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**CITY COUNCIL AGENDA
WEDNESDAY, MAY 18, 2022
250 NORTH 5TH 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 May 15 - May 21, 2022 Emergency Medical Services Week in the City of Grand Junction

Appointments

To the One Riverfront Commission

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, May 18, 2022 or 4) submitting comments [online](#) until noon on Wednesday, May 18, 2022 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 May 2, 2022 Workshop
- b. Minutes of the May 4, 2022 Regular Meeting

2. Set Public Hearings

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

- a. Legislative
 - i. Introduction of Two Ordinances Establishing a) Truck Routes and b) Regulations on Compression Brakes and Setting a Public Hearing for June 1, 2022
 - ii. Introduction of an Ordinance Amending Sections 10.04.020 and 10.04.1412 of the Grand Junction Municipal Code Pertaining to Traffic Related Definitions and the Operation of Bicycles and Other Low Speed Conveyances and Pedestrians Approaching Controlled Intersections and Setting a Public Hearing for June 1, 2022
- b. Quasi-judicial
 - i. Introduction of an Ordinance Rezoning One Parcel Totaling 2.17 Acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) Located at 2730 B Road and Setting a Public Hearing for June 1, 2022

3. Procurements

- a. Daycare Center Electrical Improvements Project
- b. Daycare Center Plumbing Installation
- c. City Hall HVAC Replacement
- d. Construction Observation for Hogchute Dam Improvements 2022

4. Resolutions

- a. A Resolution Authorizing the City Manager to Submit a Grant Application for the Revitalizing Main Streets Grant Program for the 4th and 5th Street Corridor Enhancement Project
- b. A Resolution Appointing a Cannabis Hearing Officer
- c. A Resolution Ratifying the Sale Agreement for 2600 Riverside Parkway
- d. A Resolution Approving a Conveyance of a Utility Easement to Cynthia and Stephen Coop and Grand Valley Rural Power Lines Across City Property/Property Located at/in the Vicinity of 4901 Purdy Mesa Road, Mesa County, Colorado
- e. A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

REGULAR AGENDA

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

5. Public Hearings

- a. Legislative
 - i. An Ordinance to Reenact Ordinance No. 4833 Regarding Camping on Public Property/Public Places with the Elimination of the Sunset Clause
- b. Quasi-judicial
 - i. A Resolution Accepting the Petition for the Annexation of 2.37 Acres of Land and Ordinances Annexing and Zoning the Twenty Eighty Broadway Annexation to R-5 (Residential - 5 du/ac), Located at 2080 Broadway

6. Non-Scheduled Citizens & Visitors

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

7. Other Business

8. Adjournment



City of Grand Junction, State of Colorado

Proclamation

- Whereas,** recovering from a global pandemic, we recognize now more than ever that emergency medical services are a vital public service; and
- Whereas,** the members of emergency medical service teams are ready to go beyond the call to provide lifesaving care to those in need 24 hours a day, seven days a week; and
- Whereas,** access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and
- Whereas,** emergency medical service providers have traditionally served as the safety net of America's health care systems; and
- Whereas,** emergency medical service teams consist of emergency medical technicians, paramedics, firefighters, dispatchers, emergency nurses, emergency physicians, and others; and
- Whereas,** the members of emergency medical service teams engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and
- Whereas,** the citizens of Grand Junction benefit daily from the knowledge, skills, and selfless service of these highly trained individuals; and
- Whereas,** it is appropriate to recognize the value and the accomplishments of emergency medical service providers by recognizing Emergency Medical Services Week.

NOW, THEREFORE, I, Anna Stout, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of May 15 – May 21, 2022 as

“Emergency Medical Services Week”

in the City of Grand Junction and encourage the community to observe this week with appropriate programs, ceremonies, and activities.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 18th day of May 2022.

A handwritten signature in black ink, appearing to read 'Anna Stout'.

Mayor



Grand Junction City Council

Regular Session

Item #

Meeting Date: May 18, 2022
Presented By: Laura Bauer, Interim City Clerk
Department: City Clerk
Submitted By: Kerry Graves

Information

SUBJECT:

To the One Riverfront Commission

RECOMMENDATION:

To appoint the interview committee's recommendations to the One Riverfront Commission.

EXECUTIVE SUMMARY:

There are five vacancies on the One Riverfront Commission.

BACKGROUND OR DETAILED INFORMATION:

Dave Bastian, Catherine Ventling, Elaine Heath, and Lou Patterson have terms expiring July 31, 2022. Jessica Paris-Manroe resigned.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the interview committee's recommendations to the One Riverfront Commission.

Attachments

None

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

May 2, 2022

Meeting Convened: 5:30 p.m. The meeting was held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

City Councilmembers Present: Councilmembers Dennis Simpson, Rick Taggart, Abe Herman, Anna Stout, and Mayor Chuck McDaniel

City Councilmembers Virtual: Councilmember Pe'a

City Councilmembers Absent: Councilmember Reitz

Staff present: City Manager Greg Caton, City Attorney John Shaver, Interim City Clerk Laura Bauer, Deputy City Clerk Selestina Sandoval, Public Works Director Trenton Prall

1. Discussion Topics

a. Affordable Housing Goal Development

Root Policy Research Managing Director Mollie Fitzpatrick presented. The Affordable Housing Goal Development was identified as Strategy #2 in the recently adopted 2021 Grand Junction Housing Strategy. The recommended action step identified in the Housing Strategy was working with the housing coalition and non-profit partners to look at what their targets are over the next five years. Root Policy Research continued conversations with that group and supports this action step. They also recommend Council consider committing to a goal related to annual production of affordable housing units, defining affordable and attainable housing and tracking annual production to measure progress. As Council looks at how to define affordable housing, Area Median Income (AMI) is what pegs income level to income qualifications for programs. On the rental side the gap range is between 30% and 60% AMI and on the ownership side the gap range is between 50% and 150% AMI. Grand Junction has more rental inventory than in the deed or income restricted inventory. The Root Policy Research Group recommends defining affordable housing as a unit that has a contractual requirement to keep the cost of rent and mortgages affordable at 80% AMI or less. They recommend defining attainable at 80% to 120% AMI. The recommended production goal is to increase the affordable housing stock by 227 units over the next five years. Root Policy Research believes this goal is aspirational, yet attainable.

In response to Council questions, Ms. Fitzpatrick stated the City's AMI are specific to Mesa County and HUD is the entity who sets AMI. She said that HUD generally considers what income is needed to support various household sizes. Council will need to prioritize resources

as focusing on the 30% AMI could cost more. They discussed various funding sources such as dedicated funding sources, inclusionary zoning, fee waivers, forgivable loans and land donations.

b. Truck Routes and Compression Brakes

Public Works Director Trenton Prall presented the item. Currently the City has only “recommended” truck routes, and staff is proposing an ordinance designating primary and secondary truck routes for Class 6 and higher trucks. Those making local deliveries would be exempt, however, the driver would need to have evidence of local delivery. Primary routes would include I-70, I-70B, Highway 50, Highway 141. Secondary routes would include Patterson, Horizon Drive, 12th Street, North Avenue, and G Road. The routes will need to be posted and police would be able to ticket non-compliant trucks.

Compression Brakes are often used on I-70 exiting Horizon Drive or Eastbound on I-70. Many communities have prohibited their use within municipal limits. The Colorado Moto Carriers Association didn’t express concern over the City prohibiting their use and just asked for advance notice when an ordinance becomes effective.

c. Union Pacific Railroad Downtown Quiet Zone

The Downtown Development Authority (DDA) has been interested in the implementation of quiet zones for some time. The railroad crossings at 7th Street and 9th Street would have additional safety measures that would enable the railroad using those lines to not have to blow their horns at those intersections. The improvement could include adding additional gates, wayside horns and an extension of the medians. Circuitry would need to be installed, but 7th Street already has the upgrade. This year’s budget includes \$100k toward this project.

2. City Council Communication

Councilmember Stout stated there are significant delays in obtaining the pay study from Employers Council; however, she believes Council should move forward with the executive sessions scheduled for Wednesday night.

3. Next Workshop Topics

City Manager Caton reviewed upcoming topics

4. Other Business

There being no further business, the Workshop adjourned at 7:43 pm.

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

May 4, 2022

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 4th day of May 2022 at 5:30 p.m. Those present were Councilmembers Abe Herman, Phillip Pe'a (virtually), Randall Reitz, Dennis Simpson, Anna Stout, Rick Taggart and Council President Chuck McDaniel.

Also present were City Manager Greg Caton, City Attorney John Shaver, Interim City Clerk Laura Bauer, Deputy City Clerk Selestina Sandoval, Police Chief Doug Shoemaker, Senior Planner Nicole Galehouse, and General Service Director Jay Valentine.

Council President McDaniel called the meeting to order. Student Stella Rouse led those present in the Pledge of Allegiance, followed by a moment of silence.

Proclamations

Proclaiming the Week of May 1 - May 7, 2022 as Municipal Clerks Week in the City of Grand Junction

Councilmember Herman read the Proclamation. Interim City Clerk Laura Bauer accepted the proclamation with her staff present: Records Manager Debbie Kemp, Deputy City Clerk Janet Harrell, Deputy City Clerk Selestina Sandoval, and Administrative Assistant Kerry Graves.

Proclaiming May 15 - May 21, 2022 as Police Week in the City of Grand Junction

Councilmember Stout read the Proclamation. Police Chief Doug Shoemaker accepted the proclamation.

Appointments

Election of Council President/Ex-Officio Mayor and Council President Pro Tem/Ex-Officio Mayor Pro Tem

Councilmember Stout moved and Councilmember Herman seconded to use voice voting as the selection method in appointing the Mayor and Mayor Pro Tem. Motion carried by unanimous voice vote.

Councilmember Herman moved and Councilmember Pe'a seconded to nominate

Councilmember Stout for Council President/Ex-Officio Mayor.

Councilmember Taggart moved and Councilmember Herman seconded to close nominations. Councilmember Reitz spoke in favor of the nomination. Motion carried by unanimous roll call vote.

Councilmember Taggart moved and Councilmember Herman seconded to appoint Councilmember Stout to Council President/Ex-Officio Mayor. Councilmember Herman and Councilmember Pe'a spoke in favor of the nomination. Motion carried by voice vote with Councilmember Simpson voting no.

Councilmember McDaniel moved and Councilmember Taggart seconded to nominate Councilmember Herman to Council President Pro Tem/Ex-Officio Mayor Pro Tem.

Councilmember Herman moved and Councilmember Stout seconded to close the nominations. Motion carried by unanimous voice vote.

Motion to appoint Councilmember Herman as Council President Pro Tem/Ex-Officio Mayor Pro Tem carried by voice vote with Councilmember Simpson voting no.

Councilmembers thanked Councilmember McDaniel for his service as Mayor.

Councilmember Pe'a left the meeting.

Citizen Comments

Bruce Lohmiller spoke regarding homelessness.

Ed Kowalski spoke regarding community guidelines and law enforcement engagement.

Jonathan Rouse spoke and introduced himself and his company.

Pooka Campbell, community advocate, spoke about health equity in the community.

Stephania Vasconez with Mutual Aid Partners spoke of the homeless community.

Council Reports

Councilmember Herman gave an update on the Homeless Coalition and Grand Junction Economic Partnership Executive Director search.

Mayor Stout stated the legislative session is nearing its end and there will be an update at the next meeting regarding which bills passed and how it will impact the City.

CONSENT AGENDA

Councilmember Taggart asked for a correction to be made to the Staff Report on Item 4.b.

Councilmember Reitz moved and Councilmember Herman seconded to adopt Consent Agenda items #1 - #4. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the April 18, 2022 Workshop

- b. Minutes of the April 20, 2022 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance to Reenact Ordinance No. 4833 Regarding Camping on Public Property/Public Places with the Elimination of the Sunset Clause and Setting a Public Hearing for May 18, 2022

- b. Quasi-judicial
 - ii. Introduction of an Ordinance for Zoning Approximately 2.37 Acres from County RSF-4 (Residential Single Family - 4 du/ac) to R-5 (Residential - 5 du/ac) for the Twenty Eighty Broadway Annexation, Located at 2080 Broadway and Setting a Public Hearing for May 18, 2022

3. Procurements

- a. 2022 Contract Street Maintenance – Seal Coat

- b. Construction Contract for Partial Reconstruction of South Rim Drive and Kansas Avenue

- c. Purchase Tow Behind Stump Grinder from Vermeer Sales in Grand Junction, Colorado

4. Resolutions

- a. A Resolution Adopting the 4th and 5th Street Feasibility Study

- b. A Resolution Setting Fees for Cannabis Licensing

REGULAR AGENDA

An Ordinance Amending Title 21 Chapter 4, Chapter 6, and Chapter 10 and Amending Title 27, Chapter 12 of the Grand Junction Municipal Code Regarding Use Standards and for Specific Buffering between Certain Schools and Rehabilitation Facilities, and Adopting Regulations for Signage of Cannabis Businesses, and Definitions for such Businesses

The voters approved referred measures 2A and 2B at the City election on April 6, 2021. The approval of those measures provides the City Council an opportunity to allow for and regulate Marijuana “Cannabis” businesses and to establish tax rates and regulations for the retail cannabis industry in Grand Junction.

The City Council met on July 13, 2020, November 30, 2020, December 17, 2020, January 4, 2021, January 20, 2021, March 1, 2021, May 3, 2021, June 7, 2021, July 19, 2021, July 21, 2021, September 20, 2021, November 1, 2021, January 10, 2022, February 14, 2022, and March 14, 2022, to discuss and provide direction regarding the regulation of Cannabis (Marijuana) Retail Sales within the City of Grand Junction. The proposed ordinances are the product of these extensive discussions and the culmination of the City’s effort to create a system for regulating cannabis retail sales businesses that protect the health, safety and welfare of the community while creating a fair and equitable process to select qualified operators of up to ten retail sales locations. This proposed ordinance is the last of three ordinances that were on first reading on March 16, 2022 and is specific to the zoning requirements for cannabis licensing. This ordinance amends certain sections of the Zoning and Development Code (Title 21 and Title 27) The Planning Commission heard the item at their April 12, 2022 meeting.

Senior Planner Nicole Galehouse presented this item.

The public hearing opened at 6:22 p.m.

There were no comments.

The public hearing closed at 6:22 p.m.

Councilmember Simpson moved and Councilmember Herman seconded to adopt Ordinance No. 5070, an ordinance amending Title 27, Chapter 12 of the Grand Junction Municipal Code regarding use standards and for specific buffering between certain schools, and rehabilitation facilities, and adopting regulations for signage of cannabis businesses, and definitions for such businesses upon final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Agreement Solar Farm Subscription with Pivot Energy

Pivot Energy is developing a solar garden project on land they leased from the City located at 2940 D ¼ Rd. The land lease was approved by City Council at the November 3, 2021 City Council meeting. Pivot Energy is proposing that the City of Grand Junction subscribe to 311 kWh of the power produced that will serve a variety of City electrical meters that include administrative, operational, and recreational facilities.

The City would be required to sign a 10-year contract, subject to annual appropriations, with Pivot Energy for the purchase of this energy.

General Services Director Jay Valentine presented this item.

City Manager Caton spoke of the importance of such programs and opportunities for the City.

Councilmembers asked for clarification on the 20-Year Summary, and comments were made stating this program fits perfectly into the City's Strategic Plan. City Attorney Shaver clarified the contract is with Sun Central, LLC who is a wholly owned subsidiary of Pivot Energy.

Councilmember Herman moved and Councilmember Reitz seconded to approve the request to authorize the City Manager to enter into a Community Solar Garden Subscription Agreement with Pivot Energy. Motion carried by unanimous voice vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Simpson wanted to add an agenda item to discuss the reasoning behind entering into contracts with three-year renewals.

Executive Session - City Hall Administration Conference Room

Councilmember Herman moved and Councilmember Reitz seconded to go into EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS UNDER AND PURSUANT TO SECTION 24-6-402(4)(F)(I) C.R.S. OF THE OPEN MEETINGS LAW RELATIVE TO CITY COUNCIL EMPLOYEES, SPECIFICALLY THE CITY MANAGER AND CITY ATTORNEY WHOM HAVE NOT REQUESTED DISCUSSION IN OPEN SESSION, and return to Open Session to conclude the Executive Session; adjournment of the meeting to occur in the City Hall Administration Conference room. Motion carried by unanimous voice vote.

The City Council of the City of Grand Junction, Colorado convened into Executive at

6:50 p.m. in the Administration Conference Room, 2nd Floor of City Hall, 250 North 5th Street. Those present were Councilmembers Abe Herman, Chuck McDaniel, Randall Reitz, Dennis Simpson, Rick Taggart, and Council President Stout. Councilmember Phillip Pe'a was absent.

Staff present for the Executive Session were City Manager Greg Caton and City Attorney John Shaver.

Councilmember Herman moved and Councilmember Simpson seconded to adjourn the May 4, 2022 Executive Session. Motion carried unanimously.

The meeting adjourned at 9:04 p.m.



Laura Bauer, MMC
Interim City Clerk



Grand Junction City Council

Workshop Session

Item #2.a.i.

Meeting Date: May 18, 2022
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

Introduction of Two Ordinances Establishing a) Truck Routes and b) Regulations on Compression Brakes and Setting a Public Hearing for June 1, 2022

EXECUTIVE SUMMARY:

The City of Grand Junction has currently identified recommended truck routes throughout the City. A map designating primary and secondary routes is available to the public in print and online. The first proposed ordinance would allow for the enforcement of truck routes. Law enforcement could cite a driver for driving a truck in a non-designated area without proper reasoning and/or documentation. Local deliveries would be exempt. The second proposed ordinance prohibiting compression (aka Jake) brakes will also be considered.

BACKGROUND OR DETAILED INFORMATION:

The Grand Junction area is the regional economic center for much of western Colorado and eastern Utah. Trucks are the primary delivery system for the majority of consumer goods brought into the community. Locally, trucks provide additional services such as trash pick-up, construction of roads, schools, businesses, and homes. Trucks share the roads with personal automobiles; however, the size and weight of trucks are a cause for concern for motorists, bicyclists, and pedestrians.

Truck Routes – To address these concerns, a plan was developed in the mid-1990's to identify a network of truck routes that support safe and efficient truck operations while satisfying the public need for adequate protection and separation. The City of Grand Junction has currently identified recommended truck routes throughout the City. A map designating primary and secondary routes is available to the public in print and online. The primary routes are recommended for use by trucks that have no origin or destination within the City, while secondary routes are designated as requested

routes for trucks until the closest point to their destination.

The primary objective of these truck routes is to provide for the safe, effective, and efficient movement of goods and services within and through the urban area. They are intended to direct truck movement to the major arterial system and minimize the intrusion of large trucks into residential areas. The routes are located on roads that are structurally able to withstand the heavier loads.

With the current growth of the City, the delineation between commercial, industrial, and residential areas has become closer and more blurred. This also increases the potential for conflict between trucks and regular vehicles, pedestrians, bicycles, and other micromobility-types of transportation. With global positioning systems recommending routes in real time prioritizing reducing travel times, there are occasions when trucks have utilized streets not intended for regular truck traffic. As these routes are only recommendations, a truck driver could not be ticketed or otherwise reprimanded for deviating from these routes.

Complaints and Truck Route Enforcement – Complaints about truck traffic are common. Many complaints are received regarding the United States Postal Service (USPS) contracted trucks that use G Road and 25 ½ Road to access the USPS facility on 25 ½ & Patterson at all hours for operations. Staff outreach to the USPS has been unproductive, yielding no solutions to the issue. In a 2018 letter addressing one of the complainants, USPS Colorado/Wyoming District Consumer Affairs Office wrote, “given the fact that there are no road or route restrictions, current access to the plant is legal and permissible.”

Several cities and municipalities throughout Colorado and elsewhere have adopted ordinances to enable law enforcement staff to enforce truck routes within their jurisdictions. More specifically, other home-rule municipalities within Colorado have adopted enforceable truck route ordinances including Rifle, Colorado Springs, Fruita, Loveland (Larimer County), Fort Collins (Larimer County), and Longmont.

Staff proposes adopting an ordinance that would allow for the enforcement of truck routes. Law enforcement could cite a driver for driving a truck in a non-designated area without proper reasoning and/or documentation. Local deliveries would be exempt.

Based on review and research of several existing truck route ordinances within the state, the following considerations should be taken when drafting a potential truck route ordinance for the City of Grand Junction:

- The definition of “Truck” should be carefully considered, specifying the class (length and weight) of vehicle.
- The specific streets (and extents) designated as truck routes should be explicitly defined within the ordinance language.
- Designated truck routes should be posted appropriately.

- Trucks should be permitted to use streets not designated as truck routes for local delivery, service, and access, provided they utilize the shortest possible route.
- Further restricted roadways beyond the aforementioned conditions should be posted appropriately.
- Truck drivers should be required to have in their possession evidence (logbook, manifest, delivery slip, etc.) to justify their vehicle's presence on a restricted or prohibited route.

For outreach to industry, staff met with the Colorado Motor Carriers Association on February 24th. Comments were positive and requested clear definitions of a truck as well as exemption of local deliveries to subdivisions under construction.

Compression (Jake) Brakes

Jake Brakes got their name from Jacobs Vehicle System inc., the company that created them. This type of brake is technically called a compression release engine brake, but it has many different names, including Jacobs Brake, Jake Brake, Jake, and engine brake.

The use of engine compression brakes may cause a vehicle to make a loud "growling", "machine gun", or "jackhammer" like exhaust noise, especially vehicles having no mufflers, which has led many communities in the United States and Canada to prohibit compression braking within municipal limits. Drivers are notified by roadside signs with legends such as "Brake Retarders Prohibited," "No Engine Brake," "No Jake Brakes," "Compression Braking Prohibited," or "Unmuffled Engine Braking Prohibited," and enforcement is typically through traffic fines. Such prohibitions have led to the development of new types of mufflers and turbochargers to better silence braking noise.

Based again on citizen concerns, City staff is proposing a second ordinance to strengthen the City's noise ordinance to specifically prohibit compression brakes.

As a follow-up to the May 2nd workshop, staff suggests the following schedule:

May 20 - 1st Reading of proposed ordinance(s)

June 1 - 2nd Reading, Public Hearing, and consideration of proposed ordinance(s)

July 1 - ordinance(s) takes effect

FISCAL IMPACT:

Fiscal impact is minimal with law enforcement working through a complaint-based program. Warnings would be utilized for first time offenders, fines would be levied against recalcitrant offenders. Revenue generated would be contingent upon the number of tickets issued and the severity of fines. Assuming \$250/ticket x 20 tickets annually, revenue for the year would be \$5,000.

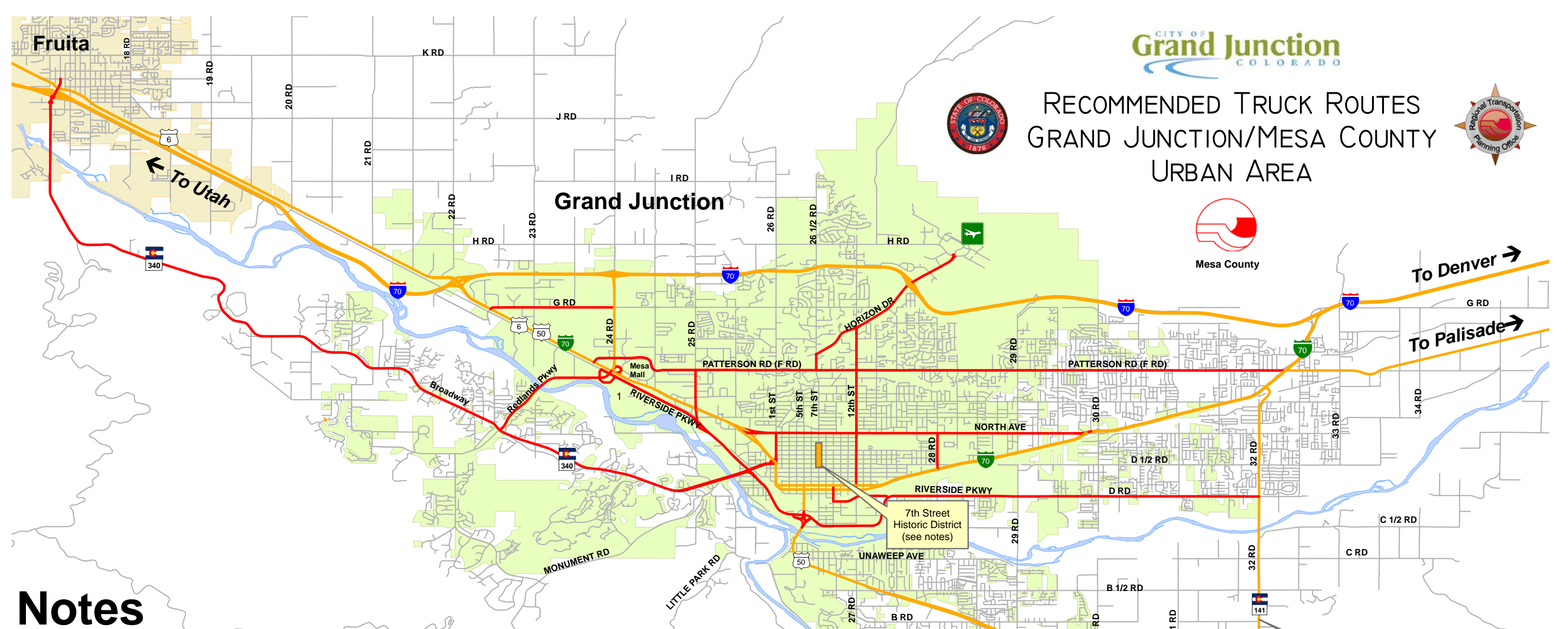
SUGGESTED ACTION:

I move to introduce two ordinances to amend the Grand Junction Municipal Code to a) establish Truck Routes in the City and b) to prohibit the use of Compression Brakes and set a public hearing for June 1, 2022.

Attachments

1. Current Recommended Truck Route Map
2. ORD-Truck Route 042122
3. ORD-Compression Brake 042222

RECOMMENDED TRUCK ROUTES
GRAND JUNCTION/MESA COUNTY
URBAN AREA



7th Street Historic District (see notes)

I70 to Hwy 50 Bypass

Notes

Truck Route Definitions

Primary Truck Routes

These routes are to be used by trucks that have no origin or destination within the Grand Junction/Mesa County urban area.

Secondary Truck Routes

These routes are to be used by trucks that have an origin or destination within the Grand Junction/Mesa County urban area. Trucks with an origin or destination within the urban area are requested to remain on these routes until reaching a point closest to their destination.

Historic District Truckers - Please Note

The 7th Street Historic District is located on 7th Street between Teller Avenue and White Avenue, and is of great value to the community. Please refrain from using this section of 7th Street except for pick-ups and deliveries in the area.

Hazardous Materials Routes

The Colorado State Patrol has designated the following State Highways as Hazardous Material Routes

1. Interstate 70
2. I-70 Business Loop from Highway 141 to I-70 Business Loop
3. Highway 141 from Highway 50 north to I-70 Business Loop
4. Highway 50 south of the north junction of Highway 141

No other streets, roads or highway within the Grand Junction/Mesa County urban area are designated as Hazardous Material Routes.

For additional information and maps contact the Colorado State Patrol Hazardous Materials Unit at (303) 273-1900 or visit the CSP Hazardous Materials website at www.csp.state.co.us/hazmat.html

Information

You can get permits, weather information, road conditions and much more information on the CDOT website at www.dot.state.co.us. For information by telephone regarding road & weather conditions on Colorado's highways, call 511 or (303) 639-1111 from within Denver or from out-of-state. For inquiries from within Colorado but outside the Denver area, call toll free 1-877-315-7623 or 511.

For information on Colorado trucking rules and regulation, contact the Colorado Motor Carriers Association at (303) 433-3375 or visit their website at www.cmca.com

For information on this map or other traffic related issues, contact the City of Grand Junction, Division of Transportation Engineering at (970) 256-4110 or visit our website at www.gjcity.org.

Truck Routes Legend

- Secondary Truck Route
- Primary Truck Route
- Streets
- Fruita City Limits
- Grand Junction City Limits



ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING CHAPTER 10.06 OF THE GRAND JUNCTION
MUNICIPAL CODE REGARDING TRUCK ROUTES**

RECITALS:

The City of Grand Junction (“City”) is charged with protecting the health, welfare, and safety of its citizens. Due to the City’s size and expectation for growth, City Council finds it is necessary to regulate the orderly operation of trucks on the streets of the City.

Trucks are the primary delivery system for most consumer goods brought into the community. Trucks share the roads with automobiles, bicyclists, and pedestrians and due to the size and number of trucks on City roads, the City, with this ordinance seeks to facilitate the continued orderly transfer of goods and services by trucks and to preserve and protect the quality of life for other users of the streets. Considerations that favor the adoption of truck routes include: enhancing the safety of the streets; avoidance of unreasonable and/or unnecessary disturbance or reduction of property values due to truck noise, protection against the deterioration of streets not designated for truck traffic; minimizing pavement damage and the consequent maintenance and reconstruction costs in conjunction with truck traffic; and truck drivers/truck services knowing that the City recognizes the importance of and has due regard for efficient operations.

Colorado law (C.R.S. 42-4-111(g)) recognizes that local authorities may exercise reasonable police powers within their jurisdictions on streets and highways by designating truck routes and restricting the use of highways.

For the foregoing reasons, the City Council finds and determines that this ordinance, which establishes truck routes in the City, and which follows the guidance contained in the City’s 2020 Comprehensive Plan and is supported by the foregoing Recitals, does designate suitable routes for through trucks and reasonable access for trucks to access in-City destinations.

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

Chapter 10.06 of the Grand Junction Municipal Code, which shall be in accordance with the *Recitals* hereof, is hereby established as follows:

Chapter 10.06 TRUCK ROUTES

10.06.010. Definitions.

The following definitions apply to this chapter.

Local delivery truck. Any truck defined herein having its origin and destination for pickup and/or delivery point(s) within the City.

Most direct route. The path or route from the point on the nearest Truck Route which is closest to the delivery or pickup location which is safe and suitable for use by the truck making the pickup and/or delivery.

Primary truck route. The route to be used by trucks defined herein that have no origin or destination within the City.

Secondary truck route. The route to be used by a truck defined herein that has an origin and/or destination in the City.

Through truck. Any truck, as defined herein, not having its origin, destination, pick up, or delivery point within the City.

Truck. Any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical and/or electric power and used upon the highways or streets in the transportation of property as defined by the Federal Highway Administration ("FHWA") as set forth in the FHWA 13-Category Rule Set that is of the Class Group 8 or higher. See Figure 1 FHWA 13 Vehicle Category Classification ("Truck.").

A type(s) of Truck(s) is(are) determined by vehicle characteristics that can be easily identified visually and are further described as follows:

Truck tractor units traveling without a trailer are considered single-unit trucks. Single unit trucks and single frame vehicles are not included within the definition of Truck for this chapter;

Truck tractor units consisting of two or more units one of which is a tractor or straight truck power unit are included within the definition of Truck for this chapter;

A truck tractor unit pulling other such units in a saddle mount configuration will be considered one single-unit and will be defined only by the axles on the pulling unit;

A Truck is further defined by the number of axles in contact with the road. Therefore, floating axles are counted only when in the down position; and

The term “trailer” includes both semi- and full trailers.

Trucks included in the Class Group 8 or higher are as follows:

Four or Fewer Axle Single-Trailer Trucks – All vehicles with four or fewer axles consisting of two units, one of which is a tractor or straight truck power unit.

Five-Axle Single-Trailer Trucks – All five-axle vehicles consisting of two units, one of which is a tractor or straight truck power unit.



































Six or More Axle Single-Trailer Trucks – All vehicles with six or more axles consisting of two units, one of which is a tractor or straight truck power unit.

Five or Fewer Axle Multi-Trailer Trucks – All vehicles with five or fewer axles consisting of three or more units, one of which is a tractor or straight truck power unit.

Six-Axle Multi-Trailer Trucks – All six-axle vehicles consisting of three or more units, one of which is a tractor or straight truck power unit.

Seven or More Axle Multi-Trailer Trucks – All vehicles with seven or more axles consisting of three or more units, one of which is a tractor or straight truck power unit.

Figure 1 FHWA 13 VEHICLE CATEGORY CLASSIFICATION

Class 1 Motorcycles		Class 7 Four or more axle, single unit	
Class 2 Passenger cars		Class 8 Four or less axle, single trailer	
			
			
			
Class 3 Four tire, single unit		Class 9 5-Axle tractor semitrailer	
			
			
Class 4 Buses		Class 10 Six or more axle, single trailer	
			
		Class 11 Five or less axle, multi trailer	
Class 5 Two axle, six tire, single unit		Class 12 Six axle, multi-trailer	
			
		Class 13 Seven or more axle, multi-trailer	
Class 6 Three axle, single unit			
			
			

10.06.20 Truck Routes Established.

(1) There is established within the City the following Truck Routes. All Trucks within the City shall be operated only over and along the Truck Routes and on other streets as permitted by the exceptions. The following streets shall be used for Primary Truck Routes and Secondary Truck Routes as designated herein and on the Truck Route Map designated by the City Manager and published on the City's web site.

Primary Truck Routes:

Interstate 70 ("I-70")
24 Road south of I-70 to Highway ("Hwy") 6 & 50
Hwy 6 & 50
Hwy 6
Hwy 50
I-70 Business Loop ("I-70B")
Hwy 141 (32 Road)

Secondary Truck Routes:

Horizon Drive from Patterson Road to H Road
G Road between Hwy 6 & 50, I-70B and 24 Road
Patterson Road (F Road)
12th Street from Horizon Drive to Ute St.
25 Road from Patterson Road to Riverside Parkway
North Avenue from Hwy 6 & 50, I-70B west side to I-70B on the east side
S 1st Street south of North Avenue to Hwy 6 & 50, I-70B
28 Road south of North Avenue to I-70B
S 9th Street from I-70B to D Road
D Road east of S 9th to 32 Road
Hwy 340 (Broadway)
Redlands Parkway
Riverside Parkway

There are no local delivery truck routes designated within the City. Drivers of Trucks within the City who are or who purport to be operating as a local delivery truck, shall travel on the designated Truck Routes and may only deviate from that route to proceed to and from the origination, delivery or pickup point(s) and destination using the most direct route possible and available.

(2) The City Manager shall have the authority to designate all or portions of those streets, highways, public ways, and roadways upon which Trucks shall operate. The City Manager shall have the additional authority to restrict truck route operations. The designation and restrictions shall be based upon traffic engineering investigations and studies, public safety, environmental considerations, economic factors affecting trucking and the trucking industry, desires of the inhabitants and neighborhood characteristics of affected areas.

(3) The City Manager shall maintain maps designating Truck Routes. Copies of the maps shall be made available to trucking interests and the public through the City's web site. Any

change to Truck Routes shall be published on the City's web site, no less than 14 days prior to the effective date of the change(s).

(4) The City Manager shall post with appropriate signs the Truck Routes. Truck Route maps shall be made available to all persons upon request. The posting of signs shall not be required for enforcement of this chapter.

10.06.30 Presumptions and exceptions.

(1) Any person operating a Truck on any street or highway within the City which is not designated as a Truck Route shall have in his/her possession for the inspection of police officers his/her logbook or evidence of his/her destination and point of origin to justify the presence of said Truck on such street. Failure to have such logbook or evidence in his/her possession shall not be a separate offense but shall create a presumption that such person is unlawfully operating the Truck.

(2) It is presumed that the person operating a Truck on any street or highway within the City has familiarized himself/herself with the Truck Routes and has taken the time to ascertain the most direct point from those routes to the pick up or delivery location prior to entering the City. Ignorance of the most direct route will not be a defense to a violation under this chapter.

(3) The driving of a Truck upon a street or highway not designated as a Truck Route and not on the most direct path from a designated Truck Route to the point of pick up or delivery will not be a violation of this chapter in any of the following situations:

- a. The pick up or delivery of merchandise at a location not situated on the designated Truck Route, provided the Truck leaves, and returns to the designated Truck Route by the most direct route available and at no point does the Truck deviate from the most direct route;
- b. Traveling to or from a service or repair shop for repairs or service to be performed on the Truck, provided the Truck leaves, and returns to the designated Truck Route by the most direct route available and at no point does the Truck deviate from the most direct route;
- c. A Truck shall not be required to enter or exit directly onto the designated Truck Route if such entry or exit would be unsafe from a traffic safety standpoint as determined by the Chief of Police; and
- d. The provisions of this chapter shall not be construed to prohibit the use of any street, alley, or other area by vehicles of any government agency or any public utility company while in the performance of official or normal duties.
- e. Authorized emergency vehicles and vehicles used as emergency vehicles for the purpose of responding to a temporarily declared emergency.

10.06.040 Signage.

Truck Routes within the City shall be clearly designated by signs as Truck Routes as directed by the City Manager.

10.06.050 Violations.

Any person violating any provision(s) of this chapter or disobeying any signs or markings installed pursuant thereto shall be guilty of a traffic infraction. Every person convicted of an infraction for a violation of the provisions of this chapter shall be punished by a fine as follows:

- 1st violation is \$250.00
- 2nd violation is \$500.00
- 3rd or any subsequent violation is \$750.00.

Severability. It is the intention of the City Council that the provisions of this ordinance are not severable. If any provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall invalidate all the provisions of the ordinance.

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

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

Anna M. Stout
President of the Council

ATTEST:

Laura Bauer
Interim City Clerk

ORDINANCE NO. _____

**AN ORDINANCE PROHIBITING THE USE OF ENGINE RETARDING
COMPRESSION BRAKES IN THE CITY OF GRAND JUNCTION**

RECITALS:

The City of Grand Junction (“City”) is charged with protecting the health, welfare, and safety of its citizens. City Council has considered whether the use of engine retarding compression brakes is inconsistent with the public health safety and welfare and with and after due deliberation finds that the use of a vehicle brake system that alters the normal compression of the vehicle’s engine, commonly known as a “jake brake”, disturbs and disrupts the public peace and quiet as the usage of such a vehicle brake system causes loud and/or unusual noise, and further that such noise adversely affects City residents’ peace and enjoyment of their property. Therefore, City Council finds and determines that it is in the best interest of the public health, welfare, and safety of the City and its residents to prohibit the use of engine retarding compression brakes within the City limits.

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

The following definition is added to the Grand Junction Municipal Code (“GJMC”) in Section 10.04.020.

Engine retarding brake. Any engine retarding brake system, transmission brake, or any other retarding brake system that alters normal compression, including but not limited to DYNAMIC BRAKE, JAKE BRAKE, JACOBS BRAKE, C-BRAKE, PACCAR BRAKE, or any other make or model of engine braking system, or other braking system(s) that is(are) activated or operated to alter the normal compression of the engine and subsequently release that compression.

and

Section 10.04.223 of the Grand Junction Municipal Code is hereby amended to include the following:

(3) Engine Retarding Brake.

(a) It shall be unlawful on any public street or highway for the driver of any vehicle to use or operate or cause to be used or operated within the City any engine retarding

brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle unless such use is necessary to avoid immediate physical harm to persons or property.

(b) Signage. The City shall erect signs at such intervals and locations as deemed appropriate by the City Manager, which signs shall state "ENGINE RETARDING BRAKE ORDINANCE ENFORCED" to advise drivers of the prohibitions established by this section. No sign stating "ENGINE RETARDING BRAKE ORDINANCE ENFORCED" shall be installed on a state highway without the approval from the Colorado Department of Transportation.

(c) Exceptions. Emergency vehicles shall be exempt from the application of the prohibition on use an of engine retarding rake.

All other provisions of Chapter 10.04 shall remain in full force and effect.

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

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

Anna M. Stout
President of the Council

ATTEST:

Laura Bauer
Interim City Clerk



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: May 18, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver, City Attorney

Information

SUBJECT:

Introduction of an Ordinance Amending Sections 10.04.020 and 10.04.1412 of the Grand Junction Municipal Code Pertaining to Traffic Related Definitions and the Operation of Bicycles and Other Low Speed Conveyances and Pedestrians Approaching Controlled Intersections and Setting a Public Hearing for June 1, 2022

RECOMMENDATION:

Approval and set for public hearing for June 1, 2022.

EXECUTIVE SUMMARY:

House Bill 22-1028 ("Bill" or "the Bill"), which was signed by Governor Polis on April 13, 2022, regulates persons approaching controlled intersections who are not operating motor vehicles and allows most of such persons to pass through a stop sign controlled intersection without stopping, if after slowing to a reasonable speed and yielding the right of way if required, such persons may proceed cautiously through the intersection. In addition, the Bill further provides that such persons shall stop at any illuminated red traffic signal before entering the intersection and after stopping and yielding the right of way, such persons may cautiously proceed in the same direction of travel through the intersection or may make a right turn. If the traffic signal is illuminated, such persons shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of such persons. This ordinance will amend Grand Junction Municipal Code Section 10.04.1412 to reflect and incorporate the provisions of the Bill.

BACKGROUND OR DETAILED INFORMATION:

House Bill 22-1028 ("Bill" or "the Bill"), which was signed by Governor Polis on April 13, 2022, regulates persons approaching controlled intersections who are not operating

motor vehicles and allows most of such persons to pass through a stop sign controlled intersection without stopping, if after slowing to a reasonable speed and yielding the right of way if required, such persons may proceed cautiously through the intersection.

The Bill further provides that such persons shall stop at any illuminated red traffic signal before entering the intersection and after stopping and yielding the right of way, such persons may cautiously proceed in the same direction of travel through the intersection or may make a right turn. If the traffic signal is illuminated, such persons shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of such persons.

The General Assembly found and declared that the regulations provided for in the Bill are a matter of mixed State and Local concern, and with the signing of the Bill, the regulations are a matter of Statewide concern and the City's regulations are preempted; however, the City Council has determined that the Grand Junction Municipal Code ("GJMC") shall be amended to reflect and incorporate the provisions of the Bill, and that any inconsistency between the two be resolved by amendment of the GJMC.

FISCAL IMPACT:

This action has no direct fiscal impact.

SUGGESTED MOTION:

I move to introduce an ordinance to amend Sections 10.04.020 and 10.04.1412 of the Grand Junction Municipal Code pertaining to traffic related definitions and the operation of bicycles and other low speed conveyances and pedestrians approaching controlled intersections and set a public hearing for June 1, 2022.

Attachments

1. ORD - Bicycle Safety Stop - 050922

1 **ORDINANCE NO. _____**
2

3 **AN ORDINANCE AMENDING SECTIONS 10.04.020 AND 10.04.1412 OF THE**
4 **GRAND JUNCTION MUNICIPAL CODE PERTAINING TO TRAFFIC RELATED**
5 **DEFINITIONS AND THE OPERATION OF BICYCLES AND OTHER LOW SPEED**
6 **CONVEYANCES AND PEDESTRIANS APPROACHING CONTROLLED**
7 **INTERSECTIONS**
8

9 **RECITALS:**

10
11 House Bill 22-1028 (“Bill” or “the Bill”), which was signed by Governor Polis on April 13,
12 2022, regulates persons approaching controlled intersections who are not operating
13 motor vehicles and allows most of such persons to pass through a stop sign controlled
14 intersection without stopping, if after slowing to a reasonable speed and yielding the right
15 of way if required, such persons may proceed cautiously through the intersection.
16

17 The Bill further provides that such persons shall stop at any illuminated red traffic signal
18 before entering the intersection and after stopping and yielding the right of way, such
19 persons may cautiously proceed in the same direction of travel through the intersection
20 or may make a right turn. If a red traffic signal is illuminated, such persons shall not
21 proceed through the intersection or turn right if an oncoming vehicle is turning or preparing
22 to turn left in front of such persons.
23

24 The General Assembly found and declared that the regulations provided for in the Bill are
25 a matter of mixed State and Local concern, and with the signing of the Bill, the regulations
26 are a matter of Statewide concern and the City’s regulations are preempted; however, the
27 City Council has determined that the Grand Junction Municipal Code (“GJMC”) shall be
28 amended to reflect and incorporate the provisions of the Bill, and that any inconsistency
29 between the two be resolved by amendment of the GJMC.
30

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

33 Chapter 10.04 Section 020 shall be revised as follows (additions are shown in **bold print**
34 and deletions marked with ~~strike through~~ notations):

35 ***Controlled intersection*** means an intersection of a roadway that is controlled by
36 either a stop sign or a traffic control signal.

37 ***Low-speed conveyance*** means:

- 38 (i) a vehicle that is not a motor vehicle;
39

- 40 (ii) a low-power scooter;
- 41
- 42 (iii) a low-speed electric vehicle;
- 43
- 44 (iv) a toy vehicle that is exclusively human-powered; or
- 45
- 46 (v) an electric personal mobility device or EPAMD, or a device that would be
- 47 an electric personal assistance mobility device or EPAMD but for the fact
- 48 that it has fewer or more than two wheels or has tandem wheels.

49 Chapter 10.04 Section 1412 shall be revised as follows (additions are shown in **bold print**
50 and deletions marked with ~~strike-through~~ notations):

51 **(12) (a) A pedestrian or a person who is fifteen years of age or older or who is**
52 **under fifteen years of age and accompanied by an adult and who is operating a**
53 **low-speed conveyance and a controlled intersection with a stop sign shall slow**
54 **down and, if required for safety, stop before entering the intersection. If a stop is**
55 **not required for safety, the pedestrian or person operating a low-speed conveyance**
56 **shall slow to a reasonable speed and yield the right-of-way to any traffic or**
57 **pedestrian in or approaching the intersection. After the pedestrian or person**
58 **operating a low-speed conveyance has slowed to a reasonable speed and yielded**
59 **the right-of-way if required, the pedestrian or person operating a low-speed**
60 **conveyance may cautiously make a turn or proceed through the intersection**
61 **without stopping.**

62 **(b) For purposes of this subsection, a reasonable speed is ten miles per hour or**
63 **less. The City may raise the maximum reasonable speed to twenty miles per hour**
64 **if the City also posts signs at the intersection(s) stating a higher speed limitation.**

65 **(c) A person who is fifteen years of age or older or who is under fifteen years of**
66 **age and is accompanied by an adult and who is operating a low-speed conveyance**
67 **and approaching a controlled intersection with an illuminated red traffic control**
68 **signal shall stop before entering the intersection and shall yield to all other traffic**
69 **and pedestrians. Once the person operating a low-speed conveyance has yielded,**
70 **the person operating a low-speed conveyance may cautiously proceed in the same**
71 **direction through the intersection or make a right-hand turn. When a red traffic**
72 **control signal is illuminated, a person operating a low-speed conveyance shall not**
73 **proceed through the intersection or turn right if an oncoming vehicle is turning or**
74 **preparing to turn left in front of the person operating a low-speed conveyance.**

75 **(d) A person who is fifteen years of age or older or who is under fifteen years of**
76 **age and is accompanied by an adult and who is operating a low-speed conveyance**
77 **approaching an intersection of a roadway with an illuminated red traffic control**
78 **signal may make a left-hand turn only if turning onto a one-way street and only**
79 **after stopping and yielding to other traffic and pedestrians. However, a person**

80 **operating a low-speed conveyance shall not turn left if an oncoming vehicle is**
81 **turning or preparing to turn right.**

82 **(e) Notwithstanding any other provision of this section, if the City has placed a**
83 **traffic sign or a traffic control signal at a controlled intersection and the traffic sign**
84 **or traffic control signal provides instructions only to one or more specified types**
85 **of low-speed conveyances, the operator of a low-speed conveyance to which the**
86 **traffic sign or traffic control signal is directed shall obey the instructions provided**
87 **by the sign or traffic control signal.**

88 **(f) This section does not create any right for a pedestrian or the operator of a low-**
89 **speed conveyance to travel on any portion of a roadway where travel is otherwise**
90 **prohibited by law. This section is intended to solely govern the regulation of**
91 **bicycles, electric assisted bicycles, low-speed conveyances, and pedestrians**
92 **approaching a controlled intersection.**

93 **(g) All other provisions of the GJMC or the Model Traffic Code, as adopted by the**
94 **City Council, remain in full force and effect.**

95 ~~(12)~~ **(13)(a)** Any person who violates any provision of this section commits a
96 misdemeanor; except that § 42-2-127, C.R.S. shall not apply.

97 **(b)** Any person riding a bicycle, electric assisted bicycle or **low-speed conveyance** who
98 violates any provision of this chapter other than this section which is applicable to such a
99 vehicle and for which a penalty is specified shall be subject to the same specified penalty
100 as any other vehicle; except that § 42-2-127, C.R.S. shall not apply.

101 ~~(13)~~ **(14)** Upon request, the Police Department shall complete a report concerning an
102 injury or death incident that involves a bicycle or electrical assisted bicycle on the
103 roadways of the State, even if such accident does not involve a motor vehicle.

104 ~~(14)~~ **(15) (a) (I)** A person may ride a class 1 or class 2 electric assisted bicycle on a bike
105 or pedestrian path where bicycles are authorized to travel.

106 **(II)** The City may prohibit the operation of a class 1 or class 2 electric assisted bicycle on
107 a bike or pedestrian path.

108 **(b)** A person shall not ride a class 3 electrical assisted bicycle on a bike or pedestrian
109 path unless:

110 **(I)** the path is within a street or highway; or

111 **(II)** the City specifically permits the operation of a class 3 electric assisted bicycle
112 on a path.

113 ~~(15)~~ **(16) (a)** A person under 16 years of age shall not ride a class 3 electrical assisted
114 bicycle upon any street, highway, or bike or pedestrian path; except that a person under
115 16 years of age may ride as a passenger on a class 3 electrical assisted bicycle that is
116 designed to accommodate passengers.

117 (b) A person shall not operate or ride as a passenger on a class 3 electrical bicycle unless:

118 (I) Each person under 18 years of age is wearing a protective helmet of a type and design
119 manufactured for use by operators of bicycles;

120 (II) The protective helmet conforms to the design and specifications set forth by the United
121 States consumer product safety commission or the American Society for Testing and
122 Materials; and,

123 (III) The protective helmet is secured properly on the person’s head with a chin strap while
124 the class 3 electrical assisted bicycle is in motion.

125 (c) A violation of subsection (156)(b) of this section does not constitute negligence or
126 negligence per se in the context of any civil personal injury claim or lawsuit seeking
127 damages.

128 **ALL OTHER PROVISIONS OF CHAPTER 10.04 SHALL REMAIN IN FULL FORCE**
129 **AND EFFECT. THIS ORDINANCE SHALL AMEND ORDINANCE 4759 AND AS**
130 **NECESSARY REPEAL ANY PART INCONSISTENT THEREWITH.**

131 Introduced on first reading the 18th day of May 2022 and ordered published in pamphlet
132 form.

133
134 Adopted on second reading this ____ day of _____ 2022 and ordered published in
135 pamphlet form.

136
137
138
139

140 ATTEST: _____
141 Anna M. Stout
142 President of the Council

143 _____
144 Laura Bauer
Interim City Clerk



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: May 18, 2022
Presented By: Daniella Acosta, Associate Planner
Department: Community Development
Submitted By: Dani Acosta, Associate Planner

Information

SUBJECT:

Introduction of an Ordinance Rezoning One Parcel Totaling 2.17 Acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) Located at 2730 B Road and Setting a Public Hearing for June 1, 2022

RECOMMENDATION:

The Planning Commission heard this request at its May 10, 2022 meeting and voted (7-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Harris Property Holdings, LLC, is requesting the rezone of one parcel totaling 2.71 acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) located at 2730 B Road. The purpose of the rezone is to enable the creation of medium-high density housing, which could increase the stock of missing-middle housing typologies, such as townhomes, duplexes, fourplexes, cottage courts, etc.

The requested R-8 zone district conforms with the Comprehensive Plan Land Use Map designation of Residential Medium. The R-8 zone district allows a mix of dwelling types including attached and detached dwellings, two-family dwellings and multifamily development within specified densities. Additionally, R-8 zone districts serve as a transitional district, which may act as a buffer between lower density single-family and commercial zones.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one parcel totaling 2.71 acres situated at 2730 B Road, just south of Hwy. 50 and southwest of the Mesa County Fair Grounds. The

property is within the area included in the 2014 Orchard Mesa Plan.

The subject site was annexed into the City in 2006 as part of the Harris Annexation #2 and rezoned from a County RSF-4 to a City RSF-4, under the 2006 Grand Junction Zoning and Development Code. In 2021, the property underwent a Simple Subdivision (SSU-2021-155) to split the original 6.45-acre lot into two parcels: Lot 1, 3.99 acres and the subject property, Lot 2, 2.17 acres.

As indicated, the subject site is currently zoned R-4 and at present contains a two-family dwelling and single-family detached home along with various accessory buildings. The subject site is primarily surrounded by single family residential neighborhoods, open space, and undeveloped parcels.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property and several adjacent properties to the north and east as Residential Medium. The Comprehensive Plan classified the areas to the west and south of the subject site as Residential Low.

Under the Grand Junction Municipal Code, the zone districts that may implement the Residential Medium Land Use classification include R-8 (Residential 8 du/ac), R-12 (Residential 12 du/ac), CSR (Community Services and Recreation), MXR-3 (Mixed Use Residential-Medium), MXG-3 (Mixed Use General-Medium), and MXS-3 (Mixed Use Shopfront-Medium) zone districts.

The Applicant is now requesting a rezone to R-8, which could increase the availability of medium-high density housing stock within Orchard Mesa. According to the General Project Report, the objective of the rezone is to increase residential density for the potential development in the future to counter the housing shortage currently being experienced in the City.

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 on February 9, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. In addition to the City staff, the landowner and representative, there were 11 neighbors 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 on February 25, 2022. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on April 29, 2022. The notice of the Planning

Commission public hearing was published on May 3, 2022, in the Grand Junction Daily Sentinel.

ANALYSIS

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

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

The Comprehensive Plan Land Use Map identifies the subject property as Residential Medium. The previous 2010 land use designation identified the property as both Residential Medium and Residential Medium Low. The applicant's proposed zoning of R-8 implements the 2020 Comprehensive Plan land use designation of Commercial.

The current zoning, R-4, is outside the range of allowable zone districts for Residential Medium. From a policy standpoint, the adoption of the 2020 Comprehensive Plan directs the proposed vision for development of the subject site, which is not implementable with the current zoning of R-4. 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

Since the subject site was initially annexed in 2006, there has been some development activity in the area surrounding or near the site. The most prominent development that has occurred near the property is the Shadow Mesa Subdivision on a 13.32-acre lot located west of 216 27 ½ Road for 80 lots and a Final Plat for Filing 1 consisting of single-family homes and duplexes (SUB-2021-408). The Preliminary Plan and Final Subdivision Plat for Filing 1 were approved on November 12, 2021.

Additionally, the City received an application for the Reed Annexation (ANX-244-1450) to request and zone the 0.73 acres along the northern portion of 2733 B ¼ Road lot from County RSF-4 (Residential Single Family – 4 du/ac) to a City R-8 zone district. The annexation was approved on June 16, 2021 by City Council and became effective on July 18, 2021. However, it is premature to conclude that the area has changed dramatically enough in character 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 stretch of B Road adjacent to the subject site currently does not have curb and gutter. The property has access from B Road, which is a major collector. The Active Transportation Corridor Plan identifies B Road as an active transportation corridor for all modes of transportation (motor vehicle, bicycle, pedestrian, etc.). Therefore, multimodal access is adequate.

The subject site is within the Ute Water District and City of Grand Junction Sewer District, the Orchard Mesa Irrigation District, and within both the Xcel Energy area (western portion of the lot), and the Grand Valley Power energy area (eastern portion of the lot). The property is not within an established drainage district.

As stated earlier, water service is supplied by Ute Water. There is an existing water distribution system adjacent to the site, which includes an 8" C900 main in B Road. The property is located within the 201 Persigo boundary. The existing sewage collection system adjacent to or near the site is an 8" VCP main in B Road. However, the 8" VCP sewer main in B Road may not be deep enough to serve the entire property. 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 there are some challenges and constraints related to sanitary sewer. Therefore, Staff believes that it is premature to state that this criterion has been fully 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 some differences between the R-4 and R-8 zone districts as they relate to the types of permitted primary and secondary land uses and the general development characteristics. The R-8 zone district accounts for approximately nine percent of City zoned land, whereas the R-4 zone district accounts for approximately 10 percent of City zoned land.

Currently, there are 35 parcels to the north within 920 feet of the subject site that are zoned R-8. As such, there does not appear to be a deficit of zone districts that are also able to implement the Residential Medium Future Land Use Designation. Therefore, 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 rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff finds the request to be consistent with the following goals and policies of the Comprehensive Plan:

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

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

The subject property is located within the Tier 1 – Urban Infill tier as identified on the City’s Growth Plan. Rezoning to R-8 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 1 will provide development opportunities that do not require extension of infrastructure or the expansion of City Services (pg. 56). Rezoning to R-8 may help direct any potential future mixed-used development to an area that has adequate public infrastructure and amenities to accommodate that growth.

Plan Principle 5.1.c. 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.

As stated in the General Project Report, the intent of the proposal is to increase the density and development potential for the site to accommodate medium-high density housing and a greater diversity of housing types. Housing that could potentially develop under an R-8 zone district includes a mix of typologies that fall under missing middle housing, as well as affordable housing options, such as manufactured housing. The Congress for New Urbanism defines the missing middle as a spectrum of clustered or multi-unit housing types, which include duplexes, fourplexes, bungalow courts, etc., and which can serve a range of differing income and generational needs. Implementing this zone district will expand options in the future for redevelopment that aligns with the vision of strong neighborhoods and diverse housing stock as outlined in the Comprehensive Plan. The proposed amendment will benefit the community by establishing the right zoning conditions to expand choice and potentially create options for both affordable and attainable housing. Therefore, Staff finds this criterion has been met.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the Harris Property Holdings Rezone, RZN-2022-110, rezoning one

parcel totaling 2.17 acres from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) for the property located at 2730 B Road, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria has 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 introduce an ordinance to rezone the property located at 2730 B Road from R-4 (Residential 4 du/ac) to R-8 (Residential 8 du/ac) and set a hearing for June 1, 2022.

Attachments

1. Exhibit 1 - Development Application
2. Exhibit 2 - Neighborhood Meeting and Public Comment Documentation
3. Exhibit 3 - Maps & Exhibits
4. ORD-2730 B Road 051022

Development Application

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

Petition For: Annexation/Zone of Annexation ^{PD} Rezone

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:	
Existing Land Use Designation: _____	Existing Zoning: <u>R-4</u>
Proposed Land Use Designation: _____	Proposed Zoning: <u>R-8</u>

Property Information

Site Location: 2730 B Rd G) 81503 Site Acreage: 2.17

Site Tax No(s): 2945-253-48-002 Site Zoning: R-4

Project Description: Triangular piece north of B Rd.
 REZONE FROM R-4 TO R-P

Property Owner Information

Name: Jerry Harris
 Street Address: 3421 D Rd
 City/State/Zip: Palisade CO 81524
 Business Phone #: _____
 E-Mail: Kathy_harris1950@gmail.com
 Fax #: _____
 Contact Person: Kathy Harris
 Contact Phone #: 970-234-3838

Applicant Information

Name: Jerry Harris
 Street Address: 3421 D Rd
 City/State/Zip: Palisade CO 81526
 Business Phone #: _____
 E-Mail: same
 Fax #: _____
 Contact Person: Kathy Harris
 Contact Phone #: 970-234-3838

Representative Information

Name: Becca Posner
 Street Address: 131 N 6th St
 City/State/Zip: GU CO 81507
 Business Phone #: _____
 E-Mail: becca@posner-properties
 Fax #: _____
 Contact Person: Becca Posner
 Contact Phone #: 970-424-2281

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: Becca Posner Date: 12/29/21
 Signature of Legal Property Owner: Jerry Harris Date: 12-29-21

GENERAL PROJECT REPORT

RESPONSE TO COMMENTS

3-21-2022

2730 B Road Grand Junction, CO 81503

General Project Report:

2730 B Rd: Rezone from R-4R8

A: Project Description-

This submittal is to rezone the parcel from R-4 to R-8, in order to increase density for potential development.

B: Public Benefit –

By increasing the density to this parcel, the next developer will be able to build more homes per acre to help counter the housing shortage Grand Junction is currently experiencing.

C: Neighborhood Meeting –

Neighborhood Meeting happened on 2-10-22, Scott Peterson was City representative. No one had objections. The notes and sign-in sheet have been provided.

D: Project Compliance-

The higher density is inline with the Future Use Map and Zoning requirements. As well as , lots adjacent to this one have already been rezoned to R-8. There is a significant lack of R-8 zoning to accommodate higher density development.

E: Rezone Review Criteria –

Section 21.02.140(a)

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

- a. Subsequent events have invalidated the original premises and findings; and/or **Adjacent properties have been rezoned to R-8**
- b. The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or **There have been an increase in higher density parcels in surrounding areas**
- c. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or **this rezone aligns with the future use map for GJ**
- d. 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 a push and need for higher density developments**

- e. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment. **This will create more housing for families near good schools and within the city limits**

5: Planning Fees:

These fees will be the expense of the next developer. The current owners will not be developing but will be selling the land to a developer and Buyer will be required to pay for these fees.

The Seller, Harrison Property Holdings, LLC of Parcel Number: 2945-253-48-002, is requesting a zoning change from R-4 to R-8, to increase the housing density of the available land for development. The rezoning aligns with the City of Grand Junction's future use plan. The properties north of this property have recently been rezoned recently from R-4 to R-8, which include: 2945-253-49-009, 2945-253-49-098, 2945-253-49-103, 2945-253-00-048, and 25 lots of B ¼ Rd that are ready for development.

Becca Posner

CBC – Prime Properties

970-424-2281

becca@posner.properties

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Jerry M Harris c/o Harris Property ("Entity") is the owner of the following property:
(b) 2730 B Rd Grand Junction CO 81503
Holdings LLC

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) owner

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

(e) None

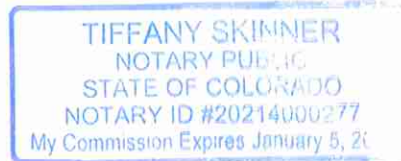
I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

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

Signature of Entity representative: Jerry Harris

Printed name of person signing: Jerry Harris

State of Colorado)
County of Mesa) ss.



Subscribed and sworn to before me on this 29th day of December, 2021
by Tiffany Skinner

Witness my hand and seal.

My Notary Commission expires on 01/05/2025

Tiffany Skinner
Notary Public Signature

Warranty Deed

RECORDING REQUESTED BY GRANTEE)
And GRANTEE ADDRESS)
HARRIS PROPERTY HOLDINGS, LLC)
3421 D Road)
Palisade, CO 81526)

WHEN RECORDED, RETURN TO:)
STONE LAW, LLC.)
PO Box 2534)
Grand Junction, CO 81502)

SPACE ABOVE FOR RECORDER'S USE

2730 B Road, Grand Junction 81503

For no consideration, GERALD M. HARRIS and KATHLEEN A. HARRIS do hereby grant, bargain, sell, convey and confirm to **HARRIS PROPERTY HOLDINGS, LLC**, all of their interest in and to the following described real property in the County of Mesa, State of Colorado:

Beginning 792.5 feet west of the Northeast Corner of the South Half of the Southeast Quarter of the Southwest Quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, thence West to the Northwest Corner of the said South Half of the Southeast Quarter of the Southwest Quarter, thence South to the Southwest Corner of the said South Half of the Southeast Quarter of the Southwest Quarter, thence East to the Orchard Mesa Canal, thence Northwesterly along said canal to a point 280 feet South of the North line of said South Half of the Southeast Quarter of the Southwest Quarter, thence East to a point South of Beginning, thence North to Beginning.

EXEMPT FROM DOCUMENTARY FEE PURSUANT TO C.R.S. 39-13-102(2)(A); CONSIDERATION LESS THAN \$500

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, its heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

February 11, 2020
Date

Gerald M. Harris
GERALD M. HARRIS
Kathleen A. Harris
KATHLEEN A. HARRIS

STATE OF COLORADO
COUNTY OF MESA

The foregoing instrument was acknowledged before me on February 11, 2020 by GERALD M. HARRIS and KATHLEEN A. HARRIS.

Marc Summers
Notary Public

June 16, 2022
Commission expiration

MARC SUMMERS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064042990
MY COMMISSION EXPIRES JUNE 16, 2022

**ADJACENT PROPERTY OWNER
NAME & ADDRESS ORDER FORM**

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

Tax Parcel #(s): 2945-253-48-002
Property Address: 2730 B Rd Grand Junction CO 81503
Property Owner: Jerry M Harris
Contact Person: Jerry + Kathy Harris
Mailing Address: 3421 D Rd Palisade CO 81526
E-Mail Address: Kathy-harris1950@hotmail.com

Applicant: Jerry + Kathy Harris
Contact Person: "
Mailing Address: 3421 D Rd Palisade CO 81526
E-Mail Address: Kathy-harris1950@hotmail.com

Project Representative: Becca Posner
Contact Person: _____
Mailing Address: 131 N 6th St Grand Junction 81501
Phone Number: 970 424 2281
E-Mail Address: becca@posner.properties

***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 of Property:

Lot 2, Harris Holdings Subdivision – Reception Number 3000725, City of Grand Junction , Mesa County Colorado'

INVOICE (2022-02-17-18572)

BILLING CONTACT

Becca Posner
 131 N 6Th St
 Grand Junction, Co 81501



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
2022-02-17-18572	09/10/2021	10/10/2021	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	GL Account	TOTAL
RZN-2022-110	Rezone 2022	DEV - 100-310-010.4315	\$625.00
2730 B Rd Grand Junction, CO 81503			SUB TOTAL
			\$625.00

1231+1347

TOTAL \$625.00

2/9/2022

Becca Posner

CBC -Prime Properties

Becca@posner.properties

970-424-2281

Minutes from Re-Zoning Meeting at Cruisers on 2/9/2022.:

The Sign-In Sheet has been provided.

There were only a few neighbors that attended the meeting (5 all together). The meeting started promptly at 5:30. There were no objections at the meeting at this time, only questions about what type of developments can be considered with the rezoning from R4-R8. One neighbor that lives on the west side of the fence was worried that there would be tall apartment buildings towering over their backyard. After discussing more with the Owners, Myself, and the Planner, they were at ease. The other neighbor that lived several parcels to the west was concerned that his property would have to be annexed into the City. After discussion he too was at ease knowing this would not happen due to this development but could be annexed if all his surrounding neighbors annexed into the city. This was a civil meeting with no objections.

SIGN IN SHEET

2730 B Rd Rezoning Meeting on 2/9/2022:

1. Ben Posa
2. Robert Harris
3. [Signature]
4. Gyulley Parsons
5. [Signature]
6. Colin Ryan
7. Tom Huisjem
8. SCOTT PETERSON
9. Chandler Hallmark
10. Rex
11. [Signature]
12. _____
13. _____
14. _____
15. _____

198 RINCON LLC
2372 RANA RD
GRAND JUNCTION CO 81507-1584

ANDERSON JAMES C
ANDERSON CAROLE L
2729 B RD
GRAND JUNCTION CO 81503-2233

ARCIERI FAMILY LIMITED
PARTNERSHIP
2690 B 3/4 RD
GRAND JUNCTION CO 81503-1970

ARCIERI JAMES THOMAS
ARCIERI VAL JEAN
330 33 1/2 RD
PALISADE CO 81526-9511

ARCIERI WILLIAM J
ARCIERI FRANCINE K
197 SAND CT
GRAND JUNCTION CO 81503-2238

BAILEY PEGGY M
2719 B RD
GRAND JUNCTION CO 81503-2209

BAKER CHRISTINE D
BAKER JOHN
2729 B 1/4 RD
GRAND JUNCTION CO 81503-2256

BARBEE STEVEN R
BARBEE JOAN L
2738 SIERRA VISTA RD
GRAND JUNCTION CO 81503-3209

BENBOE KEITH R
BENBOE OLIVIA M
267 E PARKVIEW DR
GRAND JUNCTION CO 81503-2034

BOITIER PEGGY
2720 RINCON DR
GRAND JUNCTION CO 81503-2235

BOWEN AYERS D
OLIVER SUSANNA L
2721 RINCON DR
GRAND JUNCTION CO 81503-2234

BROWN STEVEN L
2731 B RD
GRAND JUNCTION CO 81503-2233

CARR DONALD
2716 RINCON DR
GRAND JUNCTION CO 81503-2235

CHANDLER F EDWARD II
CHANDLER BRENDA K
2734 B RD
GRAND JUNCTION CO 81503-2240

CHENEY JONATHAN MICHAEL
194 RINCON DR
GRAND JUNCTION CO 81503-2282

CITY OF GRAND JUNCTION
SCOTT PETERSON
250 N 5TH ST
GRAND JUNCTION CO 81501-2628

COHEN STACEY
2726 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

DYSON JOHN
DYSON JACQUELYN
194 CLYMER DR
GRAND JUNCTION CO 81503-2280

ETZLER BRADYN
ETZLER WENDY
2740 B RD
GRAND JUNCTION CO 81503-2239

FIELDS SHONTAY M
2723 RINCON DR
GRAND JUNCTION CO 81503-2226

GATHJE KRISTINA D
195 RINCON DR
GRAND JUNCTION CO 81503-2283

GAYTAN-GARCIA EDGAR
2733 B RD
GRAND JUNCTION CO 81503-2233

GITCHELL DAVID H JR
GITCHELL KIMBERLY A
2732 B RD
GRAND JUNCTION CO 81503-2240

GOODMAN JEROT
GOODMAN SARA H
199 CLYMER DR
GRAND JUNCTION CO 81503-2281

HARRIS JERRY M
HARRIS PROPERTY HOLDINGS LLC
3421 D RD
PALISADE CO 81526-9550

HENDRICKS STEVEN
HENDRICKS JO ANNE
2714 RINCON DR
GRAND JUNCTION CO 81503-2235

HOBBS SHANNON N
CARSTENS ANDREW W
199 RINCON DR
GRAND JUNCTION CO 81503-2283

HOON TODD H
HOON MILENA FIORELLA
196 RINCON DR
GRAND JUNCTION CO 81503-2282

HOWARD JOHN PAUL
HOWARD CYNTHIA ANN
2719 RINCON DR
GRAND JUNCTION CO 81503-2234

HUGHES CLOYD T
MARTINEZ JESICA
196 SEGO CT
GRAND JUNCTION CO 81503-2273

HUISJEN THOMAS MERLE
HUISJEN BONNIE JO
2716 1/2 RINCON DR
GRAND JUNCTION CO 81503-3030

KAHL FAMILY LIVING TRUST DATED
JAN 20 2016
2191 FREMONT DR
LAKE HAVASU CITY AZ 86406-8301

KERKMAN MARVIN J
KERKMAN ROBIN D
2741 B RD
GRAND JUNCTION CO 81503-3203

KING R MICHAEL
KING LAURIE M
196 SAND CT
GRAND JUNCTION CO 81503-2238

KINNEY BRETT
MILLER MIQUELA C
2720 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2231

KLEIN JAMES
KLEIN KRISTA
2717 RINCON DR
GRAND JUNCTION CO 81503-2234

KONRAD ANGELA DENISE
2728 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

LARSEN KEITH A SR
KARNASIEWICZ JUDITH C
925 22 1/2 RD
GRAND JUNCTION CO 81505-9363

LARUE JOSHUA
CSERNI TERESA L
2739 B RD
GRAND JUNCTION CO 81503-3203

LATCHAW DUSTIN W
LATCHAW JAMES K
2717 B RD
GRAND JUNCTION CO 81503-2209

LEB SOCK DENNIS D
LEB SOCK LORI D
2716 1/2 B RD
GRAND JUNCTION CO 81503-3042

LEDERER ERIC M
LEDERER JANET L
120 PONDEROSA DR
RIDGWAY CO 81432-9418

LOPEZ KATHERINE BAIRD
2734 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2218

LOVATO PHIL R
LOVATO ANGELA L
2724 RINCON DR
GRAND JUNCTION CO 81503-2227

MALLORY DAVID A
MALLORY ROYANN
2717 1/2 RINCON DR
GRAND JUNCTION CO 81503-3264

MARTIN VICKY L
GAY GEORGE F
197 CLYMER DR
GRAND JUNCTION CO 81503-2281

MCCARTER DON
WILSON RAINI
2718 RINCON DR
GRAND JUNCTION CO 81503-2235

MCCARTHY JAMES
WEIDNER SHARON L
2736 B RD
GRAND JUNCTION CO 81503-2240

MCKNIGHT DAVID A
192 RINCON DR
GRAND JUNCTION CO 81503-2282

MCLAIN TRAVIS
MCLAIN MARGARET GRIBBELL
137 WILLIAMS RANCH DR
ASPEN CO 81611-1584

MOFFAT MERCEYDES
195 CLYMER DR
GRAND JUNCTION CO 81503-2281

MORRIS DAVID MAX
MORRIS CHRISTINA LEE
2718 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2232

NOTTINGHAM LIVING TRUST
585 MILLS RANCH RD
WOODLAND PARK CO 80863-9460

PARMENTER TRACY ANNE
PARMENTER MARTY LORINE
220 GIGAX LN
GRAND JUNCTION CO 81503-1930

PARSONS GARY D
PARSONS SHELLEY T
2722 RINCON DR
GRAND JUNCTION CO 81503-2235

PETTIT WILLIAM EDWARD
PETTIT RACHEL ANN
2715 B RD
GRAND JUNCTION CO 81503-2209

PHUNG HA LAY
194 SEGO CT
GRAND JUNCTION CO 81503-2273

POLEN MARIA A
2737 1/2 B RD
GRAND JUNCTION CO 81503-3277

POSNER PROPERTIES
POSNER BECCA
131 N 6TH ST
GRAND JUNCTION CO 81501-2763

REED JESSE O
2730 B RD
GRAND JUNCTION CO 81503-2240

REED ROGER R
REED JONI C
2731 B 1/4 RD
GRAND JUNCTION CO 81503-2256

RIGHT SIDE UP CLYMNER LLC
679 MOONRIDGE CIR
GRAND JUNCTION CO 81505-1054

ROPER GLEN
ROPER KATHERINE M
200 27 RD
GRAND JUNCTION CO 81503

SEGELKEN HARRY C
SEGELKEN CHRISTINE D
2724 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

SIETAN LLC
218 EASTER HILL DR
GRAND JUNCTION CO 81507-1175

SUMMERS SCOTT L
195 SEGO CT
GRAND JUNCTION CO 81503-2273

THOMAS IRENE G
2738 B RD
GRAND JUNCTION CO 81503-2240

WOESSNER DEZARAY
WOESSNER JEREMY
2730 SIERRA VISTA RD
GRAND JUNCTION CO 81503-2228

YATES ASHLEAH
YATES JUSTIN
2720 1/2 RINCON DR
GRAND JUNCTION CO 81503-3030

Daniella Acosta

From: vljanmartin@charter.net
Sent: Monday, May 2, 2022 1:39 PM
To: Daniella Acosta
Subject: Harris Property Holdings Rezone

Importance: High

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****

We are writing about the request to rezone property at 2730 B Road, Grand Junction, CO 81503.

As a long time resident (over 20 year) in the area of this property, we are voicing our opinion and denial of the rezoning, this is a single family community. We do not wish to see apartments or any multi family housing in this area. Not now nor in the future.

Thank you for your consideration of current residents and property owners.

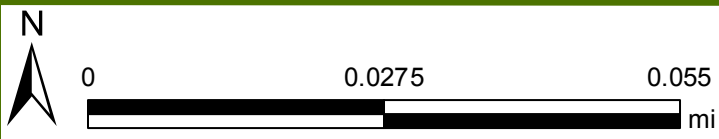
Vicky L Martin and George F Gay

197 Clymer Drive

Grand Junction, CO 81503

970-260-8113

Site Map



Printed: 5/3/2022

1 inch = 94 feet



Vicinity Map



Printed: 5/3/2022

1 inch = 376 feet

Existing Zoning

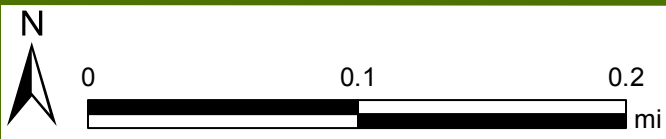
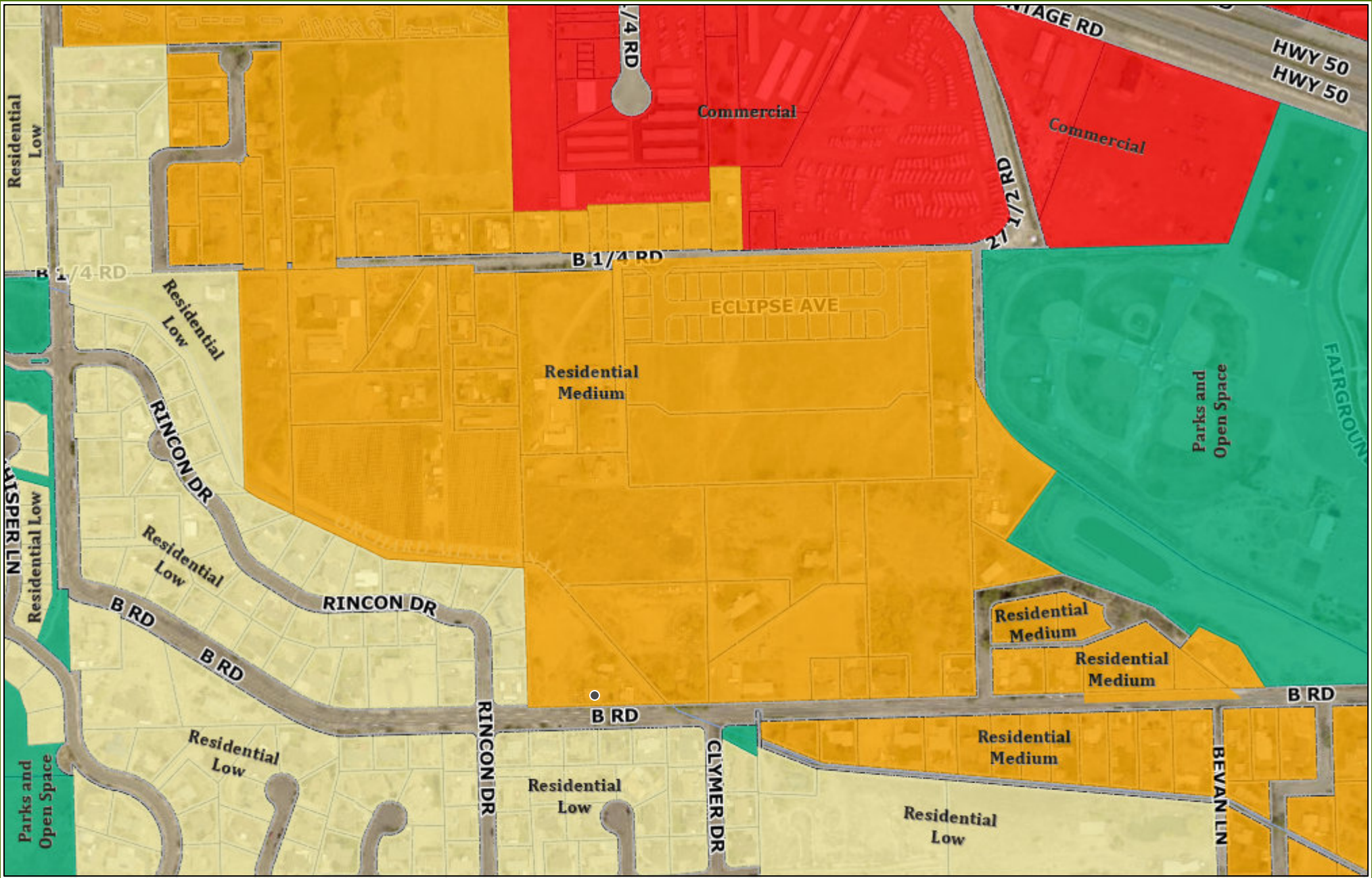


Printed: 5/3/2022

1 inch = 188 feet



Comprehensive FLU Map



Printed: 5/3/2022

1 inch = 376 feet



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING LOT 2, HARRIS HOLDINGS SUBDIVISION 2730 B ROAD, GRAND JUNCTION COLORADO TO R-8 (RESIDENTIAL 8 DWELLING UNITS PER ACRE

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 Harris Holdings Property, Lot 2, Harris Holdings Subdivision, to the R-8 (Residential 8 du/ac) zone district. The Planning Commission found that the R-8 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Residential Medium of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-8 (Residential 8 du/ac) 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 2, Harris Holdings Subdivision is and shall be zoned R-8 (Residential 8 du/ac) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 18th day of May 2022 and ordered published in pamphlet form.

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

ATTEST:

Laura Bauer
Interim City Clerk

Anna M. Stout
President of the Council



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: May 18, 2022

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Jim Stavast

Information

SUBJECT:

Daycare Center Electrical Improvements Project

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a Contract with Barnes Electric of Grand Junction, CO for the Daycare Center Electrical Improvements Project in the amount of \$131,331.00.

EXECUTIVE SUMMARY:

The City of Grand Junction's Daycare Center needs to have a complete electrical upgrade to serve the existing building and the new addition. Along with the electrical needs of the new addition, there will be more appliances, and a new air conditioning system that will require a larger electrical service and a larger electrical panel to handle the additional electrical loads.

BACKGROUND OR DETAILED INFORMATION:

The existing 100-amp electrical service was already supplying the maximum amperage for the building and did not have the ability to run multiple kitchen appliances at one time. The roughly 1,800 square foot addition will require additional circuits that are not currently available. Also, the quantity and location of the existing outlets in the building will not meet the needs of the new center and will require changes. The plan is to add a new HVAC system that requires a three phase electrical service, while the existing service is only a single phase. As part of this work, the Daycare Center will also be receiving all new LED lighting inside and out. The proposed new service to feed the Daycare Center will be a new 200-amp, three phase service designed to handle the electrical requirements of the center.

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. One company submitted a formal bid, which was found to be responsive and responsible in the following amount:

Company	Location	Bid Amount
Barnes Electric	Grand Junction, CO	\$131,331.00

Although the bid amount is under \$200,000, by policy, because only one company submitted a bid, this item is being brought before City Council for approval.

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funding for this contract is part of the City Employee Child Care project and is included in the 2022 Amended Budget.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a contract with Barnes Electric of Grand Junction, CO for the Daycare Center Electrical Improvements Project in the amount of \$131,331.00.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: May 18, 2022
Presented By: Jay Valentine, General Services Director
Department: General Services
Submitted By: Jim Stavast

Information

SUBJECT:

Daycare Center Plumbing Installation

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a Contract with Raven Plumbing, Heating & Backflow Prevention, Inc. of Grand Junction, CO for the Daycare Center Plumbing Installation for the amount of \$76,294.16.

EXECUTIVE SUMMARY:

The 1,800 square foot addition to the City of Grand Junction's Daycare Center will require significant plumbing work to add three restrooms, four sinks, a drinking fountain, and one appliance. These amenities are required for the two additional kid's rooms being added to the existing building.

BACKGROUND OR DETAILED INFORMATION:

The plumbing worked required will include a new sewer line from the addition to the building's sewer main roughly 120 feet away as well as the below slab waste piping for the restrooms and sinks. The domestic cold and hot water will be tied into the existing building's piping system with a new 100-gallon water heater and a circulation pump. Some of the existing piping will have to be upsized to increase the volume of water available throughout the building. There will be a new ADA staff restroom in the storage/work area and includes a mop sink and clothes washer connections that will be installed. The kitchen plumbing must be reconfigured to allow for an extra hand washing sink.

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the

Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. One company submitted a formal bid, which was found to be responsive and responsible in the following amount:

Company	Location	Bid Amount
Raven Plumbing, Heating & Backflow Prevention, Inc.	Grand Junction, CO	\$76,294.16

Although the bid amount is under \$200,000, by policy, because only one company submitted a bid, this item is being brought before City Council for approval.

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funding for this contract is part of the City Employee Child Care project and is included in the 2022 Amended Budget.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a contract with Raven Plumbing, Heating & Backflow Prevention, Inc. of Grand Junction, CO for the Daycare Center Plumbing Installation for the amount of \$76,294.16.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.c.

Meeting Date: May 18, 2022

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Jim Stavast

Information

SUBJECT:

City Hall HVAC Replacement

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a Contract with Trane U.S., Inc. of Grand Junction, CO for the City HVAC Replacement Project in the amount of \$273,605.00.

EXECUTIVE SUMMARY:

This project is part one of two to replace the aging HVAC units on City Hall. The current HVAC units on the roof have served their purpose for 22 years while having a life expectancy of 15 years. Since these units have a long lead time, the goal is to do a scheduled replacement to avoid a potentially catastrophic failure of the buildings' primary heating and cooling system.

BACKGROUND OR DETAILED INFORMATION:

This project will replace the large 90-Ton Roof Top Unit that supplies most of the heating and cooling to City Hall. Lead time for this unit is approximately five months. We will also be replacing the two mini-split A/C systems that serve the auditorium broadcast booth and the training room electronics. Part of the project will also address the heating and cooling issues with the Human Resources Conference Room by adding a VAV box for that room with its own independent temperature control. Currently, the conference room is controlled by a thermostat in the hallway that serves a much larger space. When there are several people using the conference room, it gets warm and the only way to cool it down is by turning down the temperature for the entire area. All the other conference rooms have been addressed in this fashion to make them more comfortable for the occupants. This is the last conference room in the building to be

modified.

This purchase will be a piggyback on OMNIA Partners, a national cooperative agreement. Cooperative agreements are beneficial as they combine the spending of multiple government agencies to provide cost-saving advantages and enhance overall procurement capabilities.

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

The funds for this project are included in the 2022 Adopted Budget.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a Contract with Trane U.S., Inc. of Grand Junction, CO for the City HVAC Replacement Project in the amount of \$273,605.00.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.d.

Meeting Date: May 18, 2022
Presented By: Randi Kim, Utilities Director
Department: Utilities
Submitted By: Randy Kim

Information

SUBJECT:

Construction Observation for Hogchute Dam Improvements 2022

RECOMMENDATION:

Staff recommends the City Purchasing Division execute a Change Order to the Construction Observation Contract with Ayres Associates for 2022 Construction Observation of the Hogchute (aka Carson) Reservoir Dam Improvements project in the amount of \$394,667.00.

EXECUTIVE SUMMARY:

Ayres Associates was selected in July 2021 through a formal Request for Proposals for construction observation and inspection of the Hogchute (aka Carson) Reservoir Dam Modification project. The scope of work included inspection to ensure construction is completed according to standards and specifications as well as reporting to the Colorado Division of Natural Resources Dam Safety Office (SEO). The existing embankment material does not meet current design and dam safety requirements and cannot be utilized. The process of obtaining acceptable embankment material delayed the project and was therefore not completed in 2021. The project was winterized, and the remaining project work will be completed during the 2022 construction season. Therefore, a change order is necessary to authorize Ayres Associates to complete the construction observation during 2022. The additional cost of this change order is \$394,667.00.

BACKGROUND OR DETAILED INFORMATION:

Ayres Associates was selected through a competitive RFP for construction observation and reporting of the project in 2021. The scope of work included ensuring construction was completed in accordance with contract documentation, standards and

specifications as set forth by the City of Grand Junction and the SEO, coordinating contractor schedule with quality assurance testing, daily and weekly activity reports and response to technical questions from the contractor. The original contract amount for Construction Observation Services for Hogchute Dam Improvements was \$150,421.00 in June 2021.

Once the existing dam embankment was uncovered, testing revealed that it did not meet current design and dam safety requirements and could not be utilized. The process of obtaining acceptable embankment material delayed the project, which was subsequently required to be shut down through the winter season. This change order includes costs to remobilize Ayres Associates for Construction Observation in 2022. The scope of services also includes engineering services during construction in 2022, which was previously done under a separate contract. The additional cost of \$394,667.00 brings the total cost to the City to \$545,088.00.

Construction Observation services include a weekly rotation schedule of up to 6 days per week, as needed, to support completion of construction by October. Construction administration includes engineering services, as needed during construction, such as responding to Requests for Information, daily and weekly reporting, any unforeseen technical analysis, creation of First Fill Plan, Record Drawings and Final Report, etc. Direct costs such as lodging and mileage reflect 2022 pricing. An additional direct cost is added for satellite communications, which was not part of the 2021 contract.

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract.

FISCAL IMPACT:

Funding for this project is included in the 2022 Amended Budget for the Water Fund.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to execute a Change Order to the Construction Observation Contract with Ayres Associates for 2022 Construction Observation of the Hugchute (aka Carson) Reservoir Dam Improvements project in the amount of \$394,667.00.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: May 18, 2022
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Trent Prall, Public Works Director

Information

SUBJECT:

A Resolution Authorizing the City Manager to Submit a Grant Application for the Revitalizing Main Streets Grant Program for the 4th and 5th Street Corridor Enhancement Project

RECOMMENDATION:

Authorize the City Manager to submit an application in response to the Colorado Department of Transportation (CDOT) call for projects for the Revitalizing Main Streets program for the implementation of the 4th and 5th Street Corridor Enhancements.

EXECUTIVE SUMMARY:

The Colorado Department of Transportation has opened applications for funding under the Revitalizing Main Streets Grant Program. Two funding opportunities exist under this program: \$22 million to be disbursed in amounts of up to \$2 million ("large" grants or "Opportunity 1"); and, \$8 million to be disbursed in amounts of up to \$150,000 ("small" grants or "Opportunity 2"). This request pertains to the Opportunity 2 for which the call for projects has a continual rolling request period until the funds are exhausted.

City staff recommends that the implementation of the recently completed 4th-5th Street enhancements be selected as the object of the City's grant request for this opportunity. The project will reconfigure the corridors to provide strong multi-modal connection between Ute Avenue and North Avenue on both corridors while still maintaining the one-way configuration.

BACKGROUND OR DETAILED INFORMATION:

Grant background:

The Revitalizing Main Streets grant fund was developed in 2020 as part of the State of Colorado's response to the COVID-19 pandemic. Early rounds of grant funding under this program were limited to amounts of \$50,000 with a local match of at least 10%. The City of Grand Junction was awarded a grant of that amount to install bicycle and pedestrian wayfinding signage throughout the community, and this project was completed in early 2021.

The Revitalizing Main Streets grant was expanded in March of 2021 to include Opportunity 1: Larger Safety Infrastructure Grant (up to \$2 million) and an Opportunity 2 grant program (up to \$150,000). The City currently has an Opportunity 1 request for funding for the Crosby Ave project.

The Opportunity 2 grant program is available to support small multimodal transportation projects across the state of Colorado. Applicants are encouraged to submit projects of up to \$150,000 that will support downtown vitality and the built environment, encourage economic development, support community access to public streets and multimodal transportation and that imagine innovative uses of public spaces.

To be eligible for funding, a project should meet all or most of the Program Safety Goals and Economic Recovery Benefits:

- Downtown Vitality and the Built Environment (35%)
- Active Transportation Safety (35%)
- Readiness of Implementation (10%)
- Equity and access for low-income and disadvantaged users (10%)
- Public Support/Relationship to Community Plans (5%)
- Other Considerations: Innovation, Scalability, Cost-Benefit, Regional Equity (5%)

Project sponsors are required to provide a 10% match.

Selected project:

City staff recommends that the implementation of the recently completed 4th-5th Street Corridor Enhancements Project be selected for the City's grant request for this opportunity. The project will reconfigure both corridors to provide strong multi-modal connection between Ute Avenue and North Avenue on both corridors while still maintaining the one-way configuration.

The proposed project includes developing plans for full implementation of the plan on both 4th and 5th Streets in 2022 utilizing "pop up" elements such as "safe hit" bollards, parking blocks, planters and simple restriping to create the intent of the corridor and allocate the space as defined in the study. This will allow for implementation this year at a relatively low cost as well as enable the community to "test drive" the design. Once the concept is proven, then long-term improvements with the addition of permanent

bulb-outs and pedestrian-level amenity zones can be permanently constructed in 2023 and 2024.

Awards are anticipated within 45 days. Projects must be completed and all billings submitted within one year of award.

The project is proposed for implementation in Fall 2022.

FISCAL IMPACT:

The Revitalizing Main Streets Opportunity 2 is requested to include a 10% local match. The first phase of the project is estimated at \$700,000. The grant request is for \$150,000 with a 79% match of \$550,000. The project is included in the City's Adopted 2022 Budget.

SUGGESTED MOTION:

I move to adopt Resolution No. 39-22, a resolution supporting the grant application for Revitalizing Main Streets Opportunity 2 Grant Program to the Colorado Department of Transportation for multi-modal enhancements to the 4th Street and 5th Street corridors.

Attachments

1. RES-Revitalizing Main Streets Op 2 Grant 4th-5th Corridor

RESOLUTION NO. __-22

A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR REVITALIZING MAIN STREETS OPPORTUNITY 2 GRANT PROGRAM FOR 4th and 5th STREET CORRIDOR ENHANCEMENTS

The City Council of the City of Grand Junction by with and through this Resolution expresses its supports for the *Revitalizing Main Streets Opportunity 2: Small Multimodal and Economic Resiliency Projects* application that the City of Grand Junction will make to the Colorado Department of Transportation for the 4th and 5th Street Corridor Enhancements Project ("Project.") The project will reconfigure the corridors to provide strong multi-modal connection between Ute Avenue and North Avenue on both corridors while still maintaining the one-way configuration.

The Colorado Department of Transportation has allocated \$8 million to be disbursed in amounts of no greater than \$150,000 to Colorado jurisdictions. A call for projects has been issued.

The *Revitalizing Main Streets Opportunity 2: Small Multimodal and Economic Resiliency Projects* provides funding for projects that support downtown vitality and the built environment, encourage economic development, support community access to public streets and multimodal transportation and that imagine innovative uses of public spaces.

In accordance with the grant purposes, the City proposes to reconstruct approximately one half-mile of Crosby Avenue to install two 5-foot bicycle travel lanes, a 10-foot multimodal path, a lowered and pressurized irrigation conveyance, and substantially improved landscaping and lighting. Completion of the Project is scheduled for 2023.

In accordance with the grant purposes, the City proposes a project that will help implement the recommendations of the recently completed 4th-5th Corridor Enhancement Study. The project will reconfigure both corridors to provide strong multi-modal connection between Ute Avenue and North Avenue on both corridors while still maintaining the one-way configuration.

The proposed project includes developing plans for full implementation of the study on both 4th and 5th Streets in 2022 utilizing "pop up" elements such as "safe hit" bollards, parking blocks, planters and simple restriping to create the intent of the corridor and allocate the space as defined in the study. This will allow for implementation in 2022 at a relatively low cost as well as enable the community to "test drive" the design. Once the concept is proven, then long-term improvements with the addition of permanent bulb-outs and pedestrian-level amenity zones are proposed for permanent construction in 2023 and 2024.

The City is seeking Colorado Department of Transportation grant funding in the amount of \$150,000 ("Grant") for the Project. The City staff has recommended that the City Council support the Grant application and if awarded that the Grant be utilized.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado that:

The City Council of the City of Grand Junction authorizes the expenditure of funds necessary to meet the terms and obligations, including established deadlines, of any Grant awarded.

If the Grant is awarded, the City Council hereby authorizes the City Manager to sign the grant agreement with the Colorado Department of Transportation for the Project.

PASSED and ADOPTED this 18th day of May 2022

Anna M. Stout
President of the Council

ATTEST:

Laura Bauer
City Clerk



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: May 18, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver, City Attorney

Information

SUBJECT:

A Resolution Appointing a Cannabis Hearing Officer

RECOMMENDATION:

Staff recommends approval of this resolution.

EXECUTIVE SUMMARY:

This resolution appoints a Hearing Officer for the Cannabis Licensing Authority.

BACKGROUND OR DETAILED INFORMATION:

City Council adopted Ordinance No. 5064 on April 8, 2022, establishing a local Cannabis Licensing Authority ("Authority") for the licensing and enforcement of cannabis within the City. In accordance with Ordinance No. 5064, Section 16(5)(f) of Article XVIII of the Colorado Constitution, and Section 44-10-104 of the Colorado Revised Statutes, City Council shall appoint a Hearing Officer for the Authority.

Per Ordinance No. 5064, the Hearing Officer shall be a resident of the City and have an active license to practice law in the State of Colorado. The Hearing Officer shall conduct all hearings required by the City's Code, rules and regulations, and codes construing and implementing the same. Hearings shall include matters about initial licenses, renewals of licenses, proposed change of ownership of licenses and changes in corporate structure of a license, proposed changes of location of licensed premises or modification of premises, and alleged violations of the codes or regulations. The Hearing Officer may promulgate rules and regulations concerning the procedures of hearings for the Authority.

The City Attorney recommends that City Council appoint Barbara R. Butler as Hearing

Officer for the Authority. Ms. Butler is a resident of the City and is licensed to practice law in the State of Colorado. Ms. Butler is employed in private practice for the firm Dufford Waldeck Law, focusing her practice on wills, trusts, estates, probate, real estate, property tax, trials, appeals and litigation.

FISCAL IMPACT:

No fiscal impact.

SUGGESTED MOTION:

I move to adopt Resolution No. 40-22, a resolution appointing Barbara J. Butler as Hearing Officer for the Cannabis Licensing Authority.

Attachments

1. RESOLUTION - Cannabis Hearing Officer - 050922

RESOLUTION NO. ____-22

A RESOLUTION TO APPOINT A HEARING OFFICER IN AND FOR THE CITY OF GRAND JUNCTION, COLORADO CANNABIS LICENSING AUTHORITY

Recitals.

The City has by Ordinance No. 5064 provided for and established a local Cannabis Licensing Authority for hearing and deciding certain matters related to cannabis licensing and enforcement in the City. Ordinance No. 5064 in accordance, with §16(5)(f) of Article XVIII of the Colorado Constitution and § C.R.S. 44-10-104, provides that City Council appoint a Hearing Officer for the Cannabis Licensing Authority.

The City Council being duly advised does, by and with this Resolution appoint Barbara R. Butler as the Hearing Officer for the Grand Junction Cannabis Licensing Authority.

Ms. Butler is a private attorney in the City and has experience in highly regulated and complex matters; she has no actual or apparent conflicts of interest and is ready, willing, and capable of serving to administer the law relative to cannabis business licensing and operations.

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

Barbara R. Butler is hereby appointed as Hearing Officer for the Cannabis Licensing Authority in and for the City of Grand Junction, in accordance with Title 5 Chapter 13 of the Grand Junction Municipal Code, the Colorado Constitution, Colorado Revised Statutes and the regulations promulgated thereunder.

PASSED AND ADOPTED this 18th day of May 2022.

ATTEST:

Anna M. Stout
President of City Council

Laura J. Bauer
Interim City Clerk



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: May 18, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver

Information

SUBJECT:

A Resolution Ratifying the Sale Agreement for 2600 Riverside Parkway

RECOMMENDATION:

Staff recommends approval of this resolution.

EXECUTIVE SUMMARY:

The City-owned property located at 2600 Riverside Parkway (Property) is under contract to be sold in accordance with the Contract to May-Riegler Inc. by special warranty deed for a price of \$550,000.00.

BACKGROUND OR DETAILED INFORMATION:

The City Manager and May-Riegler Properties entered into a contract for the sale of the City-owned property at 2600 Riverside Parkway (Property). The sale contract, and the obligation of the City to proceed under the terms of the contract, is expressly contingent upon its approval by resolution of the City Council on or before May 31, 2022. The Property is not now, nor has it ever been held or used as a park or for park or governmental purposes. Therefore, the sale of the Property does not require a vote and is within the discretion of the City Council. The contracted purchase price is \$550,000.00. The contract, which is attached, (Contract) is subject to inspection and environmental contingencies. The City Council Property Committee has considered and recommended the proposed sale.

FISCAL IMPACT:

The proceeds from the sale will be accounted for in the General Fund.

SUGGESTED MOTION:

I move to adopt/deny Resolution No. 41-22, a resolution authorizing the sale of real property located at 2600 Riverside Parkway, Grand Junction, Colorado.

Attachments

1. RES-2600 Riverside Parkway 050522
2. 2600 Riverside Parkway

RESOLUTION NO. ___22-

**A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY LOCATED AT
2600 RIVERSIDE PARKWAY, GRAND JUNCTION, COLORADO**

RECITALS:

On or about March 28, 2022, the City Manager and May-Riegler Properties entered into a contract for the sale of the City owned property at 2600 Riverside Parkway (Property). One of the principals in May-Riegler Properties, Kevin Riegler, is affiliated with the owner of several lots in the Dos Rios subdivision and intends on integrating the Property into the Dos Rios project.

The sale contract, and the obligation of the City to proceed under the terms of the contract, is expressly contingent upon its approval by resolution of the City Council on or before May 31, 2022.

The Property is not now, nor has it ever been held or used as a park or for park or governmental purposes. Therefore, the sale of the Property does not require a vote and is within the discretion of the City Council.

The contracted purchase price is \$550,000.00. The contract, which is attached, (Contract) is subject to inspection and environmental contingencies.

The City Council Property Committee has considered and recommends the proposed sale.

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

1. The City-owned property located at 2600 Riverside Parkway (Property) will be sold, in accordance with the Contract to May-Riegler Inc. by special warranty deed for a price of \$550,000.00.
2. All actions heretofore taken by the officers, employees and agents of the City relating to the sale of the Property which are consistent with the provisions of the Contract for the sale of the property and this Resolution are hereby ratified, approved and confirmed.
3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the sale of the described property. Specifically, City staff is directed to effectuate this Resolution and the Contract, including the execution and delivery of the deed and such documents as are necessary to complete the sale.

PASSED and ADOPTED this 18th day of May 2022.

Anna M. Stout
President of the City Council

Attest:

Laura Bauer
Interim City Clerk

DRAFT

RESOLUTION NO. ___22-

**A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY LOCATED AT
2600 RIVERSIDE PARKWAY, GRAND JUNCTION, COLORADO**

RECITALS:

On or about March 28, 2022, the City Manager and May-Riegler Properties entered into a contract for the sale of the City owned property at 2600 Riverside Parkway (Property). One of the principals in May-Riegler Properties, Kevin Riegler, is affiliated with the owner of several lots in the Dos Rios subdivision and intends on integrating the Property into the Dos Rios project.

The sale contract, and the obligation of the City to proceed under the terms of the contract, is expressly contingent upon its approval by resolution of the City Council on or before May 31, 2022.

The Property is not now, nor has it ever been held or used as a park or for park or governmental purposes. Therefore, the sale of the Property does not require a vote and is within the discretion of the City Council.

The contracted purchase price is \$550,000.00. The contract, which is attached, (Contract) is subject to inspection and environmental contingencies.

The City Council Property Committee has considered and recommends the proposed sale.

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

1. The City-owned property located at 2600 Riverside Parkway (Property) will be sold, in accordance with the Contract to May-Riegler Inc. by special warranty deed for a price of \$550,000.00.
2. All actions heretofore taken by the officers, employees and agents of the City relating to the sale of the Property which are consistent with the provisions of the Contract for the sale of the property and this Resolution are hereby ratified, approved and confirmed.
3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the sale of the described property. Specifically, City staff is directed to effectuate this Resolution and the Contract, including the execution and delivery of the deed and such documents as are necessary to complete the sale.

PASSED and ADOPTED this 18th day of May 2022.

Anna M. Stout
President of the Council

Attest:

Laura Bauer
Interim City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #4.d.

Meeting Date: May 18, 2022

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: John Shaver

Information

SUBJECT:

A Resolution Approving a Conveyance of a Utility Easement to Cynthia and Stephen Coop and Grand Valley Rural Power Lines Across City Property/Property Located at/in the Vicinity of 4901 Purdy Mesa Road, Mesa County, Colorado

RECOMMENDATION:

The City Council Property Committee has reviewed the proposed conveyance of an easement and recommends approval.

EXECUTIVE SUMMARY:

City Council approval of the Resolution will authorize the City Manager to sign the attached Utility Easement Agreement granting an easement to Cynthia A. and Stephen E. Coop and Grand Valley Rural Power Lines for the purposes established and provided in the Easement Agreement.

BACKGROUND OR DETAILED INFORMATION:

The City owns property ("Property") off of Purdy Mesa Road in unincorporated Mesa County. Cynthia A. and Stephen E. Coop approached the City and asked to purchase a utility easement on and across the property for the purpose of providing water and electricity to the Coop parcel. An approximate distance and alignment of the easement is shown in the attached aerial photo labeled "Purdy Mesa Map." The City has reviewed the agreement ("Agreement") with the Coops, and with the approval of the Resolution by the City Council, the City will convey the easement as described in the Resolution and Agreement. The payment for the easement was determined by the Coops based on the price they paid for their property. (\$3,027.54 per acre with the easement area being under a ¼ acre = \$756.86)

City Council approval of the Resolution will authorize the City Manager to sign the attached Utility Easement Agreement granting an easement for the purposes established and provided in the Easement Agreement.

FISCAL IMPACT:

The revenue from the sale of the easement will be accounted for in the General Fund.

SUGGESTED MOTION:

I move to adopt/deny Resolution No. 42-22, a resolution authorizing an easement of City owned property to Cynthia A. Coop, Stephen A. Coop, and Grand Valley Rural Power Lines.

Attachments

1. RES-CINDY COOP 050622
2. Coop Utility Easement (with exhibits) (1)
3. Purdy Mesa Map

RESOLUTION NO. __-22

**A RESOLUTION AUTHORIZING AN EASEMENT ON OF CITY OWNED
PROPERTY TO CYNTHIA A. COOP, STEPHEN E. COOP AND GRAND VALLEY
RURAL POWER LINES**

Recitals:

The City of Grand Junction is the owner of the following described real property ("Property") in the City of Grand Junction, County of Mesa, Sate of Colorado, to wit:

All of Lots 3 & 4 lying South and East of Kannah Creek Road in Section 35 Township 12 South Range 98 West of the 6th PM, E $\frac{1}{2}$ and SW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36 Township 12 South Range 98 West, and Reservoir Tracts 38 & 40 & 42, and that part of Tract 41 lying North and West of County Road in Sections 29, 30, 31, and 32 Township 12 South Range 97 West, except the South 25 Rods of the West 12.8 Rods and except beginning at the Southwest corner of Section 36 Township 12 South Range 98 West thence East 660 feet thence North 2310 feet thence West 660 feet South to the point of beginning, and except lease agreements SD Section 36 Tract 41 and except Road right of-way conveyed to Mesa County by instrument recorded at Book 1090 Page 744 and Book 2278 Page 361/362 Mesa County Records, Mesa County, Colorado,

The City has negotiated an agreement with Cynthia A. and Stephen E. Coop for a utility easement on and across the Property for the purpose of providing water and electricity to the Coop property.

The City Council having been advised in the premises deems it appropriate that the City grant the easement for those purposes.

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

The City Manager is hereby authorized and directed to sign the attached Utility Easement Agreement granting an easement for the purposes established and provided in the Easement Agreement.

PASSED and ADOPTED this 18th day of May 2022.

Anna M. Stout
President of the Council

Attest:

Laura Bauer
Interim City Clerk

DRAFT

UTILITY EASEMENT AGREEMENT

THIS UTILITY EASEMENT AGREEMENT ("Agreement"), made effective as of the date of mutual execution by the Parties, ("**Effective Date**"), is entered into by and between the City of Grand Junction, a Colorado home rule municipal corporation, ("**Grantor**") and Cynthia A. Coop and Stephen E. Coop ("**Coop**") and Grand Valley Rural Power Lines, Inc. ("**GVP**") (Coop and GVP are collectively referred to as "**Grantees**"). Grantor and Grantees are sometimes individually referred to as a "**Party**" and sometimes collectively as the "**Parties.**"

RECITALS

A. Grantor is the current fee simple owner of certain property located within the unincorporated portion of Mesa County, Colorado, more particularly described as follows:

All of Lots 3 & 4 lying South and East of Kannah Creek Road in Section 35 Township 12 South Range 98 West of the 6th PM, E $\frac{1}{2}$ and SW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36 Township 12 South Range 98 West, and Reservoir Tracts 38 & 40 & 42, and that part of Tract 41 lying North and West of County Road in Sections 29, 30, 31, and 32 Township 12 South Range 97 West, except the South 25 Rods of the West 12.8 Rods and except beginning at the Southwest corner of Section 36 Township 12 South Range 98 West thence East 660 feet thence North 2310 feet thence West 660 feet South to the point of beginning, and except lease agreements SD Section 36 Tract 41 and except Road right-of-way conveyed to Mesa County by instrument recorded at Book 1090 Page 744 and Book 2278 Page 361/362 Mesa County Records

County of Mesa, State of Colorado

("Grantor Property").

B. Grantees are the fee simple owners of certain property located within the unincorporated portion Mesa County, Colorado, as evidenced by that certain Warranty Deed recorded under Reception No. 2884504 in the Mesa County Records, being more particularly described as follows:

BEGINNING AT THE SE CORNER SECTION 31, TOWNSHIP 12 SOUTH, RANGE 97 WEST, OF THE 6TH PRINCIPAL MERIDIAN (A 2.5" IRON PIPE WITH A 2.5" ALUM. CAP) AND CONSIDERING THE SOUTH LINE OF TRACT 41, SECTION 31, T12S, R97W, 6TH P.M. TO BEAR S89°12'30"W AND ALL BEARINGS CONTAINED HEREIN TO BE RELATIVE THERETO; THENCE S89°12'30"W 150.00 FEET ALONG THE SOUTH LINE OF TRACT 41, SECTION 31, T12S, R97W, 6TH P.M. TO THE SE CORNER OF GOVERNMENT LOT 20, SEC. 31, T12S, R97W, 6TH P.M.;

THENCE S89°12'30"W 2244.58 FEET ALONG THE SOUTH LINE OF TRACT 41 TO CORNER 3 OF TRACT 41, SEC. 31, T12S, R97W, 6TH P.M.;

THENCE N00°25'41"E 405.28 FEET ALONG LINE 3-2 OF TRACT 41 TO THE

INTERSECTION WITH THE SOUTHERLY RIGHT- OF-WAY LINE FOR PURDY MESA ROAD;
THENCE N56°12'27"E 869.39 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY FOR PURDY MESA ROAD;
THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY FOR PURDY MESA ROAD N89°50'30"E 1663.90 FEET TO THE INTERSECTION WITH THE EAST LINE OF GOVERNMENT LOT 20, SEC. 31, T12S, R97W, 6TH P.M.;
THENCE S00° 19'38"E 860.34 FEET ALONG THE EAST LINE OF SEC. 31, T12S, R97W, 6TH P.M. TO THE POINT OF BEGINNING,

COUNTY OF MESA, STATE OF COLORADO.

also known by street and number 4901 Purdy Mesa Road, Whitewater, Colorado 81527 and by Mesa County Assessor Parcel Number 2973-314-00-054,

(“**Grantee Property**”).

C. Grantor Property and Grantee Property are adjacent to one another, separated by Purdy Mesa Road.

D. Coop is developing the Grantee Property for residential and ranch/agricultural use and such development will require extension of utilities to the Grantee Property including facilities for water, electricity, and telecommunications services.

E. GVP will be installing electric utility facilities to extend its facilities to serve the Grantee Property and potentially other properties in the area.

F. Grantees seek and Grantor is willing to grant and convey to Grantees a certain easement over a certain portion of the Grantor Property for the purpose of installation, use, repair, replacement, upgrade, and maintenance of utility facilities including without limitation underground water lines, underground or overhead electric lines, communication lines, and related facilities to serve the Grantee Property in perpetuity.

GRANT OF EASEMENT AND AGREEMENT

NOW THEREFORE, for and in consideration of \$756.86 and of the mutual covenants contained herein and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged and accepted, the Parties agree as follows:

1. Grantor hereby grants and conveys to Coop a perpetual, non-exclusive, easement appurtenant upon, along, over, under, within, and across that portion of Grantor Property described in the attached **Exhibit A** and depicted in the attached **Exhibit B** (the “**Utility Easement Area**”) for the purpose of installation, construction, use, maintenance, repair, upgrading, and replacement of utilities including, without limitation, underground water lines, underground and/or overhead electric, communication, and other utility lines and related

facilities such as, but without limitation, pedestals, poles, wires, conduit, pipes, utility boxes, meters, and related improvements (“**Utility Easement**”). This Utility Easement and the benefits, rights, burdens and obligations shall run with the Grantee Property and the Grantor Property and shall benefit the Grantee Property and burden the Grantor Property in perpetuity and shall be binding upon and shall inure to the benefit of the heirs, designees, successors and assigns of the Parties.

2. Grantor hereby grants and conveys to GVP a perpetual, non-exclusive easement in gross for the purpose of installation, construction, use, maintenance, repair, upgrading, and replacement of electric utility facilities including, without limitation, pedestals, poles, wires, conduit, utility boxes, meters, and related improvements to provide utility services to customers of GVP and for related purposes.

3. Grantor shall be entitled to full access and use over, under, in, along, across, and upon the Utility Easement Area so long as such access and use does not unreasonably interfere with the rights provided to Grantees under this Agreement.

4. The Utility Easement and easement rights conveyed hereby shall include the right of reasonable access to the Grantor Property for the excavation, clearing, grading, installation, construction (including trenching, boring, piping, erecting of poles and electric lines), and the use, maintenance, repair, upgrading, and replacement of the utilities and related facilities and equipment as may be required from time to time, and the right to enable reasonable vehicular and pedestrian access and the use of equipment as necessary for the foregoing.

5. The water lines shall generally be installed underground and the electric and telecommunications lines may be underground or overhead and may include reasonably sized above ground pedestals and similar facilities that may be required for the use and operation of the Utilities.

6. The Utility Easement is granted for the purposes specified herein and Grantee shall have no right to use the Utility Easement or the Utility Easement Area for any other or additional purpose.

7. Grantees shall be responsible for the proper installation and construction of Utilities within the Utility Easement Area. Grantees will undertake the work in accordance with the respective infrastructure plans approved by the respective Utility Providers and Grantees shall be responsible for all costs associated with Grantees’ undertaking of the authorized uses of the Utility Easement. Grantees shall carry out all activities related to the authorized uses in a good, workmanlike and professional manner, in accordance with applicable law and utilizing appropriate safety measures and devices, and in a manner that reasonably causes the least amount of disturbance to the Grantor Property. Disturbance to the Grantor Property by Grantees in executing its work in the Utility Easement Areas shall be reasonably restored to substantially its prior condition. The foregoing notwithstanding, nothing herein is intended to, nor shall it, obligate the Grantees to install any or all of the Utilities, the election to proceed with the installation of some or all of the Utilities shall be at the sole discretion of Grantees. Grantees shall not permit any Mechanics' Lien to be filed against the Grantor Property; Grantees shall be

required to obtain from each supplier and contractor performing work on the Grantor Property an unconditional waiver of any right to assert a Mechanics' Lien against the Grantor Property.

8. Upon execution hereof, this document shall be recorded with the Clerk and Recorder of Mesa County, Colorado. Fees for recording shall be paid by the Grantee.

9. This Agreement constitutes the entire agreement between the Parties, and may not be modified, revoked, or terminated except by a written instrument duly executed by both Parties, with signatures notarized, and recorded in the Mesa County land records. Neither this Agreement, nor the Utility Easement specified herein shall be deemed abandoned by inactivity, non-use, obstruction, or otherwise in the absence of the execution and recording by Grantor, Grantee, the City, and, if applicable, their successors or assigns in title of a written document providing for the abandonment or termination of the Utility Easement.

10. This Agreement and the respective rights and obligations of the Parties and their heirs, personal representatives, successors and assigns shall be interpreted, construed and enforced in accordance with the laws of the State of Colorado. In the event of any dispute over such rights and obligations, venue shall be in a court of competent jurisdiction in Mesa County, Colorado, and the Parties agree and stipulate that the matter shall be heard and decided by the court sitting without a jury, regardless of the denomination of the legal claims that may be brought. Injunctive relief shall be granted upon a showing of breach and shall not be conditioned upon the posting of bond by the movant. The parties further agree that any uncured material breach or default or subsequent similar breach or default under this Agreement shall constitute sufficient grounds for Parties to obtain injunctive relief against the other Party or any of its contractors. In any action for enforcement of rights hereunder, the substantially prevailing party shall be entitled to an award for recovery of their costs and fees, including reasonable attorney fees and expert witness fees and costs. All such remedies shall be cumulative.

11. This Agreement may be executed in multiple counterparts or legible scanned/mailed or facsimile copy, each of which shall constitute an original, but all of which, taken together, shall constitute one and the same instrument. The scanned/mailed or facsimile transmission of a signed copy of this Agreement shall be considered valid and have the same effect as a signed original.

12. Except as expressly set forth herein, nothing contained herein shall be construed as creating any rights in any third persons or parties. Nothing contained herein shall be interpreted or construed to create a public dedication of the Utility Easement or to create any rights for the general public or use by the general public.

13. This Agreement is the product of mutual bargaining; it shall be interpreted in accordance with its plain meaning, regardless of the identity of any party who may have drafted same. This Agreement shall be interpreted in a manner that preserves, to the maximum extent provided by law, the grant of the subject Utility Easement for the purposes expressed herein. In the event that any provision of this Agreement is found to be unlawful or invalid, the offending provision shall be stricken, and the remainder of the Agreement shall be enforced as written.

14. Grantor warrants, covenants and represents that it has good and sufficient title to Grantor Property and has the full right and authority to convey the easement rights granted hereby and to undertake the obligations hereof, and that the individual signing below has the authority to bind the Grantor entity with respect to all matters related to this Agreement.

15. Notices under this Agreement shall be by personal delivery or by mailing, posted in the U.S. mail, first class postage prepaid, certified and return receipt requested, to the following addresses, or to such other address as a Party may from time to time designate to the other Party in writing:

To Grantor: City of Grand Junction
 250 N. 5th St.
 Grand Junction, CO 81501.

To Grantees: Stephen and Cynthia Coop
 P.O. Box 4368
 Grand Junction, CO 81502

IN WITNESS WHEREOF each of the Parties has executed this Agreement as of the Effective Date.

GRANTOR: CITY OF GRAND JUNCTION, a Colorado home rule municipal corporation

By: _____ Date: _____

Printed Name: _____

Title: _____

ATTEST:

 City Clerk

STATE OF COLORADO)
) ss.
 COUNTY OF MESA)

The foregoing instrument was acknowledged before me on _____, 2022, by _____ as the _____ of the City of Grand Junction.

Witness my hand and official seal.

My commission expires: _____

Notary Public

GRANTEES:

Stephen E. Coop

Date: _____

Cynthia A. Coop

Date: _____

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me on _____, 2020, by Stephen E. Coop and Cynthia A. Coop.

Witness my hand and official seal.

My commission expires: _____

Notary Public

GRAND VALLEY RURAL POWER LINES, INC.

By: _____

Date: _____

Printed Name: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me on _____, 2022, by _____ as the _____ of the _____ City of Grand Junction.

Witness my hand and official seal.

My commission expires: _____

Notary Public

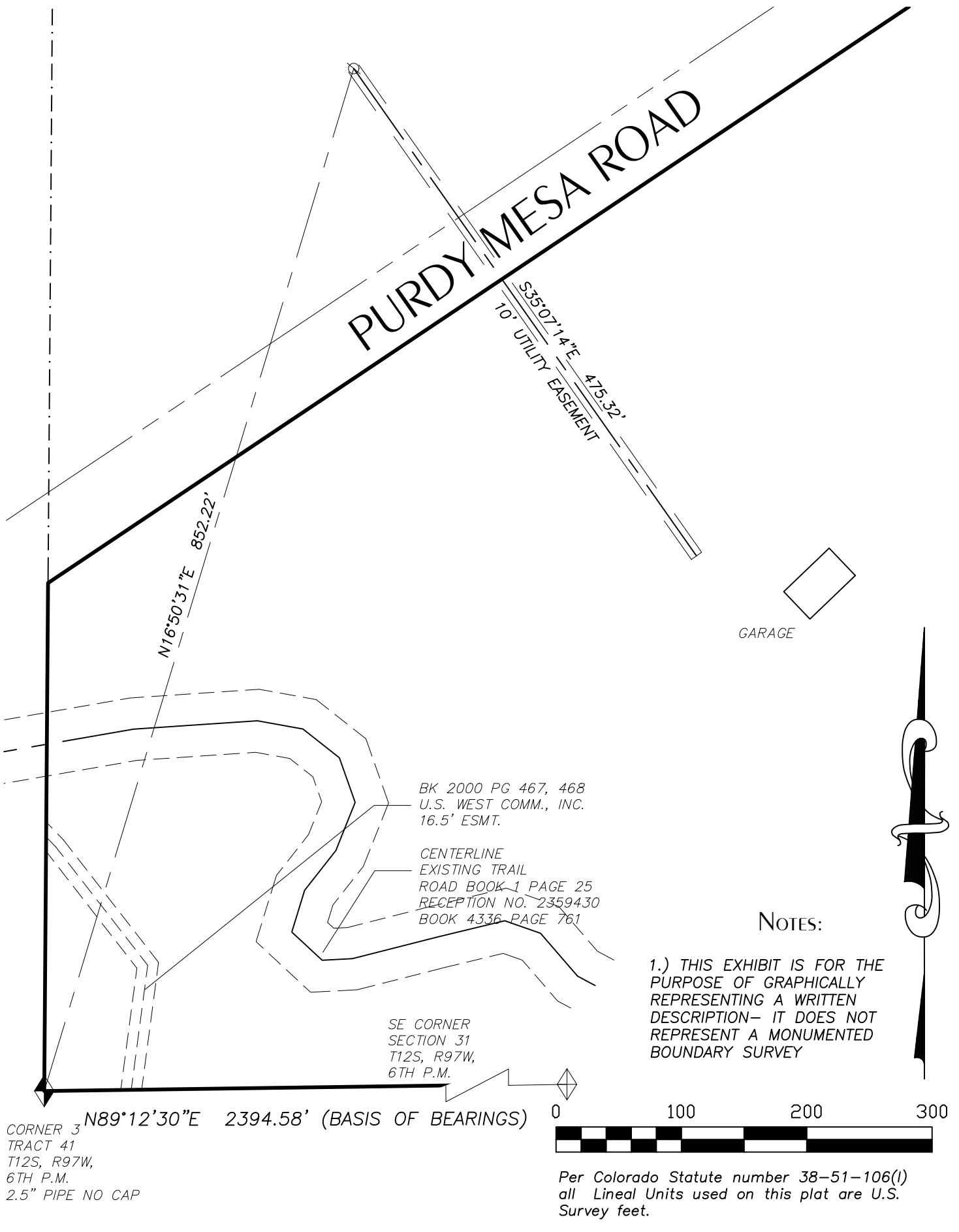
EXHIBIT "A"
UTILITY EASEMENT LEGAL DESCRIPTION

A 10' UTILITY EASEMENT in the SE1/4 Section 31, Township 12 South, Range 97 East, of the 6TH P.M., the centerline of which being described as follows:
Commencing at Corner 3 of TRACT 41 of said Section 31 and considering the South line of TRACT 41 of said Section 31 to bear N89°12'30"E and all other bearings contained herein to be relative thereto;
Thence N16°50'31"E 852.22 feet to an existing power pole and the Point of Beginning:
thence S35°07'14"E 475.32 feet to the point of Termination.

all in Mesa County, Colorado.

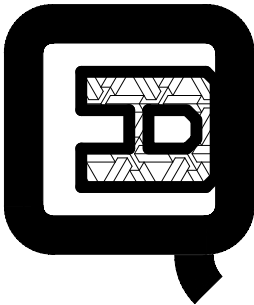
Authored by:
David M. Morris PLS #30111
Q.E.D. Surveying Systems Inc.
2718 Sierra Vista Rd.
Grand Junction, Colorado 81503
(970)241-2370

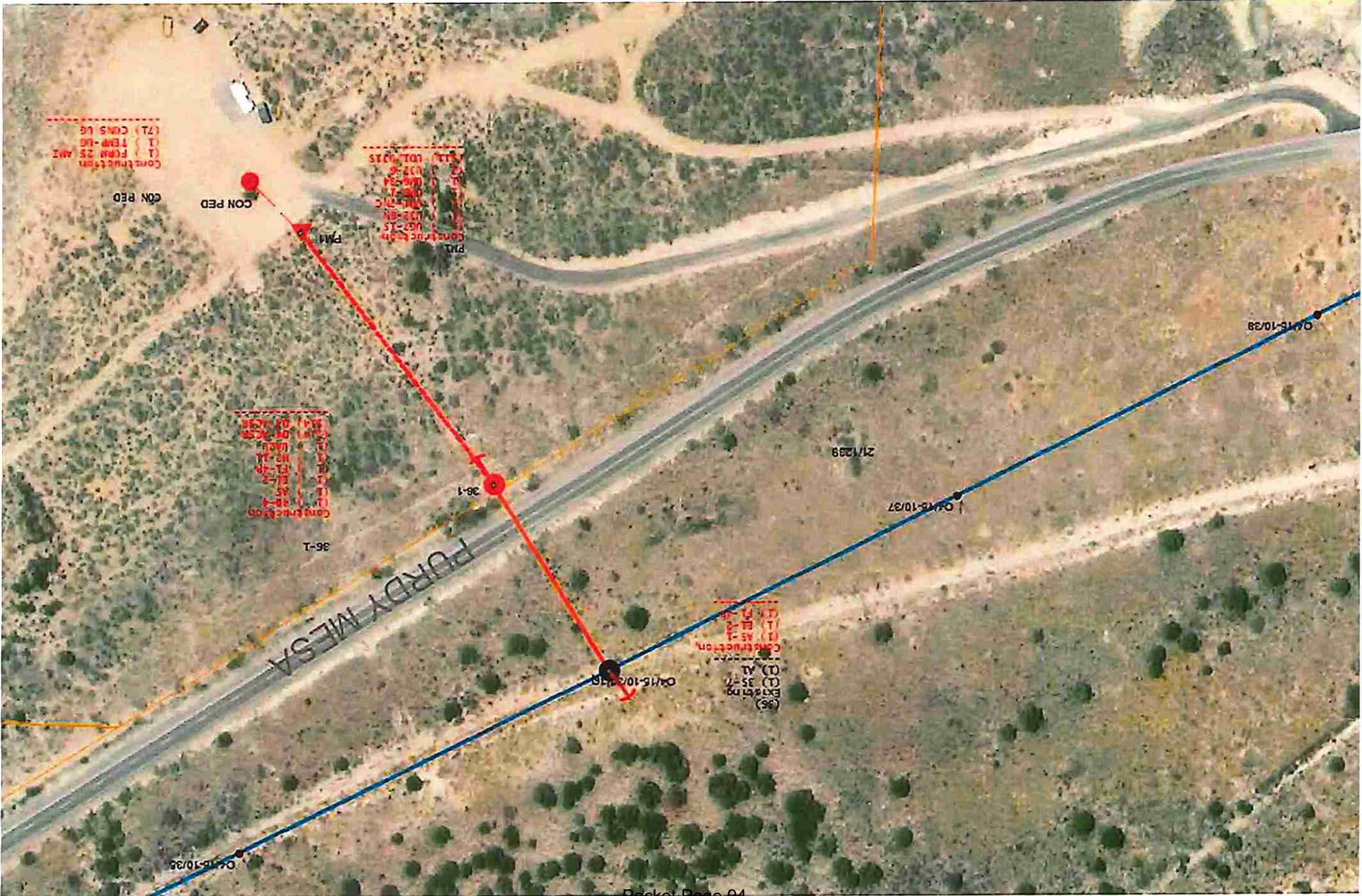
EXHIBIT "B"



10' UTILITY EASEMENT

SITUATED IN THE SE1/4 SECTION 31, TOWNSHIP 12 SOUTH, RANGE 97 WEST, 6TH P.M.

FOR: COOP	 <p>Q.E.D. SURVEYING SYSTEMS Inc. 2718 Sierra Vista GRAND JUNCTION COLORADO 81503 (970) 241-2370 464-7568</p>	SURVEYED BY: MEM
SCALE: 1" = 100'		DRAWN BY: DMM
DATE: 1/28/2022		ACAD ID: 4901 PURDY
		SHEET NO.
		FILE: 2022-008.1



Construction
 (1) Form 25
 (1) Form 16
 (7) Cons LG

CONTRACT
 (1) Form 25
 (1) Form 16
 (7) Cons LG

CONTRACT
 (1) Form 25
 (1) Form 16
 (7) Cons LG

EXTRACTION
 (1) Form 25
 (1) Form 16
 (7) Cons LG



Grand Junction City Council

Regular Session

Item #4.e.

Meeting Date: May 18, 2022

Presented By: Greg Caton, City Manager, Laura Bauer, Interim City Clerk

Department: City Clerk

Submitted By: Laura Bauer

Information

SUBJECT:

A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards, Committees, Commissions, Authorities, and Organizations

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

Annually, the City Council reviews and determines the City Council representation on, or to, the various boards, committees, commissions, authorities, and organizations.

BACKGROUND OR DETAILED INFORMATION:

The City Council assigns its members to serve on a variety of Council appointed boards, committees, commissions, and authorities, as well as a number of outside organizations. Assignments were discussed at the May 16, 2022 City Council Workshop and this resolution formalizes that discussion.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 44-22, a resolution appointing and assigning City Councilmembers to represent the City on various boards, committees, commissions, authorities, and organizations.

Attachments

1. City Council Liaison Assignments Worksheet 2022-2023_ (2)
2. RES-Council Assignments 051022

CITY COUNCIL FORMAL ASSIGNMENT WORKSHEET 2022/2023

External Agencies

Board/Organization	Meeting Day/Time/Place	2021/2022 Assignments/Number of Years Served	2022/2023 Assignments
Associated Governments of Northwest Colorado (AGNC)	3rd Wednesday of each month @ 9:00 am different municipalities	Anna Stout	Anna Stout
Business Incubator Center	1 st Wednesday of each month @ 7:30 am, 2591 Legacy Way	Anna Stout	Dennis Simpson
Colorado Municipal League Legislative Liaison	CML Office	Anna Stout	Anna Stout
Colorado Water Congress	Meets 3-4 times a year in Denver	Staff Assignment	Staff Assignment
Downtown Development Authority/Downtown BID	2 nd and 4 th Thursdays @ 7:30 am @ DDA Offices, 437 Colorado, BID board meets monthly 2 nd Thursday	Randall Reitz	Abe Herman
Grand Junction Economic Partnership	3rd Wednesday of every month @ 7:30 am @ GJEP offices, 122 N. 6 th Street	Abe Herman	Abe Herman
Grand Junction Housing Authority	4 th Monday @ 5:00 pm @ GJHA Offices at 8 Foresight Circle	Chuck McDaniel	Chuck McDaniel
Grand Junction Regional Airport Authority	Usually 3 rd Tuesday @ 5:15 pm @ the Airport Terminal Building (workshops held the 1 st Tuesday)	Rick Taggart	Rick Taggart
Grand Valley Regional Transportation Committee (GVRTC)	4 th Monday every other month @ 3:00 pm @ GVT Offices, 525 S. 6 th St., 2 nd Floor	Dennis Simpson	Dennis Simpson

Board/Organization	Meeting Day/Time/Place	2021/2022 Assignments/Number of Years Served	2022/2023 Assignments
Homeless Coalition	Meets on the 3 rd Thursday of the month at 10 a.m. at St. Mary's Hospital, 5 th Floor, Saccomanno Room 3	Abe Herman Chuck McDaniel - Alternate	Randall Reitz Chuck McDaniel - Alternate
Horizon Drive Association Bus. Improvement District	3rd Wednesday of each month at 10:30 a.m.	Dennis Simpson	Dennis Simpson
Las Colonias Development Corporation	Meets as needed and scheduled	Rick Taggart	TBD
Mesa County Separator Project Board (PDR)	Quarterly @ Mesa Land Trust, 1006 Main Street	Mayoral Assignment	Mayoral Assignment
One Riverfront	3rd Tuesday of every other even month @ 5:30 p.m. in Training Room A, Old Courthouse	Rick Taggart	Rick Taggart
Air Service Alliance	1 st Friday of every month @ 9:00 am @ Chamber of Commerce	Chuck McDaniel	Chuck McDaniel
Museum of the West			Abe Herman (Based on meeting times)

Internal Boards

* = No Council representative required or assigned - City Council either makes or ratifies appointments - may or may not interview dependent on the particular board.

Board Name	Meeting Day/Time/Place	2021/2022 Assignments/Number of Years Served	2022/2023 Assignments
Commission on Arts and Culture*	4 th Wednesday of each month at 4:00 p.m.	Randall Reitz	Randall Reitz Dennis Simpson - Alternate
Forestry Board	First Thursday of each month at 8:30 a.m.	Chuck McDaniel	Chuck McDaniel
Parks Improvement Advisory Board (PIAB)	Quarterly, 1 st Tuesday @ noon @ various locations (usually Hospitality Suite)	Phillip Pe'a	Phillip Pe'a
Parks & Recreation Advisory Committee	1 st Thursday @ noon @ various locations (usually at Parks Administration Offices)	Phillip Pe'a Abe Herman - Alternate	Phillip Pe'a Randall Reitz - Alternate
Persigo Board (All City and County Elected)	Annually and as needed	All	All
Property Committee	Meets as needed and scheduled	Chuck McDaniel Anna Stout	Anna Stout Abe Herman
Riverview Technology Corporation	Annual meeting in January	Anna Stout	Dennis Simpson
Urban Trails Committee	2 nd Wednesday of each month @ 5:30 pm	Abe Herman	Abe Herman
Visit Grand Junction*	2 nd Tuesday of each month at 3:00 p.m.	Phillip Pe'a	Phillip Pe'a

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 44-22

A RESOLUTION APPOINTING AND ASSIGNING CITY COUNCILMEMBERS TO REPRESENT THE CITY ON VARIOUS BOARDS, COMMITTEES, COMMISSIONS, AUTHORITIES AND ORGANIZATIONS

Recitals:

Through various boards, committees, commissions and organizations the citizens of the City have a longstanding tradition of service to the community. The City Council by, and through, its creation of many of those boards and its participation thereon and therewith is no exception.

The City is regularly and genuinely benefitted by the service performed by its boards, committees, commissions, and organizations.

In order to continue that service, the City Council annually, or at convenient intervals, designates certain Council members to serve on the various boards, committees, commissions, authorities, and organizations and with this Resolution accomplishes the same.

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

Until further action by the City Council, the appointments, and assignments of the members of the City Council are as attached and incorporated by this reference and the various appointments and assignments are the action of the City Council.

PASSED AND ADOPTED THIS 18th day of May, 2022.

Anna M. Stout
President of the City Council

ATTEST:

Laura Bauer
Interim City Clerk



Grand Junction City Council

Regular Session

Item #5.a.i.

Meeting Date: May 18, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John P. Shaver, City Attorney

Information

SUBJECT:

An Ordinance to Reenact Ordinance No. 4833 Regarding Camping on Public Property/Public Places with the Elimination of the Sunset Clause

RECOMMENDATION:

Approval

EXECUTIVE SUMMARY:

Ordinance No. 4833 regarding camping on public property/public places was enacted on April 17, 2019 and included a sunset provision requiring action by City Council within sixty days of the third anniversary of the adoption of the ordinance or the ordinance terms will expire in their entirety. This ordinance will amend Ordinance No. 4833 with the elimination of the sunset clause.

BACKGROUND OR DETAILED INFORMATION:

Ordinance No. 4833 was enacted by City Council on April 17, 2019, amending Chapters 12.04, 12.08, and 21.06 of the Grand Junction Municipal Code ("GJMC") and establishing laws that assist in maintaining the City in a clean, sanitary and accessible condition while adequately protecting the health, safety and public welfare of the community, and preserving, protecting and enhancing the natural resource of the Colorado and Gunnison Rivers ("Riverfront") for many recreational and other proper uses. Ordinance No. 4833 prohibits the use of public property for the purpose of maintaining a temporary place to live as the use of public areas, parks, streets and the Riverfront for camping purposes interferes with the rights of others to use those areas for the purpose for which they were intended.

Ordinance No. 4833 includes a sunset clause for which City Council shall consider the

effectiveness of the ordinance at achieving its state purposes within sixty days of the third anniversary of the adoption of the ordinance. If no further action is taken by the City Council in reviewing the ordinance, the ordinance terms will expire.

The Grand Junction Police Department recommends reinstatement of the ordinance with the elimination of the sunset clause. Attached as support is a report completed by the Grand Junction Police Department.

FISCAL IMPACT:

This action has no direct fiscal impact.

SUGGESTED MOTION:

I move (adopt/deny) Ordinance No. 5071, an ordinance to amend Ordinance No. 4833 regarding camping on public property/places with a finding of the satisfaction and the elimination of the sunset clause on final passage and order final publication in pamphlet form.

Attachments

1. ORD-Camping Reenact 042322
2. Camping Ordinance Extension Memo GJPD 2022

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REENACT ORDINANCE NO. 4833 REGARDING CAMPING ON PUBLIC PROPERTY/PUBLIC PLACES WITH THE ELIMINATION AND SATISFACTION OF THE SUNSET CLAUSE

RECITALS:

On April 17, 2019, the City Council enacted Ordinance No. 4833. With Ordinance No. 4833 Chapters 12.04, 12.08, and 21.06 of the Grand Junction Municipal Code (“GJMC”) were amended to enact as law the provisions of Ordinance No. 4883 which when applied would assist in maintaining the City in a clean, sanitary and accessible condition while adequately protecting the health, safety and public welfare of the community, and preserving, protecting and enhancing the natural resource of the Colorado and Gunnison Rivers (“Riverfront”) for many recreational and other proper uses by addressing camping on public property/public places. Ordinance No. 4833, and the codification thereof in the GJMC, prohibits the use of public property/public places for the purpose of maintaining a temporary place to live as the use of public areas, parks, streets, and the Riverfront for camping purposes interferes with the rights of others to use those areas for the purposes for which they were intended.

As adopted, Ordinance No. 4833 included a Sunset Clause by which the City Council was to consider the effectiveness of the Ordinance at achieving its stated purposes. That review is to occur within sixty days of the third anniversary of the adoption of the Ordinance and if no further action is taken by City Council the Ordinance terms will expire.

Pursuant to Ordinance No. 4833 the Grand Junction Police Department has provided the City Council a report and based on that report, City Staff recommends amendment and reenactment of Ordinance No. 4833 regarding camping on public property/public places, with the specific amendment being a finding of satisfaction and the consequent elimination of the Sunset Clause.

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

Ordinance No. 4833 is hereby be amended and reenacted in full, with a finding of satisfaction of and the consequent elimination of the Sunset Clause in the Ordinance. All other provisions of the Ordinance and the codification thereof in the GJMC shall be unchanged.

Introduced on first reading the 4th day of May 2022 and ordered published in pamphlet form.

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

Anna M. Stout
President of City Council

ATTEST:

Laura J. Bauer
Interim City Clerk

DRAFT

TO: Agenda
FROM: Doug Shoemaker, Chief of Police
DATE: May 10, 2022
SUBJECT: GJPD Camping Ordinance Memo

The Grand Junction Police Department is tasked daily with addressing people experiencing homelessness when they receive calls concerning illegally camping (or trespass when on private property). In many of these instances officers respond, evaluate the situation, and ask those illegally camping to leave and they gain compliance, but they very frequently, leave behind trash, accumulated property, clothing, and even human waste. These issues then become long term problems that can spread disease and even affect the environment through contamination of soils and the watershed. It also creates costs in the cleanup of the discarded waste. In the prior two years, 2020-2021, the Grand Junction Police Department incurred over \$60,000 in cleanup costs related to illegal campsites on public lands.

The effects of illegal camping clearly impact public and private property, but while illegally camping on private property is usually a criminal trespass, it is not on public lands unless that land has established rules governing when they can be legally accessed. As a result, individuals camping in public alleys, roads, on sidewalks and on easements and rights of way can't be removed without the Grand Junction prohibition against camping without other laws being violated which would allow for the removal of those campers, such as creating a traffic hazard.

Since having the camping ban, the intent of the Grand Junction Police Department wasn't to write every violator, it was to utilize the ordinance in a prudent and judicious manner that would only result in citations for those who ignored police requests to leave the restricted areas. As a result, violations for the camping ban ordinance were only written to 14 individuals in 11 instances according to GJPD Records. Though we do not track illegal camping specifically as a call type we do know we have made well over 1,000 contacts during this time frame. In all of the other situations outside of the 14 citations we have gained compliance, referred individuals to shelters, reconnected individuals with family members and with many of our local service providers. Without this ordinance however, the police department would not have any tool to address illegal camping in public areas beyond compliance in the numerous calls we receive. In other situations where people are illegally camping, they are doing so on private property and thus, trespassing, which is a separate criminal violation that is not available in public areas such as rights of way, easements, and other public lands.

The ability to enforce the camping ban has been an integral piece in protecting public lands and the public in Grand Junction from the negative consequences of illegal camps. Enforcement action only occurring when available shelter space is ignored, requests are ignored and the person(s) refuses other assistance in getting permanent housing, which is available from many organizations in the Grand Valley.



Grand Junction City Council

Regular Session

Item #5.b.i.

Meeting Date: May 18, 2022
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 2.37 Acres of Land and Ordinances Annexing and Zoning the Twenty Eighty Broadway Annexation to R-5 (Residential - 5 du/ac), Located at 2080 Broadway

RECOMMENDATION:

Staff recommends adoption of a resolution accepting the petition for the Twenty Eighty Broadway Annexation, and approval of the annexation and zone of annexation ordinances. The Planning Commission heard the zoning request at its April 26, 2022 meeting and voted (5-1) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Redlands Limited, is requesting annexation of 1 parcel of land and a zone of annexation to R-5 (Residential 5 du/ac) for the Twenty Eighty Broadway Annexation. The approximately 2.37-acre annexation is located at 2080 Broadway. The subject property has a residence on the southern portion of the property and the northern portion of the property is undeveloped.

The property is Annexable Development per the Persigo Agreement. The Applicants are requesting annexation into the city limits. Annexation is being sought in anticipation of developing the vacant portion of the property. The proposed zone district of R-5 is consistent with the Residential Low (2 to 5.5 du/ac) Land Use category of the Comprehensive Plan and the City R-4 and R-5 zoning nearby as well as adjacent Mesa County zoning of RSF-4 within the unincorporated area north of Broadway. The request for annexation is being considered concurrently by City Council with the zone of annexation request. Both are included in this staff report.

BACKGROUND OR DETAILED INFORMATION:

Annexation Request:

The Applicant, Redlands Limited, is requesting annexation of approximately 2.37 acres consisting of 1 parcel of land located at 2080 Broadway. There is no right-of-way included in the annexation. The subject property has an existing residence.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits. Annexation is being sought in anticipation of developing the northern portion of the property. 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 – April 6, 2022.
- Planning Commission considers Zone of Annexation – April 26, 2022.
- Introduction of a Proposed Ordinance on Zoning by City Council – May 4, 2022.
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – May 18, 2022.
- Effective date of Annexation and Zoning – June 19, 2022.

Zone of Annexation Request:

The Applicant is requesting a zone district of R-5 (Residential – 5 du/ac. The property is currently zoned in the County as RSF-4 (Residential Single Family 4 Dwellings per acre). The proposed zone district of R-5 is consistent with the Residential Low (2 to 5.5 du/ac) Land Use category of the Comprehensive Plan and city R-4 to the west and R-5 zoning to the east as well as adjacent Mesa County zoning of RSF-4 within the unincorporated area north of Broadway.

Historically, surrounding development in the County has been large lot residential with single family uses, but the area is seeing further development of properties in recent years, consisting of more dense development with lot sizes as small as 1/5 of an acre supporting R-5 densities. Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The annexation area has sewer service and all other urban amenities to the property. It is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The goal to “encourage infill and redevelopment to leverage existing infrastructure” supports the Applicant’s request of a zone of annexation of R-5.

The R-5 zoning establishes densities between 3 and 5.5 dwelling units per acre, which will allow the property to also develop at densities like the other R-5 zoned properties that have been developed recently. The R-5 requested zoning implements the Comprehensive Plan’s Residential Low Land Use category.

The purpose of the R-5 (Residential – 5 du/ac) zone district is to provide for medium density detached and attached dwellings in areas where adequate public facilities and services are available. R-5 supports the Comprehensive Plan’s principles of concentrating urban growth. A mix of dwelling types is allowed in this district. This property is located within a sub-urban infill area of the community. The greater surrounding Redlands area both within the city limits and unincorporated Mesa County are largely developed with homes on large properties that can be further developed supporting infill growth.

In addition to the R-5 zoning requested by the petitioner, the following zone districts would also be consistent with the proposed Comprehensive Plan designation of Residential Medium (5.5 to 12 du/ac).

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

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held in-person on January 6, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant’s representative and City staff were in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City’s Zoning and Development Code. The subject property was posted with an application sign on February 1, 2022. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on April 15, 2022. The notice of the Planning Commission public hearing was published April 19, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

Annexation Analysis

The property is currently adjacent to existing city limits to the west. The necessary one sixth contiguity requirements of State Statutes for annexation is being met. The property owner has 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 Twenty Eighty Broadway 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. The Twenty Eighty Broadway Annexation has just over 40% of the perimeter of the annexation contiguous with the existing City limits 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 has existing urban utilities and services near and available to the property.

e) The area is capable of being integrated with the City. The proposed annexation area is adjacent to the city limits on the west side and is positioned to interconnect with the proposed Monument Ridge Estates Subdivision to the west currently under city review for 46 lots on 17.07 acres and where urban services will be expanded and stubbed to this 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 petitioners have 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 are set forth in Section 21.02.140 (a) and includes that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

(1) Subsequent events have invalidated the original premises and findings; and/or The property owners have petitioned for annexation into the City limits and requested zoning of R-5 which is compatible with the Comprehensive Plan Land Use Map designation of Residential Low (2 to 5.5 du/ac). Since the Applicant's properties are currently in the County, the annexation of the property is a subsequent event that will invalidate one of these original premises, a county zoning designation. However, staff has found this to not be enough justification and finds this criterion has not been met.

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

The character or condition of the area is beginning to change with the further development of the area. Infill development along Peony Drive to the east has seen further subdivision of existing single family large lot residential. For example, the Peony Height Subdivision located 270 feet to the east and annexed and platted in 2013 created three lots of 0.22 and one lot of 0.21 acres, lot sizes that are found in a RSF-5 zone district. Staff finds that this criterion has been met.

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

Existing public and community facilities and services are available in close proximity to and can be extended into the annexation area. These services are sufficient to serve land uses associated with the proposed R-5 zone district for this property, between 5 and 11 dwelling units at full buildout when developed. The Applicant has stated they will develop when they can connect to utilities being constructed by Monument Ridge Estates or other future development is stubbed to their property.

Water and sewer services are available to this property. This property is within the Ute Water District service area. A 12-inch water line runs along Broadway. The area can be served by Xcel Energy for electricity and natural gas.

The property is currently within the Persigo 201 Sewer Service Area. However, the property does not currently have a sewer connection. The property owner would be required to extend a sewer line and connect to the existing 8-inch sewer main that is located along Peony Drive or wait to connect to the future Monument Ridge Estates development that will stub sewer to this property. There is available capacity in the sewer collection system to accommodate future development of this property with 11 dwelling units. The maximum anticipated additional flow associated with 11 equivalent units (EQUs) is about 2800 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently only receives approximately 8 million gallons per day. Therefore, the plant has ample capacity to accommodate this additional flow.

This property is in the Grand Junction Rural Fire Protection District and Redlands Sub-District, both served by the Grand Junction Fire Department through an intergovernmental agreement between the City and the rural fire district. With an estimated build out of 5-11 residential dwelling units, Fire Station 5 has the capacity to handle the increase in calls and meets National Fire Protection Association Standards for response time to this area.

To the east along Hwy 340 (Broadway) is Redlands Middle School and Broadway Elementary School. Walking distance to the east is the Monument Village Shopping Center, with limited goods and services. Major shopping is available 3 ½ -miles away at Mesa Mall and the 24 Road area. 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-5 densities. Therefore, this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or The subject property and surrounding area are designated on the Comprehensive Plan Land Use Map as Residential Low (2 to 5.5 du/ac). The proposed zoning designation of R-5 meets the intent of achieving the minimum and desired density for the property with this request, to develop at the high end of the residential low land use category. For properties already annexed into the city limits in the area, to the west are zoned R-4 and to the east zoned R-5. For unincorporated areas of the Redlands near this annexation and north of Broadway, Mesa County has zoned the majority of the area as RSF-4. Much of the surrounding area, including unincorporated Mesa County, is developed, except along the west side of this property where the proposed Monument Ridge Estates is proposed and the infill development opportunities along Peony Drive where large single family residential lots are numerous. The Land Use Map defines the immediate half mile area around the subject property north of Broadway as Residential Low and located in tier 2 of the Intensification and Growth Tiers Map and the area south of Broadway as Rural and located within Tier 3 (includes The Preserve Subdivision in unincorporated Mesa County). Staff finds that there is an adequate supply of R-4 (and County RSF-4) zoning in the area, but limited R-5 zoning which also implements the Residential Low Land Use category. Therefore, staff 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 and/or urban area that is adjacent to the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district provides housing within a range of density that has been defined as urban densities in the 2020 One Grand Junction Comprehensive Plan and is consistent with the needs of the community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though the R-4 zone district as well as the CSR zoning could be considered in a Residential Low Land Use area, the R-5 zone district is consistent with the recommendations of the Plan's Land Use Map, compatible with the surrounding neighborhood and provides for housing on a smaller residential lot, thereby providing more housing to the community.

Consistency with Comprehensive Plan

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

Chapter 2

Plan Principle 3: Responsible and Managed Growth

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5: Strong Neighborhoods and Housing Choices

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

Chapter 3

Intensification and Tiered Growth Plan. Subject property is located within Tier 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 Twenty Eighty Broadway Zone of Annexation, ANX-2022-60 request for the property located at 2080 Broadway from County RSF-4 (Residential Single Family 4 Dwellings per acre) to R-5 (Residential – 5 du/ac), the following findings of facts 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 Twenty Eighty Broadway Annexation is eligible to be annexed because of compliance with the seven (7) criteria (a through g) found in the Statutes.
2. The request conforms with Section 21.02.140 of the Zoning and Development Code.
3. The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Planning Commission recommends approval of the request.

FISCAL IMPACT:

As the property is developed, property tax levies and municipal sales and use tax will be collected, as applicable. For every \$1,000,000 of actual value, City property tax revenue on residential property at the current assessment rate would be approximately \$620 annually. Sales and use tax revenues will be dependent on construction activity and ongoing consumer spending on City taxable items for residential and commercial

uses.

Fiscal Impacts by City Department.

Public Works

This annexation does not include any of CDOT's State Hwy 340 / Broadway right-of-way and therefore does not have an impact on public works in regard to annexation of existing infrastructure.

Utilities

1) Plant Capacity and Fees: Based on the Land Use designation and proposal for up to 11 dwelling units, there is sufficient sewer capacity, and the property would be assessed at the current plant investment fee (PIF) of \$5,219 per equivalent unit (2022 rate) or \$14,328. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure.

2) Sewer Service Charges: Monthly sewer service rates for single family units are \$23.31. These rates have been determined sufficient to cover the cost of service.

Fire Department

This property is in the Grand Junction Rural Fire Protection District and Redlands Sub-District, both served by the Grand Junction Fire Department through an intergovernmental agreement between the City and the rural fire district. The district collects mill levies of 7.606 and 4.075, generating a total of \$310 per year in property taxes that are then passed on to the City of Grand Junction per the agreement. If annexed, the property will be excluded from the rural fire district and the sub-district and the City's 8 mills will generate \$212 per year (prior to development) and \$1,400-\$3,000 per year after estimated planned development. Property taxes 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. Primary fire and EMS response to this area is from Fire Station 5 at 2155 Broadway.

Police Department

Based upon the assumed construction of 5 to 11 homes on this property, its location and makeup, there will be limited impact upon the police department. Considering potential calls for service in the area, we would expect to see a few hours per week of dedicated police response.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 43-22, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Twenty Eighty Broadway Annexation, approximately 2.37 acres, located at 2080 Broadway, as well as (adopt/deny) Ordinance No. 5072 annexing territory to the City of Grand Junction, Colorado, Twenty Eighty Broadway Annexation, approximately 2.37 acres, located at 2080 Broadway, on final passage and order final publication in pamphlet form.

I move to (adopt/deny) Ordinance No.5073 zoning the Twenty Eighty Broadway Annexation to R-5 (Residential - 5 du/ac) zone district, from Mesa County RSF-4 (Residential Single Family 4 Dwellings per acre) on final passage and order final publication in pamphlet form.

Attachments

1. Development Application
2. Maps and Site Photo
3. Annexation Schedule - Table - Twenty Eighty Broadway Annexation
4. 2080 Broadway Annexation Plat
5. Planning Commission Minutes - 2022 - April 26 - Draft
6. Public Comments - From 607 Peony Drive
7. Resolution Accepting Petition for Annexation
8. Twenty Eighty Broadway Annexation Ordinance
9. ORD-Zoning - 2080 Broadway ANX

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 <input type="text" value="Residential Low"/>	Existing Zoning <input type="text" value="RSF-4"/>
Proposed Land Use Designation <input type="text" value="Residential"/>	Proposed Zoning <input type="text" value="R5"/>

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

Signature of Legal Property Owner

Date

Date

Project Report

Redlands Limited Annexation and Zoning

January 21, 2022

Prepared for:

Michael and Tammy Brislin

2080 Broadway

Grand Junction, CO 81507

For proposed

Annexation and Zoning



Prepared by Jeffery Fleming ~ Colorado Land Advisor

Redlands Limited Annexation and Zoning

Project Report

This report is the property of
Redlands Limited, a Colorado limited liability company, it's
successors and assigns.

2021 Redlands Limited

Prepared by:

Jeffery Fleming, CNUa
Colorado Land Advisor, Ltd.
300 Main Street Suite 302
Grand Junction, CO. 81501
970.812.3288
LandAdvisor@ColoradoLandAdvisor.com

As a professional urban planner much experience and research has gone into compiling information for this report. Information was collected from various sources and every attempt has been made to acknowledge the contributing sources. Any errors of omission are unintentional and should be brought to the attention of the author as soon as possible.

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Introduction and Summary

This General Project Report, documents, and accompanying drawings, is intended to provide an overview of the property and proposed development utilizing the Grand Junction's Planning process. The process is intended to gather initial input from review agencies prior to Annexation and Zoning.

The site selected for Redlands Limited consists of a single parcel of land that is 2.36 acres. The site is located at 2080 Broadway in Mesa County, Colorado. The parcel of land currently has a house, garage, and quonsut hut on it. The Mesa County Assessor has given the property the following parcel number: 2947-154-00-016.

This request is for the Annexation and Zoning of the lot. The existing house and structures would remain with possible development in the future of residential units.

The Redlands Limited property is currently a single family home with outbuildings. The North end of the property has been used for agricultural purposes, primarily for livestock.

This request is for annexation into the City of Grand Junction coupled with a zoning designation. This request is for a zoning designation of R-5. Future development would likely be in the 4+ DU/AC. Access to the lot would remain where it is until that future date when another application for development is approved.

No construction is being proposed with this application. Any construction would be proposed in a future development application. All utilities: water, gas, sewer, electric, etc. are adjacent, or on-site.

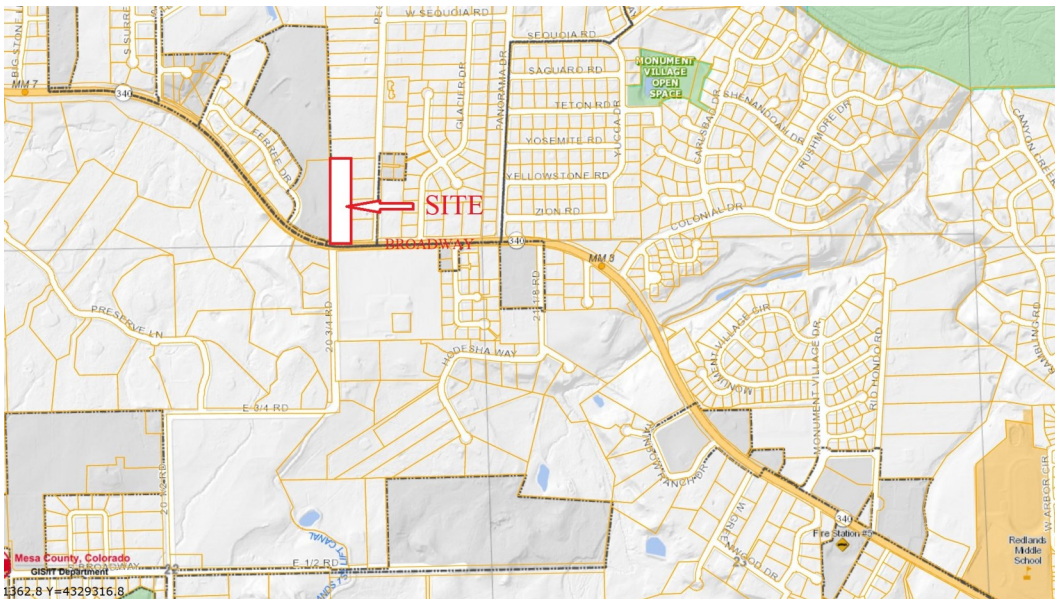
There are no known site conditions which would be impacted by this request. The site has no wetlands, no surface waters, no unusual topography as it has gentle slopes to the north. It is within the Persigo Agreement Boundary.

Site Analysis

The purpose of this section is to identify the physical and technical characteristics of the property selected for the Redlands Limited Annexation and Zoning in relationship to the surrounding area. This section also evaluates the site assets and constraints.

The site under consideration is one parcel of land that is rectangular in shape. The parcel is partially developed land. Ground cover ranges between non-existent on the formerly cultivated areas, to native landscaping typically found in a high desert setting. Around the existing house the land is fully landscaped.

The site consists of one parcel of land that totals 2.63 acres. Located in Mesa County, Colorado. The longitude and latitude of the approximate center of the property is: Latitude = 39.0933158 Longitude = -108.6636227.



Location Map

Site Analysis

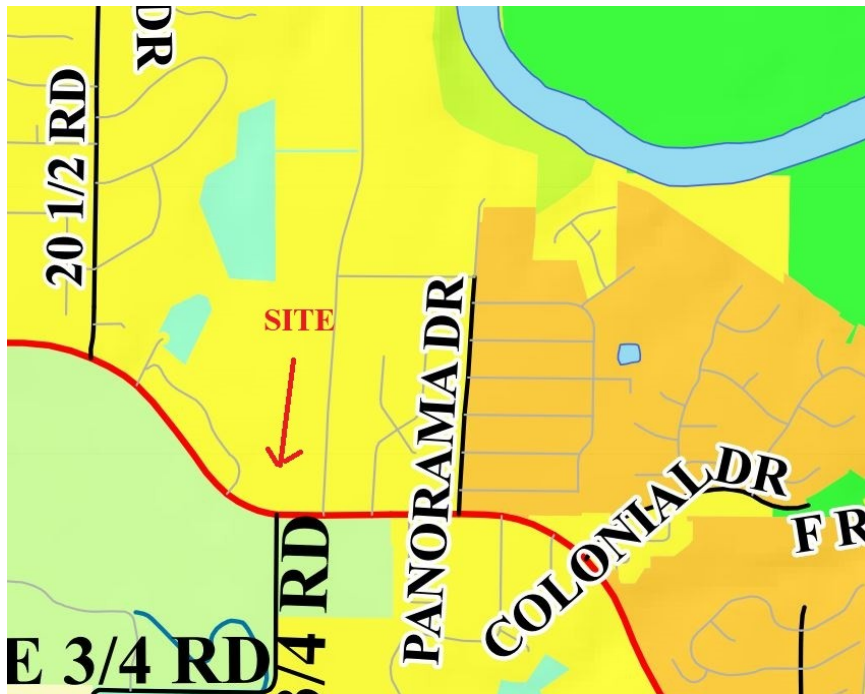
The subject property is within the Persigo Agreement Boundary, sometimes referred to as the 201 Boundary, a reference to the Colorado State Statute which governs such acts. The Future Land Use Map shows this area of the Redlands as being within the 201 and as such must be annexed and developed at urban type densities. The Redlands Limited Annexation and Zoning request will meet the criteria as set forth in the Zoning and Development Code. This Report details the character of the site and how it is suited to meet that criteria.

Recent growth within the Grand Valley has created a great deal of demand for developable lots within the city. Inventory continues to shrink and prices continue to rise as a result of this demand. Many people moving into the Valley are seeking to live in the Redlands area. This parcel is well suited for future development. Adjacent parcels have been, or are in the process of being developed. The proposed density would be compatible with those past and current developments' density.

Existing Land Use & Future Land Use Zoning

The topography of the site consists of low slopes of about 1%. An elevation distance of 4,661 feet is the lowest point (North) and to 4,668 exists as the highest point (Southwest).

This request is to have the parcel zoned to R-5. The Primary Uses of the R-5 zone are likely to fit any future development proposal. On the Future Land Use Map the area parcels are designated as Residential Medium Low and Residential Medium to the East. Adjacent parcels are zoned R-4. A reproduction of part of the City's Future Land Use Map follows:



Future Land Use Map

R-5 Zoning

This request is for the parcel to be zoned to an R5 zoning designation. The standards for this zone are:

Primary Uses of R-5 - Detached Single-Family, Two-Family Dwelling, Multifamily, Civic

Maximum Density 5.5 units/acre, Minimum Density 3 units/acre, Cluster Allowed

For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

DENSITY AND DIMENSIONAL STANDARDS FOR : R-5 ZONE

DENSITY (units/ac.)	MIN. LOT SIZE	MIN. STREET FRONTAGE	MINIMUM SETBACKS			MAX. HEIGHT
Max. 5.5	Area: 4,000 ft (Single-Family)	20 feet	Street	Side	Rear	40 Feet
Min. 3	Width: 40 ft (Single-Family) 60 ft (Two-Family)		20/25ft.	5/3ft	15ft	

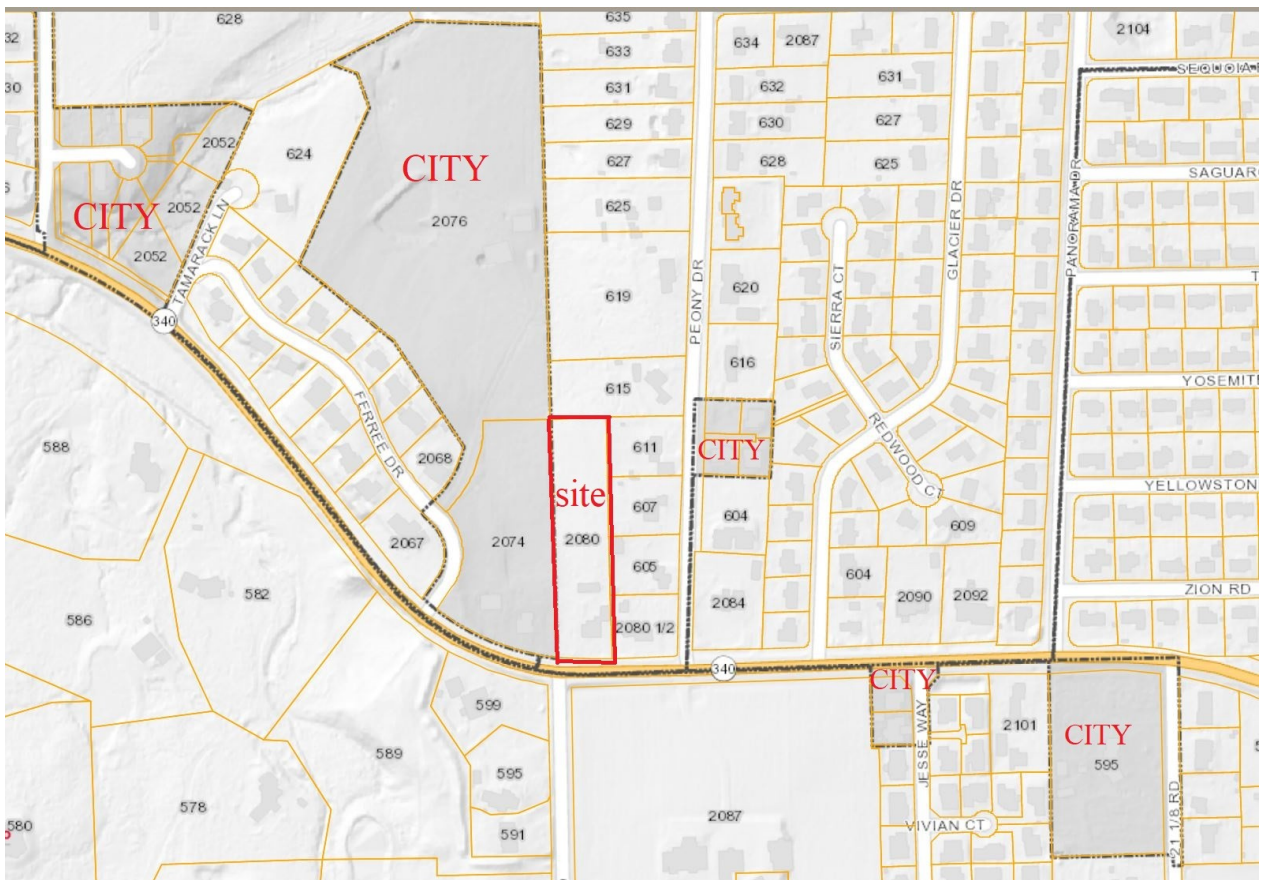
Surrounding Land Use

The surrounding land uses in the vicinity of the subject property are considered to be “low to moderate” intensity. Surrounding Land Uses in the immediate vicinity of the subject property are depicted on the accompanying Surrounding Land Use Map that shows the configuration of the various properties in relationship to the subject site. The following chart describes the various land uses that adjoin the property:

NORTHWEST	NORTH	NORHTEAST
Single Family Dwellings on Parcels & Vacant	Single Family Dwellings on Parcels	Single Family Dwellings on Parcels
WEST	SITE	EAST
Single Family Dwellings on Large Parcels		Single Family Dwellings & Duplex’s on Parcels
SOUTHWEST	SOUTH	SOUTHEAST
Single Family Dwellings on Rural and Estate Parcels	Two-Family Dwelling Single Family Dwelling on Parcels and Winery	Single Family Dwellings on Parcels

City Limits

The attached map shows the site in relationship with other properties which were previously annexed into the City of Grand Junction. These were largely driven by the Persigo Agreement.



Population & Demogrphics

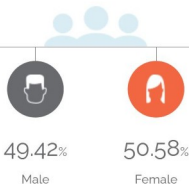
According to the Grand Junction Economic Partnership, the Grand Junction Area population is nearly 155,000. The following graphs depict Age distribution and household size within the valley. The Valley appears to be getting younger in smaller households.

People

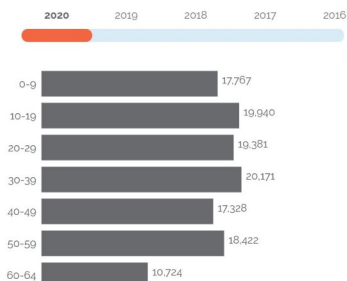
The total population of Mesa County is 154,350. The median age is 38.96

154,350

Total Population

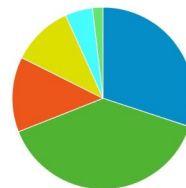


Age Distribution



Size of Household

- 1 Person
- 2 Person
- 3 Person
- 4 Person
- 5 Person
- 6+ Person



	Total	%	Map
Default			
1 Person	19,247	29.70	map
2 Person	24,979	38.55	map
3 Person	8,552	13.20	map
4 Person	6,982	10.77	map
5 Person	3,127	4.83	map
6+ Person	1,189	1.83	map

Transportation and Emergency Services

Developing the site is supported by existing transportation systems as well as emergency services. Access to the site is gained from Broadway, which connects to other major Redlands thoroughfares such as Redlands Parkway. Broadway is maintained by the state of Colorado. The roadway has curb, gutter, and sidewalk fronting the parcel. It is fully landscaped running along the side of the street. It is well maintained and is in good condition.

The property is located in : Fire Area "F" as established by the City of Grand Junction Fire Department. Firefighters can respond to emergencies from Fire Station No. 5 located at 2155 Broadway, which is one mile away from the project site.

The Grand Junction Fire Department currently employs approximately 100 full time employees and is one of the largest paid fire departments between Denver and Salt Lake City; the Grand Junction Fire Department has made numerous upgrades to its service including a new 911 Call Center.



Station 5- 2155 Broadway

Established: 2004

Specialty: Confined Space/River Rescue

Staffing:

- 1 Engine
- 1 Boat (cross staffed with Engine)
- 1 Water Tender (cross staffed with Engine)
- 1 Light Brush Engine(cross staffed with Engine)
- 1 Confined Space Trailer(cross staffed with Engine)

Other emergency services are available from the City of Grand Junction Police Department; the Uniform Patrol section was comprised of sworn officers, non-sworn police service technicians, sergeants and lieutenants. Collateral duties such as the Canine Program, SWAT, the Bike Office Program, and Forensic Investigations fall under the Uniform Patrol section. In all the Grand Junction Police Department has approximately 200 full time law enforcement employees.

Area Schools

School District 51 recently redrew the lines for many schools in order to better balance the growth of students within their system. Schools designated to and around the project site are as follows:

Broadway Elementary School, which is located at 2248 Broadway.

Redlands Middle School, which is located at 2200 Broadway.

Grand Junction High School, which is located at 5th Street and Tiger Way

Colorado Mesa University, which is located at 1100 North Ave.

All the above-mentioned schools are in Grand Junction, CO.

Broadway Elementary School



Redlands Middle School



Grand Junction High School



Colorado Mesa University



Utility Services

With growth, demands on utilities increases. The Redlands Limited site utilities are:

DOMESTIC WATER – The site is served by a publicly owned domestic water distribution system. Any future development would extend these services into each new dwelling from the water main owned and operated by Ute Water Conservation District. Fire protection would be addressed upon development of the site.

SANITARY SEWER – Redlands Limited is located within the 201/Persigo Boundary. Therefore, any new sewage connections would be made to that system via individual 4" lines.

NATURAL GAS – XCEL Energy has a main gas line in Broadway which would be used to provide any additional services needed.

DRY UTILITIES – Electric and communication lines are available along the front (South) of the property and will be extended into any future development. New lines would be underground on-site.

CELLULAR TELEPHONE SERVICE - All major cellular telephone companies provide coverage to the area. Phone reception for each of the carriers is available with signals ranging from good (AT&T) to very good (Verizon, Sprint and T-mobile).

IRRIGATION WATER – The existing irrigation water facilities currently servicing the property will continue to be utilized for the Redlands Limited property.

DRAINAGE – Historic drainage patterns have been addressed by the project engineer and will continue to discharge north into a future stormwater pond.

Development Evaluation

GENERAL - The development of the subject property is a response to the existing, and future housing demands of the Grand Junction area as projected in the Redlands Area Plan as well as the 2020 Comprehensive Plan. The site is within the Persigo Agreement Boundary which requires annexation and connection to sanitary sewer.

This area of the Redlands is sought after for its location. It is less than 10 minutes from shopping at the Mesa Mall. Likewise it is 10 minutes to the downtown core. The site has nice views and is well suited for future development.

Any activity similar to the proposed development, no matter where it is located, will most likely create some impact to the surrounding community economically, socially and physically. The nature of the proposal and how it is handled and controlled can determine whether the impacts are positive or negative. By a logical evaluation of all aspects of the existing and proposed development, steps can be taken which insure that the ultimate affects by the proposal are beneficial to the community.

Evaluation of the request is accomplished by using criteria contained within the Zoning and Development Code for approval of Annexations and Zoning Criteria. The 2020 Comprehensive Plan Goals were also considered before making this Application. It is anticipated that the parcel and any future development will fit well within those goals.

The following response to each of the applicable criteria illustrates compliance:

Responses to Criteria

21.02.160 Annexation.

- (a) **Purpose.** In accordance with State statutes, land may be annexed or de-annexed from the City as deemed appropriate by the City Council.
- (b) **Applicability.** Any lands to be added to or deleted from the corporate limits of the City shall comply with this section.
- (c) **Approval Criteria.** The application shall meet all applicable statutory and City administrative requirements. A complete copy of these requirements is available from the Public Works and Planning Department.
- (d) **Decision-Maker.**
 - (1) The Director shall make recommendations to City Council.
 - (2) City Council shall approve, conditionally approve or disapprove all applications for annexation or contraction of the municipal limits.
- (e) **Application and Review Procedures.** Application requirements and processing procedures shall comply with those described in applicable State statutes. A summary of these procedures is available from the Public Works and Planning Department.
- (f) **Zoning of Annexed Properties.** Land annexed to the City shall be zoned in accordance with GJMC 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district.

This Application represents a formal request in writing and does give consent to Annexation and Zoning. All owners do consent to this Application. No part of the subject property's boundary is disputed. No right-of-way will be changed through this annexation.

This Application is intended to meet many of the Goals of the Comprehensive Plan as well as the requirements within the Zoning and Development Code which relate to this application.

There is adequate capacity in all systems to support this application including transportation, city services, schools and utilities. We respectfully request your approval of this Application.

Responses to Criteria

(C) Correct a scrivener or clerical error such as lot numbers, acreage, street names and identification of adjacent recorded plats.

N/A

(3) Additional Approval Criteria. The Director will approve a Annexation and Zoning if the applicant demonstrates that:

(I) Any changes to existing easements or right-of-way have been completed in accordance with this code or otherwise allowed by law (additional easements or right-of-way may be dedicated);

N/A

(ii) The right-of-way shown on the Grand Valley Circulation Plan is not changed; and

It has been considered and it will not be affected by this Annexation and Zoning

(iii) If a new lot is being created, no portion of the property may have been the subject of a previous Annexation and Zoning creating a new lot within the preceding 10 years or a minor exemption subdivision (see subsection (o) of this section).

Previously considered and supported by City Planner and Development Engineer.

**2080 BROADWAY ANNEXATION
PETITION FOR ANNEXATION**

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

GENERAL LOCATION: 2080 Broadway, Grand Junction, CO. 81507

Tax ID # 2947-154-00-016

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, 2080 Broadway Annexation."

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

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

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

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

Redlands Limited
By: Michael Brislin

2080 Broadway Grand Junction, CO 81507
Address


SIGNATURE

12-7-21
DATE

(Annexation Petition.doc)

STATE OF COLORADO
COUNTY OF MESA

SS

AFFIDAVIT

Michael Brislin, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the forgoing petition: Redlands Limited, a Colorado limited liability company.

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

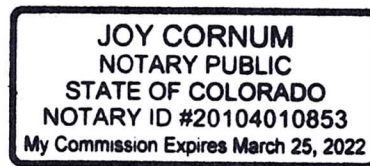
Subscribed and sworn to before me this 7th day of December, 2021.

Witness my hand and official seal.

Joy Cornum
Notary Public

300 Main #302 GS, CO 81501
Address

My commission expires: March 25, 2022



Beginning at a point that is South 89°30' East a distance of 97.2 feet from the Southwest corner of the SE1/4SE1/4, Section 15, Township 11 South, Range 101 West, 6th P.M., thence North 0°04' West a distance of 32.4 feet to the point of beginning, thence North 0°04' West a distance of 663.45 feet, thence North 89°56' East a distance of 154 feet, thence South 0°04' East a distance of 672.25 feet, thence South 89°37' West a distance of 56.8 feet, thence North 85°50' West a distance of 97.2 feet to the point of beginning;

TOGETHER WITH a tract or parcel of land of the State Department of Highways, Division of Highways, State of Colorado, Project No. S 0143(4) In the W1/2 of the SE1/4 of the SE1/4 of Section 15, Township 11 South, Range 101 West, of the Sixth Principal Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows:

All of the land North of the following described right of way fence:

Beginning at a point on the north right of way line of SH 340 (Oct. 1975), 40 feet left of the centerline of said SH 340, from which point the SE corner of Sec. 15 bears S88°03'E, a distance of 1,070.2 feet;

1. Thence S89°39'W, along said right of way fence, a distance of 56.8 feet;
2. Thence continuing along said right of way fence, along the arc of a curve to the right, having a radius of 676.7 feet, a distance of 97.3 feet (the chord of this arc bears N86°13'30"W a distance of 97.2 feet) all In Mesa County, Colorado.

County of Mesa, State of Colorado.

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., and, if applicable, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

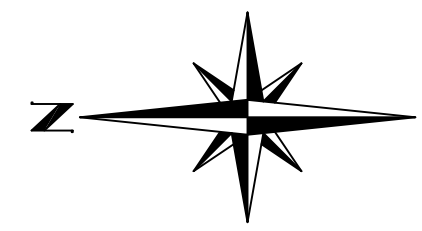
This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

Name(s) and address(es) of the individual(s) causing the document to be delivered for filing

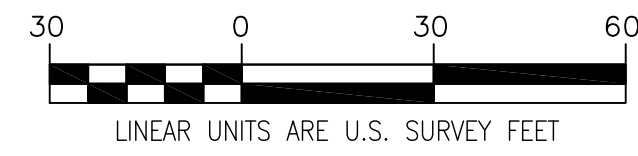
Michael Brislin
2529 Woody Creek DR
Grand Junction CO 81505
US

IMPROVEMENT SURVEY

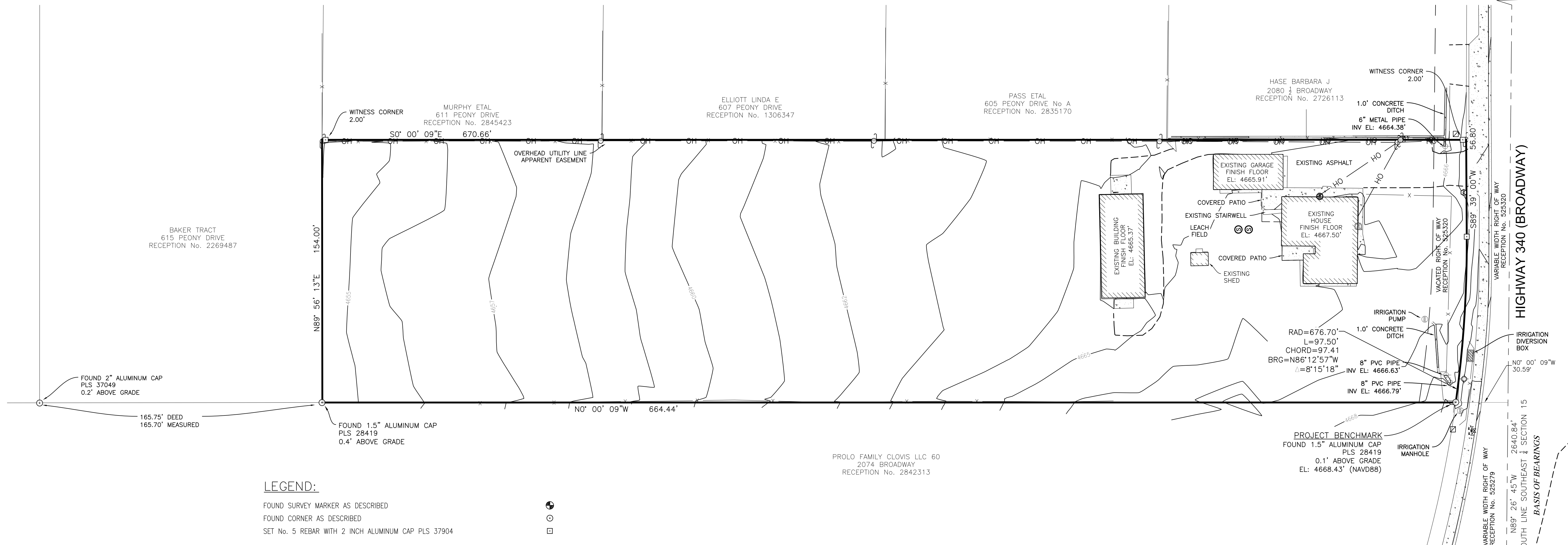
SITUATED IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 15
TOWNSHIP 11 SOUTH, RANGE 101 WEST OF THE 6TH P.M.
COUNTY OF MESA, STATE OF COLORADO



GRAPHIC SCALE:
1"=30'

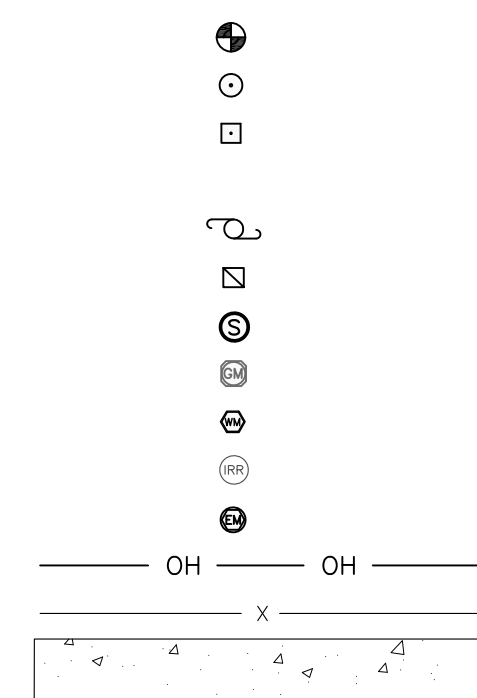


POINT OF COMMENCEMENT
MCSM No. 235
FOUND 2-1/2"
BRASS CAP
SOUTHEAST CORNER
SECTION 15,
T11S, R101W, 6TH PM



LEGEND:

- FOUND SURVEY MARKER AS DESCRIBED
- FOUND CORNER AS DESCRIBED
- SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904



ABBREVIATIONS:

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

LEGAL DESCRIPTION:

Beginning at a point that is South 89°30' East a distance of 97.2 feet from the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 11 South, Range 101 West, 6th P.M., thence North 0°04' West a distance of 32.4 feet to the point of beginning, thence North 0°04' West a distance of 663.45 feet, thence North 89°56' East a distance of 154 feet, thence South 0°04' East a distance of 672.25 feet, thence South 89°37' West a distance of 56.8 feet, thence North 85°50' West a distance of 97.2 feet to the point of beginning; TOGETHER WITH a tract or parcel of land of the State Department of Highways, Division of Highways, State of Colorado, Project No. S 0143(4) in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, Township 11 South, Range 101 West, of the Sixth Principal Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows: All of the land North of the following described right of way fence: Beginning at a point on the north right of way line of SH 340 (Oct. 1975), 40 feet left of the centerline of said SH 340, from which point the SE corner of Sec. 15 bears S88°03'E, a distance of 1,070.2 feet;

- Thence S89°39'W, along said right of way fence, a distance of 56.8 feet;
- Thence continuing along said right of way fence, along the arc of a curve to the right, having a radius of 676.7 feet, a distance of 97.3 feet (the chord of this arc bears N86°13'30"W a distance of 97.2 feet) all in Mesa County, Colorado.

County of Mesa, State of Colorado.

Said parcel contains 2.37 ACRES.

NOTES:

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING A CURRENT TITLE POLICY PROVIDED BY FIDELITY NATIONAL TITLE COMPANY, POLICY NUMBER CO-FSTG-IMP-27306-1-21-F0721575.
- BEARINGS ARE BASED ON THE SOUTH LINE OF SE $\frac{1}{4}$ SECTION 15, TOWNSHIP 11 SOUTH, RANGE 101 WEST OF THE 6TH PRINCIPAL MERIDIAN. THE VALUE USED N89°26'45"W, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. MESA COUNTY SURVEY MARKERS WERE FOUND AT THE EAST AND WEST ENDS OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 3005225, OF THE MESA COUNTY RECORDS.

SURVEYOR'S CERTIFICATION:

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

COLORADO REGISTERED LAND SURVEYOR PLS #37904

LAND SURVEY DEPOSIT
MESA COUNTY SURVEYORS OFFICE

DATE _____

DEPOSIT No. _____

IMPROVEMENT SURVEY

FOR REDLANDS LIMITED
SITUATED IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 15
TOWNSHIP 11 SOUTH, RANGE 101 WEST OF THE 6TH P.M.
COUNTY OF MESA, STATE OF COLORADO

JOB #: 2021-238 FIELD WORK: KM DRAWN BY: JW
DATE: 01/05/22 DRAWING NAME: 2080 BROADWAY CHECKED BY: PC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

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

Redlands Limited 2080 Broadway Neighborhood Meeting Minutes

**Meeting Held on 1-6-22
At 5:30 pm
Two Rivers Winery**

The Redlands Limited neighborhood meeting was hosted at the Two Rivers Winery on January 6th 2022. The meeting was attended by 8 people. (Sign in sheet attached) Jeffery Fleming of Colorado Land Advisor hosted the meeting for Redlands Limited who is the owner and developer. Dave Thornton, Principal Planner for the City of Grand Junction attended, as did 4 neighbors.

Question: What type of houses will be built on the project? Jeffery responded by stating nothing had been fully decided but they would be similar to the ones in the area. Jeffery stated they may be single family or duplexes, with a total number of between 5 and 8 units.

Question: When will you start building the houses? A brief time line for the project was given noting it would likely be sometime in 2023.

Question: How wide is the easement along the East property line? The Site Plan was referenced to answer the question.

Question: Are you going to change the zoning? Mr Fleming stated the parcel is currently in the County and had a zoning of RSF4 for the property. The request is for R5 Zoning and the Use would remain residential.

Jeffery talked about how in the future development the driveway would likely be a shared driveway or private roadway. No construction would likely take place until the adjoining property to the west is approved by the City and developed.

Another neighbor gave some history of some irrigation water concerns. She wanted to make sure they would continue to get their irrigation water. Mr Fleming stated that the irrigation water would stay the same as it is now or be improved. The exact details of that would not be determined until an engineering design was completed with a future application for development. Currently this application is for Annexation and Zoning.

The attendees were thanked for coming out and reminded that they would receive a public hearing notice from the City, in the mail, in a few months. A couple of neighbors asked to take some of the maps presented at the meeting so they could better understand the project. Their request was granted. The meeting lasted approximately 45 minutes.

SIGN IN SHEET FOR
Redlands Limited
NEIGHBORHOOD MEETING 1-6-22
2080 Broadway G.J., CO

NAME	ADDRESS	PHONE or EMAIL
Jeffery Fleming	300 Main Street Suite 302 GJ CO 81501	970-812-3288
Mike Bristin	2529 Woody Creek Dr. GJ CO 81505	(303) 883-4757
Tammy Bristin	" " " " " "	(303) 753-1883
Ruth Renwick	2080 Broadway GJ 81507	949 449 7152
Craig Renwick	2080 Broadway GJ 81507	949 303 5742
Julie Pass	605 Peony Dr. 81507	970-216-1132
BARBARA HASE	2080 1/2 BROADWAY 81507	970-243-7650
DAVE THORNTON	250 N. 5th 81501	970-244-1450

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Redlands Limited ("Entity") is the owner of the following property:

(b) 2080 Broadway, G.J., CO. 81507 BEG S 89DEG30MIN E 97.2FT + 32.4FT N OF SW COR SE4SE4 SEC 15 11S 101W N 663.45FT N 89DEG56MIN E 154FT S 0DEG04MIN E 672.25FT S 89DEG37MIN W 56.8FT N 85DEG50MIN W 97.2FT TO BEG & THAT PTN OF VAC ROW ON S AS DESC IN B-1765 P-638 MESA CO RECORDS

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:

[Empty box for limited authority details]

- The Entity is the sole owner of the property.
- The Entity owns the property with other(s). The other owners of the property are:

[Empty box for other owners]

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

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

(e) None

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

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

Signature of Entity representative: [Signature]

Printed name of person signing: Michael Brislin

State of Colorado)

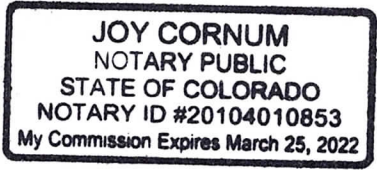
County of Mesa) ss.

Subscribed and sworn to before me on this 7th day of December, 2021

by Michael Brislin

Witness my hand and seal.

My Notary Commission expires on March 25, 2022



Joy Cornum
Notary Public Signature



File No.: F0721575-396-7SB

QUIT CLAIM DEED

THIS DEED, Made this 22 day of October, 2021

between Michael Stephen Brislin and Tammy Renee Brislin

of the County of Mesa and State of COLORADO, Grantor(s)

and Redlands Limited

whose legal address is 2529 Woody Creek Drive Grand Junction, CO ~~81507~~ 81505

of the County of Mesa and State of COLORADO, Grantee(s)

WITNESSETH, That the grantor(s), for and in consideration of the sum of TEN AND NO/100 DOLLARS, (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, and QUIT CLAIMED, and by these presents docs remise, release, sell and QUIT CLAIM unto the grantee(s), his heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) has in and to the real property, together with improvements, if any, situate, lying and being in the County of Mesa and COLORADO, described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as: 2080 Broadway Grand Junction, CO 81507-9711

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(s), either in law or equity, to the only proper use, benefit and behalf of the grantee(s), his 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(s) has executed this deed on the date set forth above.

Michael Stephen Brislin

Tammy Renee Brislin

STATE OF COLORADO }
COUNTY OF Mesa }SS:

The foregoing instrument was acknowledged before me this 22 day of October, 2021
by Michael Stephen Brislin and Tammy Renee Brislin

Notary Public

Witness my hand and official seal.
My Commission expires:

ELIZABETH SCHEER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20204033061
My Commission Expires September 22, 2024

TWENTY EIGHTY BROADWAY ANNEXATION



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



0 100 200 Feet

 Annexation  City Limits

TWENTY EIGHTY BROADWAY ANNEXATION



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0 100 200 Feet

 Annexation  City Limits

TWENTY EIGHTY BROADWAY ANNEXATION - LAND USE



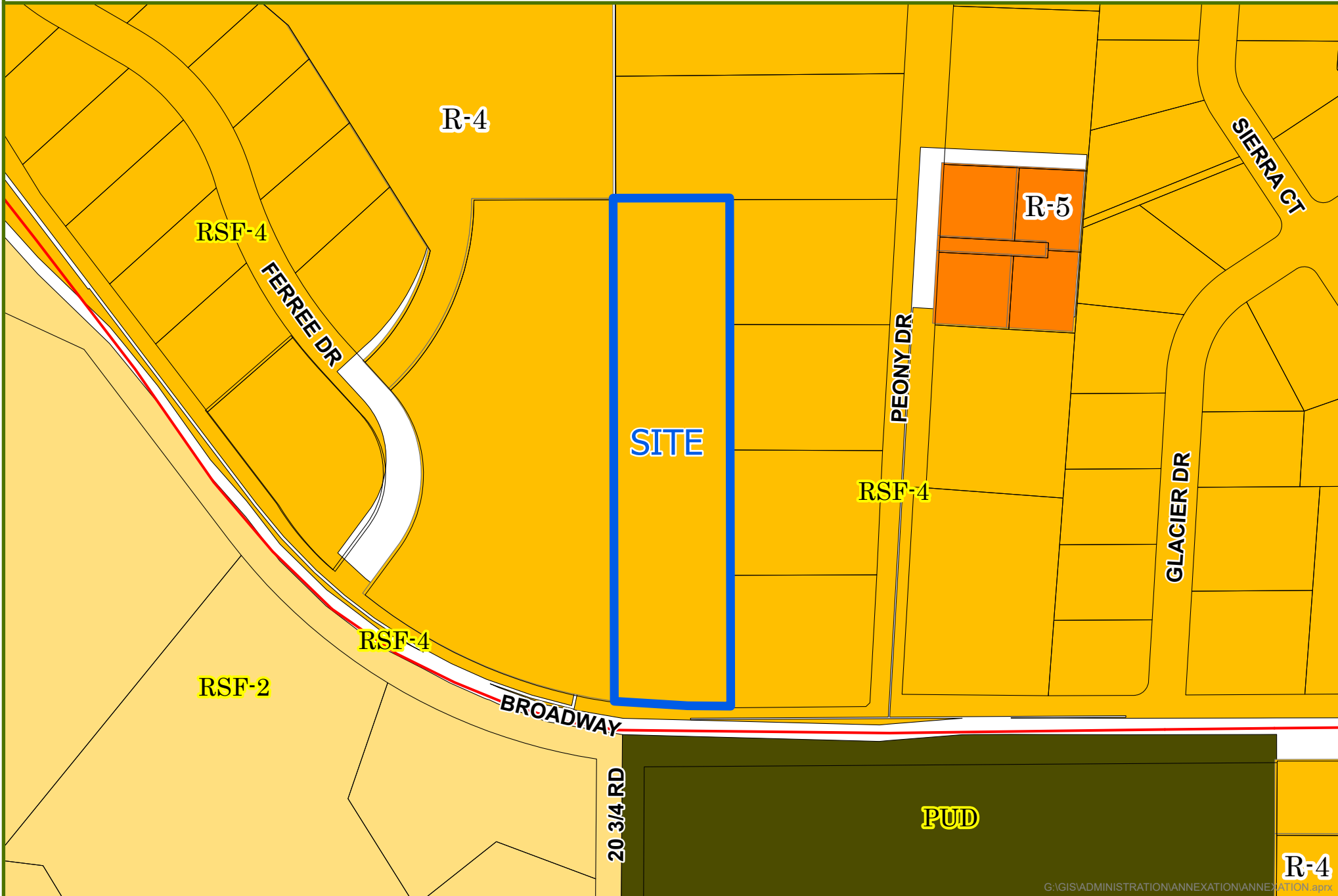
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0 100 200 Feet

 Annexation Boundary

TWENTY EIGHTY BROADWAY ANNEXATION - ZONING



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0 100 200 Feet

 Annexation

City Zoning
Packet Page 145

County Zoning

Date Created: 2/14/2022



R-4



Looking North from Broadway (Hwy 340)

TWENTY EIGHTY BROADWAY ANNEXATION SCHEDULE

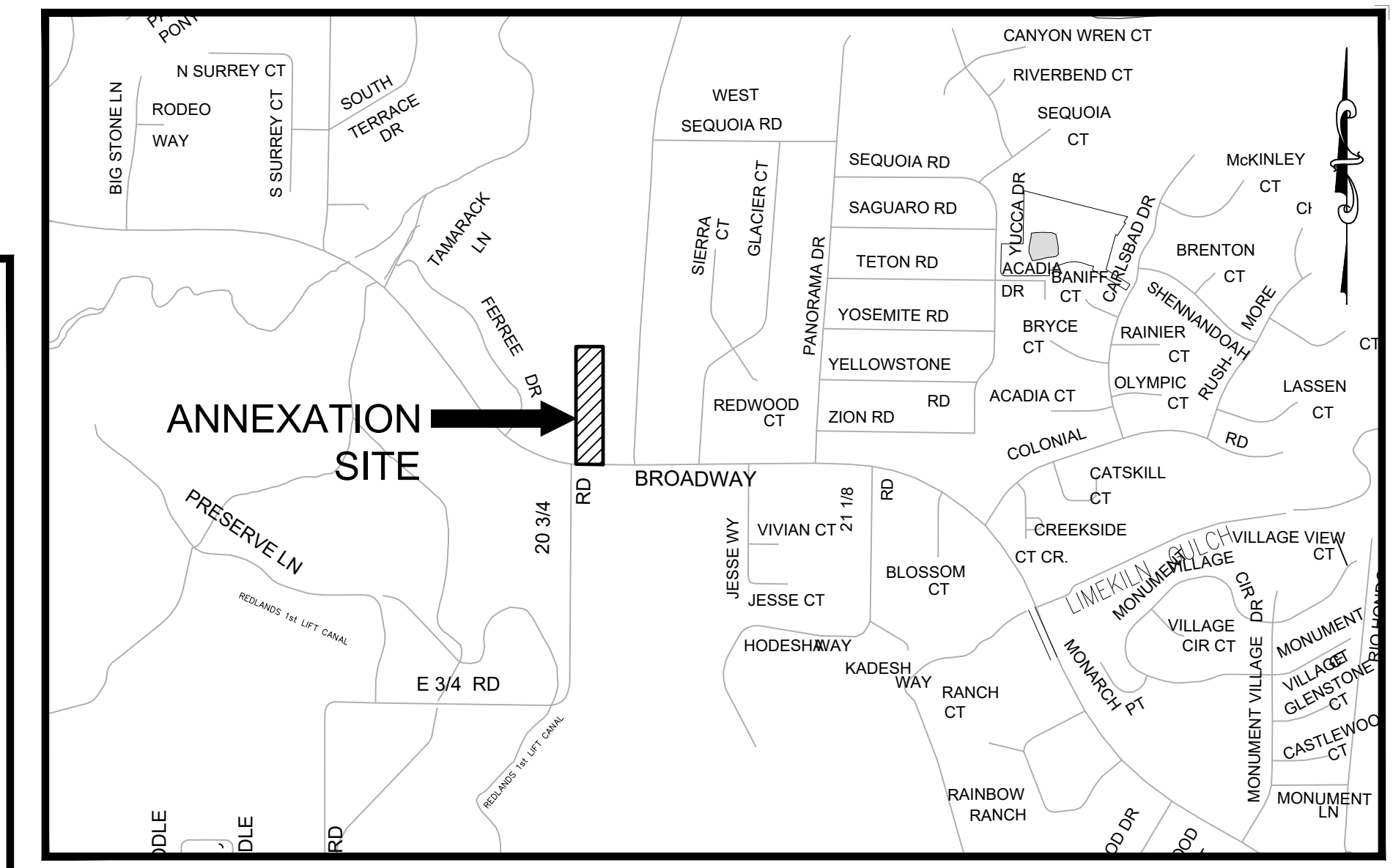
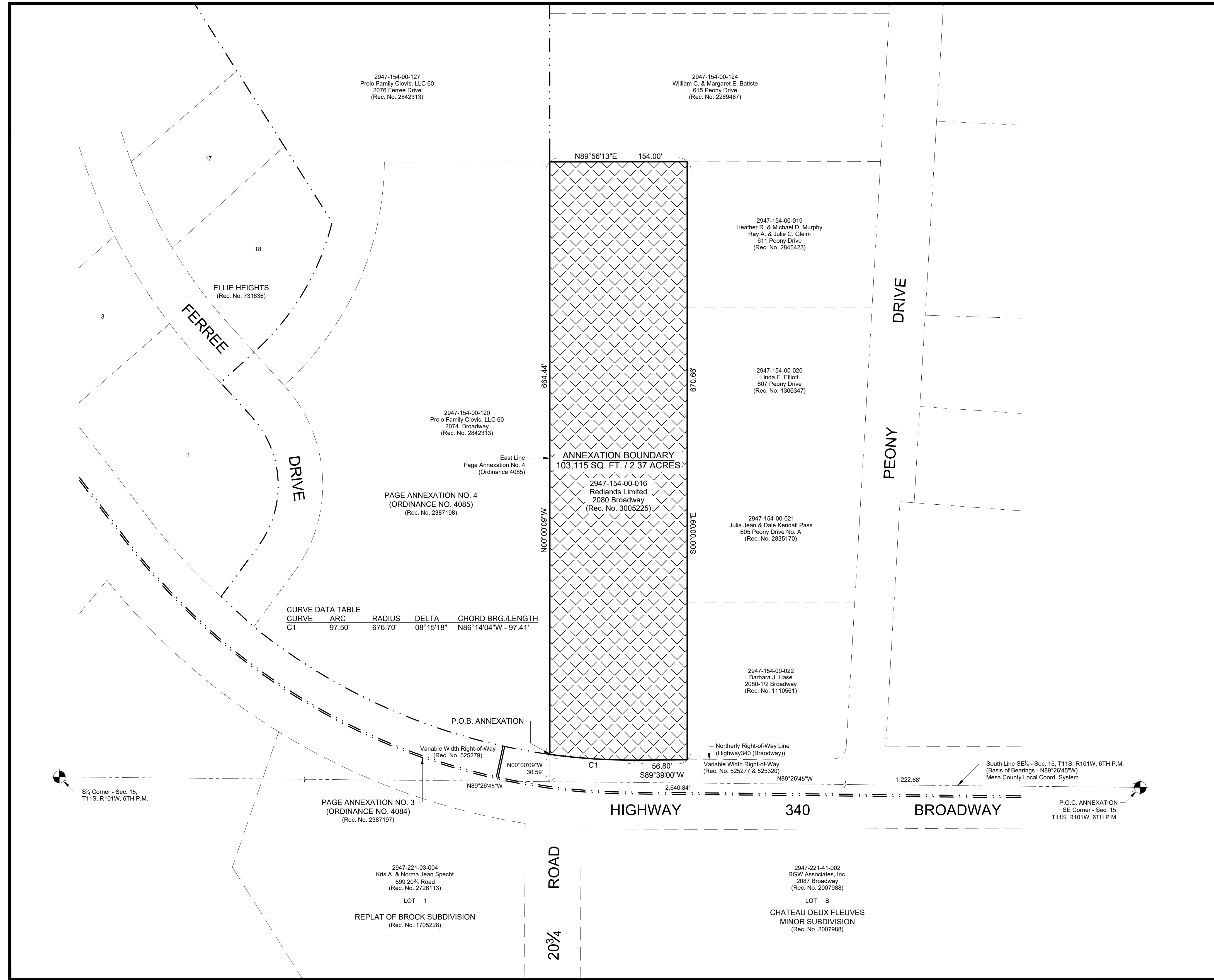
April 6, 2022	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
April 26, 2022	Planning Commission considers Zone of Annexation
May 4, 2022	Introduction of a Proposed Ordinance on Zoning by City Council
May 18, 2022	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
June 19, 2022	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

File Number:		ANX-2022-60
Location:		2080 Broadway
Tax ID Numbers:		2947-154-00-016
# of Parcels:		1
Existing Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		2.37
Developable Acres Remaining:		2
Right-of-way in Annexation:		0
Previous County Zoning:		RSF-4
Proposed City Zoning:		R-5
Current Land Use:		Single Family
Comprehensive Plan Land Use:		Residential Low
Values:	Assessed:	\$26,500
	Actual:	\$370,590
Address Ranges:		2880 Broadway
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	GJ Rural (& GJ Rural Fire Redlands Sub)
	Irrigation/Drainage:	Redlands Water and Power
	School:	District 51
	Pest:	Grand River Mosquito District
	Other:	Colorado River Water Conservancy

TWENTY EIGHTY BROADWAY ANNEXATION

Located in the SE 1/4 SE 1/4 SECTION 15, TOWNSHIP 11 SOUTH, RANGE 101 WEST,
6TH PRINCIPAL MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



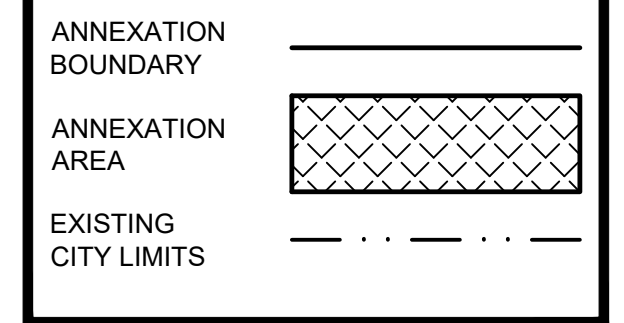
SITE LOCATION MAP

SCALE: 1" = 800'

LEGAL DESCRIPTION

A parcel of land as described in Reception Number 3005225, located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:
Commencing at the Southeast Corner of said Section 15 and assuming the South line of the Southeast Quarter of said Section 15 bears N89°26'45"W with all other bearings contained herein relative thereto; thence N89°26'45"W along said South line, a distance of 1,222.68 feet; thence N00°00'09"W, a distance of 30.59 feet to a point on the Northerly Right-of-Way line of Highway 340 as described in Reception Number 525320, said point also being a point on the East line of PAGE ANNEXATION NO. 4, Ordinance #085, Reception Number 2387198 and being the Point of Beginning;
thence continuing N0°00'09"W along said East line of PAGE ANNEXATION NO. 4, a distance of 664.44 feet; thence N89°56'13"E, a distance of 154.00 feet; thence S00°00'09"E, a distance of 670.66 feet to said Northerly Right-of-Way line of Highway 340; thence S89°39'00"W, a distance of 56.80 feet to the beginning of a curve; thence Westerly, a distance of 97.50 feet along the curve concave to the North, having a radius of 676.70 feet, a central angle of 08°15'18" and a chord which bears N86°14'04"W, a distance of 97.41 feet distant to the Point of Beginning.
Said parcel containing 103,115 Square Feet or 2.37 Acres more or less, as described.

LEGEND



SURVEY ABBREVIATIONS

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

AREAS OF ANNEXATION

ANNEXATION PERIMETER	1,643.40 FT.
CONTIGUOUS PERIMETER	664.44 FT.
AREA IN SQUARE FEET	103,115 FT ²
AREA IN ACRES	2.37
AREA WITHIN R.O.W.	0,000 FT ²
	0.00 ACRES

ORDINANCE NO.

XXXX

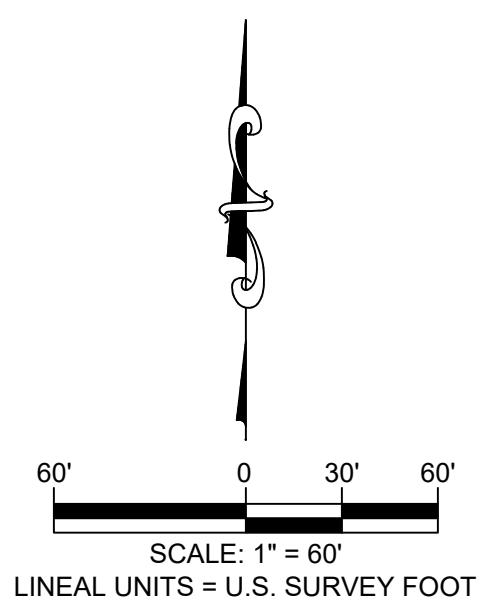
EFFECTIVE DATE

APRIL XX, 2022

NOTE:

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

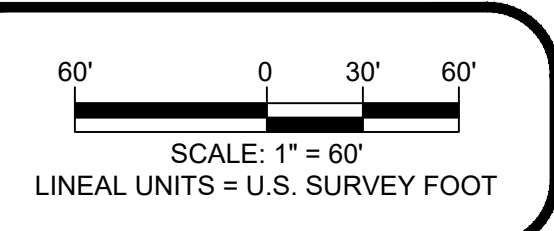
RENEE BETH PARENT
STATE OF COLORADO - PL.S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501



THIS IS NOT A BOUNDARY SURVEY

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

DRAWN BY: NCW DATE: 03/01/2022
DESIGNED BY: RBP DATE: 03/01/2022
CHECKED BY: CVW DATE: 03/04/2022
APPROVED BY: RBP DATE: 03/04/2022



**PUBLIC WORKS
ENGINEERING DIVISION**

TWENTY EIGHTY BROADWAY ANNEXATION
Located in the SE 1/4 SE 1/4 SECTION 15, TOWNSHIP 11 SOUTH, RANGE 101 WEST,
6TH PRINCIPAL MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

GRAND JUNCTION PLANNING COMMISSION
April 26, 2022, 5:30 PM
MINUTES

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

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

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Nicole Galehouse (Principal Planner), and Kalli Savvas (Planning Technician).

There were members 5 of the public in attendance and 0 virtually.

CONSENT AGENDA

1. **Approval of Minutes**

Minutes of Previous Meeting(s) from April 12, 2022.

REGULAR AGENDA

Chair Teske recused himself from the hearing

1. **Twenty Eighty Broadway Annexation** **ANX-2022-60**

Consider a request by Redlands Limited to zone 2.37 acres from County RSF-4 (Residential Single Family 4 Dwellings per acre) to R-5 (Residential – 5 du/ac) located at 2080 Broadway.

Staff Presentation

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

Applicant Presentation

Applicant was present and available for questions

Questions for staff or applicant

Commissioner Weckerly made a comment about the exhibits and if zoning R-4 was looked at for this proposal.

The applicant Mr. Fleming spoke about the project.

Commissioner Gatseos asked about the access from the adjacent property.

Commissioner Weckerly asked if the primary reason for R-5 versus R-4 was for building higher density.

Applicant stated that the main reasoning for R-5 was for reduced setbacks.

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, April 19, 2022, via www.GJSpeaks.org.

Linda of the public asked for further information on what a R-5 zoning is.

Marco Silva made a comment that if it becomes a two-story dwelling it takes away views on the monument if two story dwellings are created.

Applicant made comment about what the plan for the buildings are proposed, and that they are striving to keep the height to two stories homes.

Commissioner Weckerly asked about where the rear and sides were going to be on the proposed development.

The public hearing was closed at 6:04 p.m. on April 26, 2022.

Discussion

Motion and Vote

Commissioner Gatseos made the following motion Mr. Chairman, on the Zone of Annexation request for the property located at 2080 Broadway, City file number ANX-2022-60, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Commissioner Herek seconded motion passed 5-1.

2. Other Business

3. Adjournment

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

The meeting adjourned at 6:38 p.m.

To: City Council
and Dave Thornton

Re: ANX-2022-60 @ 2080 Broadway

I am the homeowner at 607
Peony Dr.

I and property owners in and
around 2080 Broadway have
concerns over development of
this property.

- 1) All the owners on the east side
of the proposal area are lower
in elevation. Especially 607
and homes north of me. We
are on a natural water drainage
area. This area is part of a
wild life movement pattern also.
Animal travel to and from the
river through here.
- 2) The height of any thing built
will obstruct the view of the
National Monument, greatly
reduce the sunlight and sunset.
Height will significantly violate
my privacy.
- 3) The only RS area in the vicinity
is on the east side of Peony Dr.
Their homes are single family
and not very tall. The developers
even left one lot open as a

play area with green grass and a sprinkley system.

4) The rear set backs for R4 and R5 is 25 feet. Anything closer will impede or infringe on our privacy.

5) We are concerned regarding public service restrictions and right of way of land under phone lines. We have eight residents that use these lines.

6) There needs to be a privacy fence along the entire east side of the developement.

7) All the residents on Peony Dr. receive our irrigation water from under the north side of highway 340. I feel it should be the developers responsibility to repair any problems should they arise. We already have one divide box with asphalt up against the very edge of first divide box. I am not sure we can get it open now. It divides and services us and homes on east side of Peony Dr.

8) I am against R5 unless it is single family detached one story dwellings. Keeping every thing low to the ground

Sandra C. Cole

May 10, 2022

Enclosure 1



Looking
West from
607 Peony
Drive

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
TWENTY EIGHTY BROADWAY ANNEXATION

APPROXIMATELY 2.37 ACRES
LOCATED AT 2080 BROADWAY
IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 6th day of April 2022, 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:

TWENTY EIGHTY BROADWAY ANNEXATION
PERIMETER BOUNDARY LEGAL DESCRIPTION

A parcel of land as described in Reception Number 3005225, located in the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast Corner of said Section 15 and assuming the South line of the Southeast Quarter of said Section 15 bears N89°26'45"W with all other bearings contained herein relative thereto; thence N89°26'45"W along said South line, a distance of 1,222.68 feet; thence N00°00'09"W, a distance of 30.59 feet to a point on the Northerly Right-of-Way line of Highway 340 as described in Reception Number 525320, said point also being a point on the East line of *PAGE ANNEXATION NO. 4, Ordinance 4085*, Reception Number 2387198 and being the Point of Beginning; thence continuing N0°00'09"W along said East line of *PAGE ANNEXATION NO. 4*, a distance of 664.44 feet; thence N89°56'13"E, a distance of 154.00 feet; thence S00°00'09"E, a distance of 670.66 feet to said Northerly Right-of-Way line of Highway 340; thence S89°39'00"W, a distance of 56.80 feet to the beginning of a curve; thence Westerly, a distance of 97.50 feet along the curve concave to the North, having a radius of 676.70 feet, a central angle of 08°15'18" and a chord which bears N86°14'04"W, a distance of 97.41 feet distant to the Point of Beginning.

Said parcel containing **103,115** Square Feet or **2.37** Acres more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of May, 2022; 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 18th day of May, 2022.

Anna M. Stout
President of the Council

ATTEST:

Laura Bauer
Interim City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO
TWENTY EIGHTY BROADWAY ANNEXATION**

**APPROXIMATELY 2.37 ACRES
LOCATED AT 2080 BROADWAY**

WHEREAS, on the 6th day of April, 2022, 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 _____, 2022; 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:

**TWENTY EIGHTY BROADWAY ANNEXATION
EXHIBIT A**

**TWENTY EIGHTY BROADWAY ANNEXATION
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A parcel of land as described in Reception Number 3005225, located in the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast Corner of said Section 15 and assuming the South line of the Southeast Quarter of said Section 15 bears N89°26'45"W with all other bearings contained herein relative thereto; thence N89°26'45"W along said South line, a distance of 1,222.68 feet; thence N00°00'09"W, a distance of 30.59 feet to a point on the Northerly Right-of-Way line of Highway 340 as described in Reception Number 525320, said point also being a point on the East line of *PAGE ANNEXATION NO. 4, Ordinance 4085*, Reception Number 2387198 and being the Point of Beginning;

thence continuing N0°00'09"W along said East line of *PAGE ANNEXATION NO. 4*, a distance of 664.44 feet; thence N89°56'13"E, a distance of 154.00 feet; thence S00°00'09"E, a distance of 670.66 feet to said Northerly Right-of-Way line of Highway 340; thence S89°39'00"W, a distance of 56.80 feet to the beginning of a curve; thence Westerly, a distance of 97.50 feet along the curve concave to the North, having a radius of 676.70 feet, a central angle of 08°15'18" and a chord which bears N86°14'04"W, a distance of 97.41 feet distant to the Point of Beginning.

Said parcel containing **103,115** Square Feet or **2.37** Acres more or less, as described.

INTRODUCED on first reading on the 6th day of April 2022 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of _____ 2022 and ordered published in pamphlet form.

President of the Council

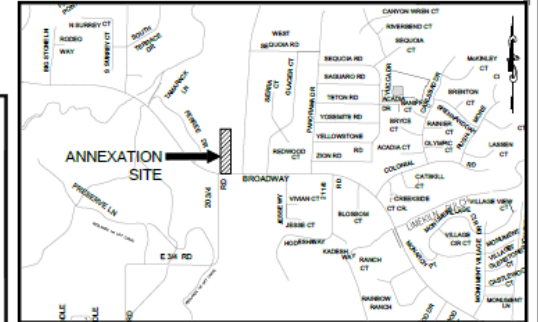
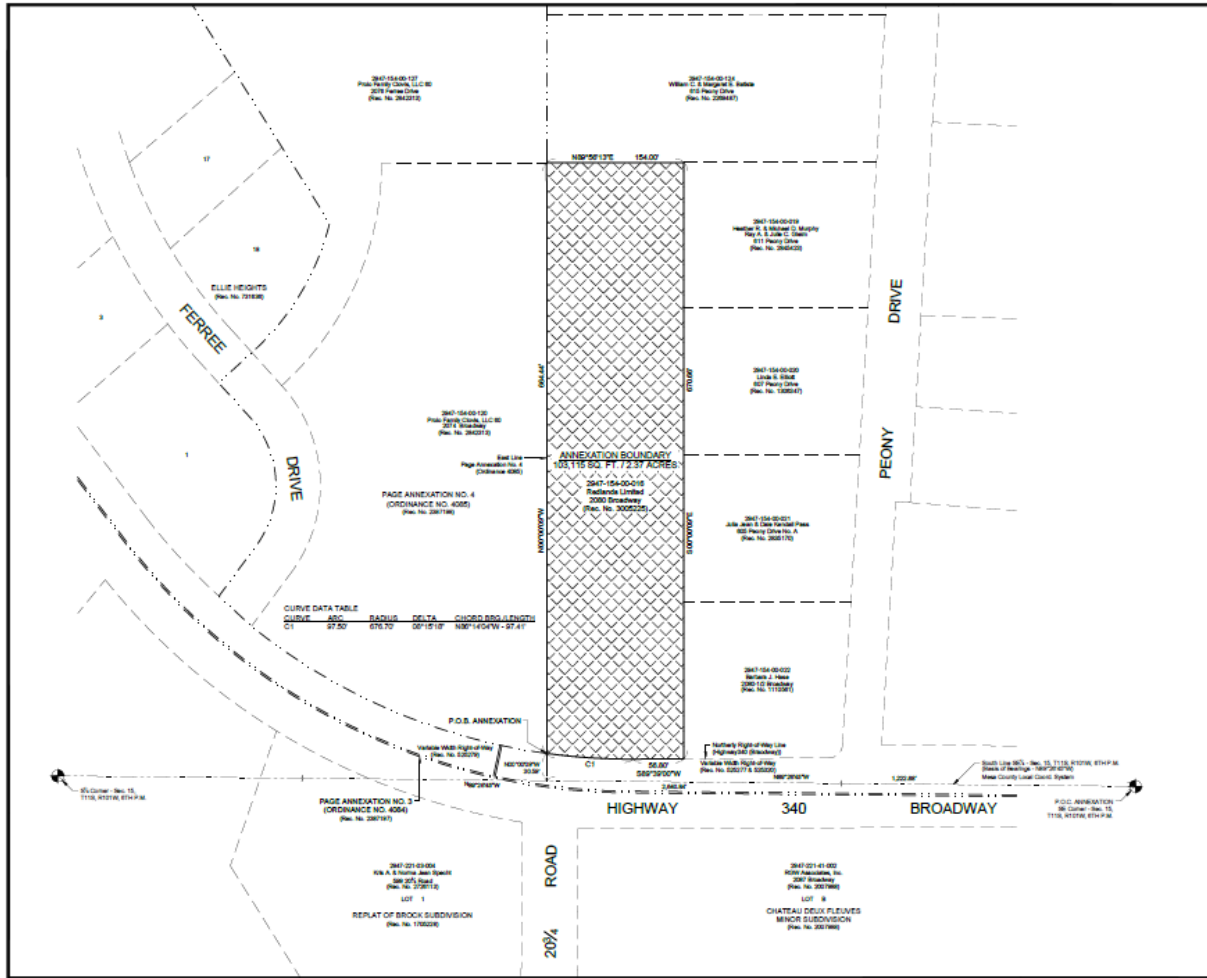
Attest:

City Clerk

EXHIBIT A

TWENTY EIGHTY BROADWAY ANNEXATION

Located in the SE 1/4 SE 1/4 SECTION 15, TOWNSHIP 11 SOUTH, RANGE 101 WEST,
6TH PRINCIPAL MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SITE LOCATION MAP

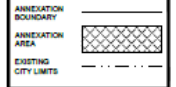
SCALE: 1" = 300'

LEGAL DESCRIPTION

A parcel of land as described in Reception Number 3002225, located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows: Commencing at the Southeast Corner of said Section 15 and measuring the South line of the Southwest Quarter of said Section 15 to a point 189°20'00"W with other bearings contained herein relative thereto; thence N82°20'47"W along said South line, a distance of 1,222.00 feet; thence N00°00'00"W, a distance of 35.00 feet to a point on the Northern Right-of-Way line of Highway 340 as described in Reception Number 3022253, said point also being a point on the East line of PAGE ANNEXATION NO. 4, Ordinance 4052; thence along said East line of Highway 340 a distance of 400.00 feet to a point being the Point of Beginning; thence continuing N27°00'00"W along said East line of PAGE ANNEXATION NO. 4, a distance of 964.44 feet; thence N89°20'12"E, a distance of 154.00 feet; thence S07°00'00"E, a distance of 870.88 feet to said Northern Right-of-Way line of Highway 340; thence S89°20'07"W, a distance of 50.00 feet to the beginning of a curve; thence Westerly, a distance of 87.50 feet along the curve concave to the North, having a radius of 876.70 feet, a central angle of 97°15'12" and a chord which bears N89°10'47"W, a distance of 27.41 feet to the Point of Beginning.

Said parcel containing 105,115.50 Square Feet or 2.37 Acres more or less, as described.

LEGEND



SURVEY ABBREVIATIONS

P.O.B.	POINT OF BEGINNING	SO. FT.	SQUARE FEET
ANG.	ANGLE	sq. ft.	CENTRAL ANGLE
ARC	ARC LENGTH	RADIUS	RADIUS
CHORD	CHORD LENGTH	ARC	ARC LENGTH
CHORD BEARING	CHORD BEARING	CHORD	CHORD LENGTH
FLAT BOOK	FLAT BOOK	BLK.	BLOCK
P.L.S.	PLAT BOOK	P.L.S.	PLAT BOOK
BOOK	BOOK	NO.	NUMBER
PAGE	PAGE	REC.	RECEPTION
HOR. DIST.	HORIZONTAL DISTANCE		

AREAS OF ANNEXATION

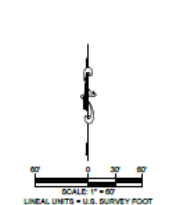
ANNEXATION PERIMETER	1,643.40 FT.
CONTIGUOUS PERIMETER	864.44 FT.
AREA IN SQUARE FEET	105,115.50
AREA IN ACRES	2.37
AREA WITHIN R.O.W.	0.000 ACRES

ORDINANCE NO.

XXXX

EFFECTIVE DATE

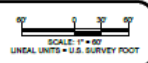
APRIL XX, 2022



THIS IS NOT A BOUNDARY SURVEY

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DRAWN BY: NSW DATE: 05/01/2022
DESIGNED BY: RSP DATE: 05/01/2022
CHECKED BY: CWN DATE: 05/04/2022
APPROVED BY: SSP DATE: 05/04/2022



PUBLIC WORKS ENGINEERING DIVISION

TWENTY EIGHTY BROADWAY ANNEXATION
Located in the SE 1/4 SE 1/4 SECTION 15, TOWNSHIP 11 SOUTH, RANGE 101 WEST,
6TH PRINCIPAL MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING TWENTY EIGHTY BROADWAY ANNEXATION
LOCATED ON A PROPERTY AT 2080 BROADWAY
TO R-5 (RESIDENTIAL – 5 DU/AC) ZONE DISTRICT**

Recitals:

The property owner has petitioned to annex their 2.37 acres into the City limits. The annexation is referred to as the “Twenty Eighty Broadway Annexation.”

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the Twenty Eighty Broadway Annexation consisting of 2.37 acres from County RSF-4 (Residential Single Family 4 Dwellings per acre) to R-5 (Residential – 5 du/ac) finding that both the R-5 zone district conforms with the designation of Residential Low as shown on the Land Use Map of the Comprehensive Plan and conforms with its designated zone with the Comprehensive Plan’s goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-5 (Residential – 5 du/ac) zone districts, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code for the parcel as designated.

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

ZONING FOR THE TWENTY EIGHTY BROADWAY ANNEXATION

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

Perimeter Boundary Legal Description
TWENTY EIGHTY BROADWAY ANNEXATION

A parcel of land as described in Reception Number 3005225, located in the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast Corner of said Section 15 and assuming the South line of the Southeast Quarter of said Section 15 bears N89°26'45"W with all other bearings contained herein relative thereto; thence N89°26'45"W along said South line, a distance of 1,222.68 feet; thence N00°00'09"W, a distance of 30.59 feet to a point on the Northerly Right-of-Way line of Highway 340 as described in Reception Number 525320, said point also being a point on the East line of *PAGE ANNEXATION NO. 4, Ordinance 4085*, Reception Number 2387198 and being the Point of Beginning; thence continuing N0°00'09"W along said East line of *PAGE ANNEXATION NO. 4*, a distance of 664.44 feet; thence N89°56'13"E, a distance of 154.00 feet; thence S00°00'09"E, a distance of 670.66 feet to said Northerly Right-of-Way line of Highway 340; thence S89°39'00"W, a distance of 56.80 feet to the beginning of a curve; thence Westerly, a distance of 97.50 feet along the curve concave to the North, having a radius of 676.70 feet, a central angle of 08°15'18" and a chord which bears N86°14'04"W, a distance of 97.41 feet distant to the Point of Beginning.

Said parcel containing **103,115** Square Feet or **2.37** Acres more or less, as described.

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

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

Anna M. Stout
President of the Council

ATTEST:

Laura Bauer
Interim City Clerk