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**CITY COUNCIL AGENDA  
WEDNESDAY, OCTOBER 19, 2022  
250 NORTH 5<sup>TH</sup> STREET - AUDITORIUM  
[VIRTUAL MEETING - LIVE STREAMED](#)  
BROADCAST ON CABLE CHANNEL 191  
5:30 PM – REGULAR MEETING**

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

**Presentations**

City of Grand Junction 1st Place Water Taste Test Award - Rocky Mountain Section of American Water Works Association

2022 American Planning Association (APA) Colorado Chapter - Innovative Partnerships and Collaborations Merit Award for RIVERFront at Dos Rios

Colorado Governor's Tourism Conference, Outstanding Marketing Program Award - Visit Grand Junction, the City of Grand Junction's Destination Marketing Organization

**Proclamations**

Proclaiming October 2022 as National Arts and Humanities Month in the City of Grand Junction

**Appointments**

To the Historic Preservation Board

**Citizen Comments**

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

*Citizens have four options for providing Citizen Comments: 1) in person during the meeting, 2) virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, October 19, 2022 or 4) submitting comments [online](#) until noon on*

*Wednesday, October 19, 2022 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.*

## **City Manager Report**

## **Council Reports**

### **CONSENT AGENDA**

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

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

- a. Summary of the October 3, 2022 Workshop
- b. Minutes of the October 5, 2022 Regular Meeting

#### **2. Procurements**

- a. Purchase of New Flow Equalization Basin Aerators for Persigo Wastewater Treatment Plant (WWTP)
- b. Authorize Contract for Construction of 2022 Safe Routes to School Project on Elm Avenue
- c. Authorize Contract for Construction of Redlands Parkway Shoreline Amenities and Bank Stabilization

#### **3. Resolutions**

- a. A Resolution Supporting the Application for the FY22-23 Peace Officer Mental Health Grant

### **REGULAR AGENDA**

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

#### **4. Public Hearings**

- a. Quasi-judicial



- i. An Ordinance Rezoning 0.21 Acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity), Located at 1313 Bunting Avenue
  - ii. An Ordinance Rezoning 0.920 Acres from C-2 (General Commercial) to C-1 (Light Commercial), Located at 609 24 Road
  - iii. A Resolution Accepting the Petition for the Annexation of 27.83 Acres of Land and Ordnances Annexing and Zoning the C ½ Road Gravel Pit Annexation to CSR (Community Services and Recreation), Located at 2855 C ½ Road
- b. Legislative
- i. A. An Ordinance Creating the Housing Advisory Board (**Continued from September 21, 2022**)  
B. A Resolution Approving By-Laws of the Grand Junction Housing Advisory Board (**Continued from September 21, 2022**)
  - ii. An Ordinance Approving Loans from the Colorado Water Conservation Board to Finance Improvements to the City's Water System; Authorizing the Form and Execution of Loan Contracts and Promissory Notes to Evidence Such Loans and Security Agreements
  - iii. An Ordinance Amending Chapter 2. Section 20.040(d) of the Grand Junction Municipal Code Relating to Municipal Campaign Finance

## 5. Non-Scheduled Citizens & Visitors

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

## 6. Other Business

## 7. Adjournment



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 19, 2022  
**Presented By:** Mark Ritterbush, Water Services Manager  
**Department:** Utilities  
**Submitted By:** Randi Kim

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**Information**

**SUBJECT:**

City of Grand Junction 1st Place Water Taste Test Award - Rocky Mountain Section of American Water Works Association

**RECOMMENDATION:**

N/A

**EXECUTIVE SUMMARY:**

Grand Junction's treated water took 1st place in the Taste Test Competition for water utilities from Wyoming, New Mexico, and Colorado at the Rocky Mountain Section of the American Water Works Association on September 19. Treated water was judged on taste, appearance, smell, and overall impression by a diverse panel of judges. As the first-place winner, Grand Junction will be invited to represent the Rocky Mountain Section at the American Water Works Association national conference in the Best of the Best Taste Test in Toronto, Ontario in 2023.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None



## Grand Junction City Council

### Regular Session

Item #

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**Meeting Date:** October 19, 2022  
**Presented By:** Tamra Allen, Community Development Director  
**Department:** City Clerk  
**Submitted By:** Tamra Allen, Community Development Director

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### **Information**

#### **SUBJECT:**

2022 American Planning Association (APA) Colorado Chapter - Innovative Partnerships and Collaborations Merit Award for RIVERFront at Dos Rios

#### **RECOMMENDATION:**

N/A

#### **EXECUTIVE SUMMARY:**

The City of Grand Junction was recently recognized by the American Planning Association with an Innovative and Collaborations award for the Riverfront at Dos Rios. The award was presented at the 2022 Colorado Planning Conference awards ceremony in Vail. The award was received by Mayor Anna Stout, City Manager Greg Caton and Community Development Director Tamra Allen on behalf of all the community visionaries, city leadership and staff that invested incredible energy and resources into the revitalization of the site over the course of more than three decades.

The award category highlights planning initiatives that have created extraordinary partnerships and collaborations between special interest groups, health organizations, school districts, funding partners, or non-profit organizations.

Over the past 30 years, the 67-acre Riverfront at Dos Rios development in Grand Junction has made a dramatic transformation of the area from landfill and junk yard to an area poised for redevelopment and revitalization. With unparalleled access to the river, trail system, greenspace and downtown, the City envisioned the area as a vibrant neighborhood serving as homes, as well as places to work and play for residents and visitors alike. Numerous land acquisitions by the City and dedication for public use followed cleanup of the site by the Department of Energy and led to extension of the Riverfront Trail along the length of the property, as well as the addition of a backwater

pond for endangered fish. These early steps were taken through community groups such as OneRiverfront and the Lions Club.

The completed infrastructure improvements for Riverfront at Dos Rios totaled \$10.8 million with the purpose of creating a shovel-ready project for a potential developer along the Colorado River. The City also invested more than \$1 million in park improvements including a bicycle playground, a restroom/shelter, and development of a 16-acre park along the river with more to come. In cooperation with Downtown Grand Junction, a special district was established as a financing mechanism and sales and property tax increment funds generated within the development have been appropriated for the project for the next decade.

The development of Riverfront at Dos Rios serves as a catalyst for private reinvestment and revitalization of the River and Rail Districts envisioned in downtown community plans and strategic plan directives. The park within Riverfront at Dos Rios will be a significant regional draw for residents and visitors and provide job opportunities for a diversified economy. The private sector has started construction on the first phase of multifamily development.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 19, 2022  
**Presented By:** Elizabeth Fogarty, Visit Grand Junction Director  
**Department:** City Clerk  
**Submitted By:** Elizabeth Fogarty

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**Information**

**SUBJECT:**

Colorado Governor's Tourism Conference, Outstanding Marketing Program Award - Visit Grand Junction, the City of Grand Junction's Destination Marketing Organization

**RECOMMENDATION:**

n/a

**EXECUTIVE SUMMARY:**

Visit Grand Junction (Visit GJ), the City of Grand Junction's Destination Marketing Organization (DMO), was awarded "Outstanding Marketing Program" at the annual Colorado Governor's Tourism Conference.

**BACKGROUND OR DETAILED INFORMATION:**

Visit Grand Junction was awarded "Outstanding Marketing Program" at the annual Colorado Governor's Tourism Conference in Snowmass. The award recognizes a Colorado organization for a campaign that executes creativity and excellence in promoting tourism locally and statewide. The award recognized Visit GJ's Park2Park series, and accompanying GJ commercials, on Outside TV. The achievement recognizes the support and effort from the Grand Junction community, who were the talent in the commercials, while rewarding the hard work and expertise of the Visit Grand Junction Advisory Board and staff.

**FISCAL IMPACT:**

n/a

**SUGGESTED MOTION:**

n/a

**Attachments**

None





*City of Grand Junction, State of Colorado*

# Proclamation

**Whereas,** the nation’s 120,000 nonprofit arts organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the nation’s 4,500 local arts agencies, and the arts and humanities councils of the 50 states and the six U.S. jurisdictions have regularly issued official proclamations on an annual basis designating October as National Arts and Humanities Month; and

**Whereas,** the arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind while enhancing and enriching American lives by playing a unique role to our families, communities and country; and

**Whereas,** Grand Junction, Colorado, through their local and state arts agencies and representing thousands of cultural organizations, have celebrated the value and importance of culture in the lives of Americans and the health of thriving communities during National Arts and Humanities Month for several years; and

**Whereas,** the humanities help diverse communities across the United States explore their history and culture with the support and partnership of the National Endowment for the Humanities, the 50 state and 6 territorial humanities councils, and local educational and cultural institutions; and

**Whereas,** the nation’s arts and culture sector—nonprofit, commercial, education—is a \$919.7 billion industry that supports 5.2 million jobs—4.3% of the nation’s economy—and boasts a \$33 billion international trade surplus; and

**Whereas,** the nonprofit arts industry alone generates \$166.3 billion in economic activity annually which supports 4.6 million jobs and generates \$27.5 billion in government revenue.

**NOW, THEREFORE,** I, Anna Stout, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim October 2022 as

## *“National Arts and Humanities Month”*

in the City of Grand Junction and call upon our citizens to celebrate and promote arts and culture and encourage greater participation for the arts and humanities in Grand Junction.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 19<sup>th</sup> day of October 2022.

A handwritten signature in black ink, appearing to read 'Anna Stout', written over a horizontal line.

Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** October 19, 2022  
**Presented By:** Amy Phillips, City Clerk  
**Department:** City Clerk  
**Submitted By:** Kerry Graves

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**Information**

**SUBJECT:**

To the Historic Preservation Board

**RECOMMENDATION:**

To appoint the interview committee's recommendation to the Historic Preservation Board.

**EXECUTIVE SUMMARY:**

There are three full-term vacancies on the Historic Preservation Board.

**BACKGROUND OR DETAILED INFORMATION:**

Troy Reynolds, Priscilla Mangnall, and Mikhail Blosser have terms expiring December 31, 2022. Troy Reynolds is term-limited.

**FISCAL IMPACT:**

N/A.

**SUGGESTED MOTION:**

I move to (appoint/not appoint) the interview committee's recommendation to the Historic Preservation Board.

**Attachments**

None

## GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY October 3, 2022

**Meeting Convened:** 4:00 p.m. The meeting was held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

**City Councilmembers Present:** Councilmembers Chuck McDaniel (virtual), Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, Mayor Pro Tem Abe Herman and Mayor Anna Stout.

**Staff present:** City Manager Greg Caton, City Attorney John Shaver, Community Development Director Tamra Allen, Human Resources Director Shelley Caskey (virtual), Finance Director Jodi Welch, Deputy Finance Director Ashley McGowen, Financial Analyst Matt Martinez, Budget Coordinator Linda Longenecker, General Services Director Jay Valentine, Parks and Recreation Director Ken Sherbenou, Recreation Superintendent Emily Krause, IT Director Paul Schultz, Fire Chief Ken Watkins, Deputy Fire Chief Chris Angermuller, Deputy Fire Chief Gus Hendricks, Interim Police Chief Matt Smith, Visit Grand Junction Director Elizabeth Fogarty, Assistant to the City Manager Johnny McFarland, City Clerk Amy Phillips, and Deputy City Clerk Selestina Sandoval.

### **1. Discussion Topics**

**a. Presentation of the City Manager's 2023 Recommended Budget to City Council**  
City Manager Caton presented the City of Grand Junction 2023 Recommended Budget which totals \$235.9 million (\$235,861,400), a \$1.7 million, or 0.7% decrease from the 2022 Adopted Budget. The 2023 Recommended Budget is balanced, with a surplus \$344,308 in the General Fund. The projected 2023 ending General Fund balance is \$39.7 million which includes \$4.1 million in restricted funds and \$24.8 million in minimum reserve. The budget represents the allocation of resources to achieve the goals identified in City Council's Strategic Plan and the Comprehensive Plan. The Strategic Priorities are Housing Priority \$3.6M, Economic Development \$19.5M, Quality of Life \$29.1M, Public Safety \$80.7M, and Mobility and Infrastructure \$103M.

Mr. Caton reviewed the timeline for the Budget Process beginning in May and concluding with final adoption on December 7, 2022.

He highlighted the City's Fiscal Responsibility and how it prioritizes spending by revenue projections based on economic indicators, growth and demographics, fees, rates, cost recovery, market comparisons, and a thorough line-item review of department budgets.

Noting that the budget is developed in alignment with the City Council's strategic priorities which are based on the long-term community vision expressed in the Comprehensive plan, He cited that during the numerous discussions with each department regarding programs and projects as they align with the strategic priorities, three themes emerged.

- Enhancing Service Through Employee Investment
- Community Collaboration
- Exceptional Service to Meet Current and Future Growth

Strategic priorities were reinforced in Department Directors presentations.

Police – Interim Chief Smith reviewed the staffing levels, recruitment and retention, expansion of the civilian positions to support patrol operations, reinforcing critical support units, technology and intelligence-led policing - ARTIC, wellness and resiliency, training, the addition of 3 behavioral health experts to collaborate with the police officers to best serve those in mental health crisis, reinvestment in co-responder model, enhanced traffic enforcement compliance strategies, the PD's \$33.7M operating budget, and the communications center.

Conversation was held about contract services (grant services, co-responder program, animal control services, camp clean up services), traffic enforcement, number of new employees proposed for 2023, and recognition as Subject Matter Experts on a Regional and National Level.

Fire – Chief Ken Watkins reviewed the department's growth from 2022 (171 full time positions, 6 fire stations, 6 Fire Trucks, and 7 Ambulances) to 2023 (181 full time positions, 7 fire stations, 7 Fire Trucks, and 10 Ambulances with 2 backups), as well as priorities, recruitment/hiring, safety enhancements, EMS plan, training/safety equipment, wildland fire mitigation program, accreditation, and the Fire Department's \$30.6M operating budget.

Discussion addressed increases for uniforms and gear, medical supplies, number of new positions, internal support services, call types, academies, equipment replacement and the disposition of old equipment, wage increases to remain competitive, and their service area.

A break was called at 5:10 p.m. The workshop resumed at 5:31 p.m.

General Services – Director Jay Valentine reviewed the staffing in the department, utilization of landfill, residential rate increases, utilization transfer facility, recycling and compost pilot programs and rates, area solid waste rates, and the solid waste operating budget. General Services oversees the City's two golf courses – Tiara Rado and Lincoln Park. Mr. Valentine also reviewed local golf rates, the fund balance history, 2023 opportunities and challenges, regarding both Golfing and Parking services. General Services 2023 budget includes: \$6M Solid Waste and Recycling, \$2.6M for Golf Services, \$2.6M for and Parking Services.

Questions were answered about the size of cans for solid waste and compost material, pay-as-you-throw program, equipment cost increases and security enhancements, rates for golf courses, and why Golf was under General Services.

Parks & Recreation – Director Ken Sherbenou reviewed the City’s pools, recreation programming, Early Learning Center, Bookcliff Activity Center, services reflected in the Activity Guide published three times per year, increase vandalism, vault toilets, Root for our Trees, Child Care Learning Center, the PROS Plan Continued Implementation, facilities as major economic drivers, and the proposed Community Recreation Center. The operating budget is \$13.2M.

Discussion ensued regarding continued partnership with JUCO and District 51, artificial turf in outdoor sports facilities, program fees, and the Child Care Learning Center.

Community Development Director Tamra Allen reported on the Housing Strategy and its potential \$2.6M in revenue and uses if approved by the voters in November. The Sustainability Plan, EV Roadmap, and the Pedestrian and Bicycle Plan, the Micro-mobility Pilot Program, the \$2.4 M for infill from the sale of Dos Rios properties and the proposed Community Development \$6.2M Operating budget.

Visit Grand Junction (VGJ) – Elizabeth Fogarty discussed trends, lodging tax collections, market performance, 2023 Strategy- Protect the Resources and Enhance the Experience, projects, branding, ARPA funding, and its \$5.9M operating budget.

## **2. City Council Communication**

None

### **Next Workshop Topics**

Mr. Caton reviewed the upcoming meetings.

- October 17 - Economic Development Funding, Horizon Drive Business Improvement District, Downtown Development Authority, and Downtown Business Improvement District; Western Latino Chamber of Commerce, Business Incubator, Non-Profit funding, and Major Capital Projects.
- October 18 – Joint Persigo Board Budget Meeting.
- October 31 – Budget Wrap-Up, Sports Commission
- November 2 – First Public Budget Presentation and Ordinance Reading.
- December 7 – Second Public Presentation and Ordinance Reading.

There being no further business, the Workshop adjourned at 7:40 p.m.

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

**October 5, 2022**

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

The City Council of the City of Grand Junction convened into regular session on the 5<sup>th</sup> day of October 2022 at 5:32 p.m. Those present were Mayor Pro Tem Herman, Councilmembers Chuck McDaniel, Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, Deputy City Clerk Janet Harrell, Deputy City Clerk Selestina Sandoval, Records Manager Debbie Kemp, and Planning Supervisor Felix Landry.

Council President Stout called the meeting to order, and student Taylee Chaffin led the Pledge of Allegiance, followed by a moment of silence.

**Proclamations**

**Proclaiming October 9 - 15, 2022 as Fire Prevention Week in the City of Grand Junction**

Councilmember McDaniel read the proclamation and Fire Chief Ken Watkins accepted the proclamation with Deputy Fire Chief Chris Angermuller and Community Outreach Specialist Dirk Clingman.

**Appointments**

**To the Forestry Board**

Mayor Pro Tem Herman moved and Councilmember Pe'a seconded to reappoint Kamie Long, Colorado State Forest Service Representative, and appoint Joseph Chandler to the Forestry Board for terms expiring November 2025. Motion carried by unanimous voice vote.

**Citizen Comments**

Clinton Walton spoke of filing a grievance regarding his employment with the City of Grand Junction.

Ed Kowalski invited the public to a Police Chief Search Community Listening Session.

Bruce Lohmiller spoke of the Florida hurricanes, the Day Center extending their hours and offering other services to the houseless community.

**City Manager Report**

City Manager Caton invited the public to Dos Rios at 4:00 p.m. for a ribbon cutting and groundbreaking ceremony on October 6, 2022, and to the Police Chief Search Community Listening Session on October 11, 2022 at 5:30 p.m. at the City Hall Auditorium.

**Council Reports**

Councilmember Taggart gave an update on the Grand Junction Regional Airport Authority.

Council President Stout attended the American Planners Association Colorado Chapter in Vail and will attend the Colorado Municipal League (CML) policy committee session on Friday and the CML Mayor's Summit.

**CONSENT AGENDA**

Mayor Pro Tem Herman moved and Councilmember Reitz seconded to adopt Consent Agenda items #1 - #3 with the addition of item #4.a.i. (a & b).

**1. Approval of Minutes**

- a. Summary of the September 19, 2022 Workshop
- b. Minutes of the September 21, 2022 Regular Meeting

**2. Set Public Hearings**

- a. Legislative
  - i. Introduction of an Ordinance Amending Chapter 2. Section 20.040(d) of the Grand Junction Municipal Code Relating to Municipal Campaign Finance and Setting a Public Hearing for October 19, 2022
  - ii. Introduction of an Ordinance Approving Loans from the Colorado Water Conservation Board to Finance Improvements to the City's Water System; Authorizing the Form and Execution of Loan Contracts and Promissory Notes to Evidence Such Loans and Security Agreements and Setting a Public Hearing for October 19, 2022
- b. Quasi-judicial
  - i. Introduction of an Ordinance Rezoning 0.21 Acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity), Located at 1313 Bunting Avenue and Setting a Public Hearing for October 19, 2022

- ii. Introduction of an Ordinance Zoning Approximately 27.83 Acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) for the C ½ Road Gravel Pit Annexation, Located at 2855 C ½ Road, and Setting a Public Hearing for October 19, 2022
- iii. Introduction of an Ordinance Rezoning 0.920 Acres from C-2 (General Commercial) to C-1 (Light Commercial), Located at 609 24 Road and Setting a Public Hearing for October 19, 2022

### 3. Agreements

- a. 2022 Community Development Block Grant (CDBG) Subrecipient Agreements between STRiVE, Riverside Educational Center, Hilltop Community Resources, HomewardBound of the Grand Valley, Counseling and Education Center and Housing Resources of Western Colorado and the City of Grand Junction

### 4. Continued Public Hearings

- a. Legislative
  - i. A. An Ordinance Creating the Housing Advisory Board - ***Continued to October 19, 2022***
  - B. A Resolution Approving By-Laws of the Grand Junction Housing Advisory Board – ***Continued to October 19, 2022***

## REGULAR AGENDA

### An Ordinance Amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code

Section 21.06.040 of the Zoning and Development Code requires that site development include landscaping. This ordinance proposes revisions to the landscaping requirements. The ordinance balances many goals, among them: efficient water use; reasonable and successful maintenance practices; a robust tree canopy; diverse plantings; and distinctive site design.

Proposed revisions draw on stakeholder input from local landscape professionals and best practices for landscaping regulations in the Southwest. A Suitable Plants List is also provided for reference and is a critical supplement to the proposed Code revisions. Primary changes include requirements to identify and protect significant trees during

development. The changes also aim to maximize water conservation and use a higher proportion of native and climate-appropriate plants. Adjustments to site design standards and planting requirements also aim to balance needs, improve plant health, and reduce maintenance costs.

Significant discussion has occurred around this ordinance update. That discussion has impacted the content of the proposed ordinance. One topic of discussion which has continued into the public hearing process concerns significant trees, specifically whether Cottonwood trees can qualify as significant. The initial proposed ordinance that Planning Commission recommended for approval at the May 10, 2022 hearing included Cottonwoods as potentially significant trees. The ordinance which Planning Commission recommended for approval at the August 23, 2022 meeting also included Cottonwoods as potentially significant trees. However, the Planning Commission's recommendation also included a condition to exclude Cottonwoods.

Planning Supervisor Felix Landry presented this item.

Conversation ensued regarding: the Forestry Board's recommendation for the inclusion of more types of trees as significant trees, the suitable plant list as a policy document, clarification of preservation and replacement requirements, how the 30% preservation rate compares to other communities, current conditions versus best practices, inclusion of Cottonwoods as a significant tree, wildlife benefit of Cottonwoods, and as the policy is written, if it's not on the invasive list, it is considered a significant tree.

City Forester Robert Davis answered questions regarding Cottonwoods and other native trees.

The public hearing opened at 6:55 p.m.

Susan Carter, Chair of Forestry Board, wants Cottonwoods and Siberian Elms to be listed as significant trees, outlined some benefits of those trees, spoke of some noxious trees, and irrigation engineering.

Dan Komlo, member of Forestry Board, spoke of his experience as the former owner of Bookcliff Gardens and advocated for the requirement of approved irrigation plans by an irrigation engineer for health and longevity of the urban forest.

Ron Abeloe represented the Home Builders Association, Western Colorado Contractors Association, and the Chamber of Commerce, spoke in opposition of Cottonwoods as significant trees in urban infill due to their size, need of lots of water, shallow roots, and costs to preserve.

William Cooper, member of the Forestry Board, stated the importance of maintaining and promoting the urban canopy per the Comprehensive Plan, and advocated keeping Cottonwoods as significant trees due to their benefits.



Ivan Geer, member of the task force for the landscape revision, spoke against Cottonwoods being preserved as a significant tree due to the nuisance of maintaining in urban developments and asked they be added as permanently exempted trees.

The public hearing closed at 7:10 p.m.

Conversation resumed regarding: the difficulty of finding a resolution on the Cottonwood dispute, the applicability to developments, allowance of exceptions and process (variances), impact of preservation on density, quality of life, possible continuance to find common ground on the Cottonwood issue, possibility of adopting the ordinance without specificity of trees, and moving towards the requirement of an irrigation engineer.

Councilmember Simpson moved and Council President Stout seconded to adopt Ordinance No. 5101, an ordinance amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code on final passage and ordered final publication in pamphlet form. Motion failed 3-4 with Councilmembers Herman, McDaniel, Pe'a and Taggart voting no.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Executive Session - City Hall Administration Conference Room**

**EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 244 N. 7th STREET, GRAND JUNCTION, COLORADO, and,**

**EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY SPECIFICALLY REGARDING THE ORCHARD MESA POOL.**

Councilmember Reitz moved and Councilmember Pe'a seconded to go into Executive Session in the City Hall Administration Conference Room. Motion carried by unanimous voice vote.

The City Council of the City of Grand Junction, Colorado met in Executive Session on Wednesday, October 5, 2022 at 7:50 p.m. in the Administration Conference Room, City Hall, 250 North 5<sup>th</sup> Street. Those present were Mayor Pro Tem Herman, Councilmembers Chuck McDaniel, Phil Pe'a, Randall Reitz, Dennis Simpson, Rick Taggart, and Council President Anna Stout.

Staff present for the Executive Session were City Manager Greg Caton, City Attorney John Shaver, General Services Director Jay Valentine, Finance Director Jodi Welch, and Parks and Recreation Director Ken Sherbenou.

Councilmember Reitz moved and Mayor Pro Tem Herman seconded to convene in Executive Session for matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. Sections 24-6-402 (4)(e)(i) and 24-6-402 (4)(a) of Colorado's Open Meetings Law relative to a possible purchase of real property located at 244 N. 7<sup>th</sup> Street, Grand Junction, Colorado. Motion carried unanimously.

The City Council convened into Executive Session at 7:57 p.m.

Councilmember Pe'a moved and Mayor Pro Tem Herman seconded to adjourn. Motion carried unanimously.

The meeting adjourned at 8:24 p.m. to Regular Session. City Attorney Shaver opened the door and checked for any public; there was none.

Councilmember Reitz moved and Mayor Pro Tem Herman seconded to convene in Executive Session for matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. Sections 24-6-402 (4)(e)(i) and 24-6-402 (4)(a) of Colorado's Open Meetings Law relative to a possible purchase of real property specifically regarding the Orchard Mesa Pool. Motion carried unanimously.

The City Council convened into Executive Session at 8:26 p.m.

Councilmember Taggart moved and Councilmember Pe'a seconded to adjourn. Motion carried unanimously.

The meeting adjourned at 8:56 p.m. and the Council reconvened into regular session

and adjourned at the same time.



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Selestina Sandoval, CMC  
Deputy City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #2.a.**

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**Meeting Date:** October 19, 2022  
**Presented By:** Randi Kim, Utilities Director  
**Department:** Persigo  
**Submitted By:** Lee Cooper, Wastewater Project Manager

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**Information**

**SUBJECT:**

Purchase of New Flow Equalization Basin Aerators for Persigo Wastewater Treatment Plant (WWTP)

**RECOMMENDATION:**

Authorize the City Purchasing Division to Execute a Purchase Order with DBS Manufacturing, Inc. for the purchase of six (6) aerators for the Persigo WWTP flow equalization (FE) basins in the amount of \$355,200

**EXECUTIVE SUMMARY:**

This request is to award a Purchase Order with DBS Manufacturing, Inc. for the purchase of six (6) low speed aerators. The new aerators will replace the original Simcar FE basin aerators that have been in service since 1980 and have reached the end of their service life. The original aerators have been rebuilt multiple times over the 42 years of service and the corrosive environment the aerators work in has resulted in deterioration of the metal framework, impellers, motors, and electrical components. Of the eight (8) original FE basin aerators, only four (4) aerators are still in operation. Aerator components considered in good working condition were taken from the eight (8) original aerators to make four (4) operational aerators at Persigo that are somewhat reliable. The other four (4) aerators are not operational and are planned to be scrapped at a metal recycling facility.

**BACKGROUND OR DETAILED INFORMATION:**

The Persigo WWTP needs new aerators for the FE basins as the existing aerators are 42 years old and have reached the end of their service life. The FE basin is divided into three separate storage basins. The north basin has a storage volume of 6 million gallons and requires four (4) aerators, the middle basin has a storage volume of 4

million gallons and requires two (2) aerators, and the south basin has a storage volume of 2 million gallons and also requires two (2) aerators. However, the south FE basin is rarely used for wastewater storage anymore, and as a result, doesn't necessitate the replacement of these two aerators.

The FE basins help the Persigo WWTP maintain a steady flow through the plant and any large spikes with influent flow coming into the plant can be redirected to the FE basin for temporary storage. The wastewater stored in the FE basins needs to be kept mixed and aerated to help keep odors to a minimum, keep the solids in suspension, and help with preliminary treatment by providing oxygen to the wastewater.

A formal Invitation for Bids was issued via BidNet (an online site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce, the Western Colorado Contractors Association, and advertised in the Daily Sentinel. Two bids were received in the following amounts:

<b><u>Company</u></b>	<b><u>Location</u></b>	<b><u>Total Price</u></b>
DBS Manufacturing	Atlanta, GA	\$355,200.00
Engineered Equipment Solutions, Inc.	Denver, CO	\$289,296.00

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

The apparent low bidder was Engineered Equipment Solutions, Inc. with a bid of \$289,296. However, the data sheet provided by Engineered Equipment Solutions indicates that the total horsepower (Hp) requirement of the aerators is 25 Hp and not the 20 Hp specified in the bid specifications. The existing aerators are 20 Hp units and an "in-kind" replacement for the aerators is planned. The DBS Manufacturing aerators are 20 Hp units and meet the specifications for "in-kind" replacement.

Persigo's existing FE basin Motor Control Center (MCC) is sized for 20 Hp motors. If the 25 Hp motors on the Engineered Equipment Solutions aerators were selected, the MCC equipment would need to be replaced at an estimated additional cost of \$100,000 resulting in a total project cost of \$389,296 which exceeds the cost of the DBS Manufacturing bid. Therefore, staff recommends selecting the DBS Manufacturing bid.

**FISCAL IMPACT:**

The funds for this purchase are included in the 2022 Adopted Budget for the Sewer Fund.

**SUGGESTED MOTION:**

I move to authorize the City Purchasing Division to execute a Purchase Order with DBS Manufacturing, Inc. in the amount of \$355,200.00.

**Attachments**

1. DBS-Low Speed Aerator\_City Council Attachment

LOW SPEED AERATORS | **NSA SERIES**



ENGINEERED FIRSTS | **BUILT TO LAST**

## OVERVIEW

With over 40 years of experience in designing and building aerators, DBS will provide you with the right solution for every application. Our NSA low-speed aerators are cost competitive with and at least 30% more efficient than high-speed aerators. In many cases, the energy cost savings will pay back the investment made in a DBS aerator.

### SURFACE AERATORS

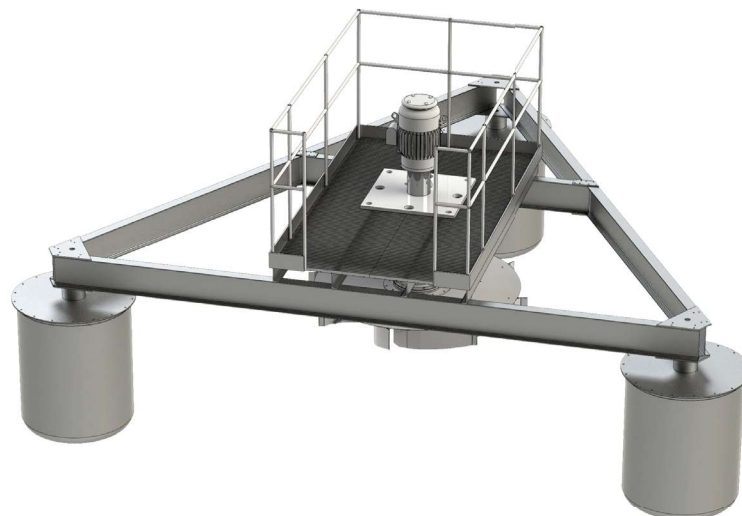
Surface mechanical aerators fall into two categories:

- **High-speed aerators** use an electric motor to directly drive an impeller that pumps water up and sprays it out horizontally. While this design is inexpensive, it has low oxygen transfer efficiency because the pump impeller wastes significant energy by moving water faster than needed.
- **Low-speed aerators** are more efficient because the rotor operates nearer the optimum aeration speed. But they are more expensive because they require a gearbox to reduce motor speed to turn a large diameter aeration rotor. This gearbox is

typically mounted a few feet above the rotor and requires a larger shaft with substantial support bearings.

### DBS NSA AERATORS

Before DBS introduced the NSA, a user had to weigh the long-term power savings of the low-speed, high-efficiency aerator against the initial capital savings of the high-speed, low-efficiency aerator. Now the DBS NSA low-speed aerator provides high efficiency at a lower cost. The power savings can be significant, up to 20% to 30% or more.







**Grand Junction City Council**

**Regular Session**

**Item #2.b.**

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**Meeting Date:** October 19, 2022  
**Presented By:** Trenton Prall, Public Works Director  
**Department:** Public Works - Streets  
**Submitted By:** Lisa Froshaug, Project Engineer

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**Information**

**SUBJECT:**

Authorize Contract for Construction of 2022 Safe Routes to School Project on Elm Avenue

**RECOMMENDATION:**

Authorize the City Purchasing Division to enter into a contract with Agave Construction, LLC of Grand Junction, CO for the construction of the 2022 Safe Routes to School Project on Elm Avenue in the amount of \$152,329.80.

**EXECUTIVE SUMMARY:**

This construction contract includes the 2022 CDBG Grant funded - Safe Routes to Schools project. This contract with Agave Construction, LLC, if approved, will include the construction of a sidewalk along Elm Avenue from Eastgate Court to 28 ¼ Rd and an ADA compliant curb ramp at the corner of Elm Avenue and Eastgate Court.

**BACKGROUND OR DETAILED INFORMATION:**

Elementary school students who live within two miles from school, and middle and high school students who live within three miles from school are not provided transportation and, as a result, often walk or bike. The City of Grand Junction is committed to improving the safety and wellbeing of these children through investment in infrastructure that provides safe transportation corridors and amenities for students who walk or ride bicycles to school through its Safe Routes to School (SRTS) program. Since 2016, the City has invested more than \$700,000 on SRTS projects through the federal Community Development Block Grant (CDBG) distribution it receives each year.

The 2022 Safe Routes to School project, along Elm Ave from Eastgate Court to 28 ¼ Rd, will support this mission. The project will consist of approximately 266 feet of new

sidewalk, installation of an ADA ramp, and widening of the asphalt for this one block section.

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

Company	Location	Bid Amount
Agave Construction, LLC	Grand Junction, CO	\$152,329.80

Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract. If this project is awarded to Agave Construction, LLC, this project is scheduled to be completed by December 31, 2022.

**FISCAL IMPACT:**

Funds for this project are included in the 2022 Adopted Budget.

**SUGGESTED MOTION:**

I move to authorize the City Purchasing Division to enter into a contract with Agave Construction, LLC of Grand Junction, CO for the construction of the 2022 Safe Routes to School Project on Elm Avenue in the amount of \$152,329.80.

**Attachments**

1. Vicinity Map

# ELM AVEUNE SIDEWALK PROJECT MAP

## Safe Routes to School (SRTS)





## Grand Junction City Council

### Regular Session

Item #2.c.

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**Meeting Date:** October 19, 2022  
**Presented By:** Trenton Prall, Public Works Director  
**Department:** Public Works - Streets  
**Submitted By:** John Eklund, Project Engineer

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### **Information**

#### **SUBJECT:**

Authorize Contract for Construction of Redlands Parkway Shoreline Amenities and Bank Stabilization

#### **RECOMMENDATION:**

Staff recommends the City Purchasing Division enter into a construction contract with OldCastle SW Group dba United Companies for the Redlands Parkway Shoreline Amenities and Bank Stabilization project in the amount \$774,298.80 (Base Bid only).

#### **EXECUTIVE SUMMARY:**

This project moves and improves the boat ramp and shoreline amenities to improve access for emergency services and public use. Due to budget constraints, the project was advertised with add-alternates. Due to the bid price amounts received, only the Base Bid has been selected for award. Final completion is scheduled for March 2023.

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

The amenities at Redlands Parkway are popular for public access, including the Blue Heron and Monument View Sections of Riverfront Trail and the boat ramp for the Colorado River. The boat ramp is also used as a primary access for emergency services along the Colorado River between the 5th Street Bridge and Fruita. The existing boat ramp is a single-lane, unpaved ramp that is steep and tends to accumulate sediment, making access with emergency water craft difficult and inefficient. The parking area is undersized for its utilization during busy weekends, leading users to park along Redlands Parkway. Due to budget constraints, the project was divided into Base Bid and two Add Alternates.

The Base Bid will relocate the boat ramp upstream 360 feet, widen it to three lanes,

reduce its slope and pave it with reinforced concrete to improve access for all uses and improve maintenance. Also included in this project are bank stabilization to counter ongoing bank erosion in the vicinity of the boat ramp as well as a paved trail surface to a small cobble beach used by the public for river recreation. Add Alternate 1 proposed to convert the existing boat ramp into a walk-in access with steps for pedestrian and small watercraft access. Add Alternate 2 proposed to reconfigure the existing parking area to improve traffic circulation and expand parking north between the Monument View Trail and Redlands Parkway increasing the parking capacity by more than double. Neither of the Add Alternates will be part of this contract; city crews will work to complete those elements of the project next year.

A formal invitation for bids was issued via BidNet (an online site for government agencies to post solicitations), posted on the City's Purchasing Website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in the Daily Sentinel. The City received one bid in response to this solicitation, which was found to be responsive and responsible in the following amount:

Company	Location	Base Bid Amount	Add Alternate No. 1 Amount	Add Alternate No. 2 Amount
OldCastle SW Group dba United Companies	Grand Junction, CO	\$774,298.80	\$153,477.30	\$116,252.

The Base Bid was selected and the two Add Alternates have been omitted. Per Section 10.10 of the Purchasing Manual, all solicitation documents shall remain confidential until the Purchasing Division awards the contract. If this project is awarded to United Companies, this project is scheduled to be completed in March 2023.

**FISCAL IMPACT:**

Funds for project are included in the 2022 budget from the original budget for the project and primarily savings on the Eddy bank stabilization project.

**SUGGESTED MOTION:**

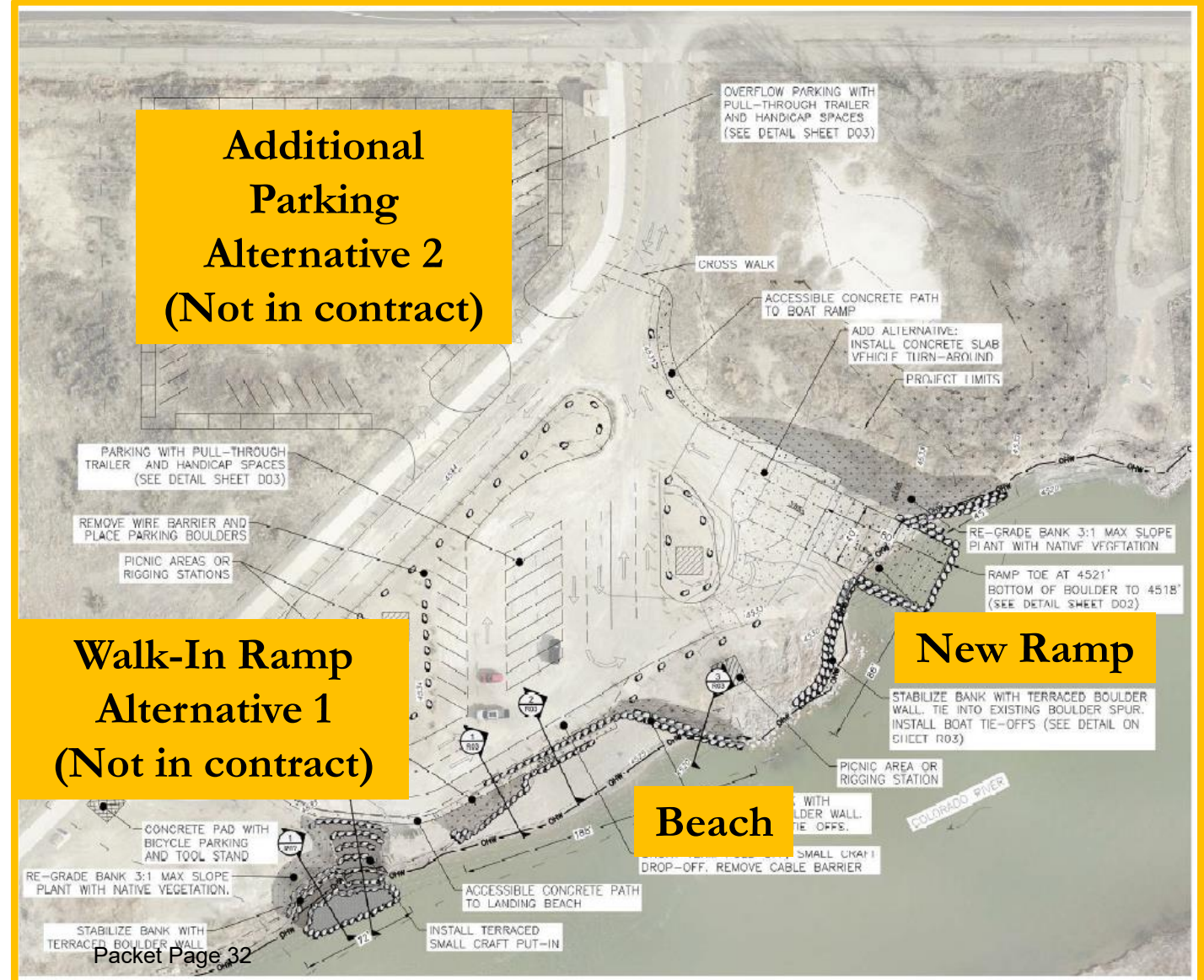
I move to authorize the City Purchasing Division to enter into a contract with OldCastle SW Group dba United Companies of Grand Junction, CO for the construction of the Redlands Parkway Shoreline Amenities and Bank Stabilization project (Base Bid only) in the amount of \$774,298.80.

**Attachments**

1. Redlands Parkway Boat Ramp Amenities Exhibit



# Redlands Parkway Shoreline Amenities and Bank Stabilization





**Grand Junction City Council**

**Regular Session**

**Item #3.a.**

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**Meeting Date:** October 19, 2022  
**Presented By:** Matt Smith, Interim Chief of Police  
**Department:** Police  
**Submitted By:** Matt Smith, Interim Police Chief

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**Information**

**SUBJECT:**

A Resolution Supporting the Application for the FY22-23 Peace Officer Mental Health Grant

**RECOMMENDATION:**

Staff recommends adoption of the resolution.

**EXECUTIVE SUMMARY:**

The purpose of this item is to authorize the application for the FY 2022-2023 Peace Officers Mental Health Grant.

**BACKGROUND OR DETAILED INFORMATION:**

On April 4, 2017, Governor Hickenlooper signed into law House Bill 17-1215 Concerning Mental Health Support for Peace Officers. This bill has been amended by House Bill 21-1030. As a result, C.R.S. 24-32-3501 authorizes The Peace Officers Behavioral Health Support and Community Partnerships grant program within the Department of Local Affairs (DOLA) for law enforcement agencies, peace officer organizations, public safety agencies for purposes 1-6 stated below. Behavioral health or community-based social services providers are eligible to apply in partnerships with law enforcement or public safety agencies for the purposes identified in 1-2 below.

1. Co-responder community responses;
2. Community-based alternative responses;
3. Counseling services for peace officers and their immediate family members;
4. Assistance for development and implementation of policies to support peace officers who are involved in shootings or fatal use of force;

5. Training and education programs that teach peace officers and their immediate family members the symptoms of job-related mental trauma and how to prevent and treat such trauma;
6. Peer support programs for peace officers.

GJPD would like to be able to offer every authorized peace officer the opportunity to meet with a mental health professional, to receive trauma counseling when necessary, and for Peer Support members to receive additional training.

For the 2022-2023 cycle, the Colorado Department of Local Affairs has total funding of \$7,500,000 available. GJPD plans to apply for grant funds which will allow for mental health support and counseling services for our peace officers. GJPD will be requesting \$45,650 in grant funding to cover the monthly retainer for four local licensed professional counselors who have backgrounds working with first responders. This retainer will include three hours per week in the Police Department building for drop-ins, six trainings per year with the Peer Support Team which provides additional mental health support to officers, attending briefings and ride-alongs, and other functions as needed to establish connections with GJPD employees. Funding will also support annual wellness checks with mental health professionals and additional training opportunities for Peer Support members.

**FISCAL IMPACT:**

The expenses for this program are included in the 2023 recommended budget.

**SUGGESTED MOTION:**

I move to (adopt/deny) Resolution 79-22, a resolution authorizing the City Manager to submit a grant request to the Department of Local Affairs (DOLA) for the FY 2022-2023 Peace Officer Mental Health (POMH) Grant.

**Attachments**

1. Resolution - 2022-2023 POMH Grant



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION SUPPORTING THE APPLICATION FOR THE FY 2022-2023 PEACE OFFICERS BEHAVIORAL HEALTH SUPPORT AND COMMUNITY PARTNERSHIP GRANT (POMH) FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS (DOLA)**

Recitals:

City Council has considered and for the reasons stated, authorizes an application for the FY 2022-2023 Peace Officers Behavioral Health Support and Community Partnership Grant which will provide financial assistance to the Grand Junction Police Department to provide mental health support to officers and training to the Peer Support Team.

GJPD was awarded this grant in 2021 and would like to apply for the 2022-2023 cycle. Applications cannot be submitted unless approved by the city council.

GJPD is requesting \$45,650 in grant funding to cover the monthly retainer for four local licensed professional counselors who have backgrounds working with first responders. This retainer will include three hours per week in the Police Department building for drop in's, six trainings per year with the Peer Support Team which provides additional mental health support to officers, attending briefings and ride-alongs, and other functions as needed to establish connections with GJPD employees. Funding will also support annual wellness checks with mental health professionals and additional training opportunities for Peer Support members.

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

- 1: The City Council of the City of Grand Junction strongly supports the application to DOLA to obtain funds needed to complete the Project. The City Manager is authorized and directed to work to finalize and timely submit such FY 2022-2023 DOLA POMH grant application.
- 2: If the grant is awarded, the City Council of the City of Grand Junction strongly supports the completion of the Project, and authorizes the City Manager to sign an appropriate grant agreement on behalf of the City as grantee of the FY 2022-2023 DOLA POMH grant.

This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted this \_\_\_ day of \_\_\_\_\_, 2022.

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Anna Stout  
President, Grand Junction City Council

**ATTEST:**

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Amy Phillips  
City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #4.a.i.**

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**Meeting Date:** October 19, 2022  
**Presented By:** Daniella Acosta, Senior Planner  
**Department:** Community Development  
**Submitted By:** Dani Acosta, Senior Planner

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**Information**

**SUBJECT:**

An Ordinance Rezoning 0.21 Acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity), Located at 1313 Bunting Avenue

**RECOMMENDATION:**

The Planning Commission heard the rezone item at its September 27, 2022 meeting and voted (6-0) to recommend approval of the request.

**EXECUTIVE SUMMARY:**

The Applicant, CS Assets, LLC, is requesting the rezone of one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) located at 1313 Bunting Avenue. The purpose of the rezone to a form district is to provide additional flexibility in the bulk standards, thus allowing more compact residential development and pedestrian-oriented urban design in an area prioritized by the 2020 Comprehensive Plan for urban infill. The requested MXR-3 form district conforms with the Comprehensive Plan Land Use Map designation of Residential High.

**BACKGROUND OR DETAILED INFORMATION:**

The proposed rezone comprises one parcel totaling 0.21 acres situated at 1313 Bunting Avenue, within the University District, just west of the CMU campus along the 12 Street and North Avenue corridors. The subject site was annexed into the City in 1946 as part of the Northeast Addition.

As indicated, the subject site is currently zoned R-16 and is occupied by a single-family detached home. To the south is a mix of single-family residential, multifamily residential, retail and professional service uses. Along the eastern property line, the

subject site abuts another single-family residence. To the west are more single-family and multifamily residential uses, parking lot uses, as well as eating/drinking establishments, and school/educational uses. To the north exists primarily a mix of multifamily and single-family residential uses.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property 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.

The Comprehensive Plan classified the neighboring blocks to the west and south as a mix of Mixed Use and Residential High and classified the neighboring blocks to the north and east as Residential Medium.

The Applicant is now requesting a rezone to MXR-3, which would provide additional flexibility for the creation of more compact low-intensity development by relaxing several of the bulk standards, such as setbacks. Additionally, form districts differ from Euclidean zoning by focusing on the physical form of the building (i.e., design) as the organizing principle rather than the separation of uses. As a result, form districts lend themselves to the development of more aesthetically diverse buildings that help activate streetscapes and promote mixed-use neighborhoods and pedestrian-scaled density.

If the rezone application is approved, the applicant intends to proceed with a Pre-Application submittal for five attached rowhomes with alley-accessed rear loaded garages. The application will be required to go through a Major Site Plan review.

#### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed rezone request was held virtually via the platform Zoom on June 22, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. No members of the public were in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on July 6, 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 September 16, 2022. The notice of the Planning Commission public hearing was published on September 20, 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-16, is within the range of allowable zone districts for Residential High, as is the proposed MXR-3 form district. As such, there are no identified subsequent events that have invalidated the original premise of R-16 being able to implement the 2020 Comprehensive Plan. Therefore, staff finds that this criterion has not been met.

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

The subject site is within the University District. This district has seen steady development activity for the past five years. Development activity has been dispersed among the commercial areas along North Avenue and within the surrounding residential areas to the north. The majority of the residential development activity has consisted of redeveloping properties for multifamily or increasing residential density through rezones.

These include the redevelopment for a three-unit multifamily building (SPN-2022-336), the construction of a 15-unit multifamily apartment complex (SPN-2020-468), the addition of a third unit to an existing duplex (SPN-2019-90), the up zoning of a property from R-16 to R-24 (RZN-2018-1422) and converting a garage to an accessory dwelling unit (SPN-2017-614). Other development that has occurred include the construction of a 2,750 square foot office building (SPN-2019-701), a home occupation permit for a hair salon (HOM-2019-208), a cell tower modification (PCN-2019-1047), a lot consolidation (SSU-2018-257), the construction of a Starbucks drive-thru coffee shop (SPN-2017-624), and a change of use permit for converting an existing structure from a restaurant to an apartment building (COU-2017-363).

As mentioned, the 2020 Comprehensive Plan has identified the area that the subject site is situated in as a University District, which is one of the five Mixed-Use Policy Areas. Mixed Used Areas are defined as corridors and centers where there is a mixture of shopping and service within walking distance to where people live and work. The University District Policy Area in particular aims to concentrate university or university-adjacent development activity within proximity to the businesses along the North Avenue Corridor with the goal of contributing to a vibrant university area for CMU student population, faculty and staff to live and easily access personal services, employment opportunities, retail, entertainment and restaurants. Furthermore, the University District Policy Area designates that buildings within this district should be built near the edge of right-of-way to reinforce the urban, pedestrian-oriented character of the streetscapes.

Much of the development occurring in the University District has followed the aforementioned land development and urban design patterns. Specifically, several properties along North Avenue and within the University District opted into the “optional standards” under the North Avenue Overlay. These optional standards include reducing setbacks to zero feet, which helps to create a more urban-style building environment. These properties include the Optical Center, Papa John’s, Starbucks and Taco John along North Avenue. All are within 400 feet of the subject property. The built environment of the immediate area is evolving more towards the type of urban design that encourages pedestrian activity, as well as encouraging more development that contributes to pedestrian-oriented urban design that is achievable through MXR-3 and other form districts. As such, staff finds this criterion has been met.

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

The subject 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 at the corner of N 13th Street and Bunting Avenue. City Water runs to the house on the property and there is a 6-inch water line in Bunting Avenue. The property is located within the 201 Persigo boundary and there is an 8-inch sanitary sewer line that runs along the south side of the property within the alley.

The subject site is serviced by a secondary truck route that runs along N 12th Street with access via Bunting Avenue. The stretch of N 12th Street that runs to the west of the subject site is classified as an Active Transportation Corridor. Additionally, there is an off-street multiuse path that is split into a cycle track and pedestrian sidewalk approximately 500 feet away. Thus, the site has sufficient access to low-stress facilities for biking and walking.

The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the preceding information, staff finds this criterion has been met

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

There are significant differences between the R-16 zone district and the MXR-3 form district. R-16 zone district is a Euclidean-based zone district, which separates districts by uses and employs land use as the organizing principle for urban development. In contrast, MXR-3 is a form district, focusing on the physical context of an area by specifying regulations for building form.

The R-16 zone district primarily allows high-density residential uses and some institutional and civic uses. The MXR-3 form district does not prescribe restrictions for the types of uses, promoting the development of mixed-use areas. Rather, MXR-3 form district specifies building placement, orientation, architectural standards, and building façade elements. The R-16 zone district accounts for approximately 0.7 percent of City zoned land. In contrast, there does not exist a single parcel in the City to date that is zoned MXR-3.

While there is no other site within the immediate area that has the MXR-3 form district, there is not a deficit of other zone districts in the area that are also able to implement the Residential High Future Land Use Designation, which include B-1, R-O and R-16. Therefore, staff finds that this criterion has not been met.

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

The community will benefit from the proposed amendment because it directs residential development to the urban core that does not require the extension of infrastructure or the expansion of City services. The subject property is located within the Tier 1 – Urban Infill tier as identified in the City’s Growth Plan. Rezoning to MXR-3 opens up opportunities for more compact development that preserves the low-density character of missing middle housing typologies in an area that the 2020 Comprehensive Plan identifies as a priority for infill. Rezoning to MXR-3 may help direct any potential future mixed-used development to an area that has adequate public infrastructure and amenities to accommodate that growth.

The proposal for the subject site is poised to benefit from the close proximity to CMU, which is not only an institution of higher education but also a community employer. Close proximity to the university and to the services, amenities, and employment opportunities along the North Avenue corridor could support alternative modes of transportation, such as walking, and help ease capacity constraints along North Avenue.

Walking is as much a psychological experience as it is a physical experience, with the built environment sending the human brain signals of how comfortable an area is for walking. This psychological feedback influences the decision to walk by creating a sense of enclosure. A sense of enclosure is a principle of urban design that measures to varying degrees how comfortable a public space is and how “protected” a pedestrian feels based on the proportions of the height and width of buildings and their relation to the street. These proportions are often dictated by building setbacks.

The flexibility of form-based districts as it relates to the MXR-3 setbacks, lends to the creation of engaging streetscapes and a dense walkable network that encourages mode shifts that may promote increased investment in nearby brick and mortar retailers, keeping more dollars within the local economy. The community will benefit from the pedestrian-oriented urban design that is achieved through MXR-3. An

MXR-3 zone district would allow for the development of compact housing types that are compatible in scale with transitional neighborhoods or single-family neighborhoods, and which are within walking distance of commercial and retail uses. Therefore, staff finds that this criterion has been met.

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

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

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

Tier 1: Urban Infill

Tier 2: Suburban Infill

Tier 3: Rural Areas and County Development

Plan Principle 3.6.c. Walkable Centers – Support the development of walkable community/neighborhood commercial centers that provide a variety of services and amenities to the immediate area, expand housing options, and/or provide live-work opportunities.

Plan Principle 4.3.d. Design for Knowledge – Promote urban design approaches in the University of District that foster creativity, respond to global trends, and establish strong local character. Engage economic opportunities and land development opportunities that contribute to making the University District the premier academic hub in Western Colorado.

**FINDINGS OF FACT AND RECOMMENDATION**

After reviewing the 1313 Bunting Rezone, RZN-2022-471, rezoning one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) for the property located at 1313 Bunting Avenue, the following findings of fact have been made:

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

Therefore, the Planning Commission recommended approval of the request.



**FISCAL IMPACT:**

There is no direct fiscal impact related to this request.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 5102, an ordinance rezoning one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential, Low Intensity) located at 1313 Bunting Avenue on final passage and order final publication in pamphlet form.

**Attachments**

1. Exhibit 1. Development Application
2. Exhibit 2. Map Exhibits
3. Exhibit 3. Neighborhood Meeting Documentation
4. Exhibit 5. Applicant Presentation
5. Planning Commission Minutes - 2022 - September 27
6. Exhibit 4. Draft Ordinance

## Development Application

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

Petition For:

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

Existing Land Use Designation <input type="text" value="High Density Residential"/>	Existing Zoning <input type="text" value="R-16"/>
Proposed Land Use Designation <input type="text" value="Mixed-Use Residential-3, Low Intensi"/>	Proposed Zoning <input type="text" value="MXR-3"/>

### Property Information

Site Location: <input type="text" value="1313 Bunting Avenue"/>	Site Acreage: <input type="text" value="Approx. 0.21 acre"/>
Site Tax No(s): <input type="text" value="2945-123-20-001"/>	Site Zoning: <input type="text" value="R-16"/>
Project Description: <input type="text" value="To rezone from R-16 to MXR-3. The intent is to create a residential neighborhood with a mix of housing"/>	

### 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 <input type="text" value="Tracy States"/>	Digitally signed by Tracy States Date: 2022.06.20 15:40:55 -06'00'	Date <input type="text" value="June 20, 2022"/>
Signature of Legal Property Owner		Date <input type="text" value="6/21/22"/>

General Project Report

## **CS Assets LLC Rezone**

**1313 Bunting Ave., Grand Junction, CO**

**Parcel No. 2945-123-20-001**

June 20, 2022

Prepared for:

**CS Assets LLC**

**218 Easter Hill Drive, Grand Junction, CO 81507**

Prepared by:



**215 Pitkin, Grand Junction, CO 81501**

**Grand Junction, CO 81506**

**Phone: (970) 241-4722**

**[info@rccwest.com](mailto:info@rccwest.com)**

## **A. Project Description**

**1) Location:** The parcel is located at 1313 Bunting Avenue, on the corner of N. 13<sup>th</sup> Street and Bunting Avenue (Parcel No. 2945-123-20-001).

**2) Acreage:** The subject parcel contains approximately 0.21 acres.

**3) Proposed Use:** This submittal is for the Rezoning of the parcel from R-16 (residential high density) to MXR-3 (mixed used residential-3, low intensity). The future land use is Residential High (12 + DU/Acre). The MXR-3 (mixed use residential-3, low intensity) zone district is intended to create residential neighborhoods with a mix of housing options in a pedestrian-friendly environment. It is intended as a transition from mixed use center or corridor to the surrounding neighborhoods and is comprised of apartment, townhouse and civic building types. The proposed zoning has no maximum density cap and meets the intent of the 2020 Comprehensive Plan.

The applicant is making this request to take advantage of the more flexible setbacks due to the project corner lot location, creating a pedestrian friendly project without increasing the density.

## **B. Public Benefit**

The proposed Rezone will provide an opportunity for mixed-use housing options needed to keep up with growth and demand for attainable housing.

## **C. Neighborhood Meeting**

A neighborhood meeting was held virtually via a zoom meeting on Wednesday, June 22, 2022. A summary of the meeting is included with this submittal.

## **D. Project Compliance, Compatibility, and Impact**

### **1) Adopted plans and/or policies:**

The proposed Rezoning, in conjunction with the 2020 Comprehensive Plan, will comply with the adopted codes, plans and requirements for the property. The MXR-3 zoning is an appropriate district for the Residential High category of the Comprehensive Plan.

### **2) Land use in the surrounding area:**

The uses contained within the surrounding area are a mix of large lot medium density residential, commercial uses along N. 12<sup>th</sup> Street and the Colorado Mesa University campus located within walking distance of the subject property. The proposed rezone is compatible with development in the surrounding area.

### **3) Site access and traffic patterns:**

Not applicable for this submittal.

### **4) Availability of utilities, including proximity of fire hydrants:**

The subject parcel is served by the following:

City of Grand Junction Water  
City of Grand Junction Sewer  
Grand Valley Irrigation Company  
Xcel Energy (Gas & Electric)  
City of Grand Junction Fire – Station 2  
Spectrum/Charter  
CenturyLink/Lumen

A Fire Flow Form will be obtained at the Preliminary/Final submittal stage.

**5) Special or unusual demands on utilities:**

There will be no unusual demand on utilities as a result of the Rezone.

**6) Effects on public facilities:**

The Rezone will have no adverse effect on public facilities.

**7) Hours of operation:**

Not applicable.

**8) Number of employees:**

Not applicable.

**9) Signage:**

Not applicable.

**10) Site Soils Geology:**

Not applicable.

**11) Impact of project on site geology and geological hazards:**

None are anticipated.

**E. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted**

**Section 21.02.070 (6) of the Zoning and Development Code:**

**General Approval Criteria. No permit may be approved unless all of the following criteria are satisfied:**

**(i) Compliance with the Comprehensive Plan and any applicable adopted plan.**

The Rezone request is in compliance with the newly adopted 2020 Comprehensive Plan.

**(ii) Compliance with this zoning and development code.**

The Rezone request is in compliance with the zoning and development code.

**(iii) Conditions of any prior approvals.**

There are no conditions of prior approvals.

**(iv) Public facilities and utilities shall be available concurrent with the development.**

All public facilities and utilities will be available concurrent with the rezoning of this property.

**(v) Received all applicable local, State and federal permits.**

All applicable permits will be obtained for this project.

**Section 21.02.140 Code amendment and rezoning:**

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

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

*Subsequent events have not invalidated the original zoning. The proposed MXR-3 zoning will allow for flexibility in future product to be offered.*

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

*The amendment would allow the continuation of mixed-use residential, attainable, quality housing and is consistent with the Comprehensive Plan.*

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

*Public and community facilities are existing and adequate and will support mixed-use residential development and are not affected as a result of the Rezone request.*

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

*This parcel of land is adequately serviced by utilities and roadways. There is an inadequate supply of mixed-use residential development parcels in this area to meet demand.*

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

*The area will benefit with the development of mixed-use residential inventory and the extension of services.*

**F. Development Schedule**

Not applicable for this submittal.





**RETURN RECORDED DOCUMENT TO:**  
CS Assets LLC, a Colorado Limited Liability Company  
218 Easter Hill Drive, Grand Junction, CO 81507

Document Fee: **\$38.50**

**GENERAL WARRANTY DEED**

**THIS GENERAL WARRANTY DEED**, dated 14th day of April, 2022, is made between **Maria Antonia Serafino-Noble** ("Grantor"), of the County of Mesa and the State of Colorado.

AND

**CS Assets LLC, a Colorado Limited Liability Company** ("Grantee"), of the County of Mesa and the State of Colorado, whose legal address is 218 Easter Hill Drive, Grand Junction, CO 81507.

**WITNESS**, that the Grantor(s), for and in consideration of **THREE HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$385,000.00)** 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:

**Lots 1, 2, 3 and the West 10.9 feet of Lot 4 in Block 2 of DEVOE SUBDIVISION, County of Mesa, State of Colorado**

ALSO KNOWN AS: **1313 Bunting Avenue, Grand Junction, CO 81501**

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

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

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

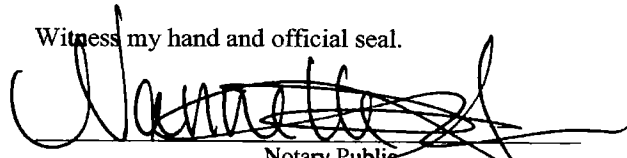
  
**Maria Antonia Serafino-Noble**

State of : **Colorado** }  
County Of **Mesa** } ss.

The foregoing instrument was subscribed, sworn to, and acknowledged before me this **April 14, 2022**, by **Maria Antonia Serafino-Noble**

My Commission expires:

**NANNETTE J. ALLEN-BROWN**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20014031863  
My Commission Expires October 14, 2025

Witness my hand and official seal.  
  
Notary Public

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



After Recording Return To:  
CS Assets LLC  
218 Easter Hill Drive  
Grand Junction, CO 81507

**STATEMENT OF AUTHORITY**

1. This Statement of Authority relates to an entity named: CS Assets LLC
2. The Entity is a: Limited Liability Company
3. The Entity is formed under the laws of: Colorado
4. The mailing address for the entity is:  
  
218 Easter Hill Drive  
Grand Junction, CO 81507
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:  
  
Wendi Gechter, Member  
Charlie Gechter, Member
6. The authority of the foregoing person(s) to bind the entity: Not Limited
7. Other matters concerning the manner in which the entity deals with interests in real property: NONE
8. This Statement of Authority is executed on behalf of the Entity pursuant to the provisions of C.R.S. Section §38-30-172.

Executed this 31<sup>st</sup> day of March, 2022.

CS Assets LLC  
Wendi Gechter  
Wendi Gechter, Member of  
CS Assets LLC, a Colorado Limited Liability Company

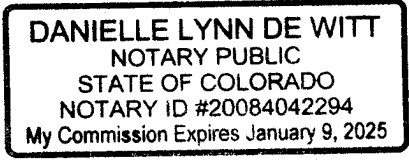
STATE OF: Colorado  
COUNTY OF: Mesa

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of March, 2022, by Wendi Gechter as Member of CS Assets LLC, a Colorado Limited Liability Company.

Witness my hand and seal.

Danielle DeWitt  
Notary Public

My commission expires:



## **LEGAL DESCRIPTION**

**Lots 1, 2, 3 and the West 10.9 feet of Lot 4 in  
Block 2 of  
DE VOE SUBDIVISION,  
County of Mesa, State of Colorado**

**AFFIDAVIT  
(Scrivener Error)**

THIS AFFIDAVIT FOR SCRIVENER ERROR ("Affidavit") is made pursuant to C.R.S. 38-35-109(5) and is given on **August 18, 2022** by **Susan J. Ottman** ("Affiant").

The Affidavit relates to that certain real property, together with the fixtures and improvements located thereon, if any, known as and now numbered **1313 Bunting Avenue Grand Junction, CO 81501** ("Property") and more particularly described as follows:

**Lots 1, 2, 3 and the West 10.9 feet of Lot 4 in  
Block 2 of  
DEVOE SUBDIVISION,  
County of Mesa, State of Colorado**

Affiant, being first duly sworn upon oath, does hereby depose and state the following:

1. I have actual knowledge of the facts set forth herein and can and will testify in a court of competent jurisdiction regarding such facts.
2. Pursuant to that certain **General Warranty Deed** recorded on **April 14, 2022** at Reception No. **3027382**, the record owner of the Property at the time of recording of this Affidavit is :  
**CS Assets LLC, a Colorado Limited Liability Company**
3. The instrument which contains a scrivener error to be corrected by this Affidavit is:  
**Instrument: General Warranty Deed  
Recording Date: April 14, 2022  
Reception Number: 3027382**
4. The scrivener error to be corrected by this Affidavit is:  
**The name of the subdivision has a grammatical error;  
The correct subdivision name is:  
DE VOE SUBDIVISION.**

MADE AND EXECUTED UNDER PENALTY OF PERJURY

  
\_\_\_\_\_  
**Susan J. Ottman**

STATE OF COLORADO

} ss.

COUNTY OF Mesa

The foregoing instrument was acknowledged before me this **August 18, 2022** by **Susan J. Ottman**.

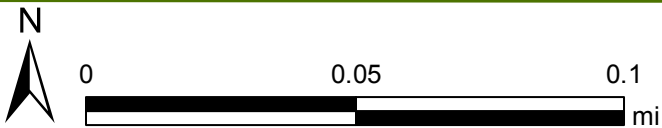
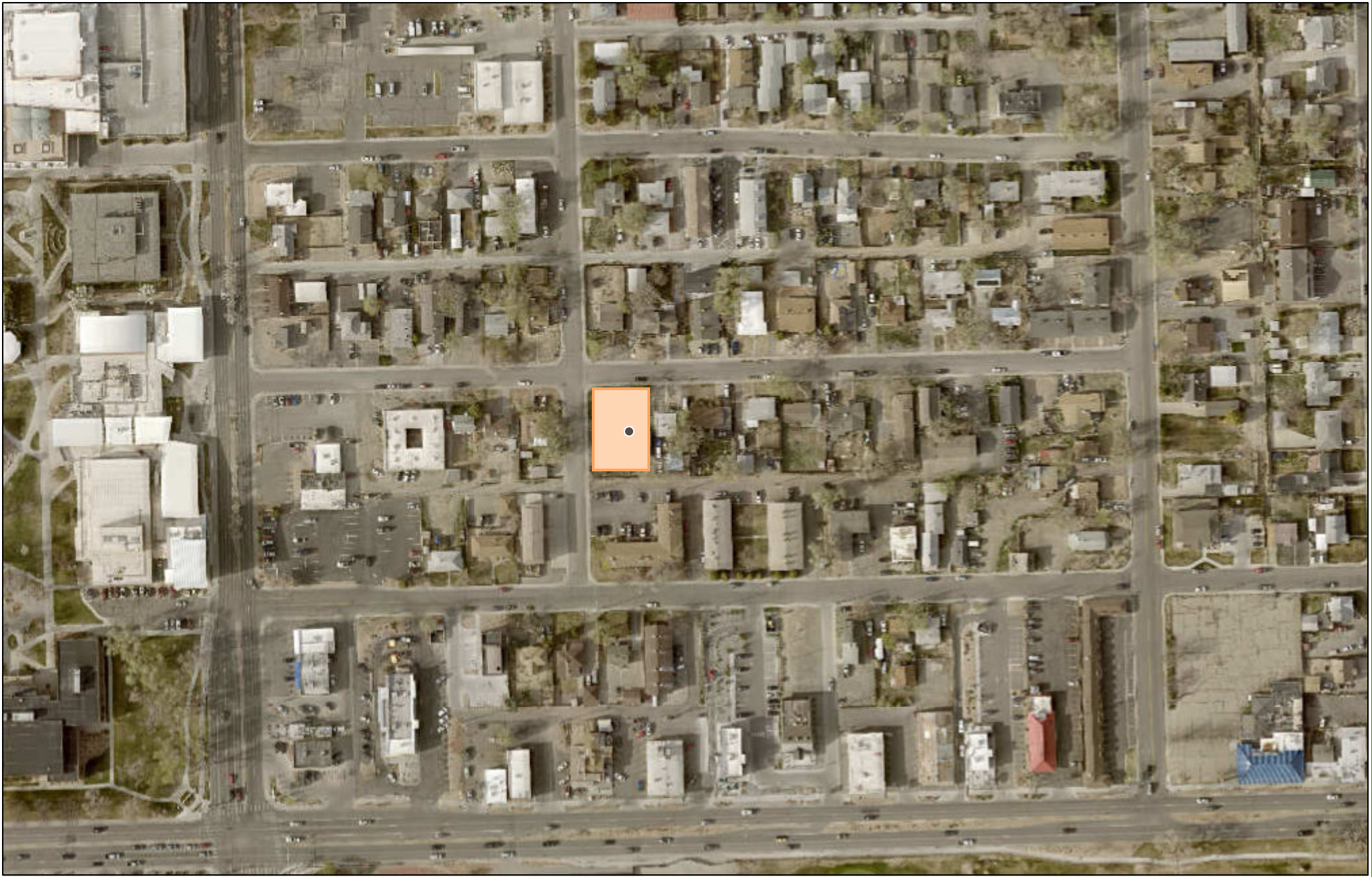
My Commission Expires:

**JAMIE ROBERTSON  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20194014275  
My Commission Expires April 12, 2023**

  
\_\_\_\_\_  
Notary Public

15936 cem

# Vicinity Map



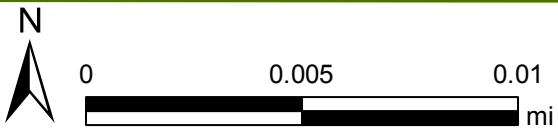
Printed: 9/5/2022

1 inch = 188 feet





# Site Map



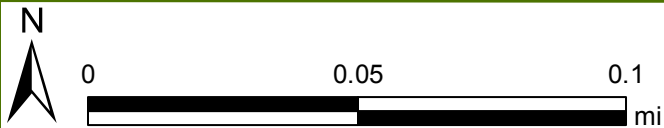
Printed: 9/5/2022

1 inch = 24 feet





# Comprehensive FLU Map

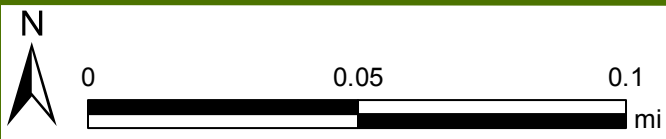


Printed: 9/5/2022

1 inch = 188 feet



# Zoning Map



Printed: 9/5/2022

1 inch = 188 feet



**1313 Bunting Avenue, REZONE  
(Parcel No. 2945-123-20-001)**

**SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING  
WEDNESDAY, JUNE 22, 2022, @ 5:30 PM  
VIA ZOOM**

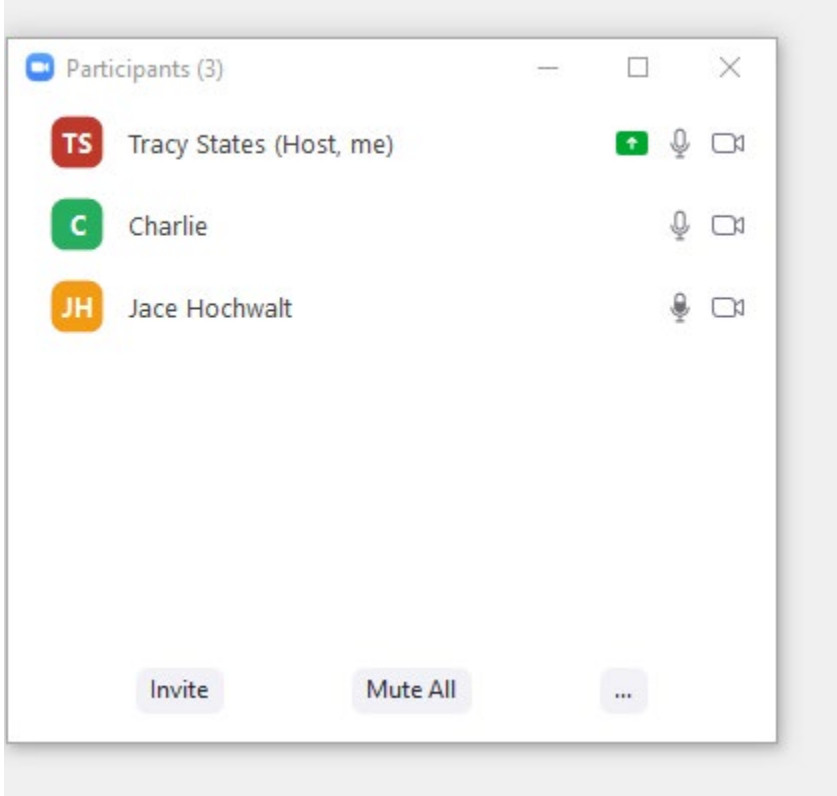
A virtual neighborhood meeting for the above-referenced Rezone, was held Wednesday, June 22, 2022, via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on June 9, 2022, per the mailing list received from the City of Grand Junction. There were three attendees including Tracy States, Project Coordinator, with River City Consultants, Jace Hochwalt, Senior Planner with the City of Grand Junction, and Charlie Gechter, representing the developer. There was no one from the public in attendance.

The meeting began at approximately 5:30 PM. After it was determined that no one from the public was going to attend, Tracy shared with Jace and Charlie the maps that would have been presented and also a zoning summary of both the R-16 and the MXR-3 zone districts. It was discussed that the objective of the zoning change request was to be able to take advantage of the more flexible setbacks due to the parcel's location on a corner lot. Charlie also wishes to create a more pedestrian friendly product while not increasing the density. The parcel is located both in the University District, as well as being identified as a mixed-use area by the 2020 Comprehensive Plan.

It was also discussed that Tracy and Charlie would prepare a small presentation for the public hearings to convey the concept to the Commissioners and City Council members.

The meeting adjourned at approximately 5:45 PM.







# Location Map



Printed: 6/22/2022  
1 inch equals 94 feet  
Scale: 1:1,128

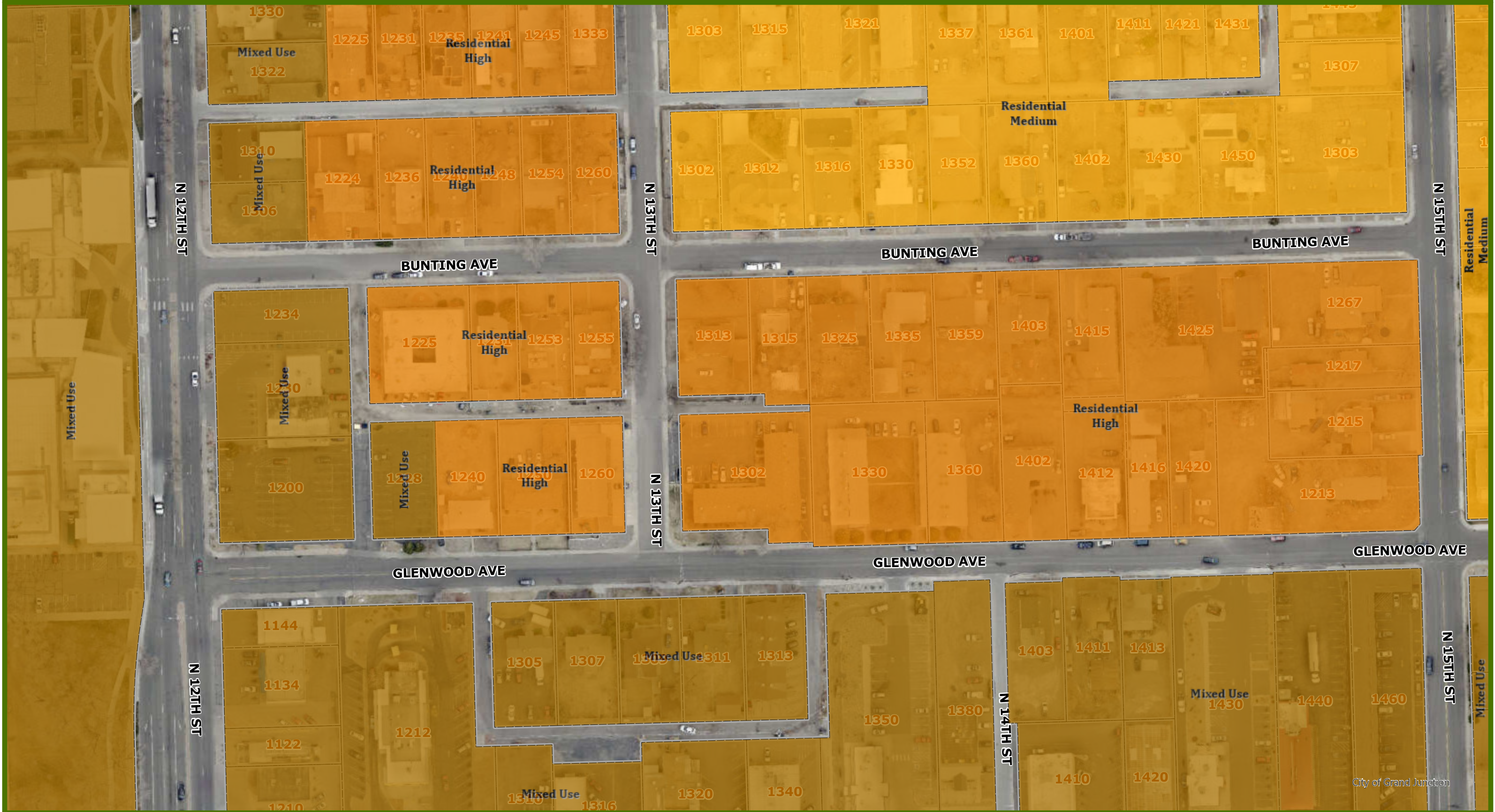








# 2020 Comprehensive Plan



Printed: 6/22/2022  
1 inch equals 94 feet  
Scale: 1:1,128



## University District

The city's University District is the center of activity for students, faculty, and businesses associated with Colorado Mesa University.

### Mix and Relationship of Uses

The University District should develop with a compact mix of residential and commercial uses contributing to an active and vibrant university area for students and faculty to live and easily access personal services, restaurants, retail, and entertainment. Concentrate active, ground floor retail and commercial uses along 12th street and North Avenue within a quarter mile of the CMU boundary. The area should include vertical mixed-use, with ground-floor commercial and multifamily or office above, as well as horizontal mixed-use with retail, restaurant and office uses adjacent to an array of different housing types.

MXG-3,  
MXR-3,  
MXOC

MXG-3, MXR-3, MXOC

LOT		HEIGHT	
Area (min. ft.²)	1,200	Stories (max.)	3
Unit width (min. ft.)	16	Feet (max.)	50
Lot coverage (max.)	75%	Ground story elevation (min. ft.)	1.5
FRONT SETBACK AREA		BUILDING FACADE	
Primary street (min./max. ft.)*	0/15	Street-facing entrance required***	yes
Side street (min./max. ft.)	0/15	ACCESSORY STRUCTURE SETBACKS	
REQUIRED STREET FACADE**		Separation from primary structure (min. ft.)	10
Primary street (min.)	75%	Side, interior (min. ft.)	5
Side street (min.)	35%	Side, street (min. ft.)	10
PARKING SETBACK		Rear (min. ft.)	5
Primary street (min. ft.)	30	ACCESSORY STRUCTURE HEIGHT	
Side street (min. ft.)	10	Stories (max.)	2
SIDE/REAR SETBACKS		Feet (max.)	30
Side, interior (min. ft.)	5	ALLOWED USE	
Rear (min. ft.)	10	All stories	Residential
		Accessory structure	Accessory uses, accessory dwellings

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	15	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5
Bulk										
Lot coverage (max.)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max. ft.)	35	35	35	35	40	40	40	60	60	72
Density (min. units per acre)	n/a	n/a	n/a	n/a	2	3	5.5	8	12	16
Density (max. units per acre)	1 unit / 5 acres	1	1	2	4	5.5	8	12	16	n/a
Cluster allowed	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Notes										
Note: Minimum lot area, lot width and lot frontage do not apply to two-family dwellings or multifamily.										
*20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure.										
R-5: Min. lot area civic - 20,000 sf.										
R-8: Min. lot area civic - 20,000 sf.										

### R-16: Residential - 16.

- (1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-16 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.
- (2) Performance Standards.
  - (i) For purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.
  - (ii) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure with 15 feet for the remainder of the principal structure.

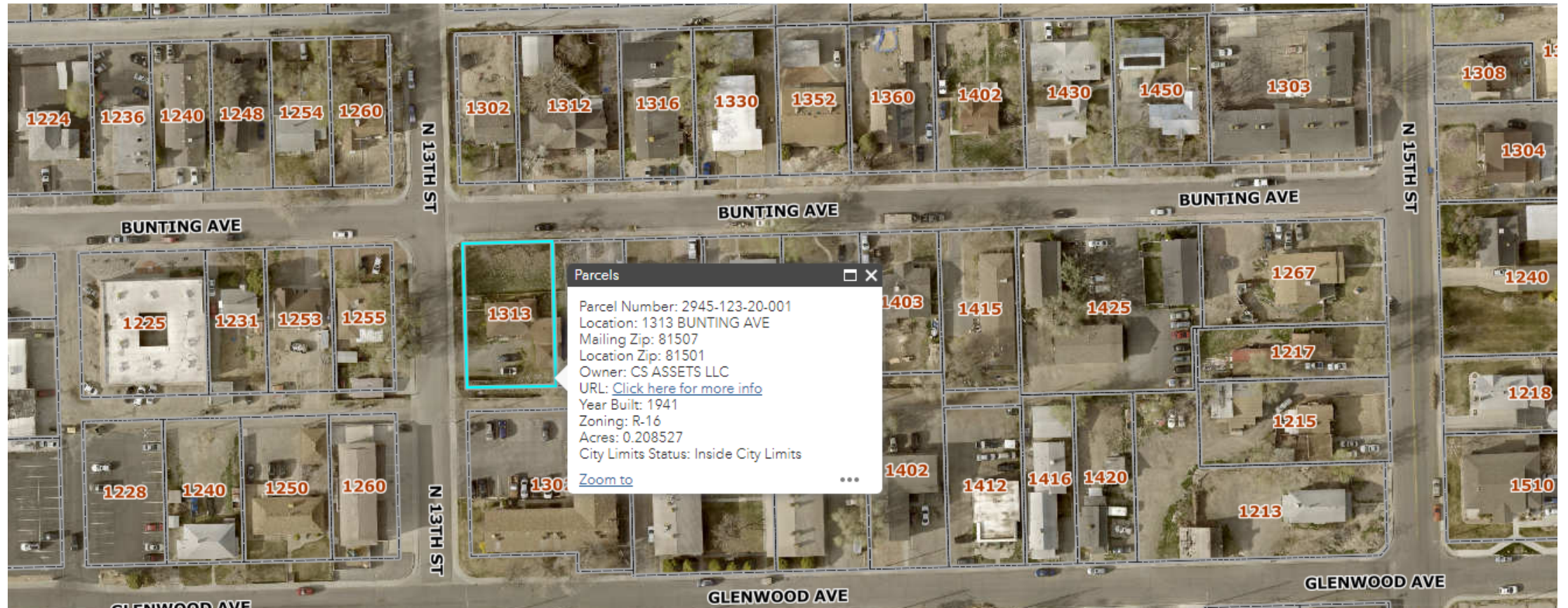
The MXR-3 (mixed use residential-3, low intensity) zone district is intended to create residential neighborhoods with a mix of housing options in a pedestrian-friendly environment. It is intended as a transition from mixed use center or corridor to the surrounding neighborhoods and is comprised of apartment, townhouse and civic building types.

# CS Assets LLC Rezone – RZN 2022-471

## Located at 1313 Bunting Ave., Grand Junction, CO

Owner/Applicant: CS Assets LLC

Representative: River City Consultants, Inc.



# Existing Zoning R-16

## **R-16: Residential – 16.**

(1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-16 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.

The minimum density to be developed in the R-16 zone district is 12 dwelling units per acre. The maximum density allowed is 16 dwelling units per acre. The setbacks call for 15' from the front lot line (20' for the garage portion), 5' from the side lot line and 10' from the rear lot line. Under the existing zoning and because of right-of-way adjacent to the site, the site could accommodate between three and six units.

# Proposed MXR-3 Zoning

**Mixed Use Residential (MXR-3, -5, -8).** The mixed use residential (MXR) districts are:

- (1) Intended to create residential neighborhoods with a mix of housing options in a pedestrian-friendly environment.
- (2) Divided into three intensities: low (MXR-3), medium (MXR-5), and high (MXR-8).
- (3) Intended as a transition from a mixed-use center or corridor to the surrounding neighborhoods.
- (4) Comprised of the apartment, townhouse and civic building types.

The main reason the MXR-3 zoning is being requested is due to the flexibility in setbacks, particularly the front and side street setbacks which for the principal structure is 0'. It is not intended to increase the allowed density. There is no maximum density in the MXR-3 zone district.

The applicant concurs with staff's findings and report. There was no public participation at the rezone neighborhood meeting. This brief presentation is to present the applicant's vision for the site in a visual manner.



# Vision

The applicant is in the process of submitting a Pre-Application submittal. No apartments are planned for this site. The proposal will be for five, attached row homes with entries facing N. 13<sup>th</sup> Street and rear loading garages and parking, accessed by a drive aisle extending north from the alley adjacent to the south. Another neighborhood meeting will be held prior to a formal development submittal to share the proposal.

This use implements the intent of the proposed form district and the future land use of Residential High while still fitting in with the surrounding uses. A two-story apartment building is located directly south of the property on the south side of the alley. Another small apartment building is located on the corner of N. 13<sup>th</sup> Street and Glenwood Ave.



# Examples



















**GRAND JUNCTION PLANNING COMMISSION**  
**September 27, 2022, 5:30 PM**  
**MINUTES**

The meeting of the Planning Commission was called to order at 5:34 p.m. by Commissioner Andrew Teske.

Those present were Planning Commissioners; Shanon Secrest, JB Phillips, Kimberly Herek, and Sandra Weckerly, and Keith Ehlers.

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), Jacob Kaplan (Planning Technician), and Madeline Robinson (Planning Technician).

There were 8 members of the public in attendance, and 0 virtually.

**CONSENT AGENDA**

---

**1. Approval of Minutes**

Minutes of Previous Meeting(s) from August 23, 2022.

**REGULAR AGENDA**

---

**1. 609 24 Rd Rezone**

**RZN-2022-525**

Consider a request by M&G, LLC to rezone one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) located at 609 24 Rd.

**Staff Presentation**

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

**Applicant Presentation**

Applicant was present and available for questions.

**Questions for staff**

**Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 5:45 p.m. on September 27, 2022.*

**Discussion**

**Motion and Vote**



Commissioner Secret made the following motion “Chairman, on the 609 24 Rd Rezone request from a C-2 (General Commercial) zone district to a C-1 (Light Commercial) zone district for the 0.920-acre property located at 609 24 Road, City File Number RZN-2022-525, 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 Weckerly seconded; motion passed 6-0.*

**2. 1313 Bunting Rezone RZN-2022-471**

Consider a request by CS Assets, LLC to rezone one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) located at 1313 Bunting Avenue.

**Staff Presentation**

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

**Applicant Presentation**

Applicant Tracey States was present and provided a presentation regarding the request.

**Questions for staff**

**Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 6:01 p.m. on September 27, 2022.*

**Discussion**

Commissioner Teske asked why the applicant would ever opt for lower density housing.

Commissioner Secret expressed his favor for the rezone.

**Motion and Vote**

Commissioner Ehlers made the following motion “Chairman, on the 1313 Bunting Rezone request from an R-16 (Residential 16 du/ac) zone district to an MXR-3 (Mixed Use Residential-3, Low Intensity) form district for the 0.21-acre property located at 1313 Bunting Avenue, City File Number RZN-2022-471, 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 Phillips seconded; motion passed 6-0*

**3. C ½ Road Gravel Pit Annexation ANX-2021-613**

Consider a request by M & D Enterprises LLC to zone 27.83 acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) located at 2855 C ½ Road.

### **Staff Presentation**

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

### **Applicant Presentation**

Applicant Andy Azcarraga was present and available for questions.

### **Questions for staff**

Commissioner Ehlers asked why the maps showed two annexations. He also expressed concerns that the rezone would eliminate the possibility of Residential zoning in the future.

Commissioner Teske clarified that the rezone would be to CSR not R-8 as was indicated in a typo in the presentation.

Staff responded to questions and noted that the potential for this property to be utilized for residences in the future would be dependent on the intensity of reclamation efforts once the gravel pit was concluded.

### **Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

Susanne Andrew noted that there is not infrastructure to support the gravel pit and mentioned the impact this would have on wildlife.

Sandy Reams expressed concerns with increased traffic and impacts on wildlife. She is also worried about noise and dust generated from the site.

Applicant stated that there would be forthcoming applications for the CUP which would provide more context about the impact of the gravel pit.

*The public hearing was closed at 6:25 p.m. on September 27, 2022.*

### **Discussion**

Commissioner Weckerly asked if C ½ Rd would be able to support new traffic load.

Commissioner Secrest noted that any development of the site would have required impact fees which would go towards infrastructure improvements for the surrounding area.

Commissioner Ehlers reiterated his concerns the site being rezoned to residential in the future but spoke to the community's necessity for gravel and the site's favorability given its location.

Commissioner Herek reiterated that the item was about the rezone and that the CUP for a gravel pit was not approved yet.

Commissioner Teske echoed concerns about the rezone to CSR impacting future rezones. He noted that a gravel pit does comply with the uses established in the Comprehensive Plan.

**Motion and Vote**

Commissioner Ehlers made the following motion “Chairman, on the Zone of Annexation request for the properties located at 2855 C ½ Road, City file number ANX-2021-613, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

*Commissioner Herek seconded; motion passed 6-0.*

**Other Business**

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**Adjournment**

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Commissioner Ehlers moved to adjourn the meeting.

*The vote to adjourn was approved 6-0.*

The meeting adjourned at 6:37 p.m.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LOT 1, 2, 3, AND THE WEST 10.9 FEET OF LOT 4 IN  
BLOCK 2 OF  
DE VOE SUBDIVISION LOCATED AT 1313 BUNTING AVENUE FROM R-16  
(RESIDENTIAL 16 DU/AC) TO MXR-3 (MIXED USE RESIDENTIAL-3, LOW  
INTENSITY)**

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 Lot 1, 2, 3, and the West 10.9 Feet of Lot 4 in Block 2 of De Voe Subdivision to the MXR-3 (Mixed Use Residential-3, Low Intensity). The Planning Commission found that the MXR-3 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Residential High 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 MXR-3 (Mixed Use Residential-3, Low Intensity) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 1, 2, 3, and the West 10.9 Feet of Lot 4 in Block 2 of De Voe Subdivision is and shall be zoned MXR-3 (Mixed Use Residential-3, Low Intensity) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 5<sup>th</sup> day of October 2022 and ordered published in pamphlet form.

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

ATTEST:

\_\_\_\_\_  
Amy Phillips  
City Clerk

\_\_\_\_\_  
Anna M. Stout  
President of City Council

DRAFT



## Grand Junction City Council

### Regular Session

Item #4.a.ii.

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**Meeting Date:** October 19, 2022  
**Presented By:** Daniella Acosta, Senior Planner  
**Department:** Community Development  
**Submitted By:** Dani Acosta, Senior Planner

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### **Information**

#### **SUBJECT:**

An Ordinance Rezoning 0.920 Acres from C-2 (General Commercial) to C-1 (Light Commercial), Located at 609 24 Road

#### **RECOMMENDATION:**

The Planning Commission heard the rezoning item at its September 27, 2022 meeting and voted (6-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The applicant, M&G, LLC, is requesting the rezone of one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) located at 609 24 Rd. The purpose of the rezone is to expand the potential for mixed-use development on the parcel, allowing the construction of a ground-floor medical office with either multifamily units or a live-work unit above.

The requested C-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial. The C-1 zone district is appropriate for the development of retail and commercial development along arterials, as well as permits multifamily development by right, which the C-2 zone district prohibits.

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

The proposed rezone comprises one parcel totaling 0.920 acres situated at 609 24 Rd just south of Patterson Rd and north of Hwy 6 & 50. The subject site was annexed into the City in 1995 as part of the Northwest Enclave Annexation.

As indicated, the subject site is currently zoned C-2 and is being used as a surface parking lot. To the south and east there is a mix of heavy commercial uses. To the

north of the property are professional services uses, mostly medical/healthcare services. To the east is the Mesa Mall Shopping Center, which is separated from the property by 24 Rd.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property as Commercial. Under the Grand Junction Zoning & Development Code, the zone districts that may implement the Commercial Land Use classification include Mixed-Use (M-U), Business Park (B-P), Industrial/Office Park (I-O), Light Commercial (C-1), General Commercial (C-2), Mixed Use Residential, High Intensity (MXR-8), Mixed Use Shopfront, Low-Medium-and-High Intensity (MXS-3, 5, 8), and Mixed-Use Opportunity Corridors (MXOC).

The Comprehensive Plan classified the 24 Road Corridor south of F ½ Road and north of Hwy 6 & 50 as Commercial.

The Applicant is now requesting a rezone to C-1 to allow for the creation of new and expanded business opportunities for the subject property and to permit mixed-use development with the possible introduction of multifamily units or a live-work unit above the ground floor commercial.

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 at the Pearle Vision Optometrist Office located at 611 24 Road on June 22, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. No members of the public were in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on August 4, 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 September 16, 2022. The notice of the Planning Commission public hearing was published on September 20, 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, C-2, is within the range of allowable zone districts for the Commercial Future Land Use Designation, as is the proposed C-1 zone district. As such, there are no identified subsequent events that have invalidated the original premise of C-2 being able to implement the 2020 Comprehensive Plan. Therefore, staff finds that this criterion has not been met.

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

The property is within North Grand Junction (North GJ) planning area, which includes a significant commercial center that includes several employment anchors, such as City Market, Mesa Mall, Home Depot, American National Bank, Ulta Beauty, and Timberline Bank, among others. Mesa Mall itself has seen a significant economic revival with the arrival of Dick's Sporting Good, Dillard's, Cabela's and Target, as well as major national restaurant chains.

While these developments occurred over a period of 11 years, the introduction has had a significant and positive impact on sales tax revenue and spurred investment in multifamily residential development nearby. These include the 309-unit, 17-building CTR Apartment complex currently under review (SPN-2022-564), the 170-unit, nine-building Rimrock Landing Apartments (SPN-2016-137, SPN-2016-423), the 168-unit Slate on 25 Apartments (SPN-2022-4008), the 17-unit Rimrock Townhome development, and the 16-unit Flat Top Townhomes development. As a result, the incremental change seen in the North GJ planning area has resulted in a major character change from a solely commercial area to one that integrates high and medium density housing options, creating a mixed-use area. As such, staff has found this criterion has been met.

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

The subject site is currently served by the Ute Water District, City Sewer, the Grand Valley Irrigation Company, the Grand Valley Drainage District, and Xcel Energy. There is a Ute Water line that runs to the property and there are two fire hydrants located on the northern and southern neighboring properties. The property is located within the 201 Persigo boundary and there is an 8-inch sanitary sewer line that runs along the western side of the property within the private street.

The subject site is serviced by two primary truck routes that run along Patterson Road to the north and along 24 Rd to the east with direct access to each. The stretch of 24 Rd Street that runs to the east of the subject site is classified as an Active Transportation Corridor (proposed bike facility along road corridors). Additionally, there is an off-street multiuse path that is along a drainageway located approximately 650 feet to the north of the property, providing low-stress routes for bikes and pedestrians.



The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the preceding information, staff finds this criterion has been met.

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

There are some differences between the C-1 zone district and the C-2 zone district. Both C-1 and C-2 permit the majority of the same institutional/civic and retail uses in the Use Table. The primary difference between C-1 and C-2, is the ability to permit multifamily residential under C-1 and the ability to permit heavy commercial uses under C-2.

The C-2 zone district accounts for approximately 3.3 percent of City zoned land, while the C-1 zone district accounts for 5.6 percent. Both C-1 and C-2 may implement the Commercial Future Land Use designation. Additionally, there is not a deficit of other zone districts in the North GJ planning area that are also able to implement the Commercial Future Land Use designation, which also includes M-U. Therefore, staff finds that this criterion has not been met.

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

The community will benefit from the proposed amendment because it directs mixed-use development to the urban core that does not require the extension of infrastructure or the expansion of City services. The subject property is located within the Tier 1 – Urban Infill tier as identified in the City’s Growth Plan. Rezoning to C-1 opens up opportunities for more ground floor retail with potential multifamily or live-work units above. Rezoning to C-1 may help direct any potential future mixed-used development to an area that has adequate public infrastructure and amenities to accommodate that growth.

While M-U may also provide this potential, the bulk standards for C-1 were more appropriate for the lot in question, as it would not introduce a non-conformity. The lot in question is under an acre and would conform with the C-1 minimum lot size requirement of 20,000 feet. In contrast, M-U minimum lot size is 1 acre, a little more than double the size of the current lot. Rezoning to M-U rather than C-1 would make the site a non-conforming lot for failing to meet the minimum lot size established for M-U, and staff would want to prevent introducing a non-conformity whenever possible.

The 2020 Comprehensive Plan has identified the area that the subject site is situated in as a Regional Center, which is one of the three Commercial Policy Areas.

The Regional Centers Policy Area in particular aims to create large commercial nodes that are pedestrian and bicycle friendly and that support the needs of Grand

Junction residents and that of surrounding communities. The Regional Centers are also identified as an appropriate location for multifamily residential as long as they are compatible with the existing uses, and that can support activity generating uses that define a regional center, such as retail stores that range from small "mom and pop" shops to large retailers.

While the boundaries of the Regional Policy Center Area include parcels zoned C-2 (located primarily on the western half of 24 Rd), the C-1 zone district lends itself better to implementing the vision and goals of a Regional Center. The C-2 zone district allows more wholesale business and warehousing operations, whereas C-1 restricts the type of heavy commercial uses allowed. C-1 is more appropriate for the development of retail uses that emphasize effective street design and access in the site layout, such as public improvements that make a corridor more walkable, attracting not only car-traffic but pedestrian foot-traffic. C-1 designates a narrower range of commercial uses that better aligns with the vision and objectives defined for Regional Centers. This is done in two ways:

1. By permitting the development of mixed-use development, (i.e., ground floor retail with multifamily) that is not permitted by C-2, thus decreasing spatial mismatch of where people live, work and shop and creating the necessary land use patterns that support a walkable and bikeable commercial area.
2. Limiting and restricting the light industrial and small warehouse uses permitted under C-2, thereby redirecting those more intensive uses to other areas of the City.

Additionally, while the parcel is in a section of the Regional Policy Center Area that is all zoned C-2, this immediate area already has development that is consistent with light commercial uses, such as the Peale Vision Optometrist office, the American National and the Ginger Oriental Restaurant that would be compatible with the proposed mixed-use building. The same development pattern of light commercial uses can be observed north of Patterson – existing light commercial development in C-2 zoned parcels. These include the Grand Junction Federal Credit Union, the Holiday Inn Express & Suites, Vectra Bank, Starbucks, and the Mi Mexico restaurant. Therefore, staff finds that this criterion has been met.

### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

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

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

- Tier 1: Urban Infill
- Tier 2: Suburban Infill
- Tier 3: Rural Areas and County Development

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

**FINDINGS OF FACT AND RECOMMENDATION**

After reviewing the 609 24 Rd Rezone, RZN-2022-525, rezoning one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) for the property located at 609 24 Road, the following findings of fact have been made:

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

Therefore, the Planning Commission recommended approval of the request.

**FISCAL IMPACT:**

There is no direct fiscal impact from this action.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance No. 5103, an ordinance rezoning one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) located at 609 24 Road on final passage and order final publication in pamphlet form.

**Attachments**

1. Planning Commission Minutes - 2022 - September 27
2. Exhibit 1. Development Application
3. Exhibit 2. Maps
4. Exhibit 3 - Neighborhood Meeting Documentation
5. Exhibit 4. Draft Ordinance

**GRAND JUNCTION PLANNING COMMISSION**  
**September 27, 2022, 5:30 PM**  
**MINUTES**

The meeting of the Planning Commission was called to order at 5:34 p.m. by Commissioner Andrew Teske.

Those present were Planning Commissioners; Shanon Secrest, JB Phillips, Kimberly Herek, and Sandra Weckerly, and Keith Ehlers.

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), Jacob Kaplan (Planning Technician), and Madeline Robinson (Planning Technician).

There were 8 members of the public in attendance, and 0 virtually.

**CONSENT AGENDA**

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**1. Approval of Minutes**

Minutes of Previous Meeting(s) from August 23, 2022.

**REGULAR AGENDA**

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**1. 609 24 Rd Rezone**

**RZN-2022-525**

Consider a request by M&G, LLC to rezone one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) located at 609 24 Rd.

**Staff Presentation**

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

**Applicant Presentation**

Applicant was present and available for questions.

**Questions for staff**

**Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 5:45 p.m. on September 27, 2022.*

**Discussion**

**Motion and Vote**

Commissioner Secret made the following motion “Chairman, on the 609 24 Rd Rezone request from a C-2 (General Commercial) zone district to a C-1 (Light Commercial) zone district for the 0.920-acre property located at 609 24 Road, City File Number RZN-2022-525, 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 Weckerly seconded; motion passed 6-0.*

**2. 1313 Bunting Rezone RZN-2022-471**

Consider a request by CS Assets, LLC to rezone one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) located at 1313 Bunting Avenue.

**Staff Presentation**

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

**Applicant Presentation**

Applicant Tracey States was present and provided a presentation regarding the request.

**Questions for staff**

**Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 6:01 p.m. on September 27, 2022.*

**Discussion**

Commissioner Teske asked why the applicant would ever opt for lower density housing.

Commissioner Secret expressed his favor for the rezone.

**Motion and Vote**

Commissioner Ehlers made the following motion “Chairman, on the 1313 Bunting Rezone request from an R-16 (Residential 16 du/ac) zone district to an MXR-3 (Mixed Use Residential-3, Low Intensity) form district for the 0.21-acre property located at 1313 Bunting Avenue, City File Number RZN-2022-471, 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 Phillips seconded; motion passed 6-0*

**3. C ½ Road Gravel Pit Annexation ANX-2021-613**

Consider a request by M & D Enterprises LLC to zone 27.83 acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) located at 2855 C ½ Road.

### **Staff Presentation**

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

### **Applicant Presentation**

Applicant Andy Azcarraga was present and available for questions.

### **Questions for staff**

Commissioner Ehlers asked why the maps showed two annexations. He also expressed concerns that the rezone would eliminate the possibility of Residential zoning in the future.

Commissioner Teske clarified that the rezone would be to CSR not R-8 as was indicated in a typo in the presentation.

Staff responded to questions and noted that the potential for this property to be utilized for residences in the future would be dependent on the intensity of reclamation efforts once the gravel pit was concluded.

### **Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

Susanne Andrew noted that there is not infrastructure to support the gravel pit and mentioned the impact this would have on wildlife.

Sandy Reams expressed concerns with increased traffic and impacts on wildlife. She is also worried about noise and dust generated from the site.

Applicant stated that there would be forthcoming applications for the CUP which would provide more context about the impact of the gravel pit.

*The public hearing was closed at 6:25 p.m. on September 27, 2022.*

### **Discussion**

Commissioner Weckerly asked if C ½ Rd would be able to support new traffic load.

Commissioner Secrest noted that any development of the site would have required impact fees which would go towards infrastructure improvements for the surrounding area.

Commissioner Ehlers reiterated his concerns the site being rezoned to residential in the future but spoke to the community's necessity for gravel and the site's favorability given its location.

Commissioner Herek reiterated that the item was about the rezone and that the CUP for a gravel pit was not approved yet.

Commissioner Teske echoed concerns about the rezone to CSR impacting future rezones. He noted that a gravel pit does comply with the uses established in the Comprehensive Plan.

**Motion and Vote**

Commissioner Ehlers made the following motion “Chairman, on the Zone of Annexation request for the properties located at 2855 C ½ Road, City file number ANX-2021-613, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

*Commissioner Herek seconded; motion passed 6-0.*

**Other Business**

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**Adjournment**

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Commissioner Ehlers moved to adjourn the meeting.

*The vote to adjourn was approved 6-0.*

The meeting adjourned at 6:37 p.m.





# Development Application

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

Petition For: Annexation/Zone of Annexation

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

Existing Land Use Designation: Light Commercial

Existing Zoning: C-2

Proposed Land Use Designation: General Commercial

Proposed Zoning: C-1

### Property Information

Site Location: 609 24 Road

Site Acreage: 0.92

Site Tax No(s): 2945-054-10-003

Site Zoning: C-2

Project Description: Development of vertical mixed use (ground floor commercial/multifamily upper floors)

### Property Owner Information

Name: Milissa Stone

Street Address: 609 24 Road Street

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970-210-6897

E-Mail: milissastone@aol.com

Fax #: 970-241-5797

Contact Person: Milissa Stone

Contact Phone #: 970-210-6897

### Applicant Information

Name: Milissa Stone

Street Address: 609 24 Road Street

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970-210-6897

E-Mail: milissastone@aol.com

Fax #: 970-241-5797

Contact Person: Milissa Stone

Contact Phone #: 970-210-6897

### Representative Information

Name: Jon Dyer

Street Address: 2335 Interstate

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970-245-8610

E-Mail: jon@jdyerconstruction.com

Fax #: \_\_\_\_\_

Contact Person: Jon Dyer

Contact Phone #: 970-250-3295

**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: 5/23/2022

Signature of Legal Property Owner:  Date: 5/23/2022

## Evaluation of Request

Evaluation of the request is accomplished by using the approval criteria for Code Amendments and rezoning within Chapter 21 of the Grand Junction Municipal Code.

### 21.02.140 Code Amendments and Rezoning

#### *(1) Subsequent events have invalidated the original premises and findings:*

Response: The adoption of the Comprehensive Plan in April 2021 designated the subject site as Commercial (C-2) with the opportunity to rezone to Light Commercial (C-1).

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

Response: The comprehensive plan identifies adjacent and/or adjoining properties as Commercial (C-2). Rezoning of this site to Light Commercial (C-1) is consistent with similar blended use of Light Commercial, Heavy Commercial, and professional services, as cited in the provided General Project Report.

#### *(3) Public and Community facilities are adequate to serve the type and scope of land use proposed:*

Response: The following existing facilities, with available capacity adjoin the subject property:

- Streets/ Roadways (Public and Private)
- Sanitary Sewer
- Domestic Water and Fire Protection
- Electric, Natural Gas, and Communication Lines

Fire Protection is provided by the City of Grand Junction from Station #5 and is located approximately 3.6 miles away. There are no impacts of this rezone on Schools or Parks.

#### *(4) An inadequate supply of suitability designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.*

Response: This site is the last vacant space in the Caldwell Subdivision, already designated for commercial development.

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

Response: This commercial rezone request offers expansion of business opportunities to an area of Grand Junction identified by the City and State as an Opportunity and Enterprise Zone. Additionally, development of this site, as proposed, compliments the current zoning designation of the Mesa Mall, directly to the East; separated only by 24 Road.

## EVALUATION OF REQUEST

Evaluation of the request is accomplished by using the approval criteria for Code Amendments and rezoning within Chapter the *Grand Junction Municipal Code*.

### **21.02.140 Code Amendments and Rezoning.**

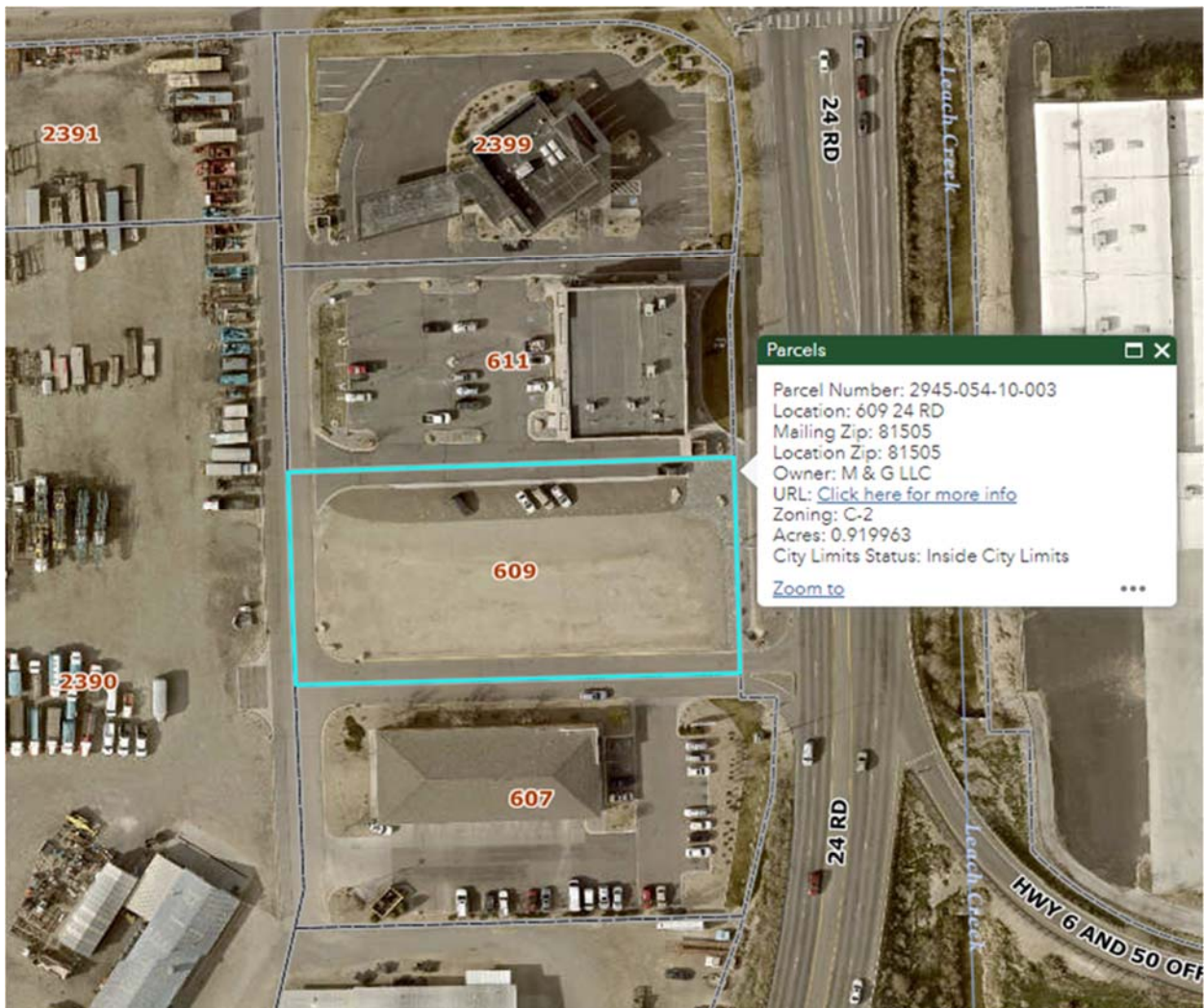
- (1) *Subsequent events have invalidated the original premises and findings;*  
RESPONSE: The adoption of the Comprehensive Plan in April, 2021 designated the subject site as “Commercial”.
  
- (2) *The character and/or condition of the area has changed such that the amendment is consistent with the Plan;*  
RESPONSE: Most of the land adjoining the subject property along the north side of US Highway 6 and 50 is designated as Commercial in the Comprehensive Plan.
  
- (3) *Public and community facilities are adequate to serve the type and scope of land use proposed;*  
RESPONSE: The following existing facilities, with available capacity, adjoin the subject property:
  - Streets/Roadways
  - Sanitary Sewer
  - Domestic Water and Fire Protection
  - Electric, Natural Gas, and Communication linesFire Protection is provided by the City of Grand Junction from Station No. 3 approximately 4.5 miles east of the site in a straight line distance. Commercial uses do not create any major impacts to Schools and Parks.
  
- (4) *An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use;*  
RESPONSE: No vacant land was identified within the boundary on the Surrounding Land Use Map.
  
- (5) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*  
RESPONSE: The commercial zone designation for the property offers a somewhat more extensive uses than the industrial designation. Such as retail sales, which almost non-existent in the surrounding area. The additional uses that the commercial zone designation includes will allow for the creation of new and expanded business opportunities for the subject property.

GENERAL PROJECT REPORT  
REZONE REQUEST APPLICATION  
July, 2022

SITE LOCATION DATA

Address	609 24 Road
Area	
Tax Parcel Number	2945-054-10-003
Legal Description	LOT 3 CALDWELL SUBDIVISION SEC 9
Approx. Latitude	39.093508
Approx. Longitude	-108.608906

LOCATION MAP



## General Project Outline

1. Adopted Plans or Policies:	Request, Pg 2-3
2. Land Use in the surrounding areas:	Future Land Use, Pg 3 Current Land Use, Pg 3 Land Use Map, Pg 4
3. Site access and traffic patterns:	Traffic Pattern Map, Pg 5
4. Availability of utilities, including proximity to fire hydrants	Available Utilities, Pg 6
5. Special or unusual demands:	None Applicable
6. Effects on public facilities:	None Applicable
7. Hours of Operation:	TBD, Leasable commercial space
8. Number of Employees:	TBD, Leasable commercial space
9. Signage plans:	TBD
10. Site soils and geology:	See Attached Report from Huddleston & Berry
11. Impact of project on site geology and geological hazards:	See Attached Report from Huddleston & Berry

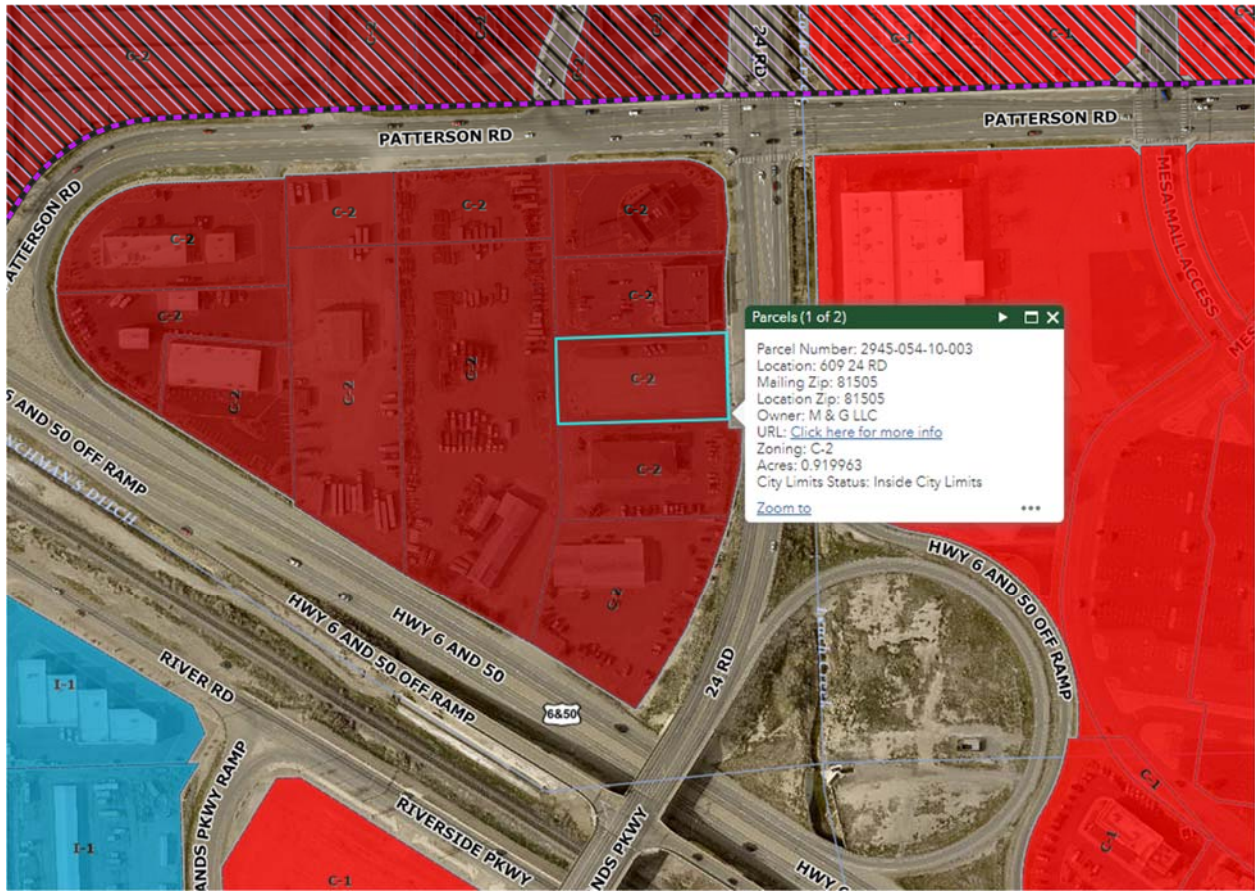
**Request** – The accompanying documents and drawings depict the relationship of proposed Zone Change request to the property boundary, roadway access and adjacent properties. The proposal calls for rezoning the property from C-2 (General Commercial) to C-1 (Light Commercial) in accordance with Section 21.02.140, Code Amendments and Zone Change in the City of Grand Junction Municipal Code (GJMC).

According to the GJMC:

C-1, Light Commercial: Purpose is to provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The eC-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure, and provide for orderly transition and buffers between uses.

C-2, General Commercial: Purpose is to provide for commercial activities such as repair shops, wholesale businesses, warehousing, and retail sales with limited outdoor display of goods and even more limited outdoor operations.



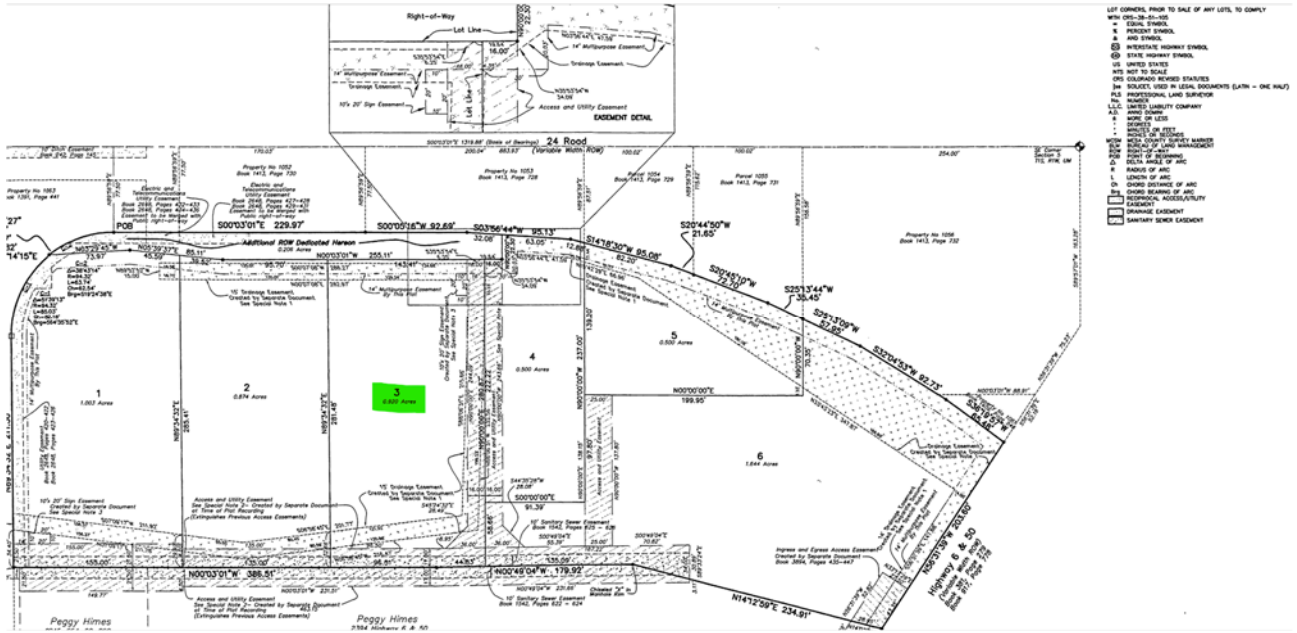


**Future Land Use Plan** – The One Grand Junction Comprehensive Plan identifies the land use at 609 24 Road, as designated commercial use. Primary land use for commercial, offices, retail, employment, medical campus/hospitals, and service-oriented uses. Parcel is located at intersections along major state and local roadways (HWY 6&50, 24 Road, and F Road (Patterson)). The subject site is located within the Enterprise Zone and Opportunity Zone, created by the State of Colorado, for economically distressed areas of the state.

**Current Land Use**- The subject site is located at parcel 3 within the Caldwell Subdivision, dedicated in 2005. The .92-acre parcel backs to 24 Road with access to the subdivision via a private road (Caldwell Drive), bisecting 609 24 Road and 607 24 Road. Access to the parcel can also be obtained to the North, off F Road (Patterson) via a private road, bisecting Caldwell Subdivision and 2394 Highway 6 &50. Currently this parcel is vacant, very weed free, dirt.

Maps provided below depict original plot map of the subdivision, subject site highlighted in green, and a map depicting land use of adjacent and nearby land use.

# Subdivision Plot Map



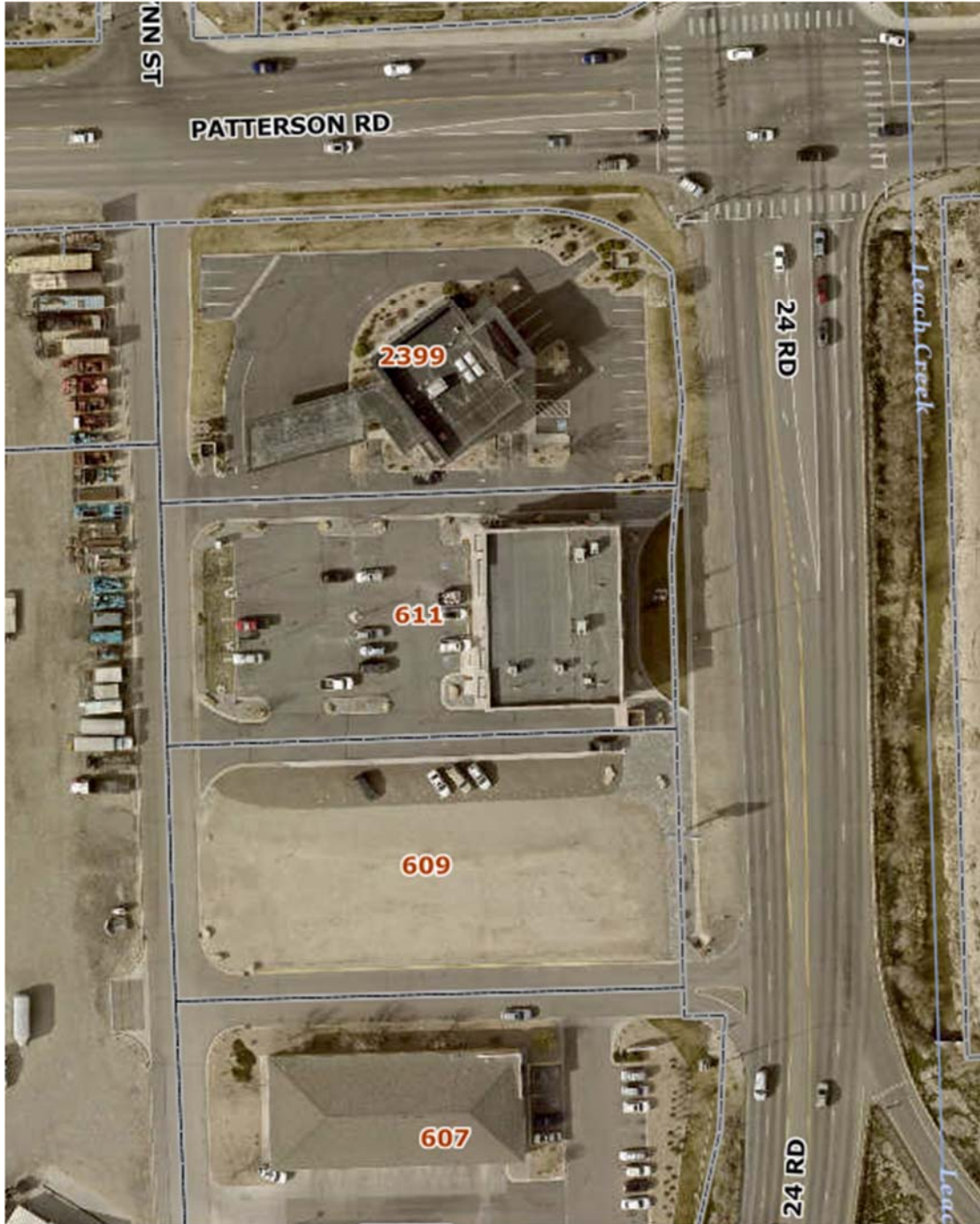
# Land Use Map





**Traffic Patterns-** Access from F Road (Patterson Road), is without restriction and accessible without turn lanes. Access from the 24 Road is provided on the south side of the parcel, via right turn in and a right turn out. Adjacent roadways are private property with the exception of Patterson Road and 24.

**Traffic Pattern Map**



**Available Utilities:**

Water Service, (Provided by Ute Water) and Identified in Light Blue

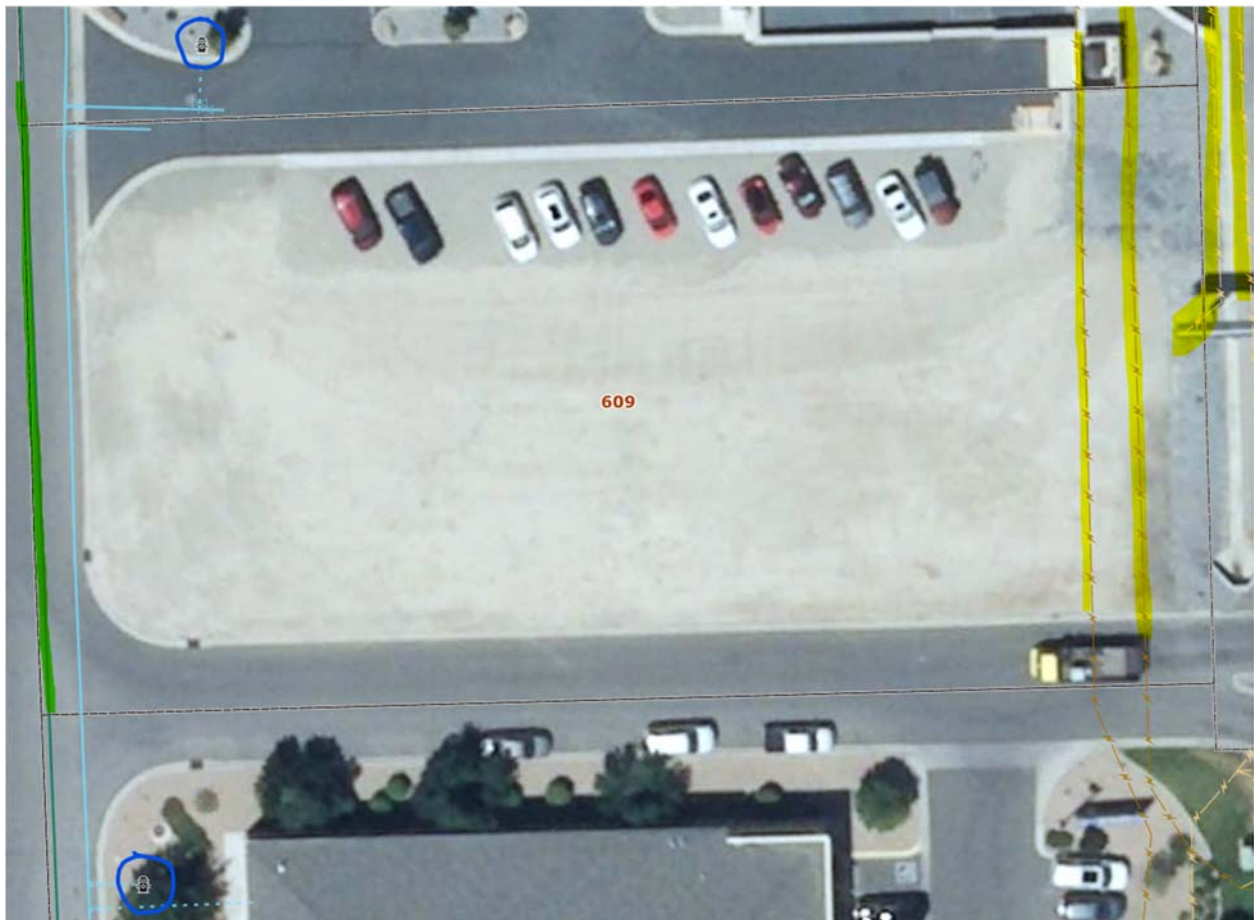
Fire Hydrants, Circled in Blue

Sanitary Sewer Service, Highlighted in Green (City Service)

Electricity, Highlighted in Yellow (Xcel Energy)

Gas Service Available on East Side of Parcel (markings unavailable) but service is provided to adjacent property (611 24 Road)(Xcel Energy)

**Utility Map**



Legal Description: Lot 3, CALDWELL SUBDIVISION, City of Grand Junction, Mesa County,  
Colorado

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) M&G, LLC ("Entity") is the owner of the following property:

(b) 609 24 Road

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Owner for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

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

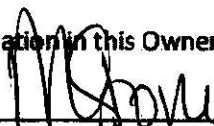
I have the following knowledge or evidence of a possible boundary conflict affecting the property:

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

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

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

Signature of Entity representative: \_\_\_\_\_



Printed name of person signing: Melissa Stone

State of CO


County of Mesa ss.

Subscribed and sworn to before me on this 24<sup>th</sup> day of May, 2022  
by Melissa Stone

Witness my hand and seal.

My Notary Commission expires on April 7, 2024

ANGELICA CARRILLO  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20204012938  
MY COMMISSION EXPIRES APRIL 7, 2024

  
Notary Public Signature



State Documentary Fee  
Date: April 17, 2018  
\$23.40

**Special Warranty Deed**  
(Pursuant to 20-20-115 C.R.S.)

THIS DEED, made on April 17th, 2018 by FP INVESTMENTS, LLC Grantor(s), of the City and County of Denver and State of Colorado for the consideration of (\$230,000.00) Two Hundred Thirty Three Thousand Nine Hundred Fifty and 00/100 dollars in hand paid, hereby sells and conveys to M & S, LLC, A COLORADO LIMITED LIABILITY COMPANY Grantee(s), whose street address is 388 Vase Tinto Lane, Palmdale, CO 81856, County of Mesa, and State of Colorado, the following real property in the County of Mesa, and State of Colorado, to wit:

LOT 3 OF CALENWELL SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: 888 24 RD, GRAND JUNCTION, CO 81505

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to general taxes for the year 2018 and those specific exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantor(s) in accordance with Pledged Title Matter (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; obligation utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantor(s) has actual knowledge and which were accepted by Grantor(s) in accordance with Off-Pledged Title Matters (Section 8.3) and Current Survey Review (Section 8) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special tax district; any special assessment if the improvements were not installed as of the date of Signer's signature on the Contract to Buy and Sell Real Estate, whether assessed prior to or after Closing; and other

FP INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY

By: [Signature]  
JOHN A. FOX, AS CHIEF FINANCIAL OFFICER OF STURM GROUP, LLC, AS MANAGER

MARION J DOYLE  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 1888401789  
MY COMMISSION EXPIRES MAY 21, 2021

State of Colorado )

County of DENVER )

The foregoing instrument was acknowledged before me on this day of April 17th, 2018 by JOHN A. FOX, AS CHIEF FINANCIAL OFFICER OF STURM GROUP, LLC AS MANAGER OF FP INVESTMENTS, LLC

Witness my hand and official seal

My Commission expires: 5/21/2021 [Signature]  
Notary Public

When Recorded Return to: M & S, LLC, A COLORADO LIMITED LIABILITY COMPANY  
388 Vase Tinto Lane, Palmdale, CO 81856





**Huddleston-Berry**  
Engineering & Testing, LLC

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**GEOTECHNICAL AND GEOLOGIC HAZARDS  
INVESTIGATION  
609 24 ROAD  
GRAND JUNCTION, COLORADO  
PROJECT #02492-0001**

**MILISSA STONE  
611 24 ROAD  
GRAND JUNCTION, COLORADO 81505**

**JUNE 20, 2022**

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**Huddleston-Berry Engineering and Testing, LLC  
2789 Riverside Parkway  
Grand Junction, Colorado 81501**



## SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

A geologic hazards and geotechnical investigation was conducted at 609 24 Road in Grand Junction, Colorado. The project location is shown on Figure 1 – Site Location Map. The purpose of the investigation was to evaluate the surface and subsurface conditions at the site with respect to geologic hazards, foundation design, pavement design, and earthwork for the proposed construction. This summary has been prepared to include the information required by civil engineers, structural engineers, and contractors involved in the project.

### **Subsurface Conditions (p. 2)**

The subsurface investigation consisted of four borings, drilled on May 12<sup>th</sup>, 2022. The locations of the borings are shown on Figure 2 – Site Plan. The borings generally encountered native clay soils above poorly graded sand with silt and gravel soils. Groundwater was encountered in the subsurface at depths of between 8.0 and 8.5 feet at the time of the investigation. The native clay soils were indicated to be moderately plastic and slightly expansive, with up to approximately 2.1% expansion measured in the laboratory. The sand soils were indicated to be non-plastic and are anticipated to be fairly stable under loading.

### **Geologic Hazards and Constraints (p. 3)**

The primary geologic hazard and constraint at the site is the presence of moisture sensitive soils. However, shallow groundwater may also impact the proposed development.

### **Summary of Foundation Recommendations**

- Spread Footings or Monolithic Structural Slabs
  - *Foundation Type* - Spread Footings or Monolithic Structural Slabs (p. 4)
  - *Structural Fill* – Minimum of 24-inches below foundations. The native clay soils are not suitable for reuse as structural fill. Imported structural fill should consist of granular material approved by HBET.(p. 4)
  - *Maximum Allowable Bearing Capacity* – 1,500 psf. (p. 5)
  - *Subgrade Modulus* – 200 pci for approved imported materials. (p. 5)
- Helical Piles
  - *Foundation Type* - Helical Piles (p. 5)
  - *Anticipated Length* – 17 to 27 feet. (p. 5)
  - *Axial Capacity* – Dependent upon pile load testing; however, 40 to 50 tons anticipated. (p. 6)
- General
  - *Seismic Design* – Site Class D (p. 6)
  - *Lateral Earth Pressure* – 55 pcf active. 75 pcf at-rest. (p. 6)

### **Summary of Pavement Recommendations (p. 8)**

#### **Automobile Parking Areas**

ALTERNATIVE	PAVEMENT SECTION (Inches)				TOTAL
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	
A	3.0	10.0			13.0
B	4.0	7.0			11.0
C	3.0	6.0	6.0		15.0
Rigid Pavement		6.0		6.0	12.0

**Truck Traffic Areas**

<b>ALTERNATIVE</b>	<b>PAVEMENT SECTION (Inches)</b>				
	<b>Hot-Mix Asphalt Pavement</b>	<b>CDOT Class 6 Base Course</b>	<b>CDOT Class 3 Subbase Course</b>	<b>Concrete Pavement</b>	<b>TOTAL</b>
A	3.0	15.0			18.0
B	4.0	12.0			16.0
C	3.0	6.0	13.0		22.0
Rigid Pavement		6.0		8.0	14.0

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### FIGURES

Figure 1 – Site Location Map

Figure 2 – Site Plan

### APPENDICES

Appendix A – UDSA NRCS Soil Survey Data

Appendix B – Typed Boring Logs

Appendix C – Laboratory Testing Results

## 1.0 INTRODUCTION

As part of the continued development in Western Colorado, new construction is proposed at 609 24 Road in Grand Junction. As part of the development process, Huddlestone-Berry Engineering and Testing, LLC (HBET) was retained by the Milissa Stone to conduct a geologic hazards and geotechnical investigation at the site.

### 1.1 Scope

As discussed above, a geologic hazards and geotechnical investigation was conducted for 609 24 Road in Grand Junction, Colorado. The scope of the investigation included the following components:

- Conducting a subsurface investigation to evaluate the subsurface conditions at the site.
- Collecting soil samples and conducting laboratory testing to determine the engineering properties of the soils at the site.
- Providing recommendations for foundation type and subgrade preparation.
- Providing recommendations for bearing capacity.
- Providing recommendations for lateral earth pressure.
- Providing recommendations for drainage, grading, and general earthwork.
- Providing recommendations for pavements.
- Evaluating potential geologic hazards at the site.

The investigation and report were completed by a Colorado registered professional engineer in accordance with generally accepted geotechnical and geological engineering practices. This report has been prepared for the exclusive use of Milissa Stone.

### 1.2 Site Location and Description

The site is located at 609 24 Road in Grand Junction. The project location is shown on Figure 1 – Site Location Map.

At the time of the investigation, the site was open with a gradual slight slope down towards the north. Vegetation consisted of sparse grasses and weeds. The site was bordered to the north and south by commercial properties, to the east by 24 Road, and to the west by an unnamed development access road.

### 1.3 Proposed Construction

The proposed construction is anticipated to include a multi-story, mixed-use building. New utilities and new pavements are also anticipated to be included in the construction.

## **2.0 GEOLOGIC SETTING**

### **2.1 Soils**

Soils data was obtained from the USDA Natural Resource Conservation Service Web Soil Survey. The data indicates that the soils at the site consist of Massadona silty clay loam, saline surface, 0 to 2 percent slopes, and Sagers silty clay loam, saline, 0 to 2 percent slopes. Soil survey data, including descriptions of the soil units, is included in Appendix A.

Structure construction in the site soils is described as being somewhat limited due to shrink-swell. The site soils are indicated to have a low to moderate potential for frost action, high risk of corrosion of uncoated steel, and high risk of corrosion of concrete.

### **2.2 Geology**

According to the *Geologic Map of the Grand Junction Quadrangle, Mesa County, Colorado* (2002), the site is underlain by alluvium and colluvium deposits.

### **2.3 Groundwater**

Groundwater was encountered at depths of between 8.0 and 8.5 feet at the time of the investigation.

## **3.0 FIELD INVESTIGATION**

### **3.1 Subsurface Investigation**

The subsurface investigation was conducted on May 12<sup>th</sup>, 2022 and consisted of four borings as shown on Figure 2 – Site Plan. The borings were drilled to depths of between 10.0 and 20.0 feet below the existing ground surface. Typed boring logs are included in Appendix B. Samples of the native soils were collected using driven sample tubes and/or bulk sampling methods at the locations shown on the logs.

As indicated on the logs, the subsurface conditions encountered at the site were fairly consistent. The borings generally encountered 1.0 foot of topsoil above brown, moist to wet, soft to medium stiff lean clay soils. In Borings B-3 and B-4, the clay extended to the bottoms of the borings at 10.0 feet. In Borings B-1 and B-2, the clay extended to a depth of 12.0 feet and was underlain by brown, wet, loose to dense poorly graded sand with silt and gravel to the bottoms of the borings. As discussed previously, groundwater was encountered at depths of 8.0 and 8.5 feet at the time of the investigation.



### **3.2 Field Reconnaissance**

The field reconnaissance included walking the site during the subsurface investigation. In general, the site was fairly level and no evidence of active landslides, debris flows, rockfalls, etc. was observed.

## **4.0 LABORATORY TESTING**

Selected native soil samples collected from the borings were tested in the Huddleston-Berry Engineering and Testing LLC geotechnical laboratory for natural moisture content determination, grain size analysis, maximum dry density and optimum moisture content (Proctor) determination, California Bearing Ratio (CBR) determination, and Atterberg limits determination. The laboratory testing results are included in Appendix C.

The laboratory testing results indicate that the native clay soils are moderately plastic. In addition, the CBR results indicate that the native clay soils are slightly expansive with up to approximately 2.1% expansion measured in the laboratory.

The native poorly graded sand with silty and gravel soils were indicated to be non-plastic. In general, based upon our experience with similar soils in the vicinity of the subject site, the native poorly graded sand soils are anticipated to be fairly stable under loading.

## **5.0 GEOLOGIC INTERPRETATION**

### **5.1 Geologic Hazards**

The primary geologic hazard at the site is the presence of moisture sensitive soils.

### **5.2 Geologic Constraints**

The primary geologic constraint to construction at the site is the presence of moisture sensitive soils. However, shallow groundwater may also impact the design and construction.

### **5.3 Water Resources**

No water supply wells were observed on the property. However, as discussed previously, shallow groundwater was encountered at the site. In general, with proper design and construction, the proposed construction is not anticipated to adversely impact surface water or groundwater.

## 5.4 Mineral Resources

Potential mineral resources in Western Colorado generally include gravel, uranium ore, and commercial rock products such as flagstone. In general, based upon the size of the site and surrounding land use, HBET does not believe that any economically recoverable mineral resources exist at this site.

## 6.0 CONCLUSIONS

Based upon the available data sources, field investigation, and nature of the proposed construction, HBET does not believe that there are any geologic conditions which should preclude construction at the site. However, the presence of moisture sensitive soils may impact the design and construction. In addition, shallow groundwater may impact the design and/or construction.

## 7.0 RECOMMENDATIONS

### 7.1 Foundations

Based upon the results of the subsurface investigation both shallow and deep foundations may be considered. The recommended shallow foundation alternatives include spread footings and monolithic structural slab foundations. The recommended deep foundation alternative is helical piles. The alternatives are discussed in the following sections.

#### *Spread Footings or Monolithic Structural Slabs*

As discussed previously, the native sand soils are anticipated to be slightly collapsible. Therefore, in order to provide a uniform bearing stratum and reduce the risk of excessive differential movements, it is recommended that shallow foundations be constructed above a minimum of 24-inches of structural fill.

Due to their plasticity, the native clay soils are not suitable for reuse as structural fill. Imported structural fill should consist of a granular, non-expansive, non-free draining material approved by HBET.

For spread footing foundations, the footing areas may be trenched. However, for monolithic slab foundations, the structural fill should extend across the entire building pad area to a depth of 24-inches below the turndown edges. Structural fill should extend laterally beyond the edges of the foundations a distance equal to the thickness of structural fill for both foundation types.

Prior to placement of structural fill, it is recommended that the bottoms of the foundation excavations be scarified to a depth of 6 to 9-inches, moisture conditioned, and re-compacted to a minimum of 95% of the standard Proctor maximum dry density, within  $\pm 2\%$  of the optimum moisture content as determined in accordance with ASTM D698. However, as discussed previously, soft soil conditions were encountered in some areas of the site, and this may make compaction of the subgrade difficult. It may be necessary to utilize geotextile and/or geogrid in conjunction with up to 30-inches of additional granular fill to stabilize the subgrade. HBET should be contacted to provide specific recommendations for subgrade stabilization based upon the actual conditions encountered during construction.

Structural fill should be moisture conditioned, placed in maximum 8-inch loose lifts, and compacted to a minimum of 95% of the standard Proctor maximum dry density for fine grained soils and 90% of the modified Proctor maximum dry density for coarse grained soils, within  $\pm 2\%$  of the optimum moisture content as determined in accordance with ASTM D698 and D1557, respectively. Structural fill should be extended to within 0.1-feet of the bottom of the foundation. No more than 0.1-feet of gravel should be placed below the footings or turndown edge as a leveling course.

For structural fill consisting of imported granular materials, and foundation building pad preparation as recommended, a maximum net allowable bearing capacity of 1,500 psf may be used. In addition, a modulus of 200 pci may be used for structural fill consisting of approved imported materials. Foundations subject to frost should be at least 24-inches below the finished grade.

In general, for properly constructed shallow foundations, HBET anticipates that total settlements will be 1.5-inches or less in the absence of additional moisture. However, if moisture is permitted to infiltrate around the structure, total settlements could be significantly higher.

### Helical Piles

Helical piles consist of circular or square steel shafts with load carrying helices attached to them. Most of these systems are proprietary. In general, the precise type, size, and quantity of piles should be established by the contractor in conjunction with the structural engineer. However, HBET provides the following design comments.

In general, helical piles should be designed to penetrate the upper clay soils and bear into the sand and gravel soils. To eliminate reductions in capacity from group effects, the piles should be spaced a distance equal to three times the diameter of the largest helix. It is anticipated that the helical piles will reach refusal within 5 to 15 feet of the top of the gravel and cobble soils. Therefore, pile lengths of up to approximately 27 feet may be possible.

Based upon our experience with other projects utilizing helical piles, allowable axial capacities of between approximately 40 and 50 tons are anticipated for piles with a minimum shaft diameter of 4-inches. However, higher capacities are possible depending on the specific pile type/size proposed. The actual allowable capacity should be determined based upon the results of pile load testing conducted on the project site prior to final design. Where necessary, piles battered up to 15° should be utilized to carry lateral loads.

In general, for properly installed helical piles, HBET anticipates that total settlements will be 1.0-inch or less. However, this should be verified during pile load testing. A reduction in capacity may be necessary where pile load tests indicate excessive deflection.

## 7.2 Seismic Design Criteria

In general, based upon the result of the subsurface investigation, the site classifies as Site Class D in accordance with the International Building Code (IBC).

## 7.3 Lateral Resistance for Seismic and Wind Loads

Based upon the results of the subsurface investigation, the following soil parameters are recommended for use in lateral pile capacity analyses:

Depth from Grade (in).	0 to 96	96 to 144	144+
Soil Type	Soft Clay	Soft Clay	Sand
Density (pci)	0.0637	0.0318	0.0318
Cohesion (psi)	3	3	0
Friction Angle ( $\phi$ )	0	0	28°
$\epsilon_{50}$ (in/in)	0.02	0.02	n/a
k (pci)	30	30	60

In addition to lateral resistance of the piles, lateral resistance can be developed from sliding friction between the floor slab and the ground. In general, for the native soils, a sliding friction angle of 18° is recommended. This corresponds to a friction factor of 0.32.

## 7.4 Corrosion of Concrete and Steel

As discussed previously, the USDA Soil Survey Data indicates that the site soils have a high potential for corrosion of concrete. Therefore, at a minimum, Type I-II sulfate resistant cement is recommended for construction at this site.

The Soil Survey Data also indicates that the site soils have a high potential for corrosion of uncoated steel. Based upon our experience with similar soils in the vicinity of the subject site, HBET believes that the native soils have a resistivity of less than 1,000 ohm-cm. In addition, groundwater fluctuations could increase the potential for corrosion. Therefore, pile design should consider corrosion in their design based upon these resistivity values either through galvanization or accounting for section loss.

## 7.5 Non-Structural Floor Slabs and Exterior Flatwork

To help limit the potential for excessive movement of non-structural floor slabs, it is recommended that non-structural floor slabs be constructed above a minimum of 18-inches of structural fill with subgrade preparation and fill placement in accordance with the *Foundations* section of this report. It is recommended that exterior flatwork be constructed above a minimum of 12-inches of structural fill.

## 7.6 Lateral Earth Pressures

Stemwalls and/or retaining walls should be designed to resist lateral earth pressures. For backfill consisting of the native soils or imported granular, non-free draining, non-expansive material, we recommend that the walls be designed for an active equivalent fluid unit weight of 55 pcf in areas where no surcharge loads are present. An at-rest equivalent fluid unit weight of 75 pcf is recommended for braced walls. Lateral earth pressures should be increased as necessary to reflect any surcharge loading behind the walls.

## 7.7 Drainage

Due to the presence of moisture sensitive soils at the site, proper site grading is critical to the performance of the structure. In order to improve the long-term performance of the foundations and slabs-on-grade, grading around the structure should be designed to carry precipitation and runoff away from the structure. It is recommended that the finished ground surface drop at least twelve inches within the first ten feet away from the structure. However, where impermeable surfaces (i.e. pavements, sidewalks, etc.) are adjacent to the structure, the grade can be reduced to approximately 2.5-inches (ADA grade) within the first ten feet away from the structure.

HBET recommends that downspout extensions be used which discharge a minimum of 15 feet from the structure or beyond the backfill zone, whichever is greater. However, if subsurface downspout drains are utilized, they should be carefully constructed of solid-wall PVC and should daylight a minimum of 15 feet from the structure. In addition, an impermeable membrane is recommended below subsurface downspout drains. Dry wells should not be used.

As discussed previously, shallow groundwater was encountered at the time of the investigation. Therefore, a perimeter foundation drain is recommended if below grade construction is proposed. In general, the perimeter foundation drain should consist of prefabricated drain materials or a perforated pipe and gravel system with the flowline of the drain at the bottom of the foundation (at the highest point). The perimeter drain should slope at a minimum of 1.0% to a sump with pump.



## 7.8 Excavations

Excavations in the soils at the site may stand for short periods of time but should not be considered to be stable. Trenching and excavations should be sloped back, shored, or shielded for worker protection in accordance with applicable OSHA standards. The soils generally classify as Type C soil with regard to OSHA's *Construction Standards for Excavations*. For Type C soils, the maximum allowable slope in temporary cuts is 1.5H:1V.

## 7.9 Pavements

The proposed construction may include paved automobile parking areas and truck traffic areas. As discussed previously, the subgrade soils consists of lean clays. The design CBR of the native soils was determined to be less than 2.0. Therefore, the minimum recommended Resilient Modulus of 3,000 psi was used for the pavement design.

Based upon the subgrade conditions and anticipated traffic loading, flexible and rigid pavement section alternatives were developed in accordance with AASHTO design methodologies. The following minimum pavement section alternatives are recommended:

### Automobile Parking Areas

ALTERNATIVE	PAVEMENT SECTION (Inches)				
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	TOTAL
A	3.0	9.0			12.0
B	4.0	7.0			11.0
C	3.0	6.0	6.0		15.0
Rigid Pavement		6.0		6.0	12.0

### Truck Traffic Areas

ALTERNATIVE	PAVEMENT SECTION (Inches)				
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	TOTAL
A	3.0	15.0			18.0
B	4.0	12.0			16.0
C	3.0	6.0	13.0		22.0
Rigid Pavement		6.0		8.0	14.0

Prior to pavement placement, areas to be paved should be stripped of all topsoil, fill, or other unsuitable materials. It is recommended that the subgrade soils be scarified to a depth of 12-inches; moisture conditioned, and recompact to a minimum of 95% of the standard Proctor maximum dry density, within  $\pm 2\%$  of optimum moisture content as determined by AASHTO T-99. However, as discussed previously, soft soil conditions were encountered in some areas of the site, and this may make compaction of the subgrade difficult. It may be necessary to utilize geotextile and/or geogrid in conjunction with up to 30-inches of additional granular fill to stabilize the subgrade. HBET should be contacted to provide specific recommendations for subgrade stabilization based upon the actual conditions encountered during construction.

Aggregate base course and subbase course should be placed in maximum 9-inch loose lifts, moisture conditioned, and compacted to a minimum of 95% and 93% of the maximum dry density, respectively, at -2% to +3% of optimum moisture content as determined by AASHTO T-180. In addition to density testing, base course should be proofrolled to verify subgrade stability.

It is recommended that Hot-Mix Asphaltic (HMA) pavement conform to CDOT grading SX or S specifications and consist of an approved 75 gyration Superpave method mix design. HMA pavement should be compacted to between 92% and 96% of the maximum theoretical density. An end point stress of 50 psi should be used. It is recommended that rigid pavements consist of CDOT Class P concrete or alternative approved by the Engineer. In addition, pavements should conform to local specifications.

The long-term performance of the pavements is dependent on positive drainage away from the pavements. Ditches, culverts, and inlet structures in the vicinity of paved areas must be maintained to prevent ponding of water on the pavement.

## 8.0 GENERAL

The recommendations included above are based upon the results of the subsurface investigation and on our local experience. These conclusions and recommendations are valid only for the proposed construction.

As discussed previously, the subsurface conditions encountered at the site were fairly consistent. However, the precise nature and extent of any subsurface variability may not become evident until construction. As a result, it is recommended that HBET provide construction materials testing and engineering oversight during the entire construction process.

***It is important to note that the recommendations herein are intended to reduce the risk of structural movement and/or damage, to varying degrees, associated with volume change of the native soils. However, HBET cannot predict long-term changes in subsurface moisture conditions and/or the precise magnitude or extent of volume change. Where significant increases in shallow subsurface moisture occur due to poor grading, improper stormwater management, utility line failure, excess irrigation, or other cause, either during construction or the result of actions of the property owner, several inches of movement are possible. In addition, any failure to comply with the recommendations in this report releases Huddleston-Berry Engineering & Testing, LLC of any liability with regard to the structure performance.***

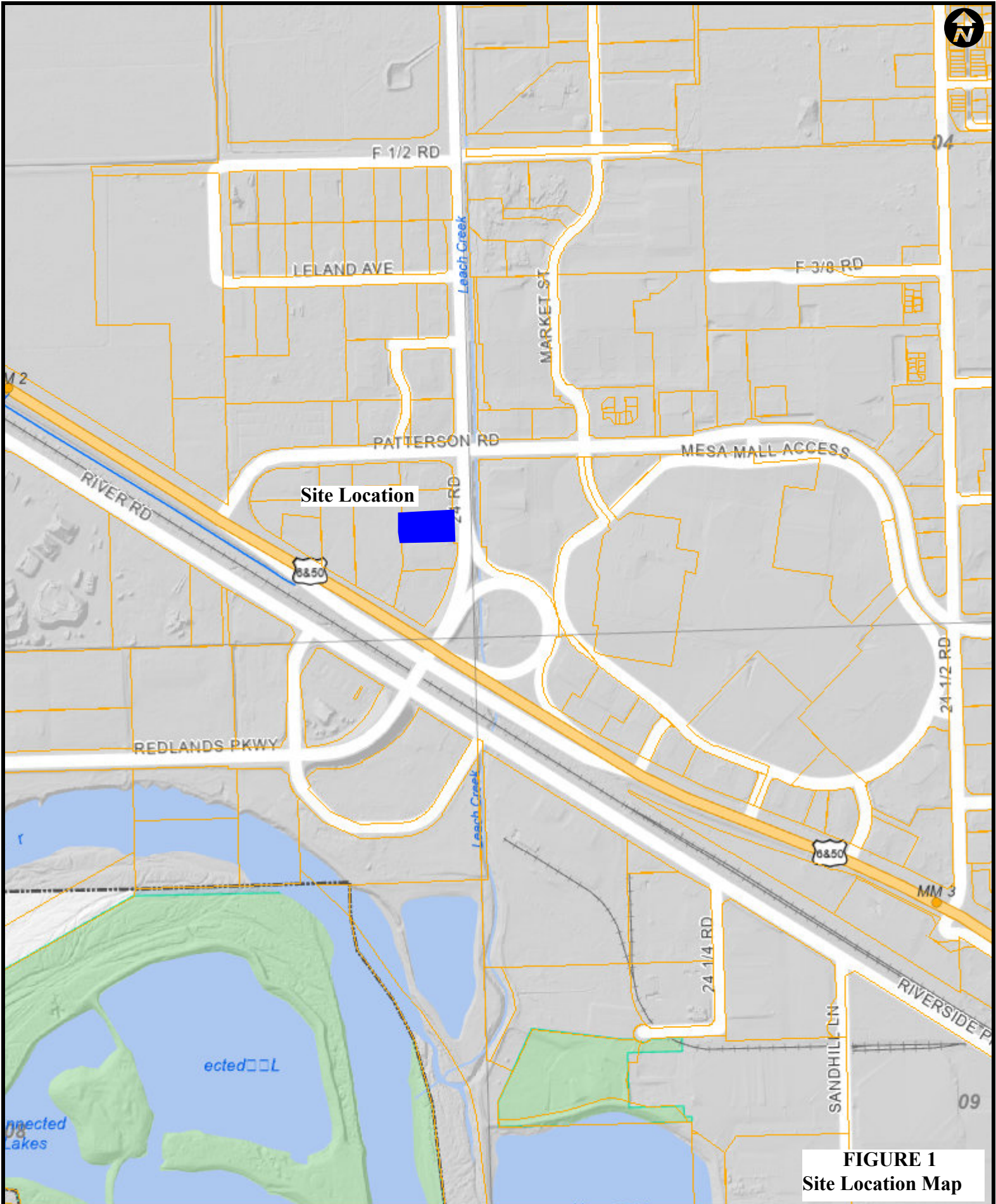
Huddleston-Berry Engineering and Testing, LLC is pleased to be of service to your project. Please contact us if you have any questions or comments regarding the contents of this report.

Respectfully Submitted:  
**Huddlestone-Berry Engineering and Testing, LLC**



Michael A. Berry, P.E.  
Vice President of Engineering

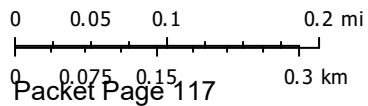
## **FIGURES**



**FIGURE 1**  
**Site Location Map**

**Mesa County Map**

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.



Print Date: June 15, 2022



**Mesa County, Colorado**

**GIS/IT Department**  
gis.mesacounty.us

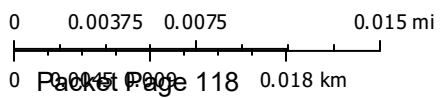




**FIGURE 2**  
**Site Plan**

**Mesa County Map**

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.



Print Date: June 15, 2022



**Mesa County, Colorado**

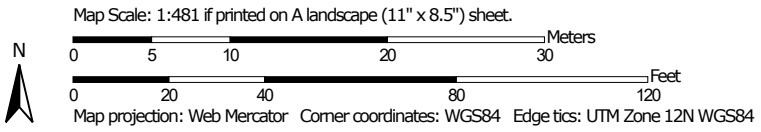
**GIS/IT Department**  
gis.mesacounty.us

**APPENDIX A**  
**Soil Survey Data**

Soil Map—Mesa County Area, Colorado




Soil Map may not be valid at this scale.



## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

### Water Features



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

### Background



Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Mesa County Area, Colorado

Survey Area Data: Version 12, Sep 2, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 24, 2020—Jul 8, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BaS	Massadona silty clay loam, saline surface, 0 to 2 percent slopes	0.1	15.8%
BcS	Sagers silty clay loam, saline, 0 to 2 percent slopes	0.8	84.2%
<b>Totals for Area of Interest</b>		<b>0.9</b>	<b>100.0%</b>



## Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named, soils that are similar to the named components, and some minor components that differ in use and management from the major soils.

Most of the soils similar to the major components have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Some minor components, however, have properties and behavior characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. All the soils of a series have major horizons that are similar in composition, thickness, and arrangement. Soils of a given series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Additional information about the map units described in this report is available in other soil reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the soil reports define some of the properties included in the map unit descriptions.

## Report—Map Unit Description

### Mesa County Area, Colorado

#### BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes

##### Map Unit Setting

*National map unit symbol:* k06p

*Elevation:* 4,490 to 4,920 feet  
*Mean annual precipitation:* 6 to 9 inches  
*Mean annual air temperature:* 50 to 55 degrees F  
*Frost-free period:* 140 to 180 days  
*Farmland classification:* Not prime farmland

**Map Unit Composition**

*Massadona, saline surface, and similar soils:* 70 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Massadona, Saline Surface**

**Setting**

*Landform:* Fan remnants  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Cretaceous source alluvium derived from clayey shale

**Typical profile**

*Apz - 0 to 2 inches:* silty clay loam  
*Bwz - 2 to 12 inches:* silty clay  
*Bkyz - 12 to 24 inches:* silty clay  
*BCkyz1 - 24 to 48 inches:* fine sandy loam  
*BCKyz2 - 48 to 60 inches:* silty clay loam

**Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.07 to 0.21 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Gypsum, maximum content:* 2 percent  
*Maximum salinity:* Strongly saline (16.0 to 40.0 mmhos/cm)  
*Available water supply, 0 to 60 inches:* Low (about 4.7 inches)

**Interpretive groups**

*Land capability classification (irrigated):* 7s  
*Land capability classification (nonirrigated):* 7c  
*Hydrologic Soil Group:* C  
*Ecological site:* R034BY103UT - Desert Clay (Castlevally saltbush)  
*Hydric soil rating:* No

## **BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* k0bs  
*Elevation:* 4,490 to 4,920 feet  
*Mean annual precipitation:* 6 to 9 inches  
*Mean annual air temperature:* 50 to 55 degrees F  
*Frost-free period:* 140 to 180 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Sagers, saline, and similar soils:* 90 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Sagers, Saline**

#### **Setting**

*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear, concave  
*Across-slope shape:* Linear  
*Parent material:* Cretaceous source alluvium derived from sandstone and shale

#### **Typical profile**

*Ap - 0 to 12 inches:* silty clay loam  
*C - 12 to 25 inches:* silty clay loam  
*Cy - 25 to 60 inches:* silty clay loam

#### **Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.21 to 0.71 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Gypsum, maximum content:* 5 percent  
*Maximum salinity:* Strongly saline (16.0 to 32.0 mmhos/cm)  
*Available water supply, 0 to 60 inches:* Low (about 4.9 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* 7s  
*Land capability classification (nonirrigated):* 7c  
*Hydrologic Soil Group:* C  
*Ecological site:* R034BY106UT - Desert Loam (Shadscale)

*Hydric soil rating:* No

## **Data Source Information**

Soil Survey Area: Mesa County Area, Colorado  
Survey Area Data: Version 12, Sep 2, 2021



## Dwellings and Small Commercial Buildings

Soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. This table shows the degree and kind of soil limitations that affect dwellings and small commercial buildings.

The ratings in the table are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development. *Not limited* indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. *Somewhat limited* indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. *Very limited* indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings in the table indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

*Dwellings* are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. For dwellings with basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

*Small commercial buildings* are structures that are less than three stories high and do not have basements. The foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility (which is inferred from the Unified classification). The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

Information in this table is intended for land use planning, for evaluating land use alternatives, and for planning site investigations prior to design and construction. The information, however, has limitations. For example, estimates and other data generally apply only to that part of the soil between the surface and a depth of 5 to 7 feet. Because of the map scale, small areas of different soils may be included within the mapped areas of a specific soil.

The information is not site specific and does not eliminate the need for onsite investigation of the soils or for testing and analysis by personnel experienced in the design and construction of engineering works.

Government ordinances and regulations that restrict certain land uses or impose specific design criteria were not considered in preparing the information in this table. Local ordinances and regulations should be considered in planning, in site selection, and in design.

## Report—Dwellings and Small Commercial Buildings

[Onsite investigation may be needed to validate the interpretations in this table and to confirm the identity of the soil on a given site. The numbers in the value columns range from 0.01 to 1.00. The larger the value, the greater the potential limitation. The table shows only the top five limitations for any given soil. The soil may have additional limitations]

Dwellings and Small Commercial Buildings—Mesa County Area, Colorado							
Map symbol and soil name	Pct. of map unit	Dwellings without basements		Dwellings with basements		Small commercial buildings	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes							
Massadona, saline surface	70	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.17	Shrink-swell	0.06	Shrink-swell	0.17

Dwellings and Small Commercial Buildings—Mesa County Area, Colorado							
Map symbol and soil name	Pct. of map unit	Dwellings without basements		Dwellings with basements		Small commercial buildings	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes							
Sagers, saline	90	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.03	Shrink-swell	0.03	Shrink-swell	0.03

### Data Source Information

Soil Survey Area: Mesa County Area, Colorado

Survey Area Data: Version 12, Sep 2, 2021

## Soil Features

This table gives estimates of various soil features. The estimates are used in land use planning that involves engineering considerations.

A *restrictive layer* is a nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide an unfavorable root environment. Examples are bedrock, cemented layers, dense layers, and frozen layers. The table indicates the hardness and thickness of the restrictive layer, both of which significantly affect the ease of excavation. *Depth to top* is the vertical distance from the soil surface to the upper boundary of the restrictive layer.

*Subsidence* is the settlement of organic soils or of saturated mineral soils of very low density. Subsidence generally results from either desiccation and shrinkage, or oxidation of organic material, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. The table shows the expected initial subsidence, which usually is a result of drainage, and total subsidence, which results from a combination of factors.

*Potential for frost action* is the likelihood of upward or lateral expansion of the soil caused by the formation of segregated ice lenses (frost heave) and the subsequent collapse of the soil and loss of strength on thawing. Frost action occurs when moisture moves into the freezing zone of the soil. Temperature, texture, density, saturated hydraulic conductivity (Ksat), content of organic matter, and depth to the water table are the most important factors considered in evaluating the potential for frost action. It is assumed that the soil is not insulated by vegetation or snow and is not artificially drained. Silty and highly structured, clayey soils that have a high water table in winter are the most susceptible to frost action. Well drained, very gravelly, or very sandy soils are the least susceptible. Frost heave and low soil strength during thawing cause damage to pavements and other rigid structures.

*Risk of corrosion* pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens uncoated steel or concrete. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of corrosion. The steel or concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the steel or concrete in installations that are entirely within one kind of soil or within one soil layer.

For uncoated steel, the risk of corrosion, expressed as *low*, *moderate*, or *high*, is based on soil drainage class, total acidity, electrical resistivity near field capacity, and electrical conductivity of the saturation extract.

For concrete, the risk of corrosion also is expressed as *low*, *moderate*, or *high*. It is based on soil texture, acidity, and amount of sulfates in the saturation extract.

## Report—Soil Features

Soil Features—Mesa County Area, Colorado									
Map symbol and soil name	Restrictive Layer				Subsidence		Potential for frost action	Risk of corrosion	
	Kind	Depth to top	Thickness	Hardness	Initial	Total		Uncoated steel	Concrete
		<i>Low-RV-High</i>	<i>Range</i>		<i>Low-High</i>	<i>Low-High</i>			
		<i>In</i>	<i>In</i>		<i>In</i>	<i>In</i>			
BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes									
Massadona, saline surface		—	—		0	0	Low	High	High
BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes									
Sagers, saline		—	—		0	0	Moderate	High	High

## Data Source Information

Soil Survey Area: Mesa County Area, Colorado  
 Survey Area Data: Version 12, Sep 2, 2021



**APPENDIX B**  
**Typed Boring Logs**



Huddlestone-Berry Engineering & Testing, LLC  
 2789 Riverside Parkway  
 Grand Junction, CO 81501  
 970-255-8005

# BORING NUMBER B-1

PAGE 1 OF 1

<b>CLIENT</b> Milissa Stone	<b>PROJECT NAME</b> 609 24 Road
<b>PROJECT NUMBER</b> 02492-0001	<b>PROJECT LOCATION</b> Grand Junction, CO
<b>DATE STARTED</b> 5/12/22 <b>COMPLETED</b> 5/12/22	<b>GROUND ELEVATION</b> _____ <b>HOLE SIZE</b> 4-Inch
<b>DRILLING CONTRACTOR</b> S. McCracken	<b>GROUND WATER LEVELS:</b> ▽ <b>AT TIME OF DRILLING</b> 8.0 ft ▼ <b>AT END OF DRILLING</b> 8.0 ft
<b>DRILLING METHOD</b> Simco 2000 Truck Rig	
<b>LOGGED BY</b> BS <b>CHECKED BY</b> MAB	<b>AFTER DRILLING</b> --
<b>NOTES</b> _____	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		Silty Sand with Gravels and Organics (TOPSOIL)										
		Lean CLAY (cl), brown, moist to wet, stiff to medium stiff										
5			SS 1	83	5-5-6 (11)							
			SS 2	67	1-2-2 (4)							
10		Poorly Graded SAND with Silt and Gravel (SP-SM), brown, wet, loose to dense										
			SS 3	89	2-3-2 (5)							
15		SS-4: Lab Classified										
			SS 4	75	4-10-20-18 (30)			14	NP	NP	NP	7
20		Bottom of hole at 20.0 feet.										

GEOTECH\BH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC  
 2789 Riverside Parkway  
 Grand Junction, CO 81501  
 970-255-8005

# BORING NUMBER B-2

PAGE 1 OF 1

<b>CLIENT</b> Milissa Stone	<b>PROJECT NAME</b> 609 24 Road
<b>PROJECT NUMBER</b> 02492-0001	<b>PROJECT LOCATION</b> Grand Junction, CO
<b>DATE STARTED</b> 5/12/22 <b>COMPLETED</b> 5/12/22	<b>GROUND ELEVATION</b> _____ <b>HOLE SIZE</b> 4-Inch
<b>DRILLING CONTRACTOR</b> S. McCracken	<b>GROUND WATER LEVELS:</b>
<b>DRILLING METHOD</b> Simco 2000 Truck Rig	▽ <b>AT TIME OF DRILLING</b> 8.5 ft
<b>LOGGED BY</b> BS <b>CHECKED BY</b> MAB	▼ <b>AT END OF DRILLING</b> 8.5 ft
<b>NOTES</b> _____	<b>AFTER DRILLING</b> --

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		Silty Sand with Gravels and Organics (TOPSOIL)										
		Lean CLAY (cl), brown, moist to wet, soft to medium stiff										
5			SS 1	89	3-3-4 (7)							
			SS 2	100	2-2-2 (4)							
10			SS 3	100	3-2-3 (5)							
15			SS 4	71	14-29-22-30 (51)							
20	Bottom of hole at 20.0 feet.											

GEOTECH\BH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC  
 2789 Riverside Parkway  
 Grand Junction, CO 81501  
 970-255-8005

# BORING NUMBER B-3

PAGE 1 OF 1

<b>CLIENT</b> Milissa Stone	<b>PROJECT NAME</b> 609 24 Road
<b>PROJECT NUMBER</b> 02492-0001	<b>PROJECT LOCATION</b> Grand Junction, CO
<b>DATE STARTED</b> 5/12/22 <b>COMPLETED</b> 5/12/22	<b>GROUND ELEVATION</b> _____ <b>HOLE SIZE</b> 4-Inch
<b>DRILLING CONTRACTOR</b> S. McCracken	<b>GROUND WATER LEVELS:</b>
<b>DRILLING METHOD</b> Simco 2000 Truck Rig	<b>AT TIME OF DRILLING</b> Dry
<b>LOGGED BY</b> BS <b>CHECKED BY</b> MAB	<b>AT END OF DRILLING</b> Dry
<b>NOTES</b> _____	<b>AFTER DRILLING</b> --

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0	[Symbol for Silty Sand with Gravels and Organics]	Silty Sand with Gravels and Organics (TOPSOIL)										
	[Symbol for Lean Clay]	Lean CLAY (cl), brown, moist, soft to stiff										
2.5	[Symbol for Silty Sand]		SS 1	83	1-2-1 (3)							
5.0	[Symbol for Silty Sand]											
7.5	[Symbol for Silty Sand]											
10.0	[Symbol for Silty Sand]	Bottom of hole at 10.0 feet.										

GEOTECHIBH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC  
 2789 Riverside Parkway  
 Grand Junction, CO 81501  
 970-255-8005

# BORING NUMBER B-4

PAGE 1 OF 1

<b>CLIENT</b> Milissa Stone	<b>PROJECT NAME</b> 609 24 Road
<b>PROJECT NUMBER</b> 02492-0001	<b>PROJECT LOCATION</b> Grand Junction, CO
<b>DATE STARTED</b> 5/12/22 <b>COMPLETED</b> 5/12/22	<b>GROUND ELEVATION</b> _____ <b>HOLE SIZE</b> 4-Inch
<b>DRILLING CONTRACTOR</b> S. McCracken	<b>GROUND WATER LEVELS:</b> ▼ <b>AT TIME OF DRILLING</b> 8.5 ft ▼ <b>AT END OF DRILLING</b> 8.5 ft
<b>DRILLING METHOD</b> Simco 2000 Truck Rig	
<b>LOGGED BY</b> BS <b>CHECKED BY</b> MAB	<b>AFTER DRILLING</b> --
<b>NOTES</b> _____	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0	[Symbol for Silty Sand with Gravels and Organics]	Silty Sand with Gravels and Organics (TOPSOIL)										
	[Symbol for Lean Clay]	Lean CLAY (cl), brown, moist to wet, medium stiff										
2.5	[Symbol for Silty Sand]		SS 1	56	3-3-4 (7)							
5.0	[Symbol for Silty Sand]											
7.5	[Symbol for Silty Sand]											
10.0	[Symbol for Silty Sand]		SS 2	100	3-4-2 (6)							
		Bottom of hole at 10.0 feet.										

GEOTECHIBH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



**APPENDIX C**  
**Laboratory Testing Results**



Huddlestone-Berry Engineering & Testing, LLC  
 2789 Riverside Parkway  
 Grand Junction, CO 81501  
 970-255-8005

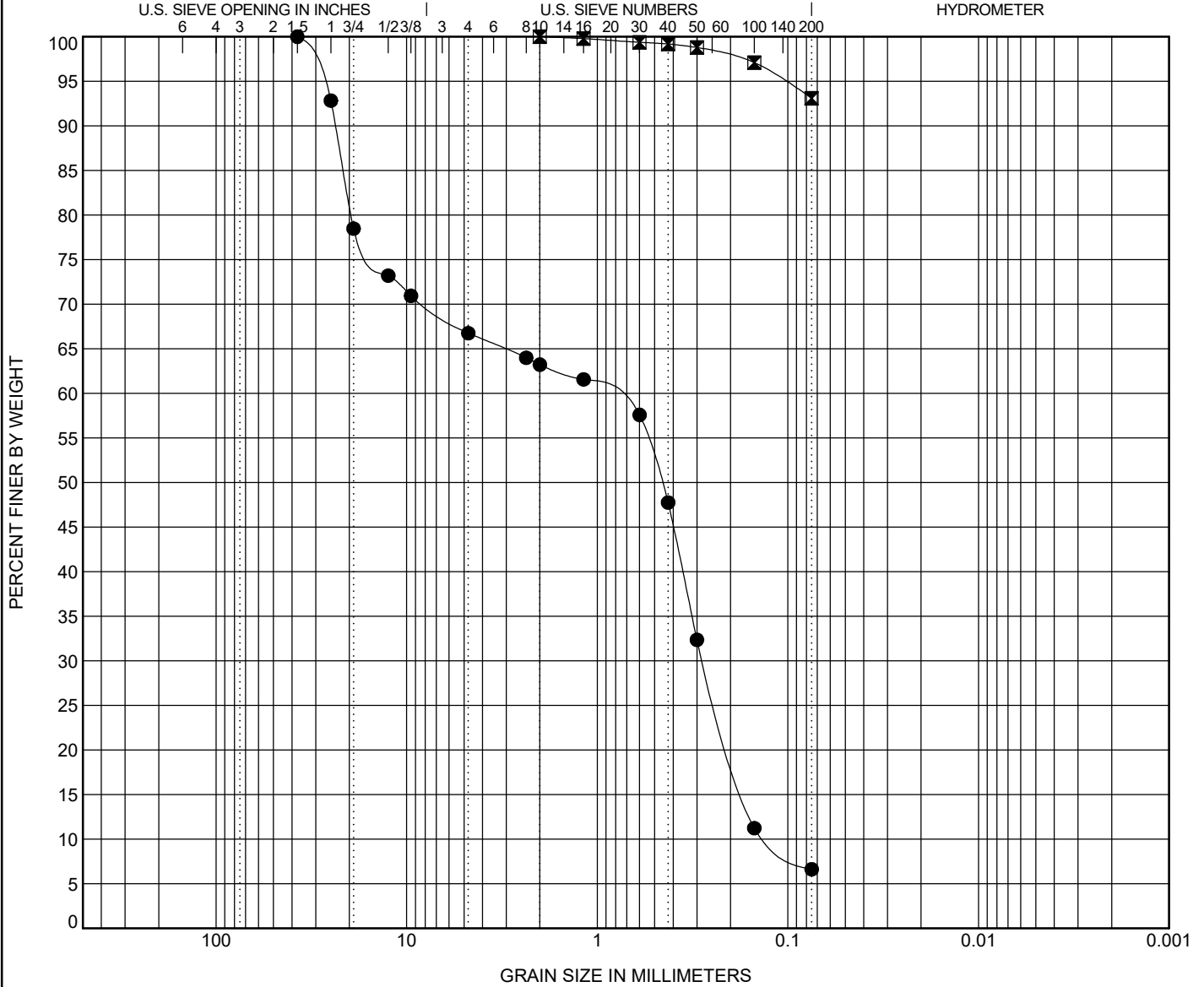
# GRAIN SIZE DISTRIBUTION

CLIENT Milissa Stone

PROJECT NAME 609 24 Road

PROJECT NUMBER 02492-0001

PROJECT LOCATION Grand Junction, CO



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification	Classification					LL	PL	PI	Cc	Cu
● B-1, SS-4 5/12	<b>POORLY GRADED SAND with SILT and GRAVEL(SP-SM)</b>					<b>NP</b>	<b>NP</b>	<b>NP</b>	<b>0.68</b>	<b>7.26</b>
☒ COMPOSITE 5/12	<b>LEAN CLAY(CL)</b>					<b>33</b>	<b>18</b>	<b>15</b>		
Specimen Identification	D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay		
● B-1, SS-4 5/12	37.5	0.905	0.278	0.125	33.3	60.1	6.6			
☒ COMPOSITE 5/12	2				0.0	6.9	93.1			

GRAIN SIZE 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22





Huddlestone-Berry Engineering & Testing, LLC  
 2789 Riverside Parkway  
 Grand Junction, CO 81501  
 970-255-8005

# MOISTURE-DENSITY RELATIONSHIP

CLIENT Milissa Stone

PROJECT NAME 609 24 Road

PROJECT NUMBER 02492-0001

PROJECT LOCATION Grand Junction, CO

Sample Date: 5/12/2022  
 Sample No.: 22-0453  
 Source of Material: COMPOSITE  
 Description of Material: LEAN CLAY(CL)  
 Test Method (manual): ASTM D698A

## TEST RESULTS

Maximum Dry Density 107.0 PCF  
 Optimum Water Content 18.0 %

### GRADATION RESULTS (% PASSING)

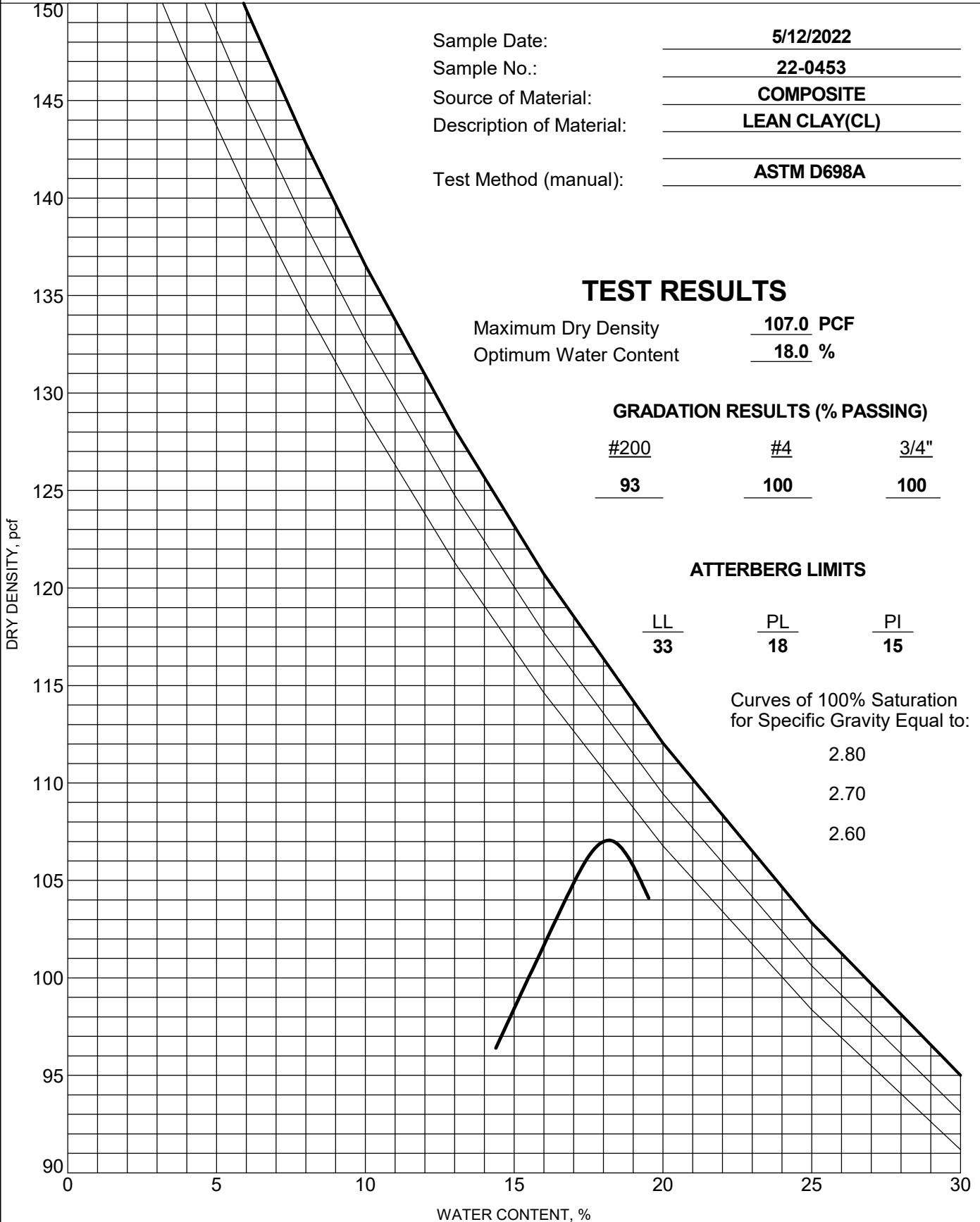
#200	#4	3/4"
<u>93</u>	<u>100</u>	<u>100</u>

### ATTERBERG LIMITS

LL	PL	PI
<u>33</u>	<u>18</u>	<u>15</u>

Curves of 100% Saturation  
 for Specific Gravity Equal to:

2.80  
 2.70  
 2.60



COMPACTION 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



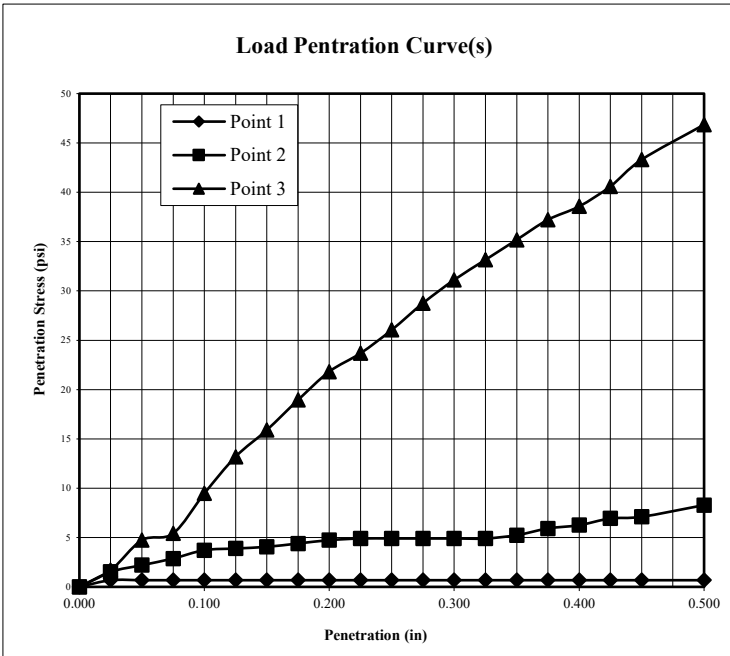
**Project No.:** 02492-0001  
**Project Name:** 609 24 Road  
**Client Name:** Milissa Stone  
**Sample Number:** 22-0453      **Location:** COMPOSITE

**Authorized By:** Client      **Date:** 05/12/22  
**Sampled By:** SD      **Date:** 05/12/22  
**Submitted By:** SD      **Date:** 06/15/22  
**Reviewed By:** MAB      **Date:** 06/20/22

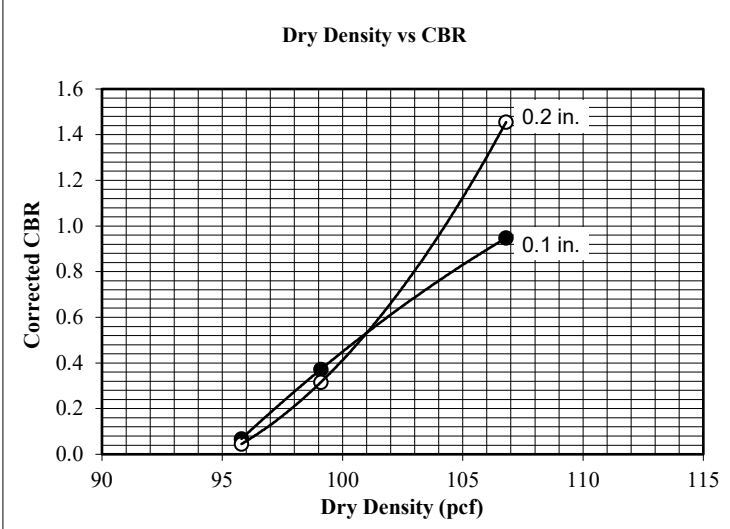
**Compaction Method** ASTM D698, Method A

**Maximum Dry Density (pcf):** 107.0  
**Opt. Moisture Content (%):** 18.0  
**Sample Condition:** Soaked  
**Remarks:**

Blows per Compacted Lift:				Point 1	Point 2	Point 3
Surcharge Weight (lbs):				10.0	10.0	10.0
Dry Density Before Soak (pcf):				95.8	99.1	106.8
Dry Density After Soak (pcf):				94.3	97.1	105.7
Moisture Content (%)	Bottom Pre-Test			16.0	16.0	15.7
	Top Pre-Test			16.3	15.7	15.7
	Top 1" After Test			30.7	28.5	21.1
	Average After Soak:			25.6	23.2	21.1
Percent Swell After Soak:				1.6	2.1	1.0



Penetration Data								
Point 1			Point 2			Point 3		
Dist. (in)	Load (lbs)	Stress (psi)	Dist. (in)	Load (lbs)	Stress (psi)	Dist. (in)	Load (lbs)	Stress (psi)
0.000	0	0	0.000	0	0	0.000	0	0
0.025	2	1	0.025	5	2	0.025	5	2
0.050	2	1	0.050	7	2	0.050	14	5
0.075	2	1	0.075	9	3	0.075	16	5
0.100	2	1	0.100	11	4	0.100	28	9
0.125	2	1	0.125	12	4	0.125	39	13
0.150	2	1	0.150	12	4	0.150	47	16
0.175	2	1	0.175	13	4	0.175	56	19
0.200	2	1	0.200	14	5	0.200	65	22
0.225	2	1	0.225	15	5	0.225	70	24
0.250	2	1	0.250	15	5	0.250	77	26
0.275	2	1	0.275	15	5	0.275	85	29
0.300	2	1	0.300	15	5	0.300	92	31
0.325	2	1	0.325	15	5	0.325	98	33
0.350	2	1	0.350	16	5	0.350	104	35
0.375	2	1	0.375	18	6	0.375	110	37
0.400	2	1	0.400	19	6	0.400	114	39
0.425	2	1	0.425	21	7	0.425	120	41
0.450	2	1	0.450	21	7	0.450	128	43
0.500	2	1	0.500	25	8	0.500	139	47



Corrected CBR @ 0.1"		
0.1	0.4	0.9
Corrected CBR @ 0.2"		
0.0	0.3	1.5

Penetration Distance Correction (in)		
0.000	0.000	0.000

**Figure:** \_\_\_\_\_





**CONSENT IN LIEU OF MEETING,**  
**ACKNOWLEDGMENT OF**  
**TRANSFER OF MEMBERSHIP INTERESTS**  
**AND AMENDMENT OF OPERATING AGREEMENT**  
**OF**  
**THE MEMBERS**  
**OF**  
**M & G, LLC**

THIS CONSENT IN LIEU OF MEETING, ACKNOWLEDGMENT OF TRANSFER OF MEMBERSHIP INTERESTS AND AMENDMENT TO OPERATING AGREEMENT (Consent) is made effective the 1<sup>ST</sup> day of December, 2021 (Effective Date), by and among Milissa S. Stone (Milissa) (Continuing Member) and Garrick S. Stone (Garrick) (Withdrawing Member) (collectively, Members) and M & G, LLC, a Colorado limited liability company (Company).

A. The Company was formed on November 26, 2014, by filing Articles of Organization with the Colorado Secretary of State.

B. As of the Effective Date, Milissa owns a fifty-one percent (51.0%) membership interest in the Company and Garrick owns a forty-nine percent (49.0%) membership interest in the Company. The Operating Agreement of the Company dated November 26, 2014 (Operating Agreement), among other things, places reasonable restrictions on the right of a Member to transfer membership interests in the Company.

C. Withdrawing Member intends to resign as a Member and transfer his forty-nine percent (49.0%) membership interest in the Company to Milissa.

D. Withdrawing Member, Continuing Member and the Company desire to document the mutually agreed upon terms and conditions upon which Withdrawing Member shall assign and transfer all of his outstanding membership interest in the Company and amend the Operating Agreement accordingly.

THEREFORE based on the above recitals, which are a substantial part hereof, the Members, as Members and individually, consent and agree to the following action as if a meeting of the Members had been conducted where all Members were present.

1. It is acknowledged that the Withdrawing Member transferred forty-nine percent (49.0%) membership interest in the Company to Milissa as of the Effective Date (Transfer). The parties hereto further acknowledge that no monies are due Withdrawing Member for this Transfer pursuant to the terms of the Operating Agreement. The Company hereby waives and relinquishes, as of the effective date of this Consent, its right of first refusal or other

rights of restriction of transfer it may have under the Operating Agreement in connection with the Transfer.

2. The parties agree that the Transfer shall have no effect on any of the terms and conditions of the Operating Agreement, except as amended herein, and the Company shall continue and not be dissolved.

3. The ownership of the membership interest of the Company, following the Transfer, from the date of this Consent forward is as follows:

<b>Member</b>	<b>Membership Interest</b>
Milissa	<u>100.0%</u>
TOTAL	<u>100.0%</u>

4. Withdrawing Member warrants he holds all right, title and interest in his membership interest free and clear of any liens and encumbrances and has the unfettered authority to transfer his membership interest as provided in this Consent.

5. As of the Effective Date, the Continuing Member and the Company, jointly and severally, hereby remise, release, acquit and forever discharge the Withdrawing Member of and from all manner of actions, causes of action, suits, covenants, accounts, trespasses, contracts, agreements or damages, judgments, liabilities, losses, costs, expenses, debts, bills, taxes, or other obligations, duties or claims of any nature whatsoever, in law or equity, whether or not now or hereafter known, suspected or claimed, which the Continuing Member ever had, now have, or which it or they hereafter can, shall or may have or allege against the Withdrawing Member upon or by reason of any matter or cause, arising out of or otherwise in connection with the Withdrawing Member's association with the Company, including, but not limited to, Withdrawing Member's membership interest, excluding only Withdrawing Member's warranties and obligations under this Consent. Except as otherwise provided herein, as of the Effective Date, the Continuing Member hereby indemnify the Withdrawing Member from and against any and all losses, damages, claims, demands, actions, causes of actions, costs, attorneys' fees and expenses arising from, or in connection with, the Company; and/or Withdrawing Member's membership interest following the Effective Date.


6. As of the Effective Date, the Withdrawing Member hereby remises, releases, acquits and forever discharges the Continuing Member of and from all manner of actions, causes of action, suits, covenants, accounts, trespasses, contracts, agreements or damages, judgments, liabilities, losses, costs, expenses, debts, bills, taxes, or other obligations, duties or claims of any nature whatsoever, in law or equity, whether or not now or hereafter known, suspected or claimed, which the Withdrawing Member ever had, now has, or which he hereafter can, shall or may have or allege against the Continuing Member upon or by reason of any matter or cause, arising out of or otherwise in connection with the Withdrawing


member's membership interest, excluding only the Continuing Member's obligations under this Consent.

7. The parties agree to cooperate, undertake and perform any and all additional lawful acts, including the execution of any additional documents as are reasonably necessary or desirable to implement and effect the purposes of this Consent.


8. This Consent may be executed by facsimile signature and in two or more counterparts, each of which shall be deemed an original but all of which taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF the parties execute this Consent in their capacity as members of the Company and as individuals as of the date first above shown.

  
\_\_\_\_\_  
Milissa S. Stone,  
as Continuing Member and individually

  
\_\_\_\_\_  
Garrick S. Stone  
as Withdrawing Member and individually

**M & G, LLC**

By:   
\_\_\_\_\_  
Milissa S. Stone  
As the Continuing Sole Member

M & G, LLC



# Site Map



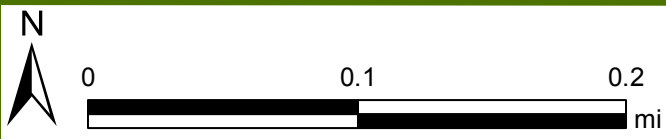
Printed: 9/16/2022

1 inch = 47 feet





# Vicinity Map



Printed: 9/16/2022

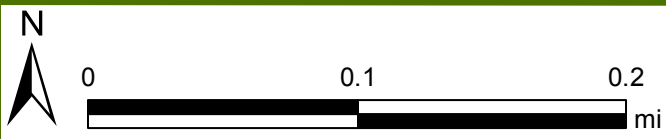
1 inch = 376 feet



# Zoning Map



24 Road Design Standards Apply



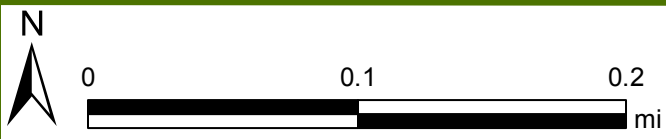
Printed: 9/16/2022

1 inch = 376 feet





# Comprehensive FLU Map



Printed: 9/16/2022

1 inch = 376 feet



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

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

Tax Parcel #(s): 2945-054-10-003  
Property Address: 609 24 Road, Grand Junction, CO 81505  
Property Owner: M&G, LLC Milissa Stone  
Contact Person: Milissa Stone  
Mailing Address: 611 24 Road Ste 1, Grand Junction, CO 81505  
E-Mail Address: milissasstone@aol.com

Applicant: M&G, LLC Milissa Stone  
Contact Person: Milissa Stone  
Mailing Address: 611 24 Road Ste 1, Grand Junction, CO 81505  
E-Mail Address: milissasstone@aol.com

Project Representative: J. Dyer Construction  
Contact Person: Jon Dyer  
Mailing Address: 2335 Interstate Avenue, Grand Junction, CO 81505  
Phone Number: 970-242-1058  
E-Mail Address: jon@jdyerconstruction.com

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

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

for Rezone

609 24 Road  
Grand Junction, CO 81505  
970.210.6897  
milissastone@aol.com

May 23, 2022

Milissa Stone  
609 24 Road  
Grand Junction, CO 81505

Dear Property Owner:

Please be advised that a formal application has been submitted to Mesa County seeking approval of a rezone to C-1 (light commercial) and a development of vertical mixed-use (ground floor commercial/multifamily upper floor) on 0.92 acres in a C-2 (General Commercial) zone district for the following described property:

The petitioner is asking the County to approve this application to allow development of 609 24 Road rezoned from C-2 to C-1 and a major site plan on the described property.

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of our development intentions and to give you an opportunity to influence the form of development. The Neighborhood Information Meeting will be held on Wednesday, 06/22/2022 @ 6:30pm at 611 24 Road, Grand Junction, CO 81505.

At this meeting the petitioner will make every effort to illustrate how the property will be developed and to answer any questions. Should you have questions prior to the meeting, please contact me.

Sincerely,

A handwritten signature in black ink that appears to read "Milissa Stone". The signature is written in a cursive, flowing style.

Milissa Stone



# 609 24 Road Neighborhood Meeting Notes:

Name and address of those notified by USPS Mail letter sent on June 3, 2022:

**80C LLC**  
Point Ct.  
Fruita, CO 81521-9078

**American National Bank**  
3033 E 1<sup>st</sup> Ave.  
Denver, CO 80206-5617

**ARC BFRJCO001 LLC1871 High**  
200 4<sup>th</sup> Ave S STE 100  
Nashville, TN 37201-2256

**Cannon 1 LLC**  
340 S 800 W  
Orem, UT 84052-5355

**Chin Chin LLC**  
3168 Stoneburro Dr.  
Grand Junction, CO 81504-4051

**City of Grand Junction**  
**Dani Acosta**  
250 N 5<sup>th</sup> St.  
Grand Junction, CO 81501  
**Himes Peggy**  
3203 N 15<sup>th</sup> St. Unit 234  
Grand Junction, CO 81506-5266

**Fargo Grand LLC**  
303 W Francis St.  
Aspen, CO 81611-1360

**Feather-Medsker-Smith LTD**  
2492 Industrial Blvd  
Grand Junction, CO 81505-1308

**J Dyer Construction**  
**John Dyer**  
2335 Interstate Ave.  
Grand Junction, CO 81505-8620

**M&G LLC**  
**Milissa Stone**  
611 24 Rd. Ste 1  
Grand Junction, CO 81505-1240

**PH Properties LLC**  
1033 22 Rd  
Grand Junction, CO 81505-9311

**Ryder Truck Rental Inc 0135**  
PO Box 25719  
Miami, FL 33102-5719

**SM Mesa Mall LLC**  
180 E Broad St 21<sup>st</sup> Flr  
Columbus, OH 43215-3714

**Vectra Bank Colorado N A**  
PO Box 54288  
Lexington, KY 40555-4288

**Zafrani Family Trust**  
7824 Marquand Ave  
Canoga Park, CA 91304-6108

## List of Participants:

Milissa Stone  
Dani Acosta  
Randy Coleman  
Jon Dyer

Written Summary of the Meeting Including Public Comment:  
Meeting: 06/22/2022@61124 Rd, GJ, CO 81501 @5:30pm

no comments

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LOT 3, CALDWELL SUBDIVISION AT 609 24 RD  
FROM C-2 (GENERAL COMMERCIAL) TO C-1 (LIGHT COMMERCIAL)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (“Code”), the Grand Junction Planning Commission recommended zoning Lot 3, Caldwell Subdivision to the C-1 (Light Commercial). The Planning Commission found that the MXR-3 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-1 (Light Commercial) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 3, Caldwell Subdivision is and shall be zoned C-1 (Light Commercial) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 5<sup>th</sup> day of October 2022 and ordered published in pamphlet form.

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

ATTEST:

\_\_\_\_\_  
Amy Phillips  
City Clerk

\_\_\_\_\_  
Anna M. Stout  
President of City Council



## Grand Junction City Council

### Regular Session

Item #4.a.iii.

---

**Meeting Date:** October 19, 2022  
**Presented By:** David Thornton, Principal Planner  
**Department:** Community Development  
**Submitted By:** David Thornton, Principal Planner

---

### **Information**

#### **SUBJECT:**

A Resolution Accepting the Petition for the Annexation of 27.83 Acres of Land and Ordinances Annexing and Zoning the C ½ Road Gravel Pit Annexation to CSR (Community Services and Recreation), Located at 2855 C ½ Road

#### **RECOMMENDATION:**

Staff recommends adoption of a resolution accepting the petition for the C ½ Road Gravel Pit Annexation and approval of the annexation ordinance. The Planning Commission heard the zone of annexation request at its September 27, 2022 meeting and voted (6-0) to recommend approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, M & D Enterprises LLC is requesting a zone of annexation to CSR (Community Services and Recreation) for the C ½ Road Gravel Pit Annexation. The approximately 27.83 acres consists of one parcel of land located at 2855 C ½ Road. The property is undeveloped.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits. Annexation is being sought in anticipation of developing a gravel pit. The proposed zone district of CSR is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan. The request for annexation is being considered concurrently by City Council with the zone of annexation request, both are included in this staff report.

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

##### **Annexation Request.**

The Applicant, M & D Enterprises LLC is requesting annexation of approximately 27.83

acres consisting of one parcel of land located at 2855 C 1/5 Road. There is no road right-of-way included in the annexation. The subject property is vacant and is planned for gravel extraction and is currently being reviewed for a conditional use permit for a gravel pit. There are no existing residential dwellings on the property.

The property is Annexable Development per the Persigo Agreement. The Applicant is requesting annexation into the city limits. Annexation is being sought in anticipation of the gravel extraction. The request for zoning will be considered separately by City Council, but concurrently with the annexation request and will be heard in a future Council action.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – September 7, 2022.
- Planning Commission considers Zone of Annexation – September 27, 2022.
- Introduction of a Proposed Ordinance on Zoning by City Council – October 5, 2022.
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 19, 2022.
- Effective date of Annexation and Zoning – November 20, 2022.

### **Zone of Annexation Request.**

The Applicant is requesting a zone district of CSR (Community Services and Recreation). The property is currently zoned in the County as RSF-R (Residential Single Family Rural – one dwelling per five acres). The proposed zone district of CSR is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan. The surrounding County zoning is generally RSF-R, a zone district that provides zoning for interim agricultural uses prior to urbanization that is expected by the Comprehensive Plan. Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The annexation area has sewer service and all other urban amenities to the property providing the ability of urban land uses following gravel extraction and future reclamation of the property. It is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The comprehensive plan goal to “continue to allow responsible mineral and resource extraction and processing” supports the Applicant’s request of a zone of annexation of CSR. The Pear Park Neighborhood Plan supports gravel extraction for this property further supporting the requested zone of annexation to CSR which allows gravel extraction through a Conditional Use Permit.

The CSR zoning establishes the ability to extract the gravel on the property which is abundant in this area. When the extraction is complete a required reclamation plan will allow for more urban uses that are allowed within the other zone districts that implement the Residential Medium Land Use category. It is expected that a future rezone to accommodate such urban uses will be applied for.

In addition to the CSR zoning requested by the petitioner, the following zone districts

would also be consistent with the proposed Comprehensive Plan designation of Residential Medium (5.5 to 12 du/ac).

- a. R -8 (Residential – 5.5 to 8)
- b. R-12 (Residential – 8-12 du/ac)
- c. Mixed Use Residential (MXR-3)
- d. Mixed Use General (MXG-3)
- e. Mixed Use Shopfront (MXS-3)

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held in-person on June 29, 2021, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were in attendance as well as seven members of the public.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on August 5, 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 August 12, 2022. The notice of the Planning Commission public hearing was published August 16, 2022 in the Grand Junction Daily Sentinel.

### **ANNEXATION ANALYSIS**

The property is adjacent to existing city limits in C ½ Road but is a serial annexation to obtain the required one sixth contiguity requirements of State Statutes for annexation. The property owner has signed a petition for annexation.

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the C ½ Road Gravel Pit Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described. The petition has been signed by the owners of all properties or 100% of the owners and includes 100% of the property described.
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. The C ½ Road Gravel Pit Annexation No. 1 has just over 19.9% of the perimeter of the annexation contiguous with the existing City limits meeting the 1/6 contiguity requirements for annexation. The Road Gravel Pit Annexation No. 2 has just over 21.55% of the perimeter of the annexation contiguous with the existing City limits meeting the 1/6 contiguity requirements for annexation.
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and



economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities.

d) The area is or will be urbanized in the near future. The property has existing urban utilities and services near and available to the property.

e) The area is capable of being integrated with the City. The proposed annexation area is adjacent to the city limits along C ½ Road on the north and has direct access to C ½ Road and where urban services are available to this area.

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

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent. The property is more than 20 acres in size. However, the petitioner has granted consent to the City to annex this property.

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

### **ZONE OF ANNEXATION ANALYSIS**

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

(1) Subsequent events have invalidated the original premises and findings; and/or The property owners have petitioned for annexation into the City limits and requested zoning of CSR which is compatible with the Comprehensive Plan Land Use Map designation of Residential Medium (5.5 to 12 du/ac). Since the Applicant's properties are currently in the County, the annexation of the property is a subsequent event that will invalidate one of these original premises, a county zoning designation.

However, staff has found this to not be enough justification and finds this criterion has not been met.

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

The character or condition of the area is changing with the further development of the C ½ Road area. The neighborhood is urbanizing with the construction of The Eddie, a multi-family and RV development to the west. Two convenience stores and one car wash have developed in the past few years a short distance to the north at the intersection of 29 Road and Riverside Parkway further introducing urbanization in the immediate area. However, infill development is also occurring throughout the Pear Park planning area and the C 1/2 Road area is in a prime location for urban infill to occur. However, with this zoning request to CSR allowing for the consideration of

gravel extraction with a conditional use permit the immediate expected land use is not urban infill development. Therefore, 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

Existing public and community facilities and services are available in close proximity to and can be extended into the annexation area. These services are sufficient to serve land uses associated with the proposed CSR zone district for this property, and the potential gravel operation. Water and sewer services are available. This property is within the Ute Water District service area. The area can be served by Xcel Energy for natural gas and Grand Valley Power for electricity.

The property is currently within the Persigo 201 Sewer Service Area and has an 8-inch sewer line in the C ½ Road right-of-way with available capacity to accommodate future development of this property.

This property is in the Grand Junction Rural Fire Protection District served by the Grand Junction Fire Department through an intergovernmental agreement between the City and the rural fire district. No changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 4 at 2884 B ½ Road and from that location response times are within National Fire Protection Association guidelines. Fire Station 4 has the capacity to handle calls for service resulting from this annexation.

Pear Park Elementary School is approximately 2 miles to the east. The site is within the enrollment boundaries of East Middle School and Grand Junction High School. Two convenience stores with gas are located less than one mile to the north. Major goods and services can be found nearby on North Avenue two miles to the north and downtown Grand Junction is located less than two miles to the west.

Staff has found the public and community facilities are adequate to serve the type and scope of urban land uses in the future at such time the property is further urbanized, and existing public facilities can accommodate the commercial operation of gravel extraction in the near term, therefore this criterion has been met.

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

The subject property and surrounding area are designated on the Comprehensive Plan Land Use Map as Residential Medium (5.5 to 12 du/ac). The proposed zoning designation of CSR meets the intent of permitting mineral extraction uses including gravel extraction to provide the needed gravel for a growing community.

For unincorporated areas of Pear Park surrounding this annexation, Mesa County has zoned the majority of the area as RSF-R, a zone district established as an interim zoning until the area is annexed by the city and urban development occurs supportive of the Comprehensive Plan. Much of the adjacent surrounding area in unincorporated Mesa County is agriculturally used and consisting of larger properties.

The Land Use Map defines much of the immediate half mile area around the subject property as Residential Medium and located in Tier 1 of the Intensification and Growth Tiers Map. Staff finds that the CSR zone district provides zoning that accommodates mineral extraction of a gravel resource needed for the urbanization of the community with the future reclamation of the site as urban land uses supported by the Pear Park Neighborhood Plan and the 2020 One Grand Junction Comprehensive Plan. Therefore, staff finds this criterion has been met.

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

Annexation and zoning of the properties will create additional land within the City limits for city growth and it helps fill in the patchwork of unincorporated and/or urban area that is adjacent to the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district provides for mineral extraction of known gravel resources on the property through a conditional use permit and a future reclamation plan for the site that can accommodate urban residential and other appropriate land uses.

The mineral extractive uses are supported and encouraged by the Comprehensive Plan goal to “continue to allow responsible mineral and resource extraction and processing” and the Pear Park Neighborhood Plan’s support for gravel extraction for this area of C ½ Road. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though the R-8 and R-12 zone districts as well the MX-R-3, MXG-3 and MXS-3 zone districts could be considered in a Residential Medium Land Use area, the CSR zone district is consistent with the recommendations of the Comprehensive Plan and provides the ability for gravel extraction as a use with a conditional use permit.

### **CONSISTENCY WITH COMPREHENSIVE PLAN**

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

#### Chapter 2

##### Plan Principle 2: Resilient and Diverse Economy

Goal: Promote Business Growth for a Diverse and Stable Economic Base through support of Mineral Extraction. Continue to allow responsible mineral and resource extraction and processing as well as businesses that support these industries.

##### Plan Principle 3: Responsible and Managed Growth

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

Goal: Encourage infill and redevelopment to leverage existing infrastructure.

### Chapter 3

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

The Pear Park Neighborhood Plan supports gravel extraction for this property further supporting the requested zone of annexation to CSR which allows gravel extraction through a Conditional Use Permit.

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

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

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

After reviewing the C ½ Road Gravel Pit Zone of Annexation, ANX-2021-613 request for the properties located at 2855 C ½ Road from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation), the following findings of facts have been made:

1. The request conforms with Section 21.02.140 of the Zoning and Development Code.
2. The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

Therefore, Planning Commission recommends approval of the request.

### **FISCAL IMPACT:**

#### **Public Works**

There is no public Right-of-Way as part of this annexation.

#### **Utilities**

There are no financial Impacts.

#### **Fire Department**

Currently this parcel is in the Grand Junction Rural Fire Protection District which is served by the Grand Junction Fire Department through a contract with the district. The rural fire district collects a 7.606 mill levy that generates a revenue of \$108.99 per year. If annexed, the property will be excluded from the rural fire district and the City's 8 mills will generate \$114.64 per year. This revenue will need to pay for not only fire and emergency medical services, but also other City services provided to the area. City services are supported by a combination of property taxes and sales/use taxes.

**SUGGESTED MOTION:**

I move to (adopt/deny) Resolution No. 80-22, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the C ½ Road Gravel Pit Annexation, approximately 27.83 acres, located at 2855 C ½ Road.

I move to (adopt/deny) Ordinance No.5104, an ordinance annexing territory to the City of Grand Junction, Colorado, C ½ Road Gravel Pit Annexation, approximately 27.83 acres, located at 2855 C ½ Road, on final passage and order final publication in pamphlet form.

I move to (adopt/deny) Ordinance No. 5105, and ordinance zoning the C ½ Road Gravel Pit Annexation to CSR (Community Services and Recreation) zone district, from Mesa County RSF-R (Residential Single Family Rural) on final passage and order final publication in pamphlet form.

**Attachments**

1. Development Application
2. Maps and Photos - C 1-2 Rd Gravel Pit Annex
3. Annexation Schedule - Table - C 1-2 Road Gravel Pit Annexation
4. Public Comments Received
5. C 1-2 Road Gravel Pit Annexation Plat-Annexation Plat
6. Planning Commission Minutes - 2022 - September 27
7. Resolution Accepting Petition for Annexation
8. C 1-2 Rd Gravel Pit Annexation Ordinance
9. ORD-Zoning - C 1-2 Road Gravel Pit ANX (2)





## Development Application

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

Petition For:

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

Existing Land Use Designation <input type="text" value="Agricultural"/>	Existing Zoning <input type="text" value="RSF-R"/>
Proposed Land Use Designation <input type="text" value="Gravel/sand Extraction"/>	Proposed Zoning <input type="text" value="CSR"/>

Property Information

Site Location: <input type="text" value="2855 C 1/2 Road"/>	Site Acreage: <input type="text" value="25.2"/>
Site Tax No(s): <input type="text" value="2943-194-00-248"/>	Site Zoning: <input type="text" value="RSF-R"/>
Project Description: <input type="text" value="Creation of gravel extraction pit; annexation to City of GJ, zone to CSR + CUP"/>	

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

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:

M&D Enterprises LLC  
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: LLC

The entity is formed under the laws of the State of Colorado

The mailing address for the entity is: 2323 River Road  
Grand Junction CO 81505

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:

Andrew Azcarraga; Donna Azcarraga, member  
Martin Azcarraga, member

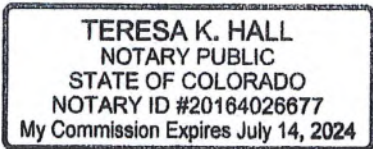
The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

Andrew Azcarraga; Donna Azcarraga; Martin Azcarraga

Other matters concerning the manner in which the entity deals with interests in real property:

2855 Ck Road  
Grand Junction CO 81501

Executed this 15<sup>th</sup> day of June, 2021



Donna Azcarraga  
Signature (Type or Print Name Below)  
Donna Azcarraga

STATE OF COLORADO )  
 )ss.  
COUNTY OF Mesa )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of June, 2021, by Donna Azcarraga (insert name of individual) as Secretary/Treasurer (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for M&D Enterprises (insert name of corporation or LLC).

Witness my hand and official seal.  
My commissioner expires: July 14, 2024

Teresa K. Hall  
Notary Public





## 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:

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Proposed Land Use Designation <input type="text" value="Gravel/sand Extraction"/>	Proposed Zoning <input type="text" value="CSR"/>

**Property Information**

Site Location: <input type="text" value="2855 C 1/2 Road"/>	Site Acreage: <input type="text" value="25.2"/>
Site Tax No(s): <input type="text" value="2943-194-00-248"/>	Site Zoning: <input type="text" value="RSF-R"/>
Project Description: <input type="text" value="Creation of gravel extraction pit; annexation to City of GJ, zone to CSR + CUP"/>	

**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

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This Statement of Authority concerns an entity named:

M&D Enterprises LLC  
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: LLC

The entity is formed under the laws of the State of Colorado

The mailing address for the entity is: 2323 River Road  
Grand Junction CO 81505

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:

Andrew Azcarraga; Donna Azcarraga, member  
Martin Azcarraga, member

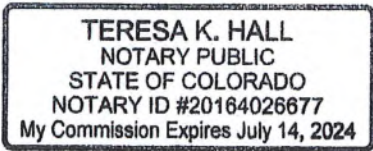
The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

Andrew Azcarraga; Donna Azcarraga; Martin Azcarraga

Other matters concerning the manner in which the entity deals with interests in real property:

2855 C/K Road  
Grand Junction CO 81501

Executed this 15<sup>th</sup> day of June, 2021



Donna Azcarraga  
Signature (Type or Print Name Below)  
Donna Azcarraga

STATE OF COLORADO )  
  )ss.  
COUNTY OF Mesa )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of June, 2021, by Donna Azcarraga (insert name of individual) as Secretary/Treasurer (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for M&D Enterprises (insert name of corporation or LLC).

Witness my hand and official seal.  
My commissioner expires: July 14, 2024

Teresa K. Hall  
Notary Public



**Location Map – 2855 C 1/2 Road – Request for Annexation of Property**





**C ½ ROAD GRAVEL PIT ANNEXATION  
PETITION FOR ANNEXATION**

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

GENERAL LOCATION: 2855 C ½ Road  
Tax ID # 2943-194-00-248

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, Township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

Said parcel containing an area of 25.22 +/- Acres, as herein described.

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, "C ½ Road Gravel Pit Annexation."

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

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

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

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

---

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Andrew Azcarraga, Vice President (Title), M & D Enterprises LLC, of lawful age, being first duly sworn, upon oath, deposes and says:

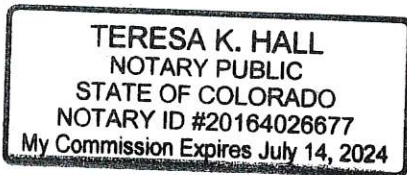
That they are the circulator of the forgoing petition:

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

Andrew Azcarraga  
Andrew Azcarraga  
Title: Vice President  
M & D Enterprises LLC

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

Witness my hand and official seal.



Teresa K. Hall  
Notary Public

2420 Wintergreen Drive  
Address  
Grand Junction, CO 81506

My commission expires: July 14, 2024

Andy Azcarraga

Andrew Azcarraga  
(Print Name)

Title: Vice President

M & D Enterprises LLC

Andy Azcarraga  
SIGNATURE

9-7-21  
DATE

(C ½ Road Gravel Pit Annexation Petition)

**C ½ ROAD GRAVEL PIT ANNEXATION  
PETITION FOR ANNEXATION**

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

GENERAL LOCATION: 2855 C ½ Road  
Tax ID # 2943-194-00-248

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, Township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

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---

Andy Azcarraga

Andrew Azcarraga  
(Print Name)

Title: Vice President  
M & D Enterprises LLC

Andy Azcarraga  
SIGNATURE

9-7-21  
DATE

(C ½ Road Gravel Pit Annexation Petition)



STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Andrew Azcarraga, Vice President (Title), M & D Enterprises LLC, of lawful age, being first duly sworn, upon oath, deposes and says:

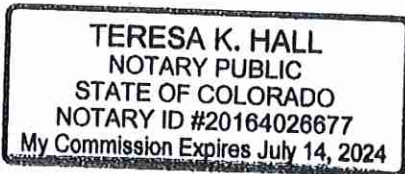
That they are the circulator of the forgoing petition:

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

Andrew Azcarraga  
Andrew Azcarraga  
Title: Vice President  
M & D Enterprises LLC

Subscribed and sworn to before me this 7<sup>th</sup> day of September, 2021.

Witness my hand and official seal.



Teresa K. Hall  
Notary Public

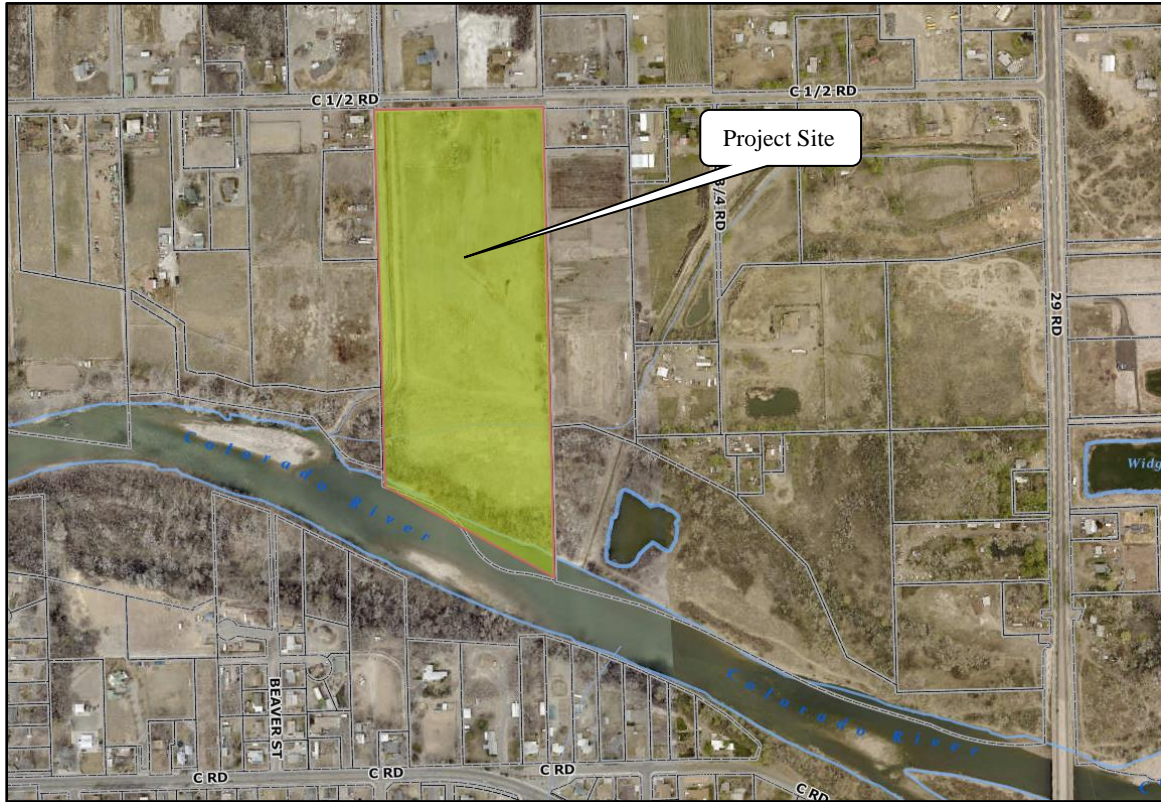
2420 Wintergreen Drive  
Address  
Grand Junction, CO 81506

My commission expires: July 14, 2024

**General Project Report  
2855 C ½ Road – Gravel Pit  
Annexation/Zoning/CUP Submittal**

**Project Description (Location, Acreage, Proposed Use):**

The purpose of this submittal is to obtain approval from the City of Grand Junction and applicable agencies to construct a gravel pit with associated parking and landscaping. The location of the project site is depicted below:



The 2855 C ½ Road property consists of approximately 25.23 acres. The applicant proposes to annex the property into the City of Grand Junction with a rezone from RSF-R (Residential Single Family – Rural) to CSR (Community Services and Recreation) to allow a gravel extraction operation. A conditional use permit (CUP) will be required after the annexation and rezone in order to move forward with the gravel pit. According to the 2020 Comprehensive Plan, the property is in a residential medium density area, which would allow for CSR. The property consists of agricultural land with a covering of native grasses. It should be noted that the applicant intends to return the property to residential use after the implementation of the 10-year gravel extraction operation.

**Surrounding Land Uses and Zoning:**

The following adjacent properties are zoned accordingly:

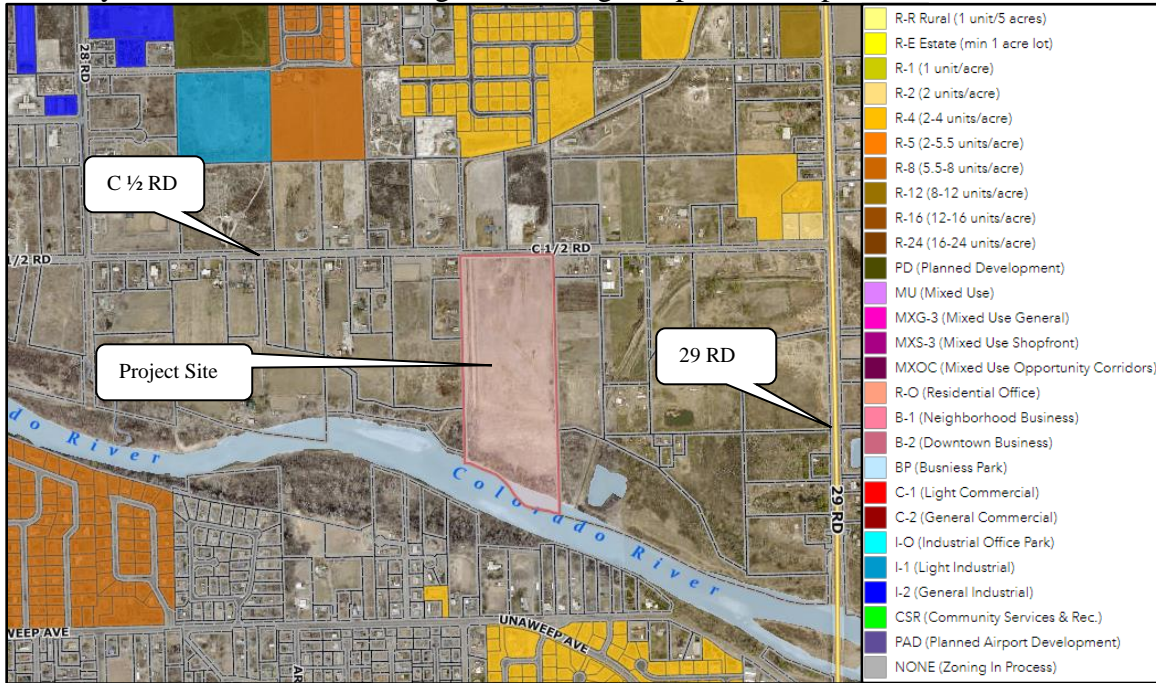
DIRECTION	ZONING	CURRENT LAND USE
North:	RSF-R	Residential
South:	N/A	Colorado River
East:	RSF-R	Residential/Agricultural
West	RSF-R	Residential/Agricultural

# General Project Report

## 2855 C ½ Road – Gravel Pit

### Annexation/Zoning/CUP Submittal

The City of Grand Junction zoning surrounding this parcel is depicted below:



Current City of Grand Junction Zoning

**Site Access:**

Access to the property is gained from a single-family gravel driveway in the middle of the north edge of the property. It provides access to the existing single-family structure on-site. A rebuild of the driveway to meet anticipated access requirements will be part of this project.

**ROW/Easements:**

C ½ Road is a minor collector street with 52’ of required ROW. The existing ROW is 40’ from the subject property line to the opposite property line at approximately the center of pavement. A 14’ multi-purpose easement is given along the street frontage. The Active Transportation Corridor map shows a trail on the west side of the parcel and another one near the river at the southern edge of the property. Easements will be granted for these trails as a condition of approval.

**Utilities:**

All utility services required for this project are currently located on, or adjacent to, the project site.

**Sanitary Sewer:** There is an existing 8” VCP sanitary sewer line that runs along C ½ Road fronting the property. This project will not need to tap into the system as there will be no new buildings constructed on the property.

**Domestic Water:** Ute Water services the area and a water main is located along C ½ Road.



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Stormwater & Drainage: The site is within Grand Valley Drainage District and currently drains south toward the Colorado river. A storm conduit drainage ditch runs southerly along the western edge of the property (US Structure # C2-282-009) before emptying into the Colorado River. Permanent water quality control and stormwater BMPs are provided within the site plan. Additionally, the gravel excavation operation will serve as a retention pond during and after construction.

Irrigation Water: No change to irrigation is anticipated with this project.

Dry Utilities: Electrical service and gas are provided by Grand Valley Power.

**Parking:**

The design number of spaces for parking was taken from the city off-street required parking. For this site parking can be provided by a “low-traffic storage yard” because the average daily trips for the site is 15, and a “low-traffic storage yard” is classified as less than 30 average daily trips.

Use Category	Quantity	Spaces required	Spaces required
Mining	3 employees 12 vehicles	1 per employee 1 per vehicle	15

**Response to Development Regulations 21.04.30 (k) Use Specific Standards: Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants**

(1) *Purpose.* The purpose of this subsection is to establish reasonable and uniform limitations, safeguards and controls to wisely utilize natural resources and to reclaim mined land.

(i) *Gravel extraction and/or processing activities should occur on parcels of sufficient size so that extraction and reclamation can be undertaken while still protecting the health, safety and welfare of the citizens.*

Response: The parcel is large enough that all activities can take place within the buffer required by these regulations.

(ii) *Where gravel extraction and/or processing is adjacent to zoning or land uses other than I-1 or I-2, mining, handling and batch processing activities may be restricted, buffering may be required and/or disturbance/reclamation may be accelerated to be compatible with the adjacent zone or use.*

Response: Buffers have been added to the site plan to determine where gravel extraction/processing is allowed to take place. These buffers are based on the locations of the property lines, adjacent residences, and waterways.

(2) *Procedure.*

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*(i) Commercial extraction of mineral deposits shall not begin or occur until an excavation and land reclamation plan have been approved in writing by the Colorado Mined Land Reclamation Board.*

Response: A Construction Materials Regular 112 Operation Reclamation Permit will be requested from the State of Colorado after a determination is made by Mesa County to issue a Conditional Use Permit (CUP). The CUP is required before the 112 Permit can be issued. The applicant also wants assurance that a CUP can be issued before moving forward with the project and submitting the 112 Permit to the State of Colorado.

*(ii) A plan approved as part of a CUP and/or a reclamation/development schedule being followed under previous regulations fulfills this requirement.*

Response: An excavation and rehabilitation plan meeting the above requirement is included with this submittal application.

*(iii) Asphalt, cement and/or other batch plant operations shall be subject to CUP requirements.*

Response: There will be no batch plants for this project.

*(iv) A plan for a use under this subsection shall contain, in addition to those relevant requirements outlined for a CUP, the following:*

*(A) Detailed description of the method of extraction and reclamation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;*

Response: Of the total 25.2-acres within the project, 18.3-acres will be mined for sand and gravel. The site will be mined in one phase encompassing the entire 18.3-acres.

The sand and gravel pit operations will have screening, crushing, and conveying equipment for the gravel processing in addition to the trackhoes and front-end loaders.

Earthwork operations will begin at the south end and move to the north end of the site. Appropriate buffers for the Colorado River are accounted for. The topsoil will be removed and stockpiled in berms around the perimeter of the excavation site. Next, the sands and gravel will be mined using trackhoes, front-end loaders, and bulldozers. To process the sand and gravel, screens and crushers located near the center of the project area will be utilized. Once the materials are processed, they will be piled onsite or loaded into trucks and trucked offsite. Given the high water table, material stockpiles will be established to allow for drying. After the sand and gravel have been removed, the area will be backfilled and compacted



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using the stockpiled overburden material, the overburden from the next mining area, and imported fill materials. The project area will be regraded to reflect the final grades depicted on the reclamation plan.

*(B) An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit and other pertinent information;*

Response: The proposed site plan drawings, included with this conditional use permit application, depicts the items requested above. The gravel mining process will be completed in one phase lasting approximately ten years, depending on market conditions. Reclamation of the site will be completed no more than 2 years after sand and gravel mining termination. The additional two years is required to deplete all stockpiled sand and gravel and complete reclamation efforts.

Stockpiled materials and sand/gravel processing areas will generally be in the center of the project site.

According to the US Department of Agriculture, Department of Natural Resource Conservation Service (NRCS), the overburden soil in the north half of the property consists of a silty clay loam, and has been used for agricultural purposes in the past. The overburden soil at the southern half of the property consists of a clay loam with low salinity. Vegetation on the project site consists of Siberian elm, Russian knapweed, chicory, Russian thistle, cheatgrass, bindweed, kochia, Russian olive, cottonwood, and tamarisk. See the wetland delineation for a more detailed list of vegetation. Several of these plants are listed on the State of Colorado's noxious weed list.

*(C) A detailed reclamation plan showing proposed reclamation with time schedules including, but not limited to, finish contours, grading, sloping, placement, and amount and type of revegetation, post-extraction land use plans and any other relevant information;*

Response: A reclamation plan drawing, included with this conditional use permit application, depicts the information requested above. The reclamation for the site will be completed approximately 12 years after the start of sand and gravel mining operations.

The reclamation proposed for the project site is to return the project site to its original condition for consideration as a future residential development. The applicant is considering a 5-lot subdivision (1-acre minimum for CSR), but that specific decision has yet to be determined. Properties adjacent to this project are zoned for residential uses, and the future zoning of this parcel as Residential Medium appears to support CSR.

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In general, reclamation of the site will consist of backfilling and compacting the sand and gravel mined area with the onsite overburden material and imported fill. The site will be regraded in accordance with the reclamation plan, which is essentially the original site condition. However, a 9-acre retention pond will be constructed in the middle of the property to address drainage issues associated with the project site.

Once all sand and gravel have been mined and stockpile materials are depleted, the 25.2-acre site will be fine graded to the final contours proposed on the reclamation plan map. All internal site gravel haul roads will be eliminated. The site will have a slight gradient to the south, with no slopes greater than 1%. The US Department of Agriculture, Natural Resource Conservation Service (NRCS), indicates the existing site soils are fair to poor topsoil. The Mesa County Revegetation Guide recommends the site be revegetated using a mix of Western wheatgrass, Intermediate wheatgrass, Smooth Brome, and Perennial Rye applied at 7.4 lbs. per acre if drilled, and 14.7 lbs. per acre if broadcast. This mix does not require irrigation.

*(D) Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;*

Response: Drawings identifying the existing conditions and reclamation plan, included with this conditional use permit application, are attached which depict the information requested. The slope on the existing site is approximately 0.5% to the south. The slope of the land after reclamation will be approximately 0.5% to the south side of the property.

*(E) Type, character, and density of proposed vegetation both during excavation and as a component of rehabilitation;*

Response: The existing site is approximately 70% covered with vegetation. The vegetation on the site consists of Siberian elm, Russian knapweed, chicory, Russian thistle, cheatgrass, bindweed, kochia, Russian olive, cottonwood, and tamarisk. Much of the vegetative cover is classified as noxious. The type of vegetation for reclamation will be dictated by the Mesa County Revegetation Guide.

*(F) The operator's estimated cost at each of the following segments of the reclamation process, including where applicable, backfilling, grading, reestablishing topsoil, planting, revegetation management, irrigation, protection of plants and soil prior to vegetation establishment and administrative cost;*

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Response:

<b>ITEM</b>	<b>QUAN</b>	<b>RATE</b>	<b>TOTAL</b>
Grading	LS	\$ 8,000	\$8,000
Planting	6 acres	\$350	\$2,100
Revegetation Management	6 acres	\$50	\$300
<b>Total Estimated Cost</b>			<b>\$10,400</b>

*(G) A drainage plan and report prepared by a Colorado registered professional engineer with consideration of natural drainage, drainage during excavation and drainage after reclamation such that the proposed reclamation and excavation will have no adverse effect in excess of natural conditions. Where applicable, the Director may require a floodplain permit (see GJMC [21.07.010](#), Flood damage prevention);*

Response: A drainage report has been prepared and is included with this conditional use permit application request. The site will be utilize onsite retention.

*(H) Traffic analysis, which reviews road capacity and safety conditions/considerations for and within the neighborhood, as that term may be defined and applied by the Director. The Director may reduce or enlarge the neighborhood to be analyzed upon a finding of a hazard or hazardous condition. The traffic analysis shall generally conform to and address TEDS standards (GJMC Title 29) and shall include but not be limited to ingress/egress, parking and loading, on-site circulation, number of trucks per day and the capacity of roads, streets, bridges, intersections, etc.;*

Response: A traffic analysis review plan has been prepared and is included with this conditional use permit application request. Access for the site will be from C 1/2 Road only.

*(I) An erosion control plan for runoff and wind-blown sediments shall be provided for the mining operation and the reclamation;*

Response: A Stormwater Management Plan (SWMP) is attached as a condition of approval.

*(J) Additional information that is required because of unique site features or characteristics may be required by the Public Works and Planning Departments; and*

Response: There are no unique features currently identified on this project site.

*(K) Upon approval, the excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder. Any change in*

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*excavation or reclamation plan shall be prohibited unless amended through the conditional use permit process.*

The excavation and reclamation plans will be filed with the City and recorded with the Mesa County Clerk and Recorder upon approval.

(3) *Standards.*

*(i) Mineral extraction, washing, crushing, cement and asphalt batch planting and other mined products related uses shall be subject to an approved excavation permit, well permit, air pollution permit, reclamation plan and any and all other permits, certifications or requirements of the State or federal agencies having jurisdiction as required;*

Response: A sand and gravel mining permit will be acquired as part of this project.

*(ii) Excavation or deposit of overburden is not permitted within 30 feet of an abutting parcel, an easement, an irrigation ditch or canal or right-of-way unless by written agreement of the owner of such property, easement, irrigation ditch, canal or right-of-way;*

Response: A setback of 30-ft will be provided at the locations specified above.

*(iii) Excavation within 125 feet of an existing residence is not permitted unless by written agreement of the owners and occupants of the residence. No rock crushing, asphalt/cement plant or other similar equipment or operations shall take place any closer than 250 feet of a residence. The Planning Commission may require a greater distance if the operation is abutting a residential zone district. Excavation, loading, handling, processing and batch operations adjacent to residentially zoned parcels shall not exceed 65 decibels at the property line of any adjacent parcel;*

Response: There are three residences adjacent to the property. A minimum 250-ft buffer will be provided between each residence and all rock crushing activities, and a minimum 125-ft buffer for all mining activities.

*(iv) At a minimum, 100 feet greenbelt setback shall be provided from jurisdictional wetlands or navigable watercourses as the same are defined by the U.S. Army Corps of Engineers (USACE). The Director upon recommendation and consent of the USACE may vary this standard;*

Response: A 100-ft greenbelt setback is provided from the Colorado River along the southern edge of the property.

*(v) Existing trees and vegetation shall, to the extent practicable, be preserved and maintained in the required setback to protect against and reduce noise, dust and erosion. The Director may require vegetative screening and/or buffering in*

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*accordance with this code in order to minimize the impact to dissimilar adjacent uses or zoning districts;*

Response: The existing trees and vegetation in the greenbelt setback will be left in place.

*(vi) The owner or operator shall submit a traffic analysis;*

Response: A traffic analysis has been prepared and is included with this submittal.

*(vii) The Director of Public Works may place restrictions on right-of-way use after review of the traffic analysis. Restrictions may include but are not limited to the owner or operator being responsible for the extraordinary upgrade and maintenance of the designated haul route;*

Response: A haul road plan has been included with this submittal. Access to and from the project site will be from C 1/2 Road only.

*(viii) Streets, bridges and highways designated as haul route shall be maintained by the owner/operator in a reasonably clean condition. This may include, depending on local conditions, watering, oiling, or sweeping as determined by the Director;*

Response: C 1/2 Road and 28 Road will be maintained by the owner/operator in a reasonably clean condition.

*(ix) Hours of operation shall be restricted to 6:00 a.m. to 6:00 p.m. The Director may authorize different hours; however, the Director may also restrict as part of the CUP the hours of operation near residential or urbanized areas;*

Response: The planned hours of operation are 7:00 a.m. to 5:30 p.m.

*(x) In no event shall a slope of steeper than 2:1 be left for dry pits. A pit with a slope of 3:1 or steeper shall not exceed a depth of 10 feet. The floor of excavation pits, whether wet or dry, shall be left in a suitable condition;*

Response: The excavation of the gravel pit will follow these guidelines.

*(xi) The owner/operator shall not excavate, store overburden or mined material or dike the property in such a manner as to increase any drainage or flooding on property not owned by the operator or damage public facilities and/or property;*

Response: There is no offsite drainage onto the property, and all runoff occurring within the property will be contained in earth berms at the edge of the site.

*(xii) Prior to starting operation, where the operation is adjacent to subdivided and/or developed commercial or residential property, the Director may require*



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*buffering and/or screening. Required fencing, screening and/or buffering shall not be removed until reclamation has been completed;*

Response: The site will have a minimum buffer of 30' around the entirety of the property, and will also follow the required excavation and crushing buffers.

*(xiii) After mining has been completed, the site shall not to be used to stockpile sand and/or gravel except in I-1 and I-2 with a CUP. In any event the owner/operator is to reclaim the site as rapidly as possible;*

Response: Once mining is complete all processed materials will be removed and the site will be reclaimed.

*(xiv) Operations shall comply with the noise, vibration and other applicable standards and requirements of this code. If there are conflicting or competing provisions in this code, the most stringent shall apply;*

Response: Operations will work within the applicable standards in the City of Grand Junction Zoning and Development Code.

*(xv) All air emissions shall comply with standards established by the Mesa County Health Department, State Health Department and Colorado Air Quality Control Commission;*

Response: This project will comply with all applicable standards.

*(xvi) All water use and/or discharge shall conform to standards established by law and administered by the Environmental Protection Agency (EPA), the Colorado Department of Public Health and Environment (CDHPE), the City of Grand Junction and the Mesa County Health Department;*

Response: This project will not directly discharge any water from the site.

*(xvii) All slopes shall be stabilized. Land remaining at the natural water level must be revegetated in a manner compatible in type as/with the immediately prevailing area. Revegetation plans are required and shall minimally meet the standards of the Colorado Mine Land Reclamation Board;*

Response: A reclamation plan is included with this submittal, and revegetation will take place as dictated in the Mesa County Revegetation Guide.

*(xviii) All disturbed areas shall be revegetated in accordance with the vegetation plan;*

Response: All vegetation shall be according to the Mesa County Revegetation Guide.

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*(xix) Following initial revegetation efforts, the revegetated area shall be maintained for a period of three years or until all vegetation is firmly established in the reclamation area;*

Response: The reclaimed area will be monitored to ensure that vegetation is established.

*(xx) A timetable for reclamation shall be placed on each project. Time lines, including but not limited to milestones, if any, shall be dependent upon the type and size of reclamation effort;*

Response: Reclamation shall be completed approximately two years after mining operations are complete.

*(xxi) Proof of a reclamation bond shall be submitted, along with the required reclamation plan;*

Response: A reclamation plan has been included with this submittal, and proof of a reclamation bond will be included as part of the conditions of approval.

*(xxii) A development schedule shall be submitted describing the life span of the project in years (ranges are acceptable) and, if applicable, the years per phase;*

Response: The mining will take place in one phase lasting approximately ten years. Reclamation is expected to be completed two years after mining is completed.

*(xxiii) If the development schedule is not met the conditional use permit:*

*(A) May be revoked;*

*(B) The Director may grant a two-year extension per request;*

*(C) The Planning Commission shall have the power, after hearing, to revoke any conditional use permit for any violation;*

*(D) Upon at least 10 days' written notice to the owner, the Planning Commission may hold a hearing to determine the nature and extent of the alleged violation, and shall have the power, upon showing of good cause, to revoke the permit and the plan and to require reclamation of the land;*

*(E) If not extended or revoked, a new application and extraction plan will need to be submitted and reviewed in the manner described in this subsection;*

*(F) An extension request shall provide information in writing detailing the reasons for the request. The Director shall consider the stated reasons, as well as*

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*the extent conditions have changed in the area, if any, before granting an extension;*

*(G) If a written request to extend the development schedule is submitted to the Director it shall include but not necessarily be limited to the factors and reasons for the requested extension. New conditions may be imposed as a part of the granting of an extension. New conditions, if any, may be appealed to the Planning Commission to be considered at a public hearing;*

*(H) The Director may forward any extension request to the Planning Commission;*

*(I) Extension requests will be evaluated by the Director and/or Planning Commission on the same basis and with the same information as per the conditional use permit process;*

*(xxiv) If the use has not operated or if no material has been extracted in accordance with the development schedule or any extension thereof, the conditional use permit shall expire;*

*(xxv) Signage for public safety is required*

Response: A freestanding sign will be erected near the proposed entrance at the north end of the project site to post State of Colorado required identification information. The sign will be less than 1.5 square feet.

*(xxvi) Fencing around the perimeter of the property is required.*

Response: A 6-foot perimeter screening fence will be provided as part of the construction process.

# IMPROVEMENT SURVEY OF PARCELS LOCATED IN NW1/4 SE1/4 SECTION 19, T1S, R1E, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO

## PROPERTY DESCRIPTION

A parcel of land in the Northwest Quarter of the Southwest Quarter (NW¼ SE¼) of Section 19, Township 1 South, Range 1 East of the Ute Meridian and more particularly described as follows

### BY DEED:

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

### BY SURVEY:

COMMENCING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) Section 19, T1S, R1E of the Ute Meridian, whence the Northeast corner of said NW¼ SE¼ Section 19 bears South 89°39'16" East, a distance of 1319.93 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°07'25" West, a distance of 40.00 feet to a point on the South right-of-way line of C½ Road and being the POINT OF BEGINNING; thence South 89°39'16" East, a distance of 660.00 feet, along the South right-of-way line of C½ Road; thence South 00°07'25" West, a distance of 1282.10 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence South 00°07'25" West, a distance of 303.90 feet, to a point on the North bank of the Colorado River; thence North 77°51'36" West, a distance of 337.39 feet, along said North bank of the Colorado River; thence North 83°26'37" West, a distance of 332.10 feet, along said North bank of the Colorado River; thence North 00°07'25" East, a distance of 195.00 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence North 00°07'25" East, a distance of 1286.10 feet, along the West line of said NW¼ SE¼ Section 19 to the POINT OF BEGINNING.

Said parcel containing an area of 23.11 Acres, as herein described.

### SPECIAL NOTES

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Per said title commitment there is a NOTICE OF RIGHT-OF-WAY recorded at Reception 2224921 for the MC 50 Lateral Company, that crosses this property. The only definition of said right-of-way is "extend for a distance from 17½ feet from the centerline of the lateral on the right side facing downstream and 7½ feet from the centerline of the lateral on the left side facing downstream".

Due to lack of definition of said RIGHT-OF-WAY in said recorded document it is plotted per the centerline of existing 2.0' ditch bottom as surveyed August, 2020.

Property shown herein is from plat of Bevier Subdivision as platted in 1894 at Reception 21700. Plat records lots as to top of the bank of the Colorado River.

Approximate location of extended boundary of this survey to approximate centerline of river as digitized.

### GENERAL NOTES

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Basis of bearings is the North line of the NW¼ SE¼ of Section 19 which bears South 89°38'16" East, a distance of 1319.93 feet, established by observation of the MCGPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical Information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plat.

All lineal units shown herein in U.S. Survey feet.

### LEGEND

- ALIQUOT SURVEY MARKER, AS NOTED
- ◆ SET ALIQUOT SURVEY MARKER PLS 24953, AS NOTED
- FOUND REBAR, AS NOTED
- SET 2" ALUMINUM CAP ON 24" No. 5 REBAR, PLS 24953
- FLUSH WITH SURFACE UNLESS OTHERWISE NOTED
- 1.0' WC - SE 1.0' = Distance WC = Witness Corner - SE = Direction
- G- UNDERGROUND GAS LINE
- UGE- UNDERGROUND ELECTRIC LINE
- UGT- UNDERGROUND TELEPHONE LINE
- OHE- OVERHEAD ELECTRIC LINE
- POWER POLE
- STORM INLET
- ⊕ STORM MANHOLE
- ⊙ SANITARY MANHOLE
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT

### LAND SURVEY DEPOSITS

MESA COUNTY SURVEYOR'S OFFICE  
BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
DATE \_\_\_\_\_  
DEPOSIT NO. \_\_\_\_\_

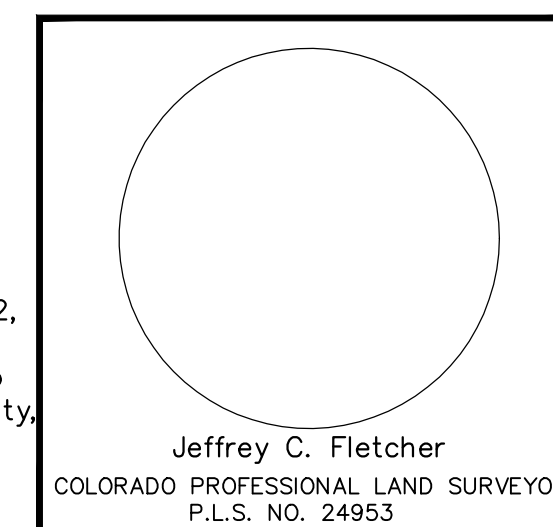
Prepared for: M & D Enterprises, LLC  
2855 C1/2 Rd, Grand Junction, CO

### IMPROVEMENT SURVEY

NW¼ SE¼ SECTION 19  
T1S, R1E, UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

### High Desert Surveying, LLC

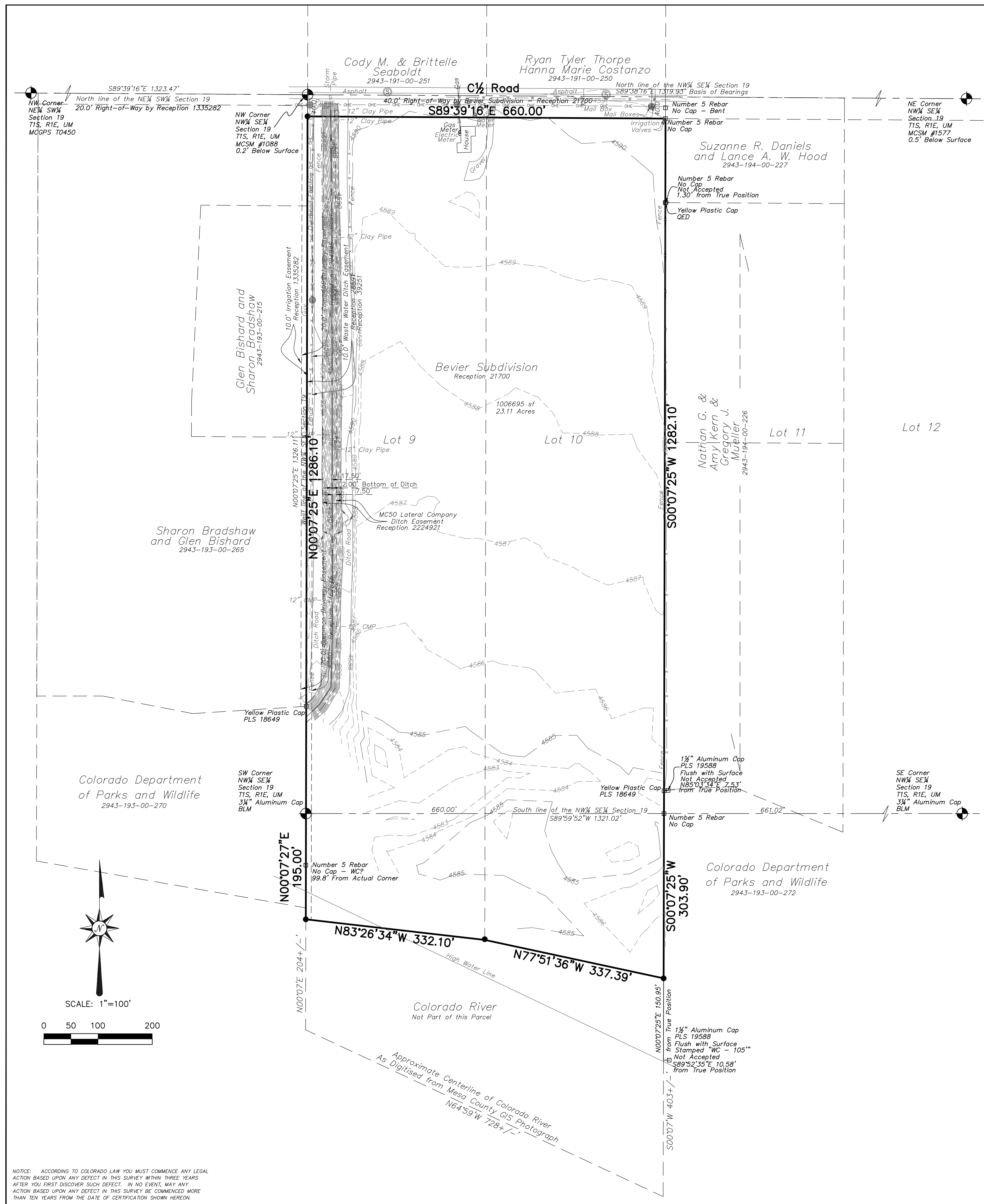
1673 Highway 50, Unit C  
Grand Junction, Colorado 81503  
Telephone: 970-254-8649 Fax 970-241-0451



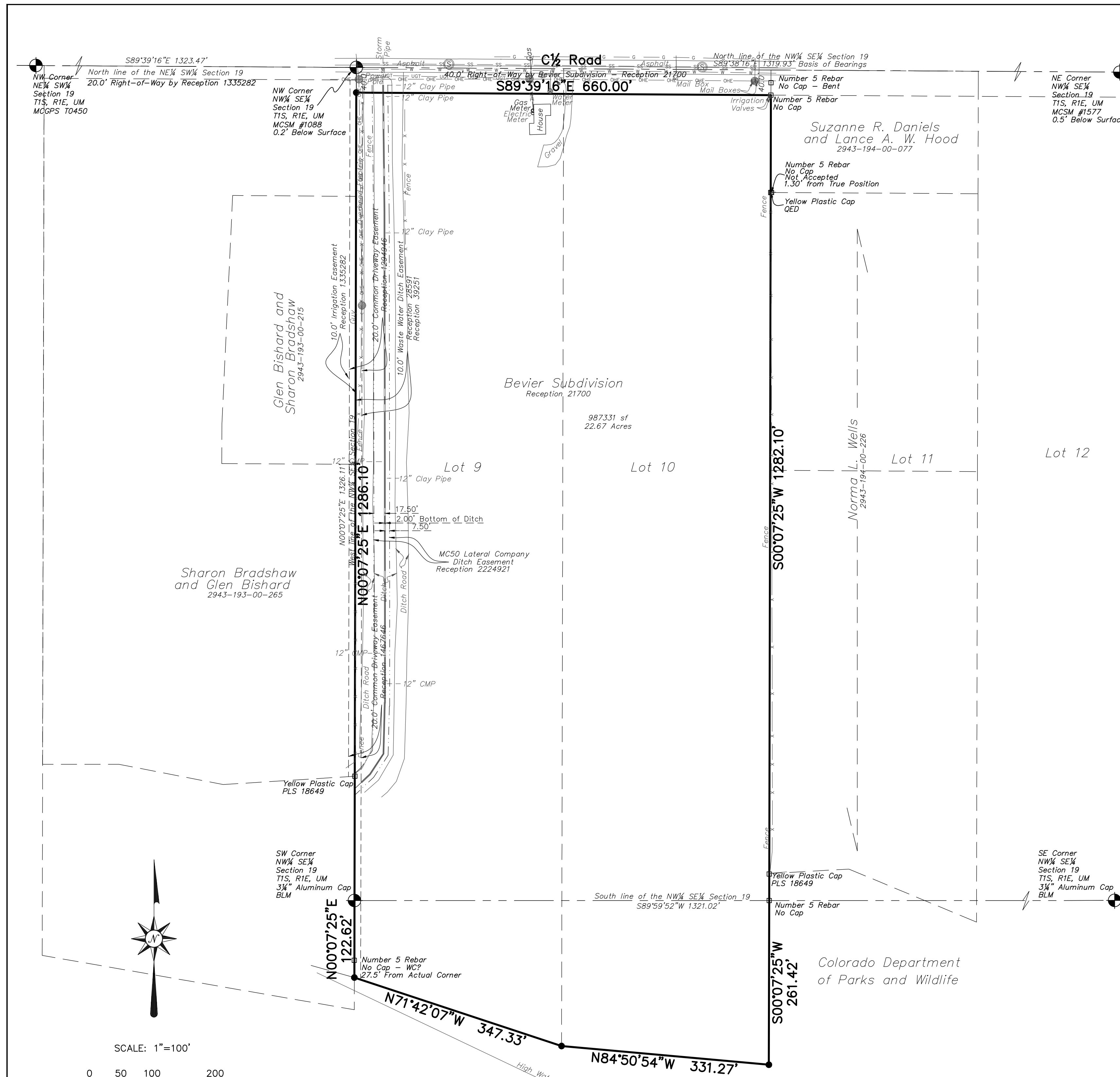
PROJ. NO. 20-90	SURVEYED	DRAWN	CHK'D	SHEET	OF
DATE: February, 2022	be/bo	knr	jef	1	1

### SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a field survey completed under my direct supervision during August, 2020 and January, 2022, and that both have been prepared according to the standards of practice and the laws of the State of Colorado, and are correct to the best of my knowledge. This survey is not a guaranty or warranty, either expressed or implied.



# IMPROVEMENT SURVEY OF PARCELS LOCATED IN NW1/4 SE1/4 SECTION 19, T1S, R1E, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO



**PROPERTY DESCRIPTION**

A parcel of land in the Northwest Quarter of the Southwest Quarter (NW¼ SE¼) of Section 19, Township 1 South, Range 1 East of the Ute Meridian and more particularly described as follows

**BY DEED:**

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

**BY SURVEY:**

COMMENCING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) Section 19, T1S, R1E of the Ute Meridian, whence the Northeast corner of said NW¼ SE¼ Section 19 bears South 89°39'16" East, a distance of 1319.93 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°07'25" West, a distance of 40.00 feet to a point on the South right-of-way line of C½ Road and being the POINT OF BEGINNING; thence South 89°39'16" East, a distance of 660.00 feet, along the South right-of-way line of C½ Road; thence South 00°07'25" West, a distance of 1282.10 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence South 00°07'25" West, a distance of 261.44 feet, to a point on the North bank of the Colorado River; thence North 84°50'54" West, a distance of 331.27 feet, along said North bank of the Colorado River; thence North 71°42'07" West, a distance of 347.33 feet, along said North bank of the Colorado River; thence North 00°07'25" East, a distance of 122.62 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence North 00°07'25" East, a distance of 1286.10 feet, along the West line of said NW¼ SE¼ Section 19 to the POINT OF BEGINNING.

Said parcel containing an area of 22.67 Acres, as herein described.

**SPECIAL NOTES**

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Per said title commitment there is a NOTICE OF RIGHT-OF-WAY recorded at Reception 2224921 for the MC 50 Lateral Company, that crosses this property. The only definition of said right-of-way is "extend for a distance from 17½ feet from the centerline of the lateral on the right side facing downstream and 7½ feet from the centerline of the lateral on the left side facing downstream".

Due to lack of definition of said RIGHT-OF-WAY in said recorded document it is plotted per the centerline of existing 2.0' ditch bottom as surveyed August, 2020.

**GENERAL NOTES**

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Basis of bearings is the North line of the NW¼ SE¼ of Section 19 which bears South 89°38'16" East, a distance of 1319.93 feet, established by observation of the MCOPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plot.

All lineal units shown hereon in U.S. Survey feet.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

**LEGEND**

- ALIQUOT SURVEY MARKER, AS NOTED
- ◆ SET ALIQUOT SURVEY MARKER PLS 24953, AS NOTED
- FOUND REBAR, AS NOTED
- SET 2" ALUMINUM CAP ON 24" No. 5 REBAR, PLS 24953 FLUSH WITH SURFACE UNLESS OTHERWISE NOTED
- 1.0' WC - SE 1.0' = Distance WC = Witness Corner - SE = Direction
- G- UNDERGROUND GAS LINE
- UGE- UNDERGROUND ELECTRIC LINE
- UGT- UNDERGROUND TELEPHONE LINE
- OHE- OVERHEAD ELECTRIC LINE
- POWER POLE
- STORM INLET
- STORM MANHOLE
- SANITARY MANHOLE
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT

**LAND SURVEY DEPOSITS**

MESA COUNTY SURVEYOR'S OFFICE  
 BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DATE \_\_\_\_\_  
 DEPOSIT NO. \_\_\_\_\_

Prepared for: M & D Enterprised, LLC

**SURVEYOR'S CERTIFICATION**

I hereby certify that this plot represents a field survey completed under my direct supervision during August, 2020, and that both have been prepared according to the standards of practice and the laws of the State of Colorado, and are correct to the best of my knowledge. This survey is not a guaranty or warranty, either expressed or implied.

<p>Jeffrey C. Fletcher          COLORADO PROFESSIONAL LAND SURVEYOR          P.L.S. NO. 24953</p>	<b>IMPROVEMENT SURVEY</b> NW¼ SE¼ SECTION 19 T1S, R1E, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO  <b>High Desert Surveying, LLC</b> 1673 Highway 50, Unit C Grand Junction, Colorado 81503 Telephone: 970-254-8649 Fax 970-241-0451				
	PROJ. NO. 20-90 DATE: August, 2020	SURVEYED be	DRAWN knr	CHK'D jcf	SHEET 1



# A ■ C ■ G

## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

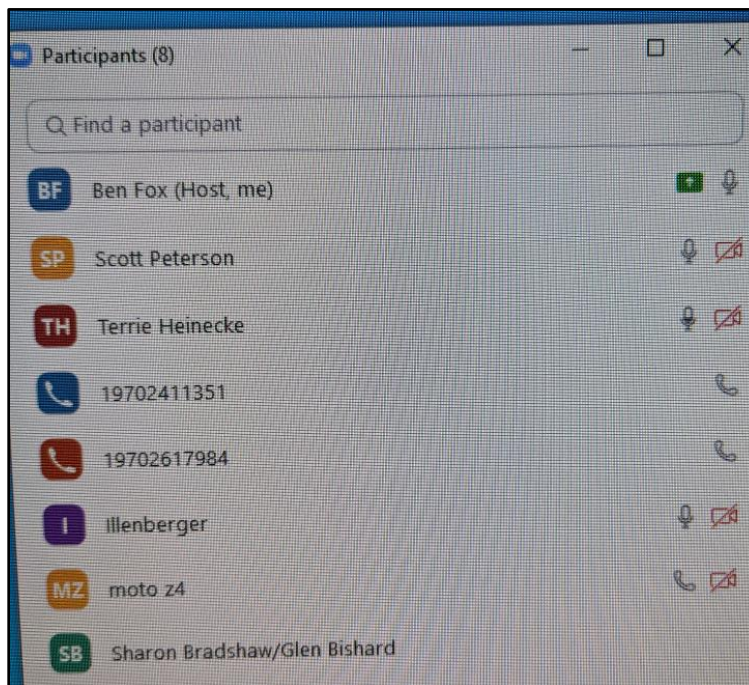
June 30, 2021

Mr. Scott Peterson  
Senior Planner  
City of Grand Junction Planning Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: C-1/2 Road Annexation / Rezone / Gravel Pit Conditional Use  
Neighborhood Meeting Summary**

Dear Mr. Peterson,

The purpose of this letter is to notify the City of Grand Junction Planning Department that a virtual Neighborhood Meeting was conducted on June 29, 2021, via Zoom, at 5:30 P.M., for the Annexation / Rezone / Gravel Pit Conditional Use Permit for the 25-acre property located at 2855 C-1/2 Road in Grand Junction, Colorado. There were 8 participants in the Zoom display, however at least 9 individuals actively participated (two individuals used the same device), and there may have been more members sharing devices while listening in. A screen shot of the participant list is depicted below:



**Participant List from Zoom Virtual Neighborhood Meeting**

Listed below is a summary of the meeting items:

1. Ben Fox presented an overview of the annexation and rezone process, including the need to annex and zone into the City of Grand Junction because of the Persigo Agreement. The proposed zoning for the property is Community Services and Recreation (CSR).
2. Ben Fox indicated that, if approved, the property would be developed into a sand and gravel mining operation by M & D Enterprises, LLC (the current landowner). Their goal would be to mine sand and gravel and then potentially construct a small subdivision where the sand and gravel was mined from the property. He also emphasized that the Neighborhood Meeting was purely for the proposed gravel pit, and that upon conclusion of gravel/sand mining operations any further development (i.e., future subdivision) would be at the owner's discretion and would require a separate development application. There will not be an asphalt or concrete batch plant on the property.
3. Ben Fox stated the City of Grand Junction has requested a trail easement along the Colorado River and along the western edge of the project for future trails. This is one of at least two properties the City of Grand Junction is seeking to obtain easements from to complete the trail connection from Las Colonias Park to 29 Road.
4. Ben Fox indicated the topsoil material would be scraped off the site and used to create a screening berm between C-1/2 Road and the adjacent residential properties. The screening berm would be seeded to provide a visual and sound buffer to adjacent residential properties.
5. Ben Fox indicated the southern half of the site is in the FEMA Floodway and because of this, material stockpiles, mining operations, and screening berms would be restricted in these areas.
6. Ben Fox stated the City's code required a 125-ft buffer from existing homes adjacent to excavation areas and a 250-ft buffer from homes adjacent to any gravel processing equipment, such as crushers. He also mentioned that anticipated hours of operation were 7:00 AM – 5:30 PM.
7. Once Ben Fox had concluded the initial presentation, Scott Peterson provided the attendees a general overview of the planning process and detailed the two public hearings where members of the public would be able to provide their input or objections to the development.
8. Sharon Bradshaw and Glen Bishard expressed concerns regarding development after the cessation of sand/gravel operations. Ben Fox re-stated that the applicant expected 10 years of operations, after which the applicant would begin the approved site reclamation plan and consider their options, one of which was the development of a small subdivision.

9. Glen Bishard stated that the overview map depicting the future trail development appeared to be on his side of the ditch. Ben Fox clarified that the overview map was not an official site plan and that the applicant would construct any future paths (as required by the City) on their side of the ditch.
10. Multiple residents expressed concerns regarding dust and noise mitigation and impacts to fish and wildlife. Ben Fox replied that an appropriate environmental assessment and requisite local and state permits would be required as the project moved forward. He also stated that if the applicant/operator was found out of compliance with those dust/noise permits during recurring inspections (every two weeks), they may be shut down and that the enforcement penalties were substantial. Additionally, the City of Grand Junction has a noise restriction at the perimeter of the gravel mining operations that must be met, or the applicant could lose their right to mine.
11. Residents expressed concerns with the depth of mining as it relates to the existing water table. Ben Fox replied that current estimates for mining depth would be 10-15 feet and that the site did appear to have a shallow water table, but he could not provide precise details on the manner of mitigation. He did state that—in general—City, County, State, and Federal regulations governing gravel mining operations would be taken into account as the project moved forward and that the appropriate mitigation procedures would be followed.
12. Property owners also asked about the access location into the site. Ben Fox indicated the City of Grand Junction typically wants access locations to “align” with an existing access location or offset 150-ft from existing accesses. Ben Fox stated they were in the process of determining a specific access location. They were initially considering the western side of the property, but the trail easement requested by the City may cause this to be poor location.
13. Many property owners were concerned with traffic, especially with the number of bikes and pedestrians using C-1/2 Road since it is the Bike/Ped route between 29 Road and Las Colonias. The existing road does not have shoulders for these uses and the gravel truck traffic will be a problem. Ben Fox stated that a traffic study looking at these items had been conducted and indicated relatively low impact as of now, but the study will be reviewed as part of the application. The project will also pay “Traffic Impact Fees” to the City to help pay for offsite impacts from the project.
14. When questioned by several residents about needed improvements to C ½ Road, Scott Peterson explained that C-1/2 Road resides in Mesa County while the Traffic Impact Fees are paid primarily to the City of Grand Junction. As such, it can be a challenge to get both agencies to work and pay for street improvements. Scott indicated he would bring this up with planning and engineering staff, but at this time the majority of improvements would fall on Mesa County.

15. Resident Illenberger asked about the effects of traffic downstream from the project, particularly at Las Colonias and the apartments around that area. Scott Peterson explained that the City's intent was for bike and pedestrian-friendly trails to exist in the future and that construction of those trails was part of the process.
16. Ken and Terrie Heinecke expressed safety concerns about family, children, and heavy trucks running along the same narrow road and asked what they were supposed to do about it. Ben Fox and Scott Peterson acknowledged their concerns and explained that the planning commission has the right to put additional restrictions on the gravel pit operation. They also recommended they bring up those concerns at future public hearings.
17. Terrie Heinecke asked about historical properties and if the gravel pit would negatively affect those areas. Ben Fox indicated that he was not aware of any designated historical sites within the area, but explained that he would look into it as the project progressed and that an evaluation of impact to historical sites was part of the permitting process.
18. Linda McBride asked where the bike trail would run, asked about Las Colonias Park noise restrictions, and about bike path operating time restrictions. Scott Peterson answered that, while not directly connected with gravel pit operations, the City intends to eventually have a bike path along the Colorado River. Las Colonias and bike paths would fall under standard City noise restrictions. Ms. McBride also asked what the largest concern was in terms of pollutants, to which Ben Fox replied it would likely be small spills from trucks/mining equipment. She expressed that she was not happy about decisions to trash the City and valuable riverfront areas with gravel pits, and did not approve of a future subdivision in a rural area.
19. Ken Heinecke brought up concerns regarding the property's location within the 100-year floodplain and how that would affect open-pit gravel mining operations. If a flood were to happen, how would the flow of sediment off-site be mitigated? Ben Fox did not have a detailed answer to the question, but knew that it was partially accounted for in the Stormwater Management Plan and stated that he would investigate the issue further as they moved forward with a more concrete development plan.
20. Another resident expressed concerns with the existence of a bike path and people parking on their property near C ½ Rd street frontage to access the paths. Scott Peterson answered that it is technically illegal to park in those locations, so that should be dealt with by law enforcement.
21. Residents asked about the timing of the trail construction. Some were concerned with trespass if people walking along the trail had no place to go. Ben Fox indicated he expects the City to require, at a minimum, trail dedication. It is not clear when trail construction would occur, and that trespassing still remains trespassing.

Mr. Scott Peterson

June 30, 2021

Page 5 of 5

22. Towards the end of the meeting, Ben Fox re-emphasized that this was a preliminary Neighborhood Meeting designed to alert the public to a development application in the process of being submitted to the City for approval. Many specifics of the project had not yet been ironed out, and they should keep their comments/concerns in mind and bring them up at the upcoming hearings. Scott Peterson informed the attendees that they would be notified via letter of the times/locations of those future hearings.

In summary, the biggest issues for the project were dust/noise, environmental impacts, and traffic/bike/pedestrians along C-1/2 Road and how improvements could be made to accommodate those users.

It should be noted that Nathaniel Mueller (the direct westerly neighbor) emailed Austin Civil Group separately from the meeting and requested a pullout from the property to C ½ Road, a dedication of the southern portion of the property, and the withholding of funds for future road repairs. A copy of the email is attached.

Sincerely,



**Austin Civil Group, Inc.**

Benjamin Fox, E.I.T., Staff Engineer



**From:** Nathaniel Mueller <[nathaniel.g.mueller@gmail.com](mailto:nathaniel.g.mueller@gmail.com)>  
**Date:** June 29, 2021 at 4:16:15 PM MDT  
**To:** Mark Austin <[MarkA@austincivilgroup.com](mailto:MarkA@austincivilgroup.com)>  
**Cc:** [pariahlaw@aol.com](mailto:pariahlaw@aol.com), Akcolomed <[akcolomed@aol.com](mailto:akcolomed@aol.com)>  
**Subject:** 2855 C 1/2 Rd neighborhood mtg.

Dear Mr. Austin and team,

We would like to thank you for hosting a neighborhood meeting concerning your re-zoning and future development of 2855 C 1/2 Rd. Giving notice for any changes in this area is greatly appreciated, particularly for such a large parcel in a part of town that contains a key bike vein and the Colorado River.

As your direct westerly neighbors, of 2869 C 1/2 Rd, we are certain that your activities will conform with best practices and relevant oversight guidelines. We are of the impression that the property is to initially be used as a gravel pit. Considering that the project at 2855 C 1/2 appears to have a long timeline, we would hope that you consider our three requests, as we believe they would benefit the surrounding properties as well as benefit the local community as a whole.

The three requests are, as follows:

1. **Expand the pullout onto C 1/2 Rd.** In the interest of safety for drivers and potential licensees entering and exiting the property, a dedicated turn lane should be created appurtenant to the road.
2. **Dedicate the southern portion of the property.** It would appear that the majority of the land on the northern bank of the Colorado River is already held by the James M. Robb State park, and future plans of civic development appear to include a bike path that would run the length of the river through the Grand Valley. Currently, C 1/2 Rd. is the major bicycle thoroughfare in the area. 2855 C 1/2 Rd. appears to be the last property that actually touches the river. We request a dedication of the southern portion of 2855 to the relevant entity. The benefits of safety and community development opportunities, we hope, appear obvious in this respect.
3. **Withhold funds for future road repairs.** With C 1/2 Rd. already buckling in many spots, increased road usage by larger vehicles could lead to accelerated damage in the coming years. While we are aware that use permits and taxes for undertaking such a project tend to be funneled into road and highway maintenance, the proposed use at 2855 would be distinct among other properties in the area. We hope that a certain amount can be voluntarily withheld in order to cover repairs once the gravel pit is exhausted.

Thank you for your time, and welcome to the neighborhood.

Sincerely,

Nathaniel Mueller  
(808)224-6951

# Grand Junction Fire Department New Development Fire Flow Form

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

## SECTION A

Date: 02-16-21

Project Name: 2855 C 1/2 Road

Project Street Address: 2855 C 1/2 Road Grand Junction

Assessor's Tax Parcel Number: 2943-194-00-248

Project Owner Name: M&D Enterprises LLC

City or County project file #: \_\_\_\_\_

Name of Water Purveyor: Ute Water

Applicant Name/Phone Number: M&D Enterprises

Applicant E-mail: \_\_\_\_\_

1. If the project includes one or more one or two-family dwelling(s):
    - a. The maximum fire area (see notes below) for each one or two family dwelling will be N/A square feet.
    - b. All dwelling units will , will not  include an approved automatic sprinkler system.Comments: \_\_\_\_\_
  2. If the project includes a building other than one and two-family dwelling(s):
    - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:  
N/A
    - b. List each building that will be provided with an approved fire sprinkler system:  
\_\_\_\_\_
  3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):  
0 gpm
- Comments:
- Gravel Pit with no buildings and typical equipment operations

### Note:

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

**Fire Flow Rule:** The City's Fire Code<sup>3</sup> sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet<sup>4</sup>). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

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

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

# Grand Junction Fire Department New Development Fire Flow Form

## SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

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

1. Circle the name of the water supplier: Ute Clifton Grand Junction

2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

SEE ATTACHED MAP. THE DISTRICT HAS AN EXISTING 3-INCH IN C.5; NEAREST EXISTING FIRE HYDRANTS ARE IN 29 RD AND 28 RD NEAR C.5 (APPROX 1/2 MILE FROM PROJECT SITE).

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

SEE ATTACHED RESULTS

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

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

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

DUSTY KRIEGSHAUSER MAINTENANCE II/HYDRANT MAINTENANCE

Date: 2/17/2021

Contact phone/E-mail of Water Supplier: 970-256-2882 hydrant@utewater.org

\*\*\*\*\*

**Note:** Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer<sup>5</sup> to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

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

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

<sup>3</sup> International Fire Code, 2012 Edition

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

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

# Fire Flow Hydrant Master With Graph



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

**Test Date:** 8/7/20 10:30 am

NFWA Classification:	
Blue	AA
4216.14	

**Work Order:** 997  
**Operator:** DUSTY K, JOE I, JESSE K.

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

**Test Hydrant:** 3396  
**Address:** 365 29 RD  
**Cross Street:**  
**Location:**  
**District:**  
**Sub-Division:**

**Latitude:** 715000.925  
**Longitude:** 4326111.053  
**Elevation:** 4599.17  
**State X / Y:** \_\_\_\_\_ / \_\_\_\_\_

**Pumpers:**

**Nozzles:**

**Open Dir:**

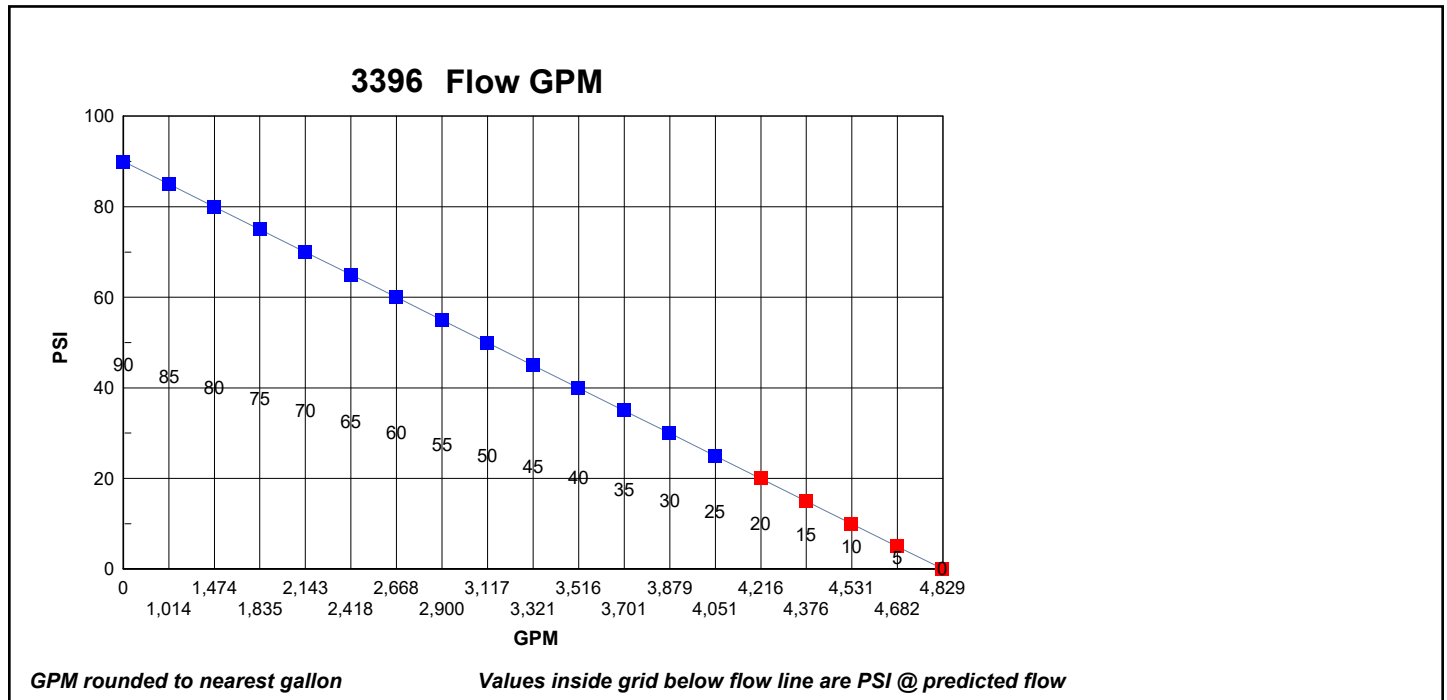
**Manuf:** Mueller  
**Model:** Centurion 5 1/4

**Installed:** 01/01/2005  
**Main Size:** 0.00

**Vandal Proof:**  
**Bury Depth:** 0.00

	<u>Flow Hydrant</u>	<u>Flow Device</u>	<u>Diameter</u>	<u>GPM</u>	<u>Gallon Used</u>
1:	3395	2.5" Hose Monster	2.50	1118.83	5594.15
2:					
3:					
4:					
5:					

<b>Pitot / Nozzle PSI:</b> 44.00	<b>Total Gallons Used:</b> 5594.15
<b>Static PSI:</b> 90.00	<b>Max GPM during test:</b> 1,118.83
<b>Residual PSI:</b> 84.00	<b>Elapsed Time Min:Sec:</b> 5 : 0
<b>Percent Drop:</b> 6.67	<b>Predicted GPM @ 20 PSI:</b> <span style="color: red; text-decoration: underline;">4216.14</span>







**FLORIDA ST**

**29 1/2 RD**

**C 3/4 RD**

FLOW HYDRANT

12" WATERLINE

TEST HYDRANT

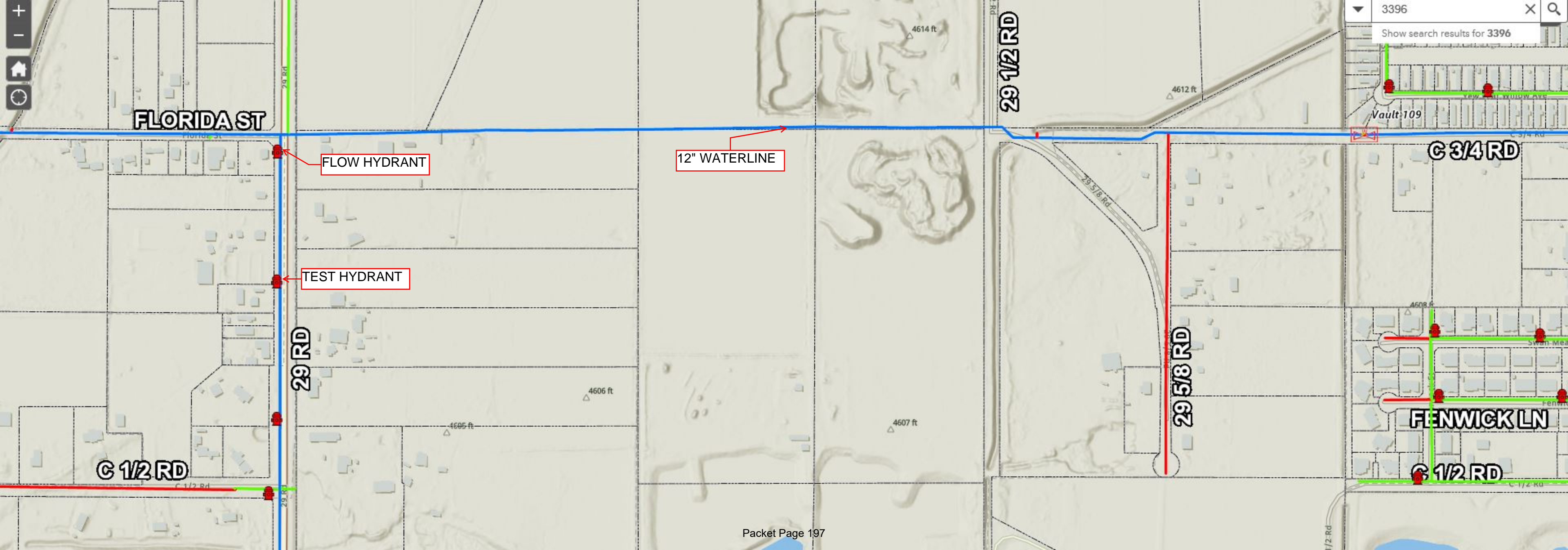
**29 RD**

**29 5/8 RD**

**FENWICK LN**

**C 1/2 RD**

**C 1/2 RD**





LEGAL DESCRIPTION:

Lots 9 and 10 of BEVIER'S SUBDIVISION, TOGETHER WITH easement for common driveway over and across the East 10 feet of lot 4, Township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) M&D Enterprises LLC ("Entity") is the owner of the following property:

(b) 2855 C 1/2 Road, Grand Junction, CO 81501

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Representative for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

- My legal authority to bind the Entity both financially and concerning this property is unlimited.
- My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

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

On behalf of Entity, I have reviewed the application for the (d) Gravel Pit

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

(e)

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

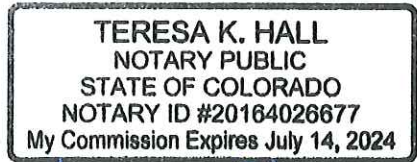
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Martin Azcarraga

Printed name of person signing: Martin Azcarraga

State of Colorado )

County of Mesa ) ss.



Subscribed and sworn to before me on this 22<sup>nd</sup> day of February, 20 21  
by Martin Azcarraga

Witness my hand and seal.

My Notary Commission expires on July 14, 2024

Teresa K. Hall  
Notary Public Signature

## Instructions

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

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

RECEPTION#: 2868032, at 1/28/2019 8:15:45 AM, 1 of 1  
Recording: \$13.00, Doc Fee \$20.68 Tina Peters, Mesa County, CO. CLERK AND RECORDER



924106M

PERSONAL REPRESENTATIVE'S DEED (Testate Estate)

THIS DEED is made by Robyn Ann Baldwin, as Personal Representative of the Estate of Herbert Lloyd Alderman, deceased, Grantor, to M & D Enterprises, LLC, a Colorado Limited Liability Company, Grantee, whose legal address is P.O. Box 2072, Grand Junction, CO 81502.

WHEREAS, the Last Will and Testament of the above-named decedent was made and executed in the lifetime of the decedent, and is dated May 6, 2013, which Will was duly admitted to probate on December 19, 2018, by the District Court in and for the County of Mesa, State of Colorado, Probate/Case No. 2018PR30358.

WHEREAS, Grantor was duly appointed Personal Representative of said Estate on January 3, 2019, and is now qualified and acting in said capacity.

NOW THEREFORE, for and in consideration of two-hundred six thousand eight hundred thirty-three and 33/100 U.S. Dollars (\$206,833.33) paid by Grantee, receipt of which is hereby acknowledged, and pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby sell and convey unto Grantee the following described real property situated in Mesa County, State of Colorado:

Lots 9 and 10 of  
BEVIER'S SUBDIVISION,  
TOGETHER WITH easement for common driveway  
over and across the East 10 feet of Lot 4, Township 1 South,  
Range 1 East of the Ute Meridian, according to the  
instrument recorded at Reception No. 1467646,  
County of Mesa, State of Colorado

also known as street number: 2855 C 1/2 Road, Grand Junction, Colorado 81501

assessors schedule or parcel number: 2943-194-00-248

State Documentary fee: \$20.68

With all appurtenances, subject to covenants, easements and restrictions of record, and subject to general property taxes for the year 2019, and subject to those of record.

As used herein, the singular includes the plural and the plural the singular.

Dated this 22 day of January, 2019.

Robyn Ann Baldwin, as Personal Representative of  
the Estate of HERBERT LLOYD ALDERMAN

STATE OF WASHINGTON }  
                                  } ss.  
COUNTY OF CLARK        }

The foregoing instrument was acknowledged before me this 22 day of January, 2019, by Robyn Ann Baldwin, Personal Representative of the Estate of HERBERT LLOYD ALDERMAN.

My commission expires: Jan. 2 2021.

Witness my hand and official seal.

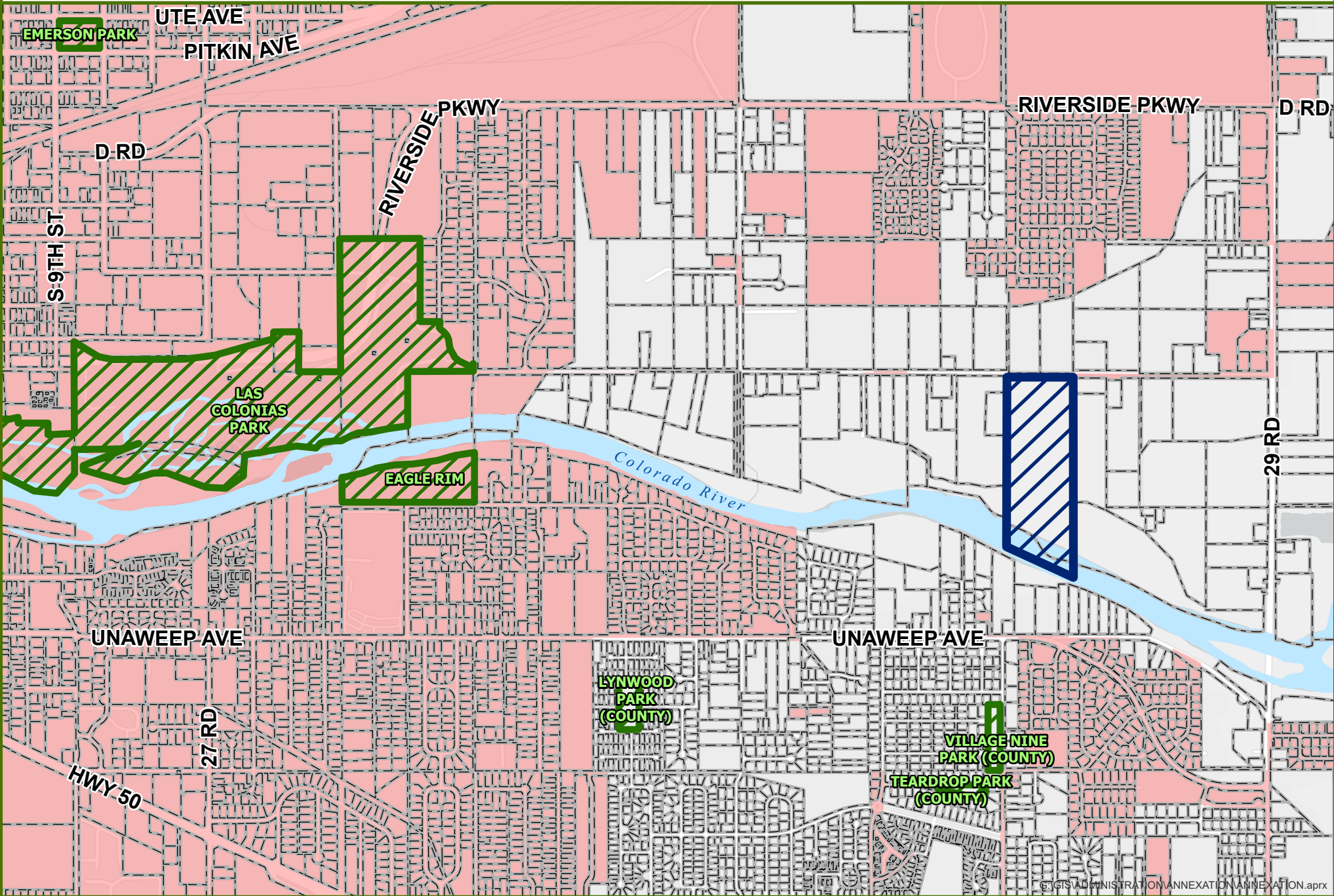
SEAL



Notary Public



# C 1/2 ROAD GRAVEL PIT ANNEXATION



© GISADMINISTRATION\ANNEXATION\ANNEXATION.aprx



0 0.2 0.4 Miles

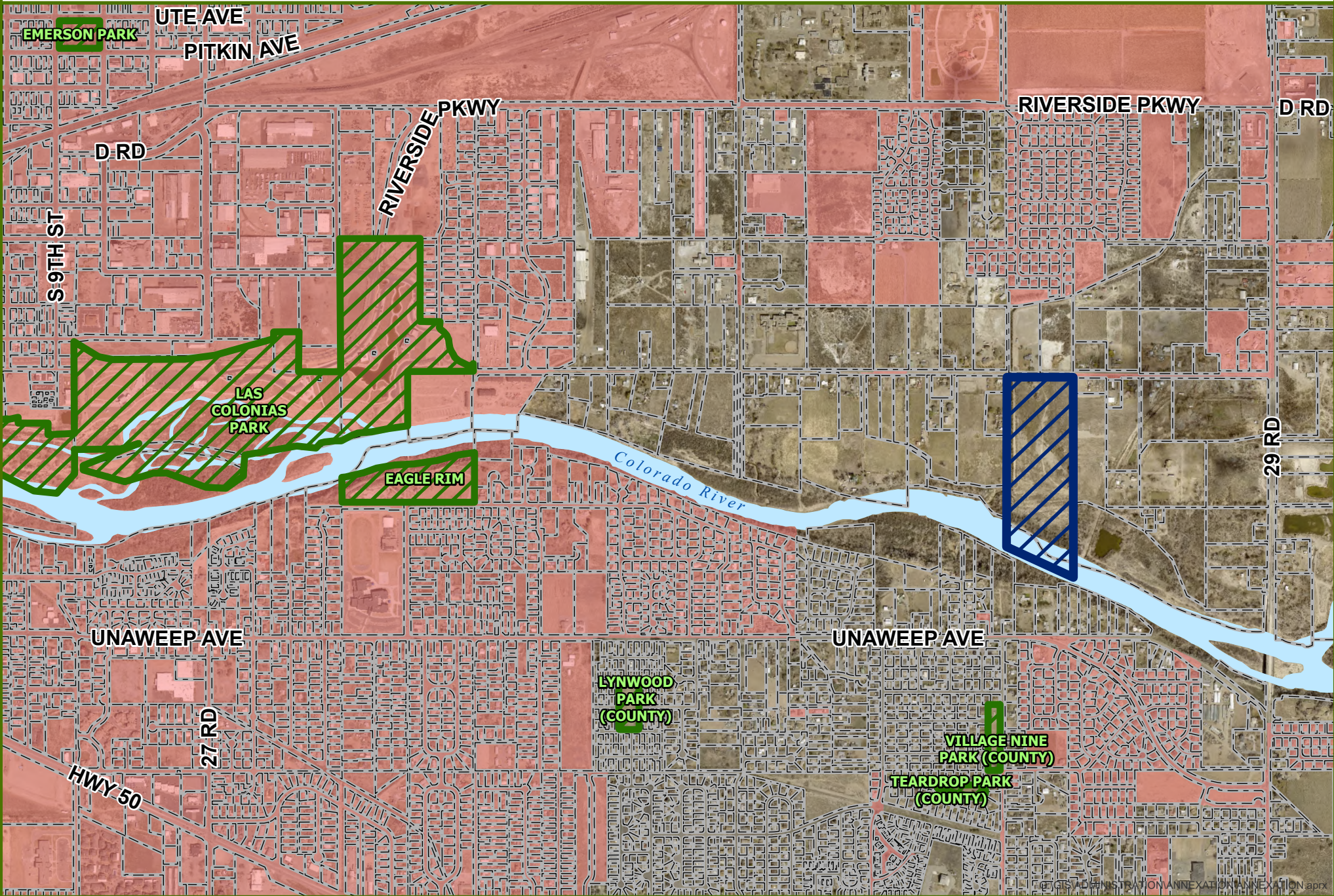
 Annexation

 City Limits

 Parks



# C 1/2 ROAD GRAVEL PIT ANNEXATION



0 0.2 0.4 Miles

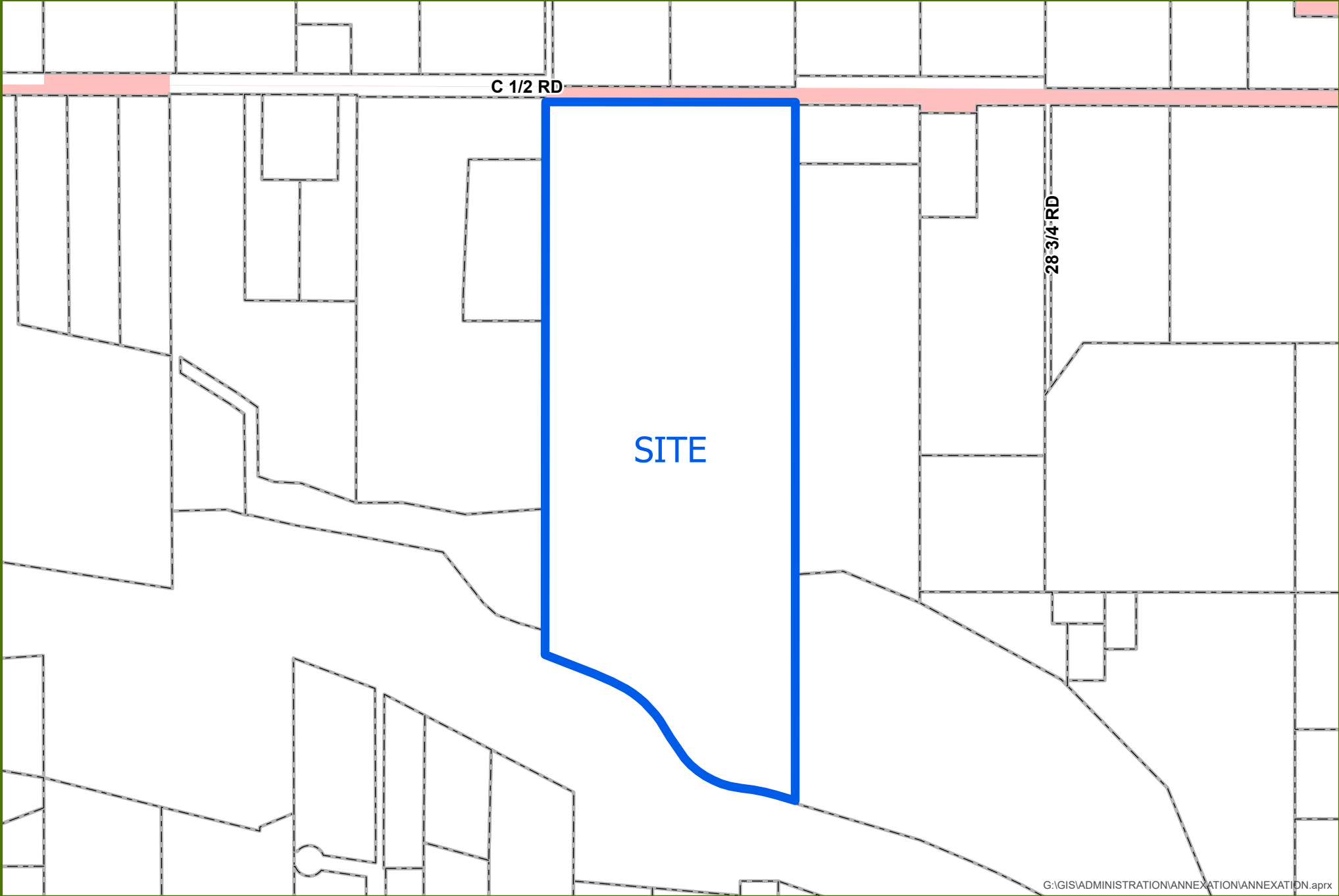
 Annexation

 City Limits

 Parks




# C 1/2 ROAD GRAVEL PIT ANNEXATION



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



0 0.05 0.1 Miles

 Annexation  City Limits



Date Created: 9/27/2021

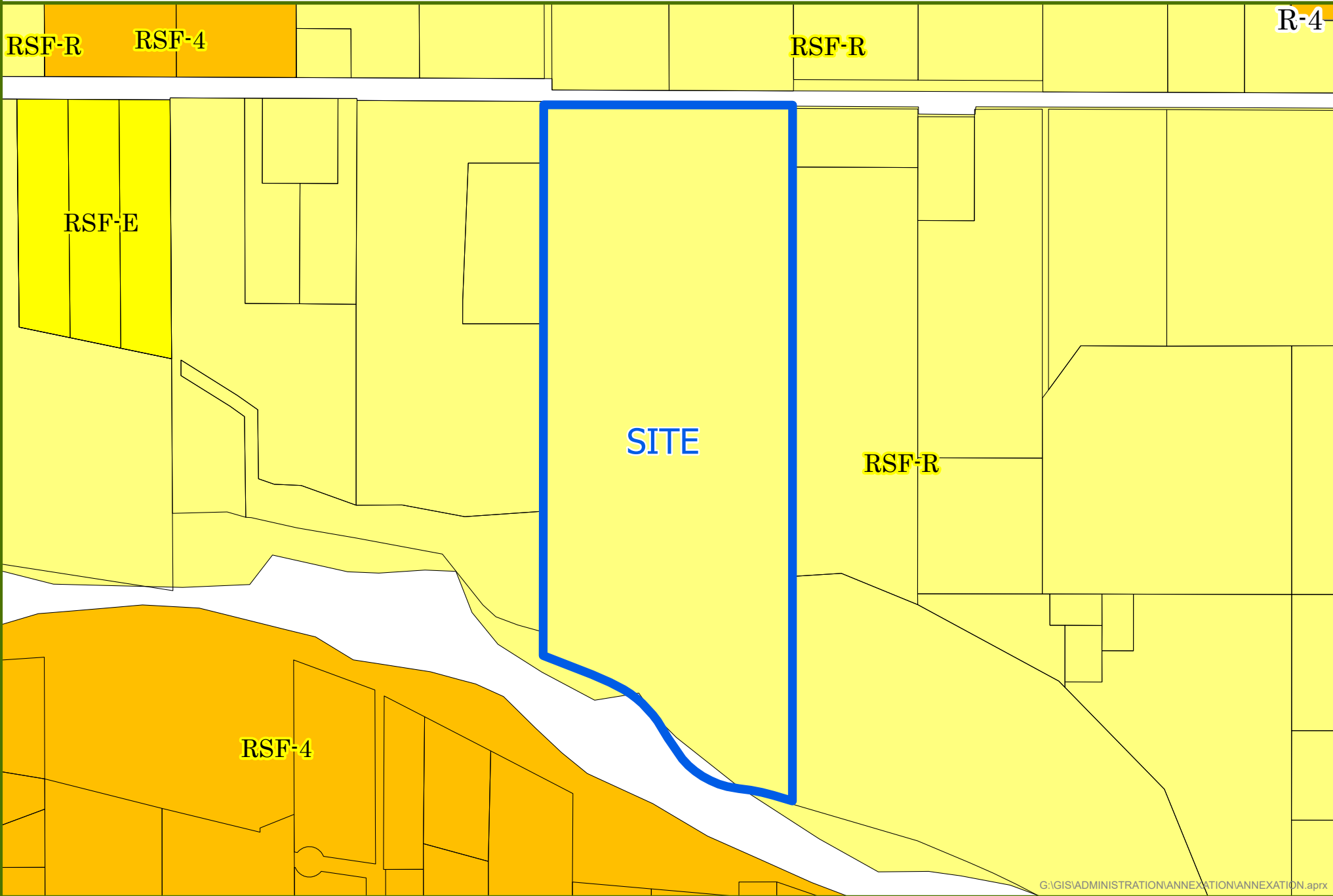


# C 1/2 ROAD GRAVEL PIT ANNEXATION

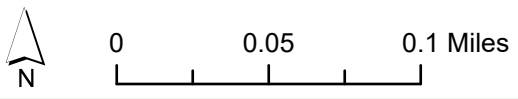




# C 1/2 ROAD GRAVEL PIT ANNEXATION - ZONING



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 Annexation

City Zoning  
Packet Page 206

County Zoning

Date Created: 9/27/2021



# C 1/2 ROAD GRAVEL PIT ANNEXATION - LAND USE



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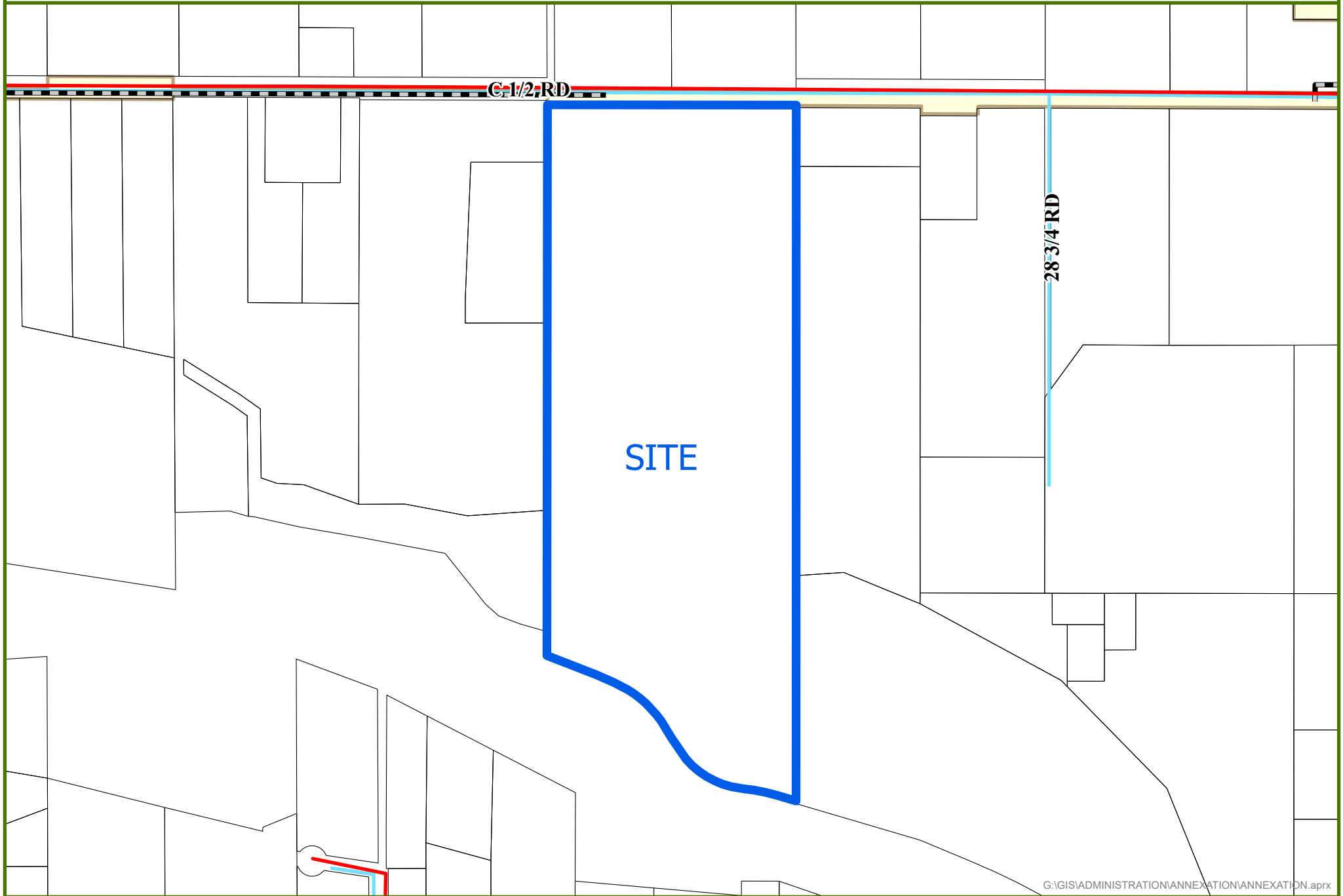


0 0.05 0.1 Miles

 Annexation Boundary



# C 1/2 ROAD GRAVEL PIT ANNEXATION - UTILITIES



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0 0.05 0.1 Miles

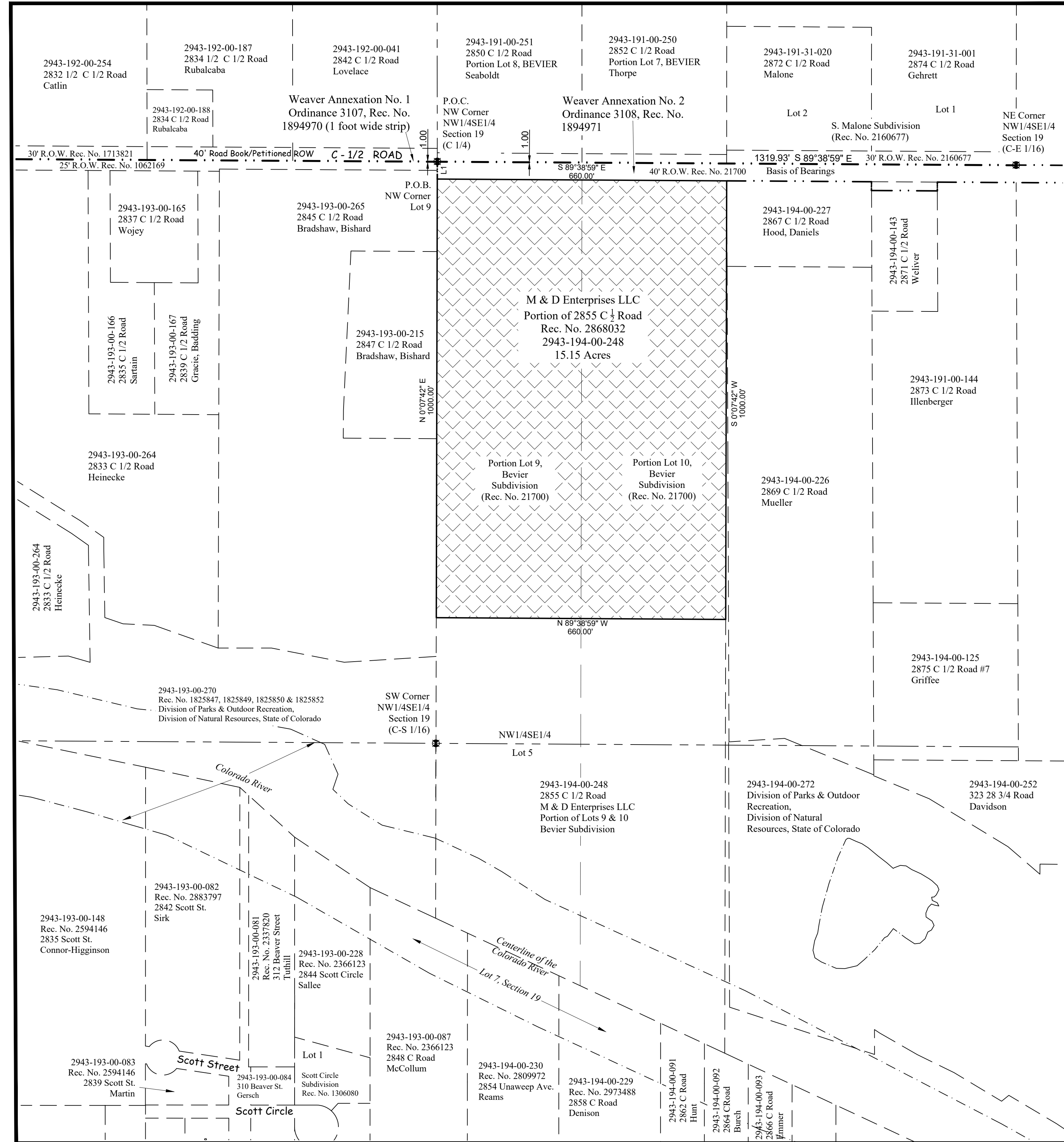
NON-CITY FIBER SEWER UTE WATER CITY LIMITS

Date Created: 9/27/2021

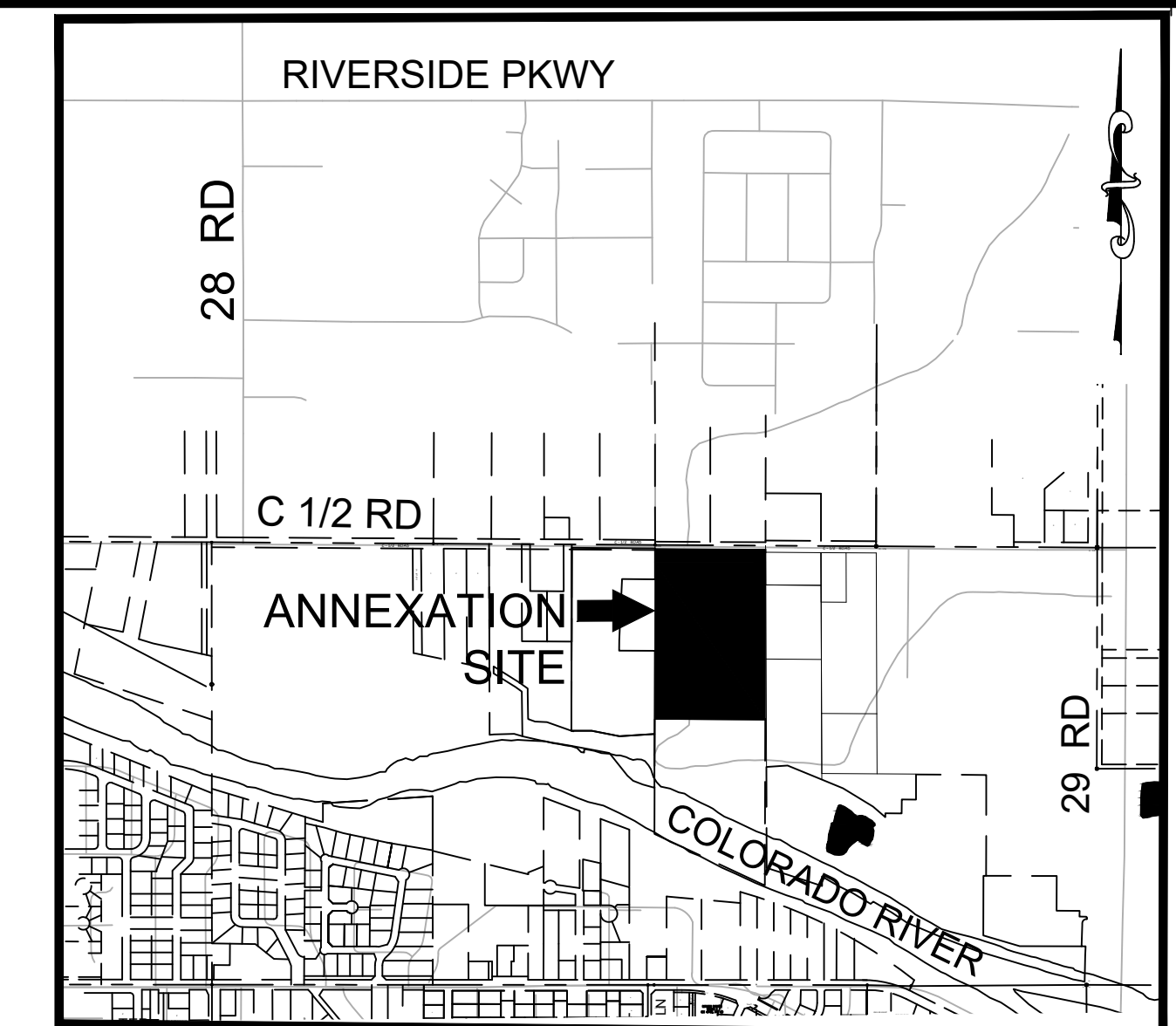


# C 1/2 Road Gravel Pit Annexation No. 1

Located in the NW1/4SE 1/4 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



**THIS IS NOT A BOUNDARY SURVEY**



## SITE LOCATION MAP

SCALE: 1" = 800'

### LEGAL DESCRIPTION

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 2, Ordinance Number 3108 same as filed under Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described.

LINE TABLE	
L1	S0°07'42"W 40.00'

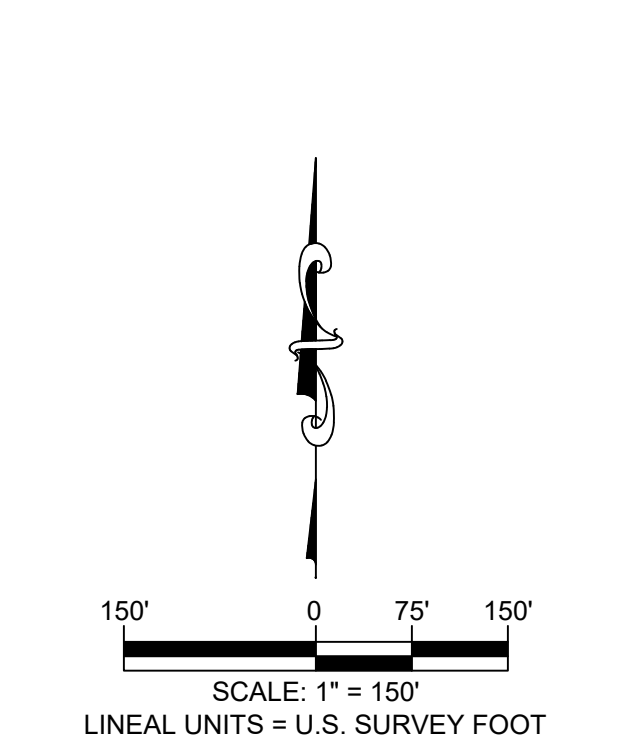
LEGEND	
ANNEXATION BOUNDARY	—
ANNEXATION AREA	
EXISTING CITY LIMITS	- - - - -

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

AREAS OF ANNEXATION	
ANNEXATION PERIMETER	3320.00 FT.
CONTIGUOUS PERIMETER	660.00 FT.
AREA IN SQUARE FEET	659995 FT <sup>2</sup>
AREA IN ACRES	15.15
AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

**ORDINANCE NO.**

**EFFECTIVE DATE**



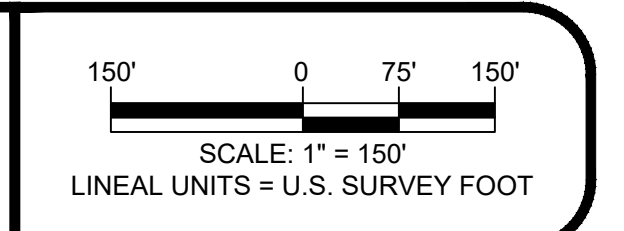
**NOTICE:**  
THE DESCRIPTION(S) CONTAINED HEREIN HAVE BEEN DERIVED FROM SUBDIVISION PLAT, DEED DESCRIPTIONS & DEPOSIT SURVEYS AS THEY APPEAR IN THE OFFICE OF THE MESA COUNTY CLERK & RECORDER. THIS PLAT OF ANNEXATION DOES NOT CONSTITUTE A LEGAL BOUNDARY SURVEY, AND IS NOT INTENDED TO BE USED AS A MEANS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

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

G:\Data\SURVEY\Annexations\2021\613 - C 1/2 Road Gravel Pit Annex - Dove\Annexation Map Files\C Half Road Gravel Pit Annexation Plat.dwg - PLOTTED: 2022-07-28

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

DRAWN BY: R.B.P. DATE: 07/27/2022  
DESIGNED BY: R.B.P. DATE: 07/27/2022  
CHECKED BY: C.V.W. DATE: 07/28/2022  
APPROVED BY: R.B.P. DATE:

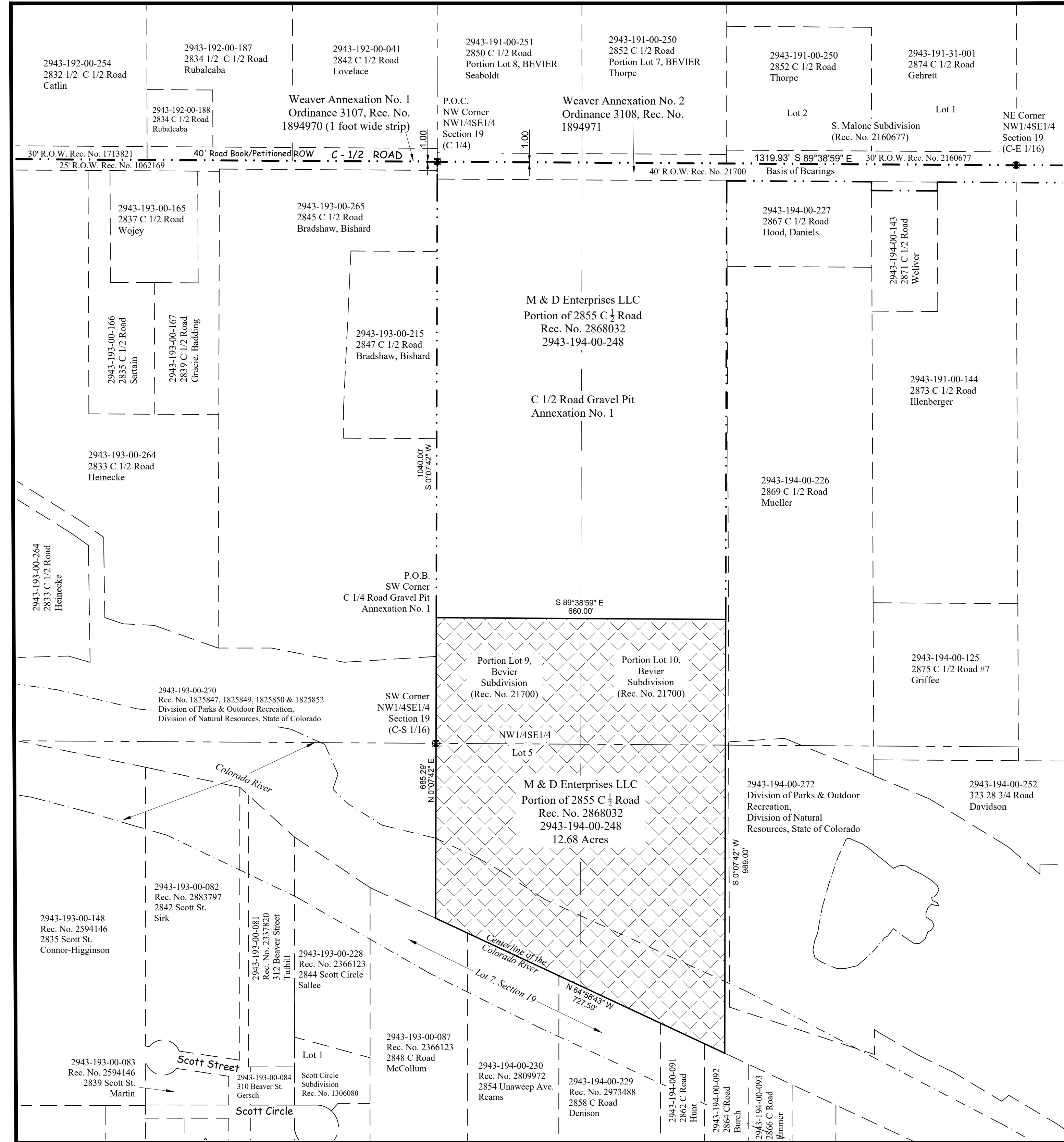


**PUBLIC WORKS ENGINEERING DIVISION**

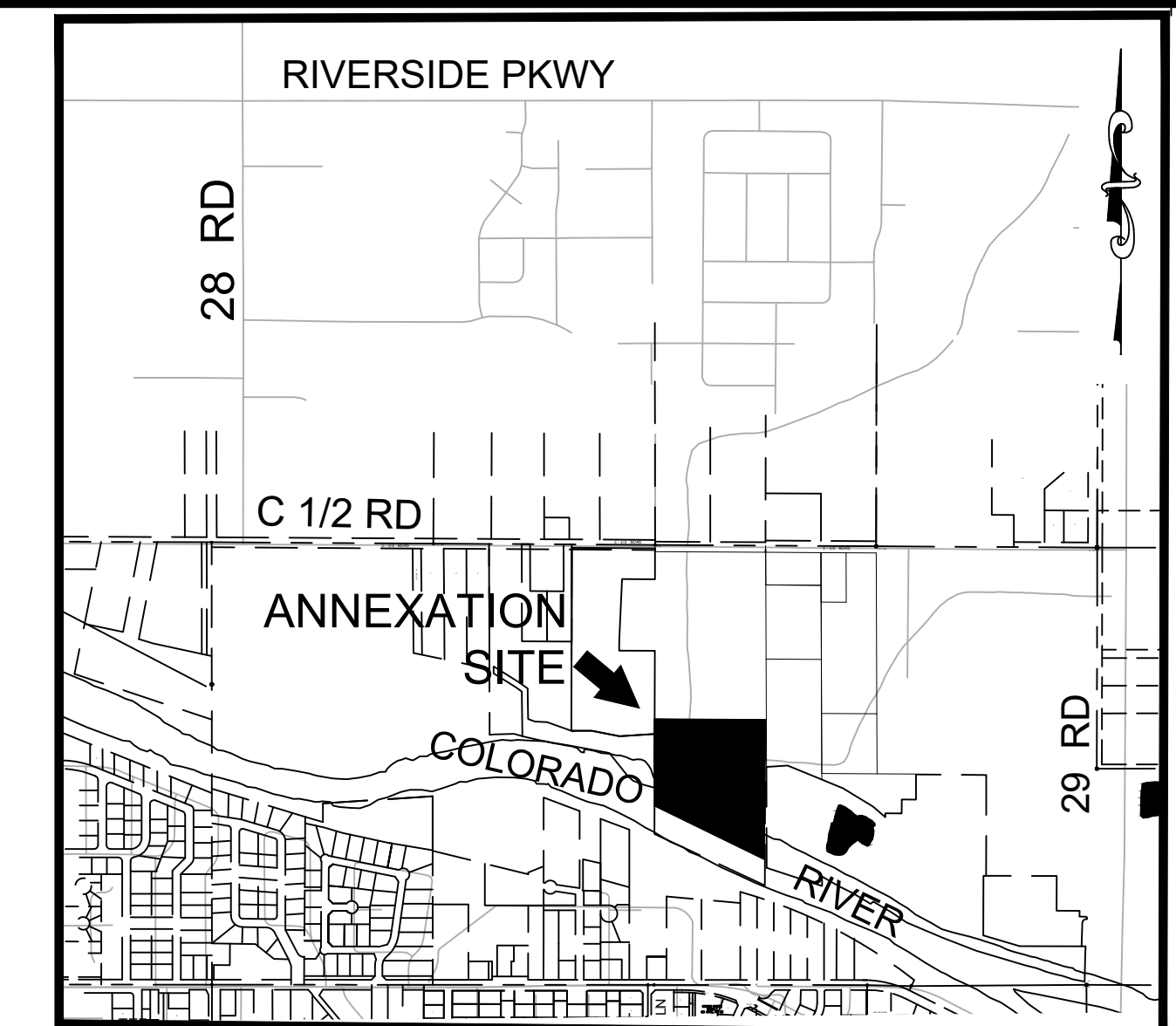
**C 1/2 Road Gravel Pit Annexation No. 1**  
Located in the NW1/4SE1/4  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

# C 1/2 Road Gravel Pit Annexation No. 2

Located in the NW1/4SE1/4 and Lot 5 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



**THIS IS NOT A BOUNDARY SURVEY**



**SITE LOCATION MAP**

SCALE: 1" = 800'

### LEGAL DESCRIPTION

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning; thence S89°38'59"E along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 660.00 feet to a point on the east line of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 989.00 feet to the southeast corner of said Lot 10 also being a point on the southerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River; thence N64°58'43"W along said centerline of the Colorado River a distance of 727.59 feet to the southwest corner of said Lot 9, BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

### LEGEND

ANNEXATION BOUNDARY	
ANNEXATION AREA	
EXISTING CITY LIMITS	

### SURVEY ABBREVIATIONS

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

### AREAS OF ANNEXATION

ANNEXATION PERIMETER	3061.89 FT.
CONTIGUOUS PERIMETER	660.00 FT.
AREA IN SQUARE FEET	552513 FT <sup>2</sup>
AREA IN ACRES	12.68
AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

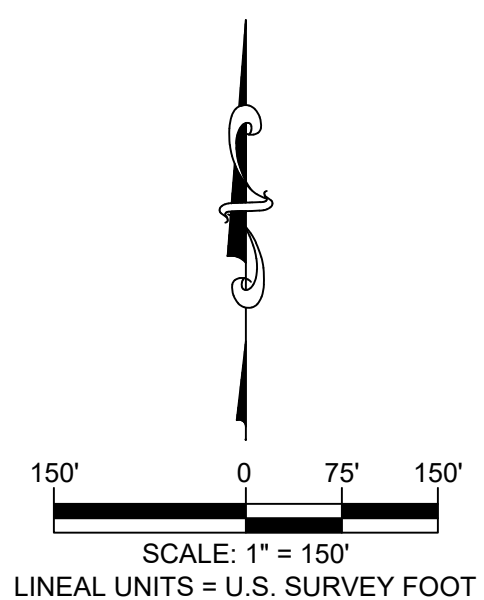
### ORDINANCE NO.

### EFFECTIVE DATE

### NOTICE:

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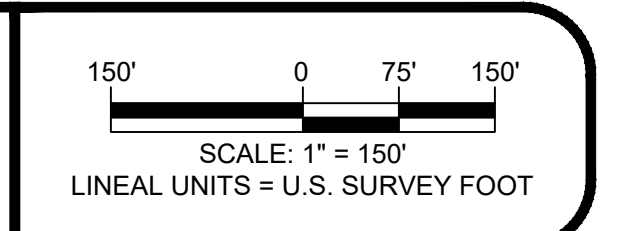
RENEE BETH PARENT  
STATE OF COLORADO - P.L.S. NO. 38266  
FOR THE CITY OF GRAND JUNCTION  
333 WEST AVENUE - BLDG. C  
GRAND JUNCTION, CO. 81501



G:\Data\SURVEY\Annexations\2021\613 - C Half Road Gravel Pit Annex - Dove\Annexation Map Files\C Half Road Gravel Pit Annexation No. 2 Plat.dwg - PLOTTED 2022-07-28

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DESIGNED BY: R.B.P. DATE: 07/27/2022  
CHECKED BY: C.V.W. DATE: 07/28/2022  
APPROVED BY: R.B.P. DATE: \_\_\_\_\_



PUBLIC WORKS  
ENGINEERING DIVISION

**C 1/2 Road Gravel Pit Annexation No. 2**  
Located in the NW1/4SE1/4 and Lot 5  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO





**Google Street View looking south from C ½ Road**

## C ½ ROAD GRAVEL PIT ANNEXATION SCHEDULE

<b>September 7, 2022</b>	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
<b>September 27, 2022</b>	Planning Commission considers Zone of Annexation
<b>October 5, 2022</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>October 19, 2022</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>November 20, 2022</b>	Effective date of Annexation and Zoning

### ANNEXATION SUMMARY

<b>File Number:</b>	ANX-2021-613	
<b>Location:</b>	2855 C ½ Road	
<b>Tax ID Numbers:</b>	2943-194-00-248	
<b># of Parcels:</b>	1	
<b>Existing Population:</b>	0	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	0	
<b>Acres land annexed:</b>	27.83	
<b>Developable Acres Remaining:</b>	25	
<b>Right-of-way in Annexation:</b>	None	
<b>Previous County Zoning:</b>	RSF-R	
<b>Proposed City Zoning:</b>	CSR	
<b>Current Land Use:</b>	Vacant	
<b>Comprehensive Plan Land Use:</b>	Residential Medium	
<b>Values:</b>	<b>Assessed:</b>	\$14,330
	<b>Actual:</b>	\$168,230
<b>Address Ranges:</b>	2849 thru 2861 C ½ Road (Odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute
	<b>Sewer:</b>	City
	<b>Fire:</b>	GJ Rural Fire Protection District
	<b>Irrigation/Drainage:</b>	Grand Valley Irrigation Company
	<b>School:</b>	District 51
	<b>Pest:</b>	Grand River Mosquito District & Upper Grand Valley Pest
	<b>Other:</b>	Colorado River Water Conservancy



## David Thornton

---

**From:** David Thornton  
**Sent:** Tuesday, September 27, 2022 8:38 AM  
**To:** Ryan Lowe  
**Cc:** Kristen Ashbeck  
**Subject:** RE: ANX-2022-613--C 1/2 Road Gravel Pit Annexation 2855 C ½ Road

Thanks Ryan for your comments. I have copied another Planner in Community Development that is reviewing the actual Gravel Pit development application. It will be going to public hearing soon and all those who received notice for this annexation will also receive notice of the hearing date for the gravel pit/extraction use that will require a Conditional Use Permit (CUP) and that is considered by Planning Commission in a public hearing as well.

Kristen Ashbeck now has your comments for that review and consideration. The annexation of a property only considers whether or not the land should become part of the city limits and must meet the Colorado State statutory requirements for annexation. With the annexation of land State law requires the city to zone it within 90 days of the annexation's effective date. By request of the petitioner, the Planning Commission and later City Council, are considering the CSR (Community Services and Recreation) zone district which implements the City's' Comprehensive Plan for the property. The CSR zoning permits residential uses, but at a density of one dwelling unit per five acres. It permits gravel extraction with a CUP.

Thanks again for your comments and Kristen will incorporate them into her review and file for the proposed CUP. Kristen can be reached at 970-244-1491. Or kristena@gjcity.org

Respectfully,

Dave

David Thornton, AICP  
Principal Planner  
Community Development Department  
City of Grand Junction  
www.gjcity.org  
Phone: 970-244-1450

-----Original Message-----

From: Ryan Lowe <raniac84@gmail.com>  
Sent: Monday, September 26, 2022 8:30 PM  
To: David Thornton <davidth@gjcity.org>  
Subject: ANX-2022-613--C 1/2 Road Gravel Pit Annexation 2855 C ½ Road

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Hello David-

I wasn't sure where to comment or what to do if I can't attend the hearing.

I own a house across the river from this project on Unawweep Ave(C road). When I bought, one of the reasons was the rural/residential area zoning. We have lots of wildlife over here including Eagles, Bears, Deer, Fox, etc that I feel would be impacted by this gravel pit project due to noise and increased traffic over there.

Thank you for taking my comment.

Ryan Lowe

2850 Unawweep Ave

ANX-2022-613--C 1/2 Road Gravel Pit Annexation

2855 C 1/2 Road

Sent from my iPhone

## David Thornton

---

**From:** Daniella Acosta  
**Sent:** Monday, September 26, 2022 2:29 PM  
**To:** David Thornton  
**Subject:** Fwd: [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

This GJ Speaks commented was routed to me instead of you.

Get [Outlook for iOS](#)

---

**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Monday, September 26, 2022 1:29:32 PM  
**To:** Daniella Acosta <daniellaa@gjcity.org>  
**Subject:** [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

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The following comment has been submitted for C 1/2 Road Gravel Pit Annexation by Sandra Reams:

Hi, I live at 2854 Unaweep Ave. directly south of the proposed application. I purchased this property 5 years ago. I knew the parcel of land in question was zoned for residential single family-Rural development. The back of my property butts up against the Colorado River. My views are incredible.. the solitude is good for the soul... and wildlife is abundant. I can't imagine the constant beeping noise and sounds from the rock haulers. I am retired. I spend a lot of time outside. My windows are open in the summer. I am concerned for my mental health. I am sensitive to annoying noises. i.e. trucks backing up. I am concerned for the wildlife. They have no say but I can tell you they would not be happy !!! I am concerned about the traffic increase on C 1/2 Rd. There are no sidewalks or bike lanes. C 1/2 is used by pedestrians and cyclist to access river trail and new park system. The new apartments west of the land application also have increased the road usage. C 1/2 is now being used as a short cut to D Rd off of 29 Rd. Surely there is somewhere else in the valley that gravel can be found. This application for land use would be a nuisance to all neighbors above and below the Colorado River and those traveling sans vehicles. Thank you SReams

---

You can approve or reject the comment [here](#).

---

This email was delivered by [gispeaks.org](http://gispeaks.org)

## David Thornton

---

**From:** Greg Mueller <pariahlaw@aol.com>  
**Sent:** Monday, September 26, 2022 11:09 AM  
**To:** David Thornton  
**Subject:** Re: ANX-2022-613- C ½ Road

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

Got it, Thanks Dave,

Gregory J. Mueller, Esq.  
Gregory J. Mueller, P.C. A Professional Corporation  
902 Colorado Avenue  
Grand Junction, CO 81501  
Telephone: 970.245.1227 Facsimile: 970.245.1257  
Email: [pariahlaw@aol.com](mailto:pariahlaw@aol.com)

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On Monday, September 26, 2022 at 09:21:21 AM MDT, David Thornton <davidth@gjcity.org> wrote:

Good Morning Amy, Nathaniel and Greg,

Thank you for your comments. All of your comments are related directly with the proposed CUP (file #CUP-2021-616) that is also going through the Development Review Process with the City, These comments can be considered as conditions to the Conditional Use Permit (CUP) request for the gravel extraction land use. I have copied Kristen Ashbeck, project manager on the gravel extraction CUP request so she now has your comments for that review and consideration. The annexation of a property only considers whether or not the land should become part of the city limits and must meets the Colorado State statutory requirements for annexation. With the annexation of land State law requires the city to zone it within 90 days of the annexation's effective date. By request of the petitioner, the city is considering the CSR zone district which implements the City's' Comprehensive Plan for the property.



Thanks again for your comments and Kristen will incorporate them into her review and file for the proposed CUP. Kristen can be reached at 970-244-1491. Or [kristena@gjcity.org](mailto:kristena@gjcity.org)

Respectfully,

Dave

David Thornton, AICP  
Principal Planner

Community Development Department  
City of Grand Junction

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

Phone: 970-244-1450



---

**From:** Greg Mueller <pariahlaw@aol.com>  
**Sent:** Sunday, September 25, 2022 1:35 PM  
**To:** David Thornton <davidth@gjcity.org>  
**Cc:** So, <akcolomed@aol.com>; Nathaniel Mueller <nathaniel.g.mueller@gmail.com>  
**Subject:** Re: ANX-2022-613- C ½ Road

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

September 25, 2022

To Dave Thornton, Planner  
[davidth@gjcity.org](mailto:davidth@gjcity.org)

Re: ANX-2022-613- C ½ Road  
Public Comment

Dear Commission, Counsel and Owners,

We own the property immediately east of the proposed project and share the property line. Our vacant agricultural land is located at 2869 C ½ Road. We have met with a representative of the proposed annexation company, discussed their project and the anticipated time-line for this mineral extraction project. We are generally in favor of the annexation / changed use application.

Our goal is for the project to benefit the owners as well as the neighborhood and community at large. We propose and request the following provisions be considered by the Commission and City Counsel as part of the annexation request:

A. The proposed site is one of two properties between Las Colonias Park and 29 Road which is blocking the extension of the James M Robb bike trail. We request that after extraction and remediation processes are complete, the owner cede a sufficient amount of their private land to the State of Colorado to permit the extension of the bike trail through this stretch of river front.

The current bike access route is on C ½ Road, a narrow and rough stretch of the trail which places both bikers and drivers at risk. With the proposed extraction processes in place, more heavy trucks will be required to remove the minerals and thus increase traffic on the roadway. Because the project could take years to exhaust the resources, we request the river-front be extracted and remediated first to possibly permit the extension of the bike trail system. This will remove bikes from C ½ Road and nearly complete the bike system from Loma to Palisade. .

B. The working hours of the project should be limited to ½ hour after sunrise until ½ hour before sunset. This will minimize noise and traffic which impacts the adjacent landowners.

C. A dedicated acceleration and deceleration lane should be required on C ½ Road near the entrance to the work site. This road has already been neglected, but with the increased use by heavy vehicles, it can be anticipated to suffer more structural fatigue. Having either a center turn lane or expanded shoulder on the south roadside will reduce the ongoing damage to the existing road.

With these requests being addressed and considered by the Planners and City Counsel, we welcome the beneficial use of the property by our neighbors.

Respectfully,  
Amy Mueller, Nathaniel Mueller and Greg Mueller, owners 2869 C ½ Road, Grand Junction, CO

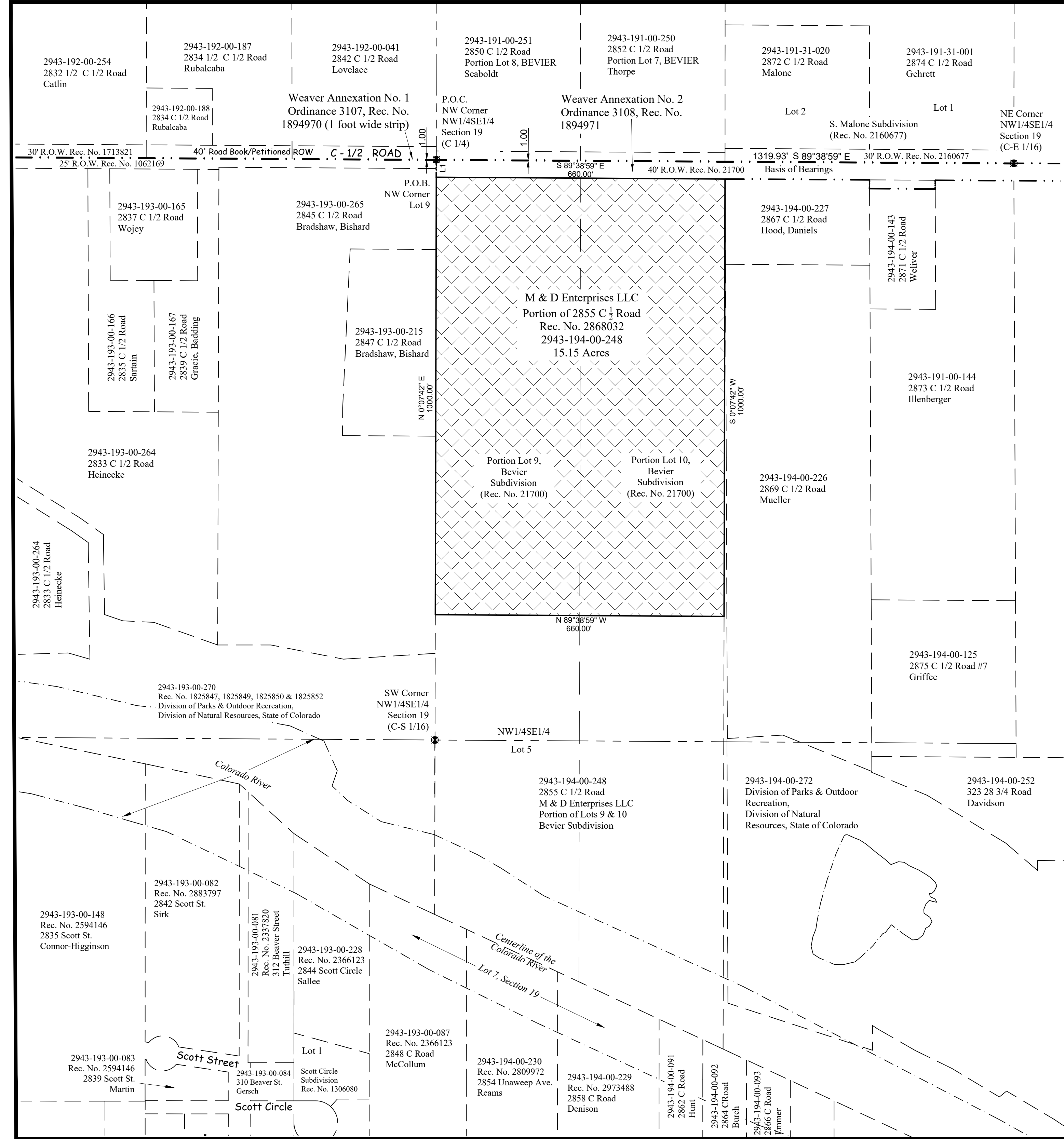
Telephone: 970.245.1227 Facsimile: 970.245.1257

Email: [pariahlaw@aol.com](mailto:pariahlaw@aol.com)

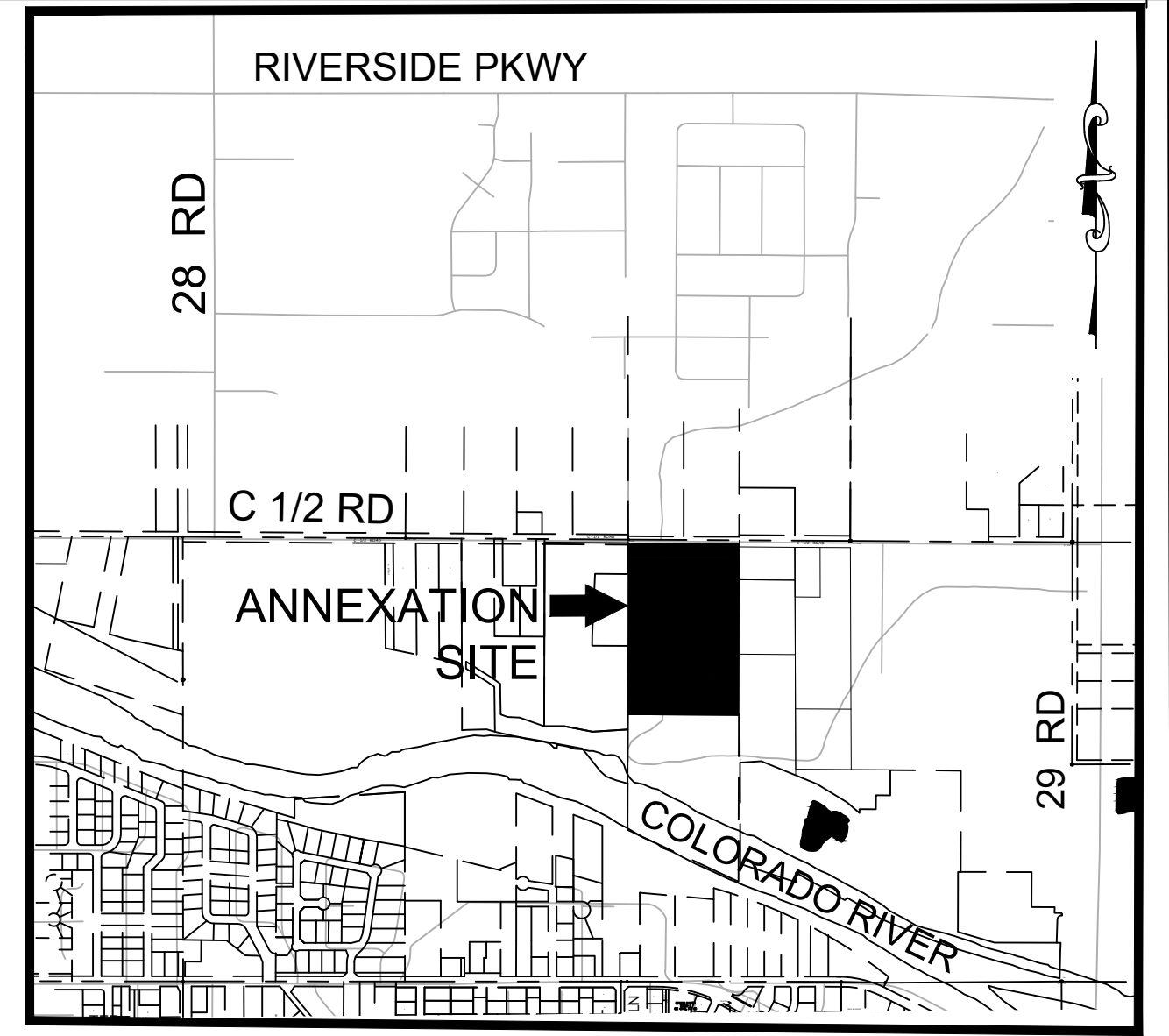


# C 1/2 Road Gravel Pit Annexation No. 1

Located in the NW1/4SE 1/4 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



**THIS IS NOT A BOUNDARY SURVEY**



## SITE LOCATION MAP

SCALE: 1" = 800'

### LEGAL DESCRIPTION

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 2, Ordinance Number 3108 same as filed under Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described.

LINE TABLE	
L1	S0°07'42"W 40.00'

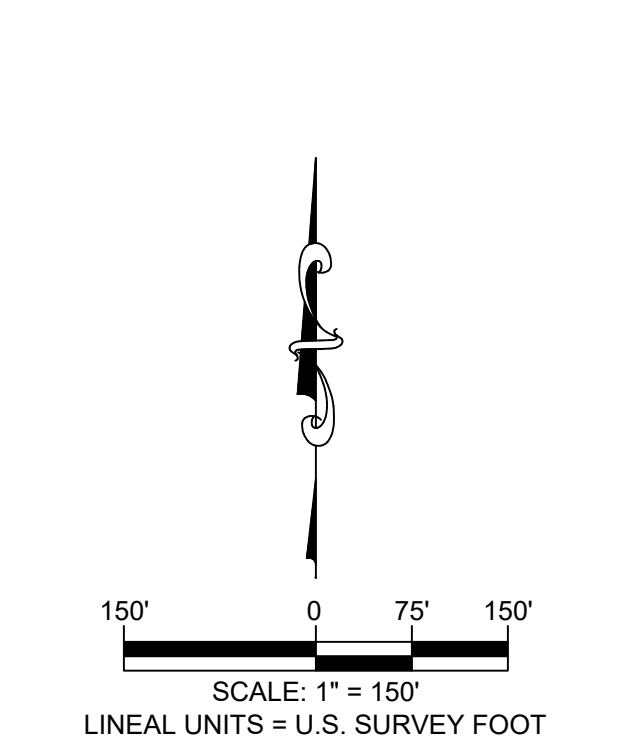
LEGEND	
ANNEXATION BOUNDARY	—
ANNEXATION AREA	
EXISTING CITY LIMITS	- - - - -

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

AREAS OF ANNEXATION	
ANNEXATION PERIMETER	3320.00 FT.
CONTIGUOUS PERIMETER	660.00 FT.
AREA IN SQUARE FEET	659995 FT <sup>2</sup>
AREA IN ACRES	15.15
AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

**ORDINANCE NO.**

**EFFECTIVE DATE**



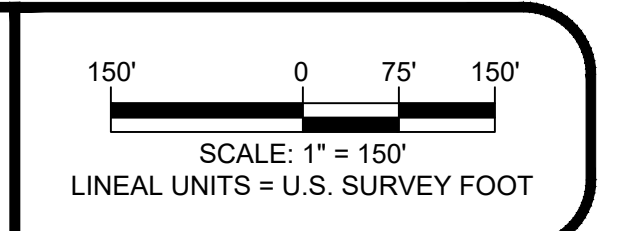
**NOTICE:**  
THE DESCRIPTION(S) CONTAINED HEREIN HAVE BEEN DERIVED FROM SUBDIVISION PLAT, DEED DESCRIPTIONS & DEPOSIT SURVEYS AS THEY APPEAR IN THE OFFICE OF THE MESA COUNTY CLERK & RECORDER. THIS PLAT OF ANNEXATION DOES NOT CONSTITUTE A LEGAL BOUNDARY SURVEY, AND IS NOT INTENDED TO BE USED AS A MEANS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

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

G:\Data\SURVEY\Annexations\2021\613 - C 1/2 Road Gravel Pit Annex - Dove\Annexation Map Files\C 1/2 Road Gravel Pit Annexation Plat.dwg - PLOTTED: 2022-07-28

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

DRAWN BY: R.B.P. DATE: 07/27/2022  
DESIGNED BY: R.B.P. DATE: 07/27/2022  
CHECKED BY: C.V.W. DATE: 07/28/2022  
APPROVED BY: R.B.P. DATE:



**PUBLIC WORKS ENGINEERING DIVISION**

**C 1/2 Road Gravel Pit Annexation No. 1**  
Located in the NW1/4SE1/4  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO







**GRAND JUNCTION PLANNING COMMISSION**  
**September 27, 2022, 5:30 PM**  
**MINUTES**

The meeting of the Planning Commission was called to order at 5:34 p.m. by Commissioner Andrew Teske.

Those present were Planning Commissioners; Shanon Secrest, JB Phillips, Kimberly Herek, and Sandra Weckerly, and Keith Ehlers.

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Dave Thornton (Principal Planner), Jacob Kaplan (Planning Technician), and Madeline Robinson (Planning Technician).

There were 8 members of the public in attendance, and 0 virtually.

**CONSENT AGENDA**

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1. **Approval of Minutes**

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Minutes of Previous Meeting(s) from August 23, 2022.

**REGULAR AGENDA**

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1. **609 24 Rd Rezone**

**RZN-2022-525**

Consider a request by M&G, LLC to rezone one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) located at 609 24 Rd.

**Staff Presentation**

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

**Applicant Presentation**

Applicant was present and available for questions.

**Questions for staff**

**Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 5:45 p.m. on September 27, 2022.*

**Discussion**

**Motion and Vote**

Commissioner Secret made the following motion “Chairman, on the 609 24 Rd Rezone request from a C-2 (General Commercial) zone district to a C-1 (Light Commercial) zone district for the 0.920-acre property located at 609 24 Road, City File Number RZN-2022-525, 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 Weckerly seconded; motion passed 6-0.*

**2. 1313 Bunting Rezone RZN-2022-471**

Consider a request by CS Assets, LLC to rezone one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) located at 1313 Bunting Avenue.

**Staff Presentation**

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

**Applicant Presentation**

Applicant Tracey States was present and provided a presentation regarding the request.

**Questions for staff**

**Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

*The public hearing was closed at 6:01 p.m. on September 27, 2022.*

**Discussion**

Commissioner Teske asked why the applicant would ever opt for lower density housing.

Commissioner Secret expressed his favor for the rezone.

**Motion and Vote**

Commissioner Ehlers made the following motion “Chairman, on the 1313 Bunting Rezone request from an R-16 (Residential 16 du/ac) zone district to an MXR-3 (Mixed Use Residential-3, Low Intensity) form district for the 0.21-acre property located at 1313 Bunting Avenue, City File Number RZN-2022-471, 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 Phillips seconded; motion passed 6-0*

**3. C ½ Road Gravel Pit Annexation ANX-2021-613**

Consider a request by M & D Enterprises LLC to zone 27.83 acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) located at 2855 C ½ Road.

### **Staff Presentation**

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

### **Applicant Presentation**

Applicant Andy Azcarraga was present and available for questions.

### **Questions for staff**

Commissioner Ehlers asked why the maps showed two annexations. He also expressed concerns that the rezone would eliminate the possibility of Residential zoning in the future.

Commissioner Teske clarified that the rezone would be to CSR not R-8 as was indicated in a typo in the presentation.

Staff responded to questions and noted that the potential for this property to be utilized for residences in the future would be dependent on the intensity of reclamation efforts once the gravel pit was concluded.

### **Public Hearing**

The public hearing was opened at 5:00 p.m. on Tuesday, September 20, 2022, via [www.GJSpeaks.org](http://www.GJSpeaks.org).

Susanne Andrew noted that there is not infrastructure to support the gravel pit and mentioned the impact this would have on wildlife.

Sandy Reams expressed concerns with increased traffic and impacts on wildlife. She is also worried about noise and dust generated from the site.

Applicant stated that there would be forthcoming applications for the CUP which would provide more context about the impact of the gravel pit.

*The public hearing was closed at 6:25 p.m. on September 27, 2022.*

### **Discussion**

Commissioner Weckerly asked if C ½ Rd would be able to support new traffic load.

Commissioner Secrest noted that any development of the site would have required impact fees which would go towards infrastructure improvements for the surrounding area.

Commissioner Ehlers reiterated his concerns the site being rezoned to residential in the future but spoke to the community's necessity for gravel and the site's favorability given its location.

Commissioner Herek reiterated that the item was about the rezone and that the CUP for a gravel pit was not approved yet.

Commissioner Teske echoed concerns about the rezone to CSR impacting future rezones. He noted that a gravel pit does comply with the uses established in the Comprehensive Plan.

**Motion and Vote**

Commissioner Ehlers made the following motion “Chairman, on the Zone of Annexation request for the properties located at 2855 C ½ Road, City file number ANX-2021-613, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

*Commissioner Herek seconded; motion passed 6-0.*

**Other Business**

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**Adjournment**

---

Commissioner Ehlers moved to adjourn the meeting.  
*The vote to adjourn was approved 6-0.*

The meeting adjourned at 6:37 p.m.

DRAFT

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ACCEPTING A PETITION  
FOR THE ANNEXATION OF LANDS  
TO THE CITY OF GRAND JUNCTION, COLORADO,  
MAKING CERTAIN FINDINGS,  
AND DETERMINING THAT PROPERTY KNOWN AS THE  
C ½ ROAD GRAVEL PIT ANNEXATION**

**LOCATED ON PROPERTIES AT 2855 C ½ ROAD  
TOTAL APPROXIMATELY 27.83 ACRES**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 7<sup>th</sup> day of September, 2022, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

**C ½ Road Gravel Pit Annexation**

A Serial Annexation comprising the C ½ Road Gravel Pit Annexation No. 1  
and C ½ Road Gravel Pit Annexation No. 2

**C ½ Road Gravel Pit Annexation No. 1**

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 2, Ordinance Number 3108 same as filed under Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described.



## **C ½ Road Gravel Pit Annexation No. 2**

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning; thence S89°38'59"E along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 660.00 feet to a point on the east line of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 989.00 feet to the southeast corner of said Lot 10 also being a point on the southerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River; thence N64°58'43"W along said centerline of the Colorado River a distance of 727.59 feet to the southwest corner of said Lot 9, BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19<sup>th</sup> day of October, 2022; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED the 19<sup>th</sup> day of October 2022.

---

President of the Council

Attest:

---

City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ANNEXING TERRITORY TO THE  
CITY OF GRAND JUNCTION, COLORADO  
C ½ ROAD GRAVEL PIT ANNEXATION**

**LOCATED ON PROPERTIES AT 2855 C ½ ROAD  
APPROXIMATELY 27.83 ACRES**

**WHEREAS**, on the 7<sup>th</sup> day of September, 2022, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the \_\_\_ day of \_\_\_\_\_, 2022; and

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

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

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

**C ½ ROAD GRAVEL PIT ANNEXATION  
EXHIBIT A & B**

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

A Serial Annexation comprising the C ½ Road Gravel Pit Annexation No. 1 and C ½ Road Gravel Pit Annexation No. 2

**C ½ Road Gravel Pit Annexation No. 1**

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 2, Ordinance Number 3108 same as filed under

Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described.

**C ½ Road Gravel Pit Annexation No. 2**

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning; thence S89°38'59"E along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 660.00 feet to a point on the east line of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 989.00 feet to the southeast corner of said Lot 10 also being a point on the southerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River; thence N64°58'43"W along said centerline of the Colorado River a distance of 727.59 feet to the southwest corner of said Lot 9, BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

**INTRODUCED** on first reading on the 7<sup>th</sup> day of September 2022 and ordered published in pamphlet form.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_ 2022 and ordered published in pamphlet form.

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

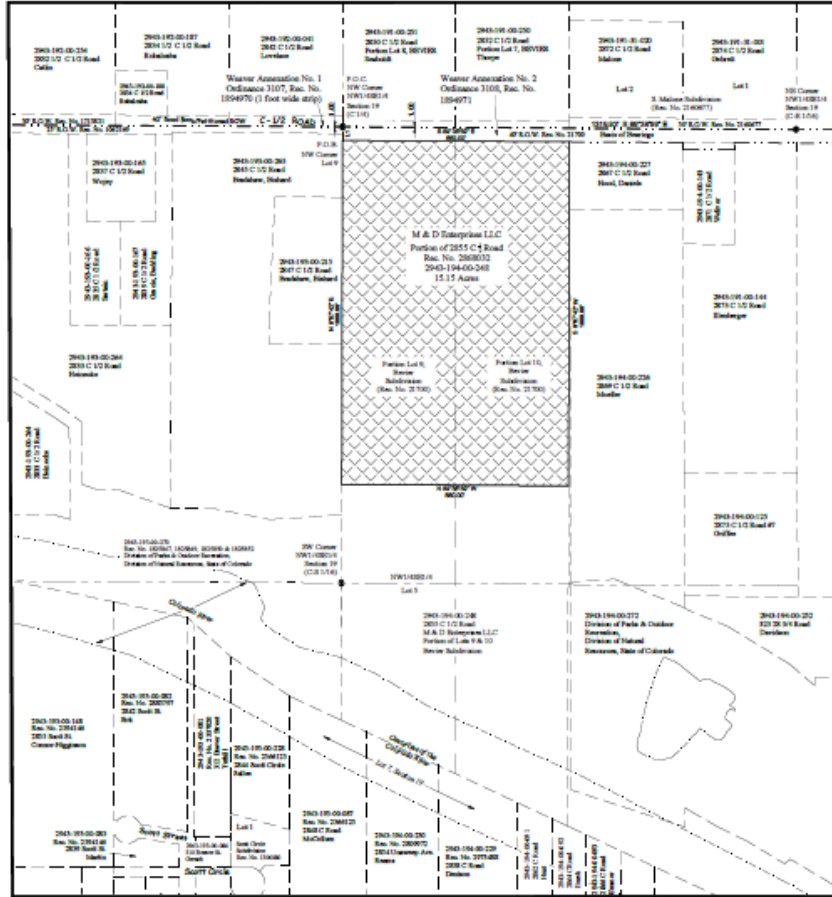
Attest:

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

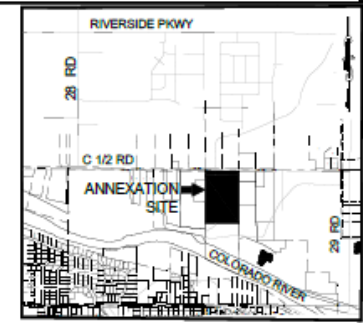
# EXHIBIT A

## C 1/2 Road Gravel Pit Annexation No. 1

Located in the NW1/4SE 1/4 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



THIS IS NOT A BOUNDARY SURVEY



SITE LOCATION MAP

SCALE: 1" = 400'

### LEGAL DESCRIPTION

A parcel of land being a portion of Lots 9 and 10, REVEYER SUBDIVISION, same as filed under Exception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the 11th Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and ascending the north line of said NW1/4SE1/4 a distance of 40.00 feet to the Northeast Corner of said Lot 9, REVEYER SUBDIVISION also being the southeast corner of WEAVER ANNEXATION No. 2, Ordinance Number 1107 same as filed under Exception Number 194971 and being the Point of Beginning. Thence S07°07'42"W along the south line of said WEAVER ANNEXATION No. 2 a distance of 400.00 feet to the Northeast Corner of said Lot 10, REVEYER SUBDIVISION, thence S07°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet, thence N07°07'42"W a distance of 400.00 feet to a point on the west line of said Lot 9 REVEYER SUBDIVISION, thence N7°07'42"W along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.17 Acres or 65991 Square Feet more or less as described.

LINE TABLE
L1 S07°07'42"W 40.00'

LEGEND
ANNEXATION BOUNDARY
ANNEXATION AREA
EXISTING CITY LIMITS

SURVEY ABBREVIATIONS	SG. FT.	SQUARE FEET
P.O.C. POINT OF COMMENCEMENT	sq.	CENTRAL ANGLE
P.O.B. POINT OF BEGINNING	sq.	ARC LENGTH
R.O.W. RIGHT OF WAY	sq.	CHORD LENGTH
SEC. SECTION	sq.	CHORD BEARING
TWP. TOWNSHIP	sq.	BLOCK
RGE. RANGE	sq.	PLAT BOOK
LINE. UTE MERIDIAN	sq.	BLK.
ND. NUMBER	sq.	PLS.
REC. RECEPTION	sq.	HOR. DIST. HORIZONTAL DISTANCES

AREAS OF ANNEXATION	
ANNEXATION PERIMETER	65991.00 SQ. FT.
CONVULSION PERIMETER	65991.00 SQ. FT.
AREA IN SQUARE FEET	65991.00 SQ. FT.
AREA IN ACRES	15.17 ACRES
AREA WITHIN R.O.W.	0.00 SQ. FT.
	0.00 ACRES

ORDINANCE NO.	EFFECTIVE DATE



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RENEE BETH PARENT  
STATE OF COLORADO - P.L.S. NO. 3038  
FOR THE CITY OF GRAND JUNCTION  
522 WEST AVENUE - SUITE C  
GRAND JUNCTION, CO. 81501

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

DRAWN BY: J.S.P. DATE: 02/20/2024  
CHECKED BY: C.W.M. DATE: 02/20/2024  
APPROVED BY: R.S.P. DATE:



CITY OF Grand Junction  
C O S O B A D D  
SURVEYOR License No. 200000000

PUBLIC WORKS ENGINEERING DIVISION

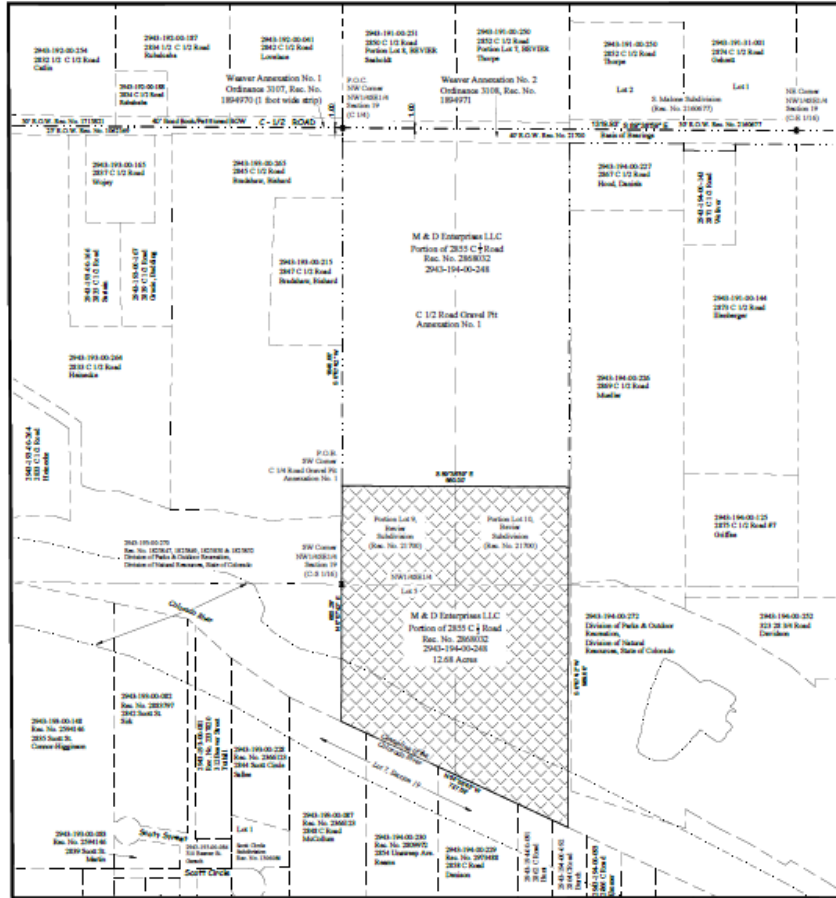
C 1/2 Road Gravel Pit Annexation No. 1  
LOCATED IN THE NW1/4SE1/4  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

1 of 1

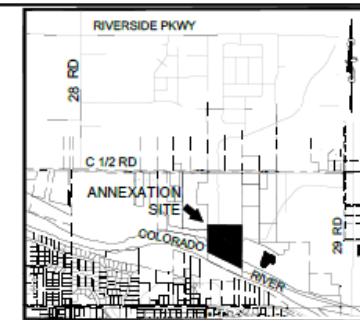


# C 1/2 Road Gravel Pit Annexation No. 2

Located in the NW1/4SE1/4 and Lot 5 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



**THIS IS NOT A BOUNDARY SURVEY**



**SITE LOCATION MAP**  
SCALE: 1" = 500'

**LEGAL DESCRIPTION**

A parcel of land being a portion of Lots 9 and 10, REVER SUBDIVISION, was as filed under Reception Number 20760, located in the Northwest Quarter of the Southwest Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and extending the north line of said NW1/4SE1/4 to a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning, thence S89°28'59"W along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 460.00 feet to a point on the east line of said Lot 10, REVER SUBDIVISION, thence S9°07'42"W along the east line of said Lot 10 a distance of 969.00 feet to the southeast corner of said Lot 10 who being a point on the westerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River, thence S04°09'21"W along said centerline of the Colorado River a distance of 722.59 feet to the southeast corner of said Lot 4, REVER SUBDIVISION, thence N0°07'42"E along said east line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

LEGEND		SURVEY ABBREVIATIONS	
ANNEXATION BOUNDARY		P.O.B.	POINT OF BEGINNING
ANNEXATION AREA		P.G.B.	POINT OF BEGINNING
EXISTING CITY LIMITS		R.O.W.	RIGHT OF WAY
		SEC.	SECTION
		TWP.	TOWNSHIP
		RANGE	RANGE
		L.I.N.	LITE NUMBER
		NO.	NUMBER
		REC.	RECEPTION
		SQ. FT.	SQUARE FEET
		SP.	CENTRAL ANGLE
		RAD.	RADIUS
		ARC.	ARC LENGTH
		CHD.	CHORD BEARING
		CHL.	CHORD LENGTH
		S/B.	BLOCK
		P/R.	PLAT BOOK
		BL.	BOOK
		R/L.	RANGE
		NO.	NUMBER
		PG.	PAGE
		BLK.	BLOCK
		HOR. DIST.	HORIZONTAL DISTANCE

AREAS OF ANNEXATION	ORDINANCE NO.	EFFECTIVE DATE
ANNEXATION PERIMETER: 3887.88 FT		
CENTRAL ANGLE PERIMETER: 886.00 FT		
AREA IN SQUARE FEET: 855013.77		
AREA IN ACRES: 12.68		
AREA WITHIN R.O.W.: 0.50 AC		

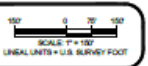
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RENEE BETH PARENT  
STATE OF COLORADO - P.L. & M.S. 2018  
FOR THE CITY OF GRAND JUNCTION  
333 WEST AVENUE - BLDG. C  
GRAND JUNCTION, CO. 81501

NOTICE: ACCORDING TO COLORADO LAW ANY LEGAL ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY MUST COMMENCE WITHIN THIRTY (30) YEARS AFTER THE DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

DRAWN BY: R.B.P. DATE: 02/05/2022  
DESIGNED BY: R.B.P. DATE: 02/05/2022  
CHECKED BY: C.V.M. DATE: 02/05/2022  
APPROVED BY: R.B.P. DATE:



**PUBLIC WORKS ENGINEERING DIVISION**

**C 1/2 Road Gravel Pit Annexation No. 2**  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE ZONING C ½ ROAD GRAVEL PIT ANNEXATION  
TO CSR (COMMUNITY SERVICES AND RECREATION) ZONE DISTRICT**

**LOCATED ON PROPERTIES AT 2855 C ½ ROAD**

Recitals:

The property owner has petitioned to annex their 27.83 acres into the City limits. The annexation is referred to as the “C ½ Road Gravel Pit Annexation.”

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the C ½ Road Gravel Pit Annexation consisting of 27.83 acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) finding that both the CSR zone district conforms with the designation of Residential Medium as shown on the Land Use Map of the Comprehensive Plan and conforms with its designated zone with the Comprehensive Plan’s goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the CSR (Community Services and Recreation) zone districts, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code for the parcel as designated.

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

**ZONING FOR THE C ½ ROAD GRAVEL PIT ANNEXATION**

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

**C ½ Road Gravel Pit Annexation**

A Serial Annexation comprising the C ½ Road Gravel Pit Annexation No. 1  
and C ½ Road Gravel Pit Annexation No. 2

**C ½ Road Gravel Pit Annexation No. 1**

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 2, Ordinance Number 3108 same as filed under Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described.

### **C ½ Road Gravel Pit Annexation No. 2**

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning; thence S89°38'59"E along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 660.00 feet to a point on the east line of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 989.00 feet to the southeast corner of said Lot 10 also being a point on the southerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River; thence N64°58'43"W along said centerline of the Colorado River a distance of 727.59 feet to the southwest corner of said Lot 9, BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

**INTRODUCED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2022 and ordered published in pamphlet form.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2022 and ordered published in pamphlet form.

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Anna M. Stout  
President of the Council

ATTEST:

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Amy Phillips  
City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #4.b.**

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**Meeting Date:** October 19, 2022

**Presented By:**

**Department:** City Clerk

**Submitted By:**

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**Information**

**SUBJECT:**

Legislative

**RECOMMENDATION:**

**EXECUTIVE SUMMARY:**

**BACKGROUND OR DETAILED INFORMATION:**

**FISCAL IMPACT:**

**SUGGESTED MOTION:**

**Attachments**

None





**Grand Junction City Council**

**Regular Session**

**Item #4.b.i.**

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**Meeting Date:** October 19, 2022  
**Presented By:** Ashley Chambers, Housing Manager  
**Department:** Community Development  
**Submitted By:** Ashley Chambers, Housing Manager

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**Information**

**SUBJECT:**

- A. An Ordinance Creating the Housing Advisory Board (**Continued from September 21, 2022**)
- B. A Resolution Approving By-Laws of the Grand Junction Housing Advisory Board (**Continued from September 21, 2022**)

**RECOMMENDATION:**

Staff recommends approval of the ordinance and resolution.

**EXECUTIVE SUMMARY:**

The Housing Advisory Board ("Board" or "HAB") is being proposed in response to a generalized shortage of affordable housing in Grand Junction. The proposed purpose of the HAB includes advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs.

**BACKGROUND OR DETAILED INFORMATION:**

As discussed at the August 1, 2022, City Council workshop, this item creates a new Housing Advisory Board (HAB). The proposed purpose of the HAB includes advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs. The ordinance would create an eleven (11) member board and details the purpose and duties,

composition and terms of the membership, appointment of members and filling of vacancies.

In addition to the ordinance, are proposed bylaws for the HAB to be adopted by resolution. The bylaws reflect standard advisory board/commission bylaws and include details such as purpose, place of business, ethical conduct, appointment of members, terms, vacancies, officers, meeting and notice, and quorum.

**FISCAL IMPACT:**

There is no fiscal impact related to this ordinance.

**SUGGESTED MOTION:**

A. I move to (approve/deny) Ordinance No. 5097, an ordinance creating the Housing Advisory Board and on final passage and order publication in pamphlet form,

B. I move to (approve/deny) Resolution 78-22, a resolution approving the bylaws of the Housing Advisory Board.

**Attachments**

1. RES-Housing Board Bylaws 101322
2. RES-Housing Board Bylaws 101322 clean
3. ORD-HAB 101322
4. ORD-HAB 101322clean

1 CITY OF GRAND JUNCTION, COLORADO

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3 RESOLUTION NO. \_\_\_\_\_

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6 A RESOLUTION APPROVING BY LAWS OF THE  
7 GRAND JUNCTION HOUSING ADVISORY BOARD

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10 Recitals:

11  
12 The Housing Advisory Board ("HAB") has been formed in response to a generalized shortage of  
13 affordable housing in Grand Junction. The HAB will advise the City Council on housing issues,  
14 strategies, goals, and policies, study and recommend long and short-range goals for developing  
15 affordable and attainable/workforce housing, and study and recommend ordinances, funding,  
16 and programs to address recognized and anticipated housing needs.

17  
18 The City Council being duly advised and having reviewed the bylaws in the form attached does  
19 hereby and herewith approve the bylaws as submitted and commends the same, together with  
20 Ordinance ~~\_\_\_~~, ~~to~~, ~~to~~ the Housing Advisory Board as a basis for the conduct of its work.

21  
22 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND  
23 JUNCTION, COLORADO, AS FOLLOWS:

24  
25 That the bylaws for the Grand Junction Housing Advisory Board attached hereto are hereby  
26 accepted and approved.

27  
28 This Resolution was passed and adopted this 5<sup>th</sup> day of October 2022.

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34 Anna M. Stout  
35 President of the Council

36 ATTEST:

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42 Amy Phillips  
43 City Clerk  
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**GRAND JUNCTION HOUSING ADVISORY BOARD  
BYLAWS**

**Article 1. Purpose and Place of Business.**

- (a) The Board’s purposes include, but are not limited to, advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs consistent with the purposes provided as adopted in Ordinance Number 5709.
- (b) The place of business of the Grand Junction Housing Advisory Board shall be ~~in Grand Junction~~ in Grand Junction, Colorado with a mailing address of 250 N. 5<sup>th</sup> Street, Grand Junction, CO 81501. Correspondence to the Grand Junction Housing Advisory Board shall be in care of the Housing Manager.

**Article 2. Ethical Conduct.**

Board members shall comply with City of Grand Junction Resolution No. 79-06, as amended by Resolution No. 46-13, that establish ethical standards for members of the City’s boards, commissions, and similar groups.

**Article 3. Appointment of Members.**

- ~~(a)~~ (i) The ~~President of the City Council~~, ~~with the concurrence of a majority of the Council,~~ shall appoint the eleven (11) members to the Housing Advisory Board ~~(HAB or Board).~~
- ~~(b)~~ (ii) The Board shall include one (1) City Council member, four (4) members shall have educational, ~~professional~~ professional, or relevant experience in commercial finance/lending, real estate development and construction.
- ~~(a)(c)~~ (iii) The Board shall include three (3) other members who shall not require specific educational or professional experience. These seven (7) members shall be residents of the City.
- (i) The Grand Junction Housing Authority (GJHA), subject to confirmation by the City Council, shall appoint as a member of the Housing Advisory Board the person designated in writing by the Grand Junction Housing Authority (GJHA) Board.
- ~~to serve on the Housing Advisory Board.~~ (ii) The City Council will solicit letters of interest from two additional housing organizations representing the continuum of housing needs to ~~serve~~ serve on the Housing Advisory Board. Based on the written expressions of interest, the City Council will nominate organizations for membership on the Board and will interview, ~~select~~ select, and appoint two (2) members from housing organizations other than the GJHA. The housing

90 ~~organization se~~ members of the HAB are exempt from the requirement for City  
91 residency.-.

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93 ~~(b) Composition and selection:~~

94 ~~1.~~ (iii) All HAB Members shall be selected without regard to race, color,  
95 religion, sex, age, sexual orientation, national origin, marital status, or  
96 physical handicap.

97 ~~All members, except for those representing housing agencies, shall reside~~  
98 ~~within the City of Grand Junction.~~

99 ~~2.~~ \_\_\_\_\_

100 ~~(e)~~(d) When filling a vacancy, and when if requested by the City Council, the  
101 ~~HAB~~Board shall make a recommendation to the Council as to the expertise that  
102 may be beneficial to the work of the Board. The City Council may consider  
103 the Board's recommendation when making appointments.  
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105 **Article 4. Member Terms.**

106 (a) All members, excluding the City Council member, shall serve ~~four~~three-year  
107 staggered terms in accordance with Ordinance and ~~these~~ adopted bylaws, ~~of~~  
108 ~~the Board~~. The City Council member shall serve a one-year term but may be  
109 reappointed annually to coincide with the member's term on Council.  
110

111 (b) Members may be reappointed by City Council upon expiration of his/her term for  
112 a ~~four~~three-year term for a total of two ~~four~~ terms. Ex-Officio members shall not  
113 be term limited.  
114

115 **Article 5. Vacancies and Removal of Members.**

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117 (a) Appointments to fill vacancies on the Housing Advisory Board shall be for the  
118 unexpired term and shall be made in the same manner as other appointments.  
119

120 (c) Members of the Housing Advisory Board may be removed by action of the City  
121 Council for malfeasance or nonfeasance or for unexcused failure to attend three  
122 consecutive meetings of the Board. The Board may recommend such action to  
123 the Council.  
124

125 **Article 6. Officers.**

126 (a) The officers of the Board shall be Chair and Vice Chair, elected annually in  
127 October by a majority of the members.

128 (b) The Chair shall preside at meetings of the Board, serve on any sub-  
129 committee, serve as the official spokesperson for the Board, work with the  
130 designated City staff to develop meeting agendas and serve as the Board



- liaison to the City.
- (c) No member shall serve more than two consecutive terms as Chair or Vice Chair.
  - (d) In the absence of the Chair, the Vice Chair shall assume the duties of the Chair.
  - (e) The Vice Chair shall be assigned other specific duties by the Chair as required to assure efficient operation of administrative functions of the committee.

**Article 7. Meetings and Notice.**

- (a) Regular meetings shall be held the first Tuesday of each month at 12:00 p.m. unless otherwise agreed to by a majority of members present.
- (b) The Board shall conduct all meetings in accordance with generally accepted parliamentary procedures such as Robert's Rules of Order 12<sup>th</sup> Edition.
- (c) Notice of any ~~regular or special meeting~~ meetings of the Board shall be given to each member by mail, e-mail or in an equivalent manner at least 24-hours before the scheduled meeting.
- (d) Any lawful business of the Board may be transacted at any meeting for which proper notice has been given. Notice of meetings shall be posted by the City at least 24-hours in advance of the meeting in accordance with the City's customary meeting notice practices.
- (e) Any meeting, or member participation, may be held by telephone or videoconferencing on a platform provided by the City.
- (f) Meetings and affairs of the Board shall be subject to the Colorado Open Meetings Act and the Colorado Open Records Act.
- (g) Any written and/or electronic communication, discussion, debate, or exchange of ideas, either generally or specifically, related to the essence of the work of the Board shall be public and subject to OML and CORA.
- (h) Minutes of each meeting shall be recorded and retained in accordance with the City's record retention policy.

**Article 8. Conflicts, Compensation, and Expenses.**

- (a) No compensation shall be paid to any member of the Board for their services. The Board shall not enter any contract ~~with any member~~ nor pay or authorize any remuneration to any ~~member, person. The rules and requirements of the City Charter and ordinances and Colorado law that apply to members of the City Council regarding conflicts of interest, disclosure, gifts, and appearances of impropriety shall likewise apply to each member of the Board.~~
- (b) The Housing Advisory Board is solely a recommending/advising board to City Council and all expenses whether for the reimbursement of members for expenses related to the board shall go through the city administrative processes.

**Commented [JS1]:** Councilmember McDaniel comment: "This board should not have any authority to enter into any contracts and no budget money."

170 (c) The City's insurance provides coverage for its volunteers and will defend  
171 members of the Board against losses, costs, and expenses, including legal  
172 counsel fees, reasonably incurred by reason of his/her being or having been a  
173 member of the Board, so long as the member does not act or has not acted  
174 maliciously, criminally, with deliberate intent to violate a law or regulation or  
175 with intent to injure. A Board member must immediately contact the City  
176 Attorney in the event a claim is made and may contact the City Attorney if he  
177 or she has any questions or concerns about liability.

**Commented [JS2]:** Councilmember McDaniel comment: "Is this the standard formulation for indemnity?"

City Attorney reply: "CIRSA policy exclusions for Criminal Acts, Self Dealing or Illegal Profit are any acts that arise out of any dishonest, fraudulent, criminal or malicious act or omission of any covered party; self-dealing or gaining profit or advantage to which a covered party is not legally entitled; or the willful violation of a penal statute or ordinance, committed by or with the knowledge or consent of the covered party." As such it is my opinion that lines 169-174 fairly state the exclusions from coverage for members of the Board.

178 **Article 9. Quorum.**

179 A majority of the voting members of the Board shall constitute a quorum to do  
180 business. The act of a majority of the voting members present at a meeting in which  
181 a quorum is present shall be the act of the Board. If at any meeting a quorum is not  
182 present whether due to conflict of interest or otherwise, a majority of those  
183 members present may adjourn the meeting.

184 **Article 10. Amendment of Bylaws.**

185 The Board may, by the affirmative vote of a majority of its members, propose  
186 amendment(s) to these Bylaws. Proposed amendments approved by the Board  
187 must be considered and approved by the City Council.

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190 Adopted by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
191 2022 by Resolution No. \_\_\_\_-22

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198 Anna M. Stout  
199 President of the Council

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201 ATTEST:

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206 \_\_\_\_\_  
207 Amy Phillips  
208 City Clerk  
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1 CITY OF GRAND JUNCTION, COLORADO

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3 RESOLUTION NO. \_\_\_\_\_

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6 A RESOLUTION APPROVING BY LAWS OF THE  
7 GRAND JUNCTION HOUSING ADVISORY BOARD  
8

9 Recitals:

10  
11 The Housing Advisory Board (“HAB”) has been formed in response to a generalized shortage of  
12 affordable housing in Grand Junction. The HAB will advise the City Council on housing issues,  
13 strategies, goals, and policies, study and recommend long and short-range goals for developing  
14 affordable and attainable/workforce housing, and study and recommend ordinances, funding,  
15 and programs to address recognized and anticipated housing needs.  
16

17 The City Council being duly advised and having reviewed the bylaws in the form attached does  
18 hereby and herewith approve the bylaws as submitted and commends the same, together with  
19 Ordinance \_\_\_\_, to the Housing Advisory Board as a basis for the conduct of its work.  
20

21 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND  
22 JUNCTION, COLORADO, AS FOLLOWS:  
23

24 That the bylaws for the Grand Junction Housing Advisory Board attached hereto are hereby  
25 accepted and approved.  
26

27 This Resolution was passed and adopted this \_\_ day of October 2022.  
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32 Anna M. Stout  
33 President of the Council  
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35 ATTEST:  
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**GRAND JUNCTION HOUSING ADVISORY BOARD  
BYLAWS**

**Article 1. Purpose and Place of Business.**

- (a) The Board’s purposes include, but are not limited to, advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs consistent with the purposes provided as adopted in Ordinance Number 5709.
- (b) The place of business of the Grand Junction Housing Advisory Board shall be in Grand Junction, Colorado with a mailing address of 250 N. 5<sup>th</sup> Street, Grand Junction, CO 81501. Correspondence to the Grand Junction Housing Advisory Board shall be in care of the Housing Manager.

**Article 2. Ethical Conduct.**

Board members shall comply with City of Grand Junction Resolution No. 79-06, as amended by Resolution No. 46-13, that establish ethical standards for members of the City’s boards, commissions, and similar groups.

**Article 3. Appointment of Members.**

- (a) The City Council shall appoint the eleven (11) members to the Housing Advisory Board (HAB or Board).
- (b) The Board shall include one (1) City Council member, four (4) members shall have educational, professional, or relevant experience in commercial finance/lending, real estate development and construction.
- (c) The Board shall include three (3) other members who shall not require specific educational or professional experience. These seven (7) members shall be residents of the City.
  - (i) The Grand Junction Housing Authority (GJHA), subject to confirmation by the City Council, shall appoint as a member of the Housing Advisory Board the person designated in writing by the Grand Junction Housing Authority (GJHA) Board.
  - (ii) The City Council will solicit letters of interest from two additional housing organizations representing the continuum of housing needs to serve on the Housing Advisory Board. Based on the written expressions of interest, the City Council will nominate organizations for membership on the Board and will interview, select, and appoint two (2) members from housing organizations other than the GJHA. The housing organization members of the HAB are exempt from the requirement for City residency.

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(iii) All HAB Members shall be selected without regard to race, color, religion, sex, age,sexual orientation, national origin, marital status, or physical handicap.

(d) When filling a vacancy, and when if requested by the City Council, the HAB shall make a recommendation to the Council as to the expertise that may be beneficial to the work of the Board. The City Council may consider the Board’s recommendation when making appointments.

99 **Article 4. Member Terms.**

100 (a) All members, excluding the City Council member, shall serve four-year staggered  
101 terms in accordance with Ordinance \_\_\_ and these bylaws. The City Council  
102 member shall serve a one-year term but may be reappointed annually to coincide  
103 with the member’s term on Council.

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105 (b) Members may be reappointed by City Council upon expiration of his/her term for  
106 a four-year term for a total of two terms. Ex-Officio members shall not be term  
107 limited.

108  
109 **Article 5. Vacancies and Removal of Members.**

110  
111 (a) Appointments to fill vacancies on the Housing Advisory Board shall be for the  
112 unexpired term and shall be made in the same manner as other appointments.

113  
114 (c) Members of the Housing Advisory Board may be removed by action of the City  
115 Council for malfeasance or nonfeasance or for unexcused failure to attend three  
116 consecutive meetings of the Board. The Board may recommend such action to  
117 the Council.

118  
119 **Article 6. Officers.**

120 (a) The officers of the Board shall be Chair and Vice Chair, elected annually in  
121 October by a majority of the members.

122 (b) The Chair shall preside at meetings of the Board, serve on any sub-  
123 committee, serve as the official spokesperson for the Board,work with the  
124 designated City staff to develop meeting agendas and serve as the Board  
125 liaison to the City.

126 (c) No member shall serve more than two consecutive terms as Chair or Vice  
127 Chair.

128 (d) In the absence of the Chair, the Vice Chair shall assume the duties of the Chair.

129 (e) The Vice Chair shall be assigned other specific duties by the Chair as required



130 to assure efficient operation of administrative functions of the committee.

131 **Article 7. Meetings and Notice.**

132 (a) Regular meetings shall be held the first Tuesday of each month at 12:00 p.m.  
133 unless otherwise agreed to by a majority of members present.

134 (b) The Board shall conduct all meetings in accordance with generally accepted  
135 parliamentary procedures such as Robert's Rules of Order 12<sup>th</sup> Edition.

136 (c) Notice of any regular or special meetings of the Board shall be given to each  
137 member by mail, e-mail or in an equivalent manner at least 24-hours before  
138 the scheduled meeting.

139 (d) Any lawful business of the Board may be transacted at any meeting for which  
140 proper notice has been given. Notice of meetings shall be posted by the City  
141 at least 24-hours in advance of the meeting in accordance with the City's  
142 customary meeting notice practices.

143 (e) Any meeting, or member participation, may be held by telephone or  
144 videoconferencing on a platform provided by the City.

145 (f) Meetings and affairs of the Board shall be subject to the Colorado Open  
146 Meetings Act and the Colorado Open Records Act.

147 (g) Any written and/or electronic communication, discussion, debate, or  
148 exchange of ideas, either generally or specifically, related to the essence of  
149 the work of the Board shall be public and subject to OML and CORA.

150 (h) Minutes of each meeting shall be recorded and retained in accordance with  
151 the City's record retention policy.

152

153 **Article 8. Conflicts, Compensation, and Expenses.**

154 (a) No compensation shall be paid to any member of the Board for their services.  
155 The Board shall not enter any contract nor pay or authorize any remuneration  
156 to any person.

157 (b) The Housing Advisory Board is solely a recommending/advising board to City  
158 Council and all expenses whether for the reimbursement of members for  
159 expenses related to the board shall go through the city administrative  
160 processes.

161 (c) The City's insurance provides coverage for its volunteers and will defend  
162 members of the Board against losses, costs, and expenses, including legal  
163 counsel fees, reasonably incurred by reason of his/her being or having been a  
164 member of the Board, so long as the member does not act or has not acted  
165 maliciously, criminally, with deliberate intent to violate a law or regulation or  
166 with intent to injure. A Board member must immediately contact the City  
167 Attorney in the event a claim is made and may contact the City Attorney if he  
168 or she has any questions or concerns about liability.

169 **Article 9. Quorum.**

170 A majority of the voting members of the Board shall constitute a quorum to do  
171 business. The act of a majority of the voting members present at a meeting in which  
172 a quorum is present shall be the act of the Board. If at any meeting a quorum is not  
173 present whether due to conflict of interest or otherwise, a majority of those  
174 members present may adjourn the meeting.

175 **Article 10. Amendment of Bylaws.**

176 The Board may, by the affirmative vote of a majority of its members, propose  
177 amendment(s) to these Bylaws. Proposed amendments approved by the Board  
178 must be considered and approved by the City Council.

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181 Adopted by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
182 2022 by Resolution No. \_\_\_\_-22

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191 ATTEST:

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\_\_\_\_\_  
Amy Phillips  
City Clerk

\_\_\_\_\_  
Anna M. Stout  
President of the Council



- 47  
48 (c) study and recommend ordinances, funding, and programs to address  
49 recognized and anticipated housing needs;  
50  
51 (d) develop and recommend, with community input, innovative approaches to  
52 accomplish the City's housing goals, including tools for preserving  
53 existing housing;  
54  
55 (e) advise the City Council concerning the impacts of city policy proposals on  
56 housing affordability, diversity, and accessibility;  
57  
58 (f) review, and as deemed appropriate, develop and expand opportunities with  
59 state-the Colorado Division of Housing, the Colorado Housing Finance  
60 Authority, and local housing agencies and providers and make  
61 recommendations to the City Council;  
62  
63 (g) consult and coordinate with state and local housing agencies and other  
64 city boards and commissions to develop and support the City's housing  
65 goals; and,  
66  
67 (h) advise the City Council concerning an appropriate advocacy role for the  
68 City in state and federal housing matters; and,  
69  
70 (i) act in an advisory capacity to the City Council including assisting in  
71 initiatives to assist in implementation and development of housing  
72 programs.  
73  
74 (i)(i) The Board shall have no power to enter into any contract or  
75 agreement or to commit to the payment of any funds to any person.

Commented [JS1]: Councilmember McDaniel comment "prefer that this board not engage with state"

Commented [JS2]: Councilmember McDaniel comment "not comfortable with this one"

76  
77 **2.38.020 Terms and Qualification of Mmembers –**  
78

79 ~~The President of the City Council, with the concurrence of a majority of the~~  
80 ~~Council, shall appoint eleven (11) members. who are residents of the City to the~~  
81 ~~Housing Advisory Board.~~ The Board shall include one (1) City Council member,  
82 and four (4) members selected from the following educational/professional  
83 disciplines and/or that have relevant experience in commercial finance/lending,  
84 real estate development and construction. The Board shall include three (3) other  
85 members who shall not require specific educational or professional experience.  
86 These seven members shall be residents of the City.  
87

Commented [JS3]: Councilmember McDaniel Comment "A method to make exceptions to the requirement of professional expertise would be helpful, in my opinion. We had interviews for the Historic Preservation Board last Monday. Based on the candidates we were able to fill one "citizen" seat, but had no way of providing a fourth professional and a DDA representative.

88 The Grand Junction Housing Authority (GJHA), and two additional housing  
89 organizations representing the continuum of housing needs shall each appoint  
90 one member from each agency ~~board~~ to serve on the Housing Advisory Board.  
91 The ~~ese~~ housing organization members servng on the HAB are exempt from the

92 requirement for City residency. The City Council will solicit letters of interest from  
93 housing organizations other than the GJHA. **Based on the written expressions of**  
94 **interest, the City Council will nominate organizations for membership on the**  
95 **Board.**

Commented [JS4]: Councilmember McDaniel comment "Is the choice of housing agencies permanent, or should council periodically reassess the choices?"

96  
97 All members, excluding the City Council member, shall serve **fourthree**-year  
98 staggered terms in accordance with the adopted bylaws of the Board. The City  
99 Council member shall serve a one-year term but may be reappointed annually to  
100 coincide with the member's term on Council.

101  
102 Members may be reappointed by City Council upon expiration of his/her term for  
103 a **fourthree**-year term for a total of **two**, four terms.

104  
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106 **2.38.030 Filling of Vacancies.**

107  
108 Appointments to fill vacancies on the Housing Advisory Board shall be for the  
109 unexpired term and shall be made in the same manner as other appointments.  
110 Appointment to fill a partial unexpired term with greater than two years remaining  
111 of the unexpired term shall be considered an appointment to a full term for term  
112 limits.

113  
114 **2.38.040 Compensation and Removal of Members.**

115  
116 (a) No member of the Housing Advisory Board shall receive any compensation  
117 for such membership/service on the Board.

118  
119 (b) Members of the Housing Advisory Board may be removed by action of the  
120 City Council for malfeasance or nonfeasance or for unexcused failure to attend  
121 three consecutive meetings of the Board. The Board may recommend such action  
122 to the Council.

123  
124 Introduced, Passed on First Reading, Approved and Ordered Published in  
125 Pamphlet Form this 7<sup>th</sup> day of September, 2022.

126  
127 Introduced, Passed on Second Reading, Approved and Ordered Published in  
128 Pamphlet Form this 5<sup>th</sup> day of October, 2022.

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133 \_\_\_\_\_  
134 Anna M. Stout  
135 President of the Council



136 ATTEST:

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141 \_\_\_\_\_  
Amy Phillips

142 City Clerk

DRAFT 101322

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

**AN ORDINANCE TO AMEND THE GRAND JUNCTION MUNICIPAL CODE TO ADD SECTION 2.38.010 ET. SEQ. TO CREATE THE GRAND JUNCTION HOUSING ADVISORY BOARD**

RECITALS:

By and with this Ordinance the City Council amends the Grand Junction Municipal Code (GJMC or Code) to provide for the appointment of the Grand Junction Housing Advisory Board.

The Housing Advisory Board (“Board” or “HAB”) is being proposed in response to a generalized shortage of affordable housing in Grand Junction. In addition to proposing the creation of the HAB to advise the City Council, there are two ballot measures that the City Council is considering, which if referred to and approved by the voters, will help fund approaches to benefit housing programs in the City.

The Board’s purposes include, but are not limited to, advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs.

The City Council having duly considered this Ordinance and determined that amendment of the Code to create and establish the Board is necessary and proper and does for the foregoing reasons adopt and approve this Ordinance as follows.

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

Section 2.38.010 *et. seq.* is added to the Grand Junction Municipal Code amendments are shown in bold type:

**2.38.010 Appointment of members – Purpose and duties.**

**The City Council, by a majority vote of the Council shall appoint eleven (11) members to the Housing Advisory Board (HAB). The HAB shall advise City Council and City staff and shall perform the following functions:**

**(a) advise on housing issues, strategies, goals, and policies in the City;**

**(b) study and recommend to the City Council long and short-range goals for developing affordable/attainable and workforce housing;**

- 46 (c) study and recommend ordinances, funding, and programs to address  
47 recognized and anticipated housing needs;  
48
- 49 (d) develop and recommend, with community input, innovative approaches to  
50 accomplish the City's housing goals, including tools for preserving  
51 existing housing;  
52
- 53 (e) advise the City Council concerning the impacts of city policy proposals on  
54 housing affordability, diversity, and accessibility;  
55
- 56 (f) review, and as deemed appropriate, develop and expand opportunities with  
57 the Colorado Division of Housing, the Colorado Housing Finance Authority,  
58 and local housing agencies and providers and make recommendations to  
59 the City Council;  
60
- 61 (g) consult and coordinate with state and local housing agencies and other  
62 city boards and commissions to develop and support the City's housing  
63 goals; and,  
64
- 65 (h) act in an advisory capacity to the City Council including assisting in  
66 initiatives to assist in implementation and development of housing  
67 programs.  
68
- 69 (i) The Board shall have no power to enter into any contract or agreement or  
70 to commit to the payment of any funds to any person.  
71

72 **2.38.020 Terms and Qualification of Members –**  
73

74 The Board shall include one (1) City Council member, and four (4) members  
75 selected from the following educational/professional disciplines and/or that have  
76 relevant experience in commercial finance/lending, real estate development and  
77 construction. The Board shall include three (3) other members who shall not  
78 require specific educational or professional experience. These seven members  
79 shall be residents of the City.  
80

81 The Grand Junction Housing Authority (GJHA), and two additional housing  
82 organizations representing the continuum of housing needs shall each appoint  
83 one member from each agency to serve on the Housing Advisory Board. The  
84 housing organization members serving on the HAB are exempt from the  
85 requirement for City residency. The City Council will solicit letters of interest from  
86 housing organizations other than the GJHA. Based on the written expressions of  
87 interest, the City Council will nominate organizations for membership on the  
88 Board.  
89

90 All members, excluding the City Council member, shall serve four-year staggered  
91 terms in accordance with the adopted bylaws of the Board. The City Council  
92 member shall serve a one-year term but may be reappointed annually to coincide  
93 with the member's term on Council.

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96 a four-year term for a total of two, four terms.

97  
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111  
112 (b) Members of the Housing Advisory Board may be removed by action of the  
113 City Council for malfeasance or nonfeasance or for unexcused failure to attend  
114 three consecutive meetings of the Board. The Board may recommend such action  
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117 Introduced, Passed on First Reading, Approved and Ordered Published in  
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119  
120 Introduced, Passed on Second Reading, Approved and Ordered Published in  
121 Pamphlet Form this \_\_\_<sup>h</sup> day of October, 2022.

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124 \_\_\_\_\_  
125 Anna M. Stout  
126 President of the Council

127 ATTEST:

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129 \_\_\_\_\_  
130 Amy Phillips  
131 City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #4.b.ii.**

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**Meeting Date:** October 19, 2022  
**Presented By:** John Shaver, City Attorney  
**Department:** City Attorney  
**Submitted By:** John Shaver

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**Information**

**SUBJECT:**

An Ordinance Approving Loans from the Colorado Water Conservation Board to Finance Improvements to the City's Water System; Authorizing the Form and Execution of Loan Contracts and Promissory Notes to Evidence Such Loans and Security Agreements

**RECOMMENDATION:**

Conduct a public hearing, approve and adopt Ordinance \_\_\_\_ on second reading and order publication in pamphlet form.

**EXECUTIVE SUMMARY:**

This item is a second reading and public hearing of an ordinance regarding loan agreements with the Colorado Water Conservation Board (CWCB) for Carson Dam, Kannah Creek and Purdy Mesa Flowlines.

**BACKGROUND OR DETAILED INFORMATION:**

This item is a second reading and public hearing of an ordinance regarding agreements with the Colorado Water Conservation Board (CWCB) for Carson Dam, Kannah Creek and Purdy Mesa Flowlines. The City Council has previously adopted Resolution 62-20, 07-21 and 51-22 concerning funding repairs of the Purdy Mesa Flowline, Carson Dam and the Kannah Creek Flowline. In order to complete agreements with CWCB, an ordinance and bond counsel opinion(s) are required. With approval of the ordinance, the loan agreements will be finalized.

**FISCAL IMPACT:**

N/A



**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance 5106, an ordinance approving loans from the Colorado Water Conservation Board to finance improvements to the City's Water System; authorizing the form and execution of loan contracts and promissory notes to evidence such loans and security agreements on on final passage and order publication in pamphlet form.

**Attachments**

1. Approving Ordinance-CWCB Loans 092822

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

**AN ORDINANCE APPROVING LOANS FROM THE  
COLORADO WATER CONSERVATION BOARD TO  
FINANCE IMPROVEMENTS TO THE CITY'S WATER  
SYSTEM; AUTHORIZING THE FORM AND EXECUTION  
OF LOAN CONTRACTS AND PROMISSORY NOTES TO  
EVIDENCE SUCH LOANS AND SECURITY  
AGREEMENTS**

WHEREAS, the City of Grand Junction, Colorado (the "City"), is a home rule city duly existing under the Constitution and laws of the State of Colorado and its City Charter (the "Charter"); and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, the Council has determined and does hereby determine that the City's water system (the "System") is an enterprise within the meaning of Article X, Section 20 of the Colorado Constitution ("TABOR") and Section 37-45.1-103 of the Colorado Revised Statutes, as amended; and

WHEREAS, the Council has heretofore determined that the interest of the City and the public interest and necessity require certain improvements to the System, including, without limitation, certain repairs and improvements to the Carson Reservoir Dam, Kannah Creek Flowline, and Purdy Mesa Flowline (collectively, the "Project"); and

WHEREAS, the Council has determined that in order to finance the Project it is necessary, advisable, and in the best interests of the City to enter into loan contracts (the "Loan Contracts") with the State of Colorado for the use and benefit of The Department of Natural Resources, Colorado Water Conservation Board (the "CWCB"), pursuant to which the CWCB will make loans the City (the "Loans") for such purposes; and

WHEREAS, the City's repayment obligations under each Loan Contract shall be evidenced by a Promissory Note (the "Note") to be issued by the City to the

CWCB and further secured by a Security Agreement to be executed by the City, as borrower, to the CWCB, as secured party; and

WHEREAS, the obligation to repay the Loans shall comprise a revenue obligation of the City payable from the Pledged Revenues (as defined herein), and pursuant to TABOR and Article XII, Section 93(f) of the Charter may be approved by the Council without an election; and

WHEREAS, forms of each Note, Loan Contract, and Security Agreement (collectively, the "Financing Documents") have been filed with the City Clerk; and

WHEREAS, the Council desires to approve the forms of the Financing Documents and authorize the execution thereof.

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

Section 1. Approvals, Authorizations, and Amendments. The forms of the Financing Documents filed with the City Clerk are incorporated herein by reference and are hereby approved. The City shall enter into and perform its obligations under the Financing Documents in the forms of such documents, with such changes as are not inconsistent herewith and as are hereafter approved by the City Manager. The City Manager and City Clerk are hereby authorized and directed to execute the Financing Documents and to affix the seal of the City thereto, and further to execute and authenticate such other documents or certificates as are deemed necessary or desirable in connection therewith. The Financing Documents shall be executed in substantially the forms approved at this meeting.

The execution by appropriate officers of the City of any instrument or certificate or other document in connection with the matters referred to herein shall be conclusive evidence of the approval by the City of such instrument or certificate or other document.

Section 2. Election to Apply Supplemental Act. Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, Part 2, of the Colorado Revised Statutes, as amended (the "Supplemental Act"), provides that a

public entity, including the City, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The Council hereby elects to apply all of the provisions of the Supplemental Act to the Financing Documents.

Section 3. Certain Definitions. For all purposes of the Financing Documents and this Ordinance, the following terms shall have the following meanings:

“Capital Improvements” means the acquisition of land, easements, facilities and equipment (other than ordinary repairs and replacements), and the construction or reconstruction of improvements, betterments and extensions, for use by or in connection with the System.

“Gross Revenues” means all income and revenues directly or indirectly derived by the City from the operation and use of the System, or any part thereof, including without limitation, any rates, fees (including without limitation plant investment fees and availability fees) and charges for the services furnished by, or for the use of, the System, and all income attributable to any past or future dispositions of property or rights or related contracts, settlements, or judgments held or obtained in connection with the System or its operations, and including investment income accruing from such moneys; provided however, that there shall be excluded from Gross Revenues: ad valorem property taxes; any moneys borrowed and used for providing Capital Improvements; any money and securities and investment income therefrom in any refunding fund, escrow account, or similar account pledged to the payment of any bonds or other obligations; and any moneys received as grants or appropriations from the United States, the State of Colorado, or other sources, the use of which is limited or restricted by the grantor or donor to the provision of Capital Improvements or for other purposes resulting in the general unavailability thereof, except to the extent any such moneys shall be received as payments for the use of the System, services rendered thereby, the availability of any such service, or the disposal of any commodities therefrom. Notwithstanding anything contained above, amounts deposited in a rate stabilization account shall not be deemed Gross Revenues in the calendar year

deposited and amounts withdrawn from the rate stabilization account shall be deemed Gross Revenues in the year withdrawn.

“Operation and Maintenance Expenses” means all reasonable and necessary current expenses of the City (referred to as the Borrower in the Financing Documents), paid or accrued, for operating, maintaining, and repairing the System, including without limitation legal and overhead expenses of the City (referred to as the Borrower in the Financing Documents) directly related to the administration of the System, insurance premiums, audits, professional services, salaries and administrative expenses, labor and the cost of materials and supplies for current operation; provided however, that there shall be excluded from Operation and Maintenance Expenses any allowance for depreciation, payments in lieu of taxes or franchise fees, expenses incurred in connection with Capital Improvements, payments due in connection with any bonds or other obligations, and expenses that are otherwise paid from ad valorem property taxes.

“Pledged Revenues” for any period means the Gross Revenues during such period less Operation and Maintenance Expenses.

“System” means all of the City’s water facilities and properties, now owned or hereafter acquired, whether situated within or without the City’s boundaries, including all present or future improvements, extensions, enlargements, betterments, replacements, or additions thereof or thereto, which facilities and properties are used exclusively for the City’s water activity enterprise.

Section 4. Delegation and Parameters.

(a) Pursuant to Section 11-57-205 of the Supplemental Act, the Council hereby delegates to the President, the City Manager, the Finance Director, or any member of the Council the authority to make the following determinations relating to and contained in the Financing Documents, subject to the restrictions contained in paragraph (b) of this Section 3:

- (i) The interest rate on each Loan;
- (ii) The principal amount of each Loan;



(iii) The amount of principal of each Loan maturing in any given year and the final maturity of the Loan;

(iv) The conditions on which and the prices at which each Loan may be paid prior to maturity;

(v) The dates on which the principal of and interest on each Loan are paid; and

(vi) The existence and amount of capitalized interest or reserve funds for each Loan, if any.

(b) The delegation in paragraph (a) of this Section shall be subject to the following parameters and restrictions: (i) the interest rate on any Loan shall not exceed 2.00%; (ii) the aggregate principal amount of the Loans shall not exceed \$15,000,000; and (iii) the final maturity of any Loan shall not be later than twenty years from the date CWCB determines the Project to be substantial complete.

Section 5. Conclusive Recital. Pursuant to Section 11-57-210 of the Supplemental Act, the Financing Documents shall contain a recital that they are issued pursuant to the Supplemental Act. Such recital shall be conclusive evidence of the validity and the regularity of the issuance of the Financing Documents after their delivery for value.

Section 6. Pledge of Revenues. The creation, perfection, enforcement, and priority of the pledge of revenues to secure or pay the Financing Documents provided herein shall be governed by Section 11-57-208 of the Supplemental Act and this Ordinance. The revenues pledged to the payment of the Financing Documents shall immediately be subject to the lien of such pledge without any physical delivery, filing, or further act. The lien of such pledge shall have the priority described in the Financing Documents. The lien of such pledge shall be valid, binding, and enforceable as against all persons having claims of any kind in tort, contract, or otherwise against the City irrespective of whether such persons have notice of such liens.

Section 7. Limitation of Actions. Pursuant to Section 11-57-212 of the Supplemental Act, no legal or equitable action brought with respect to any legislative

acts or proceedings in connection with the Financing Documents shall be commenced more than thirty days after the date of adoption of this Ordinance.

Section 8. Limited Obligation; Special Obligation. The Financing Documents are payable solely from the Pledged Revenues and the Financing Documents do not constitute a debt within the meaning of any constitutional or statutory limitation or provision.

Section 9. No Recourse against Officers and Agents. Pursuant to Section 11-57-209 of the Supplemental Act, if a member of the Council, or any officer or agent of the City acts in good faith, no civil recourse shall be available against such member, officer, or agent for payment of the principal of or interest on the Loans. Such recourse shall not be available either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of the Financing Documents and as a part of the consideration of making the Loans, the CWCB specifically waives any such recourse.

Section 10. Disposition and Investment of Loan Proceeds. The proceeds of the Loans shall be applied only to pay the costs and expenses of acquiring, constructing and equipping the Project, including costs related thereto and all other costs and expenses incident thereto, including without limitation, the costs of obtaining the Loan.

Section 11. Neither the CWCB nor any subsequent owner(s) of the Financing Documents shall be responsible for the application or disposal by the City or any of its officers of the funds derived from the Loans. In the event that all of the proceeds of the Loans are not required to pay such costs and expenses, any remaining amount shall be used for the purpose of paying the principal amount of the Loans and the interest thereon.

Section 12. Direction to Take Authorizing Action. The appropriate officers of the City and members of the Council are hereby authorized and directed to take all other actions necessary or appropriate to effectuate the provisions of this

Ordinance, including but not limited to the execution and delivery of such certificates and affidavits as may reasonably be required by the CWCB.

Section 13. Ratification and Approval of Prior Actions. All actions heretofore taken by the officers of the City and members of the Council, not inconsistent with the provisions of this Ordinance, relating to the Financing Documents, or actions to be taken in respect thereof, are hereby authorized, ratified, approved, and confirmed.

Section 14. Repealer. All acts, orders, ordinances, or resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

Section 15. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

Section 16. Ordinance Irrepealable. After the Financing Documents are executed and delivered, this Ordinance shall constitute an irrevocable contract between the City and the CWCB, and shall be and remain irrepealable until the Loans and the interest thereon shall have been fully paid, satisfied, and discharged. No provisions of any constitution, statute, charter, ordinance, resolution, or other measure enacted after the execution and delivery of the Financing Documents shall in any way be construed as impairing the obligations of the City to keep and perform its covenants contained in this Ordinance.

Section 17. Disposition of Ordinance. This Ordinance, as adopted by the City Council shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the City Council and City Clerk and by the certificate of publication.

Section 18. Effective Date. This Ordinance shall be in full force and effect 30 days after publication following final passage.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 5<sup>TH</sup> day of October, 2022.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF GRAND JUNCTION, COLORADO

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

Attest:

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



## Grand Junction City Council

### Regular Session

Item #4.b.iii.

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**Meeting Date:** October 19, 2022  
**Presented By:** John Shaver, City Attorney  
**Department:** City Attorney  
**Submitted By:** John Shaver

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### **Information**

#### **SUBJECT:**

An Ordinance Amending Chapter 2. Section 20.040(d) of the Grand Junction Municipal Code Relating to Municipal Campaign Finance

#### **RECOMMENDATION:**

Staff recommends approval of the ordinance.

#### **EXECUTIVE SUMMARY:**

The proposed ordinance will amend the Grand Junction Municipal Code to limit campaign contributions, including contributions in-kind, by one person in a particular election cycle to one candidate and/or candidate committee(s) an aggregate amount of \$625.00. The \$625.00 sum is the current individual limit for a campaign contribution to a Colorado gubernatorial candidate.

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

The City Charter and the Colorado Constitution allow for certain election regulations and restrictions. In 2002 a citizen's initiative was adopted by popular vote. That initiative, which became Article XXVIII of the Colorado Constitution, had as its primary purpose a recognition that large campaign contributions to political candidates create the potential for corruption and the appearance of corruption. Colo. Const. Art. XXVIII, § 1. Like Article XXVIII, the proposed Ordinance limits the amount of money any person, including a political committee may contribute to a political candidate. Similarly, the proposed Ordinance provides for adjustment to the spending limit to account for inflation.

The proposed ordinance will amend the Grand Junction Municipal Code to limit campaign contributions, including contributions in-kind, by one person in a particular



election cycle to one candidate and/or candidate committee(s) an aggregate amount of \$625.00. The \$625.00 sum is the current individual limit for a campaign contribution to a Colorado candidate for Attorney General, State Treasurer, Secretary of State, and for Governor.

In January 2022, Greg Lopez, as a candidate for Colorado Governor, and Rodney Pelton, as a candidate for Colorado Senate District 35, challenged the contribution limits established by Article XVIII. In March, United States District Court Judge John Kane denied the request for an order permanently enjoining the Secretary of State from enforcing the contribution limits. Based on that order and a request from the City Council Agenda Committee that the City Council consider imposing contribution limits, this Ordinance has been presented.

**FISCAL IMPACT:**

There is no direct fiscal impact from the adoption of the Ordinance.

**SUGGESTED MOTION:**

I move to (adopt/deny) Ordinance 5107, an ordinance amending Chapter 2 Section 20.040(D) of the Grand Junction Municipal Code relating to municipal campaign finance on final passage and order final publication in pamphlet form.

**Attachments**

1. ORD-Campaign Finance 092222

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 2 SECTION 20.040(d) OF THE GRAND JUNCTION MUNICIPAL CODE RELATING TO MUNICIPAL CAMPAIGN FINANCE**

Recitals:

The City of Grand Junction is a home rule municipality, established by Charter in 1909. Article XX of the Colorado Constitution confers upon home rule cities power over all matters pertaining to municipal elections.

Article XXVIII of the Colorado Constitution is the primary campaign finance law in Colorado. It was offered as a citizen's initiative and approved by voters in 2002. A primary purpose of Article XXVIII is to address the reality that "large campaign contributions to political candidates create the potential for corruption and the appearance of corruption." Colo. Const. Art. XXVIII, § 1.

Article XXVIII places limits on the amount any "person, including a political committee" may contribute to a political candidate. Id. § 3(1). Individual contribution limits are adjusted to account for inflation. Id. § 3(13); 4(7). Adjustments are "based upon the percentage change over a four-year period in the United States bureau of labor statistics consumer price index for Denver-Boulder-Greeley, all items, all consumers, or its successor index." Id. The indexed number is rounded down to the nearest twenty-five dollars. Id.

In October 2020, following SB 19-232 the City adopted Title 2, Chapter 20 of the Grand Junction Municipal Code (GJMC) regarding campaign and political finance regulations for Municipal elections. After due consideration the City Council has determined that certain contribution limits, consistent with those provided by Article XXVIII but as specifically provided in this ordinance, should be imposed in the City.

With this Ordinance the GJMC is amended to limit contributions, including contributions in-kind, by one person in a particular election cycle to one candidate and/or candidate committee(s) an aggregate amount of \$625.00. The \$625.00 sum is the current individual limit for a campaign contribution to a Colorado gubernatorial candidate. 8 CCR 1505-6 Rule 10.17.

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

That 2.20.040(d) of the Grand Junction Municipal Code is hereby amended as follows. Amending text is shown in **bold face type**:

Section 2.20.040(d) is amended to read as follows:

(d) Campaign finance complaints must be filed in writing and can be submitted by hardcopy or electronically. Electronic signatures are permitted for any complaint documentation that requires a signature.

**1. Municipal Campaign Contribution Limits. For any election cycle, no person shall make contributions, including contributions in-kind, to a candidate and/or that candidates committee(s) that, in the aggregate, exceeds \$625.00 per City Council candidate, per election cycle as defined by Section 2(6) of Article XXVIII of the Colorado Constitution.**

**2. No candidate committee shall accept any contributions, including contributions in-kind, from any person if that person's contributions on behalf of the candidate have an aggregate amount or value more than \$625.00.**

**3. Any contribution or portion thereof exceeds the \$625.00 limit shall be returned to the contributor within seventy-two (72) hours of receipt.**

**4. The limitations imposed by subsections 1 and 2 of this section shall not apply to contribution of a candidate's personal funds to the candidate's own campaign, or to any loan which is personally guaranteed by the candidate or is secured by property owned by the candidate.**

**5. Each election-cycle limit on contributions described in subsection 1 of this section shall be adjusted by an amount based upon the percentage change over a two-year period in the United States bureau of labor statistics consumer price index for Denver-Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars (\$25.00). The first adjustment shall be done in the fourth quarter of 2024 and then every two (2) years thereafter. The City Manager shall calculate such an adjustment in each limit and specify the limits in rules promulgated in accordance with GJMC 2.20.044 or any successor section of this Code.**

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED  
PUBLISHED IN PAMPHLET FORM this 5<sup>TH</sup> day of October 2022.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED  
PUBLISHED IN PAMPHLET FORM this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

CITY OF GRAND JUNCTION, COLORADO

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Anna M. Stout  
President of the City Council

Attest:

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Amy Phillips  
City Clerk

DRAFT