within the area described in Exhibit A, if the City cannot reasonably obtain access to or perform its necessary maintenance,

improvement, repairs or replacement to Wet Utilities owned by the City, the City shall inform CMU which shall perform the needed maintenance, improvement, repair or replacement; however, in an emergency, the City may damage or remove such surface improvements without notice to CMU and in such event, the City shall not be obligated to replace the improved surface of the damaged area to its prior condition, but shall return the surface to a substantially equivalent of grade and elevation.

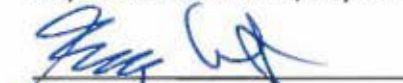
8. CMU shall pay for the costs to repair or replace any improvements damaged by the City as a result of the reasonable exercise of maintenance, repair or replacement of City Wet Utilities in locations where such Wet Utilities do not meet City standards.
9. Notwithstanding any provision of this Agreement to the contrary, CMU shall prohibit the construction of any structures on the Campus as it exists or will exist that are not at least ten feet at the centerline from any Wet Utilities existing as of the date of the Agreement.
10. The parties agree that the existing rights-of-way for Cannell and Elm and any existing multi-purpose easements ("MPE"s) shall be vacated, and title thereto shall vest in CMU, subject to reservation by the City of easements (the "Cannell and Elm Easements") for any such MPEs and for access for utilities. The legal description of the Cannell and Elm Easements that are being vacated shall be identical to the description of the vacated rights-of-way and any adjacent MPEs.
11. The City agrees that CMU shall have the right to install improvements such as fiber optic lines and related facilities within the Cannell and Elm Easements, subject to CMU's duty to abide by the law applicable to easements.
12. To facilitate the logical and efficient expansion of CMU on land presently owned or owned in the future either in the name of the CMU Real Estate Foundation or titled in the name of the State of Colorado for the benefit of CMU, or in the name of any entity controlled by the CMU Board of Trustees, this Agreement shall apply to all Wet Utilities serving the present and future CMU main campus.
13. The term of this Agreement shall be for a five year period and can be renewed for another five year term provided both parties are agree able. The term also provides for a two year review by both parties from the effective date of the agreement. This two year review will be an opportunity for the two parties to meet and assess how the agreement is working and make appropriate changes to the agreement as agreed upon by both parties.

Colorado Mesa University, President



By: Tim Foster

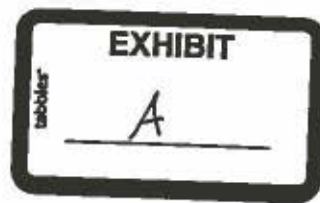
City of Grand Junction, City Manager



Greg Caton

Dated: 2-12-16

Dated: 9/12/2016



MESA STATE COLLEGE

PROGRAM PLAN

WEST EXPANSION PROPERTY ACQUISITION PROJECT

APRIL 8, 2011



C H A M B E R L I N
A R C H I T E C T S

CONTRIBUTORS

Mesa State College Board of Trustees:

Charlie Monfort, Chair
Kathleen Eck
Lena Elliott
Jerome Gonzales
Cecil Hernandez
Lorenzo Marquez
Doug Price
Dan Robinson
Joe Skinner
Monte Atkinson, Faculty Trustee
Ryan Hendershot, Student Trustee

Mesa State College Administration:

Tim Foster, President
Patrick Doyle, Vice President of Finance
Carol Futhey, Vice President of Academic Affairs
Kent Marsh, Director of Facilities Services
Derek Wagner, Director of Strategic Initiatives

Mesa State College Foundation Officers

Doug May, President
Keith Gilstrap, Vice-President
Travis Perry, Secretary/Treasurer

PREFACE

The project described herein continues the activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and, beginning in 2004 with the approval of the “House Demolition and Ground Recovery Project” program plan, began gifting the properties to the College. Originally the 2004 program plan was expected to take 15 years to complete; however, with only five remaining properties to be acquired, it is approaching its successful completion in half the time. This coupled with the unprecedented enrollment growth that has occurred during this time period places the College in a position where it needs to proceed with phase two its land expansion plan. Approval of this program plan will authorize the Foundation to acquire the additional properties described herein.

Coordinators for this project were Pat Doyle, Vice President, Finance and Administrative Services, Derek Wagner, Director, Strategic Initiatives, Kent Marsh, Director of Facilities Services; and Andy Rodriguez, Director of Purchasing. Program plan documentation was accomplished by Ed Chamberlin, Chamberlin Architects, Campus Architect. This document has been approved by Tim Foster, President of Mesa State College, as well as by the senior administration of the College.

This document responds to the outline requirements of CCHE policy Section III.E, *Guidelines for Facilities Program Planning* last revised April 5, 2001. Some outline sections have been omitted because the project does not deal with new capital construction or building renovation.

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EXECUTIVE SUMMARY

It is the purpose of this project to consolidate activities associated with the main campus land acquisition project begun in 1999. Since then, the Mesa State College Foundation has been acquiring property and giving it to the College through Foundation, Trustee, Colorado Commission on Higher Education, and Legislative actions. The College now needs to be able to accept the gift of additionally acquired properties and to consolidate those and prior associated properties into useful capital construction expansion sites.

This project is necessitated by the continued growth of Mesa State College. In the past ten years, unduplicated fiscal year FTE has increased from 4302 to 6555 or 52.4%. Likewise, unduplicated fiscal year headcount has grown from 5212 to 8131 or 56.0%. These figures indicate a growth rate of almost 4.5% per year.

The specific additional property being considered by the College by its Foundation consists of 214 residential lots, 2 churches, and 21 commercial properties comprising a total of 77.3 acres. Other property that is being given to the College consists of city streets and alleys that will become within the College boundaries.

The land gifts are part of the Land Acquisition Project begun in 1999 with donations from the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals. The original acquisition project was identified in the 1999 *Mesa State College Facilities Master Plan*. This project will allow for the acceptance of gifted properties within specified boundaries which have yet to be acquired by the College, the Mesa State College Foundation, or through subsequent capital construction projects. The boundaries for the main campus will be North Avenue on the south, Orchard Avenue on the north, Seventh Street on the west, and with the addition of one block east of 12th Street, 12th Street on the east. There are also two other large tracts that, if they become available, will be valuable additions to the campus. These are at the northwest and southeast corners of 12th and Orchard.

Consolidation of the properties into useful sites will consist of demolition of the existing structures and surveying and replatting of the individual lots, streets, and alleys into one parcel that belongs to the College. Existing structures include those being donated to the College under this project as well as those yet to be acquired by the Foundation. The consolidated parcel will then be available for construction of temporary parking lots and green spaces, provide ongoing revenue sources and sites for significant campus expansion projects.

The project will be self-financed over time by the College through the use of cash exempt funds and donations. As those funds become available, parts of the project will be finished. No endowment is included with the gifted properties. It is understood that the College will maintain them within its own budgeted resources.

PROGRAM INFORMATION

DESCRIPTION OF THE PROGRAM

For the past several years, Mesa State College has been increasing its enrollment. In 1996, it was recognized that this enrollment growth would require additional land and facilities, placing its main campus in need of a significant boundary expansion. Since approval of the *Mesa State College Facilities Master Plan* in 1999, the Mesa State College Foundation with the help of the City of Grand Junction, Mesa County, and numerous community organizations, institutions, leaders, and individuals, has acquired several properties to help meet expansion needs. The Foundation has already gifted many of these to the college. The project described herein continues this gifting process that began in 2004. The project gives additional properties to the college in accordance with current and future facilities master plan needs.

HISTORY, ROLE AND MISSION, NEEDS AND TRENDS

Mesa State College's current role and mission:

There is hereby established a college at Grand Junction, to be known as Mesa state college, which shall be a general baccalaureate and specialized graduate institution with moderately selective admission standards. Mesa state college shall offer liberal arts and sciences, professional and technical degree programs and a limited number of graduate programs. Mesa state college shall also maintain a community college role and mission, including career and technical education programs. Mesa state college shall receive resident credit for two-year course offerings in its commission-approved service area. Mesa state college shall also serve as a regional education provider.¹

As regional education provider, Mesa State College serves 14 counties in western Colorado. The region's population continues to grow, providing the College with additional students every year. According to the State's Demographic Office, all of the counties in Mesa State's region have grown and will continue to grow.² (The period in question is from 2000 to 2040 for 15 to 25 year olds. These dates are the period analyzed for the *Mesa State College Facilities Master Plan*.) Historically, well over half of the College's enrollment comes from this region.³ However, recent enrollment growth from outside Mesa County and outside Colorado has been dramatic. Non-resident student FTE has grown from 438 to 614 since 2007 – a 40% increase confirming the College's need for additional land to support its mission.

¹ Colorado Revised Statutes 23-53-101, College Established – Role and Mission.

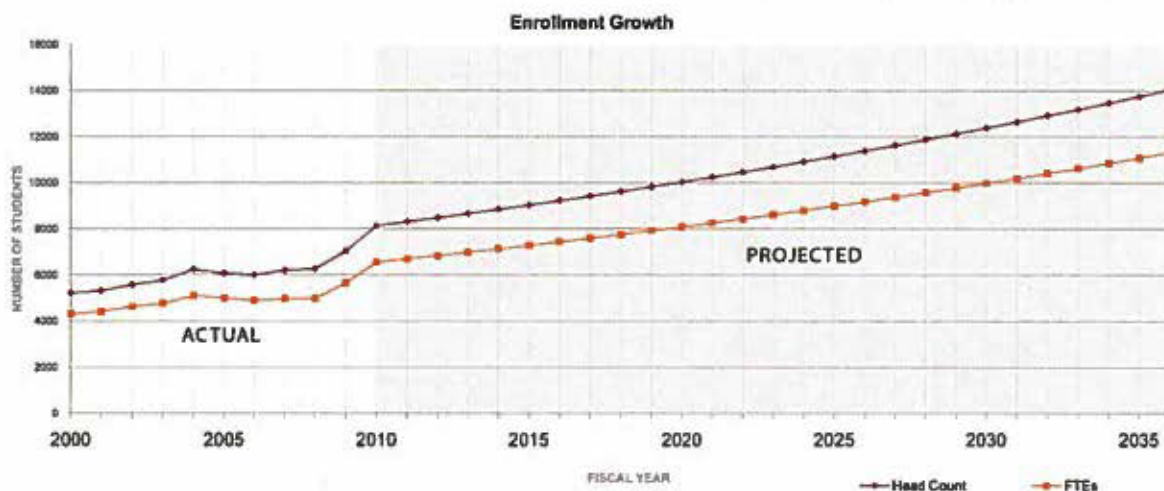
² Rather than reprint the demographic information within this document, the reader is referred to <http://dola.colorado.gov/demog/demog.cfm> for backup information from the Colorado Demography Office on the population trends for each county.

³ See Appendix A of this document for student demographic information.

RELATION TO ACADEMIC/STRATEGIC PLANS

Mesa State College anticipates continued enrollment growth. The *Mesa State College Strategic Plan*⁴ recognizes the need to balance sustainable growth with maintaining the institution's role as a regional education provider for 14 counties in western Colorado. With a focus on enhancing quality in the institution's programs, faculty, students, technology and facilities, sustainable enrollment growth is likely over the life of the plan. As financial support from the State of Colorado continues to dwindle, the institution is focused on strategic growth initiatives that enhance our competitiveness and strengthen our financial position.

The following graph presents enrollment growth, actual and projected, for the thirty-five year period from 2000 to 2035.



Using 2000 as the base year, the graph shows that for fiscal year 2010, the actual FTE of 6555 and actual headcount of 8131 represent a growth rate of over 2.1% and 4.5% respectively. The trend for both FTE and headcount is continued growth especially among out of town students who will need on-campus housing. The projection anticipates a growth rate of 2.125% per year.

The College is reevaluating its strategic planning documents in the light of the current economic climate in its current role and mission. However, it is known that, because of its designation as regional education provider for 14 counties, the College will need to be able to respond to the increasing educational needs of a growing western Colorado

⁴ <http://www.mesastate.edu/president/documents/StrategicPlan01-27-11.PDF>

population. It is anticipated that College growth and the subsequent need for additional land will continue.⁵

RELATION TO OTHER PROGRAMS OR AGENCIES

This program is integral to the college being able to fulfill its role and mission. Without the ability to expand the campus boundaries, the college will be limited in its ability to provide access to students outside of its immediate geographic location i.e. Mesa county. Having the capacity to continue to grow enrollment throughout Colorado and surrounding Western Undergraduate Exchange (WUE) states is key to the long term financial stability of the institution.

PROGRAM ALTERNATIVES

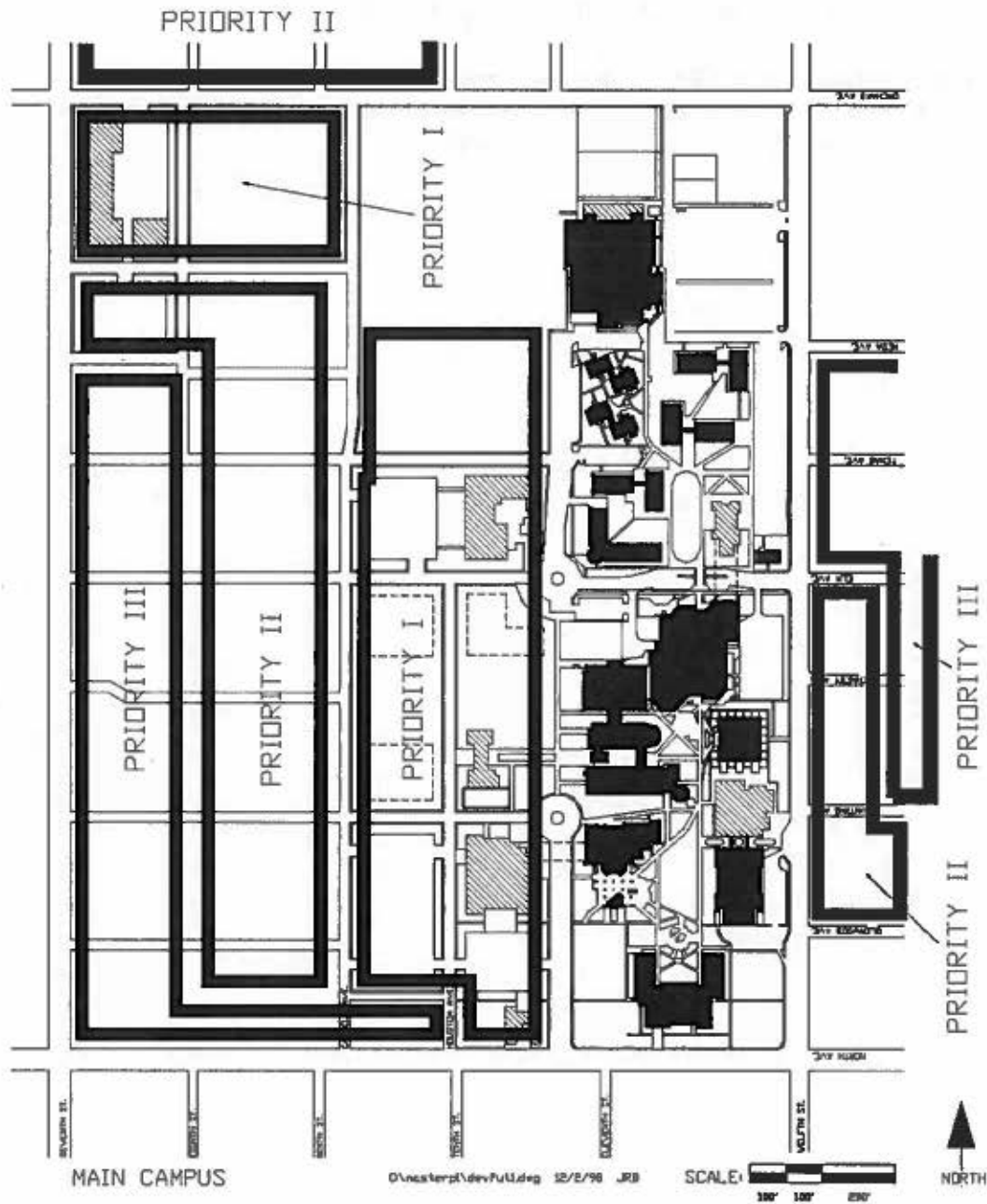
The only alternative to this project is to cap enrollment. This is not acceptable and contrary to the College's role and mission.

⁵ It should be noted that this Program Plan discusses only the needs of the main campus. Enrollment growth with subsequent land and facility needs are also anticipated for the UTEC and Montrose campuses.

FACILITIES NEEDS

TOTAL SPACE AND SITE REQUIREMENTS

Prior to the 2004 acquisition project, the main campus contained approximately 45 acres of land. The 1999 Facilities Master Plan identified several areas of potential expansion in accordance with the map shown below.⁶

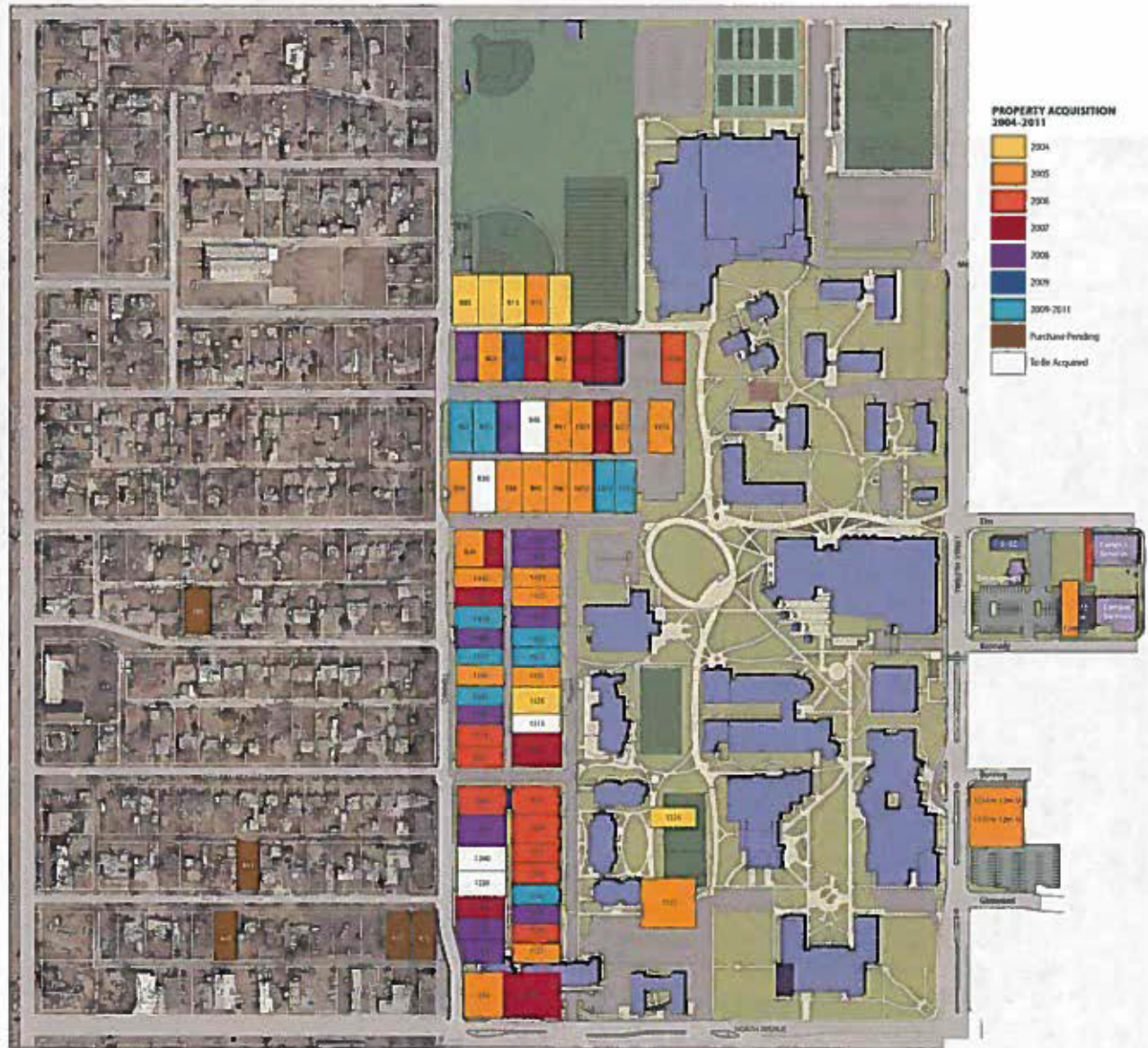


⁶ This map is a reprint of that in the 1999 *Mesa State College Facilities Master Plan*, page 113.

The background of this map shows concepts developed for the 1999 Facilities Master Plan. Several of the capital building projects indicated with diagonal lines on the map have already occurred.

The 2004 House Demolition & Ground Recovery project added most of the property between Cannell and Houston. All but 5 lots within this area have been acquired as shown on the inserted graphic titled Property Acquisitions 2004-2011.

The second inserted graphic titled Acquisition Priorities shows the new priority areas. Priority I areas are those the college is actively trying to purchase. Priority II areas are those the college will pursue if they become available.





Priority I (59 Acres)

Priority II (27 Acres)

Under contract April 12, 2011

To be acquired w/in campus area

ACQUISITION OF REAL PROPERTY

Appendix B includes a listing of properties under consideration by the College. The list indicates the street address and parcel number.

The property locations are shown by their street address number. Within the Priority I area there are 214 single family houses most of which were constructed in the 1950's and 1960's. Some are vacant while others are rentals. There are also 20 commercial and church properties.

Following discussion with the City of Grand Junction the streets and alleys will be vacated and deeded to the College in sections at different times where property ownership surrounding the various rights-of-way has been completed.

PROJECT DESCRIPTION

Improvements:

As stated, it is the intention of this phase of the land acquisition project to establish complete new boundaries for the main campus of Mesa State College. The western boundary from North Ave. to Orchard Ave. will move from Cannell Ave to Seventh Street. The southern boundary of North Ave. will not change. The eastern boundary of 12th Street will also not change except for the area bounded by Orchard Ave., 13th Street, and Glenwood Ave. The northern boundary may include the Community Hospital property if it becomes available.

Once acquired, it is the intention of the College to replat the land parcels into one parcel belonging to the College, remove structures, and to prepare the ground for construction of College related facilities, parking areas, and green space in accordance with the *Mesa State College Facilities Master Plan*.

The first part of this project will consolidate all properties between Cannell Street, North Avenue, Seventh Street and Orchard Avenue, and within the block shown east of 12th Street. The maps on the next several pages show the campus after completion of incremental consolidation work on a five year basis. Once all structures have been demolished, the lots, streets, and alleys will be surveyed and replatted to identify one parcel belonging to the College.

Initially, the area will become either green space or temporary parking. Green space work will consist of leveling the ground and providing dust and weed control. As more houses are removed and large areas become available, the area will be covered with grass and sprinklered. Lights and appropriate sidewalks will also be provided. Temporary parking work will consist of leveling the ground and providing a gravel surface with dust and weed control, parking bumpers, parking control equipment, and appropriate lighting. Mature trees in good condition will be flagged and protected during construction.

Mesa State College – Program Plan, West Expansion Property Acquisition Project

It will take a period of time to acquire all properties, remove all structures, and convert all areas to either parking or green space. All work under this program plan, whether designated as parking or green space, should be viewed as temporary, as all areas will serve as sites for future capital construction projects.⁷

The building areas, parking and land area requirements are based on projected enrollment by prorating approximate facilities in use today. A spreadsheet showing these projections follows.

Mesa State College Campus Expansion Projection

CHAMBERLIN ARCHITECTS

April 7, 2011

2010-11 Factor				Growth	2015-16	Growth	2020-21	Growth	2025-26	Growth	2030-31	Growth	2035-36	
Student Enrollment														
Main Campus only														
Headcount														
On Campus	1624	11%	5-year		180	1,804	200	2,004	222	2,226	247	2,473	274	2,747
Off Campus	6486	11%	5-year		719	7,205	799	8,004	887	8,891	986	9,877	1,095	10,972
Total	8,110				899	9,009	999	10,008	1,109	11,117	1,232	12,350	1,369	13,719
Buildings														
Main Campus only														
Academic	688,000	85 sf	per Student		76,272	764,272	84,727	848,999	94,120	943,119	104,554	1,047,673	116,145	1,163,818
Residence Halls	402,500	62 sf	per Student		44,821	447,121	49,568	496,689	55,063	551,752	61,167	612,919	67,948	680,867
Non-Academic	91,500	11 sf	per Student		10,144	101,644	11,268	112,912	12,517	125,429	13,905	139,334	15,447	154,781
Total	1,182,000	158	per Student		131,037	1,313,037	145,563	1,458,600	161,700	1,620,300	179,626	1,799,927	199,540	1,999,466
Parking														
Main Campus only														
Residential	1,056	65%	On Campus		117	1,173	130	1,303	144	1,447	160	1,607	178	1,786
Commuter	1,881	29%	Off Campus		209	2,089	232	2,321	257	2,578	286	2,864	318	3,182
Reserved														
Total					326	3,262	362	3,624	402	4,025	446	4,472	496	4,967
Land Area														
Main Campus only														
Total SF	3,189,330				353,569	3,542,899	389,719	3,932,618	432,588	4,365,206	480,173	4,845,379	532,992	5,378,370
Acres	73				8	81	9	90	10	100	11	111	12	123

⁷ Program Plans for future capital construction projects within the revised boundary areas will be submitted to CCHE for consideration and approval.

Project Cost Estimate:

Each property will be independently appraised to determine a fair acquisition price. Based on the results of the 2004 House Demolition and Ground Recovery project, the average purchase price over the past seven years was \$180,000. However, with the housing market somewhat depressed this may be higher than what the market currently reflects but can serve as a conservative estimate. In the end, each house will be based on its unique characteristics. Total estimated average recovery costs per parcel:

Property Acquisition (projected average):	\$180,000
Testing, Abatement, Demolition	\$ 36,000
Temporary Parking Improvements	\$ 16,500
Planning and Approvals	\$ 500

PER RESIDENTIAL LOT TOTAL	\$233,000
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The initial consolidation work includes environmental assessments and removal of hazardous material in accordance with current laws and regulations. Acquisition will be accomplished by the College or the Mesa State College Foundation through donation, nonexempt funds, or through other capital construction projects.

Projected acquisition cost for the residential lots is based on the average of 17 recently purchased in the neighborhood. The projected acquisition cost for commercial property is an average of the values on a per acre basis considering comparable sales, lease rates and other factors. Projected testing, abatement, demolition, lighting, grading and gravel cost is based on the average of 67 lots recently completed.

Financial Analysis:

The project will be self-financed by the College through the use of cash exempt funds and donations. The Board of Trustees will be requested to authorize the transfer of funds to the Mesa State College Foundation for property acquisition identified in this program plan. This request will be part of the annual budget process. It should be noted that funds to accomplish the entire project are not currently available.

Project Schedule:

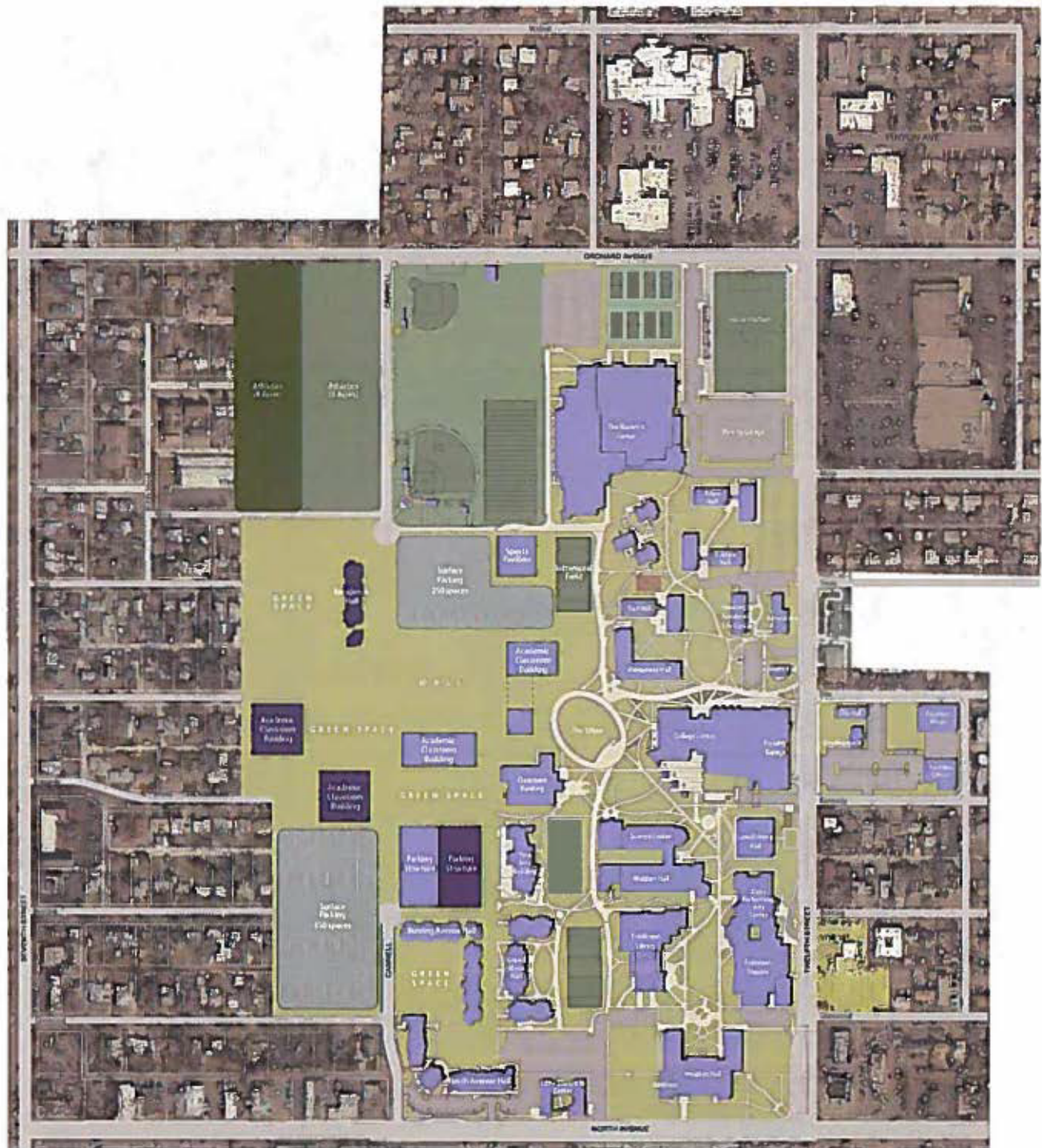
It is anticipated that the project will be completed incrementally over the next ten years. Parts of the project will be completed as money becomes available and as the final properties become available for acquisition. In addition, many of the properties will become rentals providing a revenue stream that can assist in the funding of the acquisition program.

RELATION TO THE MASTER PLAN / OTHER PROJECTS

This project is part of “Project A1 – Land Acquisition, Main Campus” as described in the 1999 *Mesa State College Facilities Master Plan*, Volume 1, pages 114 – 116. In coordination with CCHE and the State of Colorado, Mesa State College has already accepted other properties under this project and will quite probably be working to accept additional properties as they become available within the priority areas established in this plan.

April 6, 2011





- Building Future Construction
- Sports Field Future construction
- Green Space
- Surface Parking

April 6, 2011



-  Building Future Construction
 Sports Field Future construction
 Green Space
 Surface Parking



-  Building Future Consturction
 Sports Field Future construction
 Green Space
 Surface Parking

APPENDIX A
STUDENT DEMOGRAPHICS

Actual Student and FTE Enrollment Data

<u>Year</u>	<u>Count</u>	<u>Head FTEs</u>
1997	4900	4135
1998	5042	4219
1999	4904	4096
2000	5212	4302
2001	5303	4405
2002	5572	4625
2003	5765	4751
2004	6235	5096
2005	6062	4992
2006	5994	4891
2007	6199	4961
2008	6261	4973
2009	7042	5661
2010	8131	6555

<u>Student Origin</u>	<u>Number of Students</u>	<u>Percent</u>
Mesa State's 14 County Region	5488	67.5%
All Other Colorado	1667	20.5%
Out of State	941	11.6%
International	35	0.4%
Total	8131	

**APPENDIX B
PROPERTY LISTING**

Number	PARCEL_NUM	LOCATION
1	2945-114-08-010	1825 CANNELL AVE
2	2945-114-11-008	850 TEXAS AVE
3	2945-114-08-023	1816 N 8TH ST
4	2945-114-10-009	1727 CANNELL AVE
5	2945-114-09-019	725 ORCHARD AVE
6	2945-114-10-012	1717 CANNELL AVE
7	2945-114-08-016	860 HALL AVE
8	2945-114-11-005	828 TEXAS AVE
9	2945-114-08-014	888 HALL AVE
10	2945-114-09-008	1720 N 7TH ST
11	2945-114-08-020	820 HALL AVE
12	2945-114-11-004	816 TEXAS AVE
13	2945-114-10-004	847 HALL AVE
14	2945-114-09-020	749 ORCHARD AVE
15	2945-114-09-006	1742 N 7TH ST
16	2945-114-09-018	1808 N 7TH ST
17	2945-114-09-014	1825 N 8TH ST
18	2945-114-09-007	1730 N 7TH ST
19	2945-114-08-021	810 HALL AVE
20	2945-114-10-011	1735 CANNELL AVE
21	2945-114-08-019	830 HALL AVE
22	2945-114-10-005	855 HALL AVE
23	2945-114-08-012	890 HALL AVE
24	2945-114-08-017	848 HALL AVE
25	2945-114-10-001	1750 N 8TH ST
26	2945-114-09-005	1752 N 7TH ST
27	2945-114-08-013	880 HALL AVE
28	2945-114-09-011	1801 N 8TH ST
29	2945-114-11-009	858 TEXAS AVE
30	2945-114-08-006	845 ORCHARD AVE
31	2945-114-09-010	1737 N 8TH ST
32	2945-114-10-007	875 HALL AVE
33	2945-114-11-010	866 TEXAS AVE
34	2945-114-09-002	1828 N 7TH ST
35	2945-114-09-951	730 MESA AVE
36	2945-114-08-015	868 HALL AVE
37	2945-114-08-018	840 HALL AVE
38	2945-114-09-001	1842 N 7TH ST

Mesa State College – Program Plan, West Expansion Property Acquisition Project

39	2945-114-08-025	905 ORCHARD AVE
40	2945-114-09-013	1815 N 8TH ST
41	2945-114-11-003	804 TEXAS AVE
42	2945-114-08-003	817 ORCHARD AVE
43	2945-114-10-010	895 HALL AVE
44	2945-114-10-002	829 HALL AVE
45	2945-114-08-002	809 ORCHARD AVE
46	2945-114-08-022	802 HALL AVE
47	2945-114-09-004	1806 N 7TH ST
48	2945-114-11-007	842 TEXAS AVE
49	2945-114-08-008	911 ORCHARD AVE
50	2945-114-11-002	1616 N 8TH ST
51	2945-114-08-001	759 ORCHARD AVE
52	2945-114-09-017	1816 N 7TH ST
53	2945-114-11-001	1622 N 8TH ST
54	2945-114-11-006	836 TEXAS AVE
55	2945-114-08-011	898 HALL AVE
56	2945-114-09-021	723 ORCHARD AVE #N
57	2945-114-09-009	1727 N 8TH ST
58	2945-114-10-006	865 HALL AVE
59	2945-114-10-013	1707 CANNELL AVE
60	2945-114-08-009	921 ORCHARD AVE
61	2945-114-10-003	835 HALL AVE
62	2945-114-08-005	841 ORCHARD AVE
63	2945-114-10-008	885 HALL AVE
64	2945-114-08-004	829 ORCHARD AVE
65	2945-114-10-014	825 HALL AVE
66	2945-114-09-012	1805 N 8TH ST
67	2945-114-08-024	901 ORCHARD AVE
68	2945-114-13-021	888 ELM AVE
69	2945-114-14-032	1416 N 7TH ST
70	2945-114-15-013	1343 CANNELL AVE
71	2945-114-13-017	873 TEXAS AVE
72	2945-114-14-006	843 ELM AVE
73	2945-114-12-011	727 MESA AVE
74	2945-114-14-026	830 KENNEDY AVE
75	2945-114-15-003	771 KENNEDY AVE
76	2945-114-13-001	1524 N 7TH ST
77	2945-114-13-024	860 ELM AVE
78	2945-114-12-009	1625 N 8TH ST
79	2945-114-12-003	1628 N 7TH ST
80	2945-114-15-004	775 KENNEDY AVE
81	2945-114-15-012	885 KENNEDY AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

82	2945-114-14-010	803 ELM AVE
83	2945-114-13-011	827 TEXAS AVE
84	2945-114-13-028	820 ELM AVE
85	2945-114-14-013	749 ELM AVE
86	2945-114-12-001	1630 N 7TH ST
87	2945-114-14-024	810 KENNEDY AVE
88	2945-114-13-007	755 TEXAS AVE
89	2945-114-14-019	740 KENNEDY AVE
90	2945-114-13-003	1516 N 7TH ST
91	2945-114-13-032	760 ELM AVE
92	2945-114-13-034	740 ELM AVE
93	2945-114-14-027	840 KENNEDY AVE
94	2945-114-13-019	889 TEXAS AVE
95	2945-114-13-031	774 ELM AVE
96	2945-114-13-014	849 TEXAS AVE
97	2945-114-13-016	865 TEXAS AVE
98	2945-114-13-033	748 ELM AVE
99	2945-114-11-014	898 TEXAS AVE
100	2945-114-13-005	743 TEXAS AVE
101	2945-114-15-020	824 BUNTING AVE
102	2945-114-14-007	833 ELM AVE
103	2945-114-15-005	805 KENNEDY AVE
104	2945-114-11-013	890 TEXAS AVE
105	2945-114-13-026	834 ELM AVE
106	2945-114-15-002	755 KENNEDY AVE
107	2945-114-14-011	769 ELM AVE
108	2945-114-13-027	830 ELM AVE
109	2945-114-13-004	735 TEXAS AVE
110	2945-114-15-015	874 BUNTING AVE
111	2945-114-12-008	1613 N 8TH ST
112	2945-114-13-972	704 ELM AVE
113	2945-114-13-009	811 TEXAS AVE
114	2945-114-15-009	845 KENNEDY AVE
115	2945-114-14-030	890 KENNEDY AVE
116	2945-114-14-002	883 ELM AVE
117	2945-114-13-002	1520 N 7TH ST
118	2945-114-15-019	834 BUNTING AVE
119	2945-114-13-035	730 ELM AVE
120	2945-114-15-008	835 KENNEDY AVE
121	2945-114-11-011	874 TEXAS AVE
122	2945-114-11-012	882 TEXAS AVE
123	2945-114-14-031	701 ELM AVE
124	2945-114-13-013	841 TEXAS AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

125	2945-114-14-004	863 ELM AVE
126	2945-114-14-012	761 ELM AVE
127	2945-114-13-012	835 TEXAS AVE
128	2945-114-12-012	1604 N 7TH ST
129	2945-114-14-018	1400 N 7TH ST
130	2945-114-13-030	780 ELM AVE
131	2945-114-15-006	815 KENNEDY AVE
132	2945-114-13-010	819 TEXAS AVE
133	2945-114-15-011	865 KENNEDY AVE
134	2945-114-13-029	818 ELM AVE
135	2945-114-15-017	854 BUNTING AVE
136	2945-114-14-005	855 ELM AVE
137	2945-114-14-001	889 ELM AVE
138	2945-114-13-008	803 TEXAS AVE
139	2945-114-14-021	760 KENNEDY AVE
140	2945-114-14-003	875 ELM AVE
141	2945-114-15-007	825 KENNEDY AVE
142	2945-114-12-007	1603 N 8TH ST
143	2945-114-12-010	1635 N 8TH ST
144	2945-114-12-004	1616 N 7TH ST
145	2945-114-13-022	886 ELM AVE
146	2945-114-13-023	880 ELM AVE
147	2945-114-13-025	850 ELM AVE
148	2945-114-14-023	800 KENNEDY AVE
149	2945-114-14-029	860 KENNEDY AVE
150	2945-114-14-028	850 KENNEDY AVE
151	2945-114-12-002	721 MESA AVE
152	2945-114-15-010	855 KENNEDY AVE
153	2945-114-13-036	1510 N 7TH ST
154	2945-114-13-015	859 TEXAS AVE
155	2945-114-13-018	881 TEXAS AVE
156	2945-114-14-017	1410 N 7TH ST
157	2945-114-14-008	817 ELM AVE
158	2945-114-14-025	820 KENNEDY AVE
159	2945-114-14-009	809 ELM AVE
160	2945-114-13-020	895 TEXAS AVE
161	2945-114-13-006	753 TEXAS AVE
162	2945-114-15-018	844 BUNTING AVE
163	2945-114-14-020	750 KENNEDY AVE
164	2945-114-15-016	864 BUNTING AVE
165	2945-114-14-014	745 ELM AVE
166	2945-114-14-022	780 KENNEDY AVE
167	2945-114-17-012	856 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

168	2945-114-16-014	752 GLENWOOD AVE
169	2945-114-19-006	865 GLENWOOD AVE
170	2945-114-18-001	763 GLENWOOD AVE
171	2945-114-17-013	846 GLENWOOD AVE
172	2945-114-17-014	836 GLENWOOD AVE
173	2945-114-17-017	804 GLENWOOD AVE
174	2945-114-16-006	727 BUNTING AVE
175	2945-114-19-007	875 GLENWOOD AVE
176	2945-114-16-012	730 GLENWOOD AVE #B
177	2945-114-15-023	768 BUNTING AVE
178	2945-114-17-024	888 GLENWOOD AVE
179	2945-114-15-028	710 BUNTING AVE
180	2945-114-16-010	720 GLENWOOD AVE
181	2945-114-16-003	749 BUNTING AVE
182	2945-114-15-025	750 BUNTING AVE
183	2945-114-17-021	866 GLENWOOD AVE
184	2945-114-19-005	845 GLENWOOD AVE
185	2945-114-17-006	853 BUNTING AVE
186	2945-114-19-008	911 GLENWOOD AVE
187	2945-114-16-008	1226 N 7TH ST
188	2945-114-19-003	825 GLENWOOD AVE
189	2945-114-17-018	867 BUNTING AVE
190	2945-114-15-024	762 BUNTING AVE
191	2945-114-15-021	814 BUNTING AVE
192	2945-114-17-009	887 BUNTING AVE
193	2945-114-21-951	1350 N 7TH ST
194	2945-114-19-002	815 GLENWOOD AVE
195	2945-114-16-004	745 BUNTING AVE
196	2945-114-19-001	805 GLENWOOD AVE
197	2945-114-16-016	1204 N 7TH ST
198	2945-114-17-002	815 BUNTING AVE
199	2945-114-18-003	751 GLENWOOD AVE
200	2945-114-17-003	825 BUNTING AVE
201	2945-114-16-005	739 BUNTING AVE
202	2945-114-17-005	843 BUNTING AVE
203	2945-114-19-004	835 GLENWOOD AVE
204	2945-114-16-001	769 BUNTING AVE
205	2945-114-18-005	727 GLENWOOD AVE
206	2945-114-18-002	759 GLENWOOD AVE
207	2945-114-17-015	824 GLENWOOD AVE
208	2945-114-17-016	814 GLENWOOD AVE
209	2945-114-17-004	833 BUNTING AVE
210	2945-114-16-013	740 GLENWOOD AVE

Mesa State College – Program Plan, West Expansion Property Acquisition Project

211	2945-114-16-002	757 BUNTING AVE
212	2945-114-17-007	859 BUNTING AVE
213	2945-114-17-001	805 BUNTING AVE
214	2945-114-18-004	733 GLENWOOD AVE
215	2945-114-15-030	730 BUNTING AVE
216	2945-114-18-006	705 GLENWOOD AVE
217	2945-114-15-026	740 BUNTING AVE
218	2945-114-16-007	1236 N 7TH ST
219	2945-114-16-015	760 GLENWOOD AVE
220	2945-114-15-022	804 BUNTING AVE
221	2945-114-17-950	875 BUNTING AVE
222	2945-114-10-953	1704 N 8TH ST
223	2945-114-10-954	

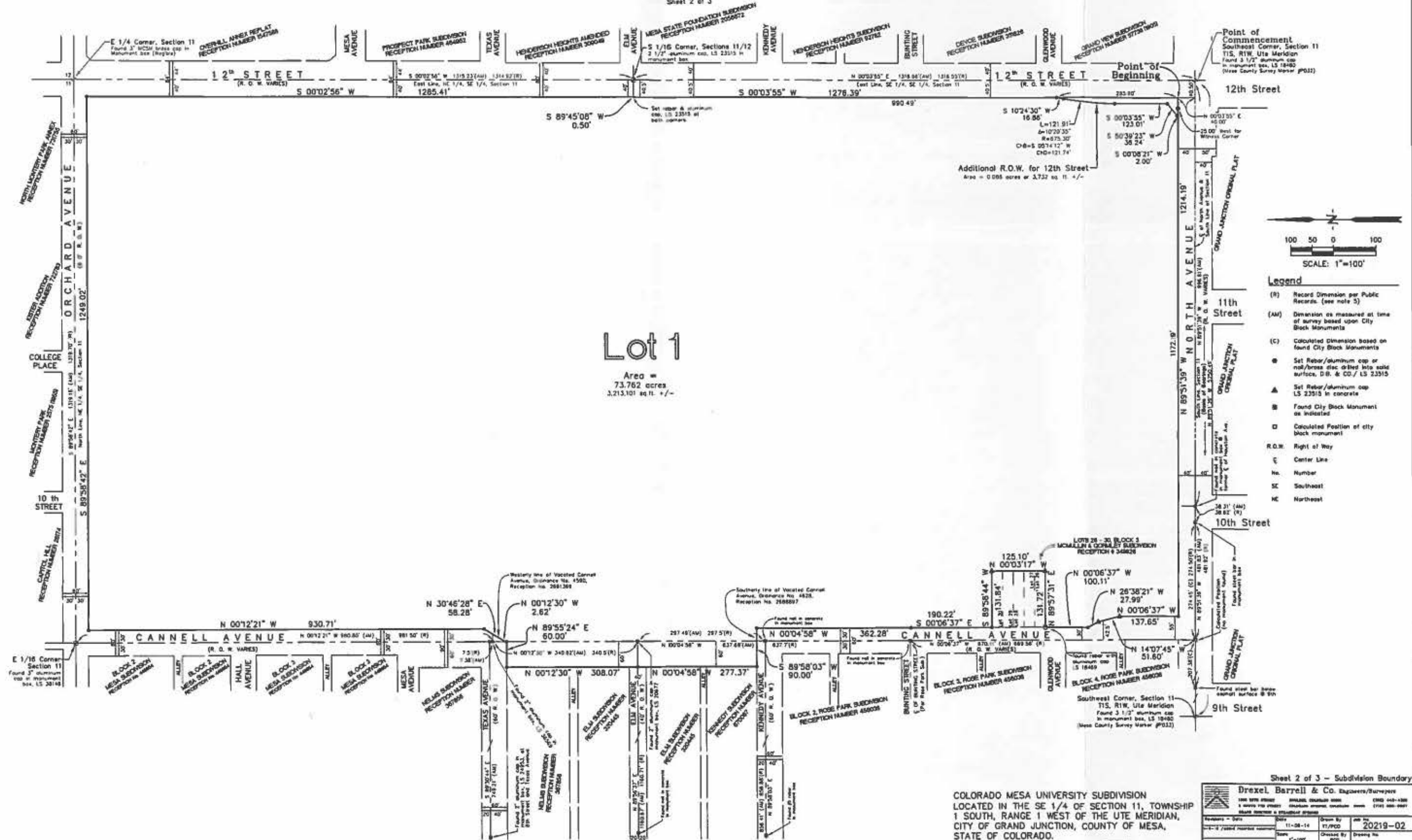
APPENDIX C
THIRD PARTY REVIEW

APPENDIX D
CCHE FORM CC-C

COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAM II SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2455622, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, MCMULLIN & GORMLEY SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 349926, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE RE-FLUNG PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444756, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 38, INCLUSIVE AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 539508, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AT RECEPTION NUMBER 459010, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEY WAYS DEDICATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THOSE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1299, 1675, 2913, 3356, 3759, 4106, 4252, 4431, 4590 AND 4628, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

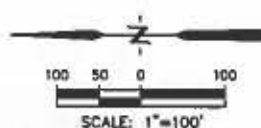
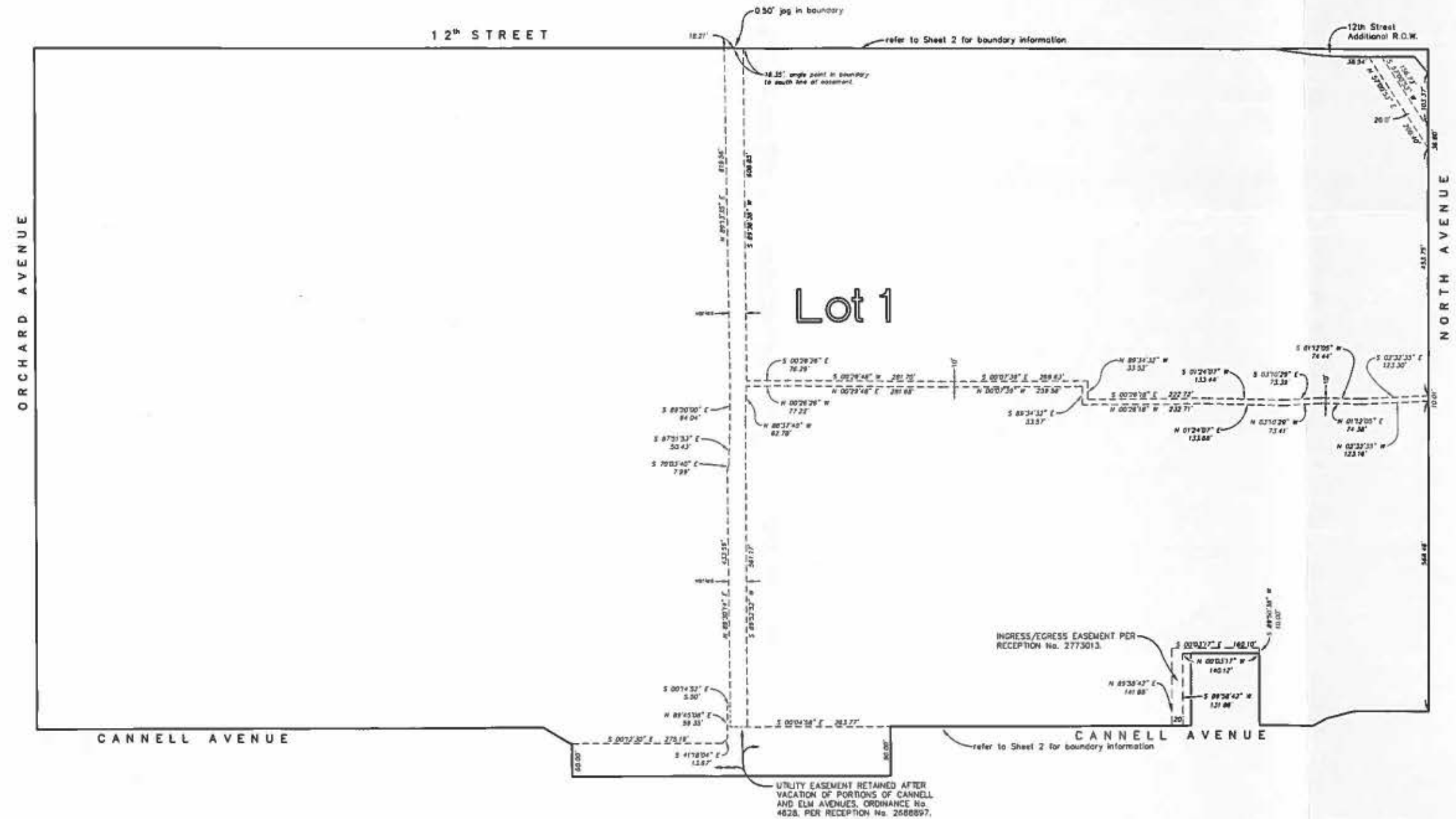
AREA = 73.848 ACRES +/-
Sheet 2 of 3



COLORADO MESA UNIVERSITY SUBDIVISION

A TRACT OF LAND ENCOMPASSING ALL THAT REAL PROPERTY PREVIOUSLY SUBDIVIDED AS LOT 1, BLOCK 1 OF ELAM SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2261431 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOT 1 OF ELAM II SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 2455622, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, MCMULLIN & GORMELY SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 349926, SAID MESA COUNTY RECORDS, BLOCKS 1, 2, 3, 4, 5 AND 6, GARFIELD PARK SUBDIVISION, ACCORDING TO THE RE-FILING PLAT THEREOF, A SUBDIVISION RECORDED AS RECEPTION NUMBER 444756, SAID MESA COUNTY RECORDS, LOTS 1 THROUGH 38, INCLUSIVE AND LOT 40, SOUTH GARFIELD PARK SUBDIVISION, A SUBDIVISION RECORDED AS RECEPTION NUMBER 539508, SAID MESA COUNTY RECORDS, MESA COLLEGE CAMPUS SUBDIVISION, A SUBDIVISION RECORDED AT RECEPTION NUMBER 459010, SAID MESA COUNTY RECORDS, TOGETHER WITH THOSE RIGHTS-OF-WAY AND ALLEY WAYS DEDICATED BY THE ABOVE REFERENCED SUBDIVISION PLATS AND VACATED BY THOSE CITY OF GRAND JUNCTION ORDINANCES NUMBERED 1120, 1299, 1875, 2913, 3356, 3759, 4106, 4252, 4431, 4590 AND 4628, ALL IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

AREA = 73.848 ACRES +/-
Sheet 3 of 3



Easement Dedications

1) Unless indicated otherwise, all easements shown are Utility Easements to the City of Grand Junction for City approved utilities.

COLORADO MESA UNIVERSITY SUBDIVISION
LOCATED IN THE SE 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

Sheet 3 of 3 - Easement Dedications			
Drexel, Barrell & Co. Engineers/Barrowers			
1000 SOUTH STREET GRAND JUNCTION, COLORADO 81501 (970) 244-4300	1000 SOUTH STREET GRAND JUNCTION, COLORADO 81501 (970) 244-4300	1000 SOUTH STREET GRAND JUNCTION, COLORADO 81501 (970) 244-4300	1000 SOUTH STREET GRAND JUNCTION, COLORADO 81501 (970) 244-4300
Prepared by: Date: 11-08-14	Drawn by: TT/PCD	Check by: PCD	Plot No: 20219-02
Scale: 1"=100'			

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF ALLEY RIGHT-OF-WAY LOCATED
BETWEEN ORCHARD AVENUE AND HALL AVENUE ON THE SOUTH SIDE OF
THE PROPERTY LOCATED AT 845 ORCHARD AVENUE**

RECITALS:

Colorado Mesa University has requested to vacate a portion of alley right-of-way located between Orchard Avenue and Hall Avenue on the south side of the property located at 845 Orchard Avenue in order to enable the continued westward expansion efforts planned for the campus, specifically in the future to develop a new track and field sports venue.

Colorado Mesa University is under contract to acquire the 845 Orchard Avenue property. City staff does not expect that the proposed right-of-way vacations would impede traffic, pedestrian movement or access to private property. As conditions of approval, CMU will need to demonstrate ownership of the property at 845 Orchard Avenue prior to recording the vacation ordinance and meet all Grand Junction Fire Department requirements for construction of the proposed campus facilities.

Presently, the segment of alley right-of-way requested to be vacated contains a City public sewer line as well as Xcel electric and gas infrastructure. The existing electric utilities will be moved and relocated by Xcel Energy as part of the construction of the new track and field sports venue and an appropriate easement to Xcel Energy will be dedicated at that time, if necessary. Applicant is also required to meet all terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus* and any requirements of the Grand Junction Fire Department.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code.

The Planning Commission, having heard and considered the requests, found the criteria of the Code to have been met, and recommended that the portion of east-west alley right-of-way adjacent to the south side of the property located at 845 Orchard Avenue be approved.

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

The following described dedicated alley right-of-way is hereby vacated subject to the listed conditions:

A Portion of Alley Right-of-Way as dedicated on the plat Mesa Subdivision as recorded at Reception Number 449854 of the Mesa County Records, situated in the Southeast Quarter of Section 11, Township 1 South, Range 1 West of Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows:

All of the Alley Right-of-Way lying West of the Southerly projection of the East line of Lot 8, Block 2 of said Mesa Subdivision and East of the of the Southerly projection of the East line of Lot 6, Block 2 of said Mesa Subdivision.

Containing an area of 2,348 square feet (0.054 acres) more or less, as described herein and on Exhibit A.

Conditions of Approval:

1. Applicant shall provide evidence of ownership of the property located at 845 Orchard Avenue (parcel number 2945-114-08-006) prior to this Ordinance being recorded with the Mesa County Clerk and Recorder in order for the vacation to take effect.
2. Applicant shall pay all recording/documentary fees for the Vacation Ordinance.
3. Applicant shall meet all terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus* and all requirements of the Grand Junction Fire Department for construction of proposed campus facilities.

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

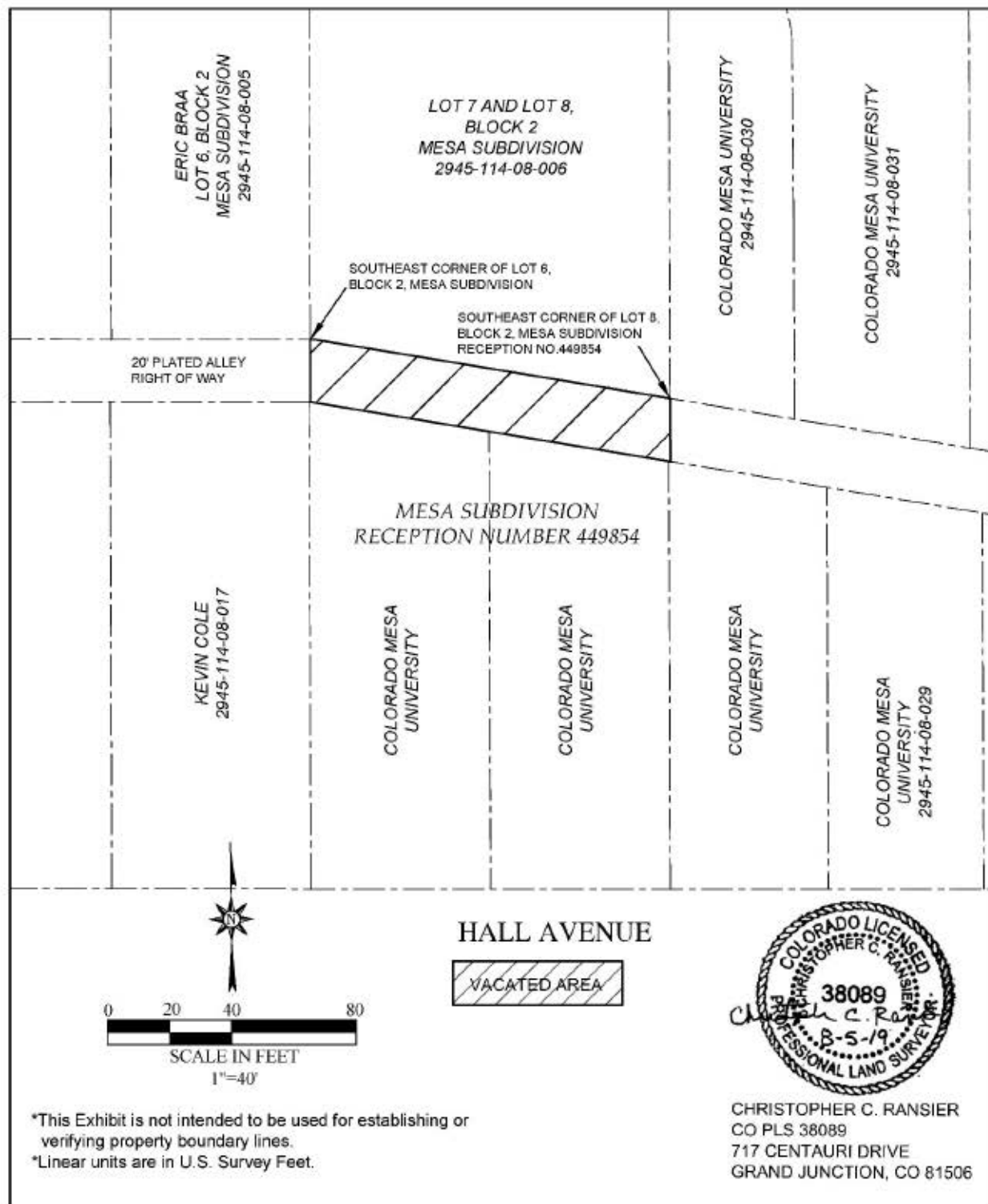
PASSED and ADOPTED this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

SOUTHEAST 1/4 OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO





Grand Junction City Council

Regular Session

Item #2.b.iii.

Meeting Date: September 18, 2019

Presented By: Senta Costello, Planner

Department: Community Development

Submitted By: Senta Costello, Associate Planner

Information

SUBJECT:

A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for Zona's Annexation of 2.0 Acres, Located at 408 29 Road and Set a Public Hearing for November 6, 2019

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for Zona's Annexation, introducing the proposed Ordinance and setting a hearing for November 6, 2019.

EXECUTIVE SUMMARY:

The Applicant, Roy and Marilyn Anderson, have requested annexation consisting of one parcel of land containing 1.82 acres located at 408 29 Road. The proposed annexation includes 0.176 acres of the 29 Road Right-of-Way and the site currently has a single family house and an auto repair shop. The owner is requesting annexation to be able to continue to operate an auto repair business with a business residence on the property, currently under city review, which would require a rezone and constitutes "annexable development" and as such is required to annex in accordance with the Persigo Agreement. Consideration for zoning of this annexation will be heard in a future action.

BACKGROUND OR DETAILED INFORMATION:

Zona's Annexation consists of one parcel consisting of 1.82-acres located at 408 29 Road, located north of the D Road and 29 Road intersection. The property currently

has a single family house and an auto repair shop. The Applicant plans to maintain the use as it currently operates and is requesting annexation at this time in anticipation of obtaining a dealer's license to sell the repaired vehicles. The license requires a non-residential/commercial zone district. The Applicant is requesting a C-1 (Light Commercial) zone district. Zoning will be considered in a future action and requires review and recommendation by the Planning Commission.

The property is adjacent to existing city limits, within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owner has signed a petition for annexation of the property. There is small portion of 29 Road Right-of-Way containing 0.176 acres being annexed as part of this annexation.

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that Zona's Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- 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.

The proposed annexation and zoning schedule with a summary is attached.

FISCAL IMPACT:

Finance

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation. Based on the current assessed values of the annexation area, the City property tax revenue is estimated to be \$640 annually. The home business operation will be subject to applicable sales tax licensing and collection requirements as well.

Fire

Currently the property is in the Grand Junction Rural Fire Protection District (Rural District) which is served by the Grand Junction Fire Department through a contract with the Rural District. The Rural District collects a 5.938 mill levy that generates \$475 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy will be removed and the City's 8 mills will generate property tax revenue at the rates discussed above. Property tax will need to pay for not only fire and emergency medical services but also other City services provided to the area.

The fire department has responded to this location three times in the last 3 years. With no immediate change in the occupancy or use of the property the department does not predict the incident volume to change substantially as a result of this annexation. Primary response is from Fire Station 1 at 625 Ute Avenue. Response time from Fire Station 1 is within National Fire Protection Association guidelines.

Utilities

To be provided at 2nd reading of the Ordinance.

Police

In an effort to determine/anticipate what the impact may be to the GJPD in providing police services should the city proceed with this development, calls for service during 2017 and 2018 were pulled. A review of that data revealed that there were two calls for service. A review of data of like density address (2911 D Rd. and 2923 D Rd.) revealed that there were 0 calls for service in 2017 and 0 calls for service in 2018 at (2911 D Rd. and 2923 D Rd.) which is similar in light commercial. Based on that information we anticipate that any calls for service by GJPD for this location will equal to .0% of an officer.

With that said, at this point, we do not anticipate a need for an increase in personnel or equipment in order to provide law enforcement services to this proposed annexation. However, this annexation along with any future annexations/developments will no

doubt have an ultimate cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works

This section of 29 Road was constructed in 2007 as a five lane minor arterial and therefore no additional capital construction dollars are anticipated. Additional maintenance will be limited to the existing 160 feet x 32 feet of asphalt pavement and approximately 160 feet of curb, gutter, and sidewalk. Pavement condition is in good condition with an estimated pavement condition index of 70.

Future chip seal costs for this 5,160 square feet of 29 Road are estimated at \$1,400 and would be planned as part this area's normal chip seal cycle in the next six years. Signage, striping, sweeping is anticipated at \$15/year. Streetlights are located just to the south and north of this annexation.

SUGGESTED MOTION:

I move to adopt Resolution No. 60-19, a resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation, and exercising land use control, Zona's Annexation, approximately 2.0 acres, located at 408 29 Road as well as introduce a proposed ordinance annexing territory to the City of Grand Junction, Colorado, Zona's Annexation, approximately 2.0 acres, located at 408 29 Road, and set a public hearing for November 6, 2019.

Attachments

1. Zona's Annexation - Annexation Summary and Schedule
2. Resolution - Ref LU
3. Ordinance
4. Maps
5. Photo

ZONA'S ANNEXATION SCHEDULE

September 18, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 24, 2019	Planning Commission considers Zone of Annexation
October 16, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
November 6, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 6, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:	ANX-2019-408
Location:	408 29 Road
Tax ID Numbers:	2943-173-00-147
# of Parcels:	1
Existing Population:	1
# of Parcels (owner occupied):	0
# of Dwelling Units:	1
Acres land annexed:	2
Developable Acres Remaining:	1.82
Right-of-way in Annexation:	7682 sf of 29 Road right-of-way
Previous County Zoning:	RSF-R (Residential Single Family - Rural)
Proposed City Zoning:	C-1 (Light Commercial)
Current Land Use:	Single Family House and Auto Shop
Future Land Use:	Village Center
Values:	Assessed: \$79,900
	Actual: \$453,810
Address Ranges:	408 29 Road
Special Districts:	Water: Ute Water District
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural Fire District
	Irrigation/Drainage: GVIC/GVDD
	School: GJHS / East Middle / Pear Park Elementary
	Pest: Grand River Mosquito Control District

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 18th day of September, 2019, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

ZONA'S ANNEXATION

APPROXIMATELY 2.0 ACRES LOCATED AT 408 29 ROAD

WHEREAS, on the 18th day of September 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

ZONA'S ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

CONTAINING 87,120 Square Feet or 2.000 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 6th day of November, 2019, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of September 18, 2019.

President of the Council

Attest:

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
September 20, 2019
September 27, 2019
October 4, 2019
October 11, 2019

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

ZONA'S ANNEXATION

APPROXIMATELY 2.0 ACRES LOCATED AT 408 29 ROAD

WHEREAS, on the 18th day of September 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of November 2019; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

ZONA'S ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

CONTAINING 87,120 Square Feet or 2.000 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 18th day of September 2019 and ordered published in pamphlet form.

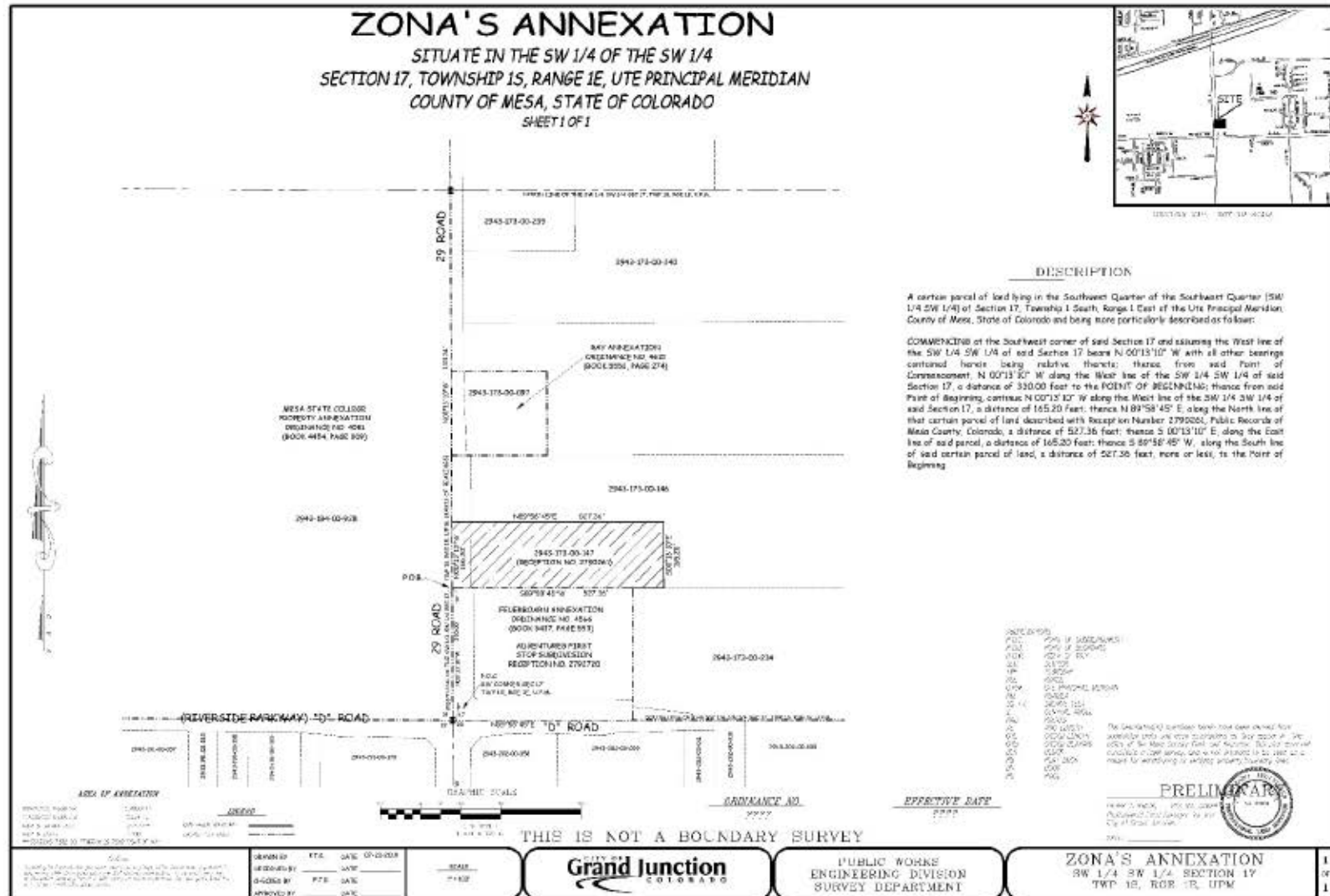
ADOPTED on second reading the _____ day of November, 2019 and ordered published in pamphlet form.

President of the Council

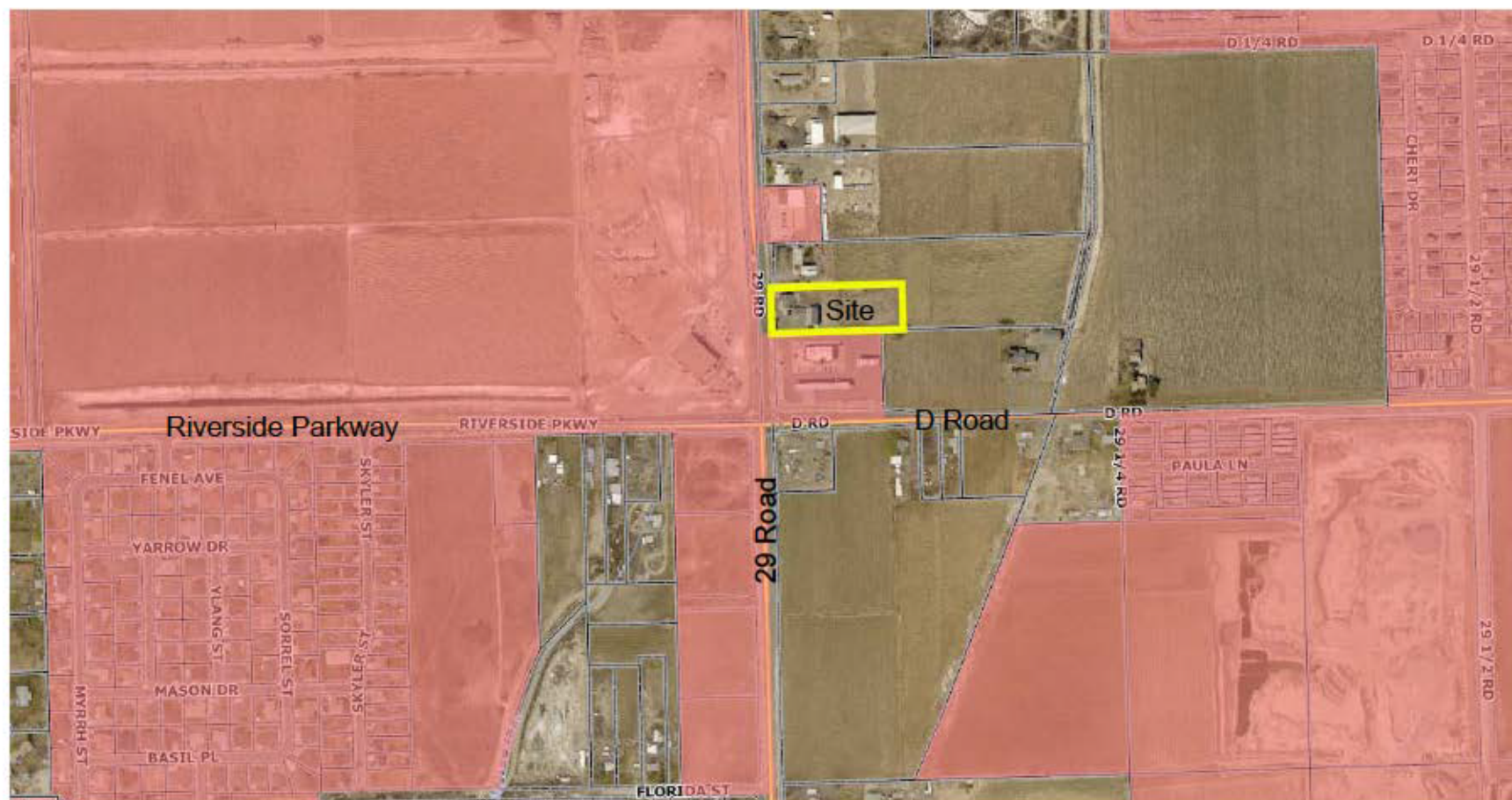
Attest:

City Clerk

Exhibit A



Zona's Annexation - Expanded City Limits Location Map



Zona's Annexation



 Annexation Boundary

 City Limits

8/15/2019

Zona's Annexation



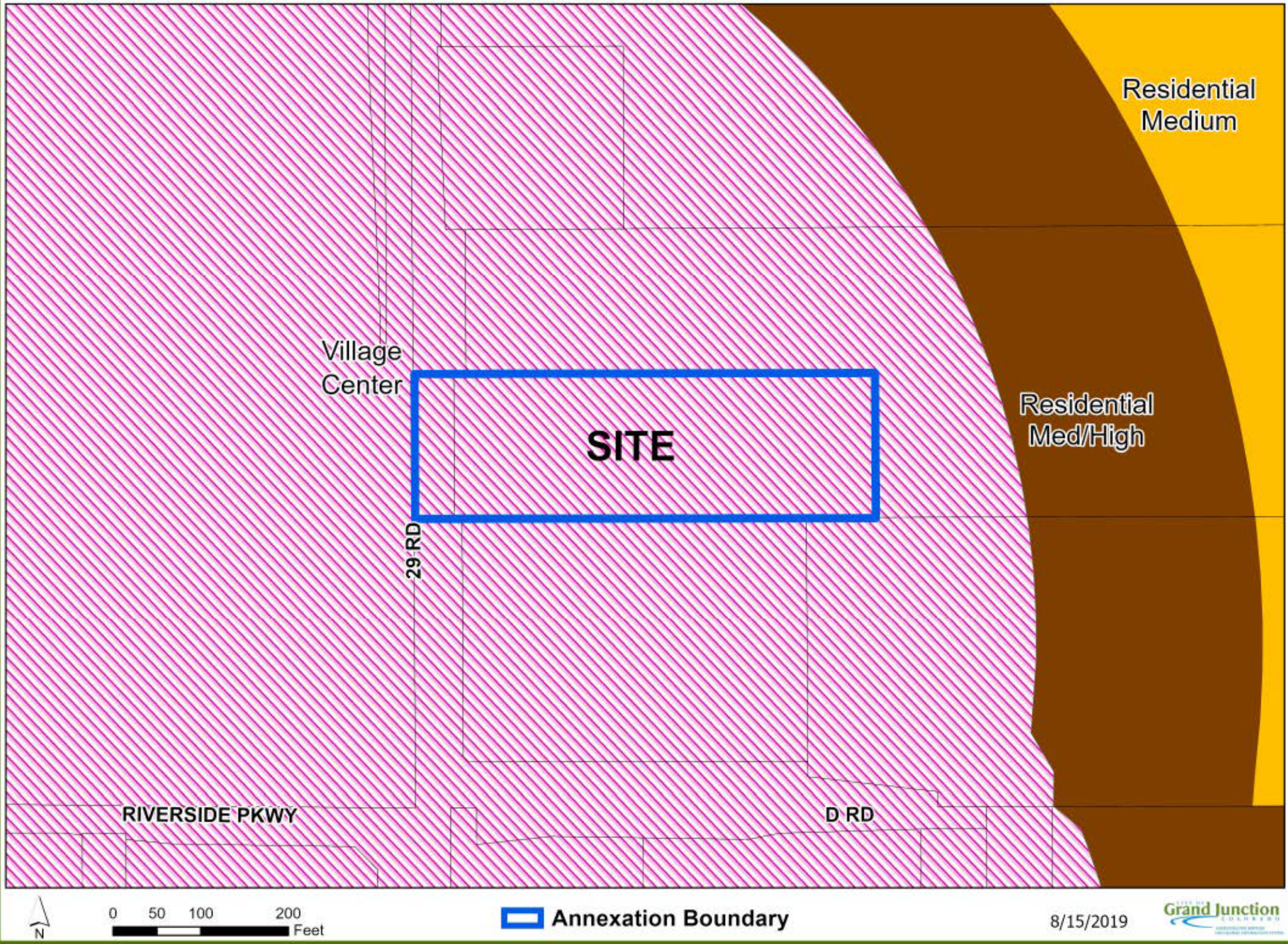
0 50 100 200
Feet

 Annexation Boundary

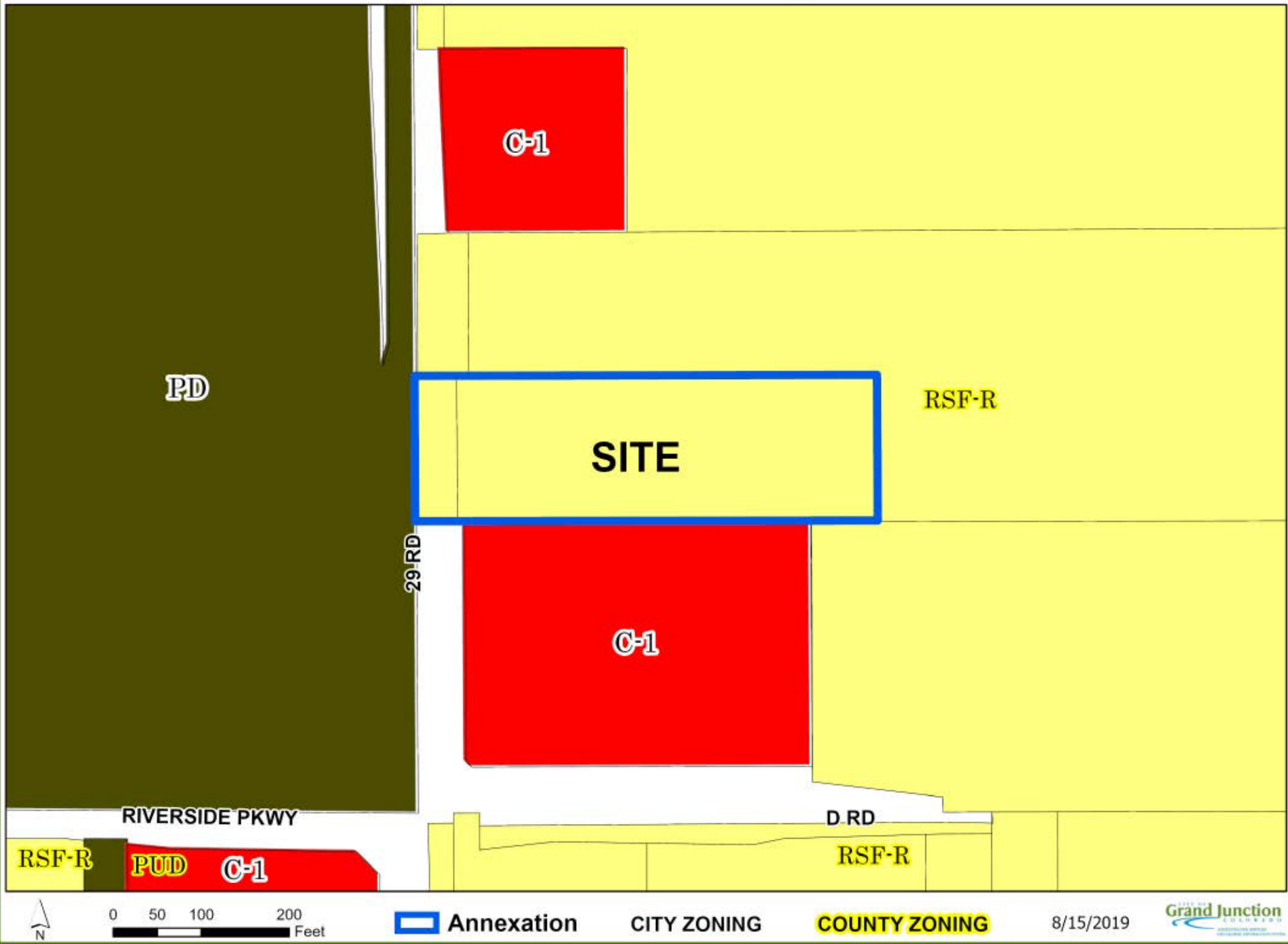
 City Limits

8/15/2019

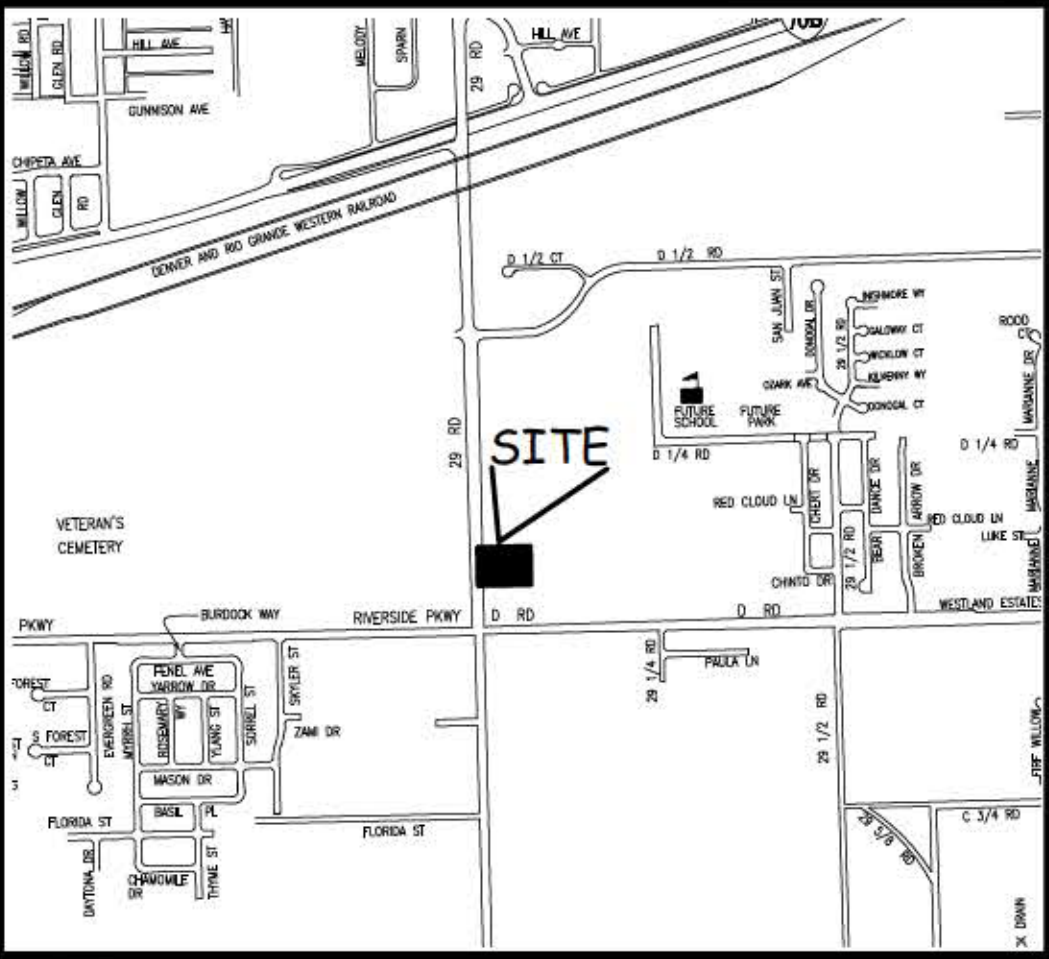
Zona's Annexation - Future Land Use



Zona's Annexation- Zoning



ZONA'S ANNEXATION
SITUATE IN THE SW 1/4 OF THE SW 1/4
SECTION 17, TOWNSHIP 1S, RANGE 1E, UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO
SHEET 1 OF 1



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17 and assuming the West line of the SW 1/4 SW 1/4 of said Section 17 bears N 00°13'10" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 330.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°13'10" W along the West line of the SW 1/4 SW 1/4 of said Section 17, a distance of 165.20 feet; thence N 89°58'45" E, along the North line of that certain parcel of land described with Reception Number 2790261, Public Records of Mesa County, Colorado, a distance of 527.36 feet; thence S 00°13'10" E, along the East line of said parcel, a distance of 165.20 feet; thence S 89°58'45" W, along the South line of said certain parcel of land, a distance of 527.36 feet, more or less, to the Point of Beginning.

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.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PRELIMINARY

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

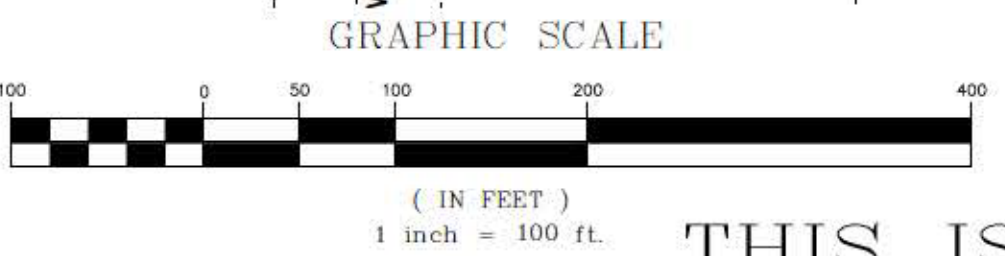


AREA OF ANNEXATION

ANNEXATION PERIMETER	1,385.12 FT.
CONTIGUOUS PERIMETER	614.34 FT.
AREA IN SQUARE FEET	87,120**
AREA IN ACRES	2.000
***(CONTAINS 7,682 SQ. FT. WITHIN 29 ROAD RIGHT OF WAY)	

LEGEND

ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	- - - - -



ORDINANCE NO. ????

EFFECTIVE DATE ????

THIS IS NOT A BOUNDARY SURVEY

Notice:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DRAWN BY	P.T.K.	DATE	07-23-2019
DESIGNED BY	_____	DATE	_____
CHECKED BY	P.T.K.	DATE	_____
APPROVED BY	_____	DATE	_____

SCALE
1" = 100'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ZONA'S ANNEXATION
SW 1/4 SW 1/4 SECTION 17
TWP 1S, RGE 1E, UPM

Zona's Annexation Photo



View of property from 29 Road looking east



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: September 18, 2019

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Principal Planner/CDBG Admin

Information

SUBJECT:

2019 CDBG Subrecipient Agreements between the Counseling and Education Center, Riverside Educational Center, Mesa Youth Services dba Mesa County Partners, Marillac Clinic and STRiVE and the City of Grand Junction

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The Subrecipient Contract formalizes the City's award of CDBG funds to various agencies allocated from the City's 2019 CDBG Program Year as approved by City Council at its June 5, 2019 meeting. The allocation includes the following grants: 1) \$10,000 to Counseling and Education Center (CEC) for counseling services for low income individuals and families; 2) \$12,700 to the Riverside Educational Center for the purchase of a van for transporting youth in the after school tutoring program at Dos Rios Elementary School; 3) \$35,000 to Partners to replace the roof of their main program office; 4) \$8,661 to Marillac Clinic for specialized exam tables; and 5) \$7,500 to STRiVE for Audyssey Autism Clinic services. The contracts outline the duties and responsibilities of the agencies and ensures that the subrecipients comply with all Federal rules and regulations governing use of the funds.

BACKGROUND OR DETAILED INFORMATION:

CDBG funds are a Department of Housing and Urban Development (HUD) entitlement grant to the City of Grand Junction which became eligible for the funding in 1996. The City has received \$461,255 for the 2019 Program Year and Council approved an

amendment to 2018 Action Plan to utilize \$100,000 remaining funds to be allocated with the 2019 funds for a total allocation of \$561,255. The final funding decision of 17 projects was made by the City Council at its hearing on June 5, 2019. The City's 2019 Program Year began on September 1, 2019 therefore, contracts between the City and the agencies may now be executed.

CEC Low Income Counseling Services

This program provides counseling services for low income citizens. The allocated funds of \$10,000 will help pay for 84 more hours of counseling sessions for up to an estimated 16 more clients seeking counseling. The number of persons served is directly related to the amount of funding received.

Riverside Educational Center (REC) Transportation

Transportation is a significant barrier for low-income families. REC currently has six buses for nine educational locations. CDBG funds would be used to purchase a new 14-passenger bus to be utilized at Dos Rios Elementary to transport students from that school on field trips and home after tutoring sessions. The Dos Rios area is in a CDBG-eligible neighborhood (greater than 50% low and moderate income households).

Mesa County Youth Services dba Mesa County Partners Roof Replacement

Partners' main program office located at 1169 Colorado Avenue was constructed in 2003. The building has the original roof which has developed substantial leaks, causing damage to the ceiling tiles and make areas dangerous for clients provided services in the building. CDBG funds will be used to replace the roofing materials.

Marillac Clinic Medical Exam Room Upgrades

Marillac Clinic serves a large volume of patients (over 12,000) which creates wear and tear on equipment and exam rooms. CDBG funds will provide for the purchase of two powered exam tables to accommodate elderly and disabled patients.

STRiVE Audyssey Autism Clinic

STRiVE offers the only diagnostic clinic on the western slope for children facing challenges of autism, neurological conditions or developmental disabilities who can benefit from individualized intervention and support services. The diagnostic process involves a team of specialists and can be very costly for families. CDBG funds will be used to provide this service to 5 additional clients.

The agencies listed above are considered "subrecipients" to the City. The City will "pass through" a portion of its 2019 Program Year CDBG funds to the agencies but the City remains responsible for the use of these funds. The contracts outline the duties and responsibilities of the agencies and ensures that the subrecipients comply with all Federal rules and regulations governing the use of the funds. The contracts must be

approved before the subrecipients may obligate or spend any of the Federal funds. The Subrecipient Agreement with each agency contains the specifics of the projects and how the money will be used by the subrecipients.

FISCAL IMPACT:

Previously approved 2019 CDBG Program Year Budget:

2019 CDBG Allocation:	\$461,255
Remainder Previous Years:	\$100,000
Total Funding Allocated:	\$561,255

Total allocation includes \$25,000 for program administrative costs.

The City will "pass through" a total of \$73,861 of its 2019 Program Year CDBG funds to the agencies listed above.

SUGGESTED MOTION:

I move to authorize the City Manager to sign the Subrecipient Contracts between the City of Grand Junction and the Counseling and Education Center (CEC), the Riverside Educational Center (REC), Partners, Marillac Clinic and STRiVE for funding through the City's 2019 Community Development Block Grant (CDBG) Program Year.

Attachments

1. 2019 CDBG Subrecipient Agreements

**2019 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$10,000

Subrecipient: Counseling and Education Center

Completion Date: August 31, 2020

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$10,000 from its 2019 Program Year CDBG Entitlement Funds to provide counseling services to low and moderate income persons in Grand Junction, Colorado ("Property").
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit 570.201(e). It shall meet this objective by providing the above-referenced counseling services in Grand Junction, Colorado.
3. This project consists of providing counseling services to low and moderate income persons that reside within the City limits. It is understood that \$10,000 of City CDBG funds shall be used only for the services described in this agreement. Costs associated with any other elements of the project or above and beyond this amount shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2016 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$360,905 as follows:

CDBG Funds: \$10,000 Other Funds: \$350,905
6. This project will provide approximately 84 more counseling sessions to an estimated 16 clients.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

_____ Subrecipient

_____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Subrecipient
_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

- A. Total Number of unduplicated clients anticipated to be served during the contract: 16
- B. Number of unduplicated LMI City residents to be served during the contract: 16
- C. Of the City residents to be served, how many will: i) have new or continued access to the service/benefit: 16; ii) have improved access to the service or benefit ____ ; and iii) receive the service or benefit that is improved/no longer substandard ____.

2.) Schedule of Performance

Estimate the number of unduplicated City residents to be served per quarter of the contract:

Q1 __ Q2 __ Q3 __ Q4 __

3) Payment Schedule

During the contract, funds will be drawn Q1 50% Q2 50% Q3 __ Q4 __

4) Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service
__ Disabled Service X LMI Service __ Fair Housing Service __ Housing __ Other
(insert specify)

Primary Objective (select one) X Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity(ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability
X Sustainability

Summarize the Means by which Outcomes will be Tracked, Measured and Reported

Eligibility and pay rate are determined through the client intake process, when household income is verified by pay stub or income tax return. Clients are charged for services on an income-based sliding fee scale, although no client is turned away due to inability to pay.

____ Subrecipient

____ City of Grand Junction

**2019 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$12,700

Subrecipient: Riverside Educational Center

Completion Date: August 31, 2020

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$12,700 from its 2019 Program Year CDBG Entitlement Funds to purchase a multi-passenger van for transportation of students in the after school tutoring program at Dos Rios Elementary. Subrecipient provides academic support in a safe and supportive environment, diverse learning opportunities and encourages social and emotional development where students look for new opportunities to better their lives.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a)). It shall meet this objective by completing the above-referenced services to youth of low/moderate income in Grand Junction, Colorado.
3. Transportation is a significant barrier for low-income families. REC currently has six buses for nine educational locations. CDBG funds will be used to purchase a new 14-passenger bus to be utilized at Dos Rios Elementary to transport students from that school on field trips and home after tutoring sessions. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2015 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$25,425 broken down as follows:

CDBG: \$12,700 REC Other Sources: \$12,725
6. This project will provide transportation needs for 50 students per week attending Dos Rios Elementary School.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

____ Subrecipient

____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Subrecipient
_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12-month FY contract: 450

B. Number of unduplicated LMI City residents to be served with grant funds during the 12-month FY contract: 225

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 225; ii) how many will have improved access to the service or benefit ____? And iii) how many will receive the service or benefit that is improved/no longer substandard ____?

2.) Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12-month FY contract Q1: 225 Q2: 225 Q3: 225 Q4: 225

3) Payment Schedule

During the 12-month FY contract funds will be drawn Q1: 100% Q2: ____ Q3 ____ Q4 ____

4) Outcome Measures

Activity (select one) ____ Senior Service X Youth Service ____ Homeless Service
____ Disabled Service ____ LMI Service ____ Fair Housing Service

Primary Objective (select one) X Create a suitable living environment ____ Provide decent, affordable housing ____ Create economic opportunity (ies)

Primary Outcome Measurement (select one) ____ Availability/Accessibility ____ Affordability
____ Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

Parents self-identify income and need on the REC Student Registration form. All students who participate in REC programming exhibit at least two risk factors for youth including D51 Free and Reduced Lunch, Individualized Education Plan, a single parent household, low test scores and English Language Learner.

____ Subrecipient

____ City of Grand Junction

**2019 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved: _____

Amount of Grant: \$35,000

Subrecipient: Mesa Youth Service, Inc. dba Mesa County Partners

Completion Date: August 31, 2020

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$35,000 from its 2019 Program Year CDBG Entitlement Funds to replace the roof on the Partners Main Program Office located at 1169 Colorado Avenue, Grand Junction, Colorado ("Property"). Subrecipient provides a variety of services for at-risk youth.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a)). It shall meet this objective by completing the above-referenced facility rehabilitation for low/moderate income youth in Grand Junction, Colorado.
3. The project consists of replacement of the roof on the existing main program office building located at 1169 Colorado Avenue. CDBG funds will be used towards this project. The Property is currently owned and operated by Subrecipient which will continue to operate the facility. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2019 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$40,000.
6. This project will improve the safety and extend the useful life of this facility for the 850 clients provided services in the building.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

_____ Subrecipient

_____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Subrecipient
_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo.

FY contract: 850

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo.

FY contract: 637

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit____; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard: 637?

2.) Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 month FY contract Q1:159 Q2: 159 Q3: 160: Q4: 159

3) Payment Schedule

During the 12 month FY contract funds will be drawn Q1____Q2: 100% Q3____Q4____

4) Outcome Measures

Activity (select one) ____ Senior Service ☒ Youth Service ____ Homeless Service
____ Disabled Service ____ LMI Service ____ Fair Housing Service

Primary Objective (select one) ☒ Create a suitable living environment ____ Provide decent, affordable housing ____ Create economic opportunity (ies)

Primary Outcome Measurement (select one) ☒ Availability/Accessibility ____ Affordability
____ Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

The intake procedure for Partners programs includes a questionnaire provided by the Department of Human Services. This form indicates poverty limits and the number of people living in the household. Partners also asks families if they are eligible for Medicaid.

____ Subrecipient

____ City of Grand Junction

**2019 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved: _____

Amount of Grant: \$8,661

Subrecipient: Marillac Clinic, Inc.

Completion Date: August 31, 2020

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$8,661 from its 2019 Program Year CDBG Entitlement Funds to purchase two specialized exam tables for elderly and disabled persons served at the clinic located at 2333 North 6th Street, Grand Junction, Colorado ("Property"). Subrecipient provides affordable health care services for low and moderate income persons.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(e)). It shall meet this objective by completing the above-referenced purchase of specialized equipment for the clinic Grand Junction, Colorado.
3. CDBG funds will be used for the purchase of two powered exam tables to accommodate elderly and disabled patients at the clinic at 2333 North 6th Street. The Property is currently owned and operated by Subrecipient which will continue to operate the housing facility. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2019 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$23,408 as follows:

CDBG: \$8,661	Other Marillac Funds: \$14,747
---------------	--------------------------------
6. This project will improve the medical exam rooms for 500 more clients residing within the City limits.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

____ Subrecipient

____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo.

FY contract: 12,000

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo.

FY contract: 4,944

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit____; ii) how many will have improved access to the service or benefit: 4,944; And iii) how many will receive the service or benefit that is improved/no longer substandard____?

2.) Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12

mo. FY contract Q1: 1,236 Q2: 1,236 Q3: 1,236 Q4: 1,236

3) Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1: __Q2: 100% Q3 __Q4 __

4) Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service

__ Disabled Service _X_ LMI Service __ Fair Housing Service

Primary Objective (select one) _X_ Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity (ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability

X Sustainability

Summarize the means by which outcomes will be tracked, measured and reported:

The income of each household/person receiving assistance will be individually verified for eligibility. All patients who enroll at Marillac undergo a registration and financial screening process and are required to submit legal identification and financial information to verify their identity and income.

_____ Subrecipient

_____ City of Grand Junction

**2019 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved: _____

Amount of Grant: \$7,500

Subrecipient: Mesa Developmental Services dba STRiVE

Completion Date: August 31, 2020

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$7,500 from its 2019 Program Year CDBG Entitlement Funds for Audyssey Autism Clinic services provided at 790 Wellington Avenue, Grand Junction, Colorado ("Property") with new heating and cooling equipment. Subrecipient provides diagnostic evaluation for children with autism.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(e)). It shall meet this objective by completing the above-referenced housing rehabilitation for low/moderate income, developmentally disabled persons in Grand Junction, Colorado.
3. The project consists of providing diagnostic services to children of low and moderate income residing within the City of Grand Junction. STRiVE offers the only diagnostic clinic on the western slope for children facing challenges of autism, neurological conditions or developmental disabilities who can benefit from individualized intervention and support services. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the services described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2019 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$125,620 as follows:

CDBG: \$7,500	Other STRiVE Funds: \$118,120
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6. This project will provide autism clinic services to 5 additional clients.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

_____ Subrecipient

_____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Subrecipient
_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo.

FY contract: 48

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo.

FY contract: 44, 5 new

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 5; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard____?

2.) Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12

mo. FY contract Q: 1 Q2: 2 Q3: 1 Q4: 1

3) Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1____Q2: 50% Q3____Q4: 50%

4) Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service

X Disabled Service __ LMI Service __ Fair Housing Service

Primary Objective (select one) _X_ Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity (ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability

X Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

All of the individuals STRiVE supports receive SSI or SSDI which automatically qualifies them as eligible.

_____ *Subrecipient*

_____ *City of Grand Junction*



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: September 18, 2019

Presented By: Greg Caton, City Manager

Department: City Manager's Office

Submitted By: Greg Caton

Information

SUBJECT:

A Resolution Supporting District 51 Board of Education Ballot Issue 4A

RECOMMENDATION:

For City Council discussion and possible action.

EXECUTIVE SUMMARY:

The purpose of this item is to declare support for District 51 Board of Education ballot issue 4A.

BACKGROUND OR DETAILED INFORMATION:

On July 1, 2019, the District 51 School Board decided to place a \$179.5 million bond measure on the Nov. 5, 2019, ballot. The bond measure (4A) proposes the following projects at D51 high schools:

Central High School - Eliminate 16 non-secure doors and create a single entrance by connecting all buildings so the entire campus is under one roof, perform asbestos abatement, install fire sprinklers, improve accessibility and traffic flow, and enlarge the cafeteria (Estimated cost: \$32 million).

Fruita Monument High School - Create a single main entrance by connecting all buildings on campus under one roof and eliminating 27 non-secure doors; improve accessibility and circulation; and add 18 classrooms to bring ninth-grade back to Fruita Monument High School so that Fruita Middle School and Fruita 8/9 can each become full middle schools (Estimated cost: \$21 million).

Grand Junction High School - Rebuild the school on the north side of the current campus and take down the current building, which has 71 entrances, a sinking foundation, and multiple buildings (Estimated cost: \$124 million. This includes \$99 million to rebuild the school, plus \$25 million to furnish it).

Palisade High School - Eliminate non-secure doors to connect all buildings under one roof, add fire sprinklers, create collaborative spaces, add six classrooms, and improve accessibility (\$12 million).

The work collectively would cost an estimated \$189 million. If the bond measure passes for \$179.5 million, the remaining \$9.5 million would come from a combination of 2017 Bond Measure money that would otherwise be spent on a Grand Junction High School roofing project and currently unallocated bond premiums, interest, and projected savings from the 2017 Bond Measure.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 61-19, a resolution supporting District 51 Board of Education Ballot Issue 4A.

Attachments

1. RES-District 51 Ballot Issue 4A

RESOLUTION NO. xx-19

A RESOLUTION SUPPORTING DISTRICT 51 BOARD OF EDUCATION BALLOT ISSUE 4A

RECITALS:

On July 1, 2019, the District 51 School Board forwarded a \$179.5 million bond measure to the November 5, 2019 ballot. The bond measure (4A) proposes the following projects at D51 high schools:

Central High School - Eliminate 16 non-secure doors and create a single entrance by connecting all buildings so the entire campus is under one roof, perform asbestos abatement, install fire sprinklers, improve accessibility and traffic flow, and enlarge the cafeteria (Estimated cost: \$32 million).

Fruita Monument High School - Create a single main entrance by connecting all buildings on campus under one roof and eliminating 27 non-secure doors; improve accessibility and circulation; and add 18 classrooms to bring ninth-grade back to Fruita Monument High School so that Fruita Middle School and Fruita 8/9 can each become full middle schools (Estimated cost: \$21 million).

Grand Junction High School - Rebuild the school on the north side of the current campus and take down the current building, which has 71 entrances, a sinking foundation, and multiple buildings (Estimated cost: \$124 million. This includes \$99 million to rebuild the school, plus \$25 million to furnish it).

Palisade High School - Eliminate non-secure doors to connect all buildings under one roof, add fire sprinklers, create collaborative spaces, add six classrooms, and improve accessibility (\$12 million).

The work collectively would cost an estimated \$189 million. If the bond measure passes for \$179.5 million, the remaining \$9.5 million would come from a combination of 2017 Bond Measure money that would otherwise be spent on a Grand Junction High School roofing project and currently unallocated bond premiums, interest, and projected savings from the 2017 Bond Measure.

The mission of the City of Grand Junction is to be the most livable City west of the Rockies by 2025. The City Council fully embraces that mission and supports ballot issue 4A because the quality of our schools, and in turn the education that is provided to our students, is one of the most important factors in achieving and sustaining a positive quality of life. It is undeniable that education provides opportunity; opportunity to live and work at trades, careers and professions that may otherwise be unattainable without

a strong educational foundation. When a community has strong schools it likely has a well-educated workforce. A well educated work force in turn contributes to a more stable and economically prosperous and vibrant community.

For these reasons, among many others, the City Council concludes that investment in our schools is an investment in our future. That investment is best accomplished at this time by passage of ballot issue 4A.

NOW, THEREFORE, BE IT RESOLVED that:

The Grand Junction City Council declares its support for ballot issue 4A and urges all qualified voters to **VOTE YES** on question 4A in the November election.

PASSED and ADOPTED this 18th day of September, 2019.

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #5.a.i.

Meeting Date: September 18, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

An Ordinance to Rezone the Community Pod 5 from Mixed Use (MU) to Planned Development (PD) and Approve an Outline Development Plan (ODP) for Approximately 39.25 Acres at 2372 G Road

RECOMMENDATION:

Planning Commission recommended approval of this request 7 - 0 at their hearing on August 27, 2019.

EXECUTIVE SUMMARY:

The Applicant, Club Deal 127 Merk Grand Junction LP is requesting approval of a Rezone of 39.25 acres located at 2372 G Road to Planned Development (PD) and approval of an Outline Development Plan (ODP) to be known as The Community Pod 5. The property is currently zoned Mixed Use (MU), and this request is to change it to a Planned Development (PD) zone with a default zone of Business Park (BP).

This rezone request to PD is complementary to the "The Community" a mixed use Planned Development that received approval by the City for four development pods on May 15, 2019. Pod 5 is proposed to allow single-family, multi-family, business, and commercial land uses in a mixed use development.

BACKGROUND OR DETAILED INFORMATION:

The Applicant, Club Deal 127 Merk Grand Junction LP is requesting a Rezone to Planned Development (PD) for The Community Pod 5 and approval of an Outline Development Plan (ODP) consisting of 39.25 acres located at 2372 G Road. The

property is currently zoned Mixed Use (MU), and this request is to change it to a Planned Development (PD) zone with a default zone of Business Park (BP). The intent is to create a PD zone with compatible uses as those found in the recently adopted Ordinance No. 4855 approved by City Council on May 15, 2019 for "The Community", a 4-Pod, 177-acre tract located to the south of this proposed rezone.

Like three of the four Pods in "The Community" Planned Development ODP to the south, Pod 5 is proposed to be a PD Zone with an underlying default zone of Business Park Mixed Use (BP). Specifically, it will be similar to Pod 1 characteristics of "The Community" ODP.

Proposed Rezone/ODP and Phasing Schedule

The Applicant is proposing to zone the property from Mixed Use (MU) to Planned Development (PD) with modifications to allowed uses and bulk standards found in the proposed default zone district of Business Park Mixed Use (BP) and proposes performance standards and a phasing schedule.

The Applicant is requesting zoning changes that are not allowed under the default zone of BP. These changes include adding other housing types, in addition to the multifamily already allowed in BP, including Single Family Detached, Single Family Attached (Townhomes) and Duplexes, reducing the minimum density from 8 to 5.5 du/ac, and to limit the amount of that type of housing in development of Pod 5 to no more than 70% of the land area or 29.4 acres. Further, several additional non-residential land uses are proposed to provide for a greater range of options for the future development of this property. Under the PD zoning the list of authorized uses will be allowed without the need for approval of a conditional use permit for any of the allowed uses.

Specific proposed changes to the default zone of BP for Pod 5 are as follows:

Pod 5:

1. Add Single Family Detached, Single Family Attached (Townhomes) and Duplex Residential as allowed uses at a minimum density of 5.5 units per acre on no more than 70% of the acreage of Pod 1.

2. Add additional land uses as follows:

- a. Accessory Dwelling Units,
- b. Business Residence,
- c. Museums, Art Galleries, Opera Houses, Libraries
- d. Public Safety and Emergency Response Services
- e. Fuel Sales, Automotive/Appliance
- f. General Retail Sales, outdoor Operations, Display or Storage
- g. Government and Public Purpose Facilities,

- h. Parks and Open Space, and
- i. Agricultural uses.

3. Reduce the street setback for principal structures from 15 feet to 10 feet (except no change to 30 feet setback for non-residential buildings along Arterial roadways).

4. Reduce minimum lot width from 100 feet to 20 feet.

5. Reduce the minimum lot area from 1 acre to 1,800 square feet.

6. Establish a multi-family density of 12 to 24 du/ac.

Other regulations and performance standards also approved with the "The Community" Planned Development will apply to this PD zone as follows.

1. Title 25, 24 Road Corridor Standards in the current Zoning and Development Code (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:

3. There are no hours of operations limitations for uses in Pod 5

4. 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, fence or landscaping.

5. 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).

Proposed Outline Development Plan Map:

The Community Pod 5 has been identified on the ODP as the fifth pod of "The Community". The proposed number and general location of access points are shown for Pod 5 with two future access points to G Road, one future access point to 23 ½ Road and a future access point to the future 23 ¾ Road adjacent to the east.

The Community Pod 5 ODP proposes a landscaped linear park and trail for pedestrian and non-motorized use that runs east to west on the north side of G Road, in the southern portion of the subject property. This trail network will eventually connect to the east to Canyon View Park and the 24 Road corridor around G Road. The landscaped linear park and trail corridor is much greater in size and scope than what G Road would be constructed as a minor arterial street section, thereby providing a community benefit that satisfies the community benefit requirement of the PD rezone and deviations being requested for the proposed Pod 5. G Road constructed as a minor arterial would typically have either an attached sidewalk or possibly a detached sidewalk with a narrow park strip for street trees within its 80 feet of right-of-way. Please see the attached illustrative graphics of the linear park and trail section.

Proposed Development Phasing Schedule:

The proposed development schedule for The Community Pod 5 states a Preliminary Development Plan for Pod 5 must be approved within six (6) years of the PD Ordinance. A Final Development Plan and plat shall be approved within eight (8) years

for Pod 5, or the ODP will expire and the zoning will revert to the original MU. A regulation of the Zoning and Development Code, a maximum 10 years can be approved for a development schedule.

Default Zones and Deviations:

The Applicant is proposing to utilize the dimensional standards, including maximum nonresidential floor area of the Business Park (BP) zone districts. Under Section 21.05.040 (a) Generally, "Planned Development shall 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 shall not be applied." The applicant is requesting a reduction in minimum density from the default zone of BP of 8 du/ac and reducing that minimum to 5.5 du/ac. Under paragraph (b) of that same section it states under Residential Density, "Dwelling unit densities in planned development shall comply with the maximum and minimum densities of the Comprehensive Plan or default zone", which is 8 du/ac. Staff recommends to Planning Commission and City Council that the minimum density of 8 du/ac should not be applied, but reduced to 5.5 du/ac for reasons discussed in this staff report and more specifically the ability of this development to provide for greater housing choice, a Guiding Principle of the Comprehensive Plan. A reduction in the density will provide for housing that includes single family attached, detached and duplexes. The nonresidential intensity as discussed in 21.05.040(c) will default to the BP zone district. Single Family Attached, Single Family Detached, Townhomes, and Duplexes are not allowed in the BP zone. Proposed deviations are shown in the following table:

Dimensional Standards	Default BP	Proposed PD
Minimum Lot Area	1 acre	1,800 s.f.
Minimum Lot Width	100 ft.	20 ft.
Minimum Street Frontage	No Minimum	No change
Minimum Setbacks		
Front-Street (see footnote1)	15	10
Accessory (F/S/R)	25/5/10	No change
Side/Rear	10 / 10	0
Minimum and Maximum Density		
S.F/attached/detached/duplex	8 du/ac	5.5 du/ac
Multi-family	8-24 du/ac	12/du/ac
Maximum Height	65 Ft.	No change

Footnotes: 1. Non-Residential buildings shall be setback a minimum of 30 feet from

“Arterial” designated right-of-ways.

For maximum flexibility in the design of this site and to allow for single family detached and single family attached dwelling units, the Applicant is requesting the following deviations:

1. Reduction in minimum lot size from 1 acre to 1,800 square feet.
2. Reduction of the Minimum Lot width from 100 feet to 20 feet.
3. Reduction of the front (street) yard setback for principal structure from 15 feet to 10 feet.
4. Reduction of the side and rear yard setbacks for a principal structure from 10 feet to 0 feet and for an accessory structure no change.
5. Reduction of the minimum density from 8 dwelling units per acre to 5.5 dwelling units per acre to accommodate the one, two dwelling and townhome housing type.

The requested minimum setback standards will be conditioned to meeting Section 21.05.040(f)(1) of the Zoning Code in that final building plans will demonstrate each building can be safely designed and that the design is compatible with lesser setbacks, to be evaluated under the International Fire Code and any other applicable life, health or safety codes. Also the reduction of setbacks from the PB default zone will be offset by increased screening of residential uses from nonresidential uses through separation and/or building orientation, or primary recreation facilities in private or common open space.

Deviations:

Section 21.05.040 (g) of the Zoning and Development Code allows for the Planning Commission to recommend the City Council deviate from the default district standards subject to the provision of any of the community amenities as identified below. In order for the Planning Commission to recommend and the City Council to approve the 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 multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelter;
2. Open space, agricultural land reservation or land dedication of 20% 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 household 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.

The Applicant is seeking approval of deviations to the default zone district for Pod 5. The proposal is to provide transportation amenities satisfying criterion 1 under Section 21.05.040(g) of the code. Staff finds that this proposal to provide a 25 ft. wide linear park with an 8 to 10 ft. wide concrete path non-motorized transportation trail within "The Community" Pod 5 meets criterion 1 above. Additional discussion of this amenity is found below in the analysis section of the staff report.

NOTIFICATION REQUIREMENTS

As required by § 21.02.080 (e) of the Zoning and Development Code, a Neighborhood Meeting was held on March 7, 2019. Nine (9) people attended the meeting along with City Staff. Generally, those in attendance were supportive of the proposal.

Notice was provided in accordance with §21.02.080 (g) of the Zoning and Development Code. On July 12, 2019 notice of the application was mailed to property owners within 500 feet of the subject property. An application sign was posted on the property on or before July 12, 2019 and notice of the public hearing was published August 20, 2019 in the Daily Sentinel.

ANALYSIS

The Grand Junction Comprehensive Plan does not have a future land use designation that matches well with what The Community Pod 5 Planned Development proposes. There is no individual land use designation that allows the range of land use intensity and density that the proposed 39.25-acre Pod 5 is requesting. Yet everything that is included within the proposed PD zoning embodies the underlying guiding principles, goals and policies of the Comprehensive Plan. It is through compliance and support of the Guiding Principles that Pod 5 is in conformance with the Comprehensive Plan.

The four Guiding Principles from the Comprehensive Plan that support "The Community" include:

- Guiding Principal 2. Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and

discourage growth patterns that cause disproportionate increases in cost of services. Pod 5 with the range of residential density and range of nonresidential development proposed under the PD zoning will allow for a development mixed with residential of a wide variety of housing choice from single family to multifamily, allowing residents to age in place with medical services within walking distance and live where jobs, neighborhood goods and services are also within walking distance. Pod 5 is 39-acres located in an infill area of Grand Junction adjacent to the 24 Road/Mesa Mall Village Center with a regional mall and shopping including a full service grocery store. Development of Pod 5 along with other four pods located within “The Community” approved to the south of Pod 5, will help lessen pressure of Grand Junction to grow outward as it helps development to infill within the Northwest Grand Junction planning area.

- Guiding Principle 3. Housing Variety—allow/encourage more variety in housing types (besides just large lot single family homes) that will better meet the needs of our diverse population—singles, couples, families, those just starting out, children who have left home, retirees, etc.

Pod 5 is proposing single family detached to apartment living opportunities for residents. Providing a mix of housing types promotes housing choice for each homeowner’s individual needs whether that need is for a small single family detached home, apartment living, a townhome or living in a larger home for families. It gives residents options to age in place where medical facilities are existing and located next door.

- Guiding Principle 4. A Grand Green System of Connected Recreational Opportunities - Take advantage of, and tie together the exceptional open space assets of Grand Junction, including the Colorado River, our excellent park system, trails and our surrounding open spaces.

The Community Pod 5 proposes to construct a non-motorized linear park trail system providing pedestrians and bicycle access along and through the development adjacent to G Road. This park trail corridor will stub to the east with the ability for the property to the east to continue it east to the City’s Canyon View Park area and regional shopping in the 24 Road area. In the future this trail connection will also eventually link with the Leach Creek Active Transportation corridor running north and south along the east side of 24 Road. The Leach Creek Active Transportation corridor links Paradise Hills neighborhood to the north and the Redlands area to the south when the entire corridor is constructed.

- Guiding Principle 5. Balanced Transportation - Accommodate all modes of transportation including: air, transit, freight, auto, bike and pedestrian.

In addition to providing for the required street network established by the Grand Junction Circulation Plan, Pod 5 will provide a safe non-motorized corridor with its

linear park trail system providing access to both east and west of the property.

In addition, there are two goals of the Comprehensive Plan that support “The Community. Each has policy(ies) that further support this proposal. These are included within the analysis under section 21.02.150(b)(2) below.

With the approval of the rezone and ODP for The Community Pod 5, the 39 acres of mixed use will combine with the 177 acres of Pods 1-4 of “The Community” located to the south. Together this creates a large 216 acres of infill development in an area of town between existing commercial and industrial uses on the west and the growing 24 Road corridor/Mesa Mall Village Center area to the east. At 216 acres, it makes it possible to blend land uses and create compatibility between them. For Pod 5, this can be accomplished through a preliminary and final plan that will be required following ODP approval and within the Planned Development zoning.

Proposed Zoning to PD for 39.25 acres

The Zoning and Development Code states the purpose of PD zoning under section 21.05.010, and establishes the need to provide long-term community benefits when used for zoning a proposed development.

21.05.010 Purpose.

The planned development (PD) zone applies to mixed use or unique single-use projects where design flexibility is desired and is not available through application of the standards established in Chapter 21.03 GJMC. 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;

The Applicant has stated that the use of geothermal (if local builders accept it) is a much more efficient and environmentally sustainable way to deliver the natural heat of the earth into the homes. Their plans are to use a unique geogrid system and ground source heat pumps inside the homes to heat and cool the homes. Staff finds that creating a true mix of land use where housing, services and jobs are found in a walkable environment also utilizes the infrastructure in an optimal way.

(b) Reduced traffic demands;

This is also true with reducing traffic demands. Allowing people to live close to where they live and obtain their services reduces traffic.

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

The pedestrian park system as proposed in the linear park/trail system as shown on the proposed ODP will ultimately tie the G Road corridor to Canyon View Park and will increase public open space by approximately 0.7 acres, in addition to beautifying the G Road corridor.

(d) Other recreational amenities;

Biking and walking is an important activity in the region and will benefit from the landscaped park/trail system as proposed and the pedestrian amenities such as benches provided for gathering and socializing that are proposed. This will be an important segment in the trail corridor in creating connectivity of the trail system as the larger neighborhood develops..

(e) Needed housing types and/or mix;

The applicant has stated that "clustered residential density that will be accomplished with this PD is badly needed by the city. This project will create more affordable and diversified housing. Because of the proximity to Community Hospital, the PD will allow such needed housing mixes as assisted care and memory care housing as well as age in place homes and extended care facilities. The PD will also allow hotels, apartments and low maintenance townhomes. This variety of housing types will significantly address the needs of the community in this part of the city." Staff concurs that a mix of housing types in one area is a benefit to the city.

(f) Innovative designs;

The proposed formal linear park/trail system is innovative and not seen elsewhere in Grand Junction along minor arterial roadways such as G Road. The propose use of geothermal energy for housing and nonresidential construction is innovative as well.

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

The applicant states they are working with local builders to introduce more energy efficient homes using geothermal heating and cooling, as well as energy producing solar voltaic on the homes. The result will be housing that is zero energy capable. This type of energy delivery is extremely friendly to the environment and also dramatically reduces outdoor sound pollution by eliminating noisy outdoor condensers. Staff concurs that these methods would greatly benefit the environment.

(h) Public art.

There is no specific public art proposed as a requirement of the ODP and rezone request, however with the development of the linear park/trail corridor future space would be available to introduce art into this development.

21.05.020 Default Standards.

The use, bulk, development, improvement and other standards for each planned development shall be derived from the underlying zoning, as defined in Chapter 21.03 GJMC. In a planned development context, those standards shall be referred to as default standards or default zone.

The proposed default zone of BP (Business Park) will apply for all bulk standards except for those deviations being requested as discussed in this staff report. There is no straight zone district found in the zoning code that supports the entire range of land uses proposed with this rezone to PD. The BP zone best complies with the intensity of nonresidential land uses proposed and supports the multi-family densities down to 8 du/ac, however the PD zone request is for single family and duplex land uses down to a minimum density of 5.5 du ac, similar to what is allowed in R-8. The R-8 zone district is an allowed zone district for the Business Park Mixed Use Land Use designation, but not for the Commercial/Industrial land Use designation the property is currently designated and proposed to remain. The Business Park Mixed Use land use designation does not allow for C-2 and I-1 zoning, therefore maintaining Commercial/Industrial is the preferred Land use designation.

21.05.030 Establishment of uses.

The same issues and reasoning for default standard deviations applies also to established land uses in the PD; because the BP zone best complies with the intensity of nonresidential land uses proposed and supports the multi-family densities down to 8 du/ac. The Zoning Code states that “the type and density of allowed uses should generally be limited to uses allowed in the default zoning”, but does not prohibit allowing a larger range of land use intensity and density to be allowed within a PD zone district.

21.05.040 Development Standards and Community Benefit.

This section of the code discusses residential density, nonresidential intensity and set back standards. In regards to reducing the minimum density to 5.5 du/ac, clearly this request is unique due to there not being any straight zone that permits the range of density requests coupled with the range of intensity of nonresidential lands uses requested. Because of this wider range of density and intensity requested under one PD zone district, there will be a higher level of compatibility focus when preliminary and final design of Pod 5 is submitted following rezone and ODP approval. Building and fire codes will be followed to ensure safety, increased screening of residential uses from nonresidential uses will be addressed through separation and/or building orientation, etc. Reduced setbacks are needed to provide a single family detached and attached housing product, thereby creating more housing choice. For maximum floor area for nonresidential development, it will be restricted to the default zone of BP which has no maximum building size or lot coverage.

The Community benefit proposed to allow for the approval of the deviations requested

as found under section 21.05.040(g) is “bike or pedestrian amenities” that will be provided in the proposed linear park and trail corridor, thus meeting community amenity No. 1: Transportation amenities including, but not limited to, trails other than required by multi-modal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelter.

The applicant is proposing as part of the Outline Development Plan (ODP) for The Community Pod 5 to establish a linear park and non-motorized trail that will run east to west along the southern portion of the property. It will also provide trail linkage stubbing to the east that will provide a future trail connection to the Leach Creek Active Transportation Corridor (as identified on the Grand Junction Circulation Plan Map) and currently being established along the east side of the 24 Road corridor.

G Road as a minor arterial road is shown on the Active Transportation Map as an active Transportation corridor, but expected to be constructed as a complete street cross section, constructed entirely within right-of-way. Pod 5 is proposing to construct the non-motorized facility outside of the 80 feet of right-of-way and enclose it within a 25 feet wide linear park facility with landscaping and pedestrian amenities, such as benches, trash receptacles, etc.

Pursuant to Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The request to approve The Community Pod 5 Outline Development Plan is consistent with the following Goals and Policies of the Comprehensive Plan. It is also in conformance with four of the six Guiding Principal of the Comprehensive Plan as discussed previously in this staff report.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy A. To create large and small “centers” throughout the community that provide services and commercial areas.

Policy B. Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy B. Encourage mixed-use development and identification of locations for increased density.

Proposed Pod 5 is a mixed use development that provides a large range of land uses including housing, services, retail uses, commercial, and employment; thereby providing the opportunity to reduce trips and housing for a variety of life stages. In addition, this proposed PD will allow a mix of housing types that provides housing choice at the potential of a full range of housing, single family detached to apartments/condos. Therefore, staff finds this criterion has been met.

b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.

(1) Subsequent events have invalidated the original premises and findings; and/or The original premises for the MU (Mixed Use) zone district was to provide for a transition from MU zoning found in the Village Center Future Land Use designation found along the 24 Road corridor and the Commercial/Industrial Future Land Use designation where this property resides and the Industrial Future Land Use designation to the west. Although this PD zone provides a transition between the Village Center zoning to the east and the industrial zoning to the west, the original premises is not invalidated. Therefore, Staff finds that this criterion has not been met.

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

"The Community" Planned Development received PD and ODP approval for mixed use in 2015 which was amended in 2019 to add additional housing types and densities, as well as modify the bulk standards, to allow for additional land uses and zoning deviations providing for a residential and commercial mixed use zoning. The PD zoning "The Community" received in 2019 is the same as proposed for the Pod 5 Rezone request to PD.

The condition of the Mesa Mall/24 Road area continues to change as new projects, such as Community Hospital, office, retail and lodging have come on-line. Housing demand community-wide has accelerated the past few years and is anticipated to be high in the 24 Road area in close proximity to the growing employment center and supportive services. Providing for a wide range of housing types, as proposed with Pod 5 development, allows for more flexibility in housing type that can meet the future demand in the 24 Road area and the Grand Junction community. Therefore, Staff finds that this criterion has been met.

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

All major utilities are available to the property and are adequate to serve the proposed density and intensity of development as proposed. Staff finds that this criterion has been met.

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

There are limited vacant properties in the Grand Junction city limits that are at the size and scale of the Pod 5 property. This proposed PD development of 39.2 acres is being planned for and will be a compatible addition to the 177-acre "The Community" Planned Development was approved May 15, 2019 by City Council. In addition, this location west of 24 Road is appropriate to have a range of land uses as proposed and in line with the land uses approved for "The Community" to the south. It further provides for infill development within the City limits south of I-70 in an area that has remained largely undeveloped for decades as commercial/industrial development has been built to the west of 23 ½ Road and residential development has been built to the east of 24 Road. The proposed PD zone increases the options of mixed use and will enhance and provide benefit to a new growth area within the city. However, with the recent PD zoning for 177-acre "The Community" to say that there is an inadequate supply, Staff finds this criterion has not been met.

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

Pod 5 development provides a mixed use neighborhood that meets the intent of the Comprehensive Plan. The proposed zoning will allow for additional housing types than the underlying zone district of Business Park allows. The PD will provide for a range and choice of housing opportunity that will appeal to a larger segment of the population. This provides a public benefit by encouraging development in an infill area where there is growth opportunity and providing additional housing types for varying life stages, all in an area near medical facilities, shopping and employment. Therefore, Staff finds that this criterion has been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone.

Reductions to setbacks were also established and approved for the four pods in "The Community". These same reductions are being sought for The Community Pod 5 development. Reduced setbacks for principal structure providing flexibility for

residential uses in construction and housing style are proposed. The Applicant is proposing to reduce front yard setbacks from 15 feet to 10 feet for principal structures, except for nonresidential structures along arterial streets such as 23 ½ Road. Setbacks for accessory structures will not change and remain at 25 ft. Side and rear setbacks will remain at 0 ft.

(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 and required in the Zoning and Development Code.

No changes are proposed to open space requirements. Open Space requirements will be determined by the type of use proposed.

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

No changes are proposed. Fencing and screening will be as per Code.

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

No changes are proposed. Landscaping will be as per Code.

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

No changes are proposed. Parking requirements will be as per Code.

(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 located in Pod 5 will be constructed in accordance with City standards.

d) The applicable corridor guidelines and other overlay districts.

The Pod 5 PD development is located with the 24 Road Corridor Zoning Overlay. Requirements of this Zoning Overlay will apply.

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

All major utilities are available to the property and are adequate to serve the density and intensity of development proposed. Staff finds that this criterion has been met.

f) Adequate circulation and access shall be provided to serve all development

Pods/areas to be developed.

Adequate circulation and access will be provided in accordance with the Grand Junction Circulation Plan and all applicable Codes, and as proposed with the ODP. Staff finds that this criterion has been met.

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

Screening and buffering will be provided as per Code and as previously discussed in this staff report will be finalized with preliminary and final subdivision development. Staff finds that this criterion has been met.

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

The proposed single family detached, single family attached (townhome), duplex development is proposed with a minimum density of 5.5 du/ac. This is an appropriate minimum density and is the same density found in the City's R-8 zone district. Multi-family uses will be required to have a minimum density of 12 du/ac with no change to the maximum density of 24 du/ac. Pod 5 will allow for the single family housing options, but will be further constrained with a maximum percentage 70% of the acreage can be developed with single family housing types. This provides assurance that the entire pod will not develop as single family housing, providing for a mixed use development to occur.

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

Following are the proposed changes to the dimensional standards proposed for Pod 5 of "The Community". Also included are minimum standards that are not changing from the BP default zone:

Dimensional Standards	Default BP	Proposed PD
Minimum Lot Area	1 acre	1,800 s.f.
Minimum Lot Width	100 ft.	20 ft.
Minimum Street Frontage	No Minimum	No change
Minimum Setbacks		
Front-Street (see footnote1)	15	10
Accessory (F/S/R)	25/5/10	No change
Side/Rear	10 / 10	0
Minimum and Maximum		

Density

S.F/attached/detached/duplex	8 du/ac	5.5 du/ac
Multi-family	8-24 du/ac	12/du/ac
Maximum Height	65 Ft.	No change

Footnotes:

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

With these proposed amendments there continues to be appropriate "default" or minimum standards for Pod 5 in this PD zoned district.

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

As noted earlier in this staff report, the proposed development schedule for Pod 5 states a Preliminary Development Plan for Pod 5 must be approved within six (6) years of the PD Ordinance. A Final Development Plan and plat shall be approved within eight (8) years, or the ODP will expire and the zoning will revert to the original MU.

FINDING OF FACT

After reviewing the request for approval to rezone from Mixed Use (MU) to Planned Development (PD) and approve an Outline Development Plan for 39.2 acres, located at 2372 G Road for The Community Pod 5, File number (PLD-2019-328), to include the land uses and deviations to the default zone of BP as outlined in this staff report, the following findings of fact have been made:

1. The Outline Development Plan conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code, including meeting more than one of the rezoning criteria provided in Section 21.02.140.

2. The PD and Plan achieves long-term community benefits by providing needed housing types and mix and reducing traffic demands.

3. Pursuant to 21.05.040(g) Deviation from Development Default Standards, it has been found to provide amenities in excess in what would otherwise be required by the code.

4. The Planned Development is consistent with the vision, guiding principles, goals and policies of the Comprehensive Plan.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as future development and related construction may have direct fiscal impact depending upon type of use.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4875, an ordinance zoning the Club Deal 127 Merk Grand Junction LP Development to a PD (Planned Development) Zone, by approving an Outline Development Plan for POD 5, with a default zone of BP (Business Park Mixed Use), located at 2372 G Road on final passage and order final publication in pamphlet form.

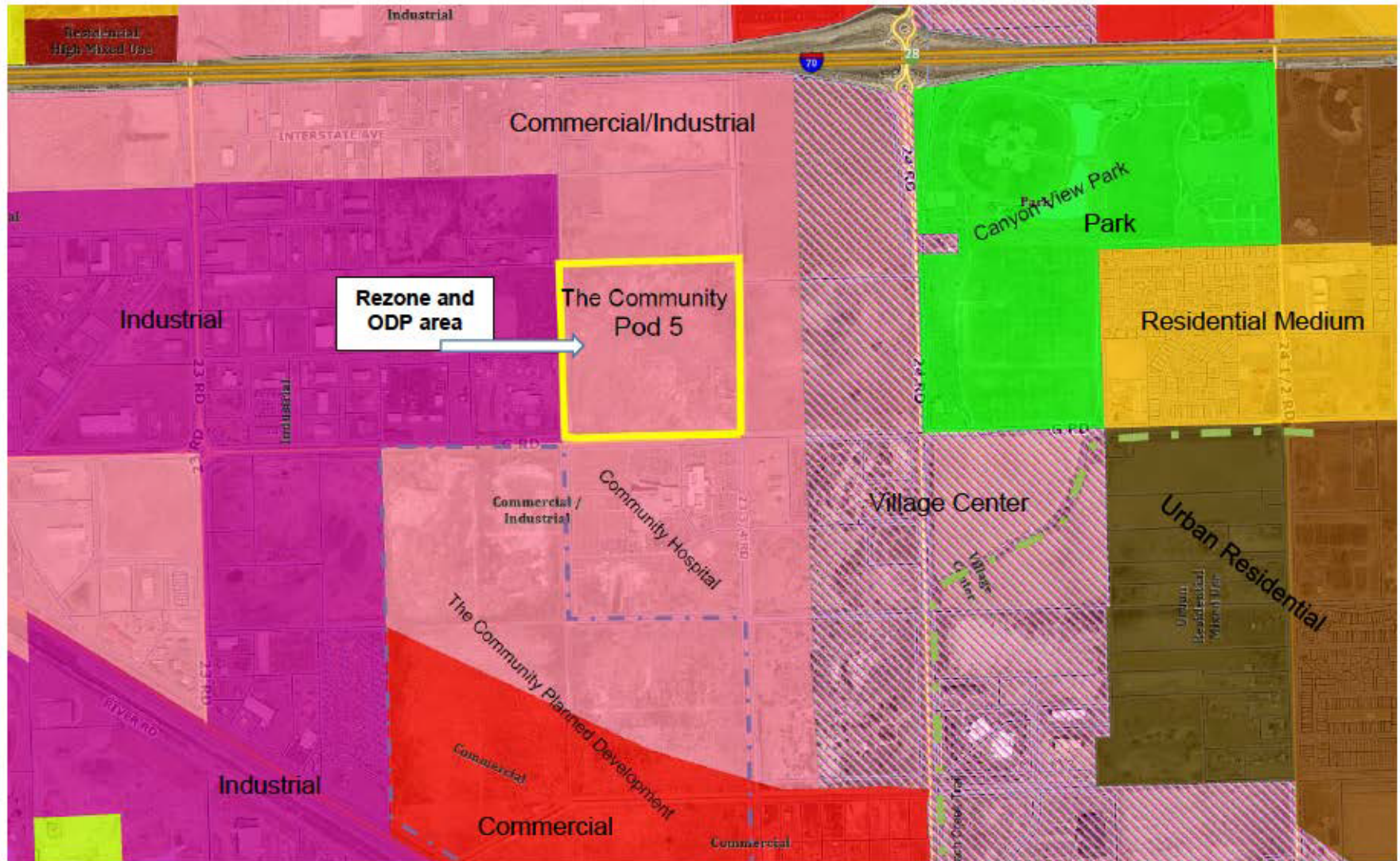
Attachments

1. Maps and Photos
2. ODP Map and Drawings
3. Development Application - Pod 5
4. Proposed Ordinance

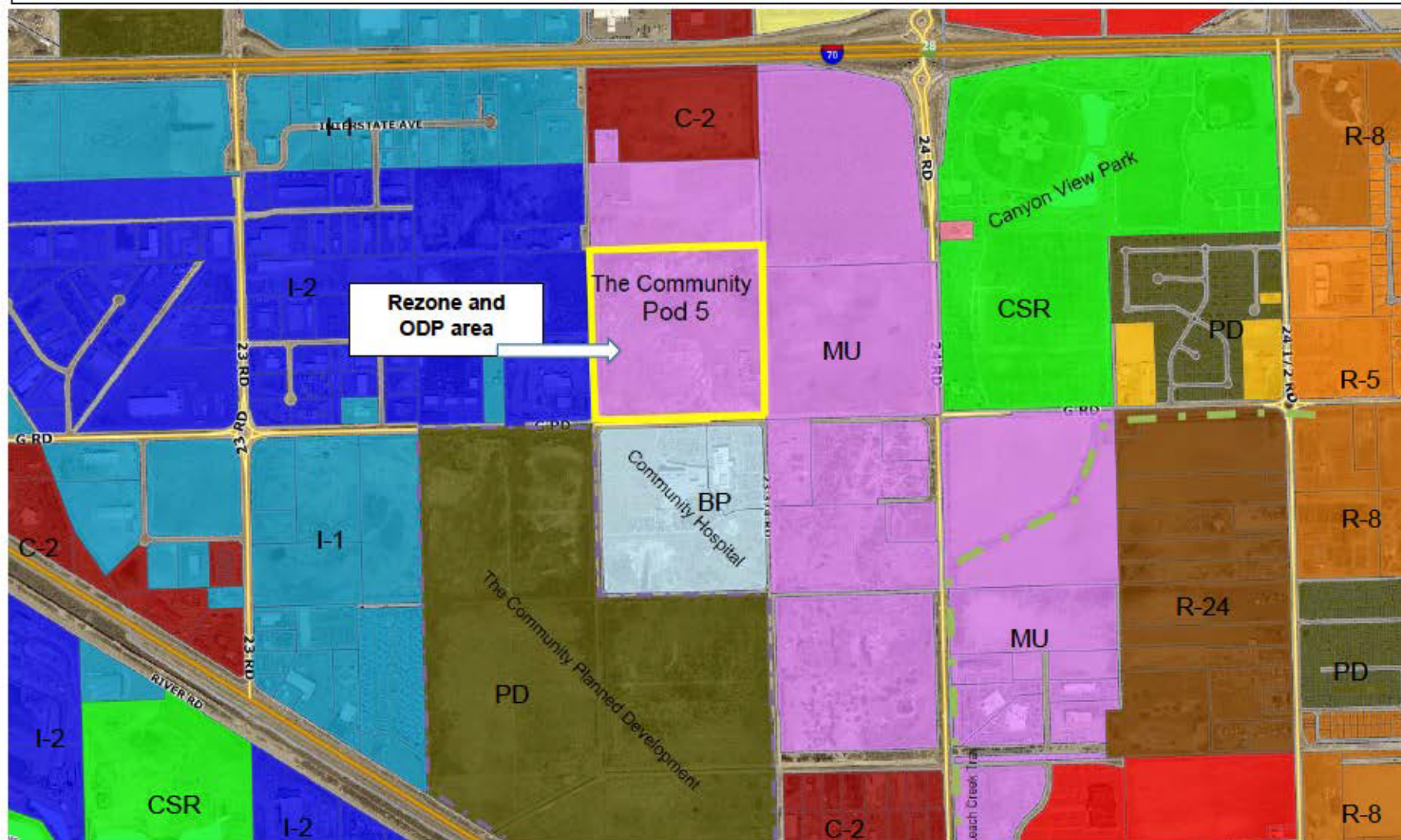
The Community Pod 5 Rezone to PD and ODP Site Location Map



The Community Pod 5 Rezone to PD and ODP Future Land Use Map



The Community Pod 5 Rezone to PD and ODP Existing Zoning Map

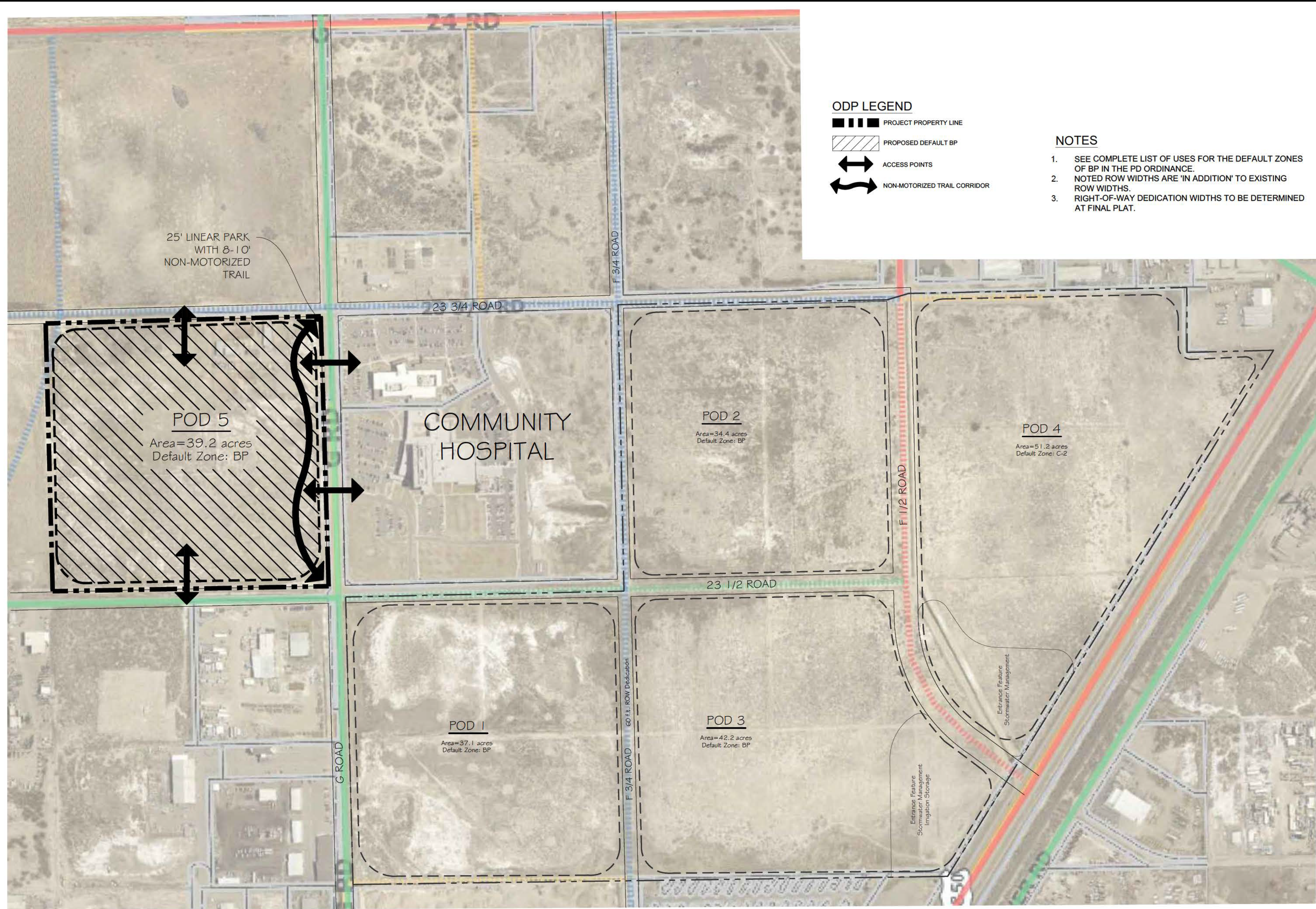


Site Photo - Southwest corner of Site looking Northeast



Site Photo - Southeast corner of Site looking Northwest





ODP LEGEND

- PROJECT PROPERTY LINE
- PROPOSED DEFAULT BP
- ACCESS POINTS
- NON-MOTORIZED TRAIL CORRIDOR

NOTES

- SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
- NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
- RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.

SCALE 1"=200'



DRAWN BY	MR
CHECKED	TC
JOB NO.	1917
DATE	08-13-2019
REVISIONS	

THE COMMUNITY POD 5
GRAND JUNCTION, CO

CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0745 P
970-241-0765 F
WWW.CLAVONNE.COM

THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

1-2

A REZONE OF POD 5 TO PD

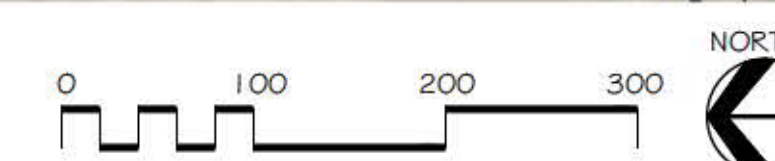
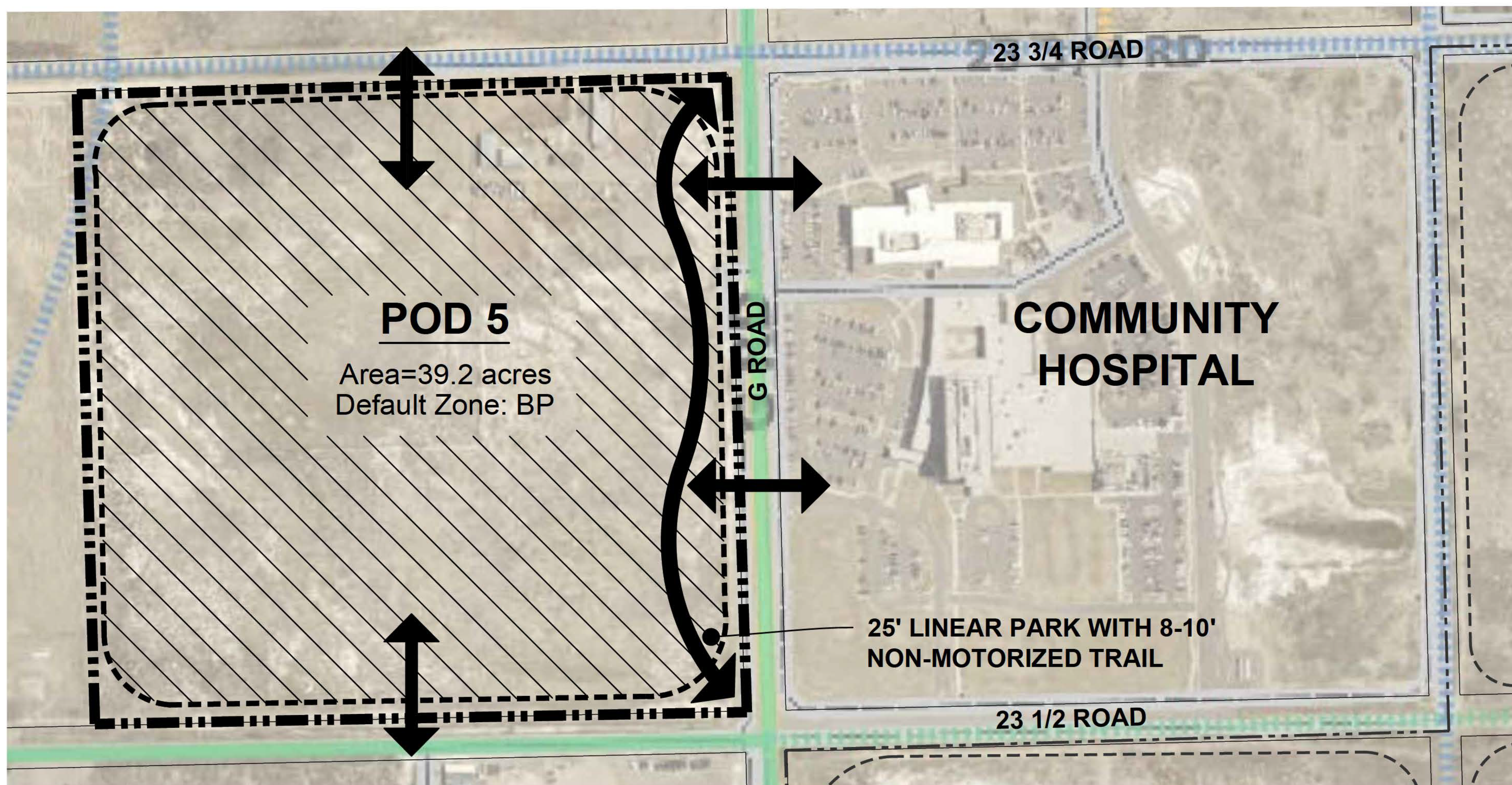


ODP LEGEND



NOTES

1. SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
2. NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
3. RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.



DRAWN BY MR
CHECKED TC
JOB NO. 1917
DATE 08-13-2019
REVISIONS

THE COMMUNITY POD 5
GRAND JUNCTION, CO

CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
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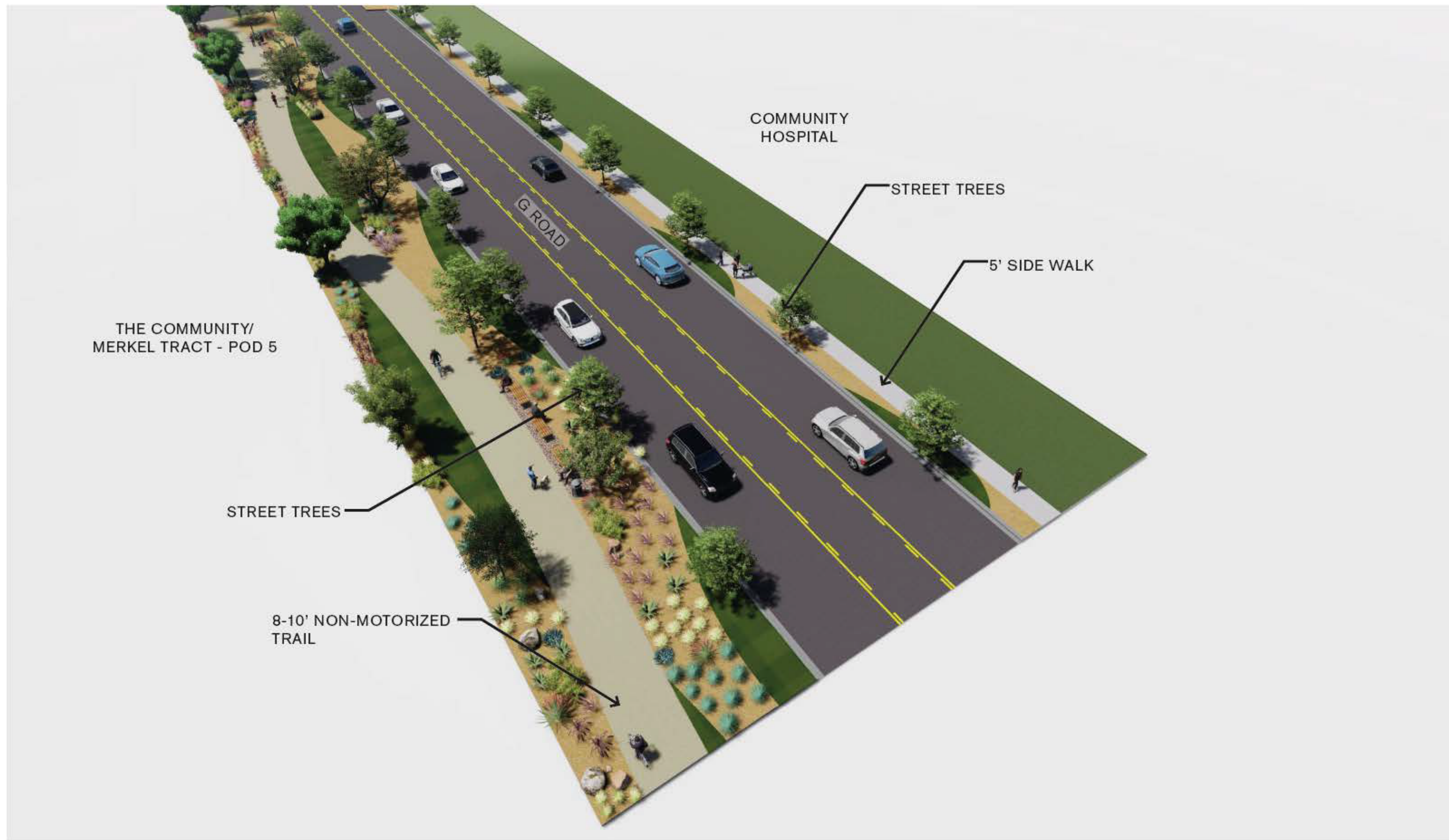
THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

2-2

A REZONE OF POD 5 TO PD



THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign.

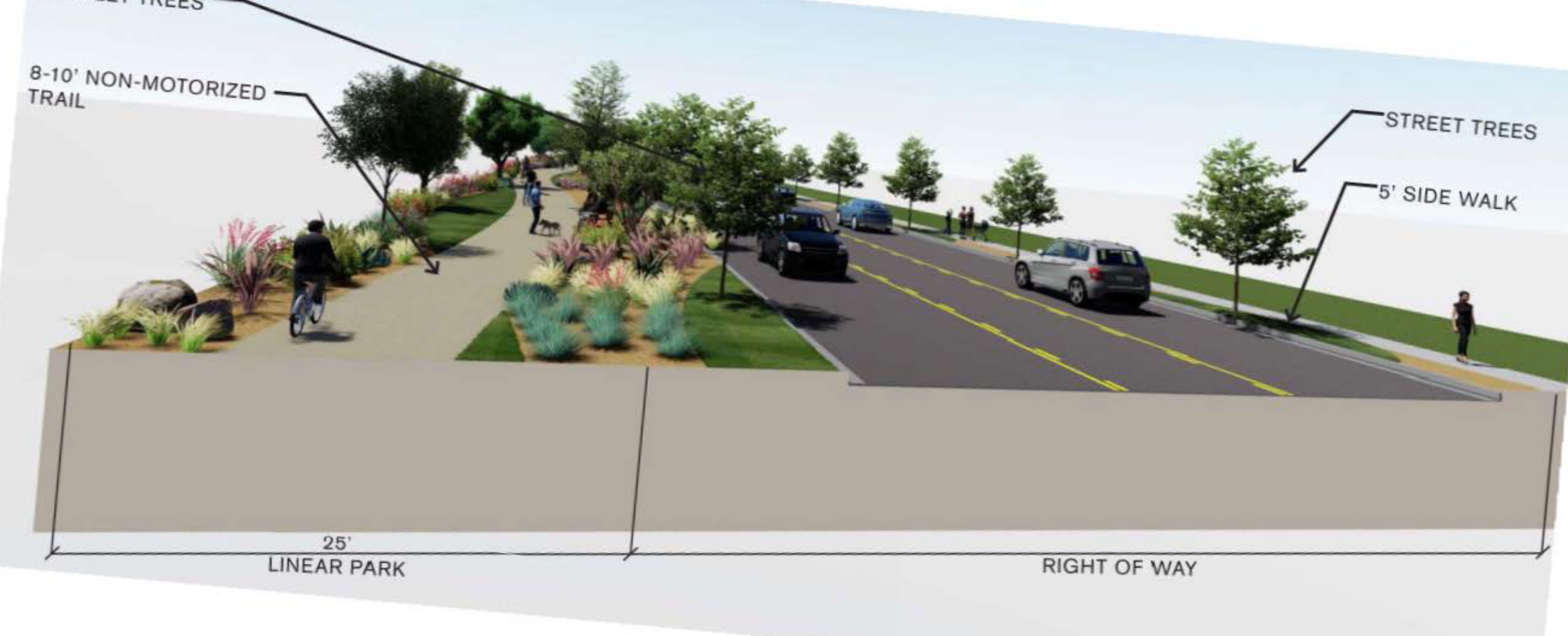
8-10' NON-MOTORIZED
TRAIL

STREET TREES

5' SIDE WALK

25'
LINEAR PARK

RIGHT OF WAY





THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign.



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: Planned Development - ODP

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

Existing Land Use Designation Light Commercial

Existing Zoning MU

Proposed Land Use Designation Residential/Health Care/Mixed Use

Proposed Zoning PD

Property Information

Site Location: 2372 G Road

Site Acreage: 39.25

Site Tax No(s): 2701-324-00-097

Site Zoning: MU

Project Description: Rezone to a PD/Anebd the Future Land Use Map

Property Owner Information

Name: Club Deal 124 Merck Grand Junction c/o Taurus of Texas GAP

Street Address: 9285 Huntington Sq.

City/State/Zip: North Richland Hills TX 76182

Business Phone #: 512-615-8818

E-Mail: dgilliland@tiholdings.com

Fax #: n/a

Contact Person: Douglas Gilliland

Contact Phone #: 512-615-8818

Applicant Information

Name: Taurus Investment Holdings LLC

Street Address: 505 East Hunting Drive Suite 560

City/State/Zip: Austin, TX 78752

Business Phone #: 512-615-8818

E-Mail: dgilliland@tiholdings.com

Fax #: n/a

Contact Person: Douglas Gilliland

Contact Phone #: 512-615-8818

Representative Information

Name: Ciavonne, Roberts Assoc

Street Address: 222 Nth 7th St

City/State/Zip: GJ, CO 81501

Business Phone #: 241-0745

E-Mail: ted@ciavonne.com

Fax #: n/a

Contact Person: Ted Ciavonne

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

Ted Ciavonne

Date

3/15/19

Signature of Legal Property Owner

Douglas Gilliland

Date

3/15/19

Rezone and Outline Development Plan for the Merkel Tract POD 5

General Project Report

Project Overview

The applicant, Club Deal 127 Merk Grand Junction LP (c/o Taurus of Texas), is requesting approval of a Rezone and Outline Development Plan (ODP) for approximately 39 acres of property located at 2372 G Road, Grand Junction, Colorado. The property is currently zoned Mixed Use (MU), and this request is to change it to a Planned Development (PD) zone. The intentions are to create compatible uses of this +39 acre property with the recently amended Ordinance 4676 which is the 177 acre tract to the south known as The Community. This +39-acre property is referred to as The Merkel Tract, Pod 5 (herein referred to as POD 5).

Like three of the four Pods in The Community Planned Development ODP to the south, POD 5 will be a PD Zone with an underlying default zone of Business Park Mixed Use (BP). Specifically it will be similar to Pod 1 characteristics of The Community Planned Development ODP.

The following Code Sections are addressed in this report and/or its attachments:

- o Section 21.02.140 – Rezone from Mixed Use (MU) to Planned Development (PD);
- o Section 21.02.150 – Outline Development Plan (ODP) with underlying zoning of BP.

A. Project Description

Location

- 2372 G Road, Grand Junction, Colorado ... immediately north of Community Hospital across G Road.

Acreage

- Approximately +39 acres.

Proposed Use

- Rezone from MU to PD; the Default zone will be BP;
- POD 5 will allow Medical Office/Clinic, Group Living, Restaurants, General Office, Hotel, Attached, Detached Residential and Multi-Family Residential land uses. 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 5. Multi-Family residential uses shall have a density between 12 and 24 units per acre. See Item E Below for a more complete list of allowed uses.

B. Public Benefit

The development of Community Hospital is a game changer to the potential types of development that will now want to locate in that area, particularly the types of businesses and the residential support to the hospital and surrounding uses. In addition, the city needs more clustered density residential to provide housing as Grand Junction grows and adds more jobs. Clustered density residential with a minimum of 5.5 units to the acre along with other types of residential uses such as aging in place, extended stay, memory care facilities, hotels and apartments are needed in this area because of the presence of Community Hospital. These types of diverse residential uses will increase the success of the hospital in serving the community. In addition, the proximity of major parks like Canyon View Park and the expansion of the community pedestrian connection program from that park and through this land will enhance the quality of life for the city in this area. Public benefits from this Rezone and ODP include:

- The development of property within the City 201 boundary;
- The facilitation of business and residential development that will support the community's newest hospital and existing businesses in the area;
- the similarity of this POD 5 with the existing 'The Community Planned Development';
- The provision of a non-motorized trail within a 25' wide pedestrian corridor;
- Commitment to landscaping, including limited site furniture, within the +/- 1/3 acre pedestrian corridor containing the non-motorized trail through the Merkel Tract Pod 5;
- The ability to proceed with a destination quality development plan for one of the largest and most strategic vacant parcels in the City;
- Being the catalyst for new road, drainage, and utility improvements within the City system, in an area that is critical to the growth of the city and has been overlooked for decades.

C. Neighborhood Meeting

A neighborhood meeting was held on March 7, 2019 for both the amendments to The Community ODP (fka One West), and for this POD 5 parcel that would be rezoning with a PD / ODP.

D. Project Compliance, Compatibility, and Impact

Adopted Plans and Policies

The proposed PD /ODP conforms to the Growth Plan, the City Zoning and Development Code, and known City regulations.

Surrounding Land Use

- NORTH is vacant
- EAST is vacant
- SOUTH is Community Hospital
- WEST is Industrial and Vacant

Adjacent zoning:

- NORTH is MU
- EAST is MU
- SOUTH is BP
- WEST is I2

Site Access & Traffic Patterns

Access is not modified by the proposed rezone. Access to the acreage includes G Road on the south and 23½ Road on the west. Access within the property is non-existent for the most part.

Availability of Utilities

Some of the necessary infrastructure and utilities are constructed to the perimeter of the project.

- Water – Ute
- Sewer – City
- Drainage – Grand Junction Drainage District
- Irrigation water – Grand Valley Irrigation Company
- Power / gas – Grand Valley Power, Excel gas
- Telephone – Qwest
- Cable TV – Bresnan

Special or Unusual Demands on Utilities

There are no known special or unusual demands on the utilities.

Effects on Public Facilities

The proposed rezone will have no unusual impacts on Public Facilities.

Site Soils

NA to this rezone.

Impact on Geology and Geological Hazards

No known geological hazards exist on this property.

Hours of Operation

NA to this rezone.

Number of Employees

NA to this rezone.

Signage Plans

NA to this rezone.

E. Additional General Report Discussion Items

The following Code Sections are addressed as listed below:

- o Section 21.02.140 – Rezone from Mixed Use (MU) to Planned Development (PD);
- o Section 21.02.150 – Outline Development Plan (ODP) with underlying zoning of BP.

21.02.140 Code amendment and rezoning. (see Outline Development Plan)

The applicant is seeking a rezone of the +39 acre property from MU to Planned Development (PD) which would make it compatible with the zoning of the approximate 177 acres of The Community Planned Development.

*(a) **Approval Criteria.** In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:*

- (1) Subsequent events have invalidated the original premises and findings; and/or*
 - We are not seeking a map amendment, only a rezone; however, the adjacent subdivision and PD zoning by One West (recently amended by Taurus) along with the construction of Community Hospital, are both events that invalidate the original premises and findings;
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or*
 - The character of the area has changed with the approval of the One West (now The Community) ODP and the construction of Community Hospital.
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
 - There are no additional demands on Public and community facilities associated with the rezone from MU to PD.
- (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*
 - Large contiguous parcels of property that can be master planned are rare in the community. Residential growth pressure is high throughout the community.
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
 - These were noted in 'B. Public Benefits' above.

21.02.150 Planned development (PD). (see Outline Development Plan)

The Planned Development (PD) / Outline Development Plan (ODP). With this approval, the land uses in POD 5 will be consistent with the 177 ac planned development to the south and allow the area to be

uniformly zoned PD and overall Outline Development Plan (ODP). This ODP proposes the underlying zoning of BP which correlates to the existing Comprehensive Plan.

(a) Purpose. The planned development (PD) district is intended to apply to mixed use or unique single use projects to provide design flexibility not available through strict application and interpretation of the standards established in Chapter 21.05 GJMC. The PD zone district imposes any and all provisions applicable to the land as stated in the PD zoning ordinance. The purpose of the PD zone is to provide design flexibility as described in GJMC 21.05.010. Planned development rezoning should be used when long-term community benefits will be derived, and the vision, goals and policies of the Comprehensive Plan can be achieved. Long-term community benefits include:

- (1) More efficient infrastructure;*
 - The Community Planned Development, (the existing PODS 1-4), and this POD 5 is the catalyst for road and utility infrastructure into this underdeveloped area of Grand Junction;
- (2) Reduced traffic demands;*
 - This Planned Development will include on and off-street pedestrian ways that can be interconnected to the larger community, potentially to Canyon View Park, and through The Community to the Colorado Riverfront.
- (3) More usable public and/or private open space;*
 - See (2) above for "usable" open space.
 - PODs 1-5 in their entirety, allow for regional detention that also serves as open space.
- (4) Recreational amenities; and/or*
 - This PD Zone does not in itself provide recreational amenities beyond that noted in (2) above; however, the proposed linear trail corridor will be providing connectivity to the Grand Valley Circulation Plan.
- (5) Needed housing choices.*
 - This POD 5, and the four PODs in The Community Planned Development all include a range of housing types, as noted in the 'allowed uses'. The PD / ODP allows for product flexibility to respond to market "needs".

(b) Outline Development Plan (ODP). (see Outline Development Plan)

(1) Applicability. An outline development plan is required. The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the approval of a final plat. At ODP, zoning for POD 5 is established. This step is recommended for larger, more diverse projects that are expected to be developed over a long period of time. Through this process, the general pattern of development is established with a range of densities assigned to individual "pods" that will be the subject of future, more detailed planning.

(2) Approval Criteria. An ODP application shall demonstrate conformance with all the following:

- (i) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;*
 - Approval of demonstrated conformance has been requested as part of this submittal;
- (ii) The rezoning criteria provided in GJMC 21.02.140;*
 - Approval of demonstrated conformance has been requested as part of this submittal;
- (iii) The planned development requirements of Chapter 21.05 GJMC;*
 - Approval of demonstrated conformance with Chapter 21.05 has been addressed above, or within the ODP drawing, and is requested as part of this submittal;
- (iv) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24 and 25;*
 - This PD is subject to the 24 Road Design Standards;
- (v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;*
 - This is appropriately addressed at time of Final Development Plans;
- (vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed;*
 - This is appropriately addressed at time of Final Development Plans;

- (vii) *Appropriate screening and buffering of adjacent property and uses shall be provided;*
 - This is appropriately addressed at time of Final Development Plans;
- (viii) *An appropriate range of density for the entire property or for each development pod/area to be developed;*
 - Approval of demonstrated conformance has been requested as part of this submittal, and is specifically addressed on the ODP drawing;
- (ix) *An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;*
 - Approval of demonstrated conformance has been requested as part of this submittal, and is specifically addressed on the ODP drawing;
- (x) *An appropriate phasing or development schedule for POD 5; and*
 - Approval of demonstrated conformance has been requested as part of this submittal, and is specifically addressed on the ODP drawing and related exhibits;
- (3) *Decision-Maker.*
 - (i) *The Director and Planning Commission shall make recommendations to City Council.*
 - (ii) *City Council shall approve, conditionally approve or deny all applications for an ODP and accompanying planned development rezoning.*
- (4) *Additional Application and Review Procedures.*
 - (i) *Simultaneous Review of Other Plans. An applicant may file an ODP with a final development plan for all or a portion of the property, as determined by the Director at the preapplication conference.*
 - (ii) *Density/Intensity. Density/intensity may be transferred between development pods/areas to be developed unless explicitly prohibited by the ODP approval.*
 - (iii) *Validity. The effective period of the ODP/phasing schedule shall be determined concurrent with ODP approval.*
 - (iv) *Required Subsequent Approvals. Following approval of an ODP, a subsequent final*

F. Development Schedule and Phasing

POD 5 intends on breaking ground for Phase 1 in the next 24 months. It is anticipated that each following Phase will be spread over multiple years. Understanding that the City permits a 10-year Phasing Plan, the applicant will seek the allowed two years between earlier Phases (acknowledging potential extensions), along with some one-year phasing for an estimated eight phases.

Formation of a Metro District (2)

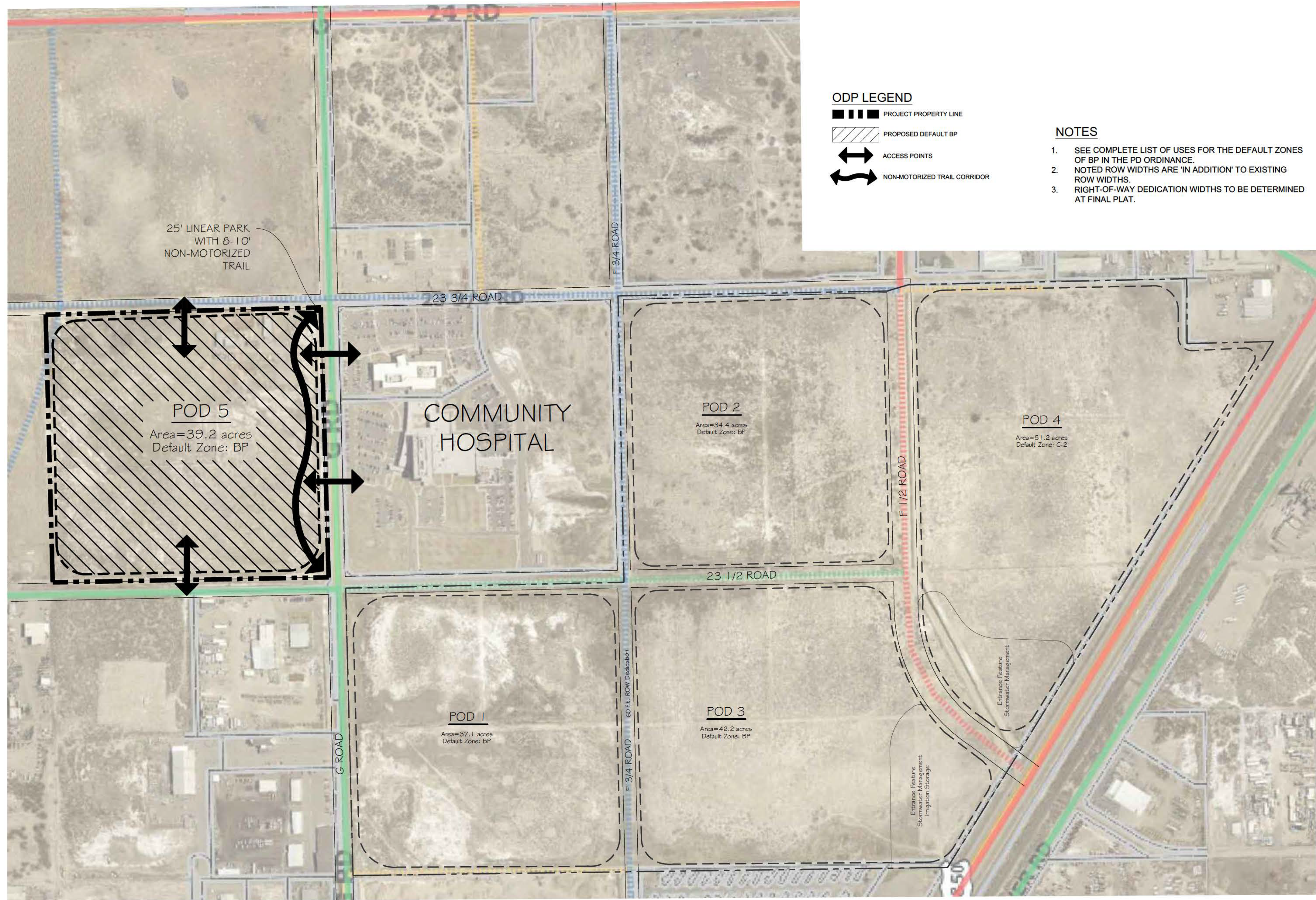
It is anticipated that POD 5 will experience significant development expenses both on site and off site. To help alleviate the burden of these costs the developer may be asking the city to allow a Metro District to be formed along with other possible reimbursement mechanisms to help defray these costs and to provide the best possible community in the most efficient manner.

G. Authorized Uses

1. The list of authorized uses allowed within the BP zone includes only the following, which are allowed without the need for approval of a conditional use permit.
 - a) POD 5 – BP Default Zone
 - 1) Colleges and Universities
 - 2) Multifamily
 - 3) Single Family Detached, Single Family Attached, Townhomes, Accessory Dwelling Units, Duplexes, Business Residences
 - 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 and Lodging
- 14) General Offices
- 15) Health Club
- 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
- 26) Personal Services
- 27) All other Retail Sales and Services
- 28) Mini-Warehouse- Self Storage
- 30) Car Wash, Gasoline Service Station
- 37) Bus/Commuter Stops
- 38) Agricultural Uses*
- 39) Government and Public Use Facilities
- 40) Parks and Open Space

* 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.



ODP LEGEND

- PROJECT PROPERTY LINE
- PROPOSED DEFAULT BP
- ACCESS POINTS
- NON-MOTORIZED TRAIL CORRIDOR

NOTES

- SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
- NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
- RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.

SCALE 1"=200'



DRAWN BY	MR
CHECKED	TC
JOB NO.	1917
DATE	08-13-2019
REVISIONS	

THE COMMUNITY POD 5
GRAND JUNCTION, CO

CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0745 P
970-241-0765 F
WWW.CRAVONNE.COM

THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

1-2

A REZONE OF POD 5 TO PD

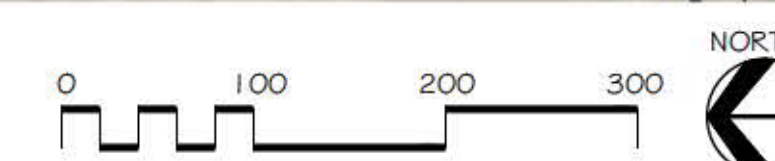
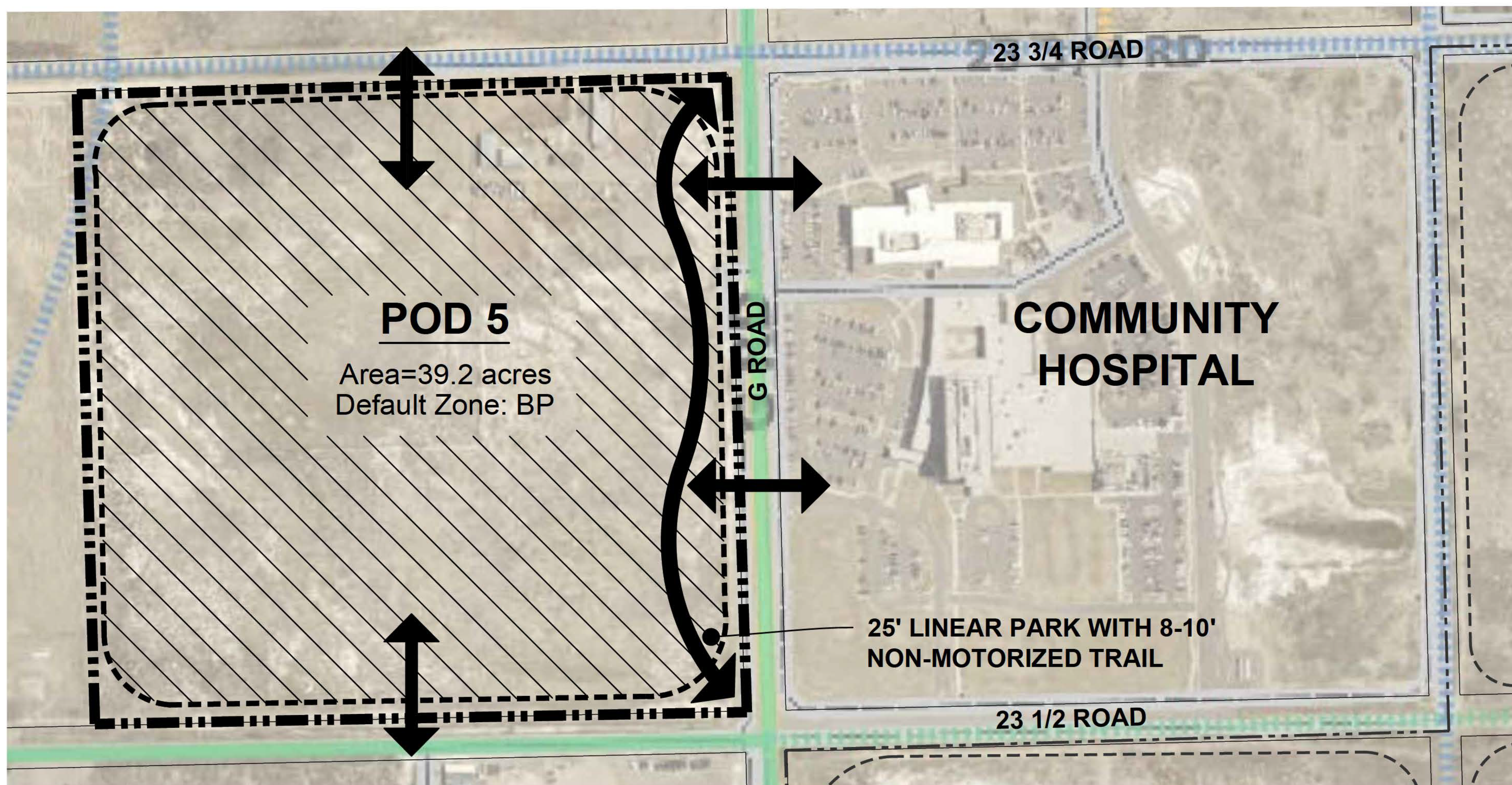


ODP LEGEND



NOTES

1. SEE COMPLETE LIST OF USES FOR THE DEFAULT ZONES OF BP IN THE PD ORDINANCE.
2. NOTED ROW WIDTHS ARE 'IN ADDITION' TO EXISTING ROW WIDTHS.
3. RIGHT-OF-WAY DEDICATION WIDTHS TO BE DETERMINED AT FINAL PLAT.



DRAWN BY MR
CHECKED TC
JOB NO. 1917
DATE 08-13-2019
REVISIONS

THE COMMUNITY POD 5
GRAND JUNCTION, CO

CLAVONNE, ROBERTS & ASSOCIATES, INC.
LAND PLANNING AND
LANDSCAPE ARCHITECTURE
222 N. 7TH STREET
GRAND JUNCTION, CO 81501
970-241-0745 P
970-241-0765 F
WWW.CLAVONNE.COM

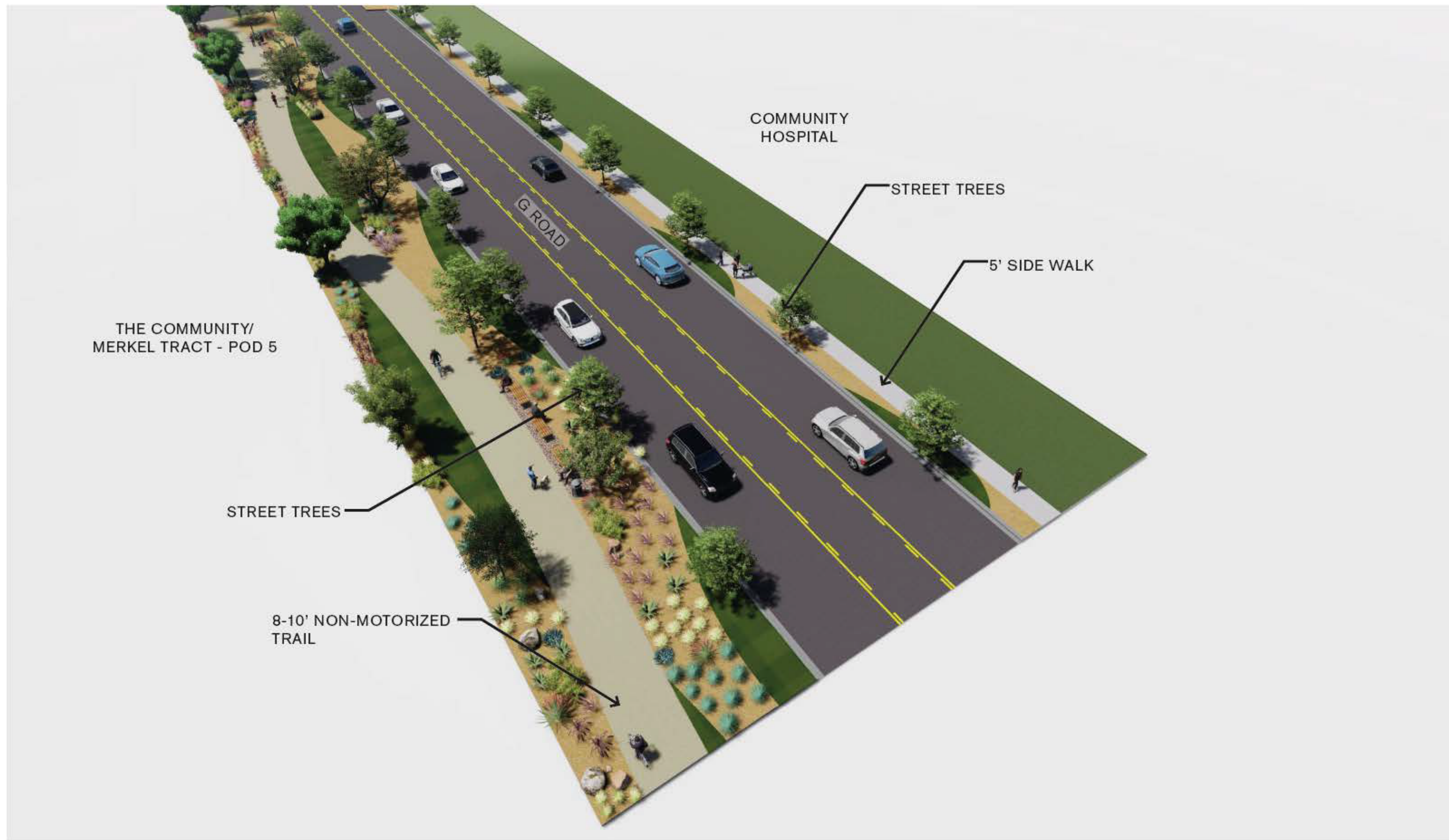
THE COMMUNITY
POD 5

OUTLINE DEVELOPMENT
PLAN

SHEET NO.

2-2

A REZONE OF POD 5 TO PD



THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign.

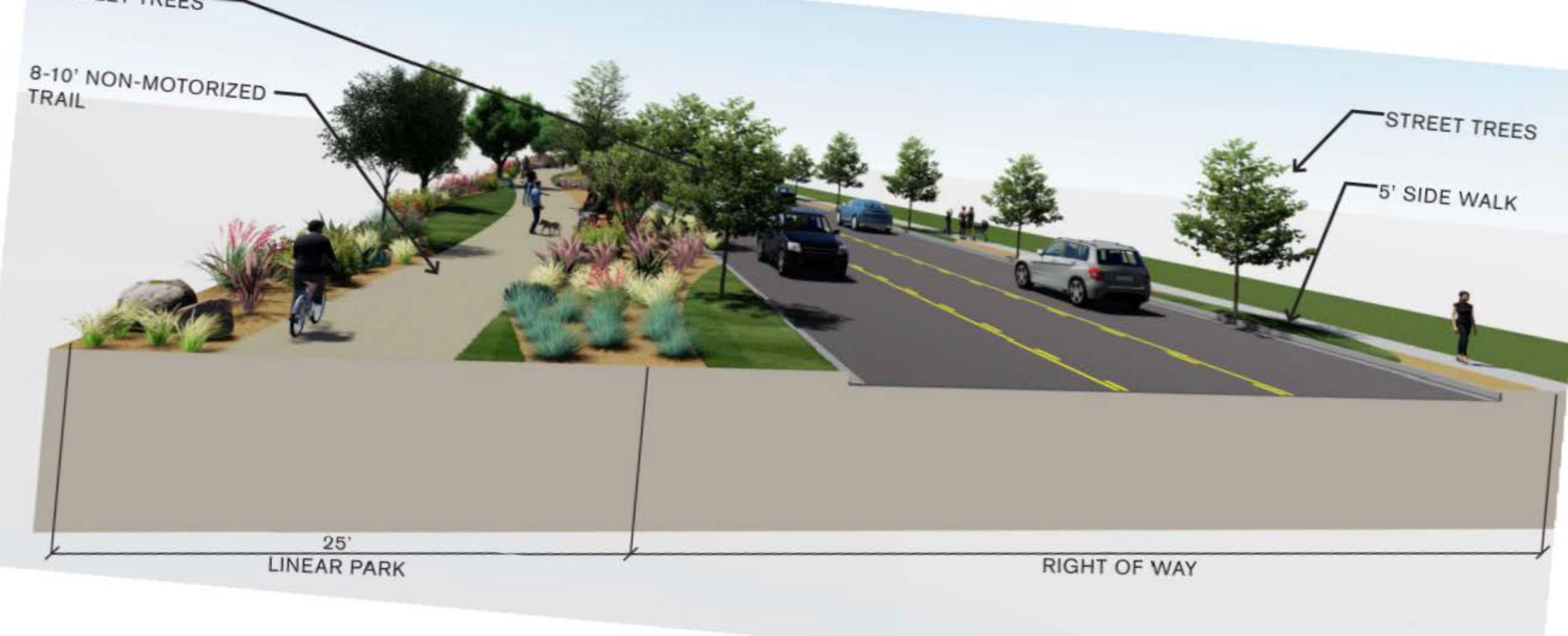
8-10' NON-MOTORIZED
TRAIL

STREET TREES

5' SIDE WALK

25'
LINEAR PARK

RIGHT OF WAY





THE COMMUNITY - POD 5 GRAND JUNCTION, CO ▪ LINEAR PARK AND TRAIL

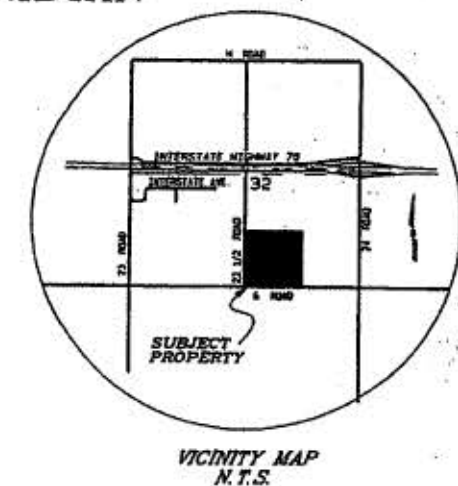
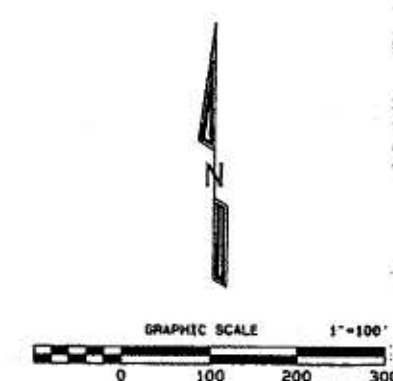
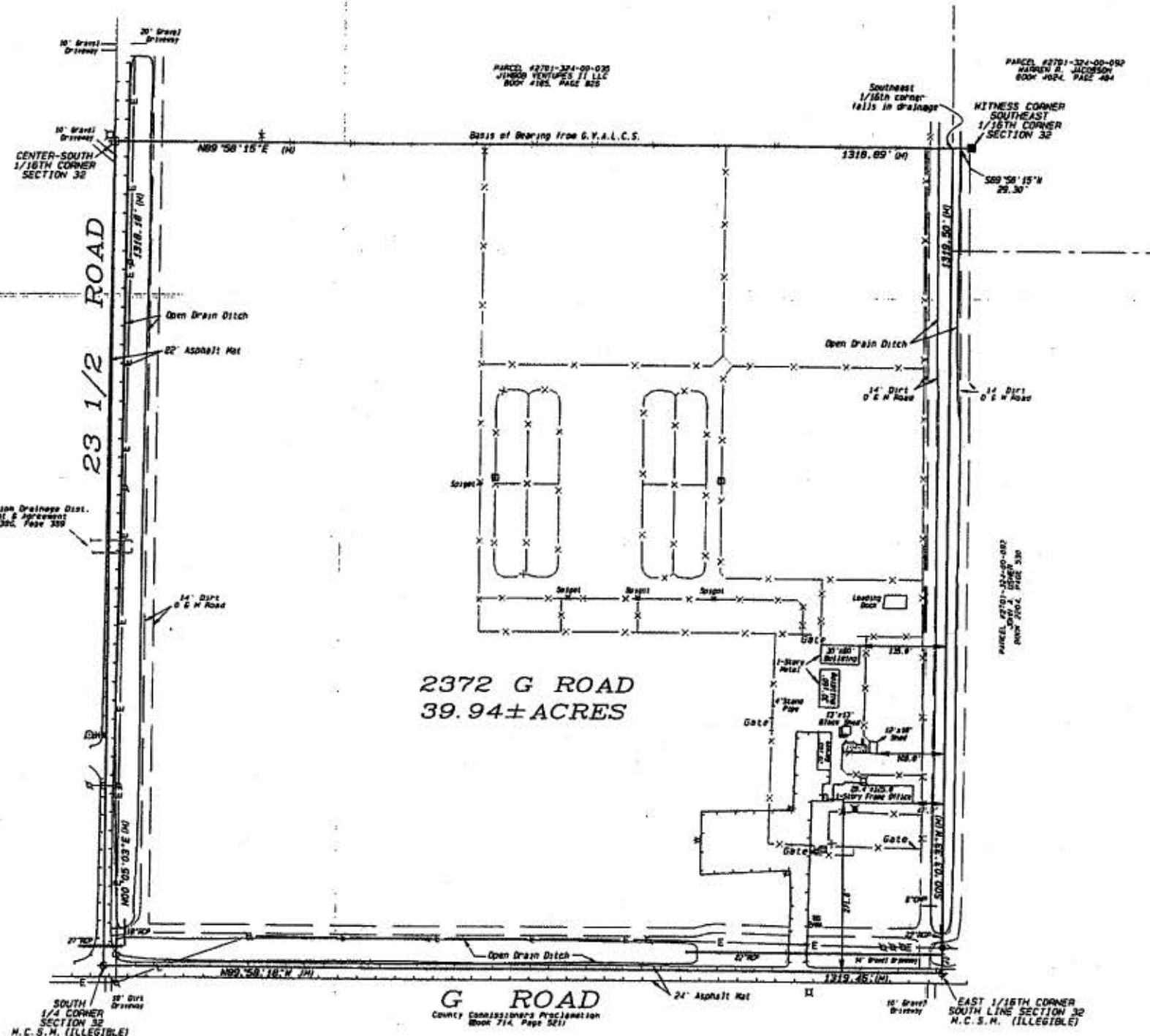
PN 3519005 | 08.14.2019 | TAURUS INVESTMENT HOLDINGS

LandDesign.



ALTA/ACSM LAND TITLE SURVEY

SW 1/4 SE 1/4 SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN



PROPERTY DESCRIPTION AS SHOWN ON TITLE POLICY

The Southwest 1/4 of the Southeast 1/4 of Section 32, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

LEGEND & ABBREVIATIONS

◆ FOUND MESA COUNTY SURVEY MARKER (MCSM)	OW WATER METER
⊕ FOUND 3" ALUMINUM CAP ON 2 7/8" IRON PIPE STAMPED "LS 24943"	Spigot X WATER SPIGOT
■ FOUND 3 1/4" ALUMINUM CAP ON #6 REBAR STAMPED "THOMPSON LANGFORD CORP PLS 18478"	X ELECTRIC BOX
● FOUND 2" ALUMINUM CAP STAMPED "THOMPSON LANGFORD CORP PLS 18478"	* LIGHT POLE
⊠ TELEPHONE PEDESTAL	⊞ ELECTRIC OUTLET
◇ POWER POLE	CHP = CORRUGATED METAL PIPE
⊙ FIRE HYDRANT	RCP = REINFORCED CONCRETE PIPE
- WATER VALVE	W.C. = WITNESS CORNER
- FENCE LINE	O & M = OPERATION & MAINTENANCE
- OVERHEAD POWER LINE	BO = WATER BLOWOFF VALVE
- EDGE ASPHALT ROAD	(M) = MEASURED
	G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM

SURVEYOR'S CERTIFICATE

To Taurus of Texas Holding LP, a Texas Limited Partnership, Club Deal 127 West Grand Junction Limited Partnership, a Delaware Limited Partnership, Key Law Offices and Abstract Title Co. of Mesa County, Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes items 1, 2, 3, 6 and 10, of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Colorado, the Relative Positional Accuracy of this survey does not exceed 0.07 feet for 20 mph +50ppm.

Date: July 31, 2007
Registration No. 24306



JULY 31, 2007 REVISION TO CERTIFICATION ONLY.

ALTA/ACSM LAND TITLE SURVEY
LOCATED IN THE
SW 1/4 SE 1/4 SECTION 32, T.1N., R.1W., U.M.
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

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

Designed By: S.L.H. Checked By: M.W.D. Job No. 835-06-04
Drawn By: TERRAMODEL Date: AUGUST 2006 Sheet: 1 OF 1

PLAT NOTES

Grand Junction Drainage District claims an easement of a width necessary for operation and maintenance of drain ditches on west, east and south sides of property.

Subject property falls within Flood Zone X (Areas determined to be outside 500 year flood plain) as shown on Flood Insurance Rate Map, Community Panel No. 080115 0400 E, Panel 460 of 1000.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of this certification/statement shown hereon.

ZONING INFORMATION

SOURCE: CITY OF GRAND JUNCTION ZONING REGULATIONS
ZONED: MU (Mixed Use)
MINIMUM LOT SIZE: WIDTH = 100.00'
MINIMUM AREA = 1.0 ACRE
MINIMUM SETBACKS
FRONT = 15.0'
SIDE = 15.0'
REAR = 25.0'
MAXIMUM FLOOR AREA RATIO = 0.50
MAXIMUM HEIGHT = 40.0'

Legal Description

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

Grand Junction Fire Department New Development Fire Flow Form

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

SECTION A

Date: 05-02-19
Project Name: MERKEL G ROAD PROPERTY
Project street address: 2372 G Road
Assessor's Tax Parcel Number: 2701-324-00-097
Property Owner name: Club Deal 127 Merk Grand Junction
City or County project file #:
Name of Water Purveyor: Ute

Applicant Name/Phone Number: Mark Austin / 242-7540
Applicant E-mail: mark@austincivilgroup.com

1. If the project includes one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be 3,500 square feet.
 - b. All dwelling units will ☐, will not ☒ include an approved automatic sprinkler system.Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC]) for all buildings used to determine the minimum fire flow requirements: 5,000 SF Commercial Bldgs -
 - b. List each building that will be provided with an approved fire sprinkler system: _____
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]): 1,500 gpm

Comments: _____

Notes:

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

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1,000 gpm at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

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

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

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

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

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

See Attached Map

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

See Attached Results

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

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

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

Dusty kriegshauser Maintenance I/Hydrants

Date: 5/3/2019

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

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

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

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

³ International Fire Code, 2012 Edition

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

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

Fire Flow Hydrant Master With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



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

Work Order: 841
Operator: Dusty K, Cody W

Test Date: 5/3/19 12:00 am

NFPA Classification:

Blue AA

4491.12

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

Test Hydrant: 4334

Address: _____ G Rd

Cross Street: _____

Location: _____

District: _____

Sub-Division: Community Health & Wellness Sub

Latitude: 706037.975

Longitude: 4331184.666

Elevation: 4546.63

State X / Y: _____ / _____

Pumpers:

Nozzles:

Open Dir:

Manuf: Kennedy
Model: Guardian

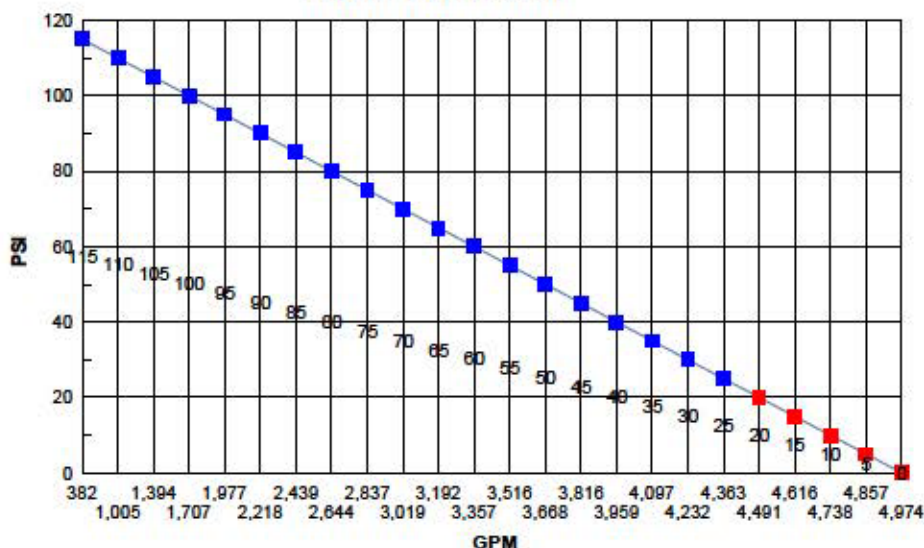
Installed: 01/01/2012
Main Size: 0.00

Vandal Proof:
Bury Depth: 0.00

	Flow Hydrant	Flow Device	Diameter	GPM	Gallon Used
1:	4333	2.5" Hose Monster	2.50	1250.89	6254.45
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 55.00	Total Gallons Used: 6254.45
Static PSI: 116.00	Max GPM during test: 1,250.89
Residual PSI: 107.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 7.76	Predicted GPM @ 20 PSI: <u>4491.12</u>

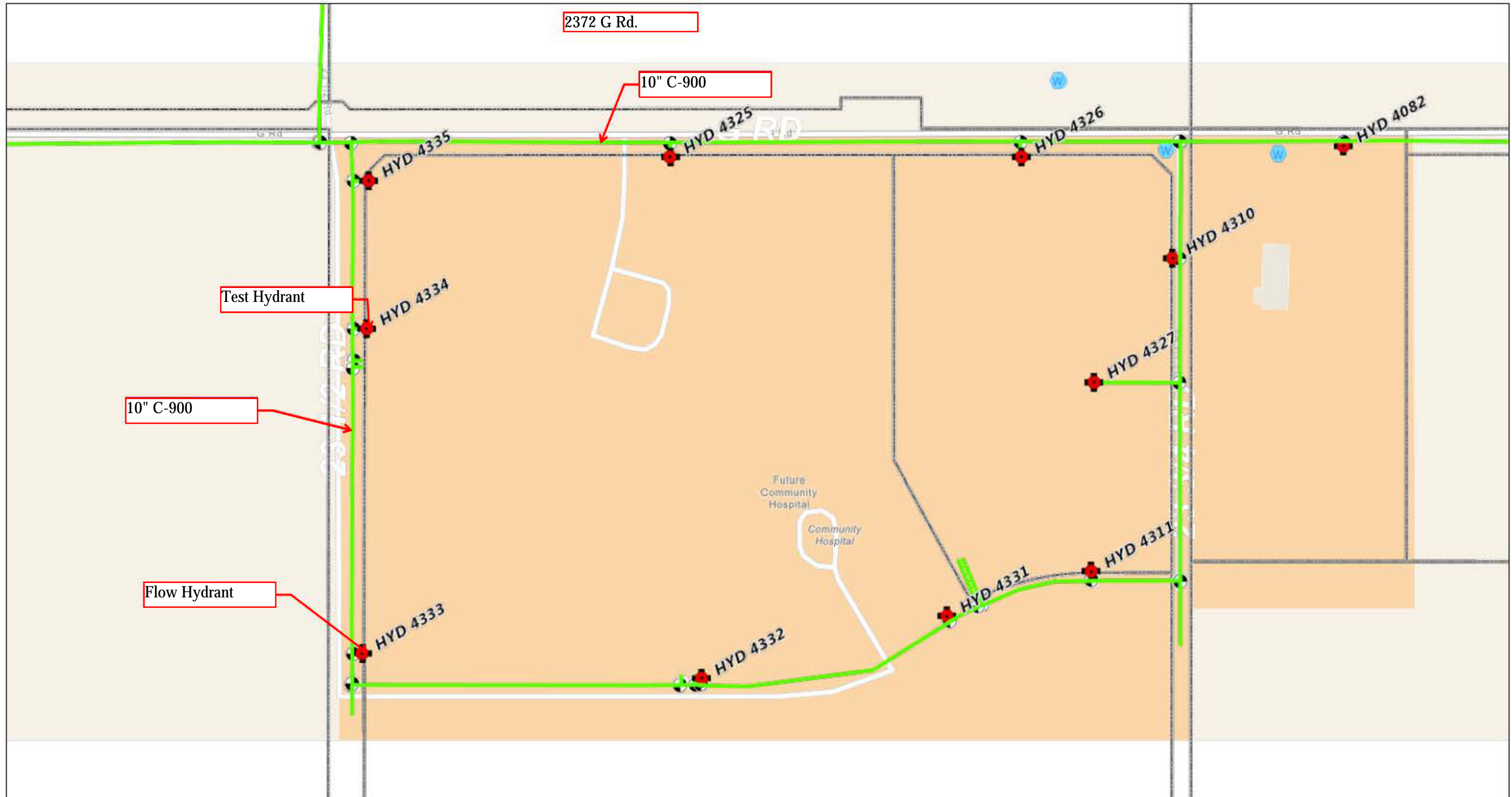
4334 Flow GPM



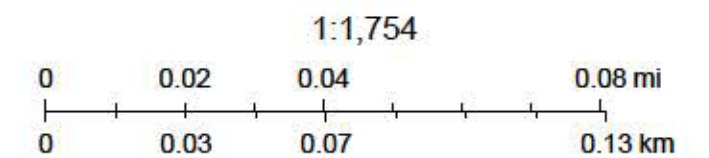
GPM rounded to nearest gallon

Values inside grid below flow line are PSI @ predicted flow

2372 G Rd



May 3, 2019



Ute Water, Mesa County

HALANDRAS NEIGHBORHOOD MEETING
March 7, 2019 @ 5:15pm
NOTES

A Neighborhood Meeting was held on March 7, 2019 regarding an amendment to the ONEWEST Development PD and ODP on property located at 2350 Highway 6 and 50 between 23¼ and 23¾ Roads, from G Road to Highway 6 and 50, Grand Junction, Colorado

In Attendance:

Representatives: Douglas Gilliland (Taurus Investment Holdings LLC)
Ted Ciavonne (Ciavonne, Roberts & Associates Inc.)
Mallory Reams (Ciavonne, Roberts & Associates Inc.)
Dave Thornton (City of Grand Junction)

About 5 Neighbors attended the meeting and had only one question:

- If all goes as planned, when will development start? – As soon as the process allows. If everything goes smoothly, possibly as early as next year. This is a 10-20 year project from start to finish.

SIGN-IN SHEET

NEIGHBORHOOD MEETING

Thursday March 7, 2019 @ 5:15pm

FOR: PD Amendment @ 2350 Highway 6 and 50 between 23 $\frac{1}{4}$ and 23 $\frac{3}{4}$
Roads, from G Road to Highway 6 and 50

NAME	ADDRESS	PHONE # / EMAIL
TED CAVONNE	222 N. 7 th ST.	tedcavonne.com
Dave Marsh	670 23 Road	dmarsh@wsiron.com
Douglas Gilliland	9285 Huntington Sq. N. Richland Hills TX	dougilliland@tiholdings.com
Joe Clemen	2454 Patterson, G.S. CO 76183	joe C cplawfirm.net
RICHARD DAVIS	2377 F $\frac{1}{2}$ Rd. G.T. CO 81505	RICK@MVCCT.COM
Ray Rickard	2415 R. L. Rd. G.T. CO	ray@gjproperties.com
Mik Singh	2122 Hwy 645	971 245 2175 M. K. Bussell's
DAVID THORNTON	250 N. 5 th ST	244-1450

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

- (a) Club Deal 127 Merit Grand Junction c/o Taurus ^{of Texas GP} ("Entity") is the owner of the following property:
- (b) 2372 G Road GJ CO 81505 (2701-324-00-097)

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, ODP, FLU Map Amendment

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: Doug Gilliland

Printed name of person signing: Doug Gilliland

State of Texas)

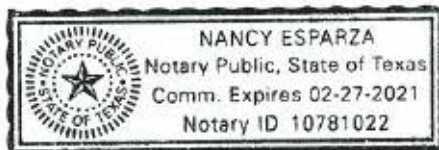
County of Travis) ss.

Subscribed and sworn to before me on this 15th day of March, 2019

by Doug Gilliland

Witness my hand and seal.

My Notary Commission expires on 02-27-2021



Nancy Esparza
Notary Public Signature

Instructions

An ownership statement must be provided for each and every owner of the property.

- (a) Insert complete name of owner as it appears on deed by which it took title. If true name differs from that on the deed, please provide explanation by separate document
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries do not match those on the plat, provide an explanation.
- (c) Insert title/capacity within the Entity of person who is signing.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Insert name of all other owners, if applicable.
- (f) Insert the type of development application request(s) that has/have been made. Include all pending development applications affecting the property.
- (g) Explain the conflict and/or possible conflict and describe the information and/or evidence available concerning the conflict and/or possible conflict. Attach copies of written evidence.

3 PAGE DOCUMENT

WARRANTY DEED

This Warranty Deed made this 16 day of Sept., 2015 by and between **Club Deal 127 Merk Grand Junction, Limited Partnership, a Delaware Limited Partnership, ("Grantor")**, whose address is 610 N. Wymore Road, Suite 200, Maitland, FL 32751, for and in consideration of Ten and 00/100 Dollars, (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to the **City of Grand Junction, a Colorado home rule municipality, ("Grantee")**, whose address is 250 N. 5th Street, Grand Junction, CO 81501, its successors and assigns forever, the following described tract or parcel of land for Public Roadway Right-of-Way purposes, as described on attached Exhibit "A" and depicted in attached Exhibit "B" incorporated herein.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 16th day of September, 2015.

Club Deal 127 Merk Grand Junction, Limited Partnership,
a Delaware Limited Partnership, by CD 127 GP, LLC,
a Delaware Limited Liability Company

By: 

Douglas H. Gilliland
Manager of CD 127 GP, LLC


By: 

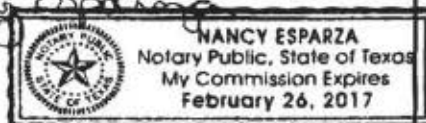
Linda G. Kassof
Manager of CD 127 GP, LLC

State of Texas)
County of Tarrant)ss

The foregoing instrument was acknowledged before me this 16th day of September, 2015 by Douglas H. Gilliland, as Manager of CD 127 GP, LLC, a Delaware Limited Liability Company, the General Partner of Club Deal 127 Merk Grand Junction Limited Partnership, a Delaware Limited Partnership.

My commission expires 2/26/2017.
Witness my hand and official seal.



Notary Public

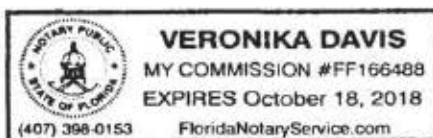


State of Florida)
County of Orange)ss

The foregoing instrument was acknowledged before me this 15 day of September, 2015 by Linda G. Kassof, as Manager of CD 127 GP, LLC, a Delaware Limited Liability Company, the General Partner of Club Deal 127 Merk Grand Junction Limited Partnership, a Delaware Limited Partnership.

My commission expires 10/18/2018.
Witness my hand and official seal.


Notary Public



SHEET 1 OF 3

EXHIBIT "A"

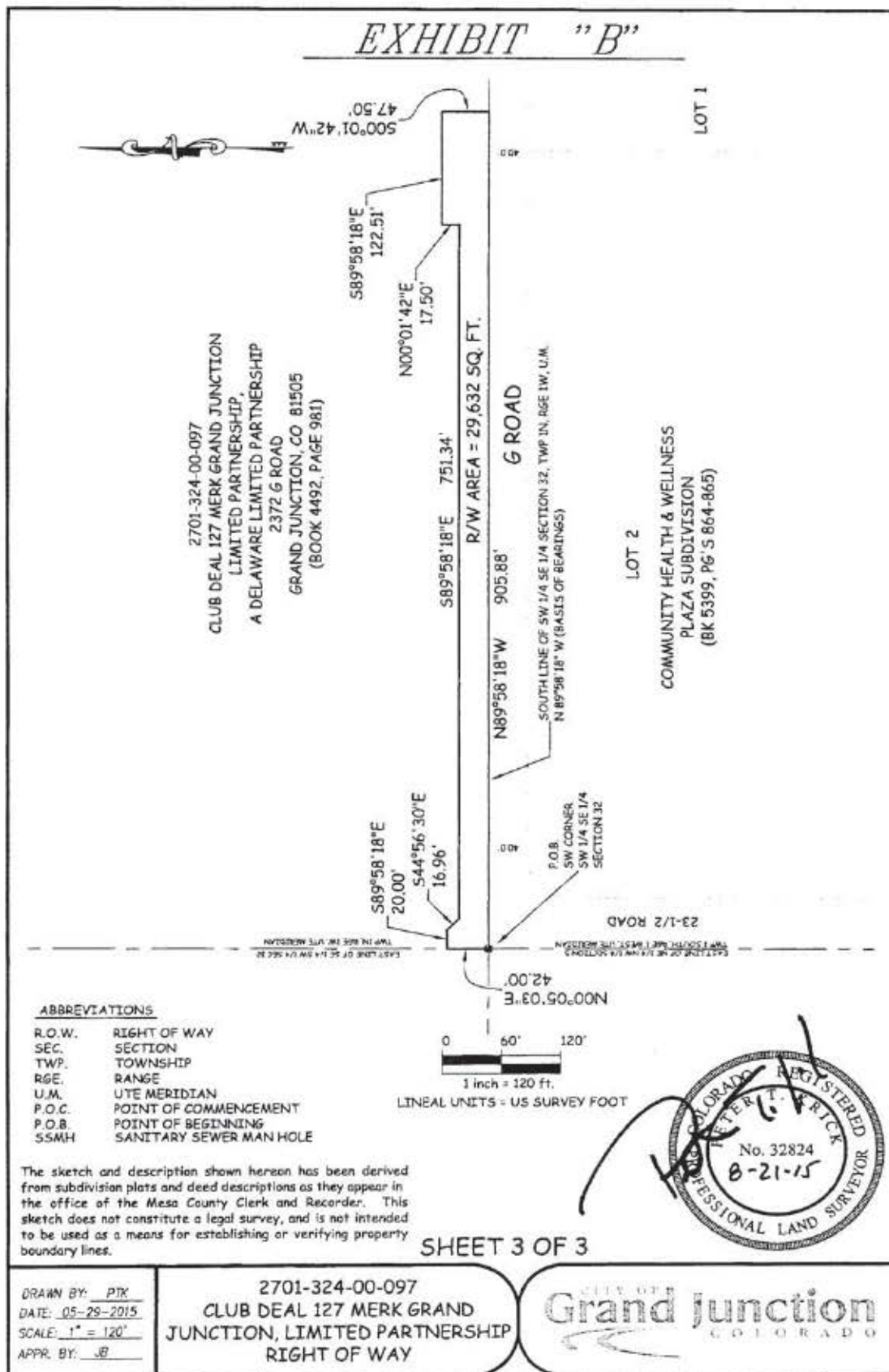
2701-324-00-097
RIGHT OF WAY

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the SW 1/4 SE 1/4 of said Section 32 and assuming the South line of the SW 1/4 SE 1/4 of said Section 32 bears N 89°58'18" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°05'03" E, along the West line of the SW 1/4 SE 1/4 of said Section 32, a distance of 42.00 feet; thence S 89°58'18" E, a distance of 20.00 feet; thence S 44°56'30" E, a distance of 16.96 feet; thence S 89°58'18" E, along a line 30.00 feet North of and parallel with, the South line of the SW 1/4 SE 1/4 of said Section 32, a distance of 751.34 feet; thence N 00°01'42" E, a distance of 17.50 feet; thence S 89°58'18" E, along a line 47.50 feet North of and parallel with, the South line of the SW 1/4 SE 1/4 of said Section 32, a distance of 122.51 feet; thence S 00°01'42" W, a distance of 47.50 feet; thence N 89°58'18" W, along the South line of the SW 1/4 SE 1/4 of said Section 32, a distance of 905.88 feet, more or less, to the Point of Beginning.

CONTAINING 29,632 Square Feet or 0.680 Acres, more or less, as described.

Authored by: Peter T. Krick
City Surveyor
City of Grand Junction



2 PAGE DOCUMENT

918147

WARRANTY DEED

Grantor(s), **WDM Corporation**, a Colorado corporation whose address is
2525 N 8th Street, Grand Junction, CO 81501, for the consideration of **Seven
Million Nineteen Thousand Six Hundred and no/100s** in hand paid, hereby
sell(s) and convey(s) to **Club Deal 127 Merk Grand Junction, Limited
Partnership**, a Delaware limited partnership

whose legal address is **1350 East Newport Center Drive, Suite 206, Deerfield Beach, FL 33442**, County of **Broward**,
and State of **Florida** the following real property in the County of **MESA**, and State of **Colorado**, to wit:

**The Southwest 1/4 of the Southeast 1/4 of Section 32, Township 1 North, Range 1 West of
the Ute Meridian, City of Grand Junction, Mesa County, Colorado.**

also known as street and number: **2372 G Road, Grand Junction, CO 81505**

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 2007, payable in 2008 and all subsequent
years and the items shown on Exhibit "A" attached hereto and made a part hereof.

Signed this 3rd day of August, 2007.

WDM Corporation

By: William D. Merkel
By: William D. Merkel, President

STATE OF COLORADO,

County of Mesa

} ss.

The foregoing instrument was acknowledged before me this 3rd day of August, 2007 by William D. Merkel, President
of **WDM Corporation**, a Colorado corporation.

My commission expires: 1/15/2011

Witness my hand and official seal.

Scott D. Williams

Notary Public

*If in Denver, insert "City and".

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

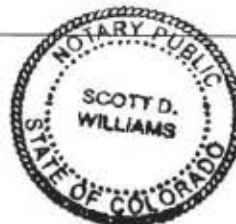


Exhibit "A" Permitted Exceptions

1. Reservation of right of proprietor of any penetrating vein or lode to extract his ore, in U.S. Patent recorded June 24, 1908 in Book 70 at Page 451.
2. Easement and right of way for the installation, operation maintenance of a drain pipe line as granted to the Grand Junction Drainage District recorded August 10, 1982 in Book 1386 at Page 389.
3. Road on the South (G Road) as declared to be a Public Highway by order of the Board of County Commissioners of Mesa County, Colorado dated March 11, 1890 and recorded August 7, 1957 in Book 714 at Page 521.
4. Any and all rights of way for 23 1/2 Road on the West.
5. Any rights of way for Drain Ditches as disclosed on Alta/Acsm Land Survey of D H Surveys Inc., dated August 14, 2006.

2 PAGE DOCUMENT

918147

WARRANTY DEED

Grantor(s), **WDM Corporation** a Colorado corporation whose address is
2525 N 8th Street, Grand Junction, CO 81501, for the consideration of **Seven
Million Nineteen Thousand Six Hundred and no/100s** in hand paid, hereby
sell(s) and convey(s) to **Club Deal 127 Merk Grand Junction, Limited
Partnership**, a Delaware limited partnership

whose legal address is **1350 East Newport Center Drive, Suite 206, Deerfield Beach, FL 33442**, County of **Broward**,
and State of **Florida** the following real property in the County of **MESA**, and State of **Colorado**, to wit:

**The Southwest 1/4 of the Southeast 1/4 of Section 32, Township 1 North, Range 1 West of
the Ute Meridian, City of Grand Junction, Mesa County, Colorado.**

NOTE: This deed has been re-executed and is being re-recorded solely to
correct paragraphs 3, 4 and 5 of Exhibit "A" Permitted Exceptions as
attached to that certain Warranty Deed filed of record in Book 4485 at
Page 756, of the Official Records of Mesa County, Colorado.

also known as street and number: **2372 G Road, Grand Junction, CO 81505**

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 2007, payable in 2008 and all subsequent
years and the items shown on Exhibit "A" attached hereto and made a part hereof.

Signed this 10th day of **August**, 2007.

WDM Corporation

William D. Merkel

By: William D. Merkel, President

STATE OF COLORADO,

County of **Mesa**

} ss.

The foregoing instrument was acknowledged before me this 10th day of **August**, 2007 by **William D. Merkel, President
of WDM Corporation, a Colorado corporation.**

My commission expires: **1/13/2011**

Witness my hand and official seal.

Scott D. Williams

Notary Public

"If it Derives, insert 'City and'.

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

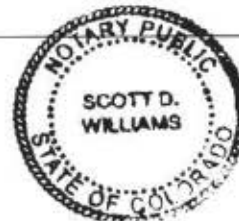


Exhibit "A" Permitted Exceptions

1. Reservation of right of proprietor of any penetrating vein or lode to extract his ore, in U.S. Patent recorded June 24, 1908 in Book 70 at Page 451.
2. Easement and right of way for the installation, operation maintenance of a drain pipe line as granted to the Grand Junction Drainage District recorded August 10, 1982 in Book 1386 at Page 389.
3. Road across the South 30 feet of subject property (G Road) as declared to be a Public Highway by order of the Board of County Commissioners of Mesa County, Colorado dated March 11, 1890 and recorded August 7, 1957 in Book 714 at Page 521.
4. Any and all rights of way for 23 1/2 Road across the West 30 feet of subject property.
5. Easements to Grand Junction Drainage District for Drain Ditches across the West, East and South sides of subject property, as disclosed on Alta/Acsm Land Survey of D H Surveys Inc., dated August 14, 2006.

All references herein are to the Official Records of Mesa County, Colorado unless otherwise noted

Sheila Reiner, Mesa County Treasurer
544 Rood Ave - Grand Junction CO 81501
Dept. 5027 - PO Box 20,000 - Grand Junction CO 81502-5001
Phone Number: (970) 244-1824

Account Number R017823

Parcel 270132400097

Acres 39.260

Assessed To

CLUB DEAL 127 MERK GRAND JUNCTION
C/O: TAURUS OF TEXAS G P
9285 HUNTINGTON SQ
NORTH RICHLAND HILLS, TX 76182

Legal Description

SW4SE4 SEC 32 1N 1W UM EXC R.O.W. RECD B-5773 P-583 R-2737632 MESA CO RECDs - 39.26AC

Situs Address

2372 G RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2018	\$1,157.12	\$0.00	\$0.00	(\$578.56)	\$578.56
Total Tax Charge					\$578.56
First Half Due as of 05/31/2019					\$0.00
Second Half Due as of 05/31/2019					\$578.56

Tax Billed at 2018 Rates for Tax Area 10301 - 10301

Authority	Mill Levy	Amount	Values	Actual	Assessed
COLORADO RIVER WATER CONSER	0.2560000	\$4.16	GRAZING LAND - AG	\$760	\$220
MESA CNTY ROAD & BRIDGE-GRA	0.2215000	\$3.60	FARM/RANCH - IMP	\$94,870	\$6,830
CITY OF GRAND JUNCTION	8.0000000	\$129.92	FARM/RANCH SUPPORT BLDG	\$31,690	\$9,190
GRAND RIVER MOSQUITO CONTRO	1.4520000	\$23.58	Total	\$127,320	\$16,240
GRAND VALLEY DRAINAGE DISTR	1.8600000	\$30.21			
LIBRARY DISTRICT	3.0590000	\$49.68			
COUNTY - DEVELOP DISABLED	0.2840000	\$4.61			
COUNTY GENERAL FUND	9.2680000*	\$150.49			
COUNTY ROAD & BRIDGE-1/2 LE	0.2215000	\$3.60			
SOCIAL SERVICES	2.3600000	\$38.33			
COUNTY TRANSLATOR TV FUND	0.0020000	\$0.03			
SCHOOL DIST# 51 GENERAL	24.3280000	\$395.08			
SCHOOL DIST# 51 BOND	10.3380000	\$167.89			
SCHOOL DIST# 51 OVERRIDE 96	2.8720000	\$46.64			
SCHOOL DIST# 51 2006 OVERID	2.3730000	\$38.54			
SCHOOL DIST# 51 2017 OVERRI	3.8570000	\$62.64			
UTE WATER CONSERVANCY	0.5000000	\$8.12			
Taxes Billed 2018	71.2520000	\$1,157.12			

* Credit Levy

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE CLUB DEAL 127- MERK GRAND JUNCTION LP
DEVELOPMENT**

**TO A PD (PLANNED DEVELOPMENT) ZONE,
BY APPROVING AN OUTLINE DEVELOPMENT PLAN FOR POD 5,
WITH A DEFAULT ZONE OF BP (BUSINESS PARK MIXED USE)**

LOCATED AT 2372 G ROAD

Recitals:

The applicant and owner, CD 127 Merk Grand Junction Development owner of 39.2 acres of land at 2372 G Road, (referred to herein and more fully described below as the "Property"), propose a rezone from Mixed Use (MU) to Planned Development (PD) and approval of an Outline Development Plan (ODP).

A request to rezone to PD and approval of an ODP with default zone of BP (Business Park Mixed Use) and with specific deviations from the default zone 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 "Property". If this approval expires or becomes invalid for any reason, the "Property" shall be fully subject to the default standards specified herein.

The City Council finds, after a public hearing and review of the proposed Rezone to Planned Development (PD) with its Outline Development Plan (ODP), determined that they satisfy the applicable criteria of the Code and are consistent with the purpose and intent of the Comprehensive Plan.

The Planning Commission found in a public hearing held on August 27, 2019, and the City Council hereby finds, in recommending and approving this Rezone to Planned Development (PD) and the Outline Development Plan (ODP) adopted therewith, 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 transportation amenities. They also find the minimum density of the default zone shall not apply. The following findings of fact have been made:

1. The Outline Development Plan conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code, including meeting more than one of the rezoning criteria provided in Section 21.02.140.

2. With an increase in residential housing options the PD and Plan achieves additional long-term community benefits by providing needed housing types and mix and reducing traffic demands.
3. Pursuant to 21.05.040(g) Deviation from Development Default Standards, it has been found to provide amenities in excess in what would otherwise be required by the code.
4. The Planned Development is consistent with the vision, guiding principles, goals and policies of the Comprehensive Plan.

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. This Ordinance applies to the following described property: The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado.

- B. The Community Pod 5 Outline Development Plan (ODP) is approved with the Findings of Fact/Conclusions, and Conditions listed in the Staff Report dated September 18, 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 office park employment centers, health care facilities, retail services, light manufacturing, multifamily residential, attached residential, and detached residential uses with appropriate screening, buffering and open space, and other amenities such as common landscape and streetscape character and a transportation corridor for non-motorized transportation within "The Community" Planned Development.

- 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. Pod 5 will be unified with the other four Pods previously approved in "The Community". In addition, 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 zone is BP (Business Park Mixed Use) with deviations contained within this ordinance.

F. Pod Character

The Community Pod 5 will be developed in a manner that is in character to the following primary uses as more particularly detailed in the Pod 5 Use Table:

Pod 5 Uses: Default zone – BP. Pod 5 will generally consist of Multi-Family Residential, Attached and Detached Residential, Hotel/Motel, Restaurants, General Offices, Light Industrial and Medical Office/Clinic. 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 5. 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 zone includes only the following, which are allowed without the need for approval of a conditional use permit.

a) Pod 5 – BP Default Zone

- 1) Colleges and Universities
- 2) Multifamily
- 3) Single Family Detached, Single Family Attached, Townhomes, Accessory Dwelling Units, Duplexes, Business Residences
- 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 and Lodging
- 14) General Offices
- 15) Health Club
- 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
- 26) Personal Services
- 27) All other Retail Sales and Services
- 28) Mini-Warehouse- Self Storage
- 30) Car Wash, Gasoline Service Station
- 37) Bus/Commuter Stops
- 38) Agricultural Uses*
- 39) Government and Public Use Facilities
- 40) Parks and Open Space

* 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.

b) 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 this 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 5	1,800 sf

Minimum Lot Width	
Pod 5	20 feet

Minimum Street Frontage	
Pod 5	No minimum

Minimum Setbacks	Principle Structure / Accessory Structure
-------------------------	--

Pod 5	
Street (see footnote 1)	10' / 25'
Side / Rear yard	0' except identified Buffer Area is 15' / see default zone for accessory setbacks

Density (Minimum/Maximum)	
Pod 5	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

Maximum Height	
Pod 5	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. Front (street) yard setback shall be 10'.
 - d. Rear yard setback shall be 0'.
- J. Development Schedule, Extensions and Lapse of Plan
1. Development and Phasing Schedule - A Preliminary Development Plan for Pod 5 must be approved within six (6) years of the PD Ordinance. A Final Development Plan and plat shall be approved within eight (8) years for Pod 5 approved with a Preliminary Development Plan, or the ODP will expire and the zoning will revert to the original MU.
 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) 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:
 - a. There are no hours of operations limitations for uses in Pod 5
 - b. 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, fence or landscaping.
 - c. 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.
 - 1) 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.
 - 2) 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.
 - 3) Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - 4) 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.
 - 5) 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
 - d. 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).

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. 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 4th day of September, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

POD 5
Area=39.2 acres
Default Zone: BP

G ROAD

COMMUNITY HOSPITAL

23 3/4 ROAD

23 1/2 ROAD

25' LINEAR PARK WITH 8-10' NON-MOTORIZED TRAIL

Scale: 0 200 400 600 Feet

A REZONE OF POD 5 TO PD

SHEET NO.	2-2
DISTRICT DEVELOPMENT	
TOWN	
THE COMMUNITY PODS	
PROJECT NAME	THE COMMUNITY POD 5 GRAND JUNCTION, CO

[illegible]



Grand Junction City Council

Regular Session

Item #5.b.i.

Meeting Date: September 18, 2019

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

An Ordinance Amending Ordinance No. 4861 to Change the Name of the Grand Junction Dos Rios General Improvement District to the City of Grand Junction Dos Rios General Improvement District

RECOMMENDATION:

Staff recommends adoption of the ordinance.

EXECUTIVE SUMMARY:

The purpose of this item is to amend Ordinance 4861 regarding the name of the Dos Rios General Improvement District (GID).

BACKGROUND OR DETAILED INFORMATION:

By way of Ordinance No. 4861, the Grand Junction Dos Rios General Improvement District was formed. While the District was approved as "Grand Junction" this ordinance amends the name to include the words "City of" Grand Junction Dos Rios General Improvement District. Section 31-25-604(2)(a), C.R.S., provides that the name of a general improvement district shall include the name of the municipality creating the district; the City is by Charter known and referred to as "the City of Grand Junction" and to preclude any challenge staff recommends the amendment.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4876, an ordinance of the City of Grand Junction, Colorado, amending a portion of Ordinance No. 4861 to change the name of the Grand Junction Dos Rios General Improvement District to the City of Grand Junction Dos Rios General Improvement District on final passage and order final publication in pamphlet form.

Attachments

1. Ordinance Correcting Name of GID

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, AMENDING A PORTION OF ORDINANCE NO. 4861 TO CHANGE THE NAME OF THE GRAND JUNCTION DOS RIOS GENERAL IMPROVEMENT DISTRICT TO THE CITY OF GRAND JUNCTION DOS RIOS GENERAL IMPROVEMENT DISTRICT

WHEREAS, the City of Grand Junction (the "City") is a home-rule municipal corporation duly organized and existing under the laws of the State of Colorado and the City's Home Rule Charter; and

WHEREAS, on July 17, 2019, the City Council adopted Ordinance No. 4861 Establishing the Grand Junction Dos Rios General Improvement District and Other Details Relating Thereto; and

WHEREAS, pursuant to Section 31-25-604(2)(a), C.R.S., the name of a general improvement district shall include the name of the municipality creating the district; and

WHEREAS, pursuant to Section 1 of Article I of the Charter of the City of Grand Junction, the municipality is known as the "City of Grand Junction"; and

WHEREAS, in designating the name of the general improvement district established by Ordinance No. 4861 as "Grand Junction Dos Rios General Improvement District", the words "City of" were inadvertently omitted, and the City Council desires to amend Ordinance No. 4861 to correct the name.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, AS FOLLOWS:

1. **Amendment of Ordinance No. 4861**. The caption and Section 3 of Ordinance No. 4861 are hereby amended by adding the capitalized and double-underlined text as follows:

AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO
ESTABLISHING THE CITY OF GRAND JUNCTION DOS RIOS GENERAL
IMPROVEMENT DISTRICT AND OTHER DETAILS RELATING THERETO

* * *

3. **Establishment of District**. In accordance with the provisions of Section 31-25-607(4)(c), C.R.S., the Council, having jurisdiction, power and authority under the law to adopt this Ordinance, hereby declares the GID organized and that it shall be known as the CITY OF Grand Junction Dos Rios General Improvement District, by which, in all proceedings, it shall be known. The GID shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the powers set forth in Part 6, Article 25, Title 31, C.R.S. The ex officio Board of Directors of the GID shall be the Council. The GID may

not, until authorized by the eligible voters thereof, incur any indebtedness or other financial obligations or liabilities.

2. **Recording.** Within thirty (30) days after the adoption of this Ordinance, the City Clerk shall transmit for recording to the County Clerk and Recorder in Mesa County, Colorado, a copy of this Ordinance, including but not limited to, recording a certified copy of the Ordinance upon the public records of Mesa County, Colorado in accordance with the provisions of Section 31-25-608, C.R.S.

3. **Authorized Actions.** The City Manager, City Clerk, and City Attorney are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

4. **Repealer Clause.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

5. **Severability.** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provision of this Ordinance.

INTRODUCED ON FIRST READING AND ORDERED PUBLISHED this 4th day of September, 2019.

ADOPTED ON SECOND READING AND ORDERED PUBLISHED this ____ day of _____, 2019.

President of City Council

Attest:

City Clerk