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**CITY COUNCIL AGENDA
WEDNESDAY, JULY 5, 2023
250 NORTH 5TH STREET - AUDITORIUM
[VIRTUAL MEETING - LIVE STREAMED](#)
BROADCAST ON CABLE CHANNEL 191
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

Proclamations

Proclaiming July as Parks and Recreation Month in the City of Grand Junction

Presentations

American Water Works Association Best of the Best Water Taste Test Award

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, July 5, 2023 or 4) submitting comments [online](#) until noon on Wednesday, July 5, 2023 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 June 12, 2023 Special Workshop
- b. Minutes of the June 21, 2023 Regular Meeting

2. Continue Public Hearings

- a. Legislative
 - i. An Ordinance Authorizing a Supplemental Appropriation for Counseling and Education Center - ***To be referred to the Agenda Committee for commitment to a future City Council Work Session***

3. Procurements

- a. Contract Approval for the Architect/Engineer for the Community Recreation Center
- b. Award of Contract for Pomona Elementary School/Kronkright Sports Complex Parking Lot Landscaping and Irrigation Project

4. Resolutions

- a. A Resolution Authorizing Agreement with CDOT for Traffic Maintenance
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Community Recreation Center
- c. A Resolution Amending Resolution No. 37-22 Pertaining to Cannabis Business Fees/Setting Fees for Modification of Premises and Change of Trade Name Applications

5. Other Action Items

- a. Consider Appointing a Resiliency and Sustainability Plan Steering Committee

REGULAR AGENDA

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

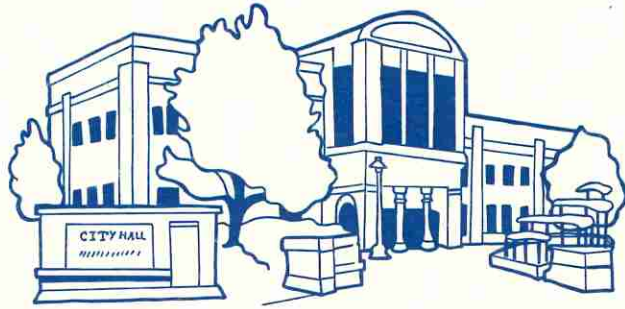
6. Public Hearings

- a. Legislative
 - i. An Ordinance Amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, Specifically Subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code
- b. Quasi-judicial
 - i. A Resolution Accepting the Petition for the Annexation of 8.33 Acres of Land and Ordinances Annexing and Zoning the Apple Glen West Annexation to R-5 (Residential – 5.5 du/ac), Located North of Appleton Elementary, West of Green Apple Drive, and East of 23 ½ Road

7. Non-Scheduled Citizens & Visitors

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

8. Other Business**9. Adjournment**



City of Grand Junction, State of Colorado

Proclamation

Whereas, Parks and recreation is an integral part of the communities throughout this country, including the City of Grand Junction; and

Whereas, parks and recreation are vitally important to establishing and maintaining the quality of life in our community, ensuring the health of all our community members and contributing to the economic and environmental wellbeing of Grand Junction and the region; and

Whereas, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and a feeling of wellbeing; and

Whereas, parks and recreation encourages physical activities by providing space for popular sports, hiking and biking trails, swimming pools and many other activities designed to promote active lifestyles; and

Whereas, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and the reduction of crime; and

Whereas parks and recreation is fundamental to the environmental health of our community; and our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

Whereas, the U.S. House of Representatives has designated July as Parks and Recreation Month.

NOW, THEREFORE, I, Anna Stout, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the month of July, 2023 as

"Parks and Recreation Month"

in the City of Grand Junction and call upon everyone who lives, plays, works, and learns to recognize and promote parks and recreation in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 5th day of July, 2023.

Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: July 5, 2023
Presented By: Amy Phillips, City Clerk
Department: City Clerk
Submitted By: Kerry Graves

Information

SUBJECT:

To the Historic Preservation Board

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

There is one full-term vacancy on the Historic Preservation Board.

BACKGROUND OR DETAILED INFORMATION:

Troy Reynold's term remains vacant.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

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

Attachments

None

Code Committee members present Andrew Teske, Bill Wade, Candace Carnahan, Nancy Strippel (virtual), Emilee Powell, Mike Foster, Erin Nex, Shelly Dackonish, Keith Ehlers, and Kevin Bray.

City Council members present, Council members Scott Beilfuss (virtual), Dennis Simpson, Cody Kennedy, Jason Nguyen, Mayor Pro Tem Abe Herman, and Mayor Anna Stout.

Consultant Elizabeth Garvin Clarion Associates and Director of Community Development Tamra Allen reported that the Zoning and Development Code update was scheduled for adoption in March 2023, but was tabled by the Planning Commission based on requests from members of the Code Committee to continue to work through various issues. Members of the Code Committee requested a workshop with City Council to discuss the project.

Ms. Garvin gave an overview of the issues discussed by the Code Committee and presents a summary of resolved issues, outstanding issues, and adjacent issues.

Below were the main points mentioned:

Resolved Issues:

- EV charging stations: The state has released new rules for EV charging, and the Code Committee will incorporate them into the regulations.
- Outdoor lighting: Temperature standards were introduced, allowing for a range of lighting options. Adjustments were made to accommodate public safety concerns.
- Residential density: Changes were made to eliminate a density standard for residential uses in the M1 district.
- Utility undergrounding: The recommendation is to require new electric utilities to be placed underground but not existing ones.
- Definition of tiny homes: The definition was adjusted for better clarity.

Outstanding Issues:

- Private roads: There is a request to allow more private roads, and discussions are ongoing, considering factors like water service availability.
- Implementation of the PED bike plan: The plan requires active transportation in developments, and the code committee is discussing how it will be enforced.
- Significant trees: Continuing the discussion on significant trees from the landscape code update.
- Site plan review: The possibility of eliminating site plan review for certain non-building site improvements and change of use cases is being considered.
- Rezoning criteria: The Planning and Zoning Commission developed new regulations, but additional changes for clarification are being made in collaboration with the city attorney's office.
- Compact development standards: Proposed regulations for compact developments are being redrafted for better functionality.
- Manufactured home standards: Changes are being made to allow more opportunities for the placement of manufactured homes.
- Co-living housing standards: New regulations are being drafted for co-living housing, which involves shared living spaces and private bedrooms.

- Drive-thru locations: Discussions are underway to allow more drive-thrus in certain areas and explore design considerations.
- Parking and drive-thru location standards: Proposed regulations aim to limit parking and drive-thrus between structures and public streets. Further discussions are needed to find the right balance.
- Parking as a primary use: Evaluating whether vacant lots can be temporarily used for parking, potentially allowing structured parking as a primary use in downtown.

Adjacent Issues:

- Onsite stormwater vs. regional stormwater: Stormwater improvements fall under public works and are outside the scope of the zoning code.
- Street improvements: Exploring requirements for turn lanes, oversizing, and offsite improvements.
- Impact fee credits: The authorization of additional impact fee credits is governed by the Impact Fee Nexus study.
- Building code and fire code reviews: These reviews are separate from the zoning code but are referenced in the process.
- Processing time: Discussions about the speed of processing by the city, county, and state agencies.
- Cost of construction and affordable housing: Exploring the impact of construction costs on affordable housing creation.
- Public services and facilities: Addressing issues related to public services and facilities.
- Covenant and deed restrictions: These are dealt with outside of the development code.
- Trail construction: Issues related to trail construction and credits for larger developments compared to smaller ones.
- This summary provides an overview of the issues discussed by the code committee but may not include all the details or nuances of each topic.

During the opening discussion, City Manager Caton clarified that the purpose of the meeting is to provide an opportunity for the Code Committee and City Council to interact, discuss specific issues, and understand the progress of the project.

As discussions ensued, committee members raised concerns about the lack of clarity regarding who will bear the costs of various plans and policies, particularly in relation to affordability. The Code Committee emphasized the need for Council to prioritize affordability and how best to balance different priorities. The Committee members mentioned, the absence of discussion on who will pay for certain infrastructure improvements and land dedications and cost allocation for different plans and policies, particularly in terms of affordability. They highlighted the challenge of producing market-rate homes under \$400,000 and how increasing costs affect the housing market, pushing people into subsidized housing. They also mentioned that increasing costs reduce the availability of certain products and the ability of builders to secure loans. The need to balance priorities and spark conversations about affordability was emphasized. The Mayor expressed the importance of policy precision and exploring issues to improve the existing Code.

Committee members emphasized the importance of clarifying the meaning of affordability and differentiating between small affordability and capital affordability. They discussed how certain regulations and requirements proposed may not significantly impact affordability but the need to find a balance between regulations and affordability needs to be examined more considering the financial viability of developers. The Committee noted that they value the input of experienced professionals in the field and believe that reducing parking requirements helps with affordability efforts.

The Mayor emphasized the need for concrete numbers and measurements when discussing the affordability of the proposed changes. She expressed concerns about making policy decisions based on feelings rather than objective data. She suggested that the Committee work with consultants and staff to determine specific costs and impacts associated with the proposed changes, noting the importance of the overall picture and cumulative effects of various factors on the affordability of housing and businesses in the community. It was stated that without a comprehensive conversation about the financial aspects, the implementation of the plan could become challenging to build, plan, and integrate ideas from the 2020 plan.

Discussion noted that there is a distinction between a guiding plan and a specific code, emphasizing that the proposed changes may not be as concrete or enforceable as some participants might expect. They point out that the Code that is being discussed is different from the initial plan and may not provide the same level of specificity.

Discussion also noted the importance to quantify the impact of various factors such as undergrounding utilities and land use dedication fees. While these may be less impactful, they can still affect affordability. The Committee stated that they need to understand how these factors align with the City priorities and how the costs can be distributed among the City, users, and developers. Understanding the complexity of these decisions and all these factors can work towards a solution that benefits the community while addressing the cost implications. As the Committee and Council gather more information and have these conversations, it will be easier to determine the next steps and timelines.

They believe that with additional time, they can make progress and address most of the concerns. However, it was questioned whether the deadline set for the end of July can be met, emphasizing the importance of having conversations and working with consultants and staff to make the necessary changes to the Code. Staff will schedule additional joint meetings between the Committee and Council to continue to move the Code forward.

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

June 21, 2023

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 21st day of June 2023 at 5:33 p.m. Those present were Councilmembers Scott Beilfuss, Cody Kennedy, Jason Nguyen, Randall Reitz, Dennis Simpson, Council President Pro Tem Abe Herman and Council President Anna Stout.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Amy Phillips, Deputy City Clerk Selestina Sandoval, Principal Planner/CDBG Administrator Kristen Ashbeck, Interim Planning Supervisor Nicole Galehouse, and Utilities Director Randi Kim.

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

Appointments

To the One Riverfront Commission

Councilmember Nguyen moved and Councilmember Beilfuss seconded to reappoint Joel Sholtes and Jennifer Reyes, and to appoint Jane Quimby and Sarah Brooks to the One Riverfront Commission for terms expiring July 2025, and to appoint Tom Barry to the One Riverfront Commission for a partial term expiring July 2024. Motion carried by unanimous voice vote.

Citizen Comments

Rickie Howie said she is part of a group called Coffee and Civic Action that will be participating in the 4th of July Parade and invited new citizens and workers to walk with them.

Bruce Lohmiller spoke about comprehensive sex education classes and options for homeless residents.

City Manager Report

City Manager Caton did not provide a report.

Council Reports

Council President Pro Tem Herman congratulated the City's water department for

winning the award for best water in America and gave an update on the Downtown Development Authority meeting.

Councilmember Simpson attended a meeting between Staff and the Western Colorado Contractors Association and commended City Manager Caton for his good work at the meeting. He also thanked City Manager Caton and the Parks and Recreation department for the Pine Ridge Pickleball Court improvements.

Council President Stout will be attending the Colorado Municipal League, said that Strategic Planning is in process, stated she has been appointed by Governor Polis to the Colorado Geographic Naming and Advisory Board, and was asked by Colorado Department of Transportation to sit on the Transportation Planning Region Boundary Advisory Committee.

CONSENT AGENDA

Council President Pro Tem Herman moved, and Councilmember Kennedy seconded to adopt Consent Agenda items #1 - #3. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Minutes of the June 5, 2023 Workshop
- b. Summary of the June 7, 2023 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, Specifically Subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code and Setting a Public Hearing for July 5, 2023
 - ii. Introduction of an Ordinance Authorizing a Supplemental Appropriation for Counseling and Education Center and Setting a Public Hearing for July 5, 2023
- b. Quasi-judicial
 - i. Introduction of an Ordinance Zoning Approximately 8.33 Acres from County Residential Single Family – Rural (RSF-R) to R-5 (Residential – 5.5 du/ac) Located North of Appleton Elementary, West of Green Apple Drive, and East of 23 ½ Road, and Setting a Public Hearing for July 5, 2023

3. Procurements

- a. Change Order for Odor Control Project - Lining Influent Sewer Line
- b. Building Lighting Energy Project

REGULAR AGENDA

Auditor's Report to City Council Regarding the 2022 Audit - Ty Holman, Haynie & Company

Haynie & Company is the City Council's independent auditor. Each year the City's financial statements are audited in connection with the issuance of the Comprehensive Annual Financial Report.

The auditor works directly for the City Council. Ty Holman, Partner at Haynie & Company, conducted the City's audit and provided a presentation of the audit report that included the City again received an unmodified or "clean" opinion, which means the financial statements present fairly, in all material respects, the financial position of the City.

Haynie & Company coordinated the audit with the City Council appointed Audit Committee comprised of the Mayor and Mayor Pro Tem, including presentation of the draft audit and financial statements.

Mr. Holman presented the high-level procedure and highlights of the audit.

Discussion included the accounting of subscription-based services, rotating auditors in the future, Councilmember Simpson's request for Council to continue the approval of the audit to a future date to give them more time to review and Council's fiduciary duty to hire an auditor to comb through the details.

City Manager Caton recognized the Finance Staff for their work.

Council President Pro Tem Herman moved and Councilmember Reitz seconded to accept the Auditors Report and Financial Statements for the City of Grand Junction, Colorado for the year ended December 31, 2022. Motion carried 6-1 by roll call vote with Councilmember Simpson voting no.

An Ordinance Zoning Approximately 17.42 Acres from County Residential Single Family – 4 (RSF-4) to R-8 (Residential – 8 du/ac) Located at the Northeast Corner of 31 and E ½ Roads

Grand Junction Venture, LLC requested a zone of annexation to R-8 (Residential 5.5 to 8 du/ac) for the Grand Valley Estates Annexation. The approximately 17.42 acres of land is located at the northeast corner of 31 Road and E ½ Road and borders on three

sides a property owned by Mesa County that contains portions of the Lewis Wash. The subject property is located west of Long Park and is undeveloped.

The zone district of R-8 is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan. The property was annexed on March 1, 2023. As part of the annexation, the applicant requested a zone district of R-12 (Residential – 12 du/ac). The zoning request was denied at the same hearing; the applicant subsequently resubmitted a request for an R-8 zone district.

Interim Planning Supervisor Nicole Galehouse and Ty Johnson of Kaart Planning (representing the applicant) presented this item.

The public hearing opened at 6:48 p.m.

Rose Bonine spoke of her concerns regarding the county roads surrounding the property and whether they will be updated to support the increase in traffic.

RC Buckley questioned the boundaries of the property, spoke of availability of apartment units, and expressed traffic concerns on E ½ Road.

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

Mr. Johnson responded to the concerns made during the public hearing.

Council clarified that the annexation was approved at a previous City Council meeting and the zoning was remanded to Planning Commission where the new request for an R-8 zoning was unanimously recommended for approval.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5158, an ordinance zoning the Grand Valley Estates Annexation to R-8 (Residential – 8 du/ac) zone district, from Mesa County RSF-4 (Residential Single Family -4) on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

City Council took a break at 7:02 p.m.

The meeting resumed at 7:13 p.m.

A Resolution Accepting the Petition for the Annexation of 2.714 Acres of Land Located at 880 26 ½ Road and Ordinances Annexing and Zoning the Mustang Ridge 1, 2 and 3 Annexation to R-4 (Residential 4 Dwelling Units per Acre)

The request to annex the 2.714-acre Mustang Ridge 1, 2 and 3 annexation is located at 880 26 ½ Road and consists of one parcel and a 29,967 square foot area (0.688 acres) of the 26 ½ Road right-of-way. This is also a request to zone the 2.714-acre Mustang Ridge 1, 2 and 3 Annexation to an R-4 (Residential 4 dwelling units per acre) zone

district. The R-4 zoning implements the City's 2020 One Grand Junction Comprehensive Plan Land Use Map that designates this area as Residential Low 2 to 5.5 dwelling units per acre. Annexation is being sought in anticipation of subdividing the parcel into two, one-acre lots.

Principal Planner/CDBG Administrator Kristen Ashbeck presented this item.

The public hearing opened at 7:19 p.m.

There were no comments.

The public hearing closed at 7:19 p.m.

Councilmember Kennedy moved and Council President Pro Tem Herman seconded to adopt to adopt Resolution No. 51-23, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Mustang Ridge 1, 2 and 3 Annexation, approximately 2.714 acres, located at 880 26 ½ Road. Motion carried unanimously by roll call vote.

Council President Pro Tem Herman moved and Councilmember Nguyen seconded to adopt Ordinance No. 5159, an ordinance annexing territory to the City of Grand Junction, Colorado, Mustang Ridge 1, 2 and 3 Annexation, approximately 2.714 acres, located at 880 26 ½ Road, on final passage and ordered final publication in pamphlet form. Motion carried unanimously by roll call vote.

Councilmember Reitz moved and Councilmember Simpson seconded to adopt Ordinance No. 5160, an ordinance zoning the Mustang Ridge Annexation 1, 2 and 3 Annexation to R-4 (Residential 4 dwelling units per acre) Zone District, from Mesa County RSF-R (Residential Single Family Rural) on final passage and ordered final publication in pamphlet form. Motion carried unanimously by roll call vote.

An Ordinance Vacating a 9,966 Square-foot Area of Public Right-of-Way Adjacent to the Property Located at 2345 West Ridges Boulevard

Jay Jones on behalf of Specialized Communication Services Real Estate, LLC requested the vacation of a 9,966 square feet triangular area of West Ridges Boulevard right-of-way (ROW) adjacent to the property located at 2345 West Ridges Boulevard. The subject property is part of the proposed residential subdivision to be known as The Enclave at Redlands Mesa. The applicant is in the process of Outline Development Plan (ODP) approval for the proposed subdivision. During early planning stages, the configuration of this area was identified as being unnecessary and that right-of-way would be dedicated for a new road that would better access the property from West Ridges Boulevard.

Principal Planner/CDBG Administrator Kristen Ashbeck and Ty Johnson of Kaart Planning (representing the applicant) presented this item..

The public hearing opened at 7:25 p.m.

There were no public comments.

The public hearing closed at 7:25 p.m.

Councilmember Beilfuss moved and Councilmember Reitz seconded to adopt Ordinance No. 5161 an ordinance vacating a 9,966 square foot area of Public Right-of-Way located adjacent to the property at 2345 West Ridges Boulevard subject to the stated conditions on final passage and ordered final publication in pamphlet form. Motion carried unanimously by roll call vote.

An Ordinance for a Planned Development (PD) Outline Development Plan (ODP) for The Enclave at Redlands Mesa Development Proposed on a 7.6 Acre Parcel Located at 2345 West Ridges Boulevard over a 5-Year Timeframe

Specialized Communication Services Real Estate, LLC (Owner and Applicant) proposed The Enclave at Redlands Mesa Planned Development (Development) project to be constructed on 7.6 acres of land located at 2345 West Ridges Boulevard within The Ridges. The Applicant requested approval of a Planned Development (PD) Outline Development Plan (ODP) for the proposed Development that would establish an ODP for the property which constitutes an amendment to the overall plan for The Ridges. It is anticipated that the Development will occur within the next five years in a single phase.

The property is presently vacant. The proposed PD ODP includes two pods of development, both with the proposed use of attached single family residences at a density of 5.5 to 6.5 dwelling units per acre. Approximately 45 percent of Pod A and 12 percent of Pod B will remain as common open space. The parcel at 2345 West Ridges Boulevard was originally designated as a multifamily site. With the amended overall plan approved for The Ridges in 1994, the allowed density on the site was 6.8 units per acre. The proposed density of a maximum of 6.5 units per acre is within the original plan (6.8 units per acre) as well as within the density of the proposed underlying zone district of R-8 (Residential 8 units per acre). While the density of this specific parcel exceeds the density range of the Residential Low (2 – 5.5 units per acre), when viewed as a portion of the overall plan for The Ridges, the density is within that of the Comprehensive Plan.

Principal Planner/CDBG Administrator Kristen Ashbeck and Ty Johnson of Kaart Planning (representing the applicant) presented this item.

The public hearing opened at 7:52 p.m.

David Boren spoke against this development and expressed concerns regarding the hillside exception presented during a neighborhood meeting and the 30% grade that was in the staff report.

Amy Boren spoke against this item, and also expressed concerns with the 30% slope; she felt the notifications to neighbors were inadequate and worried of impacts on wildlife.

Connie Fudge concurred with the Boren's comments regarding the slope.

Deb Hero expressed concerns with developers who have started multi-home developments in that area and then abandoned them.

The public hearing closed at 8:03 p.m.

The engineer for the applicant, Ivan Geer with River City Consultants spoke to the safety concerns expressed during the public hearing. Mr. Johnson explained the exhibit that Mr. Boren referred to that was given during a neighborhood meeting in August 2022. He explained that once they got further along in design and engineering process, they learned they would have to amend the zoning in the ODP. At that time Mr. Johnson conducted another neighborhood meeting with the updated information.

Conversation ensued that a third-party licensed engineer designed the plans, a third party conducted a geologic hazard and geotechnical report, and Colorado Geological Survey performed an external review of these plans.

Councilmember Reitz moved and Council President Pro Tem Herman seconded to adopt Ordinance No. 5162, an ordinance for a Planned Development (PD) Outline Development Plan (ODP) for The Enclave at Redlands Mesa on a 7.6-acre parcel located at 2345 West Ridges Boulevard over a 5-year timeframe on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

A Resolution Adopting the Grand Junction Regional Water Efficiency Plan

The Colorado Water Conservation Act of 2004 requires the City to have a state-approved water efficiency plan containing certain required minimum plan elements. This 2023 Grand Junction Regional Water Efficiency Plan provides an update to the previous plan in compliance with the current Municipal Water Efficiency Plan Guidance Document issued by the Colorado Water Conservation Board.

Utilities Director Randi Kim presented this item.

Conversation ensued regarding the public engagement and the suggestions brought up during that time: conservation through parks watering practices and the City considering rebates through conservation (already have a tiered rate structure); whether this plan loops irrigation in (water efficiency through all water sources, though tap water is only addressed through the plan); and reconsideration of tap fees (tap fees are based on size of tap not the capacity).

The public comment period was opened at 8:22 p.m.

There were no comments.

The public comment period was closed at 8:22 p.m.

Councilmember Nguyen moved and Council President Pro Tem Herman seconded to adopt Resolution No. 52-23, a resolution adopting the 2023 Grand Junction Regional Water Efficiency Plan. Motion carried unanimously by voice vote.

A Resolution Authorizing an American Rescue Plan Act (ARPA) Grant Award to the Counseling and Education Center (CEC)

The Counseling and Education Center (CEC) requested \$996,006 in American Rescue Plan Act (ARPA) funds for use as a capital investment in securing a new location in Orchard Mesa to expand their counseling services. This request is one of six applications recommended by the Council-appointed ARPA Committee for consideration. CEC had indicated they were awaiting award notification for a separate grant that would complement their ability to complete this project. Councilmembers expressed a desire to wait to make a final decision until after the grant determination was made. In late April, CEC was awarded the grant.

This resolution authorizes the City Manager to make American Rescue Plan Act (ARPA) grant award of \$996,006 to CEC.

City Manager Caton summarized the history of this request.

Councilmember Reitz read a letter explaining why he did not have a conflict of interest in voting on this item (attached).

Councilmember Kennedy expressed he was hoping for more information on the fund request. There was support from Council to revisit this at a workshop.

CEC Development Coordinator Charlie Blackmer spoke to how this impacts their grant funding (BHA funding has been granted) timeline. It will impact how they move forward with applying for other grants.

Councilmember Kennedy moved and Councilmember Nguyen seconded to move this item to a workshop date to be determined. Motion carried 6-1 by voice vote with Councilmember Reitz voting no.

A Resolution Amending an Intergovernmental Agreement with the West Junction Metropolitan District Regarding Construction and Maintenance of Improvements Associated with a 177-Acre Mixed-Use Development Situated to the Northwest of the Highway 6 and 50 and Patterson Road Intersection and South of G Road

In August of 2020, City Council conditionally approved the West Junction Metropolitan District Service Plan (Service Plan). The condition of the Service Plan approval was the

agreement and execution of one or more Intergovernmental Agreements (IGAs) describing the improvements and responsibilities of the City of Grand Junction (City) and the West Junction Metropolitan District (District). On June 1, 2022, the City and the District executed two IGAs to implement the Service Plan, one related to obligations of and benefits to the City and the District and a second which defines roadway construction and financing mechanisms between the City and the District as it specifically pertains to rights-of-way within and adjacent to the District boundaries. As the project has progressed in development review, the District proposes an addendum to the roadway construction and financing IGA to allow for the bonds received by the District as part of the Public Improvements Contracts (PIC) for construction of improvements to serve as the guarantee required as part of the Development Improvements Agreement (DIA) outlined in GJMC 21.02.070(m).

Interim Planning Supervisor Nicole Galehouse presented this item.

Stewart Boren was present to speak on this item on behalf of the developer.

Conversation ensued regarding Metropolitan Districts, their purpose, when appropriate to dissolve and implications to the City.

The public comment period opened at 8:53 p.m.

There were no comments.

The public comment period closed at 8:53 p.m.

Council President Pro Tem Herman moved and Councilmember Kennedy seconded to adopt Resolution No. 50-23, a resolution amending Resolution No. 47-22, approving an addendum to the intergovernmental agreement with the West Junction Metropolitan District regarding the roadway construction and financing associated with the future development within and adjacent to the District boundaries. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:55 p.m.

Amy Phillips, CMC
City Clerk



May 31, 2023

Mayor Stout and Members of City Council
250 N. 5th Street
Grand Junction, CO 81501

Via Electronic Mail Delivery

Mayor Stout and Members of City Council,

With this letter I write concerning my professional relationship with the Counseling and Education Center (CEC), and to disclose the facts of that relationship prior to the Council's consideration of an award of American Rescue Plan Act (ARPA) funds to the CEC.

In a City Council work session, I mentioned that in the past I had seen patients at the CEC. With this letter I write to clarify the specifics of that work and to disclose the same for the record. After consultation with the City Attorney, I am confident that I do not have a conflict of interest, and that my work with CEC does not disqualify me from participating in the consideration of funding for the CEC; however, in the interest of full and continuing disclosure and the City's long-standing practice of disclosing an appearance of conflict(s) I offer the following.

I have never been employed by the CEC; however, from 2000-2004 I saw patients at the CEC that were referred there by my employer Marillac Clinic. Since 2004 I have not seen any patients at the CEC and have had no direct relationship with the CEC. I have previously and may now and into the future occasionally refer patients to the CEC for services; I receive no compensation for referrals. Neither those referrals nor those that I may make have caused or will cause me to inequitably consider the CEC funding application. Instead, my position on the CEC ARPA funding will be determined by what I conclude to be in the best interest of the community, and the relative satisfaction, or not, of application criteria.

I welcome the opportunity to further discuss this letter should a majority of the Council not find this disclosure to be sufficient in content or consequence.

I ask that City Clerk Phillips file a copy of this letter in the public record.

Sincerely, 

Randall Reitz
City Councilmember District At-large
City of Grand Junction, Colorado

pc: Amy Phillips
Greg Caton
John Shaver



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: July 5, 2023
Presented By: Jodi Welch, Finance Director
Department: Finance
Submitted By: Jodi Welch, Finance Director

Information

SUBJECT:

An Ordinance Authorizing a Supplemental Appropriation for Counseling and Education Center - ***To be referred to the Agenda Committee for commitment to a future City Council Work Session***

RECOMMENDATION:

Following Council discussion at the June 21st meeting, this matter is proposed by this action to be referred to the Agenda Committee for commitment by it to a future City Council Work Session.

EXECUTIVE SUMMARY:

The budget was adopted by the City Council through an appropriation ordinance to authorize spending at a fund level based on the line item budget. Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to reappropriate funds for capital projects that began in one year and need to be carried forward to the current year to complete. Supplemental appropriations are also required to approve new projects or expenditures.

This supplemental appropriation is required for spending authorization to allocate \$996,006 in ARPA funds to the Counseling and Education Center.

BACKGROUND OR DETAILED INFORMATION:

The American Rescue Plan Fund (Fund 114) accounts for the direct distribution of American Rescue Plan Act (ARPA) federal funds to the City of Grand Junction. A total of \$10.4 million has been received by the City and in 2022, City Council authorized the distribution of \$1,387,130 to Visit Grand Junction, Air Alliance, and Sports Commission for lodging revenue loss, leaving a remaining \$9,012,870 available for distribution. Grand Junction City Council appointed an Advisory Committee (Committee) to make

recommendations about how the funds will be spent. To date, City Council has authorized the allocation of \$5,873,337 million in ARPA funds; \$1,500,000 to Grand Valley Catholic Outreach, \$1,000,000 to Housing Resources of Western Colorado and \$3,373,337 for the Land and Building Acquisition Program which leaves \$3,139,533 available for allocation.

At the time of the adoption of the 2023 budget, City Council had not heard the recommendations from the Committee, nor made any decisions on grant awards. Therefore, distribution of monies from the ARPA Fund was not budgeted or appropriated. Therefore, a supplemental appropriation is required in the ARPA Fund (Fund 114) of \$996,006. The supplemental appropriation authorizes the budget for the spending authority.

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City of Grand Junction. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

SUGGESTED MOTION:

I (move to refer/move not to refer) to the Agenda Committee for its commitment to a future City Council Work Session the introduction of an ordinance making supplemental appropriations to the 2023 Budget for the Counseling and Education Center.

Attachments

1. 2023 Counseling and Education Center Supplemental Appropriation 1st Reading June 21, 2023

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2023 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023 FOR COUNSELING AND EDUCATION CENTER

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2023 to be expended from such funds as follows:

Fund Name	Fund #	Appropriation
American Rescue Plan Fund	114	\$ 996,006

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this 21st day of June, 2023.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2023.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: July 5, 2023
Presented By: Ken Sherbenou, Parks and Recreation Director
Department: Parks and Recreation
Submitted By: Ken Sherbenou

Information

SUBJECT:

Contract Approval for the Architect/Engineer for the Community Recreation Center

RECOMMENDATION:

Staff recommends the City Council authorize the Purchasing Division to enter into a Professional Services Contract with Barker Rinker Seacat Architecture for Architect/Engineer (AE) Design and Construction Services of the Community Recreation Center (CRC) at Matchett Park for the not-to-exceed amount of \$4,094,163

EXECUTIVE SUMMARY:

Barker Rinker Seacat (BRS) with partner architect Chamberlin Architecture has been selected by the evaluation committee through a qualifications-based recruitment, Request for Proposals (RFP) process. Subconsultants to BRS include Austin Civil Engineering, DHM Landscape Architecture, JVA Structural Engineering, the Ballard Group Mechanical and Plumbing Engineers, RH Electrical Engineers, Group 14 Sustainability engineers and Blundell Cost Estimators.

If approved by City Council, BRS will work with the City and the Construction Manager General Contractor (CMGC) to be selected later this summer and early fall. The project will then move toward design with a goal of breaking ground in the middle of 2024 and CRC completion by the end of 2025.

BACKGROUND OR DETAILED INFORMATION:

The Community Recreation Center (CRC), when constructed, will fill a major gap in the community's infrastructure with being the first multi-purpose indoor recreation center in Grand Junction. Every other western slope community has a recreation center including Delta, Durango, Montrose, Cortez, Meeker, Fruita and Gunnison.

The 2021 Parks, Recreation and Open Space Master Plan, driven by community input such as a statically valid mail survey, revealed that the highest priority of the community was to build a CRC. This was further confirmed by a statistically valid phone survey conducted by Professors from Colorado Mesa University (CMU) conducted in February 2022. Following this result, the City conducted a feasibility study for a CRC in 2022. With an extensive public process and multiple opportunities for citizen feedback, this plan anticipates the construction and operation of an approximately 83,000 square foot facility that is planned to provide, but not be limited to, a multi-generational aquatic area with lazy river, zero depth entry, playground and slides, a cool water lap pool, and a warm water therapy pool, a multisport gymnasium, an indoor walk/jog track, fitness and weights area, multi-purpose meeting rooms, and other community gathering and recreation spaces. The plan was adopted by City Council in November 2022 and led to an April 4, 2023 ballot proposal asking voters to authorize a .14 percent Sales Tax increase and to authorize the City to incur debt to fund the Community Recreation Center. After a successful election, staff began the process of securing an Architect/Engineer to begin the process of design and construction with an anticipated completion date of late 2025.

A formal Request for Proposals 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 Contractor's Association, and to an additional list of professional firms, and advertised in the Grand Junction Daily Sentinel. Four firms submitted formal proposals, which were found to be responsive and responsible. The name of each firm, their location and initial fee for Architect and Engineer services based upon the current scope of work is listed as follows:

Firm	Location	Initial Proposed Not to Exceed Cost
CRP Architects, PC	Colorado Springs, CO	\$ 4,725,000
Barker Rinker Seacat Architecture / Chaberlin Architects	Denver, CO and Grand Junction, CO	\$ 4,684,082
Blythe Group +co / MJMA Architecture & Design	Grand Junction, CO and Ontario, Canada	\$ 3,751,346
Perkins and Will	Denver, CO	\$ 3,643,101

An evaluation committee comprised of City staff including subject matter experts from Parks and Recreation, General Services, and Public Works thoroughly reviewed the proposals received and provided scoring and comments following the Evaluation Criteria Factors of the RFP (Responsiveness of Submittal to the RFP; Understanding of the Project and Objectives; Experience; Strategy & Implementation Plan; Fees). From that initial evaluation, the committee selected three of the four firms to move forward into the interview process:

- Barker Rinker Seacat Architecture (BRS) / Chaberlin Architects

- Blythe Group +co / MJMA Architecture & Design
- Perkins and Will

Upon completion of the interviews, the committee determined that second interviews would be necessary with two of the three remaining firms:

- Barker Rinker Seacat Architecture (BRS) / Chaberlin Architects
- Blythe Group +co / MJMA Architecture & Design

The committee drafted additional questions for further scope clarification, and additional information to better compare the proposed pricing between the two remaining firms. From a pricing standpoint, the pricing comparison conducted brought the two firms much closer together comparatively.

Based upon proposals received, initial interviews, and secondary interviews, Barker Rinker Seacat Architecture / Chaberlin Architects was selected as the preferred proposer to move into the negotiations phase of the solicitation process.

Through the successful negotiations conducted by the Purchasing Division and the evaluation committee for both scope and pricing, the final Not to Exceed Cost for the proposed contract is \$4,094,163,

The committee was very impressed with the BRS and Chamberlin team. Their breadth of Community Recreation Center (CRC) experience and significant local knowledge has given the evaluation committee great confidence that the promises made in the 2022 CRC plan, which BRS facilitated, will meet or exceed expectations. BRS in particular has a long resume of high performing CRCs that provide a high-level of service and participation, and that perform well financially. About 21 percent of the contract scope will be paid to local Grand Junction firms, 28 percent will be paid to western slope firms, 92 percent will be paid to Colorado firms and 100 percent will be paid to United States firms. The committee is confident that the recommended Architectural/Engineering team will bring the right balance of specialized knowledge and local expertise to achieve a successful project.

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

FISCAL IMPACT:

The 2023 budget for this contract will be considered/approved by the City Council in a forthcoming supplemental appropriation with resources coming from the voter-approved CRC sales tax. The remaining and majority cost of the CRC project will be budgeted in 2024 and 2025.

SUGGESTED MOTION:

I move to (authorize/not authorize) the City Purchasing Division to enter into a Professional Services Contract with Barker Rinker Seacat Architecture for Architect/Engineer (AE) Design and

Construction Services of the Community Recreation Center (CRC) at Matchett Park in the not-to-exceed amount of \$4,094,163

Attachments

None



Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: July 5, 2023
Presented By: Ken Watkins, Fire Chief
Department: Fire
Submitted By: Kirsten Armbruster

Information

SUBJECT:

Award of Contract for Pomona Elementary School/Kronkright Sports Complex Parking Lot Landscaping and Irrigation Project

RECOMMENDATION:

Authorize the City Purchasing Division to enter into a construction contract with Clarke & Company, Inc for landscaping and irrigation of the Pomona Elementary School/Kronkright Sports Complex parking lot in the amount of \$91,488.88.

EXECUTIVE SUMMARY:

This request is to award a construction contract for Clarke & Company to install a new irrigation system with new landscaping at the recently completed Pomona Elementary School/Kronkright Sports Complex parking lot extension project at 582 25 1/2 Road. This will be the final phase of construction for the 2021 project to replace the previous Fire Station 3 with the new Fire Station 3 to the south. Once completed, the City and school district will complete the final legal requirements for the land exchange.

BACKGROUND OR DETAILED INFORMATION:

The new Fire Station 3 was relocated just south of the previous Fire Station 3 in a land exchange with Mesa County School District 51. The land to the south of the old fire station was a parking lot for Pomona Elementary School and the Kronkright Sports Complex. With the relocation of the new fire station onto this existing parking lot, a new parking lot needed to be constructed. Construction of the new fire station was completed May 17, 2022, and upon completion and demolition of the old fire station, the Pomona Elementary School parking lot was extended to where the previous Fire Station 3 was located. The landscaping and irrigation is the final phase of the construction for this project.

A formal Invitation for Bid was issued via BidNet Direct (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 Grand Junction Daily Sentinel. Only one company submitted a formal bid and was found to be responsive and responsible for the following bid amount:

Company	Location	Bid Amount
Clarke & Co., Inc.	Grand Junction, CO	\$91,488.88 (includes 2% prompt payment discount)

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

FISCAL IMPACT:

Funding for this project is included in the Fire Station 3 project budget in the 2023 Amended Budget.

SUGGESTED MOTION:

I move to (authorize/not authorize) the City Purchasing Division to enter into a construction contract with Clarke & Company, Inc for landscaping and irrigation of the Pomona Elementary School/Kronkright Sports Complex parking lot for the amount of \$91,488.88.

Attachments

None



Grand Junction City Council

Workshop Session

Item #4.a.

Meeting Date: July 5, 2023
Presented By: Trenton Prall, Public Works Director
Department: Public Works - Engineering
Submitted By: Eric Mocko, Transportation Engineer

Information

SUBJECT:

A Resolution Authorizing Agreement with CDOT for Traffic Maintenance

EXECUTIVE SUMMARY:

The CDOT maintenance contract for traffic control devices provides the City with monthly reimbursement for City staff to maintain traffic signals, signs, striping and marking on certain state highways within City limits.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction maintains traffic signals, signs, striping and markings on state highways within the City limits under a maintenance contract. The existing contract expires June 30, 2023. This new contract provides for an annual reimbursement of \$441,760.92, billed monthly. The new contract, consistent with past practice, is for a five-year term and totals \$2,208,804.60. This maintenance agreement has been in place for more than 25 years.

The City maintains 21.1 centerline miles of signs and delineators, 9.9 centerline miles of striping and markings, and 44 signals for CDOT. New for this contract, is an ability for the City to be reimbursed for larger, non-structural repair items associated with crashes, knockdowns, etc.

FISCAL IMPACT:

The total reimbursement rate from CDOT is monthly payments of \$36,813.41, or \$441,760.92 annually. Over the course of the five year contract, the City will receive \$2,208,804.60 from CDOT. The revenues from this contract and the associated expenses are budgeted in the General Fund.

SUGGESTED ACTION:

I move to adopt a Resolution authorizing an agreement between the City of Grand Junction and the Colorado Department of Transportation to perform traffic maintenance services on State highways.

Attachments

1. Traffic MTCE FY24-29 Grand Junction 331003104 June 27 2023
2. RES-CDOT Maintenance 2023 20230626

(State \$Traffic Mtce)
CITY OF GRAND JUNCTION

Rev 10/03
Region: R3 (BH)

CONTRACT

THIS AGREEMENT is entered into by and between the CITY OF GRAND JUNCTION (hereinafter called the “Local Agency”), and the STATE OF COLORADO acting by and through the Department of Transportation (hereinafter called the “State” or “CDOT”).

RECITALS:

1. Authority exists in the law and funds have been budgeted, appropriated and otherwise made available and a sufficient uncommitted balance thereof remains available for payment of project and Local Agency costs. Contract Encumbrance Amount: \$2,208,804.60.
2. Required approval, clearance and coordination have been accomplished from and with appropriate agencies.
3. Section 43-2-102 and 103, C.R.S., require the State to maintain State highways (including where such highways extend through a city or an incorporated town), and Section 43-2-135(1)(i), C.R.S., as amended, requires the State to install, operate, maintain and control, at State expense, all traffic control devices on the State highway system within cities and incorporated towns.
4. The parties desire to enter this contract for the Local Agency to provide some or all of the certain Highway maintenance services on State highways that are the responsibility of the State under applicable law, and for the State to pay the Local Agency a reasonable negotiated fixed rate for such services.
5. The parties also intend that the Local Agency shall remain responsible to perform any services and duties on State highways that are the responsibility of the Local Agency under applicable law, at its own cost.
6. The State and the Local Agency have the authority, as provided in Sections 29-1-203, 43-1-106, 43-2-103, 43-2-104, and 43-2-144, C.R.S., as amended, and if applicable, in an ordinance or resolution duly passed and adopted by the Local Agency, to enter into contract with the Local Agency for the purpose of maintenance of traffic control devices on the State highway system as hereinafter set forth.
7. The Local Agency has adequate facilities to perform the desired maintenance services on State highways within its jurisdiction.

THE PARTIES NOW AGREE THAT:

Section 1. Scope of Work

The Local Agency shall perform all maintenance services for the specified locations located within the Local Agency's jurisdiction and described in **Exhibit A**. Such services and highways are further detailed in Section 5.

Section 2. Order of Precedence

In the event of conflicts or inconsistencies between this contract and its exhibits, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority:

1. Special Provisions contained in section 22 of this contract
2. This contract
3. **Exhibit A** (Scope of Work)
4. **Exhibit C** (Option Letter)
5. **Exhibit D** (Encumbrance Letter).
6. **Exhibit B** (Local Agency Ordinance or Resolution, if applicable)
7. **Exhibit E** (PII Certification)

Section 3. Term

This contract shall be effective upon the date signed/approved by the State Controller, or designee, or on July 1, 2023, whichever is later. The term of this contract shall **terminate on June 30, 2028**. Provided, however, that the State's financial obligation for each subsequent, consecutive fiscal year of that term after the first fiscal year shall be subject to and contingent upon funds for each subsequent year being appropriated, budgeted, and otherwise made available therefor.

Section 4. Project Funding and Payment Provisions

- A. The Local Agency has estimated the total cost of the work and is prepared to accept the State funding for the work, as evidenced by an appropriate ordinance or resolution duly passed and adopted by the authorized

representatives of the Local Agency, which expressly authorizes the Local Agency to enter into this contract and to complete the work under the project. A copy of any such ordinance or resolution is attached hereto and incorporated herein as **Exhibit B**.

- B. Subject to the terms of this contract, for the satisfactory performance of the maintenance services on the Highways, as described in Section 5, the State shall pay the Local Agency on a lump sum basis, payable in monthly installments, upon receipt of the Local Agency's Statements, as provided herein.
- C. The State shall pay the Local Agency for the satisfactory operation and maintenance of traffic control devices under this agreement at the rates described in **Exhibit A**.
- D. The Local Agency will provide maintenance services as described in **Exhibit A**, for a **total maximum amount of \$441,760.92 per State fiscal year, and a maximum contract total shall not exceed the cumulative five-year total of \$2,208,804.60**. The negotiated rate per location shall remain fixed for the full five-year term of the contract, unless this rate is renegotiated in accord with the procedure set forth herein in Section 17. The total payments to the Local Agency during the term of this contract shall not exceed that maximum amount, unless this contract is amended. The Local Agency will bill the State monthly and the State will pay such bills within 45 days.
- E. The Statements submitted by the Local Agency for which payment is requested shall contain an adequate description of the type(s) and the quantity(ies) of the maintenance services performed, the date(s) of that performance, and on which specific sections of the highways such services were performed, in accord with standard Local Agency billing standards.
- F. If the Local Agency fails to satisfactorily perform the maintenance services or if the Statement submitted by the Local Agency does not adequately document the payment requested, after notice thereof from the State, the State may deduct and retain a proportionate amount from the monthly payment, based on the above rate, for that segment or portion.

Section 5: State & Local Agency Commitments:

- A. The Local Agency shall perform the maintenance services for the certain State highway system locations described herein. Such services and locations are detailed in **Exhibit A**.
- B. The Local Agency shall operate and maintain the specific traffic control devices, and at the particular locations, all as listed on **Exhibit A**, in a manner that is consistent with current public safety standards on State highways within its jurisdictional limits, and in conformance with applicable portions of the "Manual on Uniform Traffic Control Devices" and the "Colorado Supplement" thereto, which are referred to collectively as the "Manual" and which are incorporated herein by reference as terms and conditions of this agreement. The Local Agency shall provide all personnel, equipment, and other services necessary to satisfactorily perform such operation and maintenance.
- C. The Parties shall have the option to add or delete, at any time during the term of this agreement and subject to §17 of this agreement, one or more specific traffic control devices to the list shown in **Exhibit A** and therefore amend the maintenance services to be performed by the Local Agency under this agreement. The State may amend **Exhibit A** by written notice to the Local Agency using an Option Letter substantially equivalent to **Exhibit C**.
- D. The Local Agency may propose, in writing, other potential specific traffic control devices to be operated and maintained by the Local Agency during the term of this agreement, based on the same rates that had been initially agreed to by the Local Agency in **Exhibit A**. If the State determines in writing that operation and maintenance of those other devices by the Local Agency is appropriate, and is desirable to the State, and if the State agrees to add such devices to this agreement, then the State shall, by written Option Letter issued to the Local Agency in a form substantially equivalent to **Exhibit C**, add such devices to this contract.
- E. The Local Agency shall perform all maintenance services on an annual basis. The Local Agency's performance of such services shall comply with the same standards that are currently used by the State for the State's performance of such services, for similar type highways with similar use, in that year, as determined by the State. The State's Regional Transportation Director, or his representative, shall determine the then current applicable maintenance standards for the maintenance services. Any standards/directions provided by the State's representative to the Local Agency concerning the maintenance services shall be in writing. The Local Agency shall contact the State Region office and obtain those standards before the Local Agency performs such services.

Section 6. Record Keeping

The Local Agency shall maintain a complete file of all records, documents, communications, and other written materials that pertain to the costs incurred under this contract. The Local Agency shall maintain such records for a

period of three (3) years after the date of termination of this contract or final payment hereunder, whichever is later, or for such further period as may be necessary to resolve any matters which may be pending. The Local Agency shall make such materials available for inspection at all reasonable times and shall permit duly authorized agents and employees of the State and, if applicable, FHWA to inspect the project and to inspect, review and audit the project records.

Section 7. Termination Provisions

This contract may be terminated as follows:

A. This contract may be terminated by either party, but only at the end of the State fiscal year (June 30), and only upon written notice thereof sent by registered, prepaid mail and received by the non-terminating party, not later than 30 calendar days before the end of that fiscal year. In that event, the State shall be responsible to pay the Local Agency only for that portion of the highway maintenance services actually and satisfactorily performed up to the effective date of that termination, and the Local Agency shall be responsible to provide such services up to that date, and the parties shall have no other obligations or liabilities resulting from that termination.

Notwithstanding subparagraph A above, this contract may also be terminated as follows:

B. Termination for Convenience. The State may terminate this contract at any time the State determines that the purposes of the distribution of moneys under the contract would no longer be served by completion of the project. The State shall effect such termination by giving written notice of termination to the Local Agency and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination.

C. Termination for Cause. If, through any cause, the Local Agency shall fail to fulfill, in a timely and proper manner, its obligations under this contract, or if the Local Agency shall violate any of the covenants, agreements, or stipulations of this contract, the State shall thereupon have the right to terminate this contract for cause by giving written notice to the Local Agency of its intent to terminate and at least ten (10) days opportunity to cure the default or show cause why termination is otherwise not appropriate. In the event of termination, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports or other material prepared by the Local Agency under this contract shall, at the option of the State, become its property, and the Local Agency shall be entitled to receive just and equitable compensation for any services and supplies delivered and accepted. The Local Agency shall be obligated to return any payments advanced under the provisions of this contract.

Notwithstanding the above, the Local Agency shall not be relieved of liability to the State for any damages sustained by the State by virtue of any breach of the contract by the Local Agency, and the State may withhold payment to the Local Agency for the purposes of mitigating its damages until such time as the exact amount of damages due to the State from the Local Agency is determined.

If after such termination it is determined, for any reason, that the Local Agency was not in default or that the Local Agency's action/inaction was excusable, such termination shall be treated as a termination for convenience, and the rights and obligations of the parties shall be the same as if the contract had been terminated for convenience, as described herein.

D. Termination Due to Loss of Funding. The parties hereto expressly recognize that the Local Agency is to be paid, reimbursed, or otherwise compensated with federal and/or State funds which are available to the State for the purposes of contracting for the project provided for herein, and therefore, the Local Agency expressly understands and agrees that all its rights, demands and claims to compensation arising under this contract are contingent upon availability of such funds to the State. In the event that such funds or any part thereof are not available to the State, the State may immediately terminate or amend this contract.

Section 8. Legal Authority

The Local Agency warrants that it possesses the legal authority to enter into this contract and that it has taken all actions required by its procedures, by-laws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this contract and to bind the Local Agency to its terms. The person(s) executing this contract on behalf of the Local Agency warrants that such person(s) has full authorization to execute this contract.

Section 9. Representatives and Notice

The State will provide liaison with the Local Agency through the State's Region Director, Region R3, . Said Region Director will also be responsible for coordinating the State's activities under this contract and will also issue a "Notice to Proceed" to the Local Agency for commencement of the work. All communications relating to the day-to-day activities for the work shall be exchanged between representatives of the State's Transportation Region R3

and the Local Agency. All communication, notices, and correspondence shall be addressed to the individuals identified below. Either party may from time to time designate in writing new or substitute representatives.

If to State

CDOT Region: R3
Andi Staley
Project Manager
222 S. 6th Street, Room 100
Grand Junction, CO 81501
970-683-6278

If to the Local Agency

City of Grand Junction
Eric C. Mocko
Transportation Engineer
333 West Avenue, Building D
Grand Junction, CO 81501
970-256-4017

Section 10. Successors

Except as herein otherwise provided, this contract shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

Section 11. Third Party Beneficiaries

It is expressly understood and agreed that the enforcement of the terms and conditions of this contract and all rights of action relating to such enforcement, shall be strictly reserved to the State and the Local Agency. Nothing contained in this contract shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the State and the Local Agency that any such person or entity, other than the State or the Local Agency receiving services or benefits under this contract shall be deemed an incidental beneficiary only.

Section 12. Governmental Immunity

Notwithstanding any other provision of this contract to the contrary, no term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protection, or other provisions of the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as now or hereafter amended. The parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of § 24-10-101, et seq., C.R.S., as now or hereafter amended and the risk management statutes, §§ 24-30-1501, et seq., C.R.S., as now or hereafter amended.

Section 13. Severability

To the extent that this contract may be executed and performance of the obligations of the parties may be accomplished within the intent of the contract, the terms of this contract are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

Section 14. Waiver

The waiver of any breach of a term, provision, or requirement of this contract shall not be construed or deemed as a waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision or requirement.

Section 15. Entire Understanding

This contract is intended as the complete integration of all understandings between the parties. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied herein by writing. No subsequent novation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in a writing executed by the parties and approved pursuant to the State Fiscal Rules.

Section 16. Survival of contract Terms

Notwithstanding anything herein to the contrary, the parties understand and agree that all terms and conditions of this contract and the exhibits and attachments hereto which may require continued performance, compliance or effect beyond the termination date of the contract shall survive such termination date and shall be enforceable by the State as provided herein in the event of such failure to perform or comply by the Local Agency.

Section 17. Modification and Amendment

This contract is subject to such modifications as may be required by changes in federal or State law, or their implementing regulations. Any such required modification shall automatically be incorporated into and be part of this contract on the effective date of such change as if fully set forth herein. Except as provided above, no modification of this contract shall be effective unless agreed to in writing by both parties in an amendment to this contract that is properly executed and approved in accordance with applicable law.

A. Amendment

Either party may suggest renegotiation of the terms of this contract, provided that the contract shall not be subject to renegotiation more often than annually, and that neither party shall be required to renegotiate. If the parties agree to change the provisions of this contract, the renegotiated terms shall not be effective until this contract is amended/modified accordingly in writing. Provided, however, that the rates will be modified in accordance with applicable cost accounting principles and standards (including sections 24-107-101, et seq., C.R.S. and implementing regulations), and be based on an increase/decrease in the "allowable costs" of performing the Work. Any such proposed renegotiation shall not be effective unless agreed to in writing by both parties in an amendment to this contract that is properly executed and approved by the State Controller or delegee. Any such rate change will go into effect on the first day of the first month following the amendment execution date.

B. Option Letter

- a. The State may increase/decrease the quantity of goods/services described in **Exhibit A** at the same unit prices (rates) originally established in the contract. The State may exercise the option by written notice to the Local Agency in a form substantially equivalent to **Exhibit C**.
- b. As a result of increasing/decreasing the locations, the State may also unilaterally increase/decrease the maximum amount payable under this contract based upon the unit prices (rates) originally established in the contract and the schedule of services required, as set by the terms of this contract. The State may exercise the option by providing a fully executed option to the Local Agency, in a form substantially equivalent to **Exhibit C**, immediately upon signature of the State Controller or an authorized delegate. The Option Letter shall not be deemed valid until signed by the State Controller or an authorized delegate. Any such rate change will go into effect on the first day of the first month following the option letter execution date.

C. State Encumbrance Letter

The State may encumber the funds up to the maximum amount allowed during a given fiscal year by unilateral execution of an encumbrance letter in a form substantially equivalent to **Exhibit D**. The State shall provide a fully executed encumbrance letter to the Local Agency after execution. Delivery/performance of the goods/services shall continue at the same rate and under the same terms as established in the contract.

Section 18. Disputes

Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract, which is not disposed of by agreement, will be decided by the Chief Engineer of the Department of Transportation. The decision of the Chief Engineer will be final and conclusive unless, within 30 calendar days after the date of receipt of a copy of such written decision, the Local Agency mails or otherwise furnishes to the State a written appeal addressed to the Executive Director of the Department of Transportation. In connection with any appeal proceeding under this clause, the Local Agency shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Local Agency shall proceed diligently with the performance of the contract in accordance with the Chief Engineer's decision. The decision of the Executive Director or his duly authorized representative for the determination of such appeals will be final and conclusive and serve as final agency action. This dispute clause does not preclude consideration of questions of law in connection with decisions provided for herein. Nothing in this contract, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

Section 19. Does not supersede other agreements

This contract is not intended to supersede or affect in any way any other agreement (if any) that is currently in effect between the State and the Local Agency for other "maintenance services" on State Highway rights-of-way within the jurisdiction of the Local Agency. Also, the Local Agency shall also continue to perform, at its own expense, all such activities/duties (if any) on such State Highway rights-of-ways that the Local Agency is required by applicable law to perform.

Section 20. SubLocal Agencies

The Local Agency may subcontract for any part of the performance required under this contract, subject to the Local Agency first obtaining approval from the State for any particular subLocal Agency. The State understands that the

Local Agency may intend to perform some or all of the services required under this contract through a subLocal Agency. The Local Agency agrees not to assign rights or delegate duties under this contract [or subcontract any part of the performance required under the contract] without the express, written consent of the State, which shall not be unreasonably withheld. Except as herein otherwise provided, this agreement shall inure to the benefit of and be binding only upon the parties hereto and their respective successors and assigns.

Section 21. Statewide Contract Management System

If the maximum amount payable to Local Agency under this contract is \$100,000 or greater, either on the Effective Date or at any time thereafter, this **§ 21. Statewide Contract Management System** applies.

Local Agency agrees to be governed, and to abide, by the provisions of CRS §24-102-205, §24-102-206, §24-103-601, §24-103.5-101 and §24-105-102 concerning the monitoring of Local Agency performance on state contracts and inclusion of contract performance information in a Statewide contract management system.

Local Agency's performance shall be subject to evaluation and review in accordance with the terms and conditions of this contract, State law, including CRS §24-103.5-101, and State fiscal rules, policies and guidance. Evaluation and review of the Local Agency's performance shall be part of the normal contract administration process and Local Agency's performance will be systematically recorded in the statewide contract management system. Areas of evaluation and review shall include, but shall not be limited to, quality, cost and timeliness. Collection of information relevant to the performance of Local Agency's obligations under this contract shall be determined by the specific requirements of such obligations and shall include factors tailored to match the requirements of Local Agency's obligations. Such performance information shall be entered into the Statewide contract management system at intervals established herein and a final evaluation, review and rating shall be rendered within 30 days of the end of the contract term. Local Agency shall be notified following each performance evaluation and review, and shall address or correct any identified problem in a timely manner and maintain work progress.

Should the final performance evaluation and review determine that Local Agency demonstrated a gross failure to meet the performance measures established hereunder, the Executive Director of the Colorado Department of Personnel and Administration (Executive Director), upon request by the Department of Transportation, and showing of good cause, may debar Local Agency and prohibit Local Agency from bidding on future contracts. Local Agency may contest the final evaluation, review and rating by: **(a)** filing rebuttal statements, which may result in either removal or correction of the evaluation (CRS §24-105-102(6)), or **(b)** under CRS §24-105-102(6), exercising the debarment protest and appeal rights provided in CRS §§24-109-106, 107, 201 or 202, which may result in the reversal of the debarment and reinstatement of Local Agency, by the Executive Director, upon showing of good cause.

Section 22. COLORADO SPECIAL PROVISIONS (COLORADO FISCAL RULE 3-3)

These Special Provisions apply to all contracts except where noted in *italics*.

A. STATUTORY APPROVAL. §24-30-202(1), C.R.S.

This Contract shall not be valid until it has been approved by the Colorado State Controller or designee. If this Contract is for a Major Information Technology Project, as defined in §24-37.5-102(2.6), then this Contract shall not be valid until it has been approved by the State's Chief Information Officer or designee.

B. FUND AVAILABILITY. §24-30-202(5.5), C.R.S.

Financial obligations of the State payable after the current State Fiscal Year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

C. GOVERNMENTAL IMMUNITY.

Liability for claims for injuries to persons or property arising from the negligence of the State, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

D. INDEPENDENT CONTRACTOR

Contractor shall perform its duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the State.

Contractor shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. **Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Contractor or any of its agents or employees. Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Contract. Contractor shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the State, and (iii) be solely responsible for its acts and those of its employees and agents.**

E. COMPLIANCE WITH LAW.

Contractor shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. CHOICE OF LAW, JURISDICTION, AND VENUE.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

G. PROHIBITED TERMS.

Any term included in this Contract that requires the State to indemnify or hold Contractor harmless; requires the State to agree to binding arbitration; limits Contractor's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Contract shall be construed as a waiver of any provision of §24-106-109 C.R.S. Any term included in this Contract that limits Contractor's liability that is not void under this section shall apply only in excess of any insurance to be maintained under this Contract, and no insurance policy shall be interpreted as being subject to any limitations of liability of this Contract.

H. SOFTWARE PIRACY PROHIBITION.

State or other public funds payable under this Contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Contractor hereby certifies and warrants that, during the term of this Contract and any extensions, Contractor has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Contractor is in violation of this provision, the State may exercise any remedy available at law or in equity or under this Contract, including, without limitation, immediate termination of this Contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST. §§24-18-201 and 24-50-507, C.R.S.

The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this Contract. Contractor has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Contractor's services and Contractor shall not employ any person having such known interests.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Section 23. SIGNATURE PAGE

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

* Persons signing for the Local Agency hereby swear and affirm that they are authorized to act on the Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

<p style="text-align: center;">THE LOCAL AGENCY CITY OF GRAND JUNCTION</p> <p>Name: _____ (print name)</p> <p>Title: _____ (print title)</p> <p>_____</p> <p style="text-align: center;">*Signature</p> <p>Date: _____</p>	<p style="text-align: center;">STATE OF COLORADO Jared S. Polis Department of Transportation</p> <p>By _____ Keith Stefanik, P.E., Chief Engineer (For) Shoshana M. Lew, Executive Director</p> <p>Date: _____</p>
<p>2nd Local Agency Signature if needed</p> <p>Name: _____ (print name)</p> <p>Title: _____ (print title)</p> <p>_____</p> <p style="text-align: center;">*Signature</p> <p>Date: _____</p>	<p style="text-align: center;">STATE OF COLORADO LEGAL REVIEW Philip J. Weiser, Attorney General</p> <p>By _____ Signature – Assistant Attorney General</p> <p>Date: _____</p>

ALL AGREEMENTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State agreements. This agreement is not valid until signed and dated below by the State Controller or delegate. The Local Agency is not authorized to begin performance until such time. If the Local Agency begins performing prior thereto, the State of Colorado is not obligated to pay the Local Agency for such performance or for any goods and/or services provided hereunder.

<p style="text-align: center;">STATE OF COLORADO STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>By: _____ Colorado Department of Transportation</p> <p>Date: _____</p>

EXHIBIT A
SCOPE OF WORK

City of Grand Junction
Traffic Maintenance Scope of Work

General

The City of Grand Junction (herein further referred to as "Contractor") shall operate and maintain as described below all signing, striping, pavement marking, and signal traffic control devices under the responsibility of the State in accordance with CRS 43-2-135. All other traffic control devices in State ROW not the State's responsibility in accordance with CRS 43-2-135 shall continue to be maintained by the Contractor.

Operation and maintenance will include repair, routine maintenance, periodic inspection and/or testing, and annual, cyclical replacement as described below.

CDOT may conduct periodic, random inspections at any time of any device to ensure compliance with this contract.

Documentation and Record-Keeping

In accordance with Sections 5 and 6 of this contract, all maintenance, operations, inspections, etc. as required by this contract shall be documented and submitted annually for CDOT review.

Control of Work in the ROW

All work as required by this contract shall meet all CDOT requirements, standards, laws, guidelines etc. for design, construction, maintenance, operation, and repair.

Either agency making changes to traffic control devices affected by this contract or new installations of traffic control devices shall provide adequate notification of the changes or additions to the other agency to allow analysis, review, and approval.

CDOT shall be given minimum 3-day advance notice of work that may affect the traveled way of the highways. CDOT may request traffic control plans, method of handling traffic, or other traffic control engineering as applicable.

Signs

All signs and delineators in the highway segments listed below (including panels, posts, bases, and hardware) shall be maintained and repaired as follows:

Highway	From	To	Length	Description
50A	31.76	34.62	2.86	Begin to 27.75 Rd, all FR
6A	25.50	end	0.58	Last 0.5 mile of 6A to 21.5 Rd
6B	30.27	33.60	3.33	North Ave to 29 Rd
70B	0.00	7.90	7.90	Begin to 28.5 Rd
70Z	0.00	1.34	1.34	All
70A 24 Rd overpass	0.00	0.25	0.25	All w/in CDOT ROW
70A 25 Rd overpass	0.00	0.25	0.25	All w/in CDOT ROW
70AF North 25 to 26	0.00	1.00	1.00	All w/in CDOT ROW
70A 26 Rd overpass	0.00	0.25	0.25	All w/in CDOT ROW
70A 26.5 Rd overpass	0.00	0.25	0.25	All w/in CDOT ROW
70AF 26.5 Rd	0.00	0.25	0.25	All w/in CDOT ROW
70A 27 Rd overpass	0.00	0.25	0.25	All w/in CDOT ROW
70A Horizon Dr	0.00	0.25	0.25	All w/in CDOT ROW
70AF north at 29 Rd	0.00	0.25	0.25	All w/in CDOT ROW
70A 29 Rd overpass	0.00	0.25	0.25	All w/in CDOT ROW
340A	11.48	13.34	1.86	300 lf west of Ridges to end
		Total	21.12	

Overhead sign panels and structures will continue to be maintained by CDOT.

Signs include all traffic control signs under the responsibility of CDOT as per CRS 43-2- 135, including traffic control signs within State ROW but intended for a side street.

CDOT will continue to conduct cyclical replacement of sign panels and upgrade of existing posts and bases on an appropriate annual cycle to maintain acceptable condition in accordance with current standards and practices.

Maintenance shall include repair of damaged delineators and class I and II sign panels and associated posts, hardware, etc. due to weather, vehicle crashes, or other causes. Repair of damaged signs shall be done within one calendar day of notification or discovery of damage for stop and yield signs, three calendar days for regulatory and warning, and seven calendar days for guide, motorists' service, and other special signs.

New installs shall be reviewed and approved by CDOT and shall meet all applicable CDOT and Contractor standards and guidelines. A determination of who will provide labor, material, and equipment for the installation will be made on a case-by-case basis between the aforementioned contract representatives.

A once per year random inspection of 5% of inventory shall be done jointly between CDOT and the Contractor to ensure compliance.

Markings

All markings (crosswalks, stop-bars, words, symbols) in the highway segments listed below shall be maintained as follows:

Highwa	From	To	Length	Description
6B	30.27	33.60	3.33	North Ave to 29 Road
50A	31.76	32.97	1.21	Begin to Unawweep Ave
70B	4.95	7.90	2.95	1 st and Grand Ave to 28.5 Rd
70Z	0.00	1.34	1.34	All
340A	12.3	13.34	1.04	Redlands Canal East to end
		Total	9.87	

Highway markings shall be replaced cyclically at minimum every 5 years or more frequently as necessary to ensure that the marking has an acceptable level of daytime appearance and/or a minimum retro-reflectivity of 100 mcd/m²/lux for white and 65 mcd/m²/lux for yellow.

New installs shall be reviewed and approved by CDOT and shall meet all applicable CDOT and Contractor standards and guidelines. A determination of who will provide labor, material, and equipment for the installation will be made on a case-by-case basis between the aforementioned contract representatives.

A once per year random inspection of 5% of inventory shall be done jointly between CDOT and the Contractor to ensure compliance.

Striping

All striping in the highway segments listed below shall be maintained as follows:

Highway	From	To	Length	Description
06B	30.27	33.60	3.33	North Ave to 29 Road
50A Hwy50	31.76	32.97	1.21	Begin to Unawweep Ave
70B	4.95	7.90	2.95	1st and Grand Ave to 28.5 Rd
70Z Ute Ave	0.00	1.34	1.34	All
340A	12.3	13.34	1.04	Redlands Canal East to end
		Total	9.87	

Highway striping shall be repainted cyclically at minimum twice every year or more frequently as necessary to ensure that the marking has an acceptable level of daytime appearance and/or a minimum retro-reflectivity of 100 mcd/m²/lux.

New installs shall be reviewed and approved by CDOT and shall meet all applicable CDOT and Contractor standards and guidelines. A determination of who will provide labor, material, and equipment for the installation will be made on a case-by-case basis between the aforementioned contract representatives.

A once per year random inspection of 5% of inventory shall be done jointly between CDOT and the Contractor to ensure compliance.

Signals

All traffic control signals listed below shall be maintained and operated as follows:

Business Loop 70

70B @ 28 Rd.

70B @ Main St.

Main St. @ 1st St.

Rood Ave. @ 1st St.

Pitkin Ave. @ 4th St.

Pitkin Ave. @ 5th St.

Pitkin Ave. @ 6th St.

Pitkin Ave. @ 7th St.

Pitkin Ave. @ 9th St.

Ute Ave. @ 12th St.

Ute Ave. @ 9th St.

Ute Ave. @ 7th St.

Ute Ave. @ 6th St.

Ute Ave. @ 5th St.

Ute Ave. @ 4th St.

Grand Ave @ 1st St.

70B @ Independent Ave.

70B @ Teller Ave

70B @ Ouray Ave.

70B @ 25 Rd.

70B @ 24 1/2 Rd.

70B @ 24 3/4 Rd.

70B @ Mesa Mall

70B @ 23 Rd.

North Ave. @ 23rd St.

North Ave. @ 28 Rd.

North Ave. @ 28 1/4 Rd.

North Ave. @ 28 1/2 Rd.

North Ave. @ 28 3/4 Rd.

North Ave. @ 29 Rd.

North Ave @ 29.5 Road

Highway 340

Hwy 340 @ Monument Rd.

Hwy 340 @ West Ave.

Hwy 340 @ Mulberry St.

Total Signals: 44

Highway 50

Hwy 50 @ Unaweep Ave.

Hwy 50 @ 27 Rd.

I-70 Off-Ramps

I-70 @ Hwy 6 WB Off-Ramp

I-70 @ Hwy 6 EB Off-Ramp

Highway 6

6A @ 22 Road

North Ave. @ 1st St.

North Ave. @ 5th St.

North Ave. @ 7th St.

North Ave. @ 10th St.

North Ave. @ 12th St.

Periodic Preventative Maintenance Checks

The following items shall be checked on every signal under this contract at least semi- annually for proper operation (Conflict Monitor, Heads, Lenses, Detection, Structure, Hardware, Caisson, Controller, Communications and Lighting).

Timing

Signal timing shall be kept updated with timing based upon current traffic volumes at least every 4 years. Timing shall meet CDOT's State Highway Access Code for progression, CRS 42-4-602, and CDOT and industry practices for performance.

Emergency Maintenance and Repair

The Contractor shall be responsible for emergency response, emergency signal operation, and repair of damage to all non-structural equipment, including cabinets, conduit, power and communications, lighting, signal heads, push buttons, push button posts, pedestal poles, signage, and other related items. Reimbursement for repair of damage over \$3,000 may be reimbursed by the Owner and will be determined on a case-by-case basis between the aforementioned contract representatives. The Local Agency shall not be responsible for repair of structural components, including signal poles, mast arms and caissons. Contractor shall respond to traffic signal failures and malfunctions within the following timelines.

- Signal power outage - immediate response and appropriate emergency operation, repair as soon as practicable.
- Malfunctioning signal - immediate response and interim operation, repair as soon as practicable.
- Protected phases and red head outage - immediate repair.
- Pedestrian heads - repair within two days.
- Permitted phase and non-red head outage - repair within three days.

Signal Modifications

New installs shall be reviewed and approved by CDOT and shall meet all applicable CDOT and Contractor standards and guidelines. A determination of who will provide labor, material, and equipment for the installation will be made on a case-by-case basis between the aforementioned contract representatives.

Additional changes needed as a result of traffic volume growth, developing crash activity, or other safety or operational analysis or concerns along with any upgrades of the signals or its systems due to new technologies shall be determined on a case-by-case basis.

RATE/PAYMENT SCHEDULE

SIGNS

Payment: The Contractor shall be compensated at an annual cost of \$102,940.08 for the above-described services. Monthly cost \$8,578.34. Total five-year contract cost \$514,700.40.

MARKINGS

Payment: The Contractor shall be compensated at an annual cost of \$39,805.44 on a five-year replacement cycle for the above-described services. Monthly cost \$3,317.12. Total five-year contract cost \$199,027.20.

STRIPING

Payment: The Contractor shall be compensated at an annual cost of \$29,412.84. Monthly cost \$2,451.07. Total five-year contract cost \$147,064.20.

SIGNALS

Payment: The Contractor shall be compensated \$269,602.56 annually for a total of 44 signals for the above-described services. Monthly cost \$22,466.88. Total five-year contract cost \$1,348,012.80.

EXHIBIT B – LOCAL AGENCY RESOLUTION

**LOCAL AGENCY
ORDINANCE
or
RESOLUTION
(if applicable)**

EXHIBIT C - SAMPLE OPTION LETTER

SAMPLE IGA OPTION LETTER

Highway or Traffic Maintenance

(This option has been created by the Office of the State Controller for CDOT use only)

Date: _____	State Fiscal Year: _____	Option Letter No. _____	Routing # _____
--------------------	---------------------------------	--------------------------------	------------------------

Vendor name: _____

1) SUBJECT:

Change in the amount of goods within current term.

2) REQUIRED PROVISIONS:

In accordance with Section 17 of contract routing number insert FY, agency code & routing #, between the State of Colorado, Department of Transportation, and insert Local Agency name the state hereby exercises the option to an increase/decrease in the amount of goods/services at the same rate(s) specified in Exhibit A.

The amount of the current Fiscal Year contract value (encumbrance) is increased/decreased by \$ amount of change to satisfy services/goods ordered under the contract for the current fiscal year insert fiscal year. The Contract Encumbrance Amount in Recital 1 is hereby modified to \$amount of new annual encumbrance, and Section 4, B, 1 shall also be modified to show the annual not to exceed amount to \$amount of new annual encumbrance and the Contract (five-year term) not to exceed amount shall be modified to \$amount of the new five-year maximum.

The total contract value to include all previous amendments, option letters, etc. is \$insert accumulated/total encumbrance amount.

3) EFFECTIVE DATE:

The effective date of this Option Letter is upon approval of the State Controller or delegate, whichever is later.

APPROVALS:

State of Colorado:

JARED S. POLIS, GOVERNOR

By: _____ Date: _____
Keith Stefanik, P.E., Chief Engineer, Colorado Department of Transportation

ALL CONTRACTS MUST BE APPROVED BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Local Agency is not authorized to begin performance until such time. If Local Agency begins performing prior thereto, the State of Colorado is not obligated to pay Local Agency for such performance or for any goods and/or services provided hereunder.

**State Controller
Robert Jaros, CPA, MBA, JD**

By: _____

Date: _____

Form date: August 16, 2013

EXHIBIT D – SAMPLE ENCUMBRANCE LETTER

ENCUMBRANCE LETTER

Date: []	State Fiscal Year: []	Encumbrance Letter No. []	Routing #: []
		Orig. IGA: []	PO: []

1) **Encumber fiscal year funding in the contract.**

2) **PROVISIONS:** In accordance with Section 4 and Exhibit C of the original Contract routing number Orig Routing # between the State of Colorado, Department of Transportation, and Contractor's Name, covering the term July 1, Year through June 30, Year, the State hereby encumbers funds for the goods/services specified in the contract for fiscal year [] .

The amount to be encumbered by this Encumbrance Letter is \$amount of change. The Total contract (encumbrance) amount, including all previous amendments, option letters, etc. is \$Insert New \$ Amt.

3) **EFFECTIVE DATE.** The effective date of this Encumbrance Letter is upon approval of the State Controller.

STATE OF COLORADO
Jared S. Polis, GOVERNOR
 Department of Transportation

By: _____
 Keith Stefanik, P.E., Chief Engineer
 (For) Shoshana M. Lew, Executive Director

Date: _____

ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performance or for any goods and/or services provided hereunder.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By: _____
 Department of Transportation

Date: _____

EXHIBIT E

PII Certification

STATE OF COLORADO

**LOCAL AGENCY CERTIFICATION FOR ACCESS TO PII THROUGH A
DATABASE OR AUTOMATED NETWORK**

Pursuant to § 24-74-105, C.R.S., I, _____, on behalf of _____ (legal name of Local Agency) (the “Local Agency”), hereby certify under the penalty of perjury that the Local Agency has not and will not use or disclose any Personal Identifying Information, as defined by § 24-74-102(1), C.R.S., for the purpose of investigating for, participating in, cooperating with, or assisting Federal Immigration Enforcement, including the enforcement of civil immigration laws, and the Illegal Immigration and Immigrant Responsibility Act, which is codified at 8 U.S.C. §§ 1325 and 1326, unless required to do so to comply with Federal or State law, or to comply with a court-issued subpoena, warrant or order.

I hereby represent and certify that I have full legal authority to execute this certification on behalf of the Local Agency.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

RESOLUTION NO. XX-23

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) TO PERFORM TRAFFIC MAINTENANCE SERVICES ON STATE HIGHWAYS IN THE CITY

RECITALS:

The State has certain legal obligations to maintain State highways in and through the City. To maximize efficiency and effectiveness, the State has proposed a contract whereby the City will provide operation and maintenance of certain traffic control devices, as those will be defined and described in the final agreement, on State Highways within the City limits.

The State will pay a reasonable, negotiated annual rate to the City in accordance with the contract that will compensate the City for its time, labor, and materials. That sum has not yet been finally determined; however, due to scheduling requirements the authority to execute the agreement must be provided, if at all, by the City on or before July 6, 2023.

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

- a. The City Council hereby authorizes the City Manager to complete negotiations and sign the Traffic Maintenance Contract (Contract) with the Colorado Department of Transportation When the City Manager is satisfied that the Contract is in the best interest of the City and has determined that contract, to be attached hereto and incorporated herein as if fully set forth, is in final form.
- b. The City Council hereby authorizes the expenditure of funds and the commitment of resources, as necessary, to meet the terms and obligations of the Contract.
- c. This Resolution shall be in full force and effect from the date on which the Contract is signed, if at all.

PASSED AND ADOPTED this ____ day of _____, 2023.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: July 5, 2023
Presented By: Ken Sherbenou, Parks and Recreation Director
Department: Parks and Recreation
Submitted By: Ken Sherbenou

Information

SUBJECT:

A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Community Recreation Center

RECOMMENDATION:

Adopt the resolution authorizing the City Manager to submit a \$1,000,000 grant request to the Colorado Department of Local Affairs (DOLA) for the development of the Community Recreation Center (CRC) at Matchett Park.

EXECUTIVE SUMMARY:

The City Council adopted 2022 CRC plan includes a strategy for pursuing grants to support the project. That includes pursuit of a DOLA grant. This application makes good on this promise. The timing of the application, due August 1, 2023, works well with the current effort in constructing the voter-approved CRC. A contract for the Architect/Engineer (A/E) group is also on this July 5 City Council agenda. If approved, the A/E will resume design including supporting the pursuit of this DOLA grant. Award announcements on DOLA grants are scheduled for November, when the AE is moving into formulation of Construction Documents (CDs). CDs are then used by contractors to build the facility. Should the DOLA grant be received, the CDs will reflect the elements that the DOLA grant would be supporting.

BACKGROUND OR DETAILED INFORMATION:

DOLA has a long history of supporting CRCs throughout Colorado, including \$1.9M for the Montrose CRC and \$1.5M for the Fruita CRC. Promise of pursuit of this grant was a part of the 2022 CRC. This encouraged support of ballot measure 1A on the April 4, 2023 ballot.

The 2022 CRC plan includes pursuit of an Energy and Mineral Impact Assistant Fund

(EIAF) grant to support the CRC. The City has successfully secured funds through the DOLA EIAF program in the past for projects such as Fire Stations, Las Colonias, and Dos Rios. This is the source of money that is the subject of this City Council resolution.

With that said, the strategy for grant pursuit is evolving. After the CRC plan was conceived through robust public input, an additional opportunity with the state has emerged related to energy efficiency. This additional grant opportunity, through the Colorado Energy Office (CEO), may be pursued to fund green technologies in the CRC. Once hired, the AE group will evaluate the best way to reduce the carbon footprint of the CRC, the capital costs of the associated systems, and the long-term savings in operational costs.

FISCAL IMPACT:

This grant request is for \$1,000,000, and if awarded, would be budgeted accordingly in 2024.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 55-23, a resolution authorizing the City Manager to submit a grant request to the Department of Local Affairs' Energy and Mineral Impact Assistance Program for the Community Recreation Center at Matchett Park

Attachments

1. RES-DOLA Grant App CC 20230628



**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. ___-23**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT
REQUEST TO THE COLORADO DEPARTMENT OF LOCAL AFFAIRS (DOLA)
ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM FOR THE
COMMUNITY RECREATION CENTER**

RECITALS.

Recitals:

Grand Junction is the largest community on the western slope and the only community of its size without a multi-purpose indoor Community Recreation Center (CRC). This changed on April 4, 2023, when voters approved a sales tax increase and debt to fund the \$70,000,000 CRC at Matchett Park.

The community's vision is captured and reflected with the 2022 CRC plan, where community members, led by the Parks and Recreation Advisory Board (PRAB), provided input that crafted the strongest plan seen to date. Efforts to build a CRC date back to 1979, with the first unsuccessful effort. Since then, numerous plans were assembled with several progressing all the way to the ballot.

Driven by public feedback and incorporating lessons learned from these previous efforts, the CRC was finally approved when Measure 1A passed on April 4, 2023. Since then, the City has been working to implement the 2022 CRC Plan. That plan includes a strategy for pursuing grants to support the project from the Department of Local Affairs (DOLA), Great Outdoors Colorado (GOCO), the Boettcher Foundation, El Pomar and the Daniels Fund.

The 2022 CRC plan depicts the concept level of design for an 83,000 square foot CRC at 207-acre Matchett Park. Through the 2022 public process, as well as during the 2023 community evaluation of the Plan, a desire to include several additions was voiced. Those include constructing outdoor park facilities to complement the new indoor CRC as well as additional amenities not included in the 2022 CRC plan or budget. For the outdoor improvements, a GOCO grant is being pursued. For the indoor, a DOLA grant is being pursued. The addition of expanded indoor components largely hinges on the receipt of grant funding from DOLA.

After due consideration, the City Council of the City of Grand Junction supports the CRC and desires the City to submit a DOLA grant application in the amount of \$1,000,000 to obtain the necessary funding for the CRC, and if the grant is awarded, to enter into such further agreements as are necessary and proper to complete the Project.

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 expanded CRC. The City Manager is authorized and directed to work to finalize and timely submit such DOLA grant application.
2. If the grant is awarded, the City Council of the City of Grand Junction strongly supports the completion of the CRC and authorizes the City Manager to sign an appropriate grant agreement on behalf of the City as grantee of the DOLA grant.

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

Passed and adopted this ____ day of _____, 2023.

Anna Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: July 5, 2023
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver

Information

SUBJECT:

A Resolution Amending Resolution No. 37-22 Pertaining to Cannabis Business Fees/Setting Fees for Modification of Premises and Change of Trade Name Applications

RECOMMENDATION:

Adopt the resolution amending Resolution 37-22 to add application fees for Modification of Premises and Change of Trade Name for cannabis business licenses.

EXECUTIVE SUMMARY:

With this Resolution the City Council amends Resolution 37-22 regarding certain fees for certain changes for modifications of cannabis business licenses. Specifically, the addition of a \$122.00 fee for Modification of Premises and a \$61.00 fee for Change of Trade Name. The fees are set in an equivalent amount to that charged by the State for the same applications.

BACKGROUND OR DETAILED INFORMATION:

Fees charged by the City for various licenses, permits and programs are set by resolution of City Council. With this Resolution the City Council amends Resolution 37-22 regarding fees related and referred to in Title 5, Chapter 13 of the Grand Junction Municipal Code pertaining to regulated cannabis business licenses, specifically by the addition of a \$122.00 fee for Modification of Premises and a \$61.00 fee for Change of Trade Name. The fees are set in an equivalent amount to that charged by the State for the same applications.

FISCAL IMPACT:

There is not a significant fiscal impact due to the adoption of this resolution. Because there are only 10 licenses, there will likely be few applications. However, the fees are necessary and established with the understanding that they will be paid to compensate the City for some of the costs incurred by it in the reviewing and processing of applications, including, as applicable, the publication, hearing, administration, inspection and enforcement of regulated cannabis business applications and licenses.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 56-23, a resolution amending Resolution 37-22 to add fees for Modification of Premises and Change of Trade Name for cannabis business licenses.

Attachments

1. RES-Cannabis Fees Amending Res 37-22 MoP and Trade Name 20230626

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION 37-22 ESTABLISHING VARIOUS FEES AND CHARGES RELATING TO TITLE 5 CHAPTER 13 OF THE GRAND JUNCTION MUNICIPAL CODE PERTAINING TO CANNABIS BUSINESS LICENSES

Recitals.

Fees charged by the City for various licenses, permits and programs are set by resolution of City Council. With this Resolution the City Council amends Resolution 37-22 regarding fees related and referred to in Title 5, Chapter 13 of the Grand Junction Municipal Code pertaining to regulated cannabis business licenses, specifically by the addition of fees for Modification of Premises and Change of Trade Name.

The City Council having been duly advised and considered the fees proposed in this Resolution does establish, set, and determine the same and make the fees as provided in the Resolution applicable to regulated cannabis business license applications.

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

1. The foregoing Recitals are adopted, and the fees are established with the understanding that the fees shall be paid to compensate the City for some of the costs incurred by it in the reviewing and processing of applications, including as applicable, the publication, hearing, administration, inspection and enforcement of regulated cannabis business applications and licenses.
2. The fees shown in Exhibit A ("Fees") are hereby approved and adopted. The Fees shall apply upon adoption of this Resolution and will remain in effect until amended by subsequent resolution of the City Council.
3. The fees established and provided by and with the adoption of Resolution 37-22 are not changed except by the addition, imposition, and creation of the of fees for Modification of Premises and Change of Trade Name as provided herein.

PASSED AND ADOPTED this 5th day of July 2023

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

Exhibit A

Modification of Premises Application Fee - \$122.00

Change of Trade Name Application Fee - \$61.00.

Other Fees and charges established and provided by and with the adoption of Resolution 37-22 are unchanged. All Fees are nonrefundable unless otherwise provided in Ordinance No. 5064.



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: July 5, 2023
Presented By: Jennifer Nitzky, Sustainability Coordinator
Department: Community Development
Submitted By: Jennifer Nitzky, Sustainability Coordinator

Information

SUBJECT:

Consider Appointing a Resiliency and Sustainability Plan Steering Committee

RECOMMENDATION:

Approval of the Steering Committee

EXECUTIVE SUMMARY:

The Resiliency and Sustainability Plan will have a Community Steering Committee to help guide the direction and scope of the planning process

BACKGROUND OR DETAILED INFORMATION:

The City has initiated work on its inaugural Resiliency and Sustainability Plan. The Resiliency and Sustainability Plan may focus on a number of different topical areas. The comprehensive Plan Principle 8: Resource Stewardship emphasizes minimizing our impact on the natural environment, effectively managing open space, and choosing stewardship via waste diversion, energy usage, and modes of transportation, among others. Plan Principle 10 focuses on Safe, Healthy, and Inclusive communities. With a changing climate and increased risks to public health, safety, and equity from phenomena such as pandemics, heat, drought, flooding, and social unrest, the City wants to address how it can protect the natural environment, social stability, and economic vitality without compromising other areas.

Staff and the consultant, Design Workshop and Spirit Environmental, recommend a steering committee be formed to guide the direction of the plan, including informing what elements of environmental sustainability and community resiliency are the most critical to the near- and long-term future of Grand Junction and that the plan takes into consideration attributes, opportunities and concerns relevant to the Grand Junction community. Members of the steering committee will play a critical role supporting the

completion of the plan. Selected members will serve as a sounding board to discuss overall plan direction, review project deliverables, vet ideas, and promote greater community involvement. Most importantly, the Steering Committee will help ensure the final plan is inclusive, focuses on equitable distribution of resources, and reflects a diverse set of perspectives. The Steering Committee composition should include individuals with a passion for sustainability and resiliency reflected in their work, hobbies, or lifestyles. The City put out a call for applications to the broader community to solicit candidates interested in serving on the Community Steering Committee. A total of 35 applications were received.

The project team recommends the steering committee be geographically diverse and inclusive of different age groups and professions. Ideally, this steering committee is comprised of between 15 and 25 members. Staff has compiled a list of 25 candidates for City Council to review and consider. The list is comprised of people that geographically represent all "Planning Areas" within the City and who have an interest in the resiliency and/or sustainability of the community. The recommended group is nearly equally split between males and females, with twelve men and thirteen women. It also represents every major age category from young professionals, to mid/late-career professionals, to retired individuals while including members with a variety of interests and life experiences that will provide relevant and diverse perspectives. The list includes representatives from major institutions in Grand Junction, such as Colorado Mesa University and Community Hospital. Representatives also represent a diversity of perspectives, including the Habitat for Humanity, Mesa Conservation District, Western Slope Colorado Oil and Gas Associate, Environmental Engineers, Conservation organizations, and the Homebuilders Associate of Western Colorado.

In addition to the steering committee, this planning process will provide a variety of other opportunities to gather public feedback. This includes open house(s), other public meetings, intercept events (where the project team goes to existing community events to seek public input), a project website on EngageGJ, targeted surveys, email blasts, social media, and an extensive series of focus group meetings in at least nine different subjects. The staff will invite specific applicants who are not selected to serve on the steering committee to join specific focus groups, which will provide them with an opportunity to participate in the process and provide their input. A group of technical advisors including city staff and representatives from other organizations/agencies, will also be convened to provide technical input on the plan. The first steering committee meeting is tentatively scheduled for late July.

FISCAL IMPACT:

No fiscal impact.

SUGGESTED MOTION:

I move to (approve/not approve) the list of 25 people to the Resiliency and Sustainability Plan steering committee.

Attachments

1. Resiliency and Sustainability Plan Community Steering Committee

No.	Name	Background/Interest	Area of Residence
1.	Tawny Espinoza	Chief Development Officer - Community Hospital	Northwest GJ
2.	Raymond C Pilcher	Geologist, President Raven Ridge Resources, Inc.	Northwest GJ
3.	Ian Moore	Stay-at-home Dad; Adjunct Faculty in the Engineering Department at CMU	Redlands
4.	Joe D Ramey	Former Meteorologist	Northwest GJ
5.	Ana Hinojosa	Organizer with Conservation Colorado and Environmental Science Graduate from CMU	Orchard Mesa
6.	Ashley Jellison	Nonprofit Executive Director-CO Children's Alliance	Fruitvale
7.	Susan Kiser	Former Public Health Professional	Redlands
8.	Kate Cooper	Attorney-Mineral Rights and Water Issues	Redlands
9.	Victor Ketellapper	Former Environmental Engineer	Redlands
10.	Kent Marsh	Engineer/ VP of Capital Planning and Sustainability CMU	City Center
11.	Laurel Cole	Executive Director Habitat for Humanity of Mesa County	Garfield
12.	Valerie Stowe	Self-Employed Regenerative Agriculture Business	Redlands
13.	Katie Radavich	Water Resources Engineer/Mesa Conservation District	City Center
14.	Kayla Landis	Housing Case Management at Hilltop	Redlands
15.	Jeff Purdy	Director of Sustainability, Valot Tactical Innovation	Orchard Mesa
16.	William Raley	Attorney-Water Law	Horizon
17.	Ken Scissors	Planning Commission	Redlands
18.	Erica Evans	Associate Geochemist-WSP USA Inc.	City Center
19.	Heather Croshaw	Consultant/Thomas Consulting Group	Fruitvale
20.	Lindsay Knecht	Nutritionist and Business Owner	Fruitvale
21.	Stephen Grant	Former President of the Grand Junction Rural Fire Protection District	Horizon
22.	Chelsie Miera	Executive Director Western Slope Colorado Oil and Gas Association	Unknown
23.	Hogan Peterson	Homebuilders Association of Western Colorado	City Center
24.	Brad McCloud	Xcel Energy, COGA Board Member	Unknown
25.	Quint Shear	Oil and Gas Company Owner, COGA Board Member	Unknown



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: July 5, 2023
Presented By: Nicole Galehouse, Interim Planning Supervisor
Department: Community Development
Submitted By: Niki Galehouse, Interim Planning Supervisor

Information

SUBJECT:

An Ordinance Amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, Specifically Subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code

RECOMMENDATION:

Planning Commission heard this item at the May 23, 2023 meeting and voted (6 to 0) to recommend approval of the request.

EXECUTIVE SUMMARY:

Staff proposes these amendments to the City's short-term rental (STR) regulations based on direction from the 2020 One Grand Junction Comprehensive Plan and staff recommendations related to the 2021 Grand Junction Housing Strategy report.

Short-term rentals have a growing presence in Grand Junction. STRs offer a mix of benefits and burdens to the city. The benefits include additional income for property owners and additional lodging tax revenue for the City. On the other hand, STRs may also strain the local housing market by removing housing options from local residents and weakening the social networks of local neighborhoods.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The city developed its current regulatory process for short-term rental (STR) operations in late 2018. That process consists of a permit application, building inspection, tax license, and an annual renewal process. Since that time, the number of STR operations has steadily grown. In October of 2022, the City had just over 220 registered, compliant STR operations, with an estimated 85 additional STR operations in some stage of application, renewal, or non-compliance.

STR operations offer a unique option for visitors to the area and generate sales and lodging tax revenue for the City. They also provide a means for property owners to generate additional income from their properties. In some cases, this additional income can help a home buyer pay for a home they might otherwise struggle to afford. These benefits align with goal 5(2)(a) of the 2020 One Grand Junction Comprehensive Plan which encourages the development of a targeted housing strategy to facilitate and incentivize the creation of affordable housing units for low-income residents and attainable housing for the city's workforce.

STR operations can also contribute to the local affordable housing stress our city continues to endure. As a full-time commercial operation, an STR operator can typically support a much higher monthly purchase payment than a potential residential home buyer can as a mortgage payment, removing the property as an affordable option for local residents. Additionally, STR operations tend to gravitate towards high-activity parts of town such as downtown or around a university campus. At high concentrations, STRs can damage the social fabric of existing neighborhoods by removing long-term tenants and making it difficult for neighbors to build relationships. These aspects of STR operation can work against Comprehensive Plan goal 5(3)(a) Retention of Existing Housing Stock to encourage ongoing maintenance and promote reinvestment and improvements in established neighborhoods.

The 2021 Grand Junction Housing Strategy report suggested that there need to be limitations on STRs. Grand Junction does not have a cap or limit on the number of STRs. Many other communities are using tools to control the volume of STRs, including limiting the overall or neighborhood concentration, imposing an additional sales tax, and incentivizing homeowners to use their Accessory Dwelling Unit (ADU) for long-term tenants. Many communities view STRs as a key economic force that is removing dwelling units from long-term housing stock and affordability. Staff reviewed a variety of local ordinances from cities such as Fort Collins, Glenwood Springs, Durango, and Colorado Springs. These ordinances provided guidance for the proposed regulations, focusing on distinguishing between the types of STR operations and requiring numerical limits by district for the more intensive STR operations.

As part of the development of the proposed regulations, staff conducted significant outreach efforts, engaging many operators in the short-term rental industry. The conversations were thorough, evaluating the impact of different regulations on the market & what strategies provide the best balance between allowing the industry while providing protections for public health, safety, and welfare. Staff also conducted workshops with the Planning Commission to further refine and craft effective regulations.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on May 14, 2023, in the Grand Junction Daily Sentinel.

ANALYSIS

The proposed amendments contain the following significant changes.

1. Create a definition for Primary and Secondary STRs
2. Create a limitation on short-term rentals using a percentage of total residential lots and in specific areas of the City
3. Create a limitation on the number of Primary and Secondary STRs on the same residential lot (most often this is a multi-family structure)
4. Requiring one additional parking space for each bedroom above four bedrooms offer for rent as part of a STR on the lot

Establishing these two different types of STRs allows the city to apply stricter locational standards to the more intensive primary STR operations while allowing the less intensive secondary STRs to operate more freely. Primary STR operations tend to function more like a commercial operation and may not fit as well into existing neighborhoods. Furthermore, some neighborhoods around activity centers might experience escalating housing price pressure if the City does not regulate them.

The proposed limitations on primary STR operations include limits of 10 percent within the downtown area and 3 percent in the rest of the City. Based on data compiled in February 2023, the 10 percent within the downtown area represents a potential 2.4x increase or 71 STRs. For the remainder of the City, the 3 percent represents a potential 5.5x increase or 433 STRs. There is ample room for the industry to grow, especially including the consideration that these numbers would be for primary STRs only, excluding operations that only rent out a portion of a dwelling or an ADU.

The ordinance also proposes to limit the number of STRs that can be on one property. For lots that have four dwelling units or less, this limit is two STRs, with only one being able to be a primary operation. For lots with greater than four dwelling units, the limit is 10 percent of the units. It also requires that for units with more than four bedrooms, an additional parking space over the code minimum is provided for each bedroom.

These proposed amendments attempt to minimize the potential negative impacts of primary STR operations while also minimizing unnecessary burdens on secondary STR operations and the benefits they may provide for residents. In accordance with Section 21.02.140(c), a proposed Code amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to amend the Code with a recommendation from the Planning Commission. The proposed amendments allow for short-term rental use with appropriate regulation that increases visitor options and provides an income source for homeowners while also providing regulations that protect the neighborhood fabric of our community and limit the impact of use on the long-term housing market.

RECOMMENDATION AND FINDINGS OF FACT

The 2020 One Grand Junction Comprehensive Plan identifies “Strong Neighborhoods and Housing” choices as one of its eleven principles. The proposed revisions are found to be consistent with Principle 5 and its goals, specifically goals 5(1)(c), 5(1)(e), 5(2)(a),

5(3)(a), and 5(4)(b).

Planning Commission heard this request at the May 18, 2023, meeting and voted (6 to 0) to recommend approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact for this item.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance 5163, an ordinance amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code on final passage and order the final publication in pamphlet form.

Attachments

- 1. Exhibit 1 - STR Existing Code
- 2. Exhibit 2 - STR Code Clean
- 3. GJ Speaks-STR Reg Comments
- 4. Planning Commission Minutes - 2023 - May 23 - Draft
- 5. Supplemental Downtown Info
- 6. Citywide STR Map
- 7. Exhibit 3 ORD-STR Amend 20230615

21.10.020 Terms defined.

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than 30 consecutive days.

(h) **Short-Term Rentals.**

(1) Purpose. The purpose of this regulation is to allow short-term rentals in certain zone districts in the City with a permit and with regulation to assist in protecting the health, safety, and welfare of property owners, neighbors, and occupants.

(2) Applicability. These regulations apply to all uses meeting the definition of short-term rental. Private covenants running with land may restrict or prohibit short-term rentals; it is the responsibility of the property owner, not the City or any employee or agent thereof, to ensure compliance with restrictive covenants.

(3) Definitions. *Short-term rental* is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than 30 consecutive days. A bed and breakfast is, for purposes of this title, a type of *short-term rental*. Likewise, a home used similar to a rooming/boarding house but where stays are fewer than 30 consecutive days is also a *short-term rental*. *Short-term rental* does not include shelters or other transient lodging as defined as a community service use.

(4) Permit Required. No person or entity shall sell lodging to a temporary occupant(s) of a dwelling unit for fewer than 30 consecutive days without first having obtained a short-term rental permit issued by the City and complying with any conditions or restrictions thereof. A short-term rental permit is valid for the life of the short-term rental use, subject to annual re-registration in a form prescribed by the City. A separate short-term rental permit is required for each short-term rental unit. A short-term rental permit may be issued only to the owner of the property used for short-term rental. A short-term rental permit may be issued by the Director upon finding that the requirements of this subsection (h) are met. A permit may contain conditions and restrictions.

(5) Occupancy.

(i) The number of occupants at any given time in a short-term rental unit shall not exceed two persons per bedroom plus two additional renters, including the operator, except where the Director determines that the size, configuration and/or structural features of the unit allow greater or lesser occupancy.

(ii) The permit shall specify the maximum occupancy of the unit.

(6) Designated Local Responsible Party.

(i) The property owner shall designate one or more local person(s) who will be permanently available and responsible for immediately responding to complaints about or violations of law or of permit terms. *Local* as used herein means having a permanent address within a 20-mile radius from the short-term rental property and a 24-hour contact phone number.

(ii) The designated local responsible party may be the owner of the property if he or she meets the *local* criteria.

(iii) The designated local responsible party must be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with applicable fire and building codes and with the requirements for and/or of the short-term rental permit.

(7) General Requirements. The owner of a dwelling used or to be used as a short-term rental shall:

(i) Obtain a tax license from the City of Grand Junction and comply with all applicable local, State, and federal taxes;

(ii) Demonstrate and certify that the unit contains the following on the premises at all times:

(A) A smoke detector in good working order;

(B) A carbon monoxide detector in good working order;

(C) Adequate and functional building egress from each sleeping room in the unit;

(D) Posted notice providing in detail the following information in a highly visible location and readily accessible form:

a. Location of building exits and fire extinguishers;

b. Twenty-four-hour emergency contact information;

c. Parking areas and parking restrictions, including a notice that parking on lawns is not allowed;

d. Noise restrictions and quiet hours;

e. Trash disposal instructions including trash pickup location and schedule;

- f. Maximum occupancy restrictions;
 - g. City permit number;
 - (iii) Certify all units maintain a fire extinguisher in good working order;
 - (iv) Permit inspection of the premises by the City or its agent or employee during the pendency of the permit application, and thereafter upon reasonable notice;
 - (v) Provide with its application a sketch or drawing of the unit that depicts all rooms, doors and windows, including dimensions, and shows on-site areas available for guest parking;
 - (vi) If the short-term rental unit is accessed by a shared driveway, provide the City with a copy of a written instrument authorizing use of the driveway for short-term rental purposes;
 - (vii) Provide the name, address and phone number of the designated local responsible party to the City, and update such information with the City whenever it changes;
 - (viii) Register annually with the City, certifying that the permit terms and requirements are still being met and updating any material changes to the unit or property;
 - (ix) Where food is prepared and served to guests/lodgers on the premises, demonstrate compliance with Mesa County Health Department regulations.
- (8) Revocation, Suspension, and Appeal.
 - (i) A short-term rental permit may be suspended or revoked for any of the following reasons:
 - (A) The owner or designated responsible party has failed to comply with a requirement of this subsection (h).
 - (B) The owner or designated responsible party has failed to comply with a condition of or restriction set forth in the short-term rental permit.
 - (C) The owner has failed to collect or remit lodging taxes or otherwise comply with local, State and/or federal tax requirements.
 - (D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) The City has received excessive and substantial complaints by neighbors or affected persons that were not adequately and timely addressed by the owner or designated responsible party.

(ii) Notice of revocation shall be provided to the owner, who shall then be given an opportunity to respond within 10 days. The Director will issue any decision to revoke or suspend a permit within 10 days of the response date.

(iii) Any aggrieved person may appeal the issuance, denial, suspension, or revocation of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

21.10.020 Terms defined.

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than 30 consecutive days. A bed and breakfast and a home used similar to a rooming/boarding house but where stays are fewer than 30 consecutive days is also a *short-term rental*. *Short-term rental* does not include shelters or other transient lodging as defined as a community service use.

Short-term rental, Primary is a short-term rental that makes available for rent all bedrooms in a dwelling unit in a principal structure, excluding accessory dwelling units attached to a principal structure.

Short-term rental, Secondary is a short-term rental that makes available for rent less than all the bedrooms in a principal dwelling unit, or an accessory dwelling unit.

21.04.030 Terms defined.

(h) Short-Term Rentals.

(1) Purpose. The purpose of this regulation is to allow short-term rentals with a permit within the regulatory boundaries established by the City. These regulations are to assist in protecting the health, safety, and welfare of property owners, neighbors, and occupants.

(2) Applicability. These regulations apply to all uses meeting the definition of short-term rental. Private covenants running with land may restrict or prohibit short-term rentals; it is the responsibility of the property owner, not the City or any employee or agent thereof, to ensure compliance with restrictive covenants.

(4) Permit Required. No person or entity shall sell lodging to a temporary occupant(s) of a dwelling unit for fewer than 30 consecutive days without first having obtained a short-term rental permit issued by the City and complying with any conditions or restrictions thereof. A short-term rental permit is valid for a period of one year and is subject to annual permit renewal in a form prescribed by the City. A separate short-term rental permit is required for each short-term rental unit and will be issued for either a primary or a secondary short-term rental. A short-term rental permit may be issued only to the owner of the property used for short-term rental. A short-term rental permit may be issued by the Director upon finding that the requirements of this subsection (h) are met. A permit may contain conditions and restrictions.

(i) Primary short term rental permits shall not be issued for more than 10% of residentially zoned lots within the downtown area, defined as south of North Avenue, West of North 17th Street, North of Interstate 70 Business, and East of Highway 50,

(ii) Primary short-term rental permits shall not be issued for more than 3% of the residentially zoned lots outside of the downtown area as defined in (i) above.

(iii) No more than two STR permits shall be issued on a residentially zoned lot with four dwelling units or less. Only one of the two permits issued may be a primary short term rental permit.

(iv) A residentially zoned lot with more than 4 dwelling units shall not be issued short term rental permits for more than 10% of the units on the lot.

(5) Occupancy.

(i) The number of occupants at any given time in a short-term rental unit shall not exceed two persons per bedroom plus two additional occupants, including the operator, except where the Director determines that the size, configuration and/or structural features of the unit allow greater or lesser occupancy.

(ii) A short-term rental permit shall only be issued and/or renewed in a residential zoning district when an applicant demonstrates that there is one additional parking space for each bedroom above 4 bedrooms on the lot. No additional required parking may be located between the front facade of the principal structure and the public street or private access way.

(iii) The permit shall specify the maximum occupancy of the unit.

(6) Designated Local Responsible Party.

(i) The property owner shall designate one or more local person(s) who will be permanently available and responsible for immediately responding to complaints about or violations of law or of permit terms. *Local* as used herein means having a permanent address within a 20-mile radius from the short-term rental property and a 24-hour contact phone number.

(ii) The designated local responsible party may be the owner of the property if he or she meets the *local* criteria.

(iii) The designated local responsible party must be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with applicable fire and building codes and with the requirements for and/or of the short-term rental permit.

(7) General Requirements. The owner of a dwelling used or to be used as a short-term rental shall:

(i) Obtain a tax license from the City of Grand Junction and comply with all applicable local, State, and federal taxes;

(ii) Demonstrate and certify that the unit contains the following on the premises at all times:

- (A) A smoke detector in good working order;
- (B) A carbon monoxide detector in good working order;
- (C) Adequate and functional building egress from each sleeping room in the unit;
- (D) Posted notice providing in detail the following information in a highly visible location and readily accessible form:
 - a. Location of building exits and fire extinguishers;
 - b. Twenty-four-hour emergency contact information;
 - c. Parking areas and parking restrictions, including a notice that parking on lawns is not allowed;
 - d. Noise restrictions and quiet hours;
 - e. Trash disposal instructions including trash pickup location and schedule;
 - f. Maximum occupancy restrictions;
 - g. City permit number;

(iii) Certify all units maintain a fire extinguisher in good working order;

(iv) Permit inspection of the premises by the City or its agent during the pendency of the permit application, and thereafter upon reasonable notice;

(v) Provide with its application a sketch or drawing of the unit that depicts all rooms, doors and windows, including dimensions, and shows on-site areas available for guest parking;

(vi) If the short-term rental is accessed by a shared driveway, provide the City with a copy of a written instrument authorizing use of the driveway for short-term rental purposes;

(vii) Provide the name, address and phone number of the designated local responsible party to the City, and update such information with the City whenever it changes;

(viii) Renew permit annually with the City, certifying that the permit terms and requirements are still being met and updating any material changes to the unit or property;

(ix) Where food is prepared and served to guests/lodgers on the premises, demonstrate compliance with Mesa County Health Department regulations.

(8) Revocation, Suspension, and Appeal.

(i) A short-term rental permit may be suspended or revoked for any of the following reasons:

(A) The owner or designated responsible party has failed to comply with a requirement of this subsection (h),

(B) The owner or designated responsible party has failed to comply with a condition of or restriction set forth in the short-term rental permit.

(C) The owner has failed to collect or remit lodging taxes or otherwise comply with local, State and/or federal tax requirements.

(D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) The City has received excessive and substantial complaints by neighbors or affected persons that were not adequately and timely addressed by the owner or designated responsible party.

(ii) Notice of permit revocation shall be provided to the owner, who shall then be given an opportunity to respond within 10 days. The Director will issue any decision to revoke or suspend a permit within 10 days of the response date.

(iii) Any aggrieved person may appeal the issuance, denial, suspension, or revocation of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

Grand Junction Speaks

Published Comments for May 23, 2023 Planning Commission Meeting

Zoning Code Amendment - Short Term Rental Regulations

Alex April

• May 22, 2023 • 5:10pm

May 23, 2023 Grand Junction Planning Commission 250 North 5th Street Grand Junction, Colorado 81501 RE: Item #4, Amending the Zoning and Development Code, Short-Term Rental Regulation in Grand Junction, CO To the Members of the Grand Junction Planning Commission: Thank you for your careful and deliberate consideration of short-term rentals. After reading through the draft ordinance, we are pleased that the proposed regulations continue to serve the needs of the hosts on our platform as well as the community they live and work in. We encourage the passage of this ordinance to protect the rights of Grand Junction residents to share their home while fairly regulating a growing industry through a reasonable permitting process. That being said, there is one section of the draft ordinance that we would like to seek further clarification. Section 5 states: "A residentially zoned lot with more than 4 dwelling units shall not be issued short term rental permits for more than 10% of the units on the lot." Any residentially zoned lot with more than four but less than 10 dwelling units would not be in compliance with the 10% maximum requirement laid out in this ordinance if a single Short Term Rental permit was issued. With that in mind, we believe that the following language more directly solves the identified issue while providing clarity to both hosts and permitting offices: "A residential lot with more than 10 dwelling units shall not be issued short term rental permits for more than 10% of the units on the lot." In Grand Junction, Airbnb is an important economic tool for residents. Home sharing has allowed Coloradoans to navigate the economic upheaval of the pandemic and keep up with increasing cost of living. Again, we thank you for developing an ordinance that clearly defines short-term rentals and creates a permitting process for the host community that is simple and accessible. We look forward to continuing to work and partner with you. Sincerely, Alex April Senior Public Policy Manager Airbnb
Address:

1160 Valkenburg Dr.
Colorado Springs, 80907

GRAND JUNCTION PLANNING COMMISSION
May 23, 2023, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:32 p.m. by Commissioner Scissors.

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

Also present were Jamie Beard (City Attorney), Nicole Galehouse (Interim Planning Supervisor), Kris Ashbeck (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 25 members of the public in attendance, and 11 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from May 9, 2023.

REGULAR AGENDA

1. Mustang Ridge Zone of Annexation

ANX-2023-81

Consider a request by Brian R. and Stephanie Bray to zone 2.714 acres from County RSF-R (Residential Single Family – Rural) to R-4 (Residential 4 units per acre) located at 880 26 ½ Road.

Staff Presentation

Kris Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Tracy States with River City Consultants was present and available for questions.

Kevin Bray spoke on behalf of Brian Bray and provided clarification on the development of the parcel.

Questions for staff

Commissioner Ehlers asked about the size of the parcel.

Commissioner Scissors asked if the city required all annexed properties to be connected to municipal sewer.

Commissioner Weckerly asked if the property needed to be annexed in order to develop.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 5:55 p.m. on May 23, 2023.

Discussion

Motion and Vote

Commissioner Ehlers made the following motion “Mr. Chairman, on the Zone of Annexation request for the property located at 880 26 ½ Road, City file number ANX-2023-81, 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 Secrest seconded; motion passed 6-0.

2. The Enclave at Redlands Mesa – Vacation of Right of Way **VAC-2022-643**

Consider a request to vacate a 9,966 square foot area of right-of-way adjacent to the property located at 2345 West Ridges Boulevard.

Commissioner Weckerly recused herself from deliberating on this item.

Staff Presentation

Kris Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Ty Johnson with Kaart Planning was present and available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

David Moore asked if the vacation of ROW restricted access for emergency vehicles or prevented the city from improving the road in the future.

The public comment period was closed at 6:07 p.m. on May 23, 2023.

Discussion

Motion and Vote

Commissioner Secret made the following motion “Mr. Chairman, on The Enclave at Redlands Mesa Vacation of Public Right-of-Way request located adjacent to West Ridges Boulevard and the property located at 2345 West Ridges Boulevard, City file number VAC-2022-643, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and conditions as listed in the staff report.”

Commissioner Herek seconded; motion passed 5-0.

3. The Enclave at Redlands Mesa – ODP and Hillside Exception **PLD-2022-887**

Consider requests by Specialized Communication Services Real Estate LLC (Owner and Applicant) for Review and Approval of 1) a Hillside Exception Request; and 2) a Planned Development (PD) Outline Development Plan (ODP) for The Enclave at Redlands Mesa Development Proposed on a 7.6-Acre Parcel Located at 2345 West Ridges Boulevard.

Commissioner Weckerly recused herself from deliberating on this item.

Staff Presentation

Kris Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Ty Johnson with Kaart Planning provided a presentation and was available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

David Weckerly questioned the name for the development. He stated his opposition to the project and requested that the commission uphold the slope requirements for development.

David Born stated his opposition to the hillside exception.

Connie Fudge stated her opposition to the hillside exception.

Amy Born stated her opposition to the hillside exception.

Marcia Moore asked about the efforts for preserving the existing landscape.

Deb Huro expressed concerns about the differences in HOA requirements between this development and the surrounding properties.

Jacob Kaplan, Planning Technician, read public comments made through GoToWebinar.

The public comment period was closed at 7:25 p.m. on May 23, 2023.

Discussion

Applicant Ty Johnson responded to public comments and questions.

Ivan Geer, Civil Engineer with River City Consultants, provided context for drainage and stormwater management on the site.

Commissioner Ehlers asked what the average square footage of the units would be. He asked what the maximum house size was for the surrounding subdivisions. He asked about the difference between the two maps provided by David Born. He asked about requirements for mitigating impacts of development on the surrounding land uses. He noted that there is language in the code that outlines the requirements for preserving natural features during development. He commented that engineering for development on hillsides was completely possible. He noted that this development seemed appropriate given the surrounding subdivisions but that it was unfortunate there was a lack of communication between the applicant and the adjacent properties.

David Weckerly provided context on the CC&Rs of the surrounding developments. He also commented on the likelihood of golf balls impacting the South side of this development.

Commissioner Scissors asked where the property line is in regard to the ridgeline.

Commissioner Herek asked for clarification on the review criteria for a hillside exception.

Commissioner Secrest asked if staff or the applicant identified any hillside exceptions granted to the surrounding subdivisions. He expressed his appreciation for the presentation and renderings provided by the applicant.

Kris Ashbeck responded to Commissioner questions.

Ty Johnson responded to Commissioner questions.

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Planned Development (PD) Outline Development Plan (ODP) for the proposed The Enclave at Redlands Mesa development for the property located at 2345 West Ridges Boulevard, PLD-2022-887 (ODP) that amends the overall plan for the Ridges and includes hillside exceptions, I move that the Planning Commission forward a recommendation of approval to City Council with the Findings of Fact stated in the staff report.”

Commissioner Ehlers seconded; motion passed 5-0.

Consider an ordinance amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code.

Staff Presentation

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

Questions for staff

Commissioner Ehlers asked about amending the regulation for properties with more than 4 units.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 7:55 p.m. on May 23, 2023.

Discussion

Commissioners Ehlers, Scissors, and Secrest expressed their appreciation for Staff's effort on Short Term Rental regulations.

Commissioner Scissors also expressed his appreciation to the STR operators on their input and cooperation toward drafting these regulations.

Motion and Vote

Commissioner Ehlers made the following motion "On the request to amend the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically item (h) Short Term Rentals, and Section 21.10.020 Terms Defined of the Grand Junction Municipal Code, file number ZCA-2022-756, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report along with an amendment to Section 5 that would allow eligibility to have a minimum of 1 STR for those lots with between 4 and 10 dwelling units."

Commissioner Secrest seconded; motion passed 6-0.

5. Apple Glen West Zone of Annexation

ANX-2022-287

Consider a request from Brian Bray to zone 8.33 acres from County Residential Single Family – Rural (RSF-R) to R-5 (Residential – 5.5 du/ac) located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd.

Staff Presentation

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

Ivan Geer with River City Consultants was present and available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

Dick Pennington noted issues with parking and public safety on the site. He expressed his opposition to the rezone.

Nancy Miller commented that the proposed density was unreasonable and requested that the growth be more moderate.

Dan Miller noted issues with parking and public safety on the site.

Robert MacFarland requested that 23 ½ Rd be paved. He asked how this development would benefit the existing landowners in the area.

Jacob Kaplan, Planning Technician, read public comments made through GoToWebinar.

The public comment period was closed at 8:47 p.m. on May 23, 2023.

Discussion

Ivan Geer with River City Consultants responded to public comments.

Kevin Bray spoke on the request to zone R-4 vs. R-5.

Commissioner Ehlers asked what the minimum and maximum density was for R-5 zones. He asked if traffic impact, stormwater management, and irrigation studies are conducted during the subdivision process.

Commissioner Secret asked why developers might request higher density for their developments.

Commissioner Phillips acknowledged comments made by the public.

Motion and Vote

Commissioner Secret made the following motion “Mr. Chairman, on the Zone of Annexation request for the property located north of Appleton Elementary, west of Green Apple Drive, and

east of 23 ½ Rd, City file number ANX-2022-287, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Weckerly seconded; motion passed 6-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Secret moved to adjourn the meeting.

The vote to adjourn was 6-0.

The meeting adjourned at 8:50 p.m.

DRAFT

Supplemental Information Regarding Short-Term Rentals (STRs)

Amendments are being contemplated to the Grand Junction Municipal Code (GJMC) regarding short-term rentals (STRs). This memo provides supplemental information to specific to existing short-term rentals and market conditions within the downtown area, defined by the proposed regulations as those properties south of North Avenue, west of N 17th St, north of Interstate 70 Business, and east of Highway 50. Within this subject area, there are 83 STRs as of May 2023, of which 51 are estimated to be primary STRs (does not include properties zoned Residential Office). A map showing the location of these rentals is attached to this memo.

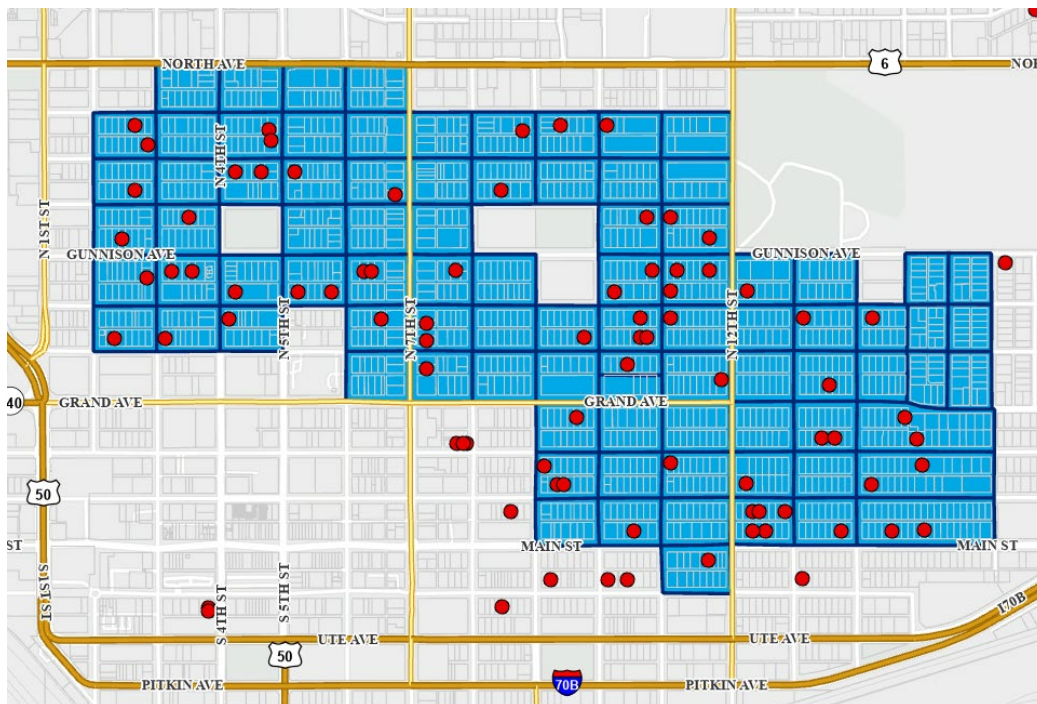
Breakdown of Residential Unit Types

- Single-Family Residential parcels: 1056
- Multifamily Residential parcels (includes condos/duplexes/triplexes): 151
- Townhome parcels: 11

Owner-Renter Occupancy Rates

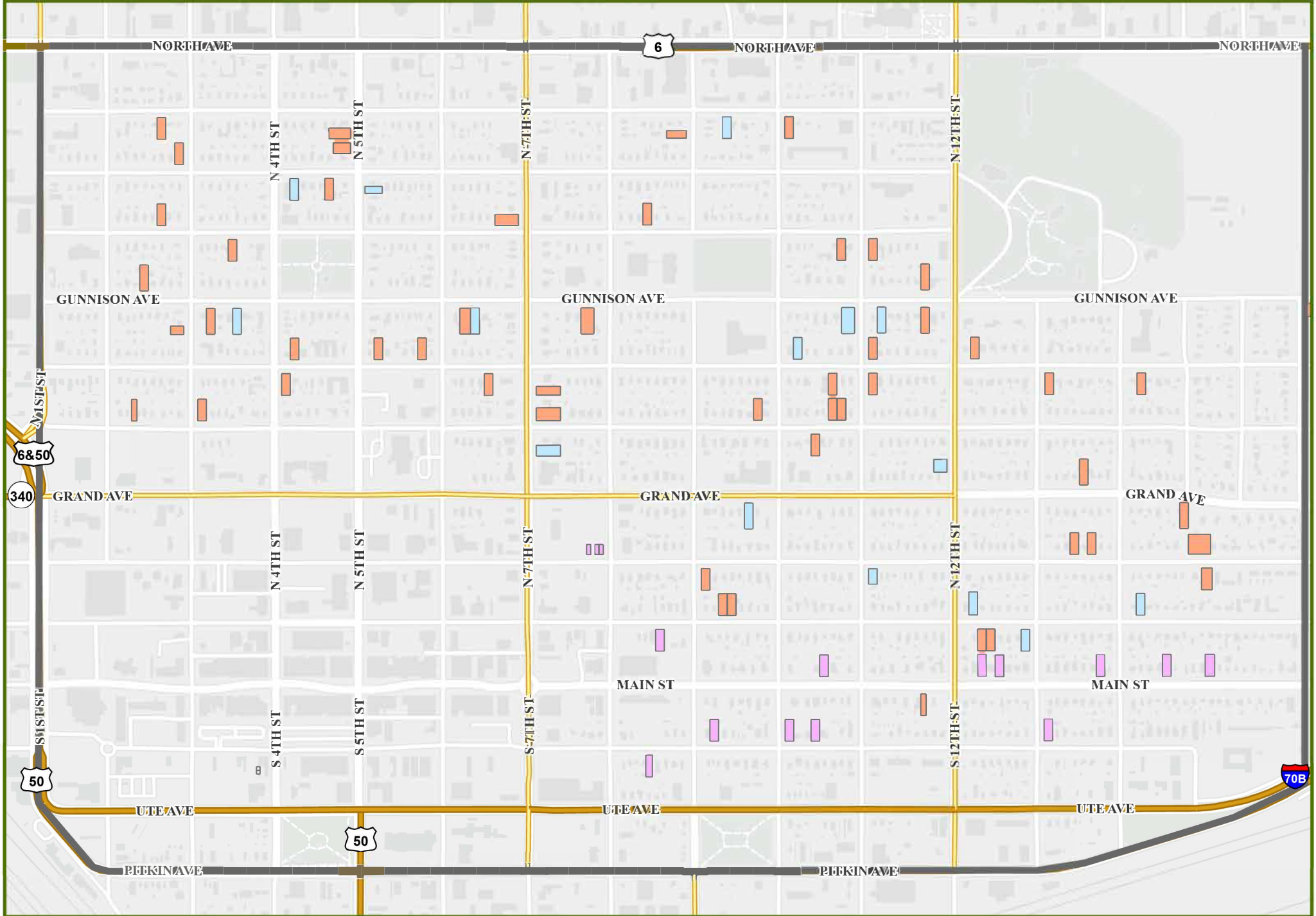
It is difficult to determine exact rates of ownership and rental occupancies within the downtown area. There are two methods that can be utilized to estimate this information:

- 2020 Census Data. This data does not fit neatly into the subject area, but the blocks can be aggregated to determine an estimate. Only census blocks which intersect with a residential zone district were included.
 - Owner-occupied households: 645
 - Renter-occupied households: 1,117



- County Appraiser Data. Standard data includes two addresses for each parcel – a site address & a mailing address. By comparing these, the number of potential owners can be estimated with the assumption that if the addresses match, the owner occupies the unit. There are inherent flaws with this, such as properties that have multiple units or ADUs, where the owner resides at the property but also rents out a unit on the site.
 - Parcels with owners (matching site & mailing addresses): 756
 - Parcels with renters (site & mailing addresses don't match): 462

Short Term Rentals - Primary & Secondary



0 0.05 0.1 Miles
[Scale bar]

■ Primary

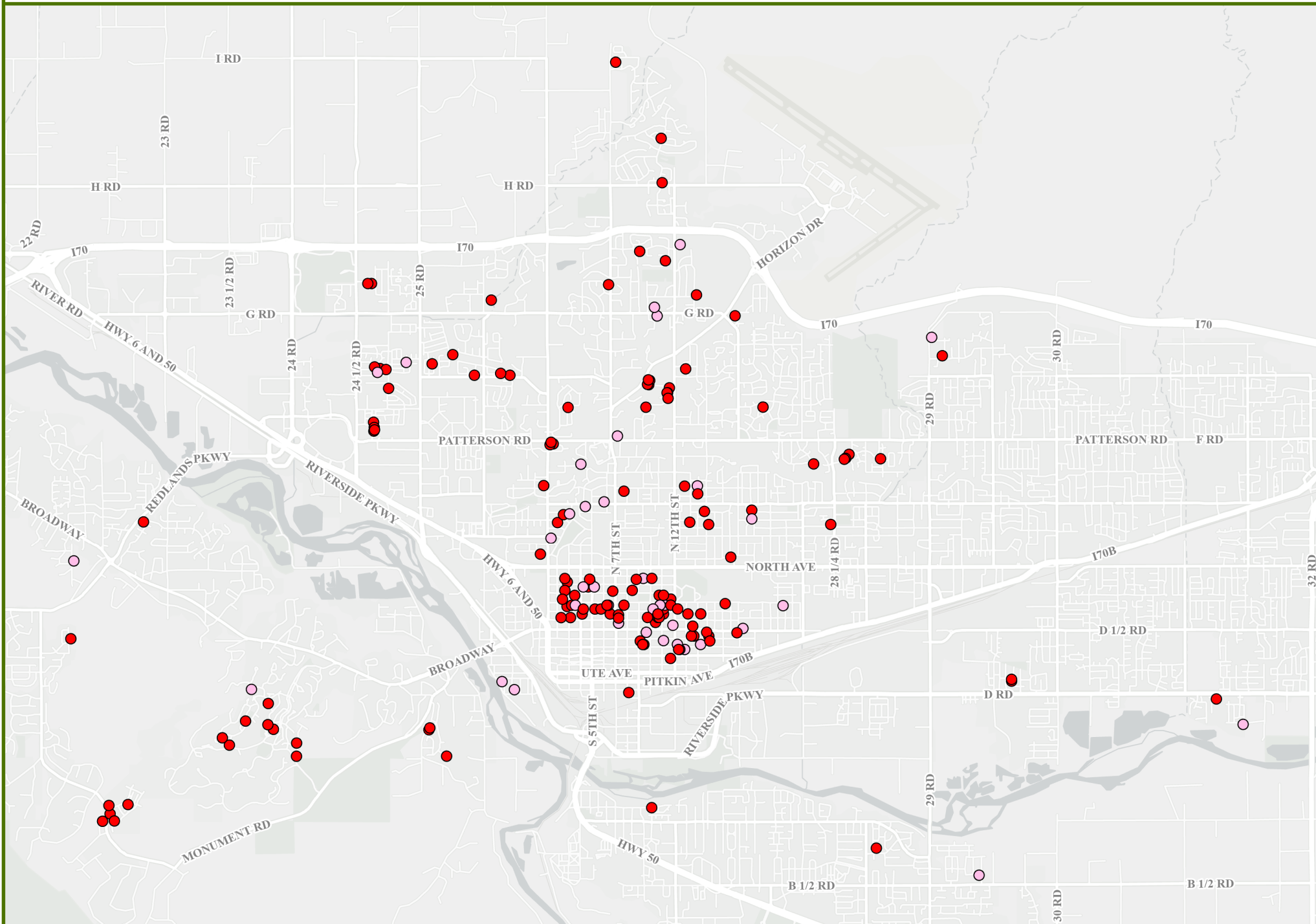
■ Secondary

■ Nonresidential Zone

Date Created: 6/15/2023



Short Term Rentals - Primary & Secondary



0 0.5 1 Miles

● Primary (136) ● Secondary (37)

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE SECTION 21.04.030 USE SPECIFIC STANDARDS, SPECIFICALLY SUBSECTION (h) SHORT-TERM RENTALS, AND SECTION 21.10.020 TERMS DEFINED IN THE GRAND JUNCTION MUNICIPAL CODE.

Recitals:

The City Council desires to maintain effective zoning and development regulations (Code) that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions, and accordingly the City Council has directed that the Code be reviewed and amended.

The amendments to the Code adopted with this Ordinance eliminate (1) requirements that have proven over time to be impractical, difficult, or impossible to apply or enforce, and for which there are other safeguards in the Code furthering the intent of the provisions; (2) inconsistencies within the Code; (3) unnecessary regulations; or (4) duplicative information.

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

After public notice and public hearing, the Grand Junction City Council finds that the proposed amendments to the Code are necessary to maintain effective regulations to implement the Comprehensive Plan and are in the interest of the public health, safety and welfare.

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

Section 21.04.030 Use Specific Standards, specifically item (h) Short Term Rentals, and section 21.10.020 Terms Defined in the Grand Junction Municipal Code are amended as follows (deletions struck through, added language underlined):

21.04.030 Use-specific standards.

...

(h) **Short-Term Rentals.**

(1) Purpose. The purpose of this regulation is to allow short-term rentals with a permit within the regulatory boundaries established by the City. ~~in certain zone districts in the City with a permit and with regulation~~ These regulations are to assist in protecting the health, safety, and welfare of property owners, neighbors, and occupants.

(2) Applicability. These regulations apply to all uses meeting the definition of short-term rental. Private covenants running with land may restrict or prohibit short-term rentals; it is the responsibility of the property owner, not the City or any employee or agent thereof, to ensure compliance with restrictive covenants.

~~(3) Definitions. *Short-term rental* is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than 30 consecutive days. A bed and breakfast is, for purposes of this title, a type of *short-term rental*. Likewise, a home used similar to a rooming/boarding house but where stays are fewer than 30 consecutive days is also a *short-term rental*. *Short-term rental* does not include shelters or other transient lodging as defined as a community service use.~~

(4) Permit Required. No person or entity shall sell lodging to a temporary occupant(s) of a dwelling unit for fewer than 30 consecutive days without first having obtained a short-term rental permit issued by the City and complying with any conditions or restrictions thereof. A short-term rental permit is valid ~~for the life of the short-term rental use, subject to annual re-registration~~ a period of one year and is subject to annual permit renewal in a form prescribed by the City. A separate short-term rental permit is required for each short-term rental unit and will be issued as either a primary or a secondary short-term rental. A short-term rental permit may be issued only to the owner of the property used for short-term rental. A short-term rental permit may be issued by the Director upon finding that the requirements of this subsection (h) are met. A permit may contain conditions and restrictions.

(i) Primary short term rental permits shall not be issued for more than 10% of residentially zoned lots within the downtown area, defined as south of North Avenue, West of North 17th Street, North of Interstate 70 Business, and East of Highway 50,

(ii) Primary short-term rental permits shall not be issued for more than 3% of the residentially zoned lots outside of the downtown area as defined in (i) above.

(iii) No more than two STR permits shall be issued on a residentially zoned lot with four dwelling units or less. Only one of the two permits issued may be a primary short-term rental permit.

(iv) A residentially zoned lot with more than 4 dwelling units shall not be issued short term rental permits for more than 10% of the units on the lot, provided that a minimum of one short-term rental is permitted on all lots.

(5) Occupancy.

(i) The number of occupants at any given time in a short-term rental unit shall not exceed two persons per bedroom plus two additional occupants ~~renters~~, including the operator, except where the Director determines that the size, configuration and/or structural features of the unit allow greater or lesser occupancy.

(ii) A short-term rental permit shall only be issued and/or renewed in a residential zoning district when an applicant demonstrates that there is one additional parking space for each bedroom above 4 bedrooms on the lot. No additional required parking may be located between the front facade of the principal structure and the public street or private access way.

(iii) The permit shall specify the maximum occupancy of the unit.

(6) Designated Local Responsible Party.

(i) The property owner shall designate one or more local person(s) who will be permanently available and responsible for immediately responding to complaints about or violations of law or of permit terms. *Local* as used herein means having a permanent address within a 20-mile radius from the short-term rental property and a 24-hour contact phone number.

(ii) The designated local responsible party may be the owner of the property if he or she meets the *local* criteria.

(iii) The designated local responsible party must be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with applicable fire and building codes and with the requirements for and/or of the short-term rental permit.

(7) General Requirements. The owner of a dwelling used or to be used as a short-term rental shall:

(i) Obtain a tax license from the City of Grand Junction and comply with all applicable local, State, and federal taxes;

(ii) Demonstrate and certify that the unit contains the following on the premises at all times:

- (A) A smoke detector in good working order;
- (B) A carbon monoxide detector in good working order;
- (C) Adequate and functional building egress from each sleeping room in the unit;
- (D) Posted notice providing in detail the following information in a highly visible location and readily accessible form:

- a. Location of building exits and fire extinguishers;
- b. Twenty-four-hour emergency contact information;
- c. Parking areas and parking restrictions, including a notice that parking on lawns is not allowed;
- d. Noise restrictions and quiet hours;
- e. Trash disposal instructions including trash pickup location and schedule;
- f. Maximum occupancy restrictions;
- g. City permit number;

(iii) Certify all units maintain a fire extinguisher in good working order;

(iv) Permit inspection of the premises by the City or its agent or employee during the pendency of the permit application, and thereafter upon reasonable notice;

(v) Provide with its application a sketch or drawing of the unit that depicts all rooms, doors and windows, including dimensions, and shows on-site areas available for guest parking;

(vi) If the short-term rental unit is accessed by a shared driveway, provide the City with a copy of a written instrument authorizing use of the driveway for short-term rental purposes;

(vii) Provide the name, address, and phone number of the designated local responsible party to the City, and update such information with the City whenever it changes;

(viii) Register Renew permit annually with the City, certifying that the permit terms and requirements are still being met and updating any material changes to the unit or property;

(ix) Where food is prepared and served to guests/lodgers on the premises, demonstrate compliance with Mesa County Health Department regulations.

(8) Revocation, Suspension, and Appeal.

(i) A short-term rental permit may be suspended or revoked for any of the following reasons:

(A) The owner or designated responsible party has failed to comply with a requirement of this subsection (h).

(B) The owner or designated responsible party has failed to comply with a condition of or restriction set forth in the short-term rental permit.

(C) The owner has failed to collect or remit lodging taxes or otherwise comply with local, State and/or federal tax requirements.

(D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) The City has received excessive and substantial complaints by neighbors or affected persons that were not adequately and timely addressed by the owner or designated responsible party.

(ii) Notice of permit revocation shall be provided to the owner, who shall then be given an opportunity to respond within 10 days. The Director will issue any decision to revoke or suspend a permit within 10 days of the response date.

(iii) Any aggrieved person may appeal the issuance, denial, suspension, or revocation of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

...

21.10.020 Terms defined.

...

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than 30 consecutive days. A bed

and breakfast and a home used similar to a rooming/boarding house but where stays are fewer than 30 consecutive days is also a short-term rental. Short-term rental does not include shelters or other transient lodging as defined as a community service use.

Short-term rental, Primary is a short-term rental that makes available for rent all bedrooms in a dwelling unit in a principal structure, excluding accessory dwelling units attached to a principal structure.

Short-term rental, Secondary is a short-term rental that makes available for rent less than all the bedrooms in a principal dwelling unit, or an accessory dwelling unit.

...

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

INTRODUCED on first reading this _____ day of _____, 2023 and ordered published in pamphlet form.

ADOPTED on second reading this _____ day of _____, 2023 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #6.b.i.

Meeting Date: July 5, 2023

Presented By: Nicole Galehouse, Interim Planning Supervisor

Department: Community Development

Submitted By: Nicole Galehouse, Interim Planning Supervisor

Information

SUBJECT:

A Resolution Accepting the Petition for the Annexation of 8.33 Acres of Land and Ordinances Annexing and Zoning the Apple Glen West Annexation to R-5 (Residential – 5.5 du/ac), Located North of Appleton Elementary, West of Green Apple Drive, and East of 23 ½ Road

RECOMMENDATION:

Staff recommends adoption of a resolution accepting the petition for the Apple Glen West Annexation, and approval of the annexation and zone of annexation ordinances. The Planning Commission heard the zoning request at its May 23, 2023, meeting and voted (6-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Brian Bray, acting under authority from the property owner, Mesa County School District 51, is requesting annexation of land and a zone of annexation to R-5 (Residential – 5.5 du/ac) for the Apple Glen West Annexation. The approximately 8.33-acre annexation is located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd. The subject 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 this property. The proposed zone district of R-5 is consistent with the Residential Low (3 to 5.5 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:

BACKGROUND

Annexation Request

The Applicant, Brian Bray, is requesting annexation of approximately 8.33 acres of land located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd. The applicant is acting under authority from the property owner, Mesa County School District 51, as the property is under consideration for disposal and contract with the Brays for future development. The property is still owned by Mesa County School District 51, along with the property to the south, 2358 H Road, where Appleton Elementary is located. The property owner (D51) has submitted a letter indicating that they do not want to annex the adjacent property at 2358 H Road.

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 this property. The request for zoning will be considered separately by City Council, but concurrently with the annexation request and will be heard in a future Council action.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – May 17, 2023
- Planning Commission considers Zone of Annexation – May 23, 2023
- Introduction of a Proposed Ordinance on Zoning by City Council – June 21, 2023
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – July 5, 2023
- Effective date of Annexation and Zoning – August 6, 2023

Zone of Annexation Request

The Applicant, Brian Bray, is requesting a zone district of R-5 (Residential – 5.5 du/ac). The applicant is acting under authority from the property owner, Mesa County School District 51, as the property is under consideration for disposal and contract with the Brays for future development. The property is currently zoned in the County as Residential Single Family – Rural (RSF-R). The proposed zone district of R-5 is consistent with the Residential Low (3 to 5.5 du/ac) Land Use category of the Comprehensive Plan.

The property along the southern edge of the eastern property line (~400') is within City limits is the Apple Glen subdivision, which has R-4 (Residential – 4 du/ac) zoning. Development on all other sides is in unincorporated Mesa County with zoning of RSF-R. Both this property and the Apple Glen subdivision have a land use designation of Residential Low. Land use designation surrounding the property at approximately ½ mile north of H Road south is Residential Medium; north is Residential Rural. Zoning

will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The annexation area has water and sewer service available to connect from Green Apple Drive. It is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The goal to “encourage infill and redevelopment to leverage existing infrastructure” supports the Applicant’s request of a zone of annexation of R-5.

The R-5 zoning establishes densities between 3 and 5.5 dwelling units per acre. The R-5 requested zoning implements the Comprehensive Plan’s Residential Low Land Use category. Prior to the adoption of the 2020 Comprehensive Plan, the subject property was split between Residential Medium Low (2 -4 du/ac) and Residential Medium (4-8 du/ac) land use designations. In 2020, the property was unified under Residential Low land use designation. As a whole, density in this area was reduced, with some properties previously allowing densities up to 24 du/ac, while the area under the 2020 Plan maxes out at 12 du/ac.

The purpose of the R-5 (Residential – 5.5 du/ac) zone district is to provide for medium-density detached and attached dwellings and multifamily in areas where large-lot development is discouraged and adequate public facilities and services are available. R-5 supports the Comprehensive Plan’s principles of concentrating urban growth and reinforcing community centers. A mix of dwelling types is allowed in this district.

In addition to the R-5 zoning requested by the petitioner, the following zone districts would also be consistent with the proposed Comprehensive Plan designation of Residential Low (3 to 5.5 du/ac).

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

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on Zoom on April 14, 2022, in accordance with Section 21.02.080(e) of the Zoning and Development Code. The Applicant, his representative, and City staff were in attendance, along with approximately 7 participants.

An official development application was submitted to the City of Grand Junction for review on April 15, 2022. After submitting the application, the Applicant modified the request for zoning and held a second neighborhood meeting to ensure compliance with notification requirements. That meeting was held on March 23, 2023 via Zoom. The Applicant, his representative, and City staff were in attendance, along with approximately 13 participants.

During the April neighborhood meeting, concerns on the project were raised about the process & the school’s involvement in it, irrigation, traffic and safety on 23 ½ Rd, and stormwater management. In September, the applicant shared plans to increase density

to an R-5 zone district and are proposing between 27 – 40 lots. Neighbors’ concerns included traffic and parking, especially as it relates to the school & parents parking in the neighborhood to pick up their kids, along with how it impacts the safety of the children. There was concern about irrigation and additional strain on the system. Neighbors inquired if the property values would be comparable to theirs, if the applicant would put a pedestrian entrance into the rear of the school through the neighborhood. There were a variety of questions regarding infrastructure on the site, including irrigation, fire protection, water pressure, roads, and stormwater. The primary concerns focused around 23 ½ Road and what improvements would be required there.

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 April 24, 2023. 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 May 11, 2023. The notice of the Planning Commission public hearing was published May 14, 2023 in the Grand Junction Daily Sentinel. An online hearing and public comment was also conducted through the GJSpeaks platform.

ANALYSIS
Annexation Analysis

The property is currently adjacent to existing City limits to the south. The necessary one-sixth contiguity requirement of State Statutes for annexation is being met through a serial annexation. The property owner has signed a petition for annexation as well as a letter consenting to this property being annexed and indicating that they do not want to annex the property which holds Appleton Elementary.

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 et seq., that the Apple Glen West Annexation is eligible to be annexed because of compliance with the following:

- a. A proper petition has been signed by more than 50 percent of the owners and more than 50 percent of the property described. The petition has been signed by the owners of all properties or 100 percent of the owners and includes 100 percent of the property described excluding right-of-way.
- b. Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits. The Apple Glen West Annexation meets the 1/6 contiguity requirements for annexation through a serial annexation process. Annexation No. 1 has 22.4 percent contiguity; Annexation No. 2 has 17.4 percent contiguity.
- 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 available and is located near major developments along the I-70B corridor and established residential neighborhoods. The Applicant has stated that the requested annexation is anticipation of residential development.
- e. The area is capable of being integrated with the City. The proposed annexation area is adjacent to the city limits on the east side. Utilities and City services are available and currently serve the existing urban area adjacent to this site.
- f. No land held in identical ownership is being divided by the proposed annexation. The full text of this statute states "...without the written consent of the landowners..." The subject property is under identical ownership by Mesa County School District 51, however the District has provided a letter consenting to this property being annexed and indicating that they do not want to annex the property which holds Appleton Elementary.
- 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 subject property and the Appleton School property combined total approximately 15.7 acres. Therefore, this criterion does not apply.

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 requested to annex and zone the property to R-5 which is compatible with the Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). When a property is annexed into the City, the assumptions and facts used to assign County zoning are no longer valid. County zoning is not carried forward into the City and by Colorado Statute municipal zoning must be assigned to the property within 90 days of the effective date of annexation. When assigning zoning within City limits, the premises and findings must be based on evaluation of the 2020 Comprehensive Plan along with the availability of City infrastructure and services.

Prior to the adoption of the 2020 Comprehensive Plan, the subject property was split between Residential Medium Low (2 -4 du/ac) and Residential Medium (4-8 du/ac) land use designations. In 2020, the property was unified

under Residential Low land use designation. As a whole, density in this area was reduced, with some properties previously allowing densities up to 24 du/ac, while the area under the 2020 Plan maxes out at 12 du/ac. The reduction of density in this area is a significant event that changes the premises of zoning for this property.

Staff finds that this criterion has been met.

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

The Applicant is requesting an allowable zone district that is consistent with the higher end of the density range allowed by the Residential Low category. The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently large acreage and have not yet fully developed, however, the requested zone district is compatible with the Comprehensive Plan designation. Staff is unable to identify any apparent change of character and/or condition and therefore, staff finds that this criterion has not been met.

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

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-5 zone district. Ute Water and sanitary sewer are presently available to the site in Green Apple Dr, as well as water services in 23 ½ Rd. The property can be served by Xcel Energy natural gas and Grand Valley Power electricity. Appleton Elementary School is adjacent to the south and Canyon View Park is located approximately a 1 ¼ miles to the southeast. Further to the south along Patterson Road are commercial retail centers that include Mesa Mall, offices, convenience stores with gas islands, restaurants, commercial businesses, and a grocery store. Community Hospital is also nearby on G Road.

The area is served by Fire Station #3. However, response times are estimated to be 6 to 8 minutes from the time of dispatch for an emergency call for service, which is longer than National Fire Protection Association response time standards. The subject property can be reached in approximately the same time from three different stations, increasing the service potential. The City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station at 23 and H Roads. In general, staff has found public and community facilities are adequate to serve the type and scope of the residential land use proposed. As such, 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 is minimal property north of I-70 that has been incorporated into the City west of 26 Road. What does exist in this area is commercial in the 24 Road Corridor and a mix of R-4 and R-8 zone districts. Looking further out from this there is approximately 100 acres of R-5 zoning between 24 ½ Road and 25 ½ Road along G Road. The R-5 zone district is prevalent east of Horizon Drive. Therefore, Staff finds this criterion has not been met.

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

Annexation and zoning of the property will create additional land within the City limits for growth and helps fill in the patchwork of unincorporated and/or urban area that is adjacent to the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district provides housing within a range of density that has been defined as urban densities in the 2020 One Grand Junction Comprehensive Plan and is consistent with the needs of the community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though the R-4 and CSR zone district could be considered in a Residential Low Land Use area, the R-5 zone district is consistent with the recommendations of the Plan's Land Use Map and provides a much-needed missing housing type to benefit the community.

Consistency with Comprehensive Plan

- Land Use Plan: *Relationship to Existing Zoning*
Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.

The 2020 Comprehensive Plan provides the subject property with a land use designation of Residential Low. As outlined in the background section of this staff report, the R-5 zone district implements the Residential Low designation.

- Plan Principle 1: Collective Identity

Where We are Going – The narrative associated with the future of the City’s identity has a strong focus on retaining character as growth continues. An important part of the community’s culture comes from its agricultural roots. It’s important to respect these and ensure maximum compatibility and appropriate transitions from long-term agricultural zones to more dense urban settings.

The proposed rezone is just under half a mile from the edge of the Urban Development Boundary. There are two residential zone districts, R-4 and R-5, which implement the Residential Low land use designation. Prior to the Comprehensive Plan update in 2020, the subject property was split between Residential Medium Low (2 -4 du/ac) and Residential Medium (4-8 du/ac) land use designations. In 2020, the property was unified under Residential Low land use designation, reducing the potential density on the property. The R-5 zone request is consistent with this decrease in density for the property, providing a range of dwelling unit types that meet housing needs while maintaining the existing character of the neighborhood.

- Plan Principle 3: Responsible and Managed Growth
Where We are Today (and Where We are Going) – The One Grand Junction Comprehensive Plan raises concerns about a waning supply of attainable housing combined with limited supply of land that has existing infrastructure available. To move forward effectively and manage growth, priority has been placed on infill and redevelopment projects.

How We Will Get There – The goals and policies in this Principle address the manner in which growth must happen within the City. These include promoting a compact pattern of growth as well as encouraging infill development. The Zoning & Development Code defines infill development as “the development of new housing or other buildings on scattered sites in a built-up area.” The subject property is located within Tier 2 on the Intensification and Tiered Growth Map, which is identified as ‘suburban infill.’ The neighborhood surrounding this property is being built up & does have major infrastructure components available to the site.

- Plan Principle 4: Strong Neighborhoods and Housing Choices
Where We are Today (and Where We are Going) – Housing within the City of Grand Junction is in crisis. The majority of the existing stock is single-family homes, with little of other product types. This principle outlines how in the decade preceding its adoption, the City saw an increase of over 70% in the cost of for-sale housing and more than 50% of renters are cost-burdened. To address these issues, more units are needed, and those units must be diverse. The development should be high quality, focusing on development near amenities and with high levels of walkability and bikeability. Neighborhoods should be strengthened not only through the creation of third places where people can interact, such as cafes, parks, trails, and restaurants, but also through diverse and interspersed housing options.

How We Will Get There – Since the adoption of the Comprehensive Plan approvals for multifamily developments have increased, with hundreds of apartment units being approved. However, the ‘missing middle’ housing type – duplexes, triplexes, townhomes, and other non-traditional multifamily products, have been pursued in insignificant quantities. One of the concerns that is typically brought up about the R-5 zone district is the allowance of multifamily, despite the fact that the district is rarely developed as anything other than single-family detached dwellings. The proposed ZDC amendment takes this into account and seeks to create resolution. The R-5 zone district, both as it exists and with proposed changes, allows for those housing options to be built.

- Plan Principle 8: Resource & Stewardship
How We Will Get There – Part of properly managing the City’s resources and being good stewards of the environment is to promote sustainable development. This can be done by maximizing existing infrastructure. The subject property is located adjacent to an improved right-of-way with existing water and sewer lines available to the site.
- Intensification and Tiered Growth Plan
Tier 2: Suburban Infill – Tier 2 is intended to apply to areas of the City that are urbanizing or close to areas that are urbanizing. Urban areas provide a density that includes more than just housing, including also roads, bridges, and other public amenities. The subject area has room for growth but provides a strong backbone of infrastructure to serve future growth. Development in this area is anticipated to “provide development opportunities while minimizing the impact on infrastructure and City services.”

The need for housing in the City of Grand Junction is clearly outlined in the Comprehensive Plan. This need encompasses not only attainable housing but a variety of housing options, including those that could be provided through the requested rezone. The Comprehensive Plan designation of Residential Low for the subject property indicates that any of the implementing zone districts (R-4, R-5, or CSR) will “provide a transition between the open, less dense edges of Grand Junction and the denser urban areas toward the City’s center.”

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Apple Glen West Zone of Annexation, ANX-2022-478 request for the property located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd from County Residential Single Family – Rural (RSF-R) to a City R-5 (Residential – 5.5 du/ac), the following findings of facts have been made:

1. Based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, staff finds the Apple Glen West Annexation is eligible to be annexed because of compliance with the seven (7) criteria (a through g) found in the Statutes.

2. The request conforms with Section 21.02.140 of the Zoning and Development Code.
3. The request is consistent with the vision (intent), goals and policies of the Comprehensive Plan.

The Planning Commission heard the zoning request at its May 23, 2023 meeting and voted (6-0) to recommend approval of the request.

FISCAL IMPACT:

At the current value, the City's 8 mills will generate \$2,062 per year. If the proposed development of 25-45 dwelling units, with an estimated value of \$450,000 each occurs, the estimated annual property tax revenue (at the current residential assessment rate) would be \$6,000 - \$11,000 per year based on the number of units built. Sales and use tax revenues will be dependent on construction activity and consumer spending on City taxable items for residential and commercial uses. City services are supported by a combination of property taxes and sales/use taxes.

Fiscal Impacts by City Department

Public Works. The annexation does not take in any adjacent road or drainage infrastructure and therefore there are no impacts to Public Works operations due to this annexation of adjacent county infrastructure. Please note that 23 ½ will remain in the county's jurisdiction and improvements, if any, subject to their standards and regulations.

Utilities. Water and sewer services are available to this property. This property is within the Ute Water District service area. The property is currently within the Persigo 201 Sewer Service Area. An 8-inch sewer line is available on 23 ½ Road south of H Road and on Green Apple Drive adjacent to the property. The developer would be required to extend sewer to the property to serve the new development.

Police. Based on the proposed annexation here, the expected impact on the need for additional police officers is an increase of .22 (rounded) additional officers to maintain our current ratio of .0021 officers per (authorized) city resident (67,000 residents).

This impact analysis also considers the effects of the additional homes and population will impact calls for service, routine patrol, traffic enforcement, response time impact and reported civil issues such as neighbor disputes, runaways and other non-criminal and non-traffic related calls for service.

This impact assumes an increase of 40 residences with an average of 104 (rounded) people residing in that housing. These numbers reflect using 5 residences per acre (R-5 zoning) and the Colorado average occupancy per residence of 2.6 people). The proposed buildup of this property does reflect the same density that is currently in the surrounding area.

NOTE:

The daytime population of Grand Junction is much higher than the residential population. Grand Junction is the main transportation hub, shopping hub and medical hub for the entire 155,000 residents of Mesa County and the majority of Northwestern Colorado, Southeastern Utah and is a major vacation travel destination. It is therefore imperative that we maintain the current staffing levels of the police department to meet the demands of city residents, county residents and visitors to the city.

Due to the complexities of accessing and projecting Police Department personnel needs, which also impact other budgetary considerations, at the beginning of each calendar year, the Department will review all of the yearly annexation impact analyses and compare those with expected population increases and decreases as well as any other data that may need to be considered in Department needs. In this manner, the Department will continually assess expected impacts to maintain our level of services.

Fire. 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 9.6560 mill levy that generates property tax revenue of \$2,489.41 per year. If annexed, the property will be excluded from the rural fire district. This area is currently served by Fire Station 3 located at 580 25 ½ Road, but in the future will be served by the new Fire Station 7 planned for the area of 23 and H Roads. This station is planned to open in 2025 and response times from the station to this annexation area will be within the National Fire Protection Association response time standards.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 57-23, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Apple Glen West Annexation, approximately 8.33 acres, located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd.

I move to (adopt/deny) Ordinance No. 5164, an ordinance annexing territory to the City of Grand Junction, Colorado, Apple Glen West Annexation, approximately 8.33 acres, located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd, on final passage and order final publication in pamphlet form.

I move to (adopt/deny) Ordinance No. 5165, and ordinance zoning the Apple Glen West Annexation to R-5 (Residential - 5.5 du/ac) zone district, from Mesa County zoning of Residential Single Family – Rural (RSF-R) on final passage and order final publication in pamphlet form.

Attachments

1. Development Application
2. Site Maps & Photo
3. Annexation Schedule - Table - AGW Annexation

4. Apple Glen West Neighborhood Mtg Notes
5. Public Comment 05.11.23
6. AGW Annexation Plat
7. GJ Speaks-AGW Comments
8. Planning Commission Minutes - 2023 - May 23 - Draft
9. Resolution - Accepting Petition AGW Annexation
10. ORD-AGW Annexation 20230522
11. ORD- AGW zoning 20230522

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="Exempt-School"/>	Existing Zoning <input type="text" value="RSF-R"/>
Proposed Land Use Designation <input type="text" value="Residential"/>	Proposed Zoning <input type="text" value="R-5"/>

Property Information

Site Location: <input type="text" value="Address TBD. Grand Junction, CO 81505"/>	Site Acreage: <input type="text" value="8.33"/>
Site Tax No(s): <input type="text" value="2701-294-04-002"/>	Site Zoning: <input type="text" value="RSF-R"/>
Project Description: <input type="text" value="Requesting to annex and rezone 8.33 acres to R-5 for future subdivision."/>	

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

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

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

Signature of Person Completing the Application

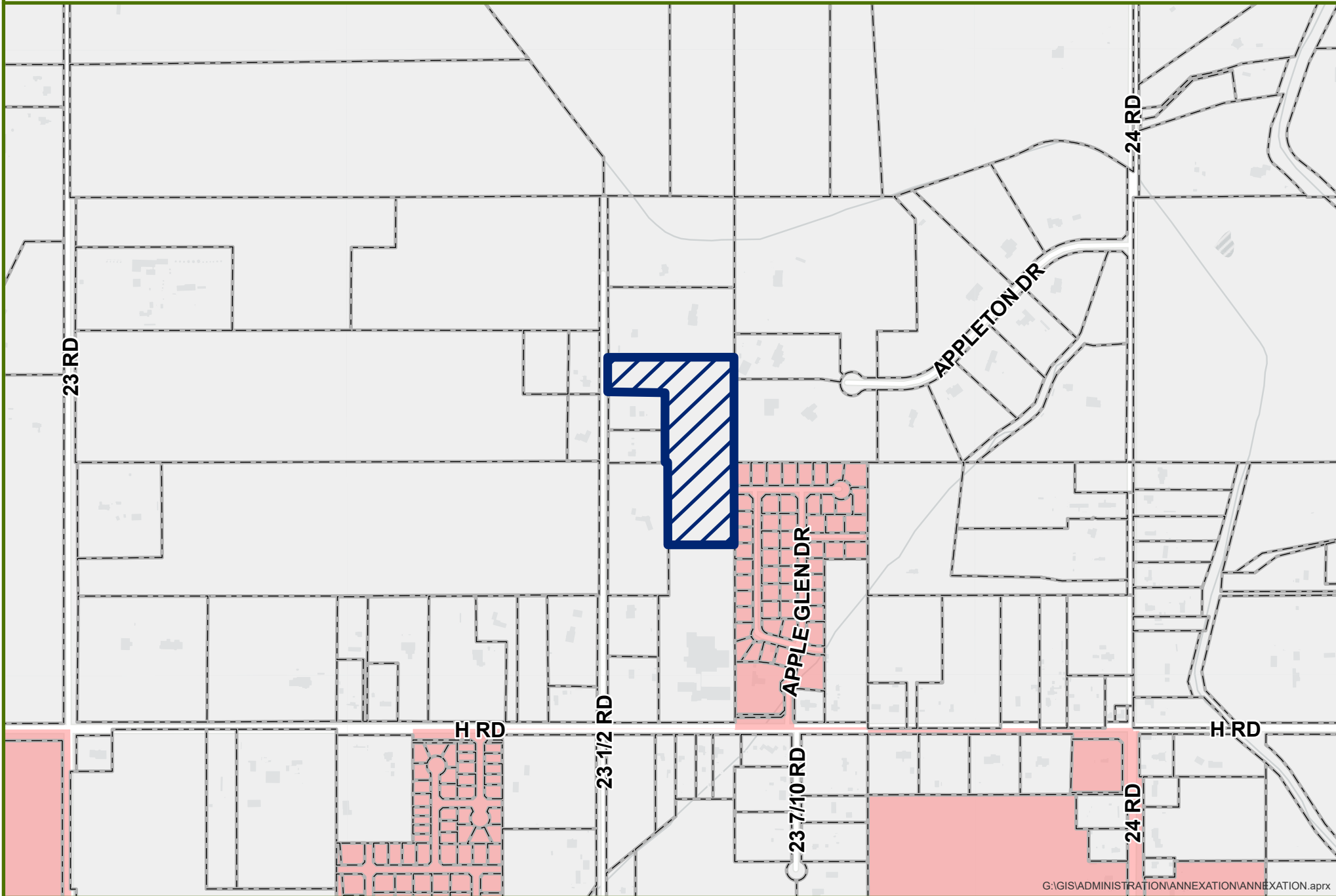
Digitally signed by Courtney Patch
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 Date: 2022.02.23 13:57:30-0700'

Date

Signature of Legal Property Owner

Date

APPLE GLEN WEST ANNEXATION



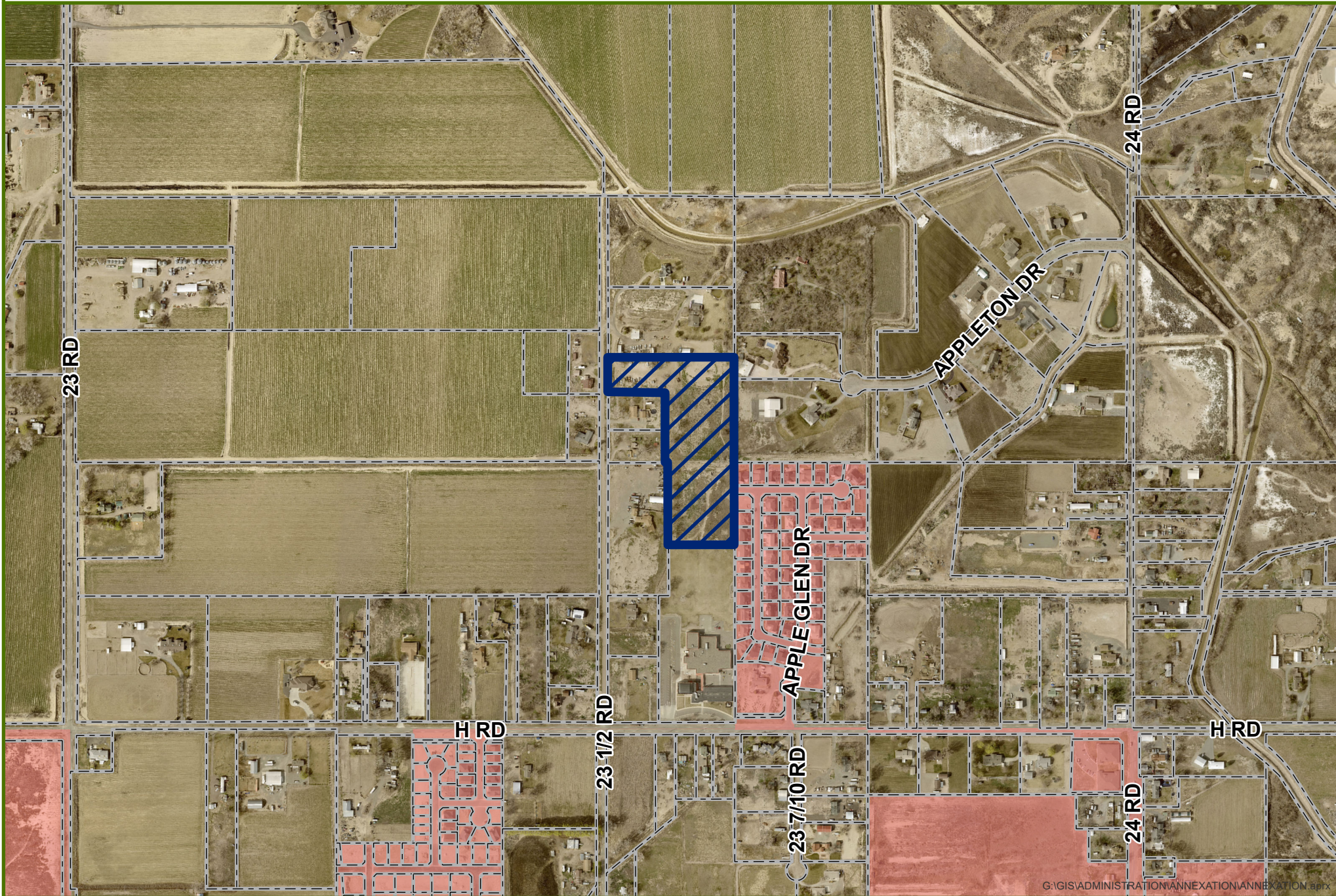
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 Annexation  City Limits

APPLE GLEN WEST ANNEXATION



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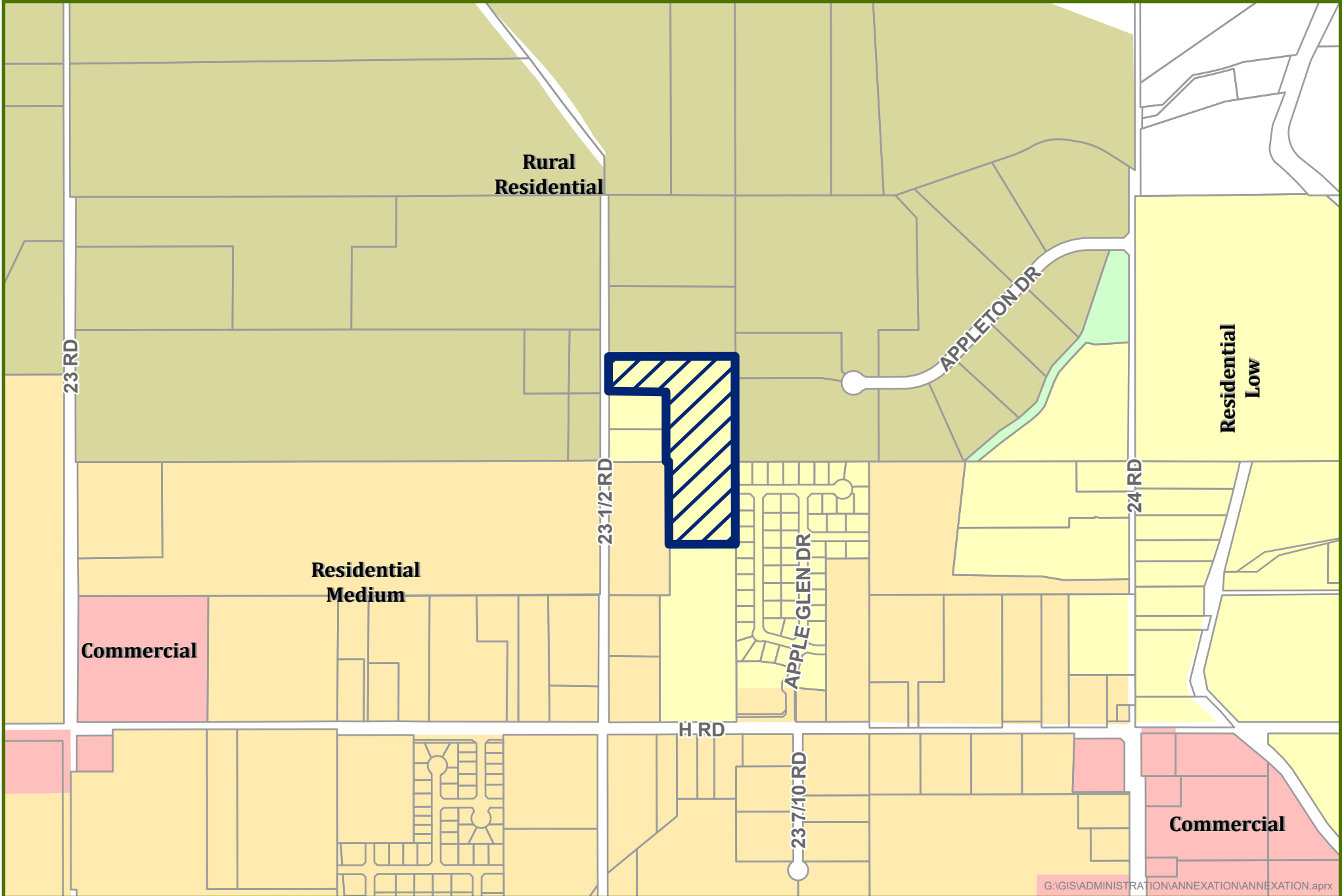


Annexation



City Limits


APPLE GLEN WEST ANNEXATION - LAND USE



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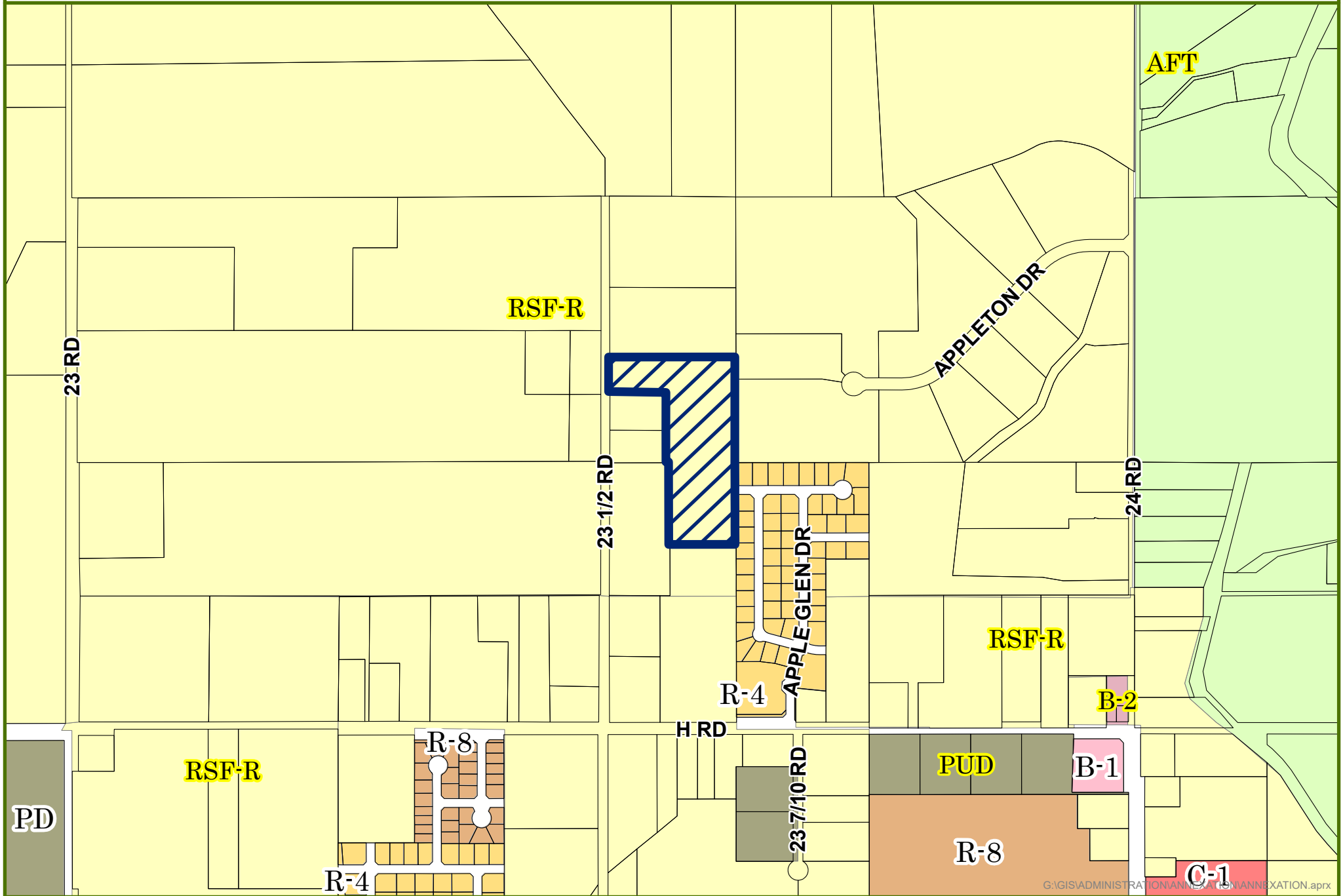
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 Annexation Boundary
Packet Page 107

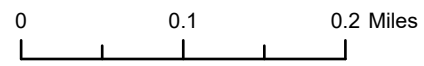
Date Created: 7/8/2022




APPLE GLEN WEST ANNEXATION - ZONING



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 Annexation

 City Zoning

 County Zoning

Date Created: 7/8/2022



Apple Glen West Annexation



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APPLE GLEN WEST ANNEXATION SCHEDULE

May 17, 2023	Referral of Petition (30 Day Notice), Exercising Land Use, 1st Reading of Annexation Ordinance
May 23, 2023	Planning Commission considers Zone of Annexation
June 21, 2023	Introduction of Ordinance on Zoning by City Council
July 5, 2023	Public Hearing on Annexation and Zoning by City Council
August 6, 2023	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

File Number:		ANX-2022-287
Location:		North of H Road/Appleton Elementary, east of 23 ½ Rd
Tax ID Numbers:		2701-294-04-002
# of Parcels:		1
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		8.33
Developable Acres Remaining:		8.33
Right-of-way in Annexation:		0 acres
Previous County Zoning:		RSF-R
Proposed City Zoning:		R-5
Current Land Use:		Vacant
Comprehensive Plan Land Use:		Residential Low
Values:	Assessed:	\$ 257,810
	Actual:	\$ 888,990
Address Ranges:		2354 to 2366 H Rd; 820 to 840 23 ½ Rd
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Grand Valley Irrigation Company; Grand Valley Drainage District
	School:	District 51
	Pest:	Grand River Mosquito District
	Other:	Colorado River Water Conservancy; Grand Valley Power



Apple Glen West

Annexation/Zoning & Preliminary/Final Subdivision

Neighborhood Meeting Notes

April 14, 2022

In Attendance: Courtney Patch-River City Consultants, Nicole Galehouse-City of GJ, Brian Bray-Applicant, and approximately seven neighbors called or logged into the zoom meeting.

Subject Property: 2358 H Rd. Grand Junction, CO 81505 (2701-294-00-122)

Current Zoning: RSF-R (Mesa County)

Future Land Use: RL-Residential Low (2-5.5 DU/Acre)

Acreage: The parent parcel is currently 15.75 acres.

Proposal: A request for Annexation and Zoning into the city limits of Grand Junction for Lot 2 of Appleton Minor Subdivision (currently under review with Mesa County), see Minor Subdivision Plat for reference. Lot 2 will consist of 8.332 acres to be annexed into the city limits of Grand Junction. The proposed zoning will be R-4 (Single Family Residential, 2-4 DU/Acre). After the annexation is complete, Lot 2 will be further subdivided into 27 single-family lots, rights-of-way, open space, and stormwater drainage tracts. This proposal meets an allowed density of 3.2 units per acre.

Sewer is available and will be extended throughout the proposed subdivision from Apple Glen Drive to 23 ½ Rd.

Ute Water supplies this area and water is available and will be extended throughout the subdivision. Ute Water is also requiring the waterline be extended down 23 ½ Rd to H Rd, so there will be minimal construction along 23 ½ Rd for the waterline only.

Irrigation water will be available for required internal landscaping only, individual homes will not be supplied irrigation water for lawns/gardens etc. There will be

changes to the existing irrigation system as far as piping and location of structures goes, but adjacent neighboring property's irrigation shares will not be affected. Final irrigation details are still being determined and designed by RCC Engineers.

Access has been reviewed with a Level 1 traffic assessment. The study shows most of the traffic passing through the adjacent Apple Glen Subdivision to the east from H Rd. Calculations determined that a right turn deceleration lane on H Rd would not be warranted at project buildout. It was also determined that an eastbound left turn deceleration lane would also not be warranted at project buildout on H Rd. The intersection at Apple Glen Dr and H Rd can safely accommodate the current and future traffic for this subdivision.

23 ½ Rd is designated as a Proposed Major Collector, but is currently in Mesa County's jurisdiction, and responsibility to maintain. If this road is ever annexed into the city limits of Grand Junction, they will be responsible for any improvements or road build. RCC will not be improving 23 ½ Rd to H Rd. Our road from the subdivision will connect to 23 ½ Rd as required by the city, but improvements will end at the edge of ROW. The ditch (Mayo Drain) will be piped and filled only along our property to allow for the road crossing.

Construction is proposed to begin after the irrigation season ends this year, pending review and approval by the city.

Neighborhood Meeting Discussion:

Courtney opened the meeting at 5:30pm via zoom and went over the proposal and project information above. Several maps and attachments were shown for the public's reference to understand the portion of land that is being annexed and proposed to be further subdivided.

Courtney then introduced Nicole with the city of GJ and asked her to explain any process related information related to the annexation and preliminary/final subdivision. She explained that the annexation process consists of two public hearings, Planning Commission and City Council. The subdivision process however is administrative. She explained that everyone on tonight's call will receive another notification from the city when applications are submitted for both processes.

Brian Bray was introduced as the applicant and was asked to add any additional information he felt necessary. He discussed a little more about the irrigation and took down some contact information from neighbors as they had questions. He informed them that he would get in contact for a meeting on site

with an RCC Engineer and neighbors that might be affected with the irrigation changes.

The meeting was opened for questions from the public and the following items were discussed:

Minor Subdivision – This process was discussed due to the parcel being under review by Mesa County for a Minor Subdivision to create Lot 2 to annex the lot into the city limits. Courtney explained that the subdivision for the Minor would have to be platted and recorded prior to the public hearings being scheduled for the annexation, because the lot must exist first.

Annexation and Subdivision Processes - Annexation is a public hearing process with 2 hearings. Subdivision review is administrative. Neighbors who received notice of today's meeting will also receive a notification for the other processes once applications have been submitted.

Appleton Elementary Annexation – A question was asked, “why didn't the school district want to annex into the city limits?” Brian Bray spoke to this response and mentioned that the school district did not want to annex into the city limits, and he was not sure of the reasons because they are exempt regardless. He said he assumes that there are internal reasons that have not been disclosed to him, but that the school was willing to sell the north parcel once subdivided if they did not have to annex. This is the reason for the multiple processes the project is going through to obtain the final goal of subdividing into single family residential lots.

Irrigation Easements – There were questions regarding the existing irrigation line along the west property line that several adjacent parcels share and obtain their irrigation water from. As previously discussed, the irrigation system is still being designed by RCC Engineers and the neighbors will be contacted to discuss how to deal with the shared irrigation ditches and structures.

Irrigation Water Ponding Across H Rd – An adjacent neighbor claimed that piping the irrigation water along west side will end up ponding up across H Rd because of poor design from previous years. He requested that this be addressed when they have further discussion on irrigation.

23 ½ Rd Maintenance by Mesa County – Neighbors complained that the maintenance on 23 ½ Rd is minimal, and neighbors are concerned with dust control and improvements. They also expressed that they are concerned with impacts from traffic with the additional lots and stated that maintenance need to be improved due to increased traffic. Nicole spoke to this and said that the road is not annexed and is not being annexed to the city at this time, so the

neighbors should contact the Mesa County Road & Bridge Department if they need additional maintenance. The neighbors were upset by this response and did not understand why the developer wouldn't have to improve this road. Nicole stated that the connection to 23 ½ Rd was required only but did not require full build out because this is a proposed Major Collector. Nicole mentioned that she could request this to be an emergency only access location as a requirement by the city Engineers during review.

Utilities and Road Width – The neighbors brought up the width of the road on 23 ½ Rd and discussed how this will affect the properties that live there while the waterline is being extended to H Rd.

Safety Concerns – Neighbors were concerned with additional children walking along 23 ½ Rd with increased traffic and no sidewalks. The neighbors felt that the developer should have to improve 23 ½ Rd due to safety concerns. The response was that RCC is not improving 23 ½ Rd with this development.

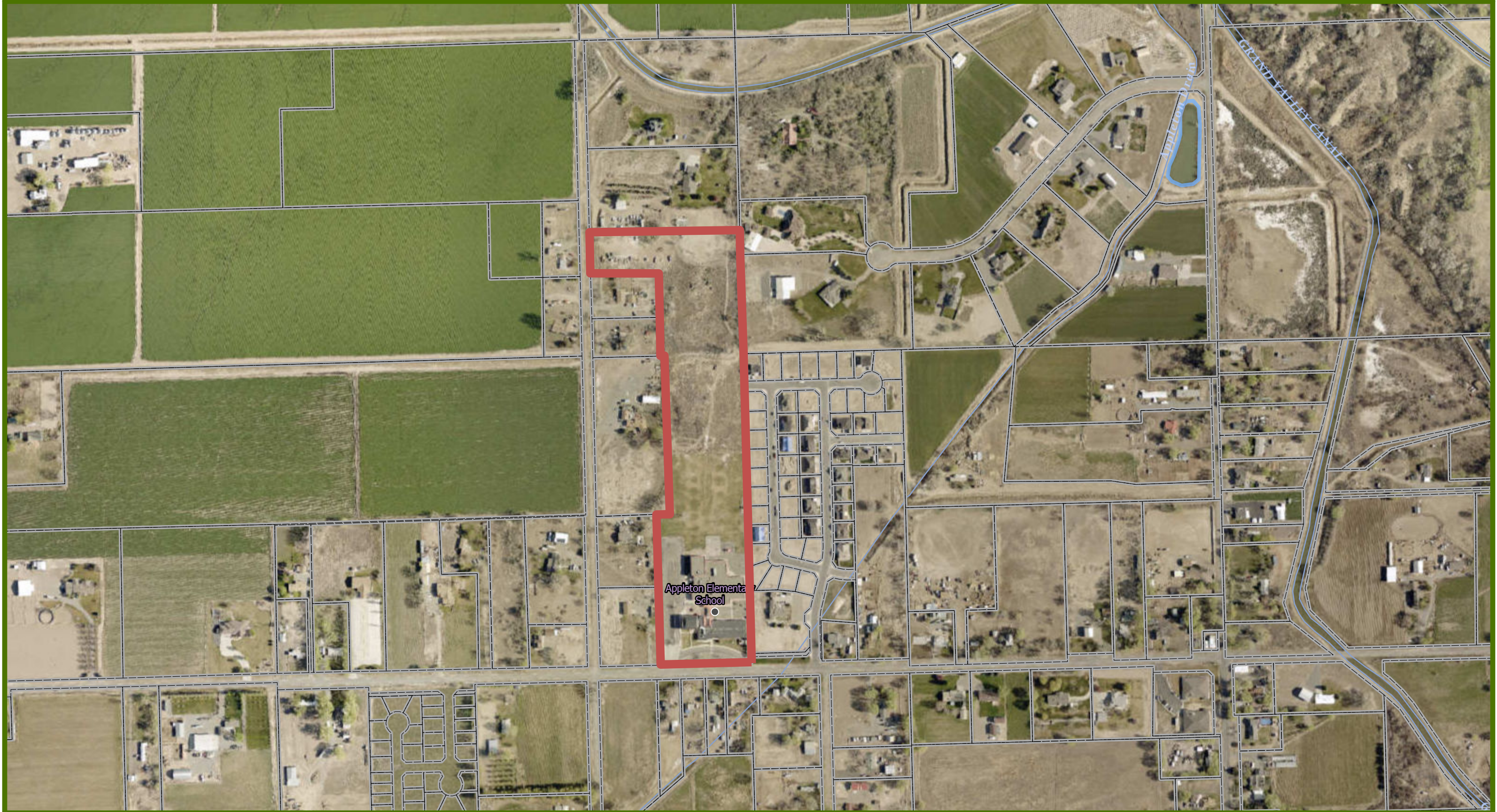
Stormwater Management – A question was asked about where the stormwater is being managed on site. Courtney responded and pointed out on the preliminary plan where the proposed detention ponds will be located and that they all will be engineered to meet the state regulations for water quality standards and adequate release rates. Courtney explained that we are still in the first phases of design and things are subject to change, but all requirements by the city and county for stormwater management will be met with our submittal.

Irrigation to Individual Lots – A question on irrigation water to individual lots was brought up and Brian explained that the developer has chosen not to purchase those shares for single lot irrigation because the water availability is already low in this area, and they didn't want to cause additional issues over irrigation water shares or water pressure throughout the area.

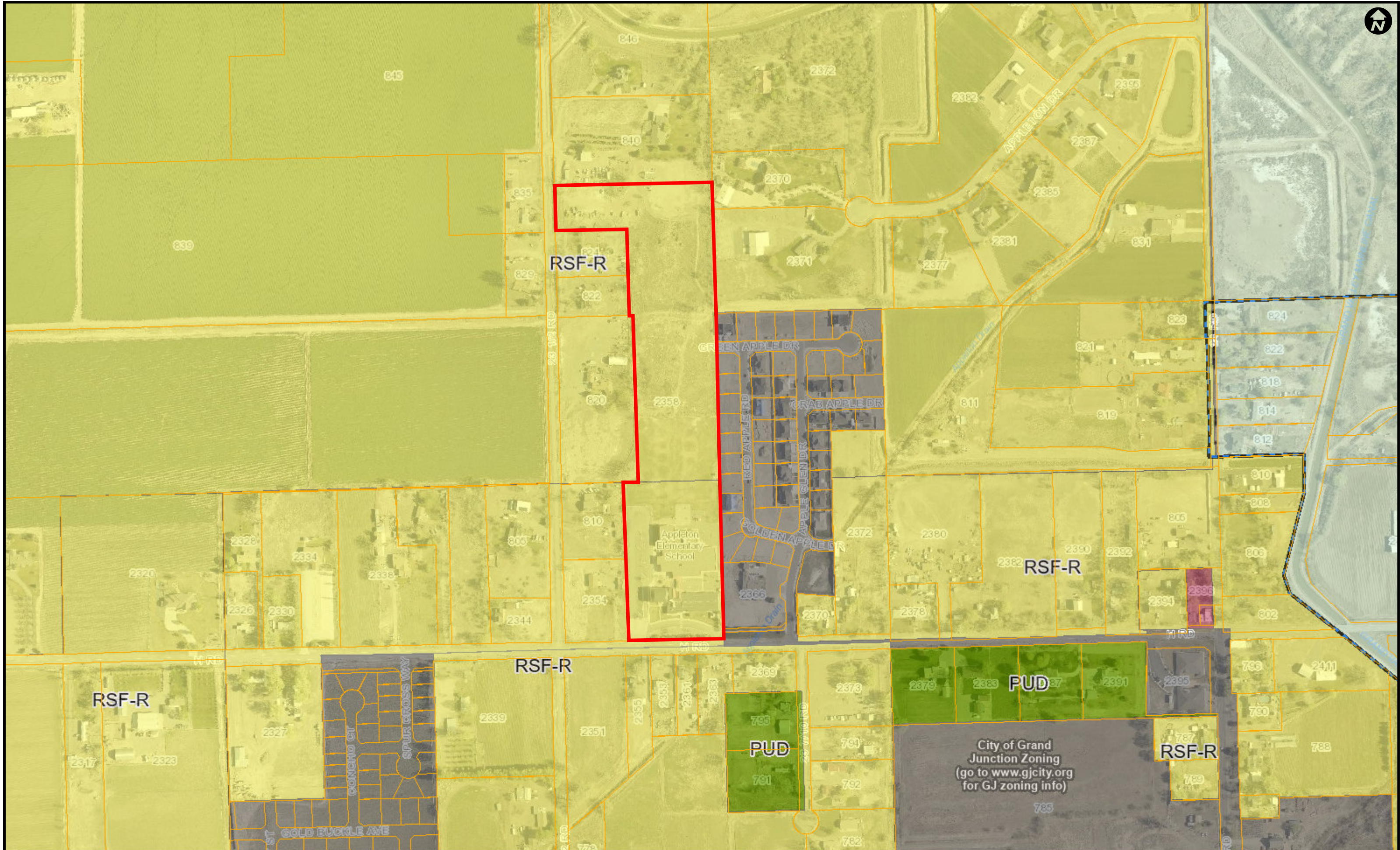
Developer of Subdivision – A question was asked on who the developer will be for this subdivision. Brian stated that the developer has not yet been determined at this time.

Contact information was taken down by Courtney to send attendees the maps shown in today's meeting. The meeting was adjourned at 6:10pm.

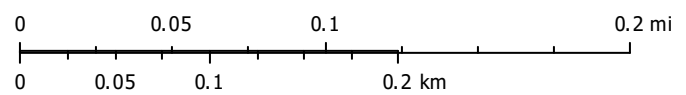
2358 H Rd



Printed: 4/14/2022
1 inch equals 376 feet
Scale: 1:4,514

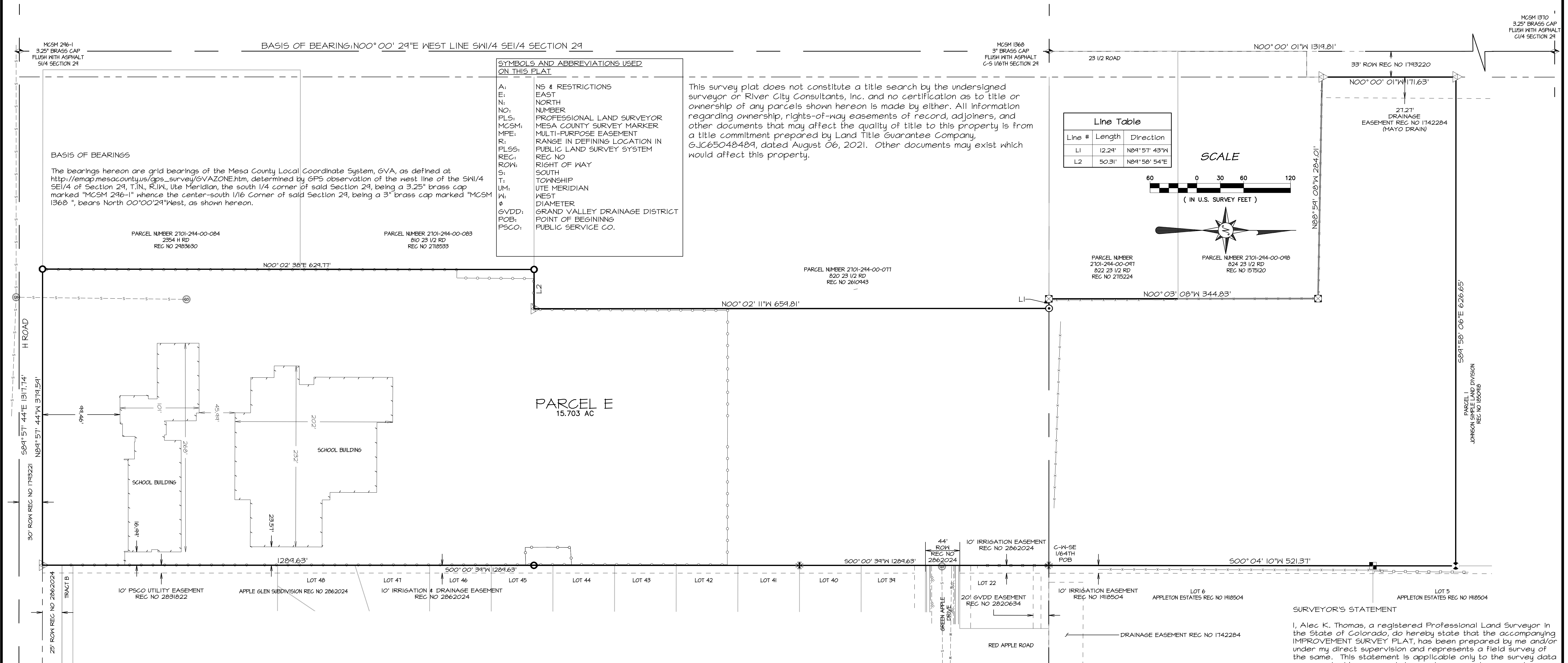


The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records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



IMPROVEMENT SURVEY PLAT

West one-half of the Southeast quarter of Section 29, T.1N., R.1W., Ute Meridian. Mesa County, Colorado



PROPERTY DESCRIPTION

A parcel of land as described at Reception Number 1743223 at the Mesa County Clerk and Recorder, situated in the West One-half of the Southeast Quarter of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said parcel being more particularly described by this survey as follows:

Beginning at a 2" aluminum cap marked LS 38075 for the center-west-southeast 1/64th corner of said Section 29;

Thence North $00^{\circ} 00' 39''$ West, a distance of 1284.63 feet to a 1.5" plastic cap on the north line of H road Right-of-Way as recorded at Reception Number 1743221;

Thence North $84^{\circ} 51' 44''$ West along said Right-of-Way, a distance of 374.59 feet to a 2" aluminum cap marked THOMPSON, PLS 18480;

Thence North $00^{\circ} 02' 38''$ East, a distance of 629.77 feet to a 2" aluminum cap marked THOMPSON, PLS 18480;

Thence North $84^{\circ} 58' 54''$ East, a distance of 50.31 feet to a 1.5" illegible plastic cap;

Thence North $00^{\circ} 02' 11''$ West, a distance of 654.81 feet to a 2" aluminum cap marked CHRISTOPHER C. RANSIER, PLS 38084;

Thence North $84^{\circ} 51' 43''$ West, a distance of 12.24 feet to a number 5 rebar;

Thence North $00^{\circ} 03' 08''$ West, a distance of 344.83 feet to a number 5 rebar;

Thence North $88^{\circ} 59' 08''$ West, a distance of 284.01 feet to a 1.5" illegible plastic cap on the east line of 23 1/2 Road Right-of-Way as recorded at Reception Number 1743220;

Thence North $00^{\circ} 00' 01''$ West along said Right-of-Way, a distance of 171.63 feet to a 1.5" illegible plastic cap;

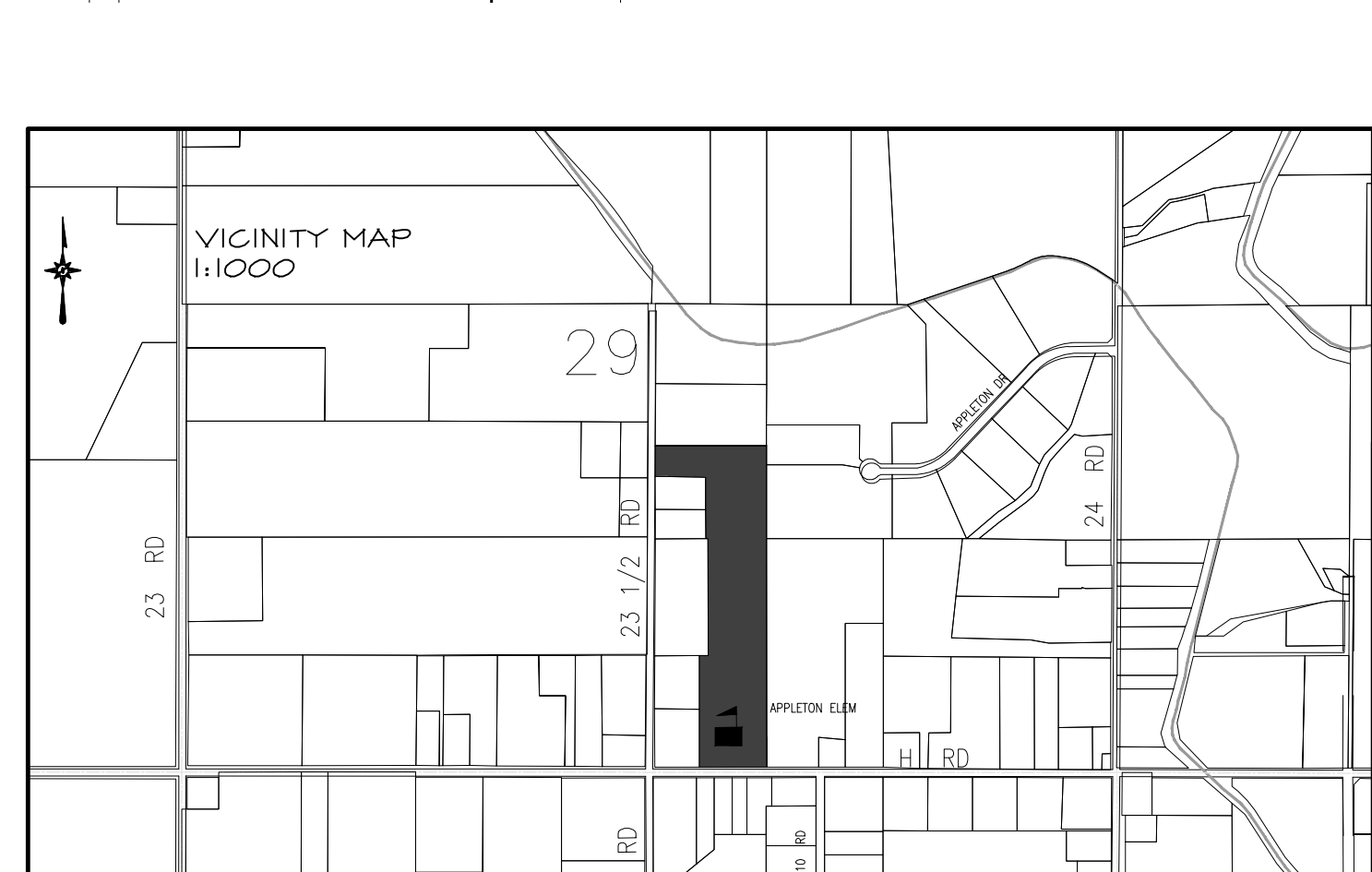
Thence South $84^{\circ} 58' 06''$ East, a distance of 626.65 feet to a 1.25" plastic cap marked PLS 22580;

Thence South $00^{\circ} 04' 10''$ West, a distance of 521.37 feet to the Point of Beginning.

Said parcel containing 15.70 acres more or less.

- LEGEND**
- 1.5" ALUMINUM CAP, #5 REBAR, PLS 16835
 - ★ 2" ALUMINUM CAP MARKED "RCE, LS 38075"
 - 2" ALUMINUM CAP MARKED "THOMPSON, PLS 18480"
 - 1.25" PLASTIC CAP, #5 REBAR, PLS 22580
 - ⊙ 2" ALUMINUM CAP, #5 REBAR, PLS 38084 CHRISTOPHER C. RANSIER
 - △ 1.5" PLASTIC CAP, ILLEGIBLE
 - ▲ ALIQUOT MONUMENT AS NOTED
 - FOUND REBAR
 - SET 1.5" ALUMINUM CAP ON # 5 REBAR PLS 38274
 - - - - - EASEMENT LINE
 - _____ PARCEL LINE
 - - - - - ROW LINE
 - _____ ALIQUOT LINE

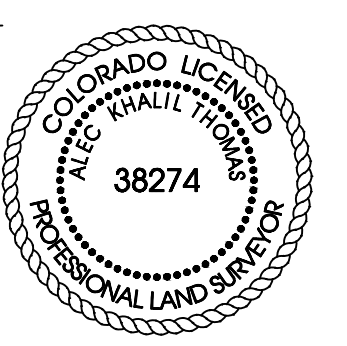
- LAND SURVEY DEPOSITS**
- Mesa County Surveyor's Office
 Date _____
 Deposit Number _____
- Ⓢ SANITARY MANHOLE
 - G- GAS LINE
 - W- WATER LINE
 - OHE- OVERHEAD ELECTRIC LINE
 - S- SANITARY LINE
 - D- STORM LINE
 - WOOD FENCE
 - CHAIN LINK/IRON FENCE
 - X- FENCE



SURVEYOR'S STATEMENT

I, Alec K. Thomas, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying IMPROVEMENT SURVEY PLAT, has been prepared by me and/or under my direct supervision and represents a field survey of the same. This statement is applicable only to the survey data represented hereon, and does not represent a warranty or opinion as to ownership, lienholders, or quality of title. This statement is not a guaranty, either expressed or implied.

Alec K. Thomas, Colorado PLS 38274



IMPROVEMENT SURVEY PLAT
 West one-half of the Southeast quarter of Section 29, T.1N., R.1W., Ute Meridian.
 Mesa County, Colorado

RIVER CITY CONSULTANTS

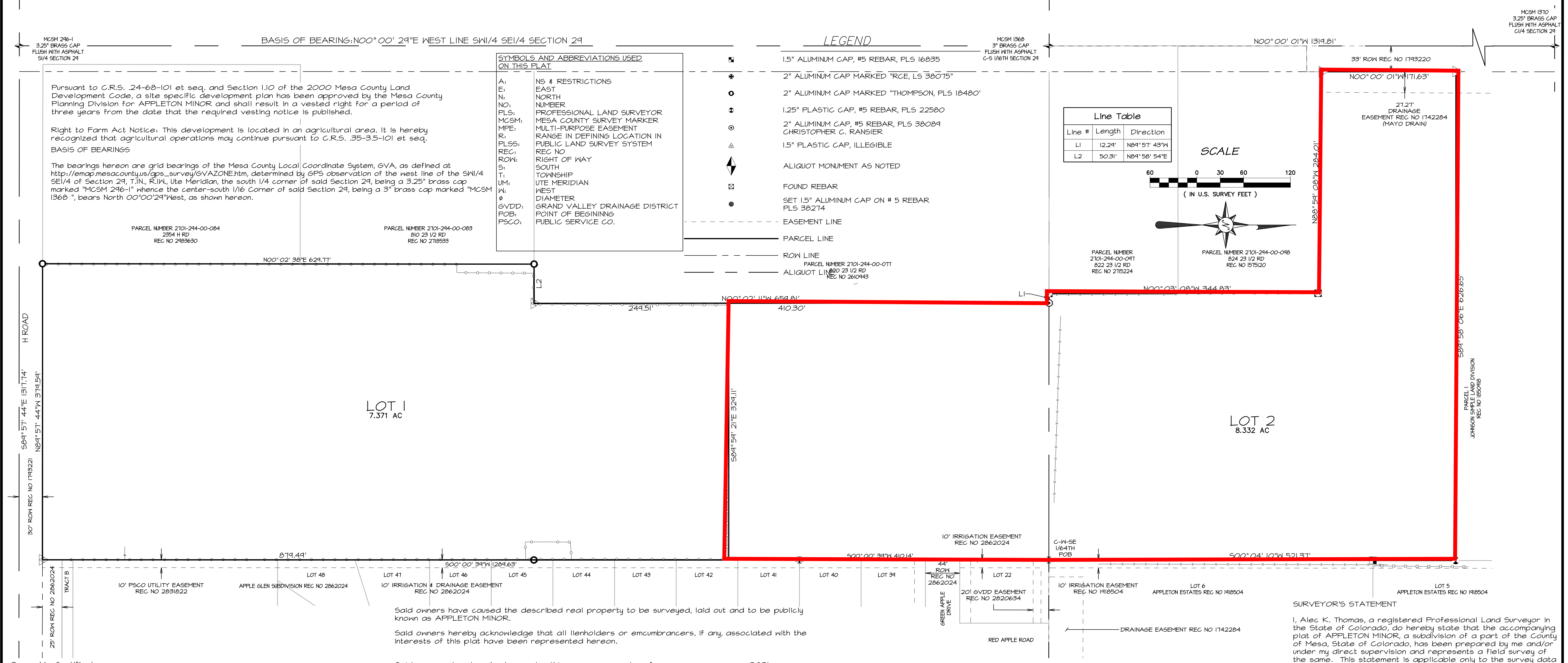
215 Pitkin Avenue, Unit 201
 Grand Junction, CO 81501 www.rccwest.com Phone: 970.241.4722 Fax: 970.241.8841

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

Sheet 1 of 1 Date: 04/02/2021 Job No. 1934-003
 Surveyed: AKT Drawn: AKT Checked: KST
 Drawing name: S:\PROJ\ESTIMATED BRN BRAY\03 2354 H ROAD SURVEY\PROJ\1934-003 1934.dwg

APPLETON MINOR

West one-half of the Southeast quarter of Section 29, T.1N., R.1W., Ute Meridian.
Mesa County, Colorado



Ownership Certificate

Know All Persons By These Presents:

The undersigned, Mesa County Valley School District No. 51, a Colorado Public School District, are the owners of record of that real property as recorded at Reception Number 1749223 at the Mesa County Clerk and Recorder, situated in the East One-half of the Southeast Quarter of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said parcel being more particularly described by this survey as follows:

Beginning at a 2" aluminum cap marked LS 38015 for the center-west-southeast 1/64th corner of said Section 29;

Thence South 00°00'34" West, a distance of 1284.63 feet to a 1.5" illegible plastic cap;

Thence North 89°51'44" West along said Right-of-Way, a distance of 374.59 feet to a 2" aluminum cap marked THOMPSON, PLS 18480;

Thence North 00°02'38" East, a distance of 629.77 feet to a 2" aluminum cap marked THOMPSON, PLS 18480;

Thence North 89°58'54" East, a distance of 50.31 feet to a 1.5" illegible plastic cap;

Thence North 00°02'11" West, a distance of 659.81 feet to a 2" aluminum cap marked CHRISTOPHER C. RANSIER, PLS 38084;

Thence North 89°51'43" West, a distance of 12.29 feet to a number 5 rebar;

Thence North 00°03'08" West, a distance of 344.83 feet to a number 5 rebar;

Thence North 88°59'08" West, a distance of 284.01 feet to a 1.5" illegible plastic cap on the east line of 23 1/2 Road Right-of-Way as recorder at Reception Number 17493220;

Thence North 00°00'01" West along said Right-of-Way, a distance of 171.63 feet to a 1.5" illegible plastic cap;

Thence South 89°58'06" East, a distance of 626.65 feet to a 1.25" plastic cap marked PLS 22580;

Thence South 00°04'10" West, a distance of 521.37 feet to the Point of Beginning.

Said parcel containing 15.70 acres more or less.

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

Said owners have caused the described real property to be surveyed, laid out and to be publicly known as APPLETON MINOR.

Said owners hereby acknowledge that all lienholders or encumbrancers, if any, associated with the interests of this plat have been represented hereon.

Said owners do subscribe hereunder this _____ day of _____, 2021.

Mesa County Valley School District No. 51, a Colorado Public School District

STATE OF COLORADO)
COUNTY OF MESA) ss.

This plat was acknowledged before me by _____ on this _____ day of _____, 2021 A.D. My commission expires: _____

Witness my hand and seal

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

Accepted this _____ day of _____, 2021 A.D. by the Board of County Commissioners of the County of Mesa, State of Colorado.

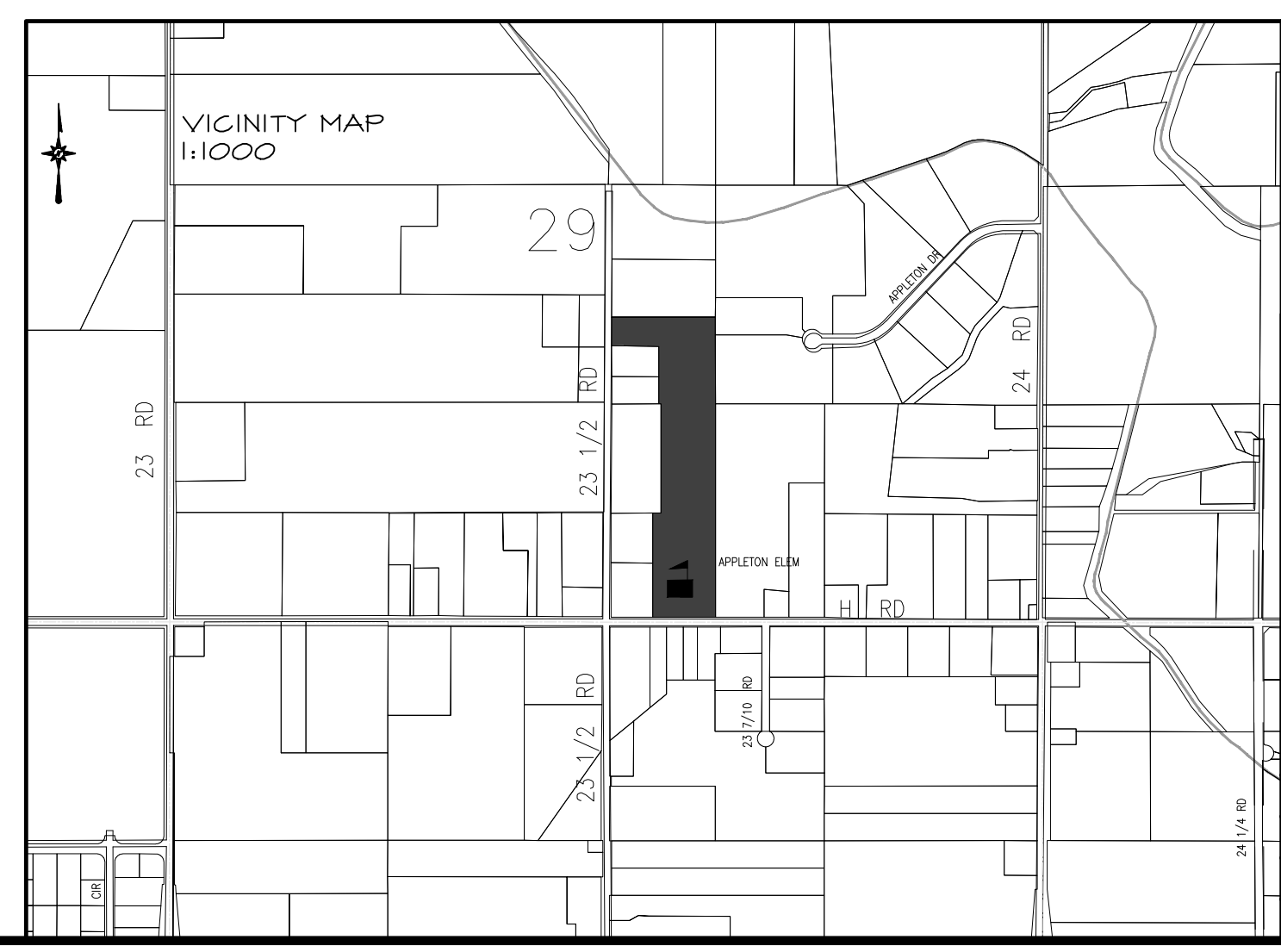
Chairperson _____

CLERK AND RECORDER'S CERTIFICATE)
STATE OF COLORADO) ss.

COUNTY OF MESA I certify that this instrument was filed in my office at _____ o'clock ____ M., on the _____ day of _____, 2020 A.D. and was recorded at Reception No. _____

Drawer No. _____, Fees _____

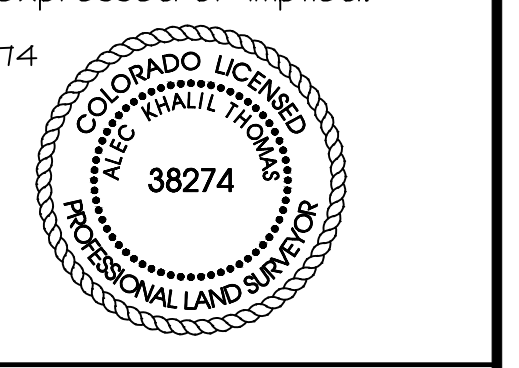
By: _____ Clerk _____ Deputy



SURVEYOR'S STATEMENT

I, Alec K. Thomas, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying plat of APPLETON MINOR, a subdivision of a part of the County of Mesa, State of Colorado, has been prepared by me and/or under my direct supervision and represents a field survey of the same. This statement is applicable only to the survey area represented hereon, and does not represent a warranty or opinion as to ownership, lienholders, or quality of title. This statement is not a guaranty, either expressed or implied.

Alec K. Thomas, Colorado PLS 38274



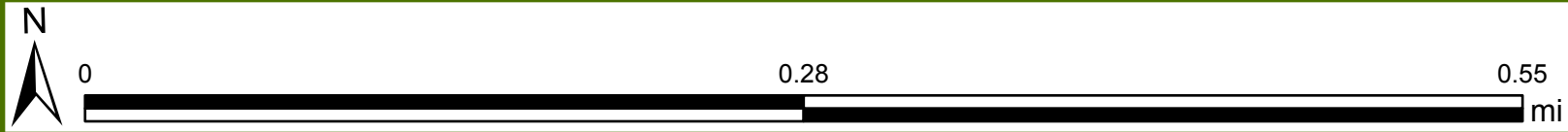
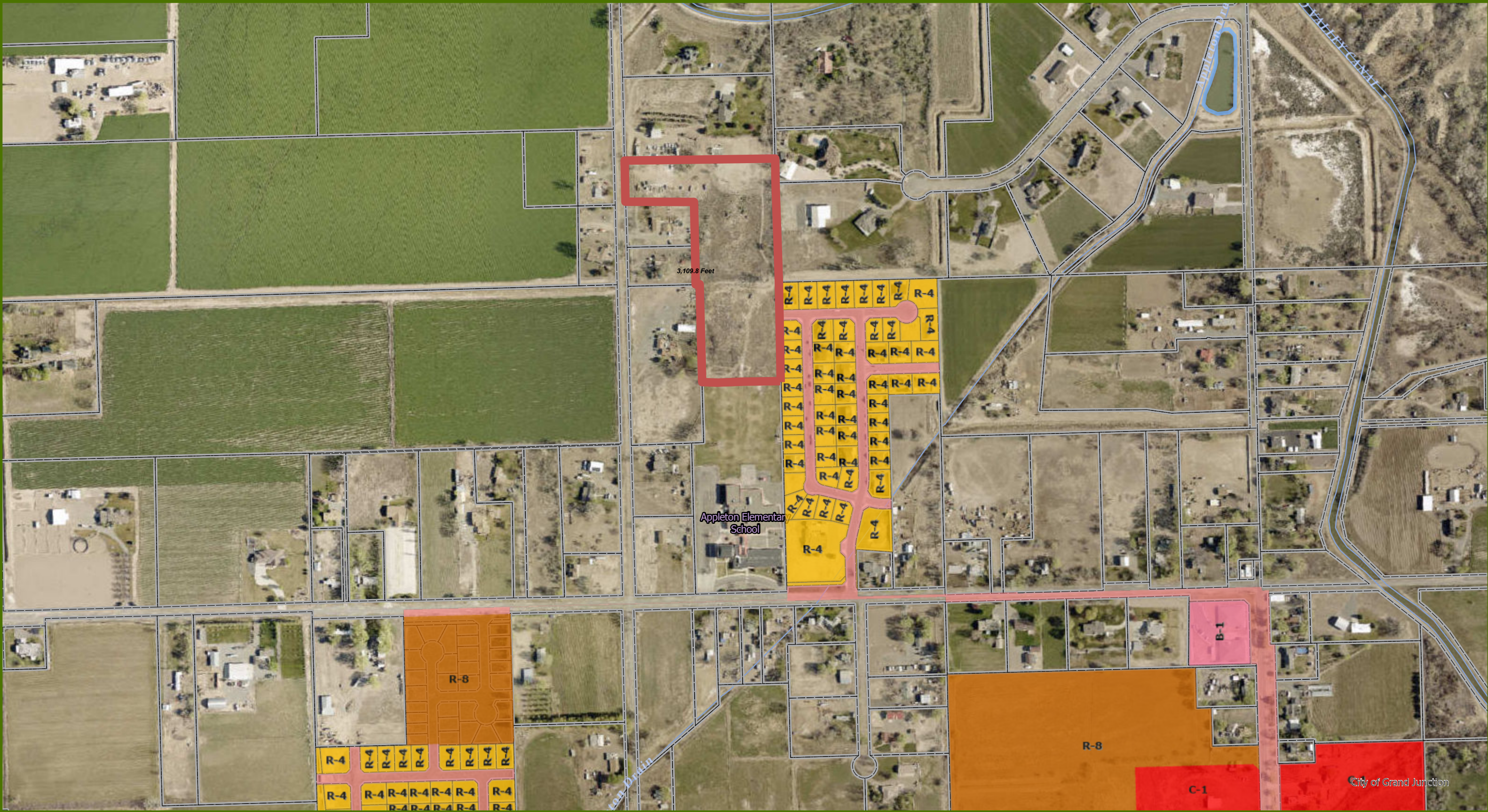
APPLETON MINOR
West one-half of the Southeast quarter of Section 29, T.1N., R.1W., Ute Meridian.
Mesa County, Colorado

RIVER CITY CONSULTANTS

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

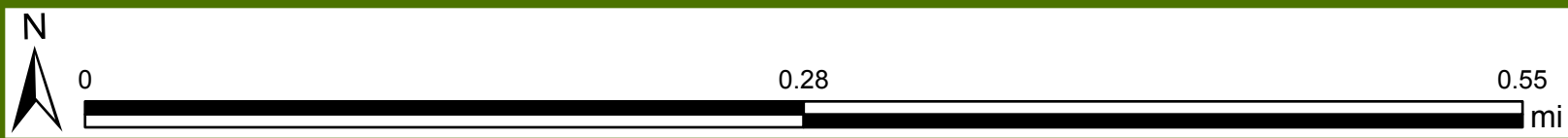
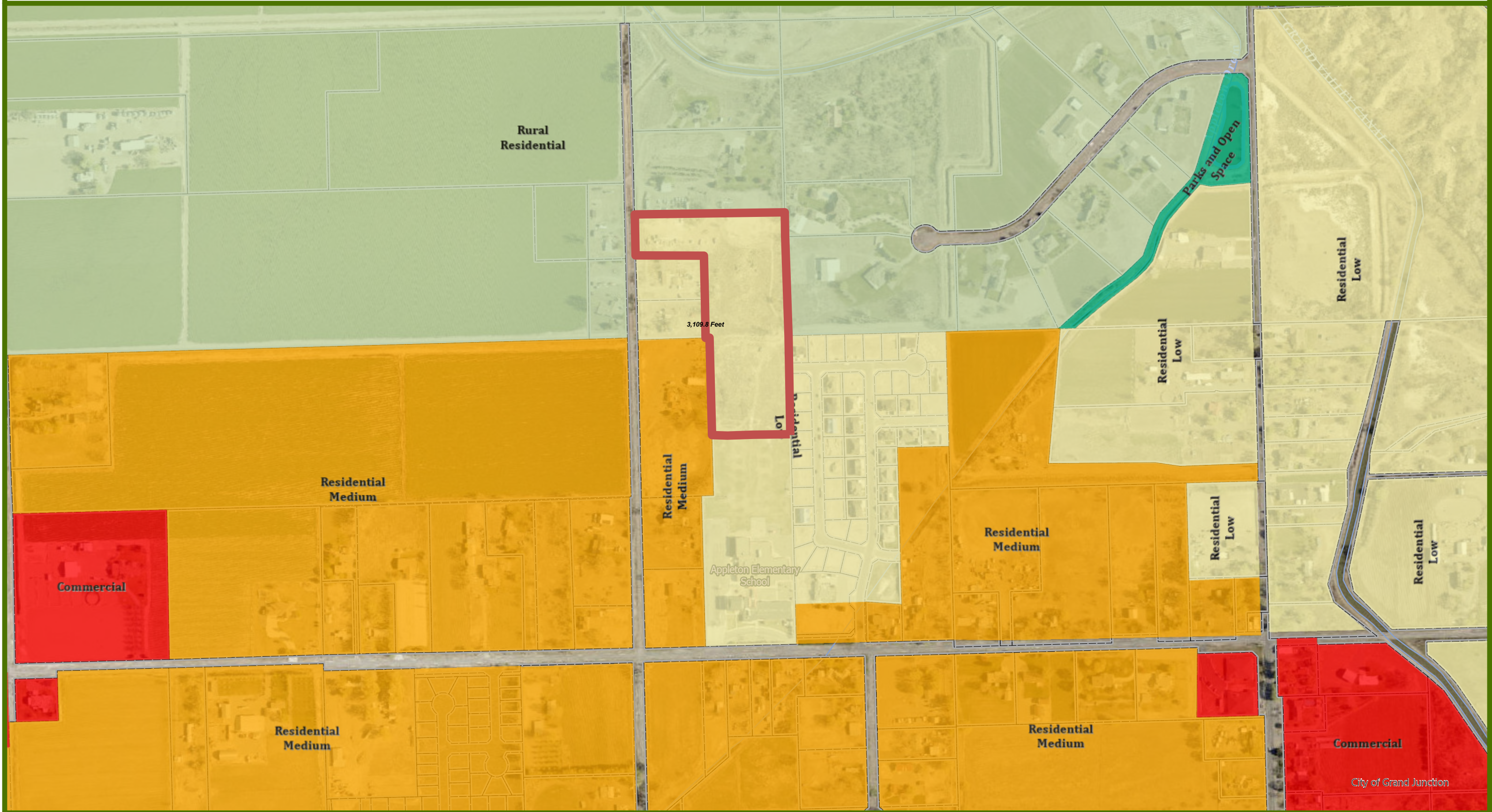
Sheet 1 of 1 Date: 04/02/2021 Job No. 1934-003
Surveyed: AKT Drawn: AKT Checked: KST
Drawing name: S:\PROJ\ES\15\1518\1518.dwg

GJ Zoning Map



Printed: 4/14/2022
1 inch equals 376 feet
Scale: 1:4,514

GJ Comprehensive Plan



Printed: 4/14/2022
1 inch equals 376 feet
Scale: 1:4,514

SITE BREAKDOWN

Lots (27)	5.800 ac	69.6%
Tract A (GVDD)	0.058 ac	0.7%
Tract B (Open Space)	0.191 ac	2.3%
Tract C (Utility/Drainage)	0.336 ac	4.0%
Tract D (Utility/Drainage)	0.164 ac	2.0%
Right of Way (Dedicated)	1.783 ac	21.4%
Total	8.332 ac	100.0%

UTILITY PROVIDERS

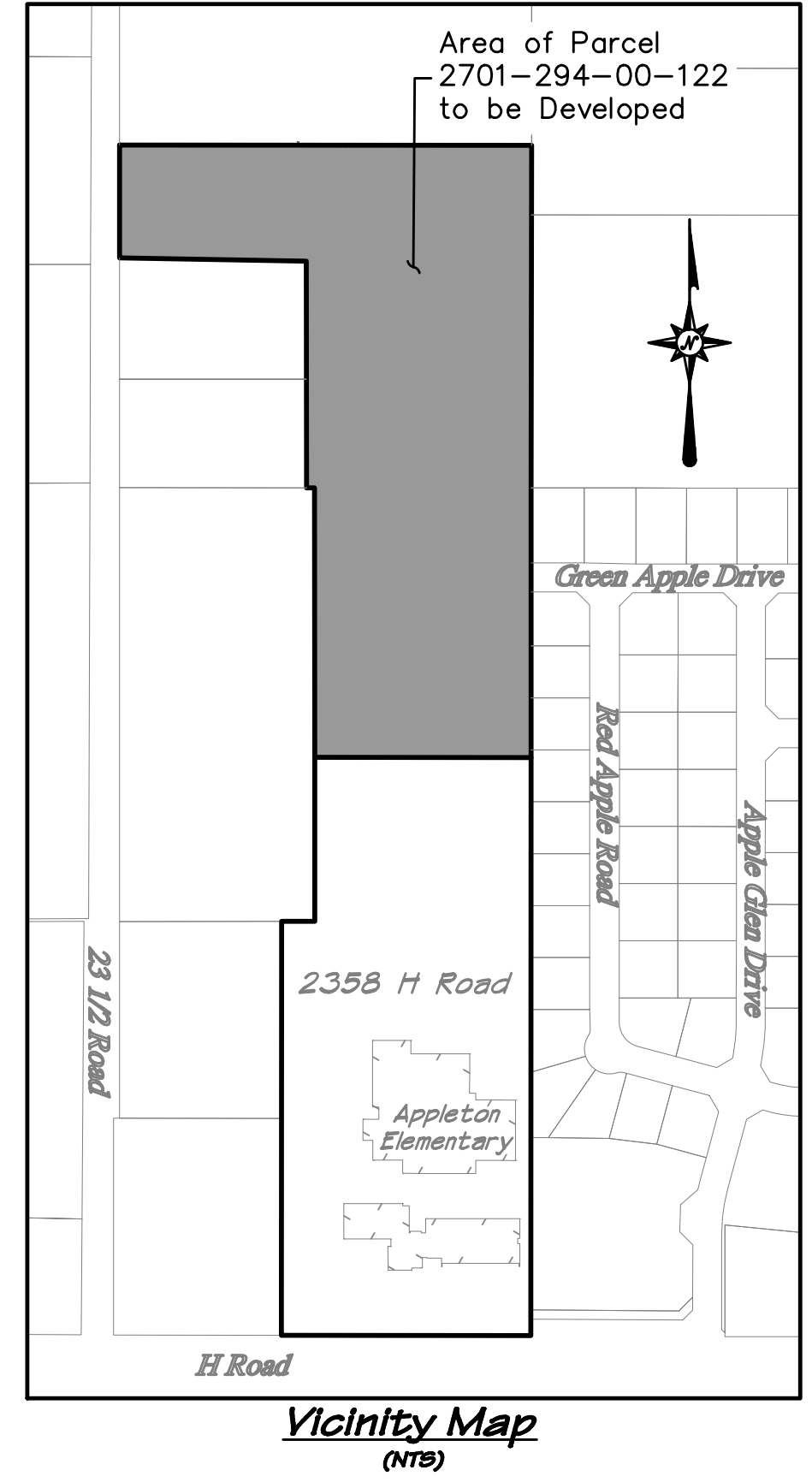
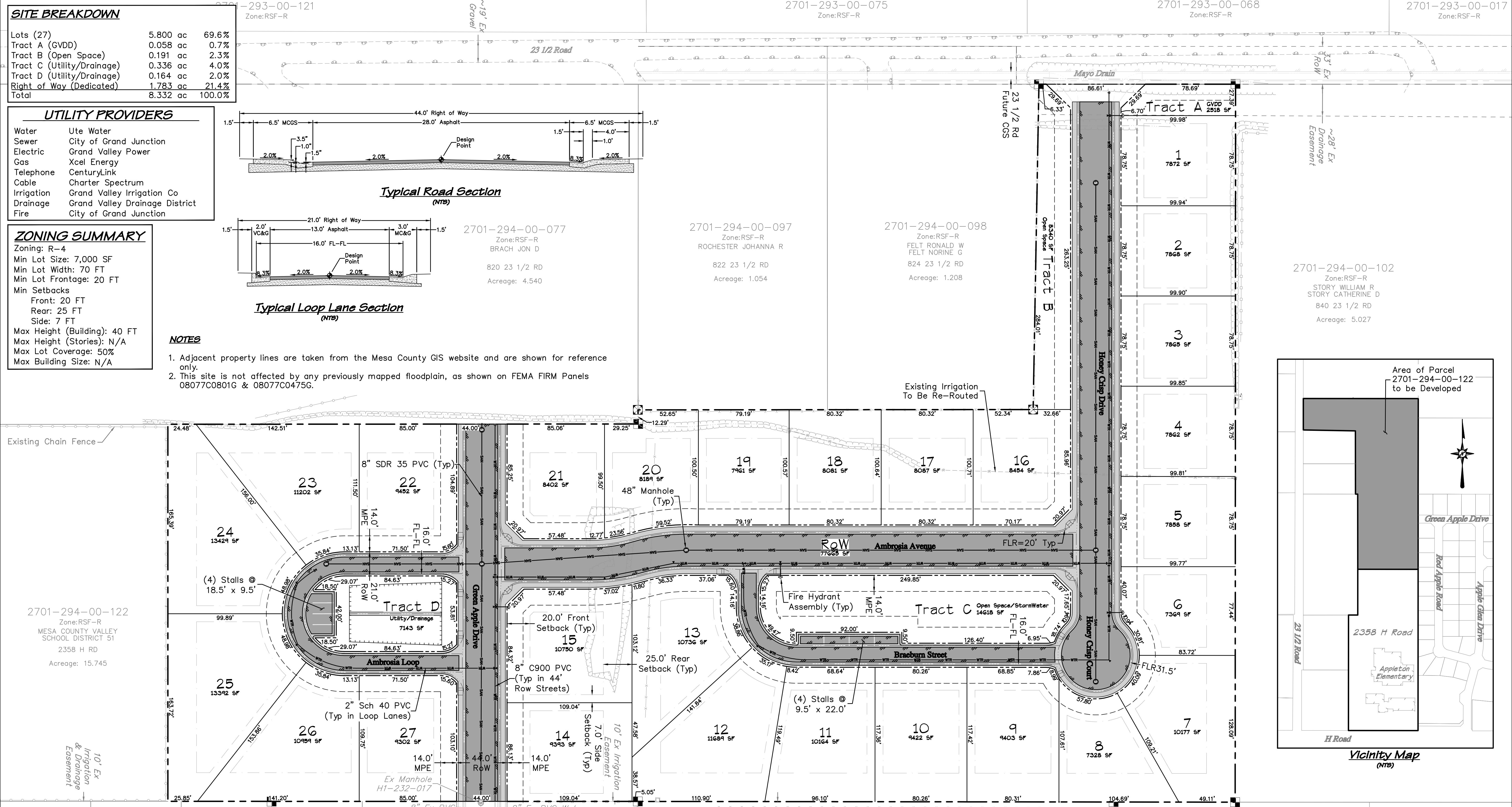
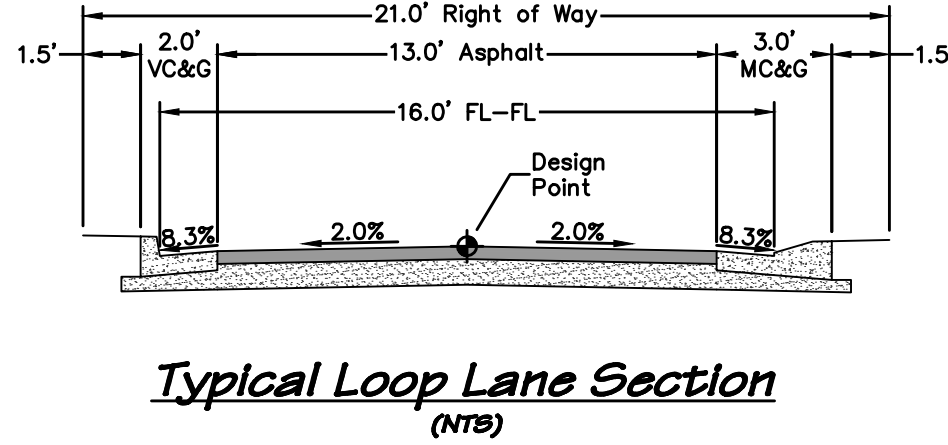
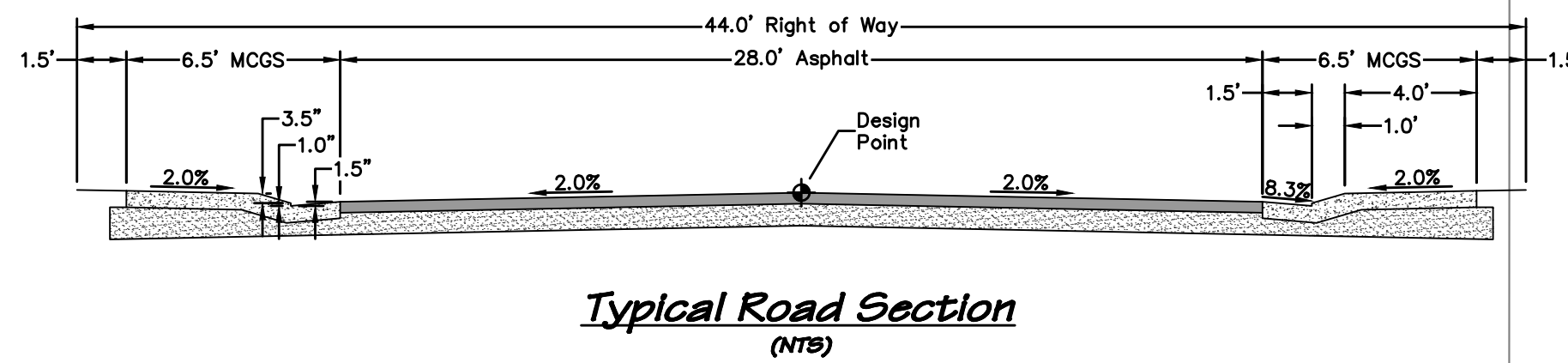
Water	Ute Water
Sewer	City of Grand Junction
Electric	Grand Valley Power
Gas	Xcel Energy
Telephone	CenturyLink
Cable	Charter Spectrum
Irrigation	Grand Valley Irrigation Co
Drainage	Grand Valley Drainage District
Fire	City of Grand Junction

ZONING SUMMARY

Zoning: R-4
 Min Lot Size: 7,000 SF
 Min Lot Width: 70 FT
 Min Lot Frontage: 20 FT
 Min Setbacks
 Front: 20 FT
 Rear: 25 FT
 Side: 7 FT
 Max Height (Building): 40 FT
 Max Height (Stories): N/A
 Max Lot Coverage: 50%
 Max Building Size: N/A

NOTES

1. Adjacent property lines are taken from the Mesa County GIS website and are shown for reference only.
2. This site is not affected by any previously mapped floodplain, as shown on FEMA FIRM Panels 08077C0801G & 08077C0475G.



2701-294-03-043 Zone: R-4 ADAMS RODNEY ADAMS JULIE 817 RED APPLE RD Acreage: 0.162	2701-294-03-042 Zone: R-4 CTR HOMES LLC 819 RED APPLE RD Acreage: 0.162	2701-294-03-041 Zone: R-4 CTR HOMES LLC 821 RED APPLE RD Acreage: 0.162	2701-294-03-040 Zone: R-4 CTR HOMES LLC 823 RED APPLE RD Acreage: 0.162	2701-294-03-039 Zone: R-4 CTR HOMES LLC 825 RED APPLE RD Acreage: 0.164	2701-294-03-022 Zone: R-4 SORENSEN JONATHAN M SORENSEN BROOKE N 2360 GREEN APPLE DR 14' MPE Acreage: 0.212	2701-294-01-006 Zone: RSF-R GMD REVOCABLE TRUST 2371 APPLETON DR Acreage: 6.462	2701-294-02-002 Zone: RSF-R BASINGER KYLE BASINGER KATHRYN C 2370 APPLETON DR Acreage: 2.743	2701-294-02-001 Zone: RSF-R JOHNSON WILLIAM H JOHNSON MARTHA L 2372 APPLETON DR Acreage: 14.749
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Project Benchmark
TBD

UNCC
800.922.1987
www.uncc.org
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

SCALE (FEET)

HORIZONTAL: 0 40 80
 VERTICAL: n/a

PROJECT PHASE: Preliminary/Review
DATE ISSUED: 17.Jan.2022

NO.	DATE	REVISION	BY

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

DRAWN BY: nmr
 CHECKED BY: jwm
 PROJECT: 1939-003
 ORIGINAL SHEET SIZE: 22 x 34

BRIAN BRAY
 Apple Glen West Subdivision
 Pre-App Site Plan
 Ex 1

SITE BREAKDOWN

Lots (27)	5.800 ac	69.6%
Tract A (GVDD)	0.058 ac	0.7%
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Tract C (Utility/Drainage)	0.336 ac	4.0%
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UTILITY PROVIDERS

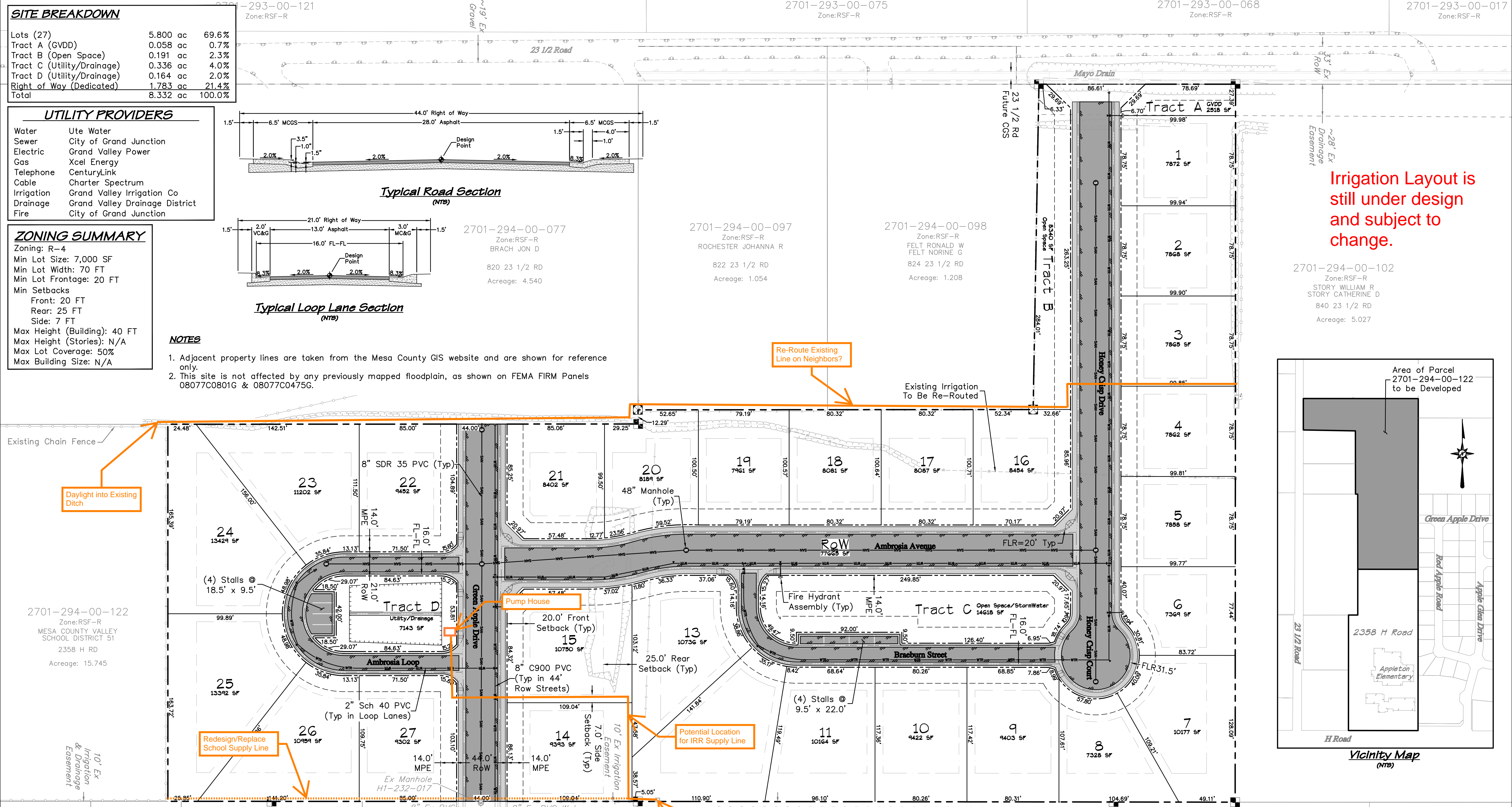
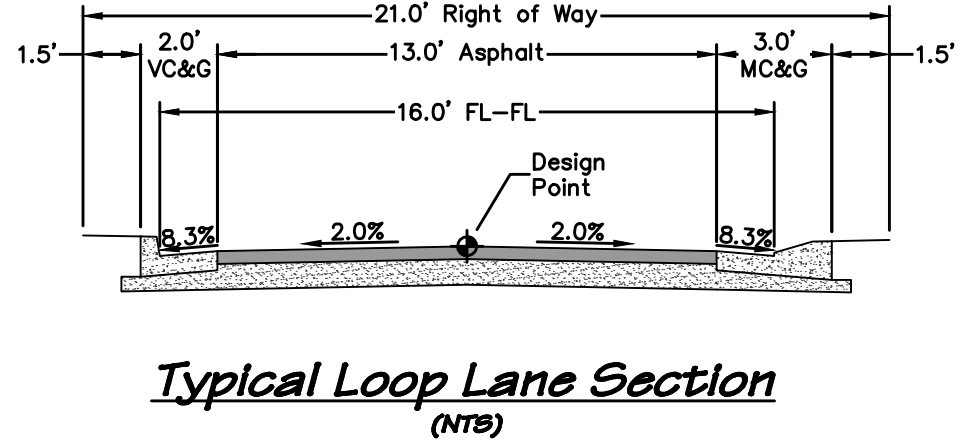
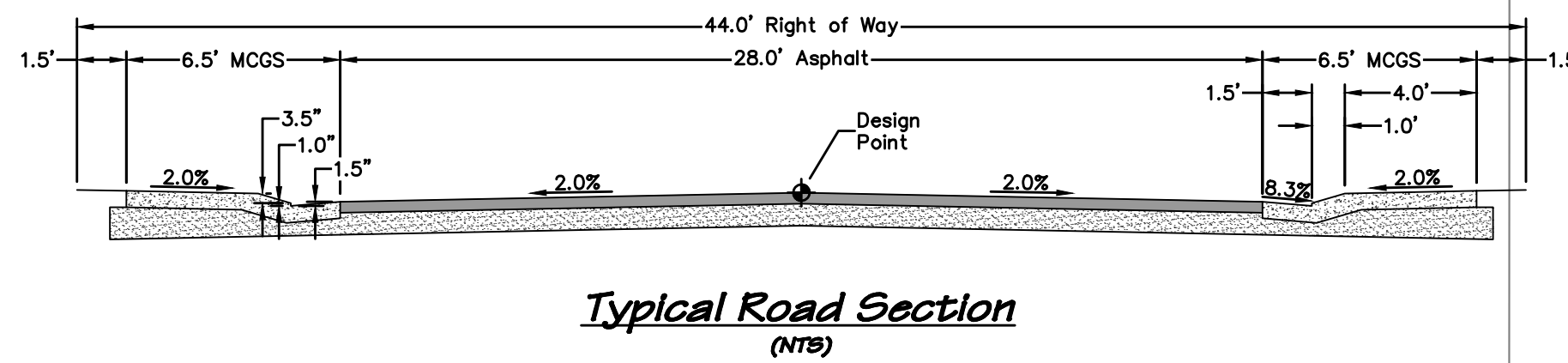
Water	Ute Water
Sewer	City of Grand Junction
Electric	Grand Valley Power
Gas	Xcel Energy
Telephone	CenturyLink
Cable	Charter Spectrum
Irrigation	Grand Valley Irrigation Co
Drainage	Grand Valley Drainage District
Fire	City of Grand Junction

ZONING SUMMARY

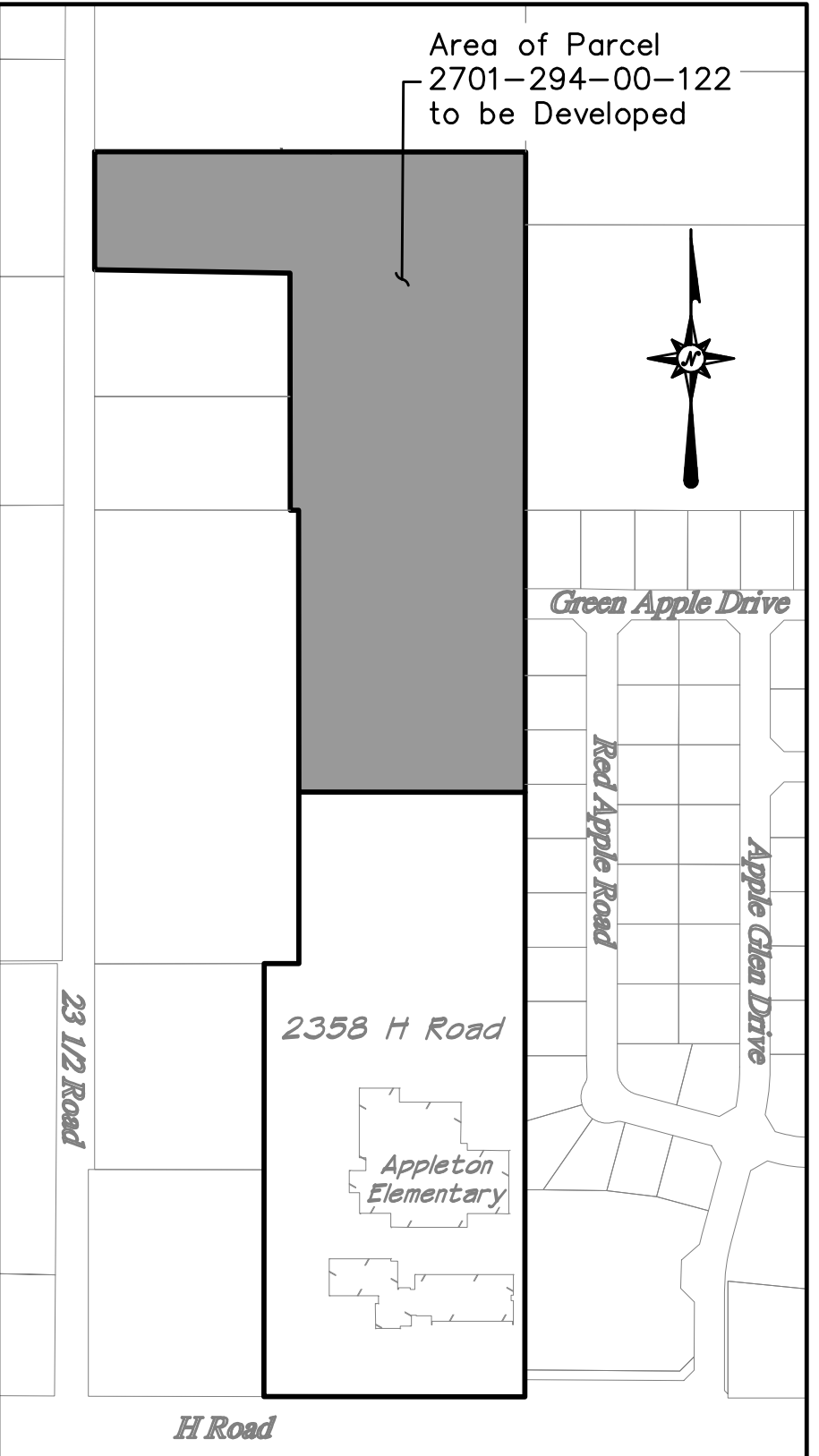
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 Min Setbacks
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 Max Height (Stories): N/A
 Max Lot Coverage: 50%
 Max Building Size: N/A

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2. This site is not affected by any previously mapped floodplain, as shown on FEMA FIRM Panels 08077C0801G & 08077C0475G.



Irrigation Layout is still under design and subject to change.



2701-294-03-043 Zone: R-4 ADAMS RODNEY ADAMS JULIE 817 RED APPLE RD Acreage: 0.162	2701-294-03-042 Zone: R-4 CTR HOMES LLC 819 RED APPLE RD Acreage: 0.162	2701-294-03-041 Zone: R-4 CTR HOMES LLC 821 RED APPLE RD Acreage: 0.162	2701-294-03-040 Zone: R-4 CTR HOMES LLC 823 RED APPLE RD Acreage: 0.162	2701-294-03-039 Zone: R-4 CTR HOMES LLC 825 RED APPLE RD Acreage: 0.164	2701-294-03-022 Zone: R-4 SORENSEN JONATHAN M SORENSEN BROOKE N 2360 GREEN APPLE DR 14' MPE Acreage: 0.212	2701-294-01-006 Zone: RSF-R GMD REVOCABLE TRUST 2371 APPLETON DR Acreage: 6.462	2701-294-02-002 Zone: RSF-R BASINGER KYLE BASINGER KATHRYN C 2370 APPLETON DR Acreage: 2.743	2701-294-02-001 Zone: RSF-R JOHNSON WILLIAM H JOHNSON MARTHA L 2372 APPLETON DR Acreage: 14.749
---	---	---	---	---	--	---	---	--

Project Benchmark
TBD

UNCC
800.922.1987
www.uncc.org
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

811
Know what's below.
Call before you dig.

NORTHING: --
EASTING: --
ELEVATION: --
DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE (FEET)

HORIZONTAL: 0 40 80
VERTICAL: n/a

PROJECT PHASE: Preliminary/Review
DATE ISSUED: 17.Jan.2022

NO.	DATE	REVISION	BY

PRELIMINARY

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

DRAWN BY: nmr
PROJECT: 1939-003
CHECKED BY: jwm
ORIGINAL SHEET SIZE: 22 x 34

BRIAN BRAY
Apple Glen West Subdivision
Pre-App Site Plan
Ex 1

From: [Tamra Allen](#)
To: [Nicole Galehouse](#)
Subject: FW: Notice of Application for SUB-2022-553
Date: Thursday, May 11, 2023 9:21:20 AM
Attachments: [image002.png](#)

Nicole – Can you ensure this email is attached to the Apple Glen West hearing?

Thank you,

Tamra Allen, AICP
Community Development Director
City of Grand Junction, Colorado
tamraa@gjcity.org
970-256-4023

City Hall is open Monday through Friday 8 a.m. to 5 p.m. We also conduct business online, by phone or by appointment as needed.



From: Amy Phillips <amyp@gjcity.org>
Sent: Wednesday, May 10, 2023 3:03 PM
To: Tamra Allen <tamraa@gjcity.org>
Cc: Janet Harrell <janeth@gjcity.org>
Subject: FW: Notice of Application for SUB-2022-553

Tamra,

Greg asked me to forward this email to you to be included in Wednesday's packet.

Thank you,

Amy Phillips *(she/her)*
City Clerk, CMC



City of Grand Junction
970-244-1533
amyp@gjcity.org
gjcity.org

From: Cody Kennedy <codyken@gjcity.org>
Sent: Friday, May 5, 2023 7:41 AM
To: Amy Phillips <amyp@gjcity.org>
Cc: Greg Caton <gregc@gjcity.org>
Subject: Fwd: Notice of Application for SUB-2022-553

Good morning Amy,
Would you please submit the email below, including my response, into the information packet for SUB-2022-553?
Thank you,
Cody

Cody Kennedy
Grand Junction City Council District A
(970) 644-0157

From: Cody Kennedy <codyken@gjcity.org>
Sent: Friday, May 5, 2023 7:37 AM
To: Hal Cook <hal.cookteampcb@gmail.com>
Cc: Paul & Carol McCahon <pwmccahon@gmail.com>
Subject: Re: Notice of Application for SUB-2022-553

Good morning Hal,
Thank you for reaching out to me on this issue. My first inclination is to welcome your input and to set up a time to get coffee together, but there's an issue that prevents me from doing this. As this pertains to a land use issue that will come before the council (quasi-judicial) I cannot gather information outside to the public hearing process without running the risk of having to recuse myself from any vote.

Please don't take this to mean that I'm not interested in what you have to say about this issue. I understand this can be frustrating as you are trying to share information in a timely fashion. The quasi-judicial process makes council into the equivalent of a team of judges or akin to a jury, and we are prohibited from reviewing evidence outside of the public hearing.

My suggestion would be for you to put together a letter detailing your concerns, and email it to the Grand Junction City Council so it can be entered into the public record. To email all of the council

members at once you can send the email to council@gjcity.org.

I will be sharing your initial email with the city clerk so that it can be included in the information that is shared with all of the council members.

Thank you,

Cody

Cody Kennedy
Grand Junction City Council District A
[\(970\) 644-0157](tel:(970)644-0157)

From: Hal Cook <hal.cookteampcb@gmail.com>
Sent: Wednesday, May 3, 2023 3:19 PM
To: Cody Kennedy <codyken@gjcity.org>
Cc: Paul & Carol McCahon <pwmccahon@gmail.com>
Subject: Notice of Application for SUB-2022-553

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

Mr Kennedy, thank you for representing our area. The above application is very concerning to the residents in Apple Glen and we would like to set an appointment to discuss with you at your convenience. This pertains to the egress into our neighborhood and the possibility of changing that egress to 23 1/2 road. We already have a traffic & safety issue with parking, overflow & drop-off/pickup with Appleton Elementary School right at our entrance.

I can be reached via phone or email below.

Thank you for your time and consideration.

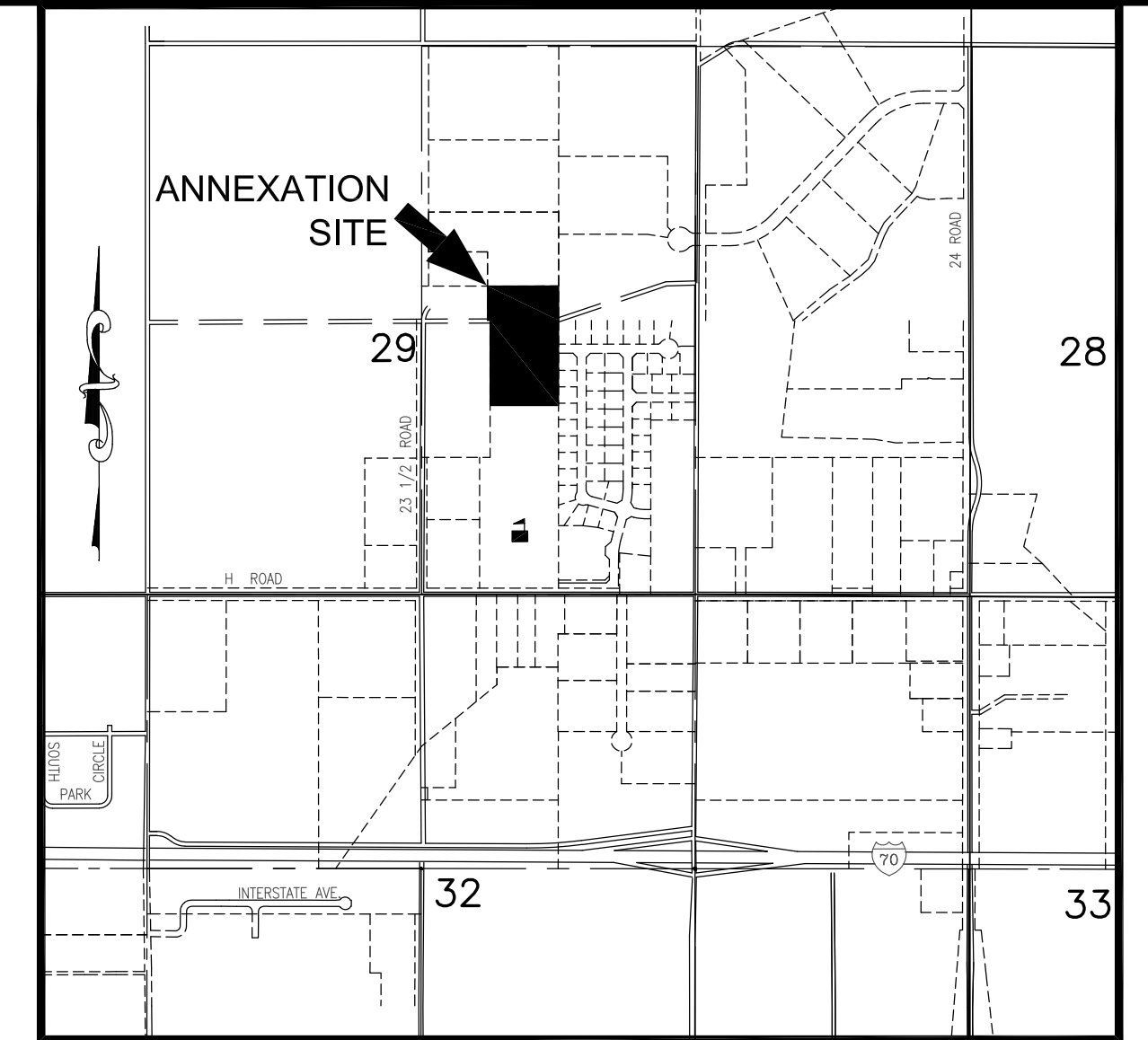
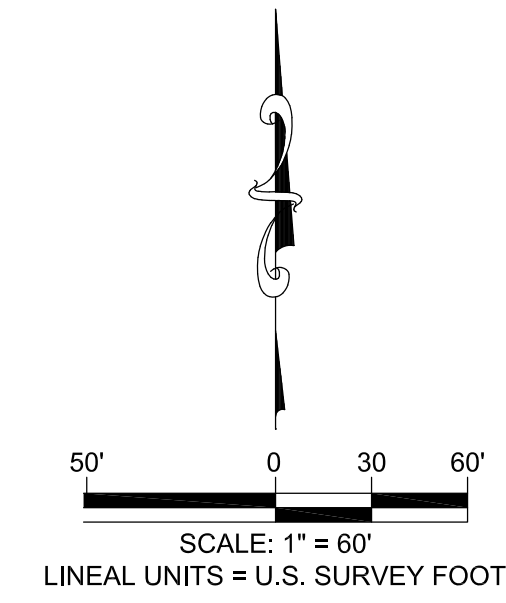
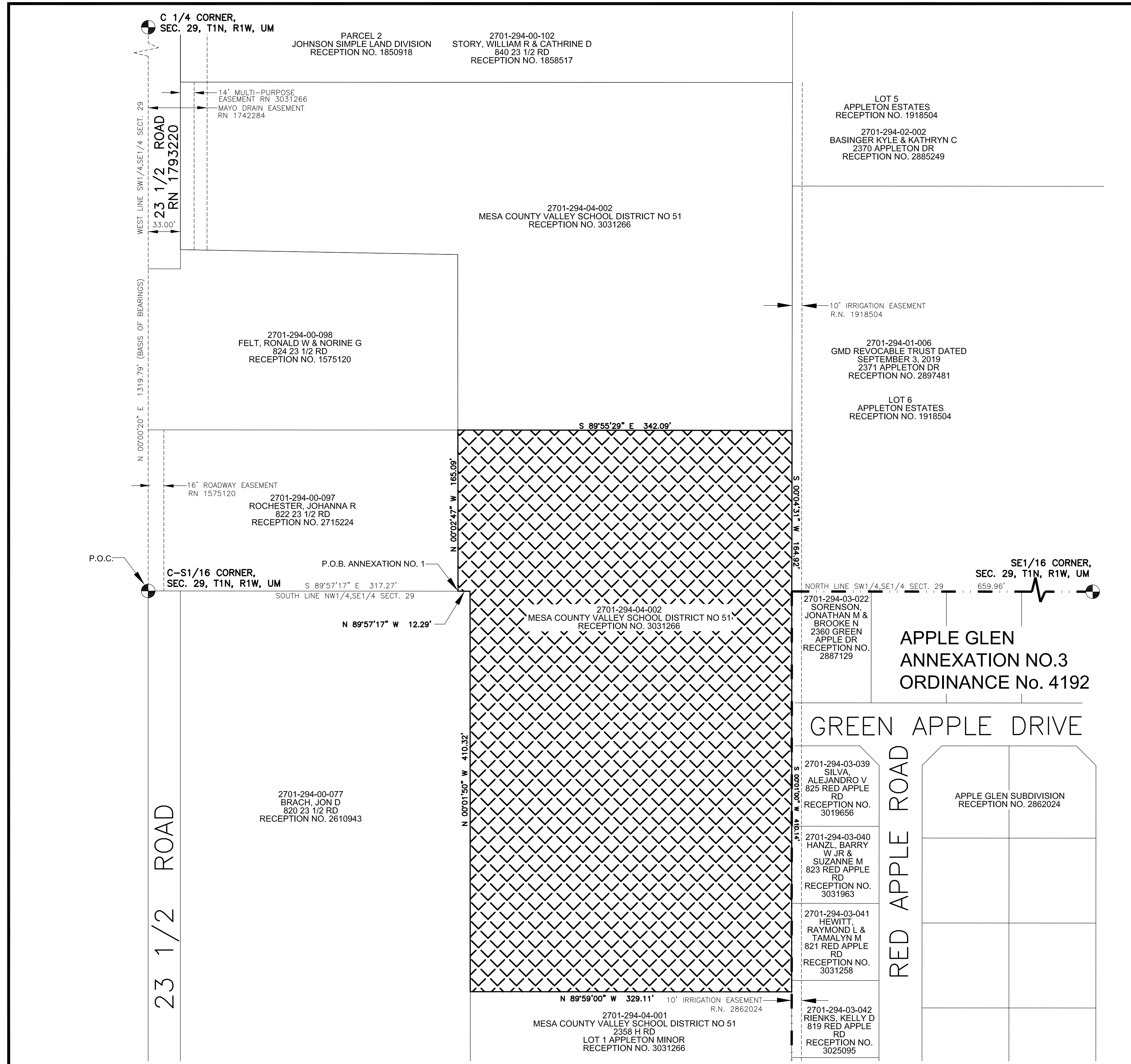
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Hal Cook

850 775-6173
hal.cookteampcb@gmail.com

APPLE GLEN WEST ANNEXATION NO.1

Located in the W1/2, NW1/4, SE1/4 and the W1/2, SW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SITE LOCATION MAP NOT TO SCALE

LEGAL DESCRIPTION

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) a part of the West one-half of the Southwest Quarter of the Southeast Quarter (W1/2 SW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter to the Point of Beginning;
 Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.09 feet;
 Thence leaving said westerly line of Lot 2, S89°55'29"E a distance of 342.09 feet to a point on the easterly line of Lot 2 of Appleton Minor;
 Thence S00°04'31"W along said easterly line, a distance of 164.92 feet;
 Thence continuing along said easterly line, and along the west line of APPLE GLEN ANNEXATION NO.3, ORDINANCE No. 4192, S00°01'00"W continuing along said easterly line, a distance of 410.14 feet to the southeasterly corner of Lot 2;
 Thence N89°59'00"W along the southerly line of Lot 2, a distance of 329.11 feet to the southwesterly corner of Lot 2;
 Thence N00°01'50"W along the westerly line of Lot 2, a distance of 410.32 feet;
 Thence N89°57'17"W along said line of Lot 2, a distance of 12.29 feet to the Point of Beginning.

Said Parcel of land CONTAINING 191,496 Square Feet or 4.40 Acres, more or less.

AREAS OF ANNEXATION

ANNEXATION PERIMETER	1,834 FT.
CONTIGUOUS PERIMETER	410 FT.
AREA IN SQUARE FEET	191,496 FT ²
AREA IN ACRES	4.40
AREA WITHIN R.O.W.	0 FT ²
AREA WITHIN DEEDED R.O.W.	0 FT ²
	0.00 ACRES

LEGEND

ANNEXATION BOUNDARY	
ANNEXATION AREA	
EXISTING CITY LIMITS	

SURVEY ABBREVIATIONS

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

ORDINANCE NO.
PRELIMINARY

EFFECTIVE DATE
PRELIMINARY

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

PRELIMINARY

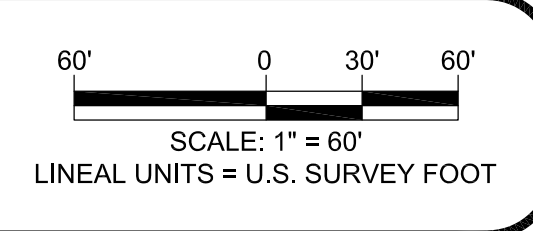
JODIE L GREIN DATE
STATE OF COLORADO - P.L.S. NO. 38075
FOR ROLLAND CONSULTING ENGINEERS
405 RIDGES BLVD. - SUITE A
GRAND JUNCTION, CO. 81507

THIS IS NOT A BOUNDARY SURVEY

C:\Projects\C3407 APPLE GLEN WEST ANNEX\C3407-APPLE-GLEN-WEST-ANNEX-1.dwg - PLOTTED 2023-05-09

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: JAM DATE: 3/7/2023
DESIGNED BY: JLG DATE: 3/7/2023
CHECKED BY: JLG DATE: 3/7/2023

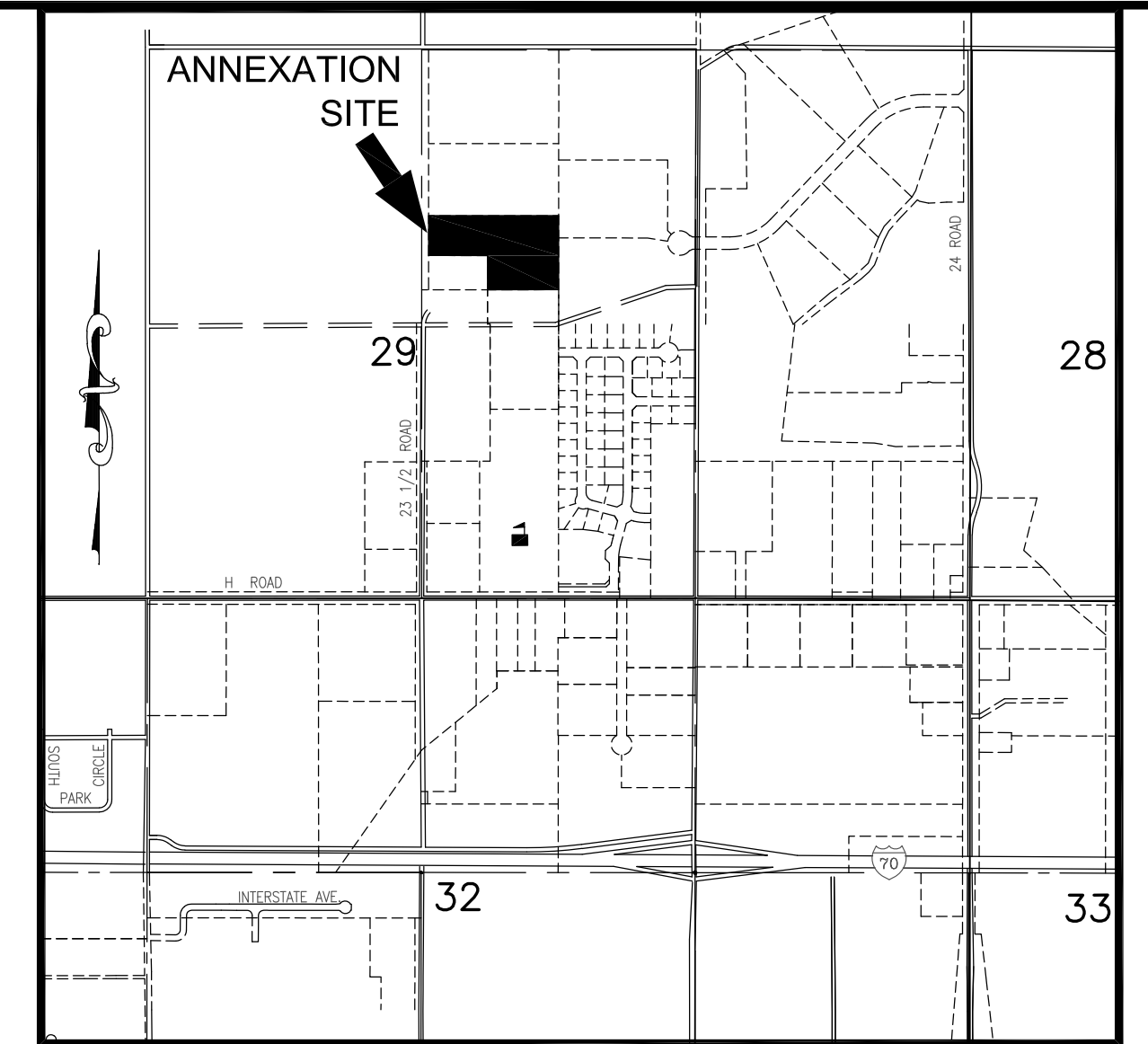
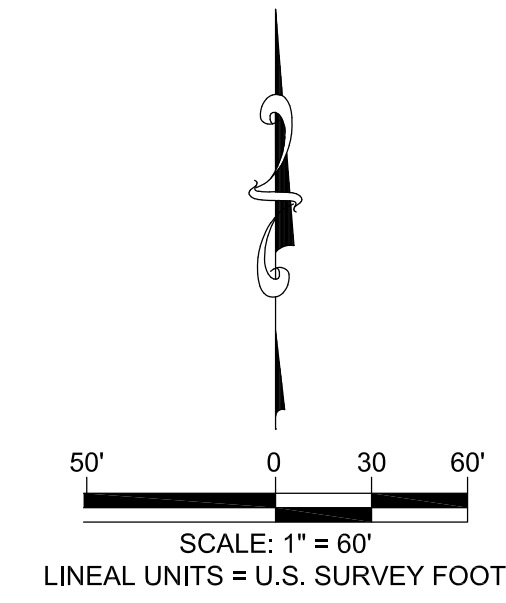
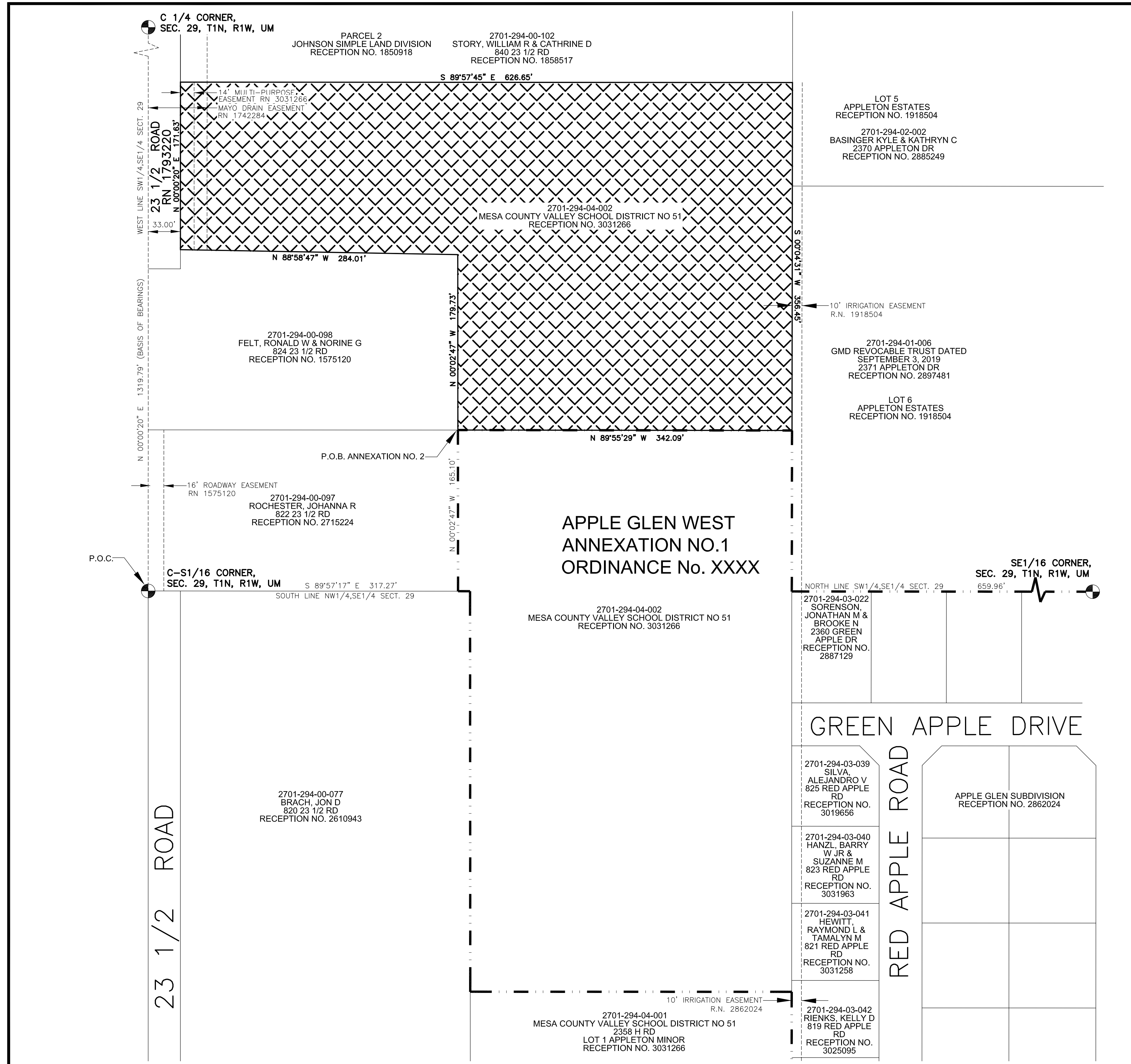


PUBLIC WORKS
ENGINEERING DIVISION

APPLE GLEN WEST ANNEXATION NO.1
Located in the W1/2,NW1/4, SE1/4 and the W1/2,SW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

APPLE GLEN WEST ANNEXATION NO.2

Located in the W1/2, NW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SITE LOCATION MAP NOT TO SCALE

LEGAL DESCRIPTION

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter;

Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.10 feet to the Point of Beginning;

Thence continuing along said westerly line of Lot 2, N00°02'47"W a distance of 179.73 feet;

Thence N88°58'47"W along the southerly line of Lot 2, a distance of 284.01 feet to a point on the easterly Right-of-Way of 23 1/2 Road, Reception Number 1793220;

Thence N00°00'20"E along said easterly Right-of-Way, a distance of 171.63 feet to a point on the northerly line of the aforementioned Lot 2;

Thence S89°57'45"E along said northerly line of Lot 2, a distance of 626.65 feet to the northeasterly corner of Lot 2;

Thence S00°04'31"W along the easterly line of Lot 2, a distance of 356.45 feet to the northeast corner of Apple Glen Annexation No. 1;

Thence along the northerly line of Apple Glen West Annexation No. 1, N89°55'29"W leaving said easterly line, a distance of 342.09 feet to the Point of Beginning.

Said Parcel of land CONTAINING 171,449 Square Feet or 3.94 Acres, more or less.

AREAS OF ANNEXATION		LEGEND	
ANNEXATION PERIMETER	1,961 FT.	ANNEXATION BOUNDARY	
CONTIGUOUS PERIMETER	342 FT.	ANNEXATION AREA	
AREA IN SQUARE FEET	171,449 FT ²	EXISTING CITY LIMITS	
AREA IN ACRES	3.94		
AREA WITHIN R.O.W.	0 FT ²		
AREA WITHIN DEEDED R.O.W.	0.00 ACRES		
	0 FT ²		
	0.00 ACRES		

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

ORDINANCE NO. PRELIMINARY

EFFECTIVE DATE PRELIMINARY

NOTE:
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PRELIMINARY

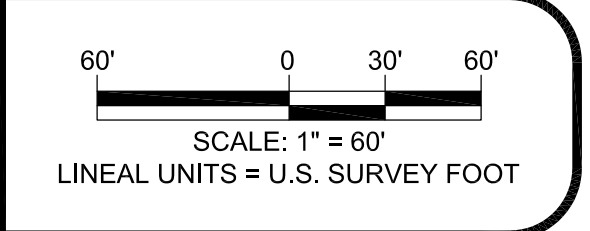
JODIE L GREIN DATE _____
STATE OF COLORADO - P.L.S. NO. 38075
FOR ROLLAND CONSULTING ENGINEERS
405 RIDGES BLVD. - SUITE A
GRAND JUNCTION, CO. 81507

THIS IS NOT A BOUNDARY SURVEY

C:\Projects\C3407 APPLE GLEN WEST ANNEX\C3407-APPLE-GLEN-WEST-ANNEX-2.dwg - PLOTTED 2023-05-09

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: JAM DATE: 3/7/2023
DESIGNED BY: JLG DATE: 3/7/2023
CHECKED BY: JLG DATE: 3/7/2023



PUBLIC WORKS ENGINEERING DIVISION

APPLE GLEN WEST ANNEXATION NO.2
Located in the W1/2, NW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

Grand Junction Speaks
Published Comments for May 23, 2023 Planning
Commission Meeting
Apple Glen West Zone of Annexation

Bill Story

• May 22, 2023 • 3:45pm

My concerns are as follows. 1) 23-1/2 RD improvements; This Road is a unimproved County Road. It is not to Mesa County standards by any means, Narrow to very narrow and in some places it is only 18ft wide with no shoulders. This road if used as a through way needs to be improved to County Standard and paved. 2) 23-1/2 RD is a gravel road. When it's hot its very dusty and when it's wet it's muddy. The lack of dust and mud control could create Storm Water Management problems tracking dust and mud onto city streets and into storm drains. The problem needs to be addressed and dealt with at the development stage. Note that the current Apple Glen HOA wants to restrict construction traffic to 23 1/2 RD entrance. 3) The original zoning on Apple Glen Phase 1 was R-4 not sure why they need to increase the current R-4 to R-5. This increases the volume of houses and people impacting the area of 23 1/2 Road. Again, this will increase the traffic feeding out to 23-1/2 RD. 4) I have no issue with R-4 zoning as long as the entirety of 23 1/2 Road, north of H Road is improved to Mesa County standards with paving.

Address:

840 23 1/2 Road

Grand Junction, 81505

Ron Felt

• May 22, 2023 • 1:31pm

A couple of concerns concerning the proposed development Apple Glen West. First concern access from 23 1/2 Road: currently 23 1/2 Road is a narrow gravel road maintained by the county. I'm concerned with the additional traffic and safety concerns of a narrow road. I'm also concerned with the additional traffic and the dust issue. The dust is bad enough now with what little traffic they're currently is. Second when we first heard about the proposed development last year it was originally requested to be rezoned to R-4 which would be 27 units. Now they're requesting it R5 rezone which would be a 32 units. I just feel this is too dense for this area. Thank you.

Address:

824 23 1/2 Road, Grand Junction, Colorado

Grand Junction, 81505

GRAND JUNCTION PLANNING COMMISSION
May 23, 2023, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:32 p.m. by Commissioner Scissors.

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

Also present were Jamie Beard (City Attorney), Nicole Galehouse (Interim Planning Supervisor), Kris Ashbeck (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 25 members of the public in attendance, and 11 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from May 9, 2023.

REGULAR AGENDA

1. Mustang Ridge Zone of Annexation

ANX-2023-81

Consider a request by Brian R. and Stephanie Bray to zone 2.714 acres from County RSF-R (Residential Single Family – Rural) to R-4 (Residential 4 units per acre) located at 880 26 ½ Road.

Staff Presentation

Kris Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Tracy States with River City Consultants was present and available for questions.

Kevin Bray spoke on behalf of Brian Bray and provided clarification on the development of the parcel.

Questions for staff

Commissioner Ehlers asked about the size of the parcel.

Commissioner Scissors asked if the city required all annexed properties to be connected to municipal sewer.

Commissioner Weckerly asked if the property needed to be annexed in order to develop.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 5:55 p.m. on May 23, 2023.

Discussion

Motion and Vote

Commissioner Ehlers made the following motion “Mr. Chairman, on the Zone of Annexation request for the property located at 880 26 ½ Road, City file number ANX-2023-81, 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 Secrest seconded; motion passed 6-0.

2. The Enclave at Redlands Mesa – Vacation of Right of Way **VAC-2022-643**

Consider a request to vacate a 9,966 square foot area of right-of-way adjacent to the property located at 2345 West Ridges Boulevard.

Commissioner Weckerly recused herself from deliberating on this item.

Staff Presentation

Kris Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Ty Johnson with Kaart Planning was present and available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

David Moore asked if the vacation of ROW restricted access for emergency vehicles or prevented the city from improving the road in the future.

The public comment period was closed at 6:07 p.m. on May 23, 2023.

Discussion

Motion and Vote

Commissioner Secret made the following motion “Mr. Chairman, on The Enclave at Redlands Mesa Vacation of Public Right-of-Way request located adjacent to West Ridges Boulevard and the property located at 2345 West Ridges Boulevard, City file number VAC-2022-643, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and conditions as listed in the staff report.”

Commissioner Herek seconded; motion passed 5-0.

3. The Enclave at Redlands Mesa – ODP and Hillside Exception **PLD-2022-887**

Consider requests by Specialized Communication Services Real Estate LLC (Owner and Applicant) for Review and Approval of 1) a Hillside Exception Request; and 2) a Planned Development (PD) Outline Development Plan (ODP) for The Enclave at Redlands Mesa Development Proposed on a 7.6-Acre Parcel Located at 2345 West Ridges Boulevard.

Commissioner Weckerly recused herself from deliberating on this item.

Staff Presentation

Kris Ashbeck, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Ty Johnson with Kaart Planning provided a presentation and was available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

David Weckerly questioned the name for the development. He stated his opposition to the project and requested that the commission uphold the slope requirements for development.

David Born stated his opposition to the hillside exception.

Connie Fudge stated her opposition to the hillside exception.

Amy Born stated her opposition to the hillside exception.

Marcia Moore asked about the efforts for preserving the existing landscape.

Deb Huro expressed concerns about the differences in HOA requirements between this development and the surrounding properties.

Jacob Kaplan, Planning Technician, read public comments made through GoToWebinar.

The public comment period was closed at 7:25 p.m. on May 23, 2023.

Discussion

Applicant Ty Johnson responded to public comments and questions.

Ivan Geer, Civil Engineer with River City Consultants, provided context for drainage and stormwater management on the site.

Commissioner Ehlers asked what the average square footage of the units would be. He asked what the maximum house size was for the surrounding subdivisions. He asked about the difference between the two maps provided by David Born. He asked about requirements for mitigating impacts of development on the surrounding land uses. He noted that there is language in the code that outlines the requirements for preserving natural features during development. He commented that engineering for development on hillsides was completely possible. He noted that this development seemed appropriate given the surrounding subdivisions but that it was unfortunate there was a lack of communication between the applicant and the adjacent properties.

David Weckerly provided context on the CC&Rs of the surrounding developments. He also commented on the likelihood of golf balls impacting the South side of this development.

Commissioner Scissors asked where the property line is in regard to the ridgeline.

Commissioner Herek asked for clarification on the review criteria for a hillside exception.

Commissioner Secrest asked if staff or the applicant identified any hillside exceptions granted to the surrounding subdivisions. He expressed his appreciation for the presentation and renderings provided by the applicant.

Kris Ashbeck responded to Commissioner questions.

Ty Johnson responded to Commissioner questions.

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Planned Development (PD) Outline Development Plan (ODP) for the proposed The Enclave at Redlands Mesa development for the property located at 2345 West Ridges Boulevard, PLD-2022-887 (ODP) that amends the overall plan for the Ridges and includes hillside exceptions, I move that the Planning Commission forward a recommendation of approval to City Council with the Findings of Fact stated in the staff report.”

Commissioner Ehlers seconded; motion passed 5-0.

Consider an ordinance amending the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically subsection (h) Short-Term Rentals, and Section 21.10.020 Terms Defined in the Grand Junction Municipal Code.

Staff Presentation

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

Questions for staff

Commissioner Ehlers asked about amending the regulation for properties with more than 4 units.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 7:55 p.m. on May 23, 2023.

Discussion

Commissioners Ehlers, Scissors, and Secrest expressed their appreciation for Staff's effort on Short Term Rental regulations.

Commissioner Scissors also expressed his appreciation to the STR operators on their input and cooperation toward drafting these regulations.

Motion and Vote

Commissioner Ehlers made the following motion "On the request to amend the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically item (h) Short Term Rentals, and Section 21.10.020 Terms Defined of the Grand Junction Municipal Code, file number ZCA-2022-756, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report along with an amendment to Section 5 that would allow eligibility to have a minimum of 1 STR for those lots with between 4 and 10 dwelling units."

Commissioner Secrest seconded; motion passed 6-0.

5. Apple Glen West Zone of Annexation

ANX-2022-287

Consider a request from Brian Bray to zone 8.33 acres from County Residential Single Family – Rural (RSF-R) to R-5 (Residential – 5.5 du/ac) located north of Appleton Elementary, west of Green Apple Drive, and east of 23 ½ Rd.

Staff Presentation

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

Ivan Geer with River City Consultants was present and available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, May 16, 2023, via www.GJSpeaks.org.

Dick Pennington noted issues with parking and public safety on the site. He expressed his opposition to the rezone.

Nancy Miller commented that the proposed density was unreasonable and requested that the growth be more moderate.

Dan Miller noted issues with parking and public safety on the site.

Robert MacFarland requested that 23 ½ Rd be paved. He asked how this development would benefit the existing landowners in the area.

Jacob Kaplan, Planning Technician, read public comments made through GoToWebinar.

The public comment period was closed at 8:47 p.m. on May 23, 2023.

Discussion

Ivan Geer with River City Consultants responded to public comments.

Kevin Bray spoke on the request to zone R-4 vs. R-5.

Commissioner Ehlers asked what the minimum and maximum density was for R-5 zones. He asked if traffic impact, stormwater management, and irrigation studies are conducted during the subdivision process.

Commissioner Secret asked why developers might request higher density for their developments.

Commissioner Phillips acknowledged comments made by the public.

Motion and Vote

Commissioner Secret made the following motion “Mr. Chairman, on the Zone of Annexation request for the property located north of Appleton Elementary, west of Green Apple Drive, and

east of 23 ½ Rd, City file number ANX-2022-287, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Weckerly seconded; motion passed 6-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Secret moved to adjourn the meeting.

The vote to adjourn was 6-0.

The meeting adjourned at 8:50 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
APPLE GLEN WEST ANNEXATION**

**APPROXIMATELY 8.33 ACRES
LOCATED NORTH OF APPLETON ELEMENTARY, WEST OF GREEN APPLE
DRIVE, AND EAST OF 23 1/2 RD IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17th day of May 2023, 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:

APPLE GLEN WEST ANNEXATION

PERIMETER BOUNDARY LEGAL DESCRIPTION

A Serial Annexation comprising the Apple Glen West Annexation No. 1
and Apple Glen West Annexation No. 2

Apple Glen West Annexation No. 1

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) a part of the West one-half of the Southwest Quarter of the Southeast Quarter (W1/2 SW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter to the Point of Beginning:

Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.09 feet;

Thence leaving said westerly line of Lot 2, S89°55'29"E a distance of 342.09 feet to a point on the easterly line of Lot 2 of Appleton Minor.

Thence S00°04'31"W along said easterly line, a distance of 164.92 feet;

Thence continuing along said easterly line, and along the west line of APPLE GLEN ANNEXATION NO.3, ORDINANCE No. 4192, S00°01'00"W continuing along said easterly line, a distance of 410.14 feet to the southeasterly corner of Lot 2;

Thence N89°59'00"W along the southerly line of Lot 2, a distance of 329.11 feet to the southwesterly corner of Lot 2;
Thence N00°01'50"W along the westerly line of Lot 2, a distance of 410.32 feet;
Thence N89°57'17"W along said line of Lot 2, a distance of 12.29 feet to the Point of Beginning.

Said Parcel of land CONTAINING 191,496 Square Feet or 4.40 Acres, more or less.

Apple Glen West Annexation No. 2

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter;
Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.10 feet to the Point of Beginning;
Thence continuing along said westerly line of Lot 2, N00°02'47"W a distance of 179.73 feet;
Thence N88°58'47"W along the southerly line of Lot 2, a distance of 284.01 feet to a point on the easterly Right-of-Way of 23 1/2 Road, Reception Number 1793220;
Thence N00°00'20"E along said easterly Right-of-Way, a distance of 171.63 feet to a point on the northerly line of the aforementioned Lot 2;
Thence S89°57'45"E along said northerly line of Lot 2, a distance of 626.65 feet to the northeasterly corner of Lot 2;
Thence S00°04'31"W along the easterly line of Lot 2, a distance of 356.45 feet to the northeast corner of Apple Glen Annexation No. 1;
Thence along the northerly line of Apple Glen West Annexation No. 1, N89°55'29"W leaving said easterly line, a distance of 342.09 feet to the Point of Beginning.

Said Parcel of land CONTAINING 171,449 Square Feet or 3.94 Acres, more or less.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of July, 2023; 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 5th day of May, 2023.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO
APPLE GLEN WEST ANNEXATION**

**APPROXIMATELY 8.33 ACRES
LOCATED NORTH OF APPLETON ELEMENTARY, WEST OF
GREEN APPLE DRIVE, AND EAST OF 23 1/2 RD**

WHEREAS, on the 17th day of May 2023, the City Council of the City of Grand Junction considered a petition for the annexation of the following described land (“Property”) to the City of Grand Junction (“City”); and

WHEREAS, a hearing on the petition was duly held after proper notice on the ___ day of _____, 2023; and

WHEREAS, the City Council determined that the Property was eligible for annexation and that no election was necessary to determine whether such land 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 as follows is duly and lawfully annexed to the City:

**APPLE GLEN WEST ANNEXATION
EXHIBITS A & B**

PERIMETER BOUNDARY LEGAL DESCRIPTION

A Serial Annexation comprising the Apple Glen West Annexation No. 1 and Apple Glen West Annexation No. 2

Apple Glen West Annexation No. 1

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) a part of the West one-half of the Southwest Quarter of the Southeast Quarter (W1/2 SW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter to the Point of Beginning; Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.09 feet; Thence leaving said westerly line of Lot 2, S89°55'29"E a distance of 342.09 feet to a point on the easterly line of Lot 2 of Appleton Minor. Thence S00°04'31"W along said easterly line, a distance of 164.92 feet; Thence continuing along said easterly line, and along the west line of APPLE GLEN ANNEXATION NO.3, ORDINANCE No. 4192, S00°01'00"W continuing along said easterly line, a distance of 410.14 feet to the southeasterly corner of Lot 2; Thence N89°59'00"W along the southerly line of Lot 2, a distance of 329.11 feet to the southwesterly corner of Lot 2; Thence N00°01'50"W along the westerly line of Lot 2, a distance of 410.32 feet; Thence N89°57'17"W along said line of Lot 2, a distance of 12.29 feet to the Point of Beginning.

Said parcel of land comprised of 191,496 Square Feet or 4.40 Acres, more or less.

Apple Glen West Annexation No. 2

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter; Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.10 feet to the Point of Beginning; Thence continuing along said westerly line of Lot 2, N00°02'47"W a distance of 179.73 feet; Thence N88°58'47"W along the southerly line of Lot 2, a distance of 284.01 feet to a point on the easterly Right-of-Way of 23 1/2 Road, Reception Number 1793220; Thence N00°00'20"E along said easterly Right-of-Way, a distance of 171.63 feet to a point on the northerly line of the aforementioned Lot 2; Thence S89°57'45"E along said northerly line of Lot 2, a distance of 626.65 feet to the northeasterly corner of Lot 2; Thence S00°04'31"W along the easterly line of Lot 2, a distance of 356.45 feet to the northeast corner of Apple Glen Annexation No. 1; Thence along the northerly line of Apple Glen West Annexation No. 1, N89°55'29"W leaving said easterly line, a distance of 342.09 feet to the Point of Beginning.

Said parcel of land comprised of 171,449 Square Feet or 3.94 Acres, more or less.

INTRODUCED on first reading on the 17th day of May 2023 and ordered published in pamphlet form.

ADOPTED on second reading the ____ day of _____ 2023 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

Attest:

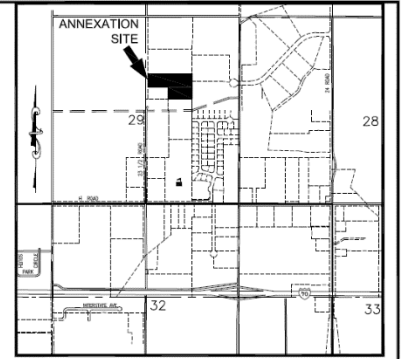
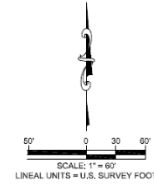
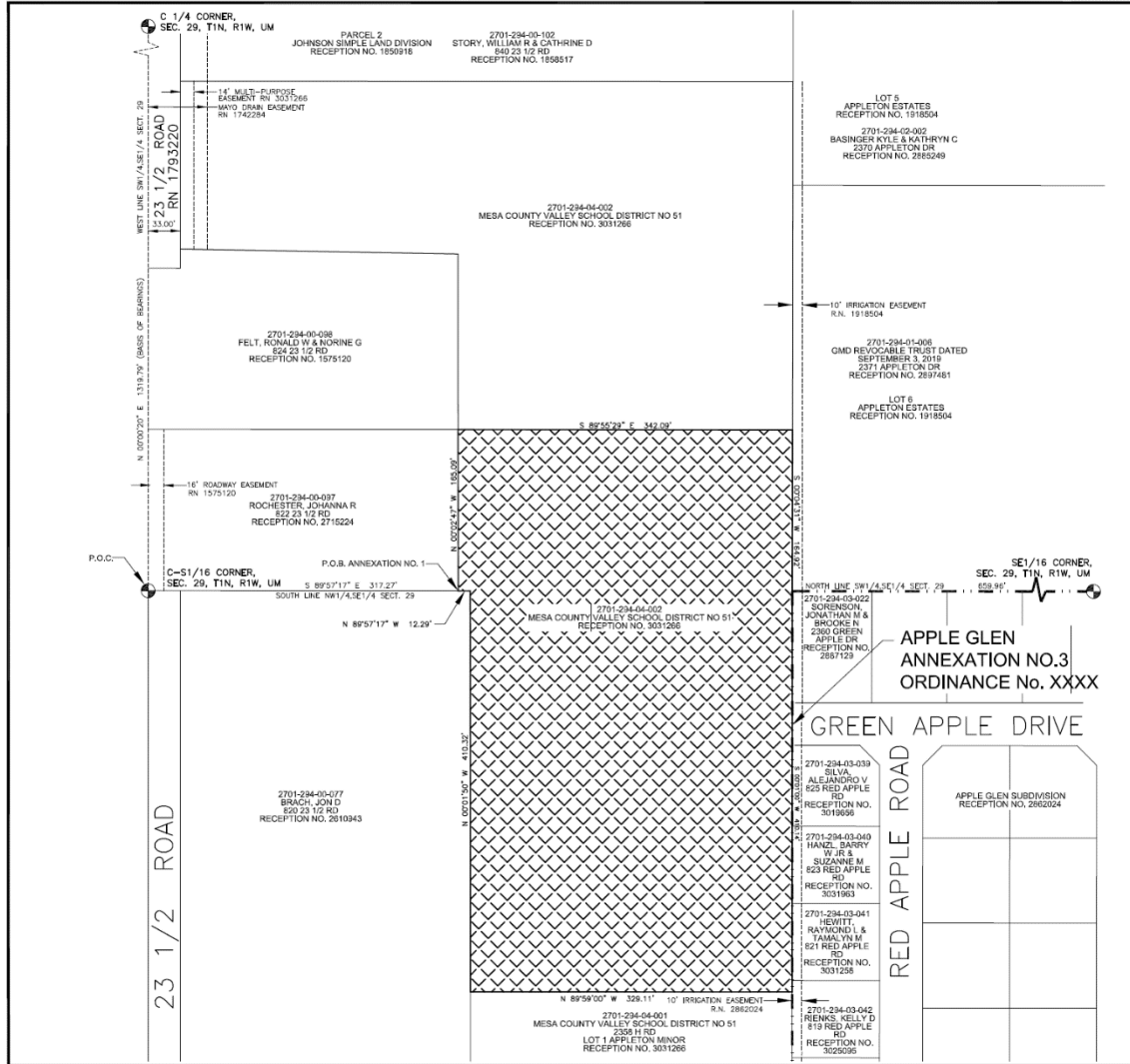
Amy Phillips
City Clerk

DRAFT

EXHIBIT A

APPLE GLEN WEST ANNEXATION NO.1

Located in the W1/2, NW1/4, SE1/4 and the W1/2, SW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION
 A parcel of land being a part of the West one-half of the Southwest Quarter of the Southwest Quarter (W1/2 NW1/4 SE1/4) a part of the West one-half of the Southwest Quarter of the Southwest Quarter (W1/2 SW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 where the Center 1/4 Corner of said Section 29 bears N80°02'07\"/>

AREAS OF ANNEXATION		LEGEND	
ANNEXATION PERIMETER	1,834 FT.	ANNEXATION BOUNDARY	(Symbol)
CONTIGUOUS PERIMETER	410 FT.	ANNEXATION AREA	(Symbol)
AREA IN SQUARE FEET	191,496 FT ²	EXISTING CITY LIMITS	(Symbol)
AREA WITHIN R.O.W.	4.40 ACRES		
AREA WITHIN DEEDED R.O.W.	0.00 ACRES		
AREA WITHIN DEEDED R.O.W.	0.91 ACRES		

SURVEY ABBREVIATIONS		SQ. FT.	
P.O.C.	POINT OF COMMENCEMENT	Δ	CENTRAL ANGLE
P.O.B.	POINT OF BEGINNING	ARC	ARC LENGTH
R.O.W.	RIGHT OF WAY	CHL	CHORD LENGTH
SEC.	SECTION	CHB	CHORD BEARING
TWP.	TOWNSHIP	BLK.	BLOCK
RNG.	RANGE	F.B.	FLAT BOOK
U.M.	UTE MERIDIAN	BK.	BOOK
NO.	NUMBER	PG.	PAGE
REC.	RECEPTION	H.R. DIST.	HORIZONTAL DISTANCE

ORDINANCE NO. PRELIMINARY **EFFECTIVE DATE PRELIMINARY**

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

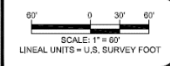
PRELIMINARY
 JODIE L GREIN DATE
 STATE OF COLORADO - PL. & NO. 88075
 FOR ROLLAND CONSULTING ENGINEERS
 405 RIDGES BLVD. - SUITE A
 GRAND JUNCTION, CO. 81507

THIS IS NOT A BOUNDARY SURVEY

C:\p\proj\03\0407-APPLE GLEN WEST ANNEXATION\0407-APPLE GLEN WEST ANNEXATION.dwg - PLOTTED: 2023-03-07

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: JAM DATE: 3/7/2023
 DESIGNED BY: JLG DATE: 3/7/2023
 CHECKED BY: JLG DATE: 3/7/2023



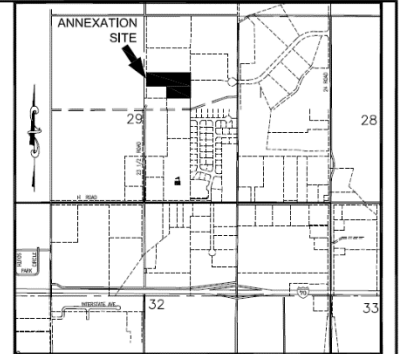
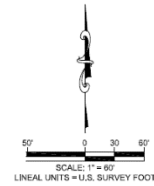
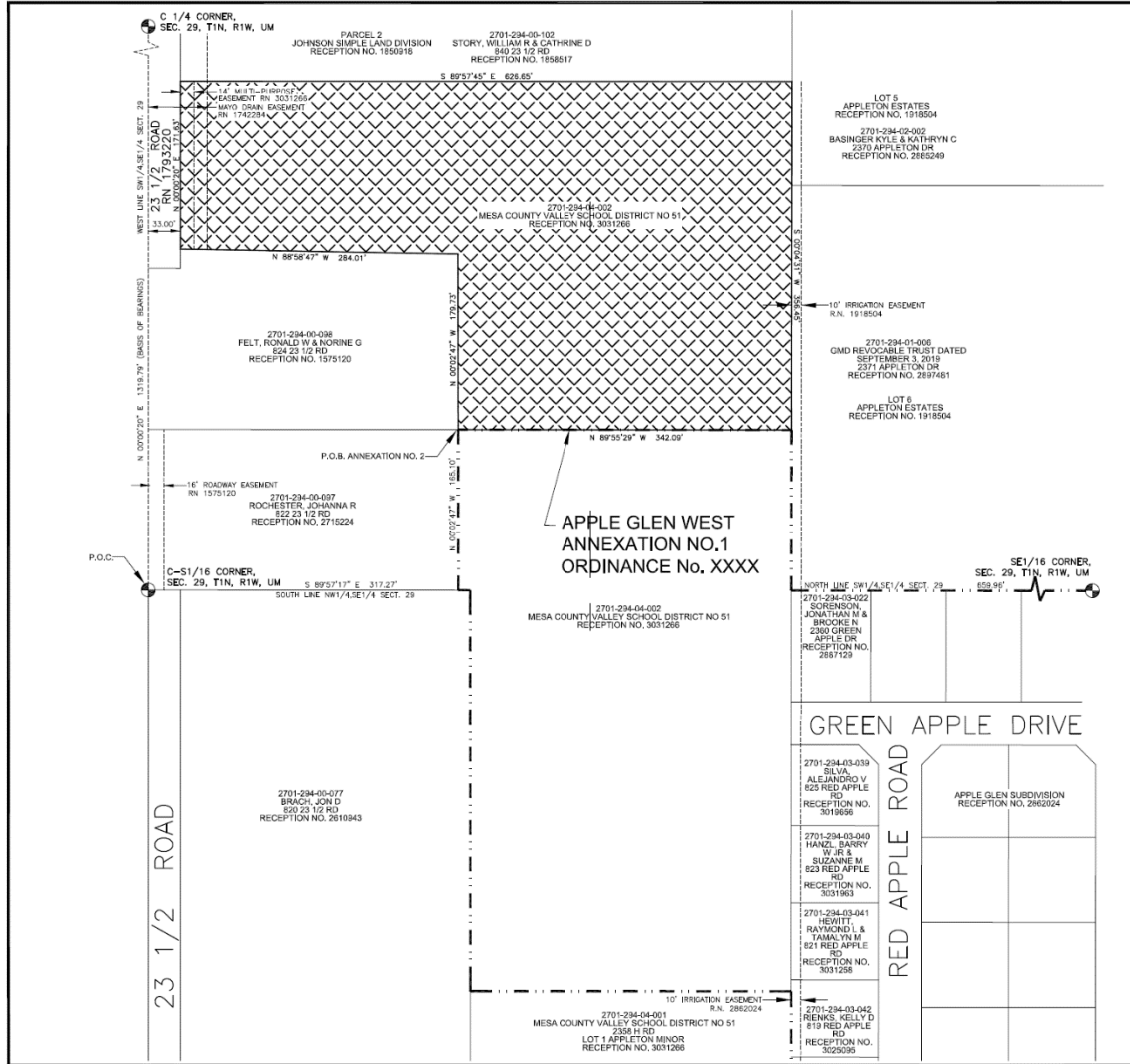
PUBLIC WORKS ENGINEERING DIVISION

APPLE GLEN WEST ANNEXATION NO.1
 Located in the W1/2, NW1/4, SE1/4 and the W1/2, SW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

EXHIBIT B

APPLE GLEN WEST ANNEXATION NO.2

Located in the W1/2, NW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N89°02'37\"/>

AREAS OF ANNEXATION		LEGEND	
ANNEXATION PERIMETER	1,961 FT.	ANNEXATION BOUNDARY	
CONTIGUOUS PERIMETER	362 FT.	ANNEXATION AREA	
AREA IN SQUARE FEET	171,448 FT ²	EXISTING CITY LIMITS	
AREA IN ACRES	3.98		
AREA WITHIN R.O.W.	0 FT ²		
AREA WITHIN DEEDED R.O.W.	0 ACRES		
	0 FT ²		
	0.00 ACRES		

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

ORDINANCE NO. PRELIMINARY **EFFECTIVE DATE PRELIMINARY**

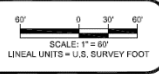
PRELIMINARY

JODIE L GREIN DATE
STATE OF COLORADO - P.L.S. NO. 36075
FOR ROLLAND CONSULTING ENGINEERS
425 RIDGES BLVD. - SUITE A
GRAND JUNCTION, CO. 81507

THIS IS NOT A BOUNDARY SURVEY

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

DRAWN BY: JAM DATE: 3/7/2023
DESIGNED BY: JLG DATE: 3/7/2023
CHECKED BY: JLG DATE: 3/7/2023



PUBLIC WORKS ENGINEERING DIVISION

APPLE GLEN WEST ANNEXATION NO.2
Located in the W1/2, NW1/4, SE1/4 SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 WEST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING APPLE GLEN WEST ANNEXATION
TO R-5 (RESIDENTIAL – 5.5 DU/AC) ZONE DISTRICT**

**LOCATED NORTH OF APPLETON ELEMENTARY, WEST OF
GREEN APPLE DRIVE, AND EAST OF 23 1/2 RD**

Recitals:

The property owner has petitioned to annex 8.33 acres into the City limits. The annexation is referred to as the “Apple Glen West Annexation. (“Property”)

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the Apple Glen West Annexation consisting of 8.33 acres R-5 (Residential – 5.5 du/ac) from County RSF-R (Residential Single Family - Rural) finding that the R-5 zone district conforms with the designation of Residential Low as shown on the Land Use Map of the Comprehensive Plan, and conforms with its designated zone with the Comprehensive Plan’s goals and policies, and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-5 (Residential – 5.5 du/ac) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code for the Property.

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

ZONING FOR THE APPLE GLEN WEST ANNEXATION

The Property in the City of Grand Junction, Mesa County, Colorado described as follows is hereby duly and lawfully zoned R-5 (Residential – 5.5 du/ac):

PERIMETER BOUNDARY LEGAL DESCRIPTION

A Serial Annexation comprising the Apple Glen West Annexation No. 1
and Apple Glen West Annexation No. 2

Apple Glen West Annexation No. 1

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) a part of the West one-half of the Southwest Quarter of the Southeast Quarter (W1/2 SW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter to the Point of Beginning;

Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.09 feet;

Thence leaving said westerly line of Lot 2, S89°55'29"E a distance of 342.09 feet to a point on the easterly line of Lot 2 of Appleton Minor.

Thence S00°04'31"W along said easterly line, a distance of 164.92 feet;

Thence continuing along said easterly line, and along the west line of APPLE GLEN ANNEXATION NO.3, ORDINANCE No. 4192, S00°01'00"W continuing along said easterly line, a distance of 410.14 feet to the southeasterly corner of Lot 2;

Thence N89°59'00"W along the southerly line of Lot 2, a distance of 329.11 feet to the southwesterly corner of Lot 2;

Thence N00°01'50"W along the westerly line of Lot 2, a distance of 410.32 feet;

Thence N89°57'17"W along said line of Lot 2, a distance of 12.29 feet to the Point of Beginning.

Said parcel of land comprised of 191,496 Square Feet or 4.40 Acres, more or less.

Apple Glen West Annexation No. 2

A parcel of land being a part of the West one-half of the Northwest Quarter of the Southeast Quarter (W1/2 NW1/4 SE1/4) of Section 29, Township 1 North, Range 1 West, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-South 1/16 Corner of said Section 29 whence the Center 1/4 Corner of said Section 29 bears N00°00'20"E a distance of 1,319.79 feet with all other bearings relative thereto; thence S89°57'17"E a distance of 317.27 feet along the South line of the Northwest Quarter of the Southeast Quarter;

Thence N00°02'47"W along the westerly line of Lot 2 of Appleton Minor, Reception No. 3031266, a distance of 165.10 feet to the Point of Beginning;

Thence continuing along said westerly line of Lot 2, N00°02'47"W a distance of 179.73 feet;

Thence N88°58'47"W along the southerly line of Lot 2, a distance of 284.01 feet to a point on the easterly Right-of-Way of 23 1/2 Road, Reception Number 1793220;

Thence N00°00'20"E along said easterly Right-of-Way, a distance of 171.63 feet to a point on the northerly line of the aforementioned Lot 2;

Thence S89°57'45"E along said northerly line of Lot 2, a distance of 626.65 feet to the northeasterly corner of Lot 2;

Thence S00°04'31"W along the easterly line of Lot 2, a distance of 356.45 feet to the northeast corner of Apple Glen Annexation No. 1;

Thence along the northerly line of Apple Glen West Annexation No. 1, N89°55'29"W leaving said easterly line, a distance of 342.09 feet to the Point of Beginning.

Said parcel of land CONTAINING 171,449 Square Feet or 3.94 Acres, more or less.

INTRODUCED on first reading this ____ day of _____, 2023 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____, 2023 and ordered published in pamphlet form.

Anna M. Stout
President of the City Council

ATTEST:

Amy Phillips
City Clerk

DRAFT