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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, APRIL 12, 2022 - 5:30 PM**

Register for the meeting using the link below:

<https://attendee.gotowebinar.com/register/8680143341448141584>

After registering, you will receive a confirmation email containing information about joining the webinar.

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)
2. Consider a request by the Applicant, Mesa County Valley School District No. 51, to Vacate a Portion of a public storm sewer right-of-way on the campus of Grand Junction High School at 1400 N. 5th Street as granted to the City of Grand Junction ("City") by Reception Number 939901. See attached Grant of Right-of-Way marked Exhibit "A". | [Staff Presentation](#) | **Phone comment code: 2124** |

Regular Agenda

1. Consider a request by Dr. Brian Burton to rezone 9.28 acres from R-8 (Residential 8 du/ac) to R-24 (Residential 24 du/ac) located at 2636 Patterson Rd. | [Staff Presentation](#) | **Withdrawn**
2. Consider a request by the City of Grand Junction to Amend Title 21 and Title 27 of the Grand Junction Municipal Code to regulate cannabis businesses by providing use-specific standards, specific buffering requirements from schools and rehabilitation facilities, and signage standards. | [Staff Presentation](#) | **Phone comment code: 3518**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
March 22, 2022, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:35 p.m. by Community Development Director, Tamra Allen with a call for deliberation to elect an interim chair. Commissioner Secrest made a motion to nominate commissioner Ehlers as interim chair. Commissioner Gatseos seconded. Passed 6-0.

Those present were Planning Commissioners; Keith Ehlers, George Gatseos, Shanon Secrest, Kimberly Herek, Melanie Duyvejonck, and JB Phillips.

Also present were Jamie Beard (City Attorney), Tamra Allen (Community Development Director), Kristen Ashbeck (Principal Planner), Nicole Galehouse (Principal Planner), Jace Hochwalt (Senior Planner), and Kalli Savvas (Planning Technician).

There were members 5 of the public in attendance and 3 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from March 8, 2022.

2. Central Distributing Alley Vacation

VAC-2021-681

Consider a request by Anna Company LLC to Vacate a Public Alley Right-of-Way, located south of 245 and 333 South Avenue.

Commissioner Gatseos moved to accept the consent agenda. Herek Seconded. Passed 6-0.

REGULAR AGENDA

1. Slawson Rezone

RZN-2022-61

Consider a request by Kent Slawson, Property Owner, to rezone 1.18 acres from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac) located at 702 25 Road.

Staff Presentation

Nicole Galehouse, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Presentation

The representative Tracy States was present and available for questions.

Questions for Applicant or Staff

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, March 15, 2022, via www.GJSpeaks.org.

John Connerate made a comment about the open space, and concerns with continued expanding of urban development.

The public hearing was closed at 5:50 p.m. on March 22, 2022.

Discussion

Commissioner Gatseos made comments about the hearing item.

Commissioner Ehlers made a comment about the update in the code for open space and to reach out to staff.

Motion and Vote

Commissioner Gatseos made the following motion Mr. Chairman, on the Rezone request for the property located at 702 25 Road, City file number RZN-2022-61, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Commissioner Secret seconded the motion. The motion passed 6-0. Ehlers, Gatseos, Secret, Herek, Duyvejonck, and Phillips.

2. Horizon Cache Rezone RZN-2022-52

Consider a Request by the Emanuel Epstein Revocable Trust to Rezone One Parcel Totaling Approximately 2.46 acres from PD (Planned Development) to C-1 (Light Commercial) Located at the Northeast Corner of Horizon Drive and 27 ½ Road.

Staff Presentation

Jace Hochwalt, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Presentation

The representative was present and available for questions.

Questions for Applicant or Staff

Commissioner Gatseos asked about the parcel north of the property, and if it is zoned PD.

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, March 15, 2022, via www.GJSpeaks.org.

Sherrie Case, virtual attendee asked what was going to be built here.

Jace Hochwalt, responded to the questions.

Commissioner stated there would be public notice to applicants

The public hearing was closed at 6:02 p.m. on March 22, 2022.

Discussion

Motion and Vote

Commissioner Secrest made the following motion Chairman, on the Horizon Cache Rezone request from a PD (Planned Development) zone district to a C-1 (Light Commercial) zone district for the 2.46-acre property located at the northeast corner of Horizon Drive and 27 ½ Road, City File Number RZN-2022-52, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Commissioner Duyvejonck seconded the motion. The motion carried 6-0. Ehlers, Gatseos, Secrest, Herek, Duyvejonck, and Phillips.

3. Other Business

Commissioner Gatseos thanked Ehlers for being chair.

4. Adjournment

Commissioner Gatseos moved to adjourn the meeting.

The vote to adjourn was 6-0. Herek, Scissors, Ehlers, Gatseos, Duyvejonck, and Phillips.

The meeting adjourned at 6:12 p.m.



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: April 12, 2022
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request by the Applicant, Mesa County Valley School District No. 51, to Vacate a Portion of a public storm sewer right-of-way on the campus of Grand Junction High School at 1400 N. 5th Street as granted to the City of Grand Junction ("City") by Reception Number 939901. See attached Grant of Right-of-Way marked Exhibit "A". |

[Staff Presentation](#) | Phone comment code: 2124 |

RECOMMENDATION:

Staff recommends conditional approval.

EXECUTIVE SUMMARY:

The Applicant, Mesa County Valley School District No. 51 is requesting the vacation of a portion of a 15 ft. wide Elm Avenue Storm Sewer Right-Of-Way used for a city storm sewer line that crosses Grand Junction High School property located at 1400 N. 5th Street. As part of the new design and construction of Grand Junction High School a portion of the existing storm sewer line will be encroached upon by the new construction. The Applicant will relocate the storm sewer line on site and grant a new easement for the new location. A public storm sewer easement was granted to the City of Grand Junction in 1967 by Reception Number 939901 (Grant of Right-of-Way). The Easement was granted to the City for the construction of the "Elm Avenue Storm Sewer" that runs east to west through the property.

Proposed conditions for the vacation include:

- 1) Before construction, disconnection, and/or relocation of the present storm sewer line, the applicant shall provide a written release to the City of the terms numbered 2 and 3 in the original Grant of Right-of-Way;
- 2) Relocation of the public storm sewer line to a location as depicted in the attached Exhibit "B" with direction and final approval by City staff;

3) Applicant shall provide as-builts of the newly constructed line and in a form approved by City staff grant a new 15 ft. public storm sewer easement centered on the newly installed storm sewer or as otherwise approved by City staff.

BACKGROUND OR DETAILED INFORMATION:

The existing 15 ft. wide Elm Avenue Storm Sewer Right-Of-Way “Grant of Right-of-Way” (“Easement”) was conveyed in 1967 by Mesa County Valley School District No. 51 to the City of Grand Junction by Reception Number 939901 as recorded in the records of Mesa County. This Easement was granted to the City of Grand Junction for the construction of the “Elm Avenue Storm Sewer”. Mesa County Valley School District No. 51 plans to construct a new voter-approved high school to replace the existing Grand Junction High School building at 1400 N. 5th Street. The proposed new building will encroach into a portion of the storm sewer facility and existing easement requiring the school district to relocate a portion of the storm sewer line and dedicate a new 15 ft. wide easement to the city where the new line is constructed. The existing 15 ft. wide storm sewer Easement has no other utilities located within it.

The Applicant’s release of the terms in the Easement is necessary as it will not be the City doing the work for the relocation of the sewer line but the Applicant. In addition, the term No.2 is in conflict with the City’s requirements under the State Constitution. Eliminating term No. 3 will have the terms of the Easement and the new easement be consistent with the terms of similar easements to the City.

The new 15 ft. easement will be dedicated to the City by Mesa County Valley School District No. 51 as a condition of this vacation request and will be verified through as-built drawings that show the exact location of the newly constructed storm sewer line, ensuring the line is located within the new easement.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting was not required for an easement vacation and the only utility within the easement is the City’s storm sewer facility.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject area was posted with an application sign on March 30, 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 1, 2022. The notice of this public hearing was published April 5, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

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

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

The request to vacate a portion of an existing 15 ft. wide Easement for City storm sewer does not conflict with the 2020 Comprehensive Plan, Grand Valley Circulation Plan or other adopted plans and policies of the City. Vacation of this easement will have no impact on public facilities or services provided to the general public since a new storm sewer line will be rerouted and constructed and a new easement shall be granted as a condition of approval for this vacation.

Further, the vacation request is consistent with the following goals and policies of the Comprehensive Plan:

Principal 3: Responsible and Managed Growth

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

Policy 4: Maintain and build infrastructure that supports urban development.

Policy 5: Plan for and ensure fiscally responsible delivery of City services and infrastructure.

Principal 5: Strong Neighborhoods and Housing Choices

Policy 3: Support continued investment in and ongoing maintenance of infrastructure and amenities in established neighborhoods.

Therefore, staff has found this criterion has been met.

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

This request is to vacate a portion of an existing "Grant of Right-of-Way" Easement. As such, no parcels will be landlocked as a result of the proposed vacation request.

Therefore, staff has found this criterion has been met.

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

This vacation request does not impact access to any parcel and as such, staff finds this criterion has been met.

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

A new easement for the relocation of the existing storm sewer facility will be identified/dedicated by separate instrument. Also, there are no other utilities located

within the existing easement and as such there are no objections to the proposed vacation or the adjacent property owners indicating issue or adverse impacts related to this request or the quality of services provided to the property.

Staff therefore finds this criterion has been met.

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

A new public easement will be identified/dedicated by separate instrument. Neither staff nor utility providers have identified that this request will inhibit the provision of adequate public facilities and services.

Staff finds that this criterion has been met.

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

Maintenance requirements for the City will not change as a result of the proposed vacation as a new public easement will be created for the rerouted storm sewer line. Applicant's release of the terms in the Easement will reduce costs and risk for the City with the new installation and eliminate a conflict with the Constitution. With the elimination of this existing 15 ft. wide easement and with the granting of the new easement at the new location, the Applicant can make ready its site for the new high school building without the encumbrance caused by this Easement. Permanent structures cannot be constructed over an easement. As such, Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Grand Junction High School Easement Vacation of a portion of the Mesa County Valley School District No. 51 dedicated 15 ft. wide Elm Avenue Storm Sewer "Grant of Right-of-Way" Easement, VAC-2022-140, located at 1400 N. 5th Street as granted to the City of Grand Junction by Reception Number 939901, the following findings of fact have been made with the recommended conditions of approval:

1. The request conforms with Section 21.02.100 (c) of the Zoning & Development Code.
2. The requested vacation does not conflict with the goals and policies of the 2020 Comprehensive Plan.

Condition 1. Before construction, disconnection, and/or relocation of the present storm sewer line Applicant shall provide a written release to the City of the terms numbered 2 and 3 in the original Grant of Right-of-Way attached as Exhibit "A";

Condition 2. Applicant shall relocate the public storm sewer line to a location depicted in the attached Exhibit "B" with direction and final approval by City staff;

Condition 3. Applicant shall provide as-builts of the newly constructed line and in a

form approved by City staff grant a new 15 ft. public storm sewer easement centered on the newly installed storm sewer or as otherwise approved by City staff.

Therefore, Staff recommends conditional approval of the requested vacation.

SUGGESTED MOTION:

Mr. Chairman, on the Grand Junction High School Easement Vacation of a portion of the Mesa County Valley School District No. 51 dedicated 15 ft. wide Elm Avenue Storm Sewer "Grant of Right-of-Way" Easement, VAC-2022-140, located at 1400 N. 5th Street as granted to the City of Grand Junction by Reception Number 939901, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report.

Attachments

1. Development Application
2. Grant of ROW - Exhibit A - Reception No. 939901
3. Exhibit of new Easement Dedication - Exhibit B
4. Exhibit of Vacation area
5. Draft Vacation Resolution

Development Application

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

Petition For:

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

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

GENERAL PROJECT REPORT
FOR

**Easement Vacation
for
Grand Junction High School**

February 24, 2022

Project Contacts

Owner: Mesa County Valley School District 51
2115 Grand Ave, Grand Junction, CO 81501

Owner's Representative: Dynamic Program Management
Point of Contact: Ray Scott, 970-343-9070

Architect: BG+co.
622 Rood Avenue, Grand Junction, CO 81501
970-242-1058
Point of Contact: Peter Icenogle and Shannon Power

Civil Engineer: Austin Civil Group
123 N 7th Street #300, Grand Junction, CO 81501
970-242-7540
Point of Contact: Mark Austin

Land Surveyor: River City Consultants, Inc.
215 Pitkin Avenue, Grand Junction, CO 81501
970-241-4722

Geotechnical Engineer: Lambert and Associates
P.O. Box 3986, Grand Junction, CO 81502
Report Number & Date: Project #M19023GE, August 30 2019

Landscape Architect: Nvision Design Studio, Inc.
677 25 Rd, Grand Junction, CO 81505
970-210-2155
Point of Contact: Rob Breeden

MEP Engineer: Bighorn Consulting Engineers, Inc.
386 Indian Road, Grand Junction, CO 81501
970-241-8709
Point of Contact: Shawn Brill

General Contractor: FCI Constructors, Inc.
3070 Interstate 70 Business Loop, Bldg A, Grand Junction, CO 81504
970-434-9093
Point of Contact: Mark Litzen

A. Project Description

1. Location:

- The proposed easement vacation seeks to relocate a portion of the existing Elm Avenue storm sewer right-of-way located on the east side of Grand Junction High School's lot. This easement adjustment is in anticipation of the new Grand Junction High School (GJHS) building footprint.
- The parcel number is 2945-113-12-001 with a physical address of 1400 N 5th Street.
- The existing zoning is R-5, there is no plan for a change in zoning.

2. Acreage:

The proposed easement vacation is within the established parcel of the existing facility; the parcel size is approximately 29.48 acres. There is no plan for modifying the existing acreage of the site.

3. Proposed Use:

The proposed use of the easement vacation will be a reroute of a city storm sewer in a manner that maintains storm water flow through the GJHS site and maintains the same level of public access when the new GJHS is constructed. This use of the property will remain the same, although the main school building will be constructed on the north portion of the lot.

B. Public Benefit

The proposed easement vacation and relocation will keep the storm sewer accessible to the City as the future phases of GJHS commence.

At the end of this multi-stage public project, the new GJHS will be a valuable asset to the Grand Valley and support its desire to provide the best education for the children of our community.

C. Neighborhood Meeting

A Neighborhood Meeting was not required for this Easement Vacation.

D. Project Compliance, Compatibility, and Impact

1. The proposed easement vacation and relocation is required to keep the storm sewer accessible and clear of the building footprint for the new GJHS. As shown on the supporting drawings in this application, the storm sewer reroute follows a similar west-east path on the east side of the parcel and does not cause any issues with landlocking or create any unreasonable access. The relocation ensures access to the sewer's manholes and continued maintenance.

2. Land use in the surrounding area:

- Parcels to the North are zoned R-5
 - Current Land Use: R-5 Residential Medium Density
 - Future Land Use: Residential Low and Residential Medium
- Parcels to the South are zoned C-1
 - Current Land Use: Light Commercial (North Avenue Overlay Zone)
 - Future Land Use: Mixed Use
- Parcels to the East are zoned R-O and B-1
 - Current Land Use: Residential Office and Neighborhood Business
 - Future Land Use: Mixed Use

- Parcels to the West are zoned R-5/ CSR
 - Current Land Use: R-5 Residential Medium Density/ Community Services and Recreation
 - Future Land Use: Residential Low/ Parks and Open Space

For the above listed surrounding areas, current and future land uses will not be impacted by the proposed easement vacation and relocation.

3. The site will continue to be accessed from 5th Street, Tiger Avenue, and the north-south alleyway between 5th and 7th Street. The design intent is to develop that alleyway to allow for more direct access from 7th Street for bus drop-off and parking, as well as an enhanced walkway to Colorado Mesa University. Additional access to the site is planned off Hall Avenue.

4. Utility providers are as follows:

Cable	Charter
Storm sewer	City of Grand Junction
Electric	Xcel Energy
Gas	Xcel Energy
Phone	Century Link
Sewer	City of Grand Junction
Water	City of Grand Junction

Police and Fire protection are provided by City of Grand Junction.

Fire hydrants for the site are indicated on the submitted Composite Plan.

5. Once construction is complete, there are no anticipated special or unusual demands on utilities, only that which supports the intended capacity of the new high school.

6. Effects on public facilities:

- Fire – The proposed easement vacation and site design provides locations for fire hydrants that cover the new GJHS footprint. Fire access to the site will remain clear.
- Police – Police access to the site will remain clear.
- Sanitation – The proposed easement vacation will not affect the waste-disposal services required at the facility.
- Roads/Traffic Impact – The proposed easement vacation is in support of the new GJHS site plan and site access, included in this report. This larger construction project will be contained within the parcel, aside from the alley access to 7th Street.
- Parks – The proposed easement vacation will not affect any public parks.
- Schools – The subject of this easement vacation is a school – this modification to the facility anticipates a new building which will add to the school district’s capacity to support the community.
- Irrigation – The proposed easement vacation will not directly affect irrigation.

7. The relocated storm sewer line will maintain 24-hour access. Hours of operation for the new GJHS will match the existing facility and are typical of a high school. Approximately 7:00am – 4:00pm, Monday through Friday, with regular evening events and activities.

8. The new GJHS has the capacity for 1600 students plus the necessary staff.
9. This easement vacation and relocation does not require any update in signage. Storm sewer manhole plates will be consistent with those used throughout the city.
10. A site soils and geology assessment was completed by Lambert and Associates in August of 2019. Report available upon request, reference Project Contacts for report number.
11. There are no anticipated impacts to the site's geology. According to FEMA flood mapping, this parcel is located in Zone-X, outside of the 0.2% Annual Chance Floodplain.

E. Additional review criteria of the Zoning and Development Code

Facility History:

GJHS was originally built in 1956 and is home to one of the educational environments for the youth of our ever-growing Grand Valley community. In November 2021, a bond was passed to rebuild GJHS, as this heavily used public facility continues to fall into poor condition. The new GJHS will be a state-of-the-art learning environment and an investment in the future of our community.

In order to keep the school operational during construction, the new building will be placed outside of the existing building's footprint to the north. Utility adjustments, such as the one being proposed in this easement vacation application, are all in service to the final vision of this new high school.

Review criteria from Zoning and Development Code:

Section 21.02.100 of the Vacation of public right-of-way or easement.

Comprehensive Plan:

This easement vacation and relocation is in support of the new GJHS being rebuilt on the existing high school site. Per the 2020 One Grand Junction Comprehensive Plan, this area of the City of Grand Junction is well suited and intended to maintain a high school near an established residential area, and any work being done within this parcel will not inhibit any future development of the surrounding areas. The GJHS parcel is located next to a Comprehensive Plan Incentive Area, and a new state-of-the-art building in this area will complement this initiative.

Parcel Access:

As shown on the supporting drawings within this application, the new easement required to maintain the Elm Avenue storm sewer follows a similar west-east path on the east side of the parcel in question. Therefore, no parcel will be landlocked or devalued as a result of the vacation and relocation.

Quality of Public Facilities/ Utility Services:

This easement relocation will provide for the existing and future storm sewer needs and will allow continued storm water flow through the GJHS site.

Maintenance Requirements for the City:

This easement relocation will position access to the storm sewer in a way that allows for regular maintenance, mimicking the two manholes to be vacated. This easement relocation does not affect any traffic patterns along the alleyway to the east of the high school.

Section 21.06.010 Infrastructure Standards, (b) Streets, Alleys, Trails, and Easements.

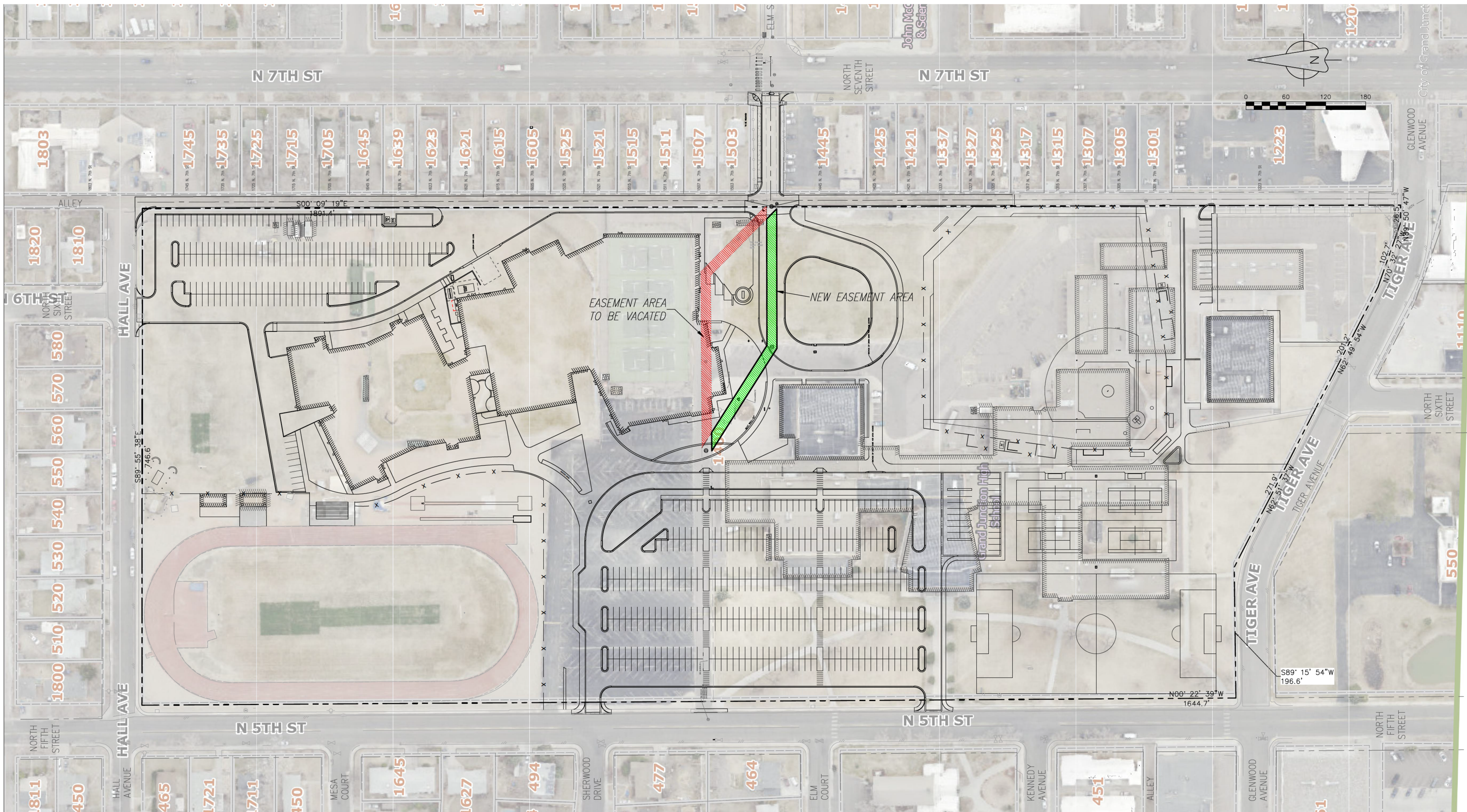
This is easement relocation:

- Will not cause any limitation to access of the existing intercepting alleyway to the east of 7th Street
- Is being requested for utilities, specifically the Elm Avenue Storm Sewer.
- Will be dedicated to the City in order to service and maintain the storm sewer

F. Development Schedule and Phasing

Design documents are underway -

- Bid Package #1: Utilities - released at the end of February 2022.
 - Construction start date for Utilities work is scheduled for mid-April 2022.
- Bid Package #2: Foundations - released in May 2022.
- Bid Package #3: Construction Documents for the new GJHS - released in July 2022.
 - New building permitting to follow soon-thereafter.
- Bid Package #4: Existing Auxiliary Gym Renovation - released November 2022.
 - Building renovation permitting to follow soon-thereafter.
- Bid package #5: Existing 700 Building Renovation - released November 2022.
 - Building renovation permitting to follow soon-thereafter.
- Proposed construction for the new GJHS and renovations to two existing buildings to be completed in three phases.
 - Phase 1 – utility connection work at 7th Street.
 - Construction timeline: April 2022 through July 2022.
 - Phase 2 – new GJHS
 - Construction timeline: June 2022 through June 2024
 - Occupancy planned for August 2024.
 - Phase 3 – renovation of the existing Auxiliary Gym and existing 700 Building and demolition of existing building along with reconstruction of site elements.
 - Construction timeline: May 2024 through March 2025



Printed: 12/8/2021

Grand Junction High
School Replacement

1400 N 5th St, Grand
Junction, CO 81501

SITE PLAN

BID PACKAGE #1

REVISIONS DATE

DATE: 1-26-2022
PROJECT#: 1001.0019
SHEET#:

XX-X

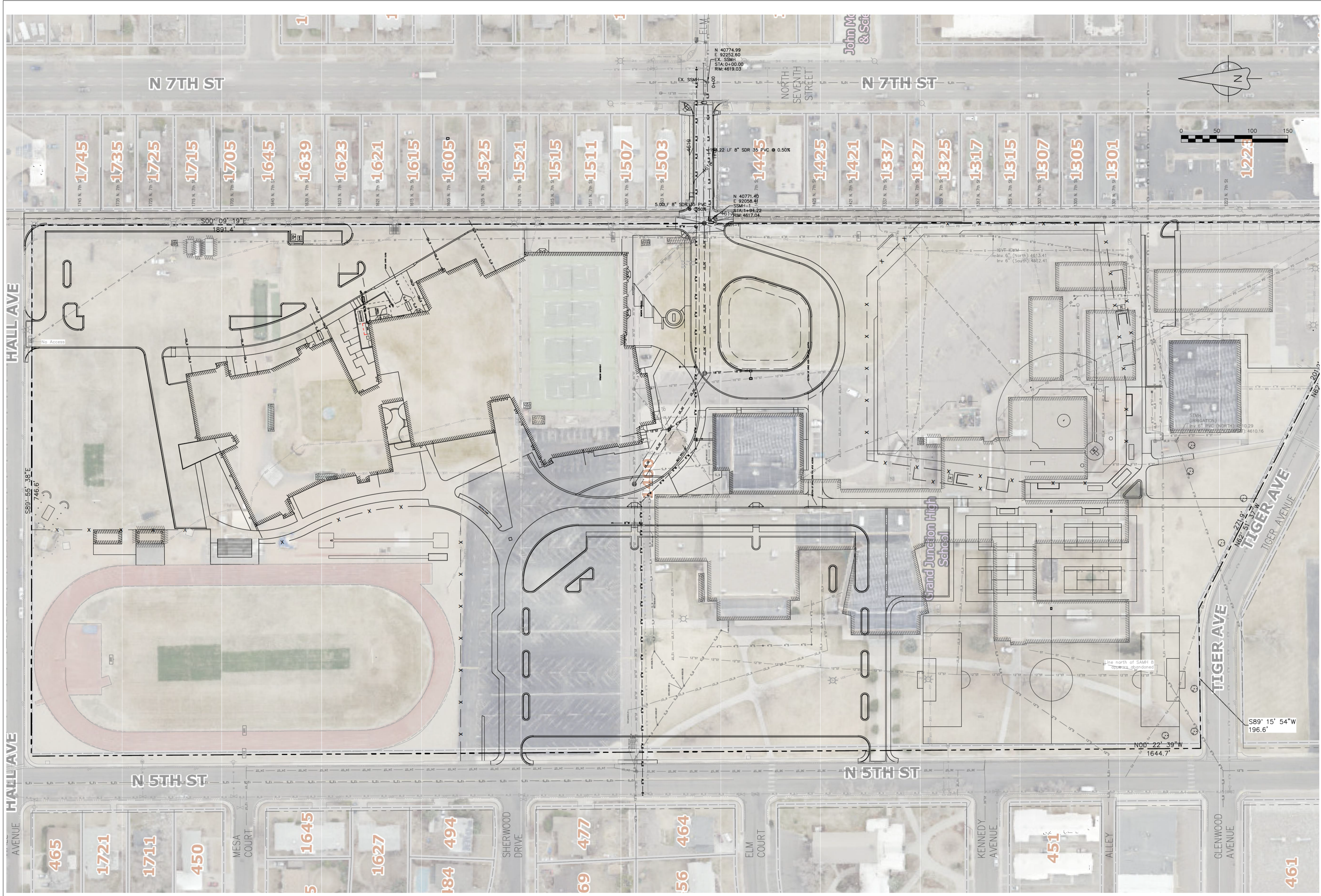
LEGEND

—	PROPERTY LINE	—	PROPOSED INLINE DRAIN
- - -	ADJACENT PROPERTY LINE	—	EXISTING 8" WATER MAIN
---	EXISTING EASEMENT	—	PROPOSED 2" DOMESTIC SERVICE
- - -	PROPOSED EASEMENT	—	PROPOSED 4" FIRE LINE
▨	EXISTING BUILDING	—	EXISTING FIRE HYDRANT
▨	PROPOSED BUILDING	—	PROPOSED FIRE HYDRANT
▨	EXISTING CURB/GUTTER	—	EXISTING WATER METER
▨	PROPOSED CURB/GUTTER	—	PROPOSED WATER METER
▨	PROPOSED SPILL CURB/GUTTER	—	PROPOSED METER/BACKFLOW VAULT
▨	PROPOSED TRANSITION CURB/GUTTER	—	PROPOSED IRRIGATION MANHOLE
▨	EXISTING RETAINING WALL	—	PROPOSED FENCE
▨	EXISTING 1-FIT CONTOUR	—	EXISTING FENCE
▨	EXISTING 5-FIT CONTOUR	—	PROPOSED TRAFFIC FLOW
▨	PROPOSED 1-FIT CONTOUR	—	GRADE BREAK
▨	PROPOSED 5-FIT CONTOUR	—	ROOF DRAIN (RD)
▨	EXISTING ASPHALT	—	STREET LIGHT POLE
▨	PROPOSED ASPHALT	—	FIRE DEPARTMENT CONNECTION
▨	PROPOSED HEAVY DUTY ASPHALT	—	PARKING LOT LIGHT
▨	EXISTING CONCRETE	—	PROPOSED BUILDING LIGHT
▨	PROPOSED CONCRETE	—	POWER POLE
▨	PROPOSED STORM SEWER	—	PROPOSED HEAVY DUTY ASPHALT
▨	EXISTING SANITARY SEWER	—	PROPOSED SANITARY SEWER
▨	PROPOSED SANITARY SEWER	—	EXISTING SANITARY SEWER
▨	EXISTING SANITARY SEWER MANHOLE	—	PROPOSED SANITARY SEWER MANHOLE
▨	PROPOSED SANITARY SEWER MANHOLE	—	EXISTING SANITARY SEWER CLEANOUT
▨	EXISTING STORM SEWER	—	PROPOSED SANITARY SEWER CLEANOUT
▨	PROPOSED STORM SEWER	—	EXISTING STORM SEWER
▨	EXISTING STORM SEWER INLET	—	PROPOSED STORM SEWER
▨	PROPOSED STORM SEWER INLET	—	EXISTING STORM SEWER INLET
▨	EXISTING STORM SEWER MANHOLE	—	PROPOSED STORM SEWER INLET
▨	PROPOSED STORM SEWER MANHOLE	—	EXISTING STORM SEWER MANHOLE
▨		—	PROPOSED STORM SEWER MANHOLE

UTILITIES AND AGENCIES

CITY UTILITIES DIRECTOR	RANDI KIM	244-1429
CITY OF GRAND JUNCTION PUBLIC WORKS	TRENT PRALL	256-4047
CITY OF GJ DEVELOPMENT INSPECTOR	MARK BARSLUND	201-1362
MESA COUNTY STORMWATER	JOSH MARTINEZ	733-4762
XCEL ENERGY	TILLMON MCSCHOOLER	244-2695
CENTURY LINK	CHRIS JOHNSON	244-4333
CHARTER	JOHN VALDEZ	245-8750

- GENERAL NOTES:
1. ALL PARKING SPACES ARE 9-FT WIDE X 18.5-FT LONG UNLESS OTHERWISE NOTED.
 2. ALL SIDEWALKS ARE ___' WIDE UNLESS OTHERWISE NOTED.
 3. OBTAIN WORK IN RIGHT OF WAY PERMITS FROM THE CITY OF GRAND JUNCTION BEFORE DOING ANY WORK ALONG ANY PUBLIC ROAD OR ALLEY
 4. CONTACT MARK BARSLUND AT (970) 201-1362 FOR A PRE-CONSTRUCTION MEETING PRIOR TO ANY WORK ON THE SITE.



Grand Junction High School Replacement
 1400 N 5th St, Grand Junction, CO 81501

SITE UTILITY COMPOSITE

BID PACKAGE #1

REVISIONS DATE:

DATE: 1-26-2022
 PROJECT#: 1001.0019
 SHEET #:

XX-X

UTILITIES AND AGENCIES		
CITY UTILITIES DIRECTOR	RANDI KIM	244-1429
CITY OF GRAND JUNCTION PUBLIC WORKS	TRENT PRALL	256-4047
CITY OF GJ DEVELOPMENT INSPECTOR	MARK BARSLUND	201-1362
MESA COUNTY STORMWATER	JOSH MARTINEZ	773-4762
XCEL ENERGY	TILMON MCSCHOLLER	244-2695
CENTURY LINK	CHRIS JOHNSON	244-4333
CHARTER	JOHN VALDEZ	245-8750

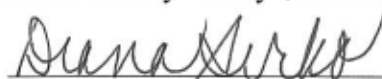
P:\10010019 - Grand Junction High School\DWG\18-Utilities.dwg, 2/15/2022 10:17:11 AM, by: rjpcd

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named: Mesa County Valley School District 51.
2. The Entity is a: Colorado School District
3. The Entity is formed under the laws of: Colorado
4. The mailing address for the entity is: 2115 Grand Avenue, Grand Junction, CO 81501
5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is: Diana Sirko, Superintendent of Mesa County Valley School District 51, or Brian Hill, Assistant Superintendent of Mesa County Valley School District 51.
6. The authority of the foregoing person(s) to bind the entity is unlimited.
7. Other matters concerning the manner in which the entity deals with interests in real property: N/A
8. This Statement of Authority is executed on behalf of the Entity pursuant to the provisions of C.R.S. Section §38-30-172.

Executed this: 16th day of March, 2022.

Mesa County Valley School District 51



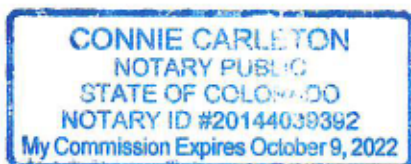
By: Diana Sirko, Superintendent

STATE OF COLORADO)
)ss
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 16 day of March, 2022,
By Diana Sirko, Superintendent of Mesa County Valley School District 51.

Witness my hand and seal
My commission expires: October 9, 2022


Notary Public



HELEN CAROLYN LANE and PAUL BRITTON,
whose address is 674 - 29 Road, Grand Junction,
County of Mesa, State of
Colorado, for the consideration of TEN DOLLARS
AND OTHER VALUABLE CONSIDERATIONS
cash, in hand paid, hereby sell(s) and convey(s) to
MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, a
School District of the First Class organized under the laws of the
State of Colorado,
whose legal address is 2115 Grand Avenue, Grand Junction, County of
Mesa, and State of Colorado the following real property in the
County of Mesa, and State of Colorado, to wit:

STATE DEPARTMENT FEE
DATE 1-2-79
[Signature]

Lot Three EXCEPT the West 86 feet 3 inches thereof, AND
All of Lot Four in Block Eleven of Sherwood Addition, according
to the Subdivision Plat of Blocks 8, 9, 11, 12 and 13, as recorded
in Book 8, on Page 2 of the records of the Mesa County Clerk and
Recorder, Mesa County, Colorado;

also known as street and number 1325 North Fifth Street, Grand Junction,
Colorado,

with all its appurtenances, and warrant(s) the title to the same, subject to 1978 taxes,
easements, rights-of-way, reservations and restrictions of record.

Signed this 2nd day of January, 1979.
Helen Carolyn Lane
Helen Carolyn Lane

Paul Britton
Paul Britton

STATE OF COLORADO,
County of MESA } ss.

The foregoing instrument was acknowledged before me this 2nd
day of January, 1979, by Helen Carolyn Lane and Paul Britton.

My commission expires My Commission expires: April 30, 1979
Witness my hand and official seal.

Pauline L. [Signature]
Notary Public



79

ABSTRACT CERTIFICATE

TRANSAMERICA TITLE INSURANCE COMPANY, a duly licensed and bonded abstractor, operating under certificate of authority granted by the State of Colorado, and whose bond is in force at the date of this certificate

Hereby Certifies

that the foregoing -2- entries numbered 78 to 79 constitute a true and correct abstract of all instruments on file or of record in the office of the Clerk and Recorder of Mesa County, Colorado, affecting the title to the following described land subsequent to June 30, 1971, at 8:00 o'clock A.M.

Description:

Lot Three (3) EXCEPT the West 86 feet 3 inches thereof, and All of Lot Four (4) in Block Eleven (11) of Sherwood Addition according to the Subdivision Plat of Blocks 8, 9, 11, 12 and 13, as recorded in Book 8, on Page 2 of the records of the Mesa County Clerk and Recorder, Mesa County, Colorado.

Date: January 29, 1979 at 8:00 A.M.

ORDER NUMBER 96360

Transamerica Title Insurance Company

By Robert Reese Authorized Signature

Handwritten initials



EXHIBIT A

A vacation of a portion of Elm Avenue Storm Sewer Right-of-Way, as recorded at Reception Number 939901, across a parcel of land known as Block 3 of the High School Addition plat, as recorded at Reception Number 450288, situated in the southwest quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said portion begin more particularly describe as follows:

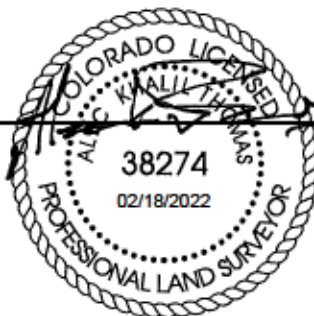
Commencing at the northwest corner of said Block 3, as monumented by a 5/8" rebar, whence the northeast corner of said Block 3, as monumented by a 5/8" rebar, bears South 89°55'38" East, with all bearings herein relative thereto;

Thence South 24°40'13" East a distance of 926.30 feet to a point on the northerly line of said Right-of-Way and the Point of Beginning;

thence North 89°37'28" East along said northerly line a distance of 265.03 feet;
thence South 45°22'32" East along said northerly line a distance of 136.96 feet to a point along the easterly line of said Block 3;
thence South 00°09'19" East along said easterly line a distance of 3.05 feet;
thence South 89°53'38" West a distance 18.24 feet to a point on the southwesterly line of said Right-of-Way;
thence North 45°22'32" West along said southwesterly line a distance of 119.94 feet;
thence South 89°37'28" West along said southwesterly line a distance if 235.54 feet;
thence North 57°34'24" West a distance of 27.69 feet to the Point of Beginning.

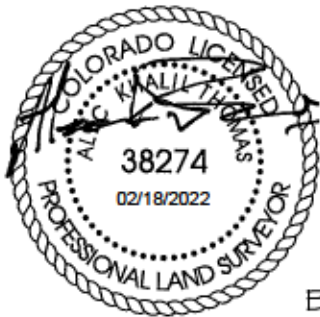
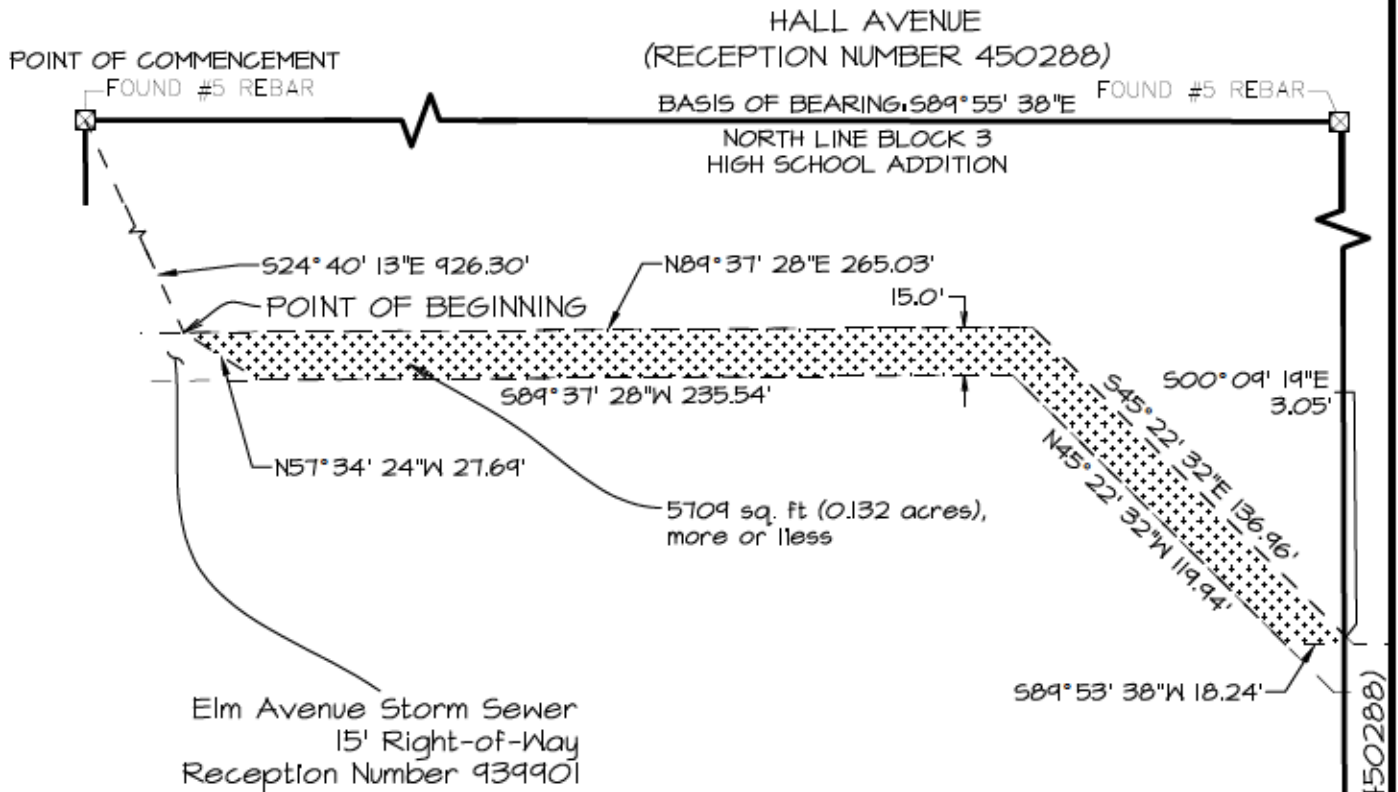
Containing 5709 Sq. feet (0.132 acres), more or less.

This description was prepared by:
Alec K. Thomas
Colorado P.L.S. 38274
215 Pitkin Ave. Suite #201
Grand Junction, CO 81501



NOTICE: Any rewriting or retyping of this description must NOT include this preparation information. Lack of an original seal indicates this document is not the original.

EXHIBIT B

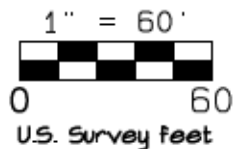


Owner: Mesa County Valley School District 51

1400 N 5th Street
City of Grand Junction
Mesa County, Colorado

Block 3, High School Addition; Reception Number 450288

SW1/4 Section 11, Township 1 South, Range 1 West, Ute Meridian



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

RIVER CITY CONSULTANTS
 215 Pitkin Avenue, Unit 201
 Grand Junction, CO 81501
 Phone: 970.241.4722
 Fax: 970.241.8841
 www.rcwest.com

Drawn: BDM Checked: AKT 2/18/22 Job No. 1443-036

S:\PROJECTS\1443 MCSD\1036 GJHS Exhibits\Survey\DWG

EXHIBIT A

A fifteen foot (15') wide easement across a parcel of land known as Block 3 of the High School Addition plat as recorded at Reception Number 450288, situated in the southwest quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said easement lying seven and a half feet (7.5') each side of the following described centerline:

Commencing at the northwest corner of said Block 3, as monumented by a 5/8" rebar, whence the northeast corner of said Block 3, as monumented by a 5/8" rebar, bears South 89°55'38" East, with all bearings herein relative thereto;

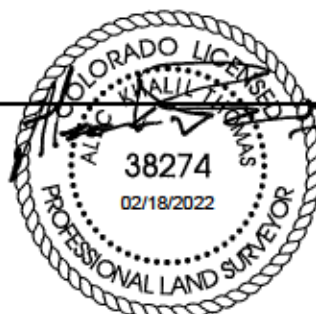
Thence South 24°49'03" East a distance of 943.85 feet to a point on the southerly line of the Elm Avenue Storm Sewer Right-of-Way, as recorded at reception number 939901, and the Point of Beginning of the centerline herein described;

thence South 57°34'23" East a distance of 168.73 feet
thence North 89°53'49" East a distance of 199.92 feet to a point on the southwesterly line of said Right-of-Way and the Point of Termination,

The sidelines of said easement shall be shortened or extended to close at all angle points and to terminate at the intersecting Right-of-Way lines.

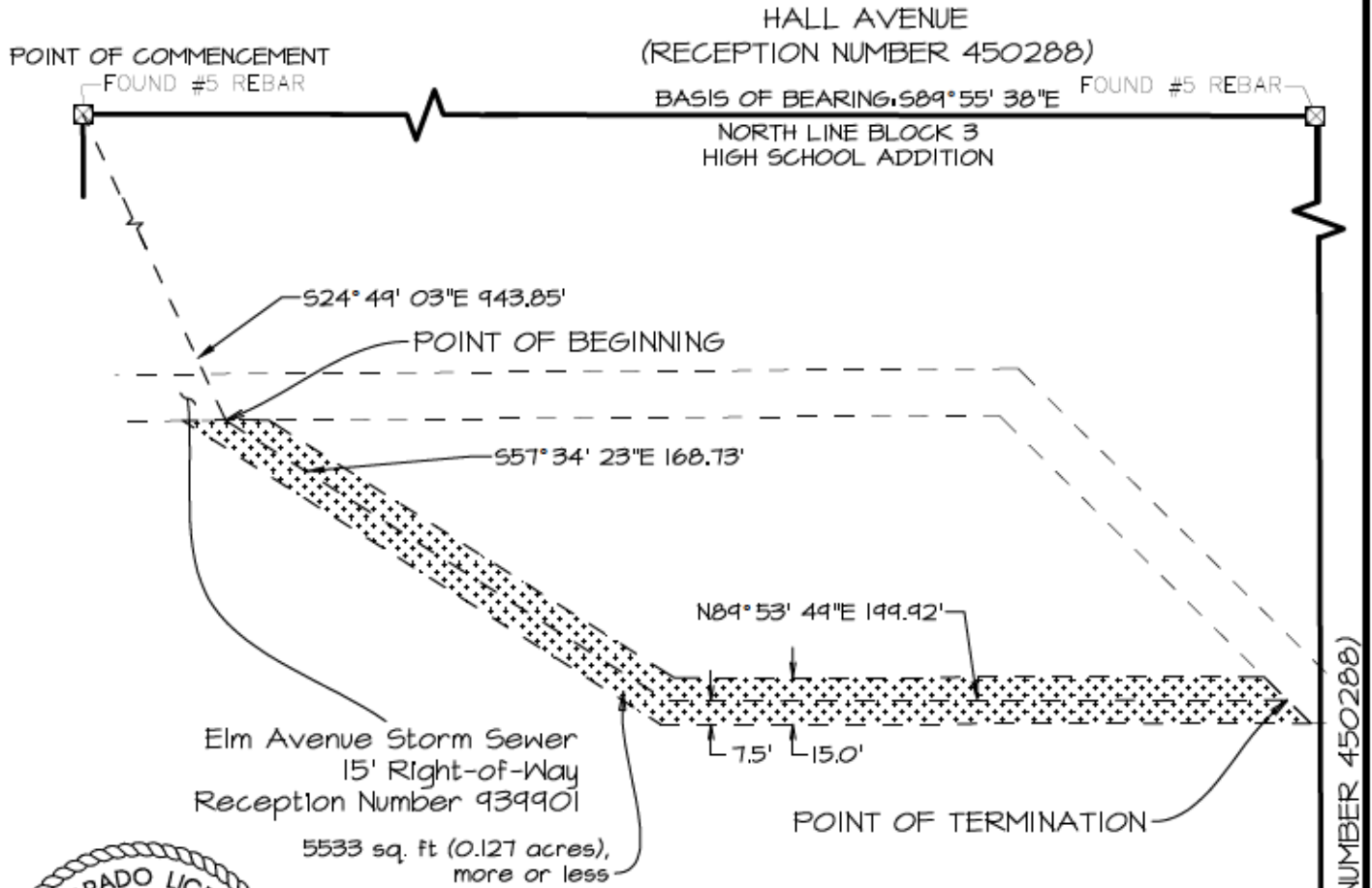
Containing 5533 Sq. feet (0.127 acres), more or less.

This description was prepared by:
Alec K. Thomas
Colorado P.L.S. 38274
215 Pitkin Ave. Suite #201
Grand Junction, CO 81501



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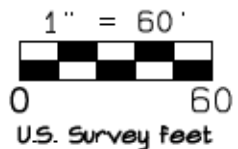
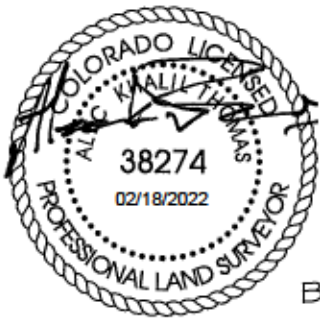
ALLEY (RECEPTION NUMBER 450288)

Owner: Mesa County Valley School District 51

1400 N 5th Street
City of Grand Junction
Mesa County, Colorado

Block 3, High School Addition; Reception Number 450288

SW1/4 Section 11, Township 1 South, Range 1 West, Ute Meridian



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

RIVER CITY
CONSULTANTS

215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rcwest.com

Drawn: BDM	Checked: AKT	2/18/22	Job No. 1443-036
S:\PROJECTS\1443 MCSD5\036 GJHS Exhibits\Survey\DWG			

State of Colorado) Recorded at 10:56 o'clock P.M. Jul 28 1967
 County of Mesa) ss. Reception No. 939901 *Gennie M. [Signature]* Recorder

BOOK 911 PAGE 521

GRANT OF RIGHT-OF-WAY

WHEREAS, Mesa County Valley School District No. 51 is the owner of the hereinafter described land, and the City of Grand Junction, Colorado, being now engaged in the construction of a Storm Sewer, known as Elm Avenue Storm Sewer, and the City of Grand Junction being desirous of constructing, operating and maintaining such Storm Sewer through and across the hereinafter described land owned by Mesa County Valley School District No. 51, which said Storm Sewer is to be a thirty-inch pipe buried approximately eight feet below the surface of the ground,

NOW, THEREFORE, Mesa County Valley School District No. 51 hereby quit-claims and grants to the City of Grand Junction, Colorado, a right-of-way for the installation, operation and maintenance of said Storm Sewer, seven and one-half feet on each side of a line described as follows:

Beginning at a point on the West line of Block 3 of the High School Addition to the City of Grand Junction, Mesa County, Colorado and 172 ft. South of the centerline of Sherwood Drive extended; thence Easterly perpendicular to Fifth Street for a distance of 643 ft. more or less; thence Southeasterly along a line forming an angle of 45 degrees with the last described line for a distance of 133 ft. more or less to the East line of said Block 3,

Also beginning at a point on the West line of Lot 20 of Capitol Hill Subdivision in the City of Grand Junction, Mesa County, Colorado and 6.5 ft. North of the centerline of Elm Avenue extended from the East; thence East parallel to the said centerline of Elm Avenue to the East line of said Lot 20,

together with the right of ingress and egress for the proper repair and maintenance thereof.

During the period of construction and installation of such Storm Sewer, the City of Grand Junction, Colorado, is granted the privilege of using a strip of land fifteen feet in width and immediately adjacent to one side of the above described right-of-way.

The City of Grand Junction, Colorado, by the acceptance hereof shall be deemed to agree as follows:

1. That it will complete the construction and installation of said Storm Sewer, and restore the surface area of the right-of-way and of the fifteen foot strip of land to be used by it during the construction period to the same condition as the same was

prior to the institution of the construction and installation of such Storm Sewer, and have the same completed by September 1, 1967.

- 2. That it does and at all times will indemnify Mesa County Valley School District No. 51 from and against all claims, demands, suits and damages which may be made, brought against it or suffered by it by virtue of the construction, installation, operation or maintenance of such Storm Sewer.
- 3. The grant of this right-of-way shall not be deemed to impair the right of Mesa County Valley School District No. 51 to use the surface of said right-of-way subsequent to the construction and installation of said Storm Sewer.

Executed this 25th day of July, 1967.

MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51

By William J. Floryancic
President

ATTEST:

Fred L. Bailey
Secretary

STATE OF COLORADO)
COUNTY OF MESA) ss.

The foregoing instrument was acknowledged before me this 25th day of July, 1967, by William J. Floryancic as President of the Board of Education of Mesa County Valley School District No. 51.

Witness my hand and official seal.



My commission expires:

Gaye A. Flack
Notary Public
My Commission expires December 2, 1967

EXHIBIT A

A fifteen foot (15') wide easement across a parcel of land known as Block 3 of the High School Addition plat as recorded at Reception Number 450288, situated in the southwest quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said easement lying seven and a half feet (7.5') each side of the following described centerline:

Commencing at the northwest corner of said Block 3, as monumented by a 5/8" rebar, whence the northeast corner of said Block 3, as monumented by a 5/8" rebar, bears South 89°55'38" East, with all bearings herein relative thereto;

Thence South 24°49'03" East a distance of 935.61 feet to a point on the centerline of Elm Avenue Storm Sewer Right-of-Way, as recorded at reception number 939901, said point bearing North 89°37'28" East a distance of 387.10 feet from a point 172 feet south of the centerline of Sherwood Drive extended to the West line of said Block 3;

Thence South 24°49'03" East a distance of 8.24 feet to a point on the southerly line of said Right-of-Way and the Point of Beginning of the centerline herein described;

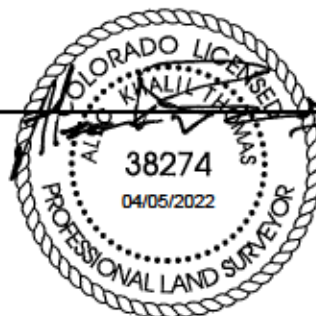
thence South 57°34'23" East a distance of 168.73 feet

thence North 89°53'49" East a distance of 199.92 feet to a point on the southwesterly line of said Right-of-Way and the Point of Termination,

The sidelines of said easement shall be shortened or extended to close at all angle points and to terminate at the intersecting Right-of-Way lines.

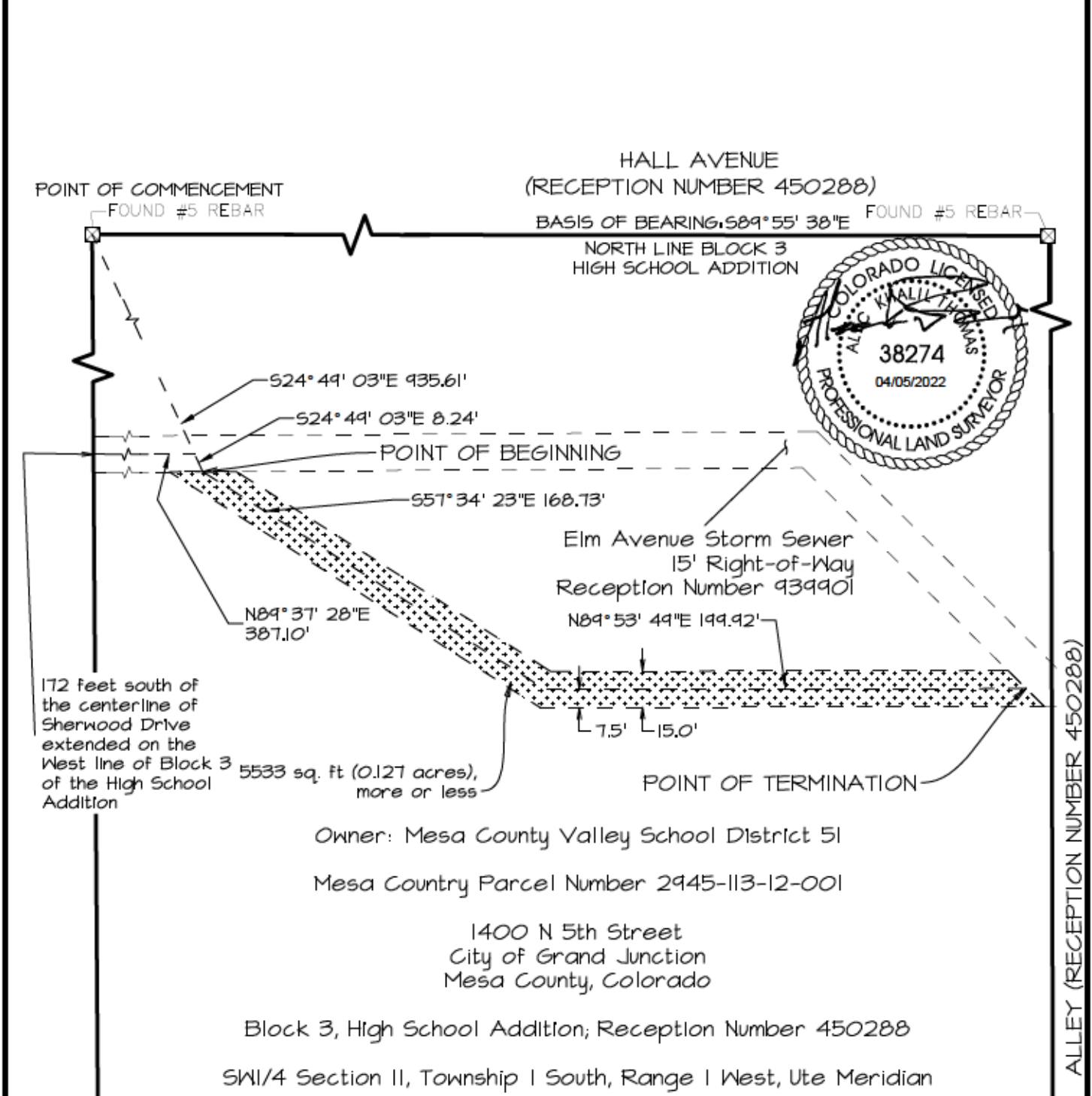
Containing 5533 Sq. feet (0.127 acres), more or less.

This description was prepared by:
Alec K. Thomas
Colorado P.L.S. 38274
215 Pitkin Ave. Suite #201
Grand Junction, CO 81501



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EXHIBIT B



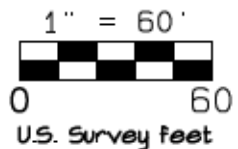
Owner: Mesa County Valley School District 51

Mesa Country Parcel Number 2945-113-12-001

1400 N 5th Street
 City of Grand Junction
 Mesa County, Colorado

Block 3, High School Addition; Reception Number 450288

SW1/4 Section 11, Township 1 South, Range 1 West, Ute Meridian



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

RIVER CITY CONSULTANTS
 215 Pitkin Avenue, Unit 201
 Grand Junction, CO 81501
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 www.rcwest.com

Drawn: BDM	Checked: AKT	4/4/22	Job No. 1443-036
S:\PROJECTS\1443 MCSD\1036 GJHS Exhibits\Survey\DWG			

EXHIBIT A

A vacation of a portion of Elm Avenue Storm Sewer Right-of-Way, as recorded at Reception Number 939901, across a parcel of land known as Block 3 of the High School Addition plat, as recorded at Reception Number 450288, situated in the southwest quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said portion begin more particularly described as follows:

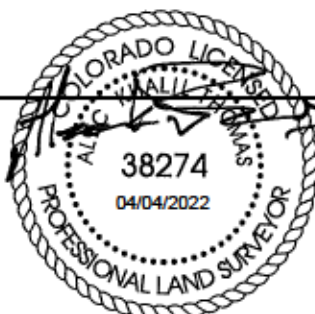
Commencing at the northwest corner of said Block 3, as monumented by a 5/8" rebar, whence the northeast corner of said Block 3, as monumented by a 5/8" rebar, bears South 89°55'38" East, with all bearings herein relative thereto;

Thence South 24°40'13" East a distance of 926.30 feet to a point on the northerly line of said Right-of-Way and the Point of Beginning;

thence North 89°37'28" East along said northerly line a distance of 265.03 feet;
thence South 45°22'32" East along said northerly line a distance of 136.96 feet to a point on the easterly line of said Block 3;
thence South 00°09'19" East along said easterly line a distance of 3.05 feet;
thence South 89°53'38" West a distance 18.24 feet to a point on the southwesterly line of said Right-of-Way;
thence North 45°22'32" West along said southwesterly line a distance of 119.94 feet;
thence South 89°37'28" West along the southerly line of said Right-of-Way a distance of 235.54 feet;
thence North 57°34'24" West a distance of 13.84 feet to a point on the centerline of said Right-of-way, said point bearing North 89°37'28" East a distance of 397.72 feet from a point 172 feet south of the centerline of Sherwood Drive extended to the West line of said Block 3;
thence North 57°34'24" West a distance of 13.84 feet to the Point of Beginning.

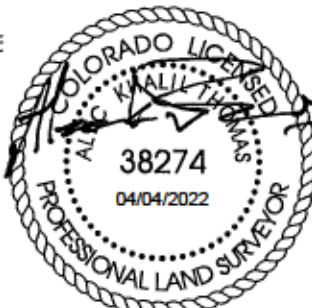
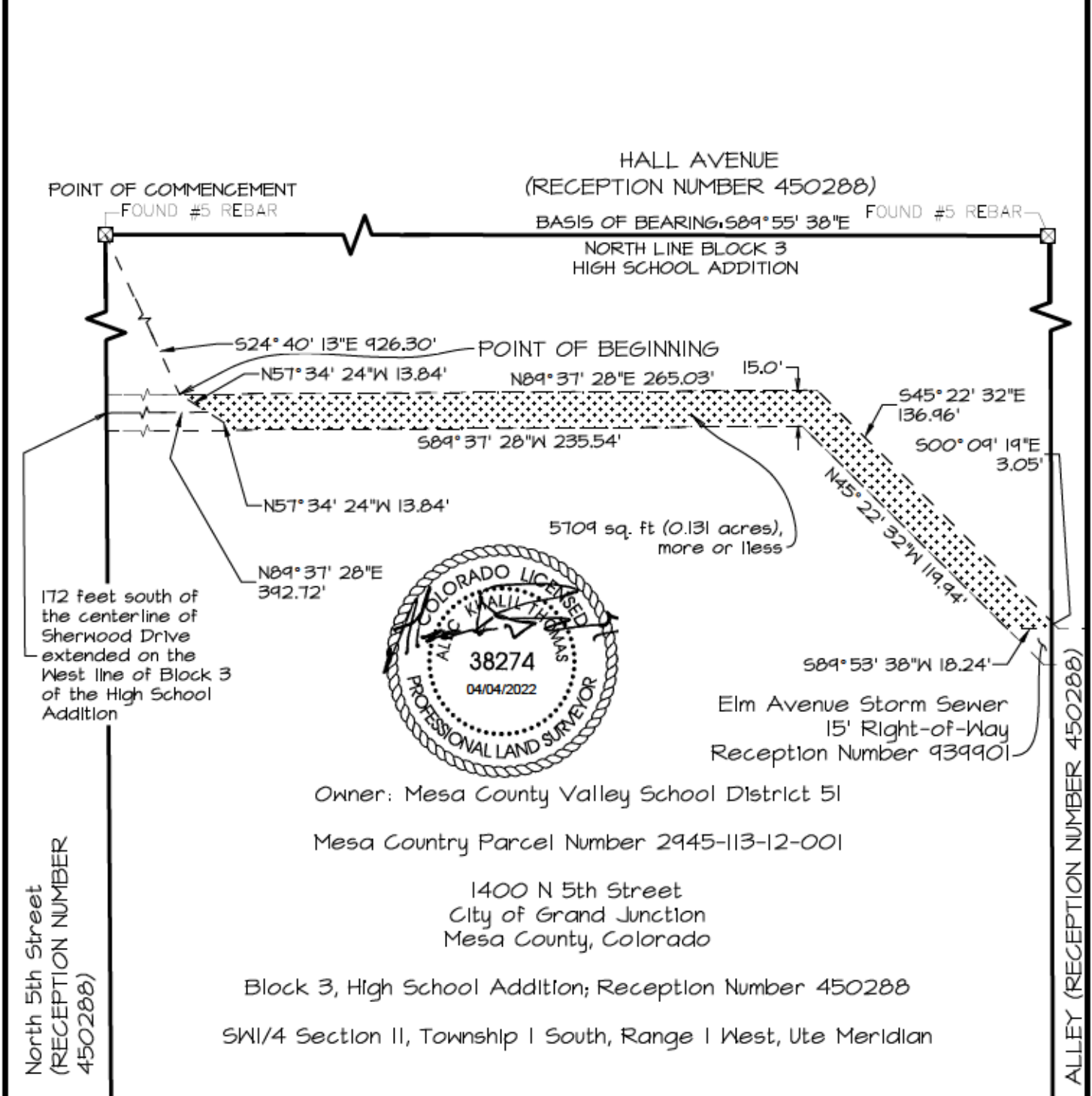
Containing 5709 Sq. feet (0.131 acres), more or less.

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Alec K. Thomas
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215 Pitkin Ave. Suite #201
Grand Junction, CO 81501



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EXHIBIT B



Owner: Mesa County Valley School District 51

Mesa Country Parcel Number 2945-113-12-001

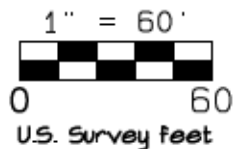
1400 N 5th Street
City of Grand Junction
Mesa County, Colorado

Block 3, High School Addition; Reception Number 450288

SW1/4 Section 11, Township 1 South, Range 1 West, Ute Meridian

North 5th Street
(RECEPTION NUMBER
450288)

ALLEY (RECEPTION NUMBER 450288)



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

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Drawn: BDM	Checked: AKT	4/4/22	Job No. 1443-036
S:\PROJECTS\1443 MCSD\1036 GJHS Exhibits\Survey\DWG			

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION VACATING
A PORTION OF A 15 FT. GRANT OF RIGHT-OF-WAY EASEMENT
AS DEDICATED BY RECEPTION NUMBER 939901
LOCATED ON THE PROPERTY OF GRAND JUNCTION HIGH SCHOOL
AT 1400 N. FIFTH STREET**

RECITALS:

Vacation of a portion of a 15 ft. "Grant of Right-of-Way" ("Easement") has been requested by the property owner, Mesa County Valley School District No. 51 ("School District"). The existing 15 ft. Easement was conveyed in 1967 to the City of Grand Junction by separate document by Reception Number 939901. The 15 ft. Easement contains only existing storm sewer infrastructure. The Easement was granted to the City for the construction of the "Elm Avenue Storm Sewer" that runs east to west through the property.

As part of the new design and construction of Grand Junction High School a portion of the existing storm sewer line will be encroached upon by the new construction. This will require School District to relocate a portion of the storm sewer line and dedicate a new 15 ft. wide easement to the city where the new line is constructed.

The 1967 Easement had two specific terms that need to be released by the School District. The release of the terms in the Easement is necessary as it will not be the City doing the work for the relocation of the sewer line but the School District. In addition, Term No. 2 is in conflict with the City's requirements under the State Constitution. Eliminating Term No. 3 will have the terms of the Easement and the new easement be consistent with the terms of similar easements to the City.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate a portion of the Easement as recorded in Mesa County Records, Reception No. 939901 is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code with the conditions included.

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

The following described publicly dedicated Easement is hereby vacated upon the listed conditions being met:

- 1) Before construction, disconnection, and/or relocation of the present storm sewer line, the School District shall provide a written release to the City of the terms numbered 2 and 3 in the original Grant of Right-of-Way.
- 2) Relocation of the public storm sewer line to a location as depicted in the attached Exhibit "B" with direction and final approval by City staff;
- 3) Applicant shall provide as-builts of the newly constructed line and in a form approved by City staff grant a new 15 ft. public storm sewer easement centered on the newly installed storm sewer or as otherwise approved by City staff.

A vacation of a portion of Elm Avenue Storm Sewer Right-of-Way, as recorded at Reception Number 939901, across a parcel of land known as Block 3 of the High School Addition plat, as recorded at Reception Number 450288, situated in the southwest quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said portion begin more particularly described as follows:

Commencing at the northwest corner of said Block 3, as monumented by a 5/8" rebar, whence the northeast corner of said Block 3, as monumented by a 5/8" rebar, bears South 89°55'38" East, with all bearings herein relative thereto;

Thence South 24°40'13" East a distance of 926.30 feet to a point on the northerly line of said Right-of-Way and the Point of Beginning;

thence North 89°37'28" East along said northerly line a distance of 265.03 feet;
thence South 45°22'32" East along said northerly line a distance of 136.96 feet to a point on the easterly line of said Block 3;
thence South 00°09'19" East along said easterly line a distance of 3.05 feet;
thence South 89°53'38" West a distance 18.24 feet to a point on the southwesterly line of said Right-of-Way;
thence North 45°22'32" West along said southwesterly line a distance of 119.94 feet;
thence South 89°37'28" West along the southerly line of said Right-of-Way a distance of 235.54 feet;
thence North 57°34'24" West a distance of 13.84 feet to a point on the centerline of said Right-of-way, said point bearing North 89°37'28" East a distance of 397.72 feet from a point 172 feet south of the centerline of Sherwood Drive extended to the West line of said Block 3;
thence North 57°34'24" West a distance of 13.84 feet to the Point of Beginning.

Containing 5709 Sq. feet (0.131 acres), more or less.

See Exhibit A.

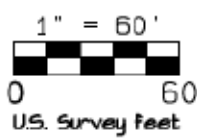
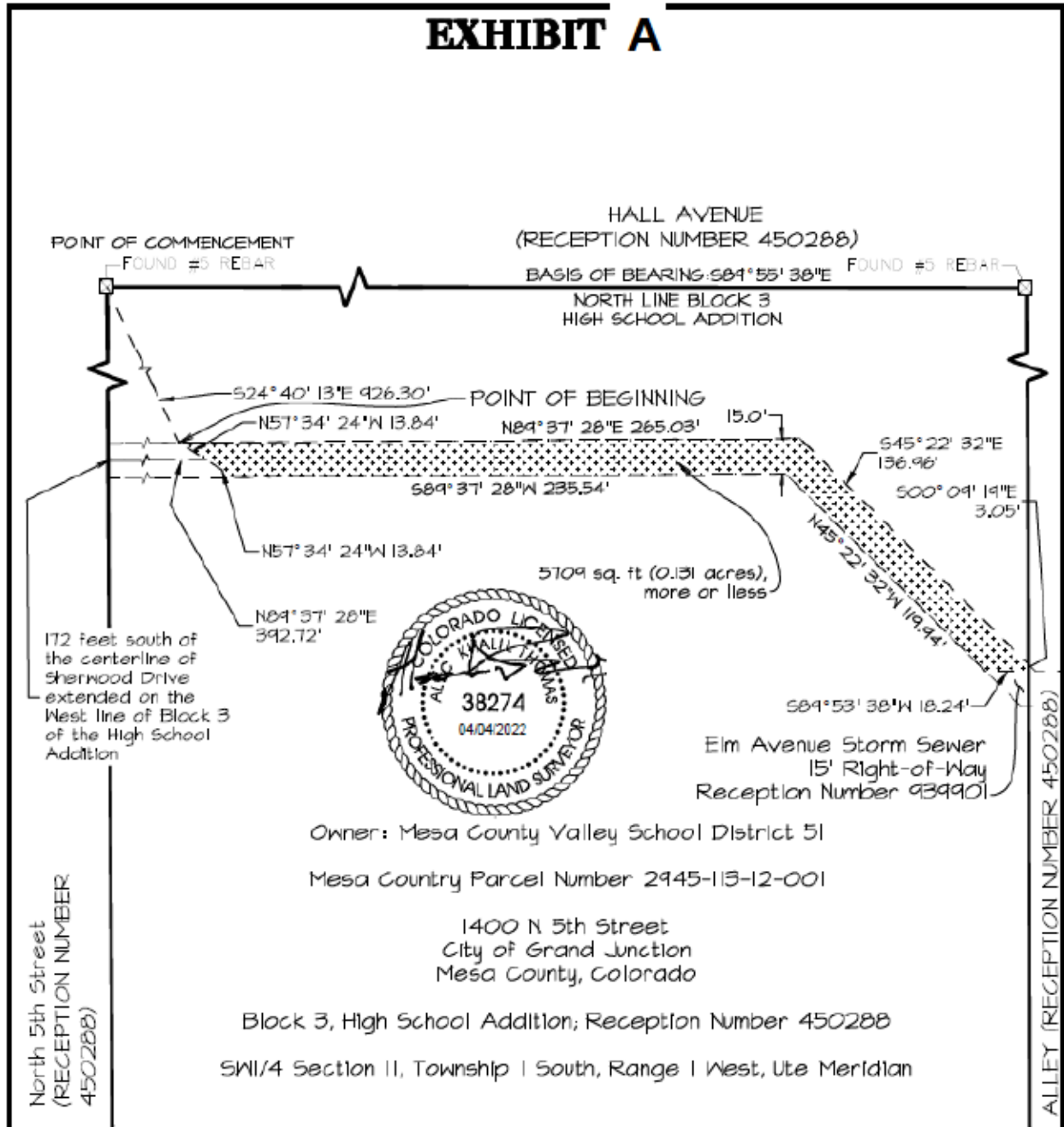
PASSED and ADOPTED this _____ day of _____, 2022.

ATTEST:

President of City Council

City Clerk

EXHIBIT A

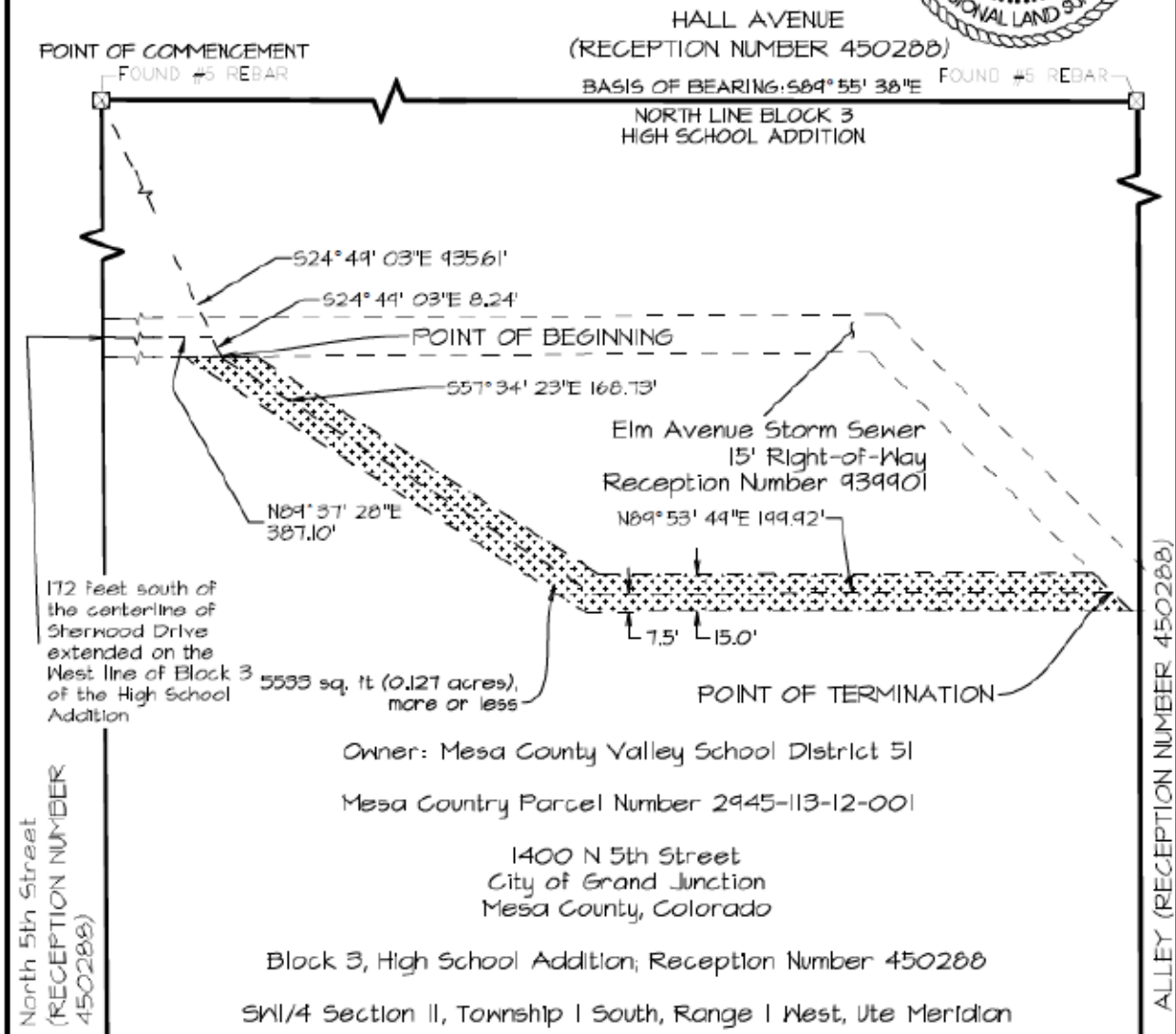


THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

FTM RIVER CITY CONSULTANTS
215 PERRY AVENUE, UNIT 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8811
www.ftmwest.com

Drawn: BDM	Checked: AKT	4/4/22	Job No. 1443-036
S:\PROJECTS\1443 MCS051036 GJHS Exhibits\Survey\DWG			

EXHIBIT B



172 feet south of the centerline of Sherwood Drive extended on the West line of Block 3 of the High School Addition

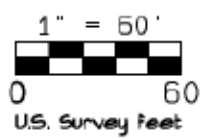
Owner: Mesa County Valley School District 51
 Mesa Country Parcel Number 2945-113-12-001

1400 N 5th Street
 City of Grand Junction
 Mesa County, Colorado

Block 3, High School Addition; Reception Number 450288
 SW1/4 Section 11, Township 1 South, Range 1 West, Ute Meridian

North 5th Street
 (RECEPTION NUMBER 450288)

ALLEY (RECEPTION NUMBER 450288)



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

RIVER CITY CONSULTANTS
 215 Pittin Avenue, Unit 201
 Grand Junction, CO 81501
 Phone: 970.241.4722
 Fax: 970.241.8811
 www.rcwest.com

Drawn: BDM	Checked: AKT	4/4/22	Job No. 1443-036
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Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: April 12, 2022

Presented By: Daniella Acosta, Associate Planner

Department: Community Development

Submitted By: Daniella Acosta, Associate Planner

Information

SUBJECT:

Consider a request by BBILEHL, LLC to rezone 9.28 acres from R-8 (Residential 8 du/ac) to R-24 (Residential 24 du/ac) located at 2636 Patterson Rd. | [Staff Presentation](#) | **Phone comment code: 6077 | (Withdrawn)**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Representative, Mr. Jackson Berry, acting on behalf of the Applicant, Dr. Burton, is requesting the rezone of one parcel totaling 9.28 acres from R-8 (Residential 8 du/ac) to R-24 (Residential 24 du/ac) located at 2636 Patterson Rd. The purpose of the rezone is to enable the creation of multifamily housing and improve the availability of rental housing near the core business district and along an important connector to one of Grand Junction’s largest employers, St. Mary’s Regional Medical Center.

The requested R-24 zone district conforms with the Comprehensive Plan Land Use Map designation of Residential High. The R-24 zone district allows multifamily development within specified densities. Additionally, R-24 zone districts serve as a transitional district, which may act as a buffer between single-family residential and commercial zones.

BACKGROUND OR DETAILED INFORMATION:

The proposed rezone comprises one parcel totaling 9.28 acres situated at 2636 Patterson Rd, just north of St. Mary’s Regional Medical Center campus.

The subject site was annexed into the City in 1977 as part of the Patterson Rd Enclave

Annexation and was originally zoned R-1-A, under the 1971 Grand Junction Zoning & Development Code. Following the adoption of the 2010 Comprehensive Plan, the City initiated a bulk rezoning of several parcels after it became apparent that the zoning of some of these properties was in conflict with the new Future Land Use Designation. These conflicts were created because the zoning did not match the Future Land Use designation. These properties were grouped together in specific subareas of the City. The third subarea included in the rezone consisted of five (5) parcels that abutted Patterson Rd and a single larger lot behind those lots. The subject property is the larger lot behind the lots abutting Patterson Road, previously addressed as 2634 ½ Patterson Rd (File # RZN-2011-1205). The City rezoned the subject property from R-5 to R-8 (Residential 8 du/ac).

As indicated, the subject site is currently zoned R-8 and is occupied by a small rental home. To the south is a mix of single-family residential, parking lot, retail and professional services uses. Along the western property line, the subject site abuts another single-family residence. To the east is a multifamily residential use. To the northeast exists both an assisted living facility and a single-family residence, while to the northwest is Juniper Ridge Community School. Between these properties and the subject site runs the Independent Ranchman's Ditch.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property and several adjacent properties to the northeast and southwest as Residential High. Under the Grand Junction Zoning & Development Code, the zone districts that may implement the Residential High Land Use classification include R-16 (Residential 16 du/ac), R-24 (Residential 24 du/ac), Community Services and Recreation (CSR), Residential Office (R-O), Neighborhood Business (B-1), Mixed Use (M-U), MXR-3, 5, 8 (Mixed Use Residential), MXG-3, 5 (Mixed Use General), and MXS-3, 5 (Mixed Use Shopfront) zone districts. As such, the proposal of R-24 is supported by the Comprehensive Plan Future Land Use Map.

The Comprehensive Plan classified the adjacent properties to the northwest and the west as primarily Low Residential

The Applicant is now requesting a rezone to R-24, which could increase the availability of multifamily housing along the Patterson Rd corridor. According to the General Project Report, the rezone near a core business district could increase housing within a desirable area and with easier access to greater employment opportunities, transit and other non-motorized modes. The R-24 zone district allows for multifamily housing and does not have a density cap, unlike the R-8 zone district.

If the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held in-person at an office park building conference room located at 744 Horizon Ct, Suite #105 on January 5th, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. In addition to City Staff, the landowner and representative, there were 11 neighbors in attendance out of the 75 neighbors that were notified of the neighborhood meeting. Participants expressed concerns regarding increased crime due to multifamily apartments, increased attendance at Juniper Ridge School, increased area traffic, as well as concerns regarding access along Patterson Road and 26 ½ Road.

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 March 31, 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 1, 2022. The notice of the Planning Commission public hearing was published on April 15, 2022, in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Zoning & Development 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 current zoning, R-8, is outside the range of allowable zone districts for Residential High. The newly adopted 2020 Comprehensive Plan has identified the area that the subject site is situated in as both a Commercial Corridor and an Employment Center Area. Commercial Corridors are streets associated with high commercial activity and anticipate the development of a broad mix of higher intensity uses along the corridor, which includes higher-density residential areas.

From a policy standpoint, the adoption of the 2020 Comprehensive Plan directs the proposed vision for development of the subject site that is not implementable with the current zoning. However, adoption of the 2020 Comprehensive Plan is not a subsequent event that would invalidate the original premises or findings. Rather, as a policy document, it indicates the belief and communicates the aspiration that the area will develop in such a manner. Therefore, Staff does not find that this criterion has been met.

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

Since 2012, there has been ongoing development activity and approximately three rezones on the properties surrounding and near the site. Development

activity primarily encompassed the construction and expansion of facilities on the Saint Mary's Hospital Regional Medical Center campus and on nearby satellite properties. These projects include the Saint Mary's Pharmacy and Lab Expansion, a major site plan for a 39,521 square expansion and interior remodel (SPN-2019-696); a combined 28,819 square foot expansion of the Saint Mary's Hospital's Cardiac Center of Excellence and Hybrid Operating Room (SPN-2017-222); construction of a 7,545 square foot office building for the Spine & Injury Center of Grand Junction; Outline Development Plan approval to incorporate additional properties located at 519 Bookcliff Drive into the Saint Mary's Hospital Planned Development in anticipation of constructing an additional parking lot for the hospital; and the construction of a 45,821 square foot assisted living and memory care facility (PLD-2016-34, PLD-2016-501, PLD-2016-596).

To the north of the subject site is a parcel that underwent a rezone from R-5 to R-24 (RZN-2019-544) and major site plan approval for a 62-unit multifamily, senior living residential facility (SPN-2019-708). The area has also seen the arrival of Juniper Ridge Community School (SPN-2019-22), and the rezoning of two properties with frontage on Patterson Rd from a lower intensity zone (R-4 - Residential 4 du/ac) district to R-O (Residential Office) (RZN-2019-99, RZN-2012-408).

While the area has grown as an activity node for medical services and employment, the growth has been at a steady level, and 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 subject site is currently served by City of Grand Junction Water and Sewer District, the Grand Valley Irrigation Company, the Grand Valley Drainage District, and Xcel Energy. A 1,500-10,000 gallons per minute fire hydrant is located on 26 ½ Rd at 605 26 ½ Rd and on Patterson Rd at 2646 Patterson Rd. City Water runs to the house on the property and there is a 14' water line in Patterson Rd, and an 8' line in 26 ½ Rd. The property is located within the 201 Persigo boundary and there is a sanitary sewer line that runs along the south side of the property and the west side of the property.

The subject site is serviced by a secondary truck route that runs along Patterson Rd and 26 ½ Rd. The stretch of 26 ½ Rd that runs adjacent to the subject site is classified as an Active Transportation Corridor. Additionally, the Active Transportation Corridors Map proposes a trail along the Independent Ranchman's Ditch, which would connect 26 Rd to 26 ½ Rd, providing an alternative east-west low stress connection for non-motorized modes.

Currently, the site has limited access from Patterson Rd (Parcel # 2945-023-00-041). However, any request to develop the property would expand and convert that access point to right-in/right-out access per the Patterson Road Access Management Plan (PAMP). Due to the steepness of the Patterson Rd access (Parcel # 2945-023-00-041), primary access for future development would be required to the north via Community Ln. Community Ln will run along the east side of Juniper Ridge School and across the Independent Ranchman's Ditch. It is currently unclassified but will likely be built as a local/residential street. Additional access from 26 ½ Rd could also potentially serve the site. Furthermore, there is a future public street stub identified in the PAMP that would permit interparcel connectivity between 2636 Patterson Rd and 2626 Patterson Rd, connecting to a ¾ movement access point at 2626 Patterson Rd.

The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process.

While the subject site has adequate utilities and opportunities for future access, Staff believe it is premature to state that there is sufficient multimodal access since adequate access is not yet available. Based on the provision of adequate public utilities and community facilities to serve the rezone request, Staff finds that this criterion has not been met.

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

There are no significant differences between the R-8 and R-24 zone districts as it relates to the types of permitted primary and secondary land uses and the general development characteristics. The R-24 zone district accounts for approximately 1% of City zoned land, whereas the R-8 zone district accounts for approximately 10% of City zoned land.

Currently, there is an adjacent parcel to the north of the subject site that is zoned R-24. While there is only one other site zoned R-24, there does not appear to be a deficit of other zone districts in the area that are also able to implement the Residential High Future Land Use designation, which includes B-1, R-O, and R-16.

Therefore, Staff find 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.

As stated in the General Project Report, the intent of the proposal is to facilitate the development of multifamily housing and improve the availability of rental housing near employment opportunities. Apartments in particular may expand housing choices that meet the needs of different generations within the

community. Increasing the availability of apartments could create the appropriate housing stock to serve residents at different income levels and walks of life, such as young professionals recently entered into the workforce, or retirees looking to downsize. The implementation of this zone district will provide potential future options for reuse and/or redevelopment that aligns with the vision of the Comprehensive Plan, thereby furthering community goals and providing community benefits. Therefore, Staff finds this criterion has been met.

The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff 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 in the City’s Growth Plan. Rezoning to R-24 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-24 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 3.6.b. Mix of Uses – Support the creation of a mix of uses in neighborhood centers and along prominent corridors that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including, but not limited to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

An R-24 zone district would allow for the development of high-density housing on a site within walking distance of many services and amenities. Any future residential development of the subject site is poised to benefit from the close proximity to one of the largest employers in the City, Saint Mary’s Regional Medical Center, as well as convenient access to important healthcare facilities and services. Close proximity to these services, amenities and employment opportunities could support alternative modes of transportation and help ease capacity constraints along Patterson Ave.

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 described in the General Project Report (pg. 1), it is proposed that the property be used for high-density multifamily housing, such as apartments. The R-24 zone district has a minimum density of 16 units per acre and does not have a limit on the maximum number of units per acre. With a site of 9.28 acres, the site could have a minimum of 149 units. Per the 2021 Grand Valley Housing Needs Assessment, the majority of the housing stock in the City of Grand Junction is single-family detached homes (62 percent), whereas apartments with 50 or more units make up only 4 percent of the City’s housing stock (Section III, pg. 4). Rezoning to R-24 would allow for apartments that fall within the aforementioned category, which could increase the stock of multifamily housing options and expand housing choices for the community.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the 2636 Patterson Rd Rezone, RZN-2022-47, rezoning one parcel totaling 9.28 acres from R-8 (Residential 8 du/ac) to R-24 (Residential 24 du/ac) for the property located at 2636 Patterson Rd, 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, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the 2636 Patterson Rd Rezone request from an R-8 (Residential 8 du/ac) zone district to an R-24 (Residential 24 du/ac) zone district for the 9.28-acre property located at 2636 Patterson Rd, City File Number RZN-2022-47, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Attachments

- 1. Exhibit 2 - Development Application
- 2. Exhibit 3 - Neighborhood Meeting Documentation
- 3. Exhibit 4 - Maps & Exhibits
- 4. Exhibit 5 - Draft Ordinance

Development Application

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

Petition For: Rezone of 2636 Patterson Rd

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

Existing Land Use Designation Agricultural	Existing Zoning R-8
Proposed Land Use Designation Agricultural	Proposed Zoning R-24

Property Information

Site Location: 2636 Patterson Rd, Grand Junction, CO	Site Acreage: 6.71
Site Tax No(s): 2945-023-00-29	Site Zoning: R-8
Project Description: Rezone property from R-8 to R-24	

Property Owner Information

Name: BBILEHL, LLC

Street Address: 2571 I Rd

City/State/Zip: Grand Junction, CO 81505

Business Phone #: 970-243-6455

E-Mail: burton.bj@gmail.com

Fax #:

Contact Person: Brian Burton

Contact Phone #: 970-623-0609

Applicant Information

Name: Red Compass Realty

Street Address: 1910 N 12th St., Ste A

City/State/Zip: Grand Junction, CO, 81501

Business Phone #: 970-245-7237

E-Mail: jackson@callredcompass.com

Fax #:

Contact Person: Jackson Berry

Contact Phone #: 970-261-9136

Representative Information

Name: Red Compass Realty

Street Address: 1910 N 12th St., Ste A

City/State/Zip: Grand Jct, CO 81501

Business Phone #: 970-245-7237

E-Mail: jackson@callredcompass.com

Fax #:

Contact Person: Jackson Berry

Contact Phone #: 970-261-9136

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

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

Signature of Person Completing the Application 	Date 11-24-21
Signature of Legal Property Owner 	Date 11-24-21

General Project Report

2636 Patterson Rd Rezone

A. Project Description

1. Located approximately at the northwest corner of Patterson Rd and 26 ½ Road, behind the businesses along Patterson and properties along 26 ½ Rd. The current access to a small rental home is just west of Burton Orthodontics off Patterson Rd. The property is known as 2636 Patterson Rd.
2. It consists of 6.71 acres according to the Mesa County Assessor's office and 9.28 acres according to the Survey (enclosed).
3. It is proposed that the property be used for high density multifamily housing.

B. Public Benefit

1. The project will improve the availability of rental housing in Grand Junction, near the core business district, and one of its largest employers, St. Mary's Hospital. It will increase the density, variety, and efficiency of Grand Junction's housing. It will allow for more much needed housing in a desirable area with greater employment, easier access to transit, and generally a higher quality of life, as the north area of Grand Junction is very land constrained and expensive to build in. The share of households commuting 30 minutes or more to work is increasing, this development will allow more people an easier commute and promote environmentally friendly forms of transportation such as biking or walking to work. As the younger generation of are entering the workforce, apartments serve as housing for all ages and income levels. The denser number of households will contribute to property and sales tax.

C. Neighborhood Meeting

1. The developer will provide proof of those who attended, along with the date, time and place.

D. Project Compliance, Compatibility, and Impact

1. No architectural plans have been created for the site. However, the City of Grand Junction will require access from Community Lane.
2. The land use to the south of the property is all businesses. To the south there is high density cooperative living under construction called Village Coop, and Juniper Ridge K-12 charter school operates their new campus.
3. Site access will be a right-in right-out along Patterson, and 26 ½ Road, and the primary access will come from Community Lane which runs along the east side of the Juniper Ridge School.
4. Availability of utilities, including proximity of fire hydrants. A 1500-10000 gpm fire hydrant is located on 26 ½ Rd at 605 26 ½ Rd and on Patterson Rd at 2646 Patterson Rd. City Water runs to the house on the property and there is a 14' water line in Patterson Rd, and an 8' line in 26 ½ Rd. The property is located within the 201 Persigo boundary and there is a sanitary sewer line that runs along the south side of the property and the west side of the property.
5. The R-24 density would allow for 200+ apartments on the site which would present a high demand on water and sewage quantities.

6. Effects on public facilities. The presence of 200 plus residence would require fire station services, police service for crime, and the schools will have in influx of students. The school's systems. The developers anticipate an additional 60 school age children.
 7. Hours of Operation: N/A
 8. Number of Employees: N/A
 9. Signage Plans: N/A
 10. Site soils and geology: N/A
 11. Impact of project on site geology and geological hazards, if any: N/A
- E. Review Criteria
- F. Development Schedule and Phasing: N/A

Comments:

ALTA/NSPS LAND TITLE SURVEY

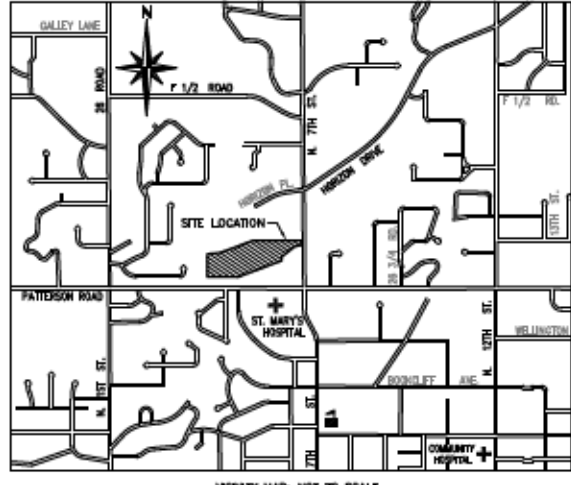
SITUATED IN THE SW¼ SECTION 2
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

TABLE A

- Monuments placed (or a reference instrument or witness to the corner) at all major corners of the boundary of the surveyed property, unless already marked or referenced by existing instruments or witnesses in close proximity to the corner.
 - Stake corners
- Address(es) of the surveyed property if located in documents provided to or obtained by the surveyor, or observed while conducting the fieldwork.
 - 3036 PATTERSON ROAD, GRAND JUNCTION, CO 81506
- Read more classification (with proper classification based on Federal Flood Insurance Rate Maps or the state or local equivalent) applied by noted map location and graphic plotting only.
 - The Property described on this Survey does not qualify for Special Flood Hazard Area (SFHA) as defined by the Federal Emergency Management Agency's Property Flood Risk Assessment (PFA) of the Flood Insurance Rate Map (FIRM) as Community Panel No. 680773484 Sub-A, having an effective date of October 18, 2012, and Flood Damage Zone of the Flood Insurance Rate Map (FIRM) as Community Panel No. 680773484 Sub-B, having an effective date of October 18, 2012.
- Area land area (and other area if specified by the client).
 - 328,000 ± 486,332 square feet
- Vertical control with the source of information (e.g., ground survey, aerial map), contour intervals, datum, with adjusting benchmark(s), when appropriate.
 - Contours were derived by a ground survey conducted in August 2021, Vertical Datum NAVD83.
- (a) Exterior dimensions of all buildings at ground level.
 - Stake corners
- (b) Square footage of
 - interior footprint of all buildings at ground level.
 - other areas as specified by the client.
 - Stake corners
- Subsidiary features observed in the process of conducting the fieldwork (in addition to the improvements and features required pursuant to Section 5 above) (e.g., parking lots, sidewalks, signs, swimming pools, landscaped areas, recreational areas of refuge).
 - Stake corners
- Evidence of underground utilities existing on or serving the surveyed property (in addition to the observed evidence of utilities required pursuant to Section 5.C.1.) as determined by
 - plans and/or reports provided by client (with reference to the source of information)
 - readings conducted by the surveyor pursuant to a private utility locate request

Note to the client, insurer, and lender - With regard to Table A, Item 11, information from the sources checked above will be combined with observed evidence of utilities pursuant to Section 5.C.1. to develop a view of the underground utilities. However, utility easements, the exact location of underground features cannot be accurately verified, and reliable depicted. In addition, in some jurisdictions, 811 or other utility locate requests from customers may be ignored or result in an incomplete response. In such case the surveyor shall state on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that appropriate may be necessary.

- Name of adjoining owners according to current tax records. If more than one owner, identify the first owner same date as the tax records followed by et al.
 - Stake corners
- As specified by the client, distance to the nearest interesting street.
 - none recorded
- Pursuant to Sections 5 and 6 (and applicable selected Table A items, excluding Table A Item 1), include as part of the survey any subsurface utility (i.e., apartment) easements disclosed in documents provided to or obtained by the surveyor.
 - Stake corners



ABSTRACT & TITLE COMPANY OF MESA COUNTY
P.L.E. No. 14118208
06/17/2021

EXHIBIT A, PAR 1
COURT ORDER

The Policy or Policies to be issued shall contain exceptions to the following covenants unless the same are disposed of to the satisfaction of the Company:

- Right of egress or parties to possession not shown by the Public Records.
 - NONE SHOWN HEREON
- Easements or claims of easements not shown in the Public Records.
 - NONE SHOWN HEREON
- Obstructions, encroachments, boundary lines, structures, or areas, encroachments, and any facts which a correct survey and depiction of the land would disclose, and which are not shown by the public record.
 - NONE SHOWN HEREON
- Any lien, or right to a lien, for services, labor or material furnished or benefit furnished, imposed by law and not shown by the public records.
 - NOT A SURVEY MATTER
- Defects, liens, encroachments, adverse claims or other matters, if any, created, first appearing in the public records or existing subsequent to the effective date hereof but prior to the date the proposed instrument of record for notice the notice of intent to record was filed with the County Clerk.
 - NONE SHOWN HEREON
- Unrecorded mining claims, reservations or exceptions in patents or in title outstanding the insurance interest.
 - NOT A SURVEY MATTER
- Any water rights or claims or title to water, in or under the land, whether or not shown by the public records.
 - NOT A SURVEY MATTER
- Taxes due and payable, and any tax, special assessments, charges or lien imposed for water or sewer service, or for any other special service rendered, under laws or ordinances of any kind, and not yet due and payable.
 - NONE SHOWN HEREON
- Reservations of right of preemption of any preexisting vein or lode to extract the ore, in U.S. Patent recorded November 22, 1907 at Reception No. 31171.
 - NOT A SURVEY MATTER
- Terms, agreements, provisions, conditions and covenants as contained in Local Improvement District General Agreement recorded December 3, 1988 at Reception No. 142614.
 - NOT A SURVEY MATTER
- Terms, agreements, provisions, conditions and covenants as contained in Letter recorded July 8, 1989 at Reception No. 182620.
 - NOT A SURVEY MATTER
- Terms, agreements, provisions, conditions and covenants as contained in Injunctive Pledge Contract and Agreement recorded April 27, 2001 at Reception No. 267676.
 - Stake corners

SURVEYOR'S CERTIFICATION

To Abstract & Title Company of Mesa County and Barton One, LLC, a Colorado Limited Liability Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2020 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 7(b)(1)(2), 8, 10(a), 11(a), 12, 14, and 15 of Table A above. The fieldwork was completed on August 6, 2021.

Date of Plat or Map: August 6, 2021
Project No. 024

Date: August 6, 2021 Registration No. 37904



NOTES

- CONVEYANCE, ACCORDING RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING A CURRENT TITLE COMMITMENT BY ABSTRACT & TITLE COMPANY OF MESA COUNTY, P.L.E. NUMBER 14118208.
- BOUNDARIES ARE BASED ON THE EAST LINE OF THE SW¼ ONE SECTION 2, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO. THE WALLS USED IN 1897/42'S WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. SURVEY MARKERS WERE FOUND AT THE NORTH AND SOUTH ENDS OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

LEGAL DESCRIPTION

Beginning at a point 588 feet North of the NE corner of the SW¼ 361/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian; thence North 60.5 feet; thence West 610 feet to the Wash channel; thence Southwesterly along said Wash Channel to the West line of said SW¼ 361/4; thence South to a point 107.8 feet North of the SW corner of said SW¼ 361/4; thence East 412 feet to the NW corner of Lot 18, Fairmount Heights Subdivision; thence Northwesterly along the North line of Lots 5, 6, 7, 8, 9 and 10 of Fairmount Heights Subdivision to the NE corner of Lot 5 of said Subdivision; thence North 54 feet, more or less, to a point which is South 78 1/2° West 132 feet; thence South 51°20' West 225 feet from the point of beginning; thence North 51°20' East 225 feet; thence North 172°6' East 132 feet to the point of beginning. TOGETHER WITH an easement for ingress and egress in the above described property, described as follows: Beginning at a point 157.8 feet North and 400 feet East of the SW corner of the SW¼ 361/4, Section 2, Township 1 South, Range 1 West of the Ute Meridian; thence East 12 feet; thence North 127.8 feet; thence West 12 feet to the point of beginning. EXCEPTING THEREFROM that right of way as located to the City of Grand Junction, recorded May 11, 1984 at Reception No. 1361294, County of Mesa, State of Colorado.

LEGAL DESCRIPTION (DETERMINED BY SURVEY)

A Parcel of land situated in the Southwest Quarter of the Southwest Quarter of Section 2, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 2 from whence the South 1/4th Corner of Section 2 bears N070°42' a distance of 1314.88 feet to a Block of Bearings, all bearings herein related thereto; thence N070°42' along the East line of the Southwest Quarter Southeast Quarter of Section 2 a distance of 467.34 feet to the westerly end of said East line and the Northeast Corner of the Right of Way described at Reception No. 1331294 of the Mesa County Records; thence S89°37'47" along the North line of said Right of Way a distance of 35.00 feet to the Northwest Corner of said Right of Way and the Point of Beginning; thence S90°14'21" along the West line of said Right of Way a distance of 86.17 feet to a point on the North Right of Way Line of the 35.00 foot Right of Way as described at Reception No. 2484178 of the Mesa County Records; thence S70°02'42" along the Northerly Line of Base 18 Place as recorded at said Reception No. 2484178 a distance of 86.34 feet; thence continuing along said Northerly Line S51°31'45" a distance of 334.67 feet; thence S90°14'21" along the Westerly Line of said Base 18 Place a distance of 52.84 feet to a point on the Northerly line of Fairmount Heights Subdivision as recorded at Reception No. 381441 of the Mesa County Records; thence S89°27'33" along said Northerly line of Fairmount Heights Subdivision a distance of 446.84 feet to a point on the East Line of that property as described at Reception No. 1426215 of the Mesa County Records; thence N70°02'37" along said East line a distance of 4.16 feet to the Northwest Corner of said property described at Reception Number 1426215; thence N89°55'23" parallel with and 157.80 feet North of the South Line of the Southwest Quarter of the Southwest Quarter of Section 2 a distance of 410.73 feet to a point on the West Line of the Southwest Quarter of the Southwest Quarter of Section 2; thence N02°00'00" along said West Line a distance of 315.70 feet to a point on the Southerly Line of Juniper Ridge Subdivision as shown at Reception No. 2852955 of the Mesa County Records; thence N82°30'25" along said Southerly Line a distance of 188.88 feet; thence N70°02'37" along said Southerly Line a distance of 492.48 feet to the Southwest Corner of the Community Line Right of Way described at Reception No. 2871180 of the Mesa County Records; thence N88°52'38" along the South Line of said Right of Way a distance of 264.65 feet to the Southwest Corner of Village Cooperative Subdivision as shown at Reception No. 2876310 of the Mesa County Records; thence S89°57'47" along the South line of said Village Cooperative Subdivision a distance of 822.87 feet to the Point of Beginning.

TOGETHER WITH an easement for ingress and egress in the above described property, described as follows: Beginning at a point 157.8 feet North and 400 feet East of the SW corner of the SW¼ 361/4, Section 2, Township 1 South, Range 1 West of the Ute Meridian; thence South 127.8 feet; thence East 12 feet; thence North 127.8 feet; thence West 12 feet to the point of beginning.

LAND SURVEY REPORT
MESA COUNTY SURVEYORS OFFICE
DATE _____
DEPOSIT No. _____

ALTA/NSPS LAND TITLE SURVEY
SITUATED IN THE SW¼ SECTION 2
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

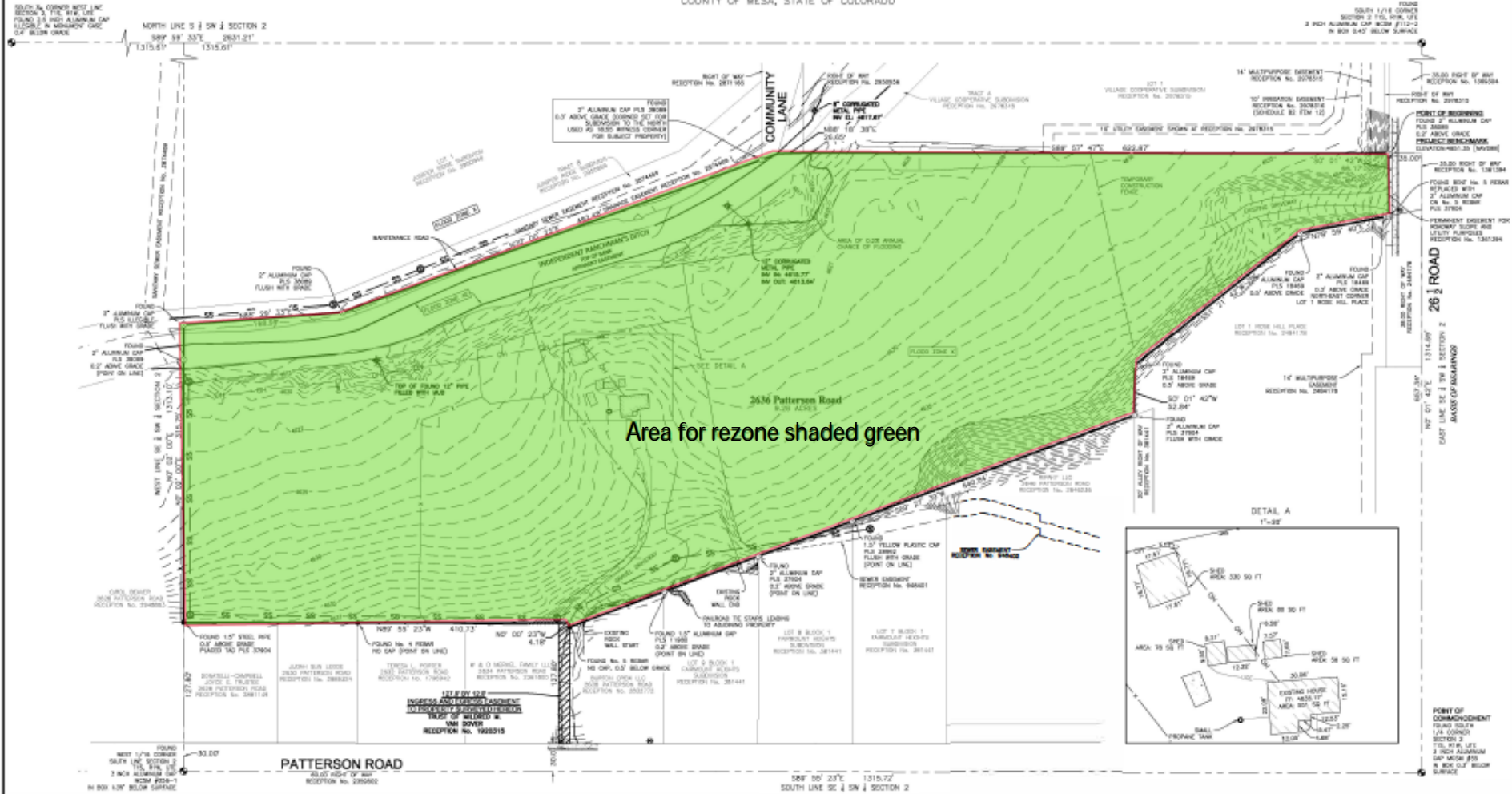
JOB # 2021-144 DATE 8/6/2021 PLOD WORK NW
DRAWING NAME 2836 PATTERSON ROAD DRAWN BY JW CHECKED BY _____

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

3036 MESA AVE. #9
GRAND JUNCTION, CO 81504
PHONE (970)434-7033

ALTA/NSPS LAND TITLE SURVEY

SITUATED IN THE SE¼ SW¼ SECTION 2
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



Area for rezone shaded green



LEGEND:

- PLANO SURVEY MARKER AS DESCRIBED
- PLANO PROPERTY CORNER AS DESCRIBED
- SET NO. 5 REBAR WITH 2 INCH ALUMINUM CAP P.S. STAKE
- PLANO REBAR/STEEL PIPE AS DESCRIBED
- EXISTING UTILITY POLE
- EXISTING 6 INCH PIPE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING TELEPHONE MANHOLE
- EXISTING WATER METER
- EXISTING LIGHT POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING FENCE LINE
- EXISTING SANITARY SEWER LINE
- EXISTING EASE OF ASPHALT
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING UNDERGROUND WATER LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING UNDERGROUND GAS LINE



ALTA/NSPS LAND TITLE SURVEY
SITUATED IN THE SE¼ SW¼ SECTION 2
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

JOB #: 2021-144 DATE: 8/9/2021 FIELD WORK: KM
DRAWING NAME: 1636 PATTERSON ROAD DRAWN BY: JW CHECKED BY: [Signature]

POLARIS SURVEYING
PATRICK W. CLINK, P.L.S.

3104 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE: (970)434-7030

SHEET 1 OF 2

RETURN RECORDED DOCUMENT TO:
BBILEHL, LLC, a Colorado Limited Liability Company
2571 I Road, Grand Junction, CO 81505

Document Fee: \$125.00

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, dated 23rd day of September, 2021, is made between **The Trust of Mildred M. Van Dover dated March 12, 1996** ("Grantor"), of the County of Mesa and the State of Colorado.

AND

BBILEHL, LLC, a Colorado Limited Liability Company ("Grantee"), of the County of Mesa and the State of Colorado., whose legal address is 2571 I Road, Grand Junction, CO 81505.

WITNESS, that the Grantor(s), for and in consideration of **ONE MILLION TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$1,250,000.00)** and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, and convey unto the Grantee, and the heirs, successors and assigns of the Grantee forever, all the real property, together with fixtures and improvements located thereon, if any, situate, lying and being in the County of Mesa and State of Colorado, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT A

ALSO KNOWN AS: **2636 Patterson Road, Grand Junction, CO 81506**

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

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

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

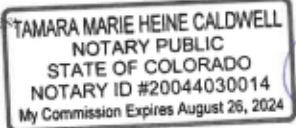
The Trust of Mildred M. Van Dover dated March 12, 1996

Lee G. Smith
By: **Lee Gordon Smith II, as Successor Co-Trustee**

Michael Lee Smith
By: **Michael Lee Smith, as Successor Co-Trustee**

State of: **Colorado** :
County Of **MESA** : ss.

The foregoing instrument was subscribed, sworn to, and acknowledged before me this **September 23, 2021**, by **Lee Gordon Smith II, and Michael Lee Smith, as Successor Co-Trustees of The Trust of Mildred M. Van Dover dated March 12, 1996**.

My Commission expires  Witness my hand and official seal, *Tamara Marie Heine Caldwell*
Notary Public

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

Exhibit 'A'

PARCEL NO. 1 2945-023-00-029

A Parcel of land situated in the Southeast Quarter of the Southwest Quarter of Section 2, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 2 from whence the South Sixteenth Corner of Section 2 bears N0°01'42"E a distance of 1314.69 feet for a Basis of Bearings,
all bearings herein related thereto; thence N0°01'42"E along the East line of the Southeast Quarter Southwest Quarter of Section 2 a distance of 657.34 feet to the midpoint of said East line and the Northeast Corner of the Right of Way described at Reception No. 1361394 of the Mesa County Records; thence N89°57'47"W along the North line of said right of Way a distance of 35.00 feet to the Northwest Corner of said Right of Way and the Point of Beginning;
thence S0°01'42"W along the West line of said Right a Way a distance of 66.17 feet to a point on the North Right of Way Line of the 38.00-foot ROW described at Reception No. 2484178;
thence S78°59'42"W along said North line of the 38.00-foot ROW and the Northerly line of Lot 1 of Rose Hill Place as described at Reception No. 2484178 a distance of 93.28 feet;
thence continuing along said Northerly line of Lot 1 S51°21'42"W a distance of 224.67 feet;
thence S0°01'42"W along the Westerly line of Lot 1 a distance of 52.84 feet to a point on the Northerly line of Fairmount Heights Subdivision as shown at Reception No. 381441;
thence S69°77'30"W along said Northerly line of Fairmount Heights Subdivision a distance of 640.84 feet to a point on the East line of a strip of land described at Reception No. 1920315;
thence N0°00'23"W along said East line a distance of 4.18 feet to the Northeast Corner of said strip land;
thence N89°55'23"W parallel with the South line of the Southeast Quarter of the Southwest Quarter of Section 2, and along the North line of said strip of land and the North line of Properties described at Reception Numbers 2361800, 1796942, 2889324, and 2881149 a distance of 410.73 feet to a point on the West line of the Southeast Quarter of the Southwest Quarter of Section 2;
thence N0°02'00"E along said West line a distance of 315.75 feet to a point on the Southerly line of Tract B of Juniper Ridge Subdivision as shown at Reception No. 2950956;
thence N85°29'33"E along said Southerly line a distance of 168.99 feet;
thence N70°00'23"E along said Southerly line a distance of 473.93 feet to the Southwest Corner of the Community Lane Right of Way described at Reception No. 2871165;
thence N70°00'23"E along the South line of said Community Lane Right of Way a distance of 18.55 feet to the Southwest Corner of a Second Right of Way described at Reception No. 2950956;
thence N88°18'38"E along the South line of said Second Right of Way a distance of 26.65 feet to the Southwest Corner of Village Cooperative Subdivision as shown at Reception No. 2978315;
thence S89°57'47"E along the South line of said Village Cooperative Subdivision a distance of 622.87 feet to the Point of Beginning;

TOGETHER WITH an easement for ingress and egress to the above described property, described as follows:

Beginning at a point 157.8 feet North and 400 feet East of the SW corner of the SE1/4 SW1/4, Section 2, Township 1 South, Range 1 West of the Ute Meridian;
thence South 127.8 feet;
thence East 12 feet;
thence North 127.8 feet;
thence West 12 feet to the point of beginning.

Being that same property as conveyed in Deed recorded July 20, 1953 at Reception No. 583051, Mesa County Records.

PARCEL NO. 2 2945-023-00-041

Beginning 400 feet East and 157.8 feet North of the Southwest corner of the SE1/4 SW1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian;
thence South 127.8 feet;
thence East 12 feet;
thence North 127.8 feet;
thence West to the Point of Beginning.
EXCEPT that portion as conveyed to the City of Grand Junction in Deed recorded January 29, 1991 at Reception No. 1561876, County of Mesa, State of Colorado

RSVP

(11)

- ✓ 1. CHERLYN CRAWFORD + Bill Crawford
- 2. CAROL SHERMAN - 206-940-7189
- ✓ 3. JOANN PAINE TIM Paine
- x 4. BILL MANN — 206-527-8900
JULIE — 206-527-8900
- x 5. CHAD GRABOW x 2
TED BOOTHROYD
- 6. TERRY PORTER — tporter21@yahoo.com
- ✓ 7. FRAN PARKER
- ✓ 8. BRENDA MUTH / BRYAN MUTH
- 9. Randy — Kimbery kathrein

Chanke Geri Mishmash

Dani Acosta - city of G1

Brian Burken

Fran Parker

Chad Grabow 245 3287

Judah Legge 2630

Neighborhood Meeting Invitation

PROPERTY OWNER IS PLANNING TO REQUEST A
REZONE OF THIS PROPERTY FROM R-8 TO R-24

2636 PATTERSON RD

GRAND JUNCTION, CO 81506

Jan 5, 2022 • 5:30 PM • 744 Horizon Ct. #105

RSVP to Sue Thomas: sue@calledcompass.com or 970-245-7237

Red Compass Realty
1910 N 12th St, Ste A
Grand Junction, CO 81501
970-245-7237

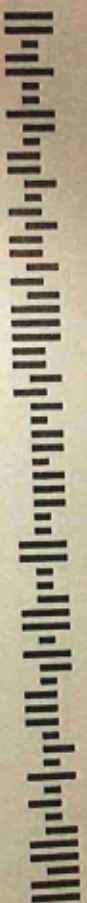
Invitation to attend a meeting to present and take comments on the proposed rezone of 2636 Patterson Rd, Grand Junction, CO 81506 from R-8 to R-24. The meeting will be held at 744 Horizon Ct. Suite 105, Grand Junction, CO 81506 at 5:30PM, Wednesday January 5th, 2022. A member of the City of Grand Junction's Community Development team will be present. Please RSVP.

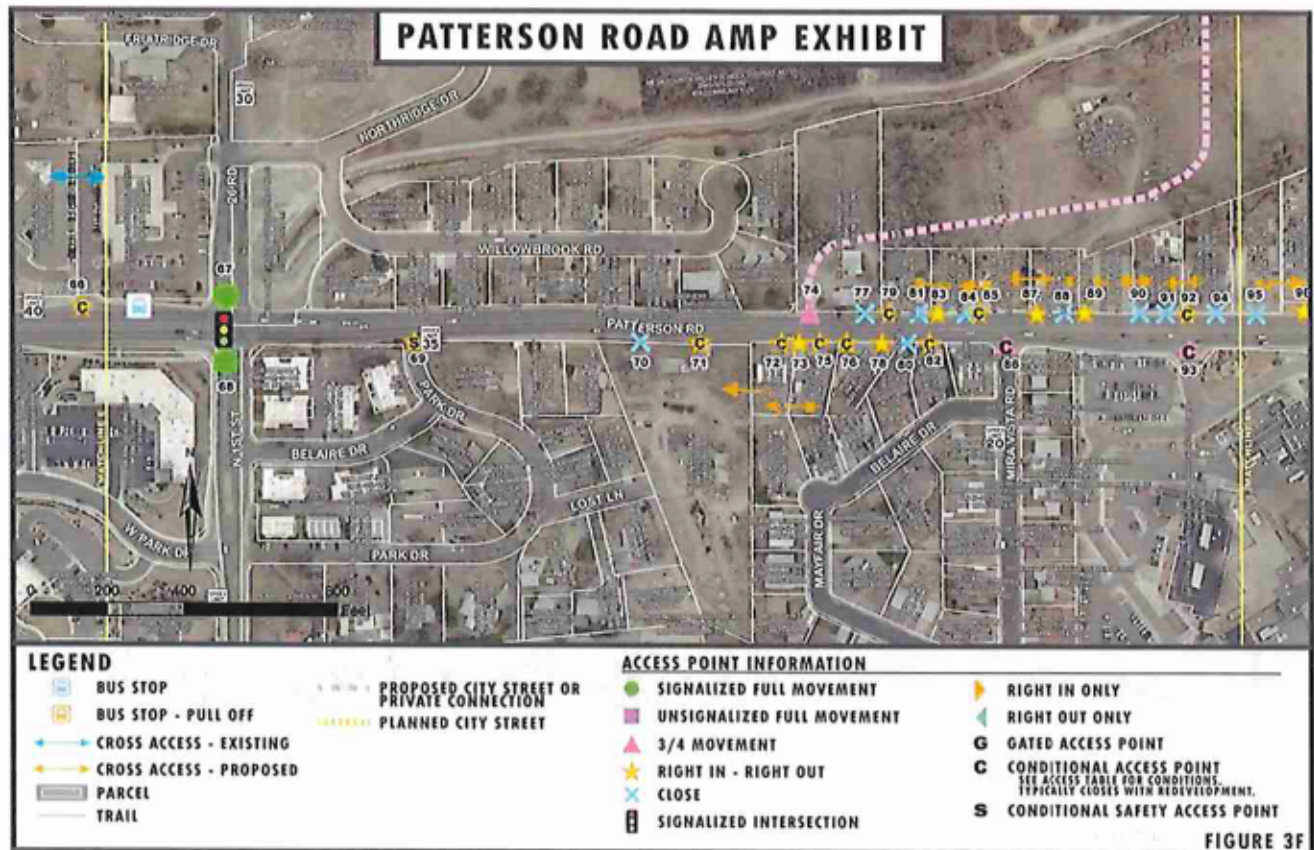
Presorted
First-Class Mail
US Postage
PAID
Vistaprint
48174

9250 Red Rock Road
Reno, NV 89508

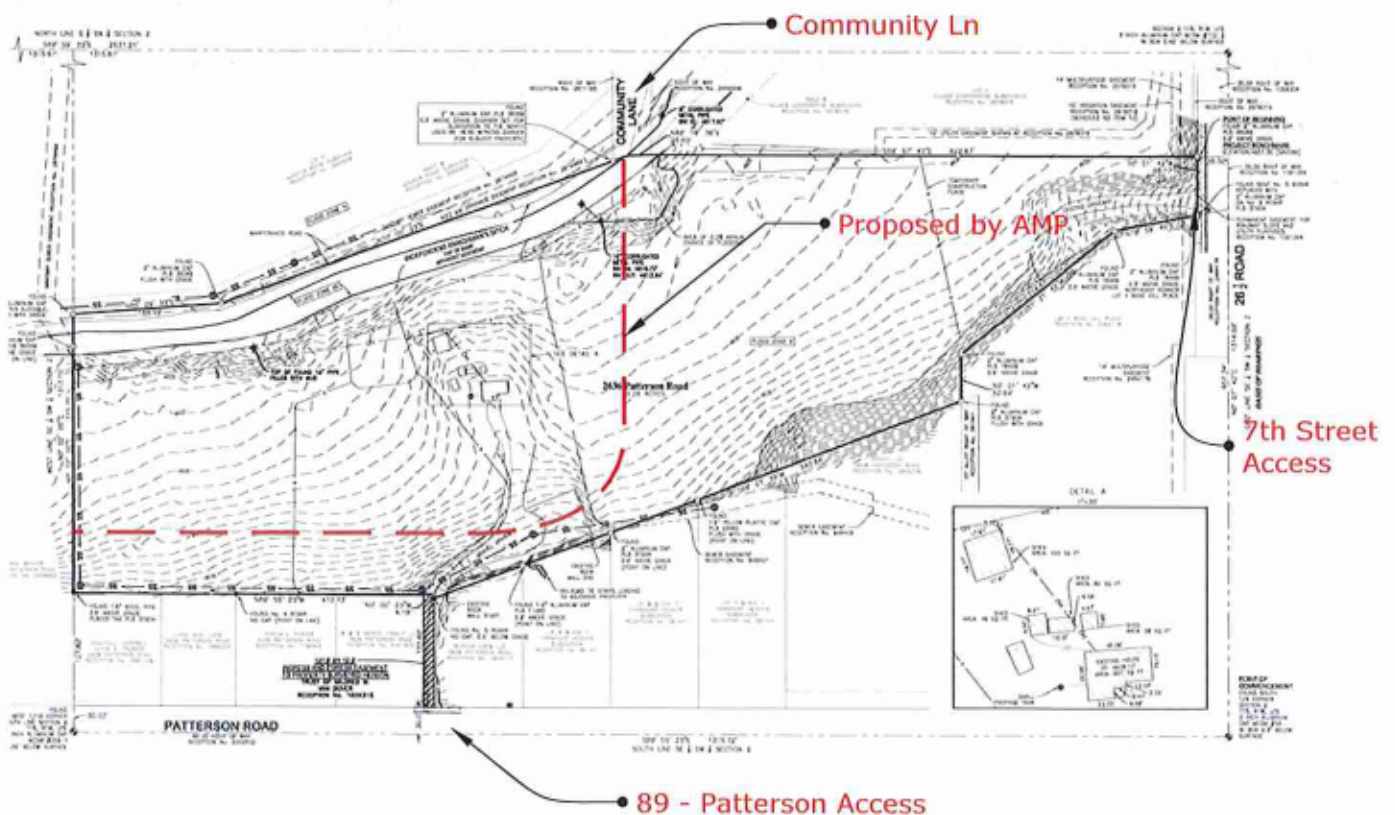
Return service requested

SENTA COSTELLO
CITY OF GRAND JUNCTION
250 N 5TH ST
GRAND JUNCTION, CO 81501-2668





With regards to the Patterson Access Management Plan (AMP). The City stated in their response to a request to develop the property that it would create a right-in/right-out access at the current driveway, referenced above as number 89. which are the access points to 2638 and 2640 Patterson (Burton Orthodontics). Access to the 2636 Patterson parcel will be from Community Ln on the north, and a right-in/right-out access off of 7th Street. The existing access on Patterson (89), and a new access which will eventually be developed across the property at 2626 Patterson (74).





R-8: Residential – 8.

(1) Purpose. To provide for medium-high density attached and detached dwellings, two-family dwelling and multifamily. R-8 is a transitional district between lower density single-family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district.

R-24: Residential – 24.

(1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-24 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

From: [Senta Costello](#)
To: [Daniella Acosta](#)
Subject: Fwd: Rezone Request Card
Date: Monday, January 17, 2022 3:00:10 PM
Attachments: [Rezone and Access Questions.pdf](#)
[Postcards-Returned to Sender.pdf](#)
[2636 Patterson Rd Neighborhood Meeting Sign-In Sheet.pdf](#)

Sent from my iPhone

Begin forwarded message:

From: Jackson Berry <jackson@callredcompass.com>
Date: January 17, 2022 at 10:54:56 AM MST
To: Senta Costello <sentac@gjcity.org>
Subject: Fwd: Rezone Request Card

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

Hi Senta,

The neighborhood meeting went well. Attached is the sign-in sheet and the postcards that were returned to the sender.

The comments at the meeting focused on the Patterson Access Management Plan. The Crawfords and Terry Porter were the most vocal. They just wanted to make clear that they didn't want any more traffic going through "the narrows" on Patterson and pointed out the number of accidents that occur right there. Their opinion was that an additional 200+ units right there would excessively increase traffic by Juniper Ridge and ultimately to Patterson via right turns from the lighted 26 1/2 Road intersection.

We listened until 6:30PM and then closed the meeting. Dani Acosta was present at the meeting and answered questions related to the Access Management Plan.

What's next?

Thanks,
Jackson

----- Forwarded message -----
From: Jackson Berry <jackson@callredcompass.com>
Date: Mon, Jan 3, 2022 at 2:56 PM
Subject: RE: Rezone Request Card

To: <jeff.p.tipton@gmail.com>

Hello Jeff,

I've put together a document that addresses the questions you asked about the rezone at 2636 Patterson Rd. The owner of the property fought against the access management plan as well. The plan will dictate the closure of certain access points and a median in Patterson Rd. There doesn't seem like enough room in the street for a median right there. The plan also stipulates that the primary access to 2636 Patterson Rd come from the north along Community Ln. The problem with that is the fact that Ranchman's ditch stands between Community Ln and the property. Rezoning to R-24 will allow us to increase the number of housing units we can build on the property to cover the cost of the expensive infrastructure. R-8 allows 74 units, and R-24 allows for over 200.

Thanks for writing,

Jackson
970-244-0803

Hi Sue,

I received an invitation in the mail regarding a rezone from R-8 to R-24 and was hoping you could provide some additional information.

Can you please respond regarding what the zoning request is for, what area does R-8 to R-24 cover, and is this at all related to or does it impact the Patterson Access plan my neighbors and I fought against?

If there is any additional information you can provide beyond those questions it would be greatly appreciated. I look forward to your response.

Happy Holidays

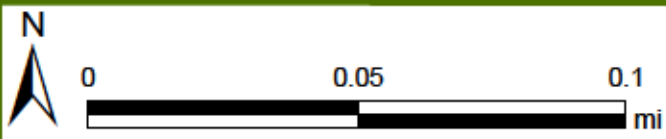
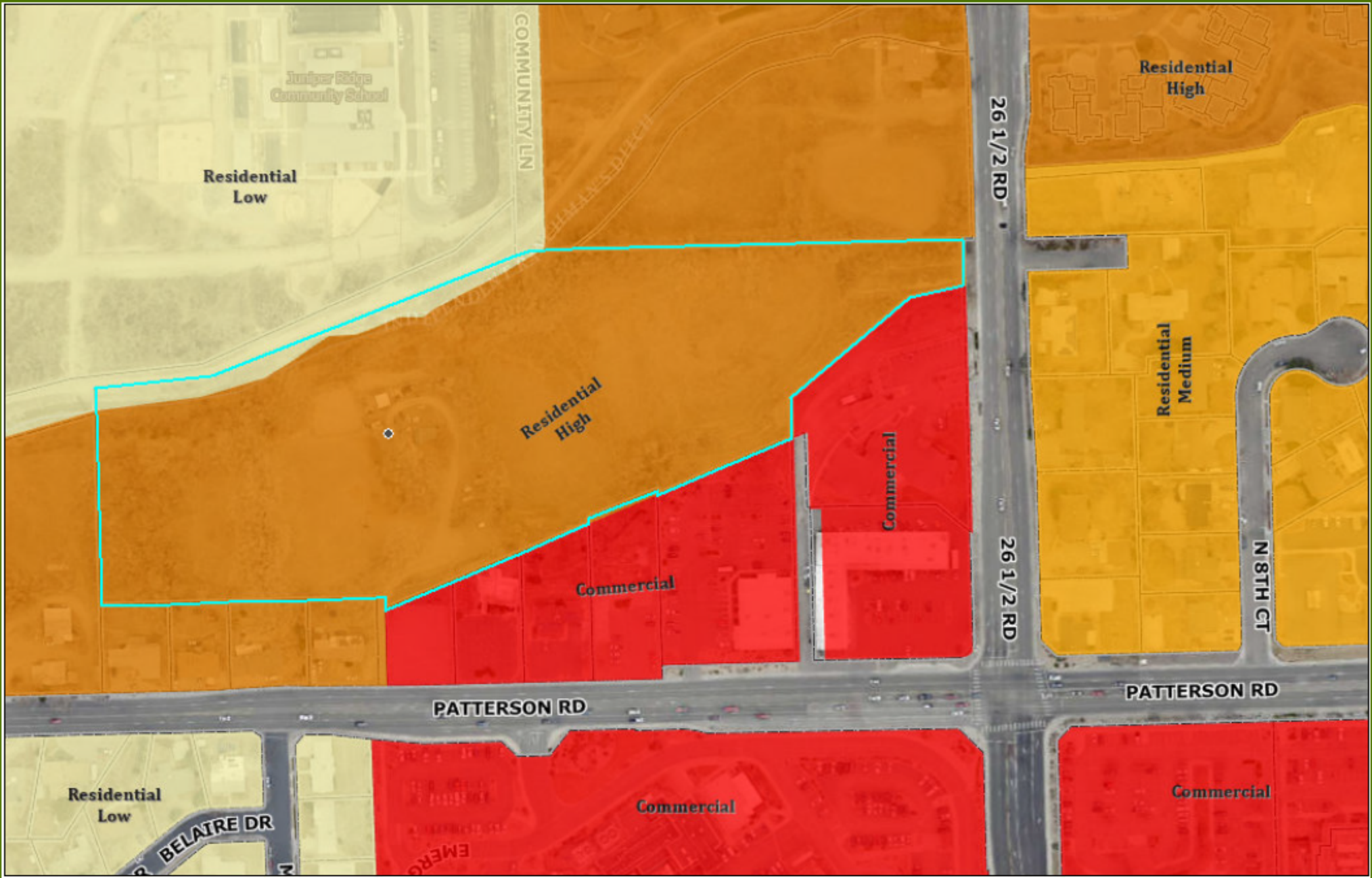
Jeff Tipton
2623 Patterson Rd
Grand Junction, CO 81506
970-250-0015



Jackson Berry, CCIM, CPM®
RED COMPASS Realty
1910 N 12th St, Ste A
Grand Junction, CO 81501
w. (970) 244-0800 (management)
w. (970) 245-7237 (brokerage)
c. (970) 261-9136
jackson@callredcompass.com

www.callredcompass.com

Comprehensive Plan Future Land Use Map

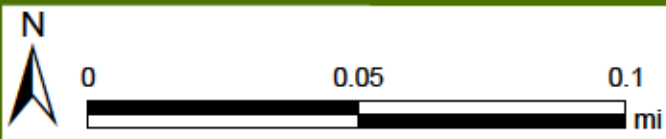
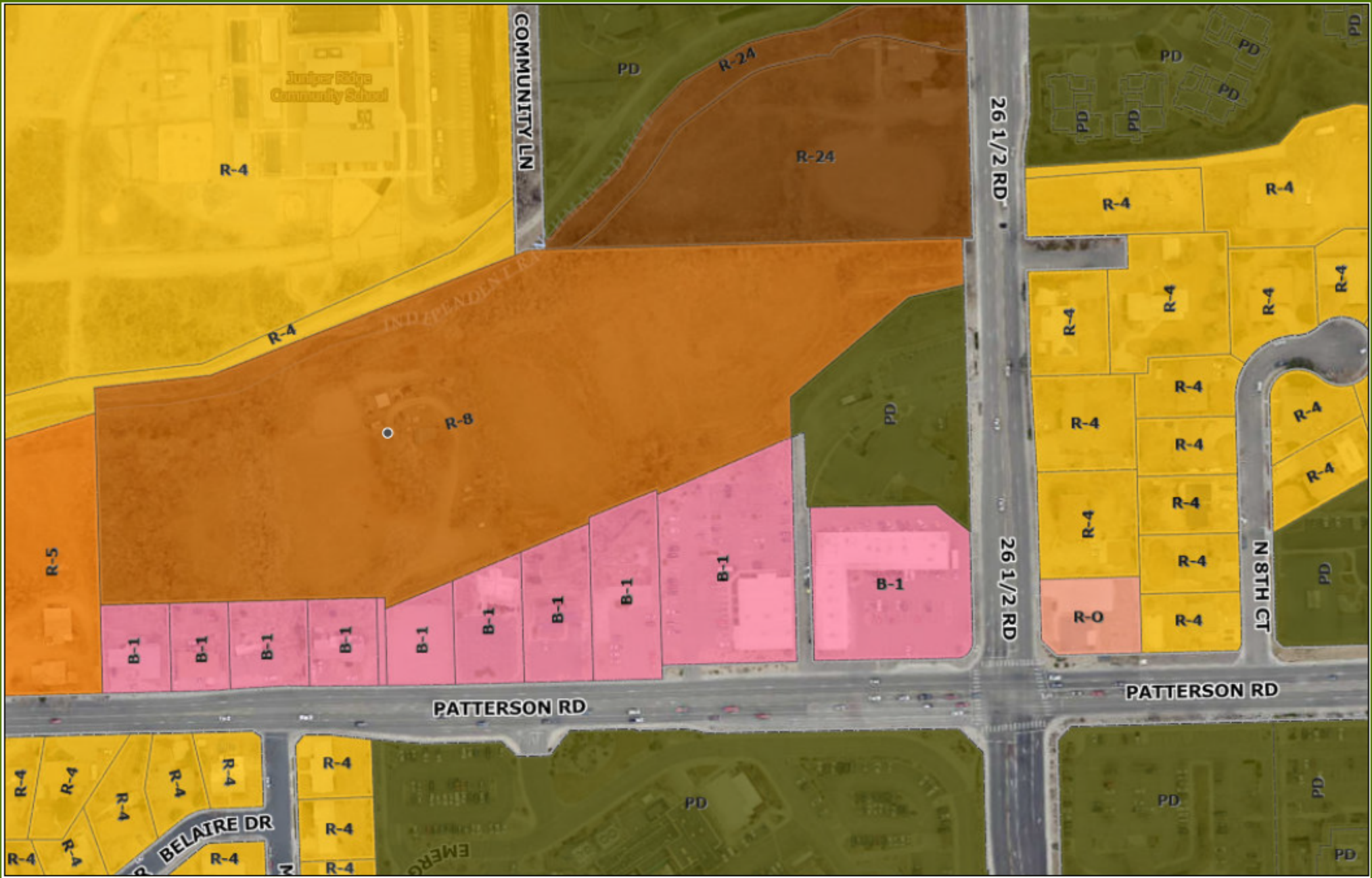


Printed: 4/4/2022

1 inch = 188 feet



Existing Zoning Map



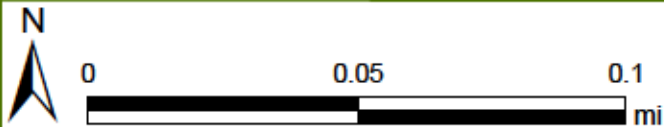
Printed: 4/4/2022

1 inch = 188 feet

Site Map



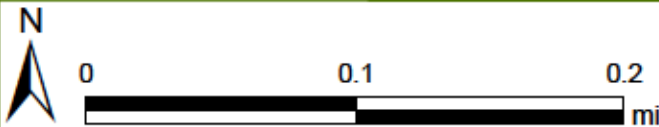
Printed: 4/4/2022



1 inch = 188 feet



Vicinity Map



Printed: 4/4/2022

1 inch = 376 feet



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING PARCEL NO. 1 2945-023-00-029

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER
OF SECTION 2, TOWNSHIP 1 SOUTH. RANGE 1 WEST OF THE UTE MERIDIAN.
MESA COUNTY.

COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 2 FROM
WHENCE THE

SOUTH SIXTEENTH CORNER OF SECTION 2 BEARS N0°01'4TE A DISTANCE
OF 1314.69 FEET FOR A BASIS OF BEARINGS.

ALL BEARINGS HEREIN RELATED THERETO: THENCE N0°01'4TE ALONG THE
EAST LINE OF THE SOUTHEAST QUARTER SOUTHWEST QUARTER OF
SECTION 2 A DISTANCE OF 657.34 FEET TO THE MIDPOINT OF SAID EAST LINE
AND THE NORTHEAST CORNER OF THE RIGHT OF WAY DESCRIBED AT
RECEPTION NO. 1361394 OF THE MESA COUNTY RECORDS: THENCE
N89°57'47"W ALONG THE NORTH LINE OF SAID RIGHT OF WAY A DISTANCE OF
35.00 FEET

TO THE NORTHWEST COMER OF SAID RIGHT OF WAY AND THE POINT OF
BEGINNING:

THENCE S0°01'42"W ALONG THE WEST LINE OF SAID RIGHT A WAY A
DISTANCE OF 66.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF
THE 38.00-FOOT ROW DESCRIBED AT RECEPTION NO. 2484178:

THENCE S78°59'42"W ALONG SAID NORTH LINE OF THE 38.00-FOOT ROW AND
THE NORTHERLY LINE OF LOT 1 OF
ROSE HILL PLACE AS DESCRIBED AT RECEPTION NO. 2484178 A DISTANCE OF
93.28 FEET:

THENCE CONTINUING ALONG SAID NORTHERLY LINE OF LOT 1 S51°2 L '42"W
A DISTANCE OF 224.67 FEET:

THENCE S0°01'42"W ALONG THE WESTERLY LINE OF LOT 1 A DISTANCE OF
52.84 FEET TO A POINT ON
THE NORTHERLY LINE OF FAIRMOUNT HEIGHTS SUBDIVISION AS SHOWN AT
RECEPTION NO. 381441:

THENCE S69°27'39"W ALONG SAID NORTHERLY LINE OF FAIRMOUNT HEIGHTS
SUBDIVISION A DISTANCE
OF 640.84 FEET TO A POINT ON THE EAST LINE OF A STRIP OF LAND
DESCRIBED AT RECEPTION NO. 1920315:

THENCE N0°00'23"W ALONG SAID EAST LINE A DISTANCE OF 4.18 FEET TO
THE NORTHEAST COMER OF SAID STRIP LAND: THENCE N89°55'23"W

PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, AND ALONG THE NORTH LINE OF SAID STRIP OF LAND AND THE NORTH LINE OF PROPERTIES DESCRIBED AT RECEPTION NUMBERS 2361800. 1796942. 2889324. AND 2881149 A DISTANCE OF 410.73 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2:
THENCE N0°02'00"E ALONG SAID WEST LINE A DISTANCE OF 315.75 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT B OF JUNIPER RIDGE SUBDIVISION AS SHOWN AT RECEPTION NO. 2950956:
THENCE N85°29'33"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 168.99 FEET:
THENCE N70°00'23"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 473.93 FEET TO THE SOUTHWEST COMER OF THE COMMUNITY LANE RIGHT OF WAY DESCRIBED AT RECEPTION NO. 2871165:
THENCE N70°00'23"E ALONG THE SOUTH LINE OF SAID COMMUNITY LANE RIGHT OF WAY A DISTANCE OF 18.55 FEET TO THE SOUTHWEST COMER OF A SECOND RIGHT OF WAY DESCRIBED AT RECEPTION NO. 2950956: THENCE N88°18'38"E ALONG THE SOUTH LINE OF SAID SECOND RIGHT OF WAY A DISTANCE OF 26.65 FEET TO THE SOUTHWEST COMER OF VILLAGE COOPERATIVE SUBDIVISION AS SHOWN AT RECEPTION NO. 2978315: THENCE S89°57'47"E ALONG THE SOUTH LINE OF SAID VILLAGE COOPERATIVE SUBDIVISION A DISTANCE OF 622.87 FEET TO THE POINT OF BEGINNING:
FROM R-8 (RESIDENTIAL 8 DU/AC) TO R-24 (RESIDENTIAL 24 DU/AC)

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 PARCEL NO. 1 2945-023-00-029

A Parcel of land situated in the Southeast Quarter of the Southwest Quarter of Section 2, Township 1 South. Range 1 West of the Ute Meridian. Mesa County. Colorado and being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 2 from whence the South Sixteenth Corner of Section 2 bears N0°01'4TE a distance of 1314.69 feet for a Basis of Bearings.
all bearings herein related thereto: thence N0°01'4TE along the East line of the Southeast Quarter Southwest Quarter of Section 2 a distance of 657.34 feet to the midpoint of said East line and the Northeast Corner of the Right of Way described at Reception No. 1361394 of the Mesa County Records: thence N89°57'47"W along the North line of said right of Way a distance of 35.00 feet

to the Northwest Corner of said Right of Way and the Point of Beginning:
thence S0°01'42"W along the West line of said Right a Way a distance of 66.17 feet to a point on the North Right of Way Line of the 38.00-foot ROW described at Reception No. 2484178:
thence S78°59'42"W along said North line of the 38.00-foot ROW and the Northerly line of Lot 1 of
Rose Hill Place as described at Reception No. 2484178 a distance of 93.28 feet:
thence continuing along said Northerly line of Lot 1 S51°21'42"W a distance of 224.67 feet:
thence S0°01'42"W along the Westerly line of Lot 1 a distance of 52.84 feet to a point on
the Northerly line of Fairmount Heights Subdivision as shown at Reception No. 381441:
thence S69°27'39"W along said Northerly line of Fairmount Heights Subdivision a distance
of 640.84 feet to a point on the East line of a strip of land described at Reception No. 1920315:
thence N0°00'23"W along said East line a distance of 4.18 feet to the Northeast Corner of said strip land: thence N89°55'23"W parallel with the South line of the Southeast Quarter of the Southwest Quarter of Section 2, and along the North line of said strip of land and the North line of Properties described
at Reception Numbers 2361800, 1796942, 2889324, and 2881149 a distance of 410.73 feet to a point
on the West line of the Southeast Quarter of the Southwest Quarter of Section 2:
thence N0°02'00"E along said West line a distance of 315.75 feet to a point on the Southerly line of Tract B of Juniper Ridge Subdivision as shown at Reception No. 2950956:
thence N85°29'33"E along said Southerly line a distance of 168.99 feet:
thence N70°00'23"E along said Southerly line a distance of 473.93 feet to the Southwest
Corner of the Community Lane Right of Way described at Reception No. 2871165:
thence N70°00'23"E along the South line of said Community Lane Right of Way a distance
of 18.55 feet to the Southwest Corner of a Second Right of Way described at Reception No. 2950956: thence N88°18'38"E along the South line of said Second Right of Way a distance of 26.65 feet
to the Southwest Corner of Village Cooperative Subdivision as shown at Reception No. 2978315: thence S89°57'47"E along the South line of said Village Cooperative Subdivision a
distance of 622.87 feet to the Point of Beginning, to the R-24 (Residential 24 du/ac) zone district, finding that the zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-24 (Residential 24 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:

PARCEL NO. 1 2945-023-00-029

A Parcel of land situated in the Southeast Quarter of the Southwest Quarter of Section 2, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 2 from whence the South Sixteenth Corner of Section 2 bears N0°01'42"E a distance of 1314.69 feet for a Basis of Bearings.
all bearings herein related thereto: thence N0°01'42"E along the East line of the Southeast Quarter Southwest Quarter of Section 2 a distance of 657.34 feet to the midpoint of said East line and the Northeast Corner of the Right of Way described at Reception No. 1361394 of the Mesa County Records: thence N89°57'47"W along the North line of said right of Way a distance of 35.00 feet to the Northwest Corner of said Right of Way and the Point of Beginning:
thence S0°01'42"W along the West line of said Right a Way a distance of 66.17 feet to a point on the North Right of Way Line of the 38.00-foot ROW described at Reception No. 2484178:
thence S78°59'42"W along said North line of the 38.00-foot ROW and the Northerly line of Lot 1 of Rose Hill Place as described at Reception No. 2484178 a distance of 93.28 feet:
thence continuing along said Northerly line of Lot 1 S51°21'42"W a distance of 224.67 feet:
thence S0°01'42"W along the Westerly line of Lot 1 a distance of 52.84 feet to a point on the Northerly line of Fairmount Heights Subdivision as shown at Reception No. 381441:
thence S69°27'39"W along said Northerly line of Fairmount Heights Subdivision a distance of 640.84 feet to a point on the East line of a strip of land described at Reception No. 1920315:
thence N0°00'23"W along said East line a distance of 4.18 feet to the Northeast Corner of said strip land: thence N89°55'23"W parallel with the South line of the Southeast Quarter of the Southwest Quarter of Section 2, and along the North line of said strip of land and the North line of Properties described at Reception Numbers 2361800, 1796942, 2889324, and 2881149 a distance of 410.73 feet to a point on the West line of the Southeast Quarter of the Southwest Quarter of Section 2:
thence N0°02'00"E along said West line a distance of 315.75 feet to a point on the Southerly line of Tract B of Juniper Ridge Subdivision as shown at Reception No. 2950956:

thence N85°29'33"E along said Southerly line a distance of 168.99 feet:
thence N70°00'23"E along said Southerly line a distance of 473.93 feet to the
Southwest
Comer of the Community Lane Right of Way described at Reception No. 2871165:
thence N70°00'23"E along the South line of said Community Lane Right of Way a
distance
of 18.55 feet to the Southwest Comer of a Second Right of Way described at Reception
No. 2950956: thence N88°18'38"E along the South line of said Second Right of Way a
distance of 26.65 feet
to the Southwest Comer of Village Cooperative Subdivision as shown at Reception No.
2978315: thence S89°57'47"E along the South line of said Village Cooperative
Subdivision a
distance of 622.87 feet to the Point of Beginning, shall be zoned R-24 (Residential 24
du/ac).

Introduced on first reading this 20th day of April 2022 and ordered published in pamphlet
form.

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

ATTEST:

City Clerk

Mayor



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: April 12, 2022
Presented By: Nicole Galehouse, Senior Planner
Department: Community Development
Submitted By: Nicole Galehouse, AICP, Senior Planner

Information

SUBJECT:

Consider a request by the City of Grand Junction to Amend Title 21 and Title 27 of the Grand Junction Municipal Code to regulate cannabis businesses by providing use-specific standards, specific buffering requirements from schools and rehabilitation facilities, and signage standards. | [Staff Presentation](#) | **Phone comment code: 3518**

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

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 establish tax rates and regulations for the retail cannabis industry in Grand Junction.

The City Council met on July 13, 202, November 30, 2020, December 17, 2020, January 4, 2020, January 20, 2020, 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. There are three proposed ordinances which have been created from these extensive discussions and form 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. Two of these ordinances related to general cannabis business regulations and cannabis taxation are outside of the Zoning and Development Code, and as such are not brought before the Planning Commission.

BACKGROUND OR DETAILED INFORMATION:

This ordinance amends Title 21, including Chapter 4, Chapter 6, and Chapter 10, including proposed changes to the use table, location specific limitations (Horizon Drive Business Improvement District (BID) and Downtown), buffering from specific land uses, and signage regulations. The ordinance also amends Title 27, Chapter 12 pertaining to signage regulations within the Horizon Drive BID Overlay.

The amendments to Title 21, Chapter 4 adds Retail Cannabis Stores to the use-specific standards section of the Code. Zoning requirements are added to disallow a regulated cannabis business from operating in a building where a dwelling unit exists, limits the total number of businesses within the Horizon Drive BID to two, and precludes any regulated cannabis business from operating on the ground floor of the Downtown Grand Junction area. These limitations were proffered in coordination with the Downtown Development Authority and the Horizon Drive BID. Buffering requirements are included which provide 1,000 feet separation from any private or public elementary, middle, junior high, or high school, and from Colorado Mesa University and Western Colorado Community College, as well as 500 feet separation from any licensed services for the prevention, treatment, or recovery from substance use and mental health concerns.

Proposed amendments to Chapter 6, Sign Regulation include limitations to verbiage that may be included on the signage, as well as prohibitions on content that is designed to appeal to minors. Signage allowances throughout the City vary, largely dependent on the overlays that exist in specific areas. Signage for regulated cannabis businesses will follow the same model, being consistent with the overlays in place. However, in areas of the City where there is not an overlay, and within the North Avenue Overlay, which provides an incentive for reduced signage as opposed to regulation, regulated cannabis businesses will be limited to flush wall mounted signs or monument signs, with a maximum height of 20 feet and a maximum area of 150 square feet per sign face.

The final proposed amendments are to Title 27, Chapter 12, which is the Horizon Drive BID Overlay Standards. Signage allowances within this overlay are different depending on sub-locations within the district. After discussions with the Horizon BID, it was desired to limit the allowable signage for regulated cannabis businesses, so language was added to provide a maximum height of 20 feet and a maximum area of 75 square feet.

ANALYSIS

In accordance with Section 21.02.140(c), a proposed Code amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to amend the Code with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on April 5, 2022 in the Grand Junction Daily Sentinel.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the ZCA-2022-200, a request to amend Title 21 and Title 27 of the Grand Junction Municipal Code to regulate cannabis businesses by providing use-specific standards, specific buffering requirements from schools and rehabilitation facilities, and signage standards, the following findings of fact have been made:

1. The proposed amendments to the Zoning and Development Code are useful in that they ensure the health, safety, and general welfare of the public, and refine processes that assist in the logical and orderly development of the city as described in the background information of this report.
2. The proposed amendments to the Zoning and Development Code support the following goals of the comprehensive plan:
 - a. Planning Principal 2: Resilient and Diverse Economy – 1 Foster a vibrant, diverse, and resilient economy.
 - i. 6(a) – Economic Diversity: Support the further diversification of the economy that is prepared to anticipate, innovate, and proactively respond to cyclical economic fluctuations and evolution.
 - ii. 6(g) – Sales and Use Tax Revenue: Partner in supporting programs that encourage residents to spend retail dollars locally before looking elsewhere for goods and services. Emphasize the retention and recruitment of retailers or development projects that have a positive impact on sales tax generation, specifically focused on increasing retail sales inflow and reducing retail sale leakage.

SUGGESTED MOTION:

Plan Commission Chair, on the Zoning and Development Code Amendments, ZCA-2022-200, I move that the Planning Commission forward a recommendation of approval with the findings of fact as listed in the staff report.

Attachments

1. ORD-ZDC Cannabis -04.12.2022 CLEAN - 040722
2. ORD-ZDC Cannabis -04.12.2022 REDLINE - 040722

AN ORDINANCE TO AMEND TITLE 21 CHAPTER 4, CHAPTER 6, AND CHAPTER 10 AND TO AMEND TITLE 27, CHAPTER 12.12 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

RECITALS:

The City desires to maintain effective regulations in its Zoning and Development Code (Title 21 of the Grand Junction Municipal Code (“GJMC”)); regulations that encourage and require appropriate use of land throughout the City while taking into consideration the needs and desires of the citizens of Grand Junction.

Although Federal law criminalizes the use and possession of marijuana as a Schedule 1 controlled substance under the Controlled Substance Act, on June 7, 2010, former Governor Ritter signed into law House Bill 10-1284 and Senate Bill 10-108 which, among other things, authorized the City to adopt an ordinance to license, regulate or prohibit the cultivation and/or sale of marijuana (C.R.S. 12-43.3-103(2)). The law also allowed a city to vote, either by a majority of the registered electors or a majority of the City Council, to prohibit the operation of medical marijuana centers, optional premises cultivation operations and medical marijuana infused products manufacturers.

At the time of House Bill 10-1284 and Senate Bill 10-108’s passing, a moratorium was in effect in the City for the licensing, permitting and operation of marijuana businesses. The moratorium, which was initially declared on November 16, 2009 (through Ordinance 4437), was for a period of twelve months and applied to any person or entity applying to function, do business or hold itself out as a medical marijuana dispensary in the City of Grand Junction, regardless of the person, entity, or zoning. On October 13, 2020, City Council adopted Ordinance 4446 which extended the moratorium to July 1, 2011.

At the April 5, 2011 election, the electorate voted in favor of prohibiting the operation of medical marijuana businesses and the amendment of the GJMC by prohibiting certain uses of marijuana (Measure A).

On November 6, 2012, Colorado Amendment 64 was passed by the voters, amending Article 18 of the Colorado Constitution adding Section 16 which allows retail marijuana stores and made it legal for anyone 21 years or older to buy marijuana at such stores. In addition, Amendment 64 allows anyone 21 years or older to legally possess and consume up to one ounce of marijuana. Amendment 64 does not change the Federal law; it still remains illegal under Federal law to produce and/or distribute marijuana also known as cannabis.

40 On February 6, 2013, City Council approved Resolution 07-13 adopting marijuana
41 policies for the City and restrictions for persons or entities from applying to function, do
42 business, or hold itself out as a marijuana facility, business, or operation of any sort in the
43 City limits. Later that same year, City Council adopted Ordinance 4599 which prohibited
44 the operation of marijuana cultivation facilities, marijuana product manufacturing facilities,
45 marijuana testing facilities, and retail marijuana stores. Ordinance 4599 also amended
46 Sections in Title 5, Article 15 of the GJMC that prohibit certain uses relating to marijuana.

47 In late 2015, the City, Mesa County and Colorado Mesa University, by and through the
48 efforts of the Grand Junction Economic Partnership (GJEP), were successful in
49 establishing the *Colorado Jumpstart* business development program. One business
50 which was awarded the first *Jumpstart* incentive planned to develop a laboratory and
51 deploy its advanced analytical processes for genetic research and its ability to mark/trace
52 chemical properties of agricultural products, one of which was cannabis. In October 2016,
53 City Council passed Ordinance 4722 which amended Ordinance 4599 and Section
54 21.04.010 of the GJMC to allow marijuana testing facilities in the City.

55 On January 20, 2021, the City Council approved Resolution 09-21, the adoption of which
56 referred a ballot question to the regular municipal election on April 6, 2021 to repeal
57 Referred Measure A contingent on and subject to voter approval of taxation of marijuana
58 businesses. A majority of the votes cast at the election were in favor of repealing the
59 moratorium on marijuana businesses and in favor of taxation of cannabis businesses.

60 City Council has decided to allow certain regulated cannabis businesses within the City.
61 City Council has requested that staff prepare an ordinance to repeal the prohibition of
62 cannabis businesses from the GJMC and to include rules and regulations for licensing
63 and operating retail cannabis businesses.

64 City staff and community members, including the Cannabis Working Group, have
65 researched, reviewed, and discussed various approaches to taxation, permitting and
66 regulation of regulated cannabis within the City. Regulations for cannabis uses have been
67 established at the state level with the adoption and implementation of the Colorado
68 Marijuana Code in the Colorado Revised Statutes (C.R.S. 44-10-101, *et. seq.*); however,
69 regulation of regulated marijuana uses at the state level alone are inadequate to address
70 the impacts on the City of regulated cannabis, making it appropriate for the City to regulate
71 the impacts of regulated cannabis uses.

72 The City has a valid interest in regulating zoning and other impacts of cannabis
73 businesses in a manner that is consistent with constitutional and statutory standards. The
74 City Council desires to facilitate the provision of quality regulated cannabis in a safe
75 manner while protecting existing uses within the City. Regulation of the manner of
76 operation and location of regulated cannabis uses is necessary to protect the health,
77 safety and welfare of both the public and the customers. The proposed ordinance is
78 intended to allow certain regulated cannabis businesses that will have a minimal impact
79 and where potential negative impacts are minimized.

80 This proposed ordinance amends the City's Code to permit cannabis businesses in the
 81 specific zone districts where general indoor retail sales are permitted and provides for
 82 buffering from specific land uses including, certain schools and specific rehabilitation
 83 facilities. This ordinance also includes regulations for signage and definitions for cannabis
 84 businesses.

85 After public notice and public hearing as required by the Grand Junction Zoning and
 86 Development Code, the Grand Junction Planning Commission recommended approval
 87 of the proposed amendments.

88 After public notice and public hearing, the Grand Junction City Council finds that the
 89 amendments to allow certain regulated cannabis businesses by and through the uses
 90 and the Use Table, are responsive to the community's desires and otherwise advance
 91 and protect the public health, safety and welfare of the City and its residents.

92 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
 93 **GRAND JUNCTION THAT THE FOLLOWING SECTIONS OF THE GRAND JUNCTION**
 94 **MUNICIPAL CODE INCLUDING TITLE 21: ZONING AND DEVELOPMENT CODE AND**
 95 **TITLE 27: HORIZON DRIVE DISTRICT OVERLAY ZONE DISTRICT STANDARDS ARE**
 96 **AMENDED AS FOLLOWS (new text additions underlined and deletions marked with**
 97 **strike-through notations):**

98 21.04.010 (d) Prohibited Uses.

99 ~~Marijuana related business, whether retail, commercial, industrial or agricultural, except~~
 100 ~~marijuana testing facility(ies) are prohibited in all zone districts in accordance with~~
 101 ~~Chapter 5.15 GJMC. Marijuana testing facility(ies) is (are) allowed in the zone districts~~
 102 ~~shown.~~

104 ~~Marijuana testing facilities shall be categorized as/under the "industrial services,~~
 105 ~~contractors and trade shops, oil and gas support operations without hazardous materials"~~
 106 ~~category of the use zone matrix as "research, testing, and laboratory facilities – indoors~~
 107 ~~(including marijuana testing facilities)" as allowed uses in B 2, C 1, C 2, MU, BP, IO, I 1~~
 108 ~~and 1-2 zone districts.~~

110 21.04.010 Use Table.

Key: A = Allowed, C = Conditional, Blank Cell = Not Permitted																								
Use Category	Principal Use	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	MU	BP	I-O	I-1	I-2	M X-	Std.
Retail Sales and Services	Marijuana Related Business																							Ch 6-16

Retail Sales and Service	Regulated Cannabis Store													△	△	△	△		△	△				△	Ch. 21.04.030(w)
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21.04.030 Use-specific standards.

(w) Regulated Cannabis Stores.

(1) Applicability. These regulations apply to all Regulated Cannabis Stores in the City in addition to the other provisions in the GJMC pertaining to cannabis stores, including but not limited to, GJMC Chapters 5.13 and 5.14.

(2) Zoning.

(i) It is unlawful for a Regulated Cannabis Store to operate in a building which contains a Dwelling Unit.

(ii) There shall be no more than two Regulated Cannabis Stores operating within the boundaries of the Horizon Drive Business Improvement District, as may be amended.

(iii) There shall be no Regulated Cannabis Stores located on the ground floor of any buildings in the Downtown Grand Junction area defined as Main Street bounded by the west intersection line of First Street and bounded by the east by the centerline of 7th Street.

(iv) A Regulated Cannabis Store may provide drive-through Cannabis service, provided that:

(A) The location is proposed in a zoning district which permits drive-through uses (retail); and

(B) The proposed drive-through meets the requirements of this Code and the Transportation Engineering Design Standards (TEDS).

(3) Buffering.

(i) No Regulated Cannabis Stores shall be located:

(A) Within 1000 feet of any private or public elementary, middle, junior high, or high school.

- 150 (B) Within 1000 feet of Colorado Mesa University (Main Campus) and
151 Western Colorado Community College.
152
- 153 (C) Within 500 feet of any services for prevention, treatment or recovery
154 from substance use and mental health concerns, as licensed by the
155 Colorado Department of Human Services, Office of Behavioral
156 Health (OBH).
157
- 158 (ii) Buffering Distance Computation. The buffering distance shall be computed
159 by direct measurement from the nearest property line of the land use to the
160 nearest point which provides public entrance to the building in which the
161 regulated cannabis is to be sold, using a route of direct pedestrian access,
162 measured as a person would walk safely and properly, without trespassing
163 or utilizing alleys, following stripping or parking patterns or on-site
164 designated pedestrian routes, with right angles at crossings and with the
165 observance of traffic regulations and traffic signals.
166

167 21.06.070 Sign Regulation

- 168
- 169 (j) Regulated Cannabis Business Signage and Advertising.
170
- 171 (1) All signs and advertising for Regulated Cannabis Stores shall comply with all
172 applicable provisions of the Colorado Marijuana Code, any regulations adopted
173 pursuant thereto, the provisions of this Chapter and Chapter 6, and the City's
174 ordinances and regulations regarding signs and advertising.
175
- 176 (2) No sign shall use the terms "pharmacy", "pharmacist", "pharmaceutical", "rx",
177 or any other similar variation of such terms as its corporate, business, or "doing
178 business as" name, so as to prevent a reasonable person from concluding such
179 business is involved in the practice of pharmacy, as regulated by
180 Pharmaceuticals and Pharmacists, C.R.S. Article 22 of Chapter 12.
181 Additionally, no Regulated Cannabis Stores may use any of the above terms
182 or any similar variation thereof in any of its signs, placards, promotional, or
183 advertising materials. Additionally, no signs that mimic or allude to pharmacy
184 or medical related symbols, including but not limited to medical style crosses
185 regardless of proportions or colors, shall be used or displayed in nonmedical
186 Regulated Cannabis Stores.
187
- 188 (3) No sign shall include advertising material that is misleading, deceptive or false
189 or that, as evidenced by the content of the advertising material or by the
190 medium or the manner in which the advertising material is disseminated, is
191 designed to appeal to persons under twenty-one (21) years of age.
192

193 (4) Maximum Sign Dimensions:

194
195 (i) For properties that lie within an existing overlay district regulated by Title
196 22, Title 24, Title 25, Title 26, or Title 27 the specific regulations within the
197 overlay shall apply.

198
199 (ii) For all other properties within the City, only flush wall mounted signs or
200 monument signs shall be allowed. Maximum sign allowances shall be
201 calculated according to the provisions of this Chapter and subject to the
202 following limitations:

203
204 (A) Maximum Height: 20 feet; and,

205
206 (B) Maximum Area: 150 square feet per sign face.

207
208 (5) Signs and Advertising not requiring a permit include:

209
210 (i) Sign-wavers or other natural persons standing in the public. No Regulated
211 Cannabis Stores shall advertise with sign-wavers or other natural persons
212 within the buffering distances from specified land uses as provided in
213 w.3(a) above.

214
215 (ii) Any advertisement contained within a newspaper, magazine, or other
216 periodical of general circulation within the City or on the internet, which may
217 include coupons.

218
219 (iii) Any non-consumable merchandise or accessories.

220
221 (iv) A booth at an adult event or job fair where the only items distributed are
222 company or educational materials and no other items are distributed,
223 shown or sold.

224
225 (v) Business cards within the business or handed directly to an individual who
226 is over the age of 21.

227
228 (vi) Showing a government-issued verification of age or military status, or
229 registration for a charitable event, or similar item the showing of which,
230 without providing a separate printing to the business, entitles the holder to
231 a discount for a particular product or service.

232
233 (vii) Company materials and educational materials distributed inside the
234 cannabis business.

235
236
237 27.12.040 Signage.

238 (b) Freestanding signs shall comply with the following requirements:

239

240 (8) Maximum sign dimensions shall not exceed the following:

241

242 (i) For any regulated cannabis business, the maximum sign dimensions
243 shall not exceed the following:

244

245 (A) 20 ~~twenty~~ feet in height; and,

246

247 (B) 75 ~~seventy five~~ square feet.

248

249 21.10.020 Terms defined.

250

251 Cannabis Testing Facility(ies) is an entity licensed to analyze and certify safety and
252 potency of cannabis.

253

254 Medical Cannabis Store is an entity licensed and co-located with a retail cannabis store
255 that sells medical cannabis to registered patients or primary caregivers as defined in
256 Section 14 of Article XVIII of the Colorado constitution, but is not a primary caregiver.

257

258 Regulated Cannabis Cultivation Facility is an entity licensed to cultivate, prepare, and
259 package cannabis and sell cannabis to retail cannabis stores, to cannabis product
260 manufacturing facilities, and to other cannabis cultivation facilities, but not to consumer.

261

262 Regulated Cannabis Hospitality and Sales Business is a facility that cannot be mobile,
263 that is licensed to permit the consumption of only the retail cannabis or retail cannabis
264 products it has sold pursuant to the provisions of an enacted, initiated, or referred
265 ordinance or resolution of the local jurisdiction in which the licensee operates.

266

267 Regulated Cannabis Products Manufacturing Facility is an entity licensed to purchase
268 cannabis; manufacture, prepare, and package cannabis products; and sell cannabis and
269 cannabis products to other cannabis product manufacturing facilities and to retail
270 cannabis stores, but not to consumers.

271

272 Regulated Cannabis Transporter Business is an entity or person that is licensed to
273 transport retail cannabis and retail cannabis products from one regulated cannabis
274 business to another regulated cannabis business and to temporarily store the transported
275 regulated cannabis and regulated cannabis products at its licensed premises but is not
276 authorized to sell regulated cannabis or regulated cannabis products under any
277 circumstances.

278

279 Regulated Cannabis Store is an entity licensed to purchase regulated cannabis from
280 Regulated Cannabis Cultivation Facilities and to sell regulated cannabis to consumers

281 and Regulated Cannabis Testing Facilities that are licensed to analyze and certify the
282 safety and potency of cannabis.

283
284 All other provisions of Title 21 Chapter 4, Chapter 6, and Chapter 10 and Title 27 Chapter
285 12.12 shall remain in full force and effect.

286
287 Introduced on first reading the _____ day of _____,
288 2022 and ordered published in pamphlet form.

289
290 Adopted on second reading this ____ day of _____ 2022 and ordered published in
291 pamphlet form.

292

293

294

295

296 ATTEST:

297

298

299

300 _____
301 Laura J. Bauer, MMC
302 Interim City Clerk

303

303

C.B. McDaniel
President of City Council

1 ORDINANCE NO. _____
2

3 AN ORDINANCE TO AMEND TITLE 21 CHAPTER 4, CHAPTER 6, AND CHAPTER
4 10 AND TO AMEND TITLE 27, CHAPTER 12.12 OF THE GRAND JUNCTION
5 MUNICIPAL CODE REGARDING USE STANDARDS AND FOR SPECIFIC
6 BUFFERING BETWEEN CERTAIN SCHOOLS AND REHABILITATION FACILITIES,
7 AND ADOPTING REGULATIONS FOR SIGNAGE OF CANNABIS BUSINESSES,
8 AND DEFINITIONS FOR SUCH BUSINESSES.

9
10 **RECITALS:**

11 The City desires to maintain effective regulations in its Zoning and Development Code
12 (Title 21 of the Grand Junction Municipal Code ("GJMC")); regulations that encourage
13 and require appropriate use of land throughout the City while taking into consideration the
14 needs and desires of the citizens of Grand Junction.

15 Although Federal law criminalizes the use and possession of marijuana as a Schedule 1
16 controlled substance under the Controlled Substance Act, on June 7, 2010, former
17 Governor Ritter signed into law House Bill 10-1284 and Senate Bill 10-108 which, among
18 other things, authorized the City to adopt an ordinance to license, regulate or prohibit the
19 cultivation and/or sale of marijuana (C.R.S. 12-43.3-103(2)). -The law also allowed a city
20 to vote, either by a majority of the registered electors or a majority of the City Council, to
21 prohibit the operation of medical marijuana centers, optional premises cultivation
22 operations and medical marijuana infused products manufacturers.

23 At the time of House Bill 10-1284 and Senate Bill 10-108's passing, a moratorium was in
24 effect in the City for the licensing, permitting and operation of marijuana businesses. The
25 moratorium, which was initially declared on November 16, 2009 (through Ordinance
26 4437), was for a period of twelve months and applied to any person or entity applying to
27 function, do business or hold itself out as a medical marijuana dispensary in the City of
28 Grand Junction, regardless of the person, entity, or zoning. -On October 13, 2020, City
29 Council adopted Ordinance 4446 which extended the moratorium to July 1, 2011.

30 At the April 5, 2011 election, the electorate voted in favor of prohibiting the operation of
31 medical marijuana businesses and the amendment of the ~~Grand Junction Municipal Code~~
32 by prohibiting certain uses of marijuana (Measure A).

33 On November 6, 2012, Colorado Amendment 64 was passed by the voters, amending
34 Article 18 of the Colorado Constitution adding Section 16 which allows retail marijuana
35 stores and made it legal for anyone 21 years or older to buy marijuana at such stores. In
36 addition, Amendment 64 allows anyone 21 years or older ~~ever 21 years of age~~ to legally
37 possess and consume up to one ounce of marijuana. -Amendment 64 does not change
38 the Federal law; it still remains illegal under Federal law to produce and/or distribute
39 marijuana also known as cannabis.

40 On February 6, 2013, City Council approved Resolution 07-13 adopting marijuana
41 policies for the City and restrictions for persons or entities from applying to function, do
42 business, or hold itself out as a marijuana facility, business, or operation of any sort in the
43 City limits. -Later that same year, City Council adopted Ordinance 4599 which prohibited
44 the operation of marijuana cultivation facilities, marijuana product manufacturing facilities,
45 marijuana testing facilities, and retail marijuana stores. Ordinance 4599 also amended
46 Sections in Title 5, Article 15 of the ~~Grand Junction Municipal Code~~ that prohibit certain
47 uses relating to marijuana.

48 In late 2015, the City, Mesa County and Colorado Mesa University, by and through the
49 efforts of the Grand Junction Economic Partnership (GJEP), were successful in
50 establishing the *Colorado Jumpstart* business development program. One business
51 which was awarded the first *Jumpstart* incentive planned to develop a laboratory and
52 deploy its advanced analytical processes for genetic research and its ability to mark/trace
53 chemical properties of agricultural products, one of which was cannabis. In October 2016,
54 City Council passed Ordinance 4722 which amended Ordinance 4599 and Section
55 21.04.010 of the ~~Grand Junction Municipal Code~~ to allow cannabis marijuana testing
56 facilities in the City.

57 On January 20, 2021 the City Council approved Resolution 09-21, the adoption of which
58 referred a ballot question to the regular municipal election on April 6, 2021 to repeal
59 Referred Measure A contingent on and subject to voter approval of taxation of marijuana
60 cannabis businesses. A majority of the votes cast at the election were in favor of repealing
61 the moratorium on marijuana cannabis businesses and in favor of taxation of cannabis
62 businesses.

63 City Council has decided to allow certain regulated retail cannabis businesses within the
64 City. City Council has requested that staff prepare an ordinance to repeal the prohibition
65 of cannabis businesses from the ~~Grand Junction Municipal Code~~ and to include rules and
66 regulations for licensing and operating retail cannabis businesses.

67 City staff and community members, including the Cannabis Working Group, have
68 researched, reviewed, and discussed various approaches to taxation, permitting and
69 regulation of regulated retail cannabis within the City. Regulations for cannabis uses have
70 been established at the state level with the adoption and implementation of the Colorado
71 Marijuana Code in the Colorado Revised Statutes (C.R.S. 44-10-101, *et. seq.*); however,
72 regulation of regulated retail marijuana uses at the state level alone are inadequate to
73 address the impacts on the City of regulated cannabis, making it appropriate for the City
74 to regulate the impacts of regulated retail cannabis uses.

75 The City has a valid interest in regulating zoning and other impacts of cannabis
76 businesses in a manner that is consistent with constitutional and statutory standards. The
77 City Council desires to facilitate the provision of quality regulated retail cannabis in a safe
78 manner while protecting existing uses within the City. Regulation of the manner of
79 operation and location of regulated retail cannabis uses is necessary to protect the health,

80 safety and welfare of both the public and the customers. The proposed ordinance is
81 intended to allow certain regulated cannabis businesses that will have a minimal impact
82 and where potential negative impacts are minimized.

83 This proposed ordinance amends the City's Code to permit cannabis businesses in the
84 specific zone districts where general indoor retail sales are permitted and provides for
85 buffering from specific land uses including, certain schools and specific rehabilitation
86 facilities. This ordinance also includes regulations for signage and definitions for cannabis
87 businesses.

88 After public notice and public hearing as required by the Grand Junction Zoning and
89 Development Code, the Grand Junction Planning Commission recommended approval
90 of the proposed amendments.

91 After public notice and public hearing, the Grand Junction City Council finds that the
92 amendments to allow certain retail-regulated cannabis businesses by and through the
93 uses and the Use Table, are responsive to the community's desires and otherwise
94 advance and protect the public health, safety and welfare of the City and its residents.

95 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
96 **GRAND JUNCTION THAT THE FOLLOWING SECTIONS OF THE GRAND JUNCTION**
97 **MUNICIPAL CODE INCLUDING TITLE 21: ZONING AND DEVELOPMENT CODE AND**
98 **TITLE 27: HORIZON DRIVE DISTRICT OVERLAY ZONE DISTRICT STANDARDS ARE**
99 **AMENDED AS FOLLOWS (new text additions underlined and deletions marked with**
100 **strike-through notations):**

101 21.04.010 (d) Prohibited Uses.

102 ~~Marijuana related business, whether retail, commercial, industrial or agricultural, except~~
103 ~~marijuana testing facility(ies) are prohibited in all zone districts in accordance with~~
104 ~~Chapter 5.15 GJMC. Marijuana testing facility(ies) is (are) allowed in the zone districts~~
105 ~~shown.~~

106
107 ~~Marijuana testing facilities shall be categorized as/under the "industrial services,~~
108 ~~contractors and trade shops, oil and gas support operations without hazardous materials"~~
109 ~~category of the use zone matrix as "research, testing, and laboratory facilities — indoors~~
110 ~~(including marijuana testing facilities)" as allowed uses in B-2, C-1, C-2, MU, BP, IO, I-1~~
111 ~~and 1-2 zone districts.~~

112

113 21.04.010 Use Table.

Key: A = Allowed, C = Conditional, Blank Cell = Not Permitted

Use Category	Principal Use	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	MPU	BP	I-O	I-1	I-2	M X-	Std.
Retail Sales and Services	Marijuana Related Business																							Ch 6-16
Retail Sales and Service	<u>Regulated Cannabis Store</u>												Δ	Δ	Δ	Δ		Δ	Δ				Δ	Ch. 21.04.030 4.03 01a1

114

115

116 21.04.030 Use-specific standards.

117

118 (w) Retail Regulated Cannabis Stores.

119

120 (1) Applicability. These regulations apply to all Regulated Cannabis Stores in
 121 the City in addition to the other provisions in the GJMC pertaining to cannabis
 122 stores, including but not limited to, GJMC Chapters 5.13 and 5.14.

123

124 (2) Zoning.

125

126 (i) It is unlawful for a Regulated Cannabis Store to operate in a building
 127 which contains a Dwelling Unit.

128

129 (ii) There shall be no more than two Regulated Cannabis Stores operating
 130 within the boundaries of the Horizon Drive Business Improvement District,
 131 as may be amended.

132

133 (iii) There shall be no Regulated Cannabis Stores businesses located on the
 134 ground floor of any buildings in the Downtown Grand Junction area defined
 135 as Main Street bounded by the west intersection line of First Street and
 136 bounded by the east by the centerline of 7th Street.

137

138 (iv) A Regulated Cannabis Store may provide drive-through Cannabis service,
 139 provided that:

140

141 (A) The location is proposed in a zoning district which permits drive-
 142 through uses (retail); and

143

144 (A)(B) The proposed drive-through meets the requirements of this Code
 145 and the Transportation Engineering Design Standards (TEDS).

146

147 (3) Buffering.

- 148 (i) No ~~Regulated~~ Cannabis Stores shall be located:
149 (A) Within 1000 feet of any private or public elementary, middle, junior
150 high, or high school.
151
152 (B) Within 1000 feet of Colorado Mesa University (Main Campus) and
153 Western Colorado Community College.
154
155 (C) Within 500 feet of any services for prevention, treatment or recovery
156 from substance use and mental health concerns, as licensed by the
157 Colorado Department of Human Services, Office of Behavioral
158 Health (OBH).
159
160 (ii) Buffering Distance Computation. The buffering distance shall be computed
161 by direct measurement from the nearest property line of the land use to the
162 nearest point which provides public entrance to ~~portion of~~ the building or
163 unit in which the ~~regulated~~ cannabis is to be sold, using a route of direct
164 pedestrian access, measured as a person would walk safely and properly,
165 without trespassing or, ~~without~~ utilizing alleys, following stripping or parking
166 patterns or on-site designated pedestrian routes, with right angles at
167 crossings and with the observance of traffic regulations and traffic signals.
168

169 21.06.070 Sign Regulation

- 170
171 (i) Regulated Cannabis Business ~~Cannabis Retail Store~~ Signage and Advertising.
172
173 (1) All signs and advertising for ~~Regulated~~ Cannabis Stores shall comply with
174 all applicable provisions of the Colorado Marijuana Code, any regulations
175 adopted pursuant thereto, the provisions of this Chapter and Chapter 6, and
176 the City's ordinances and regulations regarding signs and advertising.
177
178 (2) No sign shall use the terms "pharmacy", "pharmacist", "pharmaceutical", "rx",
179 or any other similar variation of such terms as its corporate, business, or "doing
180 business as" name, so as to prevent a reasonable person from concluding such
181 business is involved in the practice of pharmacy, as regulated by
182 Pharmaceuticals and Pharmacists, C.R.S. Article 22 of Chapter 12.
183 Additionally, no ~~Regulated~~ Cannabis Stores may use any of the above terms
184 or any similar variation thereof in any of its signs, placards, promotional, or
185 advertising materials. Additionally, no signs that mimic or allude to pharmacy
186 or medical related symbols, including but not limited to medical style crosses
187 regardless of proportions or colors, shall be used or displayed in nonmedical
188 ~~retail-Regulated~~ Cannabis Stores.
189

190 (3) No sign shall include advertising material that is misleading, deceptive or false
191 or that, as evidenced by the content of the advertising material or by the
192 medium or the manner in which the advertising material is disseminated, is
193 designed to appeal to persons under ~~eighteen (18)-twenty-one (21)~~ years of
194 age.

195
196 (4) Maximum Sign Dimensions:

197
198 (i) For properties that lie within an existing overlay district regulated by Title
199 22, Title 24, Title 25, Title 26, or Title 27 the specific regulations within the
200 overlay shall apply.

201
202 (ii) For all other properties within the City, only flush wall mounted signs or
203 monument signs shall be allowed. -Maximum sign allowances shall be
204 calculated according to the provisions of this Chapter and subject to the
205 following limitations:

206
207 (A) Maximum Height: 20 feet; and,

208
209 (B) Maximum Area: -150 square feet per sign face.

210
211 (5) Signs and Advertising not requiring a permit include:

212
213 (i) Sign-wavers or other natural persons standing in the public. No [Retail](#)
214 [Regulated Cannabis Stores](#) shall advertise with sign-wavers or other
215 natural persons within the buffering distances from specified land uses as
216 provided in w.3(a) above.

217
218 (ii) Any advertisement contained within a newspaper, magazine, or other
219 periodical of general circulation within the City or on the internet, which may
220 include coupons.

221
222 (iii) Any non-consumable merchandise or accessories.

223
224 (iv) A booth at an adult event or job fair where the only items distributed are
225 company or educational materials and no other items are distributed,
226 shown or sold.

227
228 (v) Business cards within the business or handed directly to an individual who
229 is over the age of 21.

230
231 (vi) Showing a government-issued verification of age or military status, or
232 registration for a charitable event, or similar item the showing of which,

233 without providing a separate printing to the business, entitles the holder to
234 a discount for a particular product or service.

235
236 (vii) Company materials and educational materials distributed inside the
237 cannabis business.

238
239
240 27.12.040 Signage.

241
242 (b) Freestanding signs shall comply with the following requirements:

243
244 (8) Maximum sign dimensions shall not exceed the following:

245
246 (i) For any regulated cannabis business, the maximum sign dimensions
247 shall not exceed the following:

248
249 (A) 20 twenty feet in height; and,

250
251 (B) 75 seventy-five square feet.
252

253
254 21.10.020 Terms defined.

255
256 Cannabis Ttesting Ffacility(ies) is an entity licensed to analyze and certify safety and
257 potency of cannabis.

258
259 Medical Cannabis Store is an entity licensed and co-located with a retail cannabis store
260 that sells medical cannabis to registered patients or primary caregivers as defined in
261 Section 14 of Article XVIII of the Colorado constitution, but is not a primary caregiver.

262
263 Regulatedtail Ccannabis Ccultivation Ffacility is an entity licensed to cultivate, prepare,
264 and package cannabis and sell cannabis to retail cannabis stores, to cannabis product
265 manufacturing facilities, and to other cannabis cultivation facilities, but not to consumers.

266
267 Regulatedtail Ccannabis Hhospitality and Ssales Bbusiness is a facility that cannot be
268 mobile, that is licensed to permit the consumption of only the retail cannabis or retail
269 cannabis products it has sold pursuant to the provisions of an enacted, initiated, or
270 referred ordinance or resolution of the local jurisdiction in which the licensee operates.

271
272 Regulatedtail Ccannabis Pproducts Mmanufacturing Ffacility is an entity licensed to
273 purchase cannabis; manufacture, prepare, and package cannabis products; and sell
274 cannabis and cannabis products to other cannabis product manufacturing facilities and
275 to retail cannabis stores, but not to consumers.

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~~Regulated~~ ~~cannabis~~ ~~Transporter~~ ~~Business~~ is an entity or person that is licensed to transport retail cannabis and retail cannabis products from one ~~regulated~~ cannabis business to another ~~regulated~~ cannabis business and to temporarily store the transported ~~regulated~~ cannabis and ~~regulated~~ cannabis products at its licensed premises but is not authorized to sell ~~regulated~~ cannabis or ~~regulated~~ cannabis products under any circumstances.

~~Regulated~~ ~~cannabis~~ ~~Store~~ is an entity licensed to purchase ~~regulated~~ cannabis from ~~Regulated Cannabis Cultivation Facilities~~ and to sell ~~regulated~~ cannabis to consumers and ~~Regulated~~ ~~retail~~ ~~cannabis~~ ~~Testing~~ ~~Facilities~~ that are licensed to analyze and certify the safety and potency of cannabis.

All other provisions of Title 21 Chapter 4, Chapter 6, and Chapter 10 and Title 27 Chapter 12.12 shall remain in full force and effect.

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

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

ATTEST:

C.B. McDaniel
President of City Council

Laura J. Bauer, MMC
Interim City Clerk