

To access the Agenda and Backup Materials electronically, go to [www.gjcity.org](http://www.gjcity.org)



**CITY COUNCIL AGENDA  
WEDNESDAY, OCTOBER 20, 2021  
250 NORTH 5<sup>TH</sup> STREET - AUDITORIUM  
[VIRTUAL MEETING - LIVE STREAMED](#)  
BROADCAST ON CABLE CHANNEL 191  
5:30 PM – REGULAR MEETING**

**Call to Order, Pledge of Allegiance, Moment of Silence**

**Proclamations**

Proclaiming October 28, 2021 as Grand Junction Lions Club Day in the City of Grand Junction

**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.*

*Citizens have four options for providing Citizen Comments: 1) in person during the meeting, 2) Virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, October 20, 2021 or 4) submitting comments [online](#) until noon on Wednesday, October 20, 2021 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.*

**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. Summary of the October 4, 2021 Workshop
- b. Minutes of the October 6, 2021 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. 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 Cross Orchards Annexation of 22.68 Acres, Located 3073 & 3075 Patterson Road & Tax Parcel No. 943-091-30-004, a Parcel with no Physical Address, and Setting a Public Hearing for December 1, 2021
  - ii. Introduction of an Ordinance to Rezone 0.276 Acres from R-5 (Residential 5 du/ac) to C-1 (Light Commercial), Located at 2894 Presley Avenue and Setting a Public Hearing for November 3, 2021

## **3. Contracts**

- a. 2021 Community Development Block Grant (CDBG) Subrecipient Agreement between Grand Valley Catholic Outreach and the City of Grand Junction

## **4. Resolutions**

- a. A Resolution Supporting the Application for a Bureau of Reclamation Grant for Kannah Creek and Purdy Mesa Flow Lines Intertie Project
- b. A Resolution Vacating a Portion of an Emergency Access Easement Totaling 0.26 Acres, Located within Tract C of Sundance Village Subdivision

## **REGULAR AGENDA**

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



**5. Resolutions**

- a. Colorado Department of Transportation I-70B Phase 6 Design Update and Resolution of Support (*Public Comment Will Be Taken on This Item*)

**6. Public Hearings**

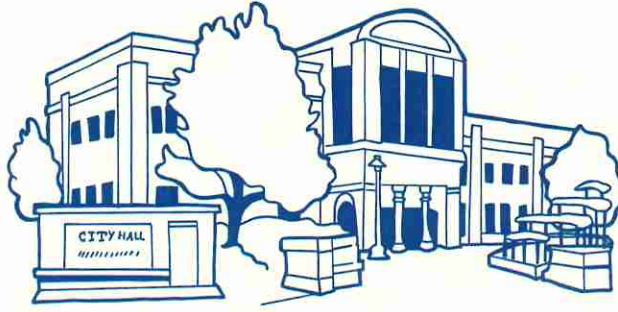
- a. Quasi-judicial
  - i. A Resolution Accepting the Petition for the Annexation of 19.41 Acres of Land and Ordinances Annexing and Zoning the Westland Meadows Annexation to R-8 (Residential - 8 du/ac), on Property Located at 2973 D 1/2 Road, West of 30 Road in Pear Park
  - ii. An Ordinance Rezoning Approximately 12.00 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2211 Halco Drive
  - iii. A Resolution Accepting the Petition for the Annexation of 2.98 Acres of Land and Ordinances Annexing and Zoning the Phoenix Haus Annexation to I-1 (Light Industrial), Located at 834 21 1/2 Road
  - iv. A Resolution Accepting the Petition for the Annexation of 5-Acres of Land and Ordinances Annexing, Amending the Comprehensive Plan Land Use Map to Residential Medium and Zoning the Sage Creek Annexation to R-8 (Residential - 8 du/ac), Located at 3038 D 1/2 Road
  - v. An Ordinance Rezoning 1.51 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2150 Hwy 6 and 50
  - vi. An Ordinance Vacating a Portion of the Orchard Avenue Right-of-Way in the Vicinity of North 10th Street
  - vii. An Ordinance to Rezone Property Located at 1101 Winters Avenue from General Industrial (I-2) to Light Industrial (I-1)
  - viii. An Ordinance Rezoning 26.673 Acres from R-R (Rural Residential) to MXG-3 (Mixed Used General - 3), Located at 765 24 Road
  - ix. An Ordinance Amending the Grand Junction Municipal Code by Establishing a Process for Optional Premises Licenses

**7. 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.*

**8. Other Business**

**9. Adjournment**



*City of Grand Junction, State of Colorado*

# Proclamation

**Whereas,** the Grand Junction Lions Club is 100 years old this month; and

**Whereas,** the Grand Junction Lions Club is the largest fund-raising Lions Club in the world; and

**Whereas,** the Grand Junction Lions Club has donated over \$8 million to our community through their annual raffle and carnival; and

**Whereas,** they have financially benefited virtually every major charity in Grand Junction; and

**Whereas,** their motto is, "Doing the most good for the most people, while having the most fun."

**NOW, THEREFORE,** I, C.B. McDaniel, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim October 28, 2021 as

## *"Grand Junction Lions Club Day"*

in the City of Grand Junction and ask all citizens to join me in celebrating their accomplishments.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20<sup>th</sup> day of October 2021.

Mayor

## GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

October 4, 2021

**Meeting Convened:** 4:08 p.m. Meeting held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

**Meeting Adjourned:** 9:11 p.m.

**City Councilmembers present:** Councilmembers Abe Herman, Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, and Mayor Chuck McDaniel. Councilmember Anna Stout was absent.

**Staff present:** City Manager Greg Caton, City Attorney John Shaver, Community Development Director Tamra Allen, Human Resources Director Shelley Caskey, Human Resources Supervisor Ann Guevarra, Risk Manager Brett Bergman, Finance Director Jodi Welch, Deputy Finance Director Scott Rust, Financial Analyst Matt Martinez, Budget Coordinator Linda Longenecker, General Services Director Jay Valentine, Financial Analyst Shane O'Neill, Parks and Recreation Director Ken Sherbenou, Recreation Superintendent Emily Krause, Parks Superintendent Randy Coleman, Chief Technology Officer Ben Barrio, IT Operations Supervisor Scott Hockins, Public Works Director Trent Prall, Fire Chief Ken Watkins, Deputy Fire Chief Chris Angermuller, Deputy Fire Chief Gus Hendricks, Police Chief Doug Shoemaker, Deputy Police Chief Matt Smith, Deputy Police Chief Mike Nordine, Utilities Director Randi Kim, Water Services Manager Mark Ritterbush, Visit Grand Junction Director Elizabeth Fogarty, Financial Analyst Kim Machado, Senior Assistant to the City Manager Greg LeBlanc, Management Analyst Johnny McFarland, City Clerk Wanda Winkelmann, and Deputy City Clerk Selestina Sandoval.

---

Mayor McDaniel called the meeting to order.

### **Agenda Topic 1. Discussion Topics**

#### **a. Presentation of the City Manager's 2022 Recommended Budget to City Council**

City Manager Caton presented the City of Grand Junction 2022 Recommended Budget which totals \$237.9 million (\$237,904,579), a \$24.9 million, or 11.7% increase from the 2021 Adopted Budget of \$213 million. The 2022 Recommended Budget is balanced, with a surplus in the General Fund. The projected 2022 ending General Fund balance is \$32.4 million which includes \$2.7 million in restricted funds and \$21.8 million in minimum reserve. The budget represents the allocation of resources to achieve the goals identified in City Council's Strategic Plan and the Comprehensive Plan. The Strategic Priorities are Public Safety, Quality of Life, Housing, Mobility and Infrastructure, and Economic Development.

Discussion ensued regarding the content of the budget document submitted to the Colorado Government Finance Officers Association for review (the City of Grand Junction is an annual award

recipient), content of the materials in the binder provided to City Council, the additional information included in the appendix, new positions proposed for 2022, revenue projections, costs to conduct the April 2023 election, specific line items in the City Council's budget, American Rescue Plan Act (ARPA) funds, and the cost for employee health insurance.

Overviews from the following major operating departments included:

Police – Chief Shoemaker reviewed the staffing levels, recruitment and retention, diversification and expansion of special units, increased proactive policing time, intelligence-led policing initiatives, wellness and resiliency, training and succession planning, enhanced victim services, the co-responder program, expanded outreach efforts, code compliance additions, reinvesting in community partnerships, safer spaces, operating budget, and the communications center.

Conversation was held about contract services (grant services, co-responder program, animal control services, camp clean up services), traffic enforcement, number of new employees proposed for 2022, and expansion of services.

Utilities - Water Services Division – Utilities Director Randi Kim noted the main goal of the Water Services Division is to provide high quality, reliable drinking water. Grand Junction has received the Directors Award for delivering water that exceeds requirements. Ms. Kim reviewed distribution operating projects, plant operating projects, contract services for long-term planning for water reliability and drought management, maintenance of water infrastructure, community participation, affordable water rates that promote water conservation, comparison of water rates, and operating budget.

Information was provided about the aging water plant, filter system upgrade that occurred four years ago, sound structural integrity of the water plant, condition assessment of the concrete reservoirs, above-ground steel tanks, rate increases and base rate.

Visit Grand Junction (VGJ) – Elizabeth Fogarty discussed trends, lodging tax collections, market performance, projects, the visitor guide, branding, VGJ budget compared to other Destination Marketing Organizations (DMOs), and operating budget.

Discussion ensued regarding VGJ volunteers, communication between volunteers and staff, hotel market performance, hotel metrics, 2019 actuals, vaccination rate on visitors to Grand Junction, and new positions in the department.

A break was called at 6:10 p.m. The workshop resumed at 6:21 p.m.

General Services – Director Jay Valentine reviewed the staffing in the department, landfill rates, utilization of Monument Waste transfer facility in 2022, recycling, Waste Reduction Coordinator

position planned for 2022, area solid waste rates, and the solid waste operating budget. General Services oversees the City's two golf courses – Tiara Rado and Lincoln Park. Mr. Valentine also reviewed local golf rates, the fund balance history, 2022 goals, and the golf operating budget.

Questions were answered about the size of cans for solid waste and compost material, pay-as-you-throw programs utilized by some municipalities, equipment cost increases and security enhancements.

Parks & Recreation – Director Ken Sherbenou reviewed the City's pools, recreation programming, trails, forestry, park maintenance, participation increases, skate park, riverfront graffiti, mural projects, weed abatement, custodial responsibility, recreation program expansion, protection and improvement of the urban tree canopy, facilities as major economic drivers, Parks Recreation and Open Space (PROS) Master Plan, and the operating budget.

Discussion ensued regarding Horizon Drive park, golf as an enterprise, pool rates, annual passes, subsidies for low-income families, treatment for ash borers, and the Orchard Mesa pool and its maintenance needs.

Fire – Chief Ken Watkins reviewed the department's growth from 2021 (150 full time positions, 6 fire stations) to 2022 (171 full time positions, 7 fire stations), priorities, recruitment/hiring, implementation of EMS plan, training/safety equipment, wildland fire mitigation program, accreditation, and operating budget.

Inquiries were answered about the large grant received for firefighter salaries, increase in calls, call types, equipment replacement and the disposition of old equipment, wage increases to remain competitive, and Redlands service area.

Community Development Director Tamra Allen reported that the new Housing Coordinator will implement the newly adopted Housing Strategy and oversee administration of the Community Development Block Grant (CDBG) program. The Community Development Department uses seasonal/contract workers for tasks such as development review, special projects, and staffing Planning Commission meetings.

Upcoming Budget Workshops:

October 18 - Economic Development Partners Budget Discussion-Grand Junction Area Chamber of Commerce, Air Alliance, and Sports Commission; Presentation of budgets by Horizon Drive Business Improvement District, Downtown Development Authority, and Downtown Business Improvement District; Review and discussion of Economic Development and Non-Profit funding and Major Capital Projects.

October 27 – Joint Persigo Board Budget Meeting.

November 3 – First public presentation and ordinance reading.

December 1 – Second public presentation and ordinance reading.

**b. Colorado Department of Transportation (CDOT) I-70B Update**

CDOT has been working on adding capacity to the I-70B corridor through the expansion, limitation/reconfiguration of accesses, and improved bicycle/pedestrian facilities from 24 Road to 15th Street since 2008. The first four phases of improvements have been completed from 24 Road to American Way. Two additional phases include:

Project Phase 5 – This phase is currently under construction and will reconfigure the intersection of 1st Street & Grand Avenue, west to Mulberry Street, east to 2nd Street, and south to Rood Avenue. Construction is slated to be completed by June 2022.

Project Phase 6 – This phase would reconstruct the 1st Street segment from Rood Ave south to 2nd Street modifying the street section from four lanes to six lanes. With Senate Bill 267, CDOT has funding available to start construction of Phase 6 in 2023.

Mr. Prall provided an overview of the I-70B project and introduced Shoshana Lew, CDOT Executive Director, who attended virtually. Ms. Lew provided a brief history and noted CDOT would like to compromise and put forward a good faith effort to find a solution.

Grand Junction Resident Engineer with CDOT Kaitlyn Clark introduced other members of the CDOT team (Jason Smith, Region 3 Program Manager, Michael Goolsby, Region 3 Director, Matt Casey, Project Engineer, and Nathan Lindquist, Planner) and reviewed the concerns with the current I-70B plan. The proposed plan prioritizes traffic at the expense of bicycles, pedestrians and virtually every other mode of transportation. Improvements need to include traffic calming to reduce speeds and improve safety. The traffic data is old/outdated and the I-70B improvements threaten to cut off lower downtown. Finally, CDOT hasn't worked with City of Grand Junction nor interest groups and the new footprint is worse than the existing one.

Ms. Clark reviewed a new proposed design for Phase 6 which includes wide shared-use paths (detached where possible), narrow lanes for traffic calming, raised median to deter unsafe pedestrian crossings, pedestrian signals near 2nd Street, landscaping, and a potential transit priority lane.

Discussion ensued about the impact a six-lane interstate will have on that area of town and blighted areas, the preference for the three lanes to be reduced to two-lanes, and traffic capacity.

The next steps include a resolution being considered by City Council at the October 20 Regular City Council meeting to support this reconstruction. CDOT is exploring a mobility hub grant, will begin design this winter 2021, and will continue investigating traffic calming measures (narrow lane width, wide striping, and additional Federal Highway Administration recommendations for these types of projects).

Ms. Clark reviewed successful CDOT – City of Grand Junction projects: the Redlands Roundabout, the Diverging Diamond Interchange, and improvements to North Avenue.

### **Agenda Topic 2. City Council Communication**

Mayor McDaniel noted there is Council support to explore the model proposed by Dr. Pramenko for nonprofit entities to hold marijuana business licenses, with the profits dedicated to fund social programs. This model will be discussed at the November 1 workshop.

Mayor McDaniel reviewed Sister Karen's request for a *Letter of Support* for the Mother Teresa House.

Mayor McDaniel requested that City Council send their recommendations for the American Rescue Plan Advisory Committee members to the City Manager as soon as possible.

### **Agenda Topic 3. Next Workshop Topics**

This topic was reviewed earlier in the meeting.

### **Agenda Topic 4. Other Business**

Mayor McDaniel and Councilmembers Pe'a and Reitz volunteered to serve on the interview committee for the Commission on Arts and Culture.

### **Adjournment**

The workshop adjourned at 9:11 p.m.



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

**October 6, 2021**

**Call to Order, Pledge of Allegiance, Moment of Silence**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of October 2021 at 5:30 p.m. Those present were Councilmembers Abe Herman, Phillip Pe'a, Randall Reitz, and Council President Chuck McDaniel. Councilmembers Dennis Simpson, Anna Stout, and Rick Taggart were absent.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann, and Deputy City Clerk Selestina Sandoval.

Council President McDaniel called the meeting to order and Councilmember Pe'a led the Pledge of Allegiance which was followed by a moment of silence.

**Proclamations**

**Proclaiming October as National Arts and Humanities Month in the City of Grand Junction**

Councilmember Reitz read the proclamation and Commission for Arts and Culture Chair Sarah Dishong accepted it.

**Proclaiming the Week of October 3 - 9, 2021 as Fire Prevention Week in the City of Grand Junction**

Councilmember Herman read the proclamation and Fire Chief Ken Watkins accepted it.

**Appointment to the Grand Junction Housing Authority**

Council President McDaniel moved to reappoint Ivan Geer to the Grand Junction Housing Authority for a 5-year term expiring October 2026. Councilmember Herman seconded the motion. Motion carried by unanimous voice vote.

**Citizen Comments**

Bruce Lohmiller thanked the City for the purchase of property to help alleviate homelessness, spoke of night patrols, and the Firewise program.

Richard Swingle presented a slide and asked Council to approve a full-time ambulance and staff at Fire Station 5 in the Redlands as part of the 2022 budget.

Ed Kowalski thanked the City for meeting with him to address issues over the summer.

### **Council Reports**

Councilmember Pe'a spoke of the Lincoln Park Phase I Improvements Groundbreaking he attended.

Councilmember Herman attended the Economic Summit, the Colorado Municipal League Special Conference, and gave an update on the search for an Executive Director for Grand Junction Economic Partnership.

Councilmember Reitz spoke of the film festival and Art on the Corner in the downtown area.

Council President McDaniel gave an update on the Grand Junction Housing Authority, stated they are recruiting for a Chief Financial Officer, and spoke of Dillard's Grand Opening.

### **CONSENT AGENDA**

Councilmember Pe'a moved to adopt Consent Agenda items #1 - #5. Councilmember Reitz seconded the motion. Motion carried by unanimous voice vote.

#### **1. Approval of Minutes**

- a. Summary of the September 13, 2021 Workshop
- b. Minutes of the September 15, 2021 Regular Meeting
- c. Minutes of the September 15, 2021 Executive Session
- d. Summary of the September 20, 2021 Workshop

#### **2. Set Public Hearings**

- a. Quasi-judicial
  - i. Introduction of an Ordinance Amending the Grand Junction Municipal Code by Establishing a Process for Optional Premises Licenses and Setting a Public Hearing for October 20, 2021
  - ii. Introduction of an Ordinance Vacating a Portion of the Orchard Avenue Right-of-Way and Setting a Public Hearing for October 20, 2021
  - iii. Introduction of an Ordinance to Rezone the Property Located at 1101 Winters Avenue from General Industrial (I-2) to Light Industrial (I-1) and Setting a Public Hearing for October 20, 2021

- iv. Introduction of an Ordinance for a Comprehensive Plan Amendment from Residential Low (2 to 5.5 du/ac) to Residential Medium (5.5 to 12 du/ac) and Zoning Approximately 5 Acres from County RSF-R (Residential Single Family - Rural) to R-8 (Residential - 8 du/ac) for the Sage Creek Annexation, Located at 3038 D 1/2 Road, and Setting a Public Hearing for October 20, 2021
- v. Introduction of an Ordinance Zoning Approximately 2.98 Acres from County PUD (Planned Unit Development) to I-1 (Light Industrial) the Phoenix Haus Annexation, Located at 834 21 1/2 Road, and Setting a Public Hearing for October 20, 2021
- vi. Introduction of an Ordinance Rezoning One Parcel Totaling 1.51 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2150 Hwy 6 and 50 and Setting a Public Hearing for October 20, 2021
- vii. Introduction of an Ordinance Rezoning One Parcel Totaling 26.673 Acres from R-R (Rural-Residential) to MXG-3 (Mixed Use General –3), Located at 765 24 Road and Setting a Public Hearing for October 20, 2021
- viii. Introduction of an Ordinance to Zone Approximately 19.41 Acres from County PUD and County RSF-R (Planned Unit Development and Residential Single Family Rural 5-Acre Lot Sizes) to a City R-8 (Residential – 8 du/ac) for the Westland Meadows Annexation, the Property Located at 2973 D 1/2 Road, Just West of 30 Road in Pear Park and Setting a Public Hearing for October 20, 2021
- ix. Introduction of an Ordinance Rezoning 12.00 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2211 Hallco Drive and Setting a Public Hearing for October 20, 2021

### 3. Continue Public Hearings

#### a. Quasi-judicial

- i. A Resolution Accepting the Petition for the Annexation of 19.41 Acres of Land and Ordinances Annexing the Westland Meadows Annexation to R-8 (Residential - 8 du/ac), on Property Located at 2973 D 1/2 Road, West of 30 Road in Pear Park (***Continued to October 20, 2021***)

### 4. Contracts

- a. 2021 Community Development Block Grant (CDBG) Subrecipient Agreements

between the Counseling and Education Center, HopeWest, STRiVE, Riverside Educational Center, Mesa County Partners, HomewardBound of the Grand Valley, Mind Springs Health and Housing Resources of Western Colorado and the City of Grand Junction

- b. 2021 North Avenue Sanitary Sewer Improvements Project

## **5. Resolutions**

- a. Resolution Adopting the Grand Junction Fire Department Community Risk Assessment and Standards of Cover
- b. A Resolution Designating the Residence Located at 1155 Grand Avenue in the City Register of Historic Structures, Sites and Districts
- c. A Resolution Renaming a Portion of 27 1/2 Road Abutting the Parcels Currently Addressed 347 and 348 27 1/2 Road to Eddy Drive

## **REGULAR AGENDA**

### **An Ordinance Making a Supplemental Appropriation for the Purchase of Real Estate at 910 Main Street**

The budget is adopted by City Council through an appropriation ordinance to authorize spending at a fund level based on the line-item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to approve new projects or expenditures. When a project includes a transfer from one fund to another, both the transfer and the expenditure must be appropriated.

City Council adopted a resolution to affirm the purchase of 910 Main Street at the September 15, 2021 City Council meeting. The purchase of the building and property at 910 Main Street, Grand Junction, Colorado, will provide the City with a location that will better serve residents that presently pay bills in person and conduct other routine financial transactions at City Hall. A supplemental appropriation is required for the purchase price of \$877,000 and estimated closing costs of \$1,500.

Finance Director Jodi Welch presented this item.

The public hearing was opened at 5:58 p.m.

There were no public comments.

The public hearing was closed at 5:58 p.m.

Councilmember Herman moved to adopt Ordinance No. 5022, an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

**An Ordinance Making a Supplemental Appropriation for the City Contribution for the Purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project**

City Council passed a resolution to affirm the City's contribution for the purchase of 347 and 339 Ute Avenue for the Grand Valley Catholic Outreach Mother Teresa House Project on September 15, 2021. The Grand Valley Catholic Outreach has proposed a transitional housing project at the southwest corner of 4th Street and Ute Avenue. The project is known as the Mother Teresa House and when constructed will provide much needed housing for people whose needs tend to be underserved or unserved. Catholic Outreach has acquired the property at 347 Ute Avenue and contracted for the purchase of the property at 339 Ute Avenue for this project. In order to fund this contribution, a supplemental appropriation is required for \$550,000.

Council expressed support for this item, thanked Catholic Outreach for their work, and asked for total amounts contributed for the Mother Teresa House for all the properties (301 South 4th Street had a \$262,000 contribution in addition to this \$550,000 request for a total of \$812,000).

The public hearing opened at 6:01 p.m.

Sister Karen expressed her gratitude for the City's contributions to the project.

The public hearing closed at 6:03 p.m.

Councilmember Reitz moved to adopt Ordinance No. 5023, an ordinance making Supplemental Appropriations to the 2021 Budget of the City of Grand Junction, Colorado for the year beginning January 1, 2021 and ending December 31, 2021 on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

**A Resolution Accepting the Petition for the Annexation of 6.73 Acres of Land and Ordinances Annexing and Zoning the Reece Annexation to R-5 (Residential – 5 du/ac), Located on Property South of 3035 and 3043 F 1/2 Road**

EDKA Land Co., LLC requested annexation of 6.73 acres, property located south of 3035 and 3043 F 1/2 Road and a zone of annexation to R-5 (Residential – 5 du/ac). The Reece Annexation consists of one property of 5.65-acres in addition to land that includes the Price

Ditch consisting of 1.07 acres. The property has a Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). The subject properties are both owned by the applicant and are currently vacant. The properties are Annexable Developments per the Persigo Agreement. The applicant requested annexation into City limits in anticipation of future residential subdivision development. The zone district of R-5 is consistent with the Comprehensive Plan.

Principal Planner David Thornton presented this item.

Mark Austin with Austin Civil Group represented the applicant and was available to answer questions.

The public hearing opened at 6:14 p.m.

There were no public comments.

The public hearing closed at 6:14 p.m.

Councilmember Pe'a moved to adopt Resolution No. 81-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Reece Annexation, approximately 6.73 acres, located on property south of 3035 and 3043 F ½ Road, and to adopt Ordinance No. 5024, an ordinance annexing territory to the City of Grand Junction, Colorado, Reece Annexation, approximately 6.73 acres, located on property south of 3035 and 3043 F ½ Road on final passage and ordered final publication in pamphlet form, and to adopt Ordinance No. 5025, an ordinance zoning the Reece Annexation to R-5 on final passage and ordered final publication in pamphlet form. Councilmember Herman seconded the motion. Motion carried by unanimous voice vote.

### **Contract Approval for Construction Management/General Contractor Services for Construction of Fire Station 8**

The Fire Department is scheduled to construct and operate the second of three additional fire stations in 2022. Development of the site for Fire Station 7 is still in progress, resulting in construction of Fire Station 8 ahead of Fire Station 7. The City Purchasing Division has completed the selection process for Construction Management/General Contractor (CM/GC) services and has selected FCI Constructors, Inc. (FCI) for this project. FCI will work with the project team, comprised of the Blythe Group, Company Architects and the City project team to design and construct this station. Once contracted, FCI will develop a Guaranteed Maximum Price (GMP) that will be approved by City Council at a later date.

Fire Chief Ken Watkins presented this item and General Services Director Jay Valentine was present to answer questions.

Project Manager with FCI Mark Litzen was available to answer questions.

Conversation ensued regarding what was negotiated during the bid process (general conditions involving the \$362,000 original price that they determined could be reduced due to the efficiencies of the experience in having built several Grand Junction fire stations), whether the other bidder had been contacted (they have), whether this fire station is identical to others in the City (identical to Fire Station 6) and how the budget has increased due to rising costs of materials (\$4.6 million budget for Fire Station 6 vs \$5.5 million for Fire Station 3).

The floor was opened for public comments at 6:26 p.m.

There were no public comments.

The floor was closed for public comments at 6:26 p.m.

Councilmember Herman moved to authorize the Purchasing Division to enter into a contract with FCI Constructors, Inc., to provide Construction Management/General Contractor services for the Fire Station 8 construction project on negotiated terms approved by the City Manager and in a form approved by the City Attorney. Councilmember Pe'a seconded the motion. Motion carried by unanimous voice vote.

### **A Resolution Adopting the Grand Junction Housing Strategy**

Staff began work in late December 2020 with Root Policy Research, a Colorado consultancy with extensive experience in the housing field, on the Grand Valley Housing Needs Assessment, which was Phase 1 of the project and completed in May 2021. The Assessment included data collection, a community-wide survey and a series of focus group meetings with key stakeholders. Phase 2 of the project was to develop a Housing Strategy report which was discussed with City Council at its June 14, August 2 and September 13, 2021 workshops. The Grand Junction Housing Strategy builds upon the Grand Valley Housing Needs Assessment (HNA) by outlining strategies tailored to address needs identified in the HNA. Twelve strategies were detailed in the strategy report in the City Council packet and were developed in conjunction with City Council, City staff and Grand Junction area housing stakeholders.

Community Development Director Tamra Allen presented this item.

Council thanked Ms. Allen and City Manager Caton for their work on this project, lauded the road map for moving forward, asked about setting goals, and the possibility of interfacing with other municipalities to see what has been successful. Ms. Allen stated staff conducts professional networking for best practices and will be attending a housing specific conference in the near future.

The floor was opened for public comment at 6:40 p.m.

There were no public comments.

The floor was closed for public comment at 6:40 p.m.

Councilmember Pe'a moved to adopt Resolution No. 82-21, a resolution adopting the 2021 Grand Junction Housing Strategy. Councilmember Herman seconded the motion. Motion carried by unanimous voice vote.

### **Non-Scheduled Citizens and Visitors**

There were none.

### **Other Business**

Councilmember Reitz spoke of his experience interviewing volunteers and asked if they should change their process to include members from the Boards and Commissions. City Manager Caton spoke of a model to take into consideration (interviewing committees may include a Councilmember, a Board Chair and Staff). City Attorney Shaver said another option is to look at bylaws and consider whether they should specify what a board is looking for. Comments were made regarding how this may impact the recruitment of volunteers.

Council President McDaniel said that the Boards and Commissions policy was not at the top of the list that Council voted to focus on and this can be revisited after the priorities are addressed.

### **Adjournment**

The meeting was adjourned at 6:49 p.m.

---

Wanda Winkelmann, MMC  
City Clerk





## Grand Junction City Council

### Regular Session

Item #2.a.i.

---

**Meeting Date:** October 20, 2021  
**Presented By:** David Thornton, Principal Planner  
**Department:** Community Development  
**Submitted By:** David Thornton, Principal 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 Cross Orchards Annexation of 22.68 Acres, Located 3073 & 3075 Patterson Road & Tax Parcel No. 943-091-30-004, a Parcel with no Physical Address, and Setting a Public Hearing for December 1, 2021

#### **RECOMMENDATION:**

Staff recommends adoption of a resolution referring the petition for the Cross Orchards Annexation, introducing the proposed Ordinance and setting a hearing for December 1, 2021.

#### **EXECUTIVE SUMMARY:**

The Applicants, The Museum of Western Colorado and Cross Orchard Development LLC are requesting annexation of approximately 22.68-acres consisting of 3 parcels of land and located at 3073 & 3075 Patterson Road and a third parcel, Tax Parcel No. 2943-091-30-004, with no physical address. The subject property includes the existing Cross Orchard Living Farm and Museum utilizing two parcels, approximately 14 acres, and the third parcel is approximately 8 acres and planned for residential development and currently vacant. There are 0.57 acres of Patterson Road right-of-way in the annexation.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits in anticipation of future residential subdivision development for the 8-acre parcel. The request for zoning will be considered separately by City Council, but will be heard concurrently with the annexation request at the December 1, 2021 City Council meeting.

## **BACKGROUND OR DETAILED INFORMATION:**

The Applicants, The Museum of Western Colorado and Cross Orchard Development LLC are requesting annexation of approximately 22.68-acres consisting of 3 parcels of land and located at 3073 & 3075 Patterson Road and a third parcel, Tax Parcel No. 2943-091-30-004, with no physical address. The subject property has the existing Cross Orchard Living Farm and Museum utilizing two parcels, approximately 14 acres and the third parcel is approximately 8 acres and planned for residential development and currently vacant. There is 0.57 acres of Patterson Road right-of-way in the annexation.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits in anticipation of future residential subdivision development for the 8-acre parcel. The Museum of Western Colorado sold the 8-acre parcel to Cross Orchard Development LLC recently. To annex the 8 acres the entire Museum property is being annexed to meet contiguity requirements of State Law for annexations. The Applicants are requesting a zone district of R-4 (Residential – 4 du/ac) and a zone district of CSR (Community Services and Recreation). Both are consistent with the Residential Low Land Use category of the Comprehensive Plan and the R-4 zone is consistent with the existing Mesa County zoning of RSF-4. The request for zoning will be considered separately by City Council, but concurrently with the annexation request and will be heard in a future Council action.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – October 20, 2021
- Planning Commission considers Comprehensive Plan Amendment and Zone of Annexation – November 9, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – November 17, 2021
- Acceptance of Petition and Public Hearing on Annexation, and Comprehensive Plan Amendment and Zoning by City Council – December 1, 2021
- Effective date of Annexation, Comprehensive Plan Amendment and Zoning – January 2, 2021

### **Annexation Analysis**

The property is currently adjacent to existing city limits located in Patterson Road. A serial annexation comprising of two annexation legal descriptions is required to obtain the necessary one sixth contiguity requirements of State Statutes for annexation. The property owners have signed petitions for annexation of their properties.

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 Cross Orchards 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. The petition has been signed by the owners of all properties or 100% of the owners and includes 100% of the property described excluding right-of-way.

b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. Cross Orchards Annexation No. 1 has just under seventeen percent of the perimeter of the annexation contiguous with the existing City limits meeting the 1/6 contiguity requirements for annexation. Cross Orchards Annexation No. 2 has just over seventeen percent of the perimeter of the annexation contiguous with the city limits established in Cross Orchards Annexation No. 1 meeting the 1/6 contiguity requirements for annexation.

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. The property owner, Cross Orchard Development LLC is currently planning for the development of residential housing at R-4 urban densities.

e) The area is capable of being integrated with the City. The proposed annexation is adjacent to the city limits on the north side and will be required at the time of development to interconnect with existing urban services. Utilities and City services are available and currently serve the existing urban area around this site.

f) No land held in identical ownership is being divided by the proposed annexation. The entire property owned by the applicants is being annexed.

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

Please note that the annexation petitions were prepared by the City.

### **FISCAL IMPACT:**

#### **Fiscal Impacts by City Department**

##### Public Works

There is 600 feet of Patterson Road included in the annexation. There is also approximately 600 feet of 12-inch storm drain and four inlets along with one streetlight. Street sweeping, storm drainage, snow removal, street lighting, and striping are estimated at \$670/year. Street Maintenance will entail a chip seal in 2023 at a cost of

\$11,250 and an overlay in 2029 at a cost of \$106,600.

Additional city department fiscal impact estimates will be provided as part of the documentation for the public hearing scheduled for December 1, 2021.

**SUGGESTED MOTION:**

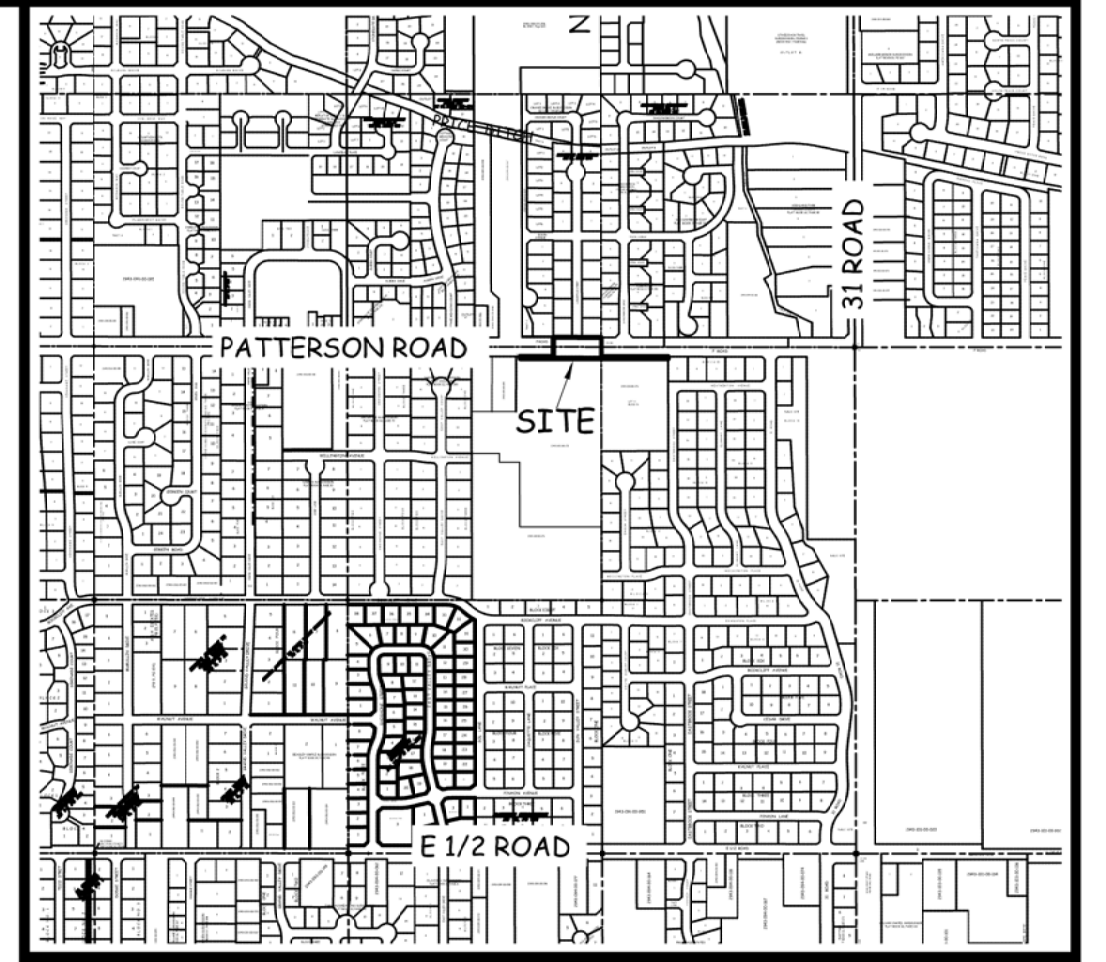
I move to (adopt/deny) Resolution No. 83-21, a resolution referring a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, setting a hearing on such annexation and exercising land use control over the Cross Orchards Annexation, approximately 22.68 acres, located at 3073 and 3075 Patterson Road and including Tax parcel No. 2943-091-30-004, a parcel with no physical address, as well as introduce a proposed ordinance annexing territory to the City of Grand Junction, Colorado, Cross Orchards Annexation, approximately 22.68 acres, located at 3073 and 3075 Patterson Road and includes Tax parcel No. 2943-091-30-004, a parcel with no physical address, and set a public hearing for December 1, 2021.

**Attachments**

1. Cross Orchards Annex Map
2. Site Maps and Pictures of Site
3. Annexation Schedule and Summary Table - Cross Orchards Annexation
4. Resolution - Referral of Petition -Cross Orchards Annexation
5. Cross Orchards Annexation Ordinance

# CROSS ORCHARDS ANNEXATION NO. 1

LYING IN THE N 1/2 NE 1/4 OF SECTION 9 and the SW1/4 SE1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

## DESCRIPTION

A parcel of land lying in the North Half of the Northeast Quarter (N 1/2 NE1/4) of Section 9 and the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being portions of Right of Way Parcels described at Reception Number 1070598 and 1314146 and portions of Lot 1, CROSS ORCHARDS II SUBDIVISION same as filed under Reception Number 2985337 and Lot 1, CROSS ORCHARDS SUBDIVISION same as filed under Reception Number 2900417 and being more particularly described as follows:

BEGINNING at the East 1/16 Corner of said Section 9 and Section 4, Township 1 South, Range 1 East, Ute Meridian and assuming the North Line of the NW1/4 NE1/4 of said Section 9 bears S89°55'16"E with all other bearings herein being relative thereto; thence S00°07'50"E along the east line of said NW1/4 NE1/4 of Section 9 a distance of 50.00 feet to the northwest corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S89°56'49"E along the north line of said Lot 1, CROSS ORCHARDS SUBDIVISION a distance of 328.63 feet; thence S00°09'09"E a distance of 11.00 feet; thence N89°56'49"W a distance of 771.00 feet to a point on the west line of said Lot 1, CROSS ORCHARDS II SUBDIVISION; thence N00°02'24"E a distance of 11.20 feet to the Northwest corner of said Lot 1, CROSS ORCHARDS II SUBDIVISION also being a point on the south line of SONRISE ACRES ANNEXATION No. 3; thence along the boundary of said SONRISE ACRES ANNEXATION No. 3 for the following three (3) courses: S89°55'16"E, a distance of 194.34 feet; thence N00°08'10"W a distance of 50.00 feet; thence N00°07'31"W a distance of 50.00 feet to a point on the north line of said Right of Way parcel described at Reception Number 1070598; thence S89°55'16"E along the north line of said Right of Way Parcel described at Reception Number 1070598 a distance of 248.00 feet to a point on the east line of the SW1/4 SE1/4 of said Section 4; thence S00°07'31"E along said east line SW1/4 SE1/4 Section 4 a distance of 50.00 feet to the to the Point of Beginning.

Containing 33323 Square Feet, or 0.77 Acres, more or less, as described.

### ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
ROW	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RANGE	RANGE
U.M.	UTE 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
REC.	RECEPTION

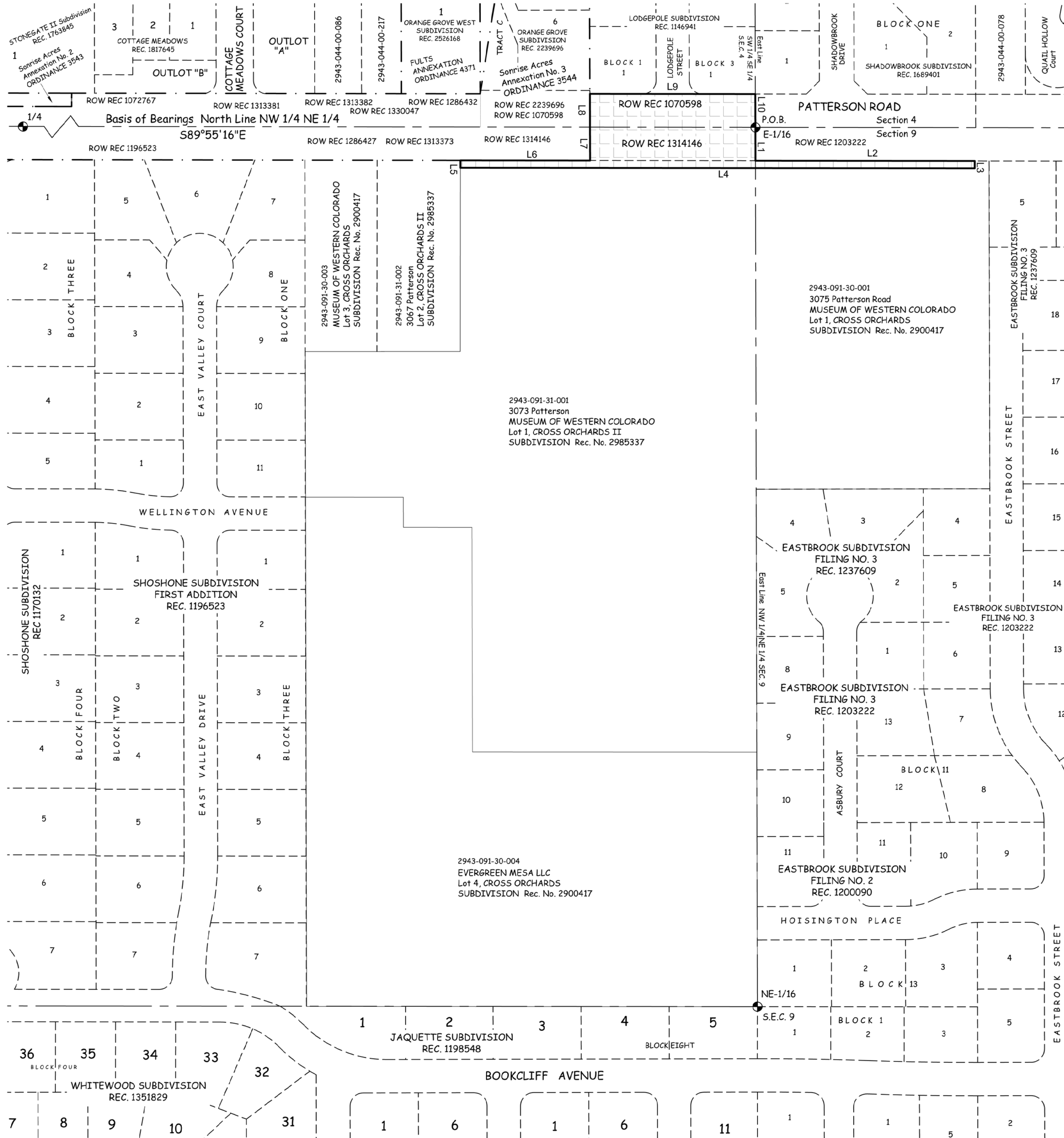
The Sketch and Description contained herein have been derived from subdivision plats, deed descriptions and Deposited Land Survey Plats as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing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

Renee B. Parent, PLS No. 38266  
Professional Land Surveyor for the  
City of Grand Junction

DATE: \_\_\_\_\_

### Line Table

LINE	BEARING	HORIZ DIST
L1	S 0°07'50" E	50.00'
L2	S 89°56'49" E	328.63'
L3	S 0°09'09" E	11.00'
L4	N 89°56'49" W	771.00'
L5	N 0°02'24" E	11.20'
L6	S 89°55'16" E	194.34'
L7	N 0°08'10" W	50.00'
L8	N 0°07'31" W	50.00'
L9	S 89°55'16" E	248.00'
L10	S 0°07'31" E	50.00'

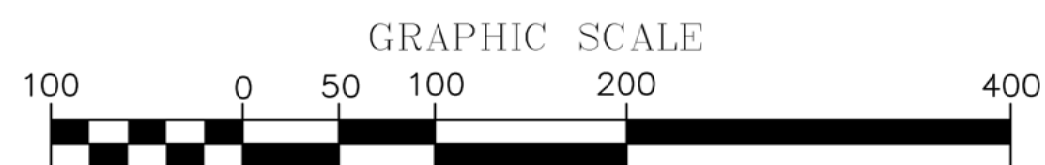


### AREA OF ANNEXATION

ANNEXATION PERIMETER	1764.16 FT.
CONTIGUOUS PERIMETER	294.34 FT.
AREA IN SQUARE FEET	33323
AREA IN ACRES	0.77
24800 SQ. FT OR 0.57 ACRES LIES IN THE PATTERSON ROAD R.O.W.	

### LEGEND

ANNEXATION BOUNDARY  
EXISTING CITY LIMITS



( IN FEET )  
1 inch = 100 ft.  
LINEAL UNITS = U.S. SURVEY FOOT

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	R.B.P.	DATE	08-30-2021
DESIGNED BY		DATE	
CHECKED BY	M.G.	DATE	09-08-2021
APPROVED BY		DATE	

SCALE  
1" = 100'



PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY DEPARTMENT

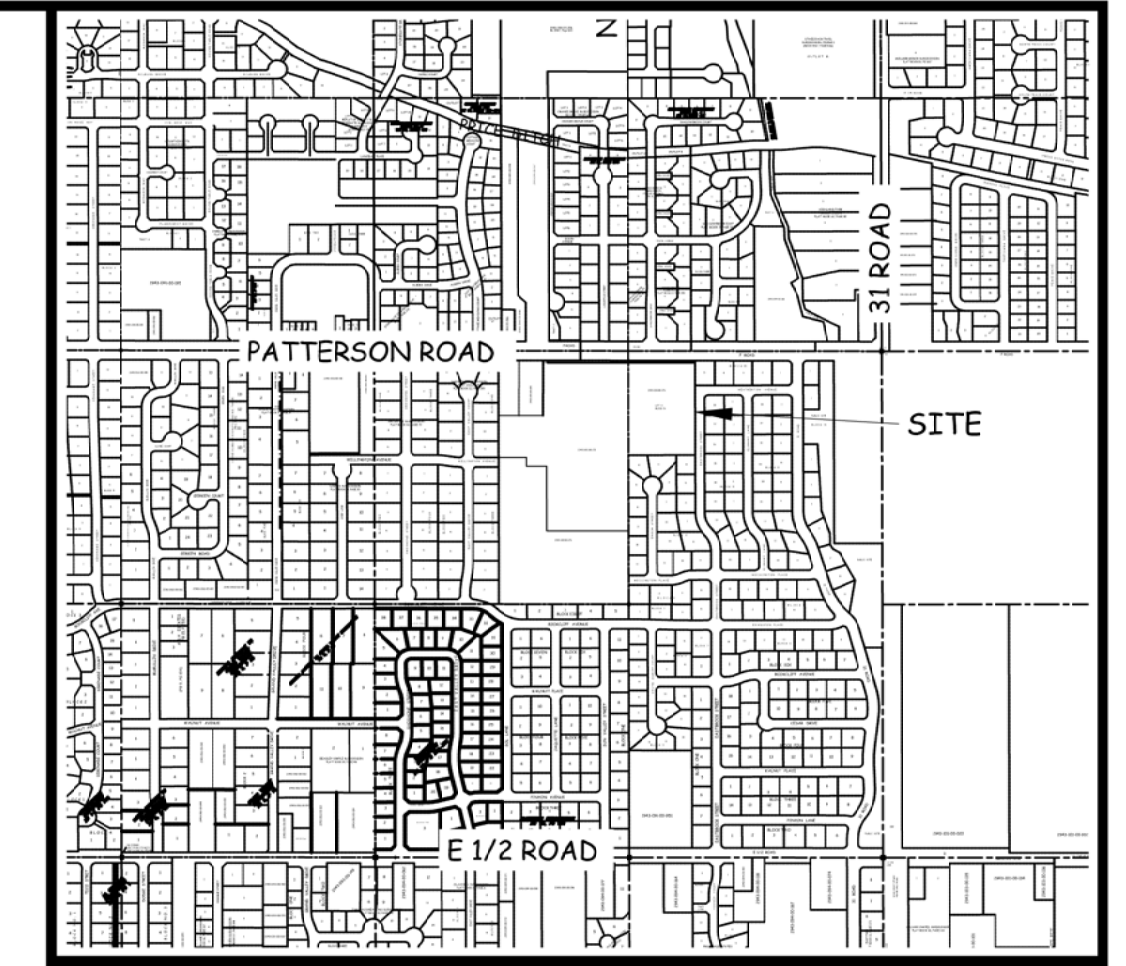
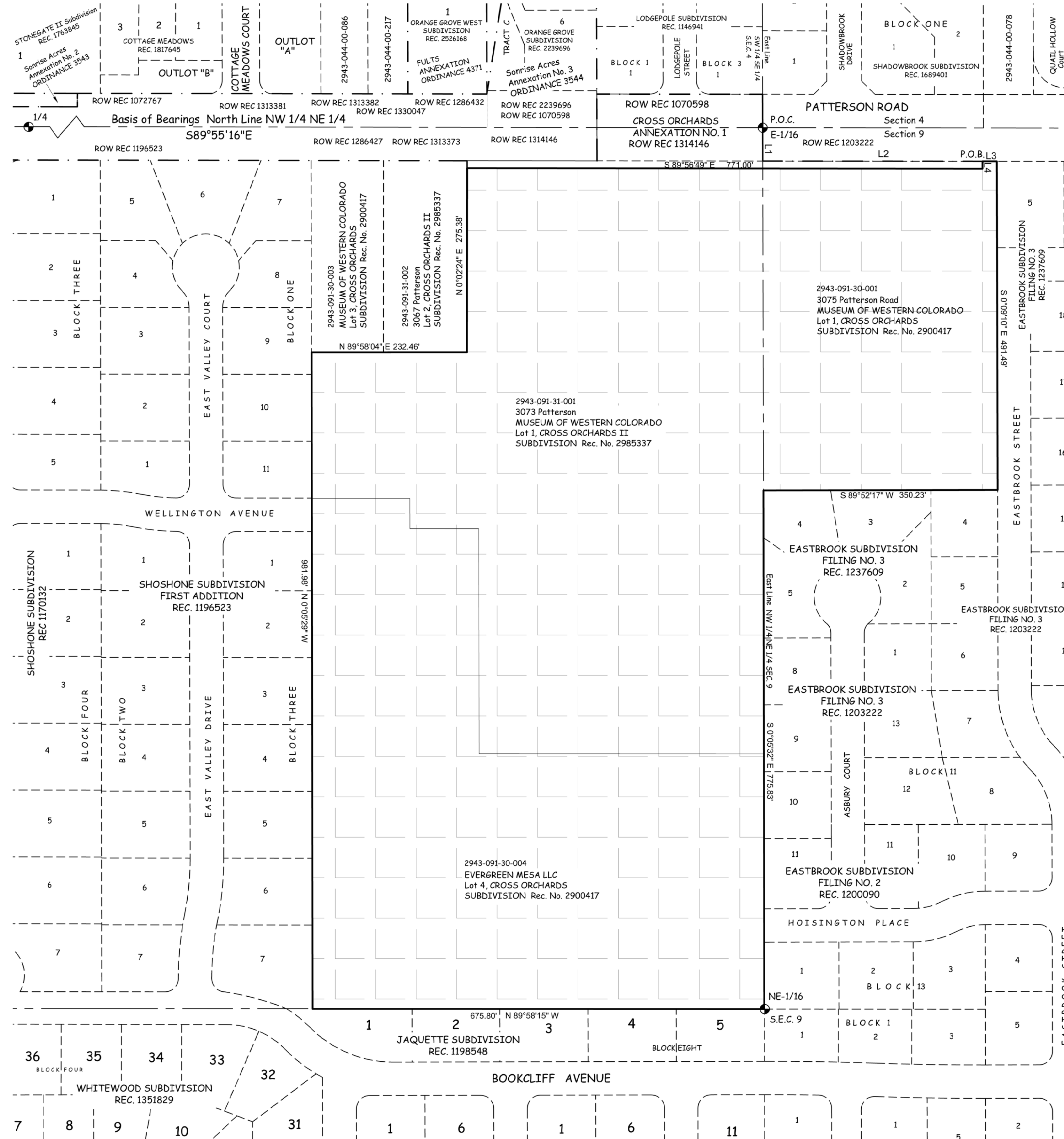
CROSS ORCHARDS  
ANNEXATION NO. 1

1  
OF  
1



LYING IN THE N 1/2 NE 1/4 OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO

LINE	BEARING	HORIZ DIST
L1	S 0°07'50" E	50.00'
L2	S 89°56'49" E	328.63'
L3	S 89°56'49" E	21.41'
L4	N 0°09'09" W	11.00'



LOCATION MAP: NOT-TO-SCALE

## DESCRIPTION

A parcel of land lying in the North Half of the Northeast Quarter (N 1/2 NE1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being portions of Lot 1, CROSS ORCHARDS II SUBDIVISION same as filed under Reception Number 2985337 and Lots 1 and 4, CROSS ORCHARDS SUBDIVISION same as filed under Reception Number 2900417 and being more particularly described as follows:

COMMENCING at the East 1/16 Corner of said Section 9 and Section 4, Township 1 South, Range 1 East, Ute Meridian and assuming the North Line of the NW1/4 NE1/4 of said Section 9 bears S89°55'16"E with all other bearings herein being relative thereto; thence S00°07'50"E along the east line of said NW1/4 NE1/4 a distance of 50.00 feet to the northwest corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S89°56'49"E a distance of 328.63 feet along the north line of said Lot 1, CROSS ORCHARDS SUBDIVISION to the Point of Beginning also being a point on the boundary of CROSS ORCHARDS ANNEXATION NO. 1; thence continuing S89°56'49"E a distance of 21.41 feet to the Northeast corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S00°09'10"E a distance of 491.49 feet; thence S89°52'17"W a distance of 350.23 feet to a point on said east line of the NW1/4 NE1/4 Section 9; thence S00°05'32"E a distance of 775.83 feet to the Northeast 1/16 corner of said Section 9; thence N89°58'15"W a distance of 675.80 feet; thence N00°05'29"W a distance of 981.98 feet; thence N89°58'04"E a distance of 232.46 feet; thence N00°02'24"E a distance of 275.38 feet to a point on the south line of said CROSS ORCHARDS ANNEXATION NO. 1; thence along said south line of CROSS ORCHARDS ANNEXATION NO. 1 for the following two (2) courses: S89°56'49"E a distance of 771.00 feet; N0°09'09"W a distance of 11.00 feet to the Point of Beginning.

Containing 954298 Square Feet, or 21.91 Acres, more or less, as described.

### ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
ROW	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
$\Delta$ =	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG.	PAGE
REC.	RECEPTION

*The Sketch and Description contained herein have been derived from subdivision plats, deed descriptions and Deposited Land Survey Plats 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.*

*AREA OF ANNEXATION*

ANNEXATION PERIMETER	4586.58 FT.
CONTIGUOUS PERIMETER	782 FT.
AREA IN SQUARE FEET	954298
AREA IN ACRES	21.91

*LEGEND*

ANNEXATION BOUNDARY \_\_\_\_\_  
EXISTING CITY LIMITS \_\_\_\_\_



( IN FEET )  
1 inch = 100 ft  
LINEAL UNITS = U.S. SURVEY FOOT

ORDINANCE NO.

EFFECTIVE DATE

Renee B. Parent, PLS No. 38266  
Professional Land Surveyor for the  
City of Grand Junction

DATE: \_\_\_\_\_

**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 herein.

DRAWN BY R.B.P. DATE 08-30-2021  
DESIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CHECKED BY M.G. DATE 09-08-2021  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

SCALE  
1" = 100'

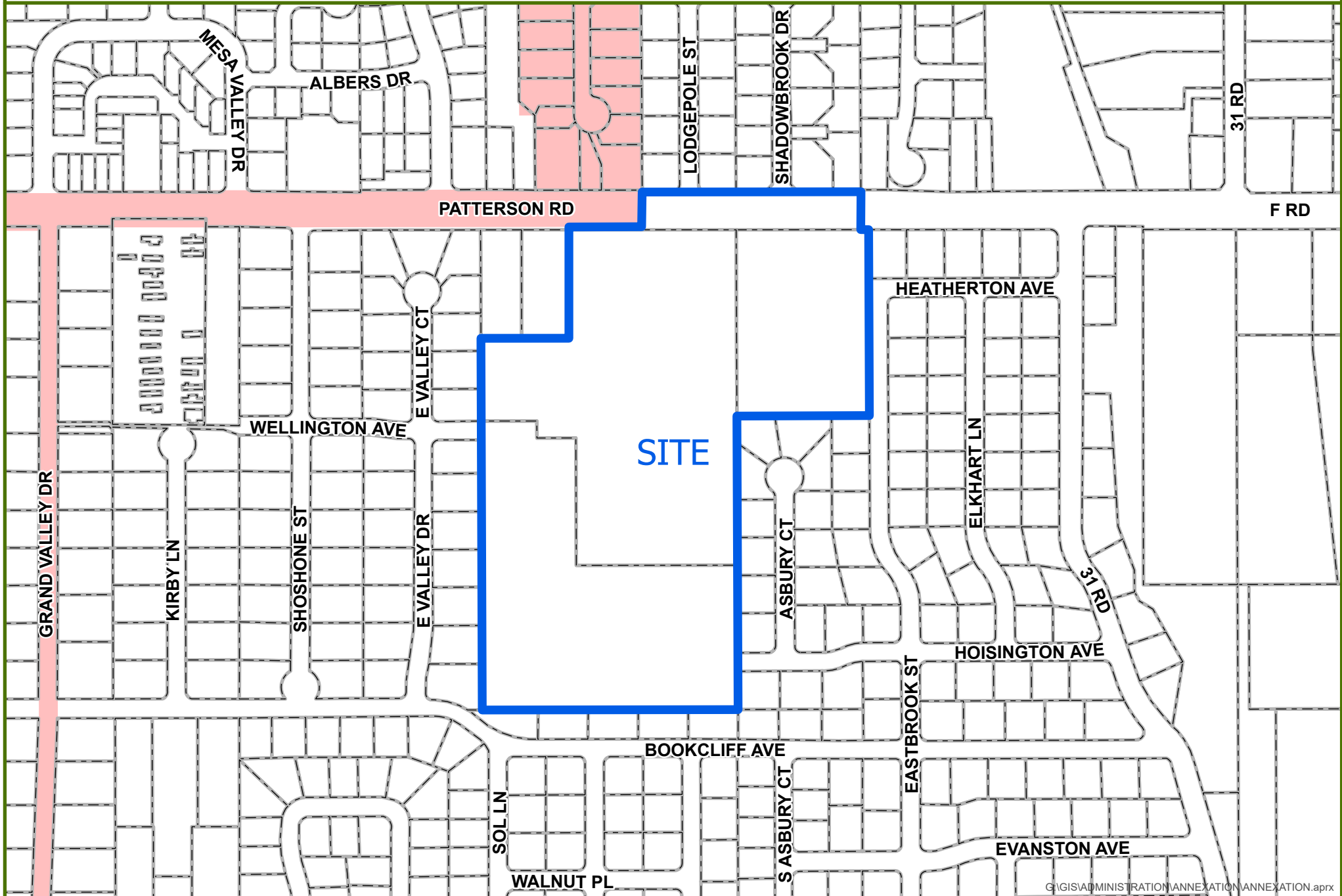


PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY DEPARTMENT

## CROSS ORCHARDS ANNEXATION NO. 2

F

# CROSS ORCHARDS ANNEXATION



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



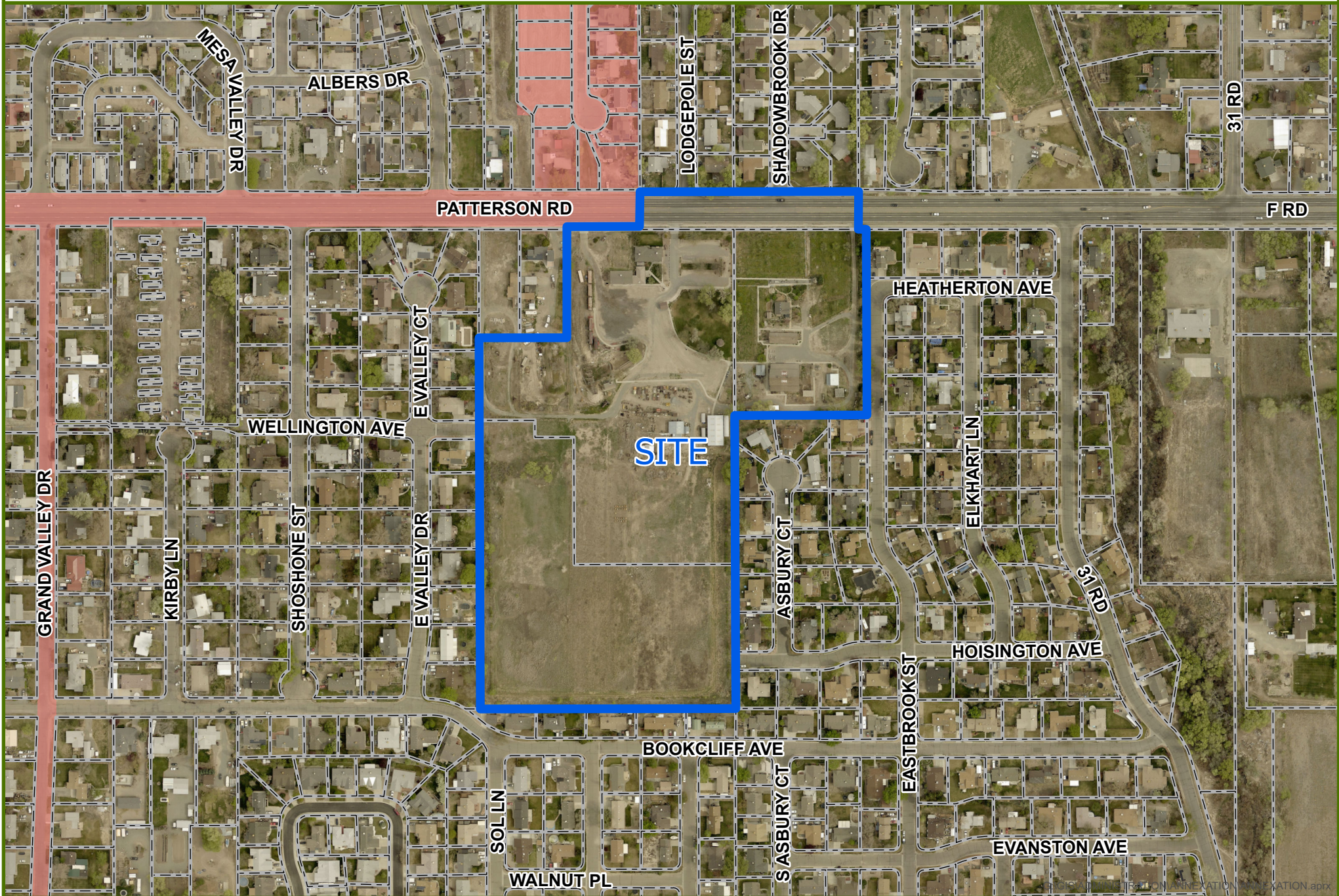
0 0.05 0.1 Miles

 Annexation

 City Limits



# CROSS ORCHARDS ANNEXATION



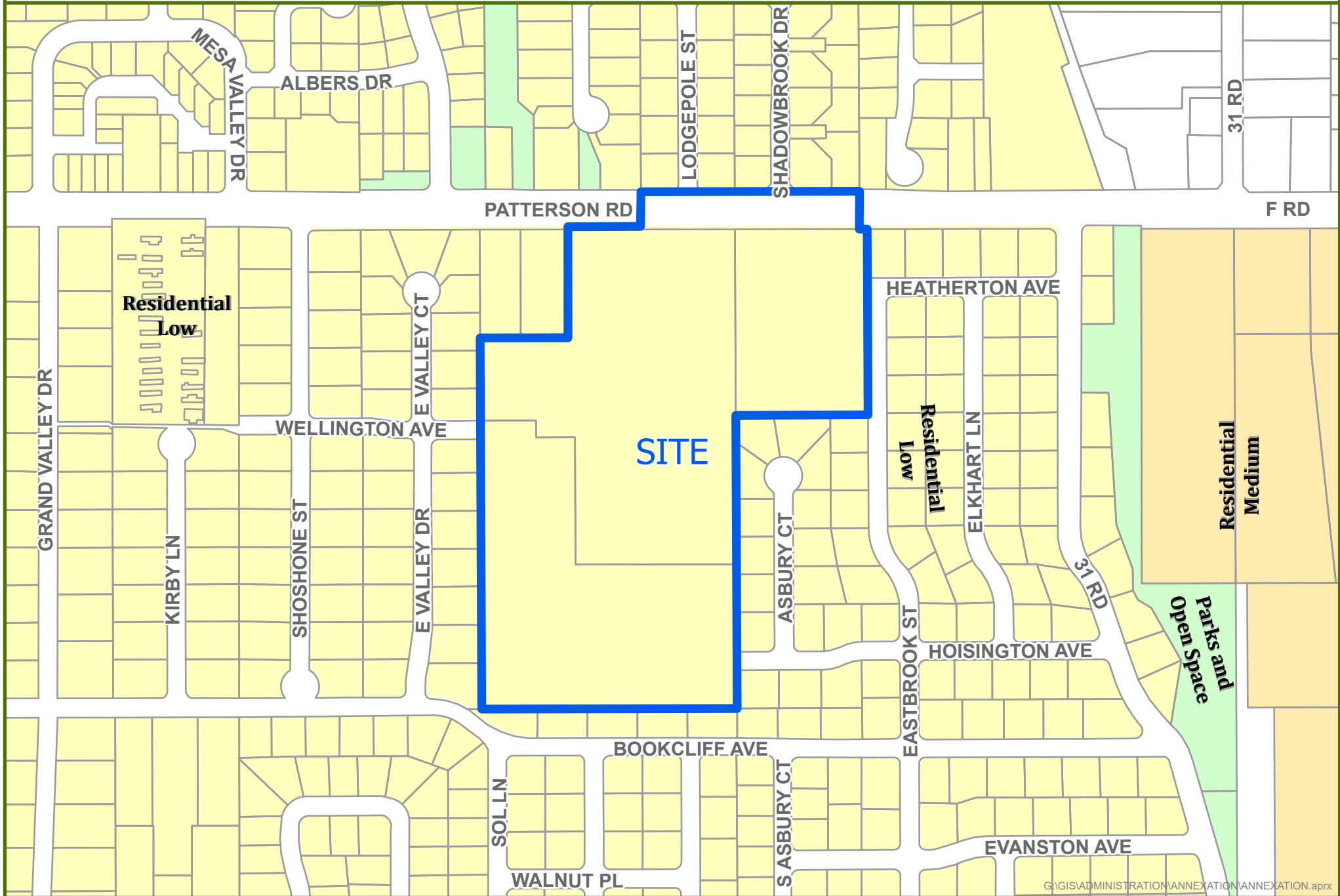
0 0.05 0.1 Miles

 Annexation

 City Limits



# CROSS ORCHARDS ANNEXATION - LAND USE



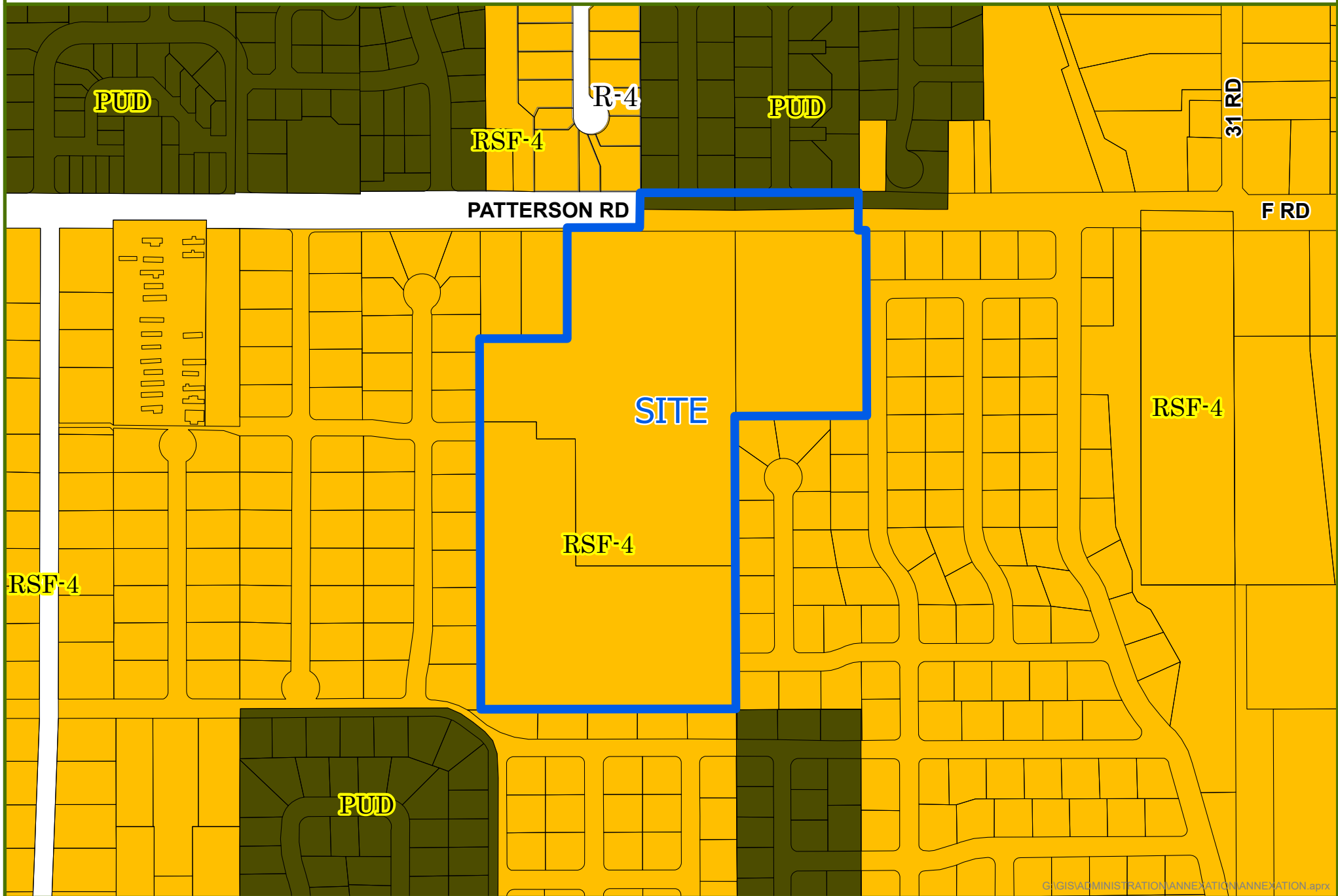
G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



0 0.05 0.1 Miles

 Annexation Boundary

# CROSS ORCHARDS ANNEXATION - ZONING



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



0 0.05 0.1 Miles

 Annexation

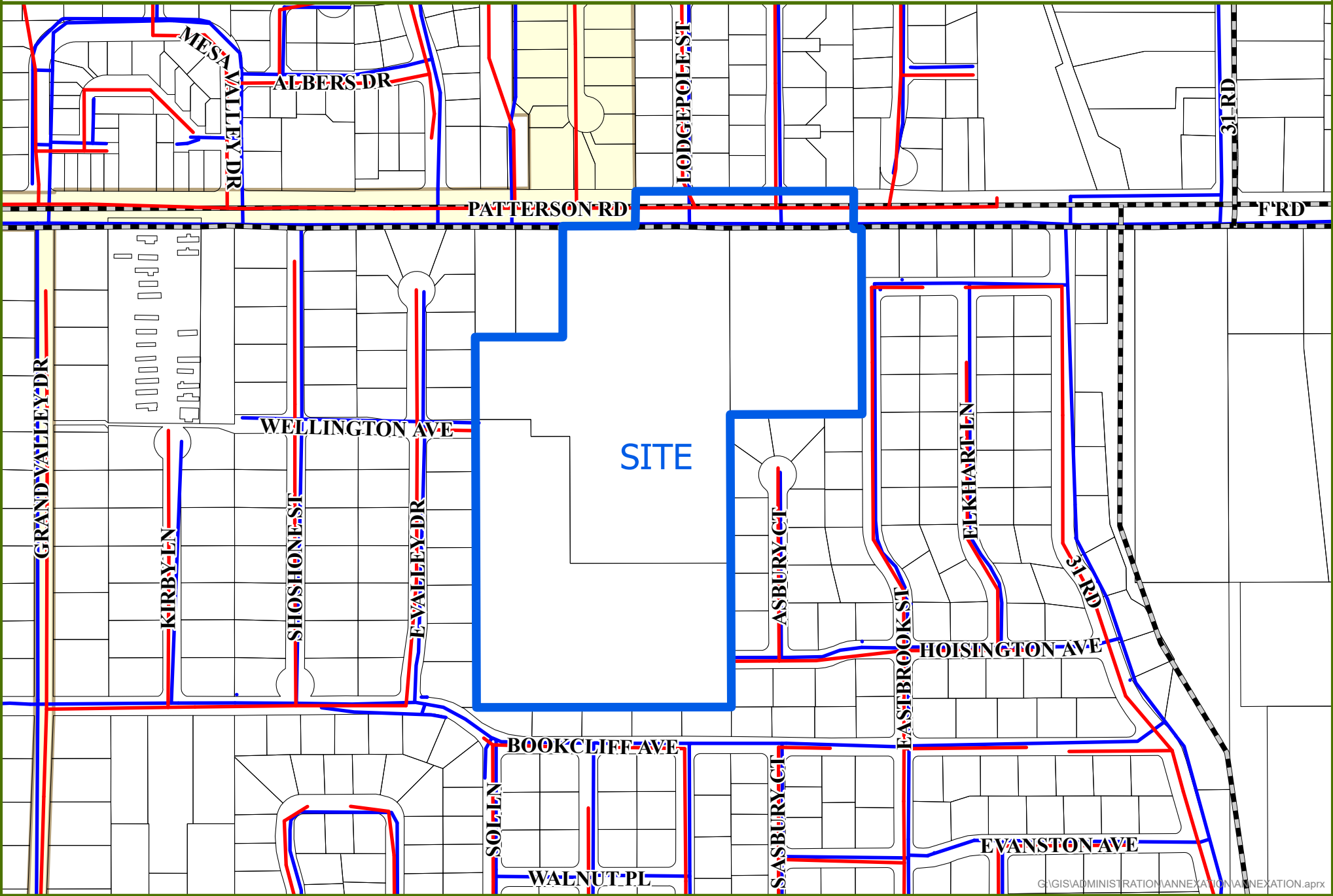
City Zoning  
Packet Page 28

**County Zoning**

Date Created: 9/27/2021

**CITY OF**  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEMS

# CROSS ORCHARDS ANNEXATION - UTILITIES



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



0 0.05 0.1 Miles

NON-CITY FIBER

SEWER

CLIFTON WATER

CITY LIMITS

Date Created: 9/27/2021







**Looking South from Patterson Road**



**Looking East from Wellington Avenue**



**Looking West from Hoisington Avenue**

<u>CROSS ORCHARD ANNEXATION SCHEDULE</u>		
October 20, 2021	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use	
November 9, 2021	Planning Commission considers Zone of Annexation	
November 17, 2021	Introduction of a Proposed Ordinance on Zoning by City Council	
December 1, 2021	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council	
January 2, 2022	Effective date of Annexation and Zoning	
<u>ANNEXATION SUMMARY</u>		
File Number:		ANX-2021-438
Location:		3073 & 3075 Patterson Road & 2943-091-30-004, a parcel with no physical address
Tax ID Numbers:		2943-091-31-001, 2943-091-30-001, 2943-091-30-004
# of Parcels:		3
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		22.68
Developable Acres Remaining:		8 acres for proposed residential development between 5.5 to 8 Du/ac
Right-of-way in Annexation:		Patterson Road = 0.57 acres (250 linear feet of the full width of Patterson Road)
Previous County Zoning:		RSF-4
Proposed City Zoning:		R-4 for 1 parcel (8-ac) proposed future residential development and CSR for 2 parcels (14-ac) for museum
Current Land Use:		Museum
Future Land Use:		Residential Low
Values:	Assessed:	\$215,510 (note \$80,140 Assessed for Private property)
	Actual:	\$743,140 (note \$276,350 Actual for Private property)
Address Ranges:		3071 thru 3081 (odd only) Patterson Road
Special Districts:	Water:	Clifton Water & Ute Water
	Sewer:	City
	Fire:	Clifton Fire Protection
	Irrigation/Drainage:	Grand Valley Irrigation Company and Grand Valley Drainage
	School:	District 51
	Pest:	Grand River Mosquito District
	Other:	Colorado River Water Conservancy



**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 20<sup>th</sup> day of October 2021, 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**

**CROSS ORCHARDS ANNEXATION**

**APPROXIMATELY 22.68 ACRES  
LOCATED ON A PROPERTY 3073 & 3075 PATTERSON ROAD & TAX PARCEL No.  
943-091-30-004, A PARCEL WITH NO PHYSICAL ADDRESS**

WHEREAS, on the 20<sup>th</sup> day of October, 2021, 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:

**Perimeter Boundary Legal Description  
Cross Orchards Annexation  
A Serial Annexation Comprising Cross Orchards Annexation No.1  
and Cross Orchards Annexation No. 2**

**Cross Orchards Annexation No. 1**

A parcel of land lying in the North Half of the Northeast Quarter (N 1/2 NE1/4) of Section 9 and the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being portions of Right of Way Parcels described at Reception Number 1070598 and 1314146 and portions of Lot 1, CROSS ORCHARDS II SUBDIVISION same as filed under Reception Number 2985337 and Lot 1, CROSS ORCHARDS SUBDIVISION same as filed under Reception Number 2900417 and being more particularly described as follows:

BEGINNING at the East 1/16 Corner of said Section 9 and Section 4, Township 1 South, Range 1 East, Ute Meridian and assuming the North Line of the NW1/4 NE1/4 of said Section 9 bears S89°55'16"E with all other bearings herein being relative thereto; thence S00°07'50"E along the east line of said NW1/4 NE1/4 of Section 9 a distance of 50.00 feet to the northwest corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S89°56'49"E along the north line of said Lot 1, CROSS ORCHARDS SUBDIVISION a distance of 328.63 feet; thence S00°09'09"E a distance of 11.00 feet; thence N89°56'49"W a distance of 771.00 feet to a point on the west line of said Lot 1, CROSS ORCHARDS II SUBDIVISION; thence N00°02'24"E a distance of 11.20 feet to



the Northwest corner of said Lot 1, CROSS ORCHARDS II SUBDIVISION also being a point on the south line of SONRISE ACRES ANNEXATION No. 3; thence along the boundary of said SONRISE ACRES ANNEXATION No. 3 for the following three (3) courses: S89°55'16"E, a distance of 194.34 feet; thence N00°08'10"W a distance of 50.00 feet; thence N00°07'31"W a distance of 50.00 feet to a point on the north line of said Right of Way parcel described at Reception Number 1070598; thence S89°55'16"E along the north line of said Right of Way Parcel described at Reception Number 1070598 a distance of 248.00 feet to a point on the east line of the SW1/4 SE1/4 of said Section 4; thence S00°07'31"E along said east line SW1/4 SE1/4 Section 4 a distance of 50.00 feet to the Point of Beginning.

Containing 33323 Square Feet, or 0.77 Acres, more or less, as described.

#### Cross Orchards Annexation No. 2

A parcel of land lying in the North Half of the Northeast Quarter (N 1/2 NE1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being portions of Lot 1, CROSS ORCHARDS II SUBDIVISION same as filed under Reception Number 2985337 and Lots 1 and 4, CROSS ORCHARDS SUBDIVISION same as filed under Reception Number 2900417 and being more particularly described as follows:

COMMENCING at the East 1/16 Corner of said Section 9 and Section 4, Township 1 South, Range 1 East, Ute Meridian and assuming the North Line of the NW1/4 NE1/4 of said Section 9 bears S89°55'16"E with all other bearings herein being relative thereto; thence S00°07'50"E along the east line of said NW1/4 NE1/4 a distance of 50.00 feet to the northwest corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S89°56'49"E a distance of 328.63 feet along the north line of said Lot 1, CROSS ORCHARDS SUBDIVISION to the Point of Beginning also being a point on the boundary of CROSS ORCHARDS ANNEXATION NO. 1; thence continuing S89°56'49"E a distance of 21.41 feet to the Northeast corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S00°09'10"E a distance of 491.49 feet; thence S89°52'17"W a distance of 350.23 feet to a point on said east line of the NW1/4 NE1/4 Section 9; thence S00°05'32"E a distance of 775.83 feet to the Northeast 1/16 corner of said Section 9; thence N89°58'15"W a distance of 675.80 feet; thence N00°05'29"W a distance of 981.98 feet; thence N89°58'04"E a distance of 232.46 feet; thence N00°02'24"E a distance of 275.38 feet to a point on the south line of said CROSS ORCHARDS ANNEXATION NO. 1; thence along said south line of CROSS ORCHARDS ANNEXATION NO. 1 for the following two (2) courses: S89°56'49"E a distance of 771.00 feet; N0°09'09"W a distance of 11.00 feet to the Point of Beginning.

Containing 954298 Square Feet, or 21.91 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 1<sup>st</sup> day of December, 2021, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 5:30 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 20<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
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><b>DATES PUBLISHED</b></i>
<b>October 22<sup>nd</sup>, 2021</b>
<b>October 29<sup>th</sup>, 2021</b>
<b>November 5<sup>th</sup>, 2021</b>
<b>November 12<sup>th</sup>, 2021</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**APPROXIMATELY 22.68 ACRES  
LOCATED ON A PROPERTY 3073 & 3075 PATTERSON ROAD & TAX PARCEL No.  
943-091-30-004, A PARCEL WITH NO PHYSICAL ADDRESS**

**WHEREAS**, on the 20<sup>th</sup> day of October, 2021, 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 \_\_\_\_ day of \_\_\_\_\_, 2021; 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:

**CROSS ORCHARDS ANNEXATION  
Perimeter Boundary Legal Description  
Cross Orchards Annexation  
A Serial Annexation Comprising Cross Orchards Annexation No.1  
and Cross Orchards Annexation No. 2**

**Cross Orchards Annexation No. 1  
Exhibit A**

A parcel of land lying in the North Half of the Northeast Quarter (N 1/2 NE1/4) of Section 9 and the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being portions of Right of Way Parcels described at Reception Number 1070598 and 1314146 and portions of Lot 1, CROSS ORCHARDS II SUBDIVISION same as filed under Reception Number 2985337 and Lot 1, CROSS ORCHARDS SUBDIVISION same as filed under Reception Number 2900417 and being more particularly described as follows:

BEGINNING at the East 1/16 Corner of said Section 9 and Section 4, Township 1 South, Range 1 East, Ute Meridian and assuming the North Line of the NW1/4 NE1/4 of said Section 9 bears S89°55'16"E with all other bearings herein being relative thereto; thence S00°07'50"E along the east line of said NW1/4 NE1/4 of Section 9 a distance of 50.00 feet to the northwest corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S89°56'49"E along the north line of said Lot 1, CROSS ORCHARDS SUBDIVISION a distance of 328.63 feet; thence S00°09'09"E a distance of 11.00 feet; thence N89°56'49"W a distance of 771.00 feet to a point on the west line of said Lot 1, CROSS ORCHARDS II SUBDIVISION; thence N00°02'24"E a distance of 11.20 feet to the Northwest corner of said Lot 1, CROSS ORCHARDS II SUBDIVISION also being a point on the south line of SONRISE ACRES ANNEXATION No. 3; thence along the boundary of said SONRISE ACRES ANNEXATION No. 3 for the following three (3) courses: S89°55'16"E, a distance of 194.34 feet; thence N00°08'10"W a distance of 50.00 feet; thence N00°07'31"W a distance of 50.00 feet to a point on the north line of said Right of Way parcel described at Reception Number 1070598; thence S89°55'16"E along the north line of said Right of Way Parcel described at Reception Number 1070598 a distance of 248.00 feet to a point on the east line of the SW1/4 SE1/4 of said Section 4; thence S00°07'31"E along said east line SW1/4 SE1/4 Section 4 a distance of 50.00 feet to the to the Point of Beginning.

Containing 33323 Square Feet, or 0.77 Acres, more or less, as described.

Cross Orchards Annexation No. 2  
Exhibit B

A parcel of land lying in the North Half of the Northeast Quarter (N 1/2 NE1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being portions of Lot 1, CROSS ORCHARDS II SUBDIVISION same as filed under Reception Number 2985337 and Lots 1 and 4, CROSS ORCHARDS SUBDIVISION same as filed under Reception Number 2900417 and being more particularly described as follows:

COMMENCING at the East 1/16 Corner of said Section 9 and Section 4, Township 1 South, Range 1 East, Ute Meridian and assuming the North Line of the NW1/4 NE1/4 of said Section 9 bears S89°55'16"E with all other bearings herein being relative thereto; thence S00°07'50"E along the east line of said NW1/4 NE1/4 a distance of 50.00 feet to the northwest corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S89°56'49"E a distance of 328.63 feet along the north line of said Lot 1, CROSS ORCHARDS SUBDIVISION to the Point of Beginning also being a point on the boundary of CROSS ORCHARDS ANNEXATION NO. 1; thence continuing S89°56'49"E a distance of 21.41 feet to the Northeast corner of said Lot 1, CROSS ORCHARDS SUBDIVISION; thence S00°09'10"E a distance of 491.49 feet; thence S89°52'17"W a distance of 350.23 feet to a point on said east line of the NW1/4 NE1/4 Section 9; thence S00°05'32"E a distance of 775.83 feet to the Northeast 1/16 corner of

said Section 9; thence N89°58'15"W a distance of 675.80 feet; thence N00°05'29"W a distance of 981.98 feet; thence N89°58'04"E a distance of 232.46 feet; thence N00°02'24"E a distance of 275.38 feet to a point on the south line of said CROSS ORCHARDS ANNEXATION NO. 1 ; thence along said south line of CROSS ORCHARDS ANNEXATION NO. 1 for the following two (2) courses: S89°56'49"E a distance of 771.00 feet; N0°09'09"W a distance of 11.00 feet to the Point of Beginning.

Containing 954298 Square Feet, or 21.91 Acres, more or less, as described.

**INTRODUCED** on first reading on the 20<sup>th</sup> day of October 2021 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_ 2021 and ordered published in pamphlet form.

\_\_\_\_\_  
President of the Council

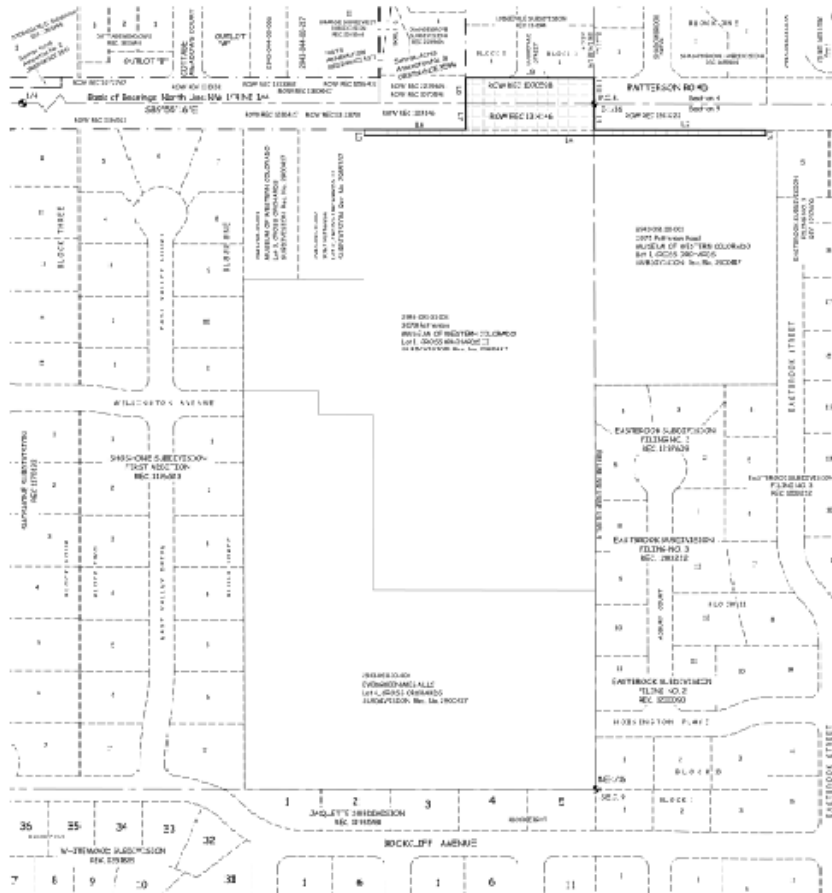
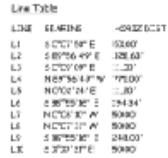
Attest:

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

## EXHIBIT A

# CROSS ORCHARDS ANNEXATION NO. 1

LIVING IN THE N 1/2 NE 1/4 OF SECTION 9 and the SW 1/4 SE 1/4 OF SECTION 4, TOWNSHIP 1 S, RANGE 1 E, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



## DESCRIPTION

[illegible][illegible]

Containing 21,210 Square Feet, or 0.47 Acres, same is better described:

P.D.C.	POINT OF COMMUNICATION
P.D.D.	POINT OF DEPARTING
P.D.R.	POINT OF REPLY
PDR	POINT OF REPLY
SEC.	SECTION
TRF.	TRANSPORT
PLC.	PLANCE
U.M.	UNIT MESSAGE
	NUMBER
SH. FL.	SHOULDER FLIGHT
AN	ANGULAR ANGLE
PAJ.	PAJES
AL	ALICE LINDEN
ONL	ONLINE LIVING
OND	ONLINE DRAWING
BLK	BLACK
PL	PLANT BONE
BC	BONE
PL	PLATE
PEC.	PERCEPTION

To Sketch and Illustrate contained herein have been derived from subdivision plans, deed descriptions and Separated Land Survey Plots as they appear in the office of the Miss County Clerk and Recorder. We plan does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

### IDEA OF ILLUSTRATION

NAME/SSN POWERED	1200 BT
CONTRACT NUMBER	2000000
NOA APPROVAL SET	0000
NOA APPROVAL	000
PAGE 52 OF 60 CUST ACCT NO: 00000000000000000000	

MELEC

PROJECTION FOOTCANDLES  
DURING CITY LIGHTS



LINEAL INCHES = U.S. SURVIVAL FOOD\*

ORDINANCE NO.

PRODUCTIVE PAGE

Series E Pages: A.J. No. 32265  
Professional Land Damages for the  
City of Grand Junction

© 2007 The Authors

THIS IS NOT A BOUNDARY SURVEY

## References

According to German law, you must terminate any legal order before you pay the first of the money when the first part of the fee is due. You must also inform the court of the termination. If you do not, you will be liable for the costs of the proceedings. The court will also be liable for the costs of the proceedings. The court will also be liable for the costs of the proceedings.

DRAWN BY: EEF DATE: 09-02-2021  
 DESIGNED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CHECKED BY: N.S. DATE: 09-08-2021  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

SCALE  
P = 100



PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY DEPARTMENT

CROSS ORCHARDS  
ANNEXATION NO. 1

LYING IN THE N 1/2 NE 1/4 OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO







## Grand Junction City Council

### Regular Session

Item #2.a.ii.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Senta Costello, Planner  
**Department:** Community Development  
**Submitted By:** Senta Costello, Associate Planner

---

### **Information**

#### **SUBJECT:**

Introduction of an Ordinance to 1) Amend the Comprehensive Plan from Residential Medium to Commercial; and 2) Rezone 0.276 Acres from R-5 (Residential 5 du/ac) to C-1 (Light Commercial), Located at 2894 Presley Avenue and Setting a Public Hearing for November 3, 2021.

#### **RECOMMENDATION:**

The Planning Commission recommended approval of the rezone request with a vote of 5 to 0 at its October 12, 2021 meeting.

#### **EXECUTIVE SUMMARY:**

The Applicant, Darin Carei, is requesting a Comprehensive Plan Amendment from Residential Medium (5.5 – 12 du/ac) to Commercial and a rezone of one parcel totaling approximately 0.276 acres located at 2894 Presley Avenue, more particularly described as Lot 1, Block 1 of the Graff Meadows Filing One subdivision, from R-5 (Residential 5 du/ac) to C-1 (Light Commercial). The requested C-1 (Light Commercial) zone district would be consistent with the Comprehensive Plan Land Use Map designation of Commercial, if approved.

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

The 0.276-acre parcel is located just west of the northwest corner of 29 Road and Presley Avenue, adjacent to Graff Dairy. The property was originally platted as a part of Lot 1, Woodsmoke Subdivision in 1982, replatted in 1998 as a part of Lot 2, Graff Minor Subdivision and most currently platted as Lot 1, Block 1 of Graff Meadows Filing One subdivision, intended for a single-family house. Located directly to the east is Graff Dairy, an ice cream shop/dairy originally opened in 1964. The business closed in 2014 but was purchased and reopened in 2015 by Mr. Carei. In the last 6 years the business

has flourished, creating traffic and circulation problems on the property and surrounding streets.

Mr. Carei proposes to rezone the residential lot in Graff Meadows Filing One, combine it with the Graff Dairy property at 581 29 Road, more particularly described as Lot 1 of Graff Minor Subdivision and make site improvements for additional parking and improved overall circulation for the business and motorists on surrounding streets. Simple Subdivision and Site Plan Review applications have been submitted for the proposed improvements.

For the property to be rezoned to the requested C-1 zone district, a Comprehensive Plan Amendment is required. The applicant has submitted for a Comprehensive Plan amendment concurrent with the rezone request and this staff report and accompanied ordinance provides for concurrent consideration by Planning Commission and City Council. Without a change to the Land Use Map as requested in the Comprehensive Plan Amendment, the rezone request to C-1 is not supported by the Comprehensive Plan. Support for a rezone to C-1 is conditioned upon an amendment to the Land Use Map of Commercial for the property.

### **COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT**

Presently, the Comprehensive Plan designates the property's land use as Residential Medium (5.5 – 12 du/ac). The Applicant is requesting to change the Land Use Map from Residential Medium to Commercial to allow for light commercial land uses.

The primary land uses found in the Commercial land use category are commercial, offices, retail, medical campus/hospitals and service-oriented uses. The secondary land uses include higher density housing, small warehouses, lighter industrial uses such as manufacturing, assembly, technology and distribution, places of worship and other public/institutional uses.

The area surrounding this site is designated on the Land Use Map as Residential Medium to the north, south and west, and Commercial to the east on the Graff Dairy site.

### **REZONE REQUEST**

The Applicant is interested in preparing the property for future development that is proposed to include additional parking and circulation for the Graff Dairy customers and employees.

In addition to the C-1 (Light Commercial) zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designations of Commercial:

- a. Mixed Use (M-U)
- b. Business Park (BP)
- c. Industrial/Office Park (I-O)

- d. General Commercial (C-2)
- e. Mixed Use Residential (MXR-8)
- f. Mixed Use General (MXG – 3, 5, 8)
- g. Mixed Use Shopfront (MXS – 3, 5, 8)
- h. Mixed Use Opportunity Corridor (MXOC)

In reviewing the other zoning district options for the proposed Commercial category, the M-U, BP and C-2 zone districts allow for retail and food production type developments.

The property adjacent to the subject property to the north, south and west are zoned east zoned R-5, established under the 2020 Comprehensive Plan's land use designation for Residential Medium (5.5 to 12 du/ac). The zoning east of subject property (Graff Dairy site) is zoned C-1 (Light Commercial).

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held on December 7, 2020 virtually in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Two neighbors attended the meeting. They were supportive of the project overall as well as the rezone to facilitate an improved site layout and traffic circulation.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on December 28, 2020. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 17, 2021 and again October 1, 2021. The notice of this public hearing was published on September 21, 2021 and October 5, 2021 in the Grand Junction Daily Sentinel.

### **ANALYSIS - COMPREHENSIVE PLAN AMENDMENT**

The criteria for review are set forth in Section 21.02.130 (c) (1). The criteria provide that the City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and at least one of the criteria outlined below;

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

The decision to designate the property as Residential Medium Land Use under the Comprehensive Plan was made approximately nine months ago with the adoption of the One Grand Junction Comprehensive Plan. No substantial changes to the infrastructure, development context, or development potential of the subject property has occurred since that time. Therefore, staff finds that this criterion is not met.

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

The character of the area has not been changed in a substantive way since the Comprehensive Plan was adopted. The surrounding land-uses remain predominately residential and consists of medium-density residential development. Therefore, staff finds this criterion is not met.

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

The subject property is within an urbanized area of the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the Commercial Future Land Use designation. The type and scope of land use allowed within the Commercial Future Land Use designation is similar in character and extent to the existing non-residential land use of nearby properties, which contain a mix of office, retail, restaurant and multifamily uses. The subject site is currently served by Ute Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). Commercial and employment opportunities such as retail, offices, and restaurants are found nearby along Patterson Road. Additionally, multi-modal access to the site is sufficient, with 29 Road having dedicated bike lanes, and multiple Grand Valley Transit (GVT) routes and stops in close proximity. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

Graff Dairy has been a historical use in the area, providing a variety of dairy products and ice cream to valley residents. Since it reopened in 2015, the success of the business has grown to a point that on-site parking, access and circulation have become problematic with customer lines trying to access the site, backing up in both directions within the 29 Road right-of-way. While the subject site does provide a unique opportunity to preserve and potentially expand the existing Dairy use to the east, providing the opportunity to alleviate the growing traffic and circulation issues and facilitating it being able to remain in the neighborhood, there is nothing that suggests that there is an inadequate supply of land available that can accommodate the proposed land use. Based on these considerations, staff finds that this criterion has not been met.

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

Graff Dairy has been a historical use in the area, providing a variety of dairy products and ice cream to valley residents. Since it reopened in 2015, the success of the business has grown to a point that on-site parking, access and circulation have become

problematic with customer lines trying to access the site backing up in both directions within the 29 Road right-of-way. The subject site provides a unique opportunity to preserve and expand the existing Dairy use west, providing the opportunity to alleviate the growing traffic and circulation issues and facilitating it being able to remain in the neighborhood. The site's location is well-served by transportation infrastructure, utilities, and other community facilities. As such, staff finds this criterion has been met.

Changes are consistent with the vision, goals and policies of the Comprehensive Plan. Implementing the Comprehensive Plan. The proposed Land Use Map Amendment to Commercial implements the following Plan Principles, goals and policies of the Comprehensive Plan:

Principle 2.1: Resilient and Diverse Economy – Foster a vibrant, diverse, and resilient economy

Principle 2.3 – Promote Business Growth for a Diverse and Stable Economic Base

### **ANALYSIS - REZONE**

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

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

The decision to designate the property as Residential Medium Land Use under the Comprehensive Plan was made approximately nine months ago with the adoption of the One Grand Junction Comprehensive Plan with the Graff Dairy site to the east having a Commercial designation. The property was originally platted as part of the Graff Meadows Filing 1 Subdivision as a lot for a new single family house. During that time, the Graff Dairy business to the east has continued to thrive and grow. This lot is directly abutting the Dairy site along the full length of its eastern border, sits on the edge of the residential subdivision and has remained vacate since recording of the plat. However, no substantial changes to the infrastructure, development context in the neighborhood, or development potential as originally planned of the subject property has occurred. Therefore, staff finds that this criterion is not met.

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

The construction of the viaduct over the railroad tracks further south on 29 Road in 2011-2012 increased the ease of accessibility along the 29 Road corridor, changing the character of the area to a more commercial corridor along the northern end as 29 Road approaches Patterson Road. However, there have not been changes in the character and/or conditions in the area, since the current 2020 Comprehensive Plan was adopted. Therefore, staff finds that this criterion has not been met.

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

The subject property is within an urbanized area of the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the C-1 zone district. The type and scope of land use allowed within the C-1 zone district is similar in character and extent to the existing land use of nearby properties, which contain a mix of office, retail, restaurant and multifamily uses. The subject site is currently served by Ute Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). Commercial and employment opportunities such as retail, offices, and restaurants are found nearby along Patterson Road. Additionally, multi-modal access to the site is sufficient, with 29 Road having dedicated bike lanes, and multiple Grand Valley Transit (GVT) routes and stops in close proximity. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

The existing zoning of R-5 is not limited, accounting for approximately 6% of all property within the City limits. The proposed zoning of C-1 is also not limited, accounting for 6% of all property within the Grand Junction City limits.

While the subject site does provide a unique opportunity to preserve and potentially expand the existing Dairy use to the east, facilitating it being able to remain in the neighborhood, there is nothing that suggests that there is an inadequate supply of land available that can accommodate the proposed land use. Based on these considerations, staff finds that this criterion has not been met.

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

Graff Dairy has been a historical use in the area, providing a variety of dairy products and ice cream to valley residents. Since it reopened in 2015, the success of the business has grown to a point that on-site parking, access and circulation have become problematic with customer lines trying to access the site backing up in both directions within the 29 Road right-of-way. The subject site provides a unique opportunity to preserve and expand the existing Dairy use west, providing the opportunity to alleviate the growing traffic and circulation issues and facilitating it being able to remain in the neighborhood. The site's location is well-served by transportation infrastructure, utilities, and other community facilities. As such, staff finds this criterion has been met.

## RECOMMENDATION AND FINDINGS OF FACT

After reviewing Mr. Carei's Comprehensive Plan Amendment from Residential Medium to Commercial and rezone from R-5 to C-1 requests, RZN-2020-739, for the property located at 2894 Presley Avenue, the following findings of fact and condition have been made:

On the request for an amendment to the Comprehensive Plan, the following findings of fact have been made:

- 1) The request has met one or more of the criteria in Section 21.02.130(c)(1) of the Zoning and Development Code.
- 2) The request is consistent with the vision, goals and policies of the Comprehensive Plan.

On the request for rezoning, the following findings of fact have been made:

- 1) The request has met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code.
- 2) The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Planning Commission recommends approval of the requested Comprehensive Plan Amendment and Rezone requests.

**FISCAL IMPACT:**

There is no direct fiscal impact from this request.

**SUGGESTED MOTION:**

Two separate motions (Motion 2 cannot be approved without approval of Motion 1)

Motion 1: I move to introduce an ordinance to amend the Future Land Use Comprehensive Plan designation from Residential Medium to Commercial for the property located at 2894 Presley Avenue, with the findings of fact and condition as listed in the staff report.

Motion 2: I move to introduce an ordinance to rezone the property located at 2894 Presley Avenue from R-5 (Residential 5 du/ac) to C-1 (Light Commercial), with the findings of fact as listed in the staff report.

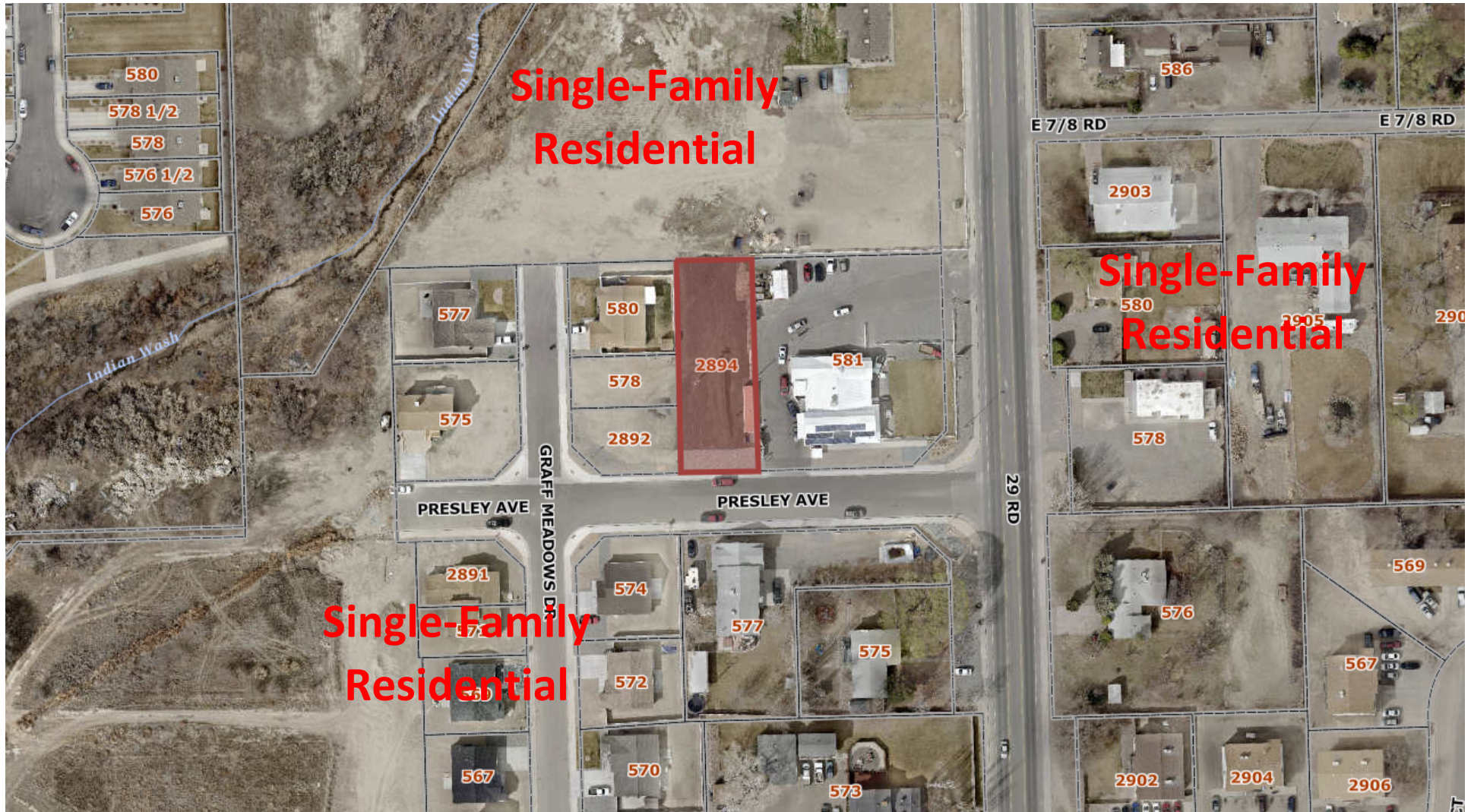
**Attachments**

1. Maps
2. ORD-Presley Avenue Combined CPA Zoning Ordinance 101421



# Exhibit 1

## Location Map



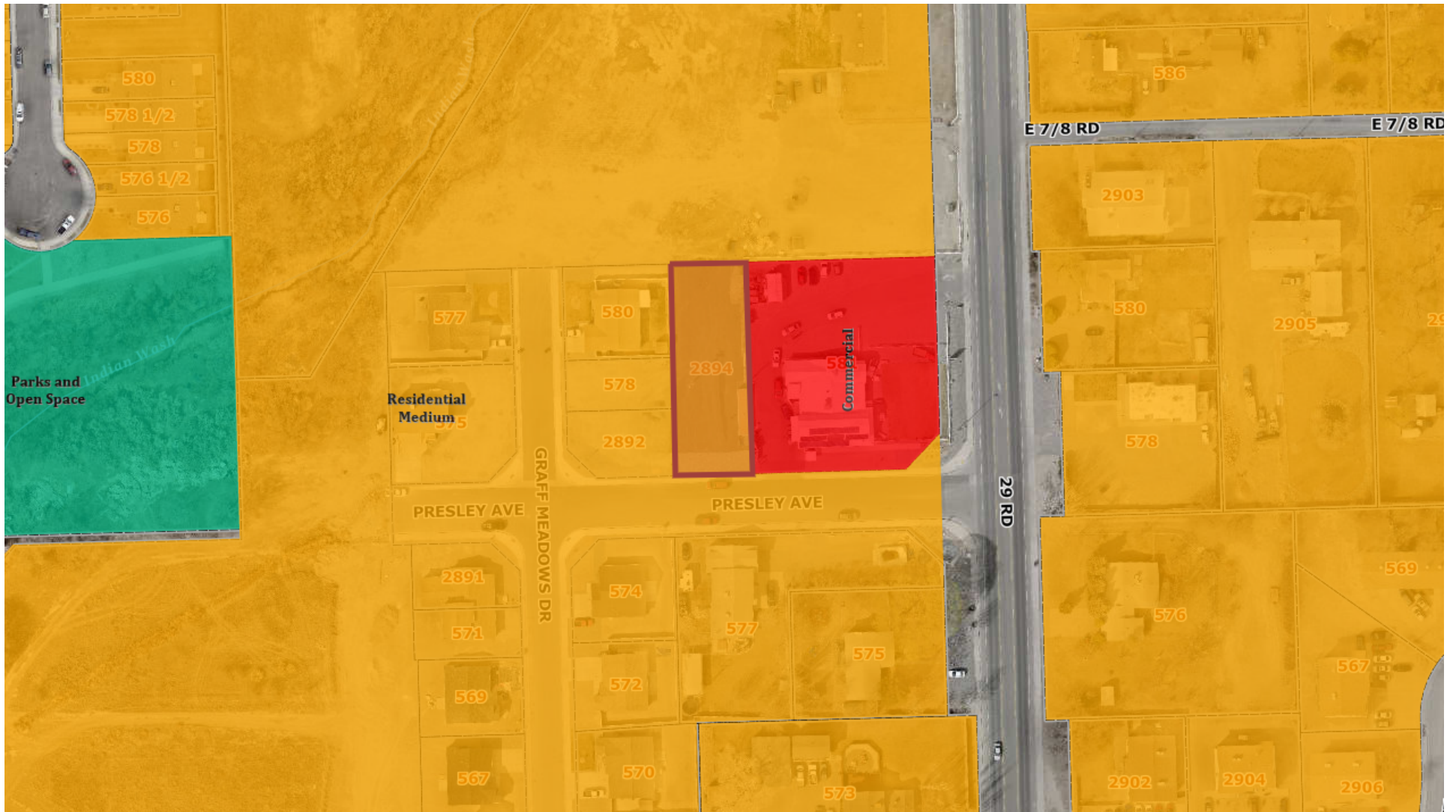


**Location Map  
(Broader View)**





## Future Land Use Map



## Zoning Map



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY OF GRAND JUNCTION COMPREHENSIVE  
PLAN LAND USE MAP FROM RESIDENTIAL MEDIUM (5.5 -16 DU/ACRE) TO  
COMMERCIAL AND REZONING FROM R-5 (5 DU/ACRE) TO C-1 (LIGHT  
COMMERCIAL) ZONE DISTRICT THE PROPERTY LOCATED AT 2894 PRESLEY  
AVENUE, GRAND JUNCTION, COLORADO**

Recitals:

The property owner, Darin Carei, proposes an amendment to the Comprehensive Plan Land Use Map from Residential Medium (5.5 – 12 du/ac) to Commercial and a rezone from R-5 (Residential – 5 du/ac) to C-1 (Light Commercial) on a total of 0.275-acres, located at 2894 Presley Avenue.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of amending the Comprehensive Plan Future Land Use designation for the Property from Residential Medium (5.5 – 12 du/ac) to Commercial and recommended subsequent approval of changing the zoning from R-5 (Residential – 5 du/ac) to C-1 (Light Commercial) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that amending the Comprehensive Plan Land Use Map from Residential Medium (5.5 – 12 du/ac) to Commercial and rezoning from R-5 (Residential – 5 du/ac) to C-1 (Light Commercial) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the C-1 (Light Commercial) zone district, is consistent and is in conformance with the Comprehensive Plan and at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following described property in the City of Grand Junction shall be re-designated as Commercial on the Land Use Map of the Comprehensive Plan and shall be zoned C-1 (Light Commercial) on the City zoning map:

Lot 1, Block 1 Graff Meadows Filing One, Reception 2870118, in the Northeast Quarter of Section 7, T1S, R1E, Ute Meridian, Grand Junction, Mesa County, Colorado.

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

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

ATTEST:

---

Wanda Winkelmann  
City Clerk

---

C.B. McDaniel  
President of the City Council





## Grand Junction City Council

### Regular Session

Item #3.a.

---

**Meeting Date:** October 20, 2021

**Presented By:** Kristen Ashbeck, Principal Planner/CDBG Admin

**Department:** Community Development

**Submitted By:** Kristen Ashbeck Principal Planner

---

### **Information**

#### **SUBJECT:**

2021 Community Development Block Grant (CDBG) Subrecipient Agreement between Grand Valley Catholic Outreach 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 2021 CDBG Program Year as approved by City Council at its June 16, 2021 meeting. The allocation included a grant in the amount of \$50,000 to Grand Valley Catholic Outreach (GVCO) for its proposed Mother Teresa Place apartment development. The contract outlines the duties and responsibilities of the agency and ensures that the subrecipient complies with all Federal rules and regulations governing the 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 \$469,557 for the 2021 Program Year. The final funding decision for 13 projects was made by the City Council at its hearing on June 16, 2021. The City's 2021 Program Year began on September 1, 2021. Therefore, contracts between the City and the agencies may now be executed.

#### **Grand Valley Catholic Outreach**

GVCO operates 12 core programs to meet the needs of those in distress, including financial aid to prevent homelessness, transitional or permanent housing, the Outreach

Day Center and the Soup Kitchen. Mother Teresa Place will be a new, 40-unit multifamily complex to provide a home for the homeless and those vulnerable on the street. CDBG funds will be used towards pre-development costs including architectural and engineering services.

GVCO is considered "subrecipient" to the City. The City will "pass through" a portion of its 2021 Program Year CDBG funds to the agency, but the City remains responsible for the use of these funds. The contract outlines the duties and responsibilities of the agency and ensures that the subrecipient complies with all Federal rules and regulations governing the use of the funds. The contract must be approved before the subrecipient may obligate or spend any of the Federal funds. The Subrecipient Agreement with the City specifies how the money will be used by the subrecipient.

**FISCAL IMPACT:**

Previously approved 2021 CDBG Program Year Budget/Allocation: \$469,557

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

The City will "pass through" a total of \$50,000 of its 2021 Program Year CDBG funds to Grand Valley Catholic Outreach.

**SUGGESTED MOTION:**

I move to authorize the City Manager to sign the Subrecipient Contract between City of Grand Junction and Grand Valley Catholic Outreach for funding through the City's 2021 Community Development Block Grant Program Year.

**Attachments**

1. 2021 Subrecipient Agreement GVCO

**2021SUBRECIPIENT CONTRACT FOR  
CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS  
EXHIBIT A  
SCOPE OF SERVICES**

**Date Approved:** \_\_\_\_\_

**Amount of Grant: \$50,000**

**Subrecipient: Grand Valley Catholic Outreach**

**Completion Date: August 31, 2022**

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$50,000 from its 2021 Program Year CDBG Entitlement Funds towards predevelopment costs such as architecture and engineering for the new community facility to be known as Mother Teresa Place located at 301 South 4<sup>th</sup> Street, Grand Junction, Colorado ("Property"). Subrecipient provides housing and programs to support the needs of individuals and families in distress or homeless.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.201(c)). It shall meet this objective by completing the above-referenced community facility project for low/moderate income and homeless persons in Grand Junction, Colorado.
3. The project consists of the construction of a community facility that will provide shelter for 40 persons that are homeless and vulnerable on the street. The facility will include administration space for check-in and case management staff. The facility will be known as Mother Teresa Place and located at 301 South 4<sup>th</sup> Street. CDBG funds will be used for predevelopment costs for the project include architectural and engineering design and project oversight for the development. The Property is currently owned and operated by Subrecipient which will continue to operate the community facility. It is understood that the \$50,000 of City CDBG funds shall be used only for the predevelopment costs 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 2021 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 predevelopment costs is estimated to be \$50,000.
6. This project will provide for shelter and support services for 40 of the Subrecipient's clients that will reside in the facility.

\_\_\_\_\_ Subrecipient

\_\_\_\_\_ City of Grand Junction



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.
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: 40

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 40

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 40; 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 Q1\_\_\_\_Q2\_\_\_\_Q3\_\_\_\_Q4: 40

### 3) Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1\_\_\_\_Q2: 50% Q3: 50% Q4: \_\_\_\_

### 4) Outcome Measures

*Activity* (select one) \_\_\_\_ Senior Service \_\_\_\_ Youth Service ☒ Homeless Service/Facility \_\_\_\_ 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*

Income for the beneficiaries of this funding is verified at intake and updated yearly after by a review of annual disability, certifications, social security statements or other proof as needed.

100% of the individuals served by GVCO are low income. Lack of income will not be a barrier to entrance in this facility and its programs.

\_\_\_\_ Subrecipient

\_\_\_\_ City of Grand Junction



## Grand Junction City Council

### Regular Session

Item #4.a.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Randi Kim, Utilities Director  
**Department:** Utilities  
**Submitted By:** Randi Kim

---

### **Information**

#### **SUBJECT:**

A Resolution Supporting the Application for a Bureau of Reclamation Grant for Kannah Creek and Purdy Mesa Flow Lines Intertie Project

#### **RECOMMENDATION:**

Staff recommend approving a Resolution supporting the Application for a Bureau of Reclamation Grant for Kannah Creek and Purdy Mesa Flow Lines Intertie Project

#### **EXECUTIVE SUMMARY:**

This Resolution will support the WaterSMART Drought Response Program, Drought Resiliency Project Grant application that the city of Grand Junction has made to the United States Bureau of Reclamation (BOR). The application will assist the City in constructing the Kannah Creek and Purdy Mesa Flow Lines Intertie Project and increase the drought resiliency of the City's water supply.

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

Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to work cooperatively with states, tribes, and local entities as they plan for and implement actions to increase water supply reliability through investments in existing infrastructure and attention to local water conflicts. The WaterSMART Drought Response Program supports a proactive approach to drought by providing financial assistance to water managers to implement projects that will build long-term resilience to drought (Drought Resiliency Projects).

In accordance with the grant purposes, the City Utilities Department proposes to construct an intertie between its two water supply lines, the Purdy Mesa Flow Line and the Kannah Creek Flow Line, to provide operational flexibility by enabling delivery of

water to the Grand Junction Water Treatment Plant either directly from the Kannah Creek or from the Juniata Reservoir through either line. The City is currently limited to conveying 5 million gallons per day from the Kannah Creek through the Kannah Creek Flow Line. The intertie project will increase the total capacity of the Kannah Creek Flow Line to 9.7 million gallons per day when conveying water directly from Kannah Creek. The intertie between the Kannah Creek Flow Line and the Purdy Mesa Flow Line will also enable delivery up to 6.2 million gallons per day (an additional 6,945 acre-feet per year) from Juniata Reservoir through the Kannah Creek Flow Line to meet municipal water demands during times of drought.

The total project costs are estimated at \$624,415. Staff is seeking Bureau of Reclamation grant funding in the amount of \$300,000. The project is scheduled to be completed in 2022.

**FISCAL IMPACT:**

Total project costs are estimated at \$624,415. These costs are included in 2022 Recommended Budget for the Water enterprise fund. The City is applying for a federal grant of \$300,000. The City is required to provide matching funding in the amount of \$287,550, which is included in the capital projects expenses in the 2022 Recommended Budget. In addition, the City is required to provide in-kind engineering, construction labor, and project management services in the amount of \$36,865.

**SUGGESTED MOTION:**

I move to (adopt/deny) Resolution No. 84-21, a resolution supporting the Application for a Bureau of Reclamation Grant for Kannah Creek and Purdy Mesa Flow Lines Intertie Project.

**Attachments**

1. RES-BOR Grant Kannah Creek Intertie 101421

Resolution No. \_\_-21

A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A BUREAU OF RECLAMATION GRANT FOR THE KANNAH CREEK AND PURDY MESA FLOW LINES INTERTIE PROJECT

The City of Grand Junction by, with and through this Resolution of the City Council supports the WaterSMART Drought Response Program, Drought Resiliency Project Grant application that the City of Grand Junction has made to the United States Bureau of Reclamation (BOR). The application will assist the City in constructing the Kannah Creek and Purdy Mesa Flow Lines Intertie Project to increase the drought resiliency of the City's water supply.

Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to work cooperatively with states, tribes, and local entities as they plan for and implement actions to increase water supply reliability through investments in existing infrastructure and attention to local water conflicts. The WaterSMART Drought Response Program supports a proactive approach to drought by providing financial assistance to water managers to implement projects that will build long-term resilience to drought (Drought Resiliency Projects).

In accordance with the grant purposes, the City Utilities Department proposes to construct an intertie between its two water supply lines, the Purdy Mesa Flow Line and the Kannah Creek Flow Line, to provide operational flexibility by enabling delivery of water to the Grand Junction Water Treatment Plant either directly from the Kannah Creek or from the Juniata Reservoir through either line. The City is currently limited to conveying 5 million gallons per day from the Kannah Creek through the Kannah Creek Flow Line. The intertie project will increase the total capacity of the Kannah Creek Flow Line to 9.7 million gallons per day when conveying water directly from Kannah Creek. The intertie between the Kannah Creek Flow Line and the Purdy Mesa Flow Line will also enable delivery up to 6.2 million gallons per day (an additional 6,945 acre-feet per year) from Juniata Reservoir through the Kannah Creek Flow Line to meet municipal water demands during times of drought.

The City is seeking Bureau of Reclamation grant funding in the amount of \$300,000 over a period of 1 year.

The City staff has recommended that the City Council support the grant application and if awarded that the grant be utilized for the important purposes of continuing to carefully manage the water resources.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Grand Junction, Colorado, for the reasons stated in the foregoing Resolution does support the City's Application for a Bureau of Reclamation Grant for Kannah Creek and Purdy Mesa Flow Lines Intertie Project. FURTHERMORE, that the signature and execution of the grant agreements(s) by the City Manager are authorized and that the City Council authorizes the expenditure of funds necessary to meet the terms and obligations, including established deadlines, of an awarded Grant.

PASSED and ADOPTED this 20th day of October 2021

---

Chuck McDaniel  
President of the City Council

ATTEST:

---

Wanda Winkelmann  
City Clerk



## Grand Junction City Council

### Regular Session

Item #4.b.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Senta Costello, Planner  
**Department:** Community Development  
**Submitted By:** Senta Costello, Associate Planner

---

### **Information**

#### **SUBJECT:**

A Resolution Vacating a Portion of an Emergency Access Easement Totaling 0.26 Acres, Located within Tract C of Sundance Village Subdivision

#### **RECOMMENDATION:**

Planning Commission heard this item at its October 12, 2021 meeting and voted (5-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

Copper Village Apartments is proposing on developing out the remainder of the Rimrock Landing Planned Development project located east of 24 ½ Road between F ¼ Road and Flat Top Lane. With the recording of the Sundance Village Plat, blanket easements were conveyed for emergency access to various portions of the development. The current final plan for a portion of Tract C would encroach on a portion of this blanket easement; however, it would have townhomes over the area, so that portion of the easement is no longer necessary.

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

In 2008, Sundance Village Subdivision plat was recorded. As a part of the plat, a public easement was conveyed on the plat as follows: "Tracts A-C are subject to a public easement across their entirety for emergency vehicle and personnel ingress and egress granted hereby."

The property has been purchased by Copper Village Apartments LLC along with the balance of the Planned Development ground that has yet to be developed with the intent of constructing a mix of housing types to finish the project. As part of this project, the applicant proposes to develop, with Phase 1, 17 townhomes units which would

partially encroach into Tract C. They are requesting to vacate emergency access easement that is located within the portion of Tract C that the townhomes are proposed to occupy, while maintaining the balance of Tract C as platted, including the emergency access easement.

### **NOTIFICATION REQUIREMENTS**

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on October 1, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on October 1, 2021. The notice of this public hearing was published on October 6, 2021 in the Grand Junction Daily Sentinel.

### **ANALYSIS**

Vacation of Public Easements must show conformance with the approval criteria listed in Section 21.02.100(c) of the Zoning and Development Code. Approval Criteria is as follows:

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

Vacation of a portion of the access easement will facilitate finalizing development for the balance of the Rimrock Landing Planned Development which has been in various stages of development for several years. The current proposal includes 17 townhomes with Phase 1. This development implements the following principles of the Comprehensive Plan:

Principle 5.1.c – Promote more opportunities for housing choices that meet the needs of people of all ages, abilities, and incomes – Housing Types: Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods, such as duplexes, triplexes, multiplexes, apartments, townhomes, and accessory dwelling units, while maintaining neighborhood character.

Principle 5.5.c – Foster the development of neighborhoods where people of all ages, incomes and backgrounds live together and share a feeling of community: Innovative Design – Encourage creativity, flexibility, and innovation in the design and construction of new developments and neighborhoods to adapt to unique site conditions and that promote an engaged community and facilitate active and healthy lifestyles.

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

The area proposed for vacation is on the perimeter of Tract C. The area remaining will still have access to Slick Rock Lane/Klondike Lane to the west and Thunder Mountain Drive to the north. No parcels will be landlocked should the area be approved to be vacated.



(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;

The area proposed for vacation is on the perimeter of Tract C. The area remaining will still have access to Slick Rock Lane/Klondike Lane to the west and Thunder Mountain Drive to the north. Access to the tract will be maintained.

(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);

The area proposed for vacation does not contain any public facilities and/or services nor provides access to any such facilities. Access to the tract of land will remain from both Slick Rock Lane/Klondike Lane and Thunder Mountain Drive.

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

The area proposed for vacation does not contain any public facilities and/or services nor provides access to any such facilities. Access to the tract of land will remain from both Slick Rock Lane/Klondike Lane and Thunder Mountain Drive.

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

The intent of the easement is to provide unrestricted access for emergency personnel to Tract C. The proposal maintains access for emergency personnel to the area of the tract that will remain.

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

After reviewing the Copper Village Apartments LLC, Silas Colman easement vacation request, VAC-2021-697, for the property located on a portion of Tract C, Sundance Village Subdivision, the following findings of fact and condition have been made:

Therefore, the Planning Commission recommends conditional approval of the request with the following findings of fact and conditions.

1. The request conforms with Section 21.02.100(c) of the Zoning and Development Code.
2. Condition #1: Recording of the final plat for Rimrock Townhomes Filing 1 must occur concurrently with recording of the Resolution vacating the easement.

### **FISCAL IMPACT:**

There is no direct fiscal impact from this request.

**SUGGESTED MOTION:**

I move to (adopt/deny) Resolution No. 85-21, a resolution vacating a portion of an emergency access easement, located within Tract C of Sundance Village Subdivision, subject to the condition(s) contained in the staff report.

**Attachments**

1. Maps
2. RES-Sundance Easement Vacation 101421

# LOCATION MAP

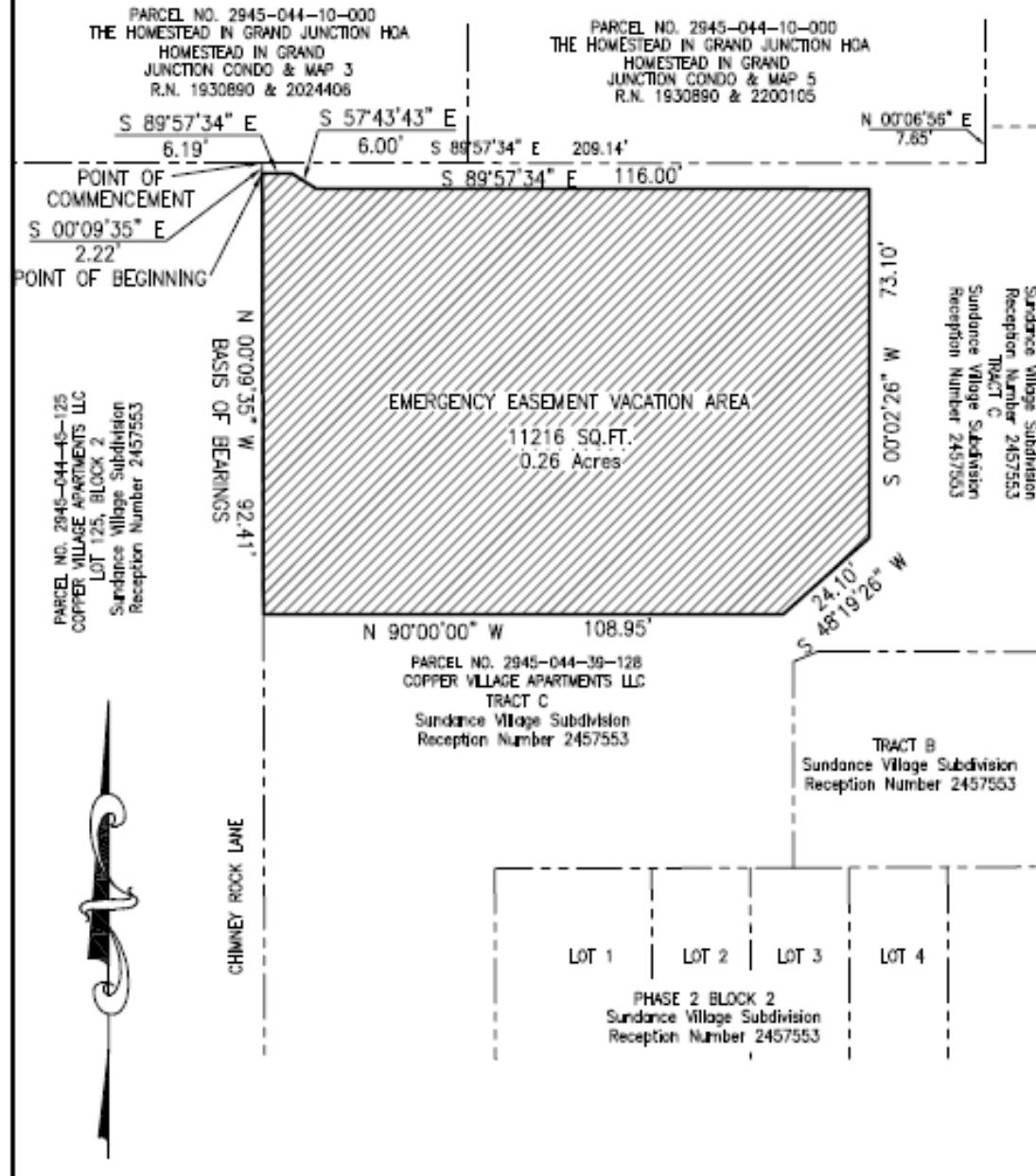






# EXHIBIT

A PORTION OF LOTS 13-17 OF RIMROCK TOWNHOMES FILING 1  
IN THE SW1/4 SE1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST,  
UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO.**

**A RESOLUTION VACATING A PUBLIC EMERGENCY VEHICLE AND PERSONNEL  
INGRESS AND EGRESS EASEMENT  
LOCATED WITHIN TRACT C OF SUNDANCE VILLAGE SUBDIVISION  
GRAND JUNCTION, COLORADO**

**RECITALS:**

Vacation of a portion of a public emergency vehicle and personnel ingress and egress easement ("Easement") has been requested by the property owner, Copper Village Apartments LLC, in anticipation of subdividing and developing the property for future residential use as the proposed Rimrock Landing Townhome Subdivision.

With the prior recording of the Sundance Village Plat, Reception #2457553, blanket easements were conveyed for emergency access to various portions of the development, including Tract C. The proposed final plan for the Rimrock Landing Townhome project covers a portion of Tract C and includes townhome lots on a portion of the Easement making that portion of the Easement no longer necessary.

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

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

The following described public dedicated public emergency ingress and egress easement is hereby vacated subject to:

1. Applicant paying all recording/documentary fees for the Vacation Resolution, any easement documents and/or dedication documents.
2. Recording of a City approved final plat for Rimrock Landing Townhome Subdivision concurrently with recording of this Resolution vacating the easement.

Public emergency ingress and egress easement to be vacated are shown on the attached Exhibits, with those Exhibits being incorporated by this references as if fully set forth.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

---

C.B. McDaniel  
President of City Council

---

Wanda Winkelmann  
City Clerk

## EXHIBIT

### Tract C, Emergency Easement Vacation Description

A portion of the publicly dedicated Blanket Emergency Easement located on Trace C, of Sundance Village Subdivision, Reception Number 2457553, in the SW1/4 SE1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows:

Beginning at the northwest corner of Tract C of said subdivision, whence the westerly line of Tract C of said subdivision bears S00°09'35"E, with all bearings being relative thereto, thence S00°09'35"E a distance of 2.22 feet, to the Point of Beginning; thence the following courses and distances;

1. S89°57'34"E for a distance of 6.19 feet;
2. S57°43'43"E for a distance of 6.00 feet;
3. S89°57'34"E for a distance of 116.00 feet;
4. S00°02'26"W for a distance of 73.10 feet;
5. S48°19'26"W for a distance of 24.10 feet;
6. N90°00'00"W for a distance of 108.95 feet;
7. N00°09'35"W for a distance of 92.41 feet, to the Point of Beginning.

Containing approximately 11,216 square feet.

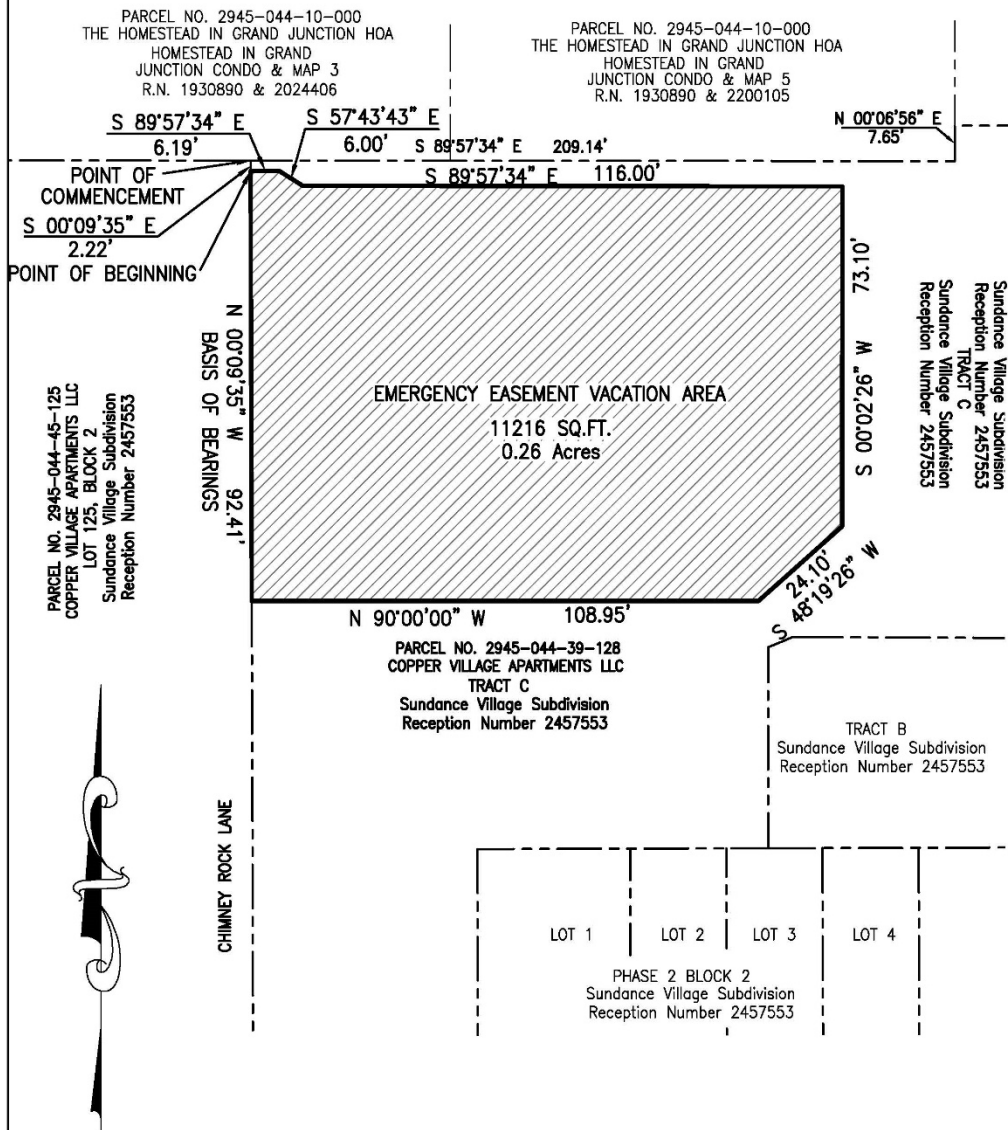
This description was prepared by Jodie Grein PLS-38075, for Rolland Consulting Engineers, 405 Ridges Blvd., Suite A Grand Junction, Colorado 81507 (970) 243-8300



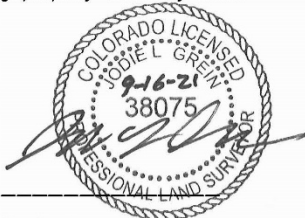


# EXHIBIT

A PORTION OF LOTS 13-17 OF RIMROCK TOWNHOMES FILING 1  
IN THE SW1/4 SE1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST,  
UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



Jodie L. Grein  
Registered Professional Land Surveyor  
P.L.S. No. 38075



SCALE : 1"=30'  
ALL LINEAL UNITS ARE  
EXPRESSED IN U.S. SURVEY FEET

		<b>EXHIBIT TRACT C</b> <b>EMERGENCY EASEMENT</b> <b>VACATION</b>	
405 Ridgely Blvd. Suite A Grand Junction, CO 81507 Voice: (970) 243-8300 Fax: (970) 241-1273 www.kcegs.com		IN THE SW1/4 SE1/4 OF SECTION 4 T1S, R1W, UTE MERIDIAN CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO	
Drawn	JLG	Designed	JLG
Checked	JAM	Printed	CO447
File Name:	c:\CD447\CD447Blanket Easement.dwg		Sheet 1 of 1



## Grand Junction City Council

### Regular Session

Item #5.a.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Trenton Prall, Public Works Director  
**Department:** Public Works - Engineering  
**Submitted By:** Trent Prall, Public Works Director

---

### **Information**

#### **SUBJECT:**

Colorado Department of Transportation I-70B Phase 6 Design Update and Resolution of Support (*Public Comment Will Be Taken on This Item*)

#### **RECOMMENDATION:**

Staff recommends approval of the proposed resolution in support of CDOT's revised Phase 6 conceptual design.

#### **EXECUTIVE SUMMARY:**

Colorado Department of Transportation (CDOT) is currently reconstructing the I-70 Business Loop from American Way south to Rood Ave (Phase 5). The next phase will reconstruct the section of I-70B/1st Street from Rood Ave south through 2nd Street along both the Pitkin Avenue and Ute Avenue corridors (Phase 6). Senate Bill 267 funding is in place and CDOT is working toward 2023 construction. CDOT will provide an update on the revised design elements of Phase 6 and Council will consider a resolution of support.

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

CDOT has been working on adding capacity to the I-70B corridor through the expansion, limitation/reconfiguration of accesses, and improved bicycle/pedestrian facilities from 24 Road to 15th Street since 2008. The first four phases of improvements have been completed from 24 Road to American Way.

Project Phase 5 – This phase is currently under construction and will reconfigure the intersection of 1st Street & Grand Avenue, west to Mulberry Street, east to 2nd Street, and south to Rood Avenue. Construction is slated to be completed by June 2022.

Project Phase 6 – This phase would reconstruct the 1st Street segment from Rood Ave south to 2nd Street modifying the street section from four lanes to six lanes. With Senate Bill 267, CDOT has funding available to start construction of Phase 6 in 2023.

Council previously discussed these phases at the May 6, 2019 as well as a February 19, 2020 council meeting where public comment was received. At these meetings, CDOT staff provided City Council information on the project and various parameters driving the proposed design. The premise for the capacity expansion was founded in the 2008 Environmental Assessment (EA) that was conducted for this corridor. Of most relevance was the EA projected the need to accommodate up to 40,000 cars per day in 2030. Since the data was collected for the 2008 EA (13 years ago), the valley has not grown as rapidly as originally projected. The current 2040 projection for this portion of I-70B indicates 30,000 vehicles per day; a volume that could fit within the capacity of a four-lane (2 lanes each direction) roadway. For comparison, Patterson Road carries 35,000 vehicles per day east of 27 ½ Road and North Avenue east of 5th Street carries 28,000 cars per day.

A four-lane arterial could meet the proposed 2040 traffic projections with an acceptable level of service. CDOT states that despite the lower traffic volumes than those used for the 2008 Environmental Assessment, this could be the last significant investment for a long time. The current road section was constructed in 1960 and is only now proposed for significant reconstruction 60 years later. Therefore, CDOT prefers the six-lane configuration be constructed to allow for growth well past 2040 as well as provide a consistent three lanes each direction through the corridor. However, based on recent discussions, CDOT has modified the design and have incorporated many of the concepts presented in the 2015 New Mobility West study that contemplated a four-lane configuration with landscaping and bike/ped facilities that "softened" the urban context. CDOT will present a brief history of the project and will review the current status of Phase 6:

#### **CDOT's Current Phase 6 scope**

- Still conceptual.
- Proposes a six lane configuration, however pending study confirmation, the outside lane would be limited to transit only until such point that a third lane is warranted for all traffic to share.
- Consistent with the 2008 Environmental Assessment (EA).
- 2nd Street. CDOT acknowledges City's preference for two way 2nd Street north of Pitkin.
- Includes signalized pedestrian crossings of Ute and Pitkin along the 2nd Street corridor.
- Additional landscaping is provided over previous design iterations.
- Design provides for eight to ten foot wide bike/ped paths on west side as well as on the east side along the Grand Junction Convention Center property.
- If CDOT is successful in getting the federal Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) grant, other projects to be constructed

concurrently or shortly thereafter include the Mobility Hub, Dos Rios Pedestrian Bridge and the 2nd Street Promenade.

### **Public Concerns / Comments**

Members of the public have previously expressed concerns about CDOT's plans, largely focusing on Phase 6. Concerns have generally centered on the following topics:

- By adding an additional lane in each direction, I-70B improvements threaten to cut off Lower Downtown and Depot area
- CDOT's proposed plan provides for cars and trucks and compromises connectivity and safety for other users including bicycles and pedestrians
- Riverside Parkway created traffic congestion relief so improvements are not needed
- Hundreds of train passengers interact daily with area surrounding train depot
- Some entities as well as individuals are concerned with the urban six lane section proposed by CDOT. The organizations/individuals prefer a four lane design that more aligns with the New Mobility West concept plan developed in 2015 (Attached). Goals for the New Mobility West study included developing an option that: 1) Accommodate all modes safely, 2) Design I-70B for urban context of downtown, 3) Balance throughput traffic flow with local access, livability and downtown connectivity, 4) Support pedestrian-first environment 5) Enhance economic development and redevelopment opportunities.

**Planning the City's Transportation Needs:** Both the City's adopted Comprehensive Plan and Greater Downtown Plan, as well as the DDA's Plan of Development all have elements that discuss the need for walkability, bikeability, and enhanced connectivity throughout the downtown. The 2010 Comprehensive Plan established a guiding principle of having "Balanced Transportation" that will shape growth, with specific goals of creating attractive public spaces and enhancing the visual appeal of the community through quality development, and developing a well-balanced transportation system that supports automobile, local transit, pedestrian, and bicycles. Further planning occurred in 2013, with the adoption of the Greater Downtown Plan and Overlay zone district with its goals and purpose of enhancing the transportation system to accommodate automobiles, transit, bikes and pedestrians. This downtown plan emphasized improving connections to downtown and improving "walkability" of the downtown area through street design that is pedestrian friendly and provides a foundation for a safe, active and livable area, including sidewalks, accessibility improvements, bicycle facilities, off-street trail connections and safe crossings. In 2018, the City adopted a revised Circulation Plan and established a new Complete Streets Policy to develop a safe, efficient, reliable and connected travel network of streets, sidewalks, and urban trails throughout the City of Grand Junction serving all users and all modes of transportation. The Comprehensive Plan outlines the community's goals related to connecting our downtown and riverfront as well as

providing and improving the City's bicycle and pedestrian experience and infrastructure have been consistent and central themes in the planning process.

**Other Considerations** – In the formulation of a recommendation that would be incorporated into a resolution for the October 20th Council meeting, the following list of considerations should be taken into account:

A significant transportation corridor is needed through downtown – Recently suggested options have included using the Riverside Parkway or North Avenue as the business loop. 2040 traffic modeling depicted approximately 30,000 cars per day on each of those facilities which provides for a Level of service nearing "C". Staff believes that both I-70B and corridors such as the Riverside Parkway and North Avenue need to remain complementary and each being optimized for the specific users/modes to provide for safe and convenient access to/through the City.

Context-Sensitive Design – Staff believes the design of transportation corridors should be sensitive to context of their location and function within the City and encourages the reduction/elimination of real/perceived barriers to walking and biking, especially in the downtown core of the City – consistent with the City's adopted Complete Streets Policy and adopted plans. Landscaping helps break up the concrete/asphalt hardscape and provide a much more enjoyable bike/ped experience.

Capacity Improvements – CDOT states its current funding sources are only valid if they are used to reconstruct the street and add transportation capacity.

Pedestrian Safety across Ute & Pitkin – CDOT has agreed to provide red-yellow-green pedestrian signals on 2nd Street at Ute and Pitkin alleviating previous concerns regarding these intersections and the 2nd Street corridor between Main Street, the Depot and ultimately Dos Rios.

City staff has worked collaboratively with CDOT staff on the development of a revised conceptual design that incorporated or will consider the following elements:

- 10 foot shared use paths, detached where possible
- Enhanced landscaping
- Pedestrian activated Red-Yellow-Green signal crossing of Ute and Pitkin along the 2nd Street corridor
- Construction of three lanes each direction
- Traffic calming measures such as reduced lane widths and wider striping
- Transit lane study for the development of a transit priority lane as well as define triggers for all utilization of all three lanes for general traffic.
- Continue investigating traffic calming measures with Federal Highway Administration.

On October 13th, the Urban Trails Committee voted in support of CDOT's I-70B design

revisions. On October 14, the Downtown Development Authority board voted in support of the design revisions pending followup with the owner of the Depot.

**FISCAL IMPACT:**

There is no fiscal impact anticipated.

**SUGGESTED MOTION:**

I move to adopt Resolution No. \_\_-21, a resolution supporting the Colorado Department of Transportation's October 2021 conceptual design for I-70B Phase 6.

**Attachments**

1. I70B Phase 5-7 Overview
2. New Mobility GJ I70-B 2015
3. I70B Public Comments - Portner-Fife 02072020
4. DDA Letter of Support\_I70B\_PhaseSix\_10\_15\_21
5. RES-I-70B Phase 6 Support

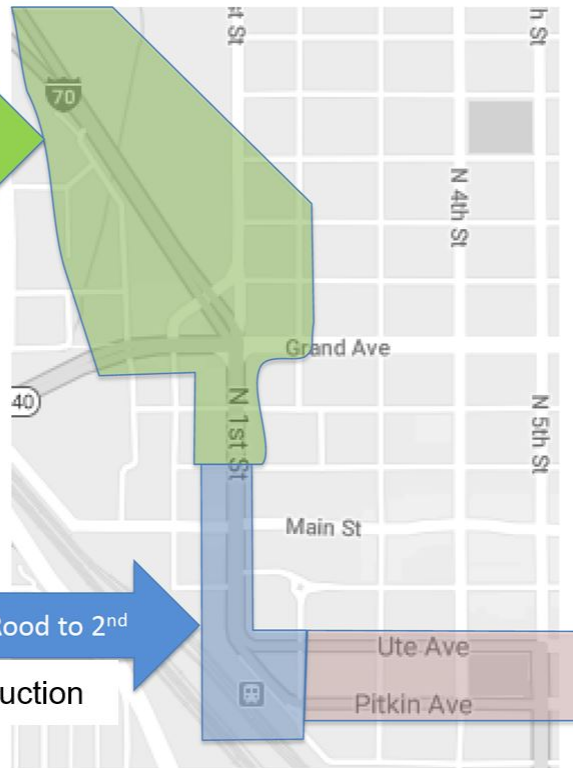


## Project Phases

Phase 5: Mulberry to Rood  
2021 Construction

Phase 6: Rood to 2<sup>nd</sup>  
2023 Construction

Phase 7: 2<sup>nd</sup> to 5<sup>th</sup>  
Funding: None





# I-70B

## A New Vision for Downtown Grand Junction

### EA Statement of Purpose and Need

- 1) Improve traffic flow
- 2) Improve safety
- 3) Improve multimodal opportunities
- 4) Improve access management

### Project History

**2008:** Environmental Assessment (EA) completed; forecasts over 30,000 vehicles per day by 2030

**2008 – 2013:** CDOT implements I-70B improvements from the west through Rimrock area

**2013 – 2015:** CDOT undertakes design of corridor through Grand intersection

**2014 – 2015:** updated regional modeling forecasts much lower future traffic

**April 2015:** CDOT/City/DDA workshop to reevaluate I-70B design concept south and east of Grand Avenue

### Next Steps

- Continue to evaluate improvements to maintain or improve traffic flow and safety
- Complete further traffic and safety analysis of proposed mid-block crossings
- Reevaluate need for turning lanes at intersections based upon lower anticipated traffic volumes
- Conduct detailed evaluation of the proposed conversion of 4th and 5th Streets to two-way traffic, including lane reconfiguration and signal phasing/timing changes
- Revisit status of 2008 Environmental Assessment



Revised: May 15, 2015

#### 1st & Grand

- Begin transition to urban design as context changes and capacity needs decrease
- Provide multi-use path connection between Broadway and Gunnison
- Remove right-turn slip lanes on south side of intersection to enhance pedestrian safety
- Implement 3/4 access at White Avenue to assist with 1st & Grand intersection capacity

#### Downtown Gateway

- Make this the gateway to Downtown from the North and West
- Narrow to existing two general purpose traffic lanes each direction south of Grand
- Slow traffic down to the 30mph posted speed
- Introduce "downtown" design finishes, including urban landscaping

#### 1st & Main

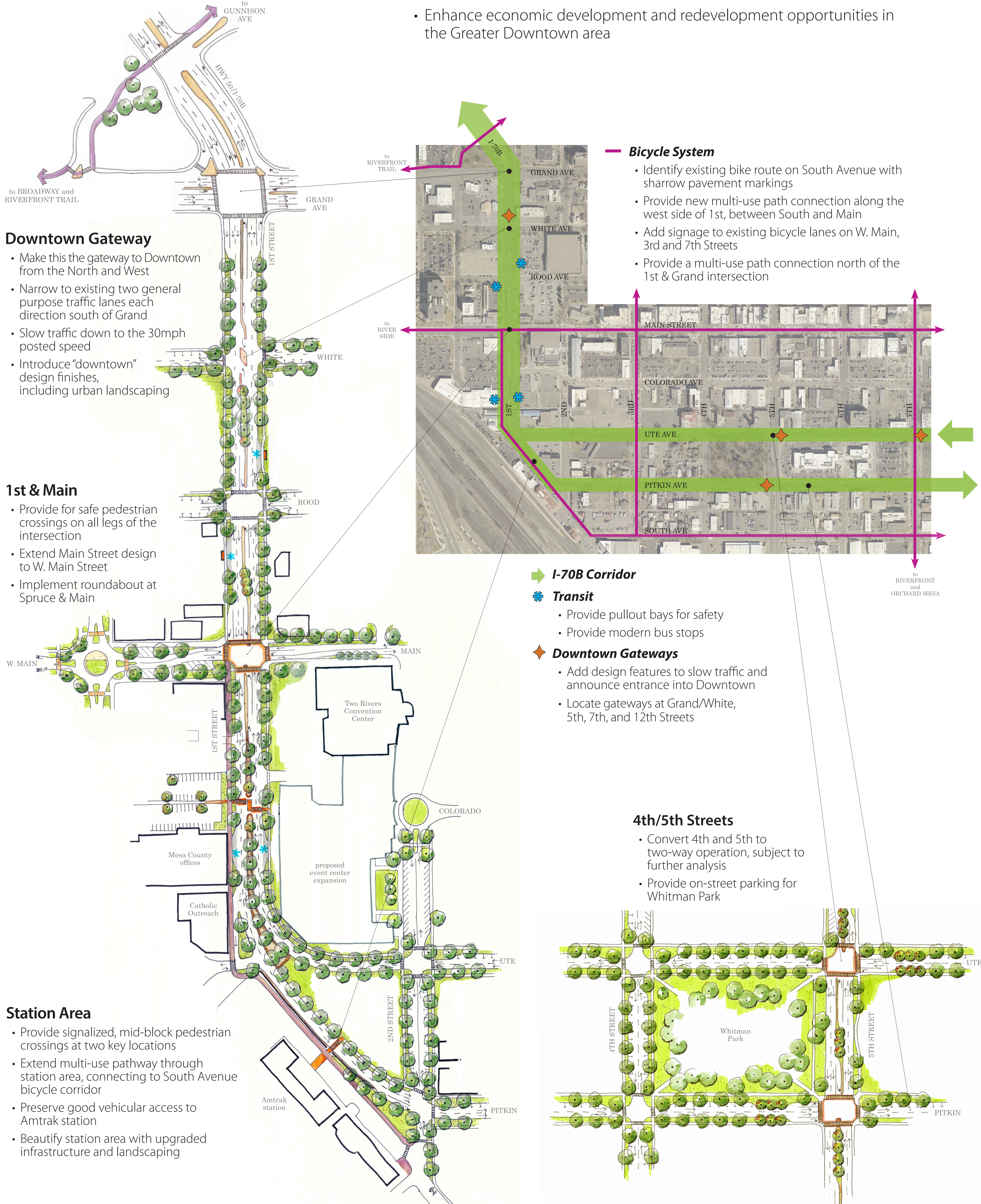
- Provide for safe pedestrian crossings on all legs of the intersection
- Extend Main Street design to W. Main Street
- Implement roundabout at Spruce & Main

#### Station Area

- Provide signalized, mid-block pedestrian crossings at two key locations
- Extend multi-use pathway through station area, connecting to South Avenue bicycle corridor
- Preserve good vehicular access to Amtrak station
- Beautify station area with upgraded infrastructure and landscaping

### Community Goals

- Work with CDOT to update the vision and strategic plan for the I-70B corridor through Downtown Grand Junction
- Accommodate all modes safely by designing I-70B for the urban context of Downtown
- Balance throughput traffic flow with local access, livability and Downtown connectivity
- Support pedestrian-first environment in Downtown
- Enhance economic development and redevelopment opportunities in the Greater Downtown area



#### Bicycle System

- Identify existing bike route on South Avenue with sharrow pavement markings
- Provide new multi-use path connection along the west side of 1st, between South and Main
- Add signage to existing bicycle lanes on W. Main, 3rd and 7th Streets
- Provide a multi-use path connection north of the 1st & Grand intersection

#### I-70B Corridor

##### Transit

- Provide pullout bays for safety
- Provide modern bus stops

##### Downtown Gateways

- Add design features to slow traffic and announce entrance into Downtown
- Locate gateways at Grand/White, 5th, 7th, and 12th Streets

#### 4th/5th Streets

- Convert 4th and 5th to two-way operation, subject to further analysis
- Provide on-street parking for Whitman Park

#### Ute/Pitkin One-Way Pair

- Narrow Ute and Pitkin to two general purpose traffic lanes
- Allow on-street parking and add curb extensions at intersections, subject to further analysis
- Provide safe crosswalks on all legs of intersections



February 7, 2020  
Grand Junction City Council  
RE: I-70B Plans

Dear City Councilors:

We are writing in reference to CDOT's plans for I-70B through downtown. The plans, based on a study completed in 2008, would include 3 travel lanes along both Ute and Pitkin, merging into 6 travel lanes on 1<sup>st</sup> Street. The New Mobility West Study done several years ago, in partnership with the City and DDA, proposed a different alternative with a total of 4 travel lanes that would accommodate the anticipated vehicular traffic, as well as other modes, and be context sensitive to the downtown area. Some of the recent letters and articles about the CDOT plans seem to indicate that 6 lanes are acceptable if there's a safe crossing. We take exception to that. It's not just about safe crossings, it's about the very fabric of the downtown area and the streetscape along I-70B. Three travel lanes along Ute and Pitkin will forever isolate the blocks in-between the couplets, leading to further blight and deterioration, most notably Whitman Park. Six through lanes, combined with whatever turn lanes are deemed necessary, will make 1<sup>st</sup> Street a formidable barrier for pedestrians and bicyclists crossing at Main Street.

CDOT has indicated that if the plan developed in 2008 is not followed, a new Environmental Assessment (EA) will have to be done. We question whether that is the case if the number of lanes is being reduced, but regardless, perhaps it is time to update an EA that utilized growth projections that are no longer valid. In addition, since then, the City adopted a Comprehensive Plan and is in the process of updating the Plan and the DDA has completed a Plan of Development, all of which should be taken into account.

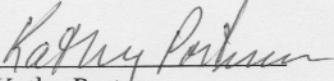
CDOT has indicated in the past that the project can only proceed if it increases capacity and that means 6 lanes. Increasing capacity on a roadway can be done in a number of ways and the capacity for all modes should be considered. It doesn't make sense to allow CDOT to change the face of downtown for the next 50+ years just because we're afraid it's 6 lanes or nothing.

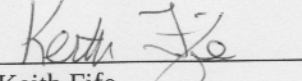
We question whether the traffic volumes anticipated would warrant 6 lanes and the difference in Level of Service for those volumes with 4 lanes versus 6 lanes. There should be a different expectation of Level of Service through a downtown area. Vibrant downtowns have some congestion and slower traffic. CDOT's proposal to soften the curve and rely on narrower lanes to "slow the traffic" along a 6 lane highway is laughable. The I-70B design used on the section of the corridor to the west is not right for downtown.

The plans to better connect downtown to the Riverfront hinge on the design of I-70B. The proposed bridge from Dos Rios would allow for pedestrians and bicyclists to safely cross Riverside Parkway and the railroad tracks only to be dumped into Ute and Pitkin with 3 lanes of traffic in each direction. Likewise, safe crossings at 5<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup> and 12<sup>th</sup> would be compromised.

The consultant for the DDA's Plan of Development recommended the City conduct an engineering study of the corridor to verify that 2 lanes, rather than 3, in each direction would adequately serve the transportation needs, with a follow up revision to the EA. We urge you to slow down the CDOT process and allow for the study. This isn't CDOT's road, it's a public, multimodal corridor that cuts through the heart of our community. Please don't allow a highway (transportation sewer) to be built to the detriment of downtown and the riverfront. This is an opportunity to improve transportation for all users, while preserving the unique character of downtown. Thank you for your thoughtful consideration of this important matter.

Sincerely,

  
Kathy Portner

  
Keith Fife



October 15, 2021

RE: Letter of Support for I70B Phase Six Enhancements

The Downtown Grand Junction Partnership (DDA/BID) formally supports the proposed enhancements to I70B phase six. The Colorado Department of Transportation (CDOT) has been developing improvements for the I70B corridor focused on modification of travel lanes, the addition of turn lanes, reconfiguration of access points, and improved bicycle and pedestrian facilities in and along the corridor. The downtown portion of the corridor began with the construction of phase five which is currently underway. Phase six encompasses an important portion of our downtown as it includes the historic depot and is planned as a future connection point between the downtown core and the riverfront.

The City has taken feedback on previous design iterations for phase six and has worked collaboratively with CDOT staff on the development of a conceptual design, which incorporates the following contemplated design and construction elements:

- 10-foot shared use paths, detached where possible
- Enhanced landscaping
- Pedestrian activated *Red-Yellow-Green* signalized crossing of Ute and Pitkin Avenues at 2nd Street
- Construction of 3 travel lanes in each direction with CDOT's commitment to study "transit lanes" and further refinement of the usage of lanes
  - Traffic calming measures such as 11' lane widths and enhanced striping with further study of other/different traffic calming measures as may be proposed or deemed feasible by FHWA recommendations/standards.

The DDA/BID Board of Directors are supportive of the proposed changes and appreciate the City and CDOT's efforts to create a multi-modal corridor that enhances connectivity. These changes will enhance economic activity in this important area while balancing the transportation needs of the corridor.

Sincerely,

*Brandon Stam*

Brandon Stam  
Executive Director  
Downtown Grand Junction Partnership

DOWNTOWN DEVELOPMENT AUTHORITY BUSINESS IMPROVEMENT DISTRICT DOWNTOWN CREATIVE DISTRICT

101 S 3<sup>rd</sup> Street, Suite 100

Grand Junction, CO 81501

(970) 245-9697

[www.downtowngj.org](http://www.downtowngj.org)



**CITY OF GRAND JUNCTION**

**RESOLUTION NO. \_\_-21**

**A RESOLUTION SUPPORTING THE COLORADO DEPARTMENT OF TRANSPORTATION'S REVISED CONCEPTUAL DESIGN FOR I-70B PHASE 6.**

**Recitals.**

The Colorado Department of Transportation (CDOT) has been working on adding capacity to the I-70B corridor through the expansion, limitation/reconfiguration of accesses, and improved bicycle/pedestrian facilities from 24 Road to 15th Street since 2008. The first four phases of improvements have been completed from 24 Road to American Way. Phase 5 is currently under construction and will reconfigure the intersection of 1st Street & Grand Avenue, west to Mulberry Street, east to 2nd Street, and south to Rood Avenue. Construction is slated to be completed by June 2022.

Phase 6 would reconstruct the 1st Street segment from Rood Ave south to 2nd Street modifying the street section from four lanes to six lanes. With funds from Senate Bill 267, CDOT has funding available to start construction of Phase 6 in 2023.

City staff has worked collaboratively with CDOT staff on the development of a revised conceptual design that incorporated or will consider the following elements:

- 10 foot shared use paths, detached where possible
- Enhanced landscaping
- Pedestrian activated Red-Yellow-Green signal crossing of Ute and Pitkin along the 2nd Street corridor
- Construction of 3 lanes each direction
- Traffic calming measures such as reduced lane widths and wider striping
- Study dedicating outside lanes as a transit only lanes. Study will also define triggers as to when all three lanes would be used for through traffic.

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

That the Colorado Department of Transportation's proposed conceptual design of I-70B Phase 6 addresses the City's goal of ensuring strong multi-modal connectivity for the corridor.

**ADOPTED AND APPROVED THIS 20<sup>th</sup> day of October 2021.**

**ATTEST:**

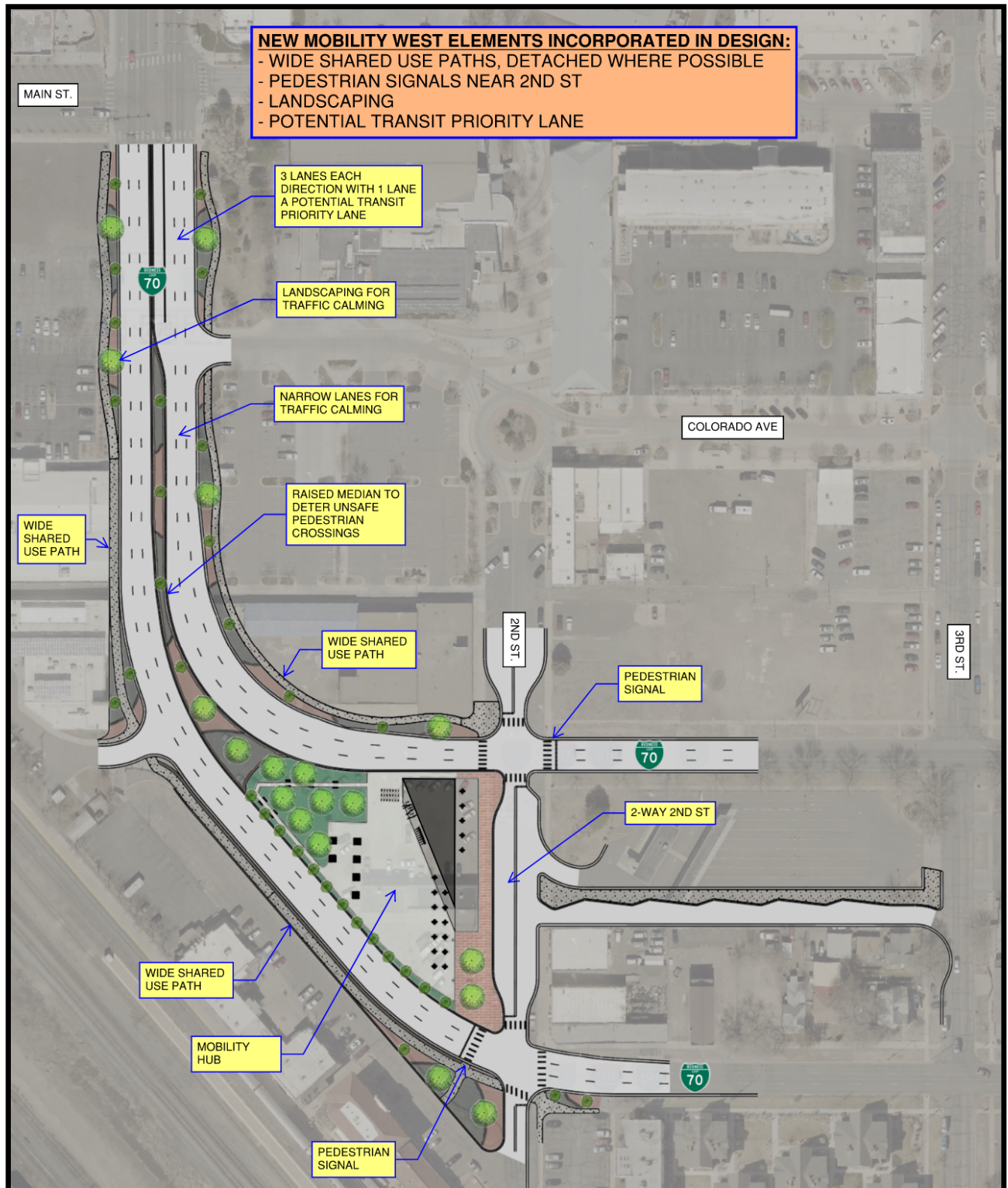
\_\_\_\_\_  
Wanda Winkelmann  
City Clerk

\_\_\_\_\_  
C. B. McDaniel  
President of City Council





# I-70B Phase 6 – October 2021





## Grand Junction City Council

### Regular Session

Item #6.a.i.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Felix Landry, Planning Supervisor  
**Department:** Community Development  
**Submitted By:** Felix Landry, AICP, Planning Supervisor

---

### **Information**

#### **SUBJECT:**

A Resolution Accepting the Petition for the Annexation of 19.41 Acres of Land and Ordinances Annexing and Zoning the Westland Meadows Annexation to R-8 (Residential - 8 du/ac), on Property Located at 2973 D 1/2 Road, West of 30 Road in Pear Park

#### **RECOMMENDATION:**

Staff recommends adoption of a resolution accepting the petition for the Westland Meadows Annexation, and approval of the annexation and zone of annexation ordinances. The Planning Commission heard the zoning request at its August 24, 2021 meeting and voted (7-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicants, Richard and Marianne Traver are requesting to annex 19.41 acres of land located at 2973 D ½ Road and a zone of annexation to R-8 (Residential – 8 du/ac) for the Westland Meadows Annexation. The property has a Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 12 du/ac). The subject property currently has an existing single-family residence.

The properties are Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the City limits in anticipation of future residential subdivision development. The zone district of R-8 is consistent with the Comprehensive Plan. The request for annexation will be considered separately by City Council, but concurrently with the zoning request.

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

## **BACKGROUND**

The Applicants have requested annexation and zoning of 19.41-acres of land into the City limits, located in the Pear Park section of Grand Junction south of D½ Road approximately one quarter mile west of 30 Road. The largely undeveloped parcel carries the address of 2973 D½ Road. The Westland Meadows Annexation consists of one property of 19.41-acres. The Applicant is currently requesting a zone of annexation to R-8 (Residential – 8 du/ac).

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – August 18, 2021
- Planning Commission considers Zone of Annexation – August 24, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – September 15, 2021
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council - October 20, 2021
- Effective date of Annexation and Zoning – November 21, 2021

The Applicant's property is currently in the County and has a County zoning of PUD and a portion is RSF-R (Residential Single Family – Rural – 5-acre minimum lot sizes). The PUD zoning was established by a previous owner covering the annexed property as well as an adjacent property. The portion of the PUD under consideration for annexation remains undeveloped. Surrounding properties to the north and west are zoned County RSF-R ranging in size from 0.29 to 4.78-acres. These properties consist of large lot single family homes. To the east resides a single large lot residence with County RSF-R zoning, and a collection of single-family residences along Marianne Drive with City R-4 zoning. Most of these lots range from 0.18 to 0.28 acres in size. Property to the south has City R-8 zoning and consists primarily of a residential subdivision which has been mostly developed. The city owns a triangular lot between the developing subdivision and the subject property. The subject property has a Comprehensive Plan Land Use designation of Residential Medium (5.5 - 12 du/ac). The requested zone district of R-8 is in conformance with the Land Use designation for the area.

The greater surrounding area both within the city limits and County are largely developed with single-family detached homes each on a platted lot or parcel. Further subdivision development and/or lot splits are possible in the future for other properties in the area, especially to the north of this property and are large enough to accommodate such development. Most of the zoning for the greater surrounding area consists of City R-8 zoning.

## **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on March 31, 2021 in accordance with Section 21.02.080 (e) of the Zoning and

Development Code. Public comment was also offered through the GJSpeaks platform. The Applicant, Richard Traver, Applicants' Representative and City staff were in attendance along with three (3) citizens.

Questions at the Neighborhood Meeting centered mainly on the proposed future subdivision of the property regarding phasing, access, whether the zoning might change during the process, and how tall the future homes might be. An official application for annexation and zoning was submitted to the City of Grand Junction for review on May 17, 2021.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on July 15, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on August 13, 2021. The notice of the Planning Commission public hearing was published August 17, 2021 in the Grand Junction Daily Sentinel.

## **ANALYSIS**

### **Annexation**

The Westland Meadows Annexation consists of one parcel of land totaling 19.41 acres; the parcel number is 2943-174-00-249. There is no road right-of-way area within the annexation area.

The land currently has a lone single family residence residing at the northern end of the property near D 1/2 Road, but the rest of the property has remained agricultural. The property owners plan for residential development in the future. The Applicant wishes to annex the property into City limits for this purpose and is requesting a zoning of R-8 (Residential with a maximum density of 8 dwelling units per acre) for the property. The R-8 Zone District implements the Comprehensive Plan's Land Use Category of Residential Medium for the property.

The property is currently adjacent to the existing city limits. 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 Reece 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. The petition has been signed by the one owner of the property or 100% of the owners and includes 100% of the property described excluding right-of-way.
- b. Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. Thirty-seven percent of the perimeter of the

annexation is contiguous with the existing City limits, exceeding the 1/6 contiguity requirements for annexation.

- 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. The property owner is currently planning for the development of residential housing at urban densities.
- e. The area is capable of being integrated with the City. The proposed annexation is adjacent to the city limits on one side and will be required at the time of development to interconnect with existing City streets that stub to the property. Utilities and City services are also available and currently serving the existing urban area in the area.
- f. No land held in identical ownership is being divided by the proposed annexation. The entire property owned by the applicant is being annexed.
- 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. Contiguous property owned by the petitioner is less than 20 acres in size, so this requirement does not apply, however, the petitioner has granted consent to the City to annex the property.

Please note that the annexation petition was prepared by the City.

### **Zone of Annexation**

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

(1) Subsequent events have invalidated the original premises and findings; and/or The property owners have petitioned for annexation into the City limits with a requested zoning district of R-8 which is compatible with the existing Comprehensive Plan Land Use Map designation of Residential Medium (5.5 - 12 du/ac). The surrounding area has developed in a manner largely conforming with the 2010 and 2020 Comprehensive Plans. The 2020 One Grand Junction Comprehensive Plan defined the density range for the Residential Medium Land Use category with a range of 5.5 to 12 du/ac. While the proposed R-8 zone district implements the Residential Medium Land Use category, no events since the adoption of the 2010 Comprehensive plan have occurred which would invalidate the original premises. Therefore, Staff has found 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 adoption of the Comprehensive Plan in 2020, designated these properties as Residential Medium (5.5 - 12 du/ac). The Applicant is requesting an allowable zone district that is consistent with the lower end of the density



range allowed by the Residential Medium category. Many of the adjacent properties in the greater area to the north, west, and south also have a Residential Medium land use designation and have been annexed and zoned R-8. The character and/or condition of the surrounding area has not changed much and continues to develop with residential uses. Due to the lack of significant change in the character and/or condition of the area Staff finds that this criterion has not been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or Adequate public and community facilities and services are available to the properties and are sufficient to serve land uses associated with the R-8 zone district. City Sanitary Sewer and Ute Water are both presently available within the D ½ Road right-of-way. Properties can also be served by Xcel Energy electric and natural gas. A short distance away, about two thirds of a mile is Pear Park Elementary School. Las Colonias Park is just over three miles from this proposed annexation and a future park site borders the subject property to the south. Groceries and gas are available within one and a half miles. Major shopping resides within two miles with a Wal-Mart and commercial services and restaurants along North Avenue between 23rd Street and 29 Road. Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed and therefore has found this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or The Comprehensive Plan and the future land use map comprise two of the primary tools the City uses to establish an adequate supply of land available for different types of development. Using these tools the city has designated the subject property for Residential Medium land use, which allows a range of zoning districts designed to meet the future demand for housing. The adequate supply of Residential Medium land uses is established by the amount of land designated for that land use in the future land use map. The Residential Medium classification of the subject property identifies the subject property as an essential component for providing an adequate supply of land designated for Residential Medium development. Therefore, Staff finds that this criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment. Annexation and zoning of the properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated area that is surrounded by the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement.

The 2020 Comprehensive Plan describes the projected residential needs of the community and proposes the future land use plan as a means to achieve an appropriately diverse supply of housing types that meet the needs of all ages, abilities, and incomes. The land use plan component of the 2020 Comprehensive Plan uses a variety of residential land use classifications to establish a variety of housing types available for development in different areas of the City. This location has been assigned

for Residential Medium land uses, which includes the requested zoning of Residential8. Therefore, the plan identifies Residential-8 zoning as an appropriate designation for this property to meet the housing objectives described in the 2020 Comprehensive Plan and derive benefits from its development for the community. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The R-8 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surrounding neighborhood.

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

1. R-12 (Residential – 8 to 12 du/ac)
2. CSR (Community Services and Recreation)
3. Mixed-Use Residential (MXR-3 )
4. Mixed-Use General (MXG-3 )
5. Mixed-Use Shopfront (MXS-3 )

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

Chapter 2 Plan Principle 3: Responsible and Managed Growth

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

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

Chapter 3

Intensification and Tiered Growth Plan. Subject property is located within Tier 1 – In Tier 1, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

## **RECOMMENDATION OF FINDINGS OF FACT**

After reviewing the Westland Meadows Annexation and Zone of Annexation, ANX2021-343, from County PUD-RSF-R (Planned Unit Development & Residential Single Family – Rural) to a City R-8 (Residential – 8 du/ac), the following findings of fact have been made:

1. 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 Westland Meadows Annexation is eligible to be annexed because of compliance with the annexation criteria
2. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
3. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted 2020 One Grand Junction Comprehensive Plan.

Therefore, City Staff recommends approval of the requested Annexation and the Planning Commission recommended approval of the Zone of Annexation.

## **FISCAL IMPACT:**

Westland Meadows - 2973 D 1/2 Road 19.41 Acres at R-8. D 1/2 Road is currently a county road with 26 feet of asphalt. There are no streetlights or drainage infrastructure present. The reconstruction of this segment of D 1/2 Rd from 29 Rd to 30 Road is to start in the 2022 Recommended Capital Budget with completion in 2023, funded by the City's Transportation Capacity Expansion debt authorized by voters in November of 2019.

## **SUGGESTED MOTION:**

I move to (adopt/not adopt) Resolution No. 86-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Westland Meadows Annexation, approximately 19.41 acres, on a property located at 2973 D ½ Road and (adopt/not adopt) a Ordinance No. 5026, an ordinance annexing territory to the City of Grand Junction, Colorado, Westland Meadows Annexation, approximately 19.41 acres, a property located at 2973 D ½ Road, just west of 30 Road in Pear Park, and to (adopt/not adopt) Ordinance No. 5027, an ordinance zoning the Westland Meadows Annexation to R-8 on final passage and order final publication in pamphlet form.

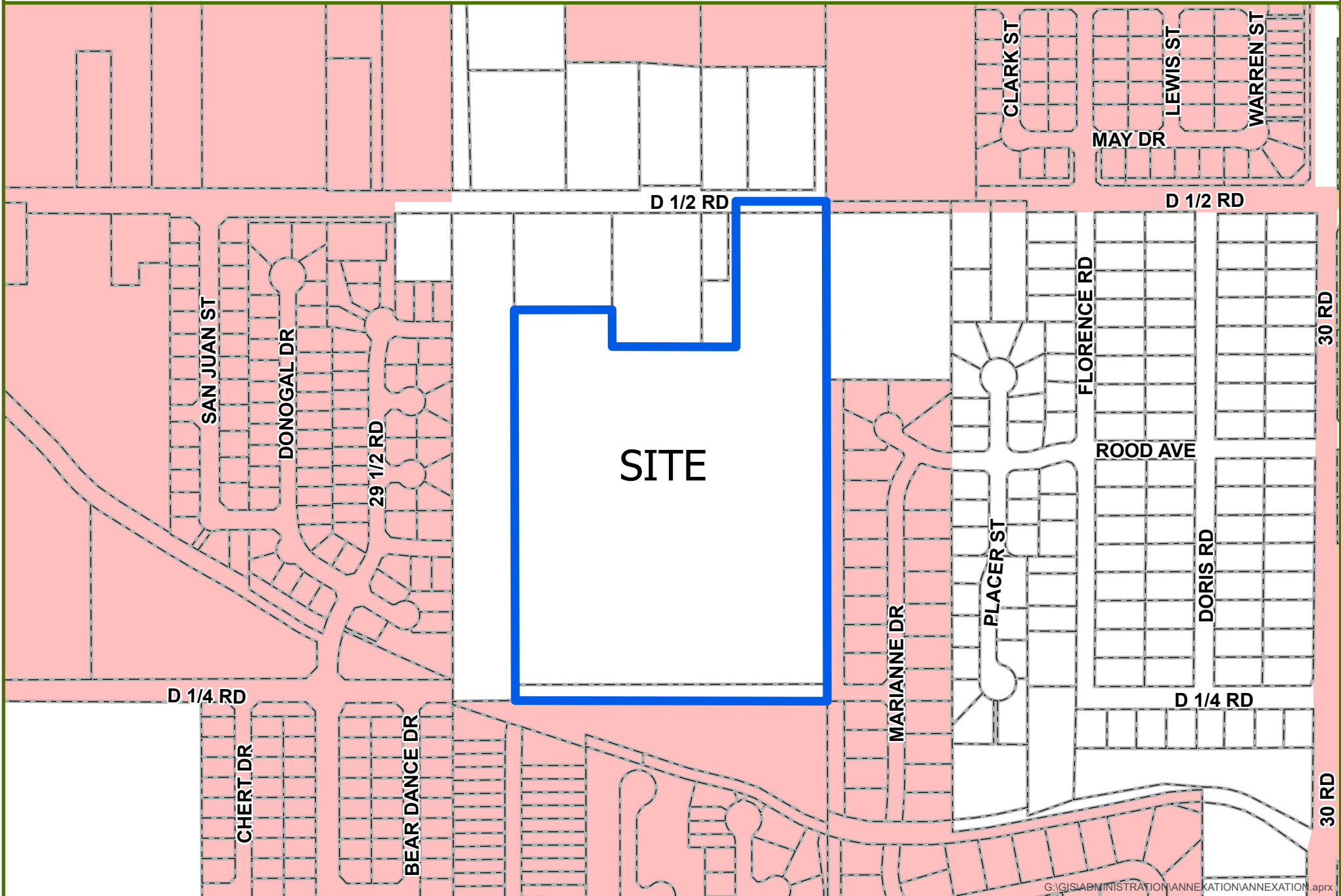
## **Attachments**

1. ANNEXATION SCHEDULE & SUMMARY TABLE
2. Site Location and Zoning Maps

3. Neighborhood Meeting Minutes
4. Westland Meadows Annexation Plat
5. Planning Commission Minutes - 2021 - August 24 - Draft
6. Resolution Accepting Petition for Annexation-Westland Meadows Annexation
7. Westland Meadows Annexation Ordinance
8. Zone of Annexation Ordinance - WestlandMeadows Annex

Westland Meadows Annexation				
18 August 2021		Referral of Petition, Intro Proposed Ordinance, Exercise Land Use		
24 August 2021		Planning Commission Considers Zone of Annexation		
15 September 2021		City Council Intro Proposed Zoning Ordinance		
6 October 2021		City Council Accept Petition/Annex and Zoning Public Hearing		
		Effective date of Annexation and Zoning		
ANNEXATION SUMMARY				
File Number		ANX-2021-343		
Location		2973 D ½ Rd		
Tax ID Number(s)		2943-174-00-249		
Number of Parcel(s)		1		
Existing Population		2		
No. of Parcels Owner Occupied		1		
Number of Dwelling Units		1		
Acres Land Annexed		19.41		
Developable Acres Remaining		19.41		
Right-of-way in Annexation		0		
Previous County Zoning		PUD - RSF- R		
Proposed City Zoning		R-8		
Surrounding Zoning:	North:	County RSF-R		
	South:	City R-8		
	East:	City R-4 and County RSF-R		
	West:	County RSF-R		
Current Land Use		Single-family residential/vacant land		
Proposed Land Use		Residential Subdivision		
Surrounding Land Use:	North:	Residential Medium		
	South:	Parks and Open Space		
	East:	Residential Low		
	West:	Residential Medium		
Comprehensive Plan Designation:		Residential Medium		
Zoning within Comprehensive Plan Designation:		Yes:	X	No:
Values:	Assessed	\$23,840		
	Actual	\$333,450		
Address Ranges				
Special Districts:	Water	Ute Water District		
	Sewer	Grand Junction 201 Service Area Boundary		
	Fire			
	Irrigation/Drainage	Grand Valley Irrigation Company		
	School	Mesa County School District 51		
	Pest	Grand River Mosquito Control District		

# WESTLAND MEADOWS ANNEXATION



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



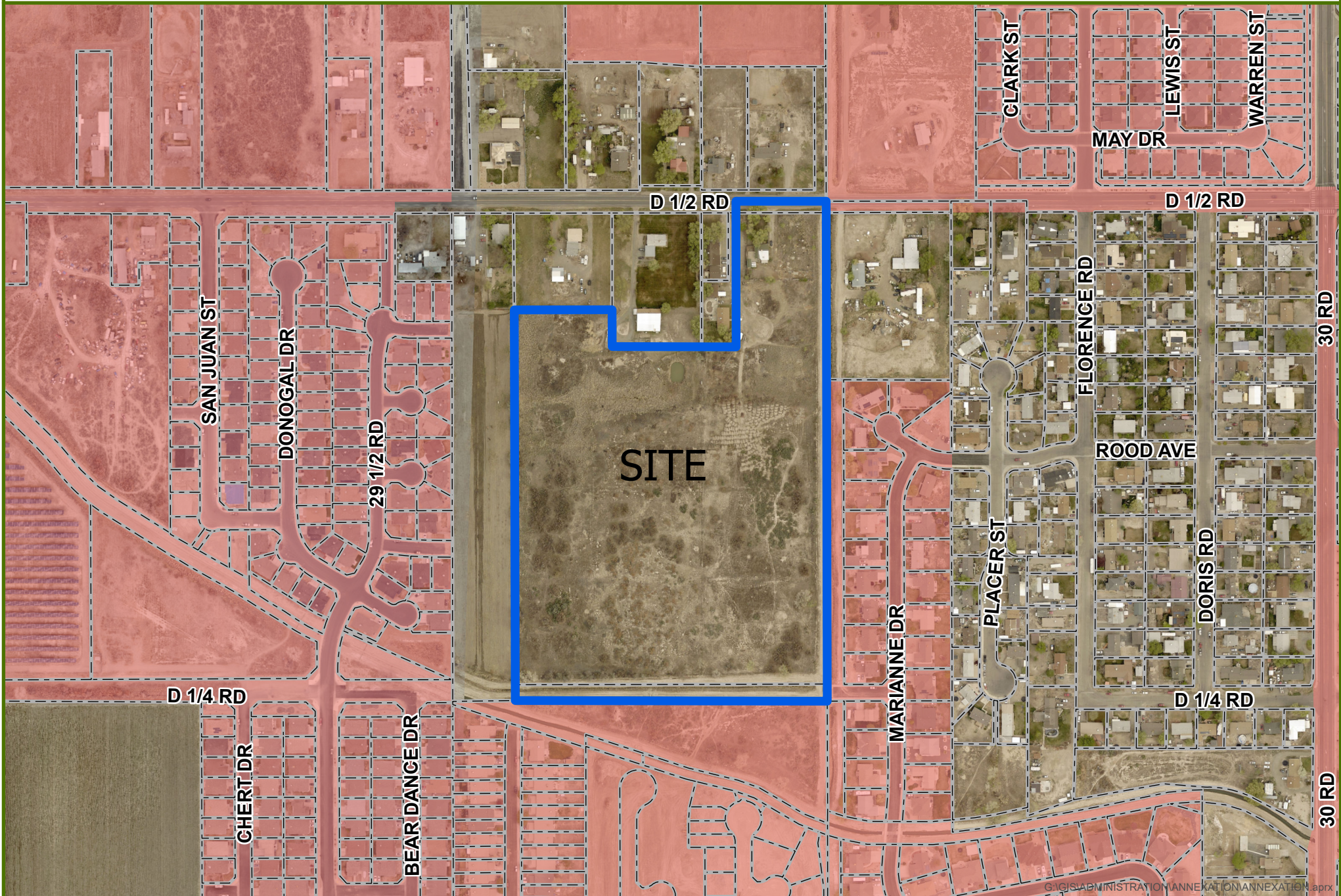
0 0.05 0.1 Miles

 Annexation

 City Limits



# WESTLAND MEADOWS ANNEXATION



0 0.05 0.1 Miles

 Annexation

 City Limits



WESTLAND MEADOWS ANNEXATION - LAND USE

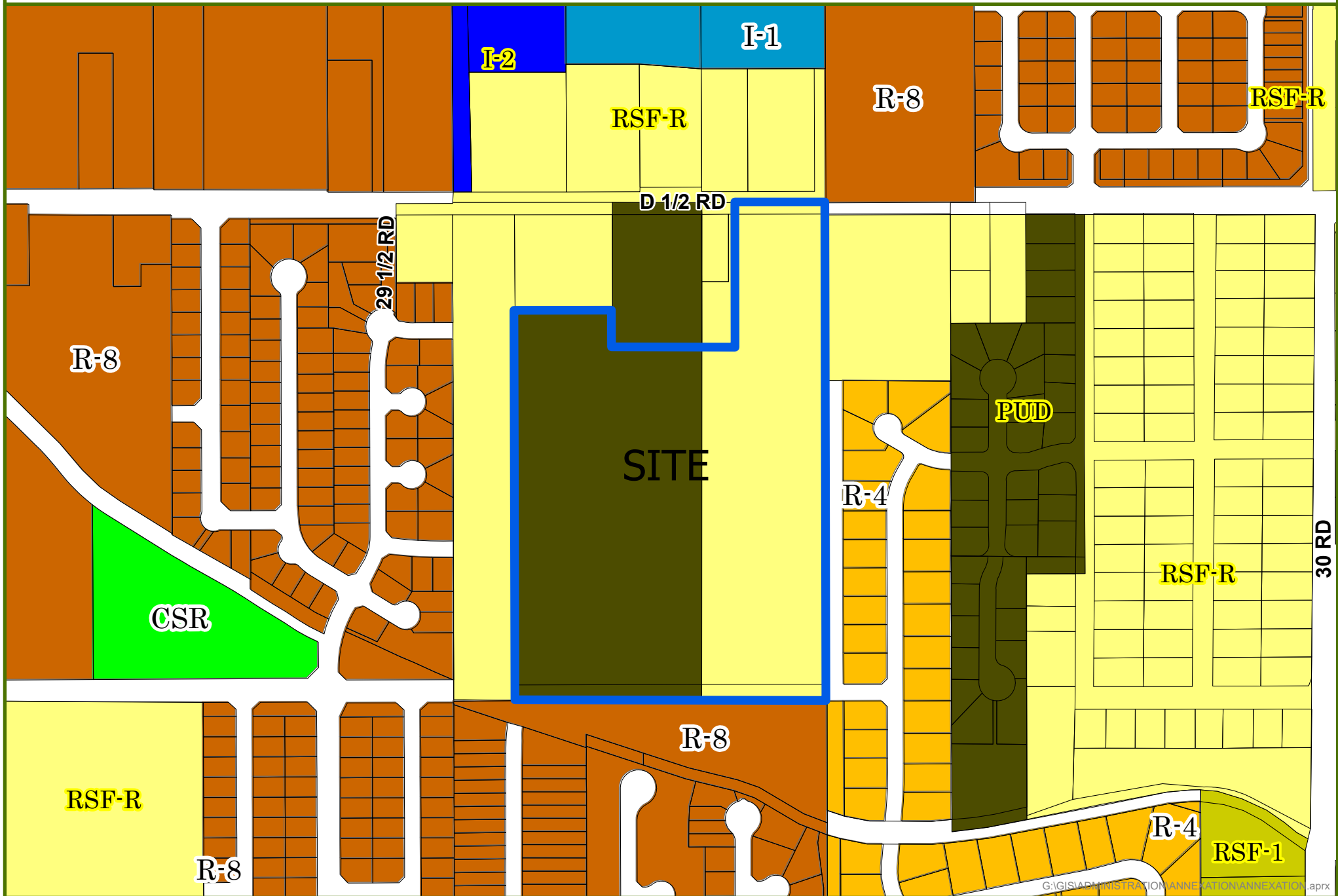


0 0.05 0.1 Miles

Annexation Boundary



# WESTLAND MEADOWS ANNEXATION - ZONING



0 0.05 0.1 Miles

 Annexation

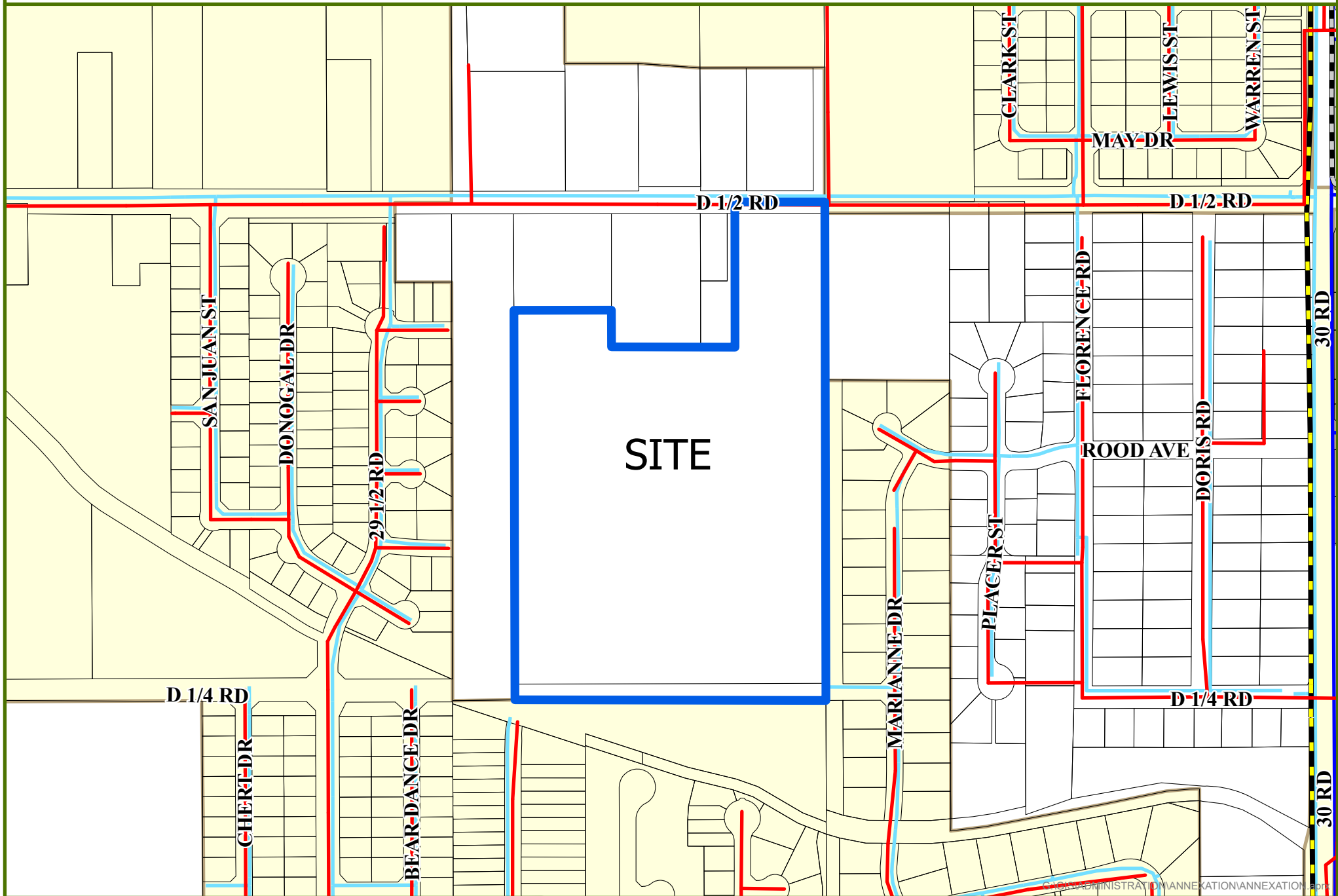
City Zoning  
Packet Page 99

County Zoning

Date Created: 7/22/2021

**CITY OF**  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEMS

# WESTLAND MEADOWS ANNEXATION - UTILITIES



0 0.05 0.1 Miles

— CITY FIBER  
— NON-CITY FIBER

— SEWER  
— UTE WATER

— CLIFTON WATER  
— CITY LIMITS

# WESTLAND MEADOWS SUBDIVISION

## INITIAL NEIGHBORHOOD MEETING 3-31-2021 via ZOOM

### Attendees:

Scott Peterson, Senior Planner – City of Grand Junction  
Pat O'Connor Design Group, Inc. (Jim JoJslyn, Engineer)  
Richard and Marianne Traver, owners.  
Molly Nelson  
Tammy Hayzlett  
Micah Berg, builder: MIB Constr.

### Meeting began at 5:30 pm.

Pat O'Connor provided an introduction of the plans and of the people involved.

The overall drawing was pulled up for all to see and was described by Mr. O'Connor. The initial Filing One was shown to be 9 lots, and was to be rezoned to R-8 which was about 5.5 units per acre. The whole subdivision covers about 19.4 acres which meant there will be 107+ lots with some 'single family attached' dwellings described as two units with a common wall on two separate lots. Mr. O'Connor did mention that there was a property/pasture between the Wexford Subdivision to the West of the proposed subdivision. No plans are pending to develop that separating acreage.

### Questions/Comments:

**Tammy Hayzlett:** She was concerned about the zoning/rezoning and asked if it will stay the same throughout the rest of the filings. Scott Peterson said that it will all stay the same and that no further zoning will happen. The size of the lots would be about 4,500 to 5,000 square feet each. Rich Traver mentioned that the lots will be a little larger than the ones in Wexford Subdivision. In Filing One, the lots will be larger, around 7,000 square feet. Tammy asked about the time frame. Mr. O'Connor said it depends on many factors, one of which could be the sales volumes in the area. It was mentioned that Filing One will be started as soon as possible after the Final Plan submittal is approved, possibly a few months out. Tammy asked about which direction it will be done, whether it will start at the East and work West toward Wexford. The answer was that it will work South, then West, that there are five filings/phases. Tammy asked about the time frame of all five filings. It was mentioned maybe three years. Tammy asked about the roads to be connecting through. Pat O'Connor mentioned that Inishmore is intended to connect through to Wexford on the Northwest side of the planned subdivision. (That future connection being dependent on the disposition of the owner of the in-between parcel.) He mentioned that the subdivision will be annexed into the City with the preliminary submittal of Filing One. Scott Peterson mentioned the order of submittals, that there will be public hearings in front of the City Council, and that cards will be sent out for notification to those who had received the present notice of this initial meeting.

**Molly Nelson:** She asked about the southern access for exiting of the subdivision. Pat O'Connor pointed out the road to the South which will be D $\frac{1}{4}$  Road, that it will connect East into Westland Estates along the Ditch which now exists there. Pat O'Connor also mentioned that D $\frac{1}{4}$  Rd. might extend West, and could possibly connect with Broken Arrow Dr. to the South. Pat O'Connor also added his opinion that Grand Valley Irrigation Company might not agree to D $\frac{1}{4}$  Rd. going west across the canal. Rich Traver mentioned that he talked with the President of GVI, Phil Bertrand, and that he might be more amenable to the Broken Arrow St. crossing. Molly mentioned her concern about duplexes, and it was mentioned again that they will be 'single family attached' homes, each owned by occupying homeowners, and Rich Traver mentioned that there are only four of those planned. They will be similar to those that exist to the south in Flint Ridge Subdivision.

**Tammy Hayzlett:** She asked if there will be any two-story dwellings, that she didn't want her view to be obstructed. It was mentioned that they can be one story.

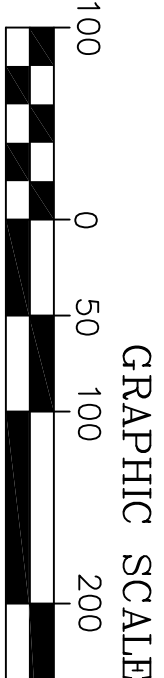
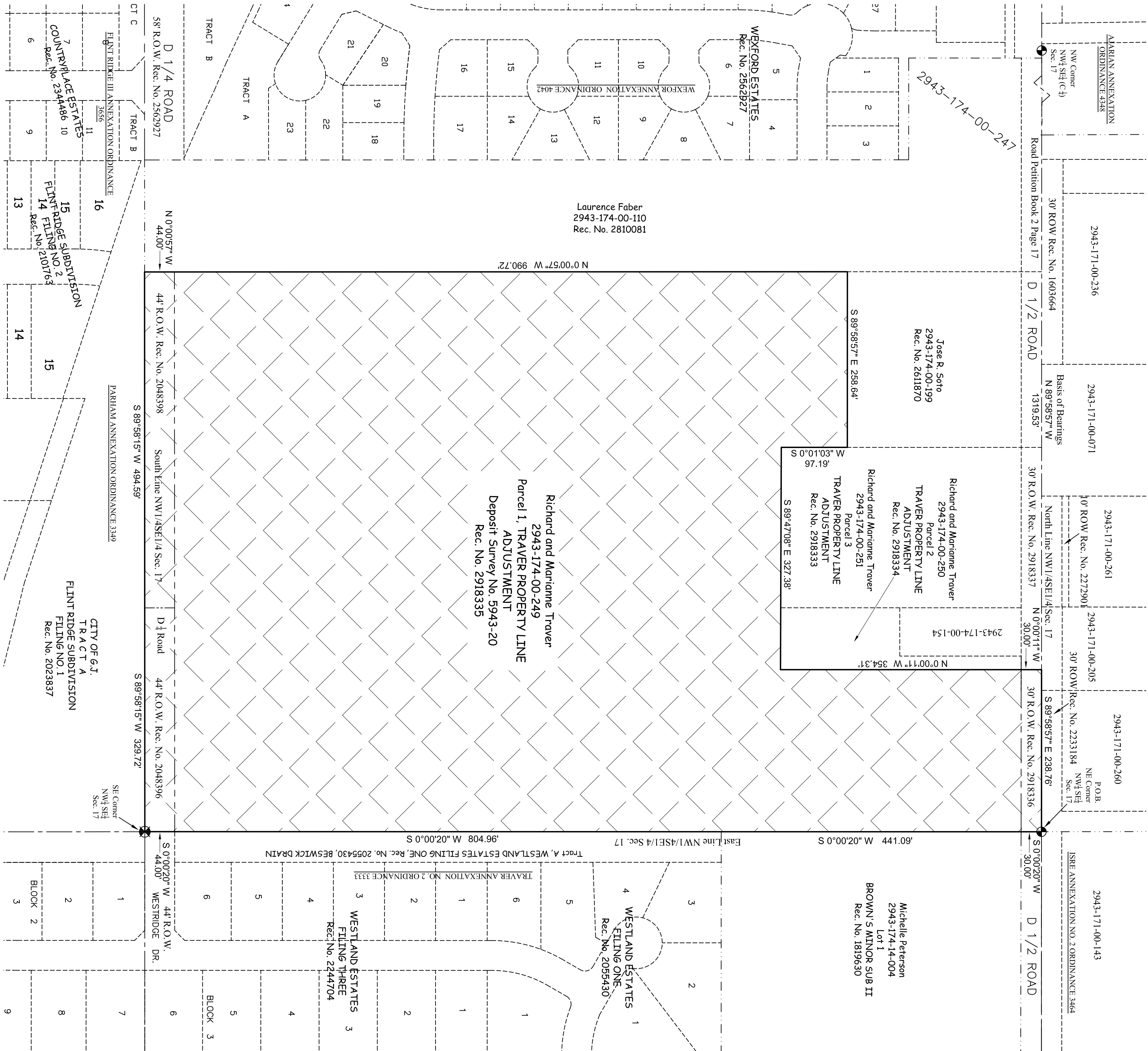
Scott Peterson mentioned that the market now is driving with one story dwellings anyway.

**MIB Construction:** He mentioned about possibly building some homes there.

Meeting adjourned at 5:55 pm. Written by M Traver

WESTLAND MEADOWS ANNEXATION

Located within the NW 1/4 SE 1/4 SECTION 17, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO



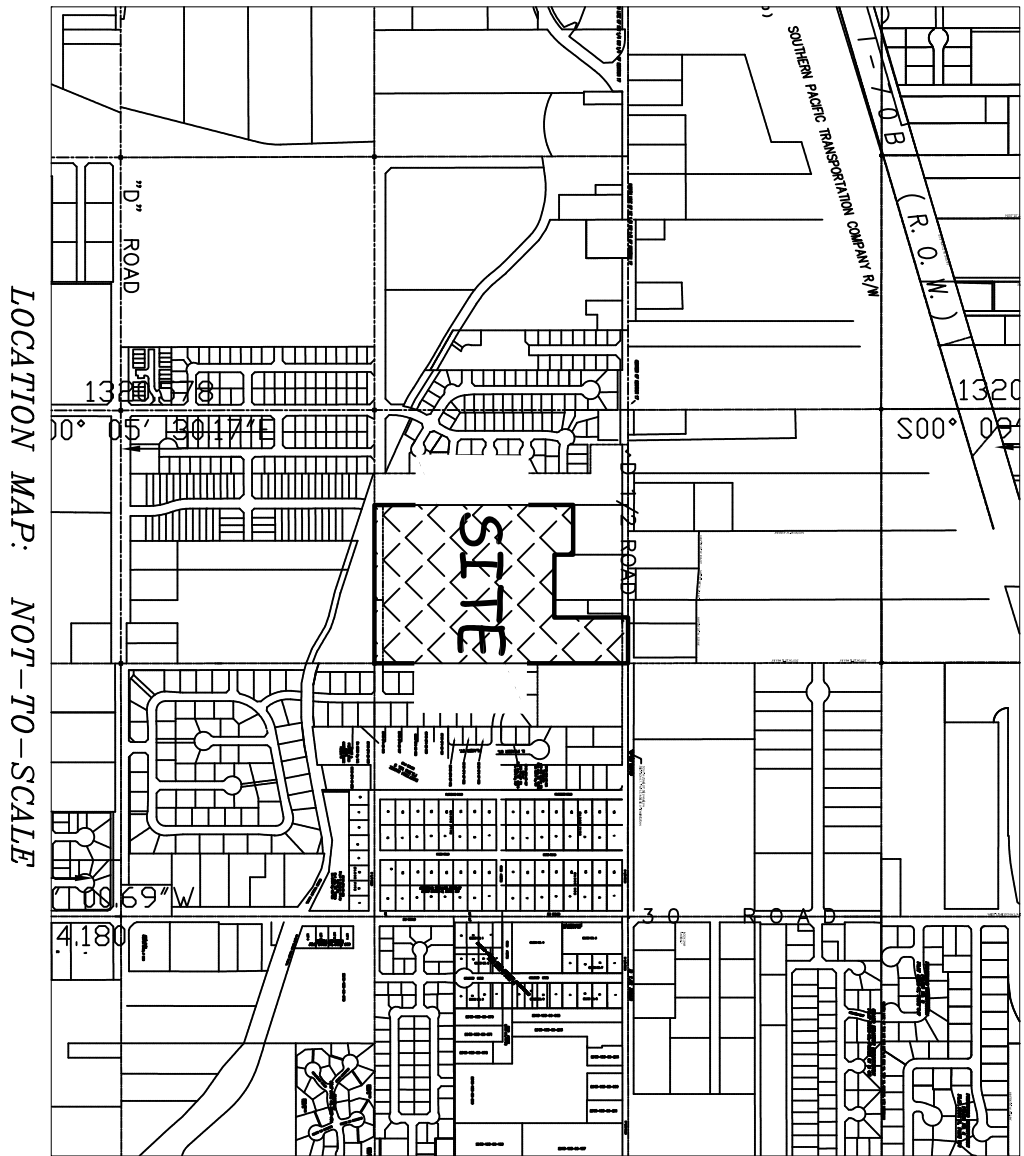
ORDINANCE NO.

EFFECTIVE DATE

THIS IS NOT A BOUNDARY SURVEY

PUBLIC WORKS

WESTLAND MEADOWS ANNEXATION



LEGAL DESCRIPTION

A parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado said parcel being more particularly described as follows:

Commencing at the Northeast Corner of said NW1/4SE1/4 Section 17 and assuming the North line of said NW1/4 SE1/4 bears N89°58'57" W with all other bearings contained herein being relative thereto; thence S0°00'20" W along the east line of the NW1/4 SE1/4 also being a portion of the west line of ISRE ANNEXATION NO. 2 ORDINANCE 3464 a distance of 30.00 feet to the southwest corner of a Right of Way parcel described in a deed filed under Reception Number 2918336; thence continuing S0°00'20" W along said east line NW1/4SE1/4 a distance of 441.09 feet to the Northwest corner of TRAVIER ANNEXATION NO. 2 ORDINANCE 3333; thence continuing S0°00'20" W along said east line NW1/4SE1/4 also being a portion of the west line of said TRAVIER ANNEXATION NO. 2 ORDINANCE 3333 a distance of 804.96 feet to the Northeast Corner of a Right of Way parcel described in a deed filed under Reception Number 2048396; thence continuing S0°00'20" W along said east line NW1/4SE1/4 to the Southeast Corner of said NW1/4SE1/4 also being the Southeast Corner of said Reception Number 2048396; thence S89°58'15" W along the south line of said NW1/4SE1/4 a distance of 339.72 feet to the Southwest Corner of said Reception Number 2048396 also being the Southeast Corner of a Right of Way parcel described in a deed filed under Reception Number 2048398; thence continuing S89°58'15" W along the south line of said NW1/4SE1/4 a distance of 44.00 feet to the Northwest Corner of said Reception Number 2048398; thence N0°00'57" W a distance of 494.59 feet to the Southwest Corner of said Reception Number 2048398; thence N0°00'11" W a distance of 30.00 feet to the Northwest Corner of said Reception Number 2918336; thence continuing N0°00'11" W a distance of 30.00 feet to the Northwest Corner of said Reception Number 2918336 being a point on the north line of said NW1/4SE1/4; thence S89°58'57" E along said north line said NW1/4SE1/4 a distance of 728.76 feet to the Point of Beginning.

CONTAINING 20.41 Acres, more or less, as described.

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.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
NO.	NUMBER
REC.	RECEPTION
SQ. FT.	SQUARE FEET
L=	LENGTH
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE
HORIZ. DIST.	HORIZONTAL DISTANCE

Revere B. Parent, PLS No. 38266  
Professional Land Surveyor for the  
City of Grand Junction

DATE: \_\_\_\_\_

FOR REVIEW

AREA OF ANNEXATION	
ANNEXATION PERIMETER	4485.37 FT.
CONTIGUOUS PERIMETER	17032.27 FT.
AREA IN SQUARE FEET	889136
AREA IN ACRES	20.41
AREA IN D 1/4 Road ROW	3020 SQ.FT. or 0.81 ACRES
AREA IN D 1/2 Road ROW	7164 SQ.FT. or 0.16 ACRES
ANNEXATION BOUNDARY	
EXISTING CITY LIMITS	
LEGEND	
DRAWN BY _____ R.B.P. DATE 07-12-2021	
DESIGNED BY _____ DATE _____	
CHECKED BY _____ M.G. DATE 07-14-2021	
APPROVED BY _____ DATE _____	

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 said 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 herein.

**GRAND JUNCTION PLANNING COMMISSION**  
**August 24, 2021 MINUTES**  
**5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Ken Scissors, Keith Ehlers, Sandra Weckerly, and Andrea Haitz.

Also present were John Shaver (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), and Scott Peterson (Senior Planner).

There were 7 members of the public in attendance.

The meeting video can be viewed online [here](#).

**CONSENT AGENDA**

---

Commissioner Reece moved to adopt Consent Agenda Items #1-3. Commissioner Weckerly seconded the motion. The motion carried 7-0.

**1. Approval of Minutes**

---

Minutes of Previous Meeting(s) from July 27, 2021.

**2. Tonto Lane Right-of-Way Vacation**

**File # VAC-2021-392**

Consider a request by Kraig Andrews to vacate right-of-way of Tonto Lane between 2632 and 2635 Cottonwood Drive.

**3. G 1/8 Road Right-of-Way Vacation**

**File # VAC-2021-539**

Consider a request by McCurter Land Company LLC and Five Star Homes & Development Inc., to vacate a portion of the undeveloped G 1/8 Road public right-of-way.

**REGULAR AGENDA**

---

**1. Reece Annexation**

**File # ANX-2021-365**

Consider a request by EDKA Land Co LLC to annex and zone 6.73 +/- acres from County RSF-R (Residential Single Family - Rural) to a City R-5 (Residential - 5 du/ac) zone district in anticipation of future residential subdivision development.

*Commissioner Reece stated into the record that she has no relation to the applicant and therefore no conflict of interest.*

### **Staff Presentation**

Dave Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

### **Questions for Staff**

None.

### **Applicant Presentation**

The applicant's representative, Mark Austin, Austin Civil Group, was present and available for questions.

### **Questions for Applicant**

None.

### **Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

None.

The public hearing was closed at ~5:45 p.m. on August 24, 2021.

### **Questions for Applicant or Staff**

Commissioner Ehlers asked a question.

### **Discussion**

Commissioner Reece made a statement regarding the request.

### **Motion and Vote**

Commissioner Gatseos made the following motion, "Mr. Chairman, on the Zone of Annexation for the Reece Annexation to R-5 (Residential – 5 du/ac) zone district, file number ANX-2021-365, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Scissors seconded the motion. The motion carried 7-0.

## **2. Westland Meadows Annexation File # ANX-2021-343**

Consider a request by Richard Traver of Westland Development LLC to annex and zone 19.4 +/- acres from County RSF-R (Residential Single Family - Rural) and PUD (Planned



Urban Development) to a City R-8 (Residential - 8 du/ac) zone district in anticipation of future residential subdivision development.

### **Staff Presentation**

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

### **Questions for Staff**

Commissioner Gatseos asked a question regarding the zoning criteria.

Commissioner Ehlers asked a question regarding the County PUD.

Commissioner Teske asked a question regarding the County PUD.

### **Applicant Presentation**

The applicant, Richard Traver, was available for questions. He also provided clarity regarding the County PUD.

### **Questions for Applicant**

None.

### **Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

None.

The public hearing was closed at ~6:00 p.m. on August 24, 2021.

### **Questions for Applicant or Staff**

None.

### **Discussion**

Commissioner Gatseos made a comment regarding the request.

### **Motion and Vote**

Commissioner Ehlers made the following motion, "Mr. Chairman, on the Zone of Annexation for the Westland Meadows Annexation to R-8 (Residential – 8 du/ac) zone district, file number ANX-2021-343, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Haitz seconded the motion. The motion carried 7-0.

**3. Faith Heights Rezone File # RZN-2021-427**

Consider a request by John & Carla Cappetto to rezone one parcel totaling approximately 13.92 acres from R-8 (Residential - 8) to M-U (Mixed Use).

**Staff Presentation**

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for Staff**

Commissioners Reece and Scissors asked questions regarding the request.

There was discussion amongst the Commissioners regarding the use of the property.

Commissioner Weckerly asked a question regarding density.

**Applicant Presentation**

The applicant's representative, Kim Kerk, was present and gave a brief presentation regarding the request.

**Questions for Applicant**

None.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, August 17, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

Scott Warren, Village Park Subdivision HOA, and Gordon McFarin, Village Park Subdivision HOA, gave comments in opposition to the request.

The public hearing was closed at ~6:20 p.m. on August 24, 2021.

**Applicant's Response to Comment**

Kim Kerk responded to public comment.

**Questions for Applicant or Staff**

Commissioner Haitz asked for some examples of light manufacturing.

Commissioner Ehlers asked a question about access to the site.

Commissioner Reece made a comment regarding the request.

Commissioner Teske asked the applicant a question regarding the intention of development.

### **Discussion**

Commissioners Ehlers, Gatseos and Teske made comments regarding the request.

### **Motion and Vote**

Commissioner Scissors made the following motion, "Chairman, on the Faith Heights Rezone request from an R-8 (Residential - 8) zone district to an M-U (Mixed Use) zone district for one parcel totaling approximately 13.92 acres located at 600 28 ¼ Road, City file number RZN-2021-427, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Reece seconded the motion. The motion carried 7-0.

### **4. Other Business**

---

None.

### **5. Adjournment**

---

Commissioner Reece moved to adjourn the meeting. Commissioner Haitz seconded. The meeting adjourned at ~6:40 p.m.

**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**

**WESTLAND MEADOWS ANNEXATION**

**APPROXIMATELY 19.41 ACRES  
LOCATED ON A PROPERTY AT 2973 D ½ Road  
Tax Parcel Number 2943-174-00-249**

WHEREAS, on the 18<sup>th</sup> day of August, 2021, 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:

**WESTLAND MEADOWS ANNEXATION**

A parcel located in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, being more particularly described as follows:

(Deed Reception 1848411, Reception 1855530 and (Deed Reception 1848411, Reception 1855530 and Reception 2316875, EXCEPT those parcels described for Rights-of-Way described in Reception 2048396 and Reception 2048398). Parcel 1 Traver Property Line Adjustment Reception 2918335. COMMENCING at the Northeast corner of the NW¼ SE¼ of said Section 17, Township 1 South, Range 1 East of the Ute Meridian, whence the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, bears North 89°59'03" West, a distance of 1319.69 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°00'14" West, a distance of 30.00 feet, along the East line of said NW¼ SE¼ of said Section 17 to the POINT OF BEGINNING; thence South 00°00'14" West, a distance of 1246.05 feet, along the East line of said NW¼ SE¼ of said Section 17, to the North line of that 44.00 foot wide right-of-way for D½ Road, as described in Reception 2048396, Mesa County records; thence South 89°58'09" West, a distance of 329.73 feet, along said right-of-way to the West line of the East Half of the East Half (E½ E½) of said NW¼ SE¼ of said Section 17, and the beginning of the North line of that 44.00 foot wide right-of-way for D¼ Road, as described in Reception 2048398, Mesa County records; thence South 89°58'09" West, a distance of 494.60 feet, along said North right-of-way line to the West line of the East Half of the East Half of the West Half (E½ E½ W½) of said NW¼ SE¼ of said Section 17; thence North 00°01'03" West,

a distance of 990.72 feet, along said West line of said E½ E½ W½ NW¼ SE¼ of said Section 17; thence South 89°59'03" East, a distance of 258.64 feet; thence South 00°00'57" West, a distance of 97.19 feet; thence South 89°47'14" East, a distance of 327.38 feet; thence North 00°00'17" West, a distance of 354.31 feet; thence South 89°59'03" East, a distance of 238.76 feet to the POINT OF BEGINNING.

CONTAINING an area of 19.41 Acres or 845,500 Square Feet, as herein described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<sup>th</sup> day of October, 2021; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the 20<sup>th</sup> day of October, 2021.

Attest:

---

President of the Council

---

City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**WESTLAND MEADOWS ANNEXATION**

**APPROXIMATELY 19.41 ACRES  
LOCATED ON A PROPERTY AT 2973 D ½ Road  
Tax Parcel Number 2943-174-00-249**

**WHEREAS**, on the 18<sup>th</sup> day of August, 2021, 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 \_\_\_\_ day of \_\_\_\_\_, 2021; 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:

**WESTLAND MEADOWS ANNEXATION**  
**Exhibit A**

A parcel located in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, being more particularly described as follows:

(Deed Reception 1848411, Reception 1855530 and (Deed Reception 1848411, Reception 1855530 and Reception 2316875, EXCEPT those parcels described for Rights-of-Way described in Reception 2048396 and Reception 2048398). Parcel 1 Traver Property Line Adjustment Reception 2918335. COMMENCING at the Northeast corner of the NW¼ SE¼ of said Section 17, Township 1 South, Range 1 East of the Ute Meridian, whence the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, bears North 89°59'03" West, a distance of 1319.69 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°00'14" West, a distance of 30.00 feet, along the East line of said NW¼ SE¼



of said Section 17 to the POINT OF BEGINNING; thence South 00°00'14" West, a distance of 1246.05 feet, along the East line of said NW¼ SE¼ of said Section 17, to the North line of that 44.00 foot wide right-of-way for D½ Road, as described in Reception 2048396, Mesa County records; thence South 89°58'09" West, a distance of 329.73 feet, along said right-of-way to the West line of the East Half of the East Half (E½ E½) of said NW¼ SE¼ of said Section 17, and the beginning of the North line of that 44.00 foot wide right-of-way for D¼ Road, as described in Reception 2048398, Mesa County records; thence South 89°58'09" West, a distance of 494.60 feet, along said North right-of-way line to the West line of the East Half of the East Half of the West Half (E½ E½ W½) of said NW¼ SE¼ of said Section 17; thence North 00°01'03" West, a distance of 990.72 feet, along said West line of said E½ E½ W½ NW¼ SE¼ of said Section 17; thence South 89°59'03" East, a distance of 258.64 feet; thence South 00°00'57" West, a distance of 97.19 feet; thence South 89°47'14" East, a distance of 327.38 feet; thence North 00°00'17" West, a distance of 354.31 feet; thence South 89°59'03" East, a distance of 238.76 feet to the POINT OF BEGINNING.

CONTAINING 19.41 Acres or 845,500 Square Feet, more or less, as described, be and is hereby annexed to the City of Grand Junction, Colorado.

**INTRODUCED** on first reading on the 18<sup>th</sup> day of August 2021 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of October 2021 and ordered published in pamphlet form.

---

President of the Council

Attest:

---

City Clerk



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ZONING WESTLAND MEADOWS ANNEXATION  
TO R-8 (RESIDENTIAL – 8 DU/AC) ZONE DISTRICT**

**LOCATED ON A PROPERTY WEST OF 30 Road at 2973 D ½ Road  
Tax Parcel Number 2943-174-00-249**

**Recitals**

The property owner has requested annexation of one property that totals 19.41-acres into the City limits.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Westland Meadows Annexation to the R-8 (Residential – 8 du/ac) zone district, finding that it conforms with the designation of Residential Medium (5.5 - 12 du/ac) as shown on the Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-8 (Residential – 8 du/ac) zone district, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

**WESTLAND MEADOWS ANNEXATION**

**The following property be zoned R-8 (Residential – 8 du/ac) zone district.**

A parcel located in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, being more particularly described as follows:

(Deed Reception 1848411, Reception 1855530 and (Deed Reception 1848411, Reception 1855530 and Reception 2316875, EXCEPT those parcels described for Rights-of-Way described in Reception 2048396 and Reception 2048398). Parcel 1 Traver Property Line Adjustment Reception 2918335. COMMENCING at the Northeast corner of the NW¼ SE¼ of said Section 17, Township 1 South, Range 1 East of the Ute Meridian, whence the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, bears North 89°59'03" West, a distance of 1319.69 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence

South 00°00'14" West, a distance of 30.00 feet, along the East line of said NW¼ SE¼ of said Section 17 to the POINT OF BEGINNING; thence South 00°00'14" West, a distance of 1246.05 feet, along the East line of said NW¼ SE¼ of said Section 17, to the North line of that 44.00 foot wide right-of-way for D½ Road, as described in Reception 2048396, Mesa County records; thence South 89°58'09" West, a distance of 329.73 feet, along said right-of-way to the West line of the East Half of the East Half (E½ E½) of said NW¼ SE¼ of said Section 17, and the beginning of the North line of that 44.00 foot wide right-of-way for D¼ Road, as described in Reception 2048398, Mesa County records; thence South 89°58'09" West, a distance of 494.60 feet, along said North right-of-way line to the West line of the East Half of the East Half of the West Half (E½ E½ W½) of said NW¼ SE¼ of said Section 17; thence North 00°01'03" West, a distance of 990.72 feet, along said West line of said E½ E½ W½ NW¼ SE¼ of said Section 17; thence South 89°59'03" East, a distance of 258.64 feet; thence South 00°00'57" West, a distance of 97.19 feet; thence South 89°47'14" East, a distance of 327.38 feet; thence North 00°00'17" West, a distance of 354.31 feet; thence South 89°59'03" East, a distance of 238.76 feet to the POINT OF BEGINNING.

CONTAINING an area of 19.41 Acres or 845,500 Square Feet, as herein described.

**INTRODUCED** on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021 and ordered published in pamphlet form.

**ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
President of the Council

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



## Grand Junction City Council

### Regular Session

Item #6.a.ii.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Jace Hochwalt, Senior Planner  
**Department:** Community Development  
**Submitted By:** Jace Hochwalt, Senior Planner

---

### **Information**

#### **SUBJECT:**

An Ordinance Rezoning Approximately 12.00 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2211 Hallco Drive

#### **RECOMMENDATION:**

Planning Commission heard this request at its September 28, 2021 meeting and voted (5-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, LSM Red Rock, LLC, is requesting the rezone of one parcel totaling approximately 12.00 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2211 Hallco Drive. The requested C-2 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

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

The proposed rezone comprises one parcel totaling approximately 12.00 acres at 2211 Hallco Drive, situated directly north of Interstate 70 and Highway 6 & 50 interchange. The parcel was annexed into the City limits in 2007 and currently sits vacant, but was recently subdivided in January of 2021 as part of a three-lot subdivision known as the Hallco II Subdivision. The site is currently zoned I-1 (Light Industrial), which is similar to the immediately adjacent properties. Uses in the immediate area of the subject site comprise primarily light industrial and commercial uses, inclusive of gas station/convenience stores, storage facilities, distribution facilities, and storage yards. There are also several vacant properties within close proximity to the subject site.

As indicated, the subject site is currently zoned I-1 and sits vacant. The 2020 One Grand Junction Comprehensive Plan classifies the subject property and immediately



adjacent properties with a Commercial land use designation. Zone districts that may implement the Commercial Land Use designation include MU (Mixed Use), BP (Business Park Mixed Use), I-O (Industrial Office/Park), C-1 (Light Commercial), C-2 (General Commercial), and the form-based, mixed-use zones of MXR-8, MXG-3, MXS-3, and MXOC. As such, the Comprehensive Plan land use classification of Commercial does support the rezone request to C-2, and does not support the existing zoning designation of I-1 for the subject site.

As indicated in the Applicant's General Project Report, they are proposing a rezone to C-2 to provide more flexibility of allowed uses for the site. The Applicant plans to construct an automotive dealership on the property, classified as a retail use in the Zoning and Development Code, which is not a use by right in the current I-1 zone district. While retail can be allowed within the I-1 zone district, the retail sales area shall not exceed 10 percent of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel. As such, a rezone to C-2 is proposed, which would allow for the proposed automotive dealership use without limiting the retail sales area. The Applicant recently submitted a Major Site Plan Review to City staff for the automotive dealership, known as City File Number SPN-2021-589. The site plan application is concurrently under review along with this proposed rezone, but will not be approved unless the rezone is approved.

#### **NOTIFICATION REQUIREMENTS**

Neighborhood Meetings were held virtually on July 21, 2021 and September 23, 2021 for the proposal, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present. No members of the public attended the meeting, and the Applicant team and City Staff discussed the proposal and anticipated timeline of the proposal.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on September 15, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 17, 2021. The notice of the Planning Commission public hearing was published on September 21, 2021 in the Grand Junction Daily Sentinel.

#### **ANALYSIS**

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

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

The 2020 Comprehensive Plan Land Use Map identifies the subject property as

Commercial, which is different from the 2010 Comprehensive Plan designation of Commercial/Industrial. While the existing zoning designation of I-1 was supported by the former 2010 Comprehensive Plan, it is not supported by the recently adopted 2020 Comprehensive Plan, which anticipates more commercial type uses in the area of the subject site, which are not allowed within the I-1 zone district. This is attributed to the site's location with frontage and exposure adjacent to the interchange of Interstate 70 and Highway 6 & 50. As stated in the land use and Growth Framework section of the 2020 Comprehensive Plan, the Commercial land use designation is to be located at intersections or in areas along major local, state, and interstate roadways. Based on the preceding information, staff finds this criterion has been met.

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

As previously indicated, the subject site has been vacant, but was recently subdivided as part of a three-lot subdivision. There is still a vast amount of vacant or underdeveloped land in the surrounding area. However, the most recently constructed projects in the area are more commercial in nature, including the Love's Travel Stop (gas station/convenience store/fast food restaurant) adjacent to the west and constructed in 2013, as well as the Pilot Travel Center (gas station/convenience store) a block southwest constructed in 2014. Most other developed properties in the area were built out between 1970 and 2005. Based on this information, it appears that development trends in the immediate area are shifting towards a mix of uses rather than strictly industrial uses. The proposed C-2 zoning district is less restrictive than the current I-1 zone district, affording more commercial and retail opportunities and considered more compatible to the most recently constructed developments in the immediate area. In conclusion, 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

The subject property is within an urbanizing area in the northwest portion of the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the C-2 zone district. The type and scope of land-use allowed within the C-2 zone district is similar in character and extent to the existing land-use of many nearby properties, which include light industrial and commercial uses. The subject site is currently served by Ute Water, Persigo Wastewater Treatment, and Grand Valley Power. The site is immediately adjacent to Highway 6 & 50 and Interstate 70, providing convenient local and regional access to the site. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

While there are some similarities between the I-1 and C-2 zone districts, there are also differences, primarily being that C-2 allows for more commercial and retail type uses. The C-2 zone district accounts for approximately 3% of City zoned land. While the majority of parcels in the immediate area are zoned I-1, there are some C-2 zoned properties within close proximity of the subject site. In addition, there are other areas of the City, particularly to the southeast, with similar exposure and access that currently hold a C-2 zoning designation. In conclusion, staff has been unable to determine if there is an inadequate supply to accommodate the proposed land use and therefore has not found this criterion to have been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to commercial and employment centers. The site has exceptional exposure, situated immediately adjacent to Highway 6 & 50 and Interstate 70, providing convenient visibility and access (both local and regional) to the subject site. In addition, a zoning designation of C-2 would preclude some high intensity industrial uses, while allowing more commercial and retail type uses, causing the property to act as a better buffer between the Interstate 70 corridor to the south and industrial uses to the north. As such, staff finds this criterion has been met.

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

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

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

Plan Principle 3.6.b. Mix of Uses - Support the creation of a mix of uses as in neighborhood centers and along prominent corridors that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including, but not limited to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

The subject site is located within Tier 1: Urban Infill, which focuses on the intensification of commercial areas through infill. This encourages orderly development patterns and limits infrastructure extensions while still allowing for business growth. As previously indicated, the primary purpose of the rezone is for the allowance of more commercial

type uses, including an automotive dealership. The rezone would accommodate a mix of uses, particularly the possibility of an intensification of commercial type uses, which are supported by the land use designation of Commercial.

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

After reviewing the Red Rocks Auto Rezone, RZN-2021-655, rezoning 12.00 acres from I-1 (Light Industrial) to C-2 (General Commercial) for the property located at 2211 Hallco Drive, the following findings of fact have been made:

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

Therefore, Planning Commission recommends approval of the request.

### **FISCAL IMPACT:**

There is no direct fiscal impact related to this request.

### **SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 5028, an ordinance rezoning one parcel totaling approximately 12.00 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2211 Hallco Drive on final passage and order final publication in pamphlet form.

### **Attachments**

1. Exhibit 1 - Application Packet
2. Exhibit 2 - Maps and Exhibits
3. ORD-HALLCO Zoning 092921

## Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

*Holly Moeller*

Date

Signature of Legal Property Owner

*Timothy C. Dulle*

Date



# OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) LSM Red Rock, LLC ("Entity") is the owner of the following property:

(b) 2211 Hallco Drive, Grand Junction CO 81505; Reception number: 2963559

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) Major Site Plan

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) \_\_\_\_\_

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: Timothy C. Dahle

Printed name of person signing: Timothy C. Dahle

State of Utah )

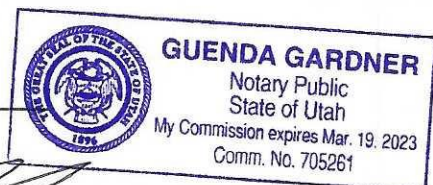
County of Salt Lake ) ss.

Subscribed and sworn to before me on this 24 day of June, 2021

by [Signature]

Witness my hand and seal.

My Notary Commission expires on 3/19/23



[Signature]  
Notary Public Signature

ORIGINAL  
ATTACHED

Doc. Fee \$261.36

**WITNESS**, that the Grantor, for and in consideration of the sum of TWO MILLION SIX HUNDRED AND THIRTEEN THOUSAND SIX HUNDRED DOLLARS, (\$2,613,600.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's successors and assigns forever, all the real property, together with any improvements thereon, located in the County of Mesa and State of Colorado, described as follows:

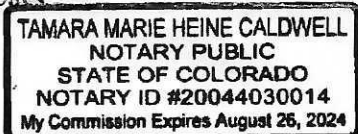
also known by street address as: 2211 Hallico Drive, Grand Junction, CO 81505  
and assessor's schedule or parcel number: TBD

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee's successors and assigns forever. The Grantor, for the Grantor does covenant and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, in the quiet and peaceable possession of the Grantee and the successors and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor except and subject to the following matters:

**IN WITNESS WHEREOF**, the Grantor has executed this deed on the date set forth above.

  
Bryce Palo, Successor Trustee

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_



  
Notary Public



September 10, 2021

RE: 2211 Hallco Drive Site Plan Approval Submission – **General Project Report for Rezone**

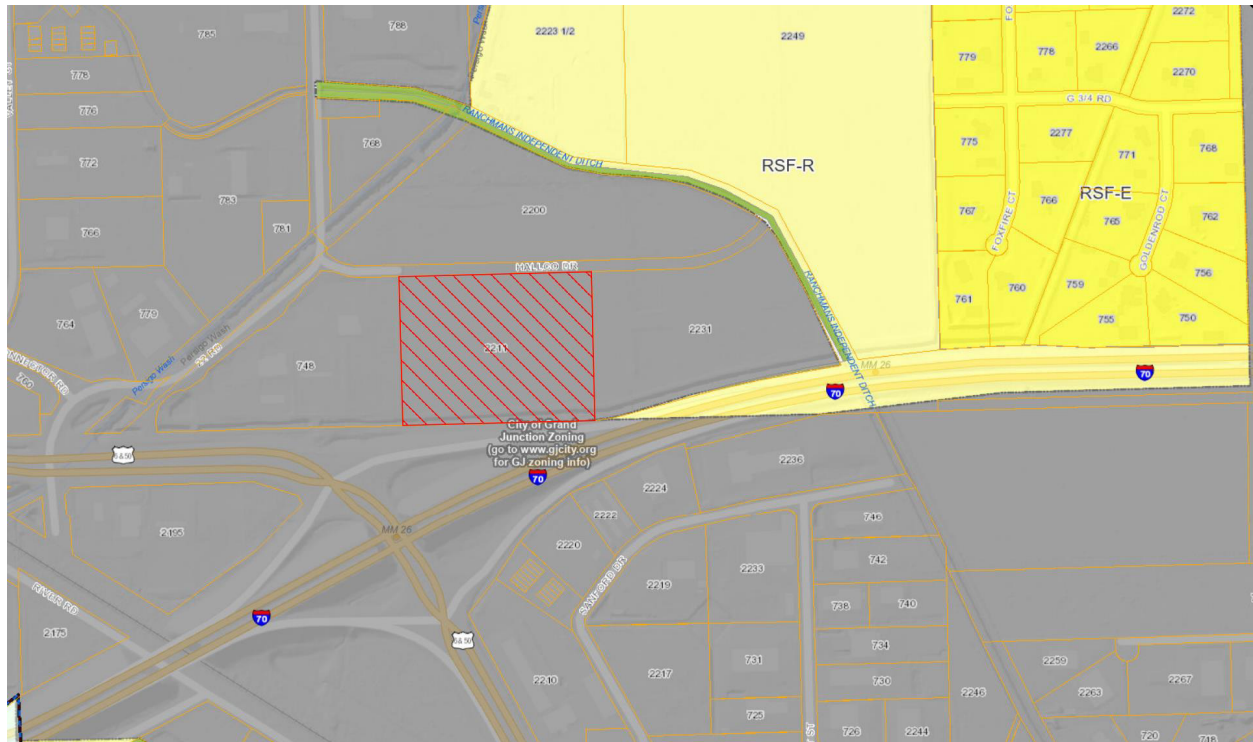
LSM Red rock, LLC is seeking Rezone approval for the parcel at 2211 Hallco Drive in Grand Junction, Colorado. The project encompasses the development of Lot 1, a 12 Acre parcel within the Hallco II Subdivision by LSM Red Rock, LLC. LSM Red Rock LLC is a developer/owner that works with the Tim Dahle Automotive Group to construct and maintain Automotive Dealership facilities in the Salt Lake Metro-area and in Grand Junction, CO. The location is immediately East and adjacent to the Love's Truck Stop on the 22 Road & Highway 50.



## 1 - Vicinity Map

The parcel is currently zoned as I-1, Light Industrial. The Applicant is requesting to rezone the parcel to the C-2 Zone, General Commercial, designation, which facilitates the use of the parcel for an Automotive Retail use. All neighboring parcels area also zoned I-1 at this time, though the use of the parcel immediately East of the subject parcel is used as a small retail function (allowed under I-1 or C-2 zones). Further to the East and North, beyond the Ranchman's

Independent Ditch, are parcels zoned RSF-R, with an RSF-E zone beyond. These areas would be impacted only minimally by this rezone, due to their distance from the subject parcel. The site is immediately North of the Westbound I-70 off-ramp to Highway 6 & 50. Access to the site is via the 22 Road from Highway 6 & 50, and then onto Hallco Drive.

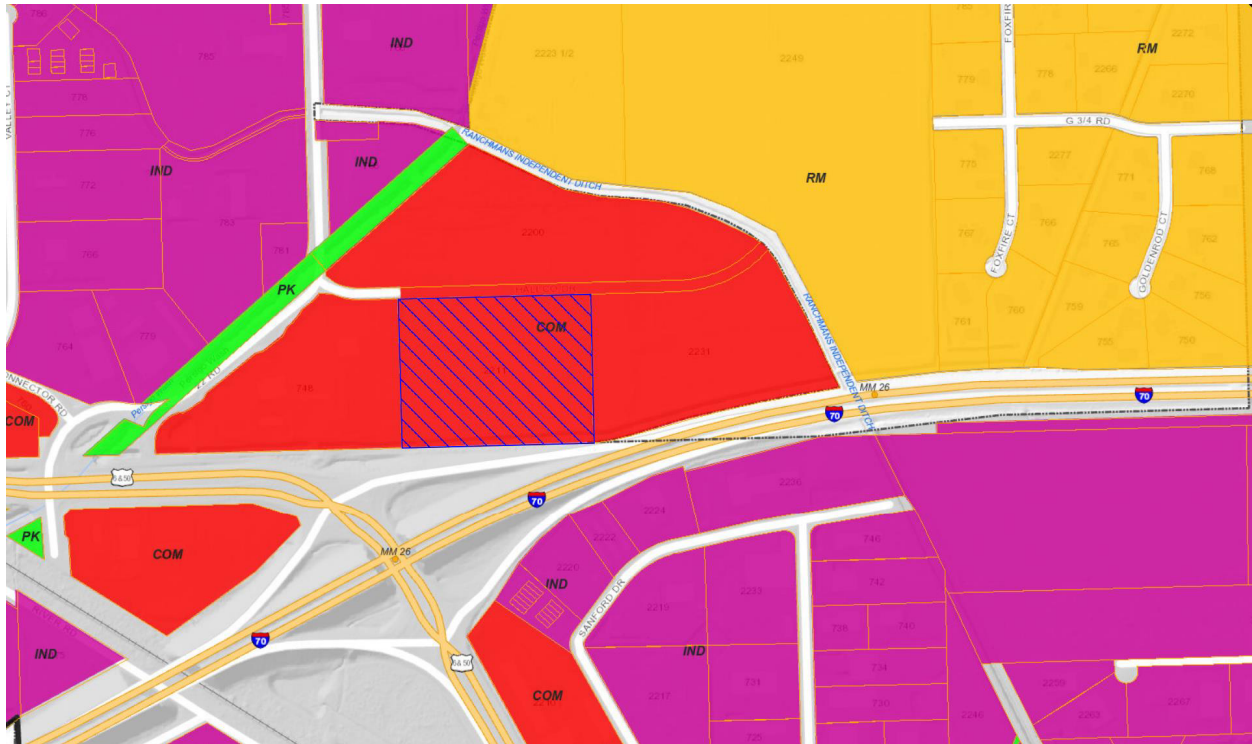


## 2 - Current Zoning Map

The Applicant's request to modify the Zoning of this parcel to C-2 aligns with the current Land-Use Plan of Grand Junction City, as shown in Figure 3. The future use plan intends for much of the freeway corridor to be zoned for Commercial use. This plan capitalizes on the use of the existing adjacent freeway interchange and facilitates the often-larger traffic flow to commercial zones.

This development is being planned by LSM Red Rock, LLC to facilitate growth and development of both existing and new Automotive Sales and Service points. The Owner wishes to remain in and support Grand Junction City, but the current facilities do not adequately support the growth

of the businesses. Relocation to this site allows for the businesses to meet these requirements and aligns with the future development plans of Grand Junction City.



### 3 - Land Use Plan Map

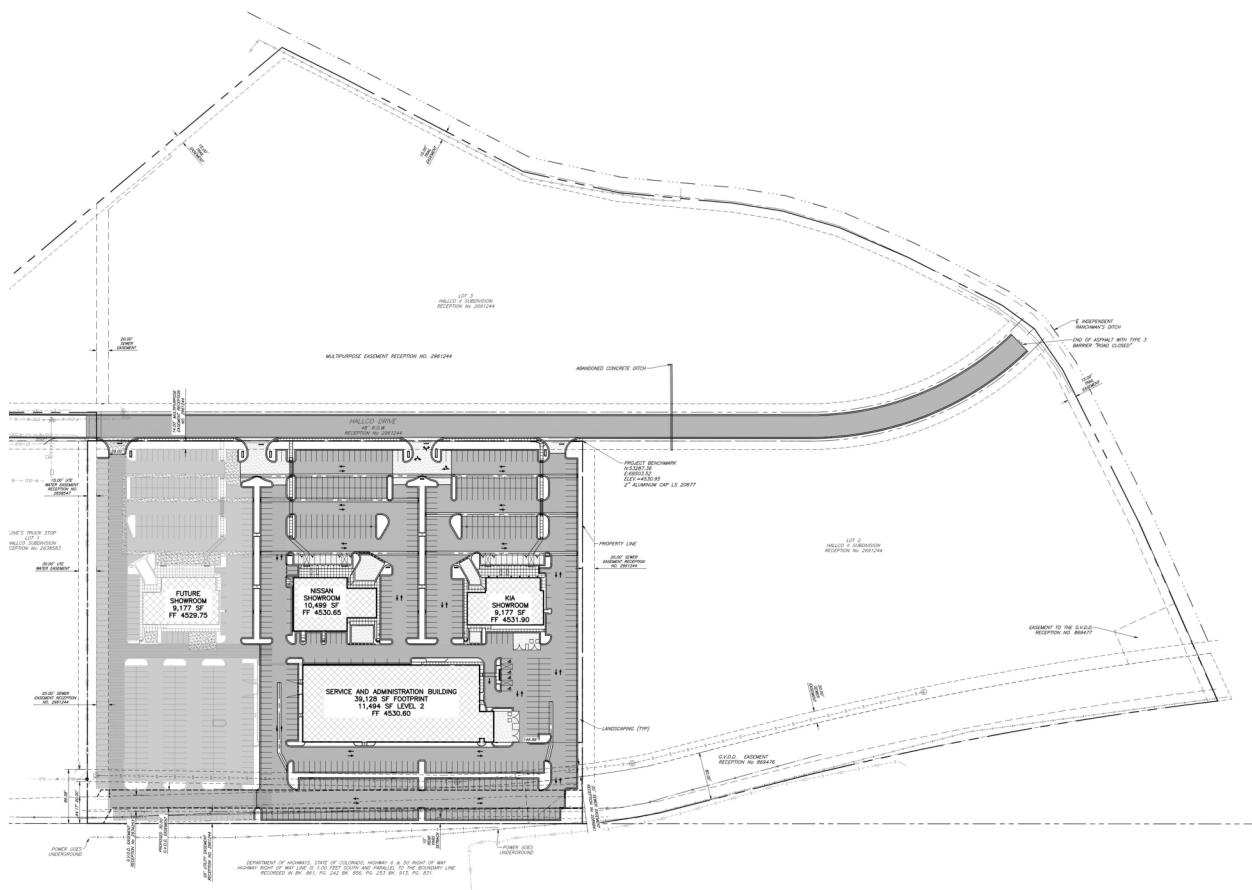
The proposed development will include the construction of three Showroom facilities for Red Rock Nissan (relocated sales point), Red Rock Kia (new sales point), and yet to be decided brand. These showroom facilities will be accompanied by a combined Service, Parts Warehouse and Administration building. The areas of the proposed buildings are:

- Red Rock Nissan Showroom: 10,499 SF gross (Single Level)
- Red Rock Kia Showroom: 9,177 SF gross (Single Level)
- TBD Showroom: 10,000 SF gross (Single Level) (estimate)
- Service/Admin Building: 50,622 SF gross (Two Level)

It is anticipated the facilities will be Type IIB Construction and will be fully fire sprinklered. We are intending the use of Concrete Masonry and Steel structural systems.



Site Access will not change from the aforementioned methods utilizing the 22 Road and Hallco Drive. Future development as defined by the Hallco II Subdivision indicates a potential connection of Hallco Drive to the G  $\frac{3}{4}$  Road. All utilities to this parcel are new and will enter the site via connections within Hallco Drive. Storm water is intended to flow South from the parcel (and after being detained in an underground storage basin) enter the G.V.D.D. Easement, as defined in the Hallco II subdivision agreement. Irrigation water is not present on site, so future landscape irrigation will utilize domestic water sources.



#### 4 - Concept Site Plan

The Architectural styling of all four buildings can be described as modern and features the use of Aluminum Composite Metal Panels (ACM), Aluminum Storefront, CMU and EIFS for the

façade materials. The site design will feature low-water or xeriscape landscaping. It is anticipated that little or no turf will be included in the landscape plantings. The site does feature a significant portion of hardscape, as is typical in Automotive Sales facilities. The frontage on Halco Drive (North side) will primarily be for display of the new and used vehicles for sale, while the areas in the middle of the property will be devoted to Customer vehicles of both the Sales & Service portions of the business. The rear, or South, portion of the property will be primarily Employee and Vehicle Storage areas. These zones are not definite in their divisions but will ebb-and-flow, based upon the inventory of vehicles on hand.

We feel that this proposal for a Rezoning of the subject parcel meets the requirements for rezone provided in Section 21.02.140(a) of the Municipal Code, specifically criteria points 2, 4 and 5.

- a) The condition of the area is consistent with the City's future Land Use plan.
- b) The intended use requires larger contiguous tracts of land within the C-2 Zone than what is available adjacent to or near the existing facilities yet remains within the Grand Junction City boundaries.
- c) The community of Grand Junction will benefit by aligning the use to the future land use plan and by channeling traffic for the intended retail uses onto existing and underutilized infrastructure.



# 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.<sup>1</sup> 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.<sup>2</sup>

## SECTION A

To be completed by the Applicant

Date: 06/16/2021  
 Project Name: Red Rock Auto Center  
 Project street address: 2211 Hallco Drive, Grand Junction, CO 81505  
 Assessor's Tax Parcel Number: 2701-312-26-001  
 Property Owner name: LSM Red Rock, LLC.  
 City or County project file #: \_\_\_\_\_  
 Name of Water Purveyor: Ute Water  
  
 Applicant Name/Phone Number: Holly Moeller  
 Applicant E-mail: hollym@lsmlc.net

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 \_\_\_\_\_ square feet.
  - b. All dwelling units will ☐, will not ☐ include an approved automatic sprinkler system.
 Comments: No family dwellings
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: All Type IIB Const.; Nissan: 10,499 SF; Kia: 9,177 SF; Service/Admin: 50,622 SF; TBD Showroom: 10,000 (estimate)
  - b. List each building that will be provided with an approved fire sprinkler system: (1) Nissan Showroom (2) Kia Showroom (3) Service/Admin Building (4) TBD Showroom
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]): Service/Admin: 4,750 GPM for 4-Hours; 5 hydrants  
Nissan: 2,250 GPM for 2 hours; 2 hydrants  
 Comments: Kia: 2,000 GPM for 2 hours; 2 hydrants  
TBD Showroom: 2,250 GPM for 2 hours; 2 hydrants

### 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 Code<sup>3</sup> 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 determined by Table B105.1(2) (See Fire Flow Guidance Packet<sup>4</sup>). 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 2018] 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:

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be used 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 available fire flow:

[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 gpm @ 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: \_\_\_\_\_

Date \_\_\_\_\_

Contact phone/E-mail of Water Supplier: \_\_\_\_\_

\*\*\*\*\*

**Note:** Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer<sup>5</sup> 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.

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

<sup>2</sup> Address: City- 250 North 5th St., Grand Junction, CO 81501; County-P.O. Box 20000, Grand Junction, CO 81502

<sup>3</sup> International Fire Code, 2018 Edition.

<sup>4</sup> <http://www.gjcity.org>

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



Persigo Wastewater Treatment Plant  
Industrial Pretreatment Program  
2145 River Road  
Grand Junction, Colorado 81505  
(970) 256-4180

**Industrial Pretreatment Discharge Permit Application**  
LONG FORM PERMIT APPLICATION

**SECTION A: ORGANIZATIONAL INFORMATION**

- 1) Company Name: LSM Red Rock, LLC
- 2) Mailing Address: P.O. Box 571375
- 3) Facility Address: 2211 Hallico Drive, Grand Junction, CO 81505
- 4) Chief Executive Officer: Mr. Timothy C. Dahle, Owner  
(Print Name, Title, Phone #)
- 5) Signing Official: Holly Moeller, Property Manager, 801-673-5677, hollym@lsmllc.net  
(Print Name, Title, Phone #, E-mail)
- 6) Contact Person: Holly Moeller, Property Manager, 801-673-5677, hollym@lsmllc.net  
(Print Name, Title, Phone #, E-mail)

\*\*\*\*\*  
**CERTIFICATION STATEMENT**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (Must be signed by Owner/Officer/Manager of the company)

Printed Name & Title: Holly Moeller, Property Manager

Signature: *Holly Moeller* Date: 6/30/21

\*\*\*\*\*  
**RECEIPT INFORMATION FOR CITY OF GRAND JUNCTION, WWTP OFFICE USE ONLY;**

Permit Application Fee: **\$ 50.00**  
Payable to the City of Grand Junction

Account Number 902-615-260-4340\_15

Check Paid by: \_\_\_\_\_ Check Number: \_\_\_\_\_

Received By(signature): \_\_\_\_\_ Date Fee Received: \_\_\_\_\_

TREASURER RECEIPT NUMBER: \_\_\_\_\_ Date Of Treasurer Receipt: \_\_\_\_\_



## **SECTION B: BUSINESS ACTIVITY & FACILITY OPERATIONS**

### **1) Describe operations at this facility including primary products or services:**

The property would include construction of three dealership showrooms and a service / administration building. Primary products are new automobile sales and car maintenance services.

### **2) Describe process operations in detail for each product line. Attach additional pieces of paper if necessary.**

Showroom Buildings: General Retail Sales and Finance & Vehicle Service Inspections.  
Service/Admin Building: General Servicing of passenger vehicles, including regular maintenance through mechanical rebuild (No body work). Vehicle Interior & Exterior cleaning & detailing. Vehicle replacement parts warehousing and distribution.  
Administration functions including management. accounting & staff training.

### **3) List (if known) the applicable Standard Industrial Classification code (SIC code) and/or the North American Industry Classification System code (NAICS code) for all processes at your facility:**

<b>SIC Code</b>	<b>NAICS Code</b>	<b>Description</b>
7538	811111	Auto Repair Shops
5511	441120	Retailing for Automobiles and Light Trucks
7542	81192	Car Wash & Detailing

### **4) Attach a schematic process diagram for each product line, including the regulated discharge point.**

### **5) If your facility employs or expects to employ processes in any of the nationally regulated industrial categories or business activities listed below, place a check beside the category or business activity. Check all that apply:**

- |  |   |
|--|---|
| <input type="checkbox"/> Aluminum Forming                              | <input type="checkbox"/> Metal Finishing                                |
| <input type="checkbox"/> Asbestos Manufacturing                        | <input type="checkbox"/> Metal Molding & Casting                        |
| <input type="checkbox"/> Battery Manufacturing                         | <input type="checkbox"/> Metal Products & Machinery                     |
| <input type="checkbox"/> Canned/Preserved Fruits/Vegetables Processing | <input type="checkbox"/> Mineral Mining & Processing                    |
| <input type="checkbox"/> Canned & Preserved Seafood Processing         | <input type="checkbox"/> Nonferrous Metals Forming & Metal Powders      |
| <input type="checkbox"/> Carbon Black Manufacturing                    | <input type="checkbox"/> Nonferrous Metals Manufacturing                |
| <input type="checkbox"/> Cement Manufacturing                          | <input type="checkbox"/> Oil & Gas Extraction                           |
| <input type="checkbox"/> Centralized Waste Treatment                   | <input type="checkbox"/> Ore Mining & Dressing                          |
| <input type="checkbox"/> Coal Mining                                   | <input type="checkbox"/> Organic Chemicals, Plastics & Synthetic Fibers |
| <input type="checkbox"/> Coil Coating                                  | <input type="checkbox"/> Paint Formulating                              |
| <input type="checkbox"/> Concentrated Animal Feeding Operations        | <input type="checkbox"/> Paving & Roofing Materials (Tars & Asphalts)   |
| <input type="checkbox"/> Copper Forming                                | <input type="checkbox"/> Pesticide Chemicals                            |
| <input type="checkbox"/> Dairy Products                                | <input type="checkbox"/> Petroleum Refining                             |
| <input type="checkbox"/> Electrical & Electronic Components            | <input type="checkbox"/> Pharmaceutical Manufacturing                   |
| <input type="checkbox"/> Electroplating                                | <input type="checkbox"/> Phosphate Manufacturing                        |
| <input type="checkbox"/> Explosives Manufacturing                      | <input type="checkbox"/> Photographic                                   |
| <input type="checkbox"/> Ferroalloy Manufacturing                      | <input type="checkbox"/> Plastics Molding & Forming                     |
| <input type="checkbox"/> Fertilizer Manufacturing                      | <input type="checkbox"/> Porcelain Enameling                            |
| <input type="checkbox"/> Glass Manufacturing                           | <input type="checkbox"/> Pulp, Paper & Paperboard                       |

- ☐ Grain Mills
- ☐ Gum & Wood Chemicals Manufacturing
- ☐ Hospital
- ☐ Ink Formulating
- ☐ Inorganic Chemicals Manufacturing
- ☐ Iron & Steel Manufacturing
- ☐ Landfills
- ☐ Leather Tanning & Finishing
- ☐ Meat Products

- ☐ Rubber Manufacturing
- ☐ Soap & Detergent Manufacturing
- ☐ Steam Electric Power Generating
- ☐ Sugar Processing
- ☐ Textile Mills
- ☐ Timber Products Processing
- ☒ Transportation Equipment Cleaning
- ☐ Waste Combustion

**6) Indicate which of the activities listed below will be performed at your facility:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Manufacturing                       | <input type="checkbox"/> Printing/Labeling                 | <input type="checkbox"/> Photo/X-ray Processing     |
| <input type="checkbox"/> Laundry Operations                  | <input type="checkbox"/> Dye-Check Operations              | <input type="checkbox"/> Chemical Mixing            |
| <input type="checkbox"/> Soldering Operations                | <input checked="" type="checkbox"/> Welding Operations     | <input type="checkbox"/> Painting Operations        |
| <input type="checkbox"/> Stripping/Etching Processes         | <input checked="" type="checkbox"/> Vehicle Service/Repair | <input checked="" type="checkbox"/> Vehicle Washing |
| <input checked="" type="checkbox"/> Equipment Service/Repair | <input checked="" type="checkbox"/> Equipment Washdown     | <input checked="" type="checkbox"/> Floor Washdown  |
| <input type="checkbox"/> Metal Plating Operations            | <input type="checkbox"/> Tumbling Operations               | <input type="checkbox"/> Forklift Battery Servicing |
| <input type="checkbox"/> Food Service Operations             | <input type="checkbox"/> Conversion Coating                | <input checked="" type="checkbox"/> Solvent Usage   |
| <input checked="" type="checkbox"/> Warehouse Activities     | <input type="checkbox"/> Use of Evaporators                | <input type="checkbox"/> Container Rinsing/Cleaning |

**7) Indicate the shifts normally worked each day and other shift information:**

Shift	Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 <sup>st</sup> Day	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2 <sup>nd</sup> Evening	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3 <sup>rd</sup> N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average Number of Employees per Shift:

1st Shift: <sup>96</sup> 2nd Shift: <sup>42</sup> 3rd Shift: <sup>N/A</sup>

Total Number of Employees: <sup>138</sup>

Primary Activity - 1st Shift: Passenger Automobile Sales & Service

Primary Activity - 2nd Shift: Passenger Automobile Sales

Primary Activity - 3rd Shift: N/A

Months of Operation: ☒ Full Year ☐ Partial Year (indicate months below)

☐ Jan ☐ Feb ☐ Mar ☐ Apr ☐ May ☐ Jun ☐ Jul ☐ Aug ☐ Sep ☐ Oct ☐ Nov ☐ Dec

**8) Supply / Raw Materials\*:**

Raw Material/Chemical	Process/Use	Storage location	Container type/size/number	Chemical transfer method

\* Attach additional pages if needed

\* Provide a Material Safety Data Sheet for each raw material / chemical used.

**9) Provide the following information for each product line:**

Principle Product: \_\_\_\_\_  
Average Rate of Production: \_\_\_\_\_  
Materials/Additives: \_\_\_\_\_  
Wastewater Discharge: ☐ Batch ☐ Continuous ☐ Both  
Volume and Frequency of Wastewater Discharge: \_\_\_\_\_  
Peak Production Months: \_\_\_\_\_  
Periods of Shutdown: \_\_\_\_\_

Principle Product: \_\_\_\_\_  
Average Rate of Production: \_\_\_\_\_  
Materials/Additives: \_\_\_\_\_  
Wastewater Discharge: ☐ Batch ☐ Continuous ☐ Both  
Volume and Frequency of Wastewater Discharge: \_\_\_\_\_  
Peak Production Months: \_\_\_\_\_  
Periods of Shutdown: \_\_\_\_\_

Principle Product: \_\_\_\_\_  
Average Rate of Production: \_\_\_\_\_  
Materials/Additives: \_\_\_\_\_  
Wastewater Discharge: ☐ Batch ☐ Continuous ☐ Both  
Volume and Frequency of Wastewater Discharge: \_\_\_\_\_  
Peak Production Months: \_\_\_\_\_  
Periods of Shutdown: \_\_\_\_\_

\* Attach additional pages if necessary for more product lines

**10) Are any significant process changes or expansions planned during the next five years? (a significant change is one of 20% or more)** ☐ Yes ☒ No

If yes, provide brief explanation:

## **SECTION C: WATER USE & WASTEWATER DISCHARGE**

### **1) List raw water sources and approximate total volume of water usage:**

<u>Source</u>	<u>Usage</u>	<u>Measured</u>	<u>Estimate</u>
City of Grand Junction:	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Ute Water:	4315 _____ gal/day	<input type="checkbox"/>	<input type="checkbox"/> x
Private Well:	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water:	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): _____	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>

### **2) Describe any raw water treatment processes utilized:**

N/A

### **3) Describe any water recycling or material reclaiming processes utilized:**

The Car Wash equipment will utilize water reclaim processes. Usage is estimated at 18 Gallons fresh water per vehicle.

### **4) List water consumption within the facility:**

<u>Type</u>	<u>Usage</u>	<u>Measured</u>	<u>Estimate</u>
Contact Cooling Water	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Non-Contact Cooling Water	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Boiler Feed Water	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Used in Product/Process	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Air Pollution Control Unit	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Domestic/Sanitary	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Landscaping	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	_____ gal/day	<input type="checkbox"/>	<input type="checkbox"/>
<b>Total</b>	_____ gal/day		

### **5) Water Acct # / Name on Water Bill: \_\_\_\_\_**

### **6) List wastewater discharge or water losses to:**

<u>Outlet</u>	<u>Estimated Average Gallons Per Day</u>
Grand Junction Municipal Sewer System	2800
Storm Sewer System	
Waste Hauler Disposal	
Evaporation	
Contained in Product	
Landscaping Activities	
Other:	
<b>TOTAL</b>	

7) List average wastewater discharges to the sanitary sewer system for those SIC/NAICS processes itemized in Section B (2) previously:

SIC/NAICS Code	Brief Process Description	Gallons per Operating Day	Batch or Continuous Discharge

8) Is wastewater given any form of pretreatment prior to discharge to the sanitary sewer system? ☐ Yes ☐ No

If YES, describe the method of pretreatment and the pretreatment facilities:

9) Check which of the following industrial pretreatment equipment or processes will be in use at this facility for pretreating wastewater prior to discharge to any source or disposal as a solid or sludge:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Dissolved Air Flotation  | <input type="checkbox"/> Centrifuge               | <input type="checkbox"/> Plate & Frame Filter Press |
| <input type="checkbox"/> Chemical Precipitation   | <input type="checkbox"/> Screening                | <input type="checkbox"/> Sedimentation Processes    |
| <input type="checkbox"/> Belt Filter Press        | <input type="checkbox"/> Filter Systems           | <input type="checkbox"/> Biological Treatment       |
| <input type="checkbox"/> Chlorination             | <input type="checkbox"/> Flow Equalization        | <input type="checkbox"/> Septic Tank                |
| <input type="checkbox"/> Oil & Grease Interceptor | <input type="checkbox"/> Oil/Sand Interceptor     | <input type="checkbox"/> Oil & Grease Separators    |
| <input type="checkbox"/> Reverse Osmosis          | <input type="checkbox"/> pH Adjustment            | <input type="checkbox"/> Grit Removal               |
| <input type="checkbox"/> Ion Exchange             | <input type="checkbox"/> Neutralization Processes | <input type="checkbox"/> Sumps or Holding Tanks     |
| <input type="checkbox"/> Sludge Drying Beds       | <input type="checkbox"/> Incineration Processes   | <input type="checkbox"/> Evaporators                |
| <input type="checkbox"/> Digestion Processes      | <input type="checkbox"/> Lagoons                  | <input type="checkbox"/> Composting                 |
| <input type="checkbox"/> Chemical Stabilization   | <input type="checkbox"/> Thermal Conditioning     | <input type="checkbox"/> Solvent Separation         |
| <input type="checkbox"/> Other _____              | <input type="checkbox"/> Other _____              | <input type="checkbox"/> Other _____                |

10) Will this facility have a wastewater discharge monitoring plan? ☐ Yes ☐ No

If YES, provide details on how samples are obtained, frequency of sampling, who performs sample analysis and how quality control is maintained:



11) Does this facility produce liquid wastes, process wastes, slurries or sludges which must be disposed of? ☒ Yes ☐ No

If YES, below is a list of wastes which may be generated. Check all that apply and the disposal method used for each particular waste:

Waste	City Sewer Disposal	Waste Hauler Disposal	On-Site Storage/Disposal	Off-Site Recycle	Other
<input type="checkbox"/> Acids and Alkalies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Heavy Metal Sludges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Ink/Dye Wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Oil/Grease Trap Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Organic Compounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Paints/Coatings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Pesticides/Herbicides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Plating Wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Pretreatment Sludges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Solvents/Thinners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> X-Ray/Photo Wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Sand/Oil Trap Waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Sump Wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Barrel/Pail Rinses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Used Antifreeze	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Used glycols	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Parts Cleaner Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Used oils	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Used coolants	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other wastes (list)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Provide Name and Address of Waste Hauler:

Provide Name and Address of Recycler:

12) List and describe the location of sewer outlets, manholes, sewer taps and pretreatment devices associated with the facility. Attach to this application scaled drawings of site plans, floor plans, mechanical/plumbing plans and details to show all sewers, sewer connections and appurtenances by size, location and elevation. Show location of possible sampling points for sewers and SIC/NAICS process effluents. Show locations of all stored chemicals on site (interior & exterior). For reference and field orientation, buildings, streets, alleys and other pertinent physical structures should be included. Attach information to application.

## **SECTION D: ENVIRONMENTAL CONTROL**

**1) Will this facility have a State of Colorado Stormwater Discharge Permit?**

☐ Yes ☐ No Permit Number: \_\_\_\_\_

**2) Will this facility utilize the City of Grand Junction's storm water sewer system?**

☐ Yes ☐ No

If YES, indicate all that apply: ☐ Roof Drains ☐ Sump Pumps ☐ Outside Drains

☐ Catch Basins ☐ Impoundments ☐ Parking Lots ☐ Loading Docks

☐ Other: \_\_\_\_\_

**3) Describe any outside drains or sump pumps (size, type, location, where stormwater drains to):**

**4) Describe any spill control measures used:**

**5) Describe how spill clean-up would be handled:**

**6) Are chemicals, product or equipment stored outside the facility?** ☐ Yes ☐ No

If Yes, describe the storage area:

**7) Does this facility have chemical storage tanks, containers, bins or ponds?**

☐ Yes ☐ No

If YES, give a description of their location, contents, size, type and frequency and method of cleaning. Indicate on a diagram the proximity of these containers to a sanitary sewer or storm drain.

**8) Is a Slug/Spill Discharge Control Plan prepared for this facility?** ☐ Yes ☐ No

If YES, attach a copy of the Slug/Spill Plan to this application.

**9) Is a Solvent Management Plan prepared for this facility?** ☐ Yes ☐ No

**10) Is a Hazardous Materials Compliance Plan prepared for this facility?**

☐ Yes ☐ No

Indicate what the hazardous waste generator category is for this facility :

- ☐ Not a generator of hazardous waste  
☐ Conditionally exempt small quantity generator (less than 220 lbs per month)  
☐ Small quantity generator (220 lbs to 2200 lbs per month)  
☐ Large quantity generator (more than 2200 lbs per month)

**11) List all environmental control permits held by the facility:**

<u>Permit Type</u>	<u>Permit No.</u>	<u>Issuing Agency</u>	<u>Expiration Date</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**SECTION E. WASTE & WASTEWATER INFORMATION**

**1) Indicate the following constituents that are or could be present in the wastewater discharge:** (For any "YES" or checked answer - attach a written explanation)

- ☐ Heavy metals (Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, Selenium, Silver, Molybdenum, Zinc)
- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Petroleum substances     | <input type="checkbox"/> Fats, wax, grease or oils                   | <input type="checkbox"/> Dyes                 |
| <input type="checkbox"/> Tanning solutions        | <input type="checkbox"/> High BOD (>200 mg/l)                        | <input type="checkbox"/> High TSS (>250 mg/l) |
| <input type="checkbox"/> High TDS (>500 mg/l)     | <input type="checkbox"/> Toxic Gases                                 | <input type="checkbox"/> Ammonia              |
| <input type="checkbox"/> Hydrogen Sulfide         | <input type="checkbox"/> Sulfur Dioxide                              | <input type="checkbox"/> Chlorine             |
| <input type="checkbox"/> Nitrous Oxide            | <input type="checkbox"/> Bromine                                     | <input type="checkbox"/> Iodine               |
| <input type="checkbox"/> Phenols                  | <input type="checkbox"/> PCB's                                       | <input type="checkbox"/> Cyanide              |
| <input type="checkbox"/> Pesticides/Herbicides    | <input type="checkbox"/> Salt Brines                                 | <input type="checkbox"/> Disinfectants        |
| <input type="checkbox"/> Solvents - Petroleum     | <input type="checkbox"/> Solvent - Citrus                            | <input type="checkbox"/> High pH (caustics)   |
| <input type="checkbox"/> Low pH (acids)           | <input type="checkbox"/> Flammable Substances                        | <input type="checkbox"/> Explosive substances |
| <input type="checkbox"/> Surfactants (detergents) | <input type="checkbox"/> Radioactive Substances                      | <input type="checkbox"/> Toxic Substances     |
| <input type="checkbox"/> Antifreeze               | <input type="checkbox"/> Latex Paint                                 | <input type="checkbox"/> Enamel Paint         |
| <input type="checkbox"/> Methanol                 | <input type="checkbox"/> Manganese Compounds                         | <input type="checkbox"/> Barium Compounds     |
| <input type="checkbox"/> Nitrate Compounds        | <input type="checkbox"/> Chlorine Dioxide                            | <input type="checkbox"/> Activated Carbon     |
| <input type="checkbox"/> Glycols                  | <input type="checkbox"/> Boiler & Cooling System Treatment Chemicals |   |

**2) Will there be periodic maintenance performed on any of the following systems? Check all that apply.**

<u>Activity</u>	<u>Times Per Year</u>	<u>Gallons Generated/Discharged</u>
<input type="checkbox"/> Cooling System Cleaning	_____	_____
<input type="checkbox"/> Cooling System Drainings	_____	_____
<input type="checkbox"/> Boiler Maintenance	_____	_____
<input type="checkbox"/> Tank Passivation Activities	_____	_____

☐ Water Softener Maintenance \_\_\_\_\_

☐ Air Pollution Control Unit \_\_\_\_\_

3) **Priority Pollutants - Listed in Code of Federal Regulations, Title 40, Part 122, Appendix D.** Indicate, by checking the appropriate box by each listed chemical, whether the chemical is known to be absent, suspected to be absent, known to be present, or suspected to be present in your manufacturing / maintenance activities or generated as a by-product. For those chemicals known to be present, indicate the concentrations and mass loading of the discharge to the sanitary sewer system, if known. Mark a box for each chemical.

**TABLE II ---- Organic Toxic Pollutants in Each of Four Fractions in Analysis by Gas Chromatography / Mass Spectroscopy (GS/MS)**

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
<b>Volatiles</b>						
acrolein						
acrylonitrile						
benzene						
bromoform						
carbon tetrachloride						
chlorobenzene						
chlorodibromomethane						
chloroethane						
2-chloroethylvinyl ether						
chloroform						
dichlorobromomethane						
1,1-dichloroethane						
1,2-dichloroethane						
1,1-dichloropropane						
1,3-dichloropropylene						
ethylbenzene						
methyl bromide						
methyl chloride						
methylene chloride						
1,1,2,2-tetrachloroethane						
tetrachloroethylene						
toluene						
1,2-trans-dichloroethylene						
1,1,1-trichloroethane						
1,1,2-trichloroethane						
trichloroethylene						
vinyl chloride						
<b>Acid Compounds</b>						
2-chlorophenol						
2,4-dichlorophenol						
2,4-dimethylphenol						
4,6-dinitro-o-cresol						

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
2,4-dinitrophenol						
2-nitrophenol						
4-nitrophenol						
p-chloro-m-cresol						
pentachlorophenol						
phenol						
2,4,6-trichlorophenol						
<b>Base / Neutral</b>						
acenaphthene						
acenaphthylene						
anthracene						
benzidine						
benzo (a) anthracene						
benzo (a) pyrene						
3,4-benzofluoranthene						
benzo (ghi) perylene						
benzo (k) fluoranthene						
bis (2-chloroethoxy) methane						
bis (2-chloroethyl) ether						
bis (2-chloroisopropyl) ether						
bis (2-ethylhexyl) phthalate						
4-bromophenyl phenyl ether						
butylbenzyl phthalate						
2-chloronaphthalene						
4-chlorophenyl phenyl ether						
chrysene						
dibenzo (a,h) anthracene						
1,2-dichlorobenzene						
1,3-dichlorobenzene						
1,4-dichlorobenzene						
3,3'-dichlorobenzidine						
diethyl phthalate						
dimethyl phthalate						
di-n-butyl phthalate						
2,4-dinitrotoluene						
2,6-dinitrotoluene						
di-n-octyl phthalate						
1,2-diphenylhydrazine (as azobenzene)						
fluoranthene						
fluorene						
hexachlorobenzene						
hexachlorobutadiene						
hexachlorocyclopentadiene						
hexachloroethane						
indeno (1,2,3-cd) pyrene						
isophorone						
napthalene						
nitrobenzene						
N-nitrosodimethylamine						
N-nitrosodiphenylamine						
N-nitrosodi-n-propylamine						



Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
phenanthrene						
pyrene						
1,2,4-trichlorobenzene						
<b>Pesticides</b>						
aldrin						
alpha-BHC						
beta-BHC						
gamma-BHC						
delta-BHC						
chlordane						
4,4'-DDT						
4,4'-DDE						
4,4'-DDD						
dieldrin						
alpha-endosulfan						
beta-endosulfan						
endosulfan sulfate						
endrin						
endrin aldehyde						
heptachlor						
heptachlor epoxide						
PCB-1242						
PCB-1254						
PCB-1221						
PCB-1232						
PCB-1248						
PCB-1260						
PCB-1016						
toxaphene						

**TABLE III ---- Other Toxic Pollutants (Metals and Cyanide) and Total Phenols**

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
Antimony, Total						
Arsenic, Total						
Beryllium, Total						
Cadmium, Total						
Chromium, Total						
Copper, Total						
Lead, Total						
Mercury, Total						
Nickel, Total						
Selenium, Total						
Silver, Total						
Thallium, Total						
Zinc, Total						
Cyanide, Total						
Phenols, Total						

**TABLE IV ---- Conventional and Nonconventional Pollutants Required To Be Tested by Existing Dischargers if Expected to be Present**

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
Bromide						
Chlorine, Total Residual						
Color						
Fecal Coliform						
Fluoride						
Nitrate-Nitrite						
Nitrogen, Total Organic						
Oil and Grease						
Phosphorus, Total						
Radioactivity						
Sulfate						
Sulfide						
Sulfite						
Surfactants						
Aluminum, Total						
Barium, Total						
Boron, Total						
Cobalt, Total						
Iron, Total						
Magnesium, Total						
Molybdenum, Total						
Manganese, Total						
Tin, Total						
Titanium, Total						

**TABLE V ---- Toxic Pollutants and Hazardous Substances Required To Be Identified by Existing Dischargers if Expected To Be Present**

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
<b>Toxic Pollutants</b>						
Asbestos						
<b>Hazardous Substances</b>						
Acetaldehyde						
Allyl alcohol						
Allyl chloride						
Amyl acetate						
Aniline						
Benzonitrile						
Benzyl chloride						
Butyl acetate						
Butylamine						
Captan						
Carbaryl						
Carbofuran						
Carbon disulfide						
Chlorpyrifos						
Coumaphos						
Cresol						

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
Crotonaldehyde						
Cyclohexane						
2,4-D (2,4-Dichlorophenoxy acetic acid)						
Diazinon						
Dicamba						
Dichlobenil						
Dichlone						
2,2-Dichloropropionic acid						
Dichlorvos						
Diethyl amine						
Dimethyl amine						
Dinitrobenzene						
Diquat						
Disulfoton						
Diuron						
Epichlorohydrin						
Ethion						
Ethylene diamine						
Ethylene dibromide						
Formaldehyde						
Furfural						
Guthion						
Isoprene						
Isopropanolamine						
Dodecylbenzenesulfonate						
Kelthane						
Kepone						
Malathion						
Mercaptodimethur						
Methoxychlor						
Methyl mercaptan						
Methyl methacrylate						
Methyl parathion						
Mevinphos						
Mexacarbate						
Monoethyl amine						
Monomethyl amine						
Naled						
Napthenic acid						
Nitrotoluene						
Parathion						
Phenolsulfanate						
Phosgene						
Propargite						
Propylene oxide						
Pyrethrins						
Quinoline						
Resorcinol						
Strontium						
Strychnine						
Styrene						

Chemical Compound	Known Absent	Suspect Absent	Known Present	Suspect Present	Avg mg/l	Avg daily loading lbs
2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)						
TDE (Tetrachlorodiphenylethane)						
2,4,5-TP (2(2,4,5-Trichlorophenoxy) propanoic acid)						
Trichlorofan						
Triethanolamine dodecylbenzenesulfonate						
Triethylamine						
Trimethylamine						
Uranium						
Vanadium						
Vinyl acetate						
Xylene						
Xylenol						
Zirconium						

## **SECTION F: COMPANY INFORMATION**

### **1) Type of Organization:**

- ☐ Sole Proprietorship   
☐ General Partnership   
☒ Limited Liability Company  
☐ Limited Partnership   
☐ Corporation

**2) State(s) of Incorporation or Registration:** Utah

**3) Registered Agent:** Mr. Timothy C. Dahle

### **4) Principal Officers (Name/Address):**

Mr. Timothy C. Dahle  
LSM Red Rock, LLC  
P.O. Box 571375  
Murray, UT 84157-1375

## **SECTION G: NOTICE TO SIGNING OFFICIAL**

### **1) In consideration of the granting of a discharge permit, the company agrees:**

- a) To furnish any additional information relating to the installation or use of the industrial sewer for which an industrial discharge permit is sought as may be requested by the City of Grand Junction.
- b) To accept and abide by all provisions of the Grand Junction City Code, Chapter 13.04.
- c) To operate and maintain any waste pretreatment facilities, as may be required, in an efficient manner at all times, and at no expense to the City.



d) To cooperate at all times with the City and its representatives in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.

e) To notify the City immediately in the event of any accident, or other occurrence that occasions a contribution to the POTW of any wastewater or substances prohibited by City, State, or Federal law.

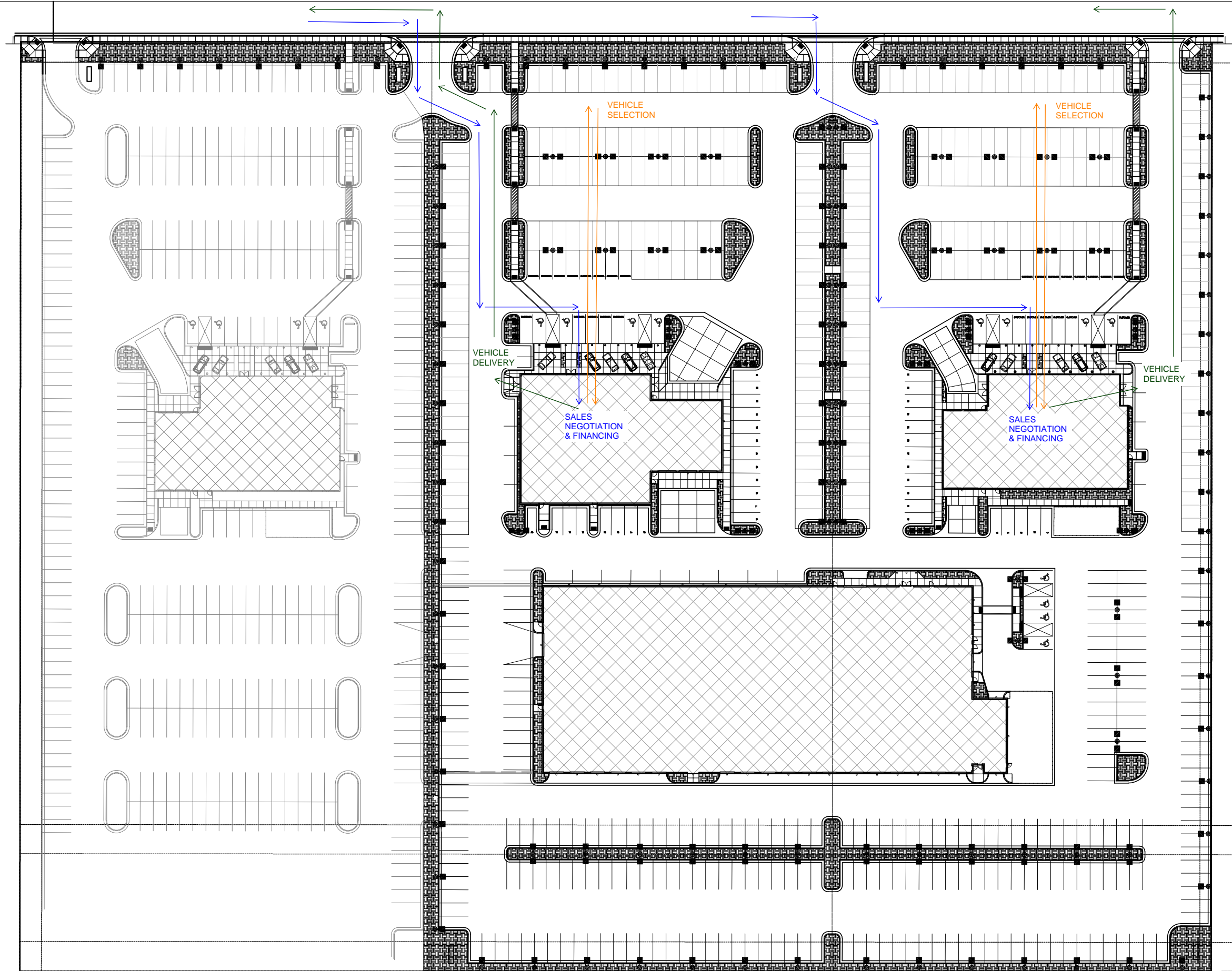
**2) In accordance with 40 CFR, Part 403, Section 403.14, information provided in this application which is necessary to characterize your industry's wastewater discharge shall be available to the public without restriction. Any other information provided may be claimed as confidential by the submitter. Such claim must be asserted at the time of submission by stamping the words "Confidential Business Information" on, or similarly identifying the information claimed as confidential. Requests for confidential treatment of information shall be governed by procedures specified in 40 CFR, Part 2.**

Following are internet websites which may be used to determine the industrial classification for industrial processes performed at your facility:

**North American Industry Classification Code (NAICS Code)**  
**<http://naics.com/>**

**Standard Industrial Classification Code (SIC Code)**  
**<http://www.osha.gov/pls/imis/sicsearch.html>**

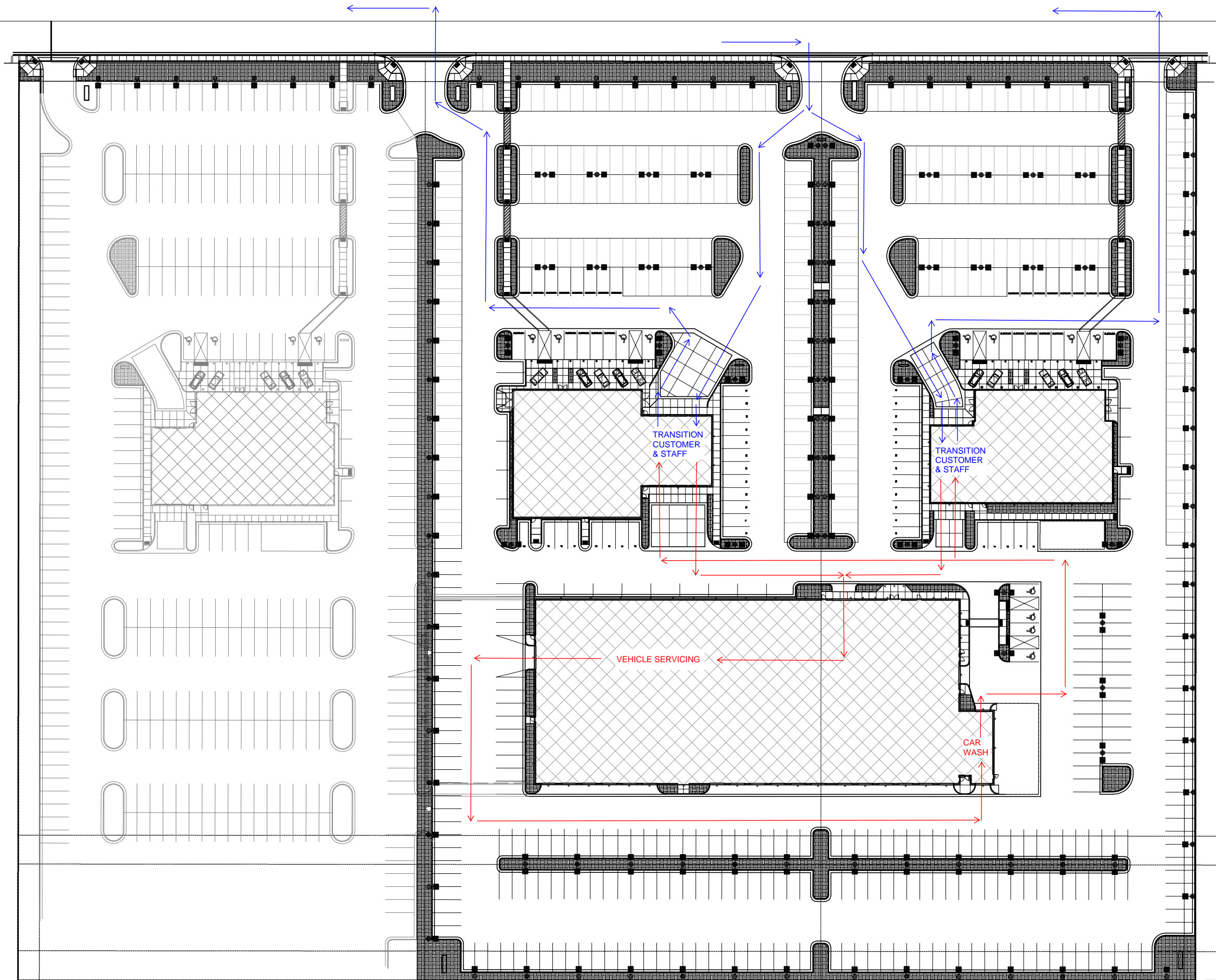




VEHICLE SALES WORK FLOW

RED ROCK AUTO COURT  
GRAND JUNCTION, COLORADO

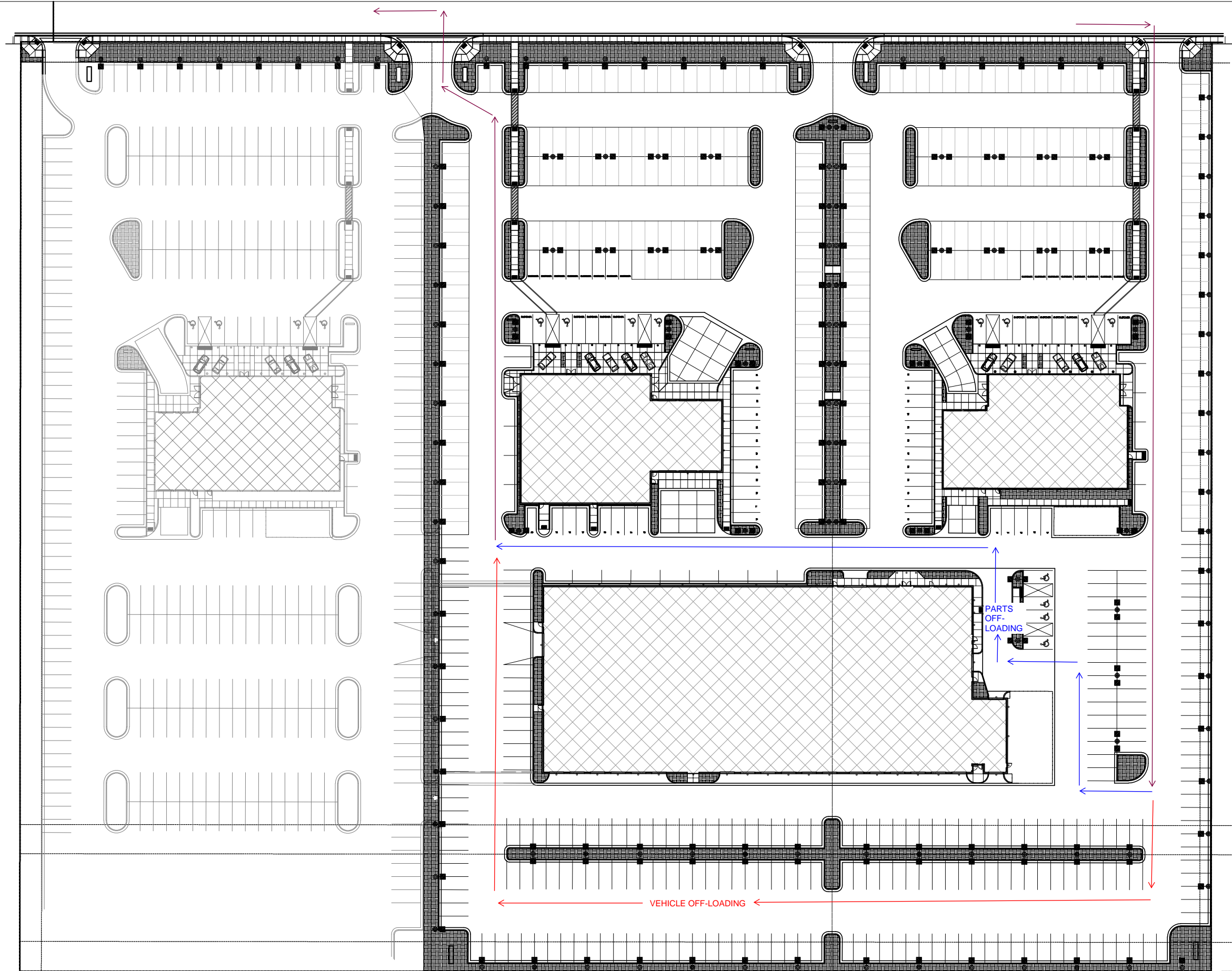
FFKR ARCHITECTS  
730 Pacific Avenue - Salt Lake City, Utah 84104  
O 801.521.6184 - FFKR.COM



# VEHICLE SERVICING WORK FLOW

RED ROCK AUTO COURT  
GRAND JUNCTION, COLORADO

FFKR ARCHITECTS  
730 Pacific Avenue - Salt Lake City, Utah 84104  
© 2012, 2013, 2014 - FFKR.COM



PARTS & DELIVERY WORK FLOW

RED ROCK AUTO COURT  
GRAND JUNCTION, COLORADO

FFKR ARCHITECTS  
730 Pacific Avenue - Salt Lake City, Utah 84104  
O 801.521.6184 - FFKR.COM





September 9, 2021

Notice of Neighborhood Meeting  
Parcel Re-zone  
Pre-application Requirement for a Public Hearing

Dear Neighbor,

We are in the process of applying to rezone the property at 2211 Hallco Drive from its current I-1 zone to be a C-2 zone. One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information regarding our proposed project to the surrounding neighbors.

The meeting is for informational purposes and to receive feedback from you as we move through the application process. This is not a Public Hearing before a governing body of City or County. Once the application is submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive a notification from the City of Grand Junction Planning Department regarding the public hearing via postal mail and/or a display on the property for which the Rezone is applied.

The Neighborhood Meeting details are as follows:

Date: Thursday, September 23<sup>rd</sup>, 2021

Time: 5:30 pm

Location: Online, via Zoom Link:

<https://us02web.zoom.us/j/83183148510?pwd=ZmVTNHBYb21pclkyc1VvZWlUWmFrZz09>

Meeting ID: 831 8314 8510

Passcode: shW5Sq

Or call in at: 346-248-7799

Meeting ID: 831 8314 8510

Passcode: 700360

The project is summarized below:

Site Location: 2211 Hallco Drive, Grand Junction, CO 81505

Proposed use: Multiple Automotive Dealerships & Service Center

The project encompasses the development of 12 Acres within the Hallco II Subdivision by LSM Red Rock, LLC. LSM Red Rock LLC is a developer/owner that works with the Tim Dahle Automotive Group to construct and maintain Automotive Dealership facilities in the Salt Lake Metro-area and in Grand Junction, CO. The location is immediately East and adjacent to the Love's Truck Stop on the 22 Road & Highway 50.

# FFKR ARCHITECTS

The proposed development will include the construction of three Showroom facilities for Red Rock Nissan (relocated sales point), Red Rock Kia (new sales point), and yet to be decided brand. These showroom facilities will be accompanied by a combined Service, Parts Warehouse and Administration building. The primary focus of the facility is Automotive Retail Sales, which is an allowed use under the C-2 Zone we are applying for. This rezone also aligns the site with Grand Junction City's General Plan.

It is anticipated the facilities will be Type IIB Construction and will be fully fire sprinklered. We are intending the use of Concrete Masonry and Steel structural systems.

The Architectural styling of all four buildings can be described as modern and features the use of Aluminum Composite Metal Panels (ACM), Aluminum Storefront, CMU and EIFS for the façade materials. The site design will feature low-water or xeriscape landscaping. It is anticipated that little or no turf will be included in the landscape plantings

We look forward to the neighborhood meeting and encourage you to attend. At that time, we will answer any question you have. Please do not contact the City of Grand Junction Planning Department regarding this meeting. This is a pre-application requirement and we have not submitted the application for consideration at this time.

Sincerely,



Trenton Jones, AIA  
FFKR Architects  
[tjones@ffkr.com](mailto:tjones@ffkr.com)  
801-521-6186



Holly Moeller  
LSM Red Rock, LLC  
[hollym@lsmllc.net](mailto:hollym@lsmllc.net)  
801-269-9888



September 23, 2021

Jace Hochwalt, AICP  
Senior Planner  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501  
Phone: 970-256-4008

RE: Parcel Rezone Neighborhood Meeting for Red Rock Auto Center

Dear Mr. Hochwalt,

As requested, a Neighborhood Meeting was held in conjunction with the submission of the Parcel Rezone application for the Red Rock Auto Center. This meeting was held on Thursday, September 23, 2021, at 5:30 PM and was hosted in Digital/Remote Access format via the Zoom online meeting platform. The meeting was scheduled by Trenton Jones and the digital link for the meeting was included in the letter sent via the US Postal Service to the intended recipients established by the City of Grand Junction.

**Meeting Minutes are as follows:**

**Attendees:**

- Holly Moeller, LSM Red Rock, LLC – Applicant and Property Owner's representative
- Trenton Jones, AIA – FFKR Architects (Owner's Representative)
- Jace Hochwalt, AICP – Senior Planner with the City of Grand Junction, Colorado
- **No representative(s) of the community attended**

**Minutes:**

- The meeting link was established by Trenton Jones at 5:28 PM
  - General discussion of the forthcoming Planning Commission Meeting and typical meeting protocol ensued while awaiting potential community participation (no connections were established).
  - The Rezone application is anticipated to be first on the Planning Commission Agenda on Tuesday, 9/28/2021. Jace recommends arriving 5-

10 minutes early to facilitate an on-time start.

- Major Site Plan Review Update (from Jace):
  - First review comments of the Major Site Plan Review process are forthcoming, 3-week typical duration for first review has slowed due large numbers of applications in the queue.
- The meeting was closed at 5:43 PM on 9/23/2021 per the recommendation of Jace due to lack of community attendance.

Please let me know if this record conflicts with any notations you might have taken.  
Thank you for your time and assistance on the completion of this process.

Best Regards,

A handwritten signature in blue ink that reads "Trenton Jones". The signature is written in a cursive, flowing style.

Trenton Jones, AIA  
Senior Associate  
FFKR Architects

Cc: Pat Moeller, Holly Moeller

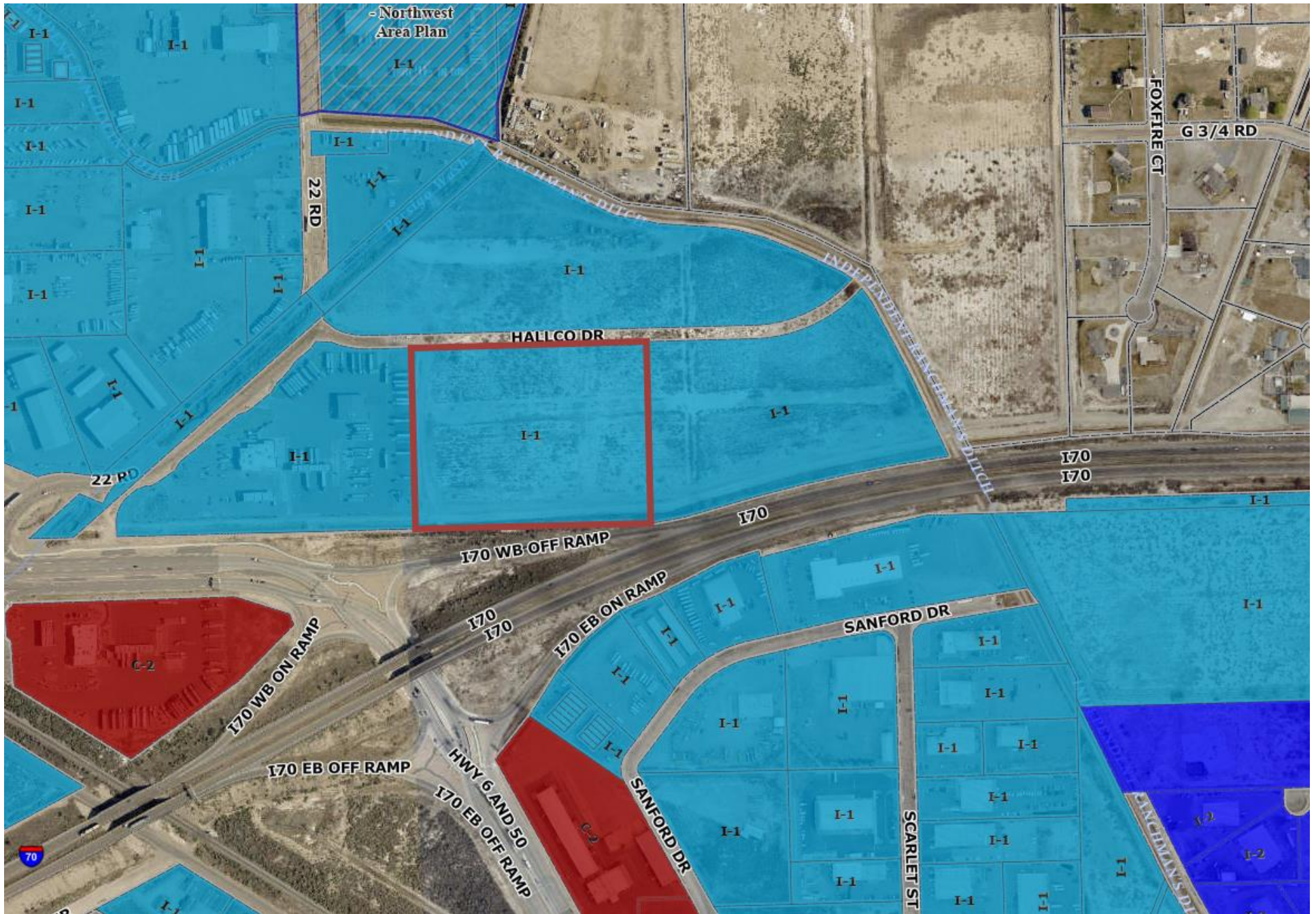


## Vicinity Map



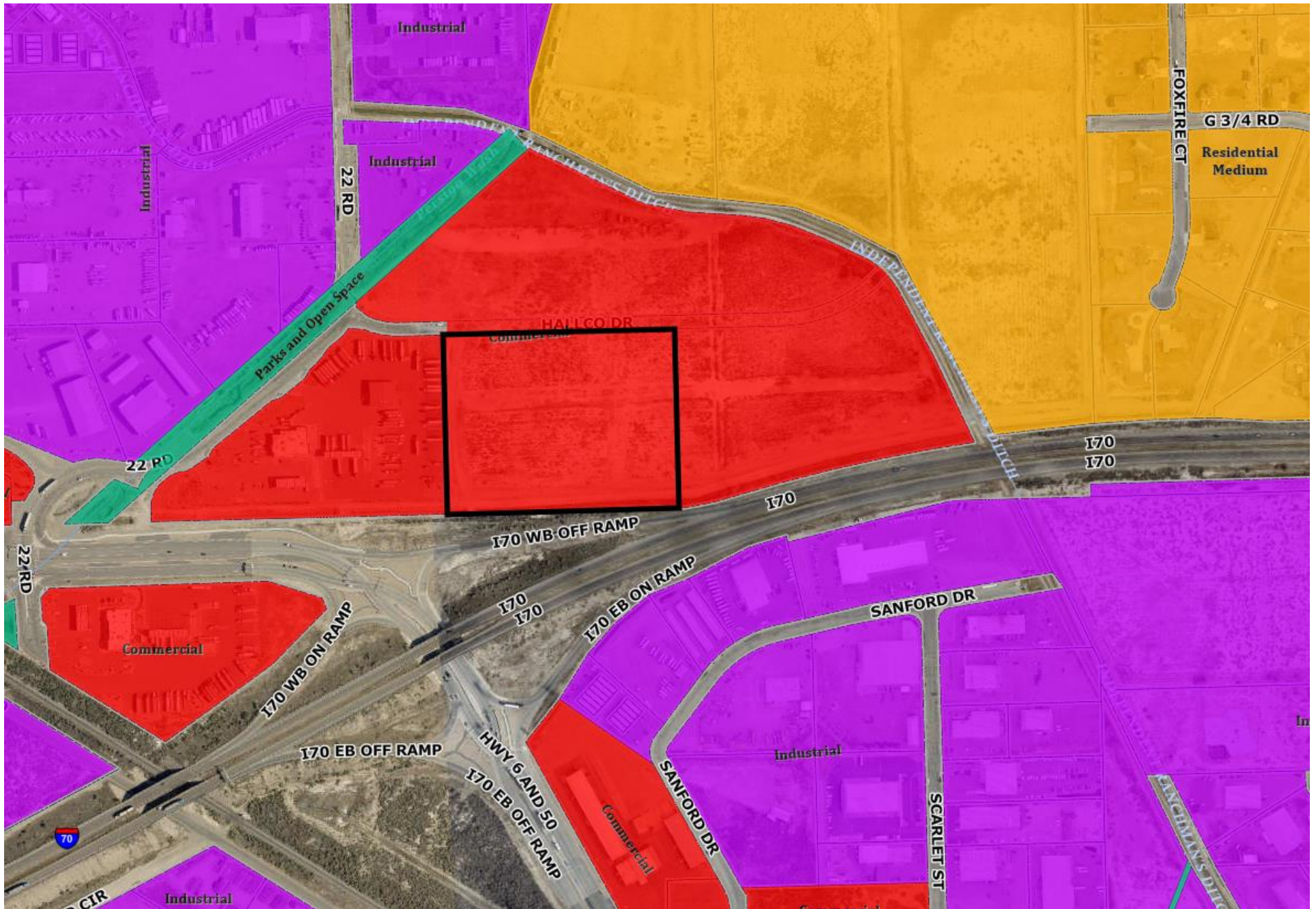


# Zoning Map





## Comprehensive Plan Land Use Map





**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE REZONING APPROXIMATELY 12.00 ACRES FROM I-1  
(LIGHT INDUSTRIAL) TO C-2  
(GENERAL COMMERCIAL) LOCATED AT 2211 HALLCO DRIVE**

Recitals:

LSM Red Rock, LLC (Owner) owns the parcel located at 2211 Hallco Drive totaling approximately 12.00 acres (referred to herein and more fully described below as the "Property").

The Property is designated by the Comprehensive Plan Land Use Map as having a Commercial designation. The Owner proposes that the property be rezoned from I-1 (Light Industrial) to C-2 (General Commercial).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended zoning the Property to the C-2 (General Commercial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Land Use designation of Commercial, the Comprehensive Plan's goals and policies, and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-2 (General Commercial) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The Property, Lot 1 of Hallco II Subdivision, in Grand Junction, Mesa County, Colorado, as recorded at Reception #2961244 in the records of the Mesa County Clerk and Recorder, shall be zoned C-2 (General Commercial).

Introduced on first reading this 6<sup>th</sup> day of October, 2021 and ordered published in pamphlet form.

Adopted on second reading this 20<sup>th</sup> day of October, 2021 and ordered published in pamphlet form.

ATTEST:

---

Wanda Winkelmann  
City Clerk

---

C.B. McDaniel  
President of City Council/Mayor



## Grand Junction City Council

### Regular Session

Item #6.a.iii.

---

**Meeting Date:** October 20, 2021  
**Presented By:** David Thornton, Principal Planner  
**Department:** Community Development  
**Submitted By:** David Thornton, Principal Planner

---

### **Information**

#### **SUBJECT:**

A Resolution Accepting the Petition for the Annexation of 2.98 Acres of Land and Ordinances Annexing and Zoning the Phoenix Haus Annexation to I-1 (Light Industrial), Located at 834 21 1/2 Road

#### **RECOMMENDATION:**

Staff recommends adoption of a resolution accepting the petition for the Phoenix Haus Annexation, and approval of the annexation and zone of annexation ordinances. The Planning Commission heard the zoning request at its September 28, 2021 meeting and voted (5-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicants, 834 21 1/2 RD, LLC (Phoenix Haus-William & Kate McDonald) and Buttolph Trust (Kathleen Selover); Aerial & William H Buttolph Trust (Sheryl Buttolph Fitzgerald) are requesting annexation of two properties and a zone of annexation to I-1 (Light Industrial) for the Phoenix Haus Annexation. The approximately 2.98-acre land area is located at 834 21 1/2 Road and includes a portion of the Pritchard Wash (Capeco Drain). The area has a Comprehensive Plan Land Use Map designation of Industrial for the 834 21 1/2 Road property, however, the Buttolph Trust/William H. Buttolph Trust property is part of the Pritchard Wash (Capeco Drain) corridor and has no land use designation, it is a drainage ditch corridor that runs north-south through the City's Urban Development Boundary planning area. It is adjacent to Industrial on both sides as shown on the Land Use Map. The annexation area contains the existing Phoenix Haus business facility at 834 21 1/2 Road, on Lot 8 of the Riverview Commercial Subdivision and a parcel of land containing a portion of the Pritchard Wash/Capeco Drain area owned by the Buttolph trusts.

The area is Annexable Development per the Persigo Agreement. The Applicant is

requesting annexation into the city limits in anticipation of future expansion of the existing building containing the Phoenix Haus business. The proposed zone district of I-1 is consistent with the Comprehensive Plan land use of Industrial. The request for annexation is being considered concurrently by City Council and are both included in this staff report.

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

The Applicants, 834 21 ½ RD, LLC (Phoenix Haus-William & Kate McDonald) and Buttolph Trust (Kathleen Selover); Aerial & William H Buttolph Trust (Sheryl Buttolph Fitzgerald) have requested annexation of their properties into the City limits. Phoenix Haus located at 834 21 ½ Road, is seeking annexation in anticipation of future expansion of their business. The Buttolph Trust/William H. Buttolph Trust property adjacent to 834 21 ½ Road is part of the Pritchard Wash (Copeco Drain) corridor and has no land use designation, it is a drainage ditch corridor that runs north-south through the City's Urban Development Boundary planning area. It is adjacent to Industrial Land Use on both sides, on the Land Use Map. It is similar to a road right-of-way on the Land Use Map where land use designations are absent.

Annexation has been requested of this remnant parcel too, due to a subdivision error in 1982 when the area was platted but left this property unplatted and not described for ownership purposes. Unfortunately, this error ended up creating this remnant parcel and did not include the land area within the adjacent lot(s) in the Riverview Commercial Subdivision plat. Phoenix Haus was unaware of this property issue. The error was found by the city while creating the legal description for the annexation.

To make an ownership transfer of this land requires both 834 21 ½ Road and the remnant Copeco Drain parcel to be under the same jurisdiction. Upon annexation, the jurisdiction will be the City of Grand Junction. The Phoenix Haus business desires to develop their property and not be further delayed by seeking a remedy in Mesa County for the remnant parcel, a property they do not own. The remnant parcel is still owned by the original family, and they are willing to transfer ownership of the parcel to another entity such as the Grand Valley Drainage District. They have signed the annexation petition as the first step.

The Phoenix Haus Annexation is a serial annexation made up of two annexation legal descriptions combined into one annexation and considered together. The entire annexation consists of one property of 2.65-acres, platted as Lot 8 of the Riverview Commercial Subdivision in 1982 and includes a second property that includes a portion of the Pritchard Wash, Copeco Drain lying to the east of Lot 8 containing 0.33 acres, making a total annexation of 2.98 acres. The Applicant is currently requesting a zone of annexation to I-1 (Light Industrial). The legal owners (Kathleen Selover and Sheryl Buttolph Fitzgerald) of the 0.33 acres have also signed an annexation petition to be annexed as part of the Phoenix Haus Annexation.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance,

Exercising Land Use – September 15, 2021

- Planning Commission considers Zone of Annexation – September 28, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – October 6, 2021
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 20, 2021
- Effective date of Annexation and Zoning – November 21, 2021

The annexation area is currently in the County and has a County zoning of PUD (Planned Unit Development). According to Mesa County Planning staff the zoning no longer has an approved development plan and will require a public hearing by the County to approve any new planned development on the property. The public hearing requirement triggers annexation and consideration for zoning approvals by the City of Grand Junction as part of the 1998 Persigo Agreement between the City and Mesa County. Surrounding properties to the north, west and south are County zoned PUD for commercial/industrial purposes and to the east, I-1 (light industrial) in the City. The requested zone district of I-1 is in conformance with the Land Use designation of Industrial.

This property is located within an urban infill area of the community. The immediate surrounding area both within the city limits and unincorporated Mesa County are largely developed with industrial land uses. Further development is expected for other properties in the area and are large enough to accommodate growth.

#### **NOTIFICATION REQUIREMENTS**

A virtual Neighborhood Meeting regarding the proposed Annexation and Zoning was held on June 24, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were 4 participants in the meeting, none of which were members of the public.

Mark Austin and Ben Fox (both applicant representatives from Austin Civil Group) presented an overview of the property's current County zoning (PUD) and proposed annexation and zoning of I-1. Mr. Fox stated that it appeared to fit well with the City of Grand Junction's Future Land Use Plan. An official application for annexation and zoning was submitted to the City of Grand Junction for review on July 14, 2021.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on July 14, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on September 17, 2021. The notice of the Planning Commission public hearing was published September 21, 2021 in the Grand Junction Daily Sentinel.

Public comment was also offered through the GJSpeaks platform. No public comments were received.

## **ANALYSIS**

### **Annexation Analysis**

The property is currently adjacent to the existing city limits. The property owners have signed a petition for 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 the Phoenix Haus 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. The petition has been signed by the owners of the property or 100% of the owners and includes 100% of the property described excluding right-of-way.
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. Nineteen percent of the perimeter of the Phoenix Haus Annexation No. 1 and twenty-two percent of the perimeter of Phoenix Haus Annexation No. 2 are contiguous with the City limits exceeding the 1/6 contiguity requirements for both serial annexations.
- 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. The property owner is currently planning for development to expand, including a large addition to the existing manufacturing facility in use on the property.
- e) The area is capable of being integrated with the City. The proposed annexation is adjacent to the city limits on one side and utilizing 21 ½ Road which is currently in the city limits to provide access to the property. Utilities and City services are also available and currently serving the property.
- f) No land held in identical ownership is being divided by the proposed annexation. The entire property owned by the applicant is being annexed.
- 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. Contiguous property owned by the petitioner is less than 20 acres in size, so this requirement does not apply; however, the petitioner has granted consent to the City to annex the property.

Please note that the annexation petition was prepared by the City.



### **Zone of Annexation Analysis**

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

(1) Subsequent events have invalidated the original premises and findings; and/or  
The property owner has petitioned for annexation into the City limits with a requested zoning district of I-1 which is compatible with the existing Comprehensive Plan Land Use Map designation of Industrial and the surrounding zoning and existing land uses. Since the Applicant's properties are currently in the County, the annexation of the properties is a subsequent event that will invalidate the original premise, a county zoning designation. The existing County Planned Unit Development (PUD) zone district is a zone without an official plan or list of specific land uses, making it a planned zone without a plan. The PUD has lapsed. However, the surrounding area has developed as industrial with some properties developing under this county PUD zoning suggesting that not all premises and findings have been invalidated. The proposed I-1 zone district will provide for specific land uses and performance standards permissible for the annexed area in addition to implementing the Industrial Land Use category. However, since not all premises and findings have been invalidated, Staff has found 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 adoption of the Comprehensive Plan in 2020, designated these properties as Industrial. The Applicant is requesting an allowable zone district within the Industrial Land Use category. Surrounding properties to the north, west and south are in unincorporated Mesa County and zoned PUD with current industrial land uses. The property to the east is annexed and zoned I-1 with a current land use of agricultural. The character and/or condition of the surrounding area has not dramatically changed in recent years as the area continues to be industrial.

Because there has been no apparent change of character and/or condition and the area has not significantly changed, Staff finds that this criterion has not been met.

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

Adequate public and community facilities and services are available to the properties and are sufficient to serve land uses associated with the I-1 zone district. City Sanitary Sewer and Ute Water are both presently available within 21 ½ Road right-of-way and to the site. The area is also served by Grand Valley Power electric and Xcel Energy natural gas. Potential heavy truck traffic needed for industrial land uses can utilize 21 ½ Road and head south to US 6 & 50 and the I-70 22 Road Interchange, both important transportation routes and both transportation corridors within a mile of this site. Staff has found the public and community facilities are adequate to serve the type and scope

of the industrial land use proposed and therefore has found this criterion to be met.

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

The properties and surrounding area are designated on the Comprehensive Plan Land Use Map as Industrial. The proposed zoning designation of I-1 implements the Industrial Land Use designation. The 2020 One Comprehensive Plan identified this area between 22 Road and 21 Road and north of I-70 to H ½ Road as an important area for the City of Grand Junction to establish for industrial land uses recognizing the existing industrial uses in the area as well as for future industrial growth. During the Comprehensive Plan planning process, the community identified industrial areas for current and future needs of businesses needing industrial zoning. This area was designated Industrial due to an inadequate supply of industrial zoned land in the City. Staff finds that there is an inadequate supply of Industrial zoning in the City and therefore finds this criterion has been met.

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

Annexation and zoning of the properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated area that is surrounded by City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district will provide an opportunity for industrial businesses consistent with the Comprehensive Plan to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of fostering a vibrant, diverse, and resilient economy identified in Plan Principle 2: Resilient and Diverse Economy, found in Chapter 2 of the 2020 One Grand Junction Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth.

In addition to the zoning requested by the petitioner, the following zone districts would also be consistent with the Comprehensive Plan designation of Industrial for the subject properties.

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

Although the C-2, I-O, and I-02 zone districts could be considered, the I-1 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surrounding neighborhood and current land uses.

Consistency with Comprehensive Plan

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

## Chapter 2

### Plan Principle 2: Resilient and Diverse Economy

Goal: Foster a vibrant, diverse, and resilient economy.

Goal: Promote business growth for a diverse and stable economic base.

### Plan Principle 3: Responsible and Managed Growth

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

## Chapter 3

Intensification and Tiered Growth Plan. The annexation area is located within Tier 1 – In Tier 1, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

## **RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Phoenix Haus Annexation, ANX-2021-494, for Colorado Statutory Requirements of Annexation and City Zoning requirements for a Zone of Annexation from County PUD (Planned Unit Development) to a City I-1 (Light Industrial), the following findings of fact have been made:

1. 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, staff finds the Phoenix Haus Annexation is eligible to be annexed because of compliance with the seven (7) criteria (a through g) found in the Statutes.
2. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
3. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted 2020 One Grand Junction Comprehensive Plan.

Therefore, City Staff recommends approval of the requested Annexation and the

Planning Commission recommends approval of the Comprehensive Plan Amendment and Zone of Annexation.

### **FISCAL IMPACT:**

#### **Fiscal Impacts by City Department.**

##### **Fire Department**

Currently this property is in the Grand Junction Rural Fire Protection District which is served by the Grand Junction Fire Department through a contract with the district. The rural fire district collects a 7.6010 mill levy that generates \$3,111 per year. If annexed, the property will be excluded from the rural fire district and the City's 8 mills will generate \$3,274 per year (prior to development) and between \$2,300 and \$3,300 per year after planned development. This will need to pay for not only fire and emergency medical services, but also other City services provided to the area. City services are supported by a combination of property taxes and sales/use taxes.

Response times to this area are longer than other areas due to the distance from existing fire stations. For the immediate future the area will be served by Fire Station 3 at 582 25 ½ Road. However, as a result of the recently passed First Responder Tax this area is slated to have a closer fire station constructed within the next three years. With the small size of this annexation, the fire department does not predict a significant increase in calls for service to this location.

##### **Utilities**

Ute Water serves this area with domestic water. The parcel is within the Persigo 201 Service Area and is already connected to sewer.

##### **Public Works**

21 1/2 Road has already been previously annexed by the City of Grand Junction and therefore no Public Works impacts associated with this infrastructure.

### **SUGGESTED MOTION:**

I move to adopt Resolution No. 87-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Phoenix Haus Annexation, approximately 2.98 acres, located at 834 21 ½ Road, as well as (adopt/deny) Ordinance No. 5029 an ordinance annexing territory to the City of Grand Junction, Colorado, Phoenix Haus Annexation, approximately 2.98 acres, located 834 21 ½ Road, and to adopt Ordinance No. 5030, an ordinance zoning the Phoenix Haus Annexation to I-1 on final passage and order final publication in pamphlet form.

### **Attachments**

1. Development Application dated 24 June 2021
2. Site Maps and Picture
3. Neighborhood Mtg Notes

4. Annexation Schedule and Summary Table - Phoenix Haus Annexation
5. Planning Commission Minutes - 2021 - September 28 - Approved
6. Resolution Accepting Petition for Annexation
7. Phoenix Haus Annexation Ordinance
8. ORD-Zone of Annexation- Phoenix Haus Annex





## Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Date

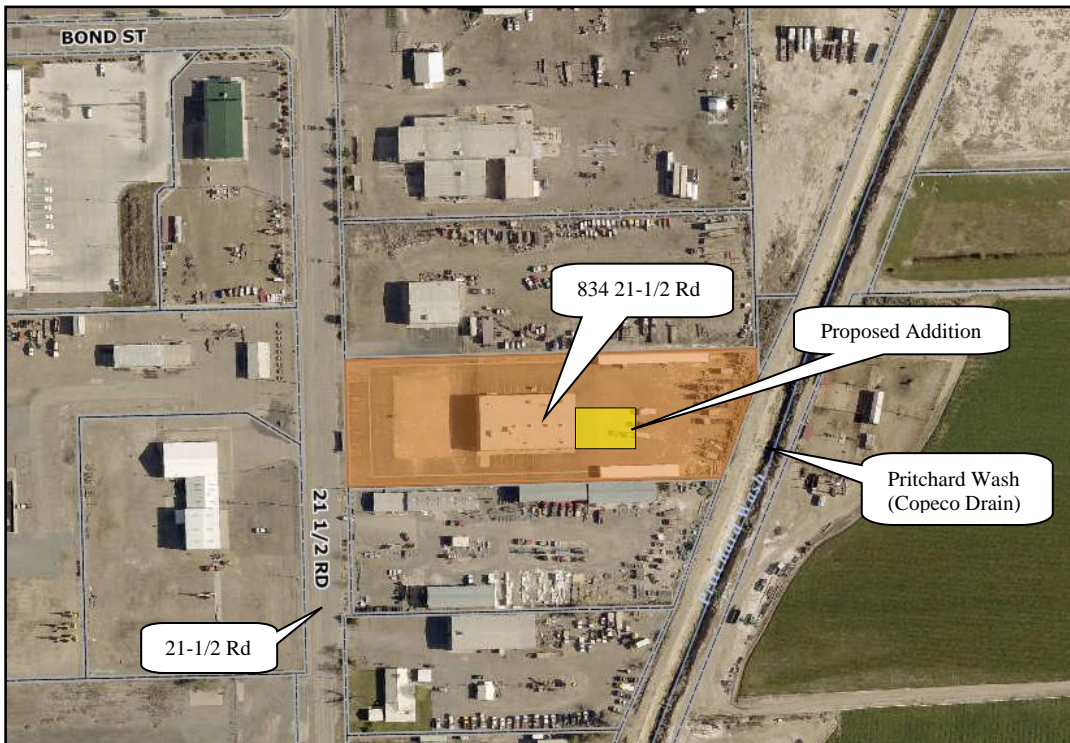
Signature of Legal Property Owner

Date

# **General Project Report for Phoenix Haus Property Annexation**

## **Project Description (Location, Acreage, Proposed Use)**

The purpose of this submittal is to obtain approval from the City of Grand Junction to annex a 2.65-acre property located north of Interstate 70 at 834 21 ½ Road in Grand Junction, Colorado. The location of the project site is depicted in the photo below:



Project Location

The property is currently zoned PUD in Mesa County and is required to be annexed into the City of Grand Junction per the Persigo Agreement. The applicant is requesting the property be annexed with a zoning designation of Light Industrial (I-1) in order to construct an approximately 4,000-8,000 sq ft addition to the property's existing structure.

The property abuts the Pritchard Wash, also known as the Copeco Drain, along the east boundary. Adjacent properties are zoned as PUD with commercial/industrial uses or as I-1. The location and proposed use are consistent with the City's 2020 One Grand Junction Comprehensive Plan.

## **Surrounding Land Uses and Zoning:**

The following adjacent properties are zoning accordingly:

DIRECTION	ZONING	CURRENT LAND USE
North:	PUD	Commercial
South:	PUD	Commercial
East:	I-1	Agricultural
West	PUD	Commercial



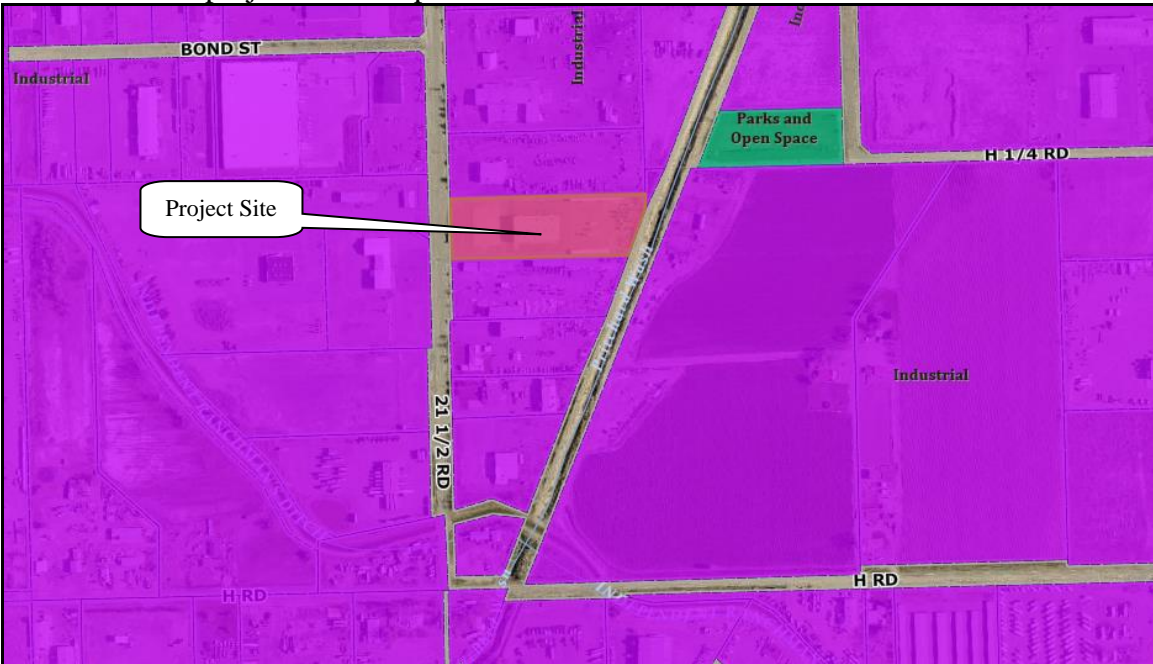
**General Project Report  
for  
Phoenix Haus Property Annexation**

The City of Grand Junction zoning surrounding this parcel is listed below:



Current City of Grand Junction Zoning

The City's Growth Plan map calls for this property and all surrounding properties to be Industrial. The project site is depicted below:



2020 Comprehensive Plan

# **General Project Report for Phoenix Haus Property Annexation**

## **Site Access:**

Access to the site remains unchanged from 21 ½ Road via the western edge of the parcel. The proposed facility addition presents no significant change to property access.

## **Utilities:**

All utility services required for this project are currently located on, or adjacent to, the project site.

Domestic water is provided by Ute Water Conservancy District from a main 12-inch Asbestos-cement (AC) pipe buried beneath 21 ½ Road. Two valves (2-inch and 6-inch) connect from the AC main to the property.

The property in question utilizes an 8-inch PVC sanitary sewer line from the City of Grand Junction buried beneath 21 ½ Road. No significant changes to the existing sewage system are anticipated with the proposed building addition.

The existing storm sewer system routes water off the property and into the Copeco Drain (Pritchard Wash), located to the east, via a combination of concrete V-drain and buried pipe. The Copeco Drain is operated and maintained by Grand Valley Drainage District 2 and flows in a south/southwesterly direction, eventually discharging into the Colorado River. Due to the relatively small footprint of the proposed addition, the property's existing storm sewer system appears sufficient for the new construction.

Irrigation water use remains unchanged by the proposed annexation and zoning.

## **Development Schedule and Phasing**

The project anticipates starting construction in August of 2021 and will be completed in one phase.

## **Annexation Criteria**

To meet City of Grand Junction Code and Zoning Maps on the annexation of land to the City the following criteria must be met:

### **1. Subsequent events have invalidated the original premise and findings.**

Response: Not applicable to this submittal.

### **2. The character and/ or condition of the area has changed such that the amendment is consistent with the Plan.**

Response: The 201 Persigo Boundary requires any land development within this area to connect to public sanitary sewer systems. An agreement was also made between Mesa County and the City that any land development within the 201 Persigo Boundary must be annexed into the City of Grand Junction.

**General Project Report  
for  
Phoenix Haus Property Annexation**

The City of Grand Junction/Mesa County Future Land Use Maps indicate a site zoning of Industrial. The applicant's request to annex and zone the property I-1 is consistent with the City's 2020 One Grand Junction Comprehensive Plan.

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

Response: All facilities required for the subject site are adjacent to or already exist on the site.

**4. An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.**

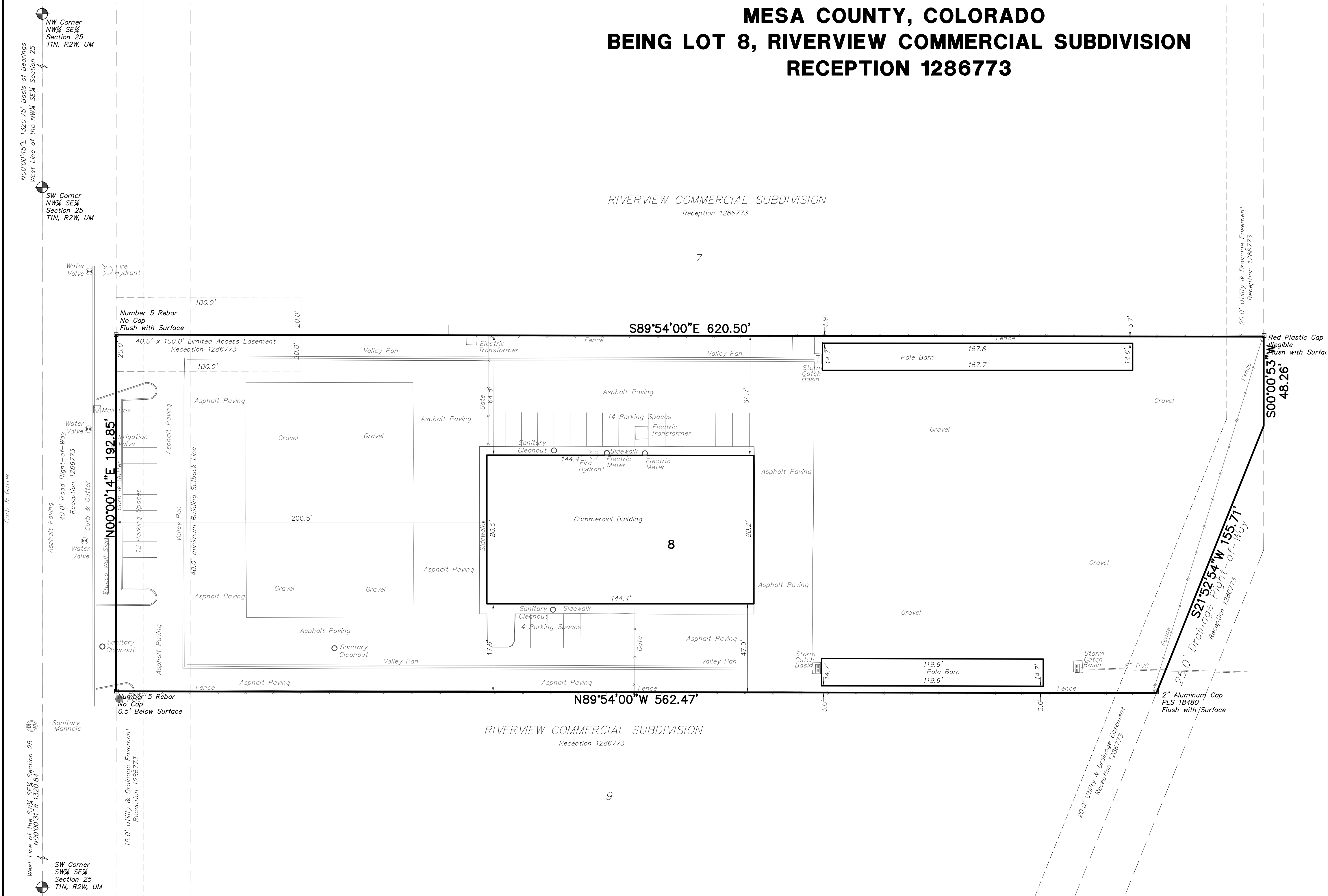
Response: Grand Junction is a growing community and I-1 lots are currently in demand.

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

Response: The proposed facility addition, location, and intended use remains consistent with the City's 2020 One Grand Junction Comprehensive Plan for balanced growth in industrial areas. A local demand for the expansion of industrial and manufacturing businesses exists, and the facility upgrade proposed herein fulfills the criteria for annexation into the City of Grand Junction with a zoning of I-1.



IMPROVEMENT SURVEY  
OF A PARCEL LOCATED IN  
WEST 1/4 SE1/4 SECTION 25, T1N, R2W, UTE MERIDIAN  
MESA COUNTY, COLORADO  
BEING LOT 8, RIVERVIEW COMMERCIAL SUBDIVISION  
RECEPTION 1286773



DESCRIPTION

That property located in the (W¼ SE¼) Section 25, Township 1 North, Range 2 West, of the Ute Meridian in Mesa County, Colorado and being more particularly described as follows:

All of Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION, as shown on that plat recorded at Reception 1286773, Mesa County records.

SUBJECT TO that 10.0' Wide Underground Electric Utility Easement as granted by Reception 2429740 to Grand Valley Rural Power Lines, Inc., a Colorado corporation.

LAND SURVEY DEPOSITS

MESA COUNTY SURVEYOR'S OFFICE

DATE \_\_\_\_\_

DEPOSIT NO. \_\_\_\_\_

Prepared for:

GENERAL NOTES

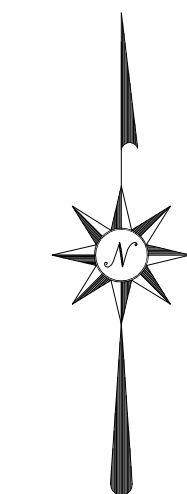
Easement and Title Information provided by Stewart Title Guaranty Company, Commitment No. ATC-20-7664, dated March 1, 2021.

Basis of bearings is the West Line of the NW¼ SE¼ Section 25 which bears North 00°00'45" East, a distance of 1320.75 feet, established by observation of the MCGPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plat.

All lined units shown hereon in U.S. Survey feet.

LEGEND

- ALIQUOT SURVEY MARKER, AS NOTED
- FOUND REBAR, AS NOTED
- SET 2" ALUMINUM CAP ON 24" No. 5 REBAR, PLS 24953



SCALE: 1"=30'



Preliminary

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a field survey completed under my direct supervision during \_\_\_\_\_, 20\_\_\_\_, and that both conforms to the standards of practice, statutes, and laws of the State of Colorado. This survey is not a guaranty or warranty, either express or implied.

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 CERTIFICATION SHOWN HEREON.

	<b>IMPROVEMENT SURVEY</b> W¼ SE¼ SECTION 25, T1N, R2W, UTE MER. MESA COUNTY, COLORADO BEING LOT 8, RIVERVIEW COMMERCIAL SUBDIVISION RECEPTION 1286773			
	<b>High Desert Surveying, LLC</b> 1673 Highway 50 Unit C Grand Junction, Colorado 81503 Telephone: 970-254-8649 Fax 970-241-0451			
	PROJ. NO. 21-66	SURVEYED DRAWN	CHK'D	SHEET OF
	DATE: July, 2021	be	knr	1 1

## **Legal Description**

Lot 8,  
RIVERVIEW COMMERCIAL SUBDIVISION  
County of Mesa, State of Colorado

Also known by street address as:  
834 21 ½ Road, Grand Junction, CO 81505

For identification purposes only:  
Parcel no.: 2697-254-03-008

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) 834 21 1/2 RD, LLC. ("Entity") is the owner of the following property:

(b) Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION, County of Mesa, State of Colorado also known by street address as: 834 21 1/2 Road, Grand Junction, CO 91505. For identification purposes only. Parcel no:

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

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

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

☒ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Phoenix Haus Annexation (834 21 1/2 Rd, LLC.)

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) \_\_\_\_\_

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: \_\_\_\_\_

*William McDonald*

Printed name of person signing: William McDonald CEO

State of Colorado )

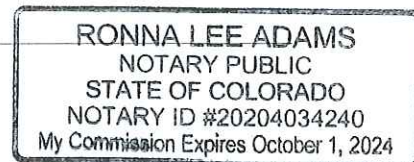
County of Mesa county ) ss.

Subscribed and sworn to before me on this 25<sup>th</sup> day of June, 2021

by William McDonald

Witness my hand and seal.

My Notary Commission expires on 10/1/2024



*Ronna Lee Adams*  
\_\_\_\_\_  
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.



**WARRANTY DEED**

**THIS DEED** is to be effective the 17th day of March, 2021, and is made between **Alta Vista LLC**, a Colorado limited liability company, the "Grantor" (whether one, or more than one), of the County of **Mesa**, State of **Colorado**, and **834 21 1/2 RD LLC**, a Colorado limited liability company, the "Grantee" (whether one, or more than one), whose legal address is **2510 Foresight Cir, Unit B, Grand Junction, Colorado 81505** of the County of **Mesa**, State of **Colorado**.

**WITNESS**, that the Grantor, for and in consideration of the sum of **ONE MILLION FOUR HUNDRED SEVENTY-THREE THOUSAND AND NO/100 Dollars (\$1,473,000.00)**, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of **Mesa**, State of **Colorado**, described as follows:

Lot 8,

**RIVERVIEW COMMERCIAL SUBDIVISION**

County of **Mesa**, State of **Colorado** also known by street address as: **834 21 1/2 Road, Grand Junction, CO 81505**. For identification purposes only: Parcel no.: **2697-254-03-008**

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

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantees' heirs and assigns forever. The Grantor, for the Grantor and the Grantors' heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantees' heirs and assigns: that at the time of the ensealing and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, except general taxes for the current and all subsequent years; and subject to: the statutory exceptions as set forth in § 38-30-113(5)(a), C.R.S.

The grantors shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

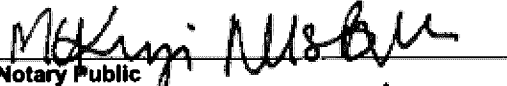
**Alta Vista LLC, a Colorado limited liability company**

By: 

**Lance E. Clark, II, Managing Member**

STATE OF: Colorado }  
COUNTY OF: Mesa } ss.

The foregoing instrument was acknowledged before me on the 17th day of March, 2021, by **Lance E. Clark, II**, as **Managing Member** for **Alta Vista LLC**, a Colorado limited liability company.

  
Notary Public

My commission expires: 12/22/2024

**MCKENZIE NELSON-BUEHLER**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20204044348  
My Commission Expires December 22, 2024



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

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

834 21 1/2 RD LLC, a Colorado limited liability company

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

2. The type of entity is a: Limited Liability Company

3. The mailing address for the entity is:

2510 Foresight Cir, Unit B, Grand Junction, CO 81505

4. The entity is formed under the laws of: Colorado

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

Kate McDonald, Member and William McDonald, Member

6. The authority of the foregoing person(s) to bind the entity is ☒ Not limited OR ☐ Limited as follows:

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

None

Dated this 17th day of March, 2021.

834 21 1/2 RD LLC, a Colorado limited liability company

By: William McDonald

William McDonald, Member

By: Kate McDonald

Kate McDonald, Member

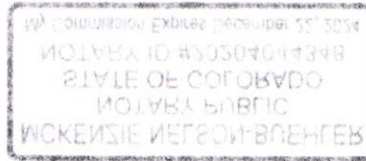
**State of Colorado**  
**County of Mesa**

The foregoing instrument was acknowledged before me this 17th day of March, 2021, by **Kate McDonald as Member and William McDonald as Member for 834 21 1/2 RD LLC, a Colorado limited liability company.**

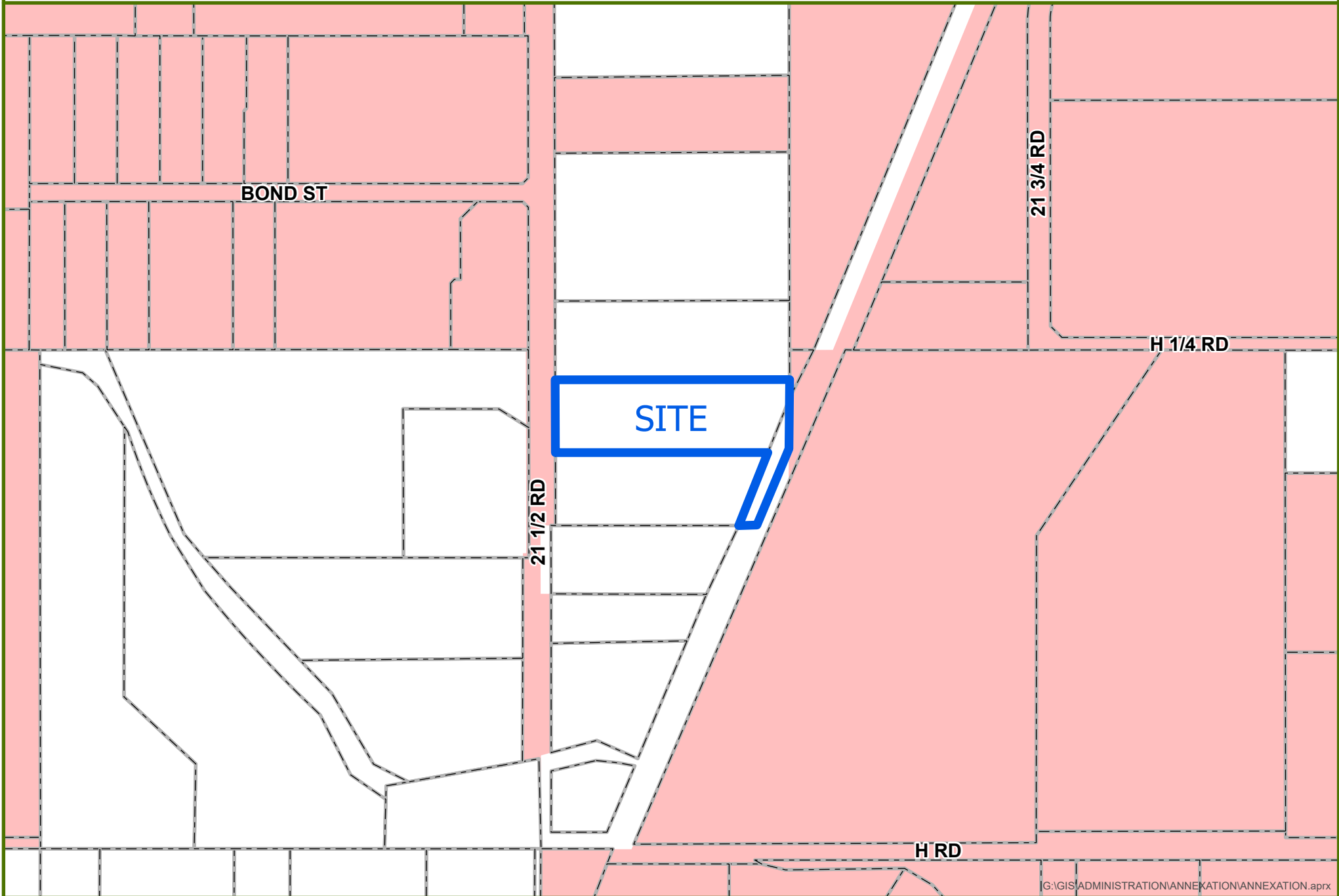
Witness my hand and official seal.

Mckenzie Nelson-Buehler  
Notary Public

MCKENZIE NELSON-BUEHLER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20204044348  
My Commission Expires December 22, 2024



# PHOENIX HAUS ANNEXATION



0 0.05 0.1 Miles



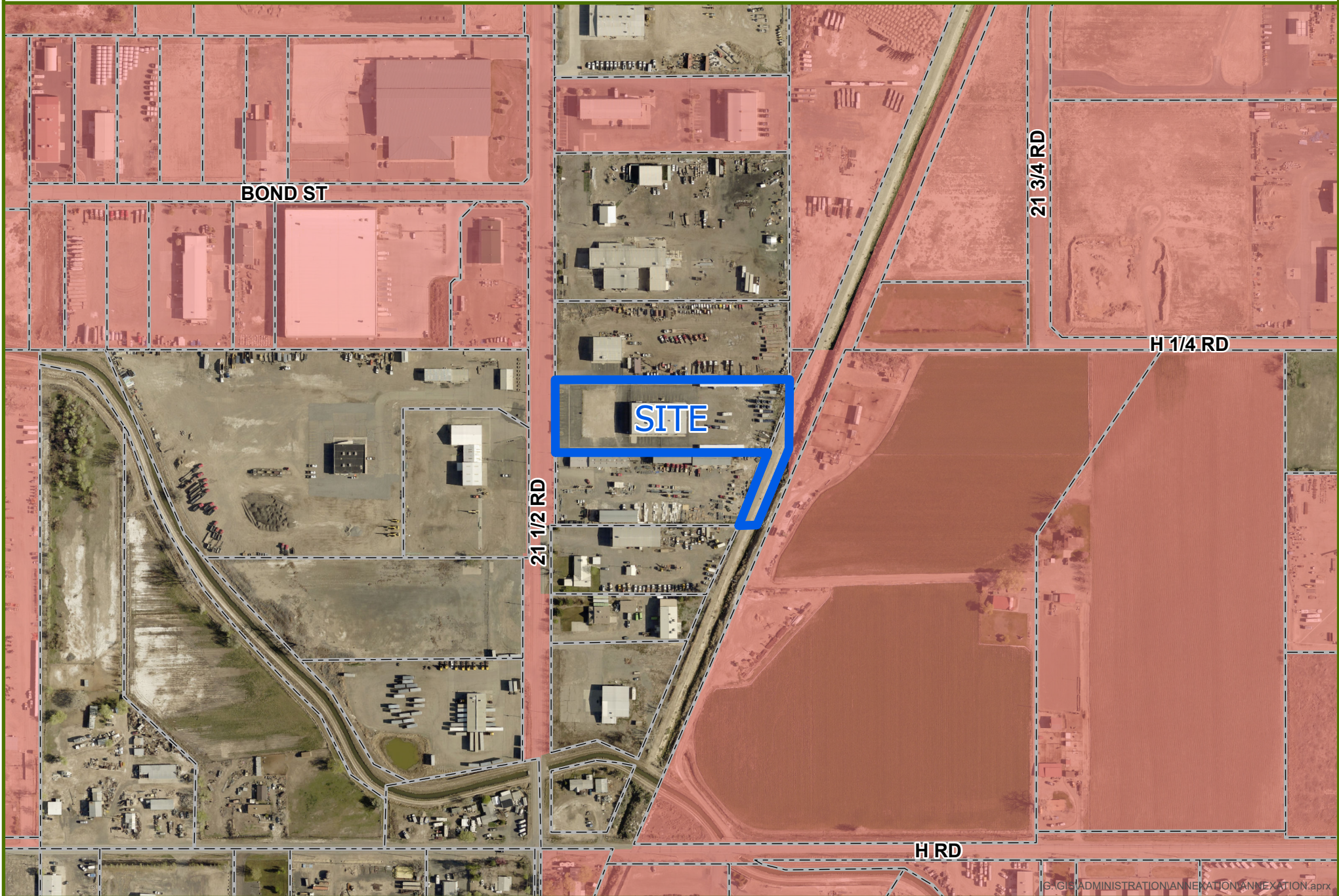
Annexation



City Limits



# PHOENIX HAUS ANNEXATION



0 0.05 0.1 Miles



Annexation



City Limits



PHOENIX HAUS ANNEXATION - LAND USE



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx

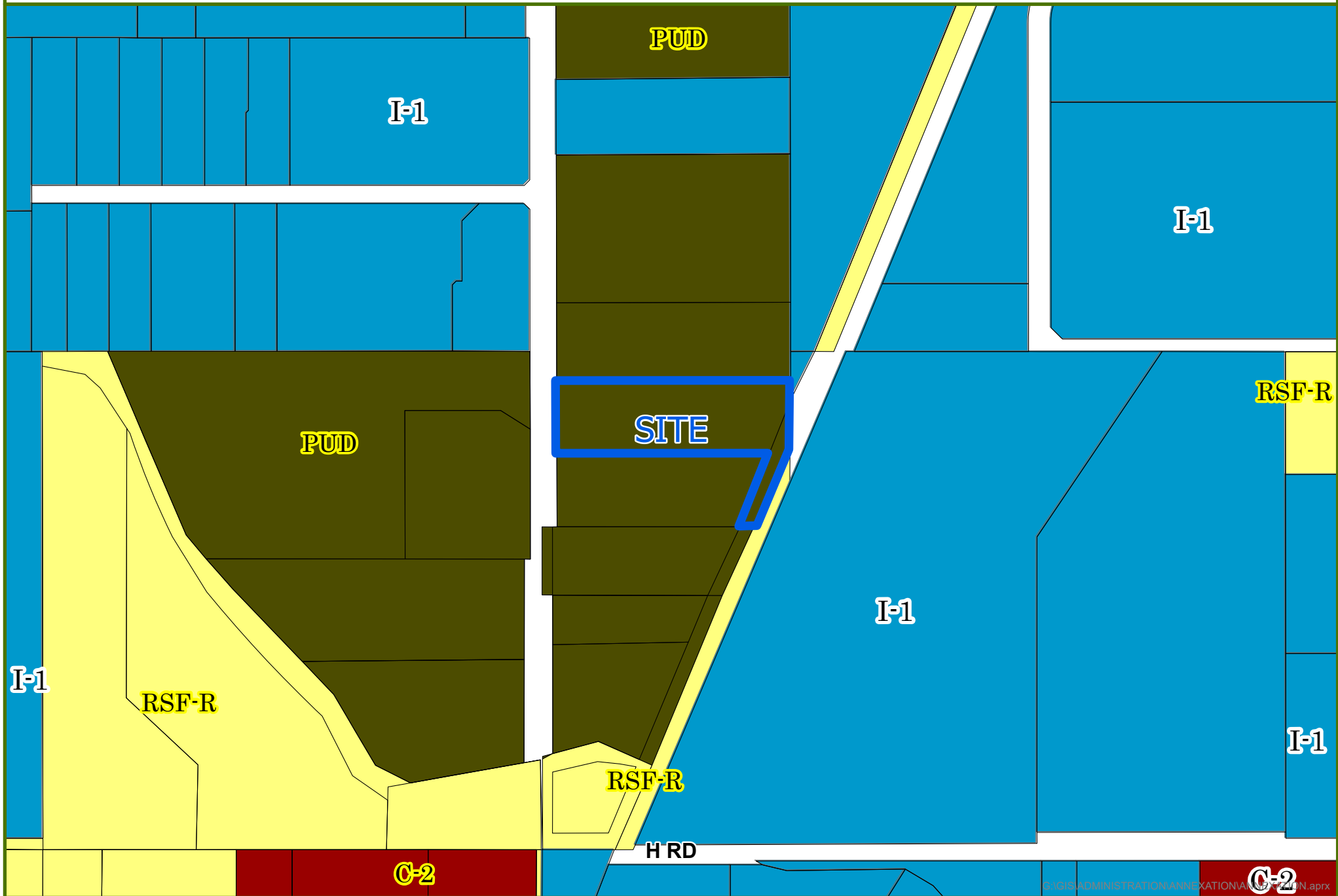


0 0.05 0.1 Miles

 Annexation Boundary



# PHOENIX HAUS ANNEXATION - ZONING



0 0.05 0.1 Miles

 Annexation

City Zoning  
Packet Page 181

County Zoning

Date Created: 8/19/2021

CITY OF  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEMS

G:\GIS\ADMINISTRATION\ANNEXATION\AMN\PHN.aprx

 C-2



**Looking East from 21 ½ Road**

## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

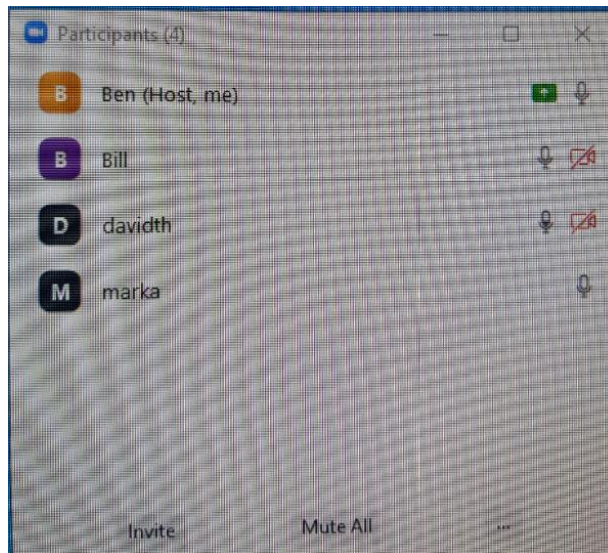
June 25, 2020

Mr. David Thornton  
Senior Planner  
City of Grand Junction Planning Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Phoenix Haus Annexation and Zoning (834 21 ½ Rd)  
Neighborhood Meeting Summary**

Dear Mr. Thornton:

The purpose of this letter is to notify the City of Grand Junction Planning Department that a virtual neighborhood meeting was conducted on June 24, 2021, via Zoom, at 5:30 P.M., for the rezone of the property located at 834 21 ½ Road in Grand Junction, Colorado. There were 4 participants in the meeting, none of which were members of the public. A screen shot of the participant list is depicted below:



**Participant List from Zoom Virtual Neighborhood Meeting**

Listed below is a summary of the meeting items:

1. Mark Austin and Ben Fox (both applicant representatives from Austin Civil Group) presented an overview of the property's current County zoning (PUD) and proposed annexation and zoning of I-1. Mr. Fox stated that it appeared to fit well with the City of Grand Junction's Future Land Use Plan.

Mr. Jace Hochwalt

June 24, 2021

Page 2 of 2

2. Mr. Fox and Mr. Austin described a future addition to the property's existing structure (a 4000-8000 SF addition), but mentioned that the focus for this meeting was primarily for annexation and zoning approval, not final development plan approval. Any future site plan remains preliminary and subject to change or alteration.
3. A slideshow was displayed to provide a clear, concise overview of the project location, current/proposed zoning, and future development concepts.
4. Bill McDonald (the project applicant) asked some questions regarding the timeline and process for the project. Mr. Thornton and Mr. Austin provided a general overview of the planning process to Mr. McDonald. The exact details of the discussion were inconclusive and based upon whether or not the applicant (Mr. McDonald) wanted to do a single, phased submission or separate submissions for potential future building additions.
5. There were no comments from the public, and no members of the public attended the meeting.
6. The meeting was closed at approximately 5:45 PM.

Sincerely,



**Austin Civil Group, Inc.**

Mark Austin, P.E. President

## **PHOENIX HAUS ANNEXATION SCHEDULE**

<b>September 15, 2021</b>	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
<b>September 28, 2021</b>	Planning Commission considers Zone of Annexation
<b>October 6, 2021</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>October 20, 2021</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>November 21, 2021</b>	Effective date of Annexation and Zoning

### **ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2021-494
<b>Location:</b>	834 21 ½ Road and a parcel containing 0.33 acres of Pritchard Wash
<b>Tax ID Numbers:</b>	2967-254-03-008
<b># of Parcels:</b>	2
<b>Existing Population:</b>	0
<b># of Parcels (owner occupied):</b>	0
<b># of Dwelling Units:</b>	0
<b>Acres land annexed:</b>	2.98
<b>Developable Acres Remaining:</b>	0.5
<b>Right-of-way in Annexation:</b>	ROW – None
<b>Previous County Zoning:</b>	PUD
<b>Proposed City Zoning:</b>	I-1
<b>Current Land Use:</b>	Industrial
<b>Future Land Use:</b>	Industrial
<b>Values:</b>	<b>Assessed:</b> \$409,230
	<b>Actual:</b> \$1,411,130
<b>Address Ranges:</b>	834 21 ½ Road
<b>Special Districts:</b>	<b>Water:</b> Ute
	<b>Sewer:</b> City
	<b>Fire:</b> GJ Rural Fire
	<b>Irrigation/Drainage:</b> Grand Valley Irrigation Company and Grand Valley Drainage
	<b>School:</b> District 51
	<b>Pest:</b> Grand River Mosquito District
	<b>Other:</b> Colorado River Water Conservancy



**GRAND JUNCTION PLANNING COMMISSION**  
**September 28, 2021 MINUTES**  
**5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, George Gatseos, Ken Scissors, Andrea Haitz, and Shanon Secrest.

Also present were Jamie Beard (Assistant City Attorney), Tamera Allen (Community Development Director), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Daniella Acosta (Associate Planner), Isabella Vaz (Communications Specialist), and Kalli Savvas (Planning Technician).

There were 11 members of the public in attendance.

**CONSENT AGENDA**

---

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

**1. Approval of Minutes**

---

Minutes of Previous Meeting(s) from September 14, 2021.

**REGULAR AGENDA**

---

**3. Phoenix Haus Zone of Annexation File # ANX-  
2021-494**

Consider a request by 834 21 ½ RD, LLC to zone 2.98 acres from County PUD (Planned Unit Development) to I-1 (Light Industrial) located at 834 21 1/2 Road.

**Staff Presentation**

David Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for Staff**

Chairman Teske asked about overlay requirements and compliance.

**Applicant Presentation**

The applicant was present and available for questions.

**Questions for Applicant**

None.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 21, 2021, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

No public comment

The public hearing was closed at 6:13 p.m. on September 28, 2021.

**Discussion**

Commissioner Gatseos and Teske made statements supporting the request.

**Motion and Vote**

Commissioner Gatseos made the following motion, Mr. Chairman, on the Zone of Annexation for the Phoenix Haus Annexation to I-1 (Light Industrial) zone district, file number ANX-2021-494, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Commissioner Scissors the motion. The motion carried 5-0.

**5. Other  
Business**

---

None.

**6. Adjournment**

---

Commissioner Scissors moved to adjourn the meeting. Commissioner Secrest seconded. The meeting adjourned at 6:39 p.m.

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_**

**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  
PHOENIX HAUS ANNEXATION  
APPROXIMATELY 2.98 ACRES  
LOCATED ON A PROPERTY AT 834 21 ½ ROAD  
Tax Parcel Number 2697-254-03-008 and a Parcel containing Pritchard Wash  
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 15<sup>th</sup> day of September, 2021, 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:

**PHOENIX HAUS ANNEXATION  
A Serial Annexation Comprising Phoenix Haus Annexation No.1  
and Phoenix Haus Annexation No. 2**

**Phoenix Haus Annexation No. 1  
Exhibit A**

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

Phoenix Haus Annexation No. 2  
Exhibit B

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<sup>th</sup> day of October, 2021; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the 20<sup>th</sup> day of October, 2021.

Attest:

---

President of the Council

---

City Clerk



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**APPROXIMATELY 2.98 ACRES  
LOCATED ON A PROPERTY AT 834 21 ½ ROAD  
Tax Parcel Number 2697-254-03-008 and a Parcel Adjacent to the East**

**WHEREAS**, on the 15<sup>th</sup> day of September, 2021, 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 \_\_\_<sup>th</sup> day of October, 2021; 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:

**PHOENIX HAUS ANNEXATION  
A Serial Annexation Comprising Phoenix Haus Annexation No.1  
and Phoenix Haus Annexation No. 2**

**Phoenix Haus Annexation No. 1  
Exhibit A**

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line

of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

Phoenix Haus Annexation No. 2  
Exhibit B

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

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

**INTRODUCED** on first reading on the 15<sup>th</sup> day of September 2021 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of October 2021 and ordered published in pamphlet form.

---

President of the Council

Attest:

---

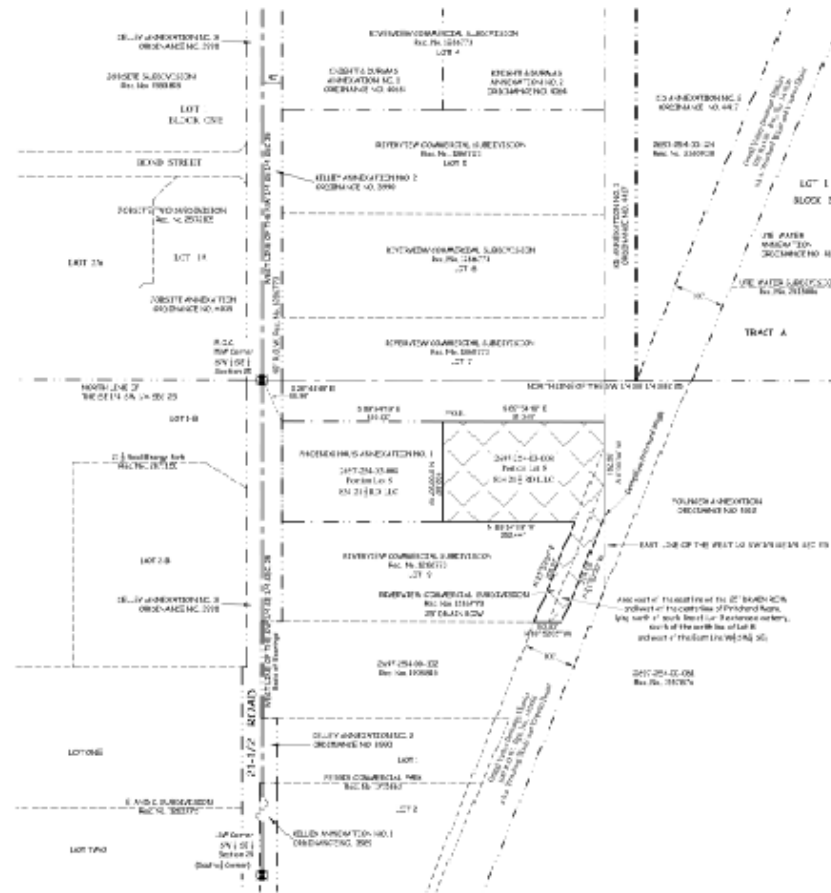
City Clerk



## Exhibit B

## PHOENIX HAUS ANNEXATION NO. 2

LYING IN THE SW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

[illegible][illegible]

Comprising 70,000 square feet, we'll K. Ames, more at 401.000 dollars

**ABBREVIATIONS**  
 P.C. PART OF CONVERSION  
 P.O.S. PART OF SPEARING  
 P.O.R. PART OF RES.  
 SEC. SECTION  
 SW. SWAMP  
 FGE. FANGE  
 CM. CYCLOPS  
 NO. NUMBER  
 SO. SOUTH  
 AN. ANIMAL  
 P.J. PAPER  
 A. AGE  
 CK. CRYSTAL  
 CHS. CHINESE  
 BLC. BLOOD  
 PF. PLANT  
 AC. ACID  
 PJZ. PINE  
 PCO. PECTON  
 J.M. JOSEPH

The Sketch and Description contained herein have been checked from subdivision data, deed descriptions and Deedbook Land Survey Maps as they appear in the Office of the Illinois County Clerk and Recorder. This data does not constitute a legal survey, and it is not intended to be used as evidence in establishing or verifying property boundaries.

FOR REVIEW

APR 30 AM 11:53

INVEST TOY FIRM IN	488.17%
CONVULSION FIRM IN	20.38%
AREA IN 2000 FIRM	7500%
AREA IN 2000	100%

2004-05-18

ANEXOS ADICIONAIS

张其成：《王阳明与朱子学》，《中国哲学史》2004年第1期。

GERMANY 33

EXPENSE DATE

Revised 2/19/94, P.S. No. 18645  
 Rechecked and Approved for the  
 City of Grand Junction  
 M.D.: \_\_\_\_\_

THIS IS NOT A BOUNDARY SURVEY

Nigel Langer

departing its island by sea, then someone say that water level was too shallow to the boat, with those years after you that forever put them. It is great any one could read you, my friend is the only to remember map that he goes that the date is the circulation phase house.

bioRxiv preprint doi: <https://doi.org/10.1101/2019.05.20.254111>; this version posted May 20, 2019. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.

0-7-04-50 8

DECEMBER

ANSWER: B

\_\_\_\_\_

SCALE

 $\Gamma \in \mathbb{R}$ 

100

\_\_\_\_\_

**GRAND JUNCTION**  
COLORADO

PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY DEPARTMENT

PHOENIX HAUS  
ANNEXATION NO. 2



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ZONING THE PHOENIX HAUS ANNEXATION  
TO I-1 (LIGHT INDUSTRIAL) ZONE DISTRICT**

**LOCATED AT 834 21 ½ ROAD**

**Tax Parcel Number 2697-254-03-008 and a Parcel Adjacent to the East**

Recitals

The property owners have requested annexation of 2.98 acres ("Phoenix Haus Annexation") into the City limits.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the Phoenix Haus Annexation I-1 (Light Industrial) finding that the I-1 zone district conforms with the designation of Industrial as shown on the Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the I-1 (Light Industrial) zone district, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

**PHOENIX HAUS ANNEXATION**

**A Serial Annexation Comprising Phoenix Haus Annexation No.1  
and Phoenix Haus Annexation No. 2**

**Phoenix Haus Annexation No. 1**

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

Phoenix Haus Annexation No. 2

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

**INTRODUCED** on first reading this \_\_\_\_\_ day of October, 2021 and ordered published in pamphlet form.

**ADOPTED** on second reading this \_\_\_\_\_ day of October, 2021 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
C.B. McDaniel  
President of the Council

\_\_\_\_\_  
Wanda Winkelmann  
City Clerk



## Grand Junction City Council

### Regular Session

Item #6.a.iv.

---

**Meeting Date:** October 20, 2021  
**Presented By:** David Thornton, Principal Planner  
**Department:** Community Development  
**Submitted By:** David Thornton, Principal Planner

---

### **Information**

#### **SUBJECT:**

A Resolution Accepting the Petition for the Annexation of 5-Acres of Land and Ordinances Annexing, Amending the Comprehensive Plan Land Use Map to Residential Medium and Zoning the Sage Creek Annexation to R-8 (Residential - 8 du/ac), Located at 3038 D 1/2 Road

#### **RECOMMENDATION:**

Staff recommends adoption of a resolution accepting the petition for the Sage Creek Annexation, and approval of the annexation and zone of annexation ordinances. The Planning Commission heard the zoning request at its September 28, 2021 meeting and voted (5-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, Sage Creek Investments LLC is requesting annexation of one property, a Comprehensive Plan Amendment from Residential Low (2-5.5 du/ac) to Residential Medium (5.5-12 du/ac) and a zone of annexation to R-8 (Residential 5.5-8 du/ac) for the Sage Creek Annexation. The approximately 5-acre property is located at 3038 D 1/2 Road in Pear Park. The subject property has one existing residence with most of the property vacant.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits and an amendment to the 2020 One Grand Junction Comprehensive Plan in anticipation of future residential subdivision development. The zone district of R-8 is consistent with the proposed Residential Medium Land Use category of the Comprehensive Plan. The request for annexation is being considered concurrently by City Council with the Comprehensive Plan amendment and zone of annexation requests and are included in this staff report.

## **BACKGROUND OR DETAILED INFORMATION:**

### **BACKGROUND**

The Applicant, Sage Creek Investments LLC has requested annexation of 5-acres of land into the City limits, located on property at 3038 D ½ Road in Pear Park, in anticipation of future residential subdivision development. The Sage Creek Annexation consists of one property of 4.77-acres in addition to 0.23 acres of the D ½ Road right-of-way for a total of 5 acres. The Applicant is concurrently requesting a Comprehensive Plan Amendment to allow for a zone of annexation to R-8 (Residential 5.5-8 du/ac).

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – September 15, 2021
- Planning Commission considers Comprehensive Plan Amendment and Zone of Annexation – September 28, 2021
- Introduction of a Proposed Ordinance on Zoning by City Council – October 6, 2021
- Acceptance of Petition and Public Hearing on Annexation, and Comprehensive Plan Amendment and Zoning by City Council – October 20, 2021
- Effective date of Annexation, Comprehensive Plan Amendment and Zoning – November 21, 2021

The Applicant's property is currently in the County and has a County zoning of RSF-R (Residential Single Family – Rural – 5-acre minimum lot sizes). Surrounding properties to the east, west and north are mostly zoned R-5 in the City. A townhome development, a residential six-plex located adjacent to the east in unincorporated Mesa County is zoned PUD and has a density of 8 dwelling units per acre, that would require densities of R-8 zoning and is supported in the Residential Medium Land Use category.

The Applicant is requesting to amend the 2020 One Grand Junction Comprehensive Plan Land Use Map from Residential Low to Residential Medium which is the same category found on the south side of D ½ Road in this area of Pear Park. The property has sewer service and all other urban amenities to the property. It is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The Land Use category of "Residential Low" on the north side of D ½ Road was established in this area in the Comprehensive Plan due to existing zoning of RSF-5 on adjacent properties on this side of the D Road. However, the size of this property lends itself to more density and infill development potential, thereby supporting the Comprehensive Plan "Plan Principle 3 Responsible and Managed Growth" and the goal to "Encourage infill and redevelopment to leverage existing infrastructure. The Applicant is requesting a zone of annexation of R-8 to achieve this.

The applicant has submitted for a Comprehensive Plan amendment concurrent with the zone of annexation request and this staff report and accompanied ordinance provides for concurrent consideration by Planning Commission and City Council. Without a change to the Land Use Map as requested in the Comprehensive Plan Amendment, the Zone of Annexation request to R-8 is not supported by the Comprehensive Plan. Support for a Zone of Annexation to R-8 is tied to an amendment to the Land Use Map

of Residential Medium for the property.

**Comprehensive Plan Future Land Use Map Amendment Request:**

Presently, the Comprehensive Plan designates the Sage Creek Annexation as Residential Low on the Land Use Map, one residential dwelling unit per 2 to 5.5 dwelling units per acre. The Applicant is requesting to change the Land Use Map from Residential Low to Residential Medium to allow for an increase in urban residential densities.

The primary land uses found in the Residential Medium Land Use category are small lot single family residential and medium density multi-family providing a range of housing types and densities. The Residential Medium land use areas are typically located near transit. The Grand Valley Transit (GVT) services the D ½ Road corridor. Secondary land uses include open space and parks, schools, places of worship, home-based business, public/institutional uses, and other complementary neighborhood uses. Pear Park Elementary School has an oversized City-funded gymnasium which serves the community through City Parks and Recreation programs.

The area to the north of this site is designated on the Land Use Map as Residential Low and to the south Residential Medium, all located within Tier 2 on the Intensification and Growth Tiers Map.

**Zone of Annexation Request:**

The Applicant is interested in preparing the property for future residential development, consistent with the scope and type of development envisioned by the Comprehensive Plan with the proposed Land Use Map change to Residential Medium (5.5 - 12 du/ac) density. The R-8 zoning requires a minimum of 5.5 dwelling units per acre, therefore the requested zoning of R-8 implements the Comprehensive Plan's Residential Medium Land Use category.

The purpose of the R-8 (Residential – 8 du/ac) zone district is to provide for medium density attached and detached dwellings. The R-8 ensures minimum densities of 5.5 dwelling units per acre are met. This property is located within an urban infill area of the community. The greater surrounding area both within the city limits and unincorporated County are largely developed with single-family detached homes. Further subdivision development is encouraged within this infill area of the City with the 2020 One Grand Junction Comprehensive Plan. This property provides a large enough site to accommodate such development. Existing City zoning to the south along D ½ Road is already zoned R-8 and located within the Residential Medium Land Use category established there. Other land not in the city is zoned PUD in Mesa County with existing lot sizes conforming to the densities of the City's R-8 zone district.

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



Residential Medium (5.5 – 12 du/ac)

- a. R-12 (Residential – 8-12 du/ac)
- b. CSR (Community Services and Recreation)
- c. Mixed Use Residential (MXR-3)
- d. Mixed Use General (MXG-3)
- e. Mixed Use Shopfront (MXS-3)

In reviewing the other zoning district options for the proposed Residential Medium (5.5 – 12 du/ac) category, the R-12 zone districts does not allow single-family detached and most townhome development.

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed Annexation, Comprehensive Plan Amendment and Zoning was held on June 22, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant, Applicant's representative and City staff were in attendance, no members of the public were in attendance, however one neighbor called the Applicant's representative the next morning and they discussed the project with them. Concerns expressed included:

- Traffic increase on Riverside Parkway and the intersection of 30 Road and D ½ Road.
- Did not want to see apartments.
- Preferred one-story single family.
- Townhomes might be a nice component.

An official development application was submitted to the City of Grand Junction for review on July 2, 2021.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on July 19, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on September 17, 2021. The notice of the Planning Commission public hearing was published September 21, 2021 in the Grand Junction Daily Sentinel.

Public comment was also offered through the GJSpeaks platform. No public comments were received.

### **ANALYSIS**

#### **Annexation Analysis**

The property is currently adjacent to existing city limits. 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 Sage Creek 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. The petition has been signed by the one owner of the property or 100% of the owners and includes 100% of the property described excluding right-of-way.

b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. Eighteen percent of the perimeter of the annexation is contiguous with the existing City limits exceeding the 1/6 contiguity requirements for annexation.

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. The property owner is currently planning for the development of residential housing at urban densities.

e) The area is capable of being integrated with the City. The proposed annexation adjacent to the city limits on one side and will be required at the time of development to interconnect with existing City streets to the property. Utilities and City services are also available and currently serving the existing urban area around this site.

f) No land held in identical ownership is being divided by the proposed annexation. The entire property owned by the applicant is being annexed.

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. Contiguous property owned by the petitioner is less than 20 acres in size, so this requirement does not apply; however, the petitioner has granted consent to the City to annex the property.

Please note that the annexation petition was prepared by the City.

### **Comprehensive Plan Amendment Analysis**

The criteria for review are set forth in Section 21.02.130 (c) (1). The criteria provide that the City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change is consistent with the vision (intent), goals and policies of the Comprehensive Plan and at least one of the criteria outlined below;

(1) Subsequent events have invalidated the original premises and findings; and/or The decision to designate the property as Residential Low Land Use under the Comprehensive Plan was made approximately nine months ago with the adoption of the One Grand Junction Comprehensive Plan. No substantial changes to the infrastructure, development context, or development potential of the subject property

has occurred since that time. Therefore, staff finds that this criterion is not met.

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

The character of the area has not been changed in a substantive way since the Comprehensive Plan was adopted. The surrounding land-uses remain low-density and medium density residential development. The subject property is an urban infill site but has been even through the Comprehensive Plan planning process. Therefore, staff finds this criterion is not met.

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

This 5-acre annexation has public sanitary sewer service, Clifton Water domestic water service, Xcel electrical and natural gas service, sanitation and public stormwater sewer available to the site. Existing transportation infrastructure is improved with multi-modal transportation options accommodating pedestrian, bike and vehicle traffic. An elementary school is a short walking distance away. Shopping opportunities for goods and services are a short drive away at 30 Road and I-70B and along North Avenue, and adequate to serve development of the type and scoped associated with the proposed R-8 zone district in the proposed Residential Medium residential land use category. Therefore, staff finds that this criterion is met.

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

The city is broadly in need of additional residential development if it is to meet the needs of a growing population. Citywide, medium-density residential zoning is common, but very few properties with medium-density residential zoning remain undeveloped. It is thus logical that, in order to continue to provide housing opportunities, and to include medium-density housing patterns that permit single family through townhouse style development in the range of housing options available in the community and meeting urban densities required in the Comprehensive Plan, this property should be amended from Residential Low to Residential Medium on the Comprehensive Plan Land Use Map. Staff therefore finds this criterion to be met.

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

This property is being annexed concurrently in the City limits. At the time of annexation, it is zoned RSF-R (Residential Single Family - Rural), a zoning designation the County utilizes within the Persigo 201 area for unincorporated property prior to annexation into the City when urban densities are encouraged and expected. The property has seen development around it build up over the past 30 years and is one of just a few infill sites within the immediate area.

Amending the Comprehensive Plan Land Use Map to Residential Medium for this property allows for the concurrent zoning request for the property to be zoned to R-8 with future subdivision and development at urban densities between 5.5 and 8 du/acre.

The Pear Park community will benefit from this change in the Land Use Map to Residential Medium. It allows for zoning to R-8 by increasing undeveloped land to potential R-8 densities as the area continues to attract residential development at densities needing urban and city services. Much of the existing adjacent area north of D ½ Road is zoned R-5 whereas this property if zoned to R-8 will be available to provide residential opportunities with smaller parcels providing more housing choices including townhomes, to city residents of different ages, abilities, and incomes. The existing townhomes adjacent to the east of the property would need to be zoned R-8 when annexed to be in conformance with current density of the townhomes. In addition, the area in the city limits on the south side of D ½ Road is shown as Residential Medium on the Land Use map and zoned R-8. Staff therefore finds this criterion to be met.

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

Implementing the Comprehensive Plan. The proposed Land Use Map Amendment to Residential Medium (5.5-12 du/ac) implement's the following Plan Principles, goals and policies of the Comprehensive Plan:

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

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

**Plan Principle 5: Strong Neighborhoods and Housing Choices**

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

Intensification and Tiered Growth Plan (Chapter 3). Subject property is located within Tier 2 (Suburban Infill) – In Tier 2, the Comprehensive Plan supports sub-urban growth for infill and on this site. The Plan directs development toward vacant and underutilized parcels. Development of this parcel will provide development opportunities while minimizing the impact on infrastructure and City services.

**Zone of Annexation Analysis**

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

(1) Subsequent events have invalidated the original premises and findings; and/or The property owner has petitioned for annexation into the City limits and is seeking an amendment to the Comprehensive Plan to change the land use category from Residential Low to Residential Medium with a requested zoning district of R-8 which is compatible with the proposed Comprehensive Plan Land Use Map designation of Residential Medium (5.5 to 12 du/ac). Since the Applicant's property is currently in the

County, the annexation of the property is a subsequent event that will invalidate the original premise, a county zoning designation.

The 2020 One Grand Junction Comprehensive Plan defined the density range for the Residential Low Land Use category with a range of 2 to 5.5 du/ac and the Residential Medium Land Use category with a range of 5.5 to 12 du ac. This area was designated Residential Medium under the 2010 Comprehensive Plan. The 2010 Plan had a density range for the Residential Medium category of 4 to 8 du/ac and the proposed zoning of R-8 was an implementing zone district under the 2010 Plan.

The 2020 Plan reduced the overall number of land use categories in half, which required larger ranges of density for each land use designation. This area on the northside of D ½ Road was changed to Residential Low (2 to 5.5 du/ac) densities with the 2020 Plan. The general concern was the introduction of potential R-12 (8 to 12 du/ac) densities that would result with a R-12 zone. The requested zoning for the Sage Creek Annexation is R-8.

The existing County RSF-R zone district at a maximum density of one dwelling unit per five acres does not implement the Residential Low or the Residential Medium Land Use categories. The proposed R-8 zone (densities of 5.5 to 8 du/ac) district does implement the Residential Medium Land Use category if the Land Use Map is amended to Residential Medium. The Plan Amendment to Residential is a new subsequent event invalidating the original premises and findings. However, since the zoning request and plan amendment are being considered concurrent and the Plan amendment has not been approved at the time of this analysis, Staff has found this criterion has not been met.

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

The character or condition of the areas has not changed enough to satisfy this criterion. Staff finds that this criterion has not been met.

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

Adequate public and community facilities and services are available to the properties and are sufficient to serve land uses associated with the proposed R-8 zone district. City Sanitary Sewer and Clifton Water are both presently available within the D ½ Road right-of-way. Properties can also be served by Xcel Energy for electricity and natural gas. A short distance away, across the street is Pear Park Elementary School, about two- and one-half miles away is Grand Mesa Middle School and Grand Junction Central High School. A Regional Park is also about two- and one-half miles away. A short distance to the south and west, a gas station/convenience store is available and major shopping is just over 2-miles to the north and west and includes a Walmart supercenter, restaurants, retail/office establishments, etc. Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed at the R-8 densities and therefore has found this criterion has been



met.

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

The properties and surrounding area is designated on the Comprehensive Plan Land Use Map as Residential Medium (5.5 to 12 du/ac) with an approved amendment as concurrently requested by the applicant. The proposed zoning designation of R-8 meets the intent of achieving the desired density for the property with this request, to develop at the low end of the Residential Medium land use category. For properties already annexed into the City limits, the area within one half mile of the annexation area is predominately zoned R-5 to the north of D ½ Road and R-8 to the south. Much of the area within City limits is developed, little land area is available for new development within the half-mile area. Staff finds that there is an inadequate supply of R-8 zoning in this area of Pear Park as define above and therefore finds this criterion has been met.

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

Annexation and zoning of the properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated area that is surrounded by the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district will provide an opportunity for housing within a range of density that is consistent with the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the 2020 One Grand Junction Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

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

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

- R-12 (Residential – 8 to 12 du/ac)
- CSR (Community Services and Recreation)
- Mixed Use Residential (MXR-3)
- Mixed Use General (MXG-3)
- Mixed Use Shopfront (MXS-3)

## **Consistency with the Comprehensive Plan**

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

### **Chapter 2**

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

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

#### **Plan Principle 5: Strong Neighborhoods and Housing Choices**

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

### **Chapter 3**

**Intensification and Tiered Growth Plan.** Subject property is located within Tier 2 – In Tier 2, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

**Relationship to Existing Zoning.** Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

## **RECOMMENDATION AND FINDINGS OF FACT**

After reviewing the Sage Creek Annexation & Zone of Annexation, ANX-2021-466 requests and Comprehensive Plan Amendment CPA-2021-467 request, for a Comprehensive Plan Amendment from Residential Low (2-5.5 du/ac) to Residential Medium (5.5 to 12 du/ac) for the property located at 3038 D ½ Road, and a Zone of Annexation from County RSF-R (Residential Single Family – Rural) to a City R-8 (5.5 to 8 du/ac) the following findings of facts and condition have been made.

1. 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, staff finds the Sage Creek Annexation is eligible to be annexed because of compliance with the seven (7) criteria (a through g) found in the Statutes.
2. The request has met one or more of the criteria in Section 21.02.130(c)(1) of the Zoning and Development Code.
3. The request is consistent with the vision, goals and policies of the Comprehensive Plan.

On the request for a Zone of Annexation, if the Comprehensive Plan Amendment is approved, the following findings of fact have been made:

4. The request has met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code.

5. The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, City Staff recommends approval of the requested Annexation and the Planning Commission recommends approval of the Comprehensive Plan Amendment and Zone of Annexation.

### **FISCAL IMPACT:**

#### **Fiscal Impacts by City Department.**

##### Fire Department

Currently, the property is in the Clifton Fire Protection District. The Fire District collects an 11.5520 mill levy that generates \$265 per year in property taxes. If annexed, the property will be excluded from the Clifton Fire Protection District and the City's 8 mills will generate \$183 per year (prior to development) and between \$4,200 and \$6,300 per year after development, depending on the number of homes constructed. This will need to pay for not only fire and emergency medical services but also other City services provided to the area. City services are supported by a combination of property taxes and sales/use taxes.

Response times to this area are longer than other areas due to the distance from existing fire stations. For the immediate future, the area will be served by Fire Station 4 at 2884 B ½ Road. However, as a result of the recently passed First Responder Tax this area is slated to have a closer fire station constructed next year.

##### Utilities

Clifton Water is the domestic water provider.

The parcel is already within Persigo 201 Service Area and is already connected to sewer.

##### Public Works

The 327 feet of frontage was improved to a collector standard by the Mesa County approximately 10 years ago. Streetlights are on the south side of the road and are not part of the infrastructure associated with this annexation. Therefore, the maintenance impacts are limited to street sweeping, snow removal and street maintenance. Street sweeping, snow removal and striping are estimated at \$60/year. Street Maintenance will entail a chip seal in 2024 at a cost of \$2,000 and an overlay in 2029 at a cost of \$19,000.

### **SUGGESTED MOTION:**

Three separate motions (Motion 3 cannot be approved without approval of Motion 2)

I move to (adopt/deny) Resolution No. 88-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Sage Creek Annexation, approximately 5 acres, located at 3038 D ½ Road.

I move to (adopt/deny) Ordinance No. 5031 ,an ordinance annexing territory to the City of Grand Junction, Colorado Sage Creek Annexation approximately 5 acres located on a property at 3038 D ½ Road Tax Parcel Number 2943-162-00-037 on final passage and order final publication in pamphlet form.

I move to (adopt/deny) Ordinance No. 5032, an ordinance amending the Comprehensive Plan Land Use Map of the City Of Grand Junction from Residential Low (2-5.5 Dwelling Units/Acre) to Residential Medium 5.5-12 Dwelling Units/Acre) and Zone of Annexation for the Sage Creek Annexation from Rural (1 Dwelling Unit/5-Acres) to R-8 (Residential–8 Dwelling Units/Acre) Zone District Located at 3038 D ½ Road final passage and order final publication in pamphlet form.

### **Attachments**

1. Development Application dated 10 June 2021pdf
2. Sage Creek Annex Site Maps and Picture
3. Annexation Schedule and Summary Table - Sage Creek Annexation
4. Neighborhood Meeting Summary
5. Sage Creek Annexation Map
6. Planning Commission Minutes - 2021 - September 28 - Approved
7. Resolution Accepting Petition for Annexation
8. Sage Creek Annexation Ordinance
9. Combined CPA and Zoning Ordinance

## Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

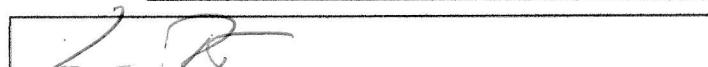
Signature of Person Completing the Application

**Tracy States**

Digitally signed by Tracy States  
Date: 2021.06.10 13:29:52 -06'00'

Date

Signature of Legal Property Owner



Date



Project Report

# **Sage Creek Investments, LLC**

## **Annexation/Comprehensive Plan Amendment/Zoning - 3038 D 1/2 Road**

Project Report

June 23, 2021

Prepared for:

**City of Grand Junction**

Grand Junction, CO 81501

Prepared by:



**215 Pitkin, Grand Junction, CO 81501**

**Grand Junction, CO 81506**

**Phone: (970) 241-4722**

**Fax: (970) 241-8841**

## **A. Project Description**

- 1) Location: The proposed project is located at 3038 D ½ Road, Grand Junction, Colorado (Parcel No. 2943-162-00-037).
- 2) Acreage: The parcel contains approximately 4.75 Acres
- 3) Proposed Use: This submittal is for Annexation into the City of Grand Junction limits and rezone from County RSF-R to R-8 which requires a Comprehensive Plan Amendment as the future land use is Residential Low (2-5.5 DU/Acre). R-8 zoning is compatible with surrounding development. The R-8 zone district allows for two family dwelling units, single-family detached housing and multifamily development. The minimum density for this project would be 5.5 DU/Acre or 26 units. The maximum density for this project would be 8 DU/Acre or 38 units.

## **B. Public Benefit**

The proposed zoning will allow the development of needed medium-high residential product to keep up with the demand for housing. The project will also supply construction jobs contributing to the economy and overall economic health.

## **C. Neighborhood Meeting**

A neighborhood meeting was held virtually via zoom on June 22, 2021. A summary of the meeting and materials presented is included with this submittal.

## **D. Project Compliance, Compatibility, and Impact**

- 1) Adopted plans and/or policies:

The proposed zoning, in conjunction with a Comprehensive Plan Amendment, will comply with the adopted codes, plans and requirements for the property. The project is proposed to ensure all City requirements are met. Impacts on the infrastructure will be addressed including water, sewer, access, lighting, etc. will not be impacted by this rezone/Comprehensive Plan Amendment.

- 2) Land use in the surrounding area:

The uses contained within the surrounding area are medium density residential subdivisions and large lot/agricultural uses.

- 3) Site access and traffic patterns:

A separate Preliminary/Final Plan application will be made that will identify site access, interconnectivity and traffic patterns.

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

The subject parcel is served by the following:

Clifton Water  
City of Grand Junction Sewer  
Grand Valley Irrigation Company  
Xcel Energy  
City of Grand Junction Fire  
Charter/Spectrum  
CenturyLink/Lumen

A Fire Flow Form will be included with a future subdivision submittal.

5) Special or unusual demands on utilities:

There will be no unusual demand on utilities as a result of the Rezone and Comprehensive Plan Amendment.

6) Effects on public facilities:

The Rezone and Comprehensive Plan Amendment will have no adverse effect on public facilities.

7) Hours of operation:

Not applicable. When developed will be typical of residential development.

8) Number of employees:

Not applicable.

9) Signage:

Not applicable.

10) Site Soils Geology:

Not applicable.

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

None are anticipated.

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

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

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

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

The Rezone request meets the intent of the newly adopted 2020 Comprehensive Plan.

**(ii) Compliance with this zoning and development code.**

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

**(iii) Conditions of any prior approvals.**

There are no conditions of prior approvals.

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

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

**(v) Received all applicable local, State and federal permits.**

All applicable permits will be obtained for this project.

#### **21.02.140 Code amendment and rezoning:**

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

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

*Events since the adoption of the 2020 Comprehensive Plan have not invalidated the original premises. However, there is a significant demand for higher density development with little undeveloped land available in this area. The Residential-Medium designation is prevalent on the south side of D ½ Road and would be an appropriate designation for this project.*

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

*The amendment would provide for higher density residential development along a corridor where all utilities exist, maximizing use of infrastructure. People are relocating to Grand Junction for a variety of reasons, housing affordability being one of them.*

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

*Public and community facilities are existing and adequate and will support the proposed use and are not affected as a result of the Rezone and Comprehensive Plan Amendment requests.*

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

*There is an inadequate supply of Residential Medium designated land in the community. Development is ongoing in this area of Grand Junction with residential lots being presold in under construction developments. Existing inventory is very low.*

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

*The addition of Residential Medium designated, developable land, will benefit the community with the addition of affordable housing, job opportunities created with the construction of housing, and an increased tax base.*

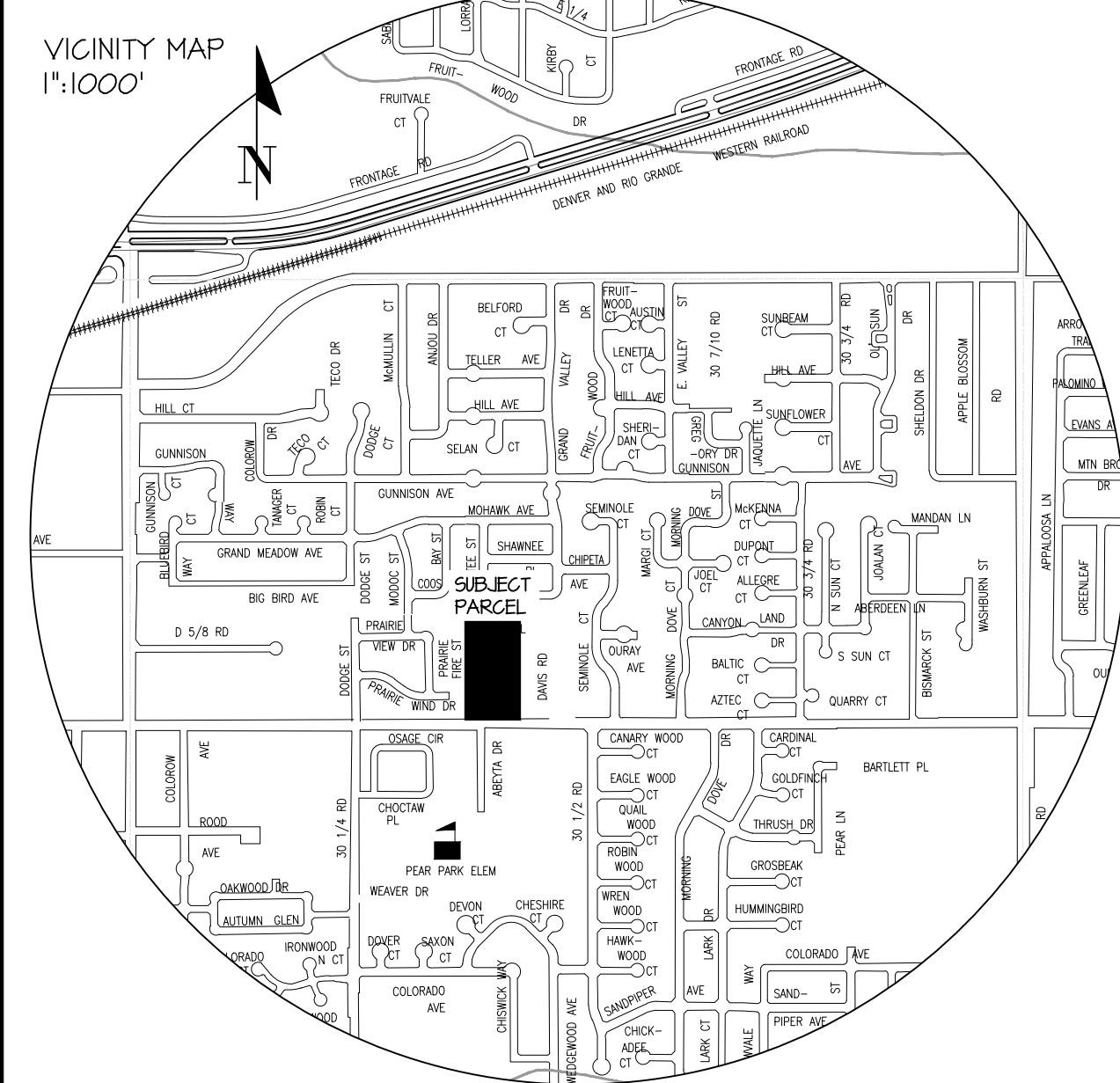
#### **21.02.160 Annexation:**

(c) **Approval Criteria.** The application shall meet all applicable statutory and City administrative requirements.

*In order for this parcel to develop, it must annex into the City of Grand Junction limits due to its location within the 201 Boundary. The application meets all applicable statutory and City administrative requirements.*

#### **F. Development Schedule**

Not applicable for this submittal.



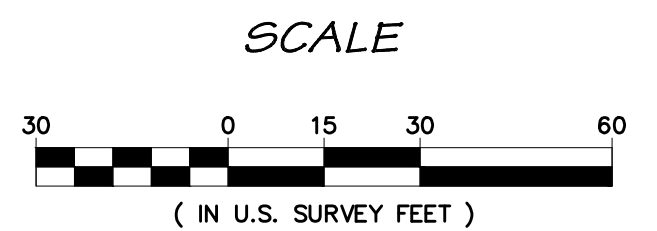
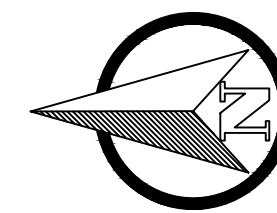
# IMPROVEMENT SURVEY PLAT

Mesa County Parcel Number 2943-162-00-037

West 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 16,

Township 1 South, Range 1 East, Ute Meridian

Mesa County, Colorado



FOUND 3.25" Ø ALUMINUM CAP  
PIPE  
LS 37904  
MCSM

C1/4  
SEC 16

584°54'32"W  
330.30'

3' DEDICATED ROW  
REC NO. 1304758

C-E-W 1/256  
SEC 16

30' DEDICATED ROW  
REC NO. 1215546

30' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

40' DEDICATED ROW  
REC NO. 2325496

## LEGEND

- ALLOTMENT MONUMENT AS NOTED
- CALCULATED ALLOTMENT POSITION AS NOTED
- SET 3.25" ALUMINUM CAP ON # 6 REBAR  
PLS 38274 RCC
- FOUND #5 REBAR
- SET 1.5" ALUMINUM CAP ON # 5 REBAR  
PLS 38274 RIVER CITY CONSULTANTS
- SET 2" ALUMINUM CAP ON # 6 REBAR  
PLS 38274 RIVER CITY CONSULTANTS
- SEWER CLEANOUT
- FIRE HYDRANT
- WATER VALVE
- GAS VALVE
- GAS METER
- WATER METER
- TELEPHONE PEDESTAL/PULL BOX
- ELECTRICAL PEDESTAL/PULL BOX

EASEMENT LINE

PARCEL LINE

DEDICATED ROW LINE

ALLOTMENT LINE

PETITIONED RIGHT-OF-WAY LINE

EDGE OF ASPHALT

EDGE OF CONCRETE

OHE— OVERHEAD ELECTRIC LINE

—X— WIRE FENCE

POWER POLE

GUY ANCHOR

IRRIGATION RISER

SIGN

BOLLARD

MAIL BOX

WATER SPIGOT

BUILDING

GATE

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

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

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.

C-N 1/16  
SEC 16

C-S-N 1/64  
SEC 16

C-E-SE-NW  
1/256  
SEC 16

W1/2 E1/2 SE1/4 SE1/4 NW1/4 SEC 16  
EXCEPT THE SOUTHERLY 315'  
REC NO. 1980688

MESA COUNTY PARCEL NUMBER  
2443-162-00-040  
REC NO. 2119465

LOT 1 (COMMON USE)  
DAVIS TOWNHOUSES SUBDIVISION  
REC NO. 1304758

500°01'28"E 654.86'

W1/2 SE1/4 SE1/4 NW1/4  
SEC 16, T.1S., R.1E. U.M.

MESA COUNTY PARCEL  
NUMBER 2443-162-00-037  
REC NO. 2413015

CHEROKEE VILLAGE NO. TWO  
REC NO. 126880

N84°54'14"E 350.28'

EXCEPTION WITHIN WARRANT DEED AT REC NO. 2413015  
NORTH 20' OF 512 SE1/4 NW1/4 SEC 16, T.1S., R.1E. U.M.  
ORIGINALLY RECORDED AT REC NO. 18392

C-E-NW 1/64  
SEC 16

N00°01'24"W  
654.84'

C-E-NW 1/64  
SEC 16

N84°54'14"E 350.28'

660.51'

C-S-NW 1/64  
SEC 16

584°54'14"W  
660.51'

500°01'16"E 654.80'

N00°01'24"W 654.84'

East 100.5' of the  
SW1/4 SE1/4 NW1/4 SEC 16  
REC NO. 2834154

15.84'

5.36'

1.15'

40' Witness  
Corner

584°54'32"W  
660.51'

C-W 1/16  
SEC 16

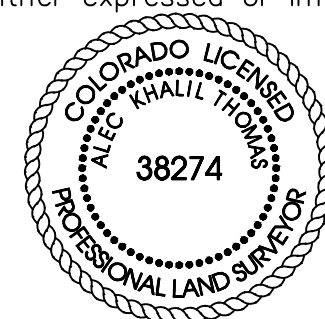
FOUND 3" Ø BRASS CAP  
FLUSH  
LS 37904  
MCSM

This survey was conducted with the benefit of a title commitment prepared by Land Title Guarantee Company (Order Number: GJR65046252-3) dated 03/01/2021. Evidence of title, easements of record, rights of way, adjoiners, and encumbrances affecting this property reviewed and considered part of this survey are noted hereon. There may exist other documents, both recorded and unrecorded, that would affect title to this parcel.

### SURVEYOR'S STATEMENT

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

Alec K Thomas,  
Colorado PLS 38274



### LAND SURVEY DEPOSITS

Mesa County Surveyor's Office

Date \_\_\_\_\_

Deposit Number \_\_\_\_\_



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

## IMPROVEMENT SURVEY PLAT

Mesa County Parcel Number 2943-162-00-037  
West 1/2 of the Southeast 1/4 of the Southeast 1/4  
of the Northwest 1/4 of Section 16,  
Township 1 South, Range 1 East, Ute Meridian  
City of Grand Junction, Mesa County, Colorado

Sheet 1 of 1 Date: 06/21/2021 Job No. 2010-001

Surveyed: TPJ Drawn: BDM Checked: AKT

Drawing name: S:\PROJECTS\2010 Sage Creek Investments, LLC\2010 Sage Creek Investments, LLC\2010-001-001-001.dwg



### **LEGAL DESCRIPTION**

THE W $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN;  
EXCEPT THE NORTH 20 FEET AS DESCRIBED IN DOCUMENT RECORDED APRIL 28, 1894 IN BOOK 45 AT  
PAGE 314, RECEPTION NO. 18362,  
COUNTY OF MESA, STATE OF COLORADO.

# MESA COUNTY CERTIFICATE OF TAXES DUE

Account Number R042805

Parcel 294316200037

Assessed To

TOMLINSON JASON A  
3038 D 1/2 RD  
GRAND JUNCTION, CO 81504

Certificate Number 105789

Acres 0.00

Order Number

Vendor ID

RIVER CITY CONSULTANTS  
215 PITKIN AVE # 201 GJ 81501

Legal Description

W2SE4SE4NW4 SEC 16 1S 1E

Situs Address

3038 D 1/2 RD

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2020	\$1,403.08	\$0.00	\$0.00	(\$1,403.08)	\$0.00
Total Tax Charge					\$0.00
<b>Grand Total Due as of 06/23/2021</b>					<b>\$0.00</b>

Tax Billed at 2020 Rates for Tax Area 15612 - 15612

Authority	Mill Levy	Amount	Values	Actual	Assessed
CLIFTON FIRE PROTECTION	11.5520000	\$224.00	SINGLE FAMILY	\$110,000	\$7,870
COLORADO RIVER WATER CONSER	0.5020000	\$9.73	LAND		
GRAND RIVER MOSQUITO CTRL	1.3620000	\$26.41	SINGLE FAMILY IMP	\$161,090	\$11,520
GRAND VALLEY DRAINAGE DIST	1.8560000	\$35.99	Total	\$271,090	\$19,390
LIBRARY DISTRICT	3.0230000	\$58.62			
MESA COUNTY	11.4290000*	\$221.60			
COUNTY ROAD & BRIDGE-FULL L	0.5480000	\$10.63			
SCHOOL DIST #51 GEN	29.1940000*	\$566.08			
SCHOOL DIST# 51 BOND	9.4120000	\$182.50			
SCHOOL DIST# 51 2017 OVERRI	3.3790000	\$65.52			
UPPER GRAND VALLEY PEST	0.1030000*	\$2.00			
Taxes Billed 2020	72.3600000	\$1,403.08			

\* Credit Levy

All tax lien sale amounts are subject to change due to endorsement of current taxes by the lienholder or to advertising and distraint warrant fees. Changes may occur and the Treasurer's office will need to be contacted prior to remittance after the following dates: Personal Property and Mobile Homes, Real Property - September 1. Tax lien sale redemption amounts must be paid by cash or cashiers check.

Special taxing districts and the boundaries of such districts may be on file with the board of County Commissioners, the County Clerk, or the County Assessor.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or misc. tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

MESA COUNTY TREASURER, SHEILA REINER




Mesa County Treasurer  
PO Box 20000  
544 Reed Ave  
Grand Junction CO 81502-5027

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Sage Creek Investments, LLC ("Entity") is the owner of the following property:

(b) 3038 D 1/2 Road, Grand Junction, CO 81504

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

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

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

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

☒ The Entity is the sole owner of the property.

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

On behalf of Entity, I have reviewed the application for the (d) Comprehensive Plan Amendment/Annexation/ Zoning

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) None

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

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

Signature of Entity representative: 

Printed name of person signing: Lisa M. Ricks, Member

State of Colorado )

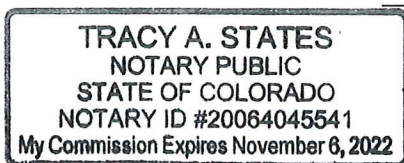
County of Mesa ) ss.

Subscribed and sworn to before me on this 22<sup>nd</sup> day of June, 20 21

by Lisa M. Ricks

Witness my hand and seal.

My Notary Commission expires on 11/06/2022



Tracy A. States  
Notary Public Signature



State Documentary Fee  
Date: March 22, 2021  
\$38.00

**General Warranty Deed**  
(Pursuant to C.R.S. 38-30-113(1)(a))

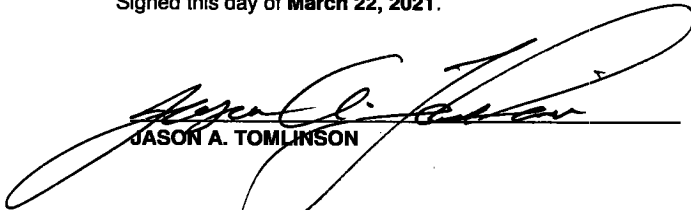
Grantor(s), **JASON A. TOMLINSON**, whose street address is **3038 D 1/2 RD, GRAND JUNCTION, CO 81504**, City or Town of **GRAND JUNCTION**, County of **Mesa** and State of **Colorado**, for the consideration of **(\$380,000.00) \*\*\*Three Hundred Eighty Thousand and 00/100\*\*\*** dollars, in hand paid, hereby sell(s) and convey(s) to **SAGE CREEK INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **PO BOX 1452, Palisade, CO 81526**, City or Town of **Palisade**, County of **Mesa** and State of **Colorado**, the following real property in the County of **Mesa** and State of **Colorado**, to wit:

**THE W¼ SE¼ SE¼ NW¼ OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN;  
EXCEPT THE NORTH 20 FEET AS DESCRIBED IN DOCUMENT RECORDED APRIL 28, 1894 IN BOOK 45 AT PAGE 314,  
RECEPTION NO. 18362,  
COUNTY OF MESA, STATE OF COLORADO.**

also known by street and number as: **3038 D 1/2 RD, GRAND JUNCTION, CO 81504**

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

Signed this day of **March 22, 2021**.

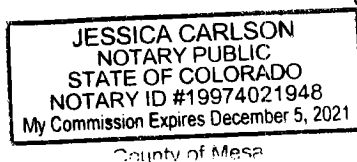
  
\_\_\_\_\_  
**JASON A. TOMLINSON**

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

The foregoing instrument was acknowledged before me on this day of **March 22nd, 2021** by **JASON A. TOMLINSON**

Witness my hand and official seal

My Commission expires: 12-5-21 \_\_\_\_\_  
Notary Public



When recorded return to: **SAGE CREEK INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY**  
**PO BOX 1452, Palisade, CO 81526**





State Documentary Fee  
Date: March 22, 2021  
\$38.00

**General Warranty Deed**  
(Pursuant to C.R.S. 38-30-113(1)(a))

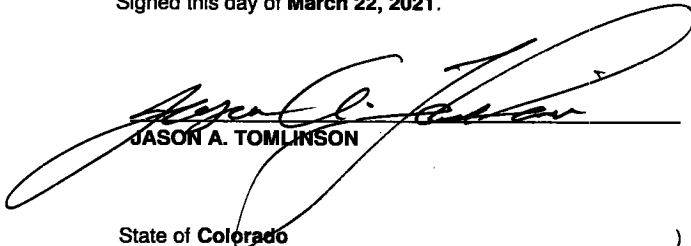
Grantor(s), **JASON A. TOMLINSON**, whose street address is **3038 D 1/2 RD, GRAND JUNCTION, CO 81504**, City or Town of **GRAND JUNCTION**, County of **Mesa** and State of **Colorado**, for the consideration of **(\$380,000.00) \*\*\*Three Hundred Eighty Thousand and 00/100\*\*\*** dollars, in hand paid, hereby sell(s) and convey(s) to **SAGE CREEK INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **PO BOX 1452, Palisade, CO 81526**, City or Town of **Palisade**, County of **Mesa** and State of **Colorado**, the following real property in the County of **Mesa** and State of **Colorado**, to wit:

**THE W½ SE¼ SE¼ NW¼ OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN;  
EXCEPT THE NORTH 20 FEET AS DESCRIBED IN DOCUMENT RECORDED APRIL 28, 1894 IN BOOK 45 AT PAGE 314,  
RECEPTION NO. 18362,  
COUNTY OF MESA, STATE OF COLORADO.**

also known by street and number as: **3038 D 1/2 RD, GRAND JUNCTION, CO 81504**

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

Signed this day of **March 22, 2021**.

  
JASON A. TOMLINSON

State of **Colorado**

)

)ss.

County of **MESA**

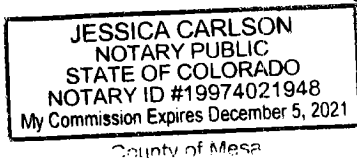
)

The foregoing instrument was acknowledged before me on this day of **March 22nd, 2021** by **JASON A. TOMLINSON**

Witness my hand and official seal

My Commission expires: **12-5-21**

  
Notary Public



When recorded return to: **SAGE CREEK INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY**  
**PO BOX 1452, Palisade, CO 81526**





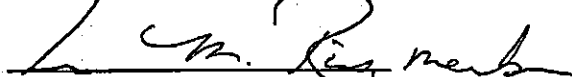
After Recording Return To:

**STATEMENT OF AUTHORITY**

1. This Statement of Authority relates to an entity named: Sage Creek Investments, LLC
2. The Entity is a: Limited Liability Company
3. The Entity is formed under the laws of: Colorado
4. The mailing address for the entity is:  
  
2126 L Road, Grand Junction, CO 81505
5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:  
Lisa M. Ricks, Member
6. The authority of the foregoing person(s) to bind the entity is **not limited**.
7. Other matters concerning the manner in which the entity deals with interests in real property: NONE
8. This Statement of Authority is executed on behalf of the Entity pursuant to the provisions of C.R.S. Section §38-30-172.

Executed this: September 12, 2012

Sage Creek Investments, LLC

  
By: Lisa M. Ricks, Member

STATE OF: Colorado

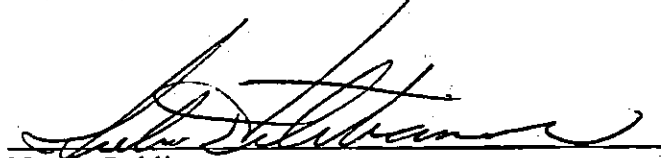
COUNTY OF: Mesa

The foregoing instrument was acknowledged before me this 12th day of September, 2012, by Lisa M. Ricks, Member, Sage Creek Investments, LLC, A Colorado Limited Liability Company

Witness my hand and seal.

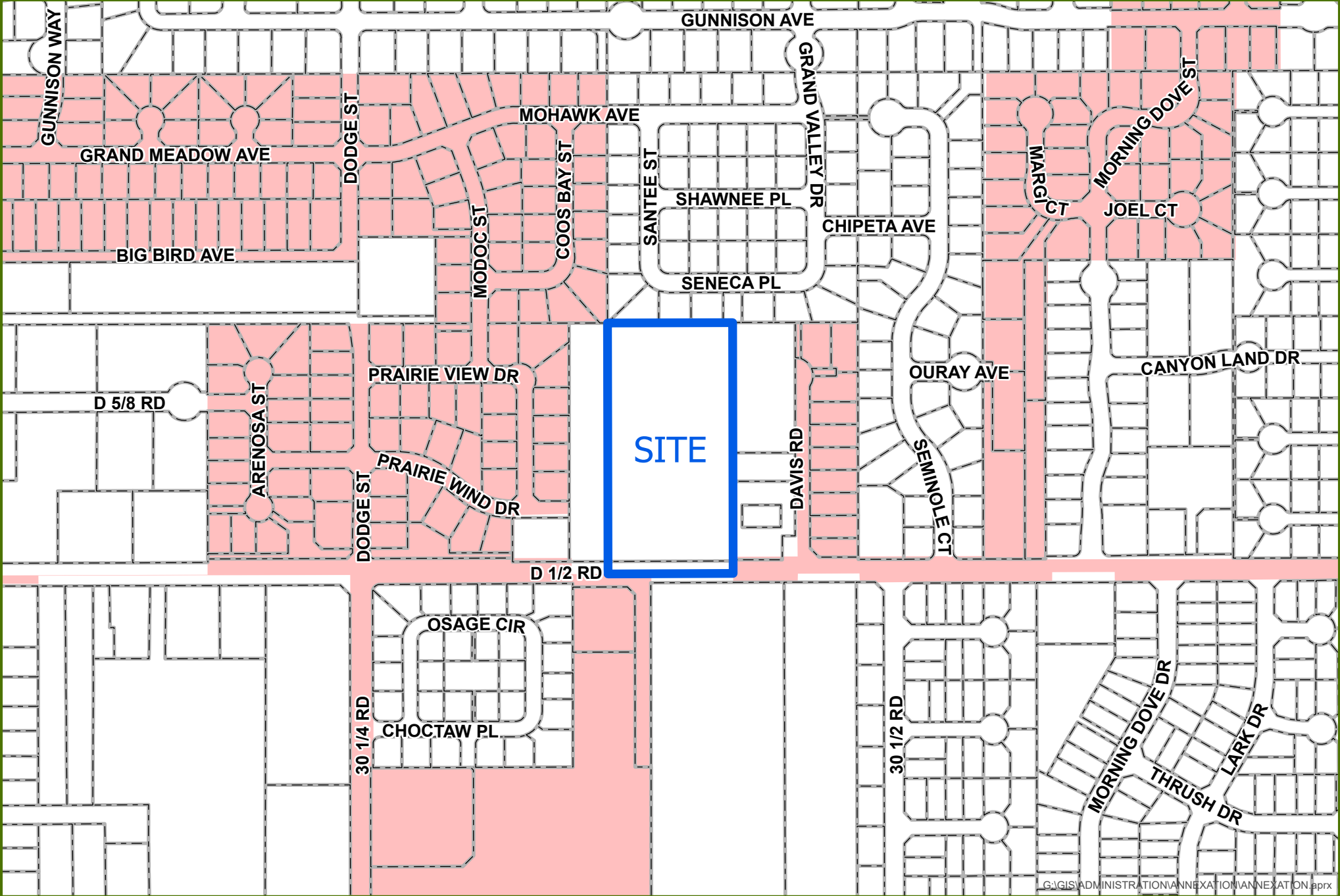
My commission expires:

8-12-13

  
Notary Public



# SAGE CREEK ANNEXATION



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx

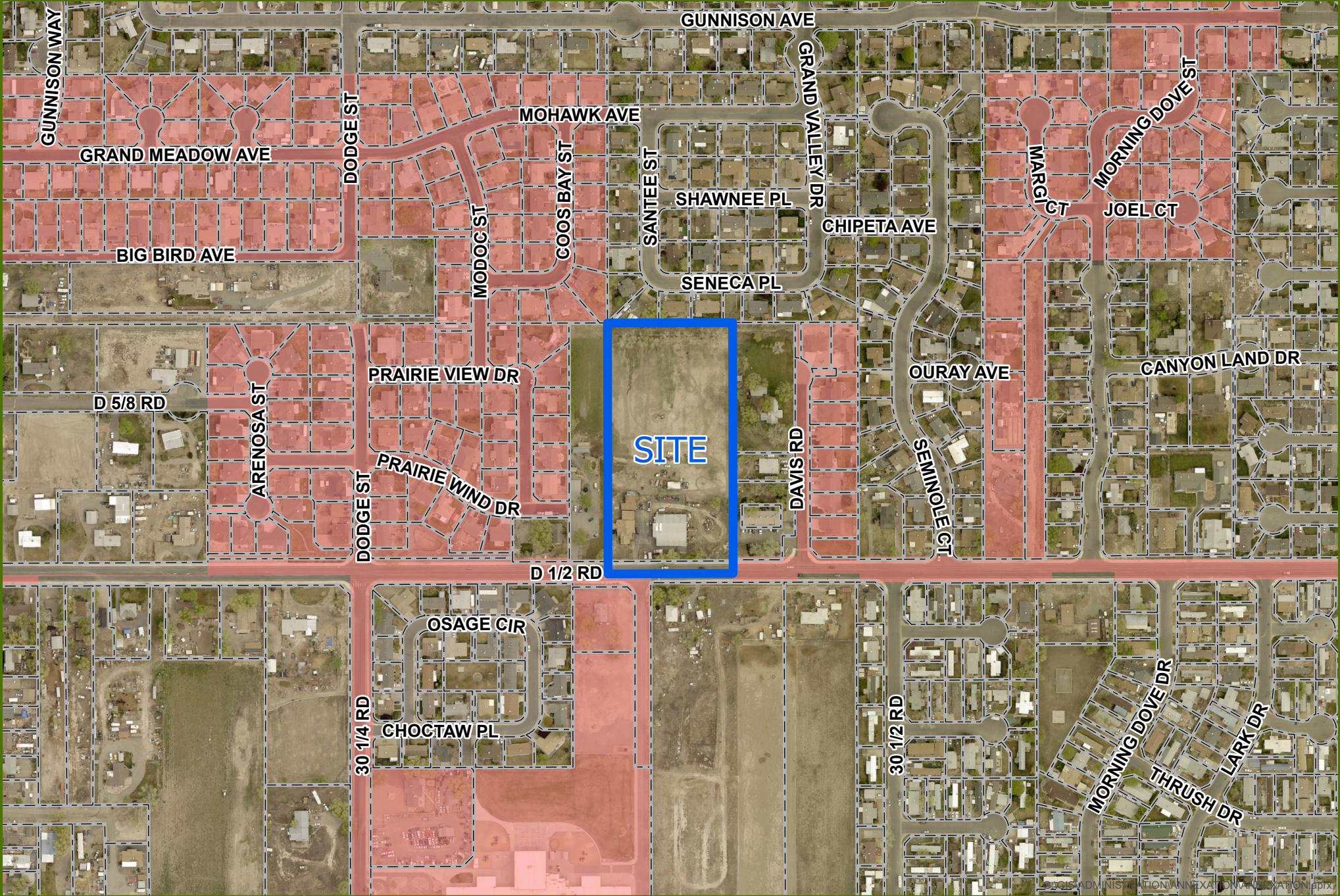


0 0.05 0.1 Miles


 Annexation  City Limits



# SAGE CREEK ANNEXATION

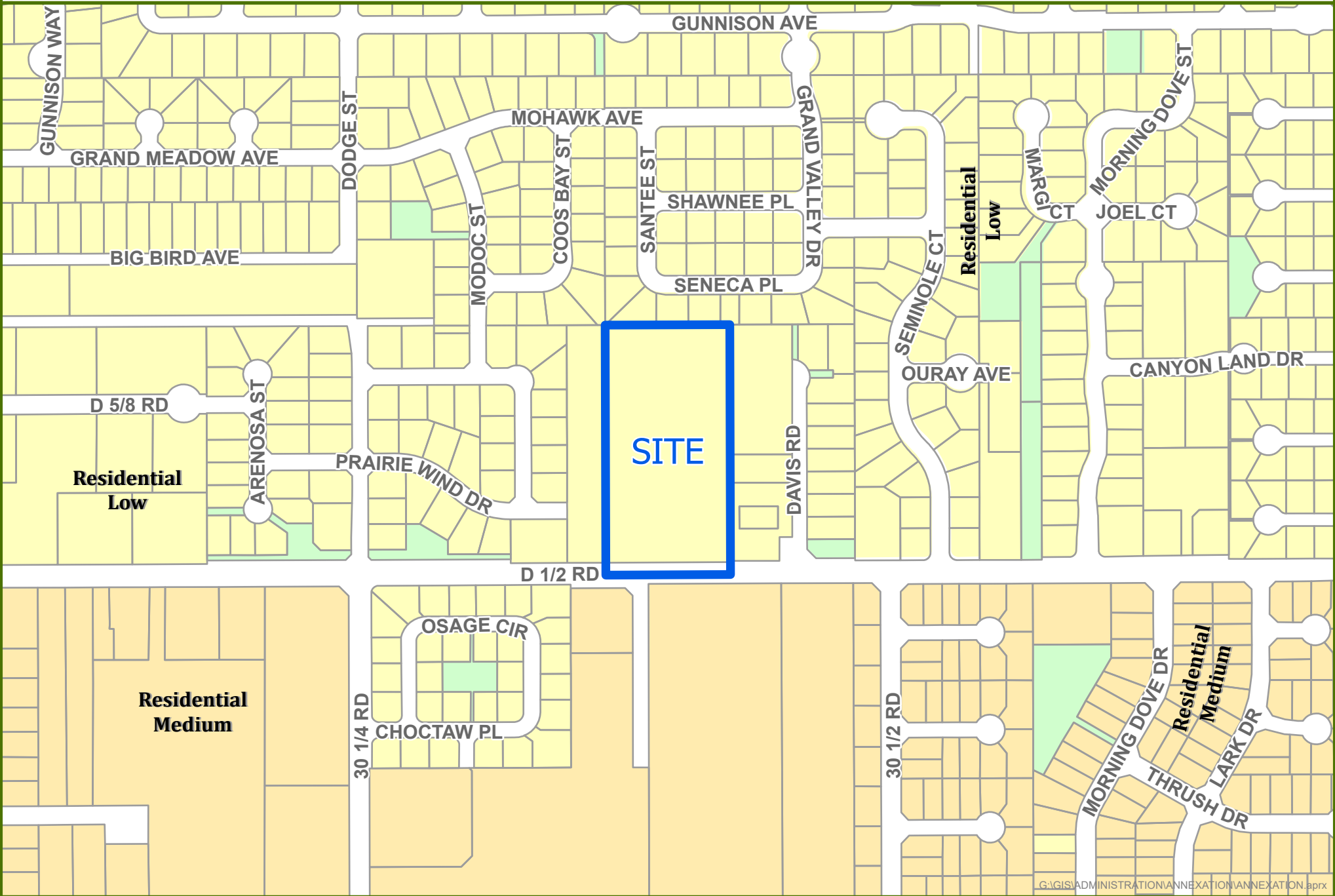


0 0.05 0.1 Miles

 Annexation  City Limits



# SAGE CREEK ANNEXATION - LAND USE



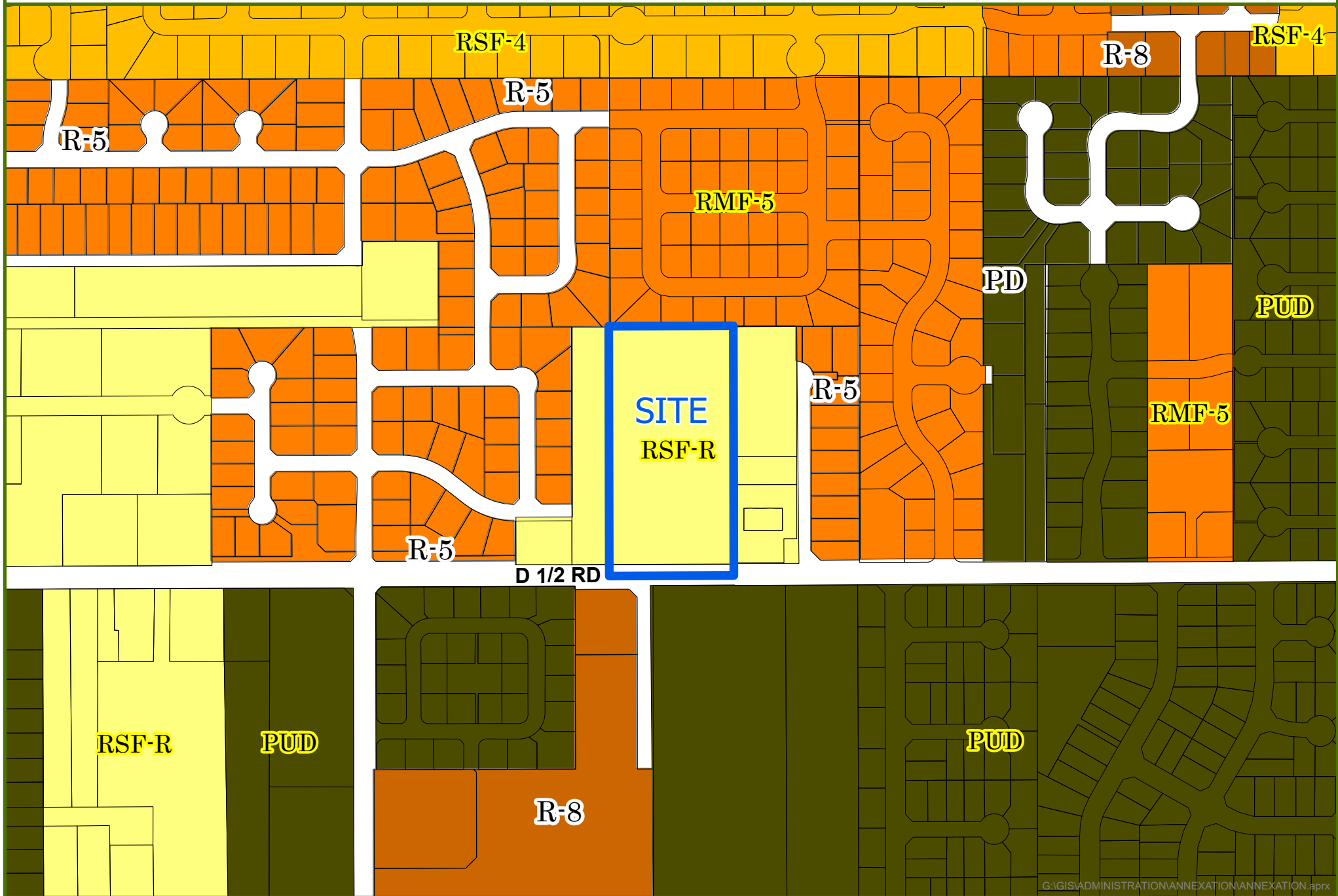
G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



0 0.05 0.1 Miles

 Annexation Boundary

# SAGE CREEK ANNEXATION - ZONING



G:\GIS\ADMINISTRATION\ANNEXATION\ANNEXATION.aprx



0 0.05 0.1 Miles

 Annexation

City Zoning  
Packet Page 225

County Zoning

Date Created: 8/19/2021

**CITY OF**  
**Grand Junction**  
COLORADO  
Geographic Information Systems





**View looking North from D ½ Road**

## **SAGE CREEK ANNEXATION SCHEDULE**

<b>September 15, 2021</b>	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
<b>September 28, 2021</b>	Planning Commission considers Zone of Annexation
<b>October 6, 2021</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>October 20, 2021</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>November 21, 2021</b>	Effective date of Annexation and Zoning

## **ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2021-466
<b>Location:</b>	3038 D ½ Road
<b>Tax ID Numbers:</b>	2943-162-00-037
<b># of Parcels:</b>	1
<b>Existing Population:</b>	2
<b># of Parcels (owner occupied):</b>	0
<b># of Dwelling Units:</b>	1
<b>Acres land annexed:</b>	5
<b>Developable Acres Remaining:</b>	4.77
<b>Right-of-way in Annexation:</b>	0.23 acres in D ½ Road
<b>Previous County Zoning:</b>	RSF-R
<b>Proposed City Zoning:</b>	R-8
<b>Current Land Use:</b>	Residential
<b>Future Land Use:</b>	Residential Medium
<b>Values:</b>	<b>Assessed:</b> \$22,900
	<b>Actual:</b> \$320,260
<b>Address Ranges:</b>	3038 and 3040 D ½ Road
<b>Special Districts:</b>	<b>Water:</b> Ute
	<b>Sewer:</b> City
	<b>Fire:</b> Clifton Fire Protection District
	<b>Irrigation/Drainage:</b> Grand Valley Irrigation Company and Grand Valley Drainage
	<b>School:</b> District 51
	<b>Pest:</b> Grand River Mosquito District & Upper Grand Valley Pest
	<b>Other:</b> Colorado River Water Conservancy



**ANNEXATION/ COMPREHENSIVE PLAN AMENDMENT/ZONING  
of the property located at 3038 D ½ Road  
(Parcel No. 2943-162-00-037)**

**SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING  
TUESDAY, JUNE 22, 2021, @ 5:30 PM  
VIA ZOOM**

A virtual neighborhood meeting for the above-referenced Annexation/Comprehensive Plan Amendment/Zoning, was held June 22, 2021 via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on June 10, 2021, per the mailing list received from the City of Grand Junction. There were no attendees from the public. Present were Tracy States, Project Coordinator with River City Consultants, Scott Peterson, Senior Planner with the City of Grand Junction, and Lisa Ricks representing Sage Creek Investments, LLC, the property owner.

Ms. States presented to Scott Peterson and Lisa Ricks, the maps intended to be shown to the public and they are included with this summary. Tracy advised Scott and Lisa what she had intended to say to the public which included information from the General Project Report to be submitted with the request. It was discussed that people in this particular area of Grand Junction are used to seeing these requests and ongoing development, and that may be the reason that no one attended. Tracy advised Scott that another neighborhood meeting will be held in conjunction with the subdivision submittal.

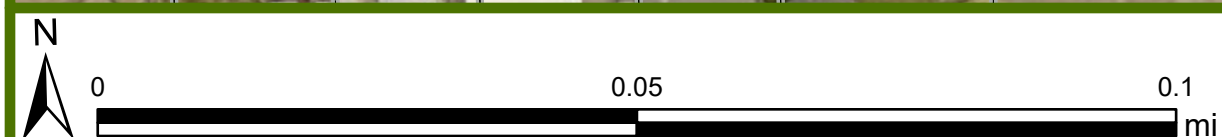
The meeting adjourned at approximately 5:45 PM.

Ms. States received a voicemail the morning of June 23, 2021 from Mickie Vaill who lives adjacent to the north of the project. Ms. Vaill had tried to login to the meeting at approximately 5:55 pm, after the meeting had already concluded. Tracy returned her call and went through the proposed project with her. Tracy explained that there will be another neighborhood meeting when the subdivision is submitted. Overall, she was satisfied with the project. She did have the following concerns/comments:

- Traffic increase on Riverside Parkway and the intersection of 30 Road and D ½ Road.
- Did not want to see apartments.
- Preferred one-story single family.
- Townhomes might be a nice component.



# Location Map



Printed: 6/22/2021  
1 inch equals 94 feet  
Scale: 1:1,128

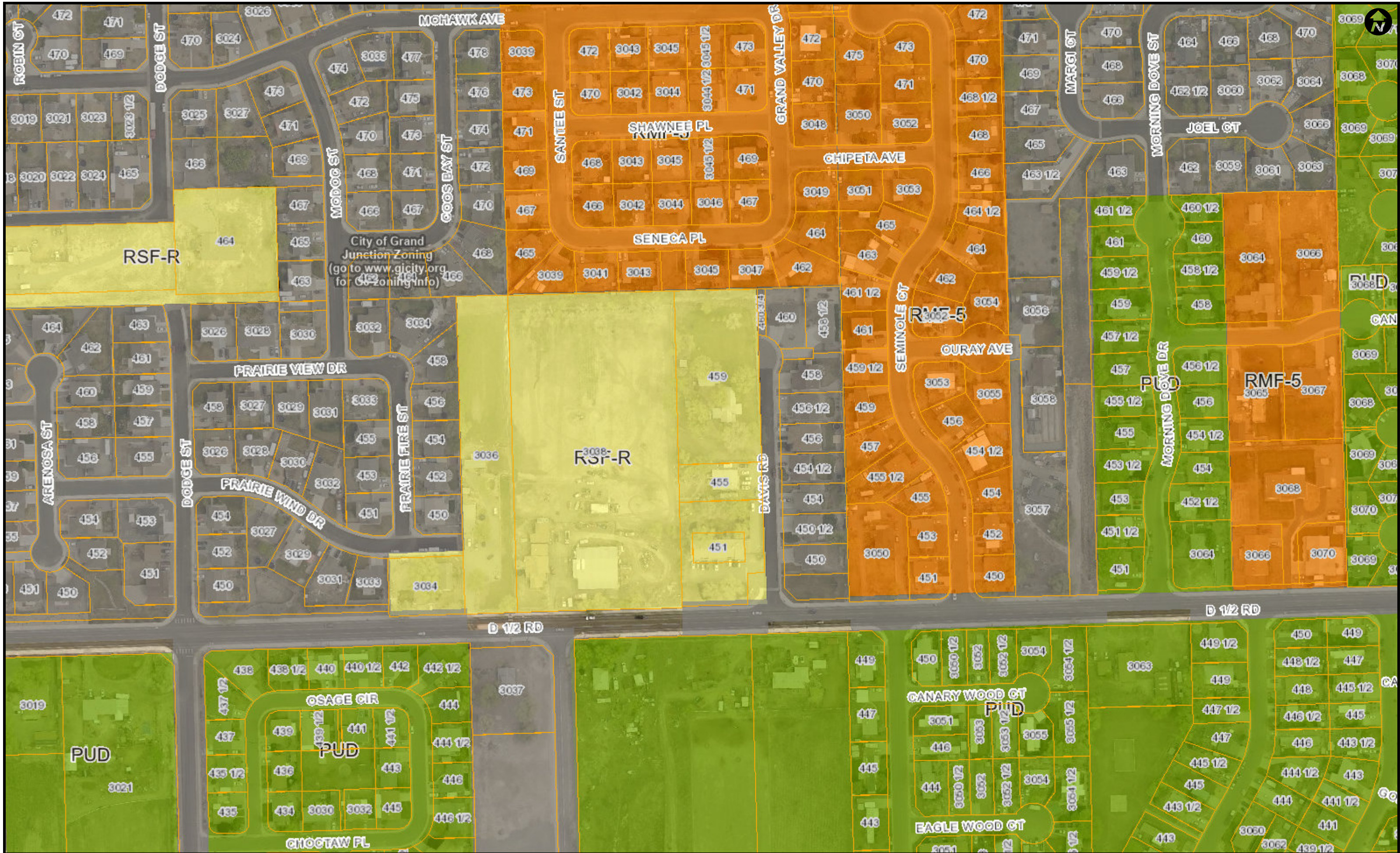


City Zoning

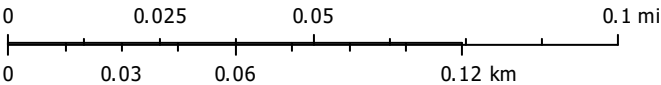


Printed: 6/22/2021  
1 inch equals 188 feet  
Scale: 1:2,257



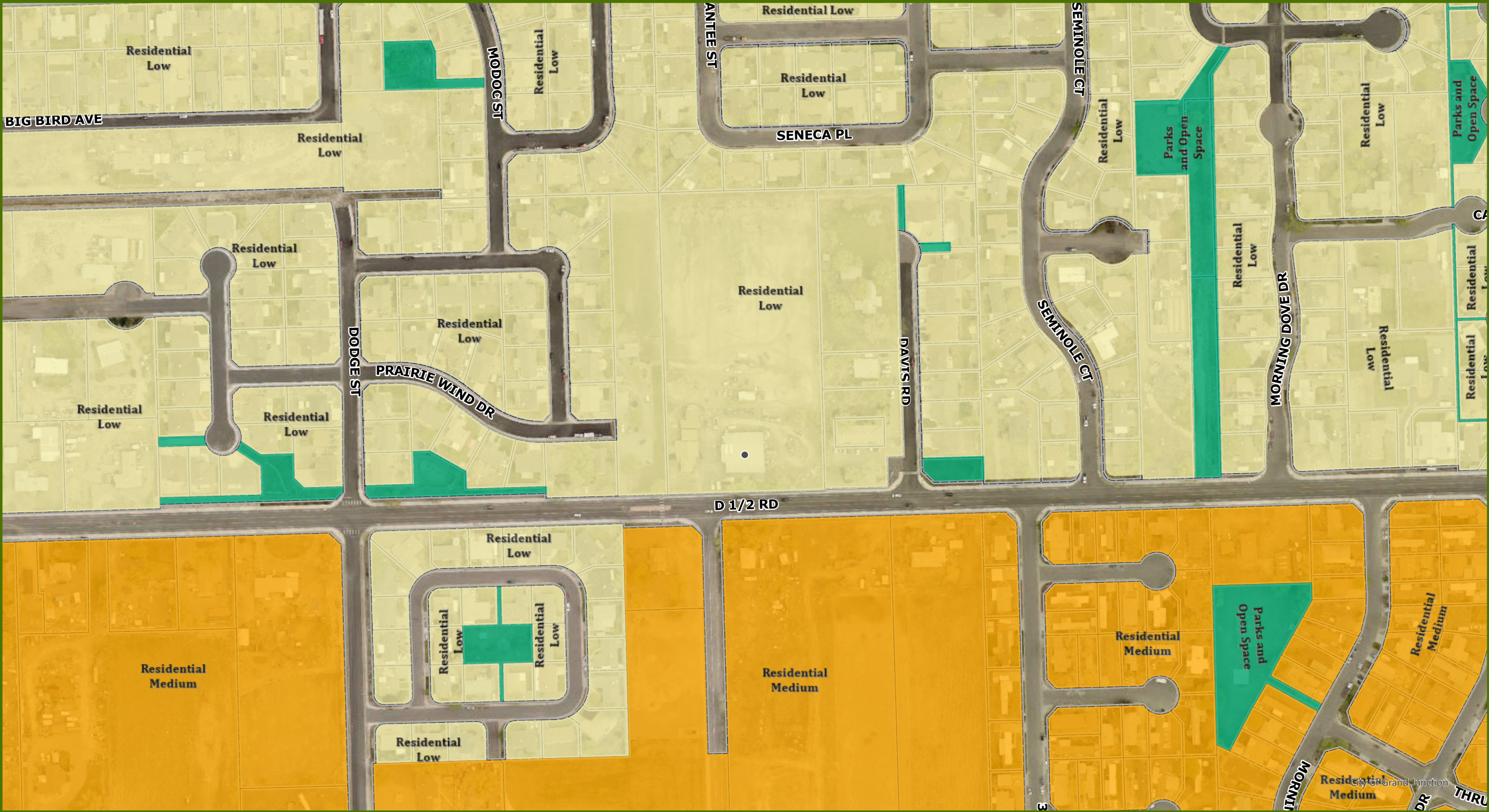


The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records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





2020 Comprehensive Plan

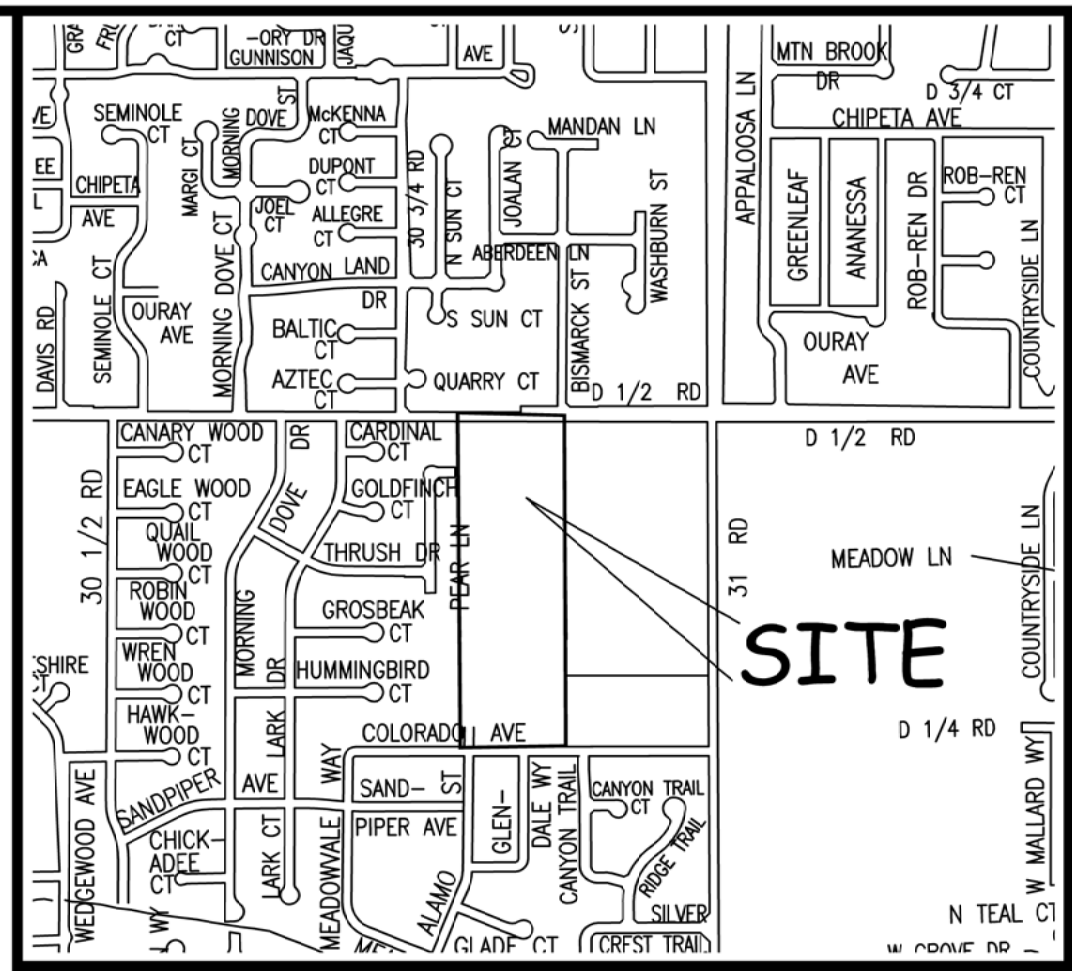


Printed: 6/22/2021  
1 inch equals 188 feet  
Scale: 1:2,257



# SAGE CREEK ANNEXATION

WEST 1/2 SE 1/4 SE 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

## DESCRIPTION

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE1/4 SE1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE1/4 SE1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84 feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

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

The Sketch and Description contained herein have been derived from subdivision plats, deed descriptions and Deposited Land Survey Plats 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.

Renee B. Parent, PLS No. 38266  
Professional Land Surveyor for the  
City of Grand Junction

DATE: \_\_\_\_\_

ORDINANCE NO.

EFFECTIVE DATE

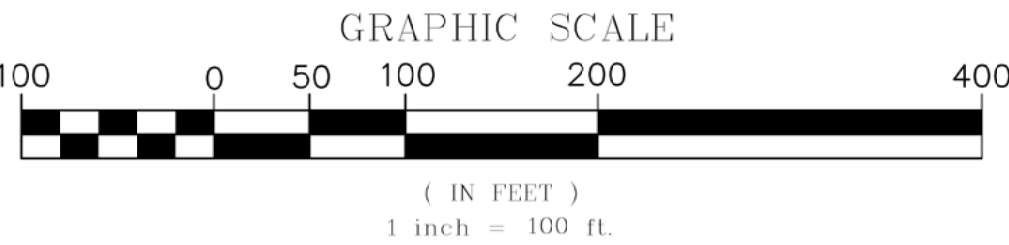
THIS IS NOT A BOUNDARY SURVEY

### AREA OF ANNEXATION

ANNEXATION PERIMETER 1980.28 FT.  
CONTIGUOUS PERIMETER 363.30 FT.  
AREA IN SQUARE FEET 217939  
AREA IN ACRES 5.00  
9909 SQ. FT. OR 0.23 ACRES LIES IN THE D-1/2 RD PETITIONED R.O.W.

### LEGEND

ANNEXATION BOUNDARY  
EXISTING CITY LIMITS



LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT

### 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 R.B.P. DATE 07-30-2021  
DESIGNED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CHECKED BY M.G. DATE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

SCALE  
1" = 100'



PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY DEPARTMENT

SAGE CREEK  
ANNEXATION

1  
OF  
1

**GRAND JUNCTION PLANNING COMMISSION**  
**September 28, 2021 MINUTES**  
**5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, George Gatseos, Ken Scissors, Andrea Haitz, and Shanon Secrest.

Also present were Jamie Beard (Assistant City Attorney), Tamera Allen (Community Development Director), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Daniella Acosta (Associate Planner), Isabella Vaz (Communications Specialist), and Kalli Savvas (Planning Technician).

There were 11 members of the public in attendance.

**CONSENT AGENDA**

---

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

**1. Approval of Minutes**

---

Minutes of Previous Meeting(s) from September 14, 2021.

**REGULAR AGENDA**

---

**4. Sage Creek Annexation and Comprehensive Plan Amendment File # RZN-2021-548**

Consider a request by Sage Creek Investments, LLC for a Comprehensive Plan Amendment from Residential Low (2 to 5.5 du/ac) to Residential Medium (5.5 to 12 du/ac) and zone 5 acres from County RSF-R (Residential Single Family - Rural) to R-8 (Residential - 8 du/ac) located at 3038 D 1/2 Road.

**Staff Presentation**

David Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for Staff**

Commissioners Gatseos asked Thornton to explain the tier 2 of comprehensive plan.

### **Applicant Presentation**

The applicant Tracy States was present and available for questions.

### **Questions for Applicant**

None

### **Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 21, 2021, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

No public comment.

The public hearing was closed at 6:36 p.m. on September 28, 2021.

### **Discussion**

Commissioners Gatseos made comment confirming two motions.  
Commissioners Haitz and Teske made comment in support of request.

### **Motion and Vote**

Commissioner Haitz made the following motion, Mr. Chairman, on the Comprehensive Plan Amendment request for the property located at 3038 D ½ Road, City file number CPA-2021-467, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

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

Commissioner Haitz made the following motion: Mr. Chairman, on the Zone of Annexation request for the property located at 3038 D ½ Road, City file number ANX-2021-466, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report and with the condition that City Council approves the Comprehensive Plan Land Use Map Amendment to Residential Medium.”

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

### **5. Other Business**

---

None.



## 6. Adjournment

---

Commissioner Scissors moved to adjourn the meeting. Commissioner Secrest seconded. The meeting adjourned at 6:39 p.m.

DRAFT

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_**

**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  
SAGE CREEK ANNEXATION  
APPROXIMATELY 5 ACRES  
LOCATED ON A PROPERTY AT 3038 D ½ ROAD  
Tax Parcel Number 2943-162-00-037  
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 15<sup>th</sup> day of September, 2021, 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:

**SAGE CREEK ANNEXATION  
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE 1/4 SE 1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE 1/4 SE 1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84 feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<sup>th</sup> day of October, 2021; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is

contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED the 20<sup>th</sup> day of October, 2021.

Attest:

---

President of the Council

---

City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**APPROXIMATELY 5 ACRES  
LOCATED ON A PROPERTY AT 3038 D ½ ROAD  
Tax Parcel Number 2943-162-00-037**

**WHEREAS**, on the 15<sup>th</sup> day of September, 2021, 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 \_\_\_<sup>th</sup> day of October, 2021; 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:

**SAGE CREEK ANNEXATION  
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE1/4 SE1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE1/4 SE1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84

feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

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

**INTRODUCED** on first reading on the 15<sup>th</sup> day of September 2021 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of October 2021 and ordered published in pamphlet form.

\_\_\_\_\_  
President of the Council

Attest:

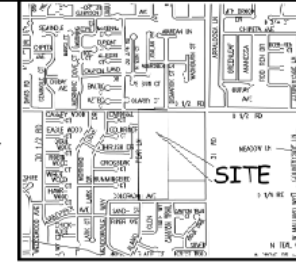
\_\_\_\_\_  
City Clerk



# EXHIBIT A

## SAGE CREEK ANNEXATION

WEST 1/2 SE 1/4 SE 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP NOT-TO-SCALE

### DESCRIPTION

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of 1/2 SE 1/4 SE 1/4 NW 1/4 of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Corner 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with a length of 330.30 feet to the Point of Commencement, S89°54'18"W along a d north line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southwest Corner of said W 1/2 SE 1/4 SE 1/4 NW 1/4 using a point on the boundary of FRIEDVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning, thence containing S89°54'18"W along the boundary of said FRIEDVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet, thence N0°01'28"W a distance of 430.34 feet, thence S89°54'18"E a distance of 330.30 feet, thence S0°00'00"E a distance of 658.85 feet to the Point of Beginning.

Containing 27936 Square Feet, or 503 Acres, more or less, as described.

ABBREVIATIONS  
P.C. POINT OF COMMENCEMENT  
P.E. POINT OF BEGINNING  
P.O.B. POINT OF BEGINNING  
SEC. SECTION  
TWP. TOWNSHIP  
RANGE RANGE  
C.M. UTE MERIDIAN  
AD. ADJACENT  
S.D. FT. SQUARE FEET  
AC. ACRES  
P.D. PLAT BOOK  
P.B. PLAT BOOK  
P.D. PLAT BOOK  
P.C. PLAT BOOK

This South and Description contained herein have been carried from subdivision maps, and described and depicted lines, Survey Plots or they appear in the office of the Mesa County Clerk and Recorder. This plan does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



GRAPHIC SCALE  
1 INCH = 100 FEET  
1 INCH = 100 FEET

ORDINANCE NO.

EFFECTIVE DATE

Wade B. Parnell, PLS No. 32266

Professional Land Surveyor for the City of Grand Junction

DRAWN

THIS IS NOT A BOUNDARY SURVEY

### AREA OF ANNEXATION

ANNEXATION NUMBER 165.26 FT.  
CITY OF GRAND JUNCTION 165.26 FT.  
AREA IN SQUARE FEET 7,723.3  
AREA IN ACRES 0.176  
AREA IN ACRES 0.176

### LEGEND

ANNEXATION BOUNDARY  
EXISTING CITY LIMITS

DRAWN BY B.P. DATE 07-10-2018  
DESIGNED BY DATE  
CHECKED BY V.B. DATE  
APPROVED BY DATE

SCALE  
1" = 100'

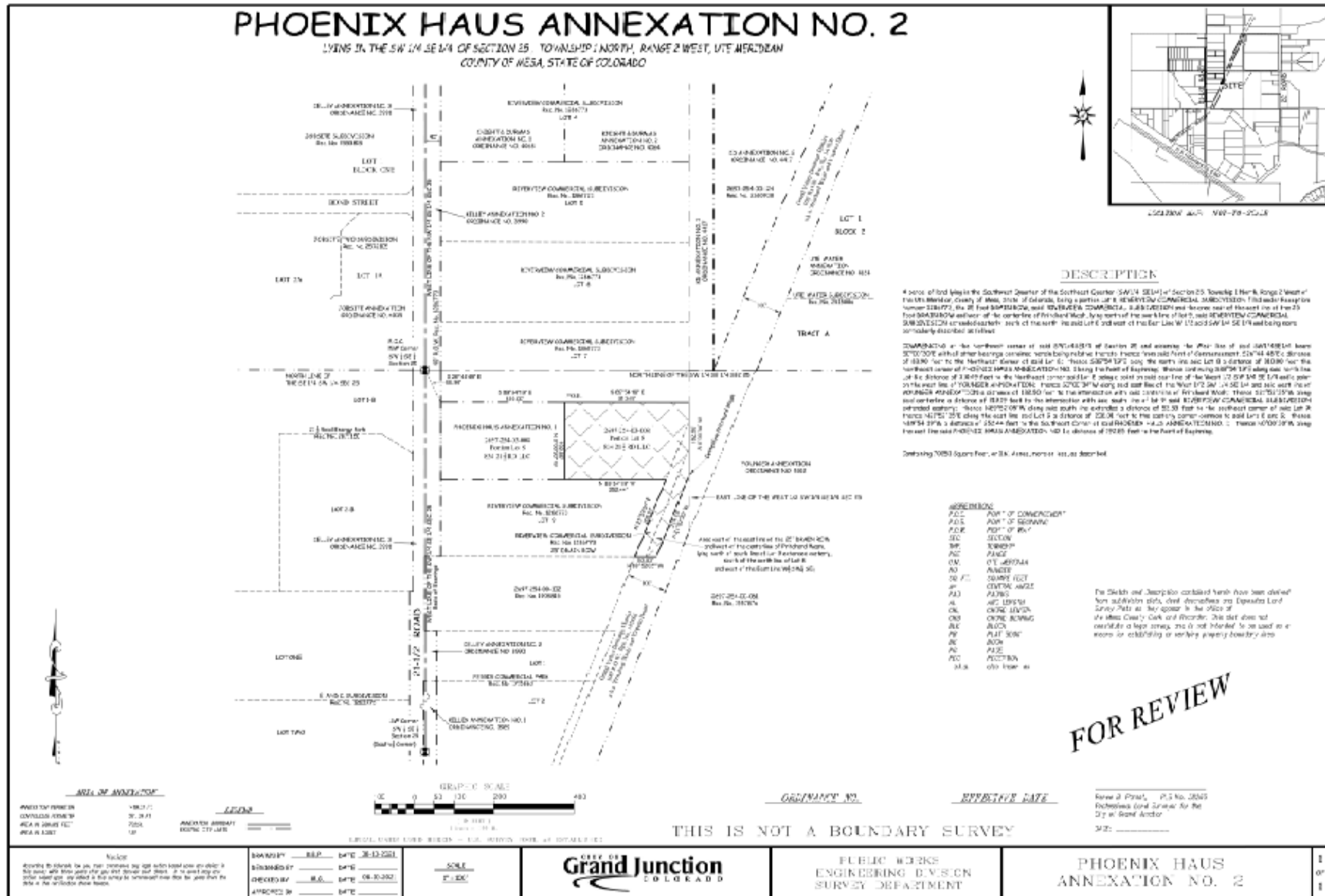
CITY OF  
Grand Junction  
COLORADO

PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY DEPARTMENT

SAGE CREEK  
ANNEXATION

1  
OF  
1

## Exhibit B



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN LAND USE MAP OF THE CITY OF GRAND JUNCTION FROM RESIDENTIAL LOW (2-5.5 DWELLING UNITS/ACRE) TO RESIDENTIAL MEDIUM 5.5-12 DWELLING UNITS/ACRE) AND ZONE OF ANNEXATION FOR THE SAGE CREEK ANNEXATION FROM RURAL (1 DWELLING UNIT/5-ACRES) TO R-8 (RESIDENTIAL-8 DWELLING UNITS/ACRE) ZONE DISTRICT**

**LOCATED AT 3038 D ½ ROAD**

Recitals:

The property owner, Sage Creek Investments LLC, proposes an amendment to the Comprehensive Plan Land Use Map from Residential Low (2 – 5.5 du/ac) to Residential Medium (5.5– 12 du/ac) and a zone of annexation from R-R (Residential – Rural) to R-8 (Residential – 8 du/ac) on a total of 4.77-acres, located at 3038 D ½ Road.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of amending the Comprehensive Plan Future Land Use designation for the Property from Residential Low (12-5.5 du/ac) to Residential Medium (5.5-12 du/ac) and recommended subsequent approval of changing the zoning from R-R (Residential – Rural) to R-8 (Residential – 8 du/ac) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Residential Medium (5.5-12 du/ac) of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that amending the Comprehensive Plan Land Use Map from Residential Low (2-5.5 du/ac) to Residential Medium (5.5-12 du/ac) and rezoning from R-R (Residential – Rural) to R-8 (Residential – 8 du/ac) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the R-8 (Residential – 8 du/ac) zone district, is consistent and is in conformance with the Comprehensive Plan and at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be re-designated as Residential Medium (5.5-12 du/ac) on the Land Use Map of the Comprehensive Plan and shall be zoned R-8 (Residential – 8 du/ac) on the zoning map:

SAGE CREEK ANNEXATION  
PERIMETER BOUNDARY LEGAL DESCRIPTION

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE1/4 SE1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE1/4 SE1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84 feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

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

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

ATTEST:

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #6.a.v.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Daniella Acosta, Associate Planner  
**Department:** Community Development  
**Submitted By:** Daniella Acosta, Associate Planner

---

### **Information**

#### **SUBJECT:**

An Ordinance Rezoning 1.51 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2150 Hwy 6 and 50

#### **RECOMMENDATION:**

Planning Commission heard this request at its September 14, 2021 meeting and voted (6-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Representative, Tom Logue, acting on behalf of the Applicant, Cyndi Casebier, is requesting the rezone of one parcel totaling approximately 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Hwy 6 and 50. Ms. Casebier is the manager for Western Engineers Inc. Please see Exhibit 2 for the Ownership Statement certifying that Ms. Casebier has the implicit authority to bind the LLC in a property transaction. The requested C-2 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

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

##### **BACKGROUND**

The proposed rezone comprises one parcel totaling 1.51 acres situated at 2150 Hwy 6 and 50, just northwest of the Hwy 6 and 50 and 21 ½ Road intersection.

The property was annexed into the City limits in 1992 and zoned I-1. The parcel has been subdivided and developed in the past 23 years and has remained as an I-1 zone district. The Simple Subdivision took place in 1998. The Simple Subdivision for W.E.I. Minor Subdivision resulted in two lots. Western Engineers Inc. are the owners of the property. The subject site in question is Lot 1. There is currently a building on the



property. However, other than the Simple Subdivision that occurred in 1998, the current rezone request, an approved fence permit and an approved sign clearance, there are no other development applications with the City after annexation. The current occupants of the building include the Colorado Security Professionals, who provide uniformed security guard services, and AC Bail Bonds, a bail bonds service provider. To the north, south, east, and west are primarily heavy commercial, the Persigo Wastewater Treatment Facility, light commercial, auto-related services and communication/utilities uses, including a building materials supplier, engineering, drilling contractor facility, and construction services.

As indicated, the subject site is currently zoned I-1 and is occupied. An existing 8,320 square foot single-level, pre-engineered steel building dominates the property. Most of the land area outside the building is utilized for parking and outdoor storage. The 2020 One Grand Junction Comprehensive Plan classifies the subject property and adjacent properties to the west and southeast with a Commercial land use designation. Under the Grand Junction Municipal Code, the zone districts that may implement the Commercial Land Use classification include the M-U (Mixed Use), B-P (Business Park), I-O (Industrial/Office Park), C-1 (Light Commercial), C-2 (General Commercial), MXR-8 (Mixed Use Residential), MXG-3, 5, 8 (Mixed Use General), MXS-3, 5, 8 (Mixed Use Shopfront), and MXOC (Mixed Use Opportunity Corridors) zone districts. As such, the Comprehensive Plan land use classification of Commercial does allow for this rezone request to C-2. The Comprehensive Plan classified adjacent properties to the north, east and south with an Industrial land use designation.

The Applicant is proposing the rezone to C-2 to allow for the creation of new and expanded business opportunities for the subject property. As stated in the General Meeting Notes (MTG-2021-335), the applicant is seeking the rezone to permit office and retail development on the property. General Retail Sales, Indoor Operations, Display and Storage, Personal Services, and All Other Retail Sales and Services uses are not allowed within the I-1 zone district but are allowed within the C-2 zone district.

If the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

## **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held in-person at the Applicant's office on July 12, 2021, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant team and City staff were present. No members of the public attended the meeting, and the Applicant team and City Staff discussed the proposal and the anticipated timeline of the proposal. One written correspondence was received from one neighbor (see Exhibit 3 for the attachment).

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on September 3, 2021. Mailed notice of the public hearings before Planning

Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 3, 2021. The notice of the Planning Commission public hearing was published on September 7, 2021, in the Grand Junction Daily Sentinel.

## **ANALYSIS**

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

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

The Comprehensive Plan Land Use Map identifies the subject property as Commercial. The previous 2010 land use designation identified on the property was Commercial Industrial. The applicant's proposed zoning of C-2 implements the 2020 Comprehensive Plan Land Use of Commercial. The current zoning, I-1, is outside the range of allowable zone districts for Commercial. While the existing zoning designation of I-1 met the former 2010 Comprehensive Plan, the newly adopted 2020 Comprehensive Plan anticipates more commercial type uses in the area of the subject site, which are not allowed within the I-1 zone district. This is attributed to the site's location with frontage and exposure along Highway 6 & 50. As such, from a policy standpoint, the adoption of the 2020 comprehensive Plan has invalidated the original premise, and therefore staff finds this criterion has been met.

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

Most parcels surrounding the subject site are currently zoned I-1. In the last three years there have been few development projects on properties surrounding the site. To the southeast of the subject site there was a major site plan to expand 2H Mechanical LLC, a mechanical contractor, by 3000 square feet (SPN-2020-57). Additionally, southeast of the subject site there is a Minor Site Plan to remodel and expand an existing Love's Store, a truck-stop and convenience store chain, at 748 22 Rd (SPN-2021-448). This area has seen some introduction of uses consistent with the future Commercial Land Use Designation, which are not permitted or only conditionally allowed under the current zoning of I-1. These uses include a car dealership/retail store (CUP-2021-534), which is currently under review, located on 2211 Hallco Drive. This area has seen a slow transition over the years from a heavy industrial area to a lighter industrial and commercial area. However, it is premature to conclude that the area has changed enough to warrant a plan amendment. As such, staff finds this criterion has not been met.

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

The subject property is within an industrial area in the northwest portion of the City of Grand Junction. Adequate public infrastructure and community facilities and services are available and sufficient to serve uses associated with the C-2 zone district. The subject site is currently served by Grand Valley Power (electricity), Ute Water, and Persigo Wastewater Treatment. Multimodal access is sufficient. There is one Grand Valley Transit (GVT) route and one bus stop in close proximity (less than ¼ mile from the subject site). The subject site is serviced by a primary truck route that runs along Hwy 6 and 50. The subject site is a corner property with access to the lower ordered street (21 ½ Road – minor collector). The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

There are substantial differences between the I-1 and C-2 zone districts. The C-2 zone district accounts for approximately 3% of City zoned land, whereas the I-1 zone district accounts for approximately 8% of City zoned land. Currently, there are few parcels along the section of the Hwy 6 and 50 Corridor west of the I-70 interchange at Hwy 6 and 50 that are zoned C-2. There are, however, three properties along this stretch of Hwy 6 and 50 that are zoned C-2 and that are less than ½ a mile away from the subject site. Though there appears to be a deficit of C-2 in the area west of the I-70 interchange, staff has been unable to determine if there is an inadequate supply of this zone district and, therefore, have not found this criterion to have been met. Staff finds this criterion has not been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to heavy and light commercial areas, single family residential areas, and some duplex residential/commercial-mixed use areas. In addition, a designation of C-2 would support the concentration of retail, services, and employment located at intersections and along major local, state, or interstate roadways than it would if it remained designated as I-1.

The type and scope of land-use allowed within the C-2 zone district is different in character and extent to the existing land use of many nearby properties, which include light and heavy industrial and commercial uses. However, the rezoning the property to a C-2 zone district supports a broad mix of higher-intensity uses, such as retail, commercial, and other employment, and services and aligns with the proposed vision for a Commercial Corridor along Hwy 6 and 50 conceived in the 2020 Comprehensive Plan. Page 68 of the 2020 Comprehensive Plan identifies Commercial Corridors as policy areas for several commercial land use designations throughout the City, such as

the corridor along Hwy 6 and 50. The 2020 Comprehensive Plan highlights a mix and relationship of uses as a defining feature of Commercial Areas, particularly, "a broad mix of higher-intensity uses will be supported in Commercial areas, including but not limited to retail, commercial, and other employment and service-oriented uses". Higher intensity residential may also be considered. A C-2 zone district would allow for the introduction of businesses whose retail sales exceed 10 percent of the gross floor area. The 2020 Comprehensive Plan has designated Hwy 6 and 50 within the City as a future commercial corridor. As such, staff finds this criterion has been met.

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

Plan Principle 2.1.a. Economic Diversity – Support the further diversification of the economy that is prepared to anticipate, innovate, and proactively respond to cyclical economic fluctuations and evolution.

Plan Principle 2.1.b. Employment Base – Continue to collaborate with local and regional partners to expand the community's economic base and primary job creation by focusing on retention, expansion, incubation, and recruitment efforts that create jobs and import income or dollars to the community, particularly businesses in targeted areas.

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

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

## **FINDINGS OF FACT AND RECOMMENDATION**

After reviewing the RLCR Rezone, RZN-2021-512, rezoning one parcel totaling 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at Hwy 6 and 50, the following findings of fact have been made:

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

Therefore, the Planning Commission recommends approval of the request.

**FISCAL IMPACT:**

There is no direct fiscal impact as a result of this action.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 5033, an ordinance rezoning one parcel totaling 1.51. acres from light I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Hwy 6 and 50 on final passage and order final publication in pamphlet form.

**Attachments**

1. Exhibit 1 - Development Application Packet
2. Exhibit 2 - Neighborhood Meeting Documentation
3. Exhibit 3 - Maps and Exhibit
4. ORD-WEI 101221



## Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

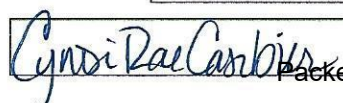
We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application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

Signature of Person Completing the Application

Digitally signed by Tom Logue  
Date: 2018.09.13 08:11:59 -06'00'

Date

Signature of Legal Property Owner



Packet Page 251

Date

GENERAL PROJECT REPORT  
RLCR REZONE REQUEST APPLICATION  
July, 2021

**SITE LOCATION DATA**

Address:	2150 Highway 6 and 50
Area	1.52 acres
Tax Parcel No.	2997-362-11-001
Aliquot Section:	NW ¼ Section 36, Township 1 North, Range 2 West, Ute P.M.
Latitude and Longitude:	39° 06' 58", -108° 39' 18"



REQUEST -The accompanying documents and drawings depict the relationship of proposed Zone Change request to the property boundary, roadway access and adjacent properties. The proposal calls for rezoning the property from I-1, (Light Industrial) to C-2 (General Commercial) in accordance with Section 21.02.140, Code Amendments and Zone Change in the *City of Grand Junction Municipal Code. (GJMC)*.

According to the GJMC:

*The purpose of the **I-1, General Commercial** zone district is to provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses.*

*The purpose of the **C-2, Light Industrial** zone district is to provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations.*



**FUTURE LAND USE PLAN** – In 2021 the City adopted a Comprehensive Land Use Plan. The subject site is located within the Urban Development Boundary depicted by the plan. The plan designates the subject properties as: C “Commercial”. The existing I-1 land use zone classification is not in compliance with the Future Land Use designation for the subject property.



**EXISTING LAND USE** – The site under concern is a single subdivided parcel that is mainly rectangular in shape; approximately 400 feet in length north/south and 150 feet at its widest east/west point. An existing 8,320 square foot single level, pre-engineered steel building, dominates the property. Most of the land area outside of the building is for parking and outdoor storage. An Existing Land Use Map can be found on the following page. The map depicts the location of each existing land use in relationship to the property boundary, intensity of ground cover, and the location of nearby land uses.



EXISTING LAND USE MAP (2020 Air Photo)





**SURROUNDING LAND USES** – The surrounding land uses in the vicinity of the subject properties are considered to be “high” intensity. The prevalent land uses in the area Heavy Commercial uses on acreage sized parcels. An existing power station facility adjoins the sites northeast boundary. US Highway 6 and 50, a major connector between Grand Junction and Fruita along with the Union Pacific Railroad and River Road are adjacent to the subject sites southerly boundary line. Land uses in the vicinity of the subject property are depicted on the following Surrounding Land Use Map illustrating the configuration of various nearby land uses in relationship to the subject site.

# **SURROUNDING LAND USE MAP**



## EVALUATION OF REQUEST

Evaluation of the request is accomplished by using the approval criteria for Code Amendments and rezoning within Chapter the *Grand Junction Municipal Code*.

### **21.02.140 Code Amendments and Rezoning.**

- (1) *Subsequent events have invalidated the original premises and findings;*

RESPONSE: The adoption of the Comprehensive Plan in April, 2021 designated the subject site as “Commercial”.

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

RESPONSE: Most of the land adjoining the subject property along the north side of US Highway 6 and 50 is designated as Commercial in the Comprehensive Plan.

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

RESPONSE: The following existing facilities, with available capacity, adjoin the subject property:

Streets/Roadways

Sanitary Sewer

Domestic Water and Fire Protection

Electric, Natural Gas, and Communication lines

Fire Protection is provided by the City of Grand Junction from Station No. 3 approximately 4.5 miles east of the site in a straight line distance. Commercial uses do not create any major impacts to Schools and Parks.

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

RESPONSE: No vacant land was identified within the boundary on the Surrounding Land Use Map.

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

RESPONSE: The commercial zone designation for the property offers a somewhat more extensive uses than the industrial designation. Such as retail sales, which almost non-existent in the surrounding area. The additional uses that the commercial zone designation includes will allow for the creation of new and expanded business opportunities for the subject property.

LEGAL DESCRIPTION  
RLCR Rezone Application

Lot one, WEI Minor Subdivision, Grand Junction Mesa County Colorado.

2150 Highway 6 and 50 Rezone Application

**NEIGHBORHOOD MEETING**

July 13, 2021

A neighborhood meeting to discuss the pending Rezone Application for property located at 2150 Highway 6 and 50 was held at 5:30 p.m. on July 12, 2021 at the applicants office at 2150 Highway 6 and 50.

In addition to Dave Thorton, Community Development Department staff planner, the land owner and her representative, no neighbors out of the approximately 9 that were notified of the Neighborhood Meeting attended. However, one written correspondence was received from one neighbor. A copy of the e-mail correspondence is attached.

Respectfully submitted,

Tom Logue, Representative for RLCR, LLC, Cindi Casebier, Manager



**From:** Tom Logue  
**Sent:** Friday, July 9, 2021 7:12 AM  
**To:** Cyndi Casebier  
**Cc:** Patrick Morris  
**Subject:** RE: Property meeting

Patrick,  
Thank you for your question. The requested change in zone designation will be specific to the subject property and no others.  
The City of Grand Junction only considers requests for rezoning by the land owner.  
Hopefully, this answers your question, if not, do not hesitate to contact us.

Tom Logue  
537 Fruitwood Dr.  
Grand Junction, CO 81504  
(o)970-434-8215  
(m) 970-260-2911

**From:** [Cyndi Casebier](#)  
**Sent:** Thursday, July 8, 2021 5:27 PM  
**To:** [Tom Logue](#)  
**Cc:** [Patrick Morris](#)  
**Subject:** Fwd: Property meeting

Tom,  
Can you reply to Patrick Morris' question?  
Thank you,  
Cyndi

Begin forwarded message:

**From:** Patrick Morris <[pmorris@drtshared.com](mailto:pmorris@drtshared.com)>  
**Date:** July 8, 2021 at 1:51:09 PM MDT  
**To:** Cyndi Casebier <[cyndicasebier@gmail.com](mailto:cyndicasebier@gmail.com)>  
**Cc:** [talldc@msn.com](mailto:talldc@msn.com), [davidth@gjcity.org](mailto:davidth@gjcity.org), John Whitworth <[JWhitworth@lonemountaintruck.com](mailto:JWhitworth@lonemountaintruck.com)>, Madison Throneberry <[MThroneberry@lonemountaintruck.com](mailto:MThroneberry@lonemountaintruck.com)>, Paula Wolf <[pwolf@drtshared.com](mailto:pwolf@drtshared.com)>  
**Subject:** RE: Property meeting

Cyndi,

Can you confirm the zoning and use of our property won't change?

printing, or use of this information is prohibited. If you have received this email in error, please notify the sender immediately. **ENTITY NOTICE:** This company operates its businesses through and contracts services with various related entities. As such, neither the domain name, the signature block, or any other entity reference in this email shall imply such individual is working for the entity so identified. Rather, the actions, authorizations, or statements made in any such email shall only relate to the applicable entity to which the topic relates.

**From:** Patrick Morris  
**Sent:** Thursday, July 8, 2021 2:17 PM  
**To:** [cindicasebier@gmail.com](mailto:cindicasebier@gmail.com); [talldc@msn.com](mailto:talldc@msn.com); [davidth@gjcity.org](mailto:davidth@gjcity.org)  
**Cc:** John Whitworth <[JWhitworth@lonemountaintruck.com](mailto:JWhitworth@lonemountaintruck.com)>; Madison Throneberry <[MThroneberry@lonemountaintruck.com](mailto:MThroneberry@lonemountaintruck.com)>; Paula Wolf ([pwolf@drtsshared.com](mailto:pwolf@drtsshared.com)) <[pwolf@drtsshared.com](mailto:pwolf@drtsshared.com)>  
**Subject:** FW: Property meeting

Cyndi, Tom, and David,

We received the attached notice in the mail about an upcoming meeting regarding your project at 2150 21 ½ Rd in Grand Junction, CO. We represent the owner of 760 21 ½ Rd and are not against the rezoning of your property to General Commercial (C-2) as long as it doesn't change the zoning or use of our property.

Please advise.

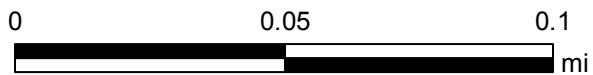
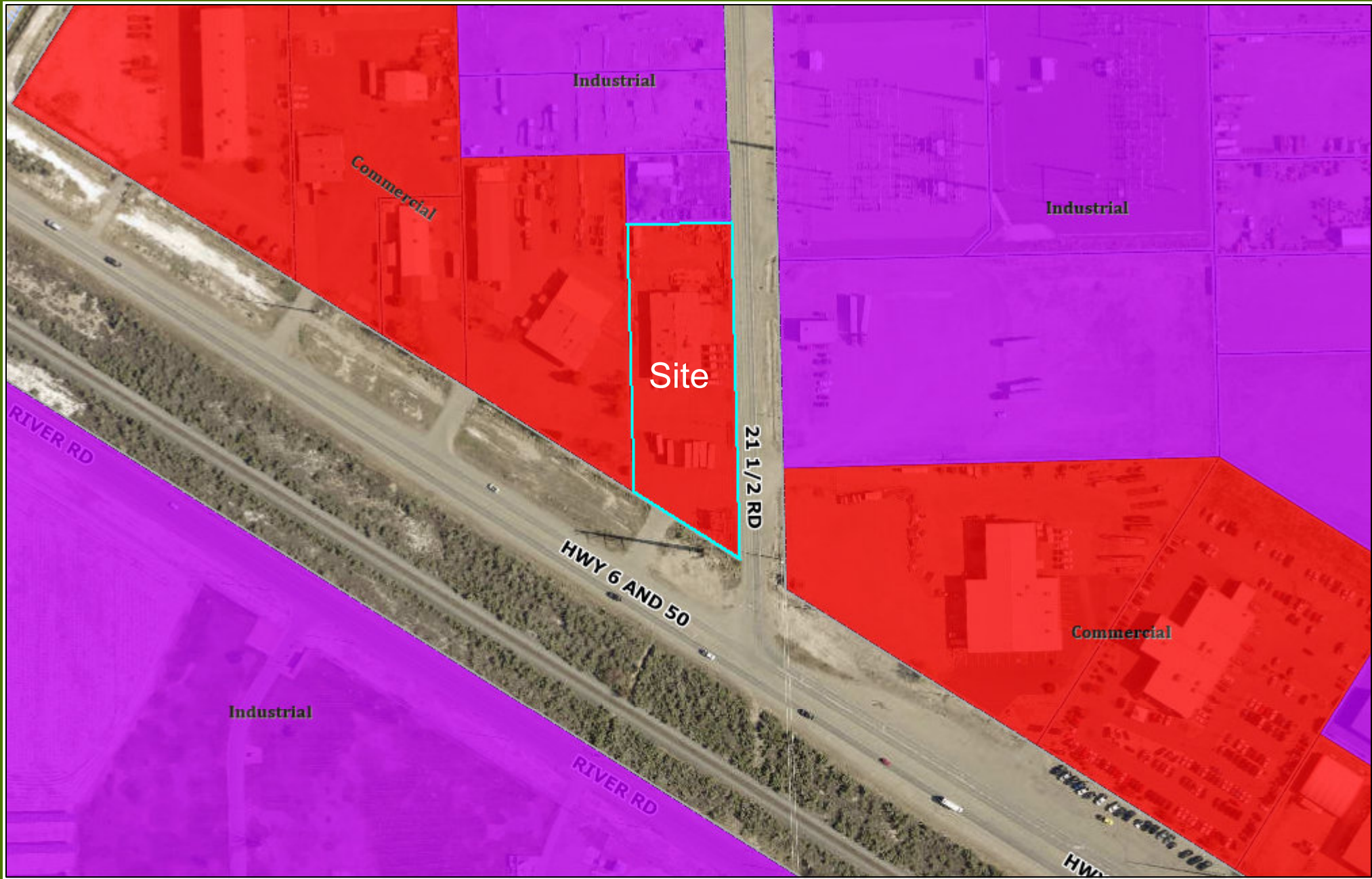
<image005.png>  
**Patrick Morris**  
**Corporate Real Estate Manager**  
**DRT LLC**  
**2200 Abbott Dr. Carter Lake, IA 51510**  
**Phone: (402) 578-1164**

**CONFIDENTIALITY NOTICE:** This email and any files are confidential and intended solely for the use of the individual or entity to whom they are addressed and may be privileged or otherwise protected. If you are not the intended recipient, any disclosure, copying, printing, or use of this information is prohibited. If you have received this email in error, please notify the sender immediately. **ENTITY NOTICE:** This company operates its businesses through and contracts services with various related entities. As such, neither the domain name, the signature block, or any other entity reference in this email shall imply such individual is working for the entity so identified. Rather, the actions, authorizations, or statements made in any such email shall only relate to the applicable entity to which the topic relates.

**From:** Grant Hoovestol <[granth@lonemountaintruck.com](mailto:granth@lonemountaintruck.com)>  
**Sent:** Wednesday, July 7, 2021 2:50 PM  
**To:** Patrick Morris <[pmorris@drtsshared.com](mailto:pmorris@drtsshared.com)>  
**Subject:** Property meeting

The attached came in the mail and was delivered to my desk today.

# Comprehensive Plan Future Land Use Map

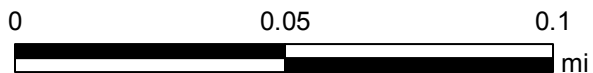


Printed: 8/23/2021

1 inch = 188 feet



# Existing Zoning Map



Printed: 8/23/2021

1 inch = 188 feet



# Site Location Map



0 0.0275 0.055  
mi

Printed: 8/23/2021

1 inch = 94 feet

CITY OF  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEM



# Vicinity Map



0 0.05 0.1 mi

Printed: 8/23/2021

1 inch = 188 feet

CITY OF  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEM

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LOT 1, W.E.I. MINOR SUBDIVISION  
2150 HWY 6 AND 50 (RCLR PROPERTY) FROM I-1 (LIGHT INDUSTRIAL) TO  
C-2 (GENERAL COMMERCIAL)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code ("Code"), the Grand Junction Planning Commission recommended zoning the RCLR Property, Lot 1, W.E.I. Minor Subdivision, to the C-2 (General Commercial) zone district, finding that the zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-2 (General Commercial) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 1, W.E.I. Minor Subdivision, City of Grand Junction, Colorado, shall be zoned C-2 (General Commercial).

Introduced on first reading this 6<sup>th</sup> day of October 2021 and ordered published in pamphlet form.

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

ATTEST:

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #6.a.vi.

---

**Meeting Date:** October 20, 2021

**Presented By:** Kristen Ashbeck, Principal Planner/CDBG Admin

**Department:** Community Development

**Submitted By:** Kristen Ashbeck Principal Planner

---

### **Information**

#### **SUBJECT:**

An Ordinance Vacating a Portion of the Orchard Avenue Right-of-Way in the Vicinity of North 10th Street

#### **RECOMMENDATION:**

Planning Commission heard this item at its October 12, 2021 meeting and recommended approval (4-0).

#### **EXECUTIVE SUMMARY:**

The applicant, Colorado Mesa University (CMU) is requesting vacation of a portion of the south side of the Orchard Avenue public right-of-way in order to make improvements to the baseball field, track and pedestrian facilities on the south side of the street within the CMU campus that would encroach in the public right-of-way. The existing Orchard Avenue right-of-way in this vicinity was originally dedicated by subdivision plats in the 1940s. The applicant is requesting the vacation of a 6.5-foot wide by 497.95-foot-long portion of the south side of this right-of-way (0.178-acres) in order to construct the proposed improvements. The plans for the construction have been reviewed and approved by the City subject to this vacation request. The requested vacation is consistent with the City's Comprehensive Plan and Circulation Plan.

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

##### **BACKGROUND**

The existing right-of-way for Orchard Avenue in this vicinity of the City was originally dedicated by subdivision plats in 1940s. The Applicant is currently in the process of constructing improvements to the baseball field, track and pedestrian facilities on the south side of the street within the CMU campus (refer to the attached site plans for

details of proposed improvements. The requested right-of-way vacation is in the vicinity of the former Cannell Avenue alignment along the west side of the baseball field. Cannell Avenue was previously vacated through processes approved by the City. As a result of the Cannell Avenue vacation, and the planned improvements to the track and baseball fields and pedestrian amenities, there are elements of the Orchard Avenue right-of-way that CMU wishes to improve. For example, the westbound turn lane that previously served as access to southbound Cannell Avenue has now become irrelevant, since the right-of-way has been vacated and the street no longer exists. Additionally, the misaligned curb and sidewalk will be remedied, and a bus drop off location added as part of the proposed pedestrian plaza that will be constructed between the baseball field and the track as part of this project. With this proposal, the Applicant is requesting vacation of a 6.5-foot-wide by 497.95-foot-long portion of the south side of this right-of-way (3,237 square feet) in order to construct the described improvements. The applicant is requesting the minimum amount right-of-way to be vacated that is needed to accommodate the construction/improvement project.

### **NOTIFICATION REQUIREMENTS**

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on July 28, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards were sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1,000 feet, and notice of the Planning Commission public hearing was published in the Grand Junction Daily Sentinel.

A Neighborhood Meeting regarding the proposed vacation/campus improvement project was held on August 2, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were 11 neighbors in attendance along with CMU President John Marshall, CMU Vice President Derek Wagner and City staff. The Applicant described the proposed improvements and the reason for the vacation request. Questions and concerns expressed by neighbors primarily centered on traffic control during the construction but no opposition to the project or the vacation was expressed.

### **ANALYSIS**

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

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

The vacation of this portion of right-of-way for Orchard Avenue does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. The proposed vacation of right-of-way will have no impact on public facilities or services provided to the general public, since they will continue to exist within the remaining right-of-way. The proposed project will improve and update the

alignment and function of the street.

Further, the vacation request is consistent with the following goals and policies of the Comprehensive Plan:

Plan Principal 4: Downtown and University Districts

Strategy 1. Cultivate energetic and livable greater Downtown and university districts that balance the needs of residents, students and visitors

Therefore, staff has found the request to vacate a portion of existing public right-of-way does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore this criterion has been met.

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

The existing dedicated right-of-way for Orchard Avenue in this vicinity of the City has long been developed as a Major Collector. This vacation will not impact the continued flow of traffic along Orchard Avenue and will not landlock any parcel of land. Thus, staff has found this criterion has been met.

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

As provided in (2) above, the portion of Orchard Avenue requested to be vacated will not impact access to any parcel and as such, staff finds this criterion has been met.

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

This portion of Orchard Avenue has served as an east-west Major Collector in this part of the City for many years as well as providing for utilities to be located within it. The proposed vacation and campus improvement project will not have adverse impacts on the function of the roadway or on the general health, safety and/or welfare of the community. The planned improvements will enhance public safety along the street, particularly for pedestrians. Application materials were provided to utility providers for review of the proposed vacation. Excel Energy responded that it had no concerns. No other comments were received from utilities or other service providers that this vacation request would impact any existing utilities, create any adverse impacts, or that facilities or services would be diminished. Provided an easement is retained on the eastern end of the vacated right-of-way area staff found that this criterion has been met.

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



As provided in (4) above, neither staff, including the Fire Department, nor utility providers have identified that the requested right-of-way vacation would inhibit the provision of adequate public facilities and services. Therefore, staff finds that this criterion has been met.

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

Maintenance requirements for the City will not significantly change as a result of the proposed vacation request, since the remaining right-of-way and street itself will continue to function and require maintenance as it presently exists. As described, the proposed project will remedy the misalignment of pedestrian and curb facilities and eliminate unnecessary existing improvements (left turn lane) such that the public will benefit from improved safety along the street. In addition, the project will provide for an improved GVT transit stop which will benefit the community. As such, Staff finds that this criterion has been met.

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

After reviewing the request to vacate a portion of the right-of-way of Orchard Avenue as set forth in the attached description and sketch, City file number VAC-2021-561, located near Orchard Avenue and North 10th Street, the following findings of fact have been made:

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

Therefore, Staff recommends approval of the request with the following conditions:

1. A utilities easement shall be retained on the eastern end of the vacated right-of-way as shown on Exhibit B of the proposed ordinance.
2. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

#### **FISCAL IMPACT:**

Average value of property and right-of-way can range broadly. The average recent sale price for properties in the vicinity of the requested vacation is \$256,000, averaging \$29 per square foot. The applicant's request is to vacate approximately 3,237 square feet of right-of-way results in a value of approximately \$93,873.

#### **SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance 5034, an ordinance vacating a portion of the Orchard Avenue right-of-way in the vicinity of North 10th Street.

### **Attachments**

1. Location Map
2. Application Materials
3. Existing Site Conditions\_ROW\_9-16-21
4. Orchard Ave Vacation2021-Improvements Survey Plat
5. Developed Site Conditions\_ROW\_9-16-21
6. Planning Commission Minutes - 2021 - October 12 - Draft Orchard Vac
7. ORD-Orchard ROW vacation for CMU 092821

## CMU ORCHARD AVENUE VACATION LOCATION MAP



July 20, 2021

Dear Neighbor,

We like to get together with our neighbors a few times each year to make sure you know about everything that is happening at Colorado Mesa University. With faculty and students on their way back to campus soon, there will be no shortage of fun things happening at CMU this Fall.

Please join me for a Neighborhood Meeting at **6:00 pm on Monday, August 2<sup>nd</sup>** in the Gallegos Board Room on the third floor of Dominguez Hall. As the new President of CMU, I would like to introduce myself and hear how CMU can continue being a good neighbor.

At the meeting, I will provide a brief overview of CMU campus facilities, upcoming activities and information about a pending application with the City of Grand Junction to vacate a right-of-way at the intersection of Orchard Avenue and Cannell Avenue (please see reverse side for additional detail).

If you have any questions about the meeting, please call my office at the number listed above or e-mail my assistant at [moneill@coloradomesa.edu](mailto:moneill@coloradomesa.edu).

I look forward to seeing you on March 25<sup>th</sup>.

Sincerely,

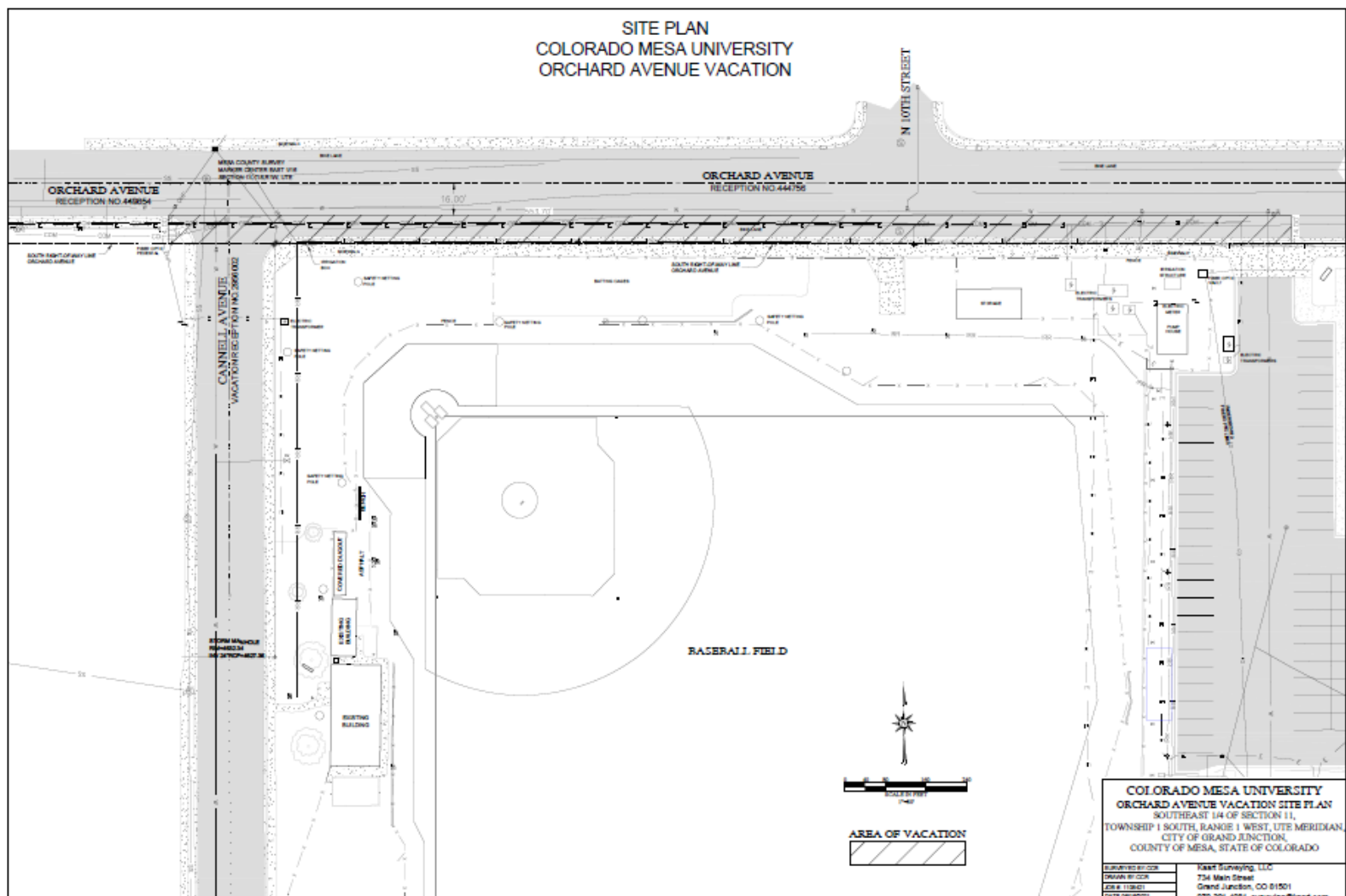
John Marshall  
President

## **Notification of Neighborhood Meeting**

**Re:** Request to vacate a portion of Orchard Avenue Public Right of Way.

### **I. General Description**

As part of the implementation of the approved Institutional Master Plan of Colorado Mesa University (CMU) a proposal to vacate a portion of the Orchard Avenue public right of way (ROW) adjacent to the CMU Bergman Baseball Field which will ultimately facilitate the construction of the baseball stadium while eliminating the left turn lane from Orchard Avenue to (now vacated) Cannell Avenue. See below for details.





## NEIGHBORHOOD MEETING NOTES

AUGUST 2, 2021 6:00 PM

CMU MAIN CAMPUS DOMINGUEZ HALL GALLEGOS BOARD ROOM

11 neighbors were in attendance along with CMU President John Marshall, CMU VP Derek Wagner, City of Grand Junction Principal Planner Dave Thornton and \_\_\_\_ (sorry, I didn't catch name and title of the more junior planner in attendance).

President Marshall introduced himself and asked each neighbor to do the same. After introductions, President Marshall described the improvements taking place @ Orchard Avenue and Cannell Avenue to improve the current baseball practice field in order to facilitate hosting actual competitions on campus. President Marshall described the improvements to straighten out Orchard Avenue and make the curb align from east to west from the CMU track east towards North 12<sup>th</sup> Street. The President described the portion of City of Grand Junction Right of Way that needed to be vacated in order to facilitate the project and he took questions from neighbors. After some discussion about which method of traffic control was best during construction (flag crews vs a detour to the north through the neighborhood), the reaction from neighbors was mixed. Whichever method is selected, the owners of a commercial operation at 829 Orchard Avenue (Alterations by Kim) requested special attention be paid to inform customers that their business is open during construction.

The meeting adjourned at approximately 6:46 pm with no neighbors expressing opposition to the Right of Way vacation application.

Welcome Neighbors and thank you for coming to our Neighborhood Meeting!

PLEASE SIGN IN

Name

## Address

E-mail/Phone

Steve Allenbu

1945 N 9

sballerton@gmail.com 970 2010307

Kim McCormick

829

Jerry Bigley

# Orchard

## Kerlin's Derek

g4e H211

970 261 3536

Cathy A. Fardner

935 Bader Dr

(970) 243-0007

Arts & Sciences

935 Cedar Dr

970/243-0007

*[Handwritten signature]*

Dennis Cannon

835 Hk/1

(970) 243-3258

Doyle McCain

938 Orchard Ave

970-245-4448

Sheri Schmidt

930 Orchard

970-243-2646

SCOTT VANGEMEREN

 $2028 \pm 10^{+4} \text{ s}$ 

970-799-0838

## Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application



Date

Signature of Legal Property Owner

Date



## Orchard Avenue ROW Vacation at Cannell Ave Intersection

### **General Project Report**

CMU hereby requests vacation of a portion of the south side of Orchard Avenue right of way to support the kick off of improvements for the CMU Track and Bergman Field (Baseball Stadium) project.



The right of way vacation is in the vicinity of the Cannell Ave intersection. Cannell Ave was previously vacated through processes approved by the City of Grand Junction. As a result of the Cannell Ave. vacation, and the planned improvements for the track and baseball fields, there are elements of the Orchard Avenue right of way that warrant improvement. For example, the westbound turn lane that previously served access to Cannell Ave has become irrelevant now that Cannell Ave. has been vacated. Additionally, the misaligned curb and sidewalk can be remedied and a bus drop off location will be installed as part of

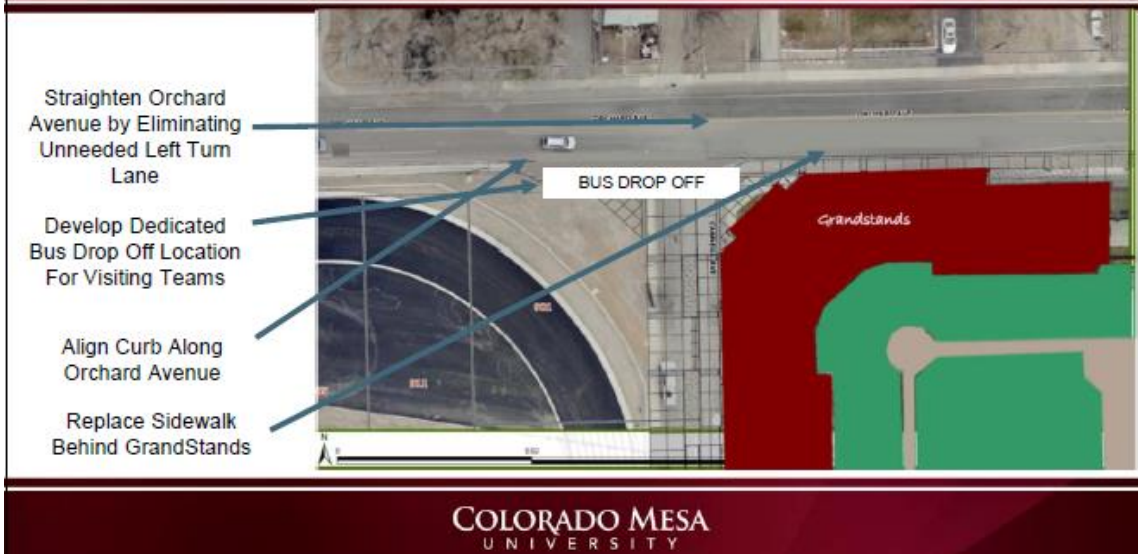


the pedestrian plaza planned in the area between the track and baseball field improvements.

## Current Condition: Orchard & Cannell Avenue

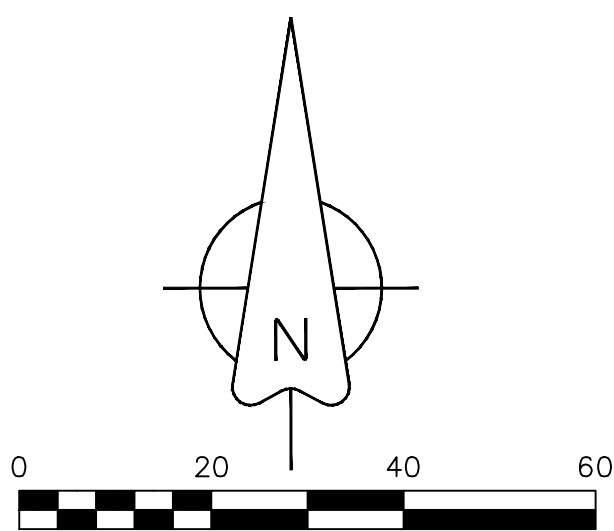
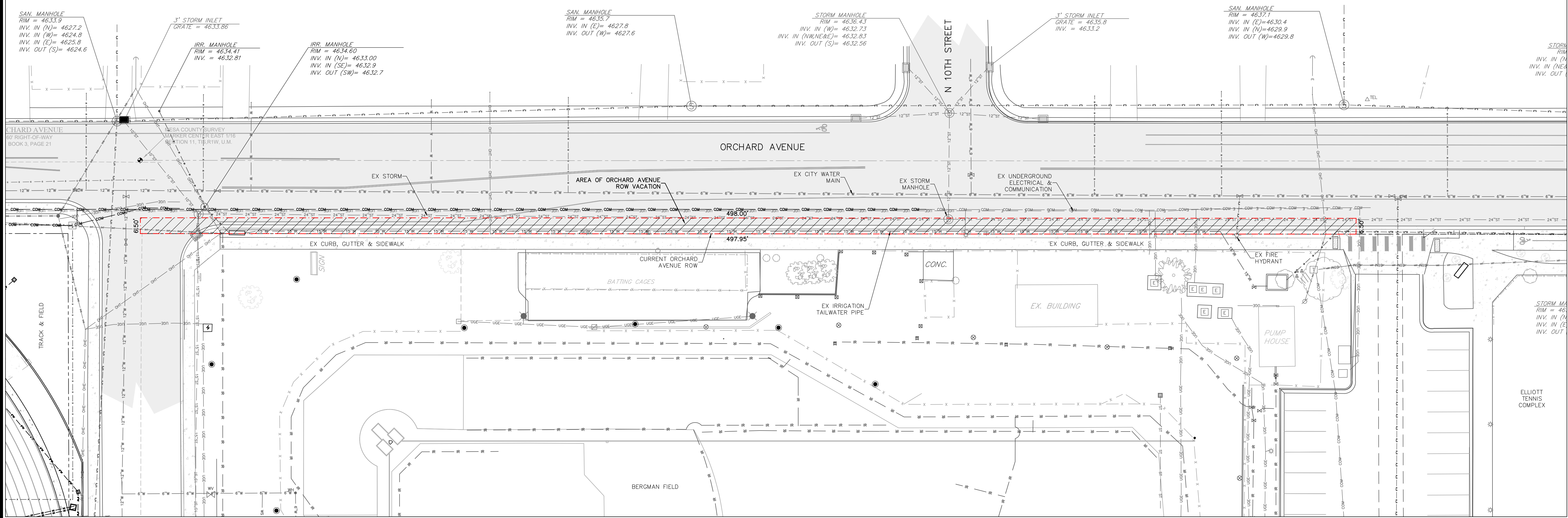


## Proposed Improvements



The proposed right of way vacation satisfies applicable review criteria and will benefit the public in the form of cleaning up current conditions and providing additional opportunities for pedestrian and bus transit access. Thank you for considering this application.





ROW VACATION AREA 

811

Know what's below.  
Call before you dig.

SCALE VERIFICATION  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON THIS SHEET  
ADJUST SCALES ACCORDINGLY

NO.	DATE	DESCRIPTION	BY

ORCHARD AVENUE ROW VACATION

DOWN BY: STS  
DESIGNED BY: STS  
CHECKED BY:   
APPROVED BY:

EXISTING CONDITIONS  
CMU CAMPUS  
GRAND JUNCTION, COLORADO

prepared for  
CMU

DATE: 09-16-21  
SCALE: 1"=20'  
SHEET NO: ROW1

JOB NUMBER: 1162.0036

DOWN BY: STS  
DESIGNED BY: STS  
CHECKED BY:   
APPROVED BY:

A • C • G  
AUSTIN CIVIL GROUP, INC  
Land Planning • Civil Engineering • Development Services  
123 N. 7th Street, Suite 300 • Grand Junction, Colorado 81501  
(970) 242-7540

Know what's below.  
Call before you dig.

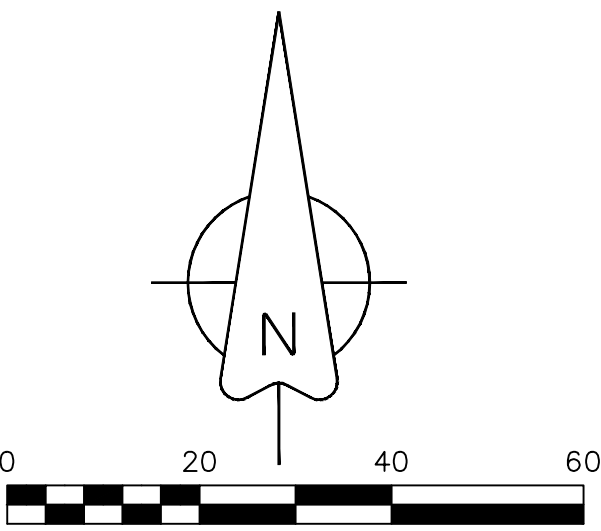
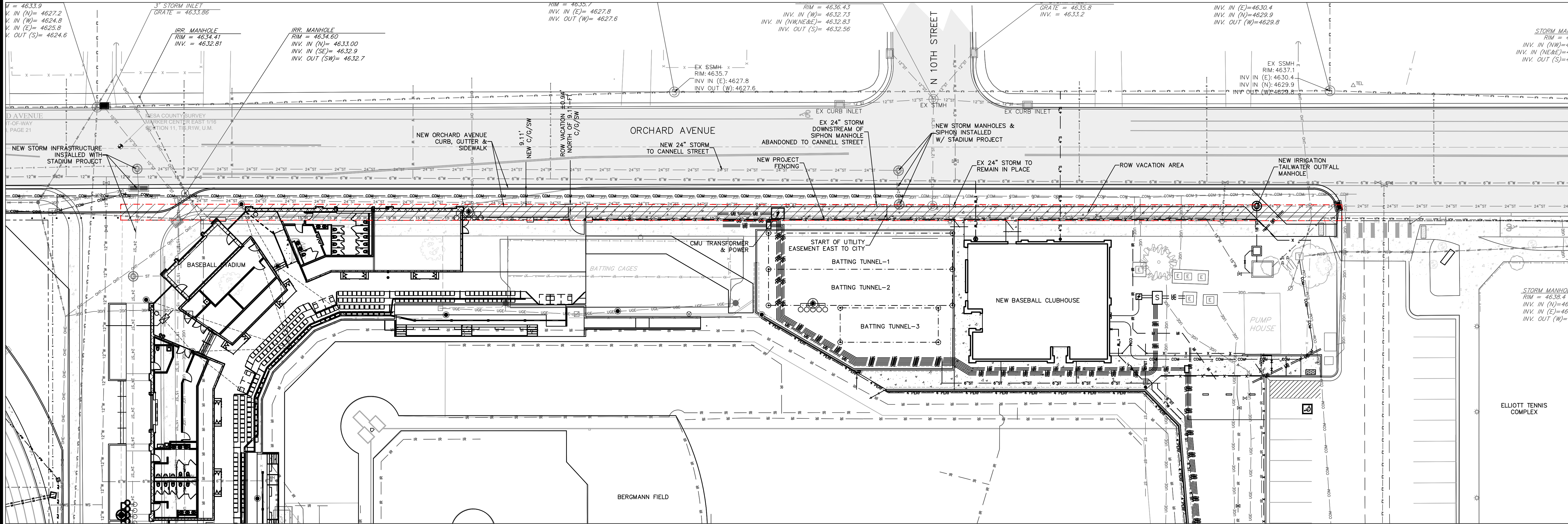
Packet Page 281



ORCHARD AVENUE RIGHT OF WAY (RECEPTION NO.444756)  
LOCATED WITHIN THE NE 1/4 OF THE SE 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 WEST  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO







ROW VACATION AREA 

DOWN BY: STS  
DESIGNED BY: STS  
CHECKED BY:  
APPROVED BY:

JOB NUMBER:  
1162.0036

DATE:  
09-16-21

SCALE:  
1"=20'


SHEET NO:  
ROW2

ORCHARD AVENUE ROW VACATION  
DEVELOPED CONDITIONS  
CMU CAMPUS  
GRAND JUNCTION, COLORADO

prepared for  
CMU

A • C • G  
AUSTIN CIVIL GROUP, INC  
Land Planning • Civil Engineering • Development Services  
123 N. 7th Street, Suite 300 • Grand Junction, Colorado 81501  
(970) 242-7540

REVISIONS		DATE	BY
NO.	DESCRIPTION		



Know what's below.  
Call before you dig.

SCALE VERIFICATION  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON THIS SHEET  
ADJUST SCALES ACCORDINGLY

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

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

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

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

There were 2 members of the public in attendance.

**CONSENT AGENDA**

---

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

**1. Approval of Minutes**

---

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

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

---

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

**REGULAR AGENDA**

---

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

---

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

**Staff Presentation**

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

**Questions for Staff**

None.

**Applicant Presentation**

The applicant was present and available for questions.

**Questions for Applicant**

None.

**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 21, 2021, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

No public comment.

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

**Discussion**

Keith Ehlers excused himself.

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

**Motion and Vote**

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

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



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING A PORTION OF ORCHARD AVENUE RIGHT-OF-WAY  
LOCATED NEAR NORTH 10<sup>th</sup> STREET**

**Recitals:**

Colorado Mesa University (CMU) has requested vacation of a portion of public right-of-way of Orchard Avenue. CMU, as the adjacent property owner proposes to construct improvements to adjacent athletic facilities and pedestrian amenities. The existing right-of-way for Orchard Avenue City was dedicated to the City by subdivision plats in the 1940s. The proposed right-of-way vacation will have no impact on public facilities or services provided to the public because they will continue to exist within the remaining right-of-way or within an easement retained on the eastern end of the right-of-way. The proposed project will improve and update the alignment and function of the street.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate a portion of public right-of-way for Orchard Avenue, is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING RIGHT-OF-WAY DESCRIBED BELOW AND ON EXHIBIT A IS HEREBY VACATED SUBJECT TO:

A utilities easement shall be retained for the use and benefit of the City on the eastern end of the vacated right-of-way as shown on Exhibit B; and,

The Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

A portion of Orchard Avenue Right-of-Way as dedicated on the plat of Garfield Park Subdivision Reception Number 444756 of the Mesa County Records, situated in the Northeast Quarter of 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; being more particularly described as follows:

Commencing at the Center East 1/16 corner of Section 11, Township 1 South, Range 1 West of the Ute Meridian whence the East 1/4 corner of said Section 11 bears S89°58'20"E with all bearings contained herein being relative thereto;

Thence S00°12'15"E a distance of 23.50 feet to the Point of Beginning;

Thence S89°58'20"E, a distance of 497.95 feet;

Thence S00°12'15"E, a distance of 6.50 feet to a point on the South Right of Way line of Orchard Avenue as described at Reception No.444756;

Thence N89°58'20"W along said Right of Way line, a distance of 497.95 feet;

Thence N00°12'15"W, a distance of 6.50 feet to the Point of Beginning.

Containing an area of 3,237 square feet more or less, as described herein and depicted on EXHIBIT A.

AND retaining a utilities easement being more particularly described below:

An easement located within a portion of Orchard Avenue Right-of-Way as dedicated on the plat of Garfield Park Subdivision Reception Number 444756 of the Mesa County Records, situated in the Northeast Quarter of 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; being more particularly described as follows:

Commencing at the Center East 1/16 corner of Section 11, Township 1 South, Range 1 West of the Ute Meridian whence the East 1/4 corner of said Section 11 bears S89°58'20"E with all bearings contained herein being relative thereto;

Thence S00°12'15"E a distance of 23.50 feet;

Thence S89°58'20"E, a distance of 312.36 feet to the Point of Beginning;

Thence S89°58'20"E, a distance of 185.59 feet;

Thence S00°12'15"E, a distance of 6.50 feet to a point on the South Right of Way line of Orchard Avenue as described at Reception No.444756;

Thence N89°58'20"W along said Right of Way line, a distance of 185.59 feet;

Thence N00°12'15"W, a distance of 6.50 feet to the Point of Beginning.

Containing an area of 1,206 square feet more or less, as described herein and depicted on EXHIBIT B.

Introduced on first reading this 6<sup>th</sup> day of October 2021 and ordered published in pamphlet form.

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

ATTEST:

---

Wanda Winkelmann  
City Clerk

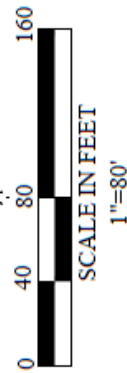
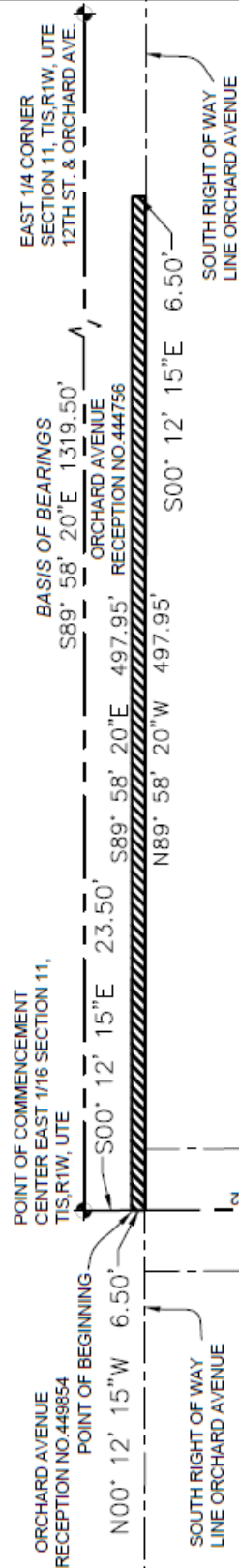
---

C.B. McDaniel  
City Council President

## **EXHIBIT A**



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



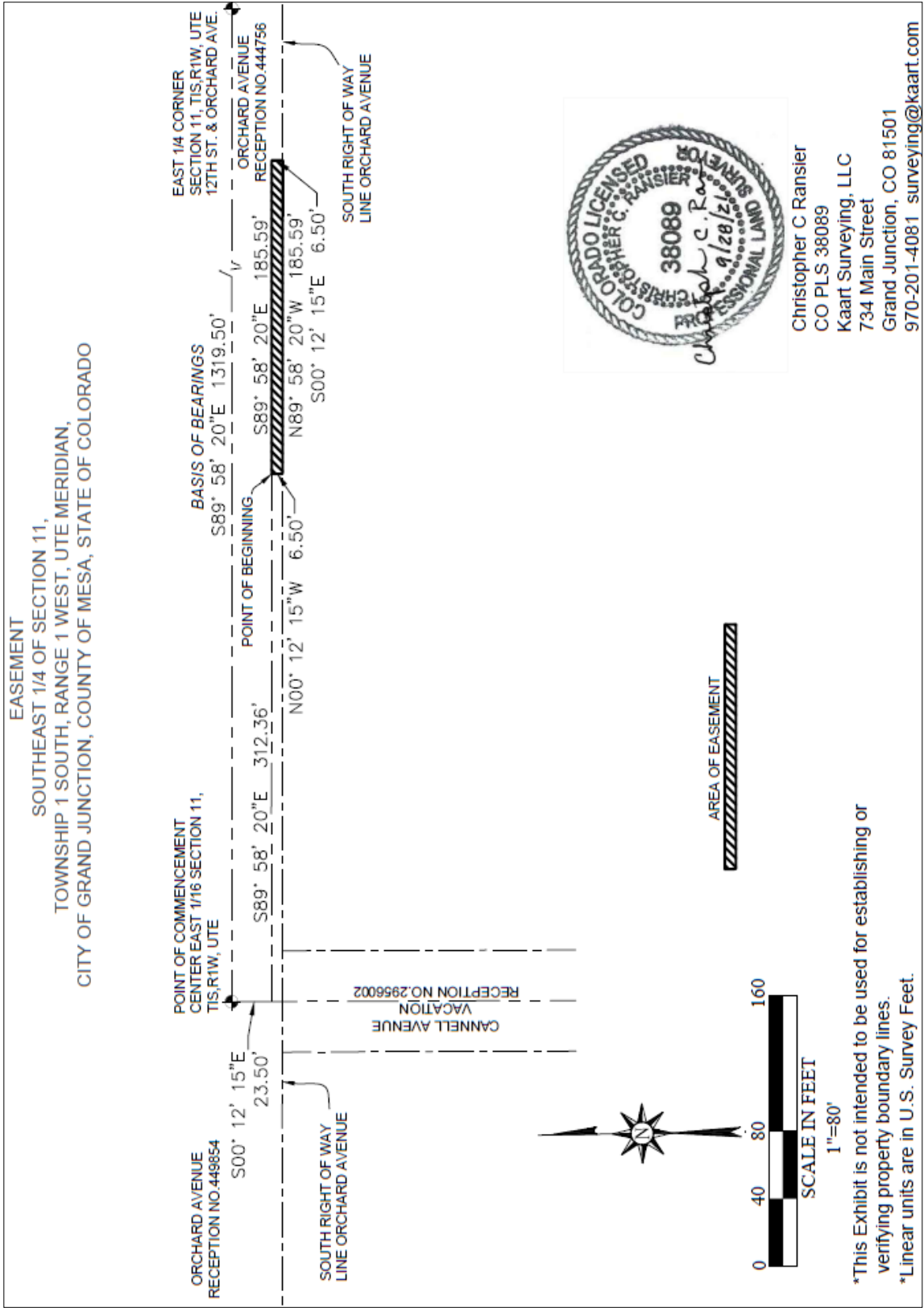
AREA OF VACATION



Christopher C Ransier  
 CO PLS 38089  
 Kaart Surveying, LLC  
 734 Main Street  
 Grand Junction, CO 81501  
 970-201-4081 surveying@kaart.com

\*This Exhibit is not intended to be used for establishing or verifying property boundary lines.  
 \*Linear units are in U.S. Survey Feet.

EXHIBIT B





## Grand Junction City Council

### Regular Session

Item #6.a.vii.

---

**Meeting Date:** October 20, 2021

**Presented By:** Kristen Ashbeck, Principal Planner/CDBG Admin

**Department:** Community Development

**Submitted By:** Kristen Ashbeck

---

### **Information**

#### **SUBJECT:**

An Ordinance to Rezone Property Located at 1101 Winters Avenue from General Industrial (I-2) to Light Industrial (I-1)

#### **RECOMMENDATION:**

The Planning Commission heard this request at its September 14, 2021 meeting and voted (5-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, James R. McConnell, Member of Winters Building, LLC, is requesting the rezone of one 4.91-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 1101 Winters Avenue. The requested I-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Industrial.

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

##### **BACKGROUND**

The proposed rezone comprises one 4.91-acre parcel situated at 1101 Winters Avenue on the southwest corner of Winters Avenue and South 12th Street in the South Downtown area. The parcel is Lot 1 of the Winters Avenue Industrial Park subdivided in 1980 and is currently zoned I-2 (General Industrial). There is presently one building of approximately 59,116 square feet on the site that was constructed in 1972, with upgrades completed in the late 1990s and in 2010-2011. The property is surrounded by industrial uses that are all also zoned I-2.

In late 2020, the 2020 One Grand Junction Comprehensive Plan was adopted, which classified the subject property and adjacent properties to the north, south, and west with an Industrial land use classification. The 2010 Comprehensive Plan Future Land

Use Map also classified this area as Industrial. Implementing zone districts for the Industrial Land Use classification per the 2020 Plan include I-1 (Light Industrial), I-2 (General Industrial), C-2 (General Commercial), and I-O (Industrial Office/Park). As such, the Comprehensive Plan land use classification of Industrial does support the rezone request to I-1 (Light Industrial).

While there aren't significant differences between the I-1 and I-2 zone districts, the Applicant is proposing the rezone to I-1 to provide more flexibility of allowed uses for the site. As stated in the Applicant's General Project Report, some potential uses considered for the site include rental service, indoor/outdoor display and storage and general offices, which are not allowed in the I-2 zone district. The proposed I-1 zoning would allow for these types of uses to be established in close proximity to and to complement industrial services.

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held virtually on June 28, 2021 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were present. There were no members of the public in attendance.

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, as well as neighborhood associations within 1000 feet, on September 3, 2021. The notice of the Planning Commission public hearing was published on September 7, 2021 in the Grand Junction Daily Sentinel.

### **ANALYSIS**

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

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

The Comprehensive Plan Land Use Map identifies the subject property as Industrial which is a similar designation that has historically been identified on the property. Both the Applicant's proposed zoning of I-1, as well as the existing zoning of I-2 implement the Land Use Designation of Industrial. The existing zoning of I-2 continues to be a valid zoning under the Comprehensive Plan, and staff has found no other subsequent events to have invalidated the original premise of the existing zoning.

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

As previously indicated, the subject site has existed in its current state with a single building for 39 years. There are still areas of vacant or underdeveloped land in the surrounding area, even though some development dates to early decades of the community in the 1920s and many developed during the late 1970s to early 1980s energy boom. Railroad sidings have served the area since at least the 1950s, which certainly support the industrial character of businesses in South Downtown. As the Applicant suggests, there may be a growing need or desire for the buildings and sites in this area to be able to be used for a wider variety of uses than are presently allowed in the I-2 zone district. The I-1 zone district provides for a wider variety of uses that support and complement the strictly industrial uses. However, generally, the character and/or condition of the area has not changed. Therefore, staff finds that this criterion has not been met.

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

The subject property is within a long-established urban industrial area in South Downtown within the City of Grand Junction. Adequate public and community facilities and services are available and sufficient to serve uses associated with the I-1 zone district. The type and scope of land-use allowed within the I-1 zone district is similar in character and extent to the existing land-use of many nearby properties, which include light and heavy industrial and commercial uses. The subject site is currently served by City Water, Persigo Wastewater Treatment, and Xcel Energy (electricity and natural gas). The Central Business District is located less than a mile to the northwest of the site. Additionally, multi-modal access to the site is sufficient, being within several blocks of primary pedestrian and bicycle routes (Active Transportation Corridors) on Riverside Parkway and 7th Street. In addition, the site is approximately  $\frac{3}{4}$  mile from the Grand Valley Transit (GVT) central hub for access to routes across the Grand Valley. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

There are no substantial differences between the I-1 and I-2 zone districts aside from the allowances of some uses. The I-1 zone district accounts for approximately 7.6% of City zoned land, whereas the I-2 zone district accounts for approximately 2.8% of City zoned land. In looking at the aerial photographs of this site over the past 5 years, the large building and site appear underutilized. Thus, staff believes that there may be better use of it in this area to be able to expand to the more diverse uses allowed within the I-1 zone district. As the Applicant has pointed out in the General Project Report, the Code definition for I-1 is a better fit for the site's current operations and facilities and is more accommodating for projected development that can better serve and complement industrial uses in the area that are creating a larger employment base as well as a larger variety of the type of businesses in the area. However, while there may be a need for more diversification of uses in this area of the community, City-wide there is



not an inadequate supply of suitably designated land to accommodate I-1 uses. Based on these considerations, staff finds that this criterion has not been met.

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

The site is well served by transportation infrastructure, utilities, and other community facilities, and is within close proximity to commercial and employment centers. The Applicant has stated there is a strong need in the community for the services offered by the property as well as for industrial facilities which provide functional office and outdoor storage/display areas. The I-1 zone district would afford the property a wider variety of uses to support and complement industrial uses in the area that are becoming more diversified and are expanding the employment base of the area. As such, staff finds this criterion has been met.

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

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

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

Plan Principle 3.2.a. Underutilized Properties – Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings.

## **FINDINGS OF FACT AND RECOMMENDATION**

After reviewing the Winters Building, LLC request, RZN-2021-492, rezoning Lot 1 of Winters Avenue Industrial Park and the abutting vacated right-of-way, a 4.91-acre parcel, from I-2 (General Industrial) to I-1 (Light Industrial) for the property located at 1101 Winters Avenue, the following findings of fact have been made:

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

Therefore, Planning Commission recommended approval of the request.

## **FISCAL IMPACT:**

This action has no direct fiscal impact to the City.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance 5035, an ordinance rezoning the property located at 1101 Winters Avenue from General Industrial (I-2) to Light Industrial (L-1) on final passage and order final publication in pamphlet form.

**Attachments**

1. Development Application
2. Site Maps and Photographs
3. Planning Commission Minutes - 2021 - September 14 - Draft WINTERS
4. Proposed Zoning Ordinance



---

## Austin Civil Group, Inc.

Land Planning ▪ Civil Engineering ▪ Development Services

June 29, 2020

Ms. Senta Costello  
Associate Planner  
City of Grand Junction Planning Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: 1101 Winters Ave Rezone  
Neighborhood Meeting Summary**

Dear Ms. Costello:

The purpose of this letter is to notify the City of Grand Junction Planning Department that a virtual neighborhood meeting was conducted on June 28, 2021, via Zoom, at 5:30 P.M., for the rezone of the property located at 1101 Winters Avenue in Grand Junction, Colorado. There were 2 participants in the meeting—Benjamin Fox and Senta Costello—neither of which were members of the public.

Listed below is a summary of the meeting items:

1. Ben Fox (an applicant representative from Austin Civil Group) presented an overview of the property's current zoning (I-2) and proposed zoning (I-1) and how it appeared to match well with the City of Grand Junction's Comprehensive Future Land Use Plan.
2. A slideshow was displayed to provide a clear, concise overview of the project location, and current vs proposed zoning.
3. Ben Fox and Senta Costello briefly discussed future development of the property, and Ben Fox stated that the client did not have any stated plans for altering the property, only that the I-1 zoning fit better with the current tenants.
4. There were no comments from the public, and no members of the public attended the meeting.
5. The meeting was closed at approximately 5:45 PM.

Sincerely,

**Austin Civil Group, Inc.**  
Benjamin Fox, E.I.T., Staff Engineer

123 n. 7th street ▪ suite 300 ▪ grand junction, colorado 81501 ▪ 970-242-7540 phone ▪ 970-255-1212 fax

## Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

### Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

### Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

### Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

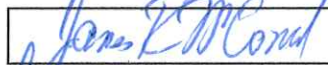
Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application



Date

Signature of Legal Property Owner



Date

# General Project Report for 1101 Winters Avenue Property Rezone

## **Project Description (Location, Acreage, Proposed Use)**

The purpose of this submittal is to obtain approval from the City of Grand Junction to rezone a 4.91-acre property located in the industrial district north of Riverside Parkway at 1101 Winters Avenue, Grand Junction, Colorado 81501. The location of the project site is depicted in the photo below:



Project Location

The property is owned by Winters Building, LLC and currently zoned General Industrial (I-2). The applicant requests the property be given a zoning designation of Light Industrial (I-1) to allow for future additional uses that I-2 does not permit such as rental service, indoor/outdoor display, storage, and general offices.

The property occupies the southwest corner of Winters Avenue and S 12<sup>th</sup> Street in an industrial area. Adjacent properties are zoned as I-2 with commercial or industrial uses. The location and proposed use are consistent with the City's 2020 One Grand Junction Comprehensive Plan.

## **Surrounding Land Uses and Zoning:**

The following adjacent properties are zoning accordingly:

DIRECTION	ZONING	CURRENT LAND USE
North:	I-2	Industrial/Commercial
South:	I-2	Industrial
East:	I-2	Commercial
West	I-2	Industrial



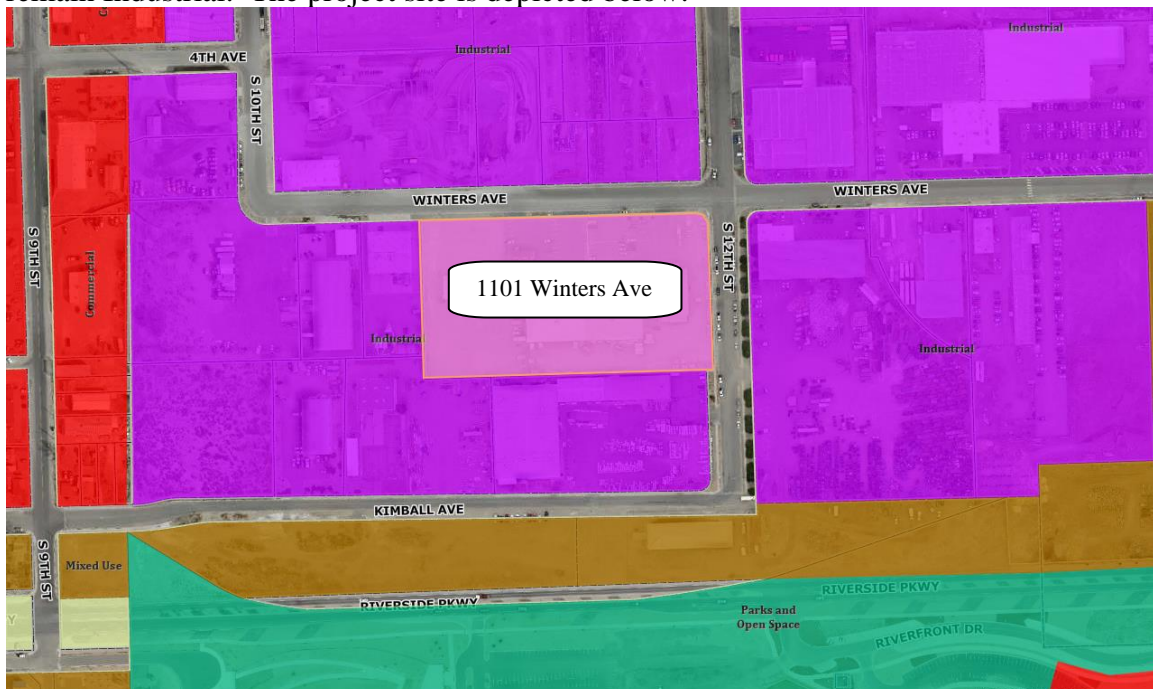
# General Project Report for 1101 Winters Avenue Property Rezone

The City of Grand Junction zoning surrounding this parcel is listed below:



Current City of Grand Junction Zoning

The City's Growth Plan map calls for this property and all surrounding properties to remain Industrial. The project site is depicted below:



2020 Comprehensive Plan

# **General Project Report for 1101 Winters Avenue Property Rezone**

## **Site Access:**

Access to the site remains unchanged from Winters Avenue on the north side of the parcel and from S 12<sup>th</sup> Street to the east.

## **Utilities:**

There are no changes to existing utilities needed for this project.

## **21.02.140 Code Amendment and Rezoning**

In order to maintain internal consistency between code and zoning maps, map amendments must only occur if:

- 1. Subsequent events have invalidated the original premise and findings; and/or**  
Response: The current code definition for I-2 is not fully adequate for the type of operation and existing facilities on this site. In order to meet the local demand for rental service, indoor/outdoor display and storage, and general offices in proximity to industrial services a rezone to I-1 appears appropriate.
- 2. The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or**  
Response: The City of Grand Junction/Mesa County Future Land Use Maps indicate a site zoning of Industrial. The applicant's request to rezone the property to I-1 is consistent with the City's 2020 One Grand Junction Comprehensive Plan.
- 3. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or**  
Response: The rezone request will not modify or change any of the current public or community facilities needed to serve the property in question.
- 4. An inadequate supply of suitable designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or**  
Response: The code definition for I-1 remains a better fit for the site's current operations and facilities, as well as being more accommodating for projected development. A rezone to I-1 remains consistent with the property's current use and with the City's 2020 Comprehensive Plan.
- 5. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.**  
Response: There is a strong need in the local community for the services offered by the property, as well as for industrial facilities which provide functional office and outdoor storage/display areas. The proposed rezone of the property in question remains consistent with the City's 2020 One Grand Junction Comprehensive Plan because it allows for ongoing, balanced growth in industrial areas.

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Winters Building, LLC ("Entity") is the owner of the following property:

(b) Lot 1, WINTERS AVENUE INDUSTRIAL PARK, also known by street address as: 1101 Winters Avenue, Grand Junction, Colorado 81501 and assessor's schedule parcel number: 0045 004 40 000

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) Representative 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) 1101 Winters Avenue Rezone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) none

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

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

Signature of Entity representative: *James R. McConnell*

Printed name of person signing: JAMES R. McConnell

State of Colorado )

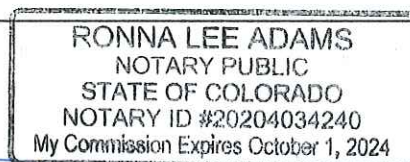
County of Mesa ) ss.

Subscribed and sworn to before me on this 16<sup>th</sup> day of June, 20 21

by James McConnell

Witness my hand and seal.

My Notary Commission expires on 10/1/2021



*Ronna Lee Adams*  
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.

QUITCLAIM DEED

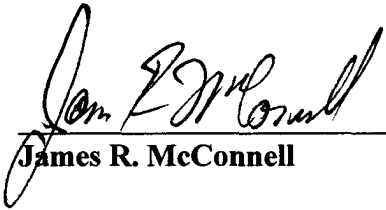
The "Grantor", James R. McConnell, whose legal address is 640 Round Hill Drive, Grand Junction, Colorado 81506, County of Mesa and State of Colorado,

for the consideration of \*\*\*\*\* No Consideration \*\*\*\*\* in hand paid, hereby sells and quitclaims to Winters Building, LLC, a Colorado limited liability company, the "Grantee," whose legal address is 640 Round Hill Drive, Grand Junction, Colorado 81506, of the County of Mesa and State of Colorado, the following real property in the County of Mesa and State of Colorado, to wit:

Lot 1, WINTERS AVENUE INDUSTRIAL PARK,  
also described as:  
A tract of land located in a part of the SE1/4 NE1/4 of Section 23, Township 1 South, Range 1 West, Ute Meridian, being more particularly described as follows:  
Commencing at the East Quarter Corner of said Section 23; thence North 00°03'55" West along the East line of the NE1/4 of said Section 23 a distance of 622.54 feet to the TRUE POINT OF BEGINNING;  
thence South 89°56'05" West 661.69 feet;  
thence North 00°13'05" East 403.02 feet;  
thence South 89°46'55" East 659.70 feet to a point on the East line of the NE1/4 of said Section 23;  
thence South 00°03'55" East along said East line of the NE1/4 of Section 23 a distance of 399.75 feet to the TRUE POINT OF BEGINNING,  
EXCEPT the North 60 feet and the East 50 feet thereof for road right-of-way,  
AND INCLUDING the vacated right-of-way as recorded in Book 5074, Page 890, Reception No. 2550412 of the Mesa County records,  
Mesa County Colorado

also known by street address as: 1101 Winters Avenue, Grand Junction, Colorado 81501  
and assessor's schedule or parcel number: 2945-231-18-006  
with all its appurtenances.

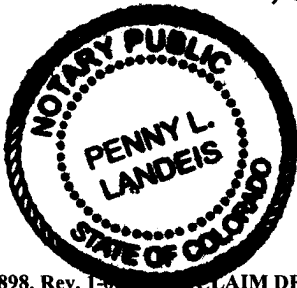
Signed this 30<sup>th</sup> day of December, 2011.

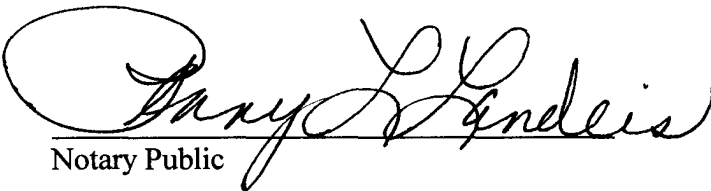
  
James R. McConnell

STATE OF COLORADO )  
County of MESA ) ss.

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of December, 2011, by James R. McConnell.

Witness my hand and official seal.  
My commission expires: 11-16-2014



  
Notary Public



STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:

Winters Building, LLC

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

The type of entity is: Limited Liability Company

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

The mailing address for the entity is: 640 Round Hill Dr, Grand Junction, CO 81506

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

JAMES R. McCONNELL, SOLE MEMBER & MANAGER

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

NOT LIMITED

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

Executed this 16<sup>th</sup> day of June, 2021

James R McConnell  
Signature (Type or Print Name Below)

James R McConnell

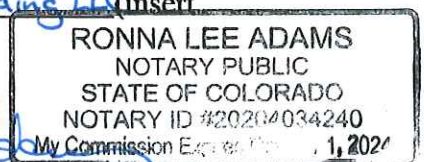
STATE OF COLORADO )  
 )ss.  
COUNTY OF Mesa )

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of June, 2021, by James McConnell (insert name of individual) as \_\_\_\_\_ (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for Winters Building LLC (insert name of corporation or LLC).

Witness my hand and official seal.

My commissioner expires: 10/1/2021

Ronna Lee Adams  
Notary Public





# 1101 Winters Avenue Vicinity Map



0 0.1 0.2  
mi

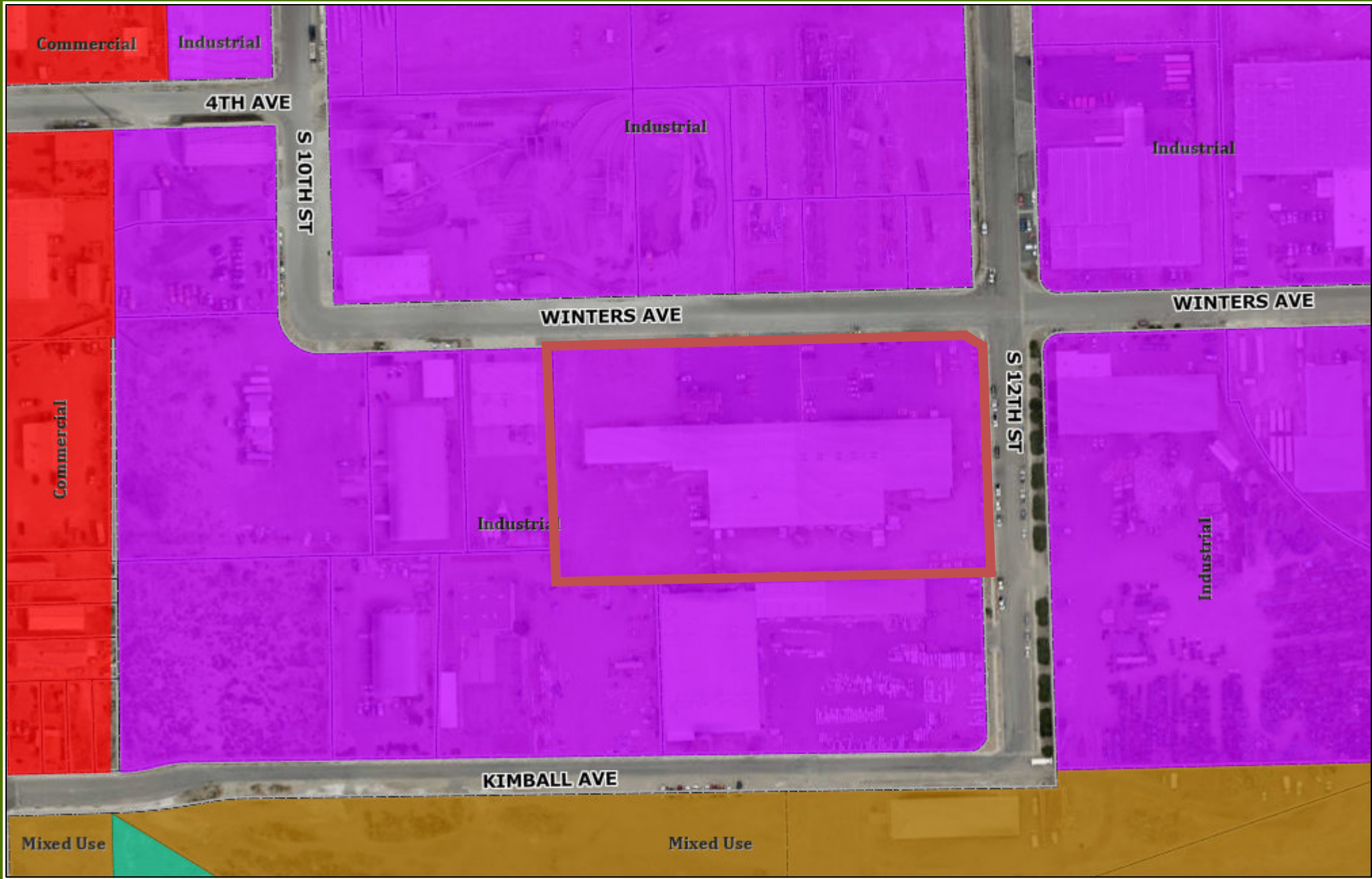
Printed: 9/1/2021

1 inch = 376 feet

CITY OF  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEM



# 1101 Winters Avenue Future Land Use Map

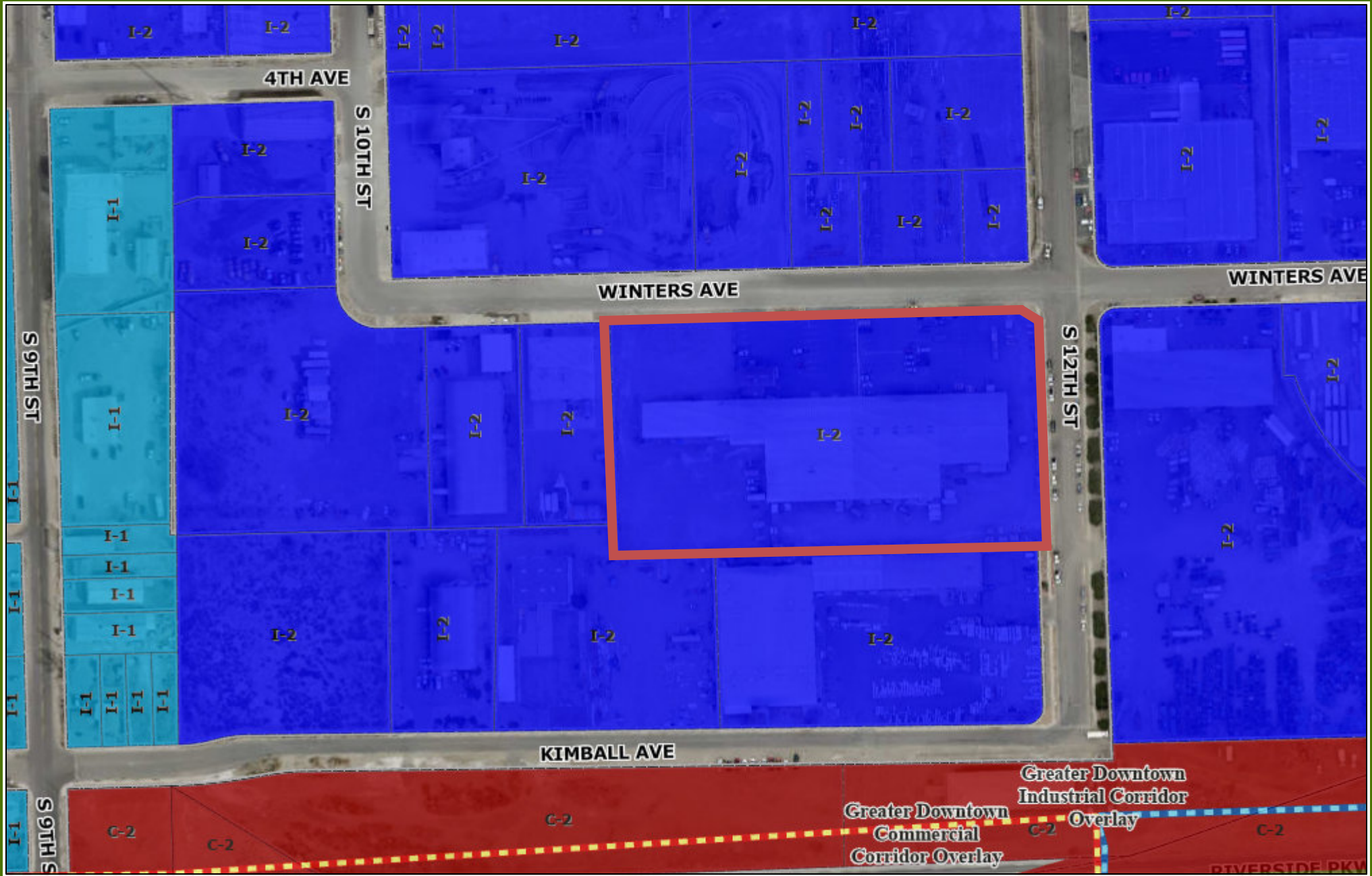


0 0.05 0.1  
mi

Printed: 9/1/2021

1 inch = 188 feet

# 1101 Winters Avenue Zoning Map



Printed: 9/1/2021

1 inch = 188 feet





1101 Winters Avenue – North-Facing Façade Existing Building





1101 Winters Avenue – Site Viewed from Northeast Corner of Property



1101 Winters Avenue – Site Viewed from Northwest Corner of Property





1101 Winters Avenue – Site Viewed from Southeast Corner of Property

**GRAND JUNCTION PLANNING COMMISSION**  
**September 14, 2021 MINUTES**  
**5:30 p.m.**

The meeting of the Planning Commission was called to order at 5:30 p.m. by Chair Andrew Teske.

Those present were Planning Commissioners; Chair Andrew Teske, Vice Chair Christian Reece, George Gatseos, Ken Scissors, Keith Ehlers, Sandra Weckerly, and Shanon Secrest.

Also present were Jamie Beard (Assistant City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), Kristen Ashbeck (Principal Planner), Daniella Acosta (Associate Planner), Isabella Vaz (Communications Specialist), and Kalli Savvas (Planning Technician).

There were 9 members of the public in attendance.

The meeting video can be viewed online [here](#).

**1. 1101 Winters Avenue Rezone File # RZN-2021-492**

Consider a request by Winters Building, LLC to rezone a 4.91-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 1101 Winters Avenue.

Commissioner Teske recused himself from the vote. Vice Chair Reece took over presiding the meeting.

**Staff Presentation**

Kristen Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

**Questions for Staff**

None.

**Applicant Presentation**

The applicant's representative, Benjamin Fox, Vortex Engineering, was present and available for questions.

**Questions for Applicant**

None.



**Public Hearing**

The public hearing was opened at 5 p.m. on Tuesday, September 7, 2021 via [www.GJSpeaks.org](http://www.GJSpeaks.org).

None.

The public hearing was closed at 6:28 on September 14, 2021.

**Discussion**

None.

**Motion and Vote**

Commissioner Gatseos made the following motion, “Mr. Chairman, on the Winters Building, LLC request from an I-2 (General Industrial) zone district to an I-1 (Light Industrial) zone district for Lot 1 of Winters Avenue Industrial Park and the abutting vacated right-of-way, a 4.91-acre property located at 1101 Winters Avenue, City file number RZN-2021-492, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE REZONING LOT 1 WINTERS AVENUE INDUSTRIAL PARK AS  
RECORDED AT RECEPTION NUMBER 1235164 AND VACATED RIGHT OF WAY AT  
RECEPTION NUMBER 2550412, A ONE 4.91-ACRE PARCEL  
FROM I-2 (GENERAL INDUSTRIAL) TO I-1 (LIGHT INDUSTRIAL)  
LOCATED AT 1101 WINTERS AVENUE**

Recitals:

Winters Building, LLC (Owner) owns the 4.91-acre parcel located at 1101 Winters Avenue (referred to herein and more fully described below as the "Property"). The Property is designated on the Comprehensive Plan Land Use Map as a Industrial. The Owner requests that the property be rezoned from I-2 (General Industrial) to I-1 (Light Industrial).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Property to the I-1 (Light Industrial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Land Use designation of Industrial, the Comprehensive Plan's goals and policies, and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the I-1 (Light Industrial) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned I-1 (Light Industrial):

LOT 1 WINTERS AVENUE INDUSTRIAL PARK AS RECORDED AT RECEPTION NUMBER 1235164 AND VACATED RIGHT OF WAY AT RECEPTION NUMBER 2550412, COUNTY OF MESA, STATE OF COLORADO.

Introduced on first reading this \_\_\_\_ day of October, 2021 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_ day of October, 2021 and ordered published in pamphlet form.

ATTEST:

---

Wanda Winkelmann  
City Clerk

---

C.B. McDaniel  
President of City Council/Mayor



## Grand Junction City Council

### Regular Session

Item #6.a.viii.

---

**Meeting Date:** October 20, 2021  
**Presented By:** Daniella Acosta, Associate Planner  
**Department:** Community Development  
**Submitted By:** Daniella Acosta, Associate Planner

---

### **Information**

#### **SUBJECT:**

An Ordinance Rezoning 26.673 Acres from R-R (Rural Residential) to MXG-3 (Mixed Used General - 3), Located at 765 24 Road

#### **RECOMMENDATION:**

Planning Commission heard this request at its September 28, 2021 meeting and voted (5-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Representative, Daniel C. Hooper, President, acting on behalf of the Applicant, Fellowship Church of Grand Junction ("Fellowship Church"), is requesting the rezone of one parcel totaling 26.673 acres from R-R (Rural Residential) to MXG-3 (Mixed Use General – 3) located at 765 24 Rd. The purpose of the rezone is to enable the Applicant to erect signage consistent with a non-residential zone district. The requested MXG-3 zone district conforms with the Comprehensive Plan Land Use Map designation of Residential Medium.

The MXG-3 zone district allows for mixed-use development and has specific site design and architectural standards intended to create a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. Furthermore, the subject site is located within the 24 Rd Corridor Subarea Plan and therefore, is subject to 24 Rd Corridor Design Standards. The signage standards require monument style signs not exceeding 12 feet in height and 100 square feet in size.

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

##### **BACKGROUND**

The proposed rezone comprises one parcel totaling 26.673 acres situated at 765 24

Rd, just north of the I-70 interchange with 24 Rd. The subject site was annexed into the City in 1995 and was originally zoned RSF-R (Residential Single Family with a density not to exceed 1 unit per 5 acres) under the 1995 Grand Junction Zoning and Development Code. A Special Use Permit was approved in 1995 (SUP-1995-136) to allow a church and outdoor/indoor family activity center to be located in the RSF-R zone district. Another Special Use Permit was approved in 1998 to allow the placement of five modular units for temporary classrooms. The Fellowship Church subdivision was approved and accepted in 1998 (contains only one lot). The site has undergone three Major Site Plan Reviews. The first two Major Site Plan Reviews took place in 1997 and approved the construction of a new 81,000 square-foot church facility and offices in two phases with a total seating capacity of 1,550 upon completion (SPR-1997-058), as well as approved road improvements to 24 Rd and the I-70 frontage road (SPR-1997-058-2). A third Major Site Plan (SPR-2007-273) was approved in 2007 to construct a 35,000 square foot additional sanctuary.

As indicated, the subject site is currently zoned R-R and is occupied by the Fellowship Church of Grand Junction. To the north are primarily Single Family – Agriculture > 10 Acres uses and some Light Commercial. To the east and south are primarily cropland uses. To the west of the subject site are primarily Heavy Commercial and some Single Family Residence uses. Located to the southeast of the property, across the I-70 interchange, is Canyon View Park. The property fronts the I-70 Frontage Rd and has access off both the I-70 Frontage Rd and 24 Rd.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property and adjacent properties to the north as Residential Medium. Under the Grand Junction Municipal Code, the zone districts that may implement the Residential Medium Land Use classification include the R-8 du/ac (Residential 8), R-12 du/ac (Residential 12), CSR (Community Services and Recreation), MXR-3 (Mixed Use Residential), MXG-3 (Mixed Use General), and MXS-3 (Mixed Use Shopfront) zone districts. The Comprehensive Plan classified adjacent properties to the west and east of the property with an Industrial and a Commercial land use designation, respectively.

The Applicant is now requesting a rezone to MXG-3 to accommodate increased signage square footage on that property. The proposed increase in signage is not permitted within the R-R zone district but is permitted within the MXG-3 zone district. The signage standards for the 24 Rd Corridor require monument signs not exceeding 12 feet in height and 100 square feet in size. The signage parameters meet the desired dimensions of the Applicant for new signage for their facilities. The MXG-3 zone district would permit these dimensions.

If the rezone application is approved, the project would be required to obtain a sign permit. The 24 Rd Corridor sign design standards will apply.

## **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held in-person at



the Applicant's office on August 12th, 2021, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. Other than City Staff, the landowner/representative, and Church Staff, only two neighbors out of the approximately 15 neighbors that were notified of the Neighborhood Meeting attended.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on September 17, 2021. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 17, 2021. The notice of the Planning Commission public hearing was published on September 21, 2021, in the Grand Junction Daily Sentinel.

## **ANALYSIS**

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

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

The Comprehensive Plan Land Use Map identifies the subject property as Residential Medium. The previous 2010 land use designation identified on the property was Commercial. The applicant's proposed zoning of MXG-3 implements the 2020 Comprehensive Plan Land Use of Commercial. The current zoning, R-R, is outside the range of allowable zone districts for Residential Medium. The newly adopted 2020 Comprehensive Plan anticipates more open space and parks, schools, places of worship, home-based business, public/institutional uses, and other complementary neighborhood uses as secondary land uses in the subject site, which are not allowed within the R-R zone district. From a policy standpoint, the adoption of the 2020 Comprehensive Plan directs the proposed vision for development of the subject site that is not implementable with the current zoning. However, adoption of the 2020 Comprehensive Plan is not a subsequent event that would invalidate the original premises or findings. Rather, as a policy document, it indicates the belief and communicates the aspiration that the area will develop in such a manner. Therefore, staff does not find that this criterion has been met.

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

The subject site directly abuts County property zoned RSF-R, to the north and west. To the east of the subject site are parcels within the City limits that are zoned C-1 (Light Commercial). To the southwest of the property are two parcels with C-2 (General Commercial). Directly south of the property, across I-70, is a stretch of parcels with MU (Mixed Use) zoning that run along 24 Rd. In the last two years there have been few

development projects and rezones on properties surrounding and near the site. To the north of the subject site was a parcel that was rezoned from R-E (Residential Estate) to R-8 and C-1 in anticipation of future residential and commercial development. The proposed R-8 zone would be 14.87 +/- acres in size and the proposed C-1 zone would be 3.19 +/- acres in size. There is currently an active Major Subdivision application for the Chronos Subdivision on that parcel to develop three (3) lots (2-commercial and 1-residential) in anticipation of future commercial and residential development on a total of 18.05-acres. The property that directly abuts the subject site to the southwest is currently classified as a Vacant Commercial parcel. To the northeast of the subject site sits the Highlands Distillery Office, which has undergone two Minor Site Plan Reviews in the past three years. This included an expansion of the distillery, although the application was ultimately withdrawn. The site was instead approved for a temporary yurt building for seasonal seating. This area has seen a slow transition over the years from a rural residential area to medium residential, mixed-use, and commercial areas. However, it is premature to conclude that the area has changed enough to warrant a rezone. As such, staff finds this criterion has not been met.

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

The subject property is within the 24 Rd Corridor, which seeks to implement the goals and objectives of the 24 Rd Corridor Subarea Plan to develop a high-quality environment within the corridor that reflects its importance as a gateway to Grand Junction. Adequate public infrastructure and community facilities and services are available and sufficient to serve uses associated with the MXG-3 zone district. The subject site is currently served by Xcel Energy (electricity), Ute Water, Grand Valley Irrigation Company, and Persigo Wastewater Treatment. Multimodal access is sufficient. The subject site is serviced by a primary truck route that runs along I-70 with access via 24 Rd. The stretch of 24 Rd that runs adjacent to the subject site is classified as an Active Transportation Corridor. The subject site is a corner property with access to the lower ordered street (24 Rd – major collector), as well as access on the frontage road. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the provision of adequate public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

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

There are substantial differences between the R-R and MXG-3 zone districts. The MXG-3 zone district accounts for approximately 0% of City zoned land, whereas the RR zone district accounts for approximately 1% of City zoned land. Currently, there are no parcels along the section of 24 Rd north of the I-70 interchange that are zoned MXG-3. There appears to be a deficit of MXG-3 in the area north of the I-70 interchange along 24 Rd. MXG-3 zone districts intend to create a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. The introduction of an

MXG-3 zone district in the area aligns with the following goals and objectives of the 24 Rd Corridor Design Standards and may help encourage and advance the implementation of the 24 Rd Corridor Subarea Plan: • Establish a practical, interconnected system of streets, parks, and parkways that allow easy orientation and convenient access for all modes of transportation. • Accommodate a broad mix of development types that encourage alternative transportation, especially walking, and transit use.

Therefore, staff finds that this criterion has been met.

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

As stated in the General Project Report, the intent of the proposal is not to change any character or condition of the area. All uses on the property will remain the same as the request for rezone is to allow for signage. However, the proposed MXG-3 zoning would create an opportunity to provide for additional uses that could serve the community at this key location and will provide an appropriate scale of signage along this important transportation corridor. MXG-3 is a form district. Form districts are intended to create pedestrian-friendly urban areas where higher density mixed uses and mixed building types promote less dependence on the automobile. MXG-3 allows for all types of household living, institutional and civic uses and limited commercial uses, including entertainment, lodging, office, recreation, and retail sales and service.

The zone district also has design and architectural standards to address compatibility with surrounding residential areas. The implementation of this zone district will provide potential future options to this property for reuse and/or redevelopment that aligns with the vision of the Comprehensive Plan, thereby furthering community goals and providing community benefits. Furthermore, the proposed Appleton Connection – N Leach Creek, which is part of the Active Transportation Corridors, runs across from the property on the eastern half of 24 Rd. Potential future development in accordance with the performance standards of MXG-3, such as higher density mixed uses, could support and encourage increased use of this Active Transportation Corridor. Staff therefore finds this criterion has been met.

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

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

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill

### iii. Tier 3: Rural Areas and County Development

The subject property is located within the Tier 2 – Suburban Infill tier as identified on the City's Growth Plan. Rezoning to MXG-3 opens up opportunities for more compact development and higher density uses in an area that the 2020 Comprehensive Plan identifies as a priority for infill. As stated in the 2020 Comprehensive Plan, development of parcels located within Tier 2 will provide development opportunities while minimizing the impact on infrastructure and City Services (pg. 56). Rezoning to MXG-3 may help direct any potential future mixed-used development to an area that has adequate public infrastructure to accommodate that growth.

Plan Principle 3.6.b. Mix of Uses – Support the creation of a mix of uses in neighborhood centers and along prominent corridors that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including, but not limited to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

An MXG-3 form district allows for the colocation of different uses, such as residential, commercial, and institutional uses such that they are within close proximity (i.e., walkable distance) to one another. A mix of uses may be implemented via standards for building types permitted in an MXG-3 form district, such as General – a building form intended for ground floor office and personal services with upper-story residential or office. Any potential development of the subject site in the future is poised to benefit from the flexibility that an MXG-3 form district provides.

Plan Principle 3.7.a. Gateways – Enhance and accentuate the community's gateways, including Interstate 70 interchanges, Interstate 70 Business Loop, and State Highway 50 to provide a coordinated and attractive community entrance. Gateway design elements may include streetscape design, supportive land uses, building architecture, landscaping, signage, lighting, and public art.

The subject site is located at the corner of 24 Rd and the I-70 interchange, a location identified by the 2020 Comprehensive Plan as a community gateway. Per the 2020 Comprehensive Plan, community gateways are part of the continued efforts to create a community that provides a sense of arrival, attractive design, and well-maintained properties. Rezoning to MXG-3 will allow for signage that is consistent with the vision of the 24 Rd Corridor Subarea Plan and that implements objectives to preserve and accentuate the views of the natural beauty of the Colorado National Monument and Colorado River Corridor, thus enabling the interchange to realize its function as a community gateway.

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

After reviewing the Fellowship Church Rezone, RZN-2021-548, rezoning one parcel totaling 26.673 acres from R-R (Residential Rural) to MXG-3 (Mixed Use General)



located at 765 24 Rd, the following findings of fact have been made:

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

Therefore, the Planning Commission recommends approval of the request.

**FISCAL IMPACT:**

There is no direct fiscal impact as a result of this action.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 5036, an ordinance rezoning one parcel totaling 26.673 acres from R-R (Rural Residential) to MXG-3 (Mixed Use General - 3) located at 765 24 Road on final passage and order final publication in pamphlet form.

**Attachments**

1. Exhibit 1 - Development Application
2. Exhibit 2 - Neighborhood Meeting Documentation
3. Exhibit 3 - Maps & Exhibits
4. Exhibit 4 - Draft Ordinance

## Development Application

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

Petition For: Rezone

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

Existing Land Use Designation: Residential Rural

Existing Zoning: R-R

Proposed Land Use Designation: Mixed Use General

Proposed Zoning: MXG-3

### Property Information

Site Location: 765 24 Road Grand Junction, CO 81505

Site Acreage: approx 26 acres

Site Tax No(s): 2701-321-15-002

Site Zoning: R-R

Project Description:

Rezone from R-R to MXG-3

### Property Owner Information

Name: Fellowship Church of Grand Junction

Street Address: 765 24 Road

City/State/Zip: Grand Junction, CO 81505

Business Phone #: 970-245-7729

E-Mail: phsr@fellowshipgj.com

Fax #: 970-243-9789

Contact Person: Daniel Hooper Sr

Contact Phone #: 970-245-7729

### Applicant Information

Name: Fellowship Church of Grand Junction

Street Address: 765 24 Road

City/State/Zip: Grand Junction, CO 81505

Business Phone #: 970-245-7729

E-Mail: phsr@fellowshipgj.com

Fax #: 970-243-9789

Contact Person: Daniel Hooper Sr

Contact Phone #: 970-245-7729

### Representative Information

Name: Daniel Hooper Sr

Street Address: 765 24 Road

City/State/Zip: Grand Junction, CO 81505

Business Phone #: 970-245-7729

E-Mail: phsr@fellowshipgj.com

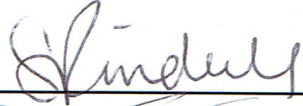
Fax #: 970-243-9789

Contact Person: Daniel Hooper Sr


Contact Phone #: 970-245-7729

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

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

Signature of Person Completing the Application: 

Date: 7.14.21

Signature of Legal Property Owner: 

Date: 7/15/21

## **General Project Report - Rezone**

Date: 7/14/2021

**Property Address: 765 24 Road**

Petitioner: Fellowship Church Grand Junction

Self-Representative: Pastor Daniel Hooper, Sr.

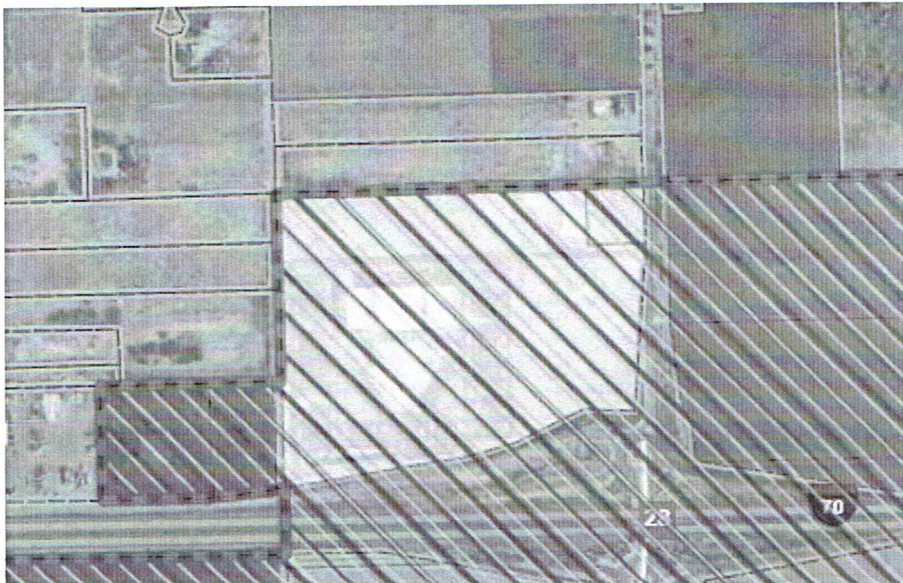
### ***Purpose:***

The purpose of this application is to install signage compliant with zoning and meet the needs of visibility for the existing use.

### ***Description:***

Fellowship Church Grand Junction hereby requests a rezone to Mixed Use General (MXG-3), which requires an amendment to the Future Land Use Map for Grand Junction. The reason for this request is for Fellowship Church to be able to place the desired sign on the street frontage, which is not allowable in the current Residential Zone designation.

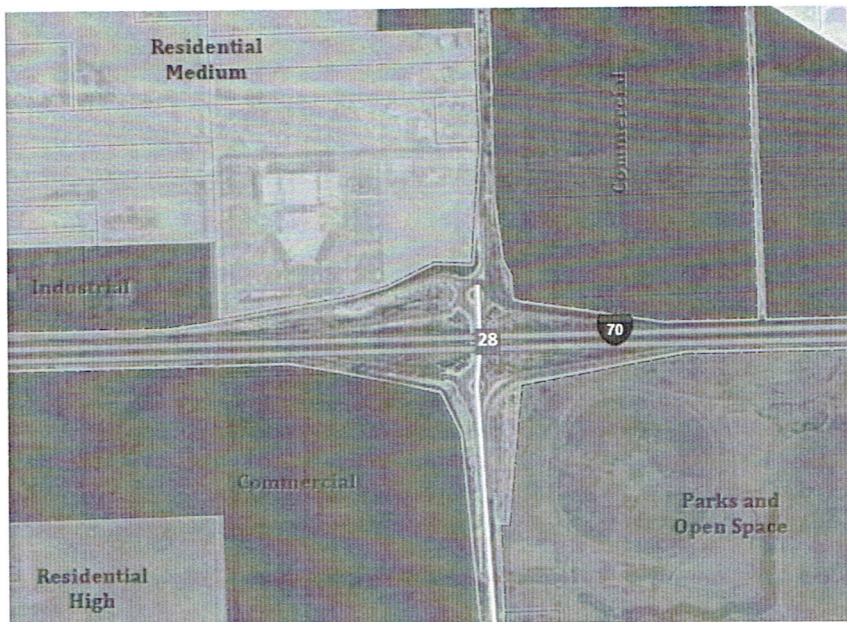
**Figure 1 – City of Grand Junction Zoning Map**



As shown on the above zoning map, the adjacent, annexed properties are C-2, C-1 and Mixed Use. Fellowship Church's proposal of Mixed Use complies with adjacent properties.



**Figure 2 – 2020 Comprehensive Plan Map**



The properties surrounding the 24 Road and I-70 Corridor are not residential. It makes sense for this property at the north west corner of the intersection to also be Mixed Use rather than Residential as all other corners are Commercial / Industrial or Parks.

### **Code Compliance**

This section of the report cites portions of the code and states in *italics how the proposal meets the criteria.*

**Approval criteria:** In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- (1) Subsequent events have invalidated the original premises and findings; and/or  
*The other properties around the intersection of 24 Road and I-70 are now Commercial / Parks use, which may be a change event since the original zoning of Residential. Again, this proposal is not to change the USE it is to allow for the SIGNAGE in the Mixed Use zone designation.*
- (2) The character and / or condition of the area has changed such that the amendment is consistent with the Plan; and/or  
*This proposal is not to change any character or condition of the area. All uses remain the same; the request for rezone is to allow for signage.*
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and / or  
*All facilities are already in place and therefore adequate to serve the facility and therefor the proposal as requested.*



- (4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/ or  
*This is not applicable to this proposal.*
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.  
*The area will derive benefit from this proposal; the area will more easily be able to see the access to Fellowship Church given adequate signage, which is allowable only with this rezone approval.*

In summary, Fellowship Church does not propose a change in use. The rezone requested is to allow for signage to access and identify the church. This application does comply with the surrounding area and the Land Development Code amendment as required for such an application. Fellowship Church respectfully requests approval of this rezone application.

**ADJACENT PROPERTY OWNER  
NAME & ADDRESS ORDER FORM**

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

Tax Parcel #(s): 2701-321-15-002

Property Address: 765 24 Road Grand Junction, CO 81505

Property Owner: Fellowship Church of Grand Junction Colorado Inc

Contact Person: Daniel Hooper Sr. *Staci Rinderle 970.250-6925.*

Mailing Address: 765 24 Road Junction, CO 81505

E-Mail Address: phsr@fellowshipgj.com

Applicant: Fellowship Church of Grand Junction Colorado Inc

Contact Person: Daniel Hooper Sr

Mailing Address: 765 24 Road Junction, CO 81505

E-Mail Address: phsr@fellowshipgj.com

Project Representative: Self

Contact Person: Daniel Hooper Sr

Mailing Address: 765 24 Road Junction, CO 81505

Phone Number: 970-245-7729

E-Mail Address: phsr@fellowshipgj.com

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

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

Legal Description

LOT 1 FELLOWSHIP CHURCH SEC 32 1N 1W EXC ROW ON SE COR  
OF PARCEL AS DESC IN B-3923 P-309 RECP NO 2259866- 25.98AC

## OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Fellowship Church of Grand Junction, CO ("Entity") is the owner of the following property:

(b) 765 24 Road, Grand Junction Colorado 81505

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) Owner 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) \_\_\_\_\_

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) \_\_\_\_\_

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

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

Signature of Entity representative: \_\_\_\_\_

Printed name of person signing: \_\_\_\_\_

State of \_\_\_\_\_ )

County of \_\_\_\_\_ ) ss.

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_

Witness my hand and seal.

My Notary Commission expires on \_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature



**QUITCLAIM DEED**

THIS DEED, made this        day of       , 19       ,  
between Fellowship of Excitement aka Grand Junction  
Baptist Church of Grand Junction, Colorado, A Nonprofit  
Corporation  
of the said        \*County of Mesa and State of  
Colorado       , grantor, and Fellowship Church of  
Grand Junction, Colorado, Inc., a Colorado nonprofit  
Corporation  
whose legal address is 715 Horizon Drive, Suite 380,  
Grand Junction, Colorado 81506

1849967 06/10/98 0918AM  
MONIKA TOOD CLK&REC MESA COUNTY CL  
REC FEE \$10.00 SURCHG \$1.00  
DOCUMENTARY FEE \$NO FEE

9:18A

of the said        County of Mesa and State of Colorado, grantees:

WITNESS, that the grantor, for and in consideration of the sum of Ten and other valuable  
consideration-----DOLLARS,  
the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does  
remise, release, sell and QUITCLAIM unto the grantees, their heirs, successors and assigns forever, not in tenancy in common but in joint  
tenancy, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any,  
situate, lying and being in the said        County of Mesa and State of Colorado,  
described as follows:

See Exhibit "A" attached hereto and made a part hereof by reference.

also known by street and number as: 765 24 Road, Grand Junction, Colorado 81505  
assessor's schedule or parcel number: 2701-321-00-066

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise  
thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper  
use, benefit and behoof of the grantees, their heirs and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Daniel C. Hooper  
Fellowship of Excitement aka  
Grand Junction Baptist Church  
of Grand Junction, Colorado, A  
Nonprofit Corporation by

1. This Statement of Authority relates to an entity<sup>1</sup> named **Fellowship Church of Grand Junction, Colorado, Inc.** and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

- ☐ corporation
- ☒ nonprofit corporation
- ☐ limited liability company
- ☐ general partnership
- ☐ limited partnership
- ☐ business trust

- ☐ registered limited liability partnership
- ☐ registered limited liability limited partnership
- ☐ limited partnership association
- ☐ govt. or governmental subdivision or agency
- ☐ trust
- ☐ unincorporated nonprofit association

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

6.2 The authority of the foregoing person(s) to bind the entity is ☒ not limited ☐ limited as follows:  
N/A.

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

Fellowship Church of Grand Junction,  
Colorado, Inc., a Colorado Nonprofit  
corporation

By: Daniel C. Hooper, President

STATE OF COLORADO )  
 ) ss.  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 20th day of March, 2009,  
by Daniel C. Hooper, as President of Fellowship Church of Grand Junction, Colorado, Inc., a  
Colorado Nonprofit corporation

Witness my hand and official seal.

My commission expires:

Notary Public  
 TAMARA M.  
 HEINE  
 STATE OF COLORADO

<sup>1</sup> This form should not be used unless the entity is capable of holding title to real property.

<sup>2</sup>The absence of any limitations shall be prima facie evidence that no such limitations exists.

<sup>3</sup>The statement of authority must be recorded to obtain the benefits of the statute.

868 e h



Adjacent Property Owner

Grand Junction, CO 81505

MTG-2021-527

**RE: 765 24 Road Grand Junction, CO 81505**

Dear Property Owner:

The Above referenced property will soon be subject of a Rezone Application Request(s) with the City of Grand Junction's Community Development Department. Prior to application submittal, a Neighborhood Meeting is to be held to introduce the proposed rezone to area residents, in accordance with the Grand Junction Zoning and Development Code.

The parcel at 765 24 Road encompasses approx. 26 acres, located north of I-70 and West of 24 Road. The current zoning of the property is R-R (rural residential). The proposed zoning is MXG-3 (Mixed Use General)

The purpose for the rezone request is to allow for increased signage square footage as permitted by the City of Grand Junction.

The neighborhood meeting is held to allow the neighborhood an opportunity to see the area to be rezoned and to answer questions about the request. Pastor Daniel Hooper Sr. and a City Planner will attend the meeting to discuss the proposed rezone.

A Neighborhood meeting will be held in-person and in compliance with the City of Grand Junction's Neighborhood Meeting process. The meeting is designed to present information for you to learn more about the proposed Project in a safe meeting environment and will be held at Fellowship Church on August 12<sup>th</sup> 2021 at 5:30pm

A site location map is attached to show the location of the property to be rezoned.

**Location:**

**Fellowship Church**

**765 24 Road Grand Junction, CO 81505**

**Topic: Rezone**

**Time : August 12<sup>th</sup> 2021 5:30 pm**

**Please do not hesitate to contact if you have any questions regarding this project**

**Fellowship Church of Grand Junction**

**Dan Hooper Jr.**  
**765 24 Road Grand Junction, CO 81505**  
Tel (970) 245-PRAY (7729) Fax (970) 243-8035

Name	Address	E-mail
RICHARD PENNINGTON	780-53 1/2 Rd	GS.
SCOTT PETERSON	SENIOR PLANNER	SCOTT@GJCLTY.ORG
Dani Acosta	Associate Planner	daniellac@gjcly.org
Al Rockman	3491 E Road	alrockman@hotmail.com
Jeffrey Crippin	765 24 Rd	jeff@Fellowshipgj.com
Sheila Collins	3176 Highway Rd	GS. twobettyboob@hotmail.com
PASTOR DAN HOOPER SR.	765 24 ROAD	



5:30

Aug. 12 2021

Meeting

Fellowship Church

765 24 Rd

Grand Junction CO

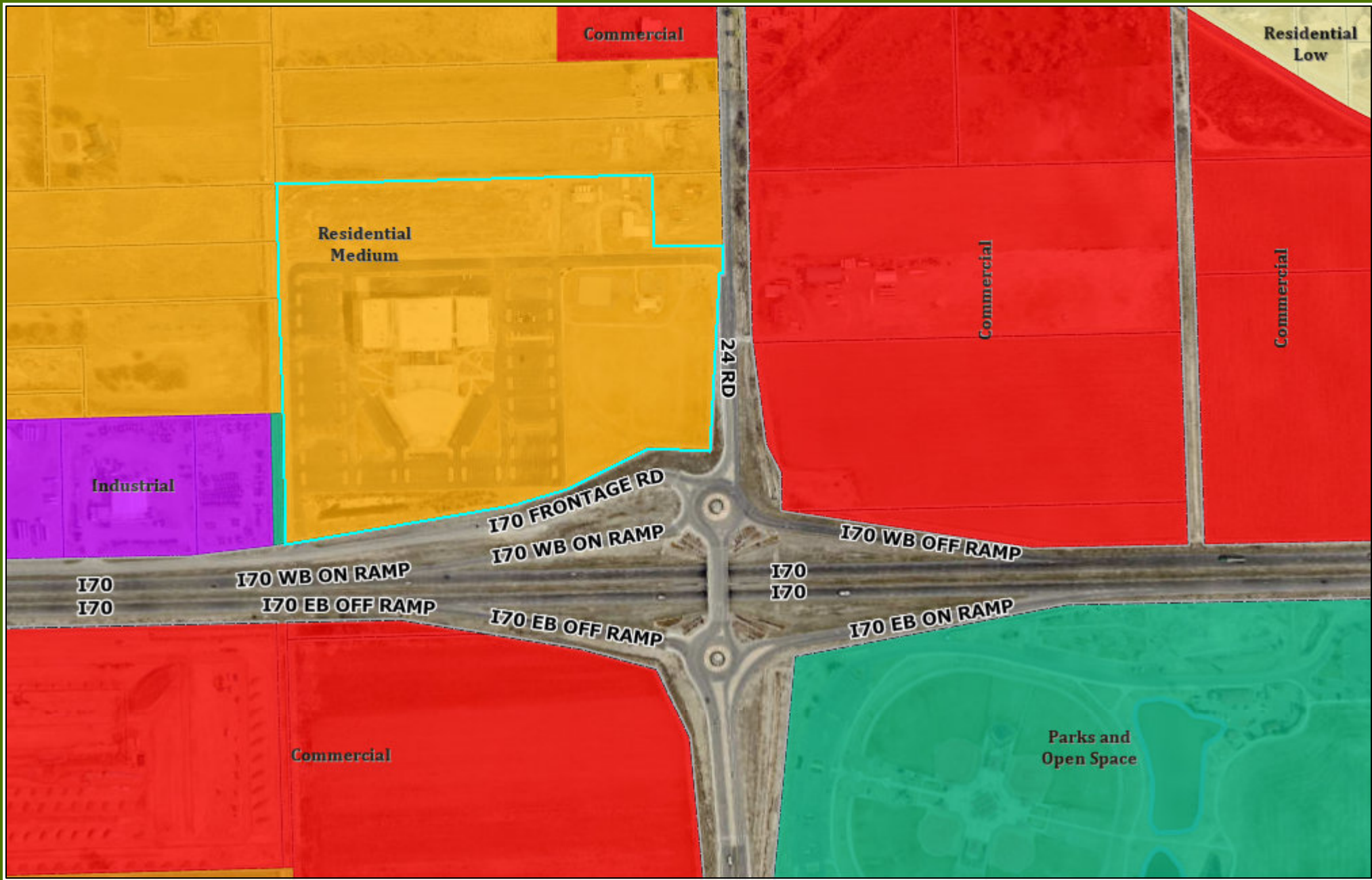
81505

Attended

Richard Pennington

wanted to know why - Mixed use General  
Pastor Hooper explained for signage

# Comprehensive Plan Future Land Use Map



0 0.1 0.2 mi

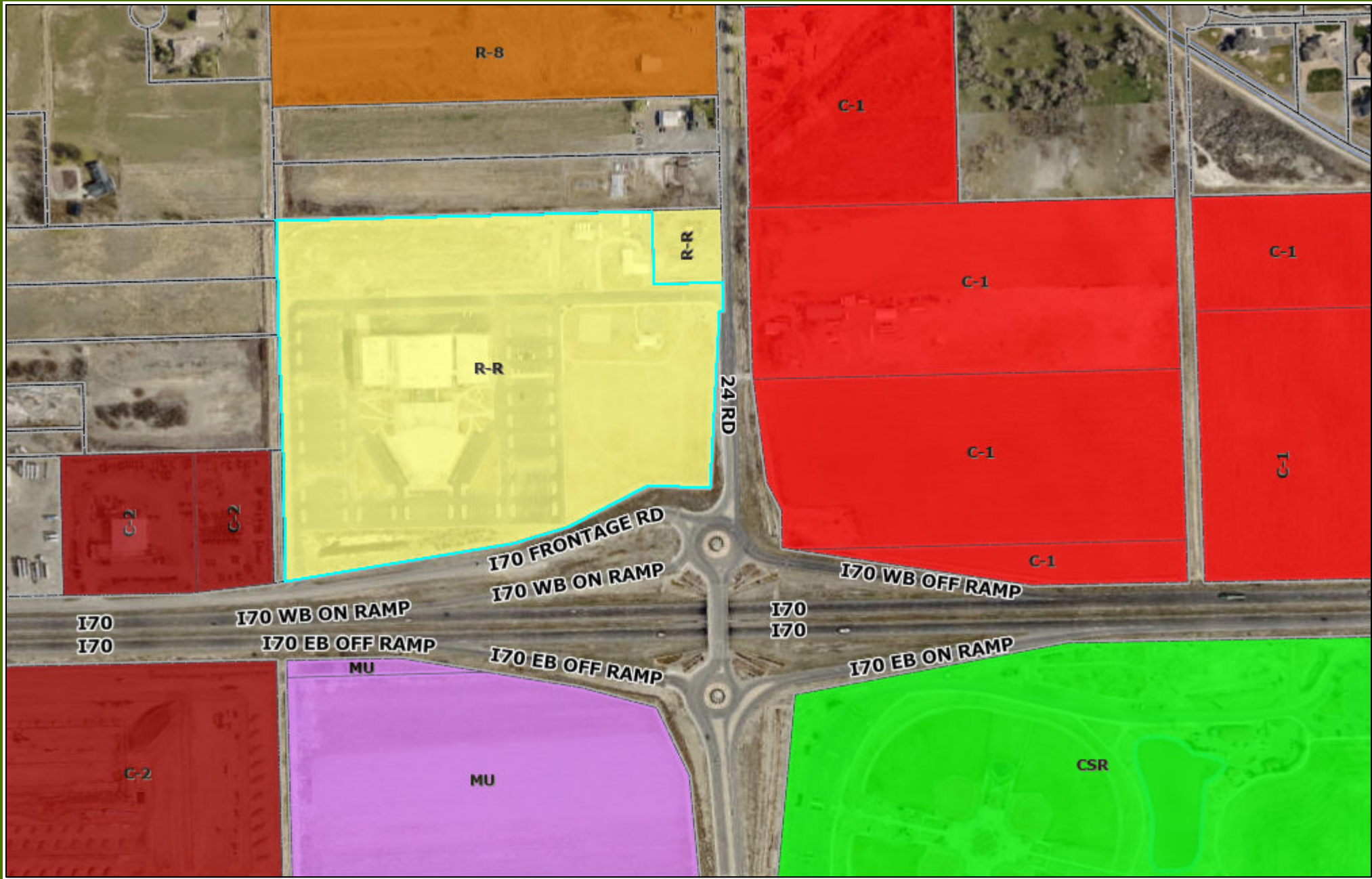
Printed: 9/7/2021

1 inch = 376 feet

CITY OF  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEM



# Existing Zoning Map



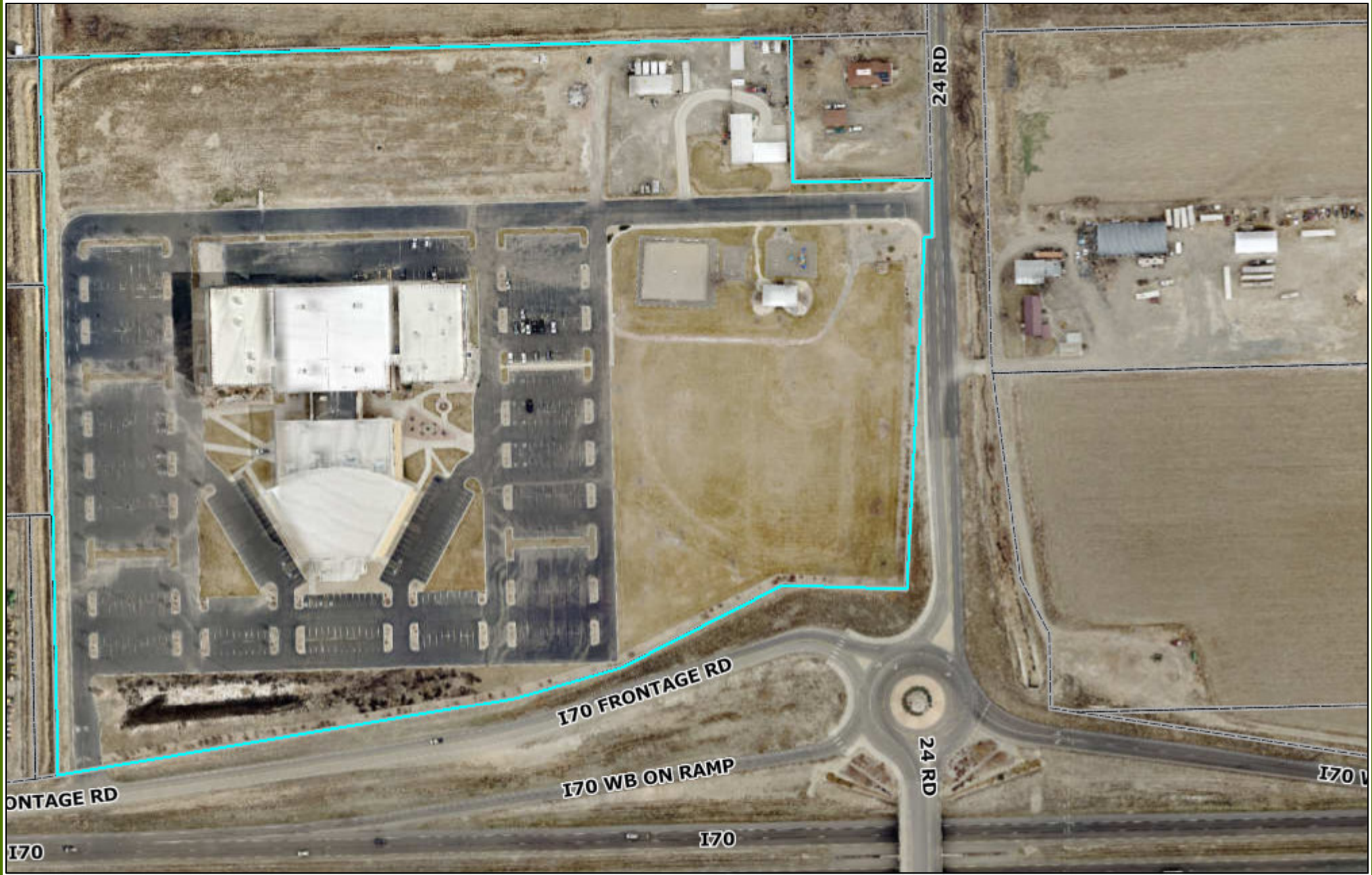
0 0.1 0.2  
mi

Printed: 9/7/2021

1 inch = 376 feet



# Site Location Map



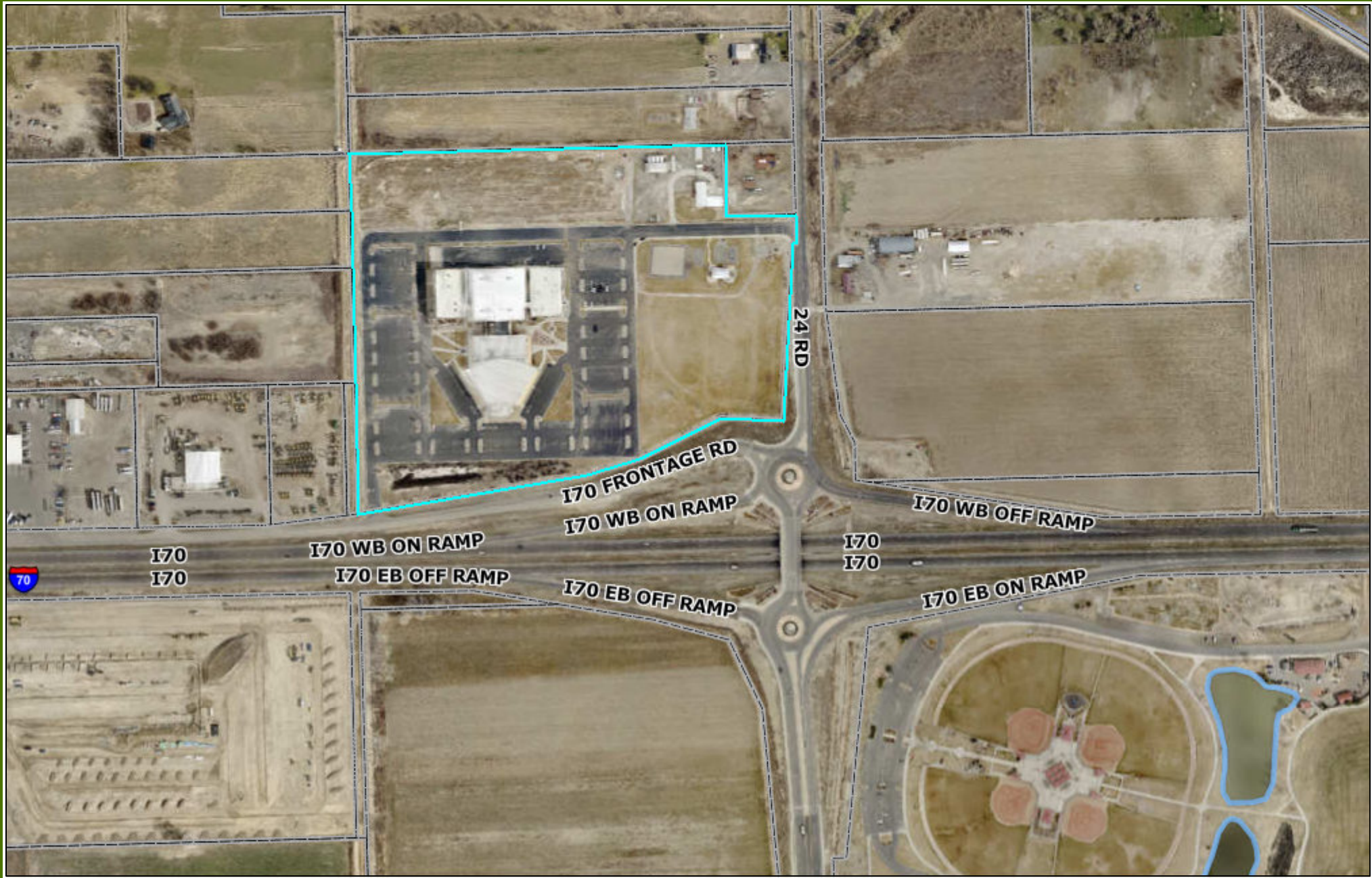
0 0.05 0.1  
mi

Printed: 9/7/2021

1 inch = 188 feet



# Vicinity Map



0 0.1 0.2 mi

Printed: 9/7/2021

1 inch = 376 feet

CITY OF  
**Grand Junction**  
COLORADO  
GEOGRAPHIC INFORMATION SYSTEM

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LOT 1, FELLOWSHIP CHURCH SUBDIVISION  
765 24 RD (FELLOWSHIP CHURCH PROPERTY) FROM R-R (RURAL  
RESIDENTIAL) TO MXG-3 (MIXED USE GENERAL – 3)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (“Code”), the Grand Junction Planning Commission recommended zoning the Fellowship Church Property, Lot 1, Fellowship Church Subdivision, to the MXG-3 (Mixed Use General – 3) zone district, finding that the zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the MXG-3 (Mixed Use General – 3) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 1, Fellowship Church Subdivision shall be zoned MXG-3 (Mixed Use General – 3).

Introduced on first reading this 6<sup>th</sup> day of October 2021 and ordered published in pamphlet form.

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

**ATTEST:**

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

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #6.a.ix.

---

**Meeting Date:** October 20, 2021  
**Presented By:** John Shaver, City Attorney  
**Department:** City Attorney  
**Submitted By:** John Shaver

---

### **Information**

#### **SUBJECT:**

An Ordinance Amending the Grand Junction Municipal Code by Establishing a Process for Optional Premises Licenses

#### **RECOMMENDATION:**

Conduct a public hearing and adopt the ordinance on second reading.

#### **EXECUTIVE SUMMARY:**

The Grand Junction Municipal Code (GJMC) at 5.12.010 *et. seq.* provides a process for liquor and beer licensure according to State and local law. With this Ordinance, the City Council will amend the GJMC to create a process for optional premises licenses in the City of Grand Junction, Colorado.

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

Colorado law (§§44-3-310 and 413 C.R.S.) permits a municipality to pass an ordinance to provide optional premises licenses for an applicant to sell, dispense, or serve alcohol beverages at location(s) designated by the applicant and approved by the Local Licensing Authority and the State. The service area must be designated annually and upon designation of the area(s) for service, no alcohol beverages may be served without the licensee having provided 48 hours' notice prior to serving.

Service of alcoholic beverages within additional designated area(s) of existing licensees may be shown to benefit the patrons of the licensed facility and so long as the service of alcohol is done lawfully and with full benefit of professional management, supervision and regulation, the City Council authorizes the Local Licensing Authority to accept, evaluate, and decide Optional Premises license applications.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 5037, an ordinance to amend the Grand Junction Municipal Code to establish a process for Optional Premises licenses as provided in the ordinance and by applicable law on final passage and order final publication in pamphlet form.

**Attachments**

1. ORD-Optional Premises



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE GRAND JUNCTION MUNICIPAL CODE BY  
ESTABLISHING A PROCESS FOR OPTIONAL PREMISES LICENSES IN THE CITY  
OF GRAND JUNCTION, COLORADO AND AMENDING ORDINANCE NO. 5010  
CONCERNING THE STATUTORY CITATIONS THEREIN**

Recitals:

The Grand Junction Municipal Code at 5.12.010 et. seq. provides *inter alia* that the Hearing Officer shall determine after hearings in accordance with the State liquor and beer codes certain applications for licensure and apply established legal principles to those applications. With this Ordinance, the City Council does establish a process for optional premises licenses in the City of Grand Junction, Colorado.

Colorado law (§§44-3-310 and 413 C.R.S.) permits a municipality to pass an ordinance to provide optional premises license(s) for an applicant to sell, dispense or serve alcohol beverages at location(s) designated by the applicant and approved by the Local Licensing Authority and the State. The service area must be designated annually and upon designation of the area(s) for service no alcohol beverages may be served without the licensee having provided 48 hours' notice prior to serving.

Service of alcohol beverages at and within designated area(s) of existing licensees may be shown to benefit the patrons of the licensed facility and so long as the service of alcohol is done lawfully and with full benefit of professional management, supervision and regulation the City Council authorizes the Local Licensing Authority to accept, evaluate and decide Optional Premises license applications. As determined by the City Clerk in consultation with the City Attorney this ordinance shall be codified in the Grand Junction Municipal Code as 5.12.245

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

For the purposes of this ordinance, the following words or phrases shall have the meanings set forth. Additions to the GJMC are shown in ALL CAPS.

- a. **OPTIONAL PREMISES LICENSE** MEANS THE SAME AS THAT DEFINED IN THE COLORADO LIQUOR CODE UNDER § 44-3-310(4) AND 44-3-413, C.R.S.
- b. **OPTIONAL PREMISES APPLICANT OR OPTIONAL PREMISES LICENSEE** MEANS THE SAME AS THAT DEFINED IN THE COLORADO LIQUOR CODE UNDER § 44-3-310(4) AND 44-3-413, C.R.S.

C) AN APPLICANT FOR AN OPTIONAL PREMISES LICENSE SHALL FILE WITH THE CITY CLERK THE FOLLOWING INFORMATION IN ADDITION TO INFORMATION, REQUIRED BY THE STATE (APPLICATION).

D) WHEN THE APPLICATION IS COMPLETE AND ACCEPTED AS TO FORM BY THE CITY CLERK THE APPLICATION WILL BE SCHEDULED AND HEARD PUBLICLY BY THE GRAND JUNCTION LIQUOR LICENSING AUTHORITY (LOCAL AUTHORITY) THE APPLICATION SHALL INCLUDE AND DESCRIBE:

- (1) AN ILLUSTRATION OF THE OPTIONAL PREMISES AREA/SIZE/BOUNDARIES AND THE LOCATION OF THE PROPOSED OPTIONAL PREMISES LICENSE REQUESTED, THAT THE OPTIONAL PREMISES LICENSE SHALL NOT BE EXERCISED TO INTERFERE WITH PUBLIC ACCESS OR INHIBIT THE SAFETY OF PERSONS USING/ACCESSING THE FACILITY(IES); AND
- (2) A DESCRIPTION OF THE METHOD WHICH SHALL BE USED TO IDENTIFY THE BOUNDARIES OF THE OPTIONAL PREMISES LICENSE WHEN IT IS IN USE AND HOW THE LICENSEE WILL ENSURE ALCOHOL BEVERAGES ARE NOT REMOVED FROM SUCH PREMISES; AND,
- (3) A DESCRIPTION OF PROVISIONS, INCLUDING A DESCRIPTION OF FACILITIES, WHICH HAVE BEEN MADE FOR STORING THE ALCOHOL BEVERAGES IN A SECURED AREA ON OR OFF THE OPTIONAL PREMISES AND FOR FUTURE USE ON THE OPTIONAL PREMISES IF OR WHEN ALCOHOL BEVERAGES ARE NOT SERVED INCLUDING THAT ALL ALCOHOL WILL BE STORED IN THE DESIGNATED AND APPROVED AREAS IN THE OPTIONAL PREMISES;  
AND,
- (4) A DESCRIPTION OF THE PROVISIONS WHICH WILL BE IMPLEMENTED TO CONTROL OVER SERVICE, PREVENT UNDERAGE SERVICE OF ALCOHOL BEVERAGES AND FOR FOOD SERVICE; AND,
- (5) A DESCRIPTION OF THE OPERATIONAL RELATIONSHIP BETWEEN THE LICENSED PREMISES AND THE OPTIONAL PREMISES, INCLUDING BUT NOT LIMITED TO THAT THE APPLICANT IS THE OWNER; AND,
- (6) AN OATH OR AFFIRMATION THAT THE LICENSEE SHALL AT ALL TIMES WHEN EXERCISING THE LICENSE ADHERE TO THE APPLICABLE REQUIREMENTS AND ALL OTHER STANDARDS APPLICABLE TO THE CONSIDERATION AND/OR ISSUANCE OF LICENSES UNDER THE COLORADO LIQUOR CODE AND ANY AND ALL APPLICABLE LOCAL LAWS, RULES AND REGULATIONS.

E) NOTHING CONTAINED IN THIS ORDINANCE SHALL PRECLUDE THE LOCAL AUTHORITY IN ITS DISCRETION, FROM IMPOSING CONDITIONS, RESTRICTIONS,

OR LIMITATIONS ON AN OPTIONAL PREMISES LICENSE IN ORDER TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE. ANY SUCH CONDITIONS MAY BE IMPOSED WHEN THE LICENSE IS INITIALLY ISSUED, ISSUED FOR ANY SPECIFIC EVENT, OR RENEWED. THE AUTHORITY SHALL HAVE THE RIGHT TO DENY ANY REQUEST FOR AN OPTIONAL PREMISES LICENSE OR IT MAY SUSPEND OR REVOKE THE OPTIONAL PREMISES LICENSE IN ACCORDANCE WITH THE PROCEDURES SPECIFIED BY LAW.

F) IT SHALL BE UNLAWFUL FOR ALCOHOL BEVERAGES TO BE SERVED ON THE OPTIONAL PREMISES UNTIL THE OPTIONAL PREMISES LICENSEE HAS FILED WRITTEN NOTICE WITH THE STATE AND THE LOCAL AUTHORITY STATING THE SPECIFIC DAYS AND HOURS DURING WHICH THE OPTIONAL PREMISES WILL BE USED. NOTICE MUST BE FILED WITH THE STATE AND LOCAL AUTHORITY 48 HOURS PRIOR TO SERVING ALCOHOL BEVERAGES ON THE OPTIONAL PREMISES. SUCH NOTICE SHALL CONTAIN THE SPECIFIC DAYS AND HOURS ON WHICH THE OPTIONAL PREMISES WILL BE USED FOR THE CONSUMPTION OF ALCOHOL BEVERAGES.

Furthermore, this Ordinance amends Ordinance No. 5010 by replacing the citations to the former Colorado Liquor Code, C.R.S. 12-47-101 *et seq.* contained in Ordinance No. 5010 with the current citations expressed in C.R.S. 44-3-101 *et. seq.*

If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this Ordinance.

The City Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

INTRODUCED ON FIRST READING THIS 6<sup>th</sup> day of October 2021.

PASSED AND ADOPTED ON SECOND READING AND ORDER PUBLISHED IN PAMPHLET FORM THIS 20<sup>th</sup> day of October 2021.

---

C.B. McDaniel  
President of the City Council

ATTEST:

---

Wanda Winkelmann  
City Clerk