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**PLANNING COMMISSION AGENDA  
IN-PERSON/VIRTUAL HYBRID MEETING  
CITY HALL AUDITORIUM, 250 N 5<sup>th</sup> STREET  
TUESDAY, JULY 25, 2023 - 5:30 PM  
*Attend virtually: [bit.ly/GJ-PC-7-25-23](http://bit.ly/GJ-PC-7-25-23)***

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**Call to Order - 5:30 PM**

**Consent Agenda**

1. Minutes of Previous Meeting(s)

**Regular Agenda**

1. Consider a request by Christopher and Patricia Jones, Property Owners, to rezone 1.54 acres from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) located at 645 Knoll Ridge Lane. This item was continued from the June 27, 2023 Planning Commission Meeting. **THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT**
2. Consider a Request by M & D Enterprises for a Conditional Use Permit to Allow Sand and Gravel Extraction on a Total of 27.8 acres in a CSR (Community Services and Recreation) Zone District Located at 2855 C 1/2 Road (continued from July 11) - **ITEM WILL BE REHEARD IN FULL ON AUGUST 22, 2023**
3. Consider a request by Laurel Cole – Habitat for Humanity of Mesa County, property owner, to zone 1.22 acres from R-5 (Residential 5) to R-12 (Residential 12) located at 3041 D Road.
4. Consider a request by Goldberg Properties, Inc. for a Service Plan for the Western Slope Metropolitan District including 29.68 acres located at 766 24 Road and properties identified by Parcel Nos. 2701-332-00-028 and 2701-332-00-027

**Other Business**

**Adjournment**

**GRAND JUNCTION PLANNING COMMISSION**  
**July 11, 2023, 5:30 PM**  
**MINUTES**

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

Those present were Planning Commissioners; Ken Scissors, 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 17 members of the public in attendance, and 0 virtually.

**CONSENT AGENDA**

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**1. Approval of Minutes**

Minutes of Previous Meeting(s) from June 27, 2023.

**2. Mustang Ridge Sewer Variance**

**VAR-2023-393**

Consider a Request by Brian R. and Stephanie Bray for a Variance to the GJMC Section 21.06.010(e), Subdivision Infrastructure Standards Regarding the Provision of a Sanitary Sewer System for the Mustang Ridge Simple Subdivision Located at 880 26 1/2 Road.

**REGULAR AGENDA**

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**1. C ½ Road Gravel Pit CUP**

**CUP-2021-616**

Consider a Request by M & D Enterprises for a Conditional Use Permit to Allow Sand and Gravel Extraction on a Total of 27.8 acres in a CSR (Community Services and Recreation) Zone District Located at 2855 C 1/2 Road.

**Staff Presentation**

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

Ben Fox and Mark Austin with Austin Civil Group were present and available for questions.

**Questions for staff**

Commissioner Scissors asked about the proposed improvements to C ½ Rd. He inquired further as to pedestrian and bike infrastructure. He asked for clarification on the easements for the Riverfront Trail.

**Public Hearing**



*The public comment period was opened at 5:00 p.m. on Tuesday, July 4, 2023, via [www.GJSpeaks.org](http://www.GJSpeaks.org).*

John Denison commented that the proposed improvements to C ½ Rd would be inadequate to accommodate multimodal traffic. He also inquired as to who would be performing the biweekly inspections.

Suzanne Daniels expressed concerns about the noise and dust pollution, the current condition of C ½ Road, and the impact of the gravel pit on wildlife.

Glen Bishard commented on the condition of C ½ Road and that it could not support the gravel trucks. He echoed concerns about noise and dust pollution.

Ken Heinecke echoed concerns for the wildlife and safety on C ½ Rd.

Sharon Bradshaw asked if the berms would be around three sides of the property. She expressed concerns about noise pollution. She wondered if remediation efforts would begin immediately following conclusion of gravel extraction. She asked about the hours of operation for the gravel pit.

Stella Swindell commented on the traffic and road conditions of C ½ Rd. She stated that this was being proposed in a residential area.

Sean Malone asked how far the digging operation would be from C ½ Rd.

Thaddeus Wilcox commented on the issues with multimodal traffic, speeding, and road conditions on C ½ Rd.

Terry Heinecke echoed the concerns of previous comments.

Michelle Wilcox reiterated that many vehicles speed on C ½ Rd. She noted that C ½ Rd was being used as a bypass for traffic on D Rd. She commented on the increase in pedestrian and bike traffic from Las Colonias and the Riverfront Trail.

Evette Lee commented that the lot would be better used as a farm. She wondered what the timeline looked like for completion the Riverfront Trail in the area.

Mark Austin responded to public questions and comments.

Commissioner Ehlers asked for clarification on the operational hours. He asked if the other gravel pits in town ever got complaints over noise or dust. He reiterated the purpose of the Conditional Use Permit.

Commissioner Teske clarified why the operational hours were being extended.

Ben Fox and Mark Austin responded to commissioner questions.

Kris Ashbeck provided the code section pertaining to noise.

*The public hearing was closed at 6:48 p.m. on July 11, 2023.*

## **Discussion**

Commissioner Ehlers asked for clarification on the road improvement requirements. He inquired as to a realistic expectation for when mining operations would conclude. He noted that there was a mineral resource plan from 2004 that indicated this area as a viable option for mineral extraction. He commented on the irony of needing gravel for street improvements.

Commissioner Scissors asked about proposed bike infrastructure for C ½ Rd. He noted that C ½ Rd would act as the Riverfront Trail until the missing easements were granted. He stated that the Ped Bike Plan was not a mandate. He expressed concerns about safety on C ½ Rd if the Riverfront Trail were not completed prior to the start of gravel extraction.

Commissioner Teske noted that per the recently adopted Ped Bike Plan, C ½ Rd between 27 ½ Rd and 29 Rd was indicated as medium priority for installation of a bike lane.

Commissioner Phillips commented that there were many unknowns for this project.

Mark Austin addressed Commissioner Scissors' questions about bike infrastructure.

Kris Ashbeck responded to commissioner questions.

## **Motion and Vote**

Commissioner Ehlers made the following motion "Mr. Chairman, on the C ½ Road Gravel Pit to establish a Conditional Use Permit for a mining excavation operation, file number CUP-2021-616, I move that the Planning Commission continue the application until the next Planning Commission hearing."

*Commissioner Scissors seconded; motion passed 4-0.*

## **OTHER BUSINESS**

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## **ADJOURNMENT**

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Commissioner Phillips moved to adjourn the meeting.

*The vote to adjourn was 4-0.*

The meeting adjourned at 7:57 p.m.



## Grand Junction Planning Commission

### Regular Session

Item #1.

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**Meeting Date:** July 25, 2023  
**Presented By:** David Thornton, Principal Planner  
**Department:** Community Development  
**Submitted By:** David Thornton, Principal Planner

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### **Information**

#### **SUBJECT:**

Consider a request by Christopher and Patricia Jones, Property Owners, to rezone 1.54 acres from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) located at 645 Knoll Ridge Lane. This item was continued from the June 27, 2023 Planning Commission Meeting. **THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT**

#### **RECOMMENDATION:**

Staff recommends denial of the request.

#### **EXECUTIVE SUMMARY:**

The Applicants, Christopher and Patricia Jones are requesting a rezone of 1.54 acres from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) located at 645 Knoll Ridge. The requested R-4 zone district is consistent with the Comprehensive Plan Land Use Map designation of Residential Low.

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

The subject property is situated at the end of Knoll Ridge Lane south of F ½ Road near 26 Road. The property has an existing single family detached home. The property was annexed by the City in 2000 as part of the G Road South Enclave Annexation, at which time the site was zoned R-1 (Residential – 1 du/ac). During the annexation process, the City zoned the enclave with city zone districts most closely matching existing Mesa County zoning.

The property is served by Knoll Ridge Lane which is an undeveloped right-of-way that is used only by 645 Knoll Ridge as a private driveway. Any future subdivision development on 645 Knoll Ridge will need to provide adequate access for future lots or density. The current 16 feet width of Knoll Ridge Lane right-of-way at its narrowest point is not adequate. The City's Transportation Engineering Design Standards (TEDS)



requires a minimum width of 20 feet to provide an access route for the Fire Department. Although TEDS also allows for a 12 feet wide private drive to serve up to 2 dwelling units or lots, this does not meet the code requirements for fire access. Therefore, either additional right-of-way will need to be provided, or other access be established such as providing adequate access (including fire access) through adjacent lot(s) or property. To provide adequate access utilizing Knoll Ridge Lane a minimum of 20 feet throughout the length of the driveway is needed. Please see the attached Knoll Ridge Access Map.

If the property is zoned R-4 a minimum density of 3 du/ac is required, with a maximum density of 6 du/ac is allowed. To meet the minimum density of 3 dwelling units up to the maximum density of 6 dwelling units, the developer will need to provide the required access.

In 2010 the City adopted the 2010 Comprehensive Plan which designated this property as Residential Low with densities allowing city zoning that included Estate, R-1 and R-2 zone districts. The 2010 future land use map supported the R-1 zone district.

In December 2020, the 2020 One Grand Junction Comprehensive Plan was adopted by the City and the subject property was provided with a land use designation of Residential Low (2 – 5.5 du/ac). The Land Use map, as adopted, does not support the R-1 zone district. It supports the R-4 and R-5 zone districts. The Comprehensive Plan in Chapter 3 Land Use and Growth states “A land use designation does not impact the current use of a property. A designation does not impact the future use of a property either. When a property seeks a new zoning district the City is required to ensure the zoning district works to implement the land use designation as shown on the Land Use Plan Map.” The Comprehensive Plan further clarifies by stating, “The Code, including the Official Zone District Map, should be reviewed to ensure that it effectively implements the vision of the Comprehensive Plan. Absent action by the property owner or the City, existing zoning remains in place. Requests to rezone properties should be considered based on the implementing Zone districts assigned to each Land Use Designation.” The Land Use Plan is intended to be used to guide future zoning changes. “Requests for zoning changes are required to implement the Comprehensive Plan.

This property is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan, which supports areas where urban services already exist and generally meet service levels, usually within existing City limits. The focus is on intensifying residential and commercial areas through infill and redevelopment. The “Residential Low” land use designation within this category is implemented through zone districts which are comprised of varying housing types and lot sizes and are designed to provide a transition between the less-developed areas and the denser urban areas. This property is located across the canal from existing R-4 zoning.

The purpose of the R-4 (Residential – 4 du/ac) zone district is to provide for medium-low density, single-family and two-family residential uses where adequate public



facilities and services are available. The proposed rezone area has limited access due to the limits of existing off-site right-of-way width which will restrict the future residential densities to be in the low end of the R-4 zone densities requirements. The R-4 district supports the Comprehensive Plan principles of concentrating urban growth and reinforcing community centers.

In addition to the R-4 (Residential – 4 du/ac) zoning requested by the applicant, the following zone districts would also be consistent with the Comprehensive Plan designation of Residential Low:

- a. R-5 (Residential – 3 – 5.5 du/ac)
- b. CSR (Community Services and Recreation)

The properties adjacent to the subject property to the north, west, and east are also zoned R-1. The properties to the south across the canal and part of the Northridge Estates neighborhood and properties along the east side of 26 Road are zoned R-4. The entire area has a City land use designation of Residential Low.

#### NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held in-person on Wednesday, December 1, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The owners were in attendance, along with a representative from City staff and approximately 11 neighbors. The owners provided an overview of their desire to create a total of 3 lots which is the reason for the rezone. There was discussion on the impacts of the project and how these would be managed. Residents in the area had concerns about changing the zoning to R-4 with a major concern that a rezone would open the gate for other properties in the area to seek a rezone to R-4 densities. The existing lot minimum sizes in the neighborhood are closer to one acre in size. General opposition was expressed regarding the requested rezone with a follow-up letter opposing the rezone signed by 19 neighbors.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with a new application sign on February 16, 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 June 16, 2023. The notice of this public hearing was published June 18, 2023 in the Grand Junction Daily Sentinel.

#### Other Notification:

Public comment was also received in an online hearing between June 20, 2023 and June 26, 2023 through the GJSpeaks platform.

#### ANALYSIS

The criteria for review are set forth in Section 21.02.140 (a) of the Zoning and

Development Code, which provides 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 rezone the property to R-4 which is compatible with the Comprehensive Plan Land Use Map designation of Residential Low (2 – 5.5 du/ac). During the 2020 One Grand Junction planning process, the land use designation on the property remained Residential Low, but the range of appropriate densities changed. This changed the definition and expected growth scenarios that can be considered for this area of the city. The definition of the Residential Low land use category changed the range of residential densities between the 2010 Comprehensive Plan and the 2020 Comprehensive Plan from 0.5 to 2 dwelling units per acre to 2 to 5.5 dwelling units per acre. The current zoning of R-1 (Residential – 1 du/ac) is no longer supported by the Comprehensive Plan to implement the Residential Low.

The 2020 Comprehensive Plan provides for allowing existing zoning to develop at densities permitted in that zone district without requiring the property to rezone to develop. For the 645 Knoll Ridge Lane property, they owner cannot further subdivide the property using the R-1 zone district due to the size of the lot at 1.54 acres.

The requested zoning of R-4 implements the Residential Low land use designation of the 2020 One Grand Junction Comprehensive Plan, however additional density does not invalidate the original premises in July 2000 that spoke to the annexation area having adequate facilities and the appropriateness of zoning the area to R-1 as part of the G Road South Enclave zone of annexation. Therefore, staff finds that this criterion has not been met.

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

The adoption of the Comprehensive Plan in 2020, designated this property as Residential Low (2 – 5.5 du/ac). The Applicant is requesting an allowable zone district that is consistent with the lower end of the density range allowed by the Residential 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 further subdivided, although 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-4 zone district. Ute Water is presently available to the site with an 8-inch waterline along F ½ Road. The property is within the Persigo boundary, with adequate sewer capacity for development and



infrastructure that is proximate and can be extended to the property. The property can be served by Xcel Energy natural gas and electricity. Tope Elementary School is about 1.3 miles to the southeast, West Middle School one mile to the south and Grand Junction High School approximately 1.75 miles to the southeast. Sherwood Park is approximately 1 ½ miles to the south. One half mile away is Patterson Road and along this corridor are commercial retail centers that include Mesa Mall, St Mary's Hospital and many other medical offices, professional offices, convenience stores with gas islands, restaurants, commercial businesses, and a grocery store at 12th Street.

Although most public and community facilities as noted above are adequate to serve this property with densities of the R-4 zoning, it has been determined that a "private drive" (12 feet wide) within the existing 16 ft of right-of-way of Knoll Ridge Lane cannot be considered for fire department access. The city cannot approve a second dwelling unit on this property because fire access requires a 20 ft. access width within public right-of-way. The private driveway can be granted a revocable permit for access with a width of 12 feet for private access but that doesn't change the requirement that the fire access in a right-of-way has to be 20 feet in width. Since this 20 ft. width requirement cannot be met now at the time of the rezone and without it fire access cannot be shown to be adequate to serve the scope of the land use proposed (ability to meet minimum densities of R-4), this rezone criteria is not being met. Staff finds this criterion has not been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or As of December 2022, the amount of R-4 zoned land within the city limits stood at 1,735 acres with 11% of it being vacant and 49% underutilized or under-developed. This means that there are 852 acres that have a residential unit on a parcel greater than one half acre in size and due to the size of the parcel can be further subdivided and developed into additional housing.

Rezoning this property to R-4 would add to the total under-developed acreage city-wide with R-4 zoning. With the large amount of R-4 zoned land that can be further developed, Staff finds this criterion has not been met.

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

The entire Grand Junction community benefits from this proposed request because the requested zone provides an opportunity for housing within a range of density that is consistent with the Comprehensive Plan in this area to meet the needs of the growing community. Comprehensive Plan Principle 3, along with the Tiered Growth Plan, provides that growth be carefully guided, prioritizing infill & redevelopment. The subject property is located in Tier 1, areas where urban services already exist and where the focus is on intensifying through infill and redevelopment. The policy of Tier 1 is that development should be directed toward vacant and underutilized parcels located within the existing city limits.

The immediate neighborhood area may not benefit from the rezone from R-1 to R-4. The subject property is located within a large area also zoned R-1 developed with single family detached homes on 1-to-2-acre parcels that lie north of the Grand Valley Canal generally along both sides of 26 Road north to G Road. While the existing R-1 zone district does not implement the Comprehensive Plan, the existing large lot neighborhood has existed for more than 40 years. Rezoning only one 1- or 2-acre property at a time is not protecting the current character of the area, instead a better approach of zoning would be to rezone a larger parcel or parcels to R-4 that would provide a more comprehensive approach of allowing the further development of the area with urban densities. Therefore, Staff finds that this criterion has not been met.

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The following narrative evaluates the proposed rezone to R-4 (Residential – 5 du/ac) against the principles, goals, and policies of the 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-4 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. As some agricultural areas developed first into homes with acreage permitting limited agricultural opportunities such as the neighborhood area where this rezone request is, it's important to respect these and ensure maximum compatibility and appropriate transitions as new land use occurs to create a denser urban setting.

While the request to increase density on the property is one of two implementing zone districts of the Comprehensive Plan, the request to zone only one 1.54-acre parcel may not be appropriate to strike the balance between growth and maintaining a sense of place as contemplated by this principle.

- 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 policies in this Principle address the manner in which growth must happen within the City. One such policy is to support a compact pattern of growth and encourage the efficient use of land through the Zoning & Development Code (ZDC). The ZDC is currently undergoing an update to implement the 2020 One Grand Junction Comprehensive Plan and identify ways to prioritize this type of development. A second policy is to encourage infill and redevelopment to leverage existing infrastructure, all which support the request to rezone this property to R-4.

- **Plan Principle 5: Strong Neighborhoods and Housing Choices**

**Where We are Today (and Where We are Going)** – Much of the vacant residential land that is available in Grand Junction is designated for single-family housing development. This housing type has long been the predominant option available in the city, with residents continuing to express a preference for single-family homes and builders continuing to develop mostly single-family homes. However, other options are increasingly being explored to meet the changing needs of the community and to diversify the city's housing stock. Alternative housing types provide options for residents such as low maintenance, community open spaces, shared facilities, and affordability, and they can be less expensive to serve than conventional single-family housing.

**How We Will Get There** – Neighbors tend to know each other because they share places and institutions regularly and have diverse, interwoven social ties. The presence of local gathering places, as well as the sharing of local institutions like schools, fosters a comfortable environment and a high level of community trust. Neighborhoods also reflect unique and distinguishing design characteristics in their architecture, streetscapes, and landscapes. Visitors to Grand Junction can feel the difference between neighborhoods and districts and this is an attractive feature to residents and tourists alike. Diverse and interspersed housing options have created an environment where people of all ages, incomes, and backgrounds interact frequently, contributing to local culture, safety, and a feeling of community. The R-4 zone has a limited ability to promote multiple housing types, only single family detached and two-family dwellings are permitted. The R-5 zone district which also implements the Residential Low land use category provides additional housing options. However, the existing neighborhood characteristics, particularly the landscapes, promotes the current neighborhood environment of the area. Unless a larger area were to be rezoned, this rezone as proposed may lessen the attractiveness the city currently has in this area and run negative to the Comprehensive Plan statement that "Visitors to Grand Junction can feel the difference between neighborhoods and districts and this is an attractive feature to residents and tourists alike."

- **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 and compact development limiting sprawl. This can be done by encouraging infill development and maximizing existing infrastructure. The subject property is located in an area with existing water lines, sanitary sewer and other utilities available to the site. It is also just a half mile from the edge of the City Center and located within the Tier 1 area of the community.

- **Intensification and Tiered Growth Plan**

Tier 1: Urban Infill – Tier 1 is intended to apply to areas of the City where urban services already exist, where the focus is on intensifying residential and commercial areas through infill and redevelopment. The policy of Tier 1 is development should be directed toward vacant and underutilized parcels located primarily within Grand Junction's existing municipal limits. This will encourage orderly development patterns and limit infrastructure extensions while still allowing for both residential and business growth. Development in this Tier, in general, does not require City expansion of services or extension of infrastructure, though improvements to infrastructure capacity may be necessary. Development in this area is anticipated to "provide development opportunities while minimizing the impact on infrastructure and City services".

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

After reviewing the Knoll Ridge Rezone request, for a rezone from R-1 (Residential – 1 du/ac) to R-4 (Residential 2 – 4 du/ac) located at 645 Knoll Ridge Lane, the following findings of facts have been made:

1) The request has not met one or more of the criteria in Section 21.02.140 of the Zoning and Development Code. The 20 ft. width requirement for fire access cannot be met now at the time of the rezone and without it fire access cannot be shown to be adequate to serve the scope of the land use (increase in residential density) proposed by the rezone to R-4. All 5 criteria are not being met and without meeting at least one criterion, staff must recommend denial of the rezone request.

2) The request is consistent with the vision (intent), goals, and policies of the Comprehensive Plan.

Therefore, Staff recommends denial of the request.

#### **SUGGESTED MOTION:**

Mr. Chairman, on the Rezone request for the property located at 645 Knoll Ridge Lane, City file number RZN-2022-1895, 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.

#### **Attachments**

1. Request to continue PC Public Hearing to July 25, 2023
2. Development Application

3. Site Location, Aerial, Future Land Use & Zoning Maps, etc
4. Knoll Ridge Access Map
5. Neighborhood Meeting Notes
6. 1977 Knoll Ridge Subdivision plat
7. GJSpeaks Comments - Knoll Ridge Rezone
8. Public Comments – 23 Feb 2023 letter
9. Zoning Ordinance

**File No:**

RZN-2022-1895

Hi Dave,

I am writing to request our Planning Commission hearing on June 27<sup>th</sup> 2023 be rescheduled to the July 25<sup>th</sup> 2023. With the addition of our legal team we would like to have more time to share notes and review the information with our surveyor

Thank you,

Chris and Pat Jones  
645 Knollridge Ln,  
Grand Junction, Co 81506



## 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: Subdivision Plat/Plan - Simple

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

Existing Land Use Designation: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Proposed Land Use Designation: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

### Property Information

Site Location: 645 Knollridge Ln

Site Acreage: 1.54

Site Tax No(s): \_\_\_\_\_

Site Zoning: \_\_\_\_\_

Project Description: rezone from R1 to R4

### Property Owner Information

### Applicant Information

### Representative Information

Name: Christopher & Patricia Jones

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Street Address: 645 Knollridge Ln

Street Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: Grd Jct, Co 81506

City/State/Zip: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Business Phone #: \_\_\_\_\_

Business Phone #: \_\_\_\_\_

Business Phone #: \_\_\_\_\_

E-Mail: pajones@bresnan.net

E-Mail: \_\_\_\_\_

E-Mail: \_\_\_\_\_

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

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

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

Contact Person: Pat Jones

Contact Person: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Phone #: 970-778-2095

Contact Phone #: \_\_\_\_\_

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: Patricia Jones

Date: 10-15-22

Signature of Legal Property Owner: Chris Jones

Date: 10-15-22

Patricia A. Jones

10-15-22

General Property Report

Property: **645 Knollridge Ln. Grand Junction, CO 81506**

We would like to request to rezone from an R1 to an R4. Change from one to three parcels so our daughter and her family can build a home on one of them. There is no plan, at this time, for the third parcel.

Thank you,  
Chris and Pat Jones  
(970) 778 2095

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Christopher E Jones, am the owner of the following real property:

(b) Lot 2 of Knoll Ridge Subdivision (645 Knollridge Lane, Grand Junction, CO 81506) 2945-023-20-002

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☐ I am the sole owner of the property.

☒ I own the property with other(s). The other owners of the property are (c):

PATRICIA A JONES

I have reviewed the application for the (d) SUBDIVISION PLAT/PLAN SIMPLE pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) Easement / Access Road between 2605 and 2611 F 1/2 Road

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed: Christopher E Jones

Printed name of owner: Christopher E Jones

State of Colorado )

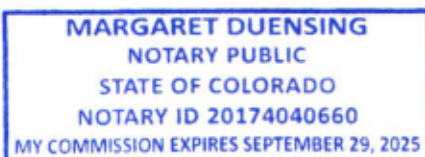
County of Mesa ) ss.

Subscribed and sworn to before me on this 17 day of October, 20 22

by Margaret Duensing

Witness my hand and seal.

My Notary Commission expires on 9/29/25



Margaret Duensing  
Notary Public Signature



OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Patricia A Jones, am the owner of the following real property:

(b) Lot 2 of Knoll Ridge Subdivision (645 Knollridge Lane, Grand Junction, CO 81506) 2945-023-20-002

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☐ I am the sole owner of the property.

☒ I own the property with other(s). The other owners of the property are (c):

Christopher E Jones

I have reviewed the application for the (d) SUBDIVISION PLAT/PLAN SIMPLE pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) Easement / Access Road between 2605 and 2611 F 1/2 Road

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

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

Owner signature as it appears on deed: Patricia A Jones

Printed name of owner: Patricia A Jones

State of Colorado )

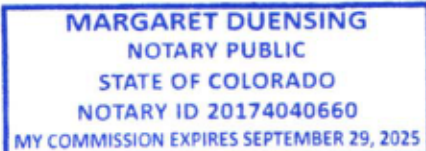
County of Mesa ) ss.

Subscribed and sworn to before me on this 17 day of October, 20 22

by Margaret Duensing

Witness my hand and seal.

My Notary Commission expires on 9/29/25



[Signature]  
Notary Public Signature



After Recording Return To:  
Credit Union of Colorado, a Federal Credit Union  
1390 Logan Street  
Denver, Colorado 80203  
Loan Number: 71201099

[Space Above This Line For Recording Data]

## DEED OF TRUST

### DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated SEPTEMBER 10, 2020, together with all Riders to this document.

(B) "Borrower" is Christopher E. Jones and Patricia A. Jones

Borrower is the trustor under this Security Instrument.

(C) "Lender" is Credit Union of Colorado a Federal Credit Union

Lender is a FEDERAL CREDIT UNION organized  
and existing under the laws of COLORADO  
Lender's address is 1390 Logan St, DENVER, COLORADO 80203

Lender is the beneficiary under this Security Instrument.

(D) "Trustee" is the Public Trustee of Mesa County, Colorado.

(E) "Note" means the promissory note signed by Borrower and dated SEPTEMBER 10, 2020

The Note states that Borrower owes Lender TWO HUNDRED ELEVEN THOUSAND AND 00/100  
Dollars (U.S. \$ 211,000.00)

plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than OCTOBER 1, 2035

(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- |  |   |
|--|---|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Planned Unit Development Rider |
| <input type="checkbox"/> Balloon Rider         | <input type="checkbox"/> Biweekly Payment Rider         |
| <input type="checkbox"/> 1-4 Family Rider      | <input type="checkbox"/> Second Home Rider              |
| <input type="checkbox"/> Condominium Rider     | <input type="checkbox"/> Other(s) [specify]             |

(I) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(J) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(K) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or

magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(L) "Escrow Items" means those items that are described in Section 3.

(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(N) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(O) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(P) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. §2601 et seq.) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(Q) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

## TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower, in consideration of the debt and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

COUNTY of MESA  
[Type of Recording Jurisdiction] [Name of Recording Jurisdiction]

LOT 2, KNOLL RIDGE SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.

which currently has the address of 645 KNOLL RIDGE LANE

Grand junction, Colorado 81506 ("Property Address")  
[City] [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record and liens for taxes for the current year not yet due and payable.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

### UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. **Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges.** Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

**2. Application of Payments or Proceeds.** Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

**3. Funds for Escrow Items.** Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until the Note is paid in full, a sum (the "Funds") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "Escrow Items." At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow Items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3.

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA. Lender shall estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law.

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow Items no later than the time specified under RESPA. Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA.

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA. If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments. If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower



shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender.

**4. Charges; Liens.** Borrower shall pay all taxes, assessments, charges, fines, and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or ground rents on the Property, if any, and Community Association Dues, Fees, and Assessments, if any. To the extent that these items are Escrow Items, Borrower shall pay them in the manner provided in Section 3.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender, but only so long as Borrower is performing such agreement; (b) contests the lien in good faith by, or defends against enforcement of the lien in, legal proceedings which in Lender's opinion operate to prevent the enforcement of the lien while those proceedings are pending, but only until such proceedings are concluded; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which can attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Within 10 days of the date on which that notice is given, Borrower shall satisfy the lien or take one or more of the actions set forth above in this Section 4.

Lender may require Borrower to pay a one-time charge for a real estate tax verification and/or reporting service used by Lender in connection with this Loan.

**5. Property Insurance.** Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage," and any other hazards including, but not limited to, earthquakes and floods, for which Lender requires insurance. This insurance shall be maintained in the amounts (including deductible levels) and for the periods that Lender requires. What Lender requires pursuant to the preceding sentences can change during the term of the Loan. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's right to disapprove Borrower's choice, which right shall not be exercised unreasonably. Lender may require Borrower to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or certification. Borrower shall also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from an objection by Borrower.

If Borrower fails to maintain any of the coverages described above, Lender may obtain insurance coverage, at Lender's option and Borrower's expense. Lender is under no obligation to purchase any particular type or amount of coverage. Therefore, such coverage shall cover Lender, but might or might not protect Borrower, Borrower's equity in the Property, or the contents of the Property, against any risk, hazard or liability and might provide greater or lesser coverage than was previously in effect. Borrower acknowledges that the cost of the insurance coverage so obtained might significantly exceed the cost of insurance that Borrower could have obtained. Any amounts disbursed by Lender under this Section 5 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

All insurance policies required by Lender and renewals of such policies shall be subject to Lender's right to disapprove such policies, shall include a standard mortgage clause, and shall name Lender as mortgagee and/or as an additional loss payee. Lender shall have the right to hold the policies and renewal certificates. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. If Borrower obtains any form of insurance coverage, not otherwise required by Lender, for damage to, or destruction of, the Property, such policy shall include a standard mortgage clause and shall name Lender as mortgagee and/or as an additional loss payee.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower. Unless Lender and Borrower otherwise agree in writing, any insurance proceeds, whether or not the underlying insurance was required by Lender, shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such insurance proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender shall not be required to pay Borrower any interest or earnings on such proceeds. Fees for public adjusters, or other third parties, retained by Borrower shall not be paid out of the insurance proceeds and shall be the sole obligation of Borrower. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such insurance proceeds shall be applied in the order provided for in Section 2.

If Borrower abandons the Property, Lender may file, negotiate and settle any available insurance claim and related matters. If Borrower does not respond within 30 days to a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may negotiate and settle the claim. The 30-day period will begin when the notice is given. In either event, or if Lender acquires the Property under Section 22 or otherwise, Borrower hereby assigns to Lender (a) Borrower's rights to any insurance proceeds in an amount not to exceed the amounts unpaid under the Note or this Security Instrument, and (b) any other of Borrower's rights (other than the right to any refund

of unearned premiums paid by Borrower) under all insurance policies covering the Property, insofar as such rights are applicable to the coverage of the Property. Lender may use the insurance proceeds either to repair or restore the Property or to pay amounts unpaid under the Note or this Security Instrument, whether or not then due.

**6. Occupancy.** Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

**7. Preservation, Maintenance and Protection of the Property; Inspections.** Borrower shall not destroy, damage or impair the Property, allow the Property to deteriorate or commit waste on the Property. Whether or not Borrower is residing in the Property, Borrower shall maintain the Property in order to prevent the Property from deteriorating or decreasing in value due to its condition. Unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible, Borrower shall promptly repair the Property if damaged to avoid further deterioration or damage. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, Borrower shall be responsible for repairing or restoring the Property only if Lender has released proceeds for such purposes. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, Borrower is not relieved of Borrower's obligation for the completion of such repair or restoration.

Lender or its agent may make reasonable entries upon and inspections of the Property. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender shall give Borrower notice at the time of or prior to such an interior inspection specifying such reasonable cause.

**8. Borrower's Loan Application.** Borrower shall be in default if, during the Loan application process, Borrower or any persons or entities acting at the direction of Borrower or with Borrower's knowledge or consent gave materially false, misleading, or inaccurate information or statements to Lender (or failed to provide Lender with material information) in connection with the Loan. Material representations include, but are not limited to, representations concerning Borrower's occupancy of the Property as Borrower's principal residence.

**9. Protection of Lender's Interest in the Property and Rights Under this Security Instrument.** If (a) Borrower fails to perform the covenants and agreements contained in this Security Instrument, (b) there is a legal proceeding that might significantly affect Lender's interest in the Property and/or rights under this Security Instrument (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture, for enforcement of a lien which may attain priority over this Security Instrument or to enforce laws or regulations), or (c) Borrower has abandoned the Property, then Lender may do and pay for whatever is reasonable or appropriate to protect Lender's interest in the Property and rights under this Security Instrument, including protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Lender's actions can include, but are not limited to: (a) paying any sums secured by a lien which has priority over this Security Instrument; (b) appearing in court; and (c) paying reasonable attorneys' fees to protect its interest in the Property and/or rights under this Security Instrument, including its secured position in a bankruptcy proceeding. Securing the Property includes, but is not limited to, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. It is agreed that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

Any amounts disbursed by Lender under this Section 9 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. Borrower shall not surrender the leasehold estate and interests herein conveyed or terminate or cancel the ground lease. Borrower shall not, without the express written consent of Lender, alter or amend the ground lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

**10. Mortgage Insurance.** If Lender required Mortgage Insurance as a condition of making the Loan, Borrower shall pay the premiums required to maintain the Mortgage Insurance in effect. If, for any reason, the Mortgage Insurance coverage required by Lender ceases to be available from the mortgage insurer that previously provided such insurance and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the Mortgage Insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the Mortgage Insurance previously in effect, from an alternate mortgage insurer selected by Lender. If substantially equivalent Mortgage Insurance coverage is not available, Borrower shall continue to pay to Lender the amount of the separately designated payments that were due when the insurance coverage ceased to be in effect. Lender will accept, use and retain these payments as a non-refundable loss reserve in lieu of Mortgage Insurance. Such loss reserve shall be non-refundable, notwithstanding the fact that the Loan is ultimately paid in full, and Lender shall not be required to pay Borrower any interest or earnings on such loss reserve. Lender can no longer require loss reserve payments if Mortgage Insurance coverage (in the amount and for the period that Lender requires) provided by an insurer selected by Lender again becomes available, is obtained, and Lender requires separately designated payments toward the premiums for Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to maintain Mortgage Insurance in effect, or to provide a non-refundable loss reserve, until



Lender's requirement for Mortgage Insurance ends in accordance with any written agreement between Borrower and Lender providing for such termination or until termination is required by Applicable Law. Nothing in this Section 10 affects Borrower's obligation to pay interest at the rate provided in the Note.

Mortgage Insurance reimburses Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance.

Mortgage insurers evaluate their total risk on all such insurance in force from time to time, and may enter into agreements with other parties that share or modify their risk, or reduce losses. These agreements are on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include funds obtained from Mortgage Insurance premiums).

As a result of these agreements, Lender, any purchaser of the Note, another insurer, any reinsurer, any other entity, or any affiliate of any of the foregoing, may receive (directly or indirectly) amounts that derive from (or might be characterized as) a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or modifying the mortgage insurer's risk, or reducing losses. If such agreement provides that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "captive reinsurance." Further:

(a) Any such agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. Such agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund.

(b) Any such agreements will not affect the rights Borrower has - if any - with respect to the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right to receive certain disclosures, to request and obtain cancellation of the Mortgage Insurance, to have the Mortgage Insurance terminated automatically, and/or to receive a refund of any Mortgage Insurance premiums that were unearned at the time of such cancellation or termination.

**11. Assignment of Miscellaneous Proceeds; Forfeiture.** All Miscellaneous Proceeds are hereby assigned to and shall be paid to Lender.

If the Property is damaged, such Miscellaneous Proceeds shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such Miscellaneous Proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such Miscellaneous Proceeds, Lender shall not be required to pay Borrower any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such Miscellaneous Proceeds shall be applied in the order provided for in Section 2.

In the event of a total taking, destruction, or loss in value of the Property, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the Miscellaneous Proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the partial taking, destruction, or loss in value divided by (b) the fair market value of the Property immediately before the partial taking, destruction, or loss in value. Any balance shall be paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is less than the amount of the sums secured immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the Opposing Party (as defined in the next sentence) offers to make an award to settle a claim for damages, Borrower fails to respond to Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the Miscellaneous Proceeds either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due. "Opposing Party" means the third party that owes Borrower Miscellaneous Proceeds or the party against whom Borrower has a right of action in regard to Miscellaneous Proceeds.

Borrower shall be in default if any action or proceeding, whether civil or criminal, is begun that, in Lender's judgment, could result in forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. Borrower can cure such a default and, if acceleration has occurred, reinstate as provided in Section 19, by causing the action or proceeding to be dismissed with a ruling that, in Lender's judgment, precludes forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. The proceeds of any award or claim for damages that are attributable to the impairment of Lender's interest in the Property are hereby assigned and shall be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property shall be applied in the order provided for in Section 2.

**12. Borrower Not Released; Forbearance By Lender Not a Waiver.** Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to Borrower or any Successor in Interest of Borrower shall not operate to release the liability of Borrower or any Successors in Interest of Borrower. Lender shall not be required to commence proceedings against any Successor in Interest of Borrower or to refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or any Successors in Interest of Borrower. Any forbearance by Lender in exercising any right or remedy including, without limitation, Lender's acceptance of payments from third persons, entities or Successors in Interest of Borrower or in amounts less than the amount then due, shall not be a waiver of or preclude the exercise of any right or remedy.

**13. Joint and Several Liability; Co-signers; Successors and Assigns Bound.** Borrower covenants and agrees that Borrower's obligations and liability shall be joint and several. However, any Borrower who co-signs this Security Instrument but does not execute the Note (a "co-signer"): (a) is co-signing this Security Instrument only to mortgage, grant and convey the co-signer's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower can agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without the co-signer's consent.

Subject to the provisions of Section 18, any Successor in Interest of Borrower who assumes Borrower's obligations under this Security Instrument in writing, and is approved by Lender, shall obtain all of Borrower's rights and benefits under this Security Instrument. Borrower shall not be released from Borrower's obligations and liability under this Security Instrument unless Lender agrees to such release in writing. The covenants and agreements of this Security Instrument shall bind (except as provided in Section 20) and benefit the successors and assigns of Lender.

**14. Loan Charges.** Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not limited to, attorneys' fees, property inspection and valuation fees. In regard to any other fees, the absence of express authority in this Security Instrument to charge a specific fee to Borrower shall not be construed as a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). Borrower's acceptance of any such refund made by direct payment to Borrower will constitute a waiver of any right of action Borrower might have arising out of such overcharge.

**15. Notices.** All notices given by Borrower or Lender in connection with this Security Instrument must be in writing. Any notice to Borrower in connection with this Security Instrument shall be deemed to have been given to Borrower when mailed by first class mail or when actually delivered to Borrower's notice address if sent by other means. Notice to any one Borrower shall constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice address shall be the Property Address unless Borrower has designated a substitute notice address by notice to Lender. Borrower shall promptly notify Lender of Borrower's change of address. If Lender specifies a procedure for reporting Borrower's change of address, then Borrower shall only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time. Any notice to Lender shall be given by delivering it or by mailing it by first class mail to Lender's address stated herein unless Lender has designated another address by notice to Borrower. Any notice in connection with this Security Instrument shall not be deemed to have been given to Lender until actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

**16. Governing Law; Severability; Rules of Construction.** This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicitly allow the parties to agree by contract or it might be silent, but such silence shall not be construed as a prohibition against agreement by contract. In the event that any provision or clause of this Security Instrument or the Note conflicts with Applicable Law, such conflict shall not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision.

As used in this Security Instrument: (a) words of the masculine gender shall mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular shall mean and include the plural and vice versa; and (c) the word "may" gives sole discretion without any obligation to take any action.

**17. Borrower's Copy.** Borrower shall be given one copy of the Note and of this Security Instrument.

**18. Transfer of the Property or a Beneficial Interest in Borrower.** As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any Interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent,



Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

**19. Borrower's Right to Reinstate After Acceleration.** If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earliest of: (a) five days before sale of the Property pursuant to any power of sale contained in this Security Instrument; (b) such other period as Applicable Law might specify for the termination of Borrower's right to reinstate; or (c) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures any default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and (d) takes such action as Lender may reasonably require to assure that Lender's interest in the Property and rights under this Security Instrument, and Borrower's obligation to pay the sums secured by this Security Instrument, shall continue unchanged. Lender may require that Borrower pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer. Upon reinstatement by Borrower, this Security Instrument and obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under Section 18.

**20. Sale of Note; Change of Loan Servicer; Notice of Grievance.** The Note or a partial interest in the Note (together with this Security Instrument) can be sold one or more times without prior notice to Borrower. A sale might result in a change in the entity (known as the "Loan Servicer") that collects Periodic Payments due under the Note and this Security Instrument and performs other mortgage loan servicing obligations under the Note, this Security Instrument, and Applicable Law. There also might be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change which will state the name and address of the new Loan Servicer, the address to which payments should be made and any other information RESPA requires in connection with a notice of transfer of servicing. If the Note is sold and thereafter the Loan is serviced by a Loan Servicer other than the purchaser of the Note, the mortgage loan servicing obligations to Borrower will remain with the Loan Servicer or be transferred to a successor Loan Servicer and are not assumed by the Note purchaser unless otherwise provided by the Note purchaser.

Neither Borrower nor Lender may commence, join, or be joined to any judicial action (as either an individual litigant or the member of a class) that arises from the other party's actions pursuant to this Security Instrument or that alleges that the other party has breached any provision of, or any duty owed by reason of, this Security Instrument, until such Borrower or Lender has notified the other party (with such notice given in compliance with the requirements of Section 15) of such alleged breach and afforded the other party hereto a reasonable period after the giving of such notice to take corrective action. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of acceleration and opportunity to cure given to Borrower pursuant to Section 22 and the notice of acceleration given to Borrower pursuant to Section 18 shall be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

**21. Hazardous Substances.** As used in this Section 21: (a) "Hazardous Substances" are those substances defined as toxic or hazardous substances, pollutants, or wastes by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials; (b) "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection; (c) "Environmental Cleanup" includes any response action, remedial action, or removal action, as defined in Environmental Law; and (d) an "Environmental Condition" means a condition that can cause, contribute to, or otherwise trigger an Environmental Cleanup.

Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances, or threaten to release any Hazardous Substances, on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property (a) that is in violation of any Environmental Law, (b) which creates an Environmental Condition, or (c) which, due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property (including, but not limited to, hazardous substances in consumer products).

Borrower shall promptly give Lender written notice of (a) any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge, (b) any Environmental Condition, including but not limited to, any spilling, leaking, discharge, release or threat of release of any Hazardous Substance, and (c) any condition caused by the presence, use or release of a Hazardous Substance which adversely affects the value of the Property. If Borrower learns, or is notified by any governmental or regulatory authority, or any private party, that



any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. Nothing herein shall create any obligation on Lender for an Environmental Cleanup.

**NON-UNIFORM COVENANTS.** Borrower and Lender further covenant and agree as follows:

**22. Acceleration; Remedies.** Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under Section 18 unless Applicable Law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to assert in the foreclosure proceeding the non-existence of a default or any other defense of Borrower to acceleration and sale. If the default is not cured on or before the date specified in the notice, Lender at its option may require immediate payment in full of all sums secured by this Security Instrument without further demand and may invoke the power of sale and any other remedies permitted by Applicable Law. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this Section 22, including, but not limited to, reasonable attorneys' fees and costs of title evidence.

If Lender invokes the power of sale, Lender shall give written notice to Trustee of the occurrence of an event of default and of Lender's election to cause the Property to be sold. Lender shall mail a copy of the notice to Borrower as provided in Section 15. Trustee shall record a copy of the notice in the county in which the Property is located. Trustee shall publish a notice of sale for the time and in the manner provided by Applicable Law and shall mail copies of the notice of sale in the manner prescribed by Applicable Law to Borrower and to the other persons prescribed by Applicable Law. After the time required by Applicable Law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder for cash at the time and place and under the terms designated in the notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's certificate describing the Property and the time the purchaser will be entitled to Trustee's deed. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

**23. Release.** Upon payment of all sums secured by this Security Instrument, Lender shall request that Trustee release this Security Instrument and shall produce for Trustee, duly cancelled, all notes evidencing debts secured by this Security Instrument. Trustee shall release this Security Instrument without further inquiry or liability. Borrower shall pay any recordation costs and the statutory Trustee's fees.

**24. Waiver of Homestead.** Borrower waives all right of homestead exemption in the Property.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

  
Christopher E. Jones (Seal)  
-Borrower

  
Patricia A. Jones (Seal)  
-Borrower

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
[Space Below This Line For Acknowledgment]

State of COLORADO

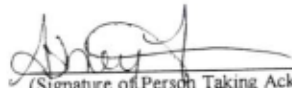
County of MESA

The foregoing instrument was acknowledged before me this SEPTEMBER 10, 2020  
(date)

by Christopher E. Jones AND Patricia A. Jones

\_\_\_\_\_  
(name of person acknowledged)

**ASHLEY FABER**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20194046620  
MY COMMISSION EXPIRES DECEMBER 16, 2023

  
(Signature of Person Taking Acknowledgment)

Notary Public  
(Title or Rank)

(Seal)

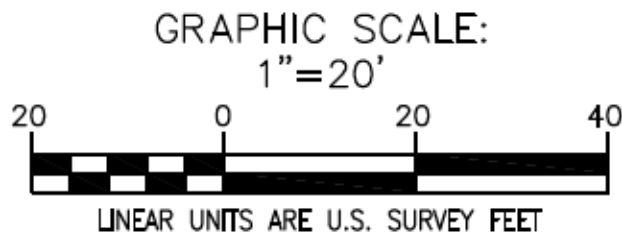
\_\_\_\_\_  
(Serial Number, if any)

Loan Originator: Lucas Bortoff, NMLSR ID 1767248  
Loan Originator Organization: Credit Union of Colorado, NMLSR ID 411832



IMPROVEMENT SURVEY

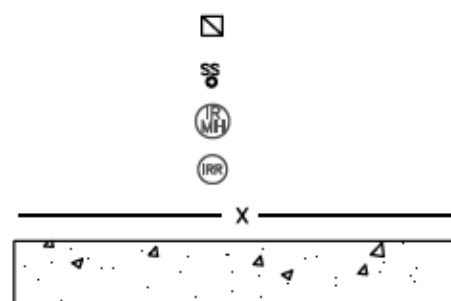
SITUATED IN THE NW¼ SW¼ SECTION 2  
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN  
AND BEING A PART OF KNOLL RIDGE SUBDIVISION  
COUNTY OF MESA, STATE OF COLORADO



LEGEND:

FOUND SURVEY MARKER AS DESCRIBED  
FOUND No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 27279  
FOUND No. 5 REBAR WITH 2 INCH ALUMINUM CAP ILLEGIBLE  
FOUND No. 5 REBAR WITH 1.5 INCH YELLOW PLASTIC CAP PLS 16413  
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904

EXISTING UTILITY PEDESTAL  
EXISTING SANITARY SEWER CLEANOUT  
EXISTING IRRIGATION MANHOLE  
EXISTING IRRIGATION FEATURE  
EXISTING FENCE LINE  
EXISTING CONCRETE



NOTES

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.
- BEARINGS ARE BASED ON THE NORTH LINE OF NW¼ SW¼ SECTION 2, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN. THE VALUE USED N89°50'50"E, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. MESA COUNTY SURVEY MARKERS WERE FOUND AT THE EAST AND WEST ENDS OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS BOUNDARY SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2264578, OF THE MESA COUNTY RECORDS.
- THE PROPERTY SURVEYED HEREON AND THE ADJOINING PROPERTIES WERE ALL ORIGINALLY PART OF THE NORTH 10 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 (RECEPTION NUMBER 303902), AS PROPERTIES WERE DESCRIBED AND CONVEYED FROM SAID 10 ACRES DESCRIPTIONS WERE STARTED FROM DIFFERENT POINTS OF BEGINNING, THE SOUTHWEST SECTION CORNER AND THE WEST QUARTER CORNER OF SAID SECTION 2. THIS CAUSED DISCREPANCIES WITH THE ADJOINING PROPERTIES. THE PROPERTY SURVEYED HEREON HAS ITS POINT OF BEGINNING AT THE WEST QUARTER CORNER WHILE THE ADJOINING PARCELS TO THE WEST HAVE THE SOUTHWEST SECTION CORNER AS THEIR RESPECTIVE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATION:

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



COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY

FOR CHRISTOPHER E. & PATRICIA A. JONES

SITUATED IN THE NW¼ SW¼ SECTION 2  
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN  
COUNTY OF MESA, STATE OF COLORADO

JOB #: 2022-225 FIELD WORK: SL DRAWN BY: NB CHECKED BY: JW  
DATE: 2/2/23 DRAWING NAME: 645 KNOLL RIDGE LANE

**POLARIS SURVEYING**

PATRICK W. CLICK P.L.S.  
3194 MESA AVE. #B  
GRAND JUNCTION, CO 81504  
PHONE (970)434-7038

BASIS OF BEARINGS

NORTH LINE NW¼ SW¼ SECTION 2

N89° 50' 50"E 1315.15'

CENTER-WEST 1/16 CORNER  
SECTION 2, T1S, R1W, UTE  
MCSM: 209-1  
FOUND 3 1/2" BRASS CAP  
IN ASPHALT HOLE, ILLEGIBLE  
0.2' BELOW GRADE

MAX A. & DEREK SMITH  
2611 F 1/2 ROAD  
REC No. 2936164

KNOLL RIDGE LANE

VARIABLE WIDTH RIGHT OF WAY  
RECEPTION No. 1146719

LOT TWO  
1.54 ACRES  
KNOLL RIDGE SUBDIVISION  
REC No. 1146719

PATRICK J CAHILL  
640 26 ROAD  
REC No. 2916485

ABBREVIATIONS:

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

CURVE LABEL ABBREVIATIONS:

RAD RADIUS  
L ARC LENGTH  
CHORD LONG CHORD DISTANCE  
BRG LONG CHORD BEARING  
Δ CURVE CENTRAL ANGLE

LAND SURVEY DEPOSIT  
MESA COUNTY SURVEYORS OFFICE  
DATE \_\_\_\_\_  
DEPOSIT No. \_\_\_\_\_

WEST 1/4 CORNER  
SECTION 2  
T1S, R1W, UTE  
MCSM: 90-1  
(MONUMENT CURRENTLY  
UNDER ROAD)

WEST LINE SW1/4 SECTION 2  
N0° 03' 04"E 2623.61'

SOUTHWEST CORNER  
SECTION 2, T1S, R1W, UTE  
FOUND 2 1/2" ALUMINUM CAP  
ILLEGIBLE IN MONUMENT CASE  
0.5' BELOW GRADE

SOUTH 1/16 CORNER WEST LINE  
SECTION 2, T1S, R1W, UTE  
FOUND 2 1/2" ALUMINUM CAP  
ILLEGIBLE IN MONUMENT CASE  
0.4' BELOW GRADE

MICHAEL & CAROL ARCHER  
648 26 ROAD  
REC No. 2904882

EXISTING METAL  
SHED  
ON PROPERTY  
LINE  
EXISTING  
SHED (ON DIRT)

EXISTING  
CARPORT

EXISTING  
EDGE OF BUILDING

ANNE M CHAMBERLIN  
2605 F 1/2 ROAD  
REC No. 3043726

CAP BETWEEN  
NORTHERN ADJOINER  
AND WESTERN  
RIGHT OF WAY LINE OF  
KNOLL RIDGE LANE  
(SEE SURVEY  
DEPOSIT No. 6643-22)

VACATED  
PORTION OF  
RIGHT OF WAY  
RECEPTION No.  
1927609

4-22-2034-2  
R1D-50100  
L-183.9  
C400-D-333-4  
BRG-S57112"E

RETAINING WALL

WOOD DECK

EXISTING HOUSE

WOOD DECK

THERE IS A GAP BETWEEN  
THE DEED DESCRIPTIONS  
FOR THE ADJOINERS  
AND THE  
SUBJECT PROPERTY  
SEE NOTE 5

GEORGIA L. KNIGHT REVOCABLE TRUST  
636 26 ROAD  
REC No. 3052873

LEGAL DESCRIPTION:

LOT 2 OF KNOLL RIDGE SUBDIVISION  
AS RECORDED AT RECEPTION No. 1146719 OF THE MESA COUNTY CLERK AND  
RECORDER'S OFFICE, COUNTY OF MESA, STATE OF COLORADO.

Said parcel contains 1.54 ACRES.





# Grand Junction Fire Department New Development Fire Flow Form

## SECTION B

To be completed by the Water Supplier

Attach fire flow test data for the hydrants

**Failure to attach the fire flow test data and/or diagram may delay your project review.**

1. Circle the name of the water supplier: Ute    Clifton    Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:  
SEE ATTACHED MAP
3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be used to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the available fire flow:  
SEE ATTACHE RESULTS  
[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]
4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum gpm @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: \_\_\_\_\_

Print Name and Title of Water Supplier Employee completing this Form:

DUSTY KRIEGSHAUSER MAINTENANCE II/HYDRANT MAINT.    Date 10/13/2022

Contact phone/E-mail of Water Supplier: 970-242-7491 hydrant@utewater.org

\*\*\*\*\*

**Note:** Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer<sup>5</sup> to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

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

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

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

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

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

# With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



**Company Name:** Ute Water Conservancy District  
**Address:** 2190 H 1/4 Rd  
**City:** Grand Junction  
**State:** Colorado  
**Zip:** 81505

**Test Date:** 10/13/22 2:00 pm

## NFPA Classification:

Blue AA  
 4376.98

**Work Order:** 1,303  
**Operator:** DUSTY K/JOSEPH L

Test did not reach recommended drop of  
 25% per NFPA 291

**Test Hydrant:** 2338  
**Address:** 2611 F 1/2 RD  
**Cross Street:**  
**Location:**  
**District:**  
**Sub-Division:**

**Latitude:** 710210.191  
**Longitude:** 4330575.557  
**Elevation:** 4635.26  
**State X / Y:** /

**Pumpers:**

**Nozzles:**

**Open Dir:**

**Manuf:** Mueller  
**Model:** Centurion 5 1/4

**Installed:** 01/01/1998  
**Main Size:** 0.00

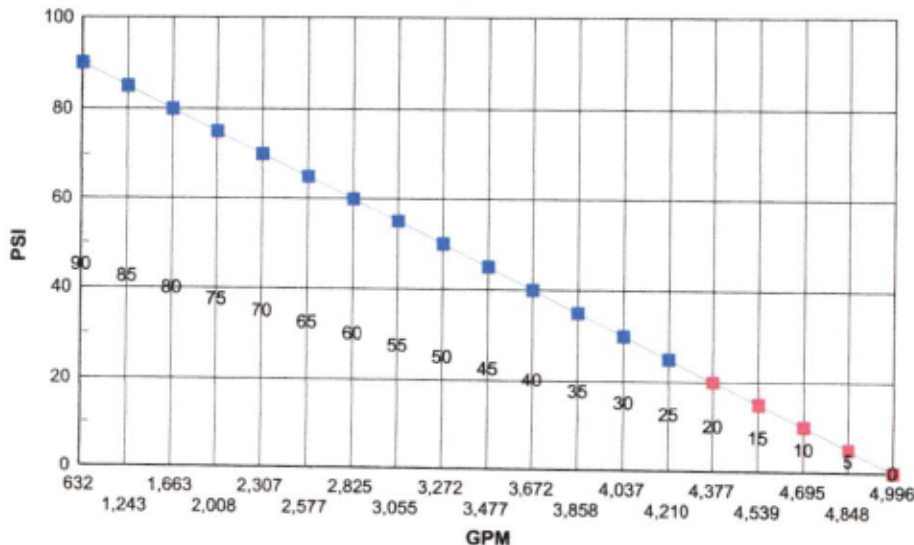
**Vandal Proof:**  
**Bury Depth:** 0.00

	<u>Flow Hydrant</u>	<u>Flow Device</u>	<u>Diameter</u>	<u>GPM</u>	<u>Gallon Used</u>
1:	3180	2.5" Hose Monster	2.50	1143.98	5719.88
2:					
3:					
4:					
5:					

<b>Pitot / Nozzle PSI:</b> 46.00	<b>Total Gallons Used:</b> 5719.88
<b>Static PSI:</b> 92.00	<b>Max GPM during test:</b> 1,143.98
<b>Residual PSI:</b> 86.00	<b>Elapsed Time Min:Sec:</b> 5 : 0
<b>Percent Drop:</b> 6.52	<b>Predicted GPM @ 20 PSI:</b> 4376.98

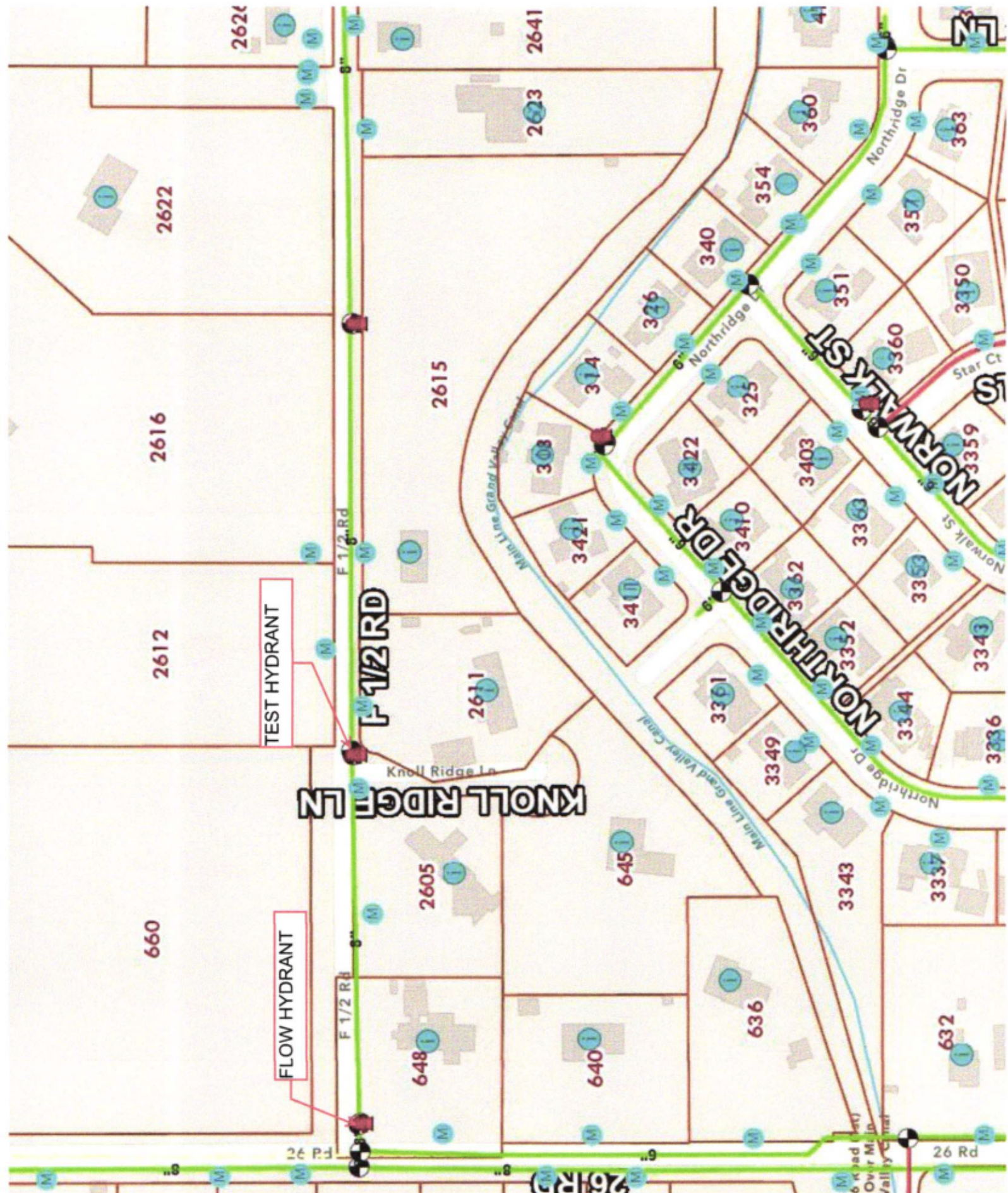
## 2338 Flow GPM



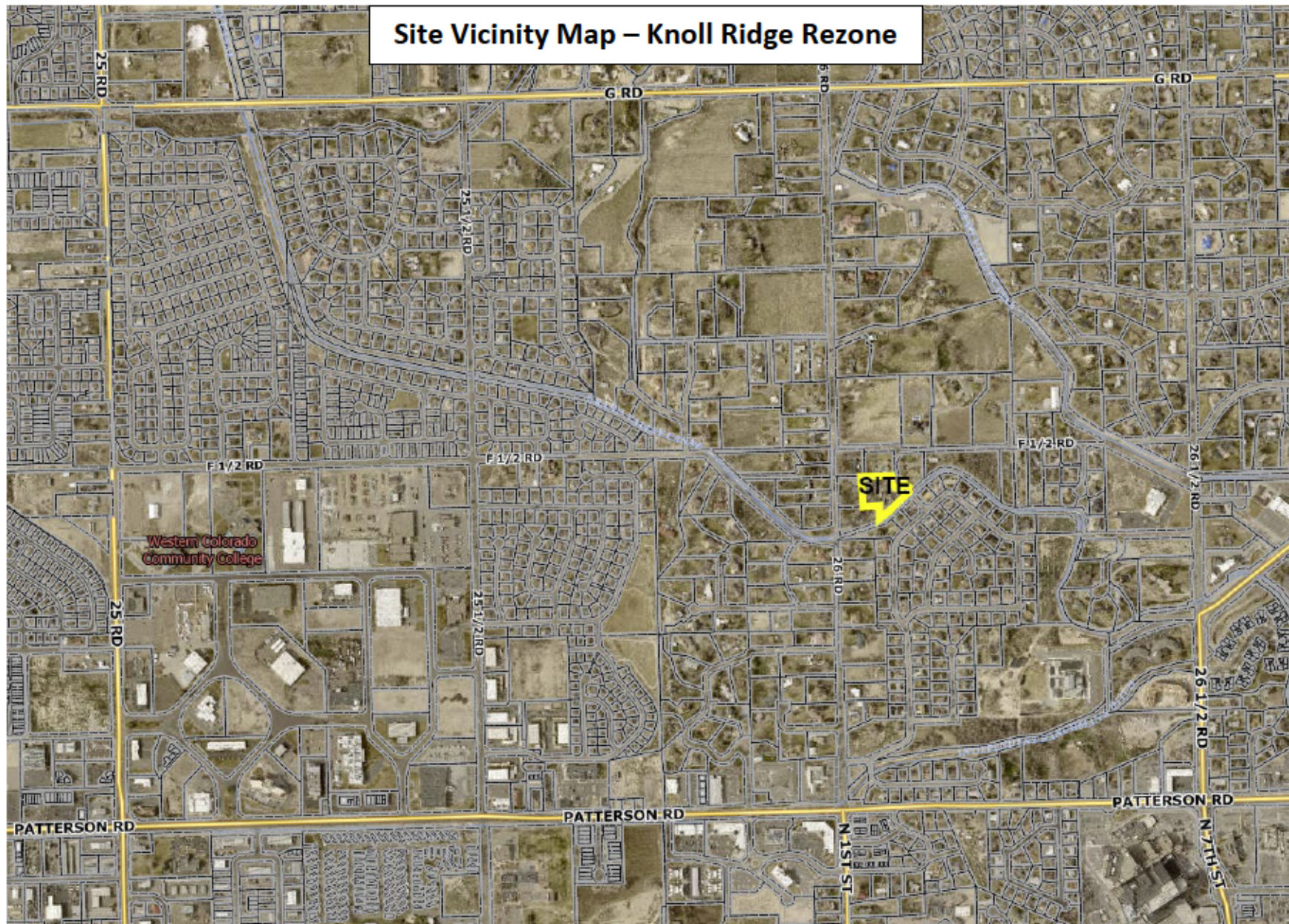
GPM rounded to nearest gallon

Values inside grid below flow line are PSI @ predicted flow





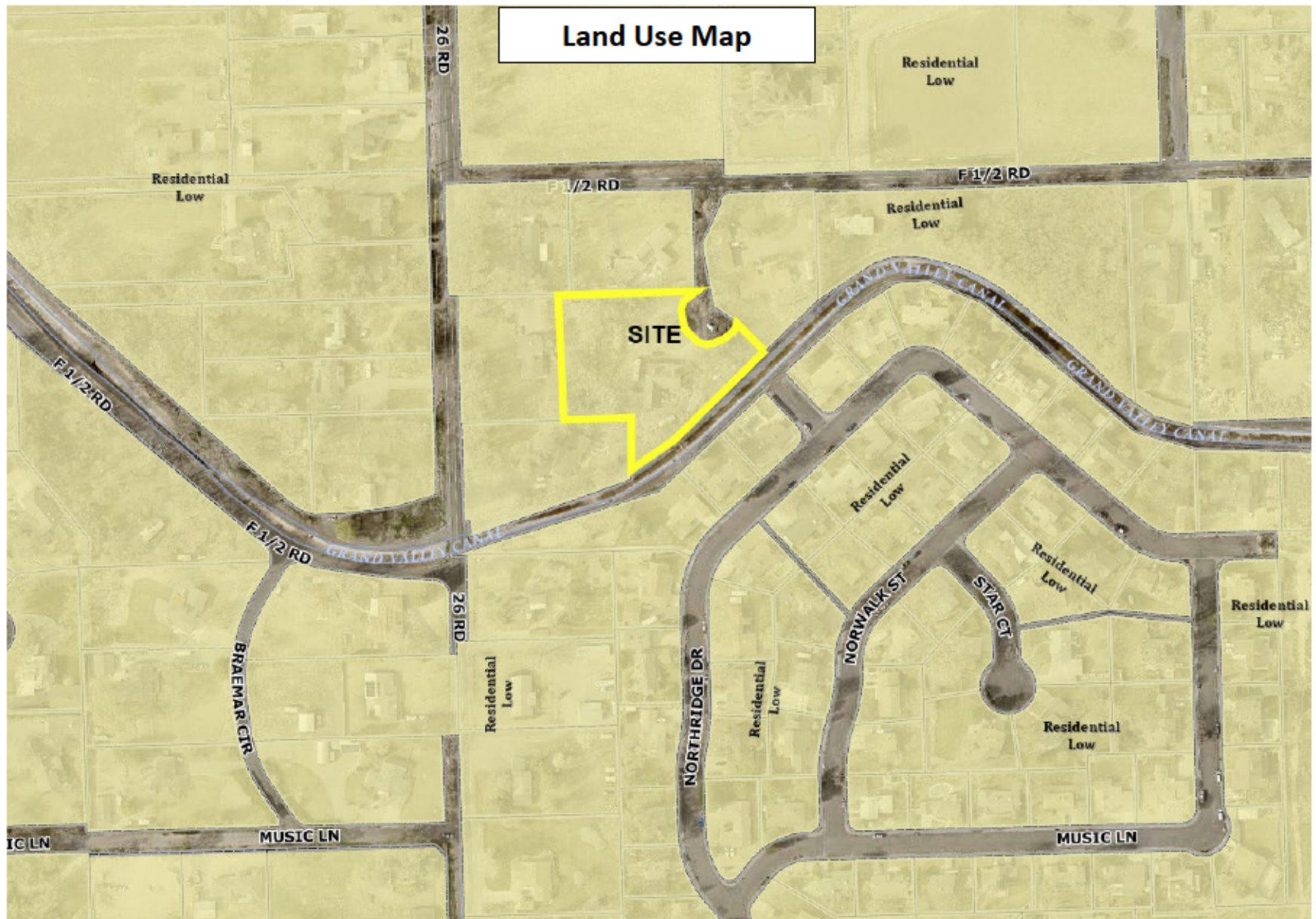




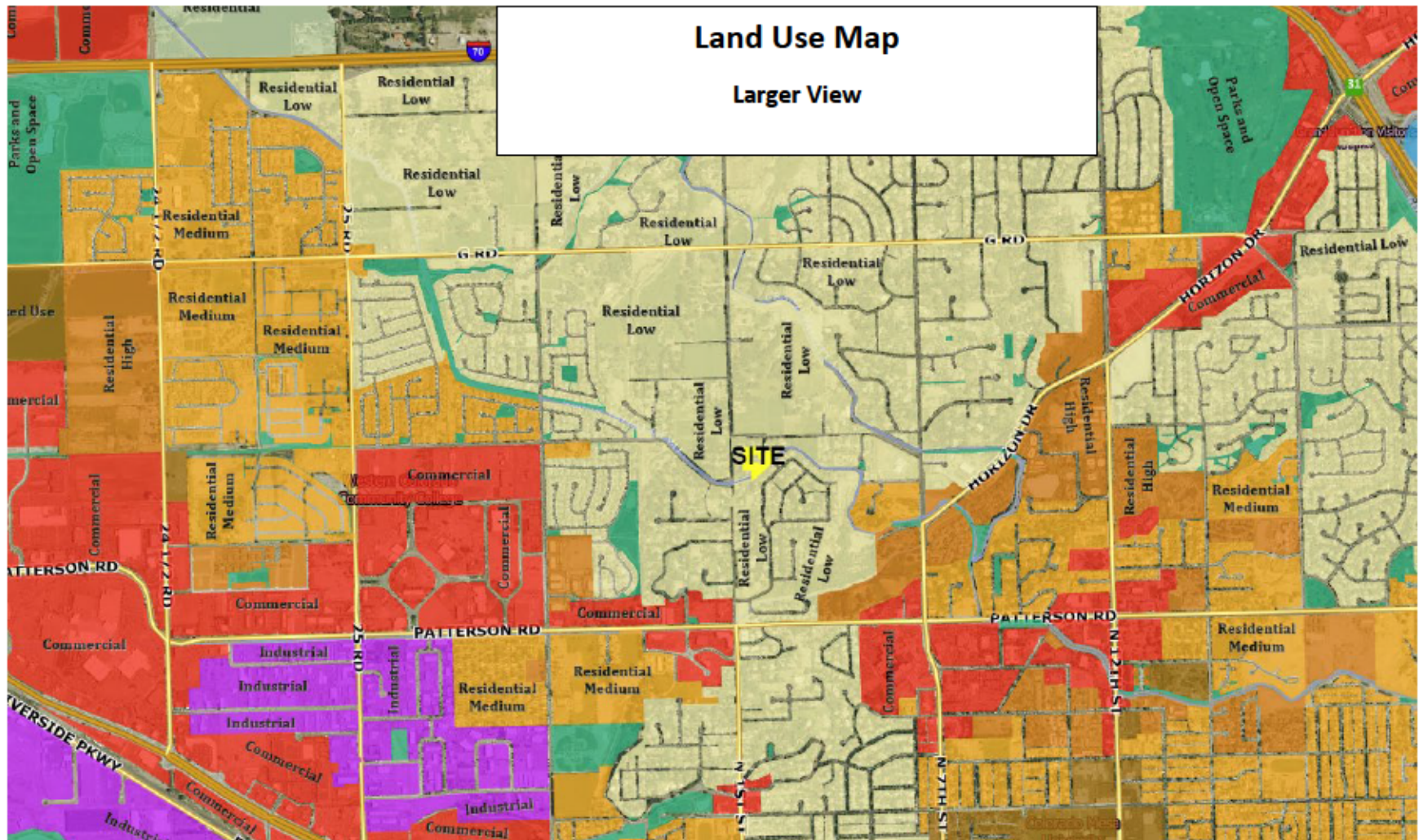




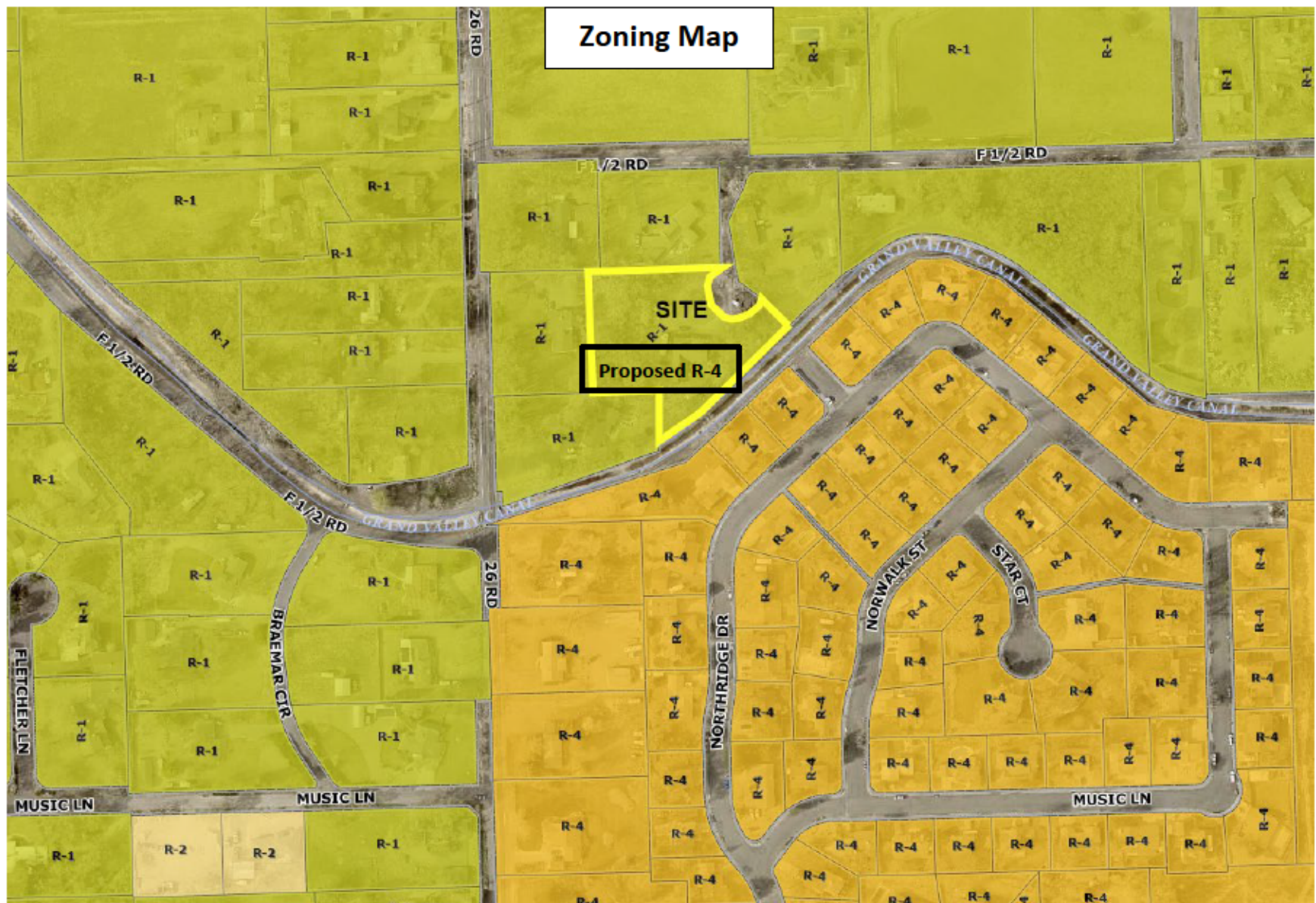
















**Google Maps Street view of Knoll Ridge Lane access to property, looking south**





**645 Knoll Ridge Lane is located at the center of the picture.**





Another view of the site zoomed out



## Knoll Ridge Access Map



A Fire Department Access consisting of a minimum of 20 feet in width is required to construct additional residential dwellings on 645 Knoll Ridge Lane



***Neighborhood Meeting*** - 645 Knollridge Lane, Grand Junction, CO 81506

**Attendees (14):**

Chris, Pat and Peyton Jones – 645 Knollridge Ln (Homeowners/Hosts)

Anne Chamberlin – 2605 F ½ Rd

Max and Derek Smith – 2612 F1/2 Rd

Mario Accettura and Michael Archer 648 26 Rd

Patrick Cahill and Molly – 640 26 Rd

Derek Hrubes – 651 26 Rd

Other: Shane, Tayler and Raven Fitzgerald – 645 Knollridge Ln

City Staff: Dave Thornton

**Meeting Overview:**

**Introductions:**

**Reason for the meeting:** required step to subdivide our property.

**Why:** Daughter and her husband sold their house in Fruita and plan to build a house on our property to be closer to family.

**Our Objective:**

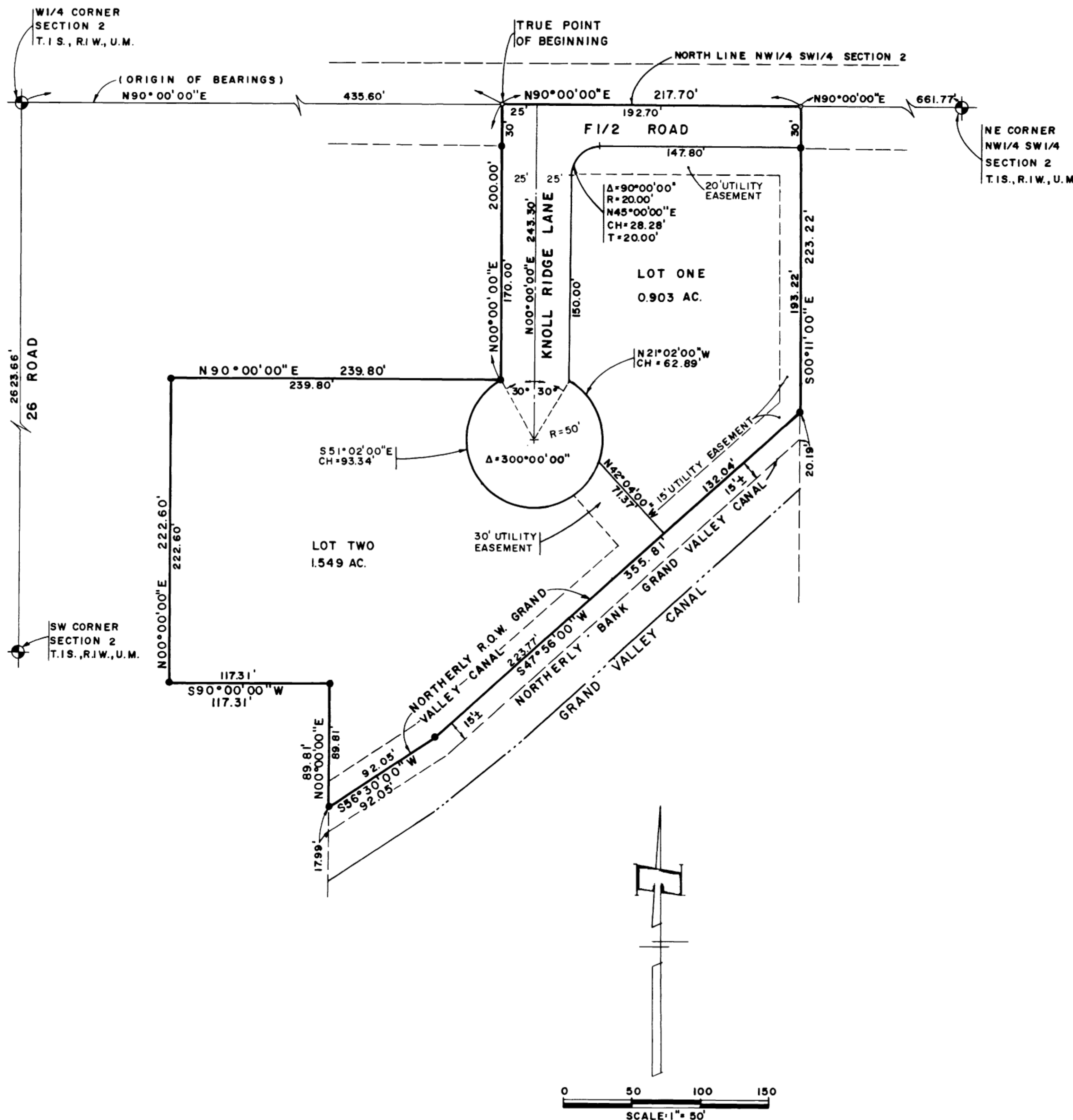
In order to do this we are required to divide our property. The easiest way to do this is to do a mini/split with a minimum of 3 parcels which requires a Rezone from R1 to an R4. Our primary hurdle is the access road. We have discussed this with Max and Anne. They own the two neighboring homes along our driveway. We are proposing that our property lines be adjusted to reflect our current easement/access.

**Questions and Concerns:**

- 1) If we do this what is stopping others from doing it? Everyone is going to want to rezone now.
- 2) Property lines are inconsistent and not correct. Apprehensive about the need or effects of moving property lines.
- 3) Water access and irrigation easements
- 4) View changing



# KNOLL RIDGE SUBDIVISION



## AREA QUANTITIES

Total Acres in Lots	2.452 Ac. or 82.6 %
Total Acres in Streets	0.517 Ac. or 17.4 %
Total Acres	2.969 Ac. or 100.00 %

## LEGEND

- ⊙ Indicates Mesa County Brass Cap
- Indicates P.K. Nail
- ⊥ Indicates A 5/8" Rebar And Monument Cap At All Lot Corners
- Indicates 5/8" Rebar And Monument Cap Set In Concrete

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned William E. Pomrenke and Janet M. Pomrenke are the owners of that real property situated in the County of Mesa, State of Colorado, and being a part of the NW 1/4 SW 1/4 of Section 2, Township 1 South, Range 1 West of the Ute Meridian as shown on the accompanying plat, said real property being more particularly described as follows:

Commencing at the W 1/4 Corner of said Section 2; Thence N. 90° 00' 00" E along the North line NW 1/4 SW 1/4 of said Section 2 a distance of 435.60 feet to the TRUE POINT OF BEGINNING. Thence continuing N. 90° 00' 00" E along said North line of the NW 1/4 SW 1/4 of Section 2 a distance of 217.70 feet; Thence S. 00° 11' 00" E 223.22 feet to a point on the Northerly right-of-way of the Grand Valley Canal; Thence along said Northerly right-of-way by the following Two (2) courses and distances;  
S. 47° 56' 00" W 355.81 feet  
S. 56° 30' 00" W 92.05 feet  
Thence N. 00° 00' 00" E 89.81 feet; Thence S. 90° 00' 00" W 117.31 feet; Thence N. 00° 00' 00" E 222.60 feet;  
Thence N. 90° 00' 00" E 239.80 feet; Thence N. 00° 00' 00" E 200.00 feet to the TRUE POINT OF BEGINNING. Containing 2.969 Acres.

That said owners have caused the said real property to be laid out and surveyed as Knoll Ridge Subdivision, a subdivision of a part of Mesa County, Colorado.

That said owners do hereby dedicate and set apart all of the streets and roads as shown on the accompanying plat to the use of the public and public utilities forever, and hereby dedicate those portions of said real property which are labeled as utility easements on the accompanying plat as perpetual easements for the installation and maintenance of utilities and drainage facilities, including, but not limited to, electric lines, gas lines, telephone lines. Together with the right to trim interfering trees and brush. With perpetual right of ingress and egress for installation, maintenance and replacement of such lines. Said easements and rights shall be utilized in a reasonable and prudent manner.

That all expense for street paving or improvements shall be furnished by the seller or purchaser, not by the County of Mesa.

IN WITNESS WHEREOF said owners have caused their names to be hereunto subscribed this 14th day of SEPT., A.D., 1977.

William E. Pomrenke  
William E. Pomrenke

Janet M. Pomrenke  
Janet M. Pomrenke

STATE OF COLORADO }  
COUNTY OF MESA }

The foregoing instrument was acknowledged before me this 14th day of SEPT., A.D., 1977 by William E. Pomrenke and Janet M. Pomrenke.

My Commission Expires: Nov 9th 1981  
Witness My Hand and Official Seal

Thomas A. Aguirre  
Notary Public

## CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO }  
COUNTY OF MESA } ss # 1146719

I hereby certify that this instrument was filed in my office at 11:00 o'clock A.M., this 19th day of November, A.D., 1977 and duly recorded in Plat Book No. 11, Page 313.

Paul Sawyer  
Clerk and Recorder

By Hazel M. Huakey  
Deputy

Fees \$ 10.00.

## COUNTY PLANNING COMMISSION CERTIFICATE

Approved this 19th day of SEPT., A.D., 1977. County Planning Commission of the County of Mesa, Colorado.

P. D. Van Allen  
Chairman

## BOARD OF COUNTY COMMISSIONERS CERTIFICATE

Approved this 30th day of OCTOBER, A.D., 1977. Board of County Commissioners of the County of Mesa, Colorado.

Richard R. Boland  
Chairman

## SURVEYOR'S CERTIFICATE

I, James T. Patty Jr., do hereby certify that the accompanying plat of Knoll Ridge Subdivision, a subdivision of a part of the County of Mesa, has been prepared under my direction and accurately represents a field survey of same.

James T. Patty Jr.  
James T. Patty Jr.  
Registered Land Surveyor  
Colorado Registration No. 9960

Bill Benson  
By: Mesa County Road Department

Date: 11-14-77



KNOLL RIDGE SUBDIVISION

PARAGON ENGINEERING, INC.

PO BOX 2872, 825 ROAD AVE., GRAND JUNCTION, COLO., 81501, PHONE 243-8966  
SEPTEMBER 1977



## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Sunday, June 25, 2023 3:58 PM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by Kevin A West:

I live across the street from the lot in question. I have read the other comments by neighbors in the area and I agree completely on all accounts including safety concerns and fire access, wildlife impacts, and privacy. Like many others, I too chose this area due to the large lots and the lack of development. I have been told some of the area around us is even under conservation easements to prevent such development. The land to the south of the lot in question is separated from our area and should not impact ours. The access into and out of that developed subdivision is distanced from our area. Rezoning here would set a precedent for developing our lots - something the overwhelming majority do not want and has never been intended for. In addition, we already have a problem of increased traffic down F 1/2 rd. Others are using our road as a thoroughfare from 26 to 26 1/2 rd and routinely drive down the road at excessive speeds. Many families along our area have children that play and we do not need nor desire any change that will undoubtedly result in more traffic to our area. Lastly, the proponents have said they wish to develop for their daughter. I fully support them living side by side as family... just not against the current zoning rules. There has been two adjacent lots for sale in the last 6 months they could have purchased to live next to each other but they have not chosen that route. And while they may build one lot for their daughter, they might not. There is nothing in place that would stop this from simply being a financial decision to develop land and profit off of it and sell the new homes to the highest bidder. They purchased this lot knowing the zoning restrictions and now want to change the rules. Ultimately, I am strongly opposed to this new change and recommend denial of the request. It seems clear to me that approval of such a request negatively impacts all those around them. The neighbors as a whole are unanimously united in our recommendation for denial.

You can approve or reject the comment [here](#).

## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Sunday, June 25, 2023 3:06 PM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by James E Benson:

Apparently no one from the planning department has looked at the access into this property. Not only can a fire truck not enter this property. But no large vehicle can. These people applied for this split which is ludicrous in the first place when taking into account the size of neighboring properties using a neighbor to the East 's property as part of their driveway. After the news of this proposed sub division leaked out. The owner promptly had his property surveyed and formally took back that access. Why did this application get to this point. Shoe hornng 3 properties into a medium sized , nearly land locked property , reeks of greed. I would guess that if this passes. The owners sells the entire mess off and moves to another semi rural to seek another opportunity Just say no .

You can approve or reject the comment [here](#).

This email was delivered by [gjspeaks.org](https://gjspeaks.org)



## David Thornton

---

**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Saturday, June 24, 2023 9:22 PM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by Nancy pensak:

I'm calling because I think that the reason on Knoll Ridge is way out of line for the area this in all of the home so you can here and all around us in every direction have around an acre or three quarters of an acre in your ear taking this and making it you know putting for houses on an acre and I think that's just out of line but the main problem that I see is that through that property is an easement the city owns to put a roads are there so that our subdivision and Northridge has another exit our entry point because as it is right now we only have one way to get in and out of the subdivision and if you look on any city map even though was in the phone book you will see that it has a road showing from Northridge all through it Knoll Ridge 2 1/2 Road that road doesn't exist. but we needed and we'll probably need it more in the future particularly if you open us up to 7th Street so before you start putting all these houses Crandall this little lot you need to make sure that the city's still owns the easement and is able to put a road through there without it going through somebody's house and I think I already there's a storage shed over there on city property so take a look at that before you just turn over this and look at the tax dollars of oh boy some more houses anyway please think about this it's out of line and you really need to watch that easement. thank you

You can approve or reject the comment [here](#).

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This email was delivered by [gjspeaks.org](https://gjspeaks.org)

## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Saturday, June 24, 2023 7:42 PM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by Anne Chamberlin:

Dear Planning Commission, As an abudding neighbor to 645 Knoll Ridge Lane I am very concerned about rezoning and the following increased property density without proper access for fire trucks and other emergency vehicles and am in opposition to it. The Planning Comission is in agreement with the lack of safe access to the Knoll Ridge Property based on the Planning Commision Agenda Item summary, which states "an additional right -of - way would need to be provided, or other access be established such as providing adequate access (including fire access) through adjacent lots or property to provide adequate access utilizing Koll Ridge Lane a minimum of 20 feet throughout the length of the driveway as needed." The Planning Clearance form 2006 clearly states that Knoll Ridge Lane is not a public street and in my opinion it should not become a public street. This additional right- of-way and access is not available from me, Anne Chamberlin, the owner of 2605 F 1/2 Rd, the property adjacent to the west side of the current private driveway of 645 Knoll Ridge Lane. In conversations with Max Smith, the owner of 2611 F ½ Road, the property adjacent to the east side of the current private driveway, he is also not amenable to providing land to widen the driveway. Aside from this a 20 foot wide city street where Knoll Ridge Lane currently lies would not provide adequate setbacks for buildings on Max's property. "The purpose of the R-4(Residential –4du/ac)zone district is to provide for medium-low density, single-family and two-family residential uses where adequate public facilities and services are available" per the Planning Commission Agenda. This is not a location where adequate public facilities and services are available. Installation of adequate facilities and services would be hugely disruptive to the surrounding community and wildlife habitat. At the community meeting we were told that the rezone was in order for the Jones's daughter to build a house on the property, not for the desired outcome of increasing housing density in the community. The plan that was proposed was to split the lot into 3 lots, but only build one additional unit. This would not be in accordance with the R4 zoning requirements that require a minimum of 3 units on an R4 property. Aside from my safety concerns I am in agreement with the comments left



by neighbors. I have concern for the wildlife population that lives in the area, concern for property values of the community, concern for pedestrian safety, concern of setting a precedent to rezone our R-1 community. Rezoning is intended to help improve the city and the general community, however this rezoning only benefits one family and has a negative impact on the rest of the community. Sincerely, Anne Chamberlin, MD

You can approve or reject the comment [here](#).

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This email was delivered by [gispeaks.org](https://gispeaks.org)

## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Saturday, June 24, 2023 1:27 PM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by Kevin & Heather West:

My husband and I are Texas Natives, and the one thing that really brought us to purchase the home we did was that it came with a substantial lot. Being from wide open spaces, this really appealed to us. We did not choose to purchase a home in a neighborhood with small lots or overdeveloped areas. We loved the idea of the homes having a little piece of land, seeing livestock around us and even the abundance of wildlife we see each day. This is such an amazing community we have built here, with likeminded families. Safety is always of important. I agree that this could pose an issue with the fire department, but another issue that arises is the increased traffic. F1/2 Rd has become a very busy roadway. We are fortunate to have a gated home where we feel our children can play safely outside. Many days I see people flying down this road, and often appears they struggle to stop at the stop sign at 26 Rd. If you were to divide the lot of concern it would only increase the already crowded roadway. I oppose the division of the lots for the above reasons.

You can approve or reject the comment [here](#).

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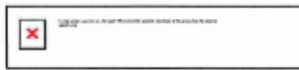


## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Thursday, June 22, 2023 4:15 PM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by David B. and Linda M. Sigismund:

We are writing in opposition to the proposed Knoll Ridge Rezone. Our primary objection to the rezone is that it will have a damaging impact on the 5 neighbors living adjacent to the property. As the neighboring houses were built at a time when the Knoll Ridge property was a small pasture, the neighboring houses were designed and built without great need to create privacy from nearby facilities. They have large windows, patios and play yards largely open to the former pasture. Due to the placement of the existing house on the Knoll Ridge lot, subdivision will mean any new buildings will likely have to be placed close to the neighboring yards, significantly impacting the remaining ambiance and privacy of those neighbors' properties. This will, in all likelihood, reduce the desirability and value of those neighboring properties. Sincerely, David B. and Linda M. Sigismund

You can approve or reject the comment [here](#).

This email was delivered by [gjspeaks.org](https://gjspeaks.org)

## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Wednesday, June 21, 2023 11:29 AM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by Mario Accettura:

To start, I agree with the safety aspect of not being able to get fire equipment to the property. If you have two additional houses on the property that will also increase the potential for risk. As our houses, butt up to this property line, it also places us at risk in the event of fire emergency. In addition, I feel those of us in this neighborhood purchased and moved to this area specifically for the larger lots of property. We enjoyed the fact that we do not have a densely populated neighborhood. I know there are those who say this is right next to an R4 area, and should not make a difference. However, that neighborhood is separated from ours by the irrigation canal. This give us the sense of separation from a cookie cutter neighborhood. My last opinion on this issue is the impact it will have on the wildlife population we enjoy in the area. We get to see deer, fox, racoons and various other wildlife on a daily basis. additional housing and traffic will greatly reduce this wildlife. The will be force to move out from where they have called home for several years. We have the same deer herd come through every year where we get to see the young ones grow and become adults. This would come to an end with the addition of more houses.

You can approve or reject the comment [here](#).

This email was delivered by [gjspeaks.org](https://gjspeaks.org)



## David Thornton

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**From:** Grand Junction Speaks <no-reply@gjspeaks.org>  
**Sent:** Wednesday, June 21, 2023 6:40 AM  
**To:** David Thornton  
**Subject:** [Grand Junction Speaks] Comment submitted for: Knoll Ridge Rezone

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



The following comment has been submitted for Knoll Ridge Rezone by Miles and Patsy LaHue:

645 Knoll Ridge Lane is a flag lot situated in the middle of 1-5 acre parcels. We have lived here for 43 years and this area has been zoned R-1 for many years. The area is populated with deer and every kind of wildlife imaginable. The planning dept said that this property is adjacent to R-4 but the large Grand Valley Canal separates Northridge Subdivision R-4 and our R-1 zoning (two completely separate areas). The owners want to build a house for their daughter and it is hard to understand why they have to jump from R-1 to R-4? This rezone will set a precedent in the neighborhood and encourage dense development on the remaining undeveloped parcels in a charming rural north area of the city. Obviously we and our neighbors bought in this area because of the space and character of the area. In addition the driveway going into this lot is very narrow and the adjacent neighbor has taken back ground he once gave up for the driveway when the house was originally built. It looks almost impossible to get any large firetrucks or emergency vehicles into the property. We urge you to decline this rezone, to save our neighborhood and let us know that we do have a voice in this city. We have been told that a relative of the petitioners works in the planning department and we think this might introduce a certain bias.

You can approve or reject the comment [here](#).

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This email was delivered by [gjspeaks.org](https://gjspeaks.org)

February 23, 2023

Dear Rezoning Committee,

We, the neighbors of 645 Knoll Ridge Ln, (RZN 2022-1895) are writing to express our strong opposition to the proposed rezoning of 645 Knoll Ridge Ln, from an R-1 lot to an R-3 lot, which would be detrimental to our neighborhood.

Per our review of plot maps, title descriptions and deeds it is our understanding that access to 645 Knoll Ridge Ln is currently over Max & Derek Smith's property, 2611 F ½ Rd. This access was granted based on a neighborly agreement and there is no documented easement that we are aware of. Knoll Ridge Ln was initially designated as to serve the now abandoned Knoll Ridge subdivision. The Knoll Ridge subdivision was created as two lots; "Lot 1," 2611 F ½ Rd and "Lot 2," 645 Knoll Ridge Ln. Knoll Ridge Ln would have extended from F ½ road across the canal to connect with Northridge Dr. When the city decided this was not a good location for a subdivision a portion of the access road for Knoll Ridge subdivision was deeded to Lot 1 and is now owned by the Smiths. This left access to 645 Knoll Ridge Ln either off the canal or over the canal.

For 645 Knoll Ridge Ln to be subdivided and support three lots it will require significant infrastructure upgrades. This would include running new utilities to the property and according to Development Standards (Chapter 21.06.010 b.3.i) a 20 feet wide street that meets Fire Code. According to our understanding of current property lines the owners of 645 Knoll Ridge Ln do not own 20 feet of property where the proposed street would be. In order to obtain a 20 feet wide street they would need to change their access to the previously designated access routes; along Northridge Rd and across the canal, along 26 Rd and down the canal or they will need to obtain property from the owners of 2605 F ½ Rd and 2611 F ½ Rd. Neither property owner of these two addresses is ready to concede their property for this cause.

If the owner's of 645 Knoll Ridge Ln were able to obtain the land for a road between 2605 F ½ Rd and 2611 F ½ Rd, there is concern that a 20 feet road running between 2605 F ½ Rd and 2611 F ½ Rd would not leave room for required building setbacks on these properties. Per Mesa County Community Development Department Planning Division Chapter 5, Zoning Districts, required street setbacks for a RSF -1 for a principal building it is 20 feet, for an accessory building it is 25 feet.

Our neighborhood was zoned for larger lots and this is the reason we bought homes in this neighborhood. Subdividing this property is not consistent with the zoning in the area and would require an exception to accommodate this request. Due to the location



of the current residence on the lot a rezoning would create one larger lot and two smaller lots creating further lot size disparity in our neighborhood. Subdivision of this lot sets an unwanted precedent for rezoning our neighborhood from R-1.

Subdivision of larger lots in our neighborhood into smaller lots would decrease lot size, increase housing density and result in decreased property values for the surrounding area.

The larger open lots in our neighborhood serve as habitat for wildlife and further development will further destroy this habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat.

Members of our neighborhood walk on F ½ and we already have increasing trouble with pedestrian safety and speeding vehicles. Increasing the house density on F ½ would only worsen this issue.

Rezoning is intended to help improve the city and the general community, however this rezoning only benefits one family and has a negative impact on the rest of the community. As the immediate neighbors to 645 Knoll Ridge Ln, we strongly urge you to not approve the proposed rezoning.

Thank you for your continued service and support of our communities.

Best regards,

The neighbors of 645 Knoll Ridge Ln.

*Anne Chamberlin*

Anne Chamberlin  
2605 F ½ Road

*Mario Accenttura*

Mario Accenttura  
648 26 Road

*Mike Archer*

Mike Archer  
648 26 Road

*Carol Archer*

*Max Smith*

Max Smith  
2611 F ½ Road

*Cari Jackson*

Cari Jackson  
2611 F ½ Road

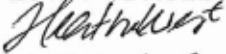
*Derek Smith*

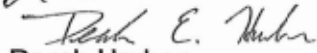
Derek Smith  
2611 F ½ Road

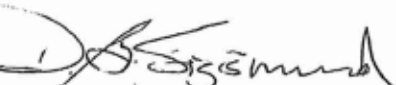
Kevin West  
2612 F 1/2 Road



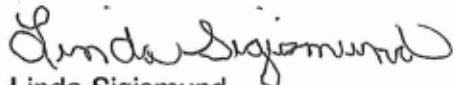
Heather West  
2612 F 1/2 Road



  
Derek Hrubes  
651 26 Rd



David Sigismund  
649 26 Rd



Linda Sigismund  
649 26 Rd



Patrick Cahill  
640 26 Rd

Molly Cahill  
640 26 Rd

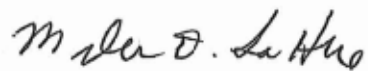


Peggy Pilcher  
645 26 Rd

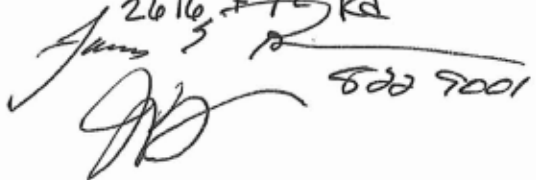


Ray Pilcher  
645 26 Rd

MILES + PATSY LAHUE  
647 26 ROAD



James E + Jo Ann Benson  
2616 F 1/2 Rd

  
800 9001



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING FROM R-1 (RESIDENTIAL - 1 DU/AC) TO R-4  
(RESIDENTIAL – 4 DU/AC) ZONE DISTRICT**

**LOCATED AT THE 645 KNOLL RIDGE LANE  
Tax Parcel No. 2945-023-20-002**

Recitals:

The property owners, Christopher E. Jones, and Patricia A Jones, proposes a rezone from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) on a total of 1.54-acres, located at 645 Knoll Ridge Lane.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Residential Low (2 – 5.5 du/ac) of the 2020 One Grand Junction Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that rezoning from R-1 (Residential – 1 du/ac) to R-4 (Residential – 4 du/ac) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the R-4 (Residential – 4 du/ac) zone district, is consistent and is in conformance with the Comprehensive Plan and at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned R-4 (Residential – 4 du/ac) on the zoning map:

Lot 2 of Knoll Ridge Subdivision as recorded at Reception No. 1146719 of the Mesa County Clerk and Recorder's Office, County of Mesa, State of Colorado. Said parcel contains 1.54 acres.

**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.

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Anna M. Stout  
President of the Council

ATTEST:

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Amy Phillips  
City Clerk





## Grand Junction Planning Commission

### Regular Session

Item #2.

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**Meeting Date:** July 25, 2023

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

**Department:** Community Development

**Submitted By:** Kristen Ashbeck, Principal Planner

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### **Information**

#### **SUBJECT:**

Consider a Request by M & D Enterprises for a Conditional Use Permit to Allow Sand and Gravel Extraction on a Total of 27.8 acres in a CSR (Community Services and Recreation) Zone District Located at 2855 C 1/2 Road (continued from July 11) - **ITEM WILL BE REHEARD IN FULL ON AUGUST 22, 2023**

#### **RECOMMENDATION:**

Staff recommends conditional approval of the Conditional Use Permit.

#### **EXECUTIVE SUMMARY:**

The Applicant and owner of the parcel, M & D Enterprises, LLC, is proposing to establish a gravel extraction operation on the property located at 2855 C 1/2 Road along the north bank of the Colorado River just west of 29 Road. A Conditional Use Permit for the mining use is required in the Community Services and Recreation (CSR) zone district.

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

##### **Gravel Extraction Industry**

Colorado Revised Statutes Title 34 governs mineral resources. Section 34-1-305, Preservation of Commercial Mineral Deposits for Extraction specifically states that "no board of county commissioners, governing body of any city and county, city, or town, or other governmental authority which has control over zoning shall, by zoning, rezoning, granting a variance, or other official action or inaction, permit the use of any area known to contain a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor."

Thus, the City complied with state statute when it zoned the property at the time of annexation to CSR which allowed for the gravel extraction to be conducted. The CSR

zone district is consistent with the Comprehensive Plan as it implements the Residential Medium land use category assigned to this property.

Sand and gravel are key building materials required for most development projects within the Grand Valley, including both public and private capital improvements projects. Road base, asphalt, concrete, and building foundations all depend on access to these materials. From a geologic perspective, accessible sand and gravel deposits are found most prominently near the Colorado River, making this site an important local resource for developers, builders, and contractors. Ongoing growth in the Grand Valley continues to increase demand for these materials and this proposed extraction operation would provide locally sourced materials to aid in meeting the demand as well as keep costs of raw materials lower due to its close proximity to growth areas.

### **2020 One Grand Junction Comprehensive Plan and Pear Park Plan**

The adopted Comprehensive Plan and the Pear Park Plan applicable to this site include goals and policies regarding the extraction of mineral resources and reclamation of mining sites.

#### Comprehensive Plan

The proposed mineral extraction use proposed for this parcel is consistent with the following section of the Comprehensive Plan:

Plan Principle 2: Resilient and Diverse Economy

Goal 3: Promote Business Growth for a Diverse and Stable Economic Base

G. Continue to allow responsible mineral and resource extraction and processing as well as businesses that support these industries.

#### Pear Park Plan

The Pear Park Plan recognizes that gravel and sand are necessary resources for a community. It is needed for construction projects to serve a growing population and is essential to the local economy. The plan states that gravel deposits should be extracted according to a rational plan that avoids waste of the minerals and causes the least practicable disruption of the ecology and quality of life of the citizens of affected areas.

With input from the Pear Park area gravel industry and using the 1978 Mineral Resources Survey of Mesa County, a Pear Park Neighborhood Plan Mineral Resources Map was included as part of this Plan (see plan attached to staff report). The 1978 Mineral Resources Survey of Mesa County states that the "Colorado River terrace deposits exist in the Pear Park area and these deposits are about 12 to 22 feet thick with 10 to 15 feet of overburden." Gravel extraction in the planning area occurs along the north side of the river wherever access is available and practical. Much of the gravel is used for building materials and highway projects. This site is clearly shown on this map as a potential gravel resource area.

Mesa County and the City of Grand Junction are very interested in the reclamation of sites after the resources are removed. The Colorado Mined Land Reclamation Board



has developed standards and procedures for reclamation plans. Within their authority, the County and City work with mining permit applicants to identify appropriate uses and landscape forms for the reclamation plan. Preferred uses are those consistent with the adopted land use plan or providing quality recreation or open space and wildlife habitat opportunities.

### **Site Conditions**

The 27.8-acre property is located at 2855 C ½ Road along the north bank of the Colorado River, just west of 29 Road. The owner/operator and permittee is M & D Enterprises, LLC.

The current site condition is predominantly vacant former agricultural land, with weeds/grasses groundcover and shrubby vegetation along the north bank of the Colorado River. Much of the existing vegetation along the river has been cleared in anticipation of construction of the future segment of the Riverfront Trail in this area. The site will be reclaimed to a groundwater lake and surrounding rangeland. Upon successful review of this Conditional Use Permit, a Colorado Division of Reclamation, Mining, and Safety (CDRMS) 112 Construction Material Reclamation Permit Operation Application will be submitted to the CDRMS for this project.

### **Operations Summary and Mining Plan**

The C ½ Road gravel extraction operation (pit) will excavate, process, and send offsite construction materials from an 18.3-acre affected area. Much of the product from the C ½ Road pit will supply raw material for concrete production facilities in the area, especially to be used for City and private construction purposes in the vicinity.

The site will be mined over 10 years; day-to-day excavation will focus on one smaller area at a time and progressively shift around the area as time progresses. The operations will include screening, crushing, and conveying equipment in addition to large vehicles moving the mined materials.

Earthwork operations will begin at the south end and move to the north end of the site, maintaining the required setbacks from the Colorado River. The topsoil will be removed and stockpiled in berms around the perimeter of the excavation site. Next, the sands and gravel will be mined using track hoes, front-end loaders, and bulldozers. To process the sand and gravel, screens and crushers located near the center of the site will be utilized. Once the materials are processed, they will be piled onsite or loaded into trucks to be taken off site. No asphalt or concrete manufacturing will take place onsite. Given the high water table, material stockpiles will be established to allow for drying. After the sand and gravel have been removed, the area will be backfilled and compacted using the stockpiled overburden material, overburden from the next area to be mined, and imported fill materials as needed. The project will be regraded to reflect the final grades depicted on the Reclamation Plan, including the establishment of the reclamation pond. A more detailed plan of operations will be provided with the State application.

Access for passenger vehicles used by the Applicant's staff will be from existing C ½ Road. Haul trucks leaving the site will use the same access to C ½ Road. The primary haul route will then go west on C ½ Road to 28 Road then north to Riverside Parkway or east on C ½ Road to 29 Road. There will be no left turns allowed onto 29 Road from C ½ Road.

Right-of-way width exists on C ½ Road for any future improvements needed to develop it as a Minor Collector as depicted on the Grand Junction Circulation Plan. A 14-foot multipurpose easement will be dedicated along C ½ Road as shown on the Site Plan. The proposed exhibit and legal description of the easement shall be provided to the City to be incorporated into a conveyance document prepared by the City for the applicant's signature.

### **Surrounding Land Use**

The surrounding land uses include other vacant land as well as large lot single-family residential homes. All surrounding property is outside of City limits and zoned RSF-R (Residential Single Family Rural) in Mesa County. The site of the proposed gravel extraction operation was recently annexed into the City and zoned CSR which is an implementing zone district for the Residential Medium Land Use depicted in the Comprehensive Plan Future Land Use Map. Location of this operation within an existing rural area, with other nearby sand and gravel pits on the east side of 29 Road, the needed construction materials can be provided to public and private users at reasonable cost without disturbance of more densely populated residential neighborhoods, commercial corridors, or public spaces such as parks and schools.

### **Reclamation**

Reclamation will occur as portions of the permit area are mined. Final reclamation of the permit area will occur after all mining activities have been completed. Final use of the permit area is proposed to be rangeland with a groundwater lake for the benefit of local wildlife or potentially recreational use due to its proximity to the Riverfront Trail. Once revegetation has been completed on the site, the drainage patterns will be improved since surface water runoff flows will be routed to the alluvial aquifer of the Colorado River directly via the lake in place following reclamation. No exposed soils or other disturbed ground will be present that will generate soil losses that are greater than pre-mine conditions. No other stormwater control structures such as detention basins will be needed during the life of or after the extraction operations until further development of the land. The total disturbance of the CUP area is 18.3 acres. The post-mining land use of rangeland and a lake will be compatible with the current existing land uses in the area but does not preclude the property from being rezoned and/or developed for residential use in the future.

The Reclamation Plan also shows the location of trails to be constructed on the site per the City's Active Transportation Corridor Map. One trail is to run east-west through the site as part of the Riverfront Trail system and the other is a north-south trail along the west side of the site that will connect the Riverfront Trail system to C-1/2 Road and will continue north along an unnamed natural channel under the jurisdiction of the Grand



Valley Drainage District. The City will require easements for both trails and it is the applicant's responsibility to construct both trails. It is anticipated that the north-south trail will not be constructed until the time of site reclamation, but an easement will be granted prior to commencement of mining operations. However, construction of the east-west trail is anticipated to occur prior to reclamation as the State of Colorado Division of Parks and Wildlife is presently designing that segment of the Riverfront Trail from the eastern edge of The Eddy property (just east of 27 ½ Road alignment) to 29 Road. Thus, a blanket easement to the City for trail construction across the entire 100-foot setback of the mined area from the Colorado River is required as a condition of approval, with the understanding a more specific easement will be granted to the City for the trail once an alignment is determined based on the trail design. If the City/State/Riverfront constructs the trail prior to reclamation, the applicant will still need to pay for the cost of construction of the portion that is on their property. The applicant may also opt to construct the trail themselves at any time if desired.

In addition to the Reclamation Plan, a Landscape Plan for the site has been submitted as part of the Site Plan Review process which indicates planting conditions during the gravel mining operations, including the provision of required street frontage landscaping and areas of natural vegetation to be undisturbed and retained.

Slopes in the extraction will be mined to their final 3:1 slope, therefore no backfilling will be required. Throughout the reclamation process, topsoil will be replaced to a depth of 0-24 inches (12 inches on average) on all disturbed areas except those areas that will become the groundwater lake and the access roads. Disturbed areas will be seeded with fertilizer and straw mulch applied.

### **Schedule**

Mining will start as soon as all permits have been obtained and continue over the life of the pit which is anticipated to be up to 10 years, with an additional 2 years needed for reclamation.

### **Neighborhood Meeting**

A Neighborhood Meeting was held on June 29, 2021 via the Zoom virtual platform. In addition to the applicant's representative and City staff, the meeting was attended by nine persons. Participants asked questions about future use of the property, dust and noise mitigation during mining operations, traffic and C ½ Road improvements.

## **ANALYSIS**

### **Conditional Use Permit**

Section 21.02.110(c) of the Zoning and Development Code outlines the criteria by which a Conditional Use Permit is reviewed. Analysis of the proposal relative to the criteria is included below.

**(1) District Standards.** The underlying zoning districts standards established in Chapter 21.03 GJMC, except density when the application is pursuant to GJMC

21.08.020(c);

The proposed development site and associated plans included with the CUP application indicate that all standards of the CSR zone district will be met. This proposal includes a concurrent Site Plan Review to be approved upon successful completion of the CUP application. The Site Plan will ensure compliance with all district standards. The most pertinent standards of the zone district are discussed below.

Setbacks – This section defines and requires measurements for the following parameters that apply to this application; lot area, lot width, street frontage, setbacks, building height, and story height. This section also defines and requires measurements for the following parameters, all of which are not applicable to this application; blank wall area, transparency, and density/intensity. There will not be any buildings on the site; thus, setbacks do not apply.

Development in a Mixed-Use Zone District (CSR) – Section 21.03.07(f) CSR: Community Services and Recreation, is relevant to this application, due to the property being zone CSR at the time of annexation. The purpose of CSR zoning is to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. CSR zoning explicitly states that the district may be used for extractive operations, specifically gravel pits. The final primary post-mine land use of the site as rangeland and a groundwater pond could provide recreational opportunities while also providing an open space corridor and habitat for some wildlife. Development of a gravel pit on this parcel will also act to limit development in an area susceptible to flooding, another goal of the CSR zone district designation. Mining operations on the zoned CSR will conform to the appropriate Code standards.

Given this analysis of zone district standards, Staff finds this criterion has been met.

**(2) Use-Specific Standards.** Section 21.04.030 (k) of the Zoning and Development Code outlines the criteria by which a mineral extraction operation such as this proposed gravel pit is reviewed.

Refer to the analysis included in the following section of the staff report. Based on the analysis, this criterion has been met.

**(3) Availability of Complementary Uses.** Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.

The primary complementary use required for the gravel operations project is the transportation infrastructure, provided C ½ Road is improved as proposed. The applicant will pay for its share of the improvements along the frontage of their property prior to commencement of mining operations and the improvements will be completed



by the City and Mesa County. Most of the truck traffic for the operations will be internal to the area construction materials operations. Haul trucks will access C ½ Road when traveling to and from the mining site. No new roads will be required.

Staff finds this criterion has been met.

**(4) Compatibility with Adjoining Properties.** Compatibility with and protection of neighboring properties through measures as outlined below.

(i) Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers, and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;

As indicated on the Site Plan to be approved with the CUP, setbacks from the permit boundaries, perimeter berms and screening fences will be used in order to protect the privacy of adjacent properties from the operations.

Staff finds this criterion has been met.

(ii) Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;

Gravel Extraction operations will be done in phases around the property to limit the amount of disturbed area at any given time. Activity is removed from the Colorado River to allow for the wildlife corridors. Except for areas to be cleared for construction of the Riverfront Trail, areas of existing vegetation within 100 feet of the Colorado River are preserved in the project as shown on the Landscape Plan. Environmental protection will be addressed further in the CDRMS 112 Application.

Staff finds this criterion has been met.

(iii) Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

Proposed screening fences and berms along the east and west property lines adjacent to existing residences will provide dust control, while operating hours, phased extraction, and appropriate setbacks all contribute to establishing site compatibility and integration. Since most of the mining will take place below the

water table, material excavated from the mine will be inherently wet and thus poses a low risk of generating excessive dust. Active dust suppression measures will also assist in preventing the generation of fugitive dust and the associated odors that may occur with dust migrating off-site, including the application of water for dust control on haul roads and excavation areas as needed. In addition, long term stockpiles will be vegetated to minimize water consumption for dust control as well as to prevent soil loss from said stockpiles.

The crushing/screening plant operation also uses water to control dust with water sprays at the entrance and on the screen deck. It is anticipated that the material will not require a large amount of water to control dust during processing due to its inherently wet nature. If additional dust suppression is needed at any time, additional watering will take place as determined by the Facility Manager and in accordance with GJMC.

The following Best Management Practices will be in place for the operation:

- a. All mining will occur below the existing topography, which will act to limit the migration of dust and air pollution from the site
- b. Disturbance footprint will be limited to the smallest for feasible operations
- c. Crushing and screening equipment will be equipped with water sprays in order to keep material wet
- d. Haul roads, processing and stockpile floors, and the mining area floor will be watered as needed
- e. Stockpiles will be maintained moist either from processing or from truck watering
- f. Stockpiles to be in place longer than 90 days will be seeded with the permanent seed mix

Placement of topsoil on reclaimed slopes will be seeded in the first favorable season following the placement of topsoil.

Any activity such as vehicular repair occurring before sunrise or after sundown will be on an as needed basis. Lighting for this purpose will be full cut-off fixtures as required by Code. Lights will not be in use between sundown and sunup during normal operations. This will prevent the generation of glare visible from off-site.

Solid and liquid waste will be managed through the Storm Water Management Plan (SWMP) and the Spill Prevention, Control, and Countermeasure Plan created in support of the CDRMS 112 Application. Fire hazards will be minimal at the site due to the nature of the material being handled, non-combustible sand and gravel. No hazardous material will be stored on the site. Compliance with the site development standards discussed herein will ensure compatibility with adjacent uses.

Processing equipment will be separated from the adjacent property by a distance of at least that of the nearest setback. Setbacks can be seen on the attached Site



Plan/Excavation Plan. Design compatibility will be further addressed in the CDRMS 112 Application. As previously discussed, specific operational controls will minimize/mitigate any impacts on adjacent on neighboring properties such as noise, dust, lighting, and odor.

**Riverfront Trail.** If constructed prior to reclamation of the site, the adjacent public Riverfront Trail will be buffered from the gravel extraction operations at the site in several ways as listed below:

- a. All mining will occur below the existing topography, which will act to limit the impacts from the site on the trail.
- b. The existing vegetation between the trail and the mining pit will be undisturbed by operations, including the trees and bushes found along the CUP property's southern boundary.
- c. Disturbance footprint will be limited to the smallest for feasible operations.
- d. As shown on the Site Plan, the Riverfront Trail alignment will be within the 100-foot setback from the edge of the Colorado River. This location will inherently provide a natural buffer with some existing vegetation retained between the trail and the mining operations.
- e. Mining will commence in the southern portion of the permit area and proceed northward. This means that as mining occurs, the disturbance will become progressively further from the trail, limiting the impacts to the trail with time.

Given this analysis, Staff finds this criterion has been met.

### **Use Specific Standards**

Section 21.04.030 (k) of the Zoning and Development Code outlines the criteria by which a mineral extraction operation such as this proposed gravel pit is reviewed. The purpose of this subsection is to establish reasonable and uniform limitations, safeguards and controls to wisely utilize natural resources and to reclaim mined land.

Analysis of the proposal relative to the criteria is included below.

#### **(1) Purpose.**

- (i) Gravel extraction and/or processing activities should occur on parcels of sufficient size so that extraction and reclamation can be undertaken while still protecting the health, safety and welfare of the citizens.
- (ii) Where gravel extraction and/or processing is adjacent to zoning or land uses other than I-1 or I-2, mining, handling and batch processing activities may be restricted, buffering may be required and/or disturbance/reclamation may be accelerated to be compatible with the adjacent zone or use.

The proposed gravel pit will be sited on 27.8 acres which is a large enough site to protect the health, safety, and welfare of the public and all activities can take place

within the setbacks required by the regulations. Buffering measures include a 6-foot screening fence around the property, landscaping along the C ½ Road frontage and a berm will provide a buffer to adjacent properties. Existing vegetation within setbacks will largely be left in place unless removal is required to implement elements of the Landscape and Site Plans.

**(2) Procedure.**

- (i) Commercial extraction of mineral deposits shall not begin or occur until an excavation and land reclamation plan have been approved in writing by the Colorado Mined Land Reclamation Board.

A Construction Materials Regular 112 Operation Reclamation Permit will be requested from the State of Colorado after a determination is made by the City to issue a Conditional Use Permit (CUP). The applicant would like assurance that the CUP can be issued before moving forward with the project and submitting the 112 Permit to the State.

- (ii) A plan approved as part of a CUP and/or a reclamation/development schedule being followed under previous regulations fulfills this requirement.

There is no previous approved plan.

- (iii) Asphalt, cement and/or other batch plant operations shall be subject to CUP requirements.

No asphalt, cement or batch plants will operate with this permit. All material is to be hauled off-site or to the nearby concrete/asphalt batch plant.

- (iv) A plan for a use under this subsection shall contain, in addition to those relevant requirements outlined for a CUP, the following standards (A) through (K), all of which Staff finds have been addressed.

- (A) Detailed description of the method of extraction and reclamation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;

Of the total 27.8 acres, 18.3 acres will be mined for sand and gravel. While the site will be mined over 10 years, actual day-to-day excavation will focus on one smaller area at a time and progressively shift around the areas as time progresses. The operations will include screening, crushing, and conveying equipment for gravel processing in addition to the track hoes and front-end loaders. Refer to the previous section on the Operations and Mining Plan. A more detailed plan of operations which must be consistent with that described here will be provided with the State application.



(B) An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit, and other pertinent information;

The proposed Site Plan depicts the extraction area. It is approximately 18 acres in total and averages 15 feet deep, with a higher concentration of gravel/cobbles near the southern portion of the site. The anticipated yield of sand and gravel is an estimated 450,000 tons over the projected 10 years. Topsoil and overburden materials will be moved to the east and west sides of the property, out of the floodway. Stockpiled materials and sand/gravel processing areas will generally be in the center of the site.

Reclamation of the site will be completed no more than two years after sand and gravel mining termination. The additional two years is required to deplete all stockpiled sand and gravel and complete reclamation efforts. Complete efforts include construction of the Riverfront Trail and the north-south trail if not yet constructed by that time.

(C) A detailed reclamation plan showing proposed reclamation with time schedules including, but not limited to, finish contours, grading, sloping, placement, and amount and type of revegetation, post-extraction land use plans and any other relevant information;

The reclamation and revegetation plan must follow requirements and guidelines of the applicable State permits and the City requirements. Reclamation will be completed a maximum of 12 years after the start of sand and gravel operations, and sooner if gravel operations conclude earlier than anticipated. In general, the facility will be returned to its original condition with an approximately 11.5-acre reclamation pond in the center of the property for wildlife habitat and drainage.

Once all sand and gravel resources have been mined and stockpile materials are depleted, the site will be graded to the final contours shown on the reclamation plan map. The sand and gravel mined areas will be backfilled and compacted with on-site overburden and imported fill if needed, excepting the reclamation pond area. All internal gravel haul roads will be eliminated. The site will have a slight gradient to the south, with slopes no greater than 1 percent. Based on local recommendations, the site will be revegetated with an appropriate mix of grasses that do not require irrigation.

(D) Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;

Drawings identifying existing conditions and a reclamation plan are included with the CUP application. The slope of both the existing site and after reclamation will be 0.5 percent.

(E) Type, character, and density of proposed vegetation both during excavation and as a component of rehabilitation;

The existing site is approximately 70 percent covered with vegetation that includes elm, knapweed, chicory, thistle, cheatgrass, bindweed, kochia, Russian olive, cottonwood, and tamarisk. Much of the existing vegetation is classified as noxious. As previously stated, the revegetation will be accomplished with a locally approved seed mix.

(F) The operator's estimated cost at each of the following segments of the reclamation process, including where applicable, backfilling, grading, reestablishing topsoil, planting, revegetation management, irrigation, protection of plants and soil prior to vegetation establishment and administrative cost;

The estimated costs are included in the applicant's General Project Report as summarized below, although they do not include the construction cost of trail(s):

Grading	\$8,000
Planting	\$7,000
Revegetation Management	\$1,000
TOTAL ESTIMATED COST	\$16,000

(G) A drainage plan and report prepared by a Colorado registered professional engineer with consideration of natural drainage, drainage during excavation and drainage after reclamation such that the proposed reclamation and excavation will have no adverse effect in excess of natural conditions. Where applicable, the Director may require a floodplain permit (see GJMC 21.07.010, Flood damage prevention);

A drainage report was included with the CUP application and reviewed by the City Development Engineer.

(H) Traffic analysis, which reviews road capacity and safety conditions/considerations for and within the neighborhood, as that term may be defined and applied by the Director. The Director may reduce or enlarge the neighborhood to be analyzed upon a finding of a hazard or hazardous condition. The traffic analysis shall generally conform to and address TEDS standards (GJMC Title 29) and shall include but not be limited to ingress/egress, parking and loading, on-site circulation, number of trucks per day and the capacity of roads, streets, bridges, intersections, etc.;

A traffic analysis was provided with the CUP application. Access to the site will remain a single point on C ½ Road at approximately the same location as existing access. Prior to approval of plans to begin the operations, the applicant will pay its share of the cost to make improvements to C ½ Road. The City and Mesa



County will share the remainder of the cost. The applicant is agreeable to this cost-sharing approach to improving C ½ Road.

(I) An erosion control plan for runoff and wind-blown sediments shall be provided for the mining operation and the reclamation;

A Stormwater Management Plan (SWMP) was included in the CUP/Site Plan Review application which details measures that will be undertaken to control erosion caused by runoff. The SWMP was reviewed by Mesa County Engineering and the applicant is required to obtain required permits prior to the City signing plans to begin operations.

(J) Additional information that is required because of unique site features or characteristics may be required by the Public Works and Planning Departments; and

Trails per the City's Active Transportation Plan are shown on the Site Plan and Reclamation Plans. A 15-foot trail easement for the north-south trail will be dedicated to the City prior to plans being signed and commencement of mining operations. The north-south trail will be constructed by the applicant at time of reclamation. Construction of the Riverfront Trail may occur prior to reclamation. Therefore, the applicant is to provide a temporary 100-foot-wide blanket easement across the 100-foot river setback for mining operations at the time plans are to be signed to begin operations. A narrower easement will be provided at the time of trail construction, whether by the applicant, the City, or the Colorado Department of Wildlife and Parks. If constructed by others, the applicant is still required to pay its share of the construction cost.

(K) Upon approval, the excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder. Any change in excavation or reclamation plan shall be prohibited unless amended through the Conditional Use Permit process.

The excavation and reclamation plans will be recorded as required by Code pending favorable action by the Planning Commission. If these plans change upon review and finalization with the State permit, the Applicant may be required to amend this CUP if approved.

### **(3) Standards.**

The following standards (i) through (xxvi) are to be addressed by the Applicant, all of which Staff finds have been met.

(i) Mineral extraction, washing, crushing, cement and asphalt batch plant and other mined products related uses shall be subject to an approved excavation permit, well permit, air pollution permit, reclamation plan and any and all other

permits, certifications or requirements of the State or federal agencies having jurisdiction as required;

The applicant understands that State and/or other applicable permit(s) will be a condition of approval for this CUP.

(ii) Excavation or deposit of overburden is not permitted within 30 feet of an abutting parcel, an easement, an irrigation ditch or canal or right-of-way unless by written agreement of the owner of such property, easement, irrigation ditch, canal or right-of-way;

A 30-foot setback will be maintained from property/permit boundary as indicated on the Site Plan provided with the CUP application.

(iii) Excavation within 125 feet of an existing residence is not permitted unless by written agreement of the owners and occupants of the residence. No rock crushing, asphalt/cement plant or other similar equipment or operations shall take place any closer than 250 feet of a residence. The Planning Commission may require a greater distance if the operation is abutting a residential zone district. Excavation, loading, handling, processing, and batch operations adjacent to residentially zoned parcels shall not exceed 65 decibels at the property line of any adjacent parcel;

There are three residences adjacent to the property and two residences and an Accessory Dwelling Unit (ADU) north of C ½ Road. A minimum 250-foot buffer will be provided between each residence and all rock crushing activities, and a minimum 125-foot buffer for all mining activities as shown on the Site Plan.

(iv) At a minimum, 100 feet greenbelt setback shall be provided from jurisdictional wetlands or navigable watercourses as the same are defined by the U.S. Army Corps of Engineers (USACE). The Director upon recommendation and consent of the USACE may vary this standard;

A 100-foot greenbelt setback is provided from the Colorado River along the southern edge of the property. This is the same as the 100-foot water setback detailed on the Site Plan. No wetland disturbance is planned at this time based on the Wetland Delineation Report included with the CUP application. Refinement would be necessary if a U.S. Army Corps of Engineers permit is required, but that appears unlikely.

(v) Existing trees and vegetation shall, to the extent practicable, be preserved and maintained in the required setback to protect against and reduce noise, dust and erosion. The Director may require vegetative screening and/or buffering in accordance with this code in order to minimize the impact to dissimilar adjacent uses or zoning districts;



Existing trees and vegetation, to the extent practicable, will be preserved and maintained in required setbacks to protect against and reduce noise, dust, and erosion. Setbacks are shown on the Site Plan.

(vi) The owner or operator shall submit a traffic analysis;

As previously discussed, a traffic analysis was completed as part of the CUP application. Improvements to C ½ Road are required and the applicant shall share in the cost of the improvements as previously discussed.

(vii) The Director of Public Works may place restrictions on right-of-way use after review of the traffic analysis. Restrictions may include but are not limited to the owner or operator being responsible for the extraordinary upgrade and maintenance of the designated haul route;

A haul road plan was included in the application. Access to and from the project site will be from C ½ Road only, with westbound trucks going left to 28 Road and north to Riverside Parkway and eastbound trucks going right to 29 Road. No left-hand turns are allowed on 29 Road.

(viii) Streets, bridges and highways designated as haul routes shall be maintained by the owner/operator in a reasonably clean condition. This may include, depending on local conditions, watering, oiling, or sweeping as determined by the Director;

Provided the operations plan and standard Best Management Practices are followed, this standard will be addressed.

(ix) Hours of operation shall be restricted to 6:00 a.m. to 6:00 p.m. The Director may authorize different hours; however, the Director may also restrict as part of the CUP the hours of operation near residential or urbanized areas;

The planned hours of operation will be 7:00 am to 5:30 pm, typically Monday through Friday. However, there are infrequent needs to provide some flexibility to work later into the night or perhaps on a weekend to accommodate work schedules when a project may need to be worked on at night or on a weekend (e.g. typically a City or other public project) to minimize disruption to traffic.

(x) In no event shall a slope of steeper than 2:1 be left for dry pits. A pit with a slope of 3:1 or steeper shall not exceed a depth of 10 feet. The floor of excavation pits, whether wet or dry, shall be left in a suitable condition;

The excavation of the gravel pit will follow these guidelines.

(xi) The owner/operator shall not excavate, store overburden or mined material or dike the property in such a manner as to increase any drainage or flooding on property not owned by the operator or damage public facilities and/or property;

There is no offsite drainage generated by the site. All runoff occurring within the property will be contained in earth berms at the edge of the site.

(xii) Prior to starting operation, where the operation is adjacent to subdivided and/or developed commercial or residential property, the Director may require buffering and/or screening. Required fencing, screening and/or buffering shall not be removed until reclamation has been completed;

The site will have a minimum buffer of 30 feet around the entirety of the property and will also follow the required excavation and crushing buffers. A 6-foot screen fence will also be installed, not be removed until reclamation is complete. This information will be provided in greater detail in the CDRMS 112 application.

(xiii) After mining has been completed, the site shall not to be used to stockpile sand and/or gravel except in I-1 and I-2 with a CUP. In any event the owner/operator is to reclaim the site as rapidly as possible;

Once mining is complete, all processed materials will be removed and the site will be reclaimed per the plans approved with the CUP as well as the CDRMS 112 permit.

(xiv) Operations shall comply with the noise, vibration and other applicable standards and requirements of this code. If there are conflicting or competing provisions in this code, the most stringent shall apply;

Operations will work within the applicable standards of the Zoning and Development Code. This information will be provided in detailed documents to be included with the State permit application.

(xv) All air emissions shall comply with standards established by the Mesa County Health Department, State Health Department and Colorado Air Quality Control Commission;

This project will comply with all applicable standards. This information will be provided in detailed documents to be included with the State permit application and an Air Permit will be secured from the Colorado Department of Public Health and Environment as required.

(xvi) All water use and/or discharge shall conform to standards established by law and administered by the Environmental Protection Agency (EPA), the Colorado Department of Public Health and Environment (CDHPE), the City of Grand Junction and the Mesa County Health Department;

Water use and/or discharge will conform with applicable standards. This information will be provided in detailed documents to be included with the State permit application and permits from Mesa County and the Colorado Department of Public



Health and Environment (CDPHE) will be obtained prior to plans being signed by the City to begin mining operations.

(xvii) All slopes shall be stabilized. Land remaining at the natural water level must be revegetated in a manner compatible in type as/with the immediately prevailing area. Revegetation plans are required and shall minimally meet the standards of the Colorado Mine Land Reclamation Board;

A Reclamation Plan is included with the CUP application, and revegetation will take place as in accordance with State guidance. This information will be provided in detailed documents to be included with the State permit application.

(xviii) All disturbed areas shall be revegetated in accordance with the vegetation plan;

All disturbed areas will be revegetation with a suitable seed mix in accordance with the Reclamation Plan and State requirements. The State permit will include a revegetation plan. In addition, a Landscape Plan was submitted for the Site Plan Review that addresses this standard.

(xix) Following initial revegetation efforts, the revegetated area shall be maintained for a period of three years or until all vegetation is firmly established in the reclamation area;

The reclaimed area will be maintained for a period of three years to ensure that vegetation is firmly established. The CDRMS 112 Application will address this standard and includes the revegetation success criteria.

(xx) A timetable for reclamation shall be placed on each project. Timelines, including but not limited to milestones, if any, shall be dependent upon the type and size of reclamation effort;

Reclamation shall be completed approximately two years after mining operations are complete.

(xxi) Proof of a reclamation bond shall be submitted, along with the required reclamation plan;

A Reclamation Plan has been included with the CUP application materials and proof of a reclamation bond will be included as part of the conditions of approval. This information will be provided in detailed documents to be included with the State permit application.

(xxii) A development schedule shall be submitted describing the life span of the project in years (ranges are acceptable) and, if applicable, the years per phase;

The mining will take place in one phase lasting approximately ten years. Reclamation is expected to be completed two years after mining is completed.

(xxiii) If the development schedule is not met the Conditional Use Permit:

- (A) May be revoked;
- (B) The Director may grant a two-year extension per request;
- (C) The Planning Commission shall have the power, after hearing, to revoke any conditional use permit for any violation;
- (D) Upon at least 10 days' written notice to the owner, the Planning Commission may hold a hearing to determine the nature and extent of the alleged violation, and shall have the power, upon showing of good cause, to revoke the permit and the plan and to require reclamation of the land;
- (E) If not extended or revoked, a new application and extraction plan will need to be submitted and reviewed in the manner described in this subsection;
- (F) An extension request shall provide information in writing detailing the reasons for the request. The Director shall consider the stated reasons, as well as the extent conditions have changed in the area, if any, before granting an extension;
- (G) If a written request to extend the development schedule is submitted to the Director it shall include but not necessarily be limited to the factors and reasons for the requested extension. New conditions may be imposed as a part of the granting of an extension. New conditions, if any, may be appealed to the Planning Commission to be considered at a public hearing;
- (H) The Director may forward any extension request to the Planning Commission;
- (I) Extension requests will be evaluated by the Director and/or Planning Commission on the same basis and with the same information as per the Conditional Use Permit process;

The Applicant understands that the development schedule shall be met and the parameters by which revocation and extension may occur.

(xxiv) If the use has not operated or if no material has been extracted in accordance with the development schedule or any extension thereof, the conditional use permit shall expire;



The Applicant understands that the Conditional Use Permit shall expire if the use has not operated or if no material has been extracted within the development schedule.

(xxv) Signage for public safety is required; and

A freestanding sign will be erected near the proposed entrance at the north end of the project site to post State of Colorado required identification information. The sign will be less than 1.5 square feet.

(xxvi) Fencing around the perimeter of the property is required.

As indicated on the Site Plan, a 6-foot perimeter screening fence will be provided as part of the construction process. The fence will be removed when mining operations are complete, and the permit area is reclaimed.

### **Findings of Fact and Staff Recommendation**

After reviewing the request for a Conditional Use Permit (CUP) to establish a gravel extraction operation on the property located on a 27.8-acre parcel at 2855 C ½ Road (parcel 2943-194-00-248), file number CUP-2021-616, the following findings of fact have been made:

1. In accordance with Section 21.02.110 of the Grand Junction Zoning and Development Code, the criteria have been met.

Staff recommends approval of the request for a CUP to establish a gravel extraction operation on a 27.8-acre parcel at 2855 C ½ Road (parcel 2943-194-00-248), subject to the conditions listed below.

1. The applicant shall obtain a Colorado Division of Reclamation, Mining, and Safety (CDRMS) 112 Construction Material Reclamation Permit Operation to include other related information and permits including proof of bond for reclamation and air quality permits as needed prior to commencement of mining operations. The Director shall determine if the permit and reclamation plan approved by the State meets all necessary standards as indicated in this report and in the GJMC. If the Director determines otherwise, the matter shall be reconsidered by the Planning Commission for approval and/or denial of the CUP for failure to meet the conditions.

2. The applicant shall obtain all applicable Mesa County and CDPHE stormwater permits prior to plans being signed and commencement of mining operations on the site.

3. The applicant shall dedicate a temporary 100-foot-wide blanket easement across the southern portion of the site for construction of the east-west Riverfront Trail to be refined after design of the trail and prior to its construction, whether by the applicant, the City or the State of Colorado Department of Parks and Wildlife; a multipurpose easement along C ½ Road; and an easement for the north-south trail, prior to plans

being signed and commencement of mining operations on the site.

4. The applicant shall pay construction costs of the east-west Riverfront Trail through its property, even if constructed by others by either direct payment or by executing a Development Improvements Agreement (DIA) with security prior to plans being signed and commencement of mining operations on the site. The applicant may also opt to construct the trail subject to final design by the Colorado Department of Parks and Wildlife.

5. The applicant shall pay its share of construction costs for the improvement of C ½ Road in the amount of \$154,760 prior to plans being signed and commencement of mining operations on the site.

6. Per the Haul Route Map provided with the CUP application, trucks shall not make left turns from C ½ Road to 29 Road.

**SUGGESTED MOTION:**

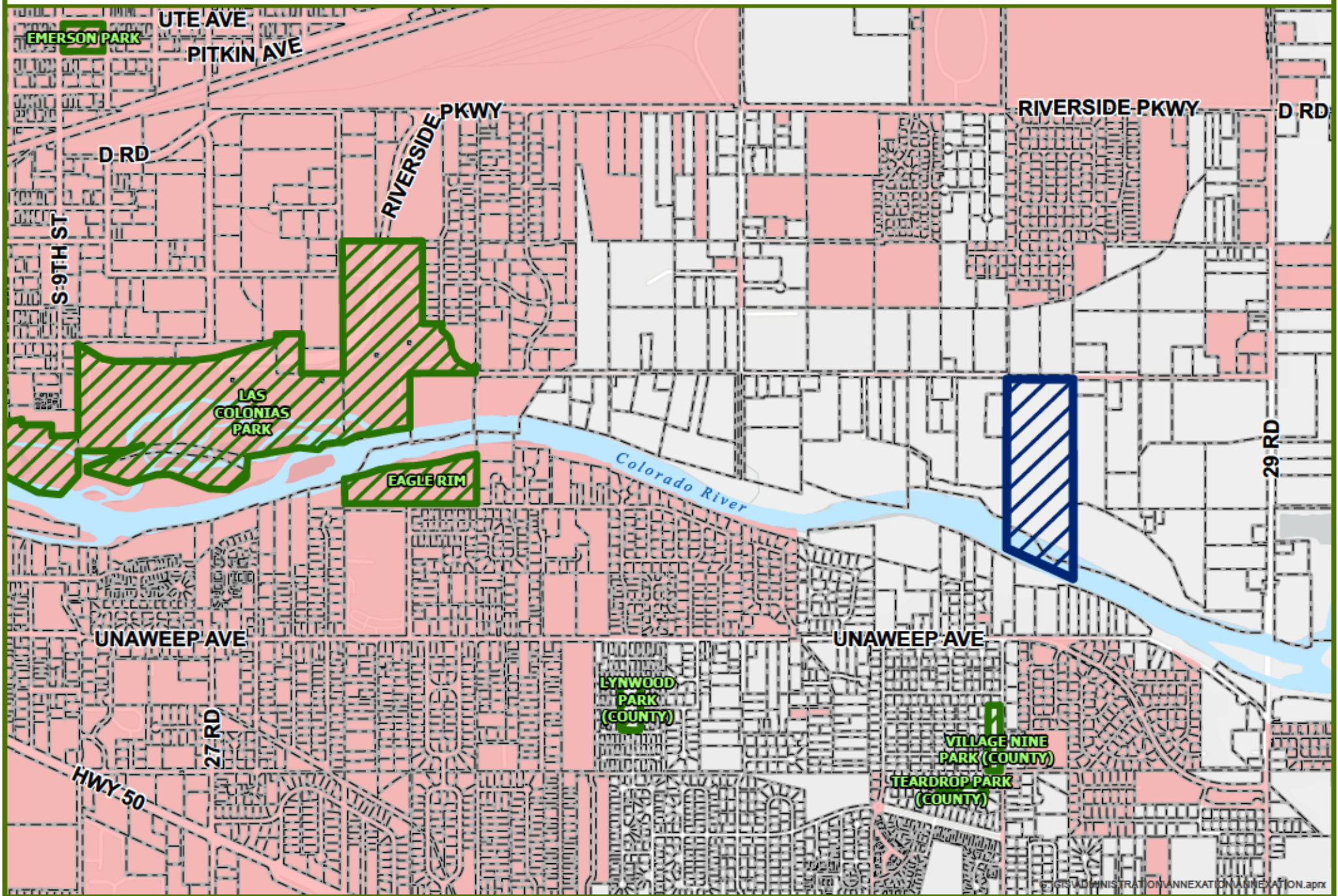
Chairman, on the C ½ Road Gravel Pit to establish a Conditional Use Permit for a mining excavation operation, file number CUP-2021-616, I move that the Planning Commission approve the CUP with the findings of fact and conditions listed in the staff report.

**Attachments**

1. Location Maps and Photos
2. Application Materials with Neighborhood Meeting Notes
3. Site, Grading and Drainage, Reclamation and Landscape Plans
4. Haul Route Map
5. Pear Park Plan Mineral Resources Map
6. Public Comments Received
7. Planning Commission Minutes - 2023 - July 11 - Draft




# C 1/2 ROAD GRAVEL PIT ANNEXATION



0 0.2 0.4 Miles

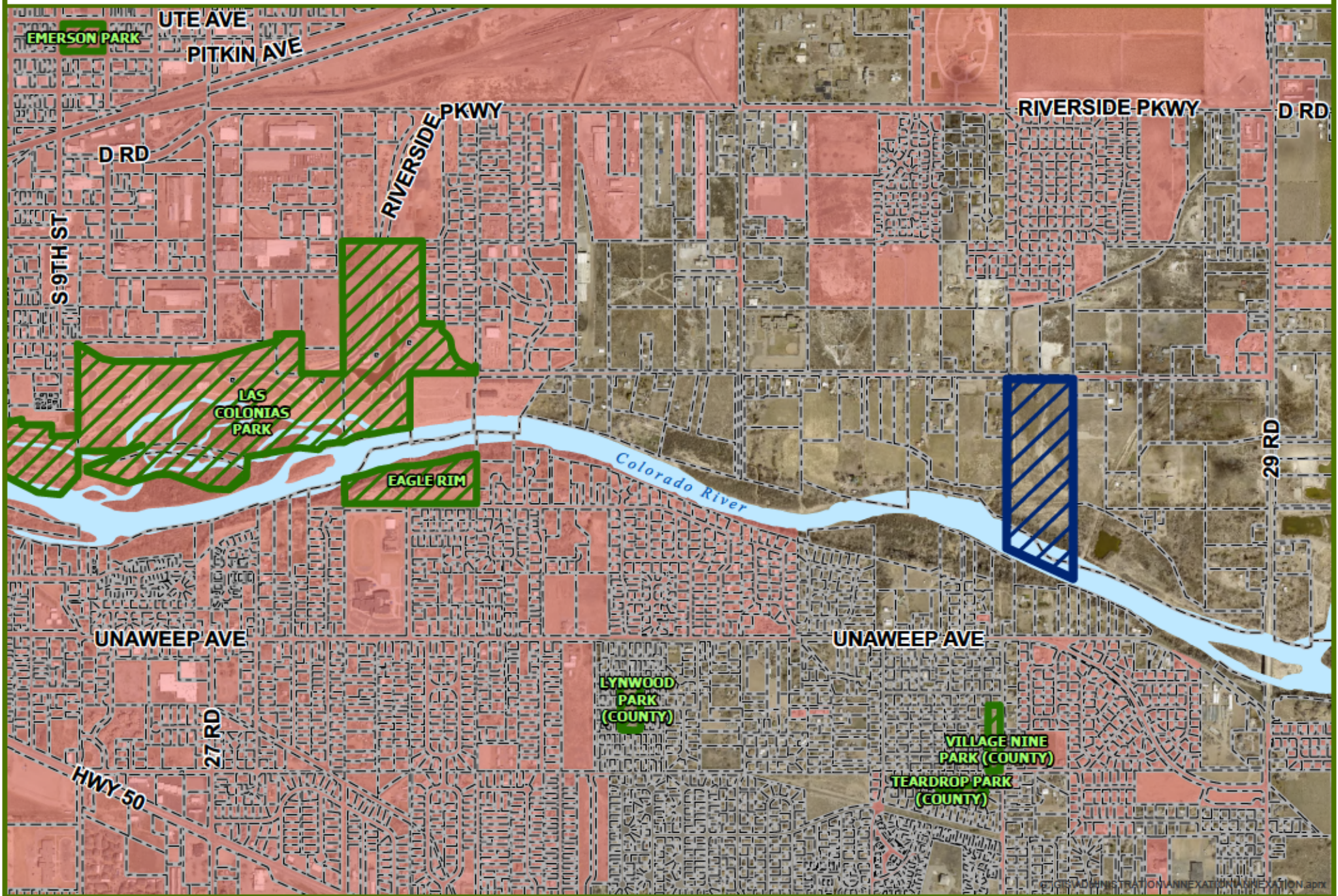
 Annexation

 City Limits

 Parks




# C 1/2 ROAD GRAVEL PIT ANNEXATION



0 0.2 0.4 Miles

 Annexation

 City Limits

 Parks



# C 1/2 ROAD GRAVEL PIT ANNEXATION




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0 0.05 0.1 Miles

 Annexation

 City Limits

**CITY OF**  
**Grand Junction**  
**COLORADO**

Date Created: 9/27/2021

# C 1/2 ROAD GRAVEL PIT ANNEXATION



0 0.05 0.1 Miles



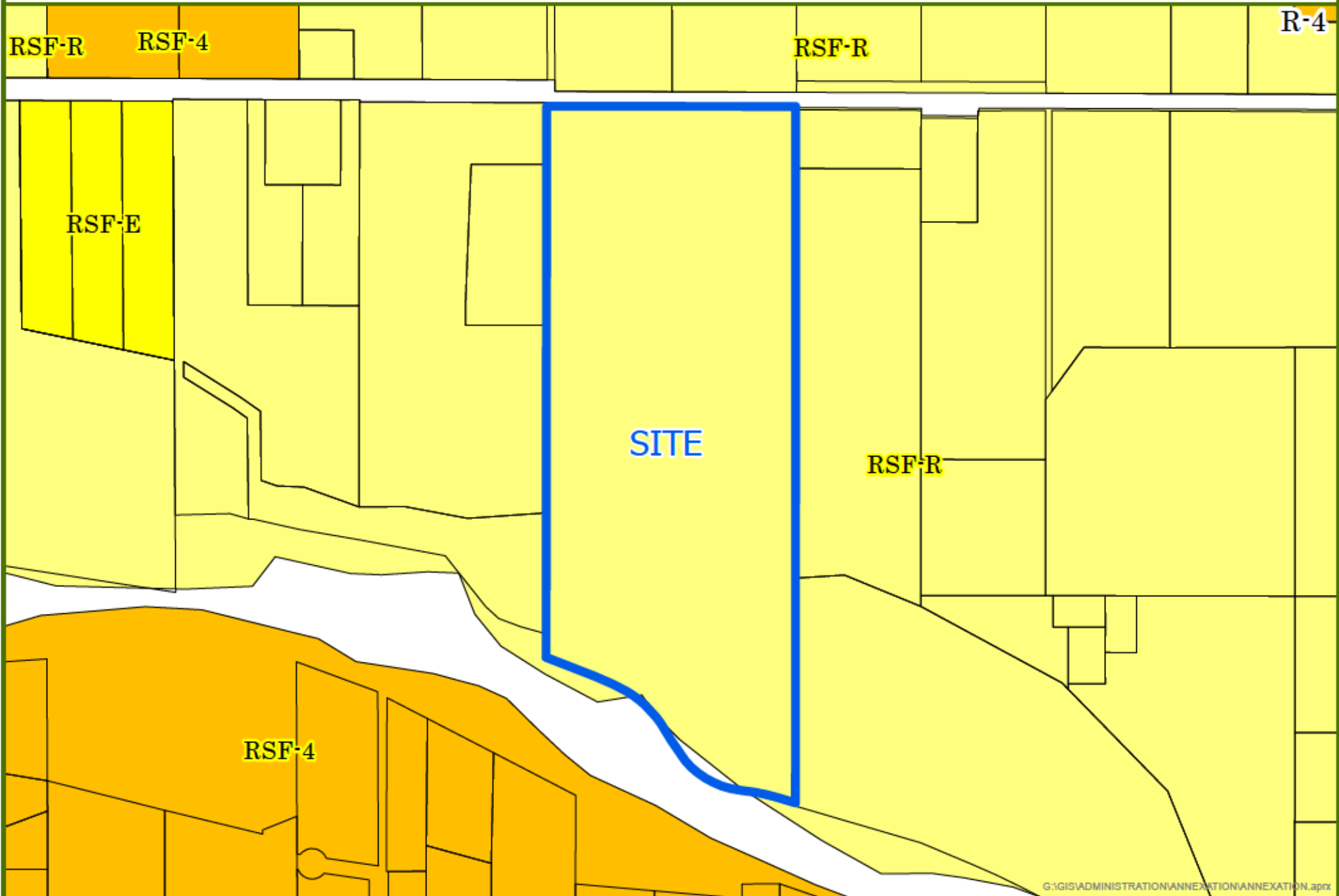
Annexation



City Limits



# C 1/2 ROAD GRAVEL PIT ANNEXATION - ZONING



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0 0.05 0.1 Miles

 Annexation

City Zoning  
Packet Page 83

County Zoning

Date Created: 9/27/2021

**CITY OF**  
**Grand Junction**  
**COLORADO**  
SAFELY. SUSTAINABLY. PROGRESSIVELY.


# C 1/2 ROAD GRAVEL PIT ANNEXATION - LAND USE



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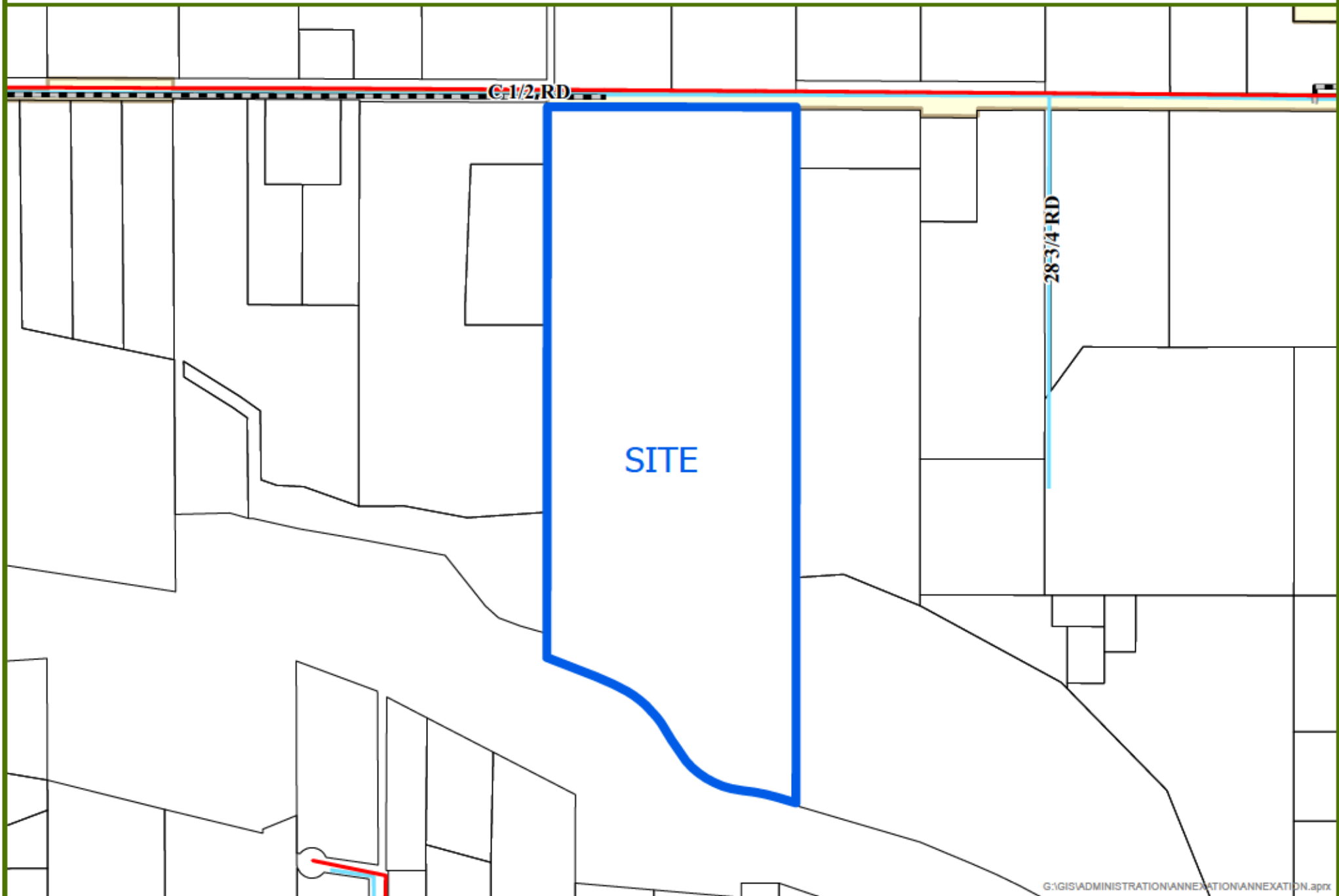


0 0.05 0.1 Miles

 Annexation Boundary



# C 1/2 ROAD GRAVEL PIT ANNEXATION - UTILITIES



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0 0.05 0.1 Miles

NON-CITY FIBER

SEWER

UTE WATER

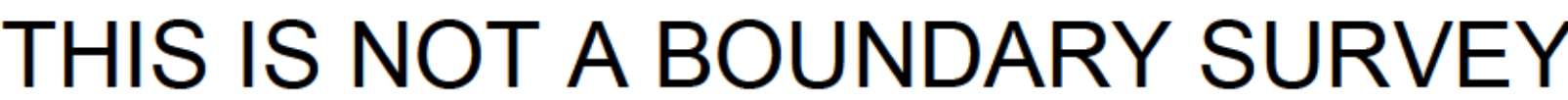
CITY LIMITS

Date Created: 9/27/2021

CITY OF  
Grand Junction  
COLORADO  
SUSTAINABLE COMMUNITY PARTNERS



Located in the NW1/4SE 1/4 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SCALE: 1" = 800'

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto, thence N0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 1, Ordinance Number 3108 same as filed under Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described

L1 S0°07'42"W 40.00'

## ANNEXATIC

BOUNDARY  
ANNEXATION  
AREA  
EXISTING  
CITY LIMITS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
NO.	NUMBER
REC.	RECEPTION

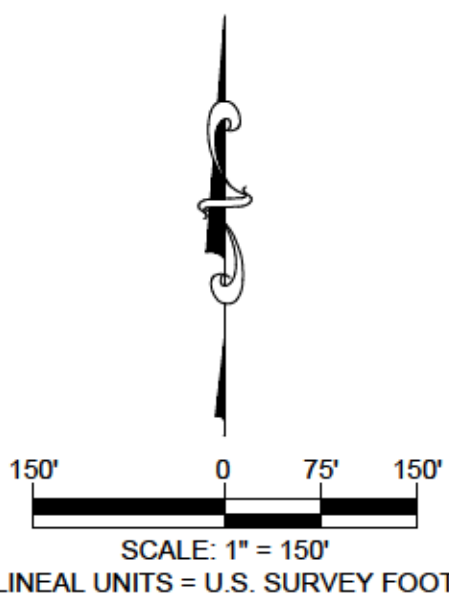
SQ. FT.	SQUARE FEET
$\Delta$ =	CENTRAL ANGLE
RAD.	RADIUS
ARC	ARC LENGTH
CHD.	CHORD LENGTH
CHB.	CHORD BEARING
BLK.	BLOCK
P.B.	PLAT BOOK
BK.	BOOK
PG.	PAGE
HOR. DIST.	HORIZONTAL DISTANCE

ANNEXATION PERIMETER	3320.00 FT
CONTIGUOUS PERIMETER	660.00 FT.
AREA IN SQUARE FEET	659995 FT <sup>2</sup>
AREA IN ACRES	15.15
AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

## EFFECTIVE DATE

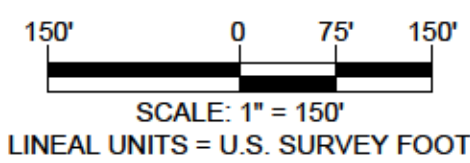
NOTE: THE DESCRIPTION(S) CONTAINED HEREIN HAVE BEEN DERIVED FROM SUBDIVISION PLAT, DEED DESCRIPTIONS & DEPOSIT SURVEYS AS THEY APPEAR IN THE OFFICE OF THE MESA COUNTY CLERK & RECORDER. THIS PLAT OF ANNEXATION DOES NOT CONSTITUTE A LEGAL BOUNDARY SURVEY, AND IS NOT INTENDED TO BE USED AS A MEANS OF ESTABLISHING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

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



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

DRAWN BY: R.B.P. DATE: 07/27/2022  
DESIGNED BY: R.B.P. DATE: 07/27/2022  
CHECKED BY: C.V.W. DATE: 07/28/2022  
APPROVED BY: R.B.P. DATE: \_\_\_\_\_



**CITY OF**  
**Grand Junction**  
COLORADO  
333 WEST AVENUE - BLDG. C  
GRAND JUNCTION, CO. 81501

PUBLIC WORKS  
ENGINEERING DIVISION

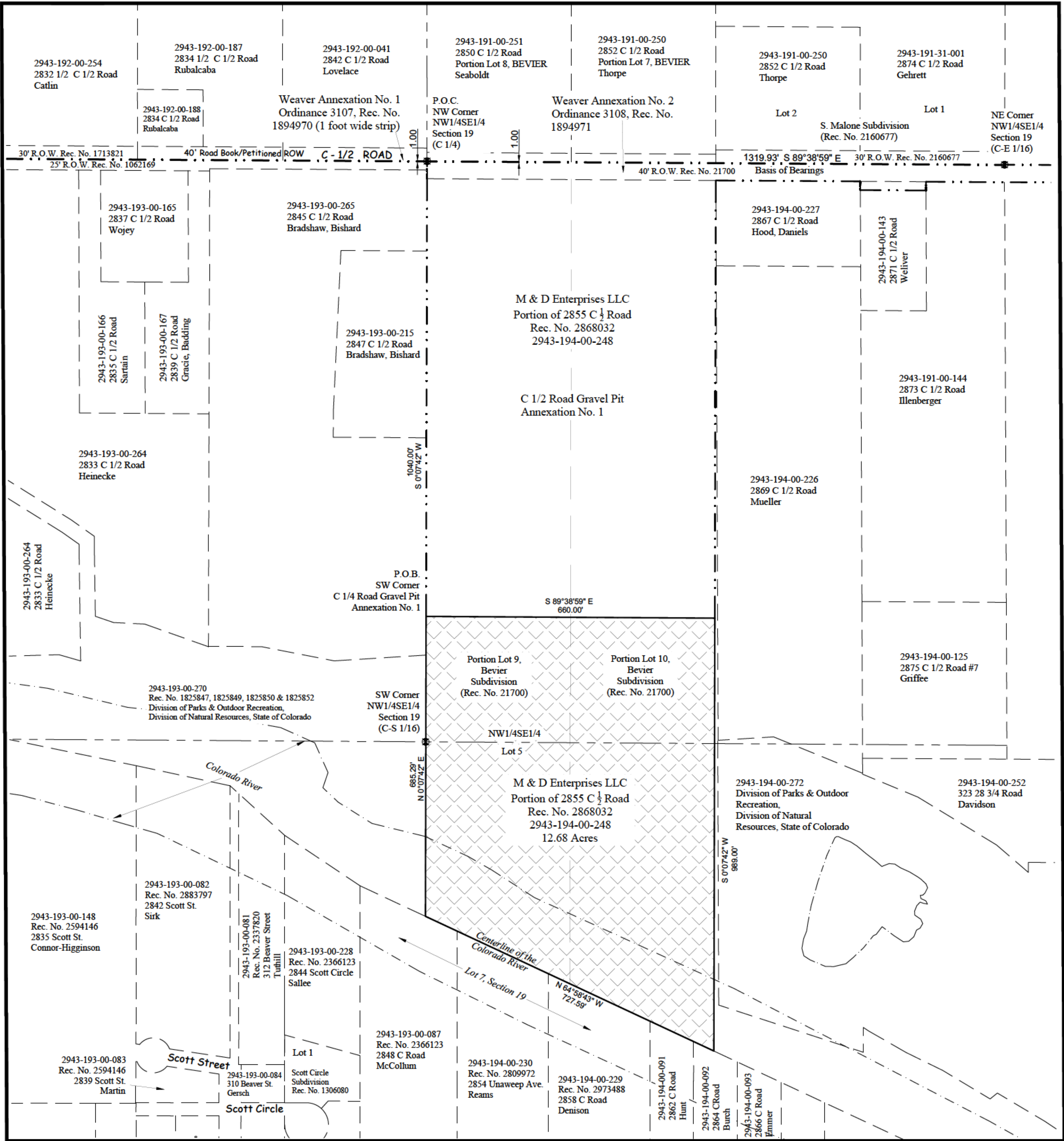
Located in the NW1/4SE1/4  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

1 OF 1

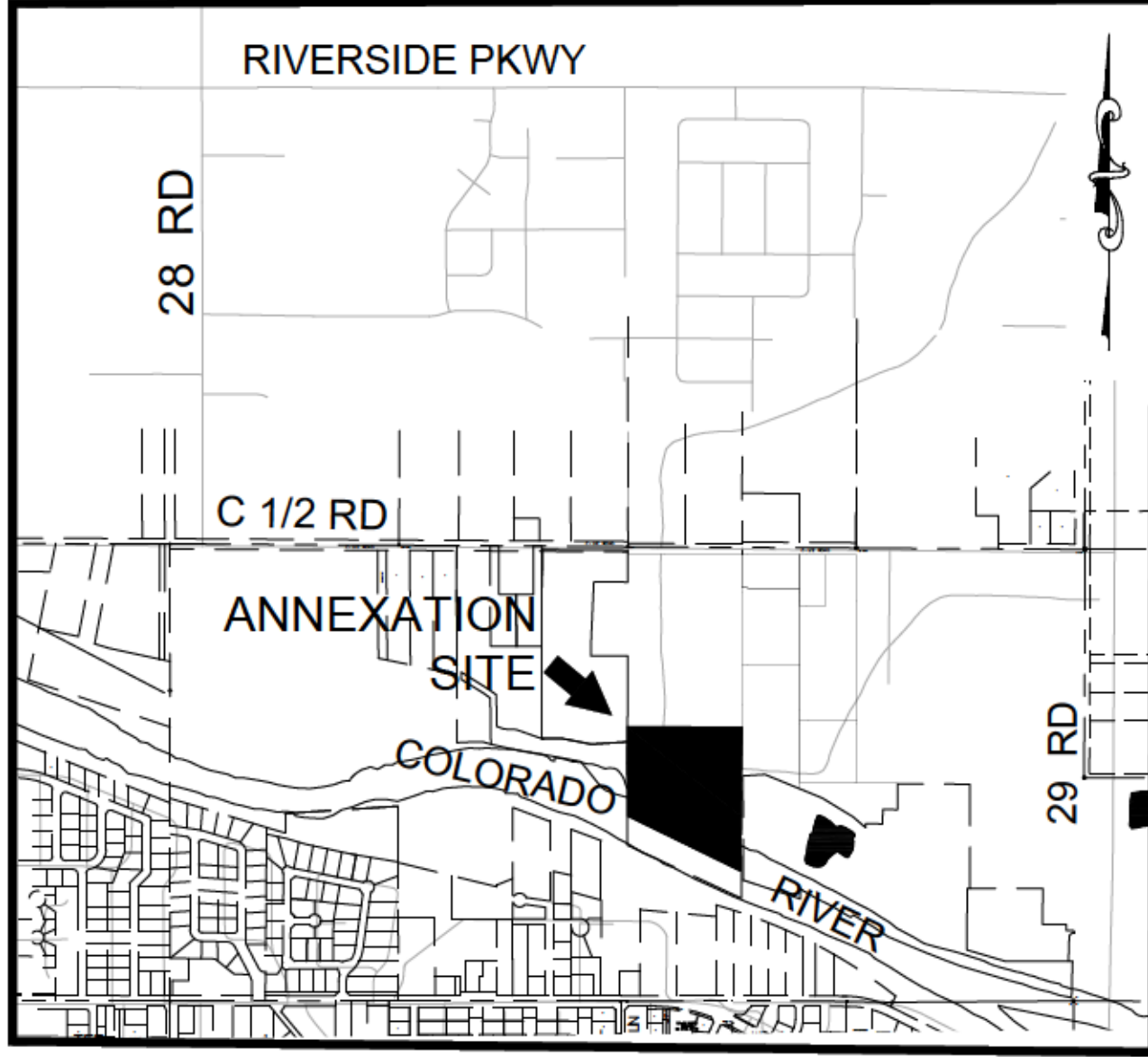


# C 1/2 Road Gravel Pit Annexation No. 2

Located in the NW1/4SE1/4 and Lot 5 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



THIS IS NOT A BOUNDARY SURVEY



## SITE LOCATION MAP

SCALE: 1" = 800'

### LEGAL DESCRIPTION

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning; thence S89°38'59"E along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 660.00 feet to a point on the east line of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 989.00 feet to the southeast corner of said Lot 10 also being a point on the southerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River; thence N64°58'43"W along said centerline of the Colorado River a distance of 727.59 feet to the southwest corner of said Lot 9, BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

### LEGEND

ANNEXATION BOUNDARY	—
ANNEXATION AREA	
EXISTING CITY LIMITS	- - - - -

### SURVEY ABBREVIATIONS

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

### AREAS OF ANNEXATION

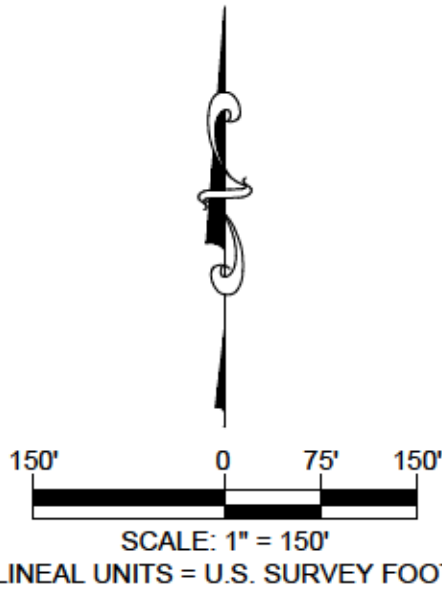
ANNEXATION PERIMETER	3061.89 FT.
CONTIGUOUS PERIMETER	660.00 FT.
AREA IN SQUARE FEET	552513 FT <sup>2</sup>
AREA IN ACRES	12.68
AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

### ORDINANCE NO.

### EFFECTIVE DATE

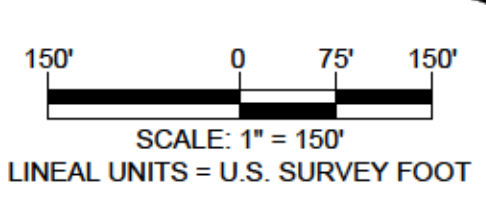
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CITY OF  
**Grand Junction**  
COLORADO  
333 WEST AVENUE - BLDG. C  
GRAND JUNCTION, CO. 81501

PUBLIC WORKS  
ENGINEERING DIVISION

C 1/2 Road Gravel Pit Annexation No. 2  
Located in the NW1/4SE1/4 and Lot 5  
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,  
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO





**Google Street View looking south from C ½ Road**



A ■ C ■ G

## Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

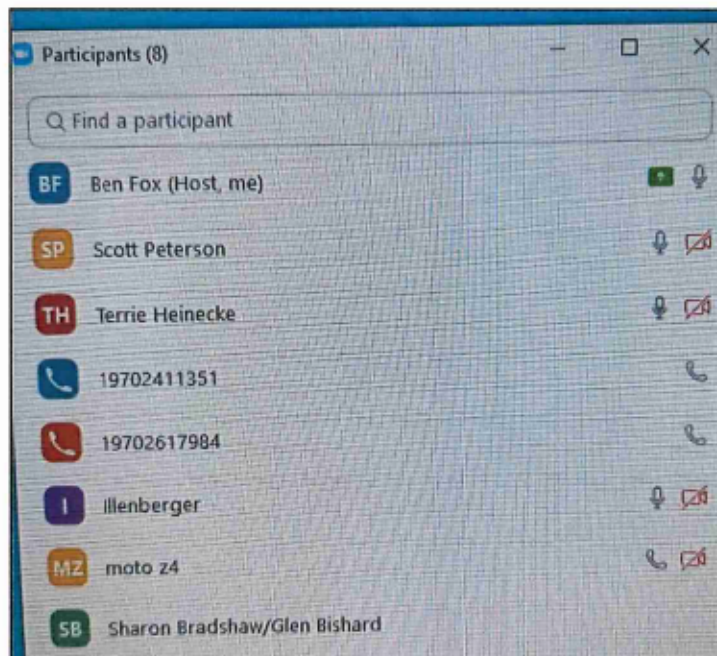
June 30, 2021

Mr. Scott Peterson  
Senior Planner  
City of Grand Junction Planning Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: C-1/2 Road Annexation / Rezone / Gravel Pit Conditional Use  
Neighborhood Meeting Summary**

Dear Mr. Peterson,

The purpose of this letter is to notify the City of Grand Junction Planning Department that a virtual Neighborhood Meeting was conducted on June 29, 2021, via Zoom, at 5:30 P.M., for the Annexation / Rezone / Gravel Pit Conditional Use Permit for the 25-acre property located at 2855 C-1/2 Road in Grand Junction, Colorado. There were 8 participants in the Zoom display, however at least 9 individuals actively participated (two individuals used the same device), and there may have been more members sharing devices while listening in. A screen shot of the participant list is depicted below:



**Participant List from Zoom Virtual Neighborhood Meeting**

Listed below is a summary of the meeting items:

1. Ben Fox presented an overview of the annexation and rezone process, including the need to annex and zone into the City of Grand Junction because of the Persigo Agreement. The proposed zoning for the property is Community Services and Recreation (CSR).
2. Ben Fox indicated that, if approved, the property would be developed into a sand and gravel mining operation by M & D Enterprises, LLC (the current landowner). Their goal would be to mine sand and gravel and then potentially construct a small subdivision where the sand and gravel was mined from the property. He also emphasized that the Neighborhood Meeting was purely for the proposed gravel pit, and that upon conclusion of gravel/sand mining operations any further development (i.e., future subdivision) would be at the owner's discretion and would require a separate development application. There will not be an asphalt or concrete batch plant on the property.
3. Ben Fox stated the City of Grand Junction has requested a trail easement along the Colorado River and along the western edge of the project for future trails. This is one of at least two properties the City of Grand Junction is seeking to obtain easements from to complete the trail connection from Las Colonias Park to 29 Road.
4. Ben Fox indicated the topsoil material would be scraped off the site and used to create a screening berm between C-1/2 Road and the adjacent residential properties. The screening berm would be seeded to provide a visual and sound buffer to adjacent residential properties.
5. Ben Fox indicated the southern half of the site is in the FEMA Floodway and because of this, material stockpiles, mining operations, and screening berms would be restricted in these areas.
6. Ben Fox stated the City's code required a 125-ft buffer from existing homes adjacent to excavation areas and a 250-ft buffer from homes adjacent to any gravel processing equipment, such as crushers. He also mentioned that anticipated hours of operation were 7:00 AM – 5:30 PM.
7. Once Ben Fox had concluded the initial presentation, Scott Peterson provided the attendees a general overview of the planning process and detailed the two public hearings where members of the public would be able to provide their input or objections to the development.
8. Sharon Bradshaw and Glen Bishard expressed concerns regarding development after the cessation of sand/gravel operations. Ben Fox re-stated that the applicant expected 10 years of operations, after which the applicant would begin the approved site reclamation plan and consider their options, one of which was the development of a small subdivision.



9. Glen Bishard stated that the overview map depicting the future trail development appeared to be on his side of the ditch. Ben Fox clarified that the overview map was not an official site plan and that the applicant would construct any future paths (as required by the City) on their side of the ditch.
10. Multiple residents expressed concerns regarding dust and noise mitigation and impacts to fish and wildlife. Ben Fox replied that an appropriate environmental assessment and requisite local and state permits would be required as the project moved forward. He also stated that if the applicant/operator was found out of compliance with those dust/noise permits during recurring inspections (every two weeks), they may be shut down and that the enforcement penalties were substantial. Additionally, the City of Grand Junction has a noise restriction at the perimeter of the gravel mining operations that must be met, or the applicant could lose their right to mine.
11. Residents expressed concerns with the depth of mining as it relates to the existing water table. Ben Fox replied that current estimates for mining depth would be 10-15 feet and that the site did appear to have a shallow water table, but he could not provide precise details on the manner of mitigation. He did state that—in general—City, County, State, and Federal regulations governing gravel mining operations would be taken into account as the project moved forward and that the appropriate mitigation procedures would be followed.
12. Property owners also asked about the access location into the site. Ben Fox indicated the City of Grand Junction typically wants access locations to “align” with an existing access location or offset 150-ft from existing accesses. Ben Fox stated they were in the process of determining a specific access location. They were initially considering the western side of the property, but the trail easement requested by the City may cause this to be poor location.
13. Many property owners were concerned with traffic, especially with the number of bikes and pedestrians using C-1/2 Road since it is the Bike/Ped route between 29 Road and Las Colonias. The existing road does not have shoulders for these uses and the gravel truck traffic will be a problem. Ben Fox stated that a traffic study looking at these items had been conducted and indicated relatively low impact as of now, but the study will be reviewed as part of the application. The project will also pay “Traffic Impact Fees” to the City to help pay for offsite impacts from the project.
14. When questioned by several residents about needed improvements to C ½ Road, Scott Peterson explained that C-1/2 Road resides in Mesa County while the Traffic Impact Fees are paid primarily to the City of Grand Junction. As such, it can be a challenge to get both agencies to work and pay for street improvements. Scott indicated he would bring this up with planning and engineering staff, but at this time the majority of improvements would fall on Mesa County.

15. Resident Illenberger asked about the effects of traffic downstream from the project, particularly at Las Colonias and the apartments around that area. Scott Peterson explained that the City's intent was for bike and pedestrian-friendly trails to exist in the future and that construction of those trails was part of the process.
16. Ken and Terrie Heinecke expressed safety concerns about family, children, and heavy trucks running along the same narrow road and asked what they were supposed to do about it. Ben Fox and Scott Peterson acknowledged their concerns and explained that the planning commission has the right to put additional restrictions on the gravel pit operation. They also recommended they bring up those concerns at future public hearings.
17. Terrie Heinecke asked about historical properties and if the gravel pit would negatively affect those areas. Ben Fox indicated that he was not aware of any designated historical sites within the area, but explained that he would look into it as the project progressed and that an evaluation of impact to historical sites was part of the permitting process.
18. Linda McBride asked where the bike trail would run, asked about Las Colonias Park noise restrictions, and about bike path operating time restrictions. Scott Peterson answered that, while not directly connected with gravel pit operations, the City intends to eventually have a bike path along the Colorado River. Las Colonias and bike paths would fall under standard City noise restrictions. Ms. McBride also asked what the largest concern was in terms of pollutants, to which Ben Fox replied it would likely be small spills from trucks/mining equipment. She expressed that she was not happy about decisions to trash the City and valuable riverfront areas with gravel pits, and did not approve of a future subdivision in a rural area.
19. Ken Heinecke brought up concerns regarding the property's location within the 100-year floodplain and how that would affect open-pit gravel mining operations. If a flood were to happen, how would the flow of sediment off-site be mitigated? Ben Fox did not have a detailed answer to the question, but knew that it was partially accounted for in the Stormwater Management Plan and stated that he would investigate the issue further as they moved forward with a more concrete development plan.
20. Another resident expressed concerns with the existence of a bike path and people parking on their property near C ½ Rd street frontage to access the paths. Scott Peterson answered that it is technically illegal to park in those locations, so that should be dealt with by law enforcement.
21. Residents asked about the timing of the trail construction. Some were concerned with trespass if people walking along the trail had no place to go. Ben Fox indicated he expects the City to require, at a minimum, trail dedication. It is not clear when trail construction would occur, and that trespassing still remains trespassing.



Mr. Scott Peterson  
June 30, 2021  
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22. Towards the end of the meeting, Ben Fox re-emphasized that this was a preliminary Neighborhood Meeting designed to alert the public to a development application in the process of being submitted to the City for approval. Many specifics of the project had not yet been ironed out, and they should keep their comments/concerns in mind and bring them up at the upcoming hearings. Scott Peterson informed the attendees that they would be notified via letter of the times/locations of those future hearings.

In summary, the biggest issues for the project were dust/noise, environmental impacts, and traffic/bike/pedestrians along C-1/2 Road and how improvements could be made to accommodate those users.

It should be noted that Nathaniel Mueller (the direct westerly neighbor) emailed Austin Civil Group separately from the meeting and requested a pullout from the property to C ½ Road, a dedication of the southern portion of the property, and the withholding of funds for future road repairs. A copy of the email is attached.

Sincerely,



**Austin Civil Group, Inc.**  
Benjamin Fox, E.I.T., Staff Engineer

**From:** Nathaniel Mueller <[nathaniel.g.mueller@gmail.com](mailto:nathaniel.g.mueller@gmail.com)>  
**Date:** June 29, 2021 at 4:16:15 PM MDT  
**To:** Mark Austin <[MarkA@austincivilgroup.com](mailto:MarkA@austincivilgroup.com)>  
**Cc:** [pariahlaw@aol.com](mailto:pariahlaw@aol.com), Akcolomed <[akcolomed@aol.com](mailto:akcolomed@aol.com)>  
**Subject:** 2855 C 1/2 Rd neighborhood mtg.

Dear Mr. Austin and team,

We would like to thank you for hosting a neighborhood meeting concerning your re-zoning and future development of 2855 C 1/2 Rd. Giving notice for any changes in this area is greatly appreciated, particularly for such a large parcel in a part of town that contains a key bike vein and the Colorado River.

As your direct westerly neighbors, of 2869 C 1/2 Rd, we are certain that your activities will conform with best practices and relevant oversight guidelines. We are of the impression that the property is to initially be used as a gravel pit. Considering that the project at 2855 C 1/2 appears to have a long timeline, we would hope that you consider our three requests, as we believe they would benefit the surrounding properties as well as benefit the local community as a whole.

The three requests are, as follows:

1. **Expand the pullout onto C 1/2 Rd.** In the interest of safety for drivers and potential licensees entering and exiting the property, a dedicated turn lane should be created appurtenant to the road.
2. **Dedicate the southern portion of the property.** It would appear that the majority of the land on the northern bank of the Colorado River is already held by the James M. Robb State park, and future plans of civic development appear to include a bike path that would run the length of the river through the Grand Valley. Currently, C 1/2 Rd. is the major bicycle thoroughfare in the area. 2855 C 1/2 Rd. appears to be the last property that actually touches the river. We request a dedication of the southern portion of 2855 to the relevant entity. The benefits of safety and community development opportunities, we hope, appear obvious in this respect.
3. **Withhold funds for future road repairs.** With C 1/2 Rd. already buckling in many spots, increased road usage by larger vehicles could lead to accelerated damage in the coming years. While we are aware that use permits and taxes for undertaking such a project tend to be funneled into road and highway maintenance, the proposed use at 2855 would be distinct among other properties in the area. We hope that a certain amount can be voluntarily withheld in order to cover repairs once the gravel pit is exhausted.

Thank you for your time, and welcome to the neighborhood.

Sincerely,

Nathaniel Mueller  
(808)224-6951



OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) M&D Enterprises LLC ("Entity") is the owner of the following property:

(b) 2855 C 1/2 Road, Grand Junction, CO 81501

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

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

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

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

☒ The Entity is the sole owner of the property.

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

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

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

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

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

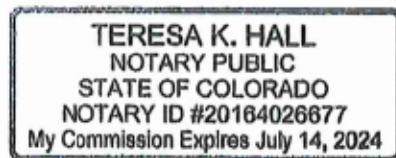
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Martin Azcarraga

Printed name of person signing: Martin Azcarraga

State of Colorado )

County of Mesa ) ss.



Subscribed and sworn to before me on this 22nd day of February, 20 21

by Martin Azcarraga

Witness my hand and seal.

My Notary Commission expires on July 14, 2024

Teresa K. Hall  
Notary Public Signature

**General Project Report  
2855 C ½ Road – Gravel Pit  
Annexation/Zoning/CUP Submittal**

**Project Description (Location, Acreage, Proposed Use):**

The purpose of this submittal is to obtain approval from the City of Grand Junction and applicable agencies to construct a gravel pit with associated parking and landscaping. The location of the project site is depicted below:



The 2855 C ½ Road property consists of approximately 27.8 acres. The applicant proposes to annex the property into the City of Grand Junction with a rezone from RSF-R (Residential Single Family – Rural) to CSR (Community Services and Recreation) to allow a gravel extraction operation. A conditional use permit (CUP) will be required after the annexation and zoning in order to move forward with the gravel pit. According to the 2020 Comprehensive Plan, the property is adjacent to Parks and Open Space, which would allow for a CSR zoning. The property consists of agricultural land with a covering of native grasses.

**Surrounding Land Uses and Zoning:**

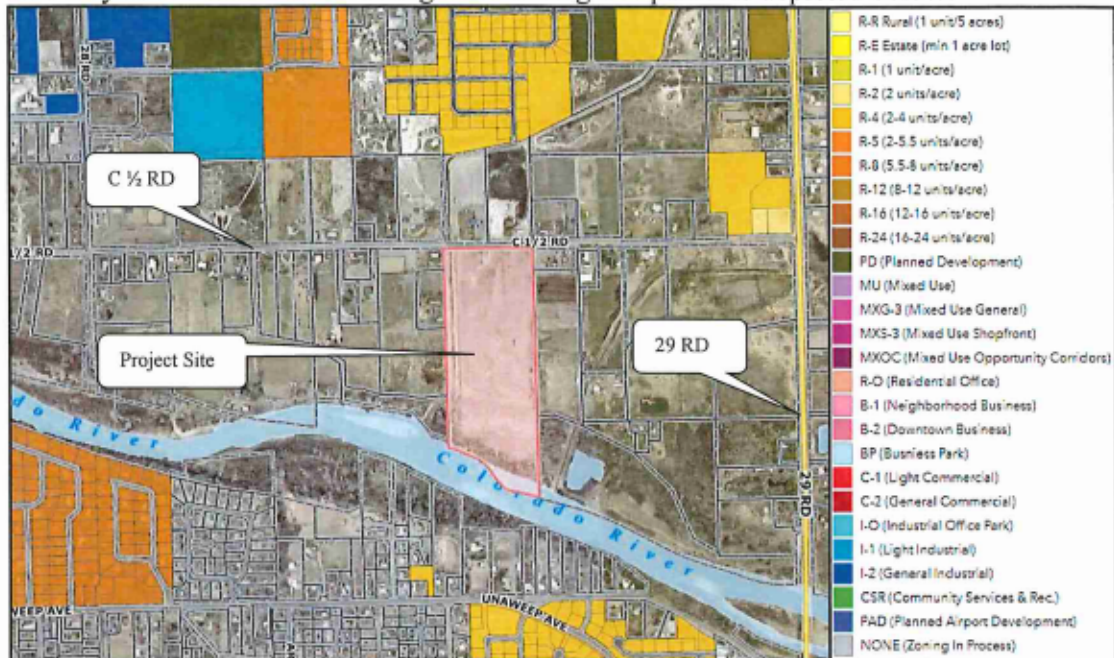
The following adjacent properties are zoned accordingly:

DIRECTION	ZONING	CURRENT LAND USE
North:	RSF-R	Residential
South:	N/A	Colorado River
East:	RSF-R	Residential/Agricultural
West	RSF-R	Residential/Agricultural

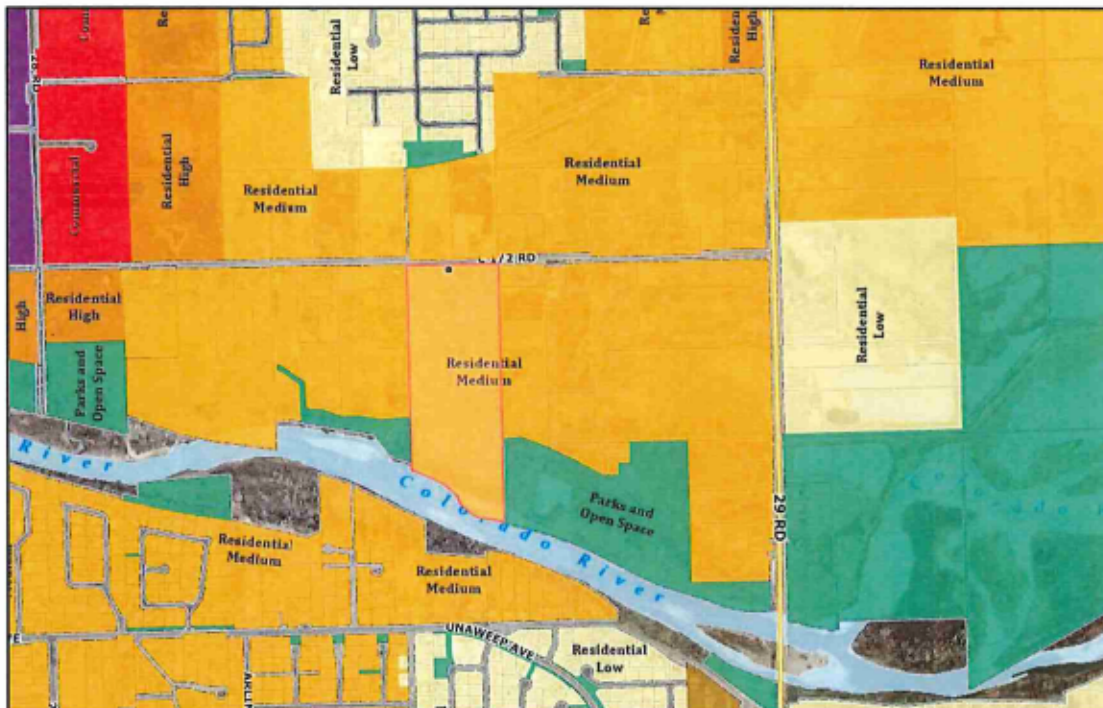


## Annexation/Zoning/CUP Submittal

The City of Grand Junction zoning surrounding this parcel is depicted below:



### Current City of Grand Junction Zoning



Future Land Use 2020 Comprehensive Plan

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**Gravel Extraction in the Grand Valley:**

The proposed gravel extraction project will last for ten (10) years with an additional two (2) years dedicated to complete site reclamation. Sand and gravel are key building materials required for the majority of development projects within the Grand Valley, to include both private and public capital improvement projects. Road base, asphalt, concrete, building foundations, etc., all depend on access to these materials. From a geologic perspective, accessible sand and gravel deposits are found most prominently near the Colorado River, making this site an important local resource for developers, builders, and contractors. Recent growth within the Grand Valley continues to increase demand for these materials and this project seeks to provide locally-sourced materials to aid in meeting that demand.

**Site Access:**

Access to the property is gained from a single-family gravel driveway in the middle of the north edge of the property. A rebuild of the driveway to meet anticipated access requirements will be part of this project. It will remain the only single access point to C ½ Road and in approximately the same location as the existing access. A pending agreement between Mesa County, the City of Grand Junction, and the applicant is being developed in which costs for C ½ Road upgrades will be split evenly into thirds among the respective parties. The applicant is agreeable to the pending agreement at this time.

**ROW/Easements:**

The existing ROW is 40' from the subject property line to the opposite property line at approximately the center of pavement. A 14' multi-purpose easement has been proposed along existing street frontage. Reference the Site Plan for details. The Active Transportation Corridor map shows a future trail on the west side of the parcel and another one near the river at the southern edge of the property. Appropriate easements will be granted for these trails as a condition of approval once City personnel have determined the exact location of the proposed trail.

**Utilities:**

All utility services required for this project are currently located on, or adjacent to, the project site.

**Sanitary Sewer:** There is an existing 8" VCP sanitary sewer line that runs along C ½ Road fronting the property. This project will not need to tap into the system as there will be no new buildings constructed on the property.

**Domestic Water:** Ute Water services the area and a water main is located along C ½ Road.

**Stormwater & Drainage:** The site is within Grand Valley Drainage District and currently drains south toward the Colorado river. An open drainage ditch ("No Name Drain") owned by GVDD runs south along the western edge of the property before emptying into the Colorado River. Permanent water quality control and stormwater BMPs will be



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provided for the project. The proposed gravel excavation operation will serve as a dewatering pond during and after construction.

Irrigation Water: The parcel is serviced by Grand Valley Irrigation Company and currently flood irrigates the existing pasture from north to south. If gravel extraction is approved, existing irrigation water will be used to irrigate the required landscaping as outlined in the Landscape Plan. More shares can be purchased and turned out of the MC045 headgate at request of ownership.

Dry Utilities: Electrical service and gas are provided by Grand Valley Power.

**Parking:**

The design number of spaces for parking was taken from the city off-street required parking as 1 space per employee. The applicant intends to have 3 employees onsite for extraction operations. Please consider that the site will be mined in smaller, staged segments over 10 years, so there will be adequate vacant space across the parcel for employee parking.

**Response to Development Regulations 21.04.30 (k) Use Specific Standards: Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants**

*(1) Purpose. The purpose of this subsection is to establish reasonable and uniform limitations, safeguards and controls to wisely utilize natural resources and to reclaim mined land.*

*(i) Gravel extraction and/or processing activities should occur on parcels of sufficient size so that extraction and reclamation can be undertaken while still protecting the health, safety and welfare of the citizens.*

Response: The parcel is large enough that all activities can take place within the setbacks required by these regulations. Buffering measures include landscaping, screening fences, and berms surrounding the proposed facility.

*(ii) Where gravel extraction and/or processing is adjacent to zoning or land uses other than I-1 or I-2, mining, handling and batch processing activities may be restricted, buffering may be required and/or disturbance/reclamation may be accelerated to be compatible with the adjacent zone or use.*

Response: Setbacks—as displayed on the Site Plan—will be adhered to. A 6-ft screening fence is proposed along the property boundary. Landscape buffering is employed on street frontage, and a berm helps buffer adjacent properties. Existing vegetation within setbacks will largely be left in place unless removal is required to implement the Landscape Plan or Site Plan.

*(2) Procedure.*

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*(i) Commercial extraction of mineral deposits shall not begin or occur until an excavation and land reclamation plan have been approved in writing by the Colorado Mined Land Reclamation Board.*

Response: A Construction Materials Regular 112 Operation Reclamation Permit will be requested from the State of Colorado after a determination is made by the City of Grand Junction to issue a Conditional Use Permit (CUP). The applicant would like assurance that a CUP can be issued before moving forward with the project and submitting the 112 Permit to the State of Colorado.

*(ii) A plan approved as part of a CUP and/or a reclamation/development schedule being followed under previous regulations fulfills this requirement.*

Response: An excavation and reclamation plan meeting the above requirement is included with this submittal application.

*(iii) Asphalt, cement and/or other batch plant operations shall be subject to CUP requirements.*

Response: There will be no batch plants for this project.

*(iv) A plan for a use under this subsection shall contain, in addition to those relevant requirements outlined for a CUP, the following:*

*(A) Detailed description of the method of extraction and reclamation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;*

Response: Of the total 27.8-acres within the project, 18.3-acres will be mined for sand and gravel. While the site will be mined over 10 years, actual day-to-day excavation will focus on one smaller area at a time and progressively shift around the area as time progresses.

The sand and gravel pit operations will have screening, crushing, and conveying equipment for the gravel processing in addition to the trackhoes and front-end loaders.

Earthwork operations will begin at the south end and move to the north end of the site. Appropriate setbacks for the Colorado River are accounted for. The topsoil will be removed and stockpiled in berms around the perimeter of the excavation site. Next, the sands and gravel will be mined using trackhoes, front-end loaders, and bulldozers. To process the sand and gravel, screens and crushers located near the center of the project area will be utilized. Once the materials are processed, they will be piled onsite or loaded into trucks and trucked offsite. Given the high water table, material stockpiles will be established to allow for drying. After the sand and gravel have been removed, the area will be backfilled and compacted



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using the stockpiled overburden material, the overburden from the next mining area, and imported fill materials. The project area will be regraded to reflect the final grades depicted on the Reclamation Plan, including the establishment of the reclamation pond.

A more detailed plan of operations will be provided with the State application.

*(B) An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit and other pertinent information;*

Response: The proposed Site Plan depicts the extraction area. It is approximately 18 acres in total and averages 15 feet deep, with a higher concentration of gravel/cobbles near the southern portion. The anticipated yield of sand and gravel is an estimated 450,000 tons over the projected 10 years. Topsoil and overburden materials will be moved to the east and west sides of the property, out of the floodway. Stockpiled materials and sand/gravel processing areas will generally be in the center of the project site.

Reclamation of the site will be completed no more than 2 years after sand and gravel mining termination. The additional two years is required to deplete all stockpiled sand and gravel and complete reclamation efforts. Complete reclamation efforts include easements for future City trail systems and the construction of those trails—payment for which has not yet been determined—if not already constructed by that time.

*(C) A detailed reclamation plan showing proposed reclamation with time schedules including, but not limited to, finish contours, grading, sloping, placement, and amount and type of revegetation, post-extraction land use plans and any other relevant information;*

Response: The reclamation and revegetation plan will follow requirements and guidelines of the applicable state permits. A reclamation plan drawing, included with this conditional use permit application, depicts much of the information above. Reclamation will be completed a maximum of 12 years after the start of sand and gravel operations, and sooner if gravel operations conclude earlier than anticipated. In general, the facility will be returned to its original condition with a ~11.5-acre reclamation pond in the center of the property for wildlife habitat and drainage.

Once all sand and gravel have been mined and stockpile materials are depleted, the site will be graded to the final contours proposed on the reclamation plan map. The sand and gravel mined areas will be backfilled and compacted with onsite overburden and imported fill if needed, excepting the reclamation pond area. All internal gravel haul roads will be eliminated. The site will have a slight gradient

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to the south, with slopes no greater than 1%. The US Department of Agriculture, Natural Resource Conservation Service (NRCS), indicates the existing site soils are fair to poor topsoil. Based on local recommendations from the CPW Revegetation Guide, the site will be revegetated using a mix of Western wheatgrass, Intermediate wheatgrass, Smooth Brome, and Perennial Rye applied at 28.5 PLS (pure live seed) per acre if drilled and 57 PLS per acre if broadcast. This mix does not require irrigation.

*(D) Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;*

Response: Drawings identifying the existing conditions and reclamation plan, included with this conditional use permit application, are attached which depict the information requested. The slope on the existing site is approximately 0.5% to the south. The slope of the land after reclamation will be approximately 0.5% to the south side of the property.

*(E) Type, character, and density of proposed vegetation both during excavation and as a component of rehabilitation;*

Response: The existing site is approximately 70% covered with vegetation. The vegetation on the site consists of Siberian elm, Russian knapweed, chicory, Russian thistle, cheatgrass, bindweed, kochia, Russian olive, cottonwood, and tamarisk. Much of the vegetative cover is classified as noxious. The type of vegetation for reclamation will be a mix of Western wheatgrass, Intermediate Wheatgrass, Smooth Brome, and Perennial Rye applied at 28.5 PLS (pure live seed) per acre if drilled and 57 PLS per acre if broadcast, as recommended by the CPW Revegetation Guide found in Appendix 13.1 of the Mesa County Design Standards. This mix does not require irrigation and appears to meet the requirements of 2 CCR 407-4.

*(F) The operator's estimated cost at each of the following segments of the reclamation process, including where applicable, backfilling, grading, reestablishing topsoil, planting, revegetation management, irrigation, protection of plants and soil prior to vegetation establishment and administrative cost;*

Response:

<b>ITEM</b>	<b>QUAN</b>	<b>RATE</b>	<b>TOTAL</b>
Grading	LS	\$ 8,000	\$8,000
Planting	20 acres	\$350	\$7,000
Revegetation Management	20 acres	\$50	\$1,000
<b>Total Estimated Cost</b>			<b>\$16,000</b>

*(G) A drainage plan and report prepared by a Colorado registered professional engineer with consideration of natural drainage, drainage during excavation and drainage after reclamation such that the proposed reclamation and excavation*



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*will have no adverse effect in excess of natural conditions. Where applicable, the Director may require a floodplain permit (see GJMC [21.07.010](#), Flood damage prevention);*

Response: A drainage report has been prepared and is included with this conditional use permit application request.

*(H) Traffic analysis, which reviews road capacity and safety conditions/considerations for and within the neighborhood, as that term may be defined and applied by the Director. The Director may reduce or enlarge the neighborhood to be analyzed upon a finding of a hazard or hazardous condition. The traffic analysis shall generally conform to and address TEDS standards (GJMC Title 29) and shall include but not be limited to ingress/egress, parking and loading, on-site circulation, number of trucks per day and the capacity of roads, streets, bridges, intersections, etc.;*

Response: A traffic analysis review plan has been prepared and is included with this conditional use permit application request. Access to the site will remain a single point on C 1/2 Road at approximately the same location as existing access. A Cost Share Agreement is currently pending between Mesa County, the City of Grand Junction, and the applicant for C ½ Road Improvements. The applicant is agreeable to the execution of the existing Cost Share Agreement at this time.

*(I) An erosion control plan for runoff and wind-blown sediments shall be provided for the mining operation and the reclamation;*

Response: A Stormwater Management Plan (SWMP) is attached as a condition of approval.

*(J) Additional information that is required because of unique site features or characteristics may be required by the Public Works and Planning Departments; and*

Response: A 15-ft wide trail easement has been added to the Site Plan as part of the City's Active Transportation Plan. The easement dedication and trail construction will be required during the reclamation stage as a Condition of Approval. If constructed now, this segment would remain a stand-alone segment with nothing to connect with, and it may be located in an unfavorable location. Because the Riverfront Trail needs to be constructed in a manner that facilitates pedestrian movement across adjacent parcels, the applicant believes it best to wait for the City of Grand Junction to better define the exact trail location. This trail easement includes both the north-south and east-west segments as outlined on the City Transportation Map.

*(K) Upon approval, the excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder. Any change in*

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*excavation or reclamation plan shall be prohibited unless amended through the conditional use permit process.*

The excavation and reclamation plans will be filed with the City and recorded with the Mesa County Clerk and Recorder upon approval.

(3) *Standards.*

*(i) Mineral extraction, washing, crushing, cement and asphalt batch planting and other mined products related uses shall be subject to an approved excavation permit, well permit, air pollution permit, reclamation plan and any and all other permits, certifications or requirements of the State or federal agencies having jurisdiction as required;*

Response: The applicant understands that State and/or other applicable permit(s) will be a condition of approval for this CUP.

*(ii) Excavation or deposit of overburden is not permitted within 30 feet of an abutting parcel, an easement, an irrigation ditch or canal or right-of-way unless by written agreement of the owner of such property, easement, irrigation ditch, canal or right-of-way;*

Response: A setback of 30-feet for excavation or deposit of overburden has been established from abutting parcels, easements, irrigation ditches, canals, and rights-of-ways as shown on the Site Plan.

*(iii) Excavation within 125 feet of an existing residence is not permitted unless by written agreement of the owners and occupants of the residence. No rock crushing, asphalt/cement plant or other similar equipment or operations shall take place any closer than 250 feet of a residence. The Planning Commission may require a greater distance if the operation is abutting a residential zone district. Excavation, loading, handling, processing and batch operations adjacent to residentially zoned parcels shall not exceed 65 decibels at the property line of any adjacent parcel;*

Response: There are three residences adjacent to the property and two residences north of C ½ Road. A minimum 250-ft buffer will be provided between each residence and all rock crushing activities, and a minimum 125-ft buffer for all mining activities as shown on the Site Plan.

*(iv) At a minimum, 100 feet greenbelt setback shall be provided from jurisdictional wetlands or navigable watercourses as the same are defined by the U.S. Army Corps of Engineers (USACE). The Director upon recommendation and consent of the USACE may vary this standard;*

Response: A 100-ft greenbelt setback is provided from the Colorado River along the southern edge of the property. This is the same as the 100-ft water setback detailed



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on the Site Plan. No wetland disturbance is planned at this time based on the Wetland Delineation Report (included). Refinement would be necessary if a U.S. Army Corps of Engineers permit is required, but that appears unlikely.

*(v) Existing trees and vegetation shall, to the extent practicable, be preserved and maintained in the required setback to protect against and reduce noise, dust and erosion. The Director may require vegetative screening and/or buffering in accordance with this code in order to minimize the impact to dissimilar adjacent uses or zoning districts;*

Response: Existing trees and vegetation, to the extent practicable, will be preserved and maintained in required setbacks to protect against and reduce noise, dust, and erosion. Setbacks are shown on the Site Plan.

*(vi) The owner or operator shall submit a traffic analysis;*

Response: A traffic analysis has been prepared and is included with this submittal. A Cost Share Agreement is currently pending between Mesa County, the City of Grand Junction, and the applicant for C ½ Road Improvements. The applicant is agreeable to the execution of the existing Cost Share Agreement at this time.

*(vii) The Director of Public Works may place restrictions on right-of-way use after review of the traffic analysis. Restrictions may include but are not limited to the owner or operator being responsible for the extraordinary upgrade and maintenance of the designated haul route;*

Response: A haul road plan has been included with this submittal. Access to and from the project site will be from C 1/2 Road only.

*(viii) Streets, bridges and highways designated as haul route shall be maintained by the owner/operator in a reasonably clean condition. This may include, depending on local conditions, watering, oiling, or sweeping as determined by the Director;*

Response: C ½ Road and 28 Road will be maintained by the owner/operator in a reasonably clean condition.

*(ix) Hours of operation shall be restricted to 6:00 a.m. to 6:00 p.m. The Director may authorize different hours; however, the Director may also restrict as part of the CUP the hours of operation near residential or urbanized areas;*

Response: The planned hours of operation are 7:00 a.m. to 5:30 p.m.

*(x) In no event shall a slope of steeper than 2:1 be left for dry pits. A pit with a slope of 3:1 or steeper shall not exceed a depth of 10 feet. The floor of excavation pits, whether wet or dry, shall be left in a suitable condition;*

**General Project Report  
2855 C ½ Road – Gravel Pit  
Annexation/Zoning/CUP Submittal**

Response: The excavation of the gravel pit will follow these guidelines.

*(xi) The owner/operator shall not excavate, store overburden or mined material or dike the property in such a manner as to increase any drainage or flooding on property not owned by the operator or damage public facilities and/or property;*

Response: There is no offsite drainage onto the property, and all runoff occurring within the property will be contained in earth berms at the edge of the site.

*(xii) Prior to starting operation, where the operation is adjacent to subdivided and/or developed commercial or residential property, the Director may require buffering and/or screening. Required fencing, screening and/or buffering shall not be removed until reclamation has been completed;*

Response: The site will have a minimum buffer of 30' around the entirety of the property, and will also follow the required excavation and crushing buffers. A 6-ft screening fence will also be installed, not to be removed until reclamation is complete. This information will be provided in detailed documents to be included with the State permit application.

*(xiii) After mining has been completed, the site shall not to be used to stockpile sand and/or gravel except in I-1 and I-2 with a CUP. In any event the owner/operator is to reclaim the site as rapidly as possible;*

Response: Once mining is complete all processed materials will be removed and the site will be reclaimed.

*(xiv) Operations shall comply with the noise, vibration and other applicable standards and requirements of this code. If there are conflicting or competing provisions in this code, the most stringent shall apply;*

Response: Operations will work within the applicable standards in the City of Grand Junction Zoning and Development Code. This information will be provided in detailed documents to be included with the State permit application.

*(xv) All air emissions shall comply with standards established by the Mesa County Health Department, State Health Department and Colorado Air Quality Control Commission;*

Response: This project will comply with all applicable standards. This information will be provided in detailed documents to be included with the State permit application.

*(xvi) All water use and/or discharge shall conform to standards established by law and administered by the Environmental Protection Agency (EPA), the Colorado*



**General Project Report  
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*Department of Public Health and Environment (CDHPE), the City of Grand Junction and the Mesa County Health Department;*

Response: Water use and/or discharge will conform with applicable standards. This information will be provided in detailed documents to be included with the State permit application.

*(xvii) All slopes shall be stabilized. Land remaining at the natural water level must be revegetated in a manner compatible in type as/with the immediately prevailing area. Revegetation plans are required and shall minimally meet the standards of the Colorado Mine Land Reclamation Board;*

Response: A reclamation plan is included with this submittal, and revegetation will take place as in accordance with 2 CCR 407-4 Rule 3.1.10. This information will be provided in detailed documents to be included with the State permit application.

*(xviii) All disturbed areas shall be revegetated in accordance with the vegetation plan;*

Response: All disturbed areas will be revegetated with a suitable seed mix in accordance with 2 CCR 407-4. This information will be provided in detailed documents to be included with the State permit application.

*(xix) Following initial revegetation efforts, the revegetated area shall be maintained for a period of three years or until all vegetation is firmly established in the reclamation area;*

Response: The reclaimed area will be maintained for a period of 3 years to ensure that vegetation is firmly established.

*(xx) A timetable for reclamation shall be placed on each project. Time lines, including but not limited to milestones, if any, shall be dependent upon the type and size of reclamation effort;*

Response: Reclamation shall be completed approximately two years after mining operations are complete.

*(xxi) Proof of a reclamation bond shall be submitted, along with the required reclamation plan;*

Response: A reclamation plan has been included with this submittal, and proof of a reclamation bond will be included as part of the conditions of approval. This information will be provided in detailed documents to be included with the State permit application.

**General Project Report**  
**2855 C ½ Road – Gravel Pit**  
**Annexation/Zoning/CUP Submittal**

*(xxii) A development schedule shall be submitted describing the life span of the project in years (ranges are acceptable) and, if applicable, the years per phase;*

Response: The mining will take place in one phase lasting approximately ten years. Reclamation is expected to be completed two years after mining is completed.

*(xxiii) If the development schedule is not met the conditional use permit:*

*(A) May be revoked;*

*(B) The Director may grant a two-year extension per request;*

*(C) The Planning Commission shall have the power, after hearing, to revoke any conditional use permit for any violation;*

*(D) Upon at least 10 days' written notice to the owner, the Planning Commission may hold a hearing to determine the nature and extent of the alleged violation, and shall have the power, upon showing of good cause, to revoke the permit and the plan and to require reclamation of the land;*

*(E) If not extended or revoked, a new application and extraction plan will need to be submitted and reviewed in the manner described in this subsection;*

*(F) An extension request shall provide information in writing detailing the reasons for the request. The Director shall consider the stated reasons, as well as the extent conditions have changed in the area, if any, before granting an extension;*

*(G) If a written request to extend the development schedule is submitted to the Director it shall include but not necessarily be limited to the factors and reasons for the requested extension. New conditions may be imposed as a part of the granting of an extension. New conditions, if any, may be appealed to the Planning Commission to be considered at a public hearing;*

*(H) The Director may forward any extension request to the Planning Commission;*

*(I) Extension requests will be evaluated by the Director and/or Planning Commission on the same basis and with the same information as per the conditional use permit process;*

*(xxiv) If the use has not operated or if no material has been extracted in accordance with the development schedule or any extension thereof, the conditional use permit shall expire;*

*(xxv) Signage for public safety is required*



**General Project Report  
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Response: A freestanding sign will be erected near the proposed entrance at the north end of the project site to post State of Colorado required identification information. The sign will be less than 1.5 square feet.

*(xxvi) Fencing around the perimeter of the property is required.*

Response: A 6-foot perimeter screening fence will be provided as part of the construction process, as shown on the Site Plan.

**Conditional Use Permit Approval Criteria. (GJMC 21.02.110(c))**

The application shall demonstrate that the proposed development will comply with the following:

- (1) District Standards. The underlying zoning districts standards established in Chapter [21.03](#) GJMC, except density when the application is pursuant to GJMC [21.08.020\(c\)](#);*

Response: The CSR zone district implements the future land use designation of Conservation/Mineral Extraction and is therefore an appropriate option. The proposed development meets the standards outlined in the Mixed Use and Industrial Bulk Standards Summary Table for CSR. Setbacks and other dimensional requirements are shown on the Site Plan.

- (2) Specific Standards. The use-specific standards established in Chapter [21.04](#) GJMC;*

Response: See page 3 above.

- (3) Availability of Complementary Uses. Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities;*

Response: The above services and facilities are available within the local area.

- (4) Compatibility with Adjoining Properties. Compatibility with and protection of neighboring properties through measures such as:*

*(i) Protection of Privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;*

Response: Screening fences and setbacks are provided for in the Site Plan. Additionally, operating hours are within the allowable timeframe.

**General Project Report**  
**2855 C ½ Road – Gravel Pit**  
**Annexation/Zoning/CUP Submittal**

*(ii) Protection of Use and Enjoyment. All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property;*

Response: Gravel extraction operations will be done in phases around the property to limit the amount of disturbed area at any given time. Activity is removed from the Colorado River to allow for the passage of native wildlife. Those areas of thick vegetation and trees within 100-ft of the Colorado River are preserved in the project as shown on the Site Plan.

*(iii) Compatible Design and Integration. All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.*

Response: Screening fences, dust control, operating hours, phased extraction, and appropriate setbacks all contribute to the above items. Additionally, the project will last up to 10 years, meaning that it will not be a permanent fixture in the local area.



## Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.<sup>1</sup> The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.<sup>2</sup>

### SECTION A

Date: 02-16-21  
Project Name: 2855 C 1/2 Road  
Project Street Address: 2855 C 1/2 Road Grand Junction  
Assessor's Tax Parcel Number: 2943-194-00-248  
Project Owner Name: M&D Enterprises LLC  
City or County project file #: \_\_\_\_\_  
Name of Water Purveyor: Ute Water  
Applicant Name/Phone Number: M&D Enterprises  
Applicant E-mail: \_\_\_\_\_

1. If the project includes one or more one or two-family dwelling(s):
    - a. The maximum fire area (see notes below) for each one or two family dwelling will be N/A square feet.
    - b. All dwelling units will ☐, will not ☐ include an approved automatic sprinkler system.Comments: \_\_\_\_\_
  2. If the project includes a building other than one and two-family dwelling(s):
    - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:  
N/A
    - b. List each building that will be provided with an approved fire sprinkler system:  
\_\_\_\_\_
  3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code[IFC]):  
0 gpm
- Comments: Gravel Pit with no buildings and typical equipment operations

#### Note:

**Fire Area:** The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

**Fire Flow Rule:** The City's Fire Code<sup>3</sup> sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet<sup>4</sup>). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

**Applicant/Project Engineer:** Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

**\*End of Section A. Section B continues on the next page\***

# Grand Junction Fire Department New Development Fire Flow Form

## SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

**Failure to attach the fire flow test data and/or diagram may delay your project review.**

1. Circle the name of the water supplier: Ute      Clifton      Grand Junction
  2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:  

SEE ATTACHED MAP. THE DISTRICT HAS AN EXISTING 3-INCH IN C.5; NEAREST EXISTING FIRE HYDRANTS ARE IN 29 RD AND 28 RD NEAR C.5 (APPROX 1/2 MILE FROM PROJECT SITE).
  3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be used to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:  
SEE ATTACHED RESULTS
- [Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]
4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: \_\_\_\_\_

Print Name and Title of Water Supplier Employee completing this Form:

DUSTY KRIEGSHAUSER MAINTENANCE II/HYDRANT MAINTENANCE

Date: 2/17/2021

Contact phone/E-mail of Water Supplier: 970-256-2882 hydrant@utewater.org

\*\*\*\*\*

**Note:** Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer<sup>5</sup> to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

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

<sup>2</sup> Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

<sup>3</sup> International Fire Code, 2012 Edition

<sup>4</sup> <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

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



# Fire Flow Hydrant Master With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



**Company Name:** Ute Water Conservancy District  
**Address:** 2190 H 1/4 Rd  
**City:** Grand Junction  
**State:** Colorado  
**Zip:** 81505

**Test Date:** 8/7/20 10:30 am

**NFPA Classification:**

Blue AA  
 4216.14

**Work Order:** 997  
**Operator:** DUSTY K, JOE I, JESSE K.

**Test did not reach recommended drop of 25% per NFPA 291**

**Test Hydrant:** 3396  
**Address:** 365 29 RD  
**Cross Street:**  
**Location:**  
**District:**  
**Sub-Division:**

**Latitude:** 715000.925  
**Longitude:** 4326111.053  
**Elevation:** 4599.17  
**State X / Y:** /

**Pumpers:**

**Nozzles:**

**Open Dir:**

**Manuf:** Mueller  
**Model:** Centurion 5 1/4

**Installed:** 01/01/2005  
**Main Size:** 0.00

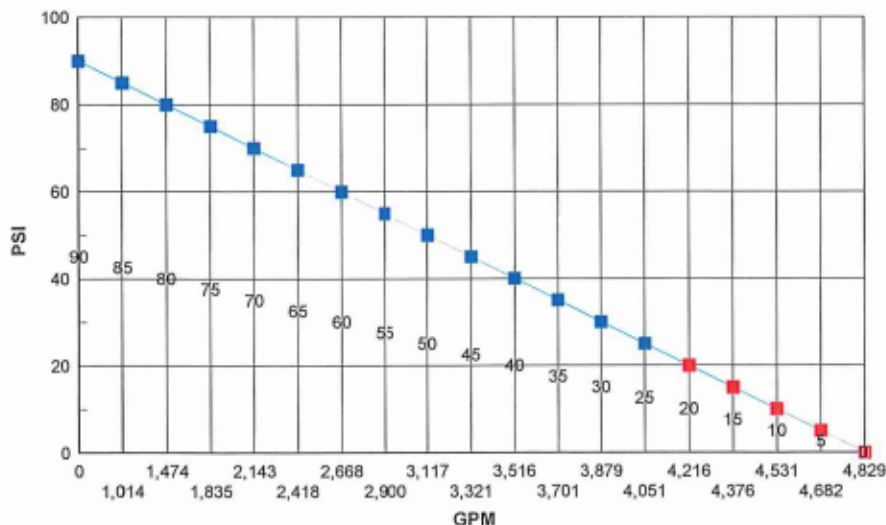
**Vandal Proof:**  
**Bury Depth:** 0.00

	<u>Flow Hydrant</u>	<u>Flow Device</u>	<u>Diameter</u>	<u>GPM</u>	<u>Gallon Used</u>
1:	3395	2.5" Hose Monster	2.50	1118.83	5594.15
2:					
3:					
4:					
5:					

**Pitot / Nozzle PSI:** 44.00  
**Static PSI:** 90.00  
**Residual PSI:** 84.00  
**Percent Drop:** 6.67

**Total Gallons Used:** 5594.15  
**Max GPM during test:** 1,118.83  
**Elapsed Time Min:Sec:** 5 : 0  
**Predicted GPM @ 20 PSI:** 4216.14

**3396 Flow GPM**



GPM rounded to nearest gallon

Values inside grid below flow line are PSI @ predicted flow

**POST-CONSTRUCTION STORMWATER CONTROL  
OPERATIONS AND MAINTENANCE AGREEMENT**

**THIS AGREEMENT** is made and entered into this 16th day of February, 2021, by and between M&D Enterprises LLC, (hereinafter the "Landowner"), and the City of Grand Junction, Colorado (hereinafter "Municipality");

**RECALLS**

The Landowner is the owner of the following real property:  
hereinafter referred to as "the Property."

The Landowner is developing the Property;

The Municipality and the Landowner, on behalf of all successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site stormwater Best Management Practices be constructed and maintained on the Property.

For the purposes of this agreement, the following definitions shall apply:

BMP – "Best Management Practice;" activities, facilities, designs, measures or procedures used to manage stormwater impacts from land development, to protect and maintain water quality and groundwater recharge and to otherwise meet the purposes of the Municipal Stormwater Pollution Prevention Ordinance, including but not limited to infiltration trenches, seepage pits, filter strips, bioretention, wet ponds, permeable paving, grassed swales, forested buffers, sand filters and detention basins.

As part of the approval of the development of the property, the Municipality will review and approve a Final Drainage Report which will implement Post-Construction Storm Water Management BMPs required by the Municipal Stormwater Pollution Prevention Ordinance.

The purpose of this Agreement is to insure the adequate maintenance, operation and repair of the storm water management facilities, in perpetuity, by the owners of the property served by these facilities.

The Landowner desires to subject and place upon the Property the covenants and servitudes set forth herein which shall run with the Property and be binding on all parties having any right, title, or interests in the Property or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein and the following terms and conditions, the parties hereto agree as follows:



1. The BMPs shall be constructed by the Landowner in accordance with the plans and specifications shown and described in the Final Drainage Report.
2. The Landowner shall operate and maintain in perpetuity the BMP(s) as shown and described on the Final Drainage Report in good working order as reasonably determined by the Municipality and in accordance with the specific maintenance requirements noted on the Final Drainage Report. The Landowner shall cause the BMP(s) to be inspected annually by a Qualified Erosion Control Specialist to ensure good working order and shall send a report from said inspection to the Municipality annually, on or before December 31st of each year.
3. The Landowner hereby grants a perpetual easement to the Municipality, its authorized agents and employees, to enter upon the Property, at reasonable times and upon presentation of proper identification, to inspect the BMP(s) whenever it deems necessary. The Municipality shall make reasonable efforts to notify the Landowner prior to entering the Property.
4. In the event the Landowner fails to operate and maintain the BMP(s) as shown and described on the Final Drainage Report in good working order as reasonably determined by the Municipality, the Municipality or its representatives may enter upon the Property and take action to maintain and/or repair and/or reconstruct said BMP(s). It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.
5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all reasonable expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.
6. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMP(s) by the Landowner. This Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
7. The Municipality may conduct routine inspections of the BMP(s) to verify their continued adequate functioning. The Municipality may also inspect the BMP(s) in the event of reported or suspected failure to function adequately. These inspection activities shall not absolve the Landowner of its obligation to maintain the BMPs in perpetuity or to provide the Municipality with the required Landowner inspection report.
8. This Agreement shall not be interpreted or deemed to limit the authority, privilege or right of the Municipality pursuant to any duly enacted ordinance of the Municipality, charter provision, statute or any duly granted federal or state water discharge permit.

9. Notifications and reports made under this Agreement shall be provided to the City at:

Mr. Chris Spears  
Street Systems Supervisor  
250 N 5<sup>th</sup> Street-  
Grand Junction, CO 81501

and to the Landowner at:

This Agreement shall be recorded in the Mesa County, Colorado land records and shall, once recorded, constitute a covenant running with the Property and shall be an equitable servitude binding on present and subsequent owners of the Property in whole or in part, and their administrators, executors, assigns, heirs and successors in interest, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For the City of Grand Junction:

(SEAL)

For the Landowner:

ATTEST:

\_\_\_\_\_  
(City of Grand Junction)

County of Mesa, Colorado

I, Teresa K. Hall, a Notary Public in and for the County and State aforesaid, whose commission expires on the 14<sup>th</sup> day of July, 2021, do hereby certify that Martin Acarraga whose name(s) is/are signed to the foregoing Agreement bearing date of the 16<sup>th</sup> day of February, 2021 has acknowledged the same before me in my said County and State.

GIVEN UNDER MY HAND THIS 22<sup>nd</sup> day of February, 2002021

NOTARY PUBLIC

(SEAL)

TERESA K. HALL

NOTARY PUBLIC

STATE OF COLORADO

NOTARY ID #20184026877

My Commission Expires July 14, 2021

- (g) City of Grand Junction Stormwater Construction Permit Field Inspection Report.



Final Drainage Report  
For  
**2855 C 1/2 Road Site Plan**  
2855 C 1/2 Road  
Grand Junction, Colorado

M&D Enterprises LLC  
PO Box 2072  
Grand Junction, CO 81502

Prepared By:  
Austin Civil Group, Inc.  
123 North 7<sup>th</sup> Street, Ste 300  
Grand Junction, Colorado 81501  
(970) 242-7540

ACG JOB#: 1161.0003

Date: May 2, 2022

I hereby certify this Final Drainage Report (plan) for the gravel pit located at 2855 C 1/2 Road in Grand Junction, Colorado was prepared by me (or under my direct supervision) in accordance with the provisions of the Stormwater Management Manual for the owners thereof, I understand the City of Grand Junction does not and will not assume liability for drainage facilities designed by others.

Mark Austin  
Registered Professional Engineer  
State of Colorado No. 29778



M&D Enterprises LLC, hereby certify the drainage facilities for the gravel pit shall be constructed according to the design presented in this report. I understand that the City of Grand Junction does not and will not assume liability for the drainage facilities designed and/or certified by my engineer. I understand the City of Grand Junction reviews drainage plans but cannot on behalf myself guarantee that final drainage design will me and/or their successor and/or assigns of the future liability for improper design. I understand that approval of the Plan does not imply approval of my engineer's drainage design.

I further understand that as the owner of the property, I am responsible for the maintenance of the stormwater drainage pipes, inlets, detention and water quality facilities. These facilities will require routine maintenance in order to minimize damage that may result from flooding or ponding water.

Mark Austin  
M&D Enterprises LLC,

2-16-21  
Date

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### Appendices

Appendix A	Location Map
Appendix B	NRCS Soil Information
Appendix C	FEMA Flood Map
Appendix D	Historic Drainage Map
Appendix E	Developed Drainage Map
Appendix F	Rational Method Flow Analysis
Appendix G	Culvert Capacity Calculations
Appendix H	Drainage Report Checklist



## I. INTRODUCTION

### A. Background

..... 1. Identify report preparer and purpose.

This report is prepared by Austin Civil Group, Inc. and the purpose of the report is for a gravel pit at 2855 C ½ Road in Grand Junction, Colorado.

..... 2. Identify date of letter with previous City/County comments.

The City of Grand Junction provided comments on this site in 2019 as part of a general meeting and in October 2021 during Round 1 of the Conditional Use Permit review.

### B. Project Location

..... 1. Identify Township, Range, and Section.

Lots 9 & 10 Bevier Subdivision, Section 19, Township 1 S, Range 1 East, Ute Meridian.

..... 2. Identify adjacent street.

The subject property is located south of C ½ Road, between Las Colonias and 29 Road.

..... 3. Reference to General Location Map.

A general location map is provided in **Appendix A** and is depicted in the photo below:



### C. Property Description

..... 1. Identify area in acres of entire contiguous ownership.

The 27.8-acre parcel is owned by M&D Enterprises LLC.

..... 2. Describe existing ground cover, vegetation, soils, topography and slopes.

The 27.8-acre project site is primarily used for agricultural purposes and consists of a large field covered with typical pasture grasses.

The site slopes to the south towards the Colorado river that runs along the south end of the property. A copy of the 2016 City of Grand Junction 2-ft GIS contour map of the site is depicted below:



Project Site Location with 2016 GIS 2-ft Contour Data

Soils on the property have been classified by the US Department of Agriculture Soil Conservation Service and consist of Massadona silty clay loam (Ba), Green River silty clay



loam (Be), Green River clay loam (Gm), and Bebeever and Green River soils (Ro). These soils have slow infiltration rates and are classified as hydrologic soil type 'C' soil.

**Appendix B** of this report provides more information from the NRCS report.

.....3. Describe existing drainage facilities, such as channels, detention areas, or structures.

"No Name Drain", a Grand Valley Drainage District facility, runs north to south along the western edge of the property before emptying into the Colorado River.

.....4. Describe existing irrigation facilities, such as ditches, head-gates, or diversions.

Grand Valley Irrigation Company does not currently deliver irrigation water to the property, but it could be available from Headgate MC045 with purchase.

.....5. Identify proposed types of land use and encumbrances.

The project will develop the property into a gravel pit. There are no known encumbrances that will impact the design of the facility.

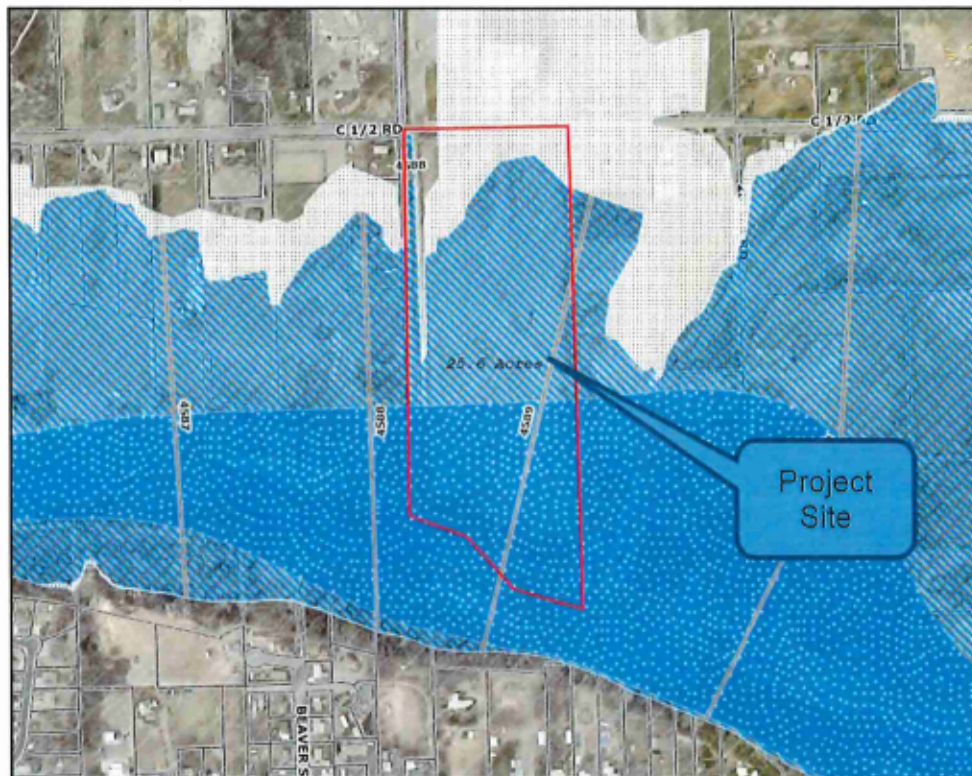
#### D. Previous Investigations

.....1. Identify drainage master plans that include the project area, including floodplain studies.

The subject property is not located in an area that is part of a drainage master plan. It is part of Sub Basin #113, a 233-acre area between Indian Wash (west) and Lewis Wash (east).



The subject property is located within a FEMA designated flood hazard areas according to the Flood Insurance Rate Map Panel 08077C0817F with an effective date of 7/6/2010. Approximately the southern third of the lot is in the floodway, with about a third being in the 1% AEP zone, and the rest in the 0.2% AEP zone. An excerpt from the FIRM map is included in **Appendix C** of this report.



City of Grand Junction GIS FEMA Flood Hazard Area Map

## 2. Identify drainage reports for adjacent development.

ACG is not aware of any drainage reports for adjacent development.

## II. DRAINAGE SYSTEM DESCRIPTION

### A. Existing Drainage Conditions

..... 1. Describe existing topography and provide map with contours extending a minimum of 100 feet beyond property limits.

The site slopes gently to the south at a grade of 0.5-1.0%. Runoff generally flows south and discharges into an irrigation tailwater ditch that runs approximately east-to-west along the southern end of the property and discharges into the Colorado river via the southwest corner.



Listed below is a copy of the City of Grand Junction GIS database map depicting the project location and 2-ft contour data that extends beyond the property limits:



Project Site Location with 2016 GIS 2-ft Contour Data

..... 2. Identify major drainage way or outfall drainage way and describe map showing location of proposed development within the drainage ways.

There are no major drainage ways or outfalls on the subject property. The majority of runoff from the property surface discharges into a small tailwater ditch along the south side of the property, and then into the Colorado river. No Name Drain primarily services properties to the north, passes through the property, and drains into the Colorado River through the southwest corner.

..... 3. Identify pre-developed drainage patterns and describe map showing pre-developed sub-basins and concentrated discharge locations. Provide calculations of pre-developed peak flows entering and leaving the site.

The project site has two historic drainage basin areas. A drawing identifying the pre-development (historic) drainage basins and conditions for the project site is provided in **Appendix D** of this report and described below.

Basin H-1, approximately 22.26-acres in size, consists of the entire site except for the open ditch of No Name Drain along the western side of the property. Drainage from this basin area flows south and then off the property near the southwest corner.

Basin H-2, 1.96-acres in size, consists of the portion of the site surrounding No Name Drain. Drainage from this basin exits the southwest corner of the property and flows into the Colorado River.

The Rational Method as defined in Section 700 of the SWMM manual was used to calculate maximum rate of runoff for the historic site conditions for the 10-yr and 100-yr storm events based on hydrologic soil group "C". Historic runoff calculations are summarized below and detailed information is provided in **Appendix F**.

**TABLE 1: Historic / Pre-Development Runoff Calculations**

Basin	Size (ac)	Storm Event	"C" Value	Runoff (cfs)
H-1	22.26	10-Yr	0.26	4.0
		100-Yr	0.51	16.4
H-2	1.96	10-Yr	0.26	0.3
		100-Yr	0.51	1.6

## B. Master Drainage Plan

..... 1. Describe location of the project relative to a previously prepared master drainage plan, including drainage plans prepared for adjacent development.

ACG is not aware of any master drainage plans in the vicinity.

## C. Offsite Tributary Area

..... 1. Identify all offsite drainage basins that are tributary to the project.

The subject property historically receives water almost exclusively from rainfall. No Name Drain, an open ditch, flows south along the west edge of the property and serves as stormwater conveyance to the Colorado river for properties to the north. It exits the property via the western boundary, approximately 300-ft north of the Colorado River. There is no significant offsite runoff from other properties to the east due to a minor berm along the eastern fenceline. An east-west roadside ditch along C ½ Road prevents runoff from entering the northern property boundary. That runoff is conveyed west along C ½ Road.

..... 2. Identify assumptions regarding existing and future land use and effects of offsite detention on peak flows.

Surrounding land parcels have been developed for residential, agricultural, or wildlife habitat. Provided their land use and zoning remains the same, there is no reason to believe there would be any increases in peak flows from adjacent land improvements. No



Name Drain, the primary conveyance structure in the vicinity, is approximately 5-ft deep and 10-ft wide and is unlikely to be overwhelmed without significant future development of the surrounding area which exceeds the scope of this report.

#### D. Proposed Drainage System Description

..... 1. Identify how offsite stormwater is collected and conveyed through the site and ultimately to the receiving water(s).

The only offsite stormwater conveyed through the site is contained within No Name Drain from entry to exit. The proposed drainage system will keep No Name Drain unchanged. Additionally, runoff from C ½ Road is collected in the roadside ditch along the north of the property and conveyed west in the same manner as historically.

..... 2. Identify sub-basins and describe, in general terms, how onsite stormwater is collected and conveyed through the site for each location where stormwater is discharged from the site.

Developed drainage conditions will collect the majority of onsite stormwater into the reclamation pond where it will recharge into the groundwater table. Approximately 3-acres along the southern portion of the site will sheet flow south to the Colorado River.

Subbasin D-1.1, approximately 9.34-acres in size, consists of the land area in the sand and gravel mining area. This excludes D-2 (No Name Drain) and the area south of the proposed Riverfront Trail. Drainage from this basin area sheet flows into the reclamation pond where it will recharge into the groundwater table.

Subbasin D-1.2, 11.50-acres in size, consists of the surface area of the reclamation pond created by sand and gravel extraction. The pond will contain exposed groundwater and any additional contributing stormwater will recharge into the groundwater table.

Subbasin D-1.3, 1.43-acres in size, consists of the portion of the site south of the proposed Riverfront trail. Drainage from this basin sheet flows south into the Colorado River.

Basin D-2, 1.96-acres in size, consists of the portion of the site surrounding No Name Drain. Drainage from this basin exits the southwest corner of the property and flows directly into the Colorado River. Historic runoff calculations are summarized below and detailed information is provided in **Appendix F**.

**TABLE 2: Developed Runoff Calculations**

Basin	Size (ac)	Storm Event	"C" Value	Runoff (cfs)
D-1.1	9.34	10-Yr	0.28	N/A
		100-Yr	0.52	
D-1.2	11.50	10-Yr	0.92	N/A
		100-Yr	0.96	
D-1.3	1.43	10-Yr	0.32	0.8
		100-Yr	0.54	2.7
D-2	1.96	10-Yr	0.26	0.3
		100-Yr	0.51	1.6

..... \* 3. Describe detention volumes, release rates and pool elevations.

No detention or retention is proposed for this project as no improvements, other than the large pond and reclaimed undeveloped land adjacent to the pond, are proposed.

..... \* 4. Identify the difference in elevation between pond invert and the groundwater table.

No site improvements other than the reclamation pond and Riverfront trail are proposed for this project. The reclamation pond will be approximately 11.5-acres and 10-15 feet deep which will expose groundwater. The existing groundwater table averages 3-6 feet below ground surface. Appropriate State of Colorado permits will be applied for pending CUP approval.

..... 5. Describe how stormwater is discharged from the site, including both concentrated and dispersed discharges.

The majority of onsite stormwater—approximately 19.3-acres—will flow into the reclamation pond. The pond's water level will fluctuate based on the level of the adjacent river. Basin D-2 (No Name Drain) discharges near the southwest corner. Subbasin D-1.3 sheet flows south to the Colorado River.

..... 6. Describe stormwater quality facilities.

The majority of drainage is directed into the pond with no discharge, and therefore the reclamation pond is not a water quality facility. Subbasin D-1.3 and Basin D-2 will drain in the same manner as historically.

\* 7. Describe maintenance access aspects of design.

Maintenance access will be through the north property boundary in the same location as historical.



..... \* 8. Describe easements and tracts for drainage purposes, including limitation on use.

The project is not proposing any drainage easements or tracts for the reclamation area.

#### E. Drainage Facility Maintenance

..... \* 1. Identify responsible parties for maintenance of each drainage and water quality facility.

The property owner, currently M & D Enterprises, will be responsible for maintenance of drainage facilities.

..... \* 2. Identify general maintenance activities and schedules.

General maintenance activities include regularly scheduled clearing of brush and sediment from roadside ditches and other drainage ways. No Name Drain will continue to be maintained by GVDD.

### III. DRAINAGE ANALYSIS AND DESIGN CRITERIA

#### A. Regulations

..... 1. Identify that analysis and design was prepared in accordance with the provisions of the Manual.

Analysis and design was prepared in accordance with the Stormwater Management Manual.

2. Identify other regulations or criteria which have been used to prepare analysis and design.

None.

#### B. Development Criteria

..... 1. Identify drainage constraints placed on the project, such as by a major drainage study, floodplain study or other drainage reports relevant to the project.

There are no design constraints on this project.

..... 2. Identify drainage constraints placed on the project, such as from major street alignments, utilities, existing structures, and other developments.

There are no design constraints on this project.

C. Hydrologic Criteria (If Manual was followed without deviation, then a statement to that effect is all that is required. Otherwise provide the following information where the criteria used deviates from the Manual.)

Analysis and design was prepared in accordance with the SWMM, which requires analysis for the 10-yr and 100-yr storm events using the Rational Method.

..... 1. Identify how storm runoff peak flows and volumes were determined, including rainfall intensity or design storm.

Peak runoff for the project was determined in accordance with the 2007 SWMM using the rational method for the 10-yr and 100-yr storm events.

..... 2. Identify which storm events were used for minor and major flood analysis and design.

The Manual was followed which calls for analysis for the 10-yr and 100-yr storm events.

..... 3. Identify how and why any other deviations from the Manual occurred.

No other deviations occurred.

D. Hydraulic Criteria (If Manual was followed without deviation, then a statement to that effect is all that is required. Otherwise provide the following information where the criteria used deviates from the Manual.)

Hydraulic analysis and design was prepared in accordance with the Stormwater Management Manual.

..... \* 1. Identify type(s) of streets within and adjacent to development and source for allowable street capacity.

No street improvements are proposed by this project.

..... \* 2. Identify which type(s) of storm inlets were analyzed or designed and source for allowable capacity.

There are no storm inlets are proposed by this project.

..... \* 3. Identify which type of storm sewers which were analyzed or designed and Manning's n-values used.

No storm sewers are proposed by this project.



..... \* 4. Identify which method was used to determine detention volume requirements and how allowable release rates were determined.

The project does not require detention volume requirements as no improvements are proposed.

..... \* 5. Identify how the capacity of open channels and culverts were determined.

The 18-inch culvert to be replaced beneath the gravel pit entry road (along the roadside ditch) was calculated using the Rational Method. It assumed a Manning's Coefficient of 0.012 with a 0.5% slope to provide a discharge of 8.05 cfs.

..... \* 6. Identify any special analysis or design requirements not contained with the Manual.

None

..... 7. Identify how and why any other deviations from the Manual occurred.

None.

#### E. Variance from Criteria

..... 1. Identify any provisions of the Manual for which a variance is requested.

None.

..... 2. Identify pre-existing conditions which cause the variance request.

None.

### **\*IV. POST CONSTRUCTION STORMWATER MANAGEMENT.**

See Manual Section 1600 for requirements. The Final Drainage Plan and the Construction SWMP (see SWMM Section 1500) meets the requirements of the MS4s Permit. In general, this section identifies permanent BMP practices to control the discharge of pollutants after construction is complete.

#### **\*A. Stormwater Quality Control Measures**

..... \* 1. Describe the post-construction BMPs to control discharge of pollutants from the project site.

Because there is no discharge from the reclamation pond, it functions as a BMP to filter sediment.

..... \* 2. If compensating detention is provided, discuss practices to address water quality from area not tributary to detention area.

None.

..... \* 3. If underground detention is proposed, discuss how water quality facilities will be provided on the surface.

No underground detention is proposed.

..... 4. If proprietary BMPs are proposed, provide the justification and sizing requirements (see SWMM Section 1603.3).

No proprietary BMP's are proposed at this time.

#### \*B. Calculations

..... 1. Provide methods and calculations for WQCV, sediment storage, and water quality outlet structure.

None.

## V. CONCLUSIONS

### A. Compliance with Manual

..... Compliance with Manual and other approved documents, such as drainage plans and floodplain studies.

This report has been prepared in accordance with the Manual.

### B. Design Effectiveness

..... Effectiveness of drainage design to control impacts of storm runoff.

The facility has been designed to comply with SWMM requirements for mitigation of stormwater runoff.

### C. Areas in Flood Hazard Zone

..... Meet requirements of Floodplain Regulations: Mesa County Land Development Code, Section 7.13; City of Grand Junction Zoning and Development Code, Section 7.1.

The project site is located within a FEMA designated hazard area and appears to meet all necessary requirements.

### D. Variances from Manual

..... Applicant shall identify any requested variances and provide basis for approving variance. If no variances are requested, applicant shall state that none are requested.

None.



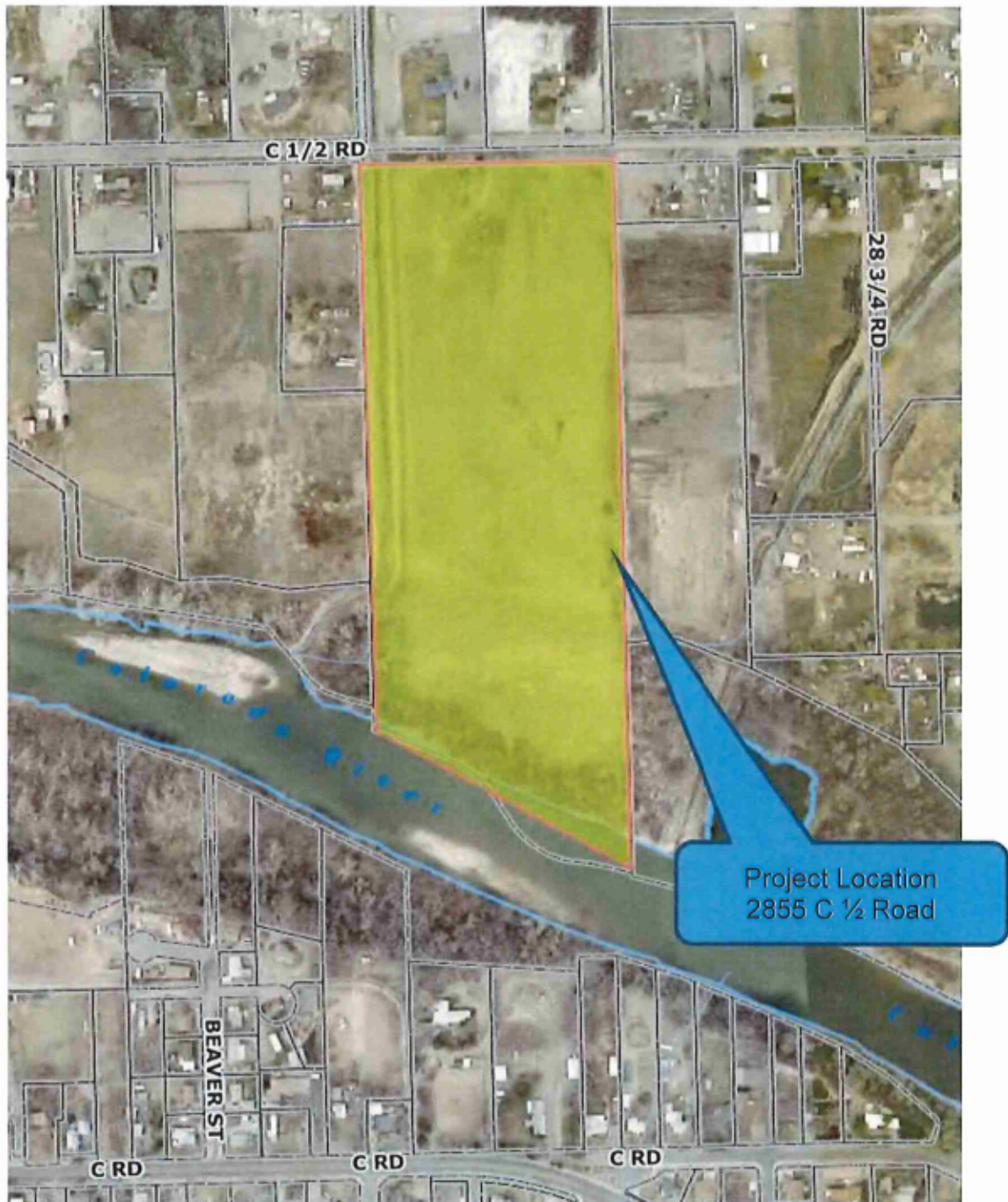
## VII. REFERENCES

..... Provide a reference list of all criteria, master plans, drainage reports, and technical information used.

1. Stormwater Management Manual, (SWMM), Mesa County and the City of Grand Junction, December 31, 2007.
2. Flood Map Service Center, FEMA Floodplain Mapping Information at [http.msc.fema.gov/portal](http://msc.fema.gov/portal)
3. United States Department of Agriculture – Natural Resources Conservation Service, <http://websoilsurvey.nrcs.usda.gov/app/>.
4. Final Drainage Report 12<sup>th</sup> and Patterson Center Subdivision, Galloway and Company, Inc., December 24, 2014.
5. Grand Valley Stormwater Management Master Plan, (GV-SWMMP), Williams Engineering, May 2000.
6. Urban Drainage and Flood Control Technical Memorandum on Water Quality Orifice Sizing Equation for EURV and QQCV Detention Basins, dated July 13, 2010, by Ken MacKenzie

## APPENDIX A

### Location Map





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# *Traffic Impact Analysis*

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## **C $\frac{1}{2}$ Road Pit** Material Extraction

**2855 C $\frac{1}{2}$  Rd.**  
Grand Junction, CO



February 19, 2021

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PO Box 629  
Mesa, CO 81643  
970-314-4888

**TurnKey**  
Consulting, LLC  
*Superior Project Leadership*

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## 1 Introduction

This report provides the assumptions and results of the traffic analysis (Study) for the proposed C½ Rd. material extraction pit (Project). Due to low Project trip generation, the scope of this study is relatively small and is similar to what Mesa County would define as a Level 2 study. The Project is located at 2855 C½ Rd. in Grand Junction, Colorado. The traffic study methodology was reviewed and accepted by the city of Grand Junction (Rick Dorris) and Mesa County (Sean Yates).

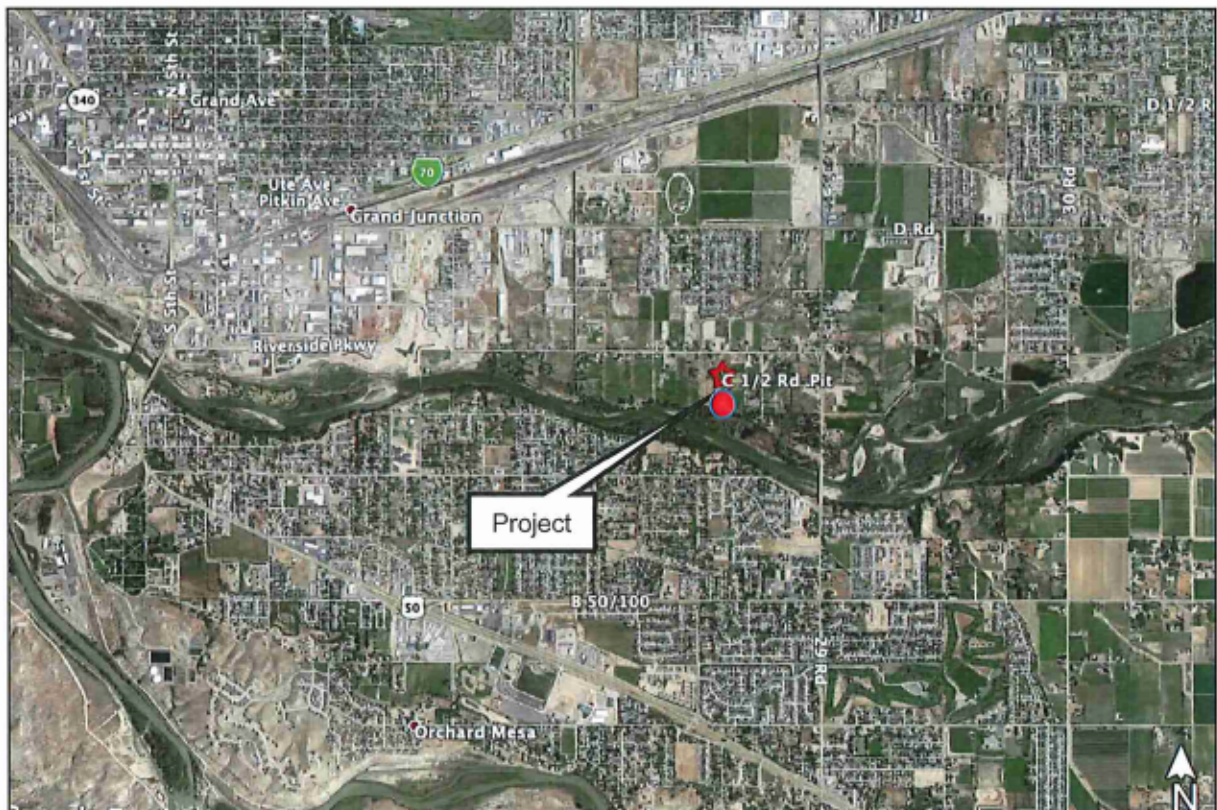
The City would annex the property from County to City and the Grand Junction development review process would be used. The County owns most of C½ Road. But there was an annexation for the south part C½ Rd ROW and it includes the south edge of pavement. Access approval will be part of the City review process.

The following sections describe the project location, characteristics of the existing access, traffic volumes, and auxiliary turn lane warrants.

## 2 Project Location & Site Access Characteristics

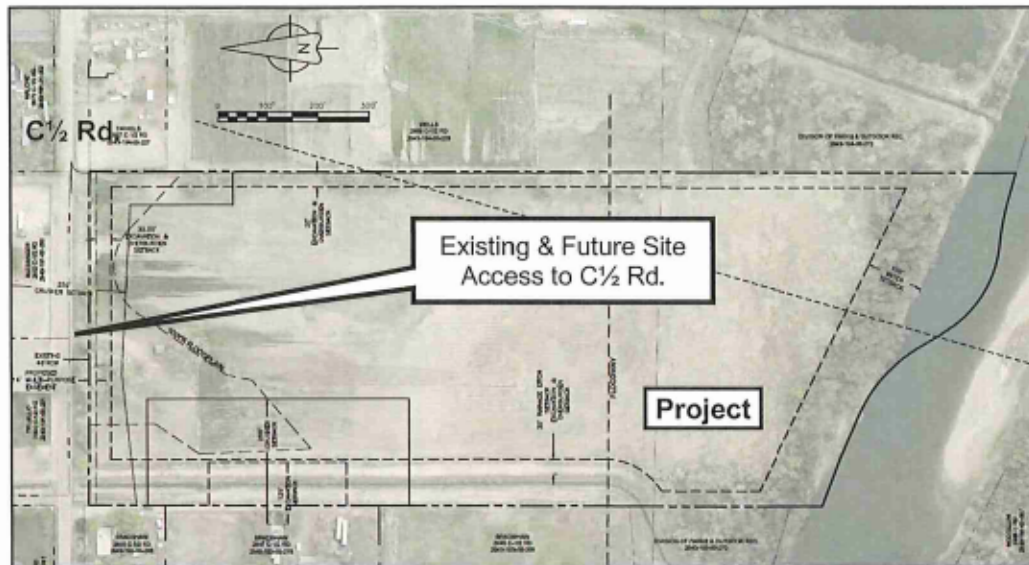
The Project is located between C½ Rd. and the Colorado River, near 28¾ Rd., as shown on Figure 1.

**Figure 1 – Project Location Map**



The following image shows the site boundary and some setback constraints. The preliminary site plan concept was not available.

**Figure 2 – Project Property Limits**



**Adjacent Access points**

Figure 3 shows the existing driveways and side roads on C½ Rd. within 1000-ft from the Project access.

- (1) 855-ft west, private driveway on south side
- (2) 795-ft west, private driveway on north side
- (3) 645-ft west, private driveway on north side
- (4) 350-ft west, private driveway on south side
- (5) 328-ft west, private driveway on north side
- (6) 268-ft west, private driveway on north side
- (7) 183-ft east, private driveway on north side
- (8) 295-ft east, private driveway on north side
- (9) 487-ft east, private driveway on south side
- (10) 545-ft east, private driveway on north side
- (11) 590-ft east, private driveway on south side
- (12) 638-ft east, private driveway on south side
- (13) 680-ft east, private driveway on north side
- (14) 772-ft east, private driveway on south side
- (15) 926-ft east, private driveway on south side
- (16) 998-ft east, 28¾ Rd. on south side



**Figure 3 – Adjacent Driveways & Local Roads on C½ Rd.**



**Access Sight Distance**

The following table shows the required and observed sight distance for the Project Site access to C½ Rd. This is a two-lane road with posted speed of 35 mph, but this Study assumed a travel speed of 40 mph. Figures 4 and 5 show the existing sight distance. This is a straight and flat road, so sight distance is adequate in both directions.

**Table 1 – Sight Distance Evaluation on C½ Rd.**

Estimated Sight Distance (not based on field measurements)			Required Sight Distance @ 40 mph	Existing Exceeds Required?
C½ Rd. Access	To West	Over 1,320-ft	Stopping = 325-ft. Entering = 680-ft (multi-unit truck)	YES
	To East	Over 1,320-ft		YES

***Figure 4 – Sight View to West***



***Figure 5 – Sight View to East***





### 3 Project Trip Generation

The ITE Trip Generation Manual does not contain data for material extraction pits so the trip generation was based on data provided by The Vice President of MA Concrete Construction, Inc. provided detailed operational and trip related information in the form of a questionnaire (see attachments). This information included these facts:

- Operating Period = 10 years (2021 – 2031)
- Operating Time = 8 hours per day, 5 days per week
- Production Amount = 45,000 tons per year

The following table summarizes the Project trip characteristics. The calculation includes consideration of large vehicles by converting large vehicle trips to "passenger car equivalents" (PCE), as shown in the State Highway Access Code. Therefore, the total trips shown are more than the number of actual vehicles.

**Table 2 – Project Trip Generation Calculation (PCE)**

**Peak Hour Trip Generation Calculation Table**

Trip Information	Purpose		Workers	Other Site Visits	Material Hauling		Total Peak Hour Trips	
	Vehicle Type		Passenger vehicle	Small Trucks (< 20 ft)	Medium Trucks (20-40 ft)	Large Trucks (> 40 ft)		
	Passenger Car Equivalent Factor		1	1	2	3		
Phase 1	Actual Number of Vehicles Per Day		3	2	5	5		
	PCE Number of Vehicles per day		3	2	10	15		
	Work Hours per day		n/a	8	8	8		
	PCE Number of Vehicles per hour		3	0	1	2		
	AM Peak Period Trips	PCE in	3	1	1	2	7	AM in
		PCE out	0	1	1	2	4	AM out
	PM Peak Period Trips	PCE in	0	1	1	2	4	PM in
		PCE out	3	1	1	2	7	PM out

### 4 Project Trip Distribution & Assignment

When considering the larger context of the community, the developer estimated the following general trip distribution values into and out of the Study Area.

- 10% North
- 5% South
- 10% East
- 75% West

The intersection of C½ Rd. & 29 Rd. has limited capacity to accommodate outbound (eastbound to northbound) left turning movements of large vehicles. In addition, Mesa County data indicates that there were 10 crashes in 4 years at this intersection. Therefore, the City and County will likely restrict outbound left turning truck traffic at this intersection with a truck route plan that uses C½ Rd & 28 Rd. to/from Riverside Pkwy for most outbound traffic.

Project Trip distributions at the Project access would be as follows when considering the general distributions and the truck route plan. See the attachments for a diagram of distributions on the road network.

Outbound at Access

- 95% to the west on C½ Rd., which included outbound trips associated with north, east, and west.
- 5% to the east on C½ Rd., which included outbound trips associated with south.

Inbound at Access

- 75% from the west on C½ Rd., which includes inbound trips associated with west.
- 25% from the east on C½ Rd., which includes inbound trips associated with north, south, and east.

Project trip assignments at the Project access would be as follows when considering the general distributions and the truck route plan. Due to the low volume of Project trips, it was necessary to round up the values for each movement to have a logical representation in whole numbers.

**Table 3 – Project Peak Hour Trip Assignment at Site Access (vph-pce)**

Peak Hours	Northbound		Westbound		Eastbound	
	Left	Right	Left	Thru	Thru	Right
AM	4	1	2	0	0	5
PM	7	1	1	0	0	3

## 5 Existing & Future Traffic Volumes on C½ Rd

Study Area & Traffic Counts

The Study Area will include the intersection of C½ Rd & Project Access. Peak hour traffic counts were taken at two existing adjacent intersections on Tuesday January 26, 2021, including C½ Road & 28 Rd and C½ Road & 29 Rd. Please see the attached count summaries.

The two-way, peak-hour traffic volumes on C½ Rd. were as follows. This Study will use the higher volumes for through traffic at the Project Access.

- Just west of 29 Rd.: AM = 65 vph, PM = 56 vph
- Just east of 28 Rd.: AM = 44 vph, PM = 50 vph

The existing one-way traffic volumes at the Project Access were:

- AM: eastbound = 23 vph & westbound = 42 vph
- PM: eastbound = 37 vph & westbound = 19 vph

Future Background Traffic Volumes

The Study will use the Regional Travel Demand Model (RTPO) data as a basis for the following growth rate assumption for C½ Rd. (see attachments for more detail). The Regional Model does not include C½ Rd., so the growth rate used in this Study was



the average of other adjacent roads that are included in the model. The analysis year was 2031, due to the 10-year service life of the Project.

**Table 4 – C½ Rd. Traffic Growth Factor Calculation**

**Road Segment Growth Factor Calculation Summary**

Road	Segment	ADT		Period Growth Factor	Ave Annual Growth Rate (%)	10 year Growth factor (2021-2031)
		2018	2045			
C 1/2 Rd.*	28 Rd. to 29 Rd.	n/a	n/a	1.49	1.47	1.360
Riverside Pkwy.	West of 28 Rd.	15,165	24,265	1.60	1.76	1.443
Riverside Pkwy.	East of 28 Rd.	12,970	21,356	1.65	1.86	1.473
Riverside Pkwy.	West of 29 Rd.	12,251	17,637	1.44	1.36	1.328
Riverside Pkwy.	East of 29 Rd.	13,784	21,077	1.53	1.59	1.393
29 Rd.	North & South of C 1/2 Rd	18,210	23,336	1.28	0.92	1.212
29 Rd.	North of Riverside Pkwy	19,644	27,818	1.42	1.30	1.312

Period = 27

Ave of 6 = 1.49

1.47

1.360

Inverse period = 0.037037037

\*Use average of the other 6 available model data points

The following table show the future through traffic volumes on C½ Rd when the growth factor was applied to existing traffic volumes.

**Table 5 – C½ Rd. Traffic Volumes in 2031**

Direction	AM Peak	PM Peak
Eastbound	32	51
Westbound	58	26
<b>Total (2-way)</b>	<b>90</b>	<b>77</b>

**Future Total Traffic Volumes on (Weekday Background + Project)**

Future total traffic is the sum of project trips and background traffic, as shown in the following table.

**Table 6 – 2040 Peak-Hour Total Traffic Volumes (vph)  
At Site Access Point**

Peak Hour	Condition	Northbound		Westbound		Eastbound	
		Left	Right	Left	Thru	Thru	Right
AM	Future Background Traffic	0	0	0	58	32	0
	Project Traffic	4	1	2	0	0	5
	<b>Total</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>58</b>	<b>32</b>	<b>5</b>
PM	Future Background Traffic	0	0	0	26	51	0
	Project Traffic	7	1	1	0	0	3
	<b>Total</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>26</b>	<b>51</b>	<b>3</b>

## 6 Auxiliary Lane Evaluation on C½ Rd. at Project Access

C½ Rd. has a posted speed limit of 35 mph, but this Study will assume a travel speed of 40 mph. This section provides recommendations for turn lanes based on the requirements of Grand Junction's TEDS. There are not any requirements for acceleration lanes, but there are criteria to determine the need for deceleration lanes. DDHV is defined as the one-way traffic volume in through lane that conflicts with the turning movement.

A right turn deceleration lane is not warranted if DDHV is less than 400 vph. In this case, the highest eastbound through volume would be 51 vph. This is well below the threshold and a right turn deceleration lane is not warranted. This is also supported by the low right turn volume of 5 vph-pce.

A left turn deceleration lane is not warranted if DDHV is less than 600 vph. In this case, the highest eastbound through volume would be 58 vph. This is well below the threshold and a left turn deceleration lane is not warranted. This is also supported by the low left turn volume of 2 vph-pce.

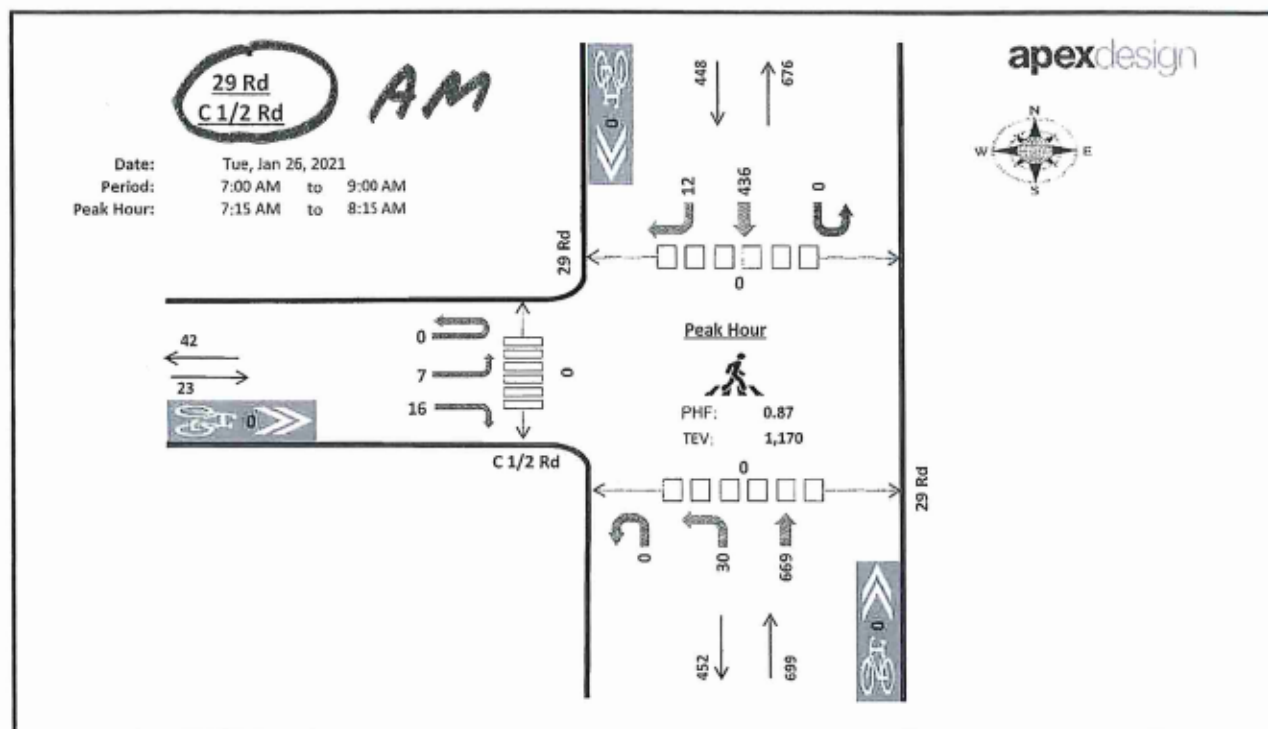
## 7 Recommendations

The Project Access should be designed to accommodate large vehicles that would enter and exit the site. Turn Lanes are not warranted on C½ Rd for the following reasons:

- No conflicts with existing adjacent access points on C½ Rd.,
- Nearly unlimited intersection sight distance,
- Very low Project trip generation,
- Very low through traffic volumes on C½ Rd.,
- Relatively low speed limit on C½ Rd.,
- Background and Project traffic volumes well below turn lane volume warrants.



# Attachments



## Summary

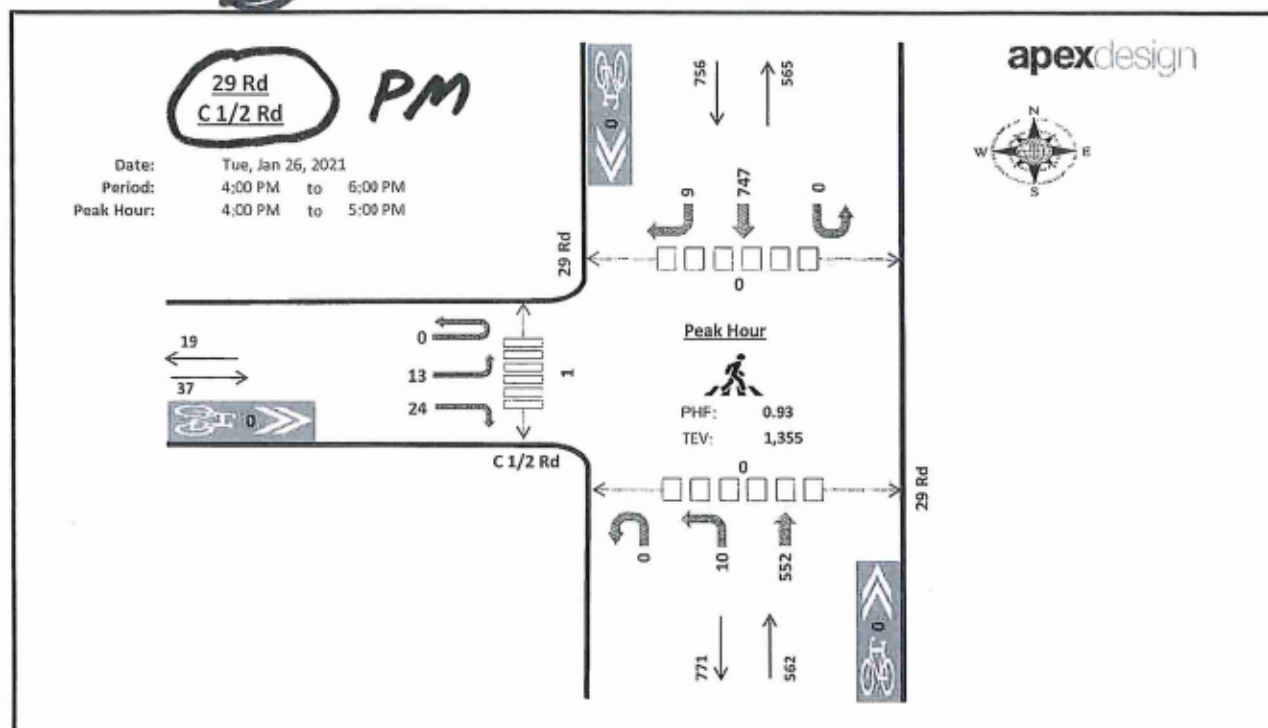
Time	C 1/2 Rd Eastbound				n/a Westbound				29 Rd Northbound				29 Rd Southbound				Total	Rolling Hour
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM	0	1	0	1	0	0	0	0	0	3	105	0	0	0	33	2	145	0
7:15 AM	0	1	0	3	0	0	0	0	0	6	168	0	0	0	85	3	266	0
7:30 AM	0	4	0	5	0	0	0	0	0	6	195	0	0	0	107	2	319	0
7:45 AM	0	2	0	4	0	0	0	0	0	13	193	0	0	0	121	3	336	1,066
8:00 AM	0	0	0	4	0	0	0	0	0	5	113	0	0	0	123	4	249	1,170
8:15 AM	0	1	0	2	0	0	0	0	0	1	118	0	0	0	101	2	225	1,129
8:30 AM	0	3	0	2	0	0	0	0	0	6	139	0	0	0	121	2	273	1,083
8:45 AM	0	1	0	2	0	0	0	0	0	3	147	0	0	0	108	2	263	1,010
Count Total	0	13	0	23	0	0	0	0	0	43	1,178	0	0	0	799	20	2,076	0
Peak Hour	0	7	0	16	0	0	0	0	0	30	669	0	0	0	436	12	1,170	0
PH HV %	13.04%								1.00%				4.91%					
PHF	0.64								0.85				0.88					

## Classifications by Approach

Time	Heavy Vehicles					Bicycles					Pedestrians				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
7:00 AM	1	0	1	7	9	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	6	6	0	0	0	0	0	0	0	0	0	0
7:30 AM	1	0	3	4	8	0	0	0	0	0	0	0	0	0	0
7:45 AM	1	0	1	9	11	0	0	0	0	0	0	0	0	0	0
8:00 AM	1	0	3	3	7	0	1	0	0	1	0	0	0	0	0
8:15 AM	1	0	4	9	14	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	6	5	11	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	7	5	12	0	0	0	0	0	0	0	0	0	0
Count Total	5	0	25	48	78	0	1	0	0	1	0	0	0	0	0
Peak Hour	3	0	7	22	32	0	1	0	0	1	0	0	0	0	0

Existing Traffic Counts



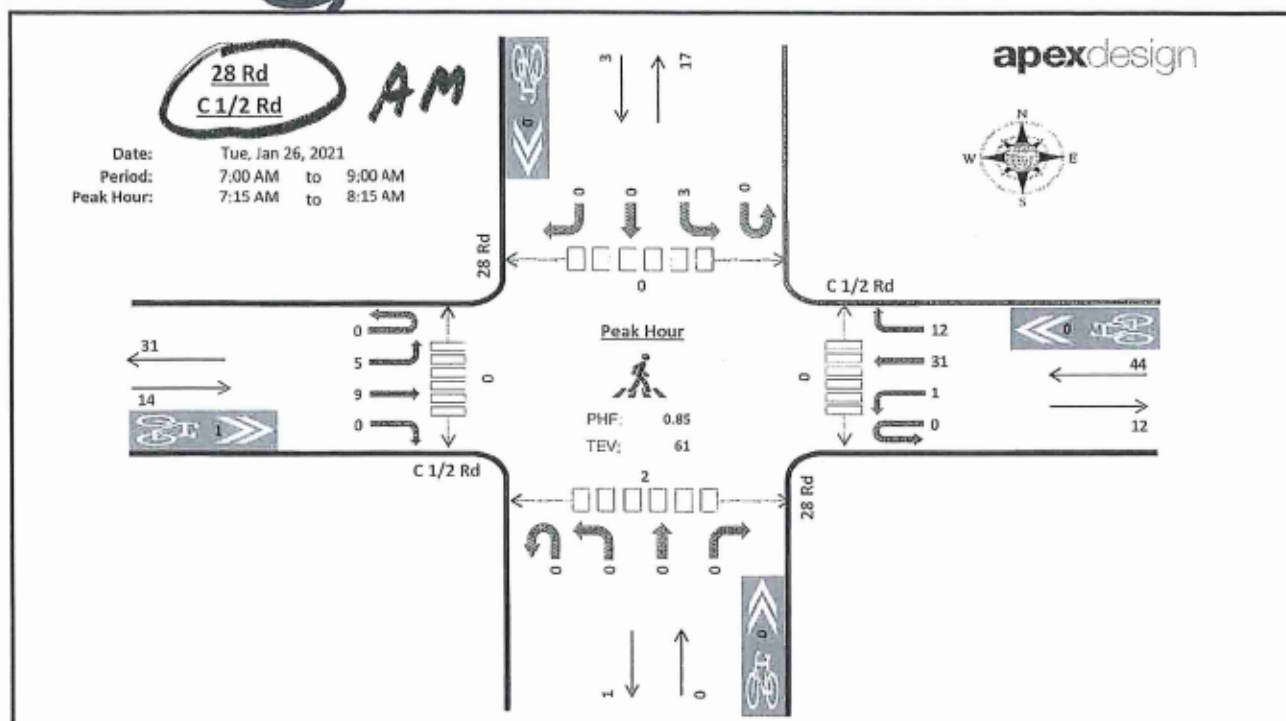


## Summary

Time	C 1/2 Rd Eastbound				n/a Westbound				29 Rd Northbound				29 Rd Southbound				Total	Rolling Hour
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
4:00 PM	0	4	0	3	0	0	0	0	0	2	156	0	0	0	196	0	366	0
4:15 PM	0	4	0	3	0	0	0	0	0	3	145	0	0	0	181	6	342	0
4:30 PM	0	2	0	7	0	0	0	0	0	1	141	0	0	0	194	1	346	0
4:45 PM	0	3	0	5	0	0	0	0	0	4	110	0	0	0	176	2	301	1,355
5:00 PM	0	4	0	12	0	0	0	0	0	3	107	0	0	0	205	1	332	1,321
5:15 PM	0	1	0	8	0	0	0	0	0	3	124	0	0	0	200	6	342	1,321
5:30 PM	0	2	0	8	0	0	0	0	0	2	119	0	0	0	164	4	299	1,274
5:45 PM	0	2	0	3	0	0	0	0	0	2	105	0	0	0	133	1	246	1,219
Count Total	0	22	0	55	0	0	0	0	0	20	1,007	0	0	0	1,449	21	2,574	0
Peak Hour	0	13	0	24	0	0	0	0	0	10	552	0	0	0	747	9	1,355	0
PH HV %	2.70%								2.67%				1.32%					
PHF	0.77								0.89				0.96					

## Classifications by Approach

Time	Heavy Vehicles					Bicycles					Pedestrians				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
4:00 PM	1	0	5	3	9	0	0	0	0	0	1	1	0	0	2
4:15 PM	0	0	3	3	6	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	5	3	8	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	2	1	3	0	0	0	0	0	1	0	0	0	1
5:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	1	1	2	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	1	1	2	0	0	0	0	0	2	0	0	0	2
Count Total	1	0	17	13	31	0	0	0	0	0	4	1	0	0	5
Peak Hour	1	0	15	10	26	0	0	0	0	0	2	1	0	0	3



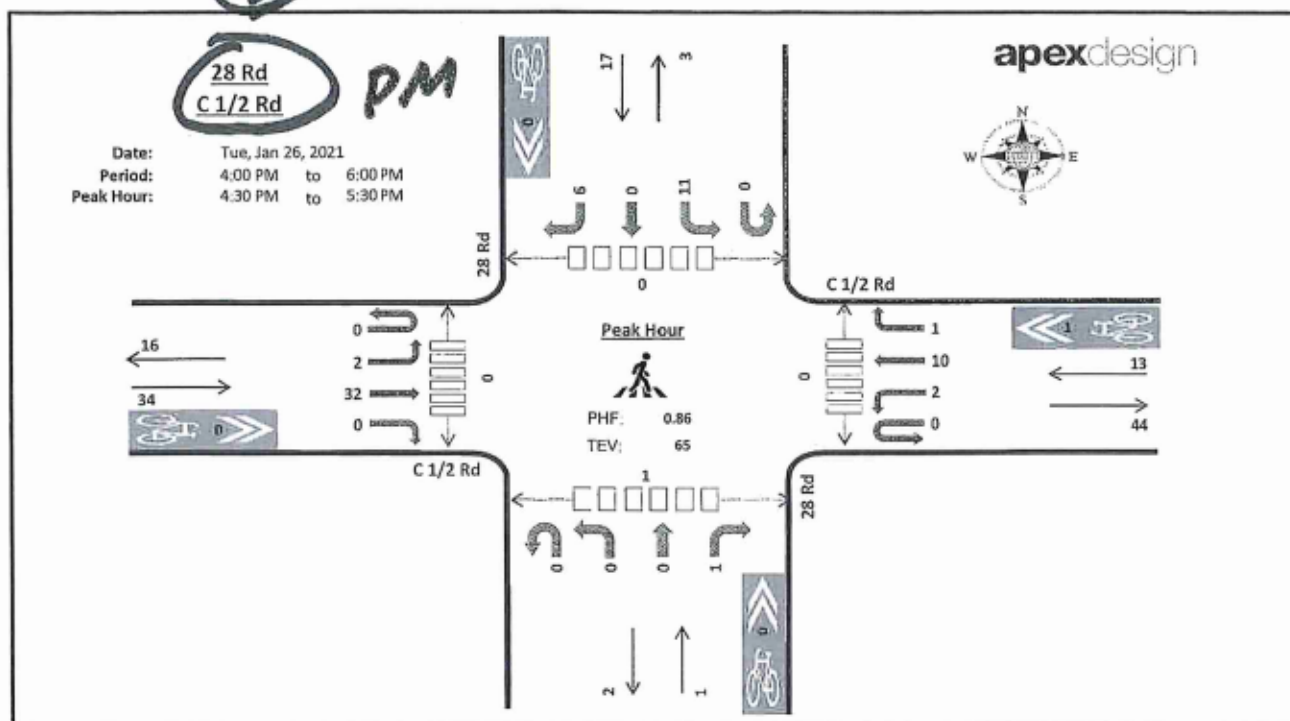
## Summary

Time	C 1/2 Rd Eastbound				C 1/2 Rd Westbound				28 Rd Northbound				28 Rd Southbound				Total	Rolling Hour
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM	0	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	3	0
7:15 AM	0	1	0	0	0	0	5	6	0	0	0	0	0	1	0	0	13	0
7:30 AM	0	2	4	0	0	0	10	1	0	0	0	0	0	1	0	0	18	0
7:45 AM	0	0	2	0	0	0	10	3	0	0	0	0	0	0	0	0	15	49
8:00 AM	0	2	3	0	0	1	6	2	0	0	0	0	0	1	0	0	15	61
8:15 AM	0	2	2	0	0	0	2	1	0	0	0	0	0	1	0	0	8	56
8:30 AM	0	0	2	0	0	1	4	0	0	0	1	0	0	0	0	0	8	46
8:45 AM	0	1	3	0	0	0	6	2	0	0	0	0	0	2	0	2	16	47
Count Total	0	9	17	0	0	2	44	15	0	0	1	0	0	6	0	2	96	0
Peak Hour	0	5	9	0	0	1	31	12	0	0	0	0	0	3	0	0	61	0
PH HV %	7.14%				2.27%				-				0.00%					
PHF	0.58				0.85				-				0.75					

## Classifications by Approach

Time	Heavy Vehicles					Bicycles					Pedestrians				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
7:00 AM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
7:45 AM	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0
8:00 AM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	1	0	1	2	0	0	0	0	0	0	0	2	0	2
8:30 AM	0	1	1	0	2	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	1	0	1	2	0	0	0	0	0	0	0	0	0	0
Count Total	2	4	1	2	9	1	0	0	0	1	0	0	2	2	4
Peak Hour	1	1	0	0	2	1	0	0	0	1	0	0	0	2	2





## Summary

Time	C 1/2 Rd Eastbound				C 1/2 Rd Westbound				28 Rd Northbound				28 Rd Southbound				Total	Rolling Hour
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	LT	LT	TH	RT		
4:00 PM	0	0	8	2	0	0	2	1	0	0	0	0	0	2	0	1	16	0
4:15 PM	0	1	3	0	0	0	1	1	0	0	0	0	0	0	0	1	7	0
4:30 PM	0	1	8	0	0	0	1	0	0	0	0	0	0	3	0	3	16	0
4:45 PM	0	0	9	0	0	1	2	1	0	0	0	1	0	4	0	1	19	58
5:00 PM	0	0	8	0	0	0	3	0	0	0	0	0	0	3	0	1	15	57
5:15 PM	0	1	7	0	0	1	4	0	0	0	0	0	0	1	0	1	15	65
5:30 PM	0	1	7	0	0	0	2	1	0	0	0	0	0	4	1	0	16	65
5:45 PM	0	0	1	0	0	0	1	0	0	0	0	0	0	2	0	0	4	50
Count Total	0	4	51	2	0	2	16	4	0	0	0	1	0	19	1	8	108	0
Peak Hour	0	2	32	0	0	2	10	1	0	0	0	1	0	11	0	6	65	0
PH HV %	0.00%				0.00%				0.00%				0.00%					
PHF	0.94				0.65				0.25				0.71					

## Classifications by Approach

Time	Heavy Vehicles					Bicycles					Pedestrians				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
4:00 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Count Total	1	1	0	0	2	0	1	0	0	1	0	0	0	1	1
Peak Hour	0	0	0	0	0	0	1	0	0	1	0	0	0	1	1

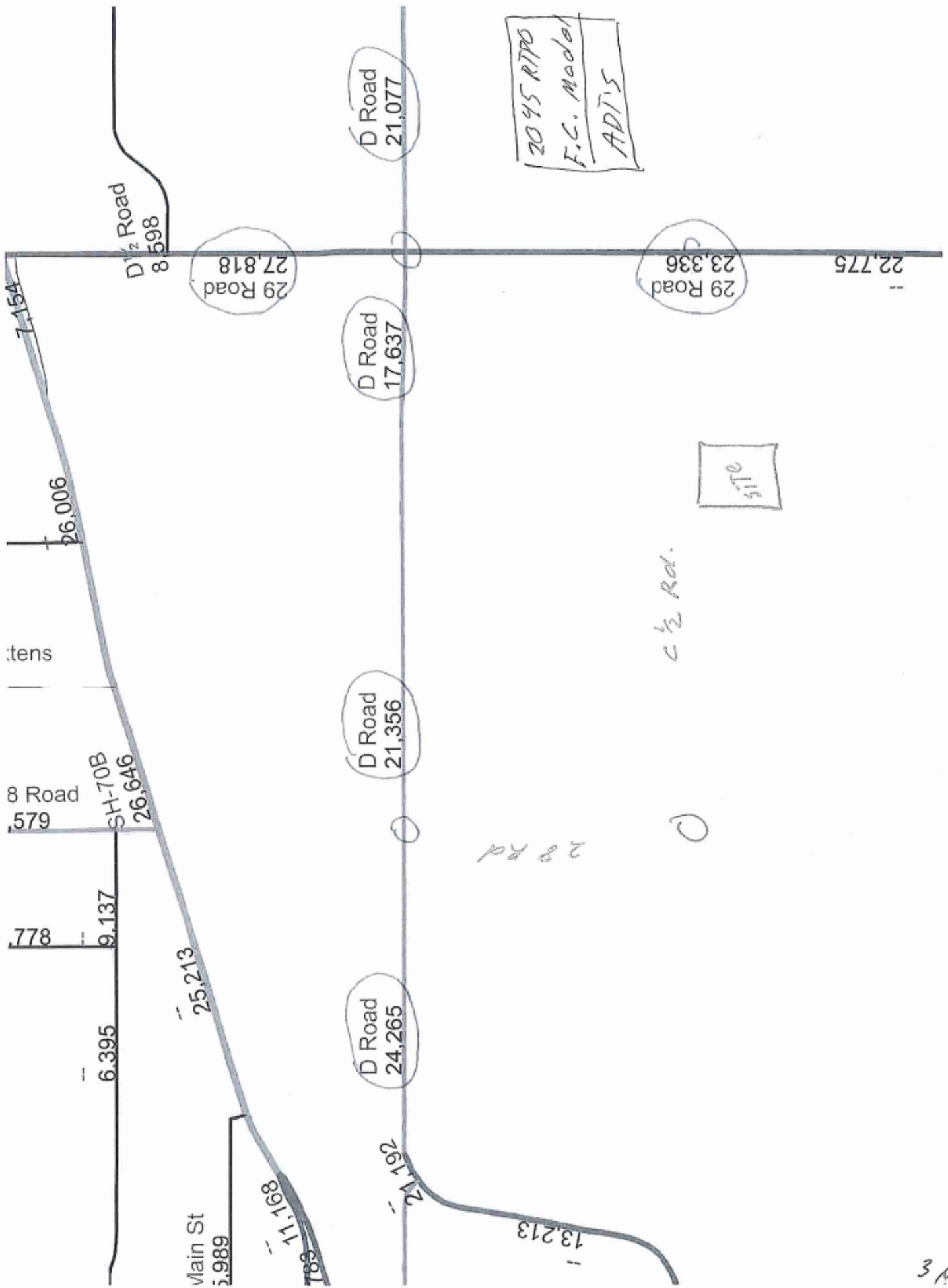
## Road Segment Growth Factor Calculation Summary

Road	Segment	ADT		Period Growth Factor	Ave Annual Growth Rate (%)	10 year Growth factor (2021-2031)
		2018	2045			
C 1/2 Rd.*	West of 28 Rd.	n/a	n/a	1.49	1.47	1.360
C 1/2 Rd.*	East of 28 Rd.	n/a	n/a	1.49	1.47	1.360
C 1/2 Rd.*	West of 29 Rd.	n/a	n/a	1.49	1.47	1.360
28 Rd.*	South of Riverside Pkwy	n/a	n/a	1.49	1.47	1.360
28 Rd.*	North of C 1/2 Rd.	n/a	n/a	1.49	1.47	1.360
Riverside Pkwy.	West of 28 Rd.	15,165	24,265	1.60	1.76	1.443
Riverside Pkwy.	East of 28 Rd.	12,970	21,356	1.65	1.86	1.473
Riverside Pkwy.	West of 29 Rd.	12,251	17,637	1.44	1.36	1.328
Riverside Pkwy.	East of 29 Rd.	13,784	21,077	1.53	1.59	1.393
29 Rd.	North & South of C 1/2 Rd	18,210	23,336	1.28	0.92	1.212
29 Rd.	North of Riverside Pkwy	19,644	27,818	1.42	1.30	1.312
Period = 27		Ave of 6 =		1.49	1.47	1.360
Inverse period = 0.037037037						

\*Use average of the other 6 available model data points







## Gravel Pit & Mining Production Questionnaire

Please provide as much information as possible and attach appropriate documents.

Project Name: C 1/2 Road Pit

Project Location/Address: 2855 C 1/2 Rd

Company Name: M.A. Concrete Construction, Inc.

Person Completing this Form: -Name: Andy Azcaraga

-Title: Vice President

-Phone Number: 970-243-3221

-Date: 1-8-21

### Overall Production Schedule

1. How many different production phases will occur before pit closes? 1
2. What are the years and production amounts?

<u>Phase</u>	<u>Range of Years</u>	<u>Production Amount (Tons per Year)</u>
1	<u>1</u> thru <u>10</u>	<u>45,000</u>
2	_____ thru _____	_____
3	_____ thru _____	_____

Please complete one of the following pages of detailed information for each Phase

### Information from Similar Sites

Please provide any information or data from similar sites that could be used to support the information on these data sheets.

1/2

**Detailed Information – Phase 1**Production Years: 1 thru 10Limiting Factor for annual  
production (permit, etc):  
(please attach appropriate  
document if available)NoneDoes the Production Rate vary  
over the course of the year:NoIf so, provide the following  
information for three possible  
production periodsIf not, put your answers in the average  
columnMonths of the year for each  
period:**Production Periods****Low****Average****High**     thru     1 thru 10     thru     **Daily Trip Generation**

Number of on-site workers per day:

On-site worker arrival time (s):

On-site worker departure time (s):

Number of other site visits per day  
(Maintenance, deliveries, fueling,  
customers, supervisors ,etc)Number of large dump trucks per day  
(greater than 40-ft long)Number of medium dump trucks per  
day (between 20-ft & 40-ft long)Number of small trucks per day (less  
than 20-ft long)

Number of Work days per week

Number of Work hours per day

**Trip Distribution**

% of trips to/from North

% of trips to/from South

% of trips to/from East

% of trips to/from West

=100%

=100%

=100%



**Subject:** Re: C 1/2 Rd pit traffic study  
**Date:** Friday, February 5, 2021 at 10:08:21 AM Mountain Standard Time  
**From:** Sean Yeates  
**To:** Skip Hudson  
**CC:** Rick Dorris, Mark Austin, Scott Mai  
**Attachments:** 29 Rd & C.5 Rd City Limits.pdf

*Crash History  
C 1/2 Rd & 29 Rd.*

Skip,

It looks like this intersection is fully within the city (see attached).

There aren't any discernible crash patterns attributable to any intersection deficiency.

Sean

On Thu, Feb 4, 2021 at 11:20 AM Sean Yeates <[sean.yeates@mesacounty.us](mailto:sean.yeates@mesacounty.us)> wrote:  
Skip,

I agree that analysis commensurate with the anticipated impacts is appropriate.

Based on the crash data, there were at least 10 crashes in 4 years at the intersection of 29 Rd & C-1/2 Rd.

We will definitely want to continue to keep this intersection on the radar of city/county budget makers.

Sean

On Thu, Feb 4, 2021, 11:04 AM Skip Hudson <[skip@skiphudson.com](mailto:skip@skiphudson.com)> wrote:

Sean – please read the email chain below and let me know your thoughts. Thanks.

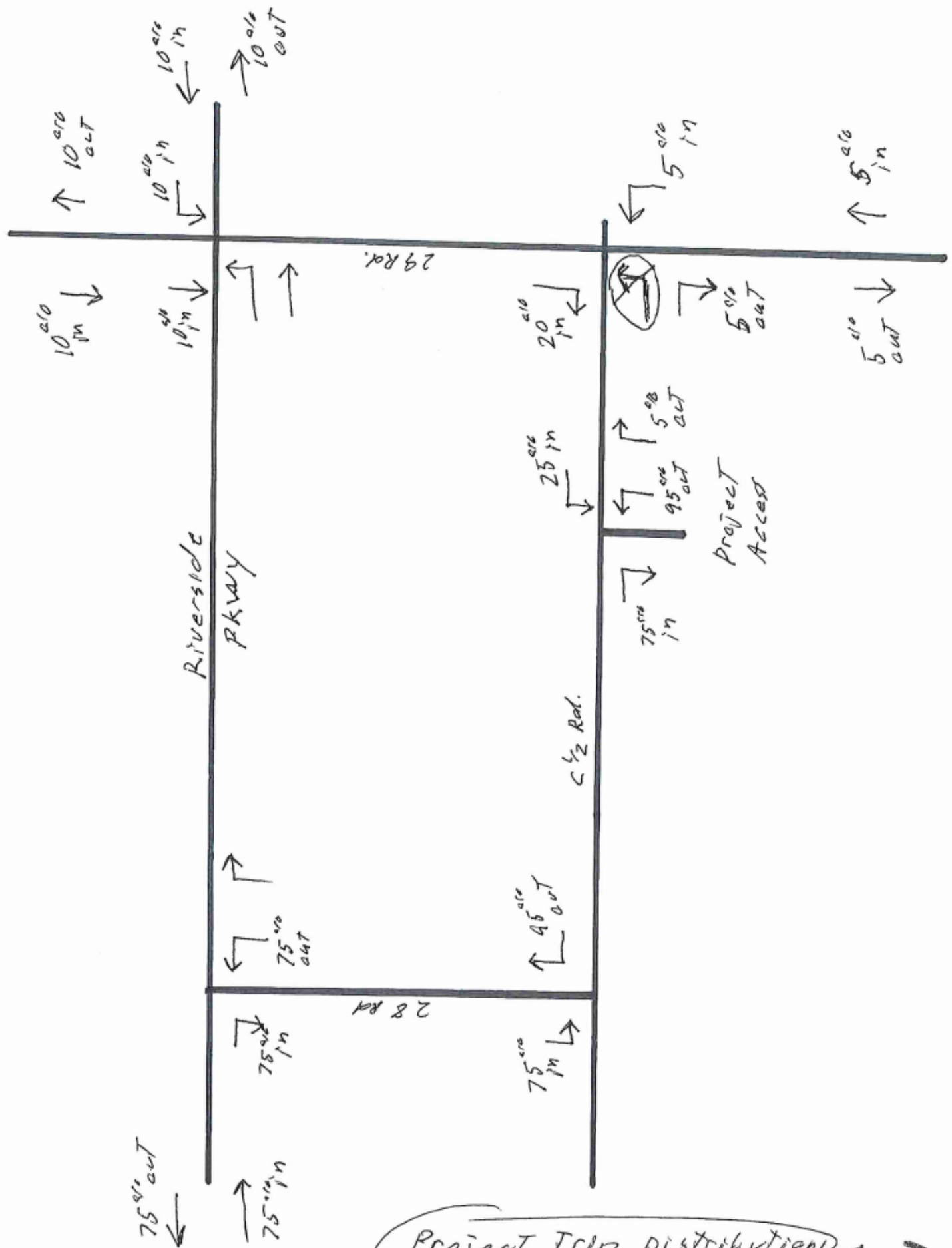
Respectfully,

Skip Hudson, PE

Turnkey Consulting LLC / Cardinal Farms Group LLC / Skip Hudson LLC / 970-314-4888

---

**From:** Rick Dorris <[rickdo@gjcity.org](mailto:rickdo@gjcity.org)>  
**Date:** Thursday, February 4, 2021 at 8:00 AM  
**To:** Skip Hudson <[skip@skiphudson.com](mailto:skip@skiphudson.com)>  
**Cc:** Mark Austin <[marka@austincivilgroup.com](mailto:marka@austincivilgroup.com)>  
**Subject:** RE: C 1/2 Rd pit traffic study



Project Trip Distributions



Consultants in Natural Resources and the Environment

---

## Wetland Delineation Report 2855 C ½ Road Mesa County, Colorado

Prepared for—

Austin Civil Group, Inc.  
123 North 7th Street, Suite 300  
Grand Junction, Colorado 81501  
(970) 242-7540

Prepared by—

ERO Resources Corporation  
1842 Clarkson Street  
Denver, Colorado 80218  
(303) 830-1188  
ERO Project #20-166

September 2, 2022



## Executive Summary

Austin Civil Group, Inc. retained ERO Resources Corporation (ERO) to provide a wetland delineation for the 2855 C ½ Road Project in Mesa County, Colorado. Austin Civil Group, Inc. proposes to develop the parcel near the intersection of 29 Road and C ½ Road. ERO conducted a wetland delineation to facilitate compliance with the Clean Water Act (CWA).

The CWA protects the chemical, physical, and biological quality of waters of the U.S. (WOTUS). The U.S. Army Corps of Engineers' (Corps) Regulatory Program administers and enforces Section 404 of the CWA. Under Section 404, a Corps permit is required for the discharge of dredged or fill material into wetlands and other WOTUS (streams, ponds, and other waterbodies). On June 22, 2020, the Environmental Protection Agency (EPA) and Corps' Navigable Waters Protection Rule (NWPR) to define "waters of the United States" became effective in 49 states and in all U.S. territories (EPA 2020). A preliminary injunction was granted for Colorado. On March 2, 2021, the United States Court of Appeals for the 10th Circuit vacated the stay on the NWPR in Colorado, thereby ruling the NWPR effective in Colorado. After April 23, 2021, jurisdiction of wetlands and other potential WOTUS in Colorado was to be determined using the NWPR. However, on August 30, 2021, the Arizona District Court remanded and vacated the NWPR. In response, the EPA and Corps have halted implementation of the NWPR and, until further notice, are interpreting WOTUS consistent with the pre-2015 regulatory regime (also referred to as the "Rapanos" guidelines). As such, the identification of WOTUS in this report follows the Rapanos guidelines. Potential rulings and guidance in the future could change the results of this report regarding the jurisdictional status of waters and wetlands in the project area. While ERO may provide its opinion on the likely jurisdictional status of wetlands and waters, the Corps will make the final determination of jurisdiction based on the current rulings.

Under the Rapanos guidelines, the Corps considers traditionally navigable waters (TNWs), wetlands adjacent to a TNW, and tributaries to TNWs that are relatively permanent waters (RPWs) and their abutting wetlands jurisdictional waters. Other wetlands and waters that are not TNWs or RPWs will require a significant nexus evaluation to determine their jurisdiction. A significant nexus evaluation assesses the flow characteristics and functions of a tributary and its adjacent wetlands to determine if they significantly affect the chemical, physical, or biological integrity of downstream TNWs.

Regarding the No-Name Drain, any maintenance or operation-related actions (such as cleaning, which may involve removing accumulated wetland vegetation) by the Grand Valley Drainage District are authorized by the Corps under NWP 3 or a maintenance exemption.

The aquatic resource findings include:

- Total survey area of about 25.23 acres;
- 1 wetland (primarily palustrine emergent) totaling 0.020 acre; and
- 1 tributary drain (No Name Drain) 0.259 acres; and
- 1 perennial waterway (Colorado River) totaling 1.090 acres.

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- Appendix A Photo Log
- Appendix B USGS Soil Map
- Appendix C Routine Wetland Determination Datasheets

# **Wetland Delineation Report**

## **2855 C ½ Road**

### **Mesa County, Colorado**

**September 2, 2022**

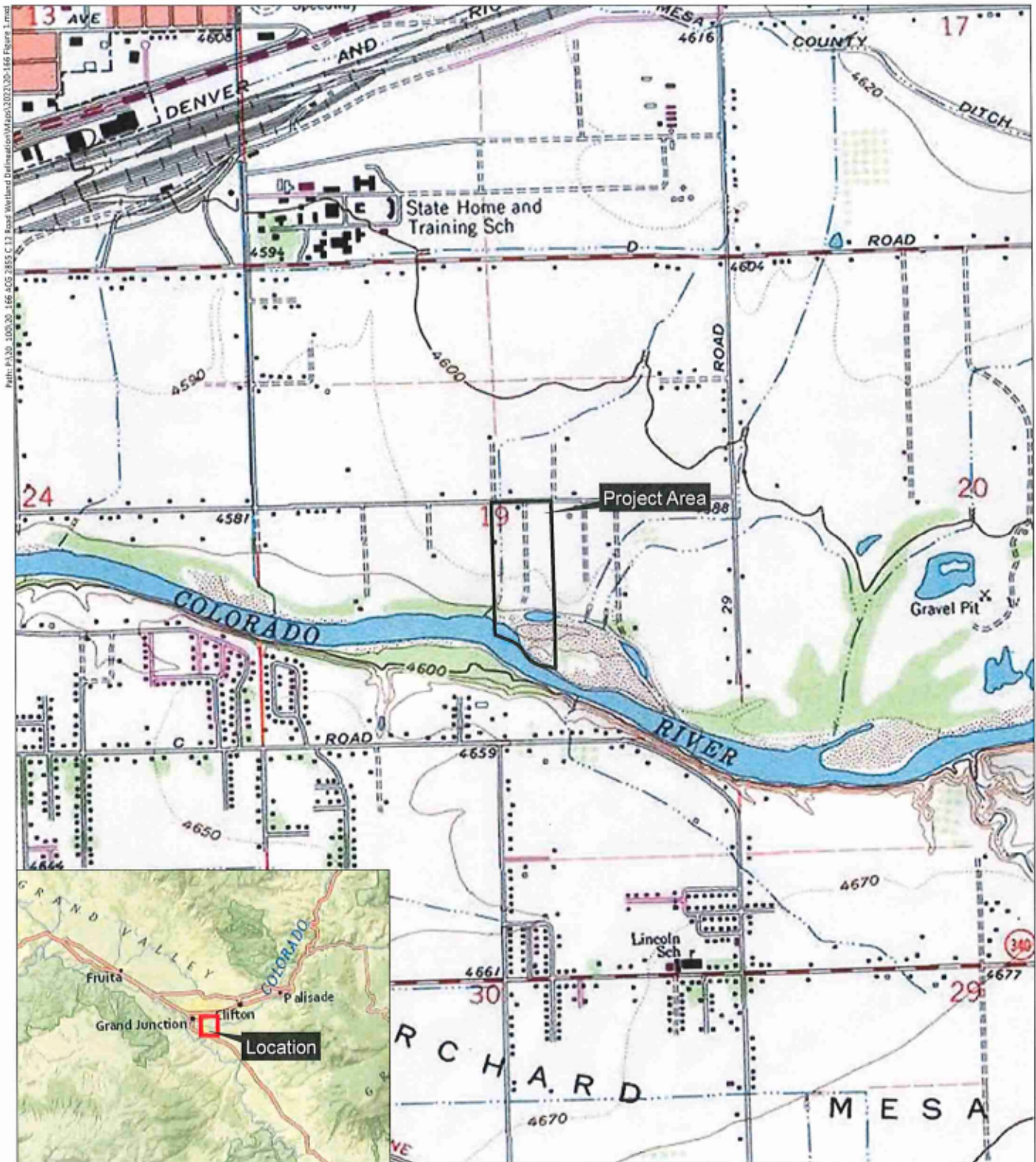
## **Introduction**

Austin Civil Group Inc. retained ERO Resources Corporation (ERO) to provide a wetland delineation for the 2855 C ½ Road Project in Mesa County, Colorado. Austin Civil Group, Inc. proposes to develop the parcel near the intersection of 29 Road and C ½ Road (project area; Figure 1). There are concerns that the proposed project would result in the placement of dredged or fill material into wetlands and other waters that are subject to U.S. Army Corps of Engineers (Corps) jurisdiction (jurisdictional). ERO assessed the project area for potential isolated wetlands, jurisdictional wetlands, and other waters of the U.S. (WOTUS).

The CWA protects the chemical, physical, and biological quality of waters of the U.S. (WOTUS). The U.S. Army Corps of Engineers' (Corps) Regulatory Program administers and enforces Section 404 of the CWA. Under Section 404, a Corps permit is required for the discharge of dredged or fill material into wetlands and other WOTUS (streams, ponds, and other waterbodies). On June 22, 2020, the Environmental Protection Agency (EPA) and Corps' Navigable Waters Protection Rule (NWPR) to define "waters of the United States" became effective in 49 states and in all U.S. territories (EPA 2020). A preliminary injunction was granted for Colorado. On March 2, 2021, the United States Court of Appeals for the 10th Circuit vacated the stay on the NWPR in Colorado, thereby ruling the NWPR effective in Colorado. After April 23, 2021, jurisdiction of wetlands and other potential WOTUS in Colorado was to be determined using the NWPR. However, on August 30, 2021, the Arizona District Court remanded and vacated the NWPR. In response, the EPA and Corps have halted implementation of the NWPR and, until further notice, are interpreting WOTUS consistent with the pre-2015 regulatory regime (also referred to as the "Rapanos" guidelines). As such, the identification of WOTUS in this report follows the Rapanos guidelines. Potential rulings and guidance in the future could change the results of this report regarding the jurisdictional status of waters and wetlands in the project area. While ERO may provide its opinion on the likely jurisdictional status of wetlands and waters, the Corps will make the final determination of jurisdiction based on the current rulings.

Under the Rapanos guidelines, the Corps considers traditionally navigable waters (TNWs), wetlands adjacent to a TNW, and tributaries to TNWs that are relatively permanent waters (RPWs) and their abutting wetlands jurisdictional waters. Other wetlands and waters that are not TNWs or RPWs will require a significant nexus evaluation to determine their jurisdiction. A significant nexus evaluation assesses the flow characteristics and functions of a tributary and its adjacent wetlands to determine if they significantly affect the chemical, physical, or biological integrity of downstream TNWs.





## 2855 C 1/2 Road Wetland Delineation

Section 19, T1S, R1E; Ute Meridian

UTM NAD 83: Zone 12N; 714323mE, 4325598mN

Longitude 108.523209°W, Latitude 39.053179°N

USGS Grand Junction, CO Quadrangle

Mesa County, Colorado

0 750 1,500  
Feet  
1 inch=1,500 feet



Figure 1  
Vicinity Map

Prepared for: Austin Civil Group, Inc.  
File: 20-166 Figure 1.mxd (GS)  
August 26, 2022

**ERO**  
ERO Resources Corp.

Any maintenance or operation-related actions (such as cleaning, which may involve removing accumulated wetland vegetation) by the Grand Valley Drainage District are authorized by the Corps under NWP 3 or a maintenance exemption.

## Location

The project area is in Section 19, Township 1 South, Range 1 East of the Ute Meridian, Grand Junction, CO Quadrangle; Mesa County, Colorado (Figure 1). The UTM coordinates of the approximate center of the project area are UTM NAD 83: Zone 12N; 714323mE, 4325598mN of UTM NAD 83: Zone 12N. The longitude/latitude of the project area is 108.523209°W/39.053179°N. The elevation of the project area is approximately 4,550 feet above sea level. Photos of the project area are in Appendix A.

## Project Area Description

The project area encompasses about 25.23 acres in the Colorado River Valley in Mesa County, Colorado. The project area is near the intersection of 29 Road and C ½ Road. The project area is characterized by formerly irrigated fields (Photos 1 and 2), a former home site location (Photo 3) and associated outbuildings, disturbed Siberian elm/Russian olive open woodlands, an open drain (No Name Drain; Photo 4), and a narrow wetland fringe along the Colorado River (Photos 5 and 6).

## Vegetation

The project area's ecological context includes both native and introduced species and is characterized by the following communities.

**Formerly irrigated fields and associated agricultural disturbed areas** – Occurs throughout most of the project area (Photos 1 through 3). The former home site is at the north-central portion of the project area and is primarily weedy and bare. The structures included a house and two outbuildings. Siberian elm (*Ulmus pumila*) is the predominant overstory species; and Russian knapweed (*Acroptilon repens*), chicory (*Cichorium intybus*), Russian thistle (*Salsola*), sericea lespedeza (*Lespedeza perenne*), and white goosefoot (*Chenopodium album*) are dominant herbaceous species. Additional weeds observed include cheatgrass (*Bromus tectorum*), bindweed (*Convolvulus arvensis*), and kochia (*Bassia scoparia*).

**River fringe/wetland areas** – Wetland areas and the riparian fringe along the Colorado River are characterized by an overstory of Russian olive (*Elaeagnus angustifolia*) and cottonwood (*Populus deltoides*) trees and sprouts of tamarisk (*Tamarix ramosissima*) (Photo 5 and 6). The wetland areas include herbaceous species such as scouring rush (*Equisetum hyemale*), American licorice (*Glycyrrhiza lepidota*), Canadian horseweed (*Erigeron canadensis*), reed canarygrass (*Phalaris arundinacea*), and Baltic rush (*Juncus balticus*).

**No Name Drain and access road** – No Name Drain and associated access road run along the far west side of the project area (Photo 4). The No Name Drain is approximately 20 feet wide at ground level and



5 feet deep at its deepest. The drain has been recently maintained and is primarily unvegetated. Some weedy species such as kochia, bindweed, and horseweed are present.

## Soils

Five soil types are mapped by the U.S. Geological Survey (USGS) in the project area (none are characterized by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) as hydric; USGS 2020; Table 1). See Appendix B for a soil map of the project area.

**Table 1. Soils mapped in the project area.**

Map Unit Symbol	Map Unit Name	Acres in Project Area	Percent in Project Area
999	Water	1.9	7.5
Ba	Massadona silty clay loam, 0 to 2 percent slopes	3.5	13.6
BaS	Massadona silty clay loam, saline surface, 0 to 2 percent slopes	0.3	1.2
Be	Green River silty clay loam, 0 to 2 percent slopes	6.3	24.2
Gm	Green River clay loam, 0 to 2 percent slopes	7.8	30.2
Ro	Bebeever and Green River soils, and Riverwash, 0 to 2 percent slopes	6.0	23.3
Totals		25.8	100

## Methods

### Wetland Delineation

On July 28, 2020, Aleta Powers, an environmental scientist with ERO, surveyed the project area for potential isolated wetlands, jurisdictional wetlands, and other WOTUS (2020 field survey). Prior to the 2020 field survey, ERO reviewed USGS quadrangle topographic maps and aerial photography to identify mapped streams and areas of open water that could indicate wetlands or WOTUS.

ERO conducted the wetland delineation following the methods for routine on-site wetland determinations as described in the 1987 *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and used methods in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (Corps 2008) to record data on vegetation, soils, and hydrology on routine determination forms (Appendix C). The Corps defines wetlands as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (33 Code of Federal Regulations (CFR) 328.2(c)). Wetland boundaries were determined by a visible change in vegetation community, soils, topographic changes, and other visible distinctions between wetlands and uplands.

The wetland indicator status of plant species was identified using the *National Wetland Plant List* (Lichvar et al. 2016), taxonomy was determined using *Flora of Colorado* (Ackerfield 2015), and



nomenclature was determined using the *PLANTS Database* (NRCS 2020). Soil pits were completed to 20 inches or to impenetrable resistance. If present, hydric soils were classified using field observation for hydric soil indicators accepted by the Corps. Where soil data were collected, soil texture was determined and a Munsell soil color chart was used for soil color analysis.

Intermittent, ephemeral, and perennial drainages with characteristics of a defined streambed, streambank, ordinary high water mark (OHWM), and other erosional features also were identified. The OHWM identifies the lateral jurisdictional limits of nonwetland WOTUS. Federal jurisdiction over nonwetland WOTUS extends to the OHWM, defined in 33 CFR 328.3 as “the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.” The Corps defines “stream bed” as “the substrate of the stream channel between the OHWMs. The substrate may be bedrock or inorganic particles that range in size from clay to boulders.”

The boundaries of identified wetlands and other characteristics of potential WOTUS were mapped using a Trimble Global Positioning System (GPS) unit. Data were differentially corrected using the CompassCom base station. All differential correction was completed using Trimble Pathfinder Office 5.9 software. GPS data were incorporated using ESRI® ArcGIS Desktop software.

## Wetland Classification

Delineated wetlands were classified according to the U.S. Fish and Wildlife Service’s (Service) Cowardin classification system (Cowardin et al. 1979) combined with a hydrogeomorphic (HGM) approach (Brinson 1993). The HGM approach assesses the chemical, physical, and biological functions of wetlands based on geomorphic setting, water source, and hydrodynamics. HGM classes found in Colorado are mineral soil flats, organic soil flats, riverine, lacustrine fringe, slope, and depressional. The Cowardin classification uses a hierarchical structure of systems, subsystems, and classes to classify both wetlands and deepwater habitats. Wetlands with persistent or nonpersistent vegetation are classified in the Cowardin system as palustrine, which typically includes wetlands referred to as marshes, fens, wet meadows, and sloughs. The palustrine system also includes small, shallow, permanent, or intermittent water bodies such as ponds. Palustrine wetlands may be situated shoreward of lakes and river channels, on river floodplains, in isolated catchments, or on slopes (Cowardin et al. 1979). Under the palustrine system, wetlands are classified as emergent (erect, rooted, herbaceous, and usually perennial hydrophytes that remain standing until at least the next growing season); scrub-shrub (woody vegetation less than 20 feet tall); or forested (woody vegetation 20 feet or taller). In wetlands where more than one wetland type occurs, the wetland type of the largest area is used. For example, an area that is predominantly palustrine emergent (PEM) wetlands but also contains a small amount of palustrine scrub-shrub (PSS) wetlands would be categorized as PEM wetlands.

The Cowardin riverine system includes wetlands and deepwater habitats contained within a channel, with the exception of wetlands dominated by trees, shrubs, and emergent vegetation. The riverine

system usually contains flowing water and is bounded on the landward side by uplands, channel banks, or other wetlands. Within the riverine system, wetlands are divided into the tidal, lower perennial (low gradient and slow water), upper perennial (high gradient and fast water), and intermittent subsystems. Within these subsystems, riverine wetlands are further classified as unconsolidated bottom, aquatic bed, streambed, rocky shore, unconsolidated shore, and emergent wetland (nonpersistent). During the wetland delineation, ERO classified the wetlands as PEM and PSS. Open waters/drainages were classified as lower perennial.

## Jurisdictional Assessment

To assist the Corps in making a preliminary jurisdictional determination, ERO reviewed the proximity and potential surface water connection of wetlands to known jurisdictional WOTUS using aerial photo interpretation and information from the wetland survey. Wetland 1 directly adjoins the Colorado River and is presumed jurisdictional. Please note that any maintenance or operation-related actions (such as cleaning, which may involve removing accumulated wetland vegetation) by the Grand Valley Drainage District are authorized by the Corps under NWP 3 or a maintenance exemption.

## Description of Wetlands and Other Waters

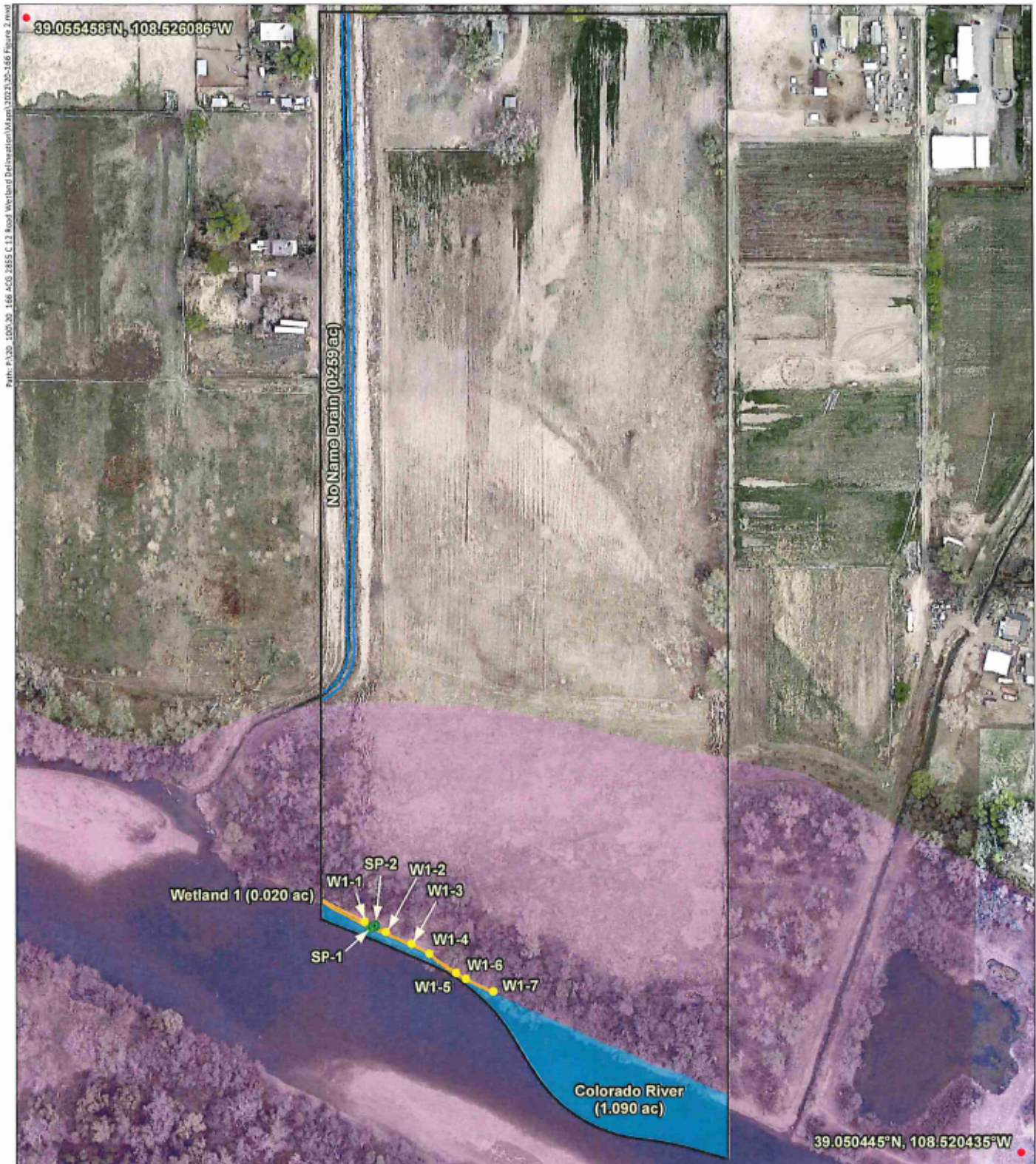
ERO assessed the project area for wetlands and other WOTUS as described below. Data were collected to document the characteristics of uplands and wetlands, and the transition areas between them. Each potential WOTUS was given a name (Figure 2). Each data point/soil pit was given a label that corresponds to a location shown on Figure 2 and routine wetland determination forms in Appendix C. The following sections contain information on potential surface water connections of wetlands and other WOTUS within the project area. Table 2 provides a summary of the mapped areas, including Cowardin classification and HGM for each feature. Approximately 1.349 acres of open water and 0.020 acre of wetlands occur within the project area (Figure 2).

**Table 2. Wetland area, Cowardin classification and HGM.**

Water/ Wetland ID	Longitude	Latitude	Feature Size (acre)	Cowardin Classification	HGM
Colorado River			1.090	Riverine- Perennial	Lower perennial
No Name Drain			0.259	--	--
<i>Other Water Total</i>			<i>1.349</i>		
Wetland 1	108.524140 W	39.051439 N	0.020	PPEM	Riverine
<i>Wetland Total</i>			<i>0.020</i>		

PPEM = palustrine persistent emergent





#### 2855 C 1/2 Road Wetland Delineation

- Soil Pit
- Wetland Flag
- Ordinary High Water Mark (1.090 ac)
- Wetland (0.020 ac)
- Drain (0.259 ac)
- Limit of Delineation (25.23 ac)
- Yellow-billed Cuckoo Habitat

0 110 220 Feet  
1 inch=220 feet



Figure 2  
Wetlands and  
Waters of the U.S.

Image Source: Mesa County®, March 2020  
Prepared for: Austin Civil Group, Inc.  
File: 20-166 Figure 2.mxd (GS)  
August 26, 2022

**ERO**  
ERO Resources Corp.



## **Waters of the U.S.**

### **No Name Drain**

No Name Drain bounds the project area on the west side and is shown on the USGS Grand Junction, CO topographic quadrangle as a perennial drainage (solid blue line). This drain is owned, operated and regularly maintained by the Grand Valley Drainage District. No Name Drain intersects the project area at the northwest corner and continues down the west side of the project area curving off to the west and draining south into the Colorado River.

### **Colorado River**

The Colorado River is shown on the USGS Grand Junction, CO topographic quadrangle as a perennial drainage. In the project area, the river is about 250 feet wide at the OHWM and has relatively low sinuosity. The river supports a series of riffles and pools, and the depth was estimated to be 1 to 10 feet with a cobble bottom. Indicators of the OHWM observed in the field included evidence of inundation, prevalence of persistent perennial vegetation, and sediment benching.

## **Wetlands**

### **Wetland 1- Colorado River Fringe**

Wetland 1 (0.020 acre; Figure 2) is a seasonally flooded riparian fringe along the Colorado River characterized by an overstory of Russian olive ([FAC]), cottonwood, and sprouts of tamarisk. The wetland is located at the southwestern portion of the project area and extends east along the Colorado River. The herbaceous stratum is dominated by scouring rush (Facultative Wetland (FACW)), American licorice (Facultative (FAC)), Canadian horseweed (Facultative Upland (FACU)), reed canarygrass (FACW), and Baltic rush (FACW). One soil pit (SP-1) was collected in Wetland 1, and SP-2 was collected in uplands near the northern edge of Wetland 1. The wetland is situated along the riparian fringe of the Colorado River, allowing it to support wetland vegetation. Areas to the east of Wetland 1 supported sparse upland herbaceous vegetation in the understory (cheatgrass, intermediate wheatgrass), with similar overstory as wetland areas (primarily Russian olive).

SP-1 supported the three indicators needed to constitute a wetland. Dominant vegetation at SP-1 consisted of scouring rush (FACW) as well as American licorice (FAC) and met the requirements for hydrophytic vegetation. Hydric soils were present (S5) and consisted of mostly sand deposited at the river banks. A sandy loam of 10YR4/2 was present from 0 to 2 inches, and a 90 percent 10YR4/2 with 10 percent 10YR4/6 concentrations in the matrix.

SP-2 did not meet the criteria required to constitute a wetland. This soil pit was situated on slopes above Wetland 1. The vegetation is a mix of scouring rush (FACW), American licorice (FAC), Canadian horseweed (FACU), and lower percentages of reed canarygrass (FACW). The soil pit dug at SP-2 revealed 20 inches of sandy loam, of 10YR5/3 matrix from 0 to 20 inches. No hydric soil was present, and no wetland hydrology was present.

ERO used the change in slope as well as a change in dominance from wetland vegetation (scouring rush) to upland vegetation (Canadian horseweed) as indication of the wetland boundary.

## Threatened, Endangered, Proposed, and Candidate Species

ERO reviewed the project area for threatened, endangered, proposed, and candidate (TEPC) species, protected under the Endangered Species Act (ESA) (Service-IPaC 2022). This summary information is provided for general context; impacts to these species will depend on the activity proposed to take place on the parcel, the boundaries of which are not known at this time. It is likely that this information will need to be refined if a Corps permit is needed for the proposed activities.

Eight TEPC species were identified as having the potential to occur in the project area, discussed below and shown in Table 3. There is no mapped habitat for threatened or endangered species in or near the project area. The gray wolf (*Canis lupis*) is most likely to be present in wilderness and remote areas; the project area is surrounded by residential development and municipal infrastructure. The proposed action does not include a predator management program; therefore, the gray wolf does not need to be analyzed. The monarch butterfly, *Danaus plexippus* is included on the IPAC as having potential habitat in the project area. This species may occur due to presence of potentially suitable habitat (milkweed); however, monarch butterfly is a candidate for listing on the ESA, and analysis is not required.

The river is also designated critical habitat for the Yellow-billed Cuckoo (*Coccyzus americanus*). Most of the critical habitat mapped in the project area does not have the physical and biological factors needed to be classified as suitable habitat as it is dominated by annual weeds and is in disturbed condition.

The Colorado River and its 100-year floodplain in the project area is designated critical habitat for the Colorado pikeminnow (*Ptychocheilus lucius*) and the razorback sucker (*Xyrauchen texanus*). These species may be affected if activities occur in the floodplain of the river, or in "live water" in the river itself. Other Colorado River TEPC fish species, including the endangered bonytail chub (*Gila elegans*), and humpback chub (*Gila cypha*), are not likely to be impacted by the project as there would be no depletions as a result of the project. There is no suitable habitat in the project area for Colorado hookless cactus (*Sclerocactus glaucus*).

**Table 3. TEPC species with potential to occur in the project area.**

Common Name	Scientific Name	Status*	Habitat	Habitat Present or Potential to be Affected by Project?
<i>Mammals</i>				
Gray wolf	<i>Canis lupus</i>	E	Wolves can thrive in a wide range of habitats; a highly adaptable species that occurs in temperate forests, mountains, and grasslands	No - this project does not include a predator management program
<i>Insects</i>				
Monarch Butterfly	<i>Danaus plexippus</i>	C	Grasslands with milkweed	Yes- Mixed grasses and milkweed habitat may be present in wet areas along drain or river
<i>Birds</i>				
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	T	Deciduous riparian woodlands, with dense cottonwood and willow, and sometimes tamarisk.	Yes; a portion of the mapped proposed critical habitat does not have the physical or biological characteristics necessary for critical habitat classification.
<i>Fish</i>				
Bonytail chub	<i>Gila elegans</i>	E	Found within the Colorado River and its tributaries.	No; may be affected by depletions to downstream habitat
Colorado pikeminnow (=squawfish)	<i>Ptychocheilus lucius</i>	E	Found within the Colorado River and its tributaries.	Designated critical habitat in Colorado River and 100-year floodplain in project area.
Humpback chub	<i>Gila cypha</i>	E	Found within the Colorado River and its tributaries.	No; may be affected by depletions to downstream habitat
Razorback sucker	<i>Xyrauchen texanus</i>	E	Found within the Colorado River and its tributaries.	Designated critical habitat in Colorado River and 100-year floodplain in project area.
<i>Flowering Plants</i>				
Colorado hookless cactus	<i>Sclerocactus glaucus</i>	T	On exposed gravel-covered clay hills; in saltbrush or sagebrush flats; or in pinyon-juniper woodlands.	No

Source: Service-IPaC 2022

### Yellow-Billed Cuckoo

The western yellow-billed cuckoo is listed as "threatened " under the ESA. The species breeds in large blocks of riparian habitat; in particular, mature cottonwood woodlands with dense understory foliage. Based on historical accounts, the species was localized and uncommon along Colorado drainages while being locally common in other western areas. The species was probably never common in western Colorado and is now extremely rare. Proposed critical habitat is mapped along the southern end of the



project area (Service-IPaC 2020; Figure 2). The riparian area includes mature dense cottonwood habitat about 100 feet wide along the river. Suitability of the habitat is likely low for the species, due to the narrow width. However, consultation with the US Fish and Wildlife Service would be required prior to development within the mapped critical habitat.

## References

- Ackerfield, J. 2015. Flora of Colorado. 1st edition. Botanical Research Institute of Texas. Fort Worth, TX.
- Brinson, M.M. 1993. A hydrogeomorphic classification of wetlands. Technical Report WRP-DE-4, U.S. Army Engineers Waterways Experiment Station, Vicksburg, MS.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deepwater habitats of the United States. Department of the Interior, U.S. Fish and Wildlife Service, Office of Biological Services Program. No. FWS/OBS-79/31.
- Environmental Laboratory. 1987. Corps of Engineers Wetland Delineation Manual, Technical Report 7-87-1, U.S. Army Engineer Waterways Experiment Station. Vicksburg, MS.
- Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. *The National Wetland Plant List: 2016 wetland ratings*. *Phytoneuron* 2016-30:1-17. Published April 28, 2016. ISSN 2153 733X.
- U.S. Army Corps of Engineers (Corps). 2008. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*. U.S. Army Research and Development Center. Vicksburg, MS.
- U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS). 2020. *The PLANTS Database*. <http://plants.usda.gov>. National Plant Data Team, Greensboro, NC 27401-4901 USA.
- U.S. Fish and Wildlife Service (USFWS)-Information for Planning and Conservation (IPaC) Database. 2022. <https://ecos.fws.gov/ipac/>. Last accessed September 2022.
- U.S. Geological Survey (USGS). 2020. Web soil survey for: Mesa County Area, Colorado. <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.

## **Appendix A Photo Log**

Appendix A - Photo Log  
Wetland Delineation Report, 2855 C ½ Road, Mesa County, Colorado  
July 28, 2020



Photo 1. Overview of property from the northern project area, view south.



Photo 2. Overview of project area from the southern end, view north.



Appendix A - Photo Log  
Wetland Delineation Report, 2855 C ½ Road, Mesa County, Colorado  
July 28, 2020 and August 22, 2022



Photo 3. Homesite, view northeast from the northern project area.



Photo 4. No name drain, view north along west boundary (August 2022)



Appendix A - Photo Log  
Wetland Delineation Report, 2855 C ½ Road, Mesa County, Colorado  
July 28, 2020



Photo 5. Wetland 1 along the Colorado River at the southern project area, view west.

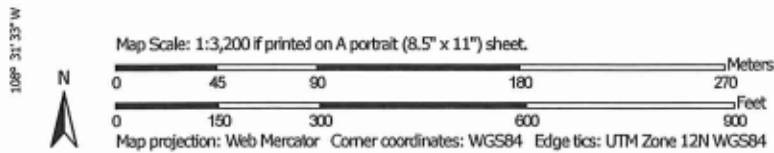


Photo 6. Wetland 1 along the Colorado River at the southern project area, view southeast.

## Appendix B USGS Soil Map



# Soil Map—Mesa County Area, Colorado












































Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

7/28/2020  
Page 1 of 3

## MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Water Features
 Borrow Pit	 Streams and Canals
 Clay Spot	 Transportation
 Closed Depression	 Rails
 Gravel Pit	 Interstate Highways
 Gravelly Spot	 US Routes
 Landfill	 Major Roads
 Lava Flow	 Local Roads
 Marsh or swamp	 Background
 Mine or Quarry	 Aerial Photography
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodid Spot	

## MAP INFORMATION

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

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

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

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

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Mesa County Area, Colorado  
Survey Area Data: Version 11, Jun 8, 2020

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

Date(s) aerial images were photographed: Sep 13, 2010—Aug 8, 2017

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

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
999	Water	1.9	7.5%
Ba	Massadona silty clay loam, 0 to 2 percent slopes	3.5	13.6%
BaS	Massadona silty clay loam, saline surface, 0 to 2 percent slopes	0.3	1.1%
Be	Green River silty clay loam, 0 to 2 percent slopes	6.3	24.2%
Gm	Green River clay loam, 0 to 2 percent slopes	7.8	30.2%
Ro	Bebeever and Green River soils, and Riverwash, 0 to 2 percent slopes	6.0	23.3%
<b>Totals for Area of Interest</b>		<b>25.9</b>	<b>100.0%</b>



**Appendix C Routine Wetland Determination Datasheets**

# WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: 20-166 ACH 7855 C 1/2 ROAD City/County: Mesa County Sampling Date: 7/29/20  
 Applicant/Owner: Austin Civil Group State: CO Sampling Point: SP-1  
 Investigator(s): A Powers, K Powers Section, Township, Range: S19 T15 R1E  
 Landform (hillslope, terrace, etc.): terrace above river Local relief (concave, convex, none): none Slope (%): 3%  
 Subregion (LRR): D Lat: 39.051439 N Long: 108.574146 W Datum: NAD83  
 Soil Map Unit Name: Bebevar and Green River soils, and Riverwash 0-2% slopes NWI classification: PSS1C  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation n, Soil n, or Hydrology n significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation n, Soil n, or Hydrology n naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u> No <u>    </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u>    </u>
Hydric Soil Present?	Yes <u>X</u> No <u>    </u>	
Wetland Hydrology Present?	Yes <u>X</u> No <u>    </u>	
Remarks: <u>Slopes 3% toward river</u> <u>conditions somewhat drier than normal</u>		

## VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>    </u> )	Absolute % Cover	Dominant Species?	Indicator Status	<b>Dominance Test worksheet:</b> Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
1. <u>    </u>				
2. <u>    </u>				
3. <u>    </u>				
4. <u>    </u>				
			= Total Cover	<b>Prevalence Index worksheet:</b> Total % Cover of: <u>    </u> Multiply by: <u>    </u> OBL species <u>    </u> x 1 = <u>    </u> FACW species <u>    </u> x 2 = <u>    </u> FAC species <u>    </u> x 3 = <u>    </u> FACU species <u>    </u> x 4 = <u>    </u> UPL species <u>    </u> x 5 = <u>    </u> Column Totals: <u>    </u> (A) <u>    </u> (B) Prevalence Index = B/A = <u>    </u>
Sapling/Shrub Stratum (Plot size: <u>    </u> )				
1. <u>    </u>				
2. <u>    </u>				
3. <u>    </u>				
4. <u>    </u>				
5. <u>    </u>				
			= Total Cover	
Herb Stratum (Plot size: <u>4' sq</u> )				<b>Hydrophytic Vegetation Indicators:</b> X Dominance Test is >50% Prevalence Index is ≤3.0 <sup>1</sup> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Equisetum hyemale</u>	<u>40</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Alysicarpus rhizoides</u>	<u>15</u>	<u>Y</u>	<u>FAC</u>	
3. <u>Eriogonum canadensis</u>	<u>2</u>	<u>N</u>	<u>FACU</u>	
4. <u>Phalaris arundinacea</u>	<u>2</u>	<u>N</u>	<u>FACW</u>	
5. <u>Juncus balticus</u>	<u>2</u>	<u>N</u>	<u>FACW</u>	
6. <u>    </u>				
7. <u>    </u>				
8. <u>    </u>				
			<u>61</u> = Total Cover	
Woody Vine Stratum (Plot size: <u>    </u> )				
1. <u>    </u>				
2. <u>    </u>				
			= Total Cover	
% Bare Ground in Herb Stratum <u>39</u>	% Cover of Biotic Crust <u>    </u>			
Remarks: <u>    </u>				

## SOIL

Sampling Point: SP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-2	10YR4/2	100					Sandy loam	
2-20	10YR4/2	90	10YR4/0	10	C	M	Sandy loam	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.<sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)  
☐ Histic Epipedon (A2)  
☐ Black Histic (A3)  
☐ Hydrogen Sulfide (A4)  
☐ Stratified Layers (A5) (LRR C)  
☐ 1 cm Muck (A9) (LRR D)  
☐ Depleted Below Dark Surface (A11)  
☐ Thick Dark Surface (A12)  
☐ Sandy Mucky Mineral (S1)  
☐ Sandy Gleyed Matrix (S4)
- ☒ Sandy Redox (S5)  
☐ Stripped Matrix (S6)  
☐ Loamy Mucky Mineral (F1)  
☐ Loamy Gleyed Matrix (F2)  
☐ Depleted Matrix (F3)  
☐ Redox Dark Surface (F6)  
☐ Depleted Dark Surface (F7)  
☐ Redox Depressions (F8)  
☐ Vernal Pools (F9)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- ☐ 1 cm Muck (A9) (LRR C)  
☐ 2 cm Muck (A10) (LRR B)  
☐ Reduced Vertic (F18)  
☐ Red Parent Material (TF2)  
☐ Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes ☒ No ☐

Remarks:

v. sandy soils-depositional @ river banks

## HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)  
☐ High Water Table (A2)  
☐ Saturation (A3)  
☐ Water Marks (B1) (Nonriverine)  
☐ Sediment Deposits (B2) (Nonriverine)  
☐ Drift Deposits (B3) (Nonriverine)  
☐ Surface Soil Cracks (B6)  
☐ Inundation Visible on Aerial Imagery (B7)  
☐ Water-Stained Leaves (B9)
- ☐ Salt Crust (B11)  
☐ Biotic Crust (B12)  
☐ Aquatic Invertebrates (B13)  
☐ Hydrogen Sulfide Odor (C1)  
☒ Oxidized Rhizospheres along Living Roots (C3)  
☐ Presence of Reduced Iron (C4)  
☐ Recent Iron Reduction in Tilled Soils (C6)  
☐ Thin Muck Surface (C7)  
☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water Marks (B1) (Riverine)  
☐ Sediment Deposits (B2) (Riverine)  
☐ Drift Deposits (B3) (Riverine)  
☐ Drainage Patterns (B10)  
☐ Dry-Season Water Table (C2)  
☐ Crayfish Burrows (C8)  
☐ Saturation Visible on Aerial Imagery (C9)  
☐ Shallow Aquitard (D3)  
☐ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_Water Table Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_Saturation Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_  
(includes capillary fringe)Wetland Hydrology Present? Yes ☒ No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Soils moist but not saturated



# WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: 70-166 ACG 2855 1/2 ROAD City/County: Mesa County Sampling Date: 7/29/20  
 Applicant/Owner: Austin Civil Group State: CO Sampling Point: SP-2  
 Investigator(s): A Powers, K Powers Section, Township, Range: S19, T15, R1E  
 Landform (hillslope, terrace, etc.): upper terrace Local relief (concave, convex, none): none Slope (%): 3%  
 Subregion (LRR): D Lat: 39.051419 N Long: 108.524115 W Datum: NAD 83  
 Soil Map Unit Name: Bebevar and Green River soils, and Riverwash 0-27% slopes NWI classification: PSS1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No <u>    </u>	Is the Sampled Area within a Wetland?	Yes <u>    </u>	No <u>X</u>
Hydric Soil Present?	Yes <u>    </u>	No <u>X</u>			
Wetland Hydrology Present?	Yes <u>    </u>	No <u>X</u>			
Remarks: <u>20' from water (active), 2-3' higher than SP-1</u>					

## VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>    </u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
2. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	Total Number of Dominant Species Across All Strata: <u>4</u> (B)
3. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>75</u> (A/B)
4. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
<u>    </u> = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>    </u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
2. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	OBL species <u>    </u> x 1 = <u>    </u>
3. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	FACW species <u>    </u> x 2 = <u>    </u>
4. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	FAC species <u>    </u> x 3 = <u>    </u>
5. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	FACU species <u>    </u> x 4 = <u>    </u>
<u>    </u> = Total Cover				UPL species <u>    </u> x 5 = <u>    </u>
				Column Totals: <u>    </u> (A) <u>    </u> (B)
				Prevalence Index = B/A = <u>    </u>
Herb Stratum (Plot size: <u>    </u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Equisetum hyemale</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Gnaphalium obtusifolium</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>	<u>    </u> Prevalence Index is ≤3.0 <sup>1</sup>
3. <u>Phalaris arundinacea</u>	<u>2</u>	<u>Y</u>	<u>FACW</u>	<u>    </u> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
4. <u>Glycyrrhiza lepidota</u>	<u>2</u>	<u>Y</u>	<u>FAC</u>	<u>    </u> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
5. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
6. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
7. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
8. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
<u>24</u> = Total Cover				
Woody Vine Stratum (Plot size: <u>    </u> )	Absolute % Cover	Dominant Species?	Indicator Status	<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
2. <u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	
<u>    </u> = Total Cover				
% Bare Ground in Herb Stratum <u>76</u> % Cover of Biotic Crust <u>    </u>				Hydrophytic Vegetation Present? Yes <u>X</u> No <u>    </u>
Remarks: <u>Veg. sparser</u>				

Sampling Point: SP-2

[illegible]<sup>2</sup>Location: PL=Pore Lining, M=Matrix.

### Indicators for Problematic Hydric Soils<sup>3</sup>:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Histosol (A1)                           | <input type="checkbox"/> Sandy Redox (S5)           | <input type="checkbox"/> 1 cm Muck (A9) ( <b>LRR C</b> )  |
| <input type="checkbox"/> Histic Epipedon (A2)                    | <input type="checkbox"/> Stripped Matrix (S6)       | <input type="checkbox"/> 2 cm Muck (A10) ( <b>LRR B</b> ) |
| <input type="checkbox"/> Black Histic (A3)                       | <input type="checkbox"/> Loamy Mucky Mineral (F1)   | <input type="checkbox"/> Reduced Vertic (F18)             |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                   | <input type="checkbox"/> Loamy Gleyed Matrix (F2)   | <input type="checkbox"/> Red Parent Material (TF2)        |
| <input type="checkbox"/> Stratified Layers (A5) ( <b>LRR C</b> ) | <input type="checkbox"/> Depleted Matrix (F3)       | <input type="checkbox"/> Other (Explain in Remarks)       |
| <input type="checkbox"/> 1 cm Muck (A9) ( <b>LRR D</b> )         | <input type="checkbox"/> Redox Dark Surface (F6)    |   |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)       | <input type="checkbox"/> Depleted Dark Surface (F7) |   |
| <input type="checkbox"/> Thick Dark Surface (A12)                | <input type="checkbox"/> Redox Depressions (F8)     |   |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                | <input type="checkbox"/> Vernal Pools (F9)          |   |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)                |   |   |
- <sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present unless disturbed or problem area

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes No ☒

No hydric soil ind.

**Wetland Hydrology Indicators:**

## Secondary Indicators (2 or more required)

- |   |   |   |
|---|---|---|
| ___ Surface Water (A1)                          | ___ Salt Crust (B11)                              | ___ Water Marks (B1) <b>(Riverine)</b>        |
| ___ High Water Table (A2)                       | ___ Biotic Crust (B12)                            | ___ Sediment Deposits (B2) <b>(Riverine)</b>  |
| ___ Saturation (A3)                             | ___ Aquatic Invertebrates (B13)                   | ___ Drift Deposits (B3) <b>(Riverine)</b>     |
| ___ Water Marks (B1) <b>(Nonriverine)</b>       | ___ Hydrogen Sulfide Odor (C1)                    | ___ Drainage Patterns (B10)                   |
| ___ Sediment Deposits (B2) <b>(Nonriverine)</b> | ___ Oxidized Rhizospheres along Living Roots (C3) | ___ Dry-Season Water Table (C2)               |
| ___ Drift Deposits (B3) <b>(Nonriverine)</b>    | ___ Presence of Reduced Iron (C4)                 | ___ Crayfish Burrows (C8)                     |
| ___ Surface Soil Cracks (B6)                    | ___ Recent Iron Reduction in Tilled Soils (C6)    | ___ Saturation Visible on Aerial Imagery (C9) |
| ___ Inundation Visible on Aerial Imagery (B7)   | ___ Thin Muck Surface (C7)                        | ___ Shallow Aquitard (D3)                     |
| ___ Water-Stained Leaves (B9)                   | ___ Other (Explain in Remarks)                    | ___ FAC-Neutral Test (D5)                     |

Surface Water Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_

Water Table Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_

Saturation Present? Yes ☐ No ☒ Depth (inches): \_\_\_\_\_  
(includes capillary fringe)

Wetland Hydrology Present? Yes ☐ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

no 1° or 2° indicators; sandy floodplain



M & D Enterprises  
2855 C 1/2 Road  
Grand Junction, Colorado 81501  
(970) 243-3221

PLANS FOR  
CONSTRUCTION OF

C-1/2 ROAD GRAVEL PIT

MARCH 29, 2023



VICINITY MAP  
NTS

PROJECT  
LOCATION

GENERAL CONSTRUCTION NOTES

1. Contractor shall contact Mark Barslund, City of Grand Junction's development inspector, at (970) 201-1362, and Josh Martinez, Mesa County Stormwater, a minimum of 72 hours in advance, for a pre-construction meeting prior to beginning work.
2. Locations of existing utilities shown on these plans are approximate only. Contractor is to contact affected utility for specific locations before digging.
3. The Contractor shall notify the engineer if unanticipated conditions area encountered during completion of the work which require modifications to the contract drawings. The engineer can be reached at 970-242-7540.
4. Contractor shall give 48-hour notice to all authorized inspectors, superintendents, or person in charge of public and private utilities affected by his operations prior commencement of work. Contractor shall assure himself that all construction permits are current.
5. Contractor shall confine his construction operations to the right-of-way, easements, and lots, as shown on plans and plat. Any damage to private facilities outside these limits shall be repaired by the Contractor at no expense to the Owner.
6. In the event of a discrepancy between the construction notes contained herein and the notes and details in the City of Grand Junction Standard Contract Documents for Capital Improvements Construction manual, the City's manual shall control.
7. All work within Mesa County Right-of-Way shall required a "Work in the Right-of-Way" Permit.

NO.

TITLE

- C1  
C2  
C3  
C4  
C5

COVER  
SITE AND EXCAVATION PLAN  
GRADING AND DRAINAGE PLAN  
RECLAMATION PLAN  
VEHICLE ACCESS ANALYSIS

FUGITIVE DUST CONTROL PLAN

1. Before stripping of the site preparation for overlot grading, the surface is to be pre-wet to control dust.
2. Any stockpiles of stripping materials are to be periodically sprayed with water or a crusting agent to stabilize potentially wind blown material.
3. Haul road both into and around the site are to be sprayed as needed to suppress dust.
4. The Storm Water Management Plan and permit shall be obtained and kept onsite before starting any construction work. Gravel pads are to be constructed at the entrances to the site to help in removing mud from the wheels of haulage trucks before they enter onto C 1/2 Road.
5. Trucks hauling import fill are to be tarped to aid in the control of airborne dust.

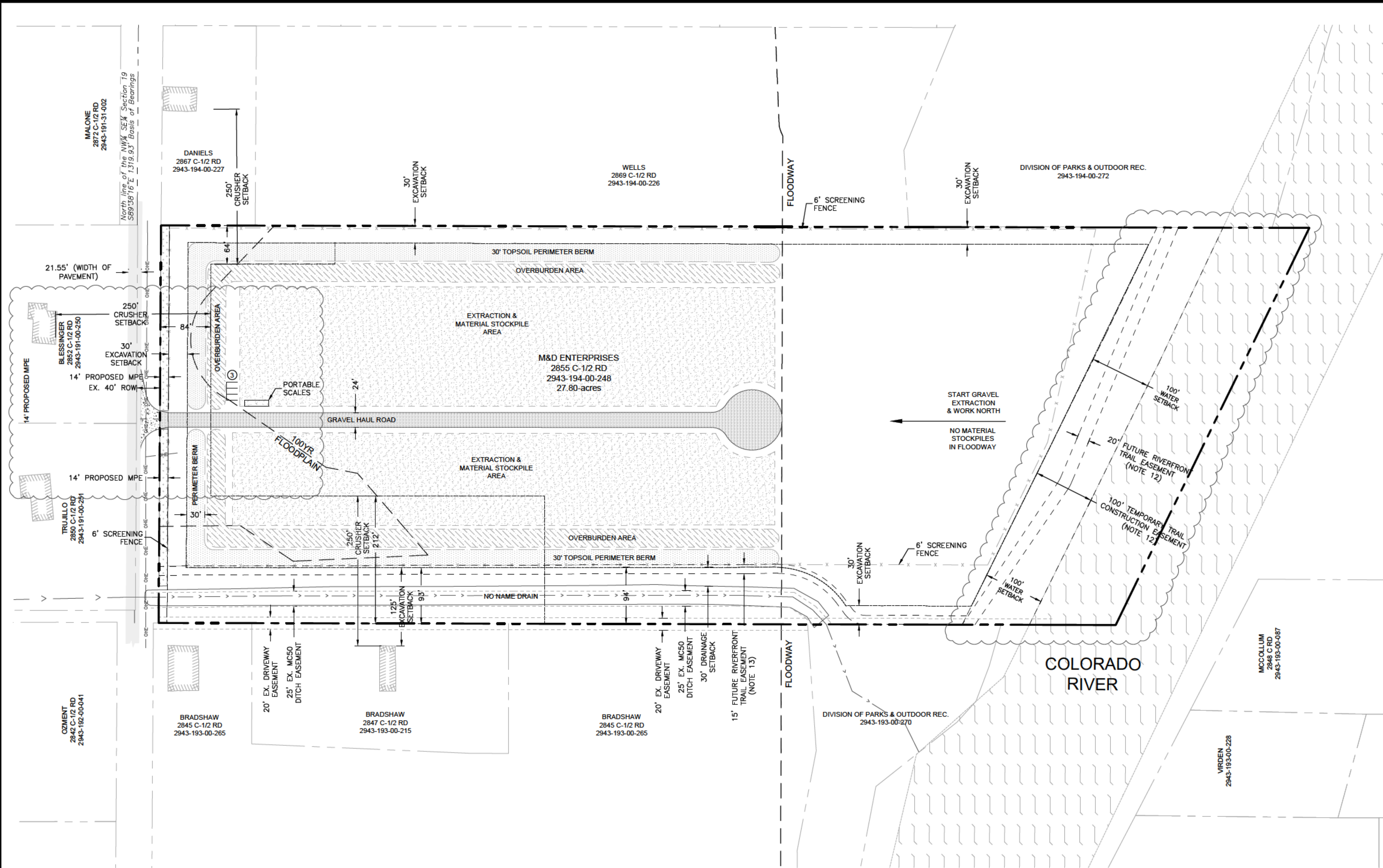


ACCEPTANCE BLOCK  
THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.  
CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER DATE

Know what's below. Call before you dig.		811		SCALE VERIFICATION BAR IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY	
NO.		DATE		BY	
1		5-2-22		bsf	
2		9-26-22		bsf	
3		3-17-23		bsf	
REVISIONS		DESCRIPTION			
1		DATE/STAMP			
2		DATE/STAMP		SITE/EXCAVATION PLAN;	
3		DATE/STAMP			
A • C • G		AUSTIN CIVIL GROUP, INC.		Land Planning • Civil Engineering • Development Services 123 North 7th Street, Suite 300 • Grand Junction, Colorado 81501 (970) 242-7540	
C-1/2 ROAD GRAVEL PIT		COVER		2855 C-1/2 RD, Grand Jct. Colo.	
DRAWN BY: bsf		DESIGNED BY: bsf		CHECKED BY: MRA	
JOB NUMBER: 1161.0003		DATE: 5-2-2022		SCALE: NTS	
SHEET NO: C-1					





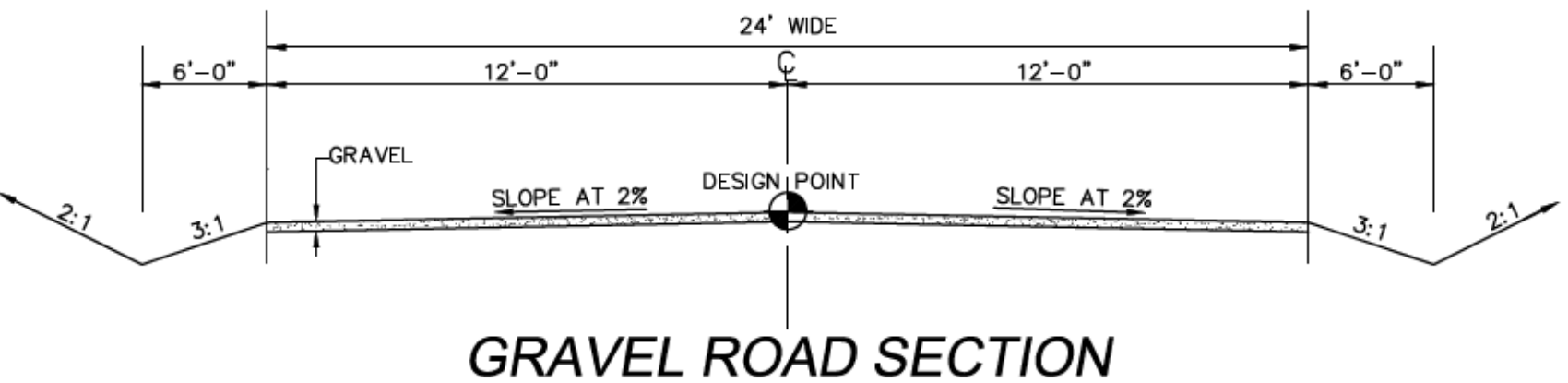
- GENERAL NOTES:
- IN NO EVENT SHALL A SLOPE STEEPER THAN 2:1 BE LEFT FOR DRY PITS. A PIT WITH A SLOPE OF 3:1 OR STEEPER SHALL NOT EXCEED A DEPTH OF 10 FEET.
  - THE TOP SIX INCHES OF TOPSOIL MATERIAL SHALL BE STRIPPED FROM MINING AREA, STOCKPILE AREAS, PROCESSING AREAS, AND SITE HAUL ROAD, THE TOPSOIL SHALL BE STOCKPILED IN PERIMETER BERMS AND USED FOR SITE RECLAMATION. BERM HEIGHT SHALL VARY FROM 3-10 FEET DEPENDING ON LOCATION AND RECLAMATION PROCESS. TOPSOIL STOCKPILES IN PLACE FOR ONE YEAR OR MORE SHALL BE SEEDDED USING THE RECLAMATION SEED MIX.
  - A 14' LANDSCAPE STRIP, INSTALLED PER THE CITY OF GRAND JUNCTION REQUIREMENTS, SHALL BE PROVIDED ALONG THE ENTIRE LENGTH OF THE PROJECT ALONG C 1/2 ROAD.
  - THE ENTIRE PROJECT SITE SHALL BE FENCED. A 6' CHAINLINK FENCE WITH SCREENING FABRIC SHALL BE USED IN ALL AREAS WHICH FRONT C 1/2 ROAD, AND ALL RESIDENTIAL USES. A HIGH TENSION WIRE FENCE SHALL BE USED IN ALL OTHER AREAS.
  - ALL ACTIVITIES WITHIN THE FLOODWAY MUST KEEP GROUND SURFACE AT OR BELOW PRE-DEVELOPMENT LEVELS.
  - MAJORITY OF PRECIPITATION RUNOFF SHALL BE COLLECTED AND RETAINED IN POND CONSTRUCTED IN THE MIDDLE OF THE PROJECT. ALL DISTURBED AREAS WITHIN THE PROJECT SHALL BE GRADED SUCH THAT DRAINAGE WILL BE COLLECTED WITHIN THIS POND OR THE EXCAVATION PIT AREA. UNDISTURBED AREAS WILL MAINTAIN HISTORIC DRAINAGE PATTERNS.
  - HAUL ROADS DEPICTED ON THIS DRAWING MAY BE ADJUSTED OR RELOCATED AS NECESSARY TO PROMOTE SAFE MINING AND ACCESS PRACTICES. HAUL ROADS SHALL BE COVERED WITH CLEAN GRAVEL AS REQUIRED TO CONTROL DUST. HAUL ROADS, STOCKPILES, AND OTHER DISTURBED AREAS SHALL BE KEPT DAMP, COVERED, OR CHEMICALLY TREATED WITH MAGNESIUM CHLORIDE, AS REQUIRED, TO CONTROL DUST.
  - ACCESS TO AND FROM THE MINING OPERATIONS SHALL BE FROM C 1/2 ROAD ONLY. ALL TRUCK TRAFFIC TO BE SUBJECT TO THE APPROVED HAUL ROUTE. C 1/2 ROAD EASTBOUND TRUCK TRAFFIC SHALL BE LIMITED TO RIGHT-HAND TURNS ONLY (SOUTH) AT THE INTERSECTION OF 29 ROAD AND C 1/2 ROAD. RIVERSIDE PARKWAY SHALL BE ACCESSED BY TRUCK TRAFFIC BY TRAVELING WEST ALONG C 1/2 ROAD AND THENCE NORTH ALONG 28 ROAD. BOTH LEFT AND RIGHT TURNS ARE PERMITTED AT THE INTERSECTION OF 28 ROAD AND RIVERSIDE PARKWAY.
  - MINING FOR SAND AND GRAVEL SHALL NOT EXTEND PAST THE BUFFER LIMITS ESTABLISHED ON THE PROJECT DRAWINGS, UNLESS OTHERWISE NOTED. IN NO CASE SHALL THE ROCK CRUSHER BE LOCATED WITHIN 250 FEET OF A RESIDENTIAL DWELLING.
  - MINING FOR SAND AND GRAVEL MATERIAL IS ANTICIPATED TO REQUIRE 10 YEARS TO MINE, AND ANOTHER 2 YEARS TO DEplete MATERIAL STOCKPILES AND COMPLETE SITE RECLAMATION WORK.
  - CONTACT MARK BARSLUND AT (970) 201-1362 AND JOSH MARTINEZ AT (970) 683-4206 FOR A PRE-CONSTRUCTION MEETING PRIOR TO ANY WORK ON THE SITE.
  - A TEMPORARY CONSTRUCTION EASEMENT WILL BE DEDICATED FROM THE COLORADO RIVER'S EDGE 100-FT NORTH INTO THE PROPERTY FOR THE DESIGN AND CONSTRUCTION OF THE FUTURE RIVERFRONT TRAIL. ONCE THE RIVERFRONT TRAIL HAS BEEN DESIGNED AND CONSTRUCTED, A PERMANENT 20-FT WIDE EASEMENT CENTERED ON THE TRAIL WILL BE DEDICATED AND THE REMAINDER OF THE 100-FT CONSTRUCTION EASEMENT WILL BE VACATED.
  - NORTH-SOUTH ACCESS TRAIL TO PRIMARY RIVERFRONT TRAIL TO BE 10-FT WIDE CONCRETE TRAIL IN A 15-FT WIDE EASEMENT. CONNECTING LOCATION TO PRIMARY RIVERFRONT TRAIL WITHIN THE 100-FT CONSTRUCTION EASEMENT TO BE DETERMINED BY CLIENT AND CITY ONCE TRAIL DESIGN IS COMPLETE (NOTE 12). CONSTRUCTION OF THIS TRAIL MAY COMMENCE ONCE SAND AND GRAVELS HAVE BEEN REMOVED OR DURING THE RECLAMATION PHASE.
  - BASIS OF BEARINGS IS THE NORTH LINE OF THE NW 1/4 SE 1/4 OF SECTION 19 WHICH BEARS SOUTH 89°38'16" EAST, A DISTANCE OF 1319.93 FEET, ESTABLISHED BY OBSERVATION OF THE MCGPS CONTROL NETWORK, WHICH IS BASED ON THE NAD 83 DATUM FOR HORIZONTAL AND THE NAVD 88 DATUM FOR VERTICAL INFORMATION. BOTH MONUMENTS ON THIS LINE ARE ALIQUOT SURVEY MARKERS, AS SHOWN ON THE PLAT PROVIDED BY HIGH DESERT SURVEYING, LLC.

LEGEND	
	PROPERTY LINE
	ADJACENT PROPERTY LINE
	EXISTING EASEMENT
	PROPOSED EASEMENT
	EXISTING BUILDING
	PROPOSED BUILDING
	EXISTING CURB/GUTTER
	PROPOSED CURB/GUTTER
	PROPOSED SPILL CURB/GUTTER
	PROPOSED TRANSITION CURB/GUTTER
	EXISTING 1-FT CONTOUR
	EXISTING 5-FT CONTOUR
	PROPOSED 1-FT CONTOUR
	PROPOSED 5-FT CONTOUR
	EXISTING ASPHALT
	PROPOSED ASPHALT
	EXISTING CONCRETE
	PROPOSED CONCRETE
	PROPOSED GRAVEL ROAD
	PROPOSED PERIMETER BERM
	EXISTING DITCH
	PROPOSED SANITARY SEWER
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER MANHOLE
	EXISTING SANITARY SEWER MANHOLE
	PROPOSED SANITARY SEWER CLEANOUT
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	EXISTING STORM SEWER INLET
	PROPOSED STORM SEWER INLET
	EXISTING STORM SEWER MANHOLE
	PROPOSED STORM SEWER MANHOLE
	FLOODPLAIN INFO
	PROPOSED 2" DOMESTIC SERVICE
	PROPOSED 4" FIRE LINE
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
	EXISTING WATER METER
	PROPOSED WATER METER
	PROPOSED METER/BACKFLOW VAULT
	PROPOSED IRRIGATION MANHOLE
	PROPOSED FENCE
	EXISTING FENCE
	PROPOSED TRAFFIC FLOW
	GRADE BREAK
	ROOF DRAIN (RD)
	STREET LIGHT POLE
	FIRE DEPARTMENT CONNECTION
	PARKING LOT LIGHT
	PROPOSED BUILDING LIGHT
	FLOWLINE
	EDGE OF PAVEMENT
	TOP OF CONCRETE
	TOP OF WALL
	BOTTOM OF WALL
	TOP BACK OF WALK
	TOP OF CURB
	BACK OF CURB
	LANDSCAPE AREA
	UTILITY PEDESTALS

LAND USE SUMMARY		
USE	ACRES	PERCENT
EXCAVATION	18.12	65.2%
LANDSCAPE	0.21	0.8%
UNDEVELOPED	9.47	34.0%
ROW DEDICATION	0	0%
TOTAL	27.8	100%

PARKING SUMMARY	
3 Employees @ 1/employee = 3	
Total Parking Required = 3 Spaces	
Total Parking Provided = 3 Spaces	

UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION SANITARY SEWER	MARK BARSLUND	201-1362
UTE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY	CHARLIE GUENTHER	242-2762
CITY OF GRAND JUNCTION PUBLIC WORKS	MARK BARSLUND	201-1362
XCEL ENERGY - GAS & ELECTRIC	MIKE EASTER	244-2626
CENTURY LINK	CHRIS JOHNSON	244-4333
CHARTER	JOHN VALDEZ	245-8750
MESA COUNTY STORMWATER	JOSH MARTINEZ	683-4206



**CLERK AND RECORDER'S CERTIFICATE**

STATE OF COLORADO } ss  
COUNTY OF MESA  
I hereby certify that this instrument was filed in my office at \_\_\_\_\_  
o'clock \_\_\_\_\_ M., A.D., 2023, and was duly recorded  
in Plat Book No. \_\_\_\_\_ Page No. \_\_\_\_\_

Reception No. \_\_\_\_\_ Clerk and Recorder  
Drawer No. \_\_\_\_\_ Deputy

**ACCEPTANCE BLOCK**

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CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_  
CITY PLANNER \_\_\_\_\_ DATE \_\_\_\_\_

**AUSTIN CIVIL GROUP, INC.**  
Land Planning • Civil Engineering • Development Services  
123 North 7th Street, Suite 300 • Grand Junction, Colorado 81501  
(970) 242-7540

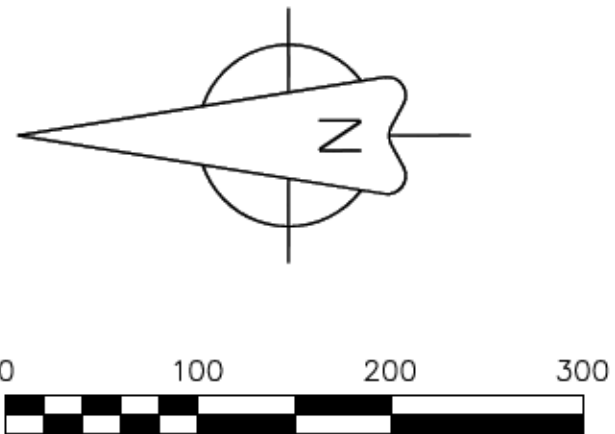
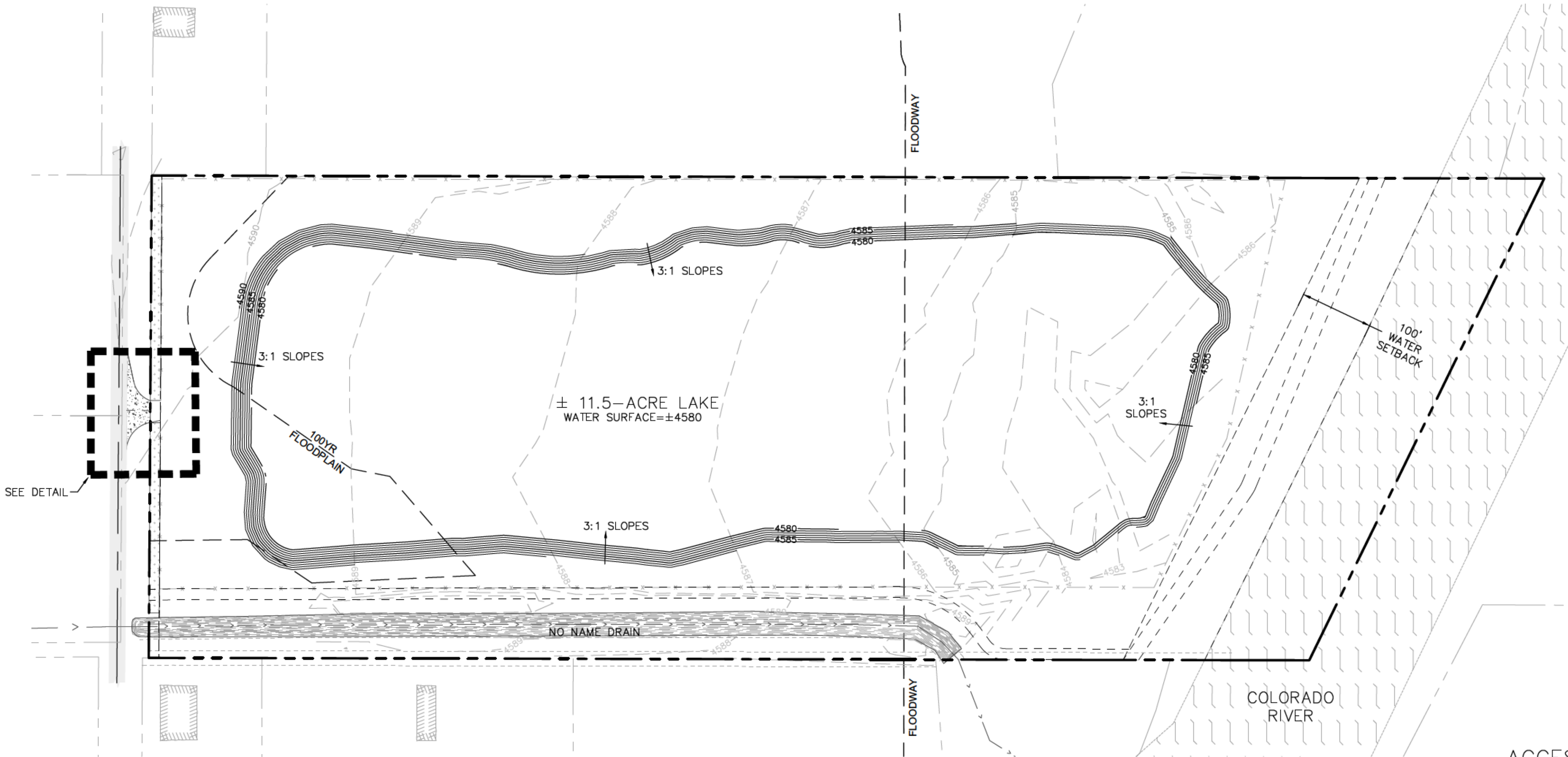
**C-1/2 ROAD GRAVEL PIT**  
*description*  
**SITE & EXCAVATION PLAN**  
**2855 C-1/2 ROAD**  
*prepared for*  
**M & D Enterprises**

NO.	REVISIONS	DATE	BY
1	SITE LAYOUT; PROP. BOUNDARY;	5-2-22	bsf
2	SURVEY DATUM/MARKERS; OH ELEC; NOTES;	9-26-22	bsf
3	CLERK & RECORDERS BLOCK; ACCESS RADI;	2-21-23	bsf
4	TRAIL EASEMENT DIMENSIONS; NOTES;	5-29-23	bsf

Know what's below.  
Call before you dig.

SCALE VERIFICATION  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON THIS SHEET  
ADJUST SCALES ACCORDINGLY

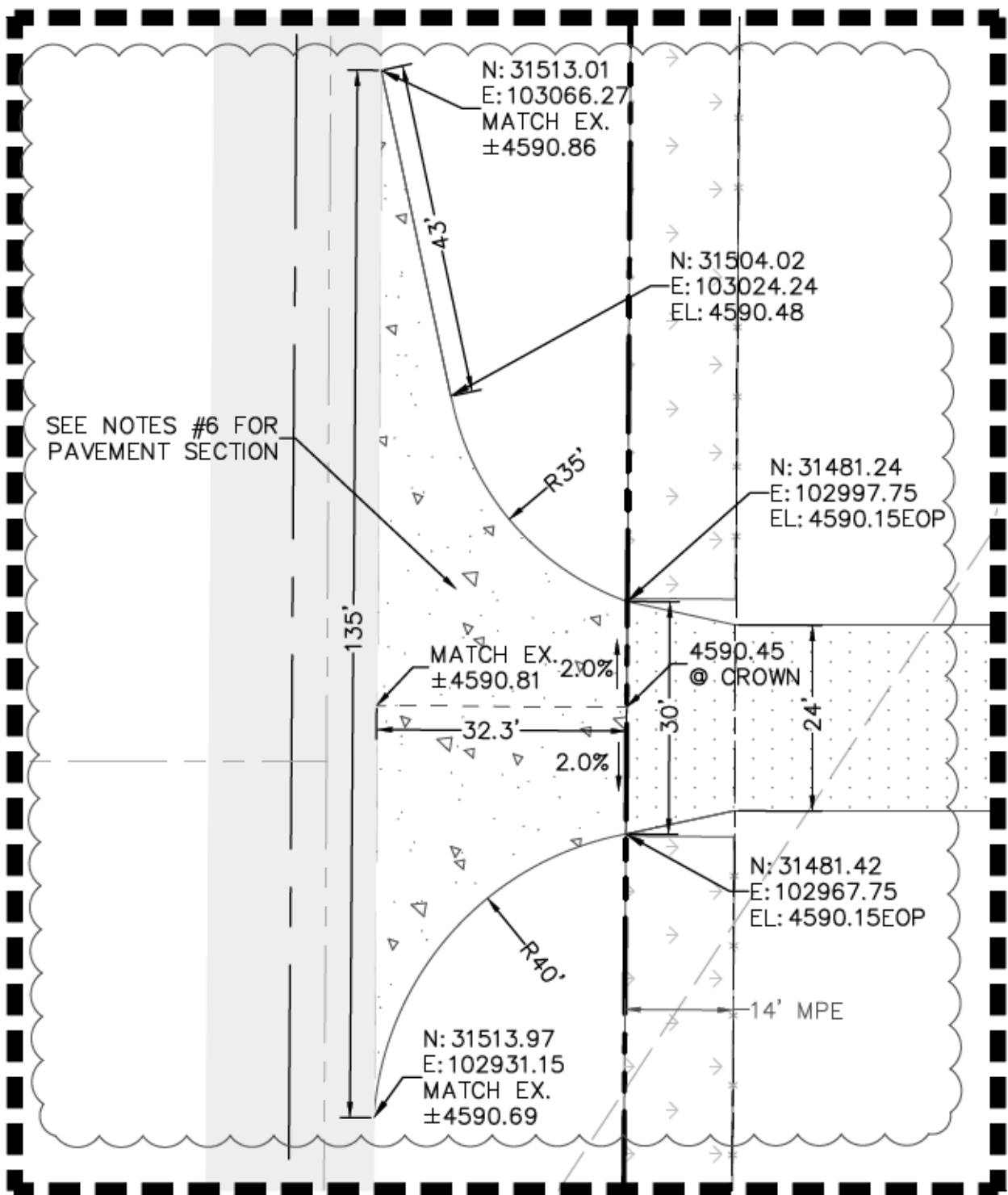




GENERAL NOTES:

1. IN NO EVENT SHALL A SLOPE STEEPER THAN 2:1 BE LEFT FOR DRY PITS. A PIT WITH A SLOPE OF 3:1 OR STEEPER SHALL NOT EXCEED A DEPTH OF 10 FEET.
2. ALL ACTIVITIES WITHIN THE FLOODWAY MUST KEEP GROUND SURFACE AT OR BELOW PRE-DEVELOPMENT LEVELS.
3. MAJORITY OF PRECIPITATION RUNOFF SHALL BE COLLECTED AND RETAINED IN POND CONSTRUCTED IN THE MIDDLE OF THE PROJECT. ALL DISTURBED AREAS WITHIN THE PROJECT SHALL BE GRADED SUCH THAT DRAINAGE WILL BE COLLECTED WITHIN THIS POND OR THE EXCAVATION PIT AREA. UNDISTURBED AREAS WILL MAINTAIN HISTORIC DRAINAGE PATTERNS.
4. MINING FOR SAND AND GRAVEL MATERIAL IS ANTICIPATED TO REQUIRE 10 YEARS TO MINE, AND ANOTHER 2 YEARS TO DEplete MATERIAL STOCKPILES AND COMPLETE SITE RECLAMATION WORK.
5. WATER TABLE ELEVATION TO FLUCTUATE WITH ANNUAL RIVER FLOW DUE TO PROXIMITY, BUT WILL TYPICALLY RANGE FROM 4574-FT AND 4578-FT.
6. ACCESS APRON PAVEMENT SECTION TO BE 8-INCHES CONCRETE WITH 6X6-6/6 WWF OVER 6-INCHES CDOT CLASS 6 ABC OVER 12-INCHES SCARIFIED AND RECOMPACTED SUBGRADE.
7. CONTACT MARK BARSLUND AT (970) 201-1362 FOR A PRE-CONSTRUCTION MEETING PRIOR TO ANY WORK ON THE SITE.

ACCESS DETAIL



ACCEPTANCE BLOCK  
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CITY DEVELOPMENT ENGINEER DATE

LEGEND	
--- PROPERTY LINE	--- FLOODPLAIN INFO
--- ADJACENT PROPERTY LINE	--- PROPOSED 2" DOMESTIC SERVICE
--- EXISTING EASEMENT	--- PROPOSED 4" FIRE LINE
--- PROPOSED EASEMENT	--- EXISTING FIRE HYDRANT
--- EXISTING BUILDING	--- EXISTING WATER METER
--- EXISTING CURB/GUTTER	--- PROPOSED WATER METER
--- PROPOSED CURB/GUTTER	--- PROPOSED METER/BACKFLOW VAULT
--- PROPOSED SPILL CURB/GUTTER	--- PROPOSED IRRIGATION MANHOLE
--- PROPOSED TRANSITION CURB/GUTTER	--- PROPOSED FENCE
--- EXISTING 1'-FT CONTOUR	--- EXISTING FENCE
--- EXISTING 5'-FT CONTOUR	--- PROPOSED TRAFFIC FLOW
--- PROPOSED 1'-FT CONTOUR	--- GRADE BREAK
--- PROPOSED 5'-FT CONTOUR	--- ROOF DRAIN (RD)
--- EXISTING ASPHALT	--- STREET LIGHT POLE
--- PROPOSED ASPHALT	--- FIRE DEPARTMENT CONNETION
--- EXISTING CONCRETE	--- PARKING LOT LIGHT
--- PROPOSED CONCRETE	--- PROPOSED BUILDING LIGHT
--- PROPOSED GRAVEL ROAD	--- POWER POLE
--- PROPOSED PERIMETER BERM	--- FLOWLINE
--- EXISTING DITCH	--- EOP
--- EXISTING SANITARY SEWER	--- TOC
--- PROPOSED SANITARY SEWER	--- TOW
--- EXISTING SANITARY SEWER MANHOLE	--- BOW
--- PROPOSED SANITARY SEWER MANHOLE	--- TBW
--- PROPOSED SANITARY SEWER CLEANOUT	--- TC
--- EXISTING STORM SEWER	--- BOC
--- PROPOSED STORM SEWER	--- LS
--- EXISTING STORM SEWER INLET	--- UTILITY PEDESTALS
--- PROPOSED STORM SEWER INLET	
--- EXISTING STORM SEWER MANHOLE	
--- PROPOSED STORM SEWER MANHOLE	

UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION SANITARY SEWER	MARK BARSLUND	201-1362
UTE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY	CHARLIE GUENTHER	242-2762
CITY OF GRAND JUNCTION PUBLIC WORKS	MARK BARSLUND	201-1362
XCEL ENERGY - GAS & ELECTRIC	MIKE EASTER	244-2626
CENTURY LINK	CHRIS JOHNSON	244-4333
CHARTER	JOHN VALDEZ	245-8750
MESA COUNTY STORMWATER	JOSH MARTINEZ	683-4206

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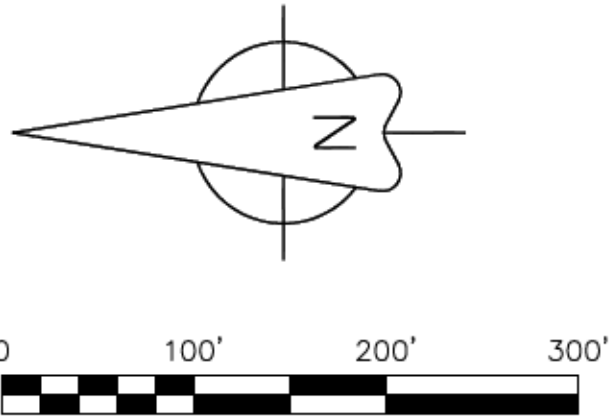
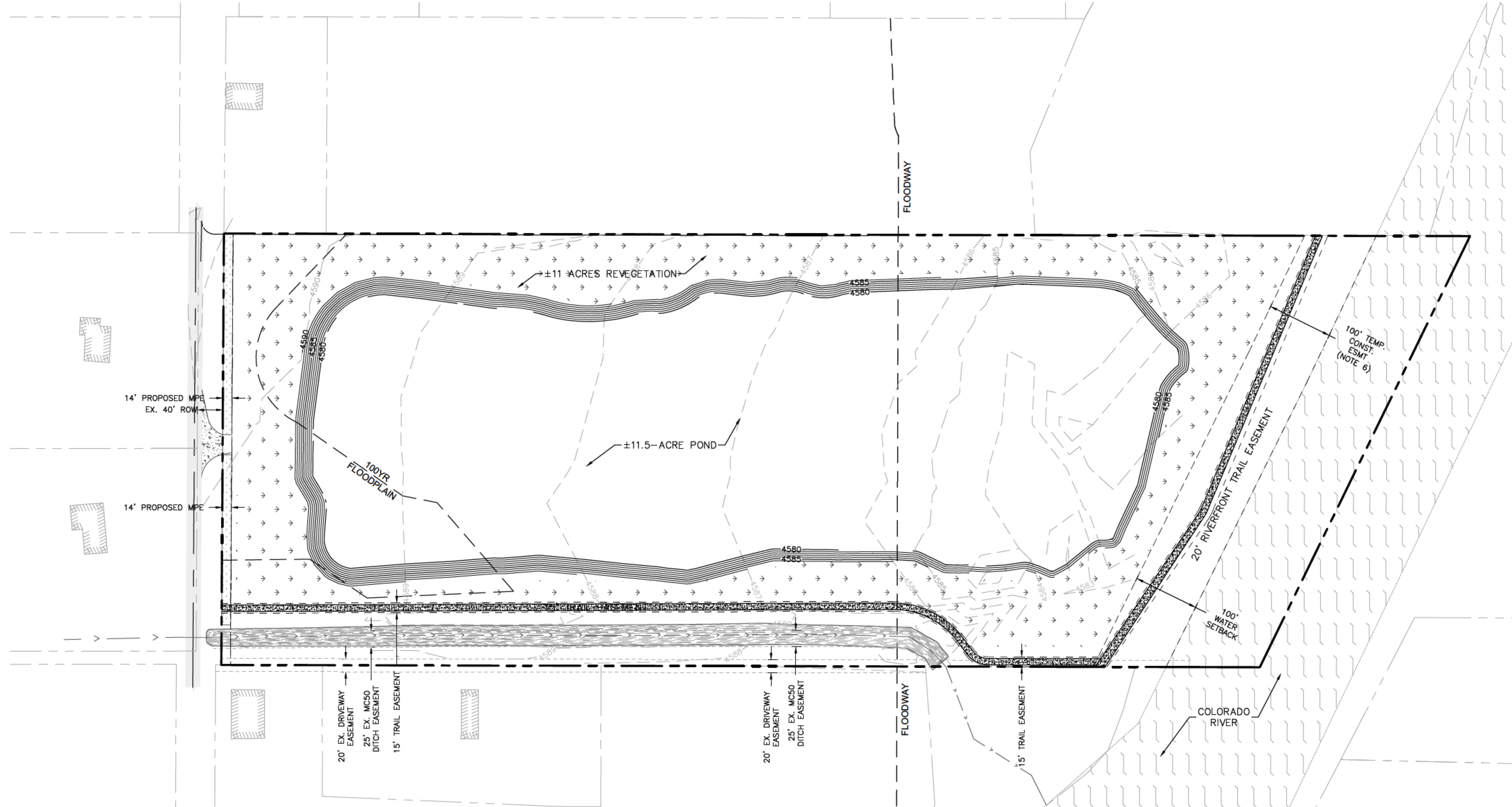
NO.	REVISIONS	DATE	BY
1	TRAIL EASEMENTS; SITE BORDER;	5-2-22	bsf
2	ENTRANCE RADIUS; STORM CULVERT; NOTES;	9-26-22	bsf
3	ACCESS RADI; PAVEMENT DETAILS;	2-21-23	bsf

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Land Planning • Civil Engineering • Development Services  
123 North 7th Street, Suite 300 • Grand Junction, Colorado 81501  
(970) 242-7540

**C-1/2 ROAD GRAVEL PIT**  
**GRADING AND DRAINAGE PLAN**  
**2855 C-1/2 RD, Grand Jct. Colo.**

DRAWN BY:	bsf
DESIGNED BY:	bsf
CHECKED BY:	MRA
APPROVED BY:	MRA
JOB NUMBER:	1161.0003
DATE:	5-2-2022
SCALE:	1"=100'
SHEET NO.:	C-3





GENERAL NOTES:

1. SITE SHALL BE GRADED TO DRAIN IN APPROXIMATELY THE SAME MANNER AND DIRECTION AS PRE-GRAVEL PIT USE.
2. ALL DISTURBED AREAS WITHIN THE PROJECT SITE SHALL BE PLANTED WITH SPECIFIED SEED MIX.
3. ALL SIDE SLOPES WITHIN THE POND SHALL BE 3:1 AND SHALL BE SEEDED ACCORDING TO MESA COUNTY GUIDELINES.
4. ALL ACTIVITIES WITHIN FLOODWAY MUST KEEP GROUND SURFACE AT OR BELOW PRE-DEVELOPMENT LEVELS.
5. RECLAMATION OF THE SAND AND GRAVEL MINING SITE TO BE COMPLETED WITHIN TWELVE (12) YEARS FROM THE START DATE FOR SAND AND GRAVEL MINING OPERATIONS.
6. A TEMPORARY CONSTRUCTION EASEMENT WILL BE DEDICATED FROM THE COLORADO RIVER'S EDGE 100-FT NORTH INTO THE PROPERTY FOR THE DESIGN AND CONSTRUCTION OF THE FUTURE RIVERFRONT TRAIL. ONCE THE RIVERFRONT TRAIL HAS BEEN DESIGNED AND CONSTRUCTED, A PERMANENT 20-FT WIDE EASEMENT CENTERED ON THE TRAIL WILL BE DEDICATED AND THE REMAINDER OF THE 100-FT CONSTRUCTION EASEMENT WILL BE VACATED.
7. NORTH-SOUTH ACCESS TRAIL TO PRIMARY RIVERFRONT TRAIL TO BE 10-FT WIDE CONCRETE TRAIL IN A 15-FT WIDE EASEMENT. CONNECTING LOCATION TO PRIMARY RIVERFRONT TRAIL WITHIN THE 100-FT CONSTRUCTION EASEMENT TO BE DETERMINED BY CLIENT AND CITY ONCE TRAIL DESIGN IS COMPLETE. CONSTRUCTION OF THIS TRAIL MAY COMMENCE ONCE SAND AND GRAVELS HAVE BEEN REMOVED OR DURING THE RECLAMATION PHASE.

UTILITIES AND AGENCIES

CITY OF GRAND JUNCTION SANITARY SEWER	MARK BARSLUND	201-1362
UTE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY	CHARLIE GUENTHER	242-2762
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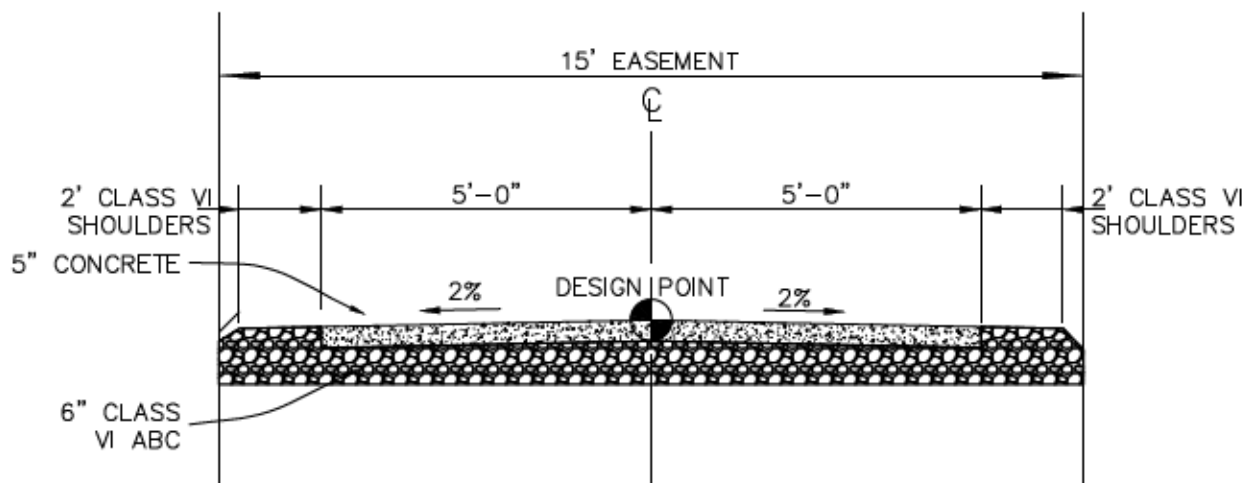
RECOMMENDED NATIVE SEED MIX (DRILLED)

SPECIES	RATES (PLS/ACRE)
WESTERN WHEATGRASS	8.0
INTERMEDIATE WHEATGRASS	10.0
SMOOTH BROME	6.5
PERENNIAL RYE	4.0
TOTAL	28.5

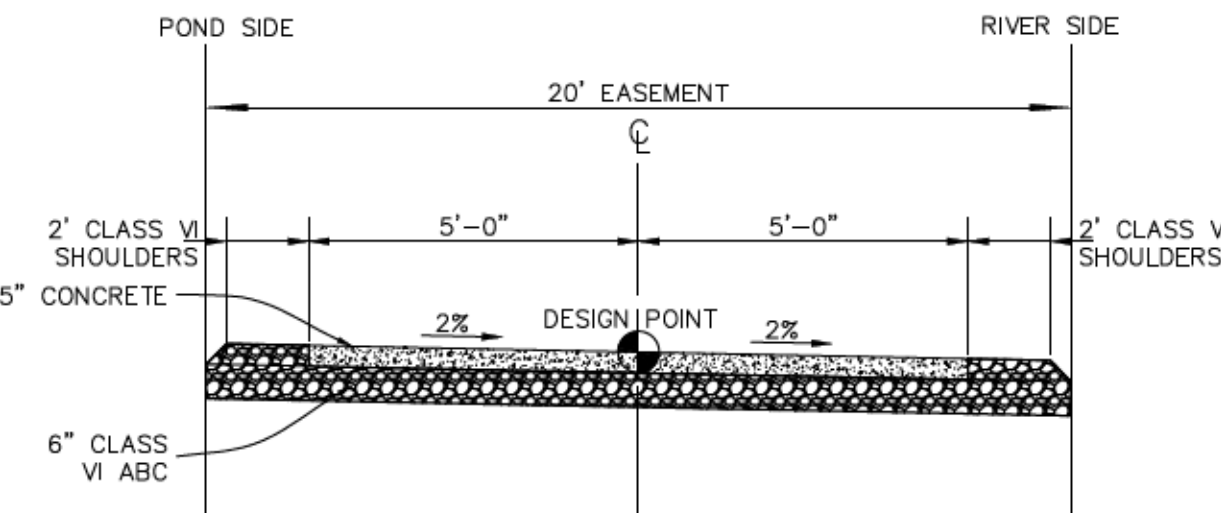
PLS = PURE LIVE SEED  
RATE GIVEN SHALL BE DOUBLED IF BROADCAST



NORTH-SOUTH  
RIVERFRONT ACCESS TRAIL



PRIMARY RIVERFRONT  
TRAIL



CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO )  
COUNTY OF MESA )ss  
I hereby certify that this instrument was filed in my office at \_\_\_\_\_  
o'clock \_\_\_\_\_M., \_\_\_\_\_A.D., 2023, and was duly recorded  
in Plot Book No. \_\_\_\_\_Page No. \_\_\_\_\_

Reception No. \_\_\_\_\_

Clerk and Recorder \_\_\_\_\_

Drawer No. \_\_\_\_\_

By: \_\_\_\_\_  
Deputy

ACCEPTANCE BLOCK  
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CITY DEVELOPMENT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY PLANNER \_\_\_\_\_ DATE \_\_\_\_\_

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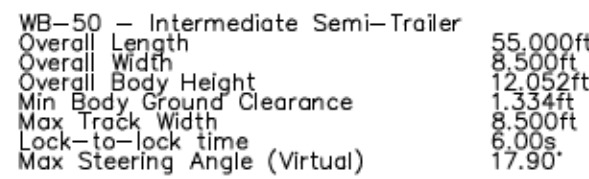
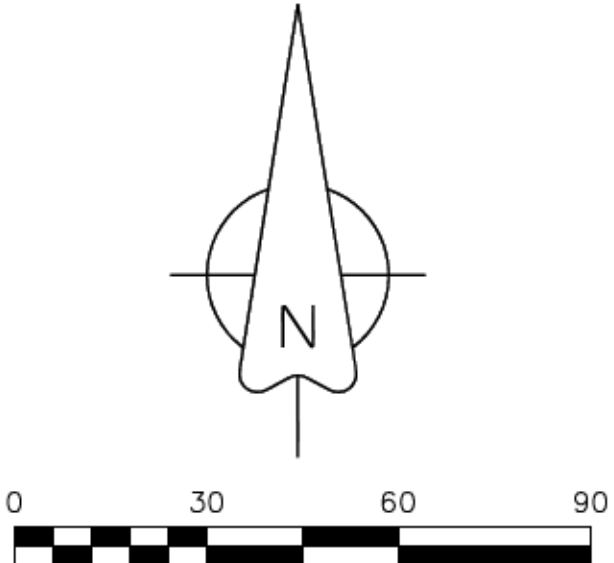
NO.	DESCRIPTION	DATE	BY
1	ADD POND CONTOURS; NOTES/DETAILS;	2-4-22	bsf
2	TRAIL DETAIL; CLERK & RECORDERS CERT;	2-21-22	bsf
3	TRAIL EASEMENTS; TRAIL DETAILS;	3-17-23	bsf

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Land Planning • Civil Engineering • Development Services  
123 North 7th Street, Suite 300 • Grand Junction, Colorado 81501  
(970) 242-7540

C-1/2 ROAD GRAVEL PIT  
RECLAMATION PLAN  
2855 C-1/2 RD, Grand Jct. Colo.  
prepared for  
M & D Enterprises

DRAWN BY: bsf	DESIGNED BY: bsf	CHECKED BY: bsf	APPROVED BY: MRA
JOB NUMBER: 1161.0003			
DATE: 5-2-2022			
SCALE: 1"=100'			
SHEET NO: C-4			





UTILITIES AND AGENCIES		
CITY OF GRAND JUNCTION SANITARY SEWER UTE WATER	MARK BARSLUND	201-1362
	JIM DAUGHERTY	242-7491
GRAND VALLEY IRRIGATION COMPANY	CHARLIE GUENTHER	242-2762
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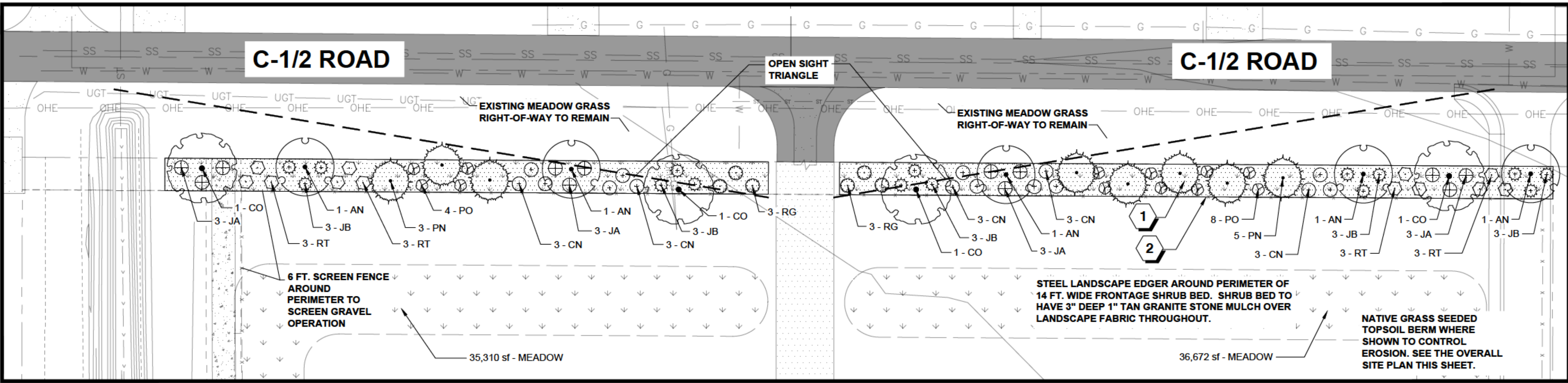
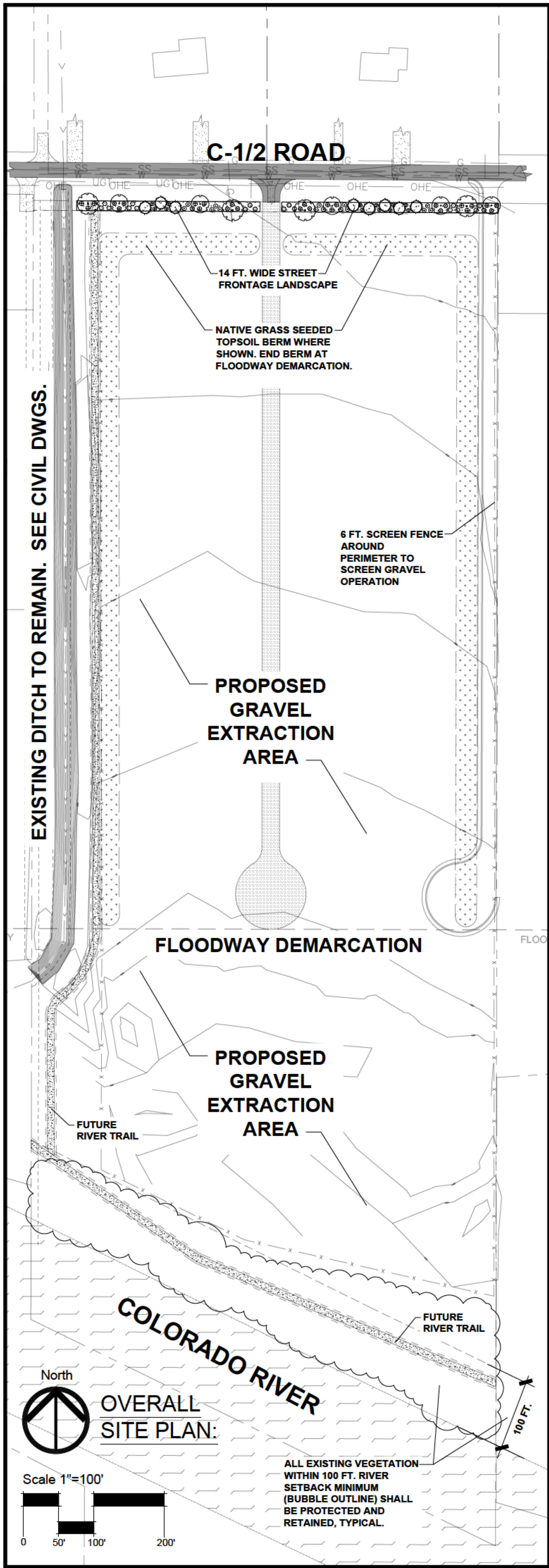
CITY DEVELOPMENT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY PLANNER \_\_\_\_\_ DATE \_\_\_\_\_

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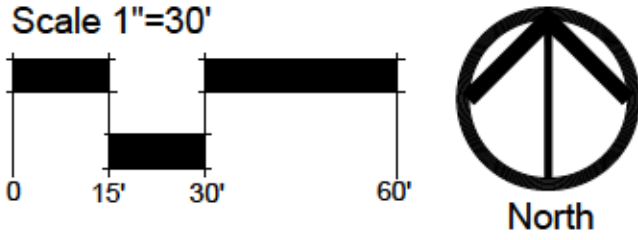
LANDSCAPE LEGEND:

PLANT SCHEDULE				
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	PN	8	PINUS NIGRA AUSTRIAN PINE 40' TALL, 20' SPREAD, GREEN EVERGREEN	6 FT. B&B
LARGE SHADE TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	CO	4	CELTIS OCCIDENTALIS 'PRAIRIE PRIDE' PRAIRIE PRIDE HACKBERRY 40' TALL, 30' SPREAD, YELLOW FALL COLOR	2" CALIPER
SMALL ORNAMENTAL TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	AN	5	ACER NEGUNDO 'SENSATION' SENSATION BOX ELDER MAPLE 25' TALL, 25' SPREAD, RED FALL COLOR	1.5" CALIPER
EVERGREEN SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	CN	15	CHRYSOTHAMNUS NAUSEOSUS GRAVEOLENS TALL GREEN RABBITBRUSH 5' TALL, 5' SPREAD, YELLOW FALL FLOWERS.	5 GALLON
	JA	12	JUNIPERUS SABINA 'ARCADIA' ARCADIA JUNIPER 2' TALL, 6' SPREAD, GREEN EVERGREEN	5 GALLON
	JB	15	JUNIPERUS SABINA 'BROADMOOR' BROADMOOR JUNIPER 2' TALL, 6' SPREAD, HORIZONTAL GREEN EVERGREEN	5 GALLON
DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	PO	12	PHYSOCARPUS OPULIFOLIUS 'DIABOLO' DIAULO NINEBARK 5' TALL, 5' WIDE, PURPLE FOLIAGE	5 GALLON
	RG	6	RHUS AROMATICA 'GRO-LOW' GRO-LOW FRAGRANT SUMAC 2' TALL, 6' SPREAD, ORANGE FALL COLOR	5 GALLON
	RT	12	RHUS TRILOBATA THREE-LEAF SUMAC 6' TALL, 6' SPREAD, ORANGE FALL COLOR.	5 GALLON
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	MEADOW	71,982 SF	SEE THE SEED MIX, APPLICATION RATE, AND SEEDING NOTES ON SHEET L-2. NON-IRRIGATED GRASS MIX.	-

SITE LEGEND:

REFERENCE NOTES SCHEDULE		
SYMBOL	DESCRIPTION	QTY
	1" TAN GRANITE STONE MULCH 3" DEEP OVER LANDSCAPE FABRIC.	7,994 SF
	STEEL EDGER, COL-MET MFG. BROWN COLOR, INSTALL WITH MFG STAKES PER MFG RECOMMENDATIONS.	1,200 LF

LANDSCAPE PLAN C-1/2 ROAD FRONTAGE:



CITY OF GRAND JUNCTION LANDSCAPE REQUIREMENTS:  
STREET FRONTAGE LANDSCAPE & PERIMETER BERM

1 TREE PER 40 LF OF STREET FRONTAGE REQUIRED:  
660 LF C-1/2 ROAD FRONTAGE= 17 TREES REQUIRED

71,981 SF PERIMETER LANDSCAPE BERM NORTH OF THE FLOODWAY DEMARCATION LINE.

FINAL TOTALS:  
17 TOTAL 2" CALIPER & 6 FT. B&B TREES PROVIDED  
22 TOTAL 5-GALLON SHRUBS PROVIDED  
7,994 SF STONE MULCH SHRUB BED AREA  
71,981 SF NON-IRRIGATED MEADOW GRASS PERIMETER TOPSOIL BERM.

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CITY PLANNER DATE

REVISIONS	BY

Julee Wolverton,  
Landscape Architect

61945 Nighthawk Road  
Montrose, CO 81403  
office: 970.249.9392  
cell: 970.417.1779  
julee@juleewolverton.com



C-1/2 Road Gravel Pit  
Landscape Plan  
Grand Junction, Colorado

DATE  
03/14/23

SHEET TITLE  
LANDSCAPE  
PLAN & NOTES

SHEET No.  
L-1



**GUYING PATTERN FOR DECIDUOUS TREE PLANTING**

**GUYING PATTERN FOR EVERGREEN TREE PLANTING**

FOR TREES ON 4:1 OR STEEPER SLOPES, PLACE 2 GUYS UPSLOPE, ONE DOWNSLOPE; OTHERWISE PLACE FOR PREVAILING WIND.

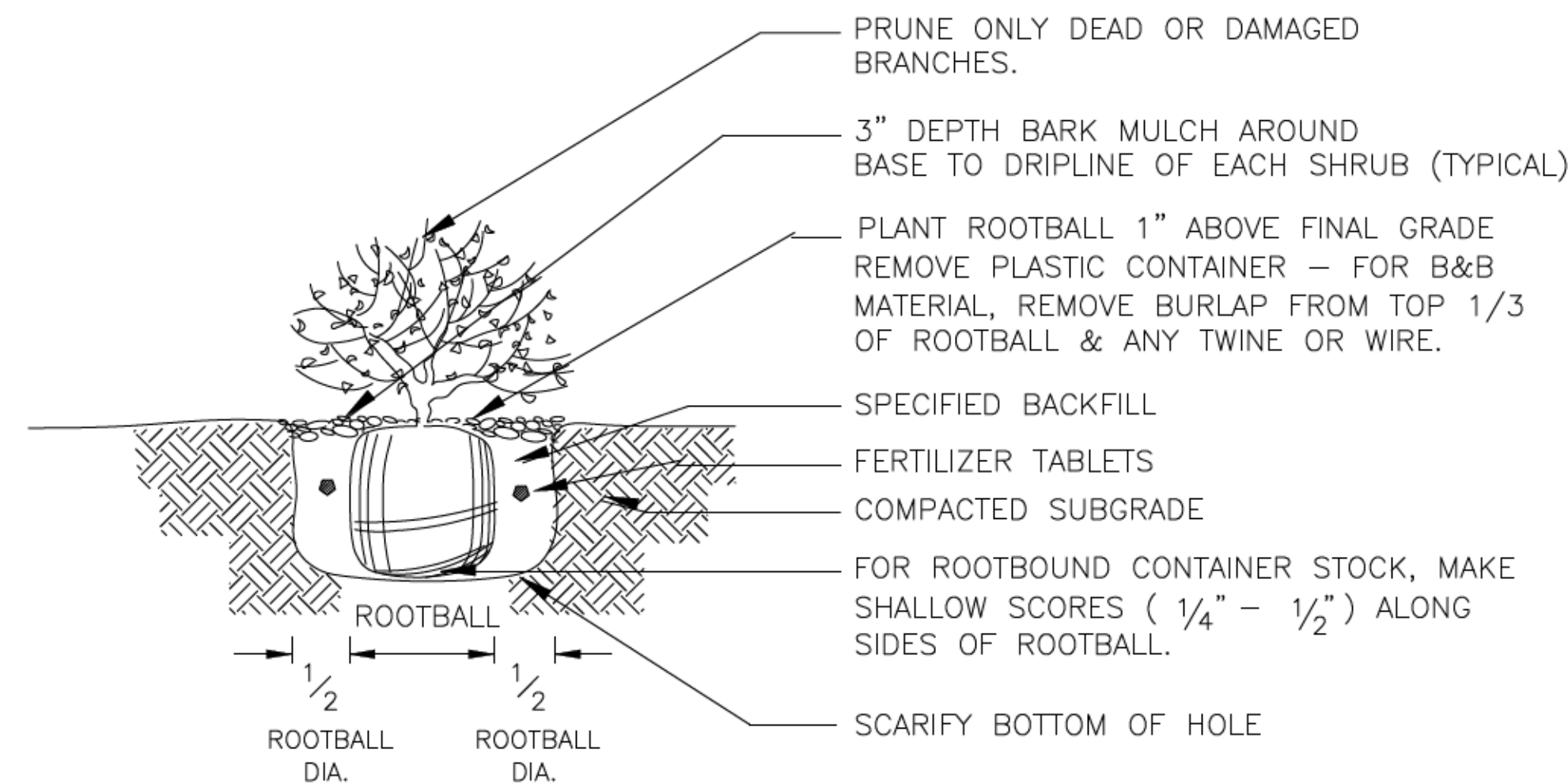
Labels in the diagram include:

- DECIDUOUS TREE
- EVERGREEN TREE
- PRUNE ONLY DEAD OR DAMAGED WOOD. DO NOT PRUNE FLUSH TO BRANCH. LEAVE SLIGHT STUB. DO NOT PRUNE CENTRAL LEADER
- 12 GA. GALV. STEEL GUY WIRE, ATTACH TO 24" MIN. STEEL T-POST OR REBAR STAKE, 3 PER TREE, DO NOT PULL TAUT.
- FLEX-PIPE BARK PROTECTOR
- SET ROOTBALL 2"-4" ABOVE FINAL GRADE, REMOVE ENTIRE WIRE BASKET AND BURLAP FROM TOP 1/3 OF ROOTBALL AND ANY TWINE OR WIRE.
- WHITE PVC AROUND WIRE TO MARK AND PREVENT PEOPLE FROM TRIPPING OVER WIRE.
- 3" DEPTH WOOD CHIP MULCH AROUND BASE OF DRIPLINE OF TREE (TYP)
- 24" MIN. STEEL T-POST OR #4 REBAR STAKE, FLUSH W/ GRADE, THREE PER TREE (EVERGREEN TREES)
- FERTILIZER TABLETS
- SCARIFY BOTTOM OF HOLE
- 12" MIN. ROOTBALL DIA.
- 1/2 ROOTBALL
- 1/2 ROOTBALL
- 12" MIN. ROOTBALL DIA.
- DIG HOLE 2" LESS THAN HEIGHT OF ROOTBALL
- ACTED SUBGRADE
- IFIED BACKFILL
- AKES, 2" x 2" OR 2 1/2"
- AL, OR STEEL T-POSTS, GROUND
- 12 GA. GALV. STEEL WIRE, NOT PULL TAUT.
- WIDER NYLON WEBBING
- ETAL GROMMETS
- ARD WATERPROOF TREE WRAP (DECIDUOUS TREES ONLY) TO BRANCH

A TREE PLANTING SECTION

L-2

NOT TO SCALE



B SHRUB PLANTING SECTION

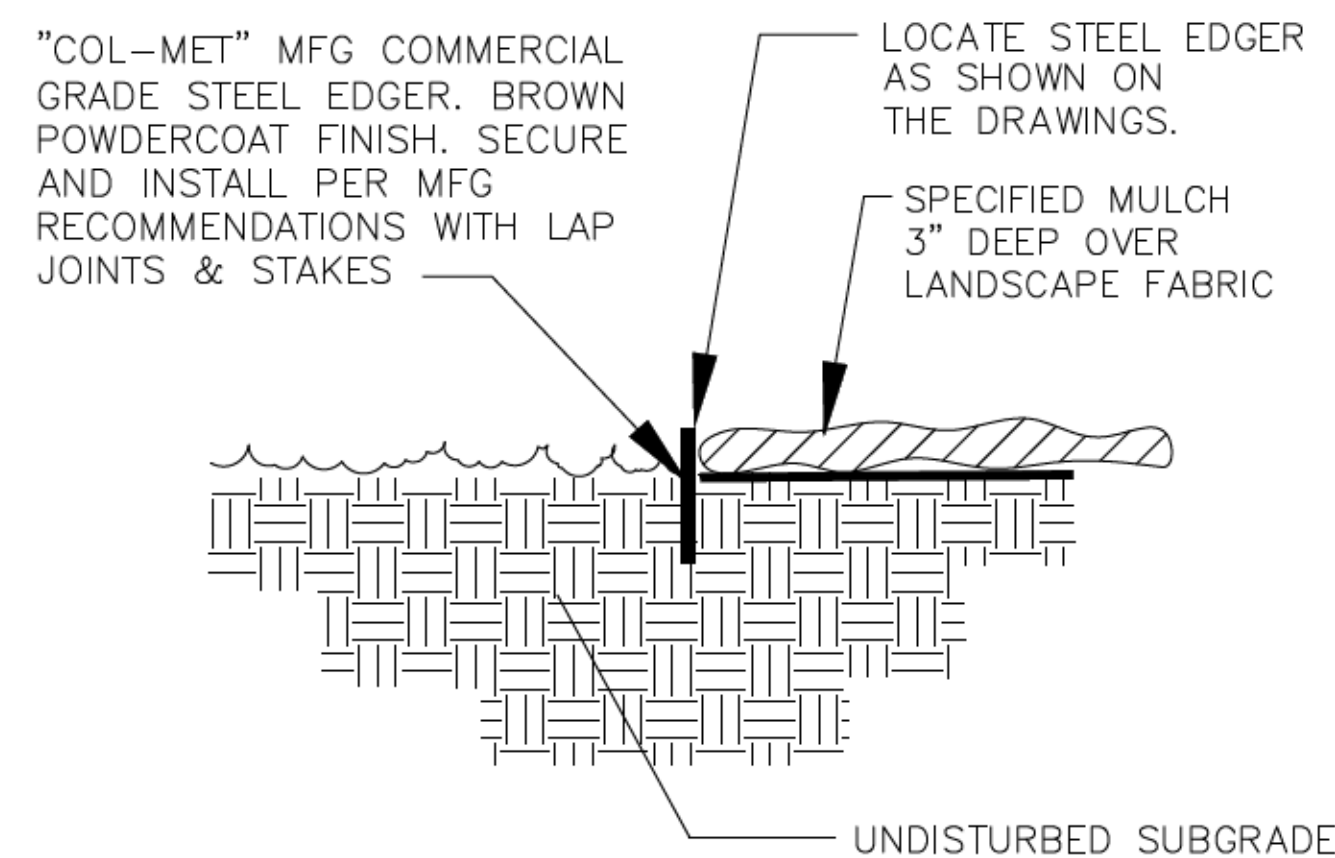
L-2

NOT TO SCALE

1. SEED TOPSOIL BERM AS IT IS COMPLETED.
2. SOIL PREP: GRADE TOPSOIL TO A REASONABLE EVEN, SMOOTH, LOOSE SEED BED. ROTOTILL IN 3-5 CY/1,000 SF OF SOIL CONDITIONER. SLOPE SURFACES SHOULD BE ROUGHENED TO PROVIDE SEED POCKETS FOR INCREASED GERMINATION.
3. SEE THE SEED MIX FOR SEED TYPE AND APPLICATION RATE. SEED SHALL BE APPLIED BY MEANS OF A DROP SEEDER OR CYCLONE SEEDER. DIVIDE THE SEED IN TWO EQUAL PARTS AND SOW HALF OF THE SEED BY CROSSING THE AREA NORTH TO SOUTH AND THE OTHER HALF BY CROSSING EAST TO WEST AT DOUBLE THE RATE REQUIRED FOR DRILL SEEDING. SEED SHALL BE RAKED OR DRAGGED INTO THE SOIL TO A DEPTH OF 1/2". CARE SHOULD BE TAKEN TO INSURE UNIFORM COVERAGE OF SEED.
4. DO NOT SEED DURING WINDY CONDITIONS. ANY AREAS DISTURBED AFTER SEEDING OPERATIONS SHALL BE RESEED AT CONTRACTOR'S EXPENSE.
5. FOR SLOPES 3:1 OR Gentler, SEEDED AREAS SHALL BE MULCHED WITH WOOD CHIPS, STRAW, OR HYDRO-MULCH. FOR SLOPES 3:1 OR GREATER, SEEDED AREAS REQUIRE AN EROSION CONTROL BLANKET OVER SEEDED AREAS. INSTALL EROSION CONTROL BLANKET PER THE MFG. RECOMMENDATIONS IN THE PROPER DIRECTION WITH RECOMMENDED OVERLAPS AND STAKES.
6. PROTECT ALL SEEDED AREAS FROM DAMAGE UNTIL GRASS AREAS ARE ESTABLISHED.
7. RE-SEED BARE AREAS AS NEEDED THROUGHOUT THE GROWING SEASON UNTIL AREA IS 100% ESTABLISHED.

WESTERN WHEATGRASS 'ARRIBA'	8.0 LBS PLS/ACRE
INTERMEDIATE WHEATGRASS 'RUSH'	10.0 LBS PLS/ACRE
SMOOTH BROME 'LINCOLN'	6.5 LBS PLS/ACRE
PERENNIAL RYE	4.0 LBS PLS/ACRE

\*\*\*PLANT GRASS SEED ONLY IN EARLY SPRING AND FALL (BETWEEN SPRING THAW & MAY 1, OR AFTER AUGUST 1 UNTIL CONSISTEN GROUND FREEZE).



C STEEL EDGER / MULCH

L-2

NOT TO SCALE

1. INSTALL A NEW UNDERGROUND AUTOMATIC DRIP IRRIGATION SYSTEM FOR THE STREET FRONTAGE LANDSCAPE. INSTALL A BACKFLOW PREVENTER WITH LOCKABLE ENCLOSURE, AND A PEDESTAL MOUNT IRRIGATION CONTROLLER.
2. TOPSOIL SHALL BE RELOCATED FROM ON-SITE EXCAVATION AREAS INTO ALL OF THE LANDSCAPE AREAS TO BE PLANTED WITH TREES, SHRUBS, AND GRASS. THERE SHALL BE A MINIMUM OF 8" OF TOPSOIL IN ALL SHRUB BED AREAS. NO TOPSOIL SHALL BE REMOVED FROM THE SITE.
3. SOIL PREPARATION FOR LANDSCAPE AREAS SHALL BE ORGANIC MATTER (100% DECOMPOSED WOOD CHIPS OR "MESA MAGIC" SOIL AMENDMENT) APPLIED AT A RATE OF 3-5 CY/1000 SF., AND TILLED TO A DEPTH OF 6"-8", AND FINE GRADED THROUGHOUT ALL AREAS TO BE LANDSCAPED.
4. WHEN INSTALLING EACH PLANT, PLANT MIX SHALL BE COMPRISED OF 1 PART SOIL CONDITIONER (DECOMPOSED BARK MULCH OR "BACK-TO-EARTH" ACIDIFIER PRODUCT) TO 2 PARTS TOPSOIL. OVER EXCAVATE THE PLANTING HOLES TWO TIMES THE DIAMETER OF THE ROOTBALL. FILL WITH PLANT MIX. ROOTING HORMONE SUCH AS INDOL 3 BUTERIC ACID SHALL BE USED FOR ALL TREES & SHRUBS.
5. "COL-MET" BROWN STEEL EDGER SHALL ENCLOSE LANDSCAPE SHRUB BEDS WHERE SHOWN. INSTALL PER THE MANUFACTURER'S RECOMMENDATIONS.

6. SHRUB BEDS SHALL HAVE "DEWITT PRO 5" WEED BARRIER FABRIC OR APPROVED EQUAL INSTALLED UNDER MULCH UNLESS NOTED OTHERWISE - OVERLAP SEAMS MIN. 4" AND ATTACH FABRIC IN PLACE WITH 8" LONG STAPLES AT MAX. 4' ON CENTER. SPECIFIED STONE MULCH SHALL BE PLACED THREE INCHES DEEP OVER THE LANDSCAPE FABRIC THROUGHOUT.

7. WHEN PLANTING TREES OR SHRUBS: THOROUGHLY SOAK PLANTING HOLE WHILE BACKFILLING. PRUNE DEAD OR DAMAGED BRANCHES IMMEDIATELY AFTER PLANTING. FERTILIZE WITH AGRIFORM 21 GRAM PLANT TABLETS, 20-10-5. 6 TABLETS PER TREE, AND 3 PER SHRUB.

8. SHREDDED CEDAR BARK MULCH SHALL BE PLACED AROUND THE DRIPLINE OF EACH PLANT TO MAINTAIN MOISTURE, 3 FT. DIAMETER AROUND TREES, AND 1 FT. DIAMETER AROUND SHRUBS. DO NOT LET BARK MULCH TOUCH THE BASE AND STEM OF EACH PLANT - KEEP CLEAR 2".

9. ALL DECIDUOUS TREES SHALL BE STAKED WITH (2) 6 FT. T-POSTS. ALL EVERGREEN TREES SHALL BE STAKED WITH (3) 2 FT. T-POSTS. ALL POSTS SHALL BE GUYED TO THE TREE WITH 12 GA. WIRE ENCASED IN RUBBER HOSE.

10. ALL TREES WITHIN THE SIGHT TRIANGLES SHALL BE LIMBED UP TO A HEIGHT OF 8 FT. AS THE TREE GROWS, AND THIS CLEARANCE SHALL BE MAINTAINED.

11. LOCATE AND MARK LOCATIONS OF ALL UTILITIES PRIOR TO COMMENCING WORK. DO NOT PLANT ANY TREES OR SHRUBS DIRECTLY OVER BURIED UTILITY LINES, OR ANY TREES UNDER OVERHEAD UTILITY LINES.

12. PLANT MATERIAL WAS CHOSEN FOR ITS SPECIFIC VARIETY, HEIGHT, AND COLOR. ANY PLANT MATERIAL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.

13. ALL PLANT MATERIAL SHALL BE GROWN IN A NURSERY IN ACCORDANCE WITH PROPER HORTICULTURAL PRACTICE. PLANTS SHALL BE HEALTHY, WELL-BRANCHED, AND VIGOROUS WITH A GROWTH HABIT NORMAL TO THE SPECIES AND VARIETY, AND FREE OF DISEASES, INSECTS, AND INJURIES.

[illegible]

Julee Wolverton,  
Landscape Architect



61945 Nighthawk Road  
Montrose, CO 81403  
office: 970.249.9392  
cell: 970.417.1779  
julee@juleewolverton.com



***C-1/2 Road Gravel Pit  
Landscape Plan  
Grand Junction, Colorado***

DATE  
03/14/23

*SHEET TITLE*

LANDSCAPE  
NOTES AND  
DETAILS

*SHEET No.*

*L-2*

### ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

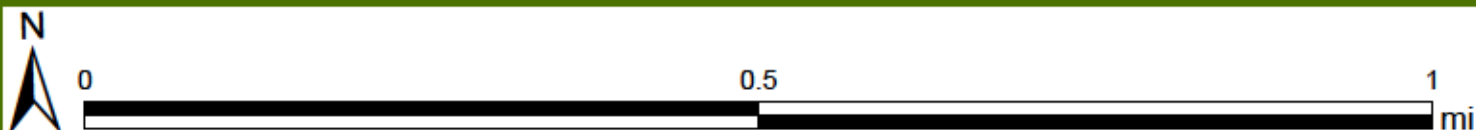
CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY PLANNER

DATE \_\_\_\_\_



# City of Grand Junction



Printed: 2/16/2021  
1 inch equals 752 feet  
Scale: 1:9,028







September 25, 2022

To Dave Thornton, Planner  
[davidth@gjcity.org](mailto:davidth@gjcity.org)

Re: ANX-2022-613- C ½ Road  
Public Comment

Dear Commission, Counsel and Owners,

We own the property immediately east of the proposed project and share the property line. Our vacant agricultural land is located at 2869 C ½ Road. We have met with a representative of the proposed annexation company, discussed their project and the anticipated time-line for this mineral extraction project. We are generally in favor of the annexation / changed use application.

Our goal is for the project to benefit the owners as well as the neighborhood and community at large. We propose and request the following provisions be considered by the Commission and City Counsel as part of the annexation request:

A. The proposed site is one of two properties between Las Colonias Park and 29 Road which is blocking the extension of the James M Robb bike trail. We request that after extraction and remediation processes are complete, the owner cede a sufficient amount of their private land to the State of Colorado to permit the extension of the bike trail through this stretch of river front.

The current bike access route is on C ½ Road, a narrow and rough stretch of the trail which places both bikers and drivers at risk. With the proposed extraction processes in place, more heavy trucks will be required to remove the minerals and thus increase traffic on the roadway. Because the project could take years to exhaust the resources, we request the river-front be extracted and remediated first to possibly permit the extension of the bike trail system. This will remove bikes from C ½ Road and nearly complete the bike system from Loma to Palisade. .

B. The working hours of the project should be limited to ½ hour after sunrise until ½ hour before sunset. This will minimize noise and traffic which impacts the adjacent landowners.

C. A dedicated acceleration and deceleration lane should be required on C ½ Road near the entrance to the work site. This road has already been neglected, but with the increased use by heavy vehicles, it can be anticipated to suffer more structural fatigue. Having either a center turn lane or expanded shoulder on the south roadside will reduce the ongoing damage to the existing road.

With these requests being addressed and considered by the Planners and City Counsel, we welcome the beneficial use of the property by our neighbors.

Respectfully,  
Amy Mueller, Nathaniel Mueller and Greg Mueller, owners 2869 C ½ Road, Grand Junction, CO

Telephone: 970.245.1227 Facsimile: 970.245.1257



I wasn't sure where to comment or what to do if I can't attend the hearing.

I own a house across the river from this project on Unaweeep Ave(C road). When I bought, one of the reasons was the rural/residential area zoning. We have lots of wildlife over here including Eagles, Bears, Deer, Fox, etc that I feel would be impacted by this gravel pit project due to noise and increased traffic over there.

Thank you for taking my comment.

Ryan Lowe  
2850 Unaweeep Ave

ANX-2022-613--C 1/2 Road Gravel Pit Annexation  
2855 C 1/2 Road

Sent from my iPhone

## Kristen Ashbeck

---

**From:** David Thornton  
**Sent:** Monday, September 26, 2022 9:21 AM  
**To:** Greg Mueller  
**Cc:** So,; Nathaniel Mueller; Kristen Ashbeck; Trenton Prall; Rick Dorris; Tamra Allen  
**Subject:** RE: ANX-2022-613- C ½ Road

Good Morning Amy, Nathaniel and Greg,

Thank you for your comments. All of your comments are related directly with the proposed CUP (file #CUP-2021-616) that is also going through the Development Review Process with the City. These comments can be considered as conditions to the Conditional Use Permit (CUP) request for the gravel extraction land use. I have copied Kristen Ashbeck, project manager on the gravel extraction CUP request so she now has your comments for that review and consideration. The annexation of a property only considers whether or not the land should become part of the city limits and must meet the Colorado State statutory requirements for annexation. With the annexation of land State law requires the city to zone it within 90 days of the annexation's effective date. By request of the petitioner, the city is considering the CSR zone district which implements the City's Comprehensive Plan for the property.

Thanks again for your comments and Kristen will incorporate them into her review and file for the proposed CUP. Kristen can be reached at 970-244-1491. Or [kristena@gjcity.org](mailto:kristena@gjcity.org)

Respectfully,

Dave

David Thornton, AICP  
Principal Planner  
Community Development Department  
City of Grand Junction  
[www.gjcity.org](http://www.gjcity.org)  
Phone: 970-244-1450



---

**From:** Greg Mueller <pariahlaw@aol.com>  
**Sent:** Sunday, September 25, 2022 1:35 PM  
**To:** David Thornton <davidth@gjcity.org>  
**Cc:** So, <akcolomed@aol.com>; Nathaniel Mueller <nathaniel.g.mueller@gmail.com>  
**Subject:** Re: ANX-2022-613- C ½ Road

September 25, 2022

To Dave Thornton, Planner  
[davidth@gjcity.org](mailto:davidth@gjcity.org)

Re: ANX-2022-613- C ½ Road  
Public Comment

Dear Commission, Counsel and Owners,

We own the property immediately east of the proposed project and share the property line. Our vacant agricultural land is located at 2869 C ½ Road. We have met with a representative of the proposed annexation company, discussed their project and the anticipated time-line for this mineral extraction project. We are generally in favor of the annexation / changed use application.

Our goal is for the project to benefit the owners as well as the neighborhood and community at large. We propose and request the following provisions be considered by the Commission and City Counsel as part of the annexation request:

A. The proposed site is one of two properties between Las Colonias Park and 29 Road which is blocking the extension of the James M Robb bike trail. We request that after extraction and remediation processes are complete, the owner cede a sufficient amount of their private land to the State of Colorado to permit the extension of the bike trail through this stretch of river front.

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With these requests being addressed and considered by the Planners and City Counsel, we welcome the beneficial use of the property by our neighbors.

Respectfully,  
Amy Mueller, Nathaniel Mueller and Greg Mueller, owners 2869 C ½ Road, Grand Junction, CO

Telephone: 970.245.1227 Facsimile: 970.245.1257



Email: [pariahlaw@aol.com](mailto:pariahlaw@aol.com)

## Kristen Ashbeck

---

**From:** David Thornton  
**Sent:** Monday, September 26, 2022 2:31 PM  
**To:** Kristen Ashbeck  
**Subject:** FW: [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

This comments is more about the CUP application than it is for the annexation.

Thanks,  
Dave

---

**From:** Daniella Acosta <daniellaa@gjcity.org>  
**Sent:** Monday, September 26, 2022 2:29 PM  
**To:** David Thornton <davidth@gjcity.org>  
**Subject:** Fwd: [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

This GJ Speaks commented was routed to me instead of you.

Get [Outlook for iOS](#)

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**From:** Grand Junction Speaks <[no-reply@gjspeaks.org](mailto:no-reply@gjspeaks.org)>  
**Sent:** Monday, September 26, 2022 1:29:32 PM  
**To:** Daniella Acosta <[daniellaa@gjcity.org](mailto:daniellaa@gjcity.org)>  
**Subject:** [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

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



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The following comment has been submitted for C 1/2 Road Gravel Pit Annexation by Sandra Reams:

Hi, I live at 2854 UnawEEP Ave. directly south of the proposed application. I purchased this property 5 years ago. I knew the parcel of land in question was zoned for residential single family-Rural development. The back of my property butts up against the Colorado River. My views are incredible.. the solitude is good for the soul... and wildlife is abundant. I can't imagine the constant beeping noise and sounds from the rock haulers. I am retired. I spend a lot of time outside. My windows are open in the summer. I am concerned for my

mental health. I am sensitive to annoying noises. i.e. trucks backing up. I am concerned for the wildlife. They have no say but I can tell you they would not be happy !!! I am concerned about the traffic increase on C 1/2 Rd. There are no sidewalks or bike lanes. C 1/2 is used by pedestrians and cyclist to access river trail and new park system. The new apartments west of the land application also have increased the road usage. C 1/2 is now being used as a short cut to D Rd off of 29 Rd. Surely there is somewhere else in the valley that gravel can be found. This application for land use would be a nuisance to all neighbors above and below the Colorado River and those traveling sans vehicles. Thank you SReams

You can approve or reject the comment [here](#).

---

This email was delivered by [gispeaks.org](http://gispeaks.org)



## Kristen Ashbeck

---

**From:** David Thornton  
**Sent:** Tuesday, September 27, 2022 8:38 AM  
**To:** Ryan Lowe  
**Cc:** Kristen Ashbeck  
**Subject:** RE: ANX-2022-613--C 1/2 Road Gravel Pit Annexation 2855 C 1/2 Road

Thanks Ryan for your comments. I have copied another Planner in Community Development that is reviewing the actual Gravel Pit development application. It will be going to public hearing soon and all those who received notice for this annexation will also receive notice of the hearing date for the gravel pit/extraction use that will require a Conditional Use Permit (CUP) and that is considered by Planning Commission in a public hearing as well.

Kristen Ashbeck now has your comments for that review and consideration. The annexation of a property only considers whether or not the land should become part of the city limits and must meet the Colorado State statutory requirements for annexation. With the annexation of land State law requires the city to zone it within 90 days of the annexation's effective date. By request of the petitioner, the Planning Commission and later City Council, are considering the CSR (Community Services and Recreation) zone district which implements the City's' Comprehensive Plan for the property. The CSR zoning permits residential uses, but at a density of one dwelling unit per five acres. It permits gravel extraction with a CUP.

Thanks again for your comments and Kristen will incorporate them into her review and file for the proposed CUP. Kristen can be reached at 970-244-1491. Or [kristena@gjcity.org](mailto:kristena@gjcity.org)

Respectfully,

Dave

David Thornton, AICP  
Principal Planner  
Community Development Department  
City of Grand Junction  
[www.gjcity.org](http://www.gjcity.org)  
Phone: 970-244-1450

-----Original Message-----

From: Ryan Lowe <[raniac84@gmail.com](mailto:raniac84@gmail.com)>  
Sent: Monday, September 26, 2022 8:30 PM  
To: David Thornton <[davidth@gjcity.org](mailto:davidth@gjcity.org)>  
Subject: ANX-2022-613--C 1/2 Road Gravel Pit Annexation 2855 C 1/2 Road

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Hello David-

**GRAND JUNCTION PLANNING COMMISSION**  
**July 11, 2023, 5:30 PM**  
**MINUTES**

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

Those present were Planning Commissioners; Ken Scissors, 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 17 members of the public in attendance, and 0 virtually.

**CONSENT AGENDA**

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**1. Approval of Minutes**

Minutes of Previous Meeting(s) from June 27, 2023.

**2. Mustang Ridge Sewer Variance**

**VAR-2023-393**

Consider a Request by Brian R. and Stephanie Bray for a Variance to the GJMC Section 21.06.010(e), Subdivision Infrastructure Standards Regarding the Provision of a Sanitary Sewer System for the Mustang Ridge Simple Subdivision Located at 880 26 1/2 Road.

**REGULAR AGENDA**

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**1. C ½ Road Gravel Pit CUP**

**CUP-2021-616**

Consider a Request by M & D Enterprises for a Conditional Use Permit to Allow Sand and Gravel Extraction on a Total of 27.8 acres in a CSR (Community Services and Recreation) Zone District Located at 2855 C 1/2 Road.

**Staff Presentation**

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

Ben Fox and Mark Austin with Austin Civil Group were present and available for questions.

**Questions for staff**

Commissioner Scissors asked about the proposed improvements to C ½ Rd. He inquired further as to pedestrian and bike infrastructure. He asked for clarification on the easements for the Riverfront Trail.

**Public Hearing**



*The public comment period was opened at 5:00 p.m. on Tuesday, July 4, 2023, via [www.GJSpeaks.org](http://www.GJSpeaks.org).*

John Denison commented that the proposed improvements to C ½ Rd would be inadequate to accommodate multimodal traffic. He also inquired as to who would be performing the biweekly inspections.

Suzanne Daniels expressed concerns about the noise and dust pollution, the current condition of C ½ Road, and the impact of the gravel pit on wildlife.

Glen Bishard commented on the condition of C ½ Road and that it could not support the gravel trucks. He echoed concerns about noise and dust pollution.

Ken Heinecke echoed concerns for the wildlife and safety on C ½ Rd.

Sharon Bradshaw asked if the berms would be around three sides of the property. She expressed concerns about noise pollution. She wondered if remediation efforts would begin immediately following conclusion of gravel extraction. She asked about the hours of operation for the gravel pit.

Stella Swindell commented on the traffic and road conditions of C ½ Rd. She stated that this was being proposed in a residential area.

Sean Malone asked how far the digging operation would be from C ½ Rd.

Thaddeus Wilcox commented on the issues with multimodal traffic, speeding, and road conditions on C ½ Rd.

Terry Heinecke echoed the concerns of previous comments.

Michelle Wilcox reiterated that many vehicles speed on C ½ Rd. She noted that C ½ Rd was being used as a bypass for traffic on D Rd. She commented on the increase in pedestrian and bike traffic from Las Colonias and the Riverfront Trail.

Evette Lee commented that the lot would be better used as a farm. She wondered what the timeline looked like for completion the Riverfront Trail in the area.

Mark Austin responded to public questions and comments.

Commissioner Ehlers asked for clarification on the operational hours. He asked if the other gravel pits in town ever got complaints over noise or dust. He reiterated the purpose of the Conditional Use Permit.

Commissioner Teske clarified why the operational hours were being extended.

Ben Fox and Mark Austin responded to commissioner questions.

Kris Ashbeck provided the code section pertaining to noise.

*The public hearing was closed at 6:48 p.m. on July 11, 2023.*

## **Discussion**

Commissioner Ehlers asked for clarification on the road improvement requirements. He inquired as to a realistic expectation for when mining operations would conclude. He noted that there was a mineral resource plan from 2004 that indicated this area as a viable option for mineral extraction. He commented on the irony of needing gravel for street improvements.

Commissioner Scissors asked about proposed bike infrastructure for C ½ Rd. He noted that C ½ Rd would act as the Riverfront Trail until the missing easements were granted. He stated that the Ped Bike Plan was not a mandate. He expressed concerns about safety on C ½ Rd if the Riverfront Trail were not completed prior to the start of gravel extraction.

Commissioner Teske noted that per the recently adopted Ped Bike Plan, C ½ Rd between 27 ½ Rd and 29 Rd was indicated as medium priority for installation of a bike lane.

Commissioner Phillips commented that there were many unknowns for this project.

Mark Austin addressed Commissioner Scissors' questions about bike infrastructure.

Kris Ashbeck responded to commissioner questions.

## **Motion and Vote**

Commissioner Ehlers made the following motion "Mr. Chairman, on the C ½ Road Gravel Pit to establish a Conditional Use Permit for a mining excavation operation, file number CUP-2021-616, I move that the Planning Commission continue the application until the next Planning Commission hearing."

*Commissioner Scissors seconded; motion passed 4-0.*

## **OTHER BUSINESS**

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## **ADJOURNMENT**

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Commissioner Phillips moved to adjourn the meeting.

*The vote to adjourn was 4-0.*

The meeting adjourned at 7:57 p.m.





## Grand Junction Planning Commission

### Regular Session

Item #3.

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**Meeting Date:** July 25, 2023  
**Presented By:** Jessica Johnsen, Senior Planner  
**Department:** Community Development  
**Submitted By:** Jessica Johnsen, Senior Planner

---

### **Information**

#### **SUBJECT:**

Consider a request by Laurel Cole – Habitat for Humanity of Mesa County, property owner, to zone 1.22 acres from R-5 (Residential 5) to R-12 (Residential 12) located at 3041 D Road.

#### **RECOMMENDATION:**

Staff recommends approval of the request.

#### **EXECUTIVE SUMMARY:**

The Applicant, Laurel Cole is requesting a rezone to R-12 (Residential 12) for approximately 1.22 acres of land located at 3041 D Road. The zone district of R-12 is consistent with the Residential Land Use category of the Comprehensive Plan.

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

The Applicants are requesting a zone district of R-12 (Residential 12). The property is currently zoned as R-5 (Residential 5 du/acre). The proposed zone district of R-12 is consistent with the Residential Medium category of the Comprehensive Plan.

Surrounding zoning is Residential Medium, mostly R-8 and some county properties zoned residential under a planned development. The subject property and all surrounding properties (within the city limits) have a Land Use designation of Residential Medium. The Applicant is now requesting a rezone to R-12 would increase the number of homes able to be built on the property, which both keeps up with Grand Junction's growth and demand for housing.

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

## NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held at 3041 D Rd. on February 8th, 2023, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were 3 neighbors in attendance. Neighbors had questions about what type of housing would be on the property and if there were any comparable areas/developments. They also had questions about timing and schedule, about a connecting road to D Road, and a small 20' "leg" of property.

Notice was completed consistent with the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. The subject property was posted with an application sign on July 14, 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 July 13, 2023. The notice of the Planning Commission public hearing was published July 16, 2023 in the Grand Junction Daily Sentinel.

### Other Notification:

Public comment will also be offered through the GJSpeaks platform.

## 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 rezone the property to R-12 which is compatible with the Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 12 du/ac). The current zoning, R-5, is within the range of allowable zone districts for the Residential Future Land Use Designation, as is the proposed R-12 zone district. As such, there are no identified subsequent events that have invalidated the original premise of R-12 being able to implement the 2020 Comprehensive Plan. Therefore, staff finds that this criterion has not been met.

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

The Applicant is requesting an allowable zone district that is consistent with the density range allowed by the Residential Medium category. The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently zoned R-8 and 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-12 zone district. Clifton Water and sanitary sewer are presently available to the site on D Rd., as well as water services on Wedgewood Ave. The property can be served by Xcel Energy natural gas and electricity. Pear Park Elementary School is approximately one half mile to the north, Grand Mesa Middle School is approximately 2 miles to the northeast, and Grand Junction High School approximately 1.75 miles to the northeast. Las Colonias Park is approximately 3 miles to the southwest. One half mile away is North Road and along this corridor are many commercial retail centers, medical offices and professional offices, convenience stores with fuel sales, restaurants, commercial businesses, and grocery stores. 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 limited property north of D Road that has been incorporated into the City. What does exist in this area is mostly residential with a mix of R-8 (City of Grand Junction zoning district), and residential Mesa County zoning of RSF-R (Residential Single Family - Rural District) and PUD (Planned Unit Development) districts. Looking further out from this there is approximately 86 acres of R-8 zoning between 30 1/4 Road and 31 Road and north of D Road, with the exception of approximately 8 acres just south of D Road (adjacent to the subject property). 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.

The entire Grand Junction community benefits from this proposed request because the requested zone provides an opportunity for housing within a range of density that is consistent with the Comprehensive Plan in this area to meet the needs of the growing community. The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan.

#### 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 Medium. As outlined in the background section of this staff report, the R-12 zone district implements the Residential Medium designation.

- 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 an increasing population that may be outpacing available services. The focus on growth has been infill and redevelopment that take advantage of existing infrastructure. Future growth will need to minimize leap-frog development and prioritize infill.

How We Will Get There – Responsible and managed growth requires that growth occur where infrastructure already exists. Staff finds the request to be consistent with the following goals and policies of the Comprehensive Plan:

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

Periodically consider necessary updates to the Tiers.

i. Tier 1: Urban Infill

ii. Tier 2: Suburban Infill

The subject property is located within the Tier 2 – Suburban Infill tier as identified on the City's Growth Plan. Rezoning to R-12 opens up opportunities for more compact development and medium density uses in an area that the 2020 Comprehensive Plan identifies as a priority for infill. As stated in the 2020 Comprehensive Plan, development of parcels located within Tier 2 will provide development opportunities while minimizing the impact on infrastructure and City services. Rezoning to R-12 may help direct any potential future medium-density development to an area that has adequate public infrastructure and amenities to accommodate that growth. Therefore, Staff finds this criterion has been met.

- 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.

How We Will Get There – The City of Grand Junction has an inadequate supply of land for affordable housing, therefore increasing the density of the property will increase the supply of medium density, single family homes. The proposed rezone takes this into account and seeks to create resolution. The R-12 zone district, both as it exists and with proposed changes, allows for those housing options to be built.

## RECOMMENDATION AND FINDINGS OF FACT

After reviewing the John H Hoffman Filing 4, RZN-2023-230, rezoning one parcel



totaling 1.22 acres from R-5 (Residential 5 du/ac) to R-12 (Residential 12 du/ac) for the property located at 3041 D Rd., the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and

2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria has been met.

Therefore, Staff recommends approval of the request.

**SUGGESTED MOTION:**

Mr. Chairman, on the John H Hoffman Filing 4 Rezone request from an R-5 (Residential 5 du/ac) zone district to an R-12 (Residential 12 du/ac) zone district for the 1.22 acre property located at 3041 D Rd., City File Number RZN-2023-230, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

**Attachments**

1. Development Application
2. Site, Vicinity & Zoning Maps
3. Neighborhood Meeting Notes
4. Subdivision Plat
5. Draft Zoning Ordinance

## Development Application

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

Petition For: Rezone

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

Existing Land Use Designation: Residential Medium 5.5-12

Existing Zoning: R-5

Proposed Land Use Designation: Residential Medium 5.5-12

Proposed Zoning: R-12

### Property Information

Site Location: 3041 D Road, Grand Junction, CO, 81504

Site Acreage: Approx. 1.22 Acres

Site Tax No(s): 2943-212-03-001

Site Zoning: R-5

Project Description:

### Property Owner Information

Name: Habitat for Humanity of Mesa

Street Address: PO Box 4947

City/State/Zip: Grand Junction, CO

Business Phone #: (970) 255-9850

E-Mail: lcole@hfhmesa.org

Fax #:

Contact Person: Laurel Cole

Contact Phone #: (970) 255-9850

### Applicant Information

Name: Habitat for Humanity of Mesa

Street Address: PO Box 4947

City/State/Zip: Grand Junction, CO

Business Phone #: (970) 255-9850

E-Mail: lcole@hfhmesa.org

Fax #:

Contact Person: Laurel Cole

Contact Phone #: (970) 255-9850 x:206

### Representative Information

Name: Darah Galvin

Street Address: 1015 N 7th St

City/State/Zip: Grand Junction, CO

Business Phone #: (970) 210-7289

E-Mail: darah@brayandco.com

Fax #:

Contact Person: Darah Galvin

Contact Phone #: (970) 210-7289

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

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

Signature of Person Completing the Application:

Date: 2/23/23

Signature of Legal Property Owner:

Date: 2/27/23



# Site Map



0 0.01 0.03  
mi

Printed: 7/10/2023  
1 inch equals 47 feet  
Scale: 1:564  
Packet Page 208



# Vicinity Map



0 0.05 0.1  
mi

Printed: 7/17/2023  
1 inch equals 188 feet  
Scale: 1:2,257  
Packet Page 209

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



# Zoning Map

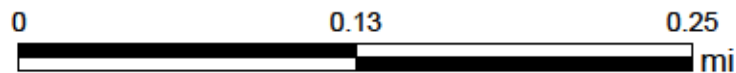
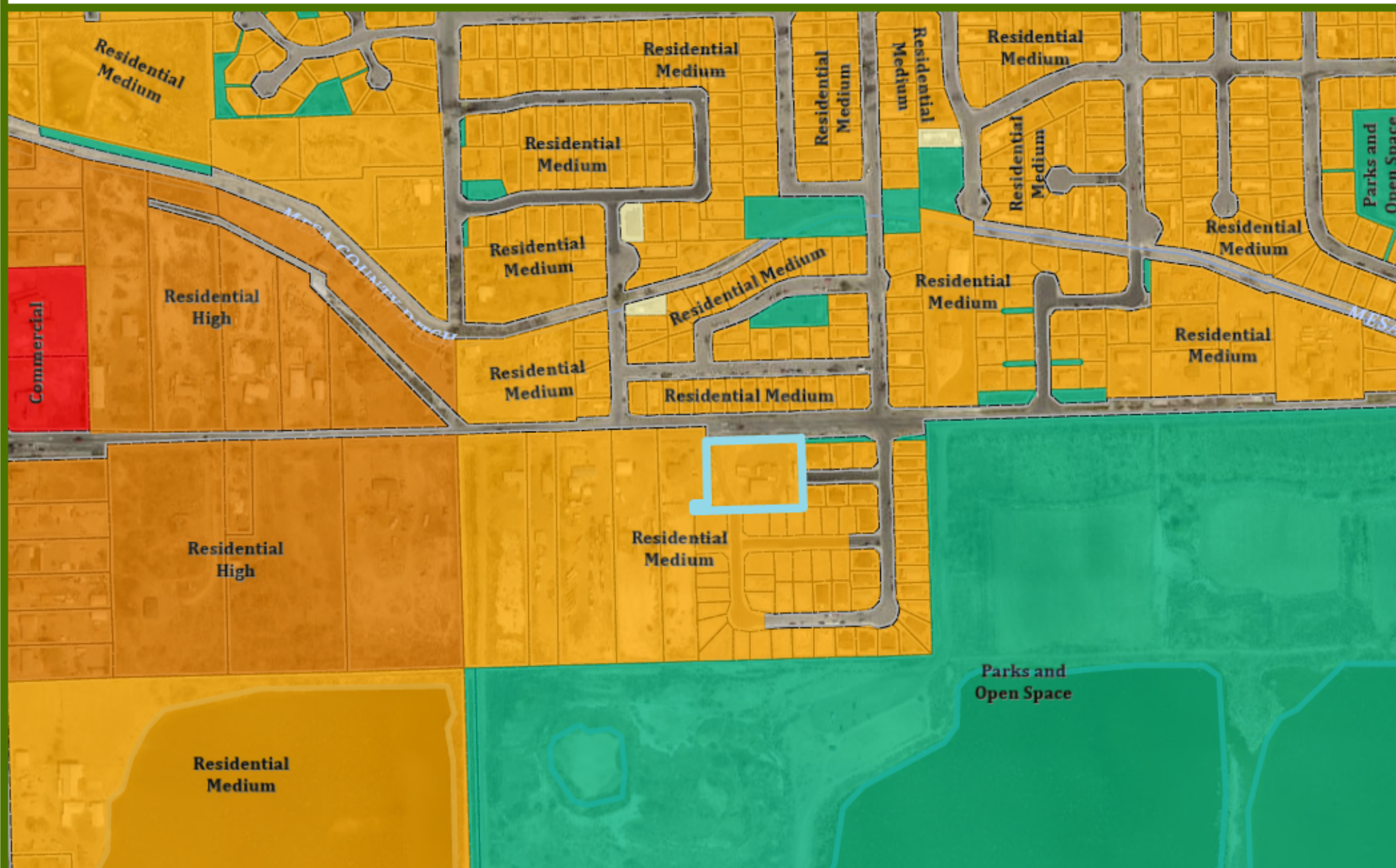


0 0.05 0.1  
mi

Printed: 7/10/2023  
1 inch equals 188 feet  
Scale: 1:2,257  
Packet Page 210



# Comprehensive Plan - FLU Map



Printed: 7/13/2023  
1 inch equals 376 feet  
Scale: 1:4,514  
Packet Page 211



John H Hoffman Subdivision Filing 4, 3041 D Road REZONE Neighborhood Meeting  
(Parcel 2943-212-03-001)

February 22, 2023 @5:30

3041 D Road- Habitat Construction Staging Area

A neighborhood meeting for the above referenced rezone was held Wednesday February 22, 2023 at 3041 D Road at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on February 8<sup>th</sup>, 2023, per the mailing list received from the City of Grand Junction. There were 7 attendees including Darah Galvin, Project Coordinator with Bray Development, Kristen Ashbeck, Planner with the City of Grand Junction, and Laurel Cole representing Habitat for Humanity. There were 3 neighbors in attendance.

The meeting began at approximately 5:30 PM. Darah Galvin introduced herself and the property, that the existing R-5 zoning was both less than all surrounding areas, and not consistent with the 2020 Comprehensive plan future land use of Residential Medium, and that a zone of R-12 was being requested. She explained that there was no concept plan developed at this time, but it would continue to be homes developed in the Habitat model: mainly volunteer labor, but with sub-contractors doing the work where needed.

Kristen Ashbeck reassured the neighbors that the proposed R-12 zone was within the future land use, and within the City's Comprehensive Plan. She then explained the rezone process further, informing the neighbors that they would be notified 2 additional times for the rezone, and once more for the actual development application.

There was a question about what type of housing would be on the property and if there were any comparable areas/developments. Ms. Galvin told the neighbors that they would still be single family units, just attached units, and brought up 2 properties along D Road that contained similar products. A question was brought up about timing and Ms. Galvin and Ms. Cole both talked on timing of the development being reliant on the speed of home construction for the existing filing. Ms. Cole explained how Habitat for Humanity builds based off of grants and donations, and that if they were to get a large grant that their production may go up.

A question about a connecting road to D road was brought up, but Ms. Ashbeck informed the neighbors that a new connection to D Road would be primarily based off of the Fire Department's requirements, and would be taken care of during the subdivision process.

A neighbor brought up a question about a small 20' "leg" of property, and what the plans are with it. Ms. Galvin reiterated that no plan was developed at this time, and that there would be further discussion about it during the subdivision process.

The meeting adjourned at approximately 6:01.



# ARNA HOFFMAN SUBDIVISION

## OF A PARCEL LOCATED IN

### NE 1/4 NW 1/4, SECTION 21, T1S, R1E, UTE MERIDIAN

#### DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Arna K. Hoffman is the owner of that real property located in part of the NE1/4 NW1/4 of Section 21, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as:

The Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 21, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado.

EXCEPT commencing at the N1/4 of Section 21, Township 1 South, Range 1 East, Ute Meridian, whence the NW corner of the NE1/4 NW1/4 of said Section 21 bears S89°54'30"W a distance of 1320.63 feet with all bearings contained herein relative thereto; thence S89°54'30"W 620.31 feet along the North line of the NE1/4 NE1/4 NW1/4 of said Section 21 to the Point of Beginning; thence S00°03'33"E 215.00 feet; thence S89°54'30"W 40.00 feet to a point on the West line of the NE1/4 NE1/4 NW1/4 of said Section 21; thence N00°03'33"W 215.00 feet along said West line of the NE1/4 NE1/4 NW1/4 to a point on the said North line of the NE1/4 NE1/4 NW1/4; thence N89°54'30"E 40.00 feet along said North line of the NE1/4 NE1/4 NW1/4 to the Point of Beginning.

That said owners have caused the real property to be laid out and platted as ARNA HOFFMAN SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado. That said owners do hereby dedicate and set apart real property as shown and labeled as the accompanying plat of ARNA HOFFMAN SUBDIVISION as follows:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.

All Utility Easements are dedicated to the City of Grand Junction for the use of City-approved; public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

All Multipurpose Easements are dedicated to the City of Grand Junction for the use of City-approved; utilities and public providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements or tracts, the right to dredge, provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may impede the use of the easement and/or prevent the reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF, said owner, Arna K. Hoffman, has caused her names to be hereunto subscribed this 14th day of May, A.D., 2006.

Arna K. Hoffman  
Arna K. Hoffman

Nancy A. Pigg  
Notary Public



#### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA }

The foregoing instrument was acknowledged before me by Arna K. Hoffman this 14th day of May, A.D., 2006.  
Witness my hand and official seal:

My Commission Expires 8/5/2009

#### TITLE CERTIFICATION

We, Abstract & Title Co. of Mesa County, Inc., a title insurance company, duly licensed in the State of Colorado, hereby certify that we have examined the title to the herein described property, that we find the title to the property is vested, or upon close of escrow at time of plat recording will be vested, in Arna K. Hoffman, that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record except easements, reservations and rights of way shown hereon.

Date: May 10, 2006

By: Abstract & Title Co. of Mesa County, Inc.

Title: Arna K. Blanchette  
title officer

#### LIENHOLDERS RATIFICATION OF PLAT

The undersigned, hereby certifies that it is a holder of a security interest upon the property hereon described and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof and agree that its security interest which is recorded in Book 581, Page 241 of the Public Records of Mesa County, Colorado shall be subordinated to the dedications shown hereon.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its Vice President with the authority of its Board of Directors, this 14th day of May, 2006.

By: Carrie Olson For: Wells Fargo Home Mortgage, Inc.  
(Title) Vice President

#### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA }

The foregoing instrument was acknowledged before me by Carrie Olson this 14th day of May, A.D., 2006.  
Witness my hand and official seal:

My Commission Expires 05-04-09

Autumn B. Brown  
Notary Public



My Commission Expires 05/04/2009

#### FOR CITY USE ONLY

##### Associated Recorded Documents

Book	Page	Type
<u>4158</u>	<u>577-581</u>	<u>Boundary Line Agreement</u>

#### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } ss  
COUNTY OF MESA }

I hereby certify that this instrument was filed in my office at 11:30 o'clock A.M., May 17

A.D., 2006, and was duly recorded in Book No. 4158 Page    
No. 582-583, Reception No. 2317477, Drawer No. SS-25

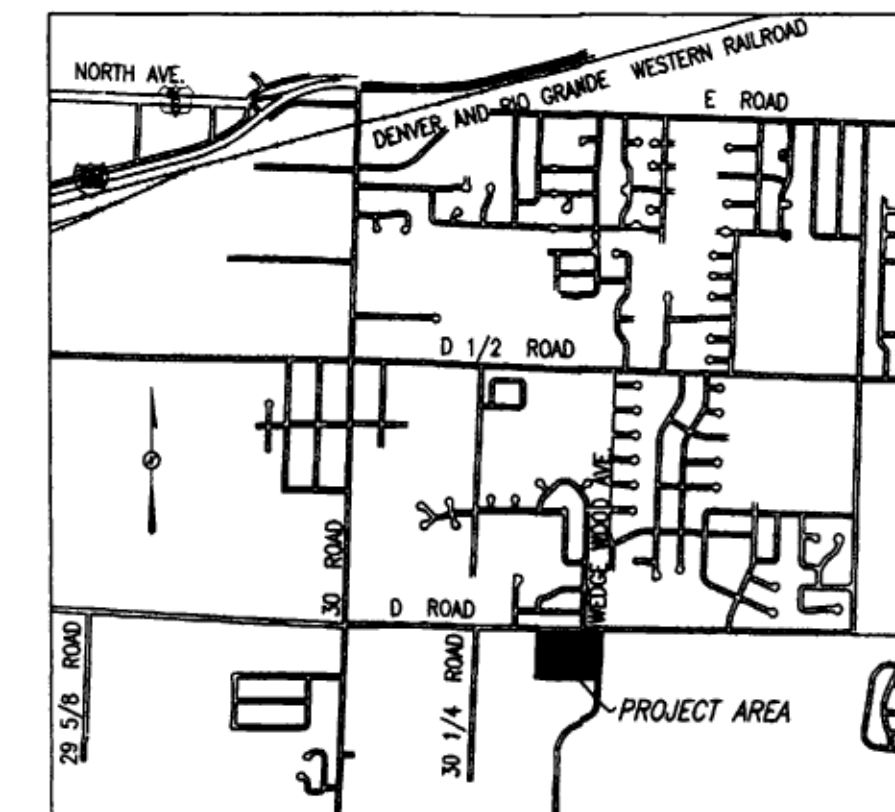
Clerk and Recorder

#### CITY OF GRAND JUNCTION APPROVAL

This plat of ARNA HOFFMAN SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this 17th day of May, A.D., 2006.

[Signature]  
City Manager

[Signature]  
President of City Council



LOCATION MAP  
NOT TO SCALE

#### SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a field survey completed under my direct supervision during August 2005, and that both have been completed according to the standards, rules and the laws of the State of Colorado, and are correct to the best of my knowledge.

Stanley K. Werner, P.L.S. 27275

Dated

Prepared for: Arna Hoffman  
Grand Junction, CO

#### ARNA HOFFMAN SUBDIVISION

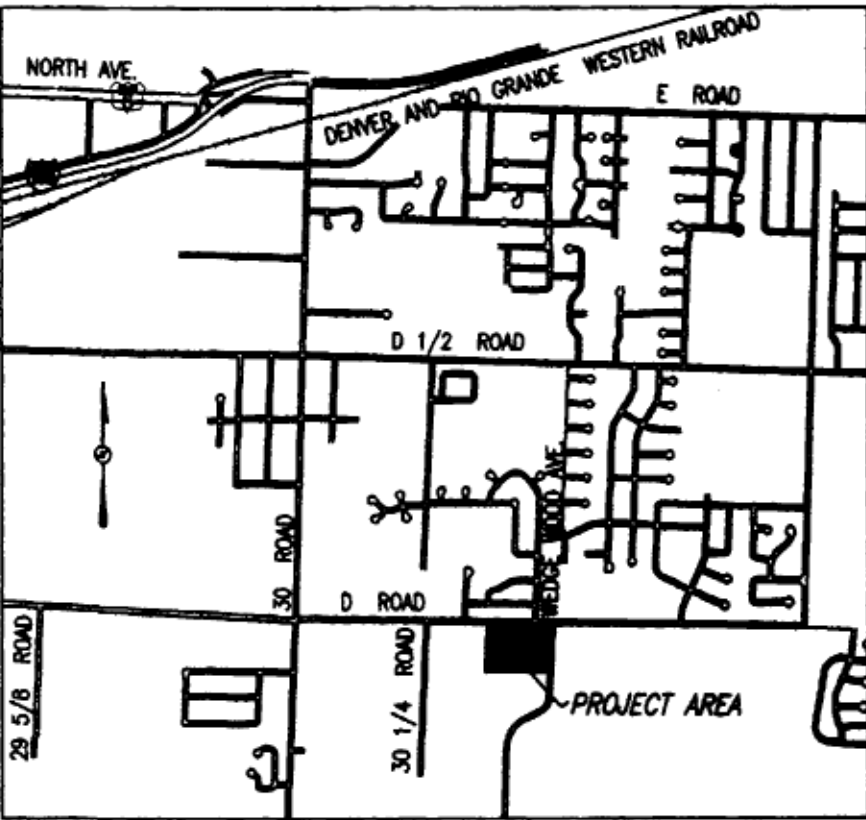
NE1/4 NW1/4, SECTION 21  
T1S, R1E, UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC  
2591 B 3/4 Road, Grand Jct., CO 81503  
970-254-8649 Fax 970-255-7047

SUR. BY: ES/JT	DRAWN BY: SKW
JOB NO. 05-80	SHEET 1 OF 2
REVISION DATE: May 16, 2006	



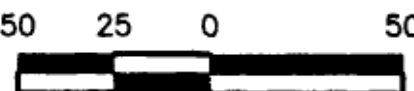
ARNA HOFFMAN SUBDIVISION  
OF A PARCEL LOCATED IN  
NE 1/4 NW 1/4, SECTION 21, T1S, R1E, UTE MERIDIAN



LOCATION MAP  
NOT TO SCALE



SCALE: 1"=50'



AREA SUMMARY

ROW ACREAGE	0.56 ACRES	6%
LOT 1 ACREAGE	1.22 ACRES	14%
LOT 2 ACREAGE	8.02 ACRES	80%
TOTAL ACREAGE	9.80 ACRES	100%

NOTES

1) The bearings hereon are grid bearings of the Mesa County SIMS LCS determined by GPS observations on a Mesa County Survey Marker number 247 at the Northwest corner of the Northwest Quarter Northwest Quarter and a Mesa County Survey Marker number 248 at the North Quarter corner of Section 21, Township 1 South, Range 1 East of the Ute Meridian. The bearing of this line bears N89°54'30"E a distance of 1320.63 feet.

2) Property corners located during this survey that were within 0.25 feet of the calculated point were accepted as being "in position".

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

- ◆ MESA COUNTY OR GLO SURVEY MARKER, AS NOTED
- FOUND REBAR, PLS 27279
- SET ALUMINUM CAP ON No. 5 REBAR, PLS 27279
- ◆ ALUMINUM CAP PLS 27279

LEGEND

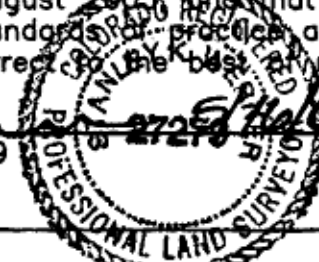
WC	WITNESS CORNER	GLO	GOVERNMENT LAND OFFICE
MC	MEANDER CORNER		
BLM	BUREAU OF LAND MANAGEMENT		
MCSM	MESA COUNTY SURVEY MARKER		
ROW	RIGHT OF WAY		

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a field survey completed under my direct supervision during August 2008, and that both have been completed according to the standards, practices and the laws of the State of Colorado, and are correct to the best of my knowledge.

Stanley K. Werner, P.L.S. 27279

Dated



Prepared for: Arna Hoffman  
Grand Junction, CO

ARNA HOFFMAN SUBDIVISION

NE 1/4 NW 1/4, SECTION 21  
T1S, R1E, UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC  
2591 B 3/4 Road, Grand Jct., CO 81503  
970-254-8649 Fax 970-255-7047

SUR. BY: ES/JT	DRAWN BY: SKW
JOB NO. 05-80	SHEET 2 OF 2
REVISION DATE: May 16, 2008	



ARNA HOFFMAN SUBDIVISION  
OF A PARCEL LOCATED IN  
NE 1/4 NW 1/4, SECTION 21, T1S, R1E, UTE MERIDIAN

ANX-2005-239

E

RMF-5

TCP 1539.00  
SIF 460.00

Check Flood Plain

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS:

That Arna K. Hoffman is the owner of that real property located in part of the NE1/4 NW1/4 of Section 21, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as:

The Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 21, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado.

EXCEPT commencing at the N1/4 of Section 21, Township 1 South, Range 1 East, Ute Meridian, whence the NW corner of the NE1/4 NW1/4 of said Section 21 bears S89°54'30"W a distance of 1320.63 feet with all bearings contained herein relative thereto; thence S89°54'30"W 620.31 feet along the North line of the NE1/4 NE1/4 NW1/4 of said Section 21 to the Point of Beginning; thence S00°03'33"E 215.00 feet; thence S89°54'30"W 40.00 feet to a point on the West line of the NE1/4 NE1/4 NW1/4 of said Section 21; thence N00°03'33"W 215.00 feet along said West line of the NE1/4 NE1/4 NW1/4 to a point on the said North line of the NE1/4 NE1/4 NW1/4; thence N89°54'30"E 40.00 feet along said North line of the NE1/4 NE1/4 NW1/4 to the Point of Beginning.

That said owners have caused the real property to be laid out and platted as ARNA HOFFMAN SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado. That said owners do hereby dedicate and set apart real property as shown and labeled as the accompanying plat of ARNA HOFFMAN SUBDIVISION as follows:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.

All Utility Easements are dedicated to the City of Grand Junction for the use of City-approved: public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

All Multipurpose Easements are dedicated to the City of Grand Junction for the use of City-approved: utilities and public providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements or tracts, the right to dredge, provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may impede the use of the easement and/or prevent the reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF, said owner, Arna K. Hoffman, has caused her names to be hereunto subscribed this 16th day of May, A.D. 2006.

*Arna K. Hoffman*  
Arna K. Hoffman

*Henry A. Pigg*  
Notary Public



**NOTARY PUBLIC CERTIFICATION**

STATE OF COLORADO ) ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Arna K. Hoffman this 16th day of May, A.D., 2006.  
Witness my hand and official seal:

My Commission Expires 8/5/2009

**TITLE CERTIFICATION**

We, Abstract & Title Co. of Mesa County, Inc., a title insurance company, duly licensed in the State of Colorado, hereby certify that we have examined the title to the herein described property, that we find the title to the property is vested, or upon close of escrow at time of plat recording will be vested, in Arna K. Hoffman, that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record except easements, reservations and rights of way shown hereon.

Date: May 10, 2006

By: Abstract & Title Co. of Mesa County, Inc.

Title: Daniel J. Blanchette  
Title Officer

**LIENHOLDERS RATIFICATION OF PLAT**

The undersigned, hereby certifies that it is a holder of a security interest upon the property hereon described and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof and agrees that its security interest which is recorded in Book 588, Page 244 of the Public Records of Mesa County, Colorado shall be subordinated to the dedications shown hereon.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its Vice President with the authority of its Board of Directors, this 16th day of May, 2006.

By: Carri Dixon For: Wells Fargo Home Mortgage, Inc.  
(Title) Vice President

**NOTARY PUBLIC CERTIFICATION**

STATE OF COLORADO ) ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Carri Dixon this 16th day of May, A.D., 2006.  
Witness my hand and official seal:

My Commission Expires 05-04-09

*Autumn B. DeGroot*  
Notary Public



My Commission Expires 05/04/2009

**FOR CITY USE ONLY**

Associated Recorded Documents

Book 4158 Page 577-581 Type Boundary Line Agreement

**CLERK AND RECORDER'S CERTIFICATE**

STATE OF COLORADO ) ss  
COUNTY OF MESA

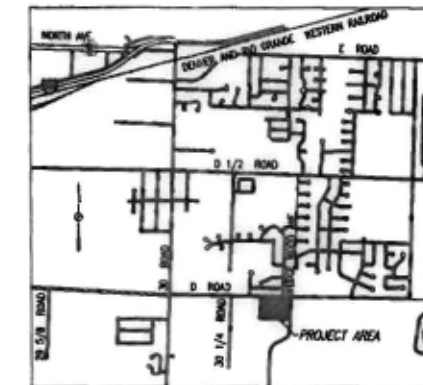
I hereby certify that this instrument was filed in my office at 11:30 o'clock A.M., May 17 A.D., 2006, and was duly recorded in Book No. 4158 Page No. 588-583 Reception No. 2317477 Drawer No. 55-25

Clerk and Recorder

**CITY OF GRAND JUNCTION APPROVAL**

This plat of ARNA HOFFMAN SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this 17th day of May, A.D., 2006.

*[Signature]* City Manager  
*[Signature]* President of City Council



LOCATION MAP  
NOT TO SCALE

**SURVEYOR'S CERTIFICATION**

I hereby certify that this plat represents a field survey completed under my direct supervision during August 2006 and that both have been completed according to the standards of the State of Colorado and the laws of the State of Colorado, and are correct to the best of my knowledge.

Stanley K. Warner, P.L.S. 27278 Dated



Prepared for: Arna Hoffman  
Grand Junction, CO

**ARNA HOFFMAN SUBDIVISION**  
NE1/4 NW1/4, SECTION 21  
T1S, R1E, UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC  
2591 B 3/4 Road, Grand Jct., CO 81503  
970-254-8649 Fax 970-255-7047

SUR. BY: ES/JT	DRAWN BY: SKW
JOB NO. 05-80	SHEET 1 OF 2
REVISION DATE: May 18, 2008	



# ARNA HOFFMAN SUBDIVISION OF A PARCEL LOCATED IN NE 1/4 NW 1/4, SECTION 21, T1S, R1E, UTE MERIDIAN



LOCATION MAP  
NOT TO SCALE



SCALE: 1"=50'



## AREA SUMMARY

ROW ACREAGE	0.56 ACRES	6%
LOT 1 ACREAGE	1.22 ACRES	14%
LOT 2 ACREAGE	8.02 ACRES	80%
TOTAL ACREAGE	9.80 ACRES	100%

## NOTES

1) The bearings hereon are grid bearings of the Mesa County SIMS LCS determined by GPS observations on a Mesa County Survey Marker number 247 at the Northwest corner of the Northwest Quarter Northwest Quarter and a Mesa County Survey Marker number 248 at the North Quarter corner of Section 21, Township 1 South, Range 1 East of the Ute Meridian. The bearing of this line bears N89°54'30"E a distance of 1320.63 feet.

2) Property corners located during this survey that were within 0.25 feet of the calculated point were accepted as being "in position".

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COME INTO ANY LEGAL ACROSS A ROAD FROM ANY OBJECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IF NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMPLETED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

- LEGEND**
- MESA COUNTY OR GLO SURVEY MARKER, AS NOTED
  - FOUND REBAR, PLS 27279
  - SET ALUMINUM CAP ON No. 5 REBAR, PLS 27279
  - SET IN CONCRETE
  - ALUMINUM CAP PLS 27279

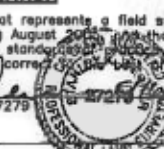
LINE	BEARING	DISTANCE
1.1	N 00°12'58" W	45.31'
1.2	N 02°20'03" E	396.58'

- WC WITNESS CORNER
- MC MEANDER CORNER
- BLM BUREAU OF LAND MANAGEMENT
- MCSM MESA COUNTY SURVEY MARKER
- ROW RIGHT OF WAY
- GLO GOVERNMENT LAND OFFICE

## SURVEYOR'S CERTIFICATION

I hereby certify that this plot represents a field survey completed under my direct supervision during August 2006 and that both have been completed according to the standards of the State of Colorado, and are correct to the best of my knowledge.

Stanley K. Warner, P.L.S. 27279 Dated



Prepared for: Arna Hoffman  
Grand Junction, CO

**ARNA HOFFMAN SUBDIVISION**  
NE 1/4 NW 1/4, SECTION 21  
T1S, R1E, UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC  
2591 B 3/4 Road, Grand Jct., CO 81503  
970-254-8649 Fax 970-255-7047

SUR. BY: ES/JT	DRAWN BY: SKW
JOB NO. 05-80	SHEET 2 OF 2
REVISION DATE: May 16, 2006	

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LOT 1, ARNA HOFFMAN SUBDIVISION AT 3041 D RD  
FROM R-5 (RESIDENTIAL 5) TO R-12 (RESIDENTIAL 12)**

Recitals:

The property owners, Laurel Cole (Habitat for Humanity), proposes a rezone from R-5 (Residential – 5 du/ac) to R-12 (Residential – 12 du/ac) on a total of 1.22-acres, located at 6041 D Road.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (“Code”), the Grand Junction Planning Commission recommended zoning Lot 1, Arna Hoffman Subdivision to the R-12 (Residential 12). The Planning Commission found that the R-12 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Residential of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-12 (Residential 12) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

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

Lot 1, Arna Hoffman Subdivision is and shall be zoned R-12 (Residential 12) in accordance with the Grand Junction Municipal Code.

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.

ATTEST:

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

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





## Grand Junction Planning Commission

### Regular Session

Item #4.

---

**Meeting Date:** July 25, 2023

**Presented By:** Niki Galehouse, Interim Planning Supervisor

**Department:** Community Development

**Submitted By:** Niki Galehouse, Interim Planning Supervisor

---

### **Information**

#### **SUBJECT:**

Consider a request by Goldberg Properties, Inc. for a Service Plan for the Western Slope Metropolitan District including 29.68 acres located at 766 24 Road and properties identified by Parcel Nos. 2701-332-00-028 and 2701-332-00-027

#### **RECOMMENDATION:**

Staff recommends approval of the request.

#### **EXECUTIVE SUMMARY:**

Goldberg Properties, Inc., a Colorado corporation ("Applicant") is planning the proposed Western Slope development to be constructed on 29.68 acres of land with a boundary generally north of Interstate 70, east of 24 Road, west of 24 ¼ Road, and the approximate location of G ¾ Road ("Service Plan Boundaries"). The overall project will be coordinated by Goldberg Properties, Inc. (developer). The proposed development is planned to consist of a commercial subdivision, roadway improvements, and a public trail.

The actual composition and distribution of future development shall be reflected in site development approvals to be issued by the City and nothing in the proposed Metropolitan District Service Plan shall be construed as the City granting prior approval for any site development. The primary purpose of forming the Metropolitan Districts is to finance construction of public improvements within the Western Slope development. Per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City.

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

## **BACKGROUND**

Special districts are quasi-municipal corporations and political subdivisions that are organized to act for a particular purpose. A metropolitan district is a special district that provides any two or more services which may include fire protection, parks and recreation, safety protection, sanitation, solid waste, street improvements or water, to name a few. A district may issue bonds for the construction of the improvements and levy taxes within the Service Plan Boundaries to repay those bonds. The financing, construction, and operation and maintenance of improvements and services to support new development is legally the responsibility of the district if formed. In many jurisdictions, both municipalities and counties, special districts have been used as a tool to harness private investment to achieve a city's planning, redevelopment, infill, and economic goals.

The trend with special district legislation has been to allow general purpose local governments to exert greater control over the formation and operation of special districts. The service plan approval process is the key to exercising that control.

The legislative declaration found in Article 1 of Title 32 refers to "the Coordination and orderly creation of special districts" and the logical extension of special district services throughout the state." It further declares that the review procedures in Part 2 (the "Control Act") are created to "prevent unnecessary proliferation and fragmentation of local government and to avoid excessive diffusion of local tax sources." Also cited as reasons for these measures are "the elimination of the overlapping services provided by local governments" and efforts to "reduce duplication, overlapping and fragmentation of the functions and facilities of special districts."

Service Plans and statements of purposes in effect create binding agreements between the special district and the approval authority. ("Upon final approval by the court for the organization of the special district, the facilities, services, and financial arrangements of the special district shall conform so far as practicable to the approved Service Plan." (C.R.S. §32-1-201(1)).

The jurisdiction may request the filing of an annual report of any special district. This report must be made available to the Division of Local Affairs and to all "interested parties" as defined in C.R.S. §32-1-207(3)(c)(d). The statute does not specify what an annual report should consist of; therefore, should the jurisdiction desire an annual report, it should provide guidelines and rationale for the request. Article III of the proposed Service Plan does include the requirement for an Annual Report to be submitted to the City no later than August 1st of each year as well as outlines requirements for its contents. This requirement will be reiterated in the Intergovernmental Agreement (IGA).

The formation of a special district entails a three-part process that requires: 1) obtaining review and approval from the local governmental jurisdiction; 2) review by district court; and 3) a special election. The Grand Junction Municipal Code does not contain specific provisions related to the review of service plans therefore the process



of submittal and review of the plans must comply with Title 32 of the Colorado Revised Statutes. Those statutory requirements include submittal of the service plans to the Clerk for the City Council, referral of the plans to the Planning Commission for review and recommendation (if consistent with City policy), referral to City Council within thirty (30) days of plan submittal, and a public hearing with the City Council not more than thirty (30) days after setting the public hearing date.

In summary, metropolitan districts are formed and operated as follows:

- City Council must vote to approve a district service plan based on statutory approval criteria.
- Affected property owners must vote to approve district formation by a simple majority.
- Sale of municipal bonds generates funding for infrastructure and amenities.
- As development occurs and property values increase, bonds are repaid by homeowners within the district via the additional taxes paid by district residents. The district does not tax anyone outside of its boundaries.
- The developer maintains oversight of the district, an annual outside audit is conducted of the district, and annual transparency reports are submitted to the City and State and made publicly available.
- The City has no legal or financial liability during the life of the district; it does not reduce current or future tax revenues of other public agencies and it does not draw from the City's capital improvement budget or capital reserves.

The Applicant submitted and requested review of its proposed Service Plan on July 13, 2023 and it was provided to the City Clerk for notification to the Colorado Department of Local Affairs (DOLA) on July 17, 2023. The Service Plan proposes to serve the Western Slope development, a proposed commercial development area on 29.68 acres in a Light Commercial (C-1) zone district. At the time of composing this report, the Applicant has not yet submitted any development applications for the site. This results in a review of the Service Plan without an accompanying Approved Development Plan as defined by the Service Plan; If the Service Plan is approved, the approval will be contingent on subsequent subdivision and/or site plan approvals.

The area defined as the boundary of the District is an area generally north of Interstate 70, east of 24 Road, west of 24 ¼ Road, and the approximate location of G ¾ Road ("Service Plan Boundaries"). The boundaries are more specifically defined in the Service Plan. No properties outside of the Service Plan Boundaries will be included within any District unless specifically approved by the City. All changes in District boundaries must be made in compliance with the Act.

As proposed, the primary purpose of the District is to provide for the Public Improvements associated with development and, if applicable, regional needs, and operate and maintain Public Improvements not conveyed to the City, other appropriate jurisdiction, or an owners' association. Section §32-1-103 (10) C.R.S states that a

Metropolitan District may include any of the following services but is required to provide at least two of the following services that will benefit the public.

- a) Fire Protection;
- b) Mosquito Control;
- c) Parks and Recreation;
- d) Safety Protection;
- e) Sanitation;
- f) Solid Waste disposal facilities or collection and transportation of solid waste;
- g) Street Improvements;
- h) Television relay and translation;
- i) Transportation; or
- j) Water.

The Service Plan for the Western Slope Metropolitan District is being established to finance the construction, acquisition, and/or operation of the Projects' Public Improvements and all necessary appurtenances as listed below.

- Sanitary Sewer and Wastewater Systems
- Domestic Water Supply Systems
- Storm Drainage Facilities
- Streets and Roadway Rights-of-Way
- Traffic and Safety Facilities
- Landscaping and associated irrigation walls and fences
- A public trail
- Other Public Improvements Approved by the City

Certain Public Improvements will be conveyed to the City, Ute Water, or other governmental entities for the use and benefit of the general public. It is not the intent of the District to own any Public Improvements that would normally be dedicated to the City. Some Public Improvements may be deeded to one or more property owners' associations. Generally, the "public" receiving services from the districts will be the "future taxpayers and inhabitants of the Service Area as determined by the Board of the District."

The Service Plan has been designed with sufficient flexibility to enable the District to provide required Public Improvements for the project under evolving circumstances without the need for numerous amendments. Modification of the types of Public Improvements, as well as changes in proposed configurations, locations, dimensions of facilities and improvements will be permitted to accommodate development needs consistent with City zoning and planning for the Project.

The Service Plan states the debt is not backed by any pledge of revenue from the City and approval of the Plan is not a guarantee of debt repayment by the City. The mill levy dedicated to repayment of the bonds cannot exceed 50 mills. Other revenue



sources may be utilized for repayment of bond debt.

The Service Plan includes a detailed cost estimate of these improvements totaling \$12,305,443.57 and proposes a total Anticipated Mill Levy of a maximum of 50 Mills for debt and operations. This is in addition to the current rate of 72.083 mills for Tax District-10301, resulting in a total levy for property owners within the district boundaries of up to 122.083.

To finance the Public Improvements, the Developer is requesting that the City establish the Metropolitan District and provide the District with the authority to utilize General Obligation Bonds.

The proposed District is organized to serve as a method by which development can occur with the City in such a way as to eliminate economic risk to the City, provide economic benefits to the property owners, a place the risk of development on property developers. The Financial Plan has been designed to assure that at no time will the City have any legal responsibility for any of the District's obligations and to assure that the risk of development remains with the developer until a sufficient tax base has been achieved to pay the District's debt through mill levy assessments. Mill levy assessments will be imposed only on properties within the boundaries of the District.

#### **Land Use and Zoning**

The property is currently zoned Light Commercial (C-1). The Comprehensive Plan Land Use Map identifies the property as Commercial. Any proposed development would be required to comply with the permitted uses and bulk standards of the C-1 zone district.

#### **NOTIFICATION REQUIREMENTS**

In compliance with statutory requirements, the following steps have or will occur as the Service Plan review proceeds:

- 1) City Clerk received a petition for review of a service plan for the Western Slope Metropolitan District on July 13, 2023.
- 2) The City Clerk reported the filing to the Colorado Department of Local Affairs on July 17, 2023.
- 3) The City shall provide notification of the public hearing no less than 20 days prior to the hearing.
- 4) City Council shall set a date for a meeting for a hearing on the Service Plan that must be within 30 days of the first meeting.
- 5) The City shall provide written notice of the hearing to the Department of Local Affairs.

## **ANALYSIS**

### **Statutory Compliance of Submittal Elements**

The required submittal elements for a Service Plan included in C.R.S. §32-1-202 (2) are listed below.

(a) A description of the proposed services;

The Service Plan provides a list of potential services but also states that these may or may not be services that the district provides. The Service Plan provides the District to have the authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance, and financing of Public Improvements within and without the boundaries of the District; to be more specifically defined in an Approved Development Plan. An estimate of the costs of the improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed is based upon preliminary engineering surveys prepared in anticipation of submittal of a Development Plan(s). The Service Plan states that total debt issuance shall not exceed \$20,000,000. The specific services proposed in the Western Slope Service Plan for the development, trails, and other improvements include: 1) Sanitary Sewer and Wastewater Systems; 2) Domestic Water Supply Systems; 3) Storm Drainage Facilities; 4) Streets and Roadway Rights-of-Way; 5) Traffic and Safety Facilities; 6) Landscaping and associated irrigation walls and fences; 7) A Public Trail; and 8) Other Public Improvements Approved by the City.

The Service Plan includes Preliminary Engineering Surveys (conceptual) which adequately depict the locations of these proposed improvements throughout the District.

Staff concludes this element has been met.

(b) A financial plan showing how the proposed services are to be financed, including the proposed operating revenue derived from property taxes for the first budget year of the district, which shall not be materially exceeded except as authorized pursuant to § 32-1-207 or §29-1-302, C.R.S. All proposed indebtedness for the district shall be displayed together with a schedule indicating the year or years in which the debt is scheduled to be issued. The board of directors of the district shall notify the board of county commissioners or the governing body of the municipality of any alteration or revision of the proposed schedule of debt issuance set forth in the financial plan;

A financial plan was included in the Service Plan. It proposes the issuance of General Obligation bonds in the par amount of \$16.615 million with a total repayment amount of \$33.082 million. The Financial Plan was reviewed by the City's Director of General Services, Jay Valentine. Generally, he noted in his high level review that the financing plan for the Western Slope Metropolitan District is



very well thought out and structured. Mr. Valentine's summary and analysis are included below.

- The service area consists of approximately 29.68 acres and at build out, is expected to be sufficient to reasonably discharge the debt under the financial plan.
- The public improvements will be primarily financed by the issuance of up to \$20.000 million in General Obligation bonds (GO bonds) although the current financing plan estimates the issuance of \$16.615 million.
- The Financial Plan calls for the GO bonds to be secured by up to 50 mills in ad valorem taxes to be imposed upon all taxable property within the district, any specific ownership tax distributed to the District and any other legally available revenues of the District such as fees, rates, tolls, penalties or charges.
  - The detailed financial plan included as an exhibit to the Service Plan lists public improvement fees (PIF) from City sales as the revenue available for debt service.
  - With a 2% PIF charged on sales within the District
  - With a bond mill rate of 50, a commercial business priced at \$500,000 will have an estimated District payment of \$6,975 per year.
  - The intent of the district is to not impose a mill levy for operations and maintenance until the debt has been paid in full. At that time, the district may impose a mill levy to cover operations and maintenance. The 50-mill maximum debt service mill levy will not apply to the operations and maintenance mill levy.
- The GO bonds will have a maximum life of 20-years with an average expected interest rate of 6.5%.
- The net bond proceeds available for the project are expected to be \$12.500 million and are expected to cover 100% of the project, excluding dry utility costs.

Approval of this Service Plan does not obligate the City to cover the payment of any of the District's obligations or create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

The repayment of the debt incurred is proposed to be achieved by imposing a mill levy targeted at up to 50 mills each, on the taxable property of this district for the repayment of General Obligation Bonds. The mill levy rate may be increased up to the maximum or decreased to the extent the actual tax revenues generated by the mill are sufficient to pay the debt.

Although it states in the service plan that the mill levy will be the District's primary source of revenue for the debt, the detailed debt structure is built using PIF revenue as the primary source of revenue to repay the debt. The District does

have the discretion and power to assess fees, rates or charges and sales taxes upon which the financing model is built seem reasonable.

Staff concludes this element has been met.

(c) A preliminary engineering or architectural survey showing how the proposed services are to be provided;

Preliminary Engineering Surveys for Public Improvements were included as Exhibit E of Service Plan. Conceptually, the surveys depict the various services to be provided and generally illustrate where the improvements will occur and illustrate the ultimate build-out of the development. These preliminary drawings informed the cost estimates included in the financial plan of the Service Plan.

The City Development Engineer reviewed the Preliminary Engineering Surveys included in the Service Plan and has deemed them acceptable for purposes of organization of the Districts. Zoning and all applicable development plans have yet to be submitted for review by the City. As plans proceed for the Western Slope development, the developer will submit plans in much greater detail and to show that improvements will be constructed per City standards. The Development Plans in the Service Plan generally depict the proposed construction from which cost estimates were developed.

Therefore, staff believes this requirement has not been met. Staff recommends that prior to the Service Plan for the Western Slope Metropolitan District becoming effective, a Development Plan be reviewed and approved by the City. The Development Plan shall constitute a subdivision and/or site plan consistent with the Grand Junction Municipal Code.

(d) A map of the proposed special district boundaries and an estimate of the population and valuation for assessment of the proposed special district;

Legal descriptions of the properties within the proposed district boundaries were provided as Exhibit A in the Service Plan and Exhibit C provides a map of the initial district boundaries. The maps and legal descriptions have been reviewed by the City Surveyor and revisions have been made by the Applicant per comments provided. In addition, the valuations and estimated development impact are included in the Service Plan.

Staff concludes this element has been met.

(e) A general description of the facilities to be constructed and the standards of such construction, including a statement of how the facility and service standards of the proposed special district are compatible with facility and service standards of any county within which all or any portion of the proposed special district is to be located,



and of municipalities and special districts which are interested parties pursuant to C.R.S. §32-1-204.

The Service Plan states, "The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City or other governmental entities having proper jurisdiction and in accordance with the requirements of an Approved Development Plan. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to the District performing such work."

The specific facilities proposed in the Western Slope Service Plan for the development and public trail are shown in the Preliminary Engineering Surveys in Exhibit E. As previously stated, more detailed plans will be submitted to the City for review and approval as the developments proceed. Such specific facilities include those listed in criterion (a) above.

Staff concludes this element has been met.

- (f) A general description of the estimated cost of acquiring land, engineering services, legal services, administrative service, initial proposed indebtedness and estimated proposed maximum interest rates and discounts, and other major expenses related to the organization and initial operation of the district.

The estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of the District's organization and initial operations, is part of the estimated cost of Public Improvements, which will be eligible for reimbursement from Debt proceeds. In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be constructed and maintained. The first year's operating budget for the District is anticipated to be approximately \$100,000 and will be derived from Developer advances. The Maximum Debt Mill Levy (of 50 Mills) for the repayment of Debt will not apply to the District's ability to increase its mill levy as necessary for provision of operation and maintenance services to its taxpayers and service users. In addition to mill levies assessed for payment of debt, a District may impose a mill levy for payment of expenses of operations with such mill levy to be established by a District's eligible electors.

The estimated total cost of the improvements including public sanitary sewer, water, streets, storm drainage facilities, irrigation, and landscaping excluding related soft costs (collectively the "Public Improvements") is approximately \$13 million of which approximately \$12.5 million has been determined as eligible for financing by the District.

The intent of the district is to not impose a mill levy for operations and maintenance until the debt has been paid in full. At that time, the district may impose a mill levy to cover operations and maintenance. The 50-mill maximum debt service mill levy will not apply to the operations and maintenance mill levy.

Proposed interests rate includes the following. General Obligation (GO) bonds are based on a maximum life of 20-years with an average expected interest rate of 6.5%.

Staff concludes this element has been met.

(g) A description of any arrangement or proposed agreement with any political subdivision for the performance of any services between the proposed special district and such other political subdivision, and, if the form contract to be used is available, it shall be attached to the service plan;

The Applicant has proposed an Intergovernmental Agreement for the performance of services between the City and the district. It is attached as Exhibit G. Included in the agreement it states the District will dedicate the Public Improvements (as defined in the Service Plan) to the City or other appropriate jurisdiction or owners' association in a manner consistent with the Service Plan and other rules and regulations of the City and applicable provisions of the City Code. The District is expected to undertake all ownership, operations, and maintenance responsibilities for the Public Improvements that are not conveyed to the City or other governmental entities as appropriate and will do so either itself or by contract with owner associations. If the District operates the facilities, revenue to pay the expenses of operations may be obtained from ad valorem tax revenues or from the assessment of rates, fees, tolls, and charges imposed pursuant to the Colorado Special District Act. Approval of the Service Plan by the City constitutes the City's agreement that the District may perform these functions. The District will acquire by easement or plat dedication all real property interests for construction of public improvements that will be conveyed to the City by the District.

Staff concludes that the element has been met.

(h) Information, along with other evidence presented at the hearing, satisfactory to establish that each of the criteria set forth in section 32-1-203, if applicable, is met;

*Statutory Criteria for Action*

C.R.S. §32-1-203 contains the criteria for action on a service plan. These are listed below.

(2) The jurisdiction shall disapprove the service plan unless evidence satisfactory to the Council of each of the following is presented:

(a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed special district.



The Financial Plan projects a commercial subdivision along with construction of a public trail. At buildout, the average daily trips per day is estimated to be approximately six-thousand three hundred twenty-seven (6,327). The demand for Public Improvements to be provided by the District is demonstrable.

The Western Slope property is located at the intersection of I-70 and 24 Road, within Tier 1 of the Growth Tiers identified in the Comprehensive Plan and as such is considered an infill site. There are no utilities or roadways on the site, however a Ute water line does front the property. Sanitary sewer services are available nearby but will need to be extended to the site. Similarly, there are existing roadways on the periphery of the site but their capacity will need to be upgraded in order to accommodate the proposed development of the site and the on-site roadway network will need to be constructed in its entirety. The need for urban services that this service plan will provide is needed for the type of urban development currently proposed for the Western Slope property.

Staff believes this criterion has been met.

(b) The existing service in the area to be served by the proposed special district is inadequate for present and projected needs.

Two of the properties within the Service Plan Boundaries are currently vacant; the third has residential uses on it that will be demolished as part of the development. Although utilities and public roads are adjacent to or close to the Project, no on-site improvements exist. Furthermore, certain off-site public improvements will be required as a part of the Project. The Public Improvements to be provided by the District will not be provided by Mesa County, the City or other municipal or quasi-municipal corporations, or existing special districts. There are no existing public entities in the vicinity of the Project that have the intent or desire to undertake the design, financing, and construction of the Public Improvements for the Service Area. Consequently, the use of a Metropolitan District is deemed an acceptable mechanism for construction of such improvements.

Staff believes this criterion has been met.

(c) The proposed special district is capable of providing economical and sufficient service to the area within its proposed boundaries.

The Service Plan has capped the maximum mill levies at a total of 50 mills (50 mills for debt service) to provide economical and sufficient service to the development. The 50 mills is planned to provide the level of services desired within the marketplace to be constructed within the district's

boundaries that will benefit its future property owners. The Applicant has requested the District and believes it to be necessary to provide the most economical and efficient means of ownership and operation of essential improvements to serve future development within the Districts.

Staff believes this criterion has been met.

- (d) The area to be included in the proposed special district has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

The Financial Plan demonstrates the feasibility of providing the proposed Public Improvements and the ability to discharge the proposed indebtedness on a reasonable basis. The formation of the District will facilitate the financing of the proposed Public Improvements as the District will have access to tax-exempt financing.

Staff believes this criterion has been met.

- (2.5) The jurisdiction may disapprove the service plan if evidence satisfactory to the Council of any of the following, at the discretion of the Council, is not presented:

- (a) Adequate service is not, or will not be, available to the area through the City or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis.

No existing public entities in the vicinity of the Project have the intent, ability, or desire to undertake the design, financing, and construction of the Public Improvements needed for the Project. Consequently, use of a new District is deemed necessary for the construction of such improvements.

The 29.68 acres within the Service Plan Boundaries overlap or adjoin the following public entities: Colorado River Water Conservancy District, Mesa County, the City, Grand Valley Drainage District, Grand River Mosquito Control District, Library District, School District #51 and Ute Water Conservancy District (the Overlapping Districts). The Western Slope Metropolitan District will utilize the services of some or all of these Overlapping Districts but will not compete with their operations. It will not be necessary to enter into Intergovernmental Agreements with any of Overlapping Districts except for the City of Grand Junction. Western Slope District.

Staff believes this criterion has been met.



(b) The facility and service standards of the proposed special district are compatible with the facility and service standards of the jurisdiction within which the proposed special district is to be located and each municipality which is an interested party under C.R.S. §32-1-204(1).

The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City or other governmental entities having proper jurisdiction, including but not limited to Ute Water Conservancy District. The Districts will obtain the City's and Ute Water approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

Staff believes this criterion has been met.

(c) The proposal is in substantial compliance with a master plan adopted pursuant to C.R.S. §30-28-106, C.R.S.

The City's Comprehensive Plan shows the Project is designated as Commercial on the City's Land Use Map of the Comprehensive Plan. The proposed development is consistent with the following goals of the Comprehensive Plan.

- Plan Principle 2: Resilient and Diverse Economy
- Plan Principle 3: Responsible and Managed Growth
- Plan Principle 6: Efficient and Connected Transportation
- Plan Principle 11: Effective and Transparent Government

The proposed development will add commercial opportunities to the market. The creation of the Metropolitan District provides a means to fund infrastructure needed for the growth, which may not take place within the near future otherwise. The growth is occurring in a region of the City that is connected or close to infrastructure. The existing transportation network exists, but the development will increase capacity per the Circulation Plan as required by an Approved Development Plan.

Staff believes this criterion has been met.

(d) The proposal is in compliance with any duly adopted county, regional, or state long-range water quality management plan for the area.

The City has an adopted Stormwater Management Manual with the purpose of promoting public health, safety, and general welfare and to minimize public and private losses due to flooding by adopting policies, procedures, standards, and criteria for storm drainage. The proposed Western Slope

development project will be required to meet or exceed all requirements for adequate storm drainage system analysis and appropriate drainage system design and will need to obtain all required permits. This will be reviewed through the subdivision plan and any subsequent site plan phases of the development application.

Staff believes this criterion has been met.

(e) The creation of the proposed special district will be in the best interests of the area proposed to be served.

The creation of the District is in the best interests of the area to be served, in that it will provide for public improvements that otherwise will not be provided by other governmental entities, and it offers the advantage of obtaining tax-exempt financing to fund the Improvements, thus making the cost of the improvements more affordable.

Staff believes this criterion has been met.

(i) Such additional information as the jurisdiction may require by resolution on which to base its findings pursuant to section 32-1-203;

Although the last two statutory requirements (h) and (i) give the City Council broad power to establish requirements for service plan approval that exceed or enhance those specifically cited in the statutes, Staff has identified no additional consideration in order to render a sound decision on the proposed districts.

### **FINDINGS OF FACT**

In accordance with Law, the findings of the City shall be based solely upon the service plan and evidence presented at the hearing by the petitioners, planning commission, and any interested party.

Pursuant to C.R.S. §32-1-203 the City Council may:

- Approve the Service Plan without conditions or modifications; or
- Disapprove the Service Plan.

In accordance with Law, the City may conditionally approve the service plan of a proposed special district upon satisfactory evidence that it does not comply with one or more of the criteria; final approval shall be contingent upon modification of the service plan to include such changes or additional information as shall be specifically stated in the findings of the City Council.

After reviewing SDS-2023-431, a request to consider formation of a metropolitan district service plan for the proposed Western Slope development on 29.68 acres located at



766 24 Road and properties identified by Parcel Nos. 2701-332-00-028 and 2701-332-00-027, the following findings of fact may reasonably be made by the Planning Commission:

1. The Western Slope Metropolitan District Service Plan is consistent with the Comprehensive Plan; and
2. The Western Slope Metropolitan District Service Plan meets Title 32 of the Colorado Revised Statutes for formation of a metropolitan district.

**SUGGESTED MOTION:**

Chairman, on the request for review and approval of the Service Plan for the Western Slope Metropolitan District, metropolitan district intended to serve the proposed Western Slope development, SDS-2023-431, I move that the Planning Commission forward a recommendation of conditional approval with the following conditions:

Condition 1: Prior to the Service Plan for Western Slope Metropolitan District becoming effective, a Development Plan be reviewed and approved by the City. The Development Plan shall constitute a subdivision plan consistent with the Grand Junction Municipal Code.

Condition 2: Approval and execution of an Intergovernmental Agreement (IGA) describing the improvements and responsibilities of the City of Grand Junction and the Western Slope Metropolitan District.

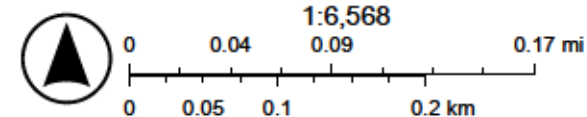
**Attachments**

1. Exhibit 1 - Maps
2. Exhibit 2 - Petition for Approval of Service Plan
3. Exhibit 3 - Notice of Filing to DOLA
4. WSMD Draft Resolution
5. WSMD Service Plan - Exhibit 1 to Resolution

# Western Slope Metropolitan District - Vicinity Map



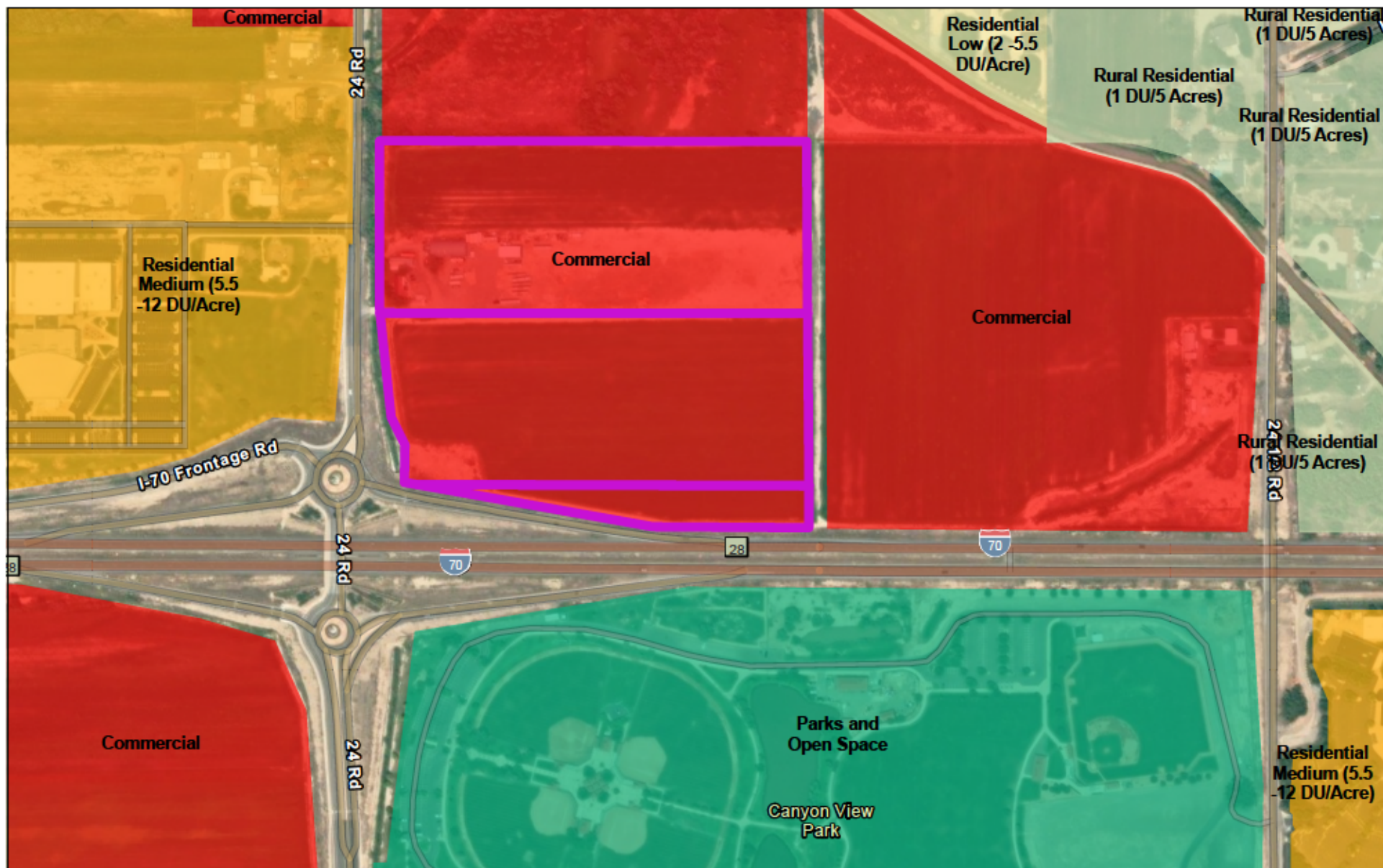
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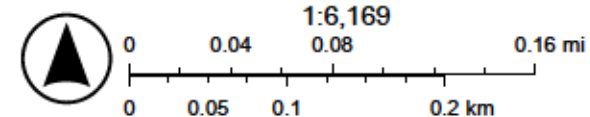
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# Western Slope Metropolitan District - Land Use

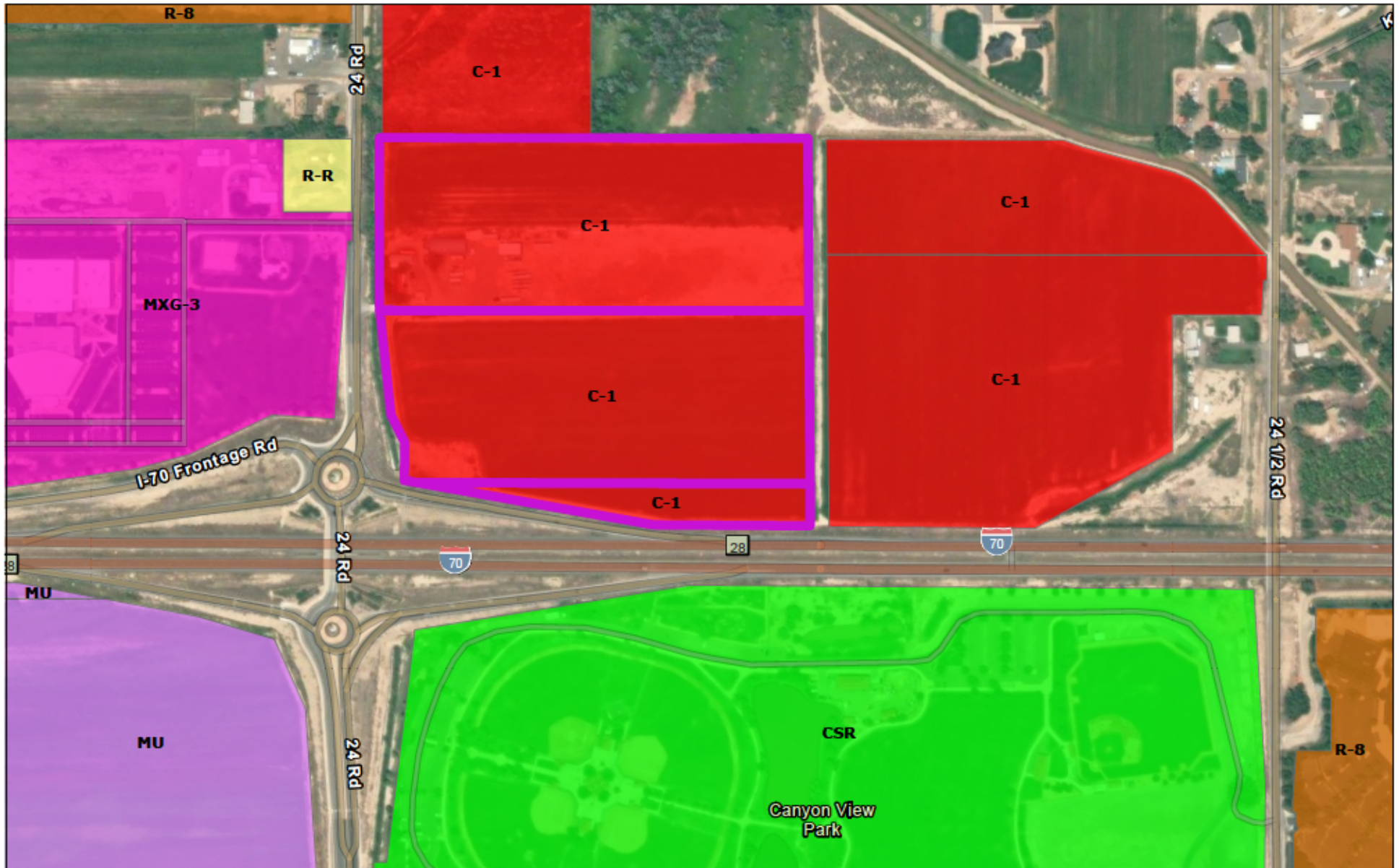


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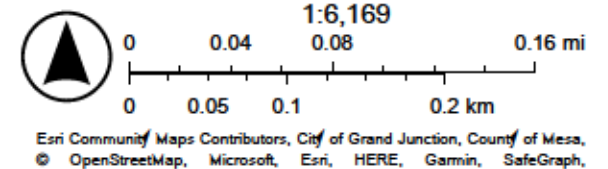


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# Western Slope Metropolitan District - Zoning



7/18/2023





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IN RE THE ORGANIZATION OF WESTERN SLOPE METROPOLITAN DISTRICT,  
CITY OF GRAND JUNCTION, STATE OF COLORADO

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TO THE CITY COUNCIL, CITY OF GRAND JUNCTION, STATE OF COLORADO:

The Petitioners and Proponents of the proposed Western Slope Metropolitan District (“Petitioners”), by the undersigned, pursuant to the provisions of Title 32, Article 1, C.R.S., (the “Special District Act”), respectfully petition the City Council, City of Grand Junction, State of Colorado, for a Resolution of Approval of its Service Plan and certain other preliminary actions relating thereto, for said proposed District.

In support of said Petition, the Petitioners state:

1. On or about July 10, 2023, there was filed with the Community Development Department of the City of Grand Junction, the proposed Service Plan for Western Slope Metropolitan District.
2. That the Service Plan filed herewith fully complies with the provisions of the Special District Act as to all of the information required to be contained therein.

WHEREFORE, Petitioners request this Honorable City Council for the City of Grand Junction to enter such orders as may be necessary or proper preliminary to and in connection with a Resolution of Approval of the Service Plan for the proposed Western Slope Metropolitan District.

Dated July 18, 2023.

RESPECTFULLY SUBMITTED,

McGeady Becher P.C.

*/s/Elisabeth A. Cortese*

---

Attorney Registration No. 41222  
Attorneys for Petitioners of the Proposed  
Western Slope Metropolitan District

## 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: Service Plan for Western Slope Metropolitan District

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

Existing Land Use Designation: \_\_\_\_\_ Existing Zoning: \_\_\_\_\_

Proposed Land Use Designation: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

### Property Information

Site Location: THE SOUTH 5 ACRES OF LOTS 11 AND 12 AND THE NORTH 10 ACRES OF LOTS 13 AND 14 IN POMONA PARK; EXCEPT THAT PART CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN BOOK 861 AT PAGE 279, COUNTY OF MESA, STATE OF COLORADO. Site Acreage: 13.67 acres

Site Tax No(s): R017869 Site Zoning: IRRIGATED AGRICULTURAL LAND

Project Description: Service Plan for Western Slope Metropolitan District

### Property Owner Information

Name: W & D Merkel Family Limited Liability Limited Partnership

Street Address: 2525 North 8<sup>th</sup> Street

City/State/Zip: Grand Junction, CO 81501

Business Phone#: \_\_\_\_\_

E-Mail: \_\_\_\_\_

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

Contact Person: \_\_\_\_\_

Contact Phone #: \_\_\_\_\_

### Applicant Information

Name: McGeady Becher P.C.

Street Address: 450 East 17<sup>th</sup> Street, Suite 400

City/State/Zip: Denver, Colorado 80203

Business Phone #: 303-592-4380

E-Mail: mmcgeady@specialdistrictlaw.com

ecortese@specialdistrictlaw.com

Fax#: 303-592-4385

Contact Person: MaryAnn M. McGeady and

Elisabeth A. Cortese

Contact Phone #: 303-592-4380

### Representative Information

Name: Goldberg Properties, Inc.

Street Address: 5415 Sunset Drive

City/State/Zip: Bow Mar, Colorado 80123

Business Phone#: 303-759-8000

E-Mail: mgoldberg@goldbergprop.com

Fax #: 303-863-0275

Contact Person: Mark A. Goldberg

Contact Phone #: 303-759-8000

**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 rescheduled expenses before it can again be placed on the agenda.



Signature of Person Completing the Application: Brian Little (Brian Little)  
Please print and sign

Signature of Legal Property Owner: William Merkel  
Please print and sign

Date: 7-18-23

Date: 7-18-23

## 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: Service Plan for Western Slope Metropolitan District

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

Existing Land Use Designation: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Proposed Land Use Designation: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

### Property Information

Site Location: TRACT I: ALL THAT PORTION OF THE SOUTH ONE-HALF OF LOTS 13 AND 14 OF POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, LYING NORTH OF INTERSTATE NO. 70, COUNTY OF MESA, STATE OF COLORADO.

Site Acreage: 17.52 acres

TRACT II: THE NORTH 15 ACRES OF LOTS 11 AND 12, POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO FOR THE RIGHT-OF-WAY OF INTERSTATE NO. 70 ON THE SOUTHWEST PORTION OF SUCH PARCEL BY INSTRUMENT RECORDED DECEMBER 26, 1963 IN BOOK 861 AT PAGE 264 UNDER RECEPTION NO. 855279, COUNTY OF MESA, STATE OF COLORADO.

Site Tax No(s): R017870 and R017868

Site Zoning: IRRIGATED AGRICULTURAL LAND

### Project Description

Service Plan for Western Slope Metropolitan District

### Property Owner Information

Name: Leland L. Thrailkill and Roberta F. Thrailkill

Street Address: 766 24 Road

City/State/Zip: Grand Junction, CO 81505

Business Phone#: 970.243.9862

E-Mail: thrailkillj@netx2ero.net

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

Contact Person: Roberta Thrailkill

Contact Phone #: 970.216.5055

### Applicant Information

Name: McGeady Becher P.C.

Street Address: 450 East 17<sup>th</sup> Avenue, Suite 400

City/State/Zip: Denver, Colorado 80203

Business Phone #: 303-592-4380

E-Mail: mmcgeady@specialdistrictlaw.com  
ecortese@specialdistrictlaw.com

Fax #: 303-592-4385

Contact Person: MaryAnn M. McGeady and Elisabeth A. Cortese

Contact Phone #: 303-592-4380

### Representative Information

Name: Goldberg Properties, Inc.

Street Address: 5415 Sunset Drive

City/State/Zip: Bow Mar, Colorado 80123

Business Phone#: 303-759-8000

E-Mail: mgoldberg@goldbergprop.com

Fax #: 303-863-0275

Contact Person: Mark A. Goldberg

Contact Phone #: 303-759-8000



**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: Bruce (Brian Utke) Date: 7-14-23  
Please print and sign

Signature of Legal Property Owner: Leland L. Thraill Date: 7-14-23  
Please print and sign

Leland L. Thraill  
Roberta F. Thraill  
Roberta F. THRAILL

### OWNERSHIP STATEMENT – PARTNERSHIP

I, (a) W & D Merkel Family Limited Liability Limited Partnership ("Partnership") is the owner of the following property:

- (b) THE SOUTH 5 ACRES OF LOTS 11 AND 12 AND THE NORTH 10 ACRES OF LOTS 13 AND 14 IN POMONA PARK; EXCEPT THAT PART CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN BOOK 861 AT PAGE 279, COUNTY OF MESA, STATE OF COLORADO.

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

I, (c) William D. Merkel, am the (d) member for Partnership. I have the legal authority to bind the Partnership to agreements concerning financial obligations and this property. I have attached the most recent recorded Statement of Authority for the Partnership.

- ☐ My legal authority to bind the Partnership both financially and concerning this property is unlimited.
- ☐ My legal authority to bind the Partnership financially and/or concerning this property is limited in the following manner:

All other partners and their authority to bind the Partnership financially and with respect to this property are listed and described here: \_\_\_\_\_

- ☒ Partnership is the sole owner of the property.
- ☐ Partnership owns the property with other(s). The other owners of the property are:
- (e) \_\_\_\_\_

On behalf of Partnership, I have reviewed the application for the (f) Service Plan for Western Slope Metropolitan District I understand the Partnership's continuing duty to inform the City planner of any changes in my authority to bind the Partnership and/or in any interest in the property, such as ownership, easement rights, rights-of-way, boundaries, encroachment, lienholder and any other interest in the property.

- ☒ I and the Partnership have no knowledge of any possible conflicts between the boundary of the property and abutting properties.
- ☐ I or the Partnership have the following knowledge and evidence concerning possible boundary conflicts between the property and the abutting property(ies): (g) \_\_\_\_\_

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

Signature of Partnership representative: William D. Merkel

Printed name of person signing: William D. Merkel, Member

State of Colorado )

County of Denver ) ss.

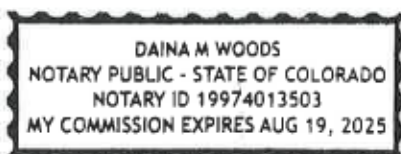
Subscribed and sworn to before me on this 14<sup>th</sup> day of July, 2013

by William D. Merkel, Member of W & D Merkel Family Limited Liability Limited Partnership, a Colorado limited liability partnership.

Witness my hand and seal.

My Notary Commission expires on 8/19/25

[Signature]  
Notary Public Signature





OWNERSHIP STATEMENT – NATURAL PERSON

I, (a) Leland L. Thrailkill and Roberta F. Thrailkill, are the owners of the following real property:

- (b) TRACT I: ALL THAT PORTION OF THE SOUTH ONE-HALF OF LOTS 13 AND 14 OF POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, LYING NORTH OF INTERSTATE NO. 70, COUNTY OF MESA, STATE OF COLORADO.

TRACT II: THE NORTH 15 ACRES OF LOTS 11 AND 12, POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO FOR THE RIGHT-OF-WAY OF INTERSTATE NO. 70 ON THE SOUTHWEST PORTION OF SUCH PARCEL BY INSTRUMENT RECORDED DECEMBER 26, 1963 IN BOOK 861 AT PAGE 264 UNDER RECEPTION NO. 855279, COUNTY OF MESA, STATE OF COLORADO.

A copy of the deed evidencing our interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☒ We are the sole owners of the property.

☐ I own the property with other(s). The other owners of the property are (c):

We have reviewed the application for the (d) Service Plan for Western Slope Metropolitan District pertaining to the property.

We have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) NONE

We understand that we have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

We swear under penalty of perjury that the information contained in this Owner Statement is true, complete and correct.

Owner signature as it appears of deed: Leland L. Thrailkill

Printed name of owner: Leland L. Thrailkill

Owner signature as it appears of deed: Roberta F. Thrailkill

Printed name of owner: Roberta F. Thrailkill

State of Colorado )

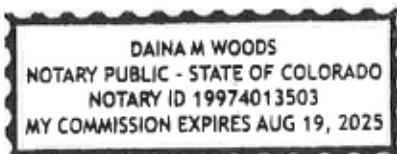
County of Denver ) ss.

Subscribed and sworn to before me on this 14<sup>th</sup> day of July, 2023

by Leland L. Thrailkill and Roberta F. Thrailkill, as individuals.

Witness my hand and seal.

My Notary Commission expires on 8/19/25



[Signature]  
Notary Public Signature

### Statement of Authority

The undersigned hereby executes this Statement of Authority, pursuant to the provisions of Section 38-30-172, C.R.S., on behalf of Wanda D. Merkel Family Limited Liability Partnership, an entity other than an individual, capable of holding title to real property ("Entity"), and states as follows:

1. The Entity is a Limited Liability Partnership formed and existing under the laws of the following governmental authority of the State of Colorado.  
(state the type of entity and the state, country or other governmental authority under whose laws it was formed. Example: Limited Liability Company formed and existing under the laws of Colorado)
2. If formed under a governmental authority other than the State of Colorado, state the name under which the Entity has filed with the Colorado Secretary of State \_\_\_\_\_
3. The Entity's mailing address is: 2136 Banff Ct, Grand Junction, Co 81507
4. The name of the person or persons, or the position or positions, of the Entity authorized to execute instruments on behalf of the Entity to convey, encumber or otherwise affect the title to real property is/are:

William Merkel

☐ If ALL names or positions provided here are required for authority, please check this box. If box is not checked, then only one of the names or positions provided is necessary for execution of instruments on Entity's behalf.

5. The limitations upon the authority of the person or persons named above to bind the Entity are as follows:  
none  
(if no limitations insert "NONE")
6. Other matters concerning the manner in which the Entity deals with any interest(s) in real property are:  
none  
(if none insert "NONE")

This Statement of Authority amends or replaces any prior Statement of Authority executed on behalf of the Entity.

EXECUTED this 18<sup>th</sup> day of July, 2023

ENTITY: W & D Limited liability limited partnership

BY: William Merkel President  
Name Position Name Position

STATE OF COLORADO )  
COUNTY OF Denver ) ss.  
MESA )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of July, 2023 by William Merkel and \_\_\_\_\_

Witness my hand and official seal.

My commission expires: 8/19/25

[Signature]  
Notary Public

DAINA M WOODS  
NOTARY PUBLIC - STATE OF COLORADO  
NOTARY ID 19974013503  
MY COMMISSION EXPIRES AUG 19, 2025





**COLORADO**  
Department of Local Affairs  
Division of Local Government

## NOTICE OF FILING OF SPECIAL DISTRICT SERVICE PLAN

Pursuant to CRS 32-1-202(1), the County Clerk and Recorder or Municipal Clerk shall notify the Division of Local Government within five days after the filing of a service plan for the formation of a new Special District. Please provide the information indicated and return this form to the Division of Local Government.

### Petitioner Information

Western Slope Metropolitan District

July 13, 2023

Name of Proposed District  
Metropolitan District

Filing Date  
City of Grand Junction  
Amy Phillips, City Clerk

Type of Proposed District  
Elisabeth A. Cortese  
McGeady Becher P.C.

Approving Authority Receiving Plan  
303.592.4380

Contact Person Filing Service Plan

Phone/Email

### Hearing Information<sup>1</sup>

City Hall Auditorium, 250 North 5th Street, Grand Junction, CO 81501

Location of Hearing  
5:30 p.m.

August 16, 2023

Time of Hearing

Date of Hearing

  
Clerk Signature

7/13/2023  
Date

<sup>1</sup>Pursuant to C.R.S. 32-1-202(1) the board of county commissioners shall provide written notice of the date, time, and location of the hearing on the service plan to the division. Hearing information may be provided when submitting this notice of filing of service plan if known.

DLG 60 (Rev. 4/21)



**CITY OF GRAND JUNCTION, COLORADO**  
**RESOLUTION NO. \_\_\_\_\_**  
**A RESOLUTION APPROVING THE SERVICE PLAN FOR**  
**THE WESTERN SLOPE METROPOLITAN DISTRICT**

A. Pursuant to §32-1-204.5, C.R.S., as amended, a Service Plan ("Service Plan") for the proposed Western Slope Metropolitan District ("District") has been submitted to the City Council ("Council") of the City of Grand Junction, Colorado ("City"). A copy of the Service Plan including all exhibits is attached hereto as Exhibit "A".

B. Pursuant to the provisions of Title 32, Article 1, Colorado Revised Statutes (C.R.S.), as amended, and the Grand Junction Municipal Code ("GJMC") on July 19, 2023 the Council scheduled a public hearing on the Service Plan for August 16, 2023.

C. Notice of the hearing before the Council on August 16, 2023 was duly published in the *Daily Sentinel*, a newspaper of general circulation within the City, on July 16, 2023 (minimum 20 days prior to hearing), as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Department of Local Affairs, and the governing body of each municipality and Title 32 Special District that has levied *ad valorem* tax within the next preceding tax year and that has boundaries within a radius of three miles of the District.

D. The Council has considered the Service Plan and all other testimony and evidence presented at the hearing.

E. The Council finds that the Service Plan shall be approved with the following conditions which shall be met prior to the Metropolitan District Service Plan becoming effective and before the proposed Metropolitan District may exercise the powers and authority described therein, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended:

1. A Development Plan for the property be reviewed and approved by the City. The Development Plan shall constitute an approved subdivision and/or site plan consistent with the Grand Junction Municipal Code. This requirement shall not preclude the submission of a Petition for Organization pursuant to Section 32-1-301 or the conduct of the required court hearings and organizational election pursuant to Sections 32-1-305 and 32-1-305.5 for one or more of the proposed Metropolitan Districts.
2. An Intergovernmental Agreement (IGA) and such other agreements needed as acceptable to the City for the performance of any services between the proposed District and the City that is to be attached to the Service Plan.

F. For purposes of this Resolution, the effective date is the date which the election results are accepted/certified by the Colorado Department of Local Affairs.



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

1. The Council hereby determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of the Service Plan for the District have been fulfilled and that notice of the hearing was given in the time and manner required by law.
2. The Council further determines that all pertinent facts, matters and issues were submitted at the public hearing; that all interested parties were heard or had the opportunity to be heard and that evidence satisfactory to the Council of each of the following was presented:
  - (a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;
  - (b) The existing service in the area to be served by the proposed District is inadequate for present and projected needs;
  - (c) The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and
  - (d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
3. This Resolution shall be filed in the records of the City and a copy thereof submitted to the petitioners for the District for filing in the District Court of Mesa County, Colorado.
4. All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded.

**PASSED, ADOPTED AND APPROVED** this 16<sup>th</sup> day of August 2023.

---

Anna M. Stout, Mayor

ATTEST:

---

Amy Phillips, City Clerk

**DRAFT**  
**McGEADY BECHER P.C.**  
July 10, 2023

**SERVICE PLAN**

**FOR**

**WESTERN SLOPE METROPOLITAN DISTRICT**

**CITY OF GRAND JUNCTION, COLORADO**

Prepared

by

McGeady Becher P.C.  
450 E. 17<sup>th</sup> Avenue, Suite 400  
Denver, Colorado 80203

Submitted: July 7, 2023  
Resubmitted: July 10, 2023

Initials: \_\_\_\_\_



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## LIST OF EXHIBITS

<b>EXHIBIT A</b>	Legal Description
<b>EXHIBIT B</b>	Vicinity Map
<b>EXHIBIT C</b>	Initial District Boundary Map
<b>EXHIBIT D</b>	Capital Cost Estimates
<b>EXHIBIT E</b>	Maps Depicting Public Improvements
<b>EXHIBIT F</b>	Financial Plan
<b>EXHIBIT G</b>	Intergovernmental Agreement

## **I. INTRODUCTION**

### **A. Purpose and Intent.**

The District is an independent unit of local government, separate and distinct from the City, as hereinafter defined, and, except as may otherwise be provided for by State, as hereinafter defined, or local law or this Service Plan, its activities are subject to review by the City only insofar as they may deviate in a material manner from the requirements of the Service Plan or intergovernmental agreements between the City and the District. It is intended that the District will provide a part or all of the Public Improvements, as hereinafter defined, for the use and benefit of the inhabitants and taxpayers of the District. The primary purpose of the District will be to finance the construction of these Public Improvements.

### **B. Need for the District.**

There are currently no other governmental entities, including the City, located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the Public Improvements needed for the Project, as hereinafter defined. The District is therefore necessary in order for the Public Improvements required for the Project to be provided in the most economical manner possible.

### **C. Objective of the City Regarding District's Service Plan.**

The City's objective in approving the Service Plan for the District is to authorize the District to provide for the planning, design, acquisition, construction, installation, relocation, and redevelopment of the Public Improvements from the proceeds of Debt, as hereinafter defined, to be issued by the District. All Debt is expected to be repaid by taxes, fees, rates, tolls, and all other legally available revenues of the District. No debt service mill levy shall be imposed and collected at a level higher than the Maximum Debt Mill Levy, as hereinafter defined, for all taxable property within the boundaries of the District. Debt which is issued within these parameters, as further described in the Financial Plan, as hereinafter defined, will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Service Plan is intended to establish both a limited purpose for the District and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs, and to provide certain operation and maintenance services related to the maintenance of landscaping improvements and related to covenant enforcement, as provided under Section 32-1-1004(8)(a), C.R.S. Additional operational activities are allowed, but only as authorized by an intergovernmental agreement with the City.

It is the intent of the District to dissolve upon payment or defeasance of all Debt incurred or upon a court determination that adequate provision has been made for the payment of all Debt.



The District shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from tax revenues collected from a mill levy which shall not exceed the Maximum Debt Mill Levy on all taxable property located within the boundaries of the District. It is the intent of this Service Plan to assure to the extent possible that no property located within the boundaries of the District bear an economic burden that is greater than that associated with the Maximum Debt Mill Levy even under bankruptcy or other unusual situations. Generally, the cost of Public Improvements that cannot be funded within these parameters are not costs to be paid by the District.

## **II. DEFINITIONS**

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Approved Development Plan: means a development plan or other process established by the City for identifying, among other things, land uses/land use approval(s). Public Improvements necessary for facilitating development of property within the Service Area as approved by the City pursuant to the City Code and as amended pursuant to the City Code from time to time.

Board: means the board of directors of the District.

Bond, Bonds or Debt: means bonds or other obligations for the payment of which the District has promised to impose an *ad valorem* property tax mill levy.

City: means the City of Grand Junction, Colorado.

City Code: means the Grand Junction Municipal Code (GJMC).

City Council: means the City Council of the City of Grand Junction, Colorado.

District: means Western Slope Metropolitan District.

External Financial Advisor: means a consultant that: (i) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (iii) is not an officer or employee of the District and has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Financial Plan: means the Financial Plan of the District as described in Section VI, which describes (i) how the Public Improvements are to be financed; (ii) how the Debt is expected to be incurred; and (iii) the estimated operating revenue derived from property taxes for the first budget year.

Initial District Boundaries: means the boundaries of the area described in the Initial District Boundary Map.

Initial District Boundary Map: means the map attached hereto as **Exhibit C**, describing the District's initial boundaries.

Maps Depicting Public Improvements: means the maps attached hereto as **Exhibit E**, showing the locations of the Public Improvements listed in the Capital Cost Estimates.

Maximum Debt Mill Levy: means the maximum mill levy the District is permitted to impose for payment of Debt as set forth in Section VI.C below.

Mill Levy Adjustment: means, if, on or after January 1, 2023, there are changes in the method of calculating assessed valuation or any constitutionally- or statutorily-mandated tax credit, cut or abatement, the Maximum Debt Mill Levy may be increased or decreased to reflect such changes, such increases and decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the applicable mill levy, as adjusted for changes occurring after January 1, 2023, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation, and any constitutional or legislative changes in the actual value against which the assessment rate is applied, shall be deemed to be a change in the method of calculating assessed valuation.

Project: means the development or property commonly referred to as I-70 and 24 Road.

Public Improvements: means a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the Special District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the Service Area as determined by the Board of the District.

Service Area: means the property within the Initial District Boundaries.

Service Plan: means this service plan for the District as approved by City Council.

Service Plan Amendment: means an amendment to the Service Plan as approved by City Council in accordance with the City's ordinance and the applicable State law.

Special District Act: means Section 32-1-101 to 32-1-1807, of the Colorado Revised Statutes, as amended from time to time.

State: means the State of Colorado.

Taxable Property: means real or personal property within the Service Area subject to *ad valorem* taxes imposed by the District.



### **III. BOUNDARIES**

The area of the Initial District Boundaries includes approximately 29.68 acres. A legal description of the Initial District Boundaries is attached hereto as **Exhibit A**. A vicinity map is attached hereto as **Exhibit B**. A map of the Initial District Boundaries is attached hereto as **Exhibit C**. It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to Sections 32-1-401 to 32-1-402, C.R.S., and Sections 32-1-501 to 32-1-503, C.R.S., as may be amended from time to time, subject to the limitations set forth in Article V below.

### **IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION**

The Service Area consists of approximately 29.68 acres of land. The current assessed valuation of the Service Area is \$-0- for purposes of this Service Plan and, at build out, is expected to be sufficient to reasonably discharge the Debt under the Financial Plan. At build-out, the average daily trips per day is estimated to be approximately six-thousand three hundred twenty-seven (6,327).

Approval of this Service Plan by the City does not imply approval of the development of a specific area within the District, nor does it imply approval of the total site/floor area of commercial or industrial buildings identified in this Service Plan or any of the exhibits attached thereto, unless the same is contained within an Approved Development Plan.

### **V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES**

#### **A. Powers of the District and Service Plan Amendment**

The District shall have the power and authority to provide the Public Improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is described in the Special District Act and other applicable statutes, common law, and the Constitution, subject to the limitations set forth herein.

1. Operations and Maintenance Limitation¶ The purpose of the District is to plan for, design, acquire, construct, install, relocate, redevelop, and finance the Public Improvements. It is not the District's intention to own any Public Improvements that are of the type that would normally be dedicated to the City. The District shall dedicate the Public Improvements to the appropriate jurisdiction in a manner consistent with an Approved Development Plan, other rules and regulations of the City, and applicable provisions of the City Code.

Those Public Improvements that are not conveyed to the City, or other governmental entities, will be conveyed to the owners' association, as appropriate. With regard to those Public Improvements that will be dedicated to the owners' association, the District shall undertake the operations and maintenance responsibilities for the improvements until such time as they are accepted by an owners' association. Additionally, the District shall be authorized to provide ongoing services related to the maintenance of landscaping improvements and related to covenant enforcement, as provided under Section 32-1-1004(8)(a), C.R.S. Additional ongoing

operational activities are allowed, but only as authorized by an intergovernmental agreement with the City. During the period that the District operates such facilities, revenue to pay the expenses of operations may be obtained from fees legally imposed by the District or other legally available revenues of the District subject to the limitation provided in Section V.A.9 below. Approval of this Service Plan by the City constitutes the City's agreement that the District may perform these functions.

2. Acquisition of Land for Public Improvements and Easements.¶ The District agrees to acquire by easement or plat dedication, or cause the dedication to the City of, all land required by the City for construction of public improvements being provided by the District that will be conveyed to the City. Exceptions must be approved by the City in writing. Failure to comply with this provision shall be deemed to be a material modification of this Service Plan.

3. Construction Standards Limitation¶ The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City or other governmental entities having proper jurisdiction and in accordance with the requirements of an Approved Development Plan. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to the District performing such work.

4. Privately Placed Debt Limit¶

(a) Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

To the extent any portion of the Debt is to be issued through a private placement to which Section 32-1-1101(7)(a), C.R.S. would apply (the "Interest Rate Restricted Debt Portion"), the requirements of such Section shall apply to determine the interest rate on the Interest Rate Restricted Debt Portion of the Debt.

(b) Such certification shall be provided to the City by the District no later than ten (10) days following the issuance of any such privately placed Debt.



5. **Inclusion Limitation**¶ The District shall not include within its boundaries any property outside the Service Area until such inclusion has been approved by the City as part of a Service Plan Amendment.

6. **Overlap Limitation**¶ The District shall not consent to the organization of any other district organized under the Special District Act within the Service Area which will overlap the boundaries of the District until such overlap has been approved by the City as part of a Service Plan Amendment.

7. **Initial Debt Limitation**¶ On or before the effective date of approval by the City of an Approved Development Plan, the District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direction imposition or by transfer of funds from the operating fund to the Debt service fund; nor (c) impose and collect any fees for the purpose of repayment of Debt.

8. **Total Debt Issuance Limitation**¶ The District shall not issue Debt in excess of twenty million dollars (\$20,000,000).

9. **Monies from Other Governments/Sources**¶ The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or non-profit entities that the City is eligible to apply for, except pursuant to an intergovernmental agreement with the City. This Section shall not apply to specific ownership taxes which shall be distributed to and a revenue source for the District without any limitation.

10. **Consolidation Limitation**¶ The District shall not file a request with any Court to consolidate with another Title 32 district without the prior written consent of the City.

11. **Bankruptcy Limitation**¶ All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy, have been established under the authority of the City to approve a Service Plan with conditions, pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

(b) Are, together with all other requirements of Colorado law, included in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable nonbankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy, shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S., and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

12. Service Plan Amendment Requirement¶ This Service Plan has been designed with sufficient flexibility to enable the District to provide required services and facilities under evolving circumstances without the need for numerous amendments. Actions of the District which violate the limitations set forth in this Service Plan or an intergovernmental agreement shall be deemed to be material modifications to this Service Plan and breaches of such intergovernmental agreement, and the City shall be entitled to all remedies available at law or in equity under State and local law.

B. Preliminary Engineering Survey.

The District shall have authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance, and financing of the Public Improvements within and without the boundaries of the District, to be more specifically defined in an Approved Development Plan. An estimate of the costs of the Public Improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed was prepared based upon a preliminary engineering survey and estimates derived from the zoning on the property in the Service Area and is approximately Twelve Million Five Hundred Thousand Dollars (\$12,500,000), an estimate of such costs in 2023 dollars is attached as **Exhibit D. Maps Depicting Public Improvements** are attached hereto as **Exhibit E.**

All of the Public Improvements will be designed in such a way as to assure that the Public Improvements standards meet or exceed those of the City and shall be in accordance with the requirements of an Approved Development Plan. All construction cost estimates are based on the assumption that construction conforms to applicable local, State and Federal requirements.

VI. FINANCIAL PLAN

A. General.

The District shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from its revenues and by and through the proceeds of Debt to be issued by the District. The Financial Plan for the District shall be to issue such Debt as the District can reasonably pay from revenues derived from the Maximum Debt Mill Levy and other legally available revenues. The total Debt that the District shall be permitted to issue shall not exceed twenty million dollars (\$20,000,000) and shall be permitted to be issued on a schedule and in such year or years as the District determines shall meet the needs of the Financial Plan referenced above and phased to serve development as it occurs. The twenty million dollars (\$20,000,000) that the District shall be permitted to issue is supported by the Financial Plan attached hereto as **Exhibit F.** All bonds and other Debt issued by the District may be payable from any and all legally available revenues of the District, including general *ad valorem* taxes to be imposed upon all taxable property within the District. Subject to the limitation set forth in Section V.A.9. above, the District will also rely upon various other revenue sources authorized by law. These will include the power to assess fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(1), C.R.S., as amended from time to time.



B. Maximum Voted Interest Rate and Maximum Underwriting Discount.

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. In the event of a default, the proposed maximum interest rate on any Debt is not expected to exceed eighteen percent (18%). For Interest Rate Restricted Debt Portion Debt, the requirements of Section 32-1-1101(7)(a) shall apply to determine the interest rate on the Interest Rate Restricted Debt Portion. The proposed maximum underwriting discount will be five percent (5%). Debt, when issued, will comply with all relevant requirements of this Service Plan, State law and Federal law as then applicable to the issuance of public securities.

C. Maximum Debt Mill Levy.

The "Maximum Debt Mill Levy" shall be the maximum mill levy the District is permitted to impose upon the taxable property within the District for payment of Debt, as set forth below:

1. The Maximum Debt Mill Levy shall be fifty (50) mills; subject to the Mill Levy Adjustment.

2. To the extent that the District is composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, C.R.S., the term "District" as used herein shall be deemed to refer to the District and to each subdistrict separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this definition.

D. Debt Repayment Sources.

The District may impose a mill levy on taxable property within its boundaries as a primary source of revenue for repayment of debt service and for operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, these may include the power to assess fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(l), C.R.S., as amended from time to time, as well as any and all other legally available revenue subject to the limitation in Section V.A.9 above.

E. Debt Instrument Disclosure Requirement.

In the text of each Bond and any other instrument representing and constituting Debt, the District shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the District authorizing the issuance of this Bond and in the Service Plan for creation of the District. Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Service Plan shall be included in any document used for the offering of the Debt for sale

to persons, including, but not limited to, a developer of property within the boundaries of the District.

F. Security for Debt.

Approval of this Service Plan shall not be construed as a guarantee by the City of payment of any of the District's obligations; nor shall anything in the Service Plan be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.

G. TABOR Compliance.

The District will comply with the provisions of TABOR. In the discretion of the Board, the District may set up other qualifying entities to manage, fund, construct and operate facilities, services, and programs. To the extent allowed by law, any entity created by the District will remain under the control of the District's Board.

H. District's Operating Costs.

The estimated cost of acquiring land, engineering services, legal services and administrative services, together with the estimated costs of the District's organization and initial operations, is part of the estimated cost of Public Improvements, which will be eligible for reimbursement from Debt proceeds.

In addition to the capital costs of the Public Improvements, the District will require operating funds for administration and to plan and cause the Public Improvements to be constructed and maintained. The first year's operating budget for the District is anticipated to be approximately one hundred thousand dollars (\$100,000) and will be derived from any and all legally available revenue subject to the limitation in Section V.A.9 above.

The intent of the District is to not impose a mill levy for provision of operations and maintenance services to its taxpayers and service users until such time as the Debt has been paid in full. At such time, the District shall have the ability to impose and increase its mill levy as necessary for provision of operation and maintenance services to its taxpayers and service users. The Maximum Debt Mill Levy for the repayment of Debt shall not apply to the District's ability to increase its mill levy as necessary for provision of operations and maintenance services to its taxpayers and service users.

VII. ANNUAL REPORT

A. General.

The District shall be responsible for submitting an annual report to the City Attorney's office no later than August 1<sup>st</sup> of each year.



**B. Report Contents.**

The annual report shall include information as applicable for the reporting year as follows:

1. Boundary changes made.
2. Intergovernmental Agreements with other governmental entities, either entered into or terminated.
3. Access information to obtain a copy of rules and regulations adopted by the Board.
4. A summary of all litigation involving public improvements owned by the District.
5. The status of the construction of public improvements by the District.
6. A list of all facilities or improvements constructed by the District that were conveyed or dedicated to the City.
7. The final assessed valuation of the District as of December 31 of the reporting year.
8. A copy of the current year's budget.
9. A copy of the audited financial statements, if required by the 'Colorado Local Government Audit Law', Part 6 of Article 1 of Title 29, or the application for exemption from audit, as applicable.
10. Notice of any uncured defaults existing for more than ninety (90) days under any Debt instrument of the District.
11. Any inability of the District to pay its obligations as they come due under any obligation which continues beyond a ninety (90) day period.

**VIII. DISSOLUTION**

Upon an independent determination of the City Council that the purposes for which the District was created have been accomplished, the District agrees to file a petition in the appropriate District Court for dissolution, pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge of all its outstanding indebtedness and other financial obligations as required pursuant to State statutes.

**IX. DISCLOSURE TO PURCHASERS**

The District will use reasonable efforts to assure that all developers of the property located within the District provide written notice to all purchasers of property in the District regarding the Maximum Debt Mill Levy, as well as a general description of the District's

authority to impose and collect rates, fees, tolls and charges, and all other legally available revenue subject to the limitation in Section V.A.9 above.

#### **X. INTERGOVERNMENTAL AGREEMENT**

The form of the intergovernmental agreement is attached hereto as **Exhibit G**. The District shall approve the intergovernmental agreement in the form attached as **Exhibit G** within ninety (90) days of the date of organization. Failure of the District to execute the intergovernmental agreement as required herein shall constitute a material modification and shall require a Service Plan Amendment. The City Council shall consider the intergovernmental agreement in the form attached as **Exhibit G** at the public hearing concerning the Service Plan, and if the Service Plan is approved the City Council shall authorize the President of the City Council to sign the intergovernmental agreement. After execution by the parties thereto, the intergovernmental agreement may be amended by mutual agreement of the City and District, which amendment shall not require this Service Plan to be amended. In the event of conflict between the intergovernmental agreement and this Service Plan, the intergovernmental agreement shall govern.

#### **XI. CONCLUSION**

It is submitted that this Service Plan for the District, as required by Section 32-1-203(2), C.R.S., establishes that:

1. There is sufficient existing and projected need for organized service in the area to be serviced by the District;
2. The existing service in the area to be served by the District is inadequate for present and projected needs;
3. The District is capable of providing economical and sufficient service to the area within its proposed boundaries;
4. The area to be included in the District does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis; and
5. Adequate service is not, and will not be, available to the area through the City or county or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;
6. The facility and service standards of the District are compatible with the facility and service standards of the City within which the special district is to be located and each municipality which is an interested party under Section 32-1-204(1), C.R.S.;
7. The proposal is in substantial compliance with a comprehensive plan adopted pursuant to the City Code;
8. The proposal is in compliance with any duly adopted City, regional or state long-range water quality management plan for the area; and



9. The creation of the District is in the best interests of the area proposed to be served.

## **EXHIBIT A**

### **Legal Description**

#### **MERKEL TRACT:**

THE SOUTH 5 ACRES OF LOTS 11 AND 12 AND THE NORTH 10 ACRES OF LOTS 13 AND 14 IN POMONA PARK; EXCEPT THAT PART CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN BOOK 861 AT PAGE 279, COUNTY OF MESA, STATE OF COLORADO

#### **THRAILKILL TRACT I:**

ALL THAT PORTION OF THE SOUTH ONE-HALF OF LOTS 13 AND 14 OF POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, LYING NORTH OF INTERSTATE NO. 70, COUNTY OF MESA, STATE OF COLORADO.

#### **THRAILKILL TRACT II:**

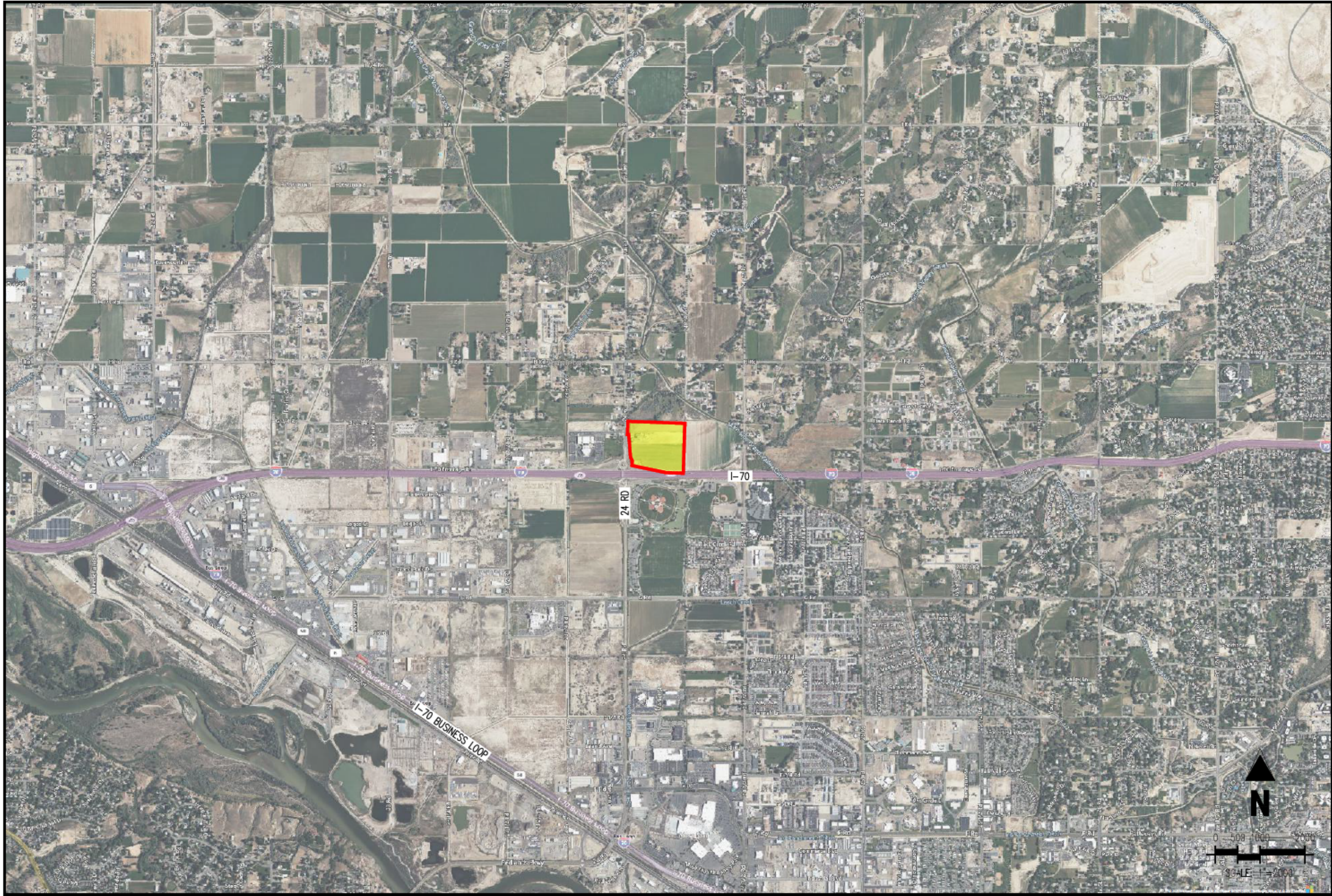
THE NORTH 15 ACRES OF LOTS 11 AND 12, POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO FOR THE RIGHT-OF-WAY OF INTERSTATE NO. 70 ON THE SOUTHWEST PORTION OF SUCH PARCEL BY INSTRUMENT RECORDED DECEMBER 26, 1963 IN BOOK 861 AT PAGE 264 UNDER RECEPTION NO. 855279, COUNTY OF MESA, STATE OF COLORADO.



## **EXHIBIT B**

### **Vicinity Map**





PROPOSED COMMERCIAL DEVELOPMENT

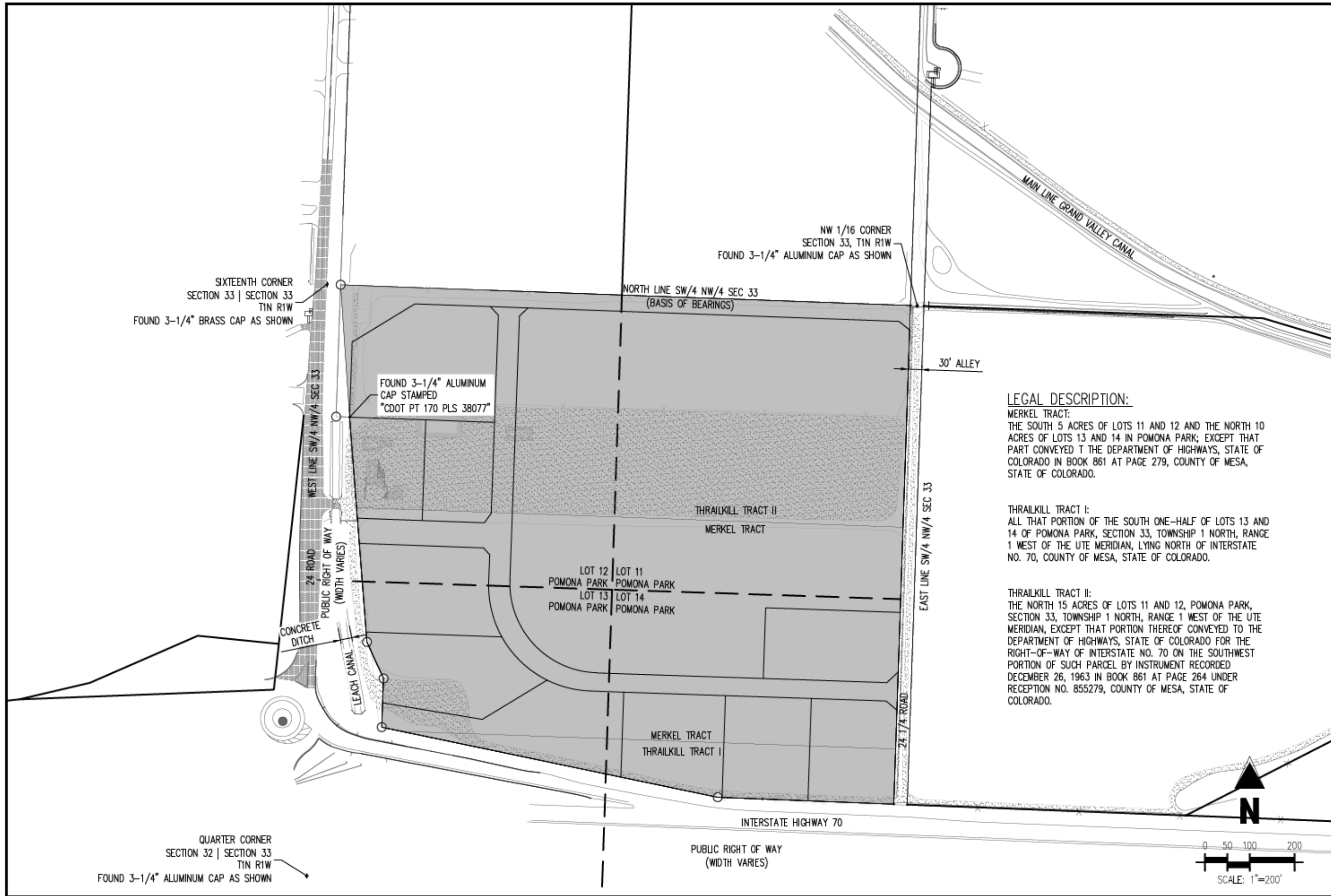
24 ROAD & I-70  
GRAND JUNCTION, CO  
EXHIBIT B - VICINITY MAP

Project No:	GOL000011.20
Drawn By:	DMH
Checked By:	JDP
Date:	06/21/2023



## **EXHIBIT C**

### **Initial District Boundary Map**

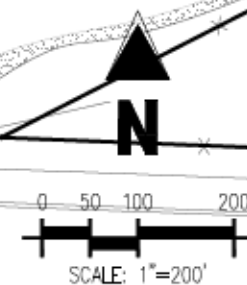


### LEGAL DESCRIPTION:

**MERKEL TRACT:**  
THE SOUTH 5 ACRES OF LOTS 11 AND 12 AND THE NORTH 10 ACRES OF LOTS 13 AND 14 IN POMONA PARK; EXCEPT THAT PART CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN BOOK 861 AT PAGE 279, COUNTY OF MESA, STATE OF COLORADO.

**THRAILKILL TRACT I:**  
ALL THAT PORTION OF THE SOUTH ONE-HALF OF LOTS 13 AND 14 OF POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, LYING NORTH OF INTERSTATE NO. 70, COUNTY OF MESA, STATE OF COLORADO.

**THRAILKILL TRACT II:**  
THE NORTH 15 ACRES OF LOTS 11 AND 12, POMONA PARK, SECTION 33, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO FOR THE RIGHT-OF-WAY OF INTERSTATE NO. 70 ON THE SOUTHWEST PORTION OF SUCH PARCEL BY INSTRUMENT RECORDED DECEMBER 26, 1963 IN BOOK 861 AT PAGE 264 UNDER RECEPTION NO. 855279, COUNTY OF MESA, STATE OF COLORADO.





**EXHIBIT D**  
**Capital Cost Estimates**

# Western Slope Metropolitan District-Capital Cost Estimates

Location: 24 Road & I-70, Grand Junction, CO

Shaw Construction: rev 06.21.23 (hard costs)

	Quantity	Unit	Unit Cost	Total Cost
<b>ONSITE DISTRICT MAINTAINED IMPROVEMENTS</b>				
6" Domestic Water Main	2,700.00	LF	\$ 100.89	\$ 272,395.76
6" Meter & Backflow Heated Utility Cabinet	1.00	EACH	\$ 47,476.00	\$ 47,476.00
8" Fire Water Main	2,500.00	LF	\$ 59.35	\$ 148,363.28
8" Meter & Backflow Heated Utility Cabinet	1.00	EACH	\$ 47,476.00	\$ 47,476.00
Water Main Fittings & Valves	30.00	EACH	\$ 7,714.93	\$ 231,447.84
Fire Hydrants	10.00	EACH	\$ 9,495.30	\$ 94,953.04
8" Sanitary Main	2,700.00	LF	\$ 41.54	\$ 112,162.96
4' Dia. Sanitary Sewer Manhole	13.00	EACH	\$ 4,747.60	\$ 61,718.80
Storm Sewer Main/ Trunk Line (Assume 30" Dia Avg.)	1,750.00	LF	\$ 237.38	\$ 415,418.64
5' Dia. Storm Sewer Manhole	13.00	EACH	\$ 7,714.88	\$ 100,293.44
Storm Sewer Inlet	10.00	EACH	\$ 5,341.13	\$ 53,411.28
<b>Sitework</b>				
Curb & Gutter	3,250.00	LF	\$ 53.41	\$ 173,585.36
Asphalt	8,000.00	SY	\$ 47.48	\$ 379,811.12
Sidewalk	20,000.00	SF	\$ 14.24	\$ 284,858.08
ADA Ramps	6.00	EACH	\$ 5,934.59	\$ 35,607.52
Signage & Striping	1.00	LS	\$ 29,672.24	\$ 29,672.24
Street Lighting (Base & Lightpoles)	8.00	EACH	\$ 13,548.60	\$ 108,388.80
Organizing Feature	1.00	LS	\$ 29,672.24	\$ 29,672.24
<b>Detention Pond</b>				
Headwall	1.00	EACH	\$ 11,869.52	\$ 11,869.52
Forebay	1.00	EACH	\$ 23,738.00	\$ 23,738.00
Trickle Channel	250.00	LF	\$ 46.29	\$ 11,572.08
Outlet Structure	1.00	EACH	\$ 22,254.96	\$ 22,254.96
48" RCP (In)	80.00	LF	\$ 391.68	\$ 31,334.16
30" RCP (Out)	100.00	LF	\$ 178.04	\$ 17,803.76
<b>Erosion/Sediment Control &amp; Demolition</b>				
General Erosion Control (Install & Management)	4.20	ACRE	\$ 7,121.52	\$ 29,910.40
Demolition of Building/Structure	8.00	EACH	\$ 22,254.57	\$ 178,036.56
Demo Existing Asphalt Pavement	8000.00	SY	\$ 47.48	\$ 379,811.12
<b>Earthwork</b>				
Site Clear, Grub, Topsoil Strip/Export	4.20	ACRE	\$ 29,910.15	\$ 125,622.64
Cut/Fill with Onsite Material	4.20	ACRE	\$ 53,410.93	\$ 224,325.92
Import Select Fill	2100.00	CY	\$ 35.61	\$ 74,774.96
Cut and Export	2100.00	CY	\$ 17.80	\$ 37,388.00
Cut and Export From Pond	9000.00	CY	\$ 17.80	\$ 160,232.80
<b>Landscape &amp; Irrigation</b>				
Landscaping and Irrigation (General)	12000.00	SF	\$ 6.53	\$ 78,335.92
<b>Sub-Total - Onsite District-Maintained Improvements</b>				<b>\$ 4,033,723.20</b>
<b>OFFSITE DISTRICT IMPROVEMENTS</b>				
Connection to Existing Water	3.00	EACH	\$ 17,803.76	\$ 53,411.28
8" Water Main	2,500.00	LF	\$ 56.02	\$ 140,055.76
Water Main Fittings & Valves	15.00	EACH	\$ 7,714.93	\$ 115,723.92
Fire Hydrants	1.00	EACH	\$ 9,495.20	\$ 9,495.20
Water Bore Under Grand Valley Canal	100.00	LF	\$ 237.38	\$ 23,738.00
Connection to Existing Sanitary Manhole	1.00	EACH	\$ 2,374.32	\$ 2,374.32
8" Sanitary Main	300.00	LF	\$ 65.28	\$ 19,584.24
4' Dia. Sanitary Sewer Manhole	3.00	EACH	\$ 5,341.09	\$ 16,023.28
Storm Sewer Main (Assume 24" Dia Avg.)	200.00	LF	\$ 130.56	\$ 26,112.32
5' Dia. Storm Sewer Manhole	4.00	EACH	\$ 7,714.98	\$ 30,859.92
Sanitary Bore Under I-70	200.00	LF	\$ 1,691.35	\$ 338,269.36
Storm Sewer Inlet	4.00	EACH	\$ 5,934.50	\$ 23,738.00
Triple 4'x8' Box Culvert (Along 24 Road)	360.00	LF	\$ 2,522.18	\$ 907,986.56
Culvert for Grand Valley Canal	50.00	LF	\$ 2,029.62	\$ 101,481.12
Channel Improvements	1,000.00	LF	\$ 10.09	\$ 10,089.04
Headwalls	6.00	EACH	\$ 35,607.35	\$ 213,644.08
<b>Public ROW Improvements</b>				
Curb & Gutter	6,800.00	LF	\$ 53.41	\$ 363,194.00
Asphalt	8,000.00	SY	\$ 71.21	\$ 569,717.20
Sidewalk	15,000.00	SF	\$ 14.24	\$ 213,644.08
ADA Ramps	12.00	EACH	\$ 5,934.59	\$ 71,215.04



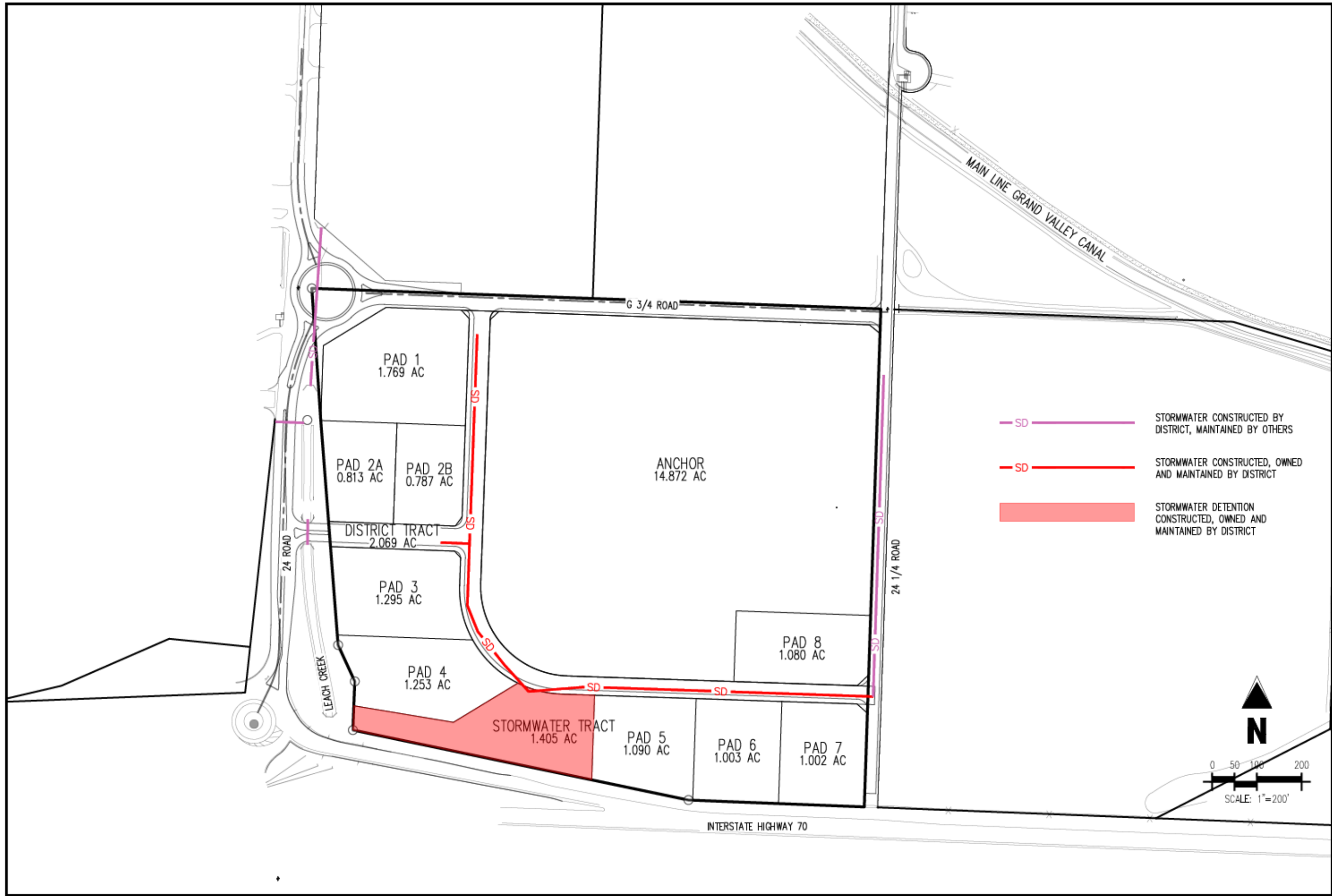
Signage & Striping	1.00	LS	\$ 41,541.76	\$ 41,541.76
Street Lighting (Base & Lightpoles)	8.00	EACH	\$ 13,548.60	\$ 108,388.80
<b>Erosion/Sedimentation Control &amp; Demolition</b>				
General Erosion Control (Install & Management)	3.20	ACRE	\$ 7,121.40	\$ 22,788.48
Demo of Existing Site Entrance/Culvert	1.00	EACH	\$ 17,803.76	\$ 17,803.76
Demo Existing Pavement	3,000.00	SY	\$ 47.48	\$ 142,429.04
Demo Existing Curb & Gutter	1,000.00	LF	\$ 2.97	\$ 2,967.12
<b>Earthwork</b>				
Site Clear, Grub, Topsoil Strip/Export	3.20	ACRE	\$ 29,910.08	\$ 95,712.24
Cut/Fill with Onsite Material	3.20	ACRE	\$ 53,410.83	\$ 170,914.64
Import Select Fill	1,600	CY	\$ 35.61	\$ 56,971.20
Cut and Export	1,600	CY	\$ 17.80	\$ 28,485.60
<b>Landscape &amp; Irrigation</b>				
Landscaping and Irrigation (General)	20,000.00	SF	\$ 6.53	\$ 130,560.56
<b>Sub-Total - Offsite District Improvements</b>				<b>\$ 4,068,919.92</b>
<b>Onsite District Maintained Improvements - 24 1/4 Road</b>				
<b>Utilities</b>				
Storm Sewer Main/Trunk Line (Assume 24" Dia Avg.)	750	LF	\$ 156.00	\$ 117,000.00
5' Diameter Storm Sewer Manhole	1	EA	\$ 8,320.00	\$ 8,320.00
Storm Sewer Inlet	4	EA	\$ 9,360.00	\$ 37,440.00
<b>Sitework</b>				
Curb & Gutter	1,750	LF	\$ 22.88	\$ 40,040.00
Concrete Pavement	2,400	SY	\$ 130.00	\$ 312,000.00
Sidewalk	4,370	SF	\$ 5.75	\$ 25,132.74
ADA Ramps	4	EA	\$ 2,080.00	\$ 8,320.00
Street Lighting (Base & Lightpoles)	6	EA	\$ 6,240.00	\$ 37,440.00
<b>Sub-Total - Onsite District Maintained Improvements - 24 1/4 Road</b>				<b>\$ 585,692.74</b>
<b>Sub-Total All Improvements</b>				<b>\$ 8,688,335.86</b>
Contingency (15%)	15.0%			\$ 1,303,250.38
General Contractor General Conditions (3.5%)	3.5%			\$ 304,091.76
General Contractors OH & Profit (5%)	5.0%			\$ 434,416.79
<b>Subtotal Hard Cost Improvements</b>				<b>\$ 10,730,094.79</b>
<b>DISTRICT SOFT COSTS</b>				
Engineering and Design				\$ 235,280.68
Survey				\$ 18,100.00
Engineering related to District				\$ 15,000.00
Geotechnical Engineering				\$ 9,000.00
Legal				\$ 175,000.00
Bond Counsel				\$ 30,000.00
Entitlement Fees and Permits				\$ 12,500.00
<b>Subtotal Soft Costs</b>				<b>\$ 494,880.68</b>
Contingency (15%)	15.0%			\$ 74,232.10
<b>Subtotal District Soft Costs</b>				<b>\$ 569,112.78</b>
<b>DISTRICT LAND COSTS</b>				
Ring Road in District	121,968.00	SQFT	\$ 5.50	\$ 670,824.00
Detention Pond	60,984.00	SQFT	\$ 5.50	\$ 335,412.00
<b>Subtotal District Land</b>				<b>\$ 1,006,236.00</b>
<b>TOTAL DISTRICT IMPROVEMENTS</b>				<b>\$ 12,305,443.57</b>
<b>Dry Utilities (Not Eligible for District)</b>				
Electric/Telecom Trench and Backfill	3,300.00	LF	\$ 17.12	\$ 58,751.68
Electric transformer, Meter, Cabinet	1.00	EACH	\$ 285,314.90	\$ 296,727.60
Gas Main line	3,300.00	LF	\$ 17.12	\$ 58,751.68
<b>Subtotal Total Dry Utilities</b>				<b>\$ 414,230.96</b>

## **EXHIBIT E**

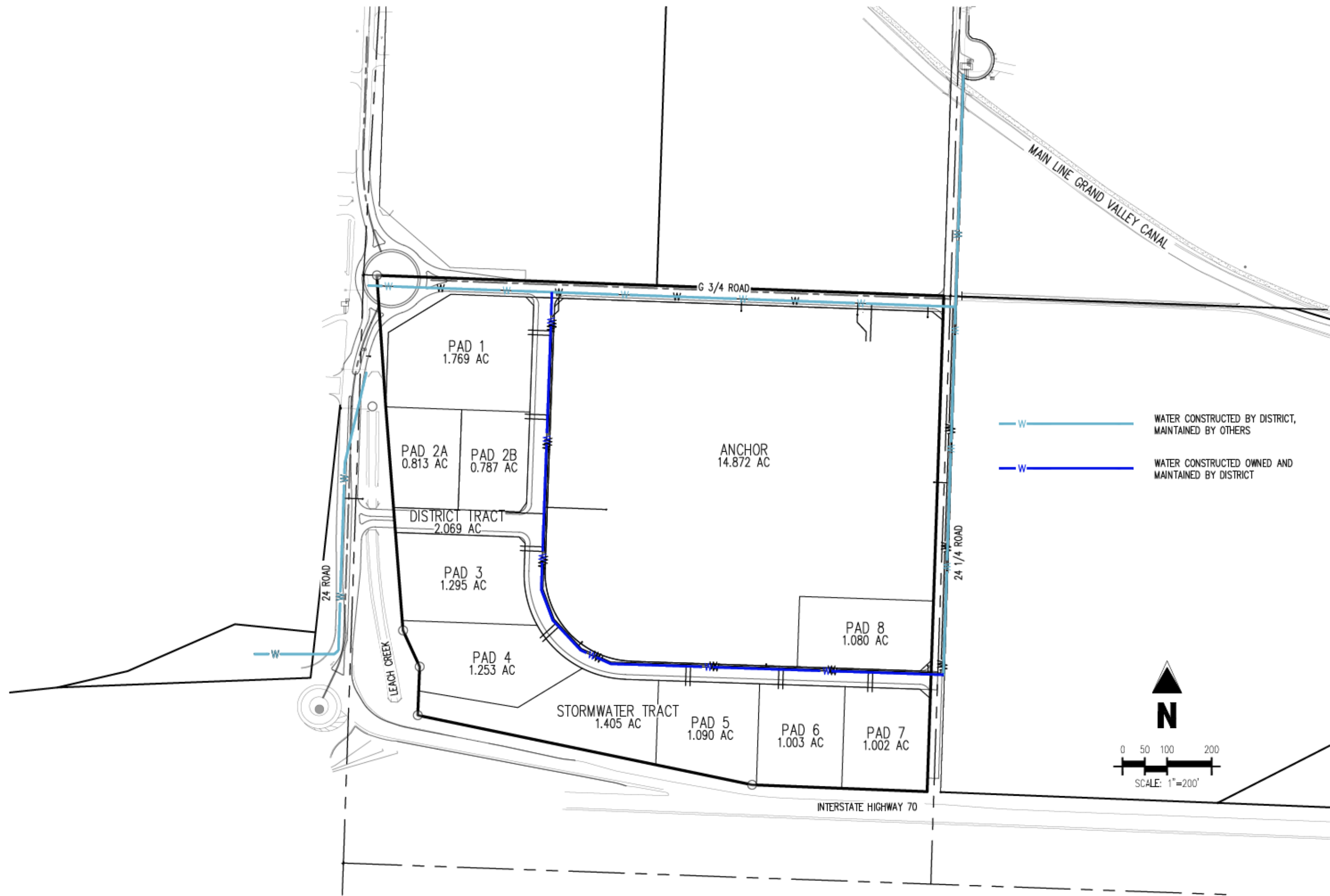
### **Maps Depicting Public Improvements**



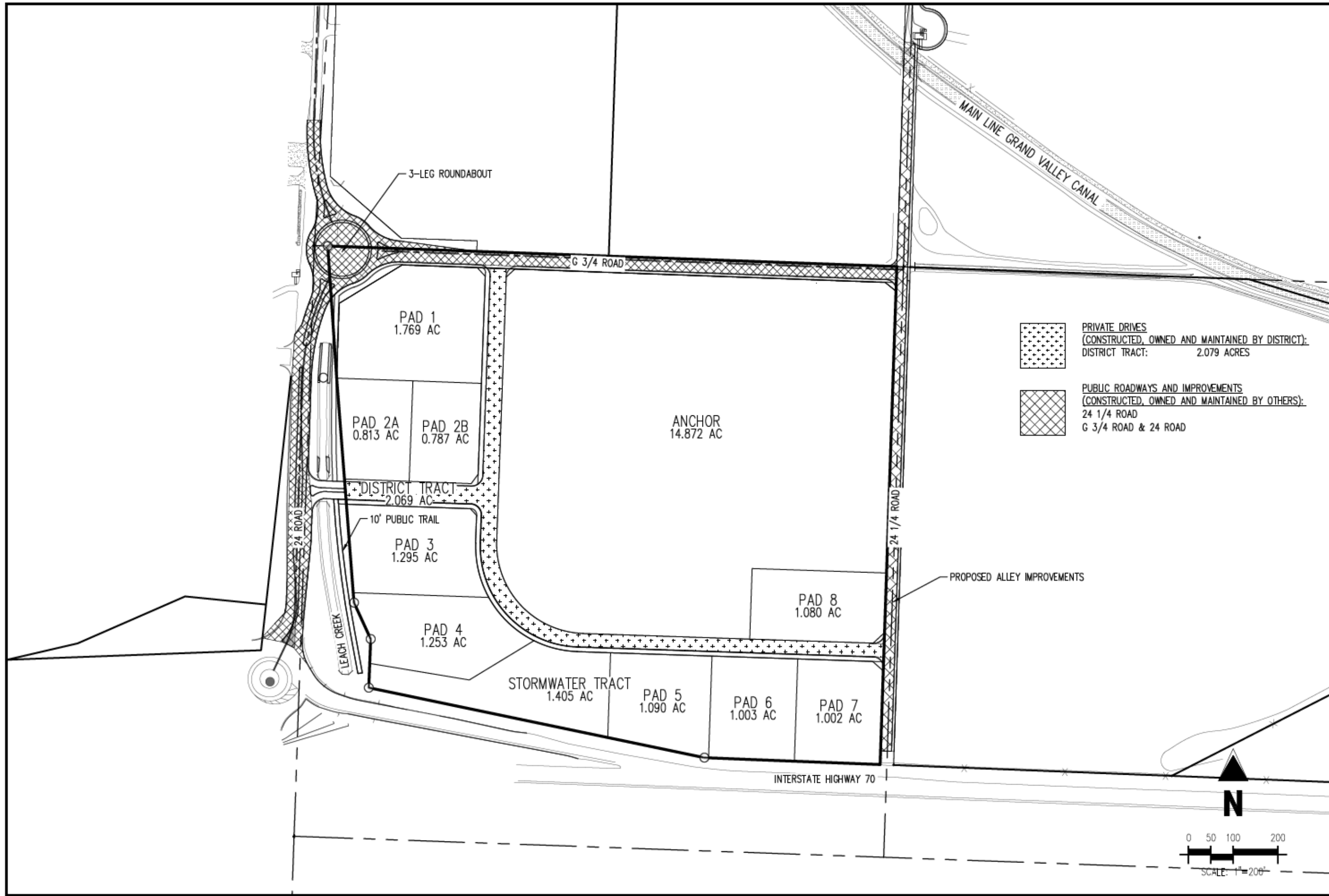








Project No:	GOL000011.20
Drawn By:	DMH
Checked By:	JDP
Date:	06/21/2023







## **EXHIBIT F**

### **Financial Plan**



WESTERN SLOPE METROPOLITAN DISTRICT Revenue  
Calculation

	Retailer Sales	Total Sales	Sales Tax Revenue				Other	Total	Expenses		Total
	Taxable Sales Revenue*	Taxable Sales Revenue	City (unencumbered)	County (remitted)	Total Available	District Share of Total Avail.	Required Pledge	Available Revenue	Annual Trustee Fee	Operations Carve Out	Revenue Available for Debt Service
			5/T Collections 2.00% Tax Rate	5/T Collections 0.00% Tax Rate	2.00% Tax Rate	68.00% through 2043	(for 136x)		\$4,000	\$100,000 Inflated at 1.0%	
2022											
2023	0	0				0		0	0	0	0
2024	13,662,000	13,662,000	273,240	0	273,240	185,803	0	185,803	0	0	185,803
2025	86,890,320	86,890,320	1,737,808	0	1,737,808	1,181,708	0	1,181,708	(4,000)	(101,000)	1,076,708
2026	92,103,739	92,103,739	1,842,075	0	1,842,075	1,252,611	399,115	1,651,726	(4,000)	(102,010)	1,545,716
2027	96,708,926	96,708,926	1,934,179	0	1,934,179	1,315,241	419,551	1,734,793	(4,000)	(103,030)	1,627,763
2028	101,544,372	101,544,372	2,030,887	0	2,030,887	1,381,003	444,662	1,825,665	(4,000)	(104,060)	1,717,605
2029	105,606,147	105,606,147	2,112,123	0	2,112,123	1,436,244	460,224	1,896,467	(4,000)	(105,101)	1,787,366
2030	109,830,393	109,830,393	2,196,008	0	2,196,008	1,493,693	481,382	1,975,076	(4,000)	(106,152)	1,864,924
2031	114,223,609	114,223,609	2,284,472	0	2,284,472	1,553,441	500,422	2,053,864	(4,000)	(107,214)	1,942,650
2032	118,792,553	118,792,553	2,375,851	0	2,375,851	1,615,579	523,503	2,139,142	(4,000)	(108,286)	2,026,856
2033	123,544,255	123,544,255	2,470,885	0	2,470,885	1,680,202	543,082	2,223,284	(4,000)	(109,369)	2,109,915
2034	127,250,583	127,250,583	2,545,012	0	2,545,012	1,730,608	561,742	2,292,350	(4,000)	(110,462)	2,177,888
2035	131,068,101	131,068,101	2,621,302	0	2,621,302	1,782,526	577,753	2,360,279	(4,000)	(111,567)	2,244,713
2036	135,000,144	135,000,144	2,700,003	0	2,700,003	1,836,002	597,382	2,433,384	(4,000)	(112,683)	2,316,701
2037	139,050,148	139,050,148	2,781,003	0	2,781,003	1,891,082	612,054	2,504,036	(4,000)	(113,809)	2,386,226
2038	143,221,652	143,221,652	2,864,433	0	2,864,433	1,947,814	637,482	2,585,296	(4,000)	(114,947)	2,466,349
2039	147,518,302	147,518,302	2,950,366	0	2,950,366	2,006,249	656,100	2,662,349	(4,000)	(116,097)	2,542,253
2040	151,943,851	151,943,851	3,038,877	0	3,038,877	2,066,436	675,070	2,741,507	(4,000)	(117,258)	2,620,249
2041	156,502,167	156,502,167	3,130,043	0	3,130,043	2,128,429	700,211	2,828,640	(4,000)	(118,430)	2,706,210
2042	161,197,232	161,197,232	3,223,945	0	3,223,945	2,192,282	716,652	2,908,935	(4,000)	(119,615)	2,785,320
2043	166,033,149	166,033,149	3,320,663	0	3,320,663	2,258,051	742,125	3,000,176	(4,000)	(120,811)	2,875,365
Total			48,433,833	0	48,433,833	32,935,006	10,249,473	43,184,479	(76,000)	(2,101,900)	41,006,579

[\*] Retailer / Developer Projections thru 2043; Assumes 2 mos. in 2024 (ltd)

WESTERN SLOPE METROPOLITAN DISTRICT Senior Debt  
Service

	Total	Net Debt Service	Senior Surplus Fund			Ratio Analysis	
		Series 2024	Annual Surplus	Cumulative Balance	Released Revenue	Senior Debt to Assessed Value	Debt Service Coverage
	Dated: 2/1/24						
	Revenue Available for Debt Service	Par: \$18,815,000 Proj: \$12,600,000					
2022							
2023	0						
2024	185,803	0	185,803	185,803	0		n/a
2025	1,076,708	359,992	716,717	902,520	0		299%
2026	1,545,716	1,144,975	400,741	1,303,261	0		135%
2027	1,627,763	1,205,750	422,013	1,661,500	63,774		135%
2028	1,717,605	1,272,300	445,305	1,661,500	445,305		135%
2029	1,787,366	1,323,975	463,391	1,661,500	463,391		135%
2030	1,864,924	1,381,425	483,499	1,661,500	483,499		135%
2031	1,942,650	1,439,000	503,650	1,661,500	503,650		135%
2032	2,026,856	1,501,375	525,481	1,661,500	525,481		135%
2033	2,109,915	1,562,900	547,015	1,661,500	547,015		135%
2034	2,177,888	1,613,250	564,638	1,661,500	564,638		135%
2035	2,244,713	1,662,750	581,963	1,661,500	581,963		135%
2036	2,316,701	1,716,075	600,626	1,661,500	600,626		135%
2037	2,386,226	1,767,575	618,651	1,661,500	618,651		135%
2038	2,466,349	1,826,925	639,424	1,661,500	639,424		135%
2039	2,542,253	1,883,150	659,103	1,661,500	659,103		135%
2040	2,620,249	1,940,925	679,324	1,661,500	679,324		135%
2041	2,706,210	2,004,600	701,610	1,661,500	701,610		135%
2042	2,785,320	2,063,200	722,120	1,661,500	722,120		135%
2043	2,875,365	2,129,900	745,465	0	2,406,965		135%
Total	41,006,579	29,800,042	11,206,537		11,206,537		



## SOURCES AND USES OF FUNDS

**WESTERN SLOPE METROPOLITAN DISTRICT MESA  
COUNTY, COLORADO  
GENERAL OBLIGATION BONDS, SERIES 2024  
\$12.500M Project  
100x, Available Credit PIF Revenues (Retailer only)\*  
Non-Rated, 2043 Final Maturity**

Dated Date 02/01/2024  
Delivery Date 02/01/2024

### Sources:

Bond Proceeds:	
Par Amount	16,615,000.00
	16,615,000.00

### Uses:

Project Fund Deposits:	
Project Fund	12,500,000.00
Other Fund Deposits:	
Capitalized Interest Fund (18mos.)	1,619,962.50
Debt Service Reserve Fund	1,661,500.00
	3,281,462.50
Cost of Issuance:	500,000.00
Delivery Date Expenses:	
Underwriter's Discount	332,300.00
Other Uses of Funds:	
Rounding Amount	1,237.50
	16,615,000.00

[\*] Developer Projections (tbd).

## BOND SUMMARY STATISTICS

**WESTERN SLOPE METROPOLITAN DISTRICT MESA  
COUNTY, COLORADO  
GENERAL OBLIGATION BONDS, SERIES 2024  
\$12.500M Project  
100x, Available Credit PIF Revenues (Retailer only)\*  
Non-Rated, 2043 Final Maturity**

Dated Date	02/01/2024
Delivery Date	02/01/2024
First Coupon	06/01/2024
Last Maturity	12/01/2043
Arbitrage Yield	6.501212%
True Interest Cost (TIC)	6.718335%
Net Interest Cost (NIC)	6.500000%
All-In TIC	7.057252%
Average Coupon	6.500000%
Average Life (years)	15.247
Weighted Average Maturity (years)	15.247
Duration of Issue (years)	9.576
Par Amount	16,615,000.00
Bond Proceeds	16,615,000.00
Total Interest	16,466,504.17
Net Interest	16,798,804.17
Bond Years from Dated Date	253,330,833.33
Bond Years from Delivery Date	253,330,833.33
Total Debt Service	33,081,504.17
Maximum Annual Debt Service	3,791,400.00
Average Annual Debt Service	1,667,975.00
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	20.000000
Total Underwriter's Discount	20.000000
Bid Price	98.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	Average Maturity Date	PV of 1 bp change
Term Bond due 2043	16,615,000.00	100.000	6.500%	15.247	05/02/2039	18,442.65
	16,615,000.00			15.247		18,442.65

	TIC	All-In TIC	Arbitrage Yield
Par Value	16,615,000.00	16,615,000.00	16,615,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-332,300.00	-332,300.00	
- Cost of Issuance Expense		-500,000.00	
- Other Amounts			
Target Value	16,282,700.00	15,782,700.00	16,615,000.00
Target Date	02/01/2024	02/01/2024	02/01/2024
Yield	6.718335%	7.057252%	6.501212%



## BOND DEBT SERVICE

**WESTERN SLOPE METROPOLITAN DISTRICT MESA  
COUNTY, COLORADO  
GENERAL OBLIGATION BONDS, SERIES 2024  
\$12.500M Project  
100x, Available Credit PIF Revenues (Retailer only)\*  
Non-Rated, 2043 Final Maturity**

Dated Date                      02/01/2024  
Delivery Date                02/01/2024

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
06/01/2024			359,991.67	359,991.67	
12/01/2024			539,987.50	539,987.50	899,979.17
06/01/2025			539,987.50	539,987.50	
12/01/2025			539,987.50	539,987.50	1,079,975.00
06/01/2026			539,987.50	539,987.50	
12/01/2026	65,000	6.500%	539,987.50	604,987.50	1,144,975.00
06/01/2027			537,875.00	537,875.00	
12/01/2027	130,000	6.500%	537,875.00	667,875.00	1,205,750.00
06/01/2028			533,650.00	533,650.00	
12/01/2028	205,000	6.500%	533,650.00	738,650.00	1,272,300.00
06/01/2029			526,987.50	526,987.50	
12/01/2029	270,000	6.500%	526,987.50	796,987.50	1,323,975.00
06/01/2030			518,212.50	518,212.50	
12/01/2030	345,000	6.500%	518,212.50	863,212.50	1,381,425.00
06/01/2031			507,000.00	507,000.00	
12/01/2031	425,000	6.500%	507,000.00	932,000.00	1,439,000.00
06/01/2032			493,187.50	493,187.50	
12/01/2032	515,000	6.500%	493,187.50	1,008,187.50	1,501,375.00
06/01/2033			476,450.00	476,450.00	
12/01/2033	610,000	6.500%	476,450.00	1,086,450.00	1,562,900.00
06/01/2034			456,625.00	456,625.00	
12/01/2034	700,000	6.500%	456,625.00	1,156,625.00	1,613,250.00
06/01/2035			433,875.00	433,875.00	
12/01/2035	795,000	6.500%	433,875.00	1,228,875.00	1,662,750.00
06/01/2036			408,037.50	408,037.50	
12/01/2036	900,000	6.500%	408,037.50	1,308,037.50	1,716,075.00
06/01/2037			378,787.50	378,787.50	
12/01/2037	1,010,000	6.500%	378,787.50	1,388,787.50	1,767,575.00
06/01/2038			345,962.50	345,962.50	
12/01/2038	1,135,000	6.500%	345,962.50	1,480,962.50	1,826,925.00
06/01/2039			309,075.00	309,075.00	
12/01/2039	1,265,000	6.500%	309,075.00	1,574,075.00	1,883,150.00
06/01/2040			267,962.50	267,962.50	
12/01/2040	1,405,000	6.500%	267,962.50	1,672,962.50	1,940,925.00
06/01/2041			222,300.00	222,300.00	
12/01/2041	1,560,000	6.500%	222,300.00	1,782,300.00	2,004,600.00
06/01/2042			171,600.00	171,600.00	
12/01/2042	1,720,000	6.500%	171,600.00	1,891,600.00	2,063,200.00
06/01/2043			115,700.00	115,700.00	
12/01/2043	3,560,000	6.500%	115,700.00	3,675,700.00	3,791,400.00
	16,615,000		16,466,504.17	33,081,504.17	33,081,504.17

## NET DEBT SERVICE

**WESTERN SLOPE METROPOLITAN DISTRICT MESA  
COUNTY, COLORADO  
GENERAL OBLIGATION BONDS, SERIES 2024  
\$12.500M Project  
100x, Available Credit PIF Revenues (Retailer only)\*  
Non-Rated, 2043 Final Maturity**

Period Ending	Principal	Interest	Total Debt Service	Debt Service Reserve Fund	Capitalized Interest Fund (18mos.)	Net Debt Service
12/01/2024		899,979.17	899,979.17		899,979.17	
12/01/2025		1,079,975.00	1,079,975.00		719,983.33	359,991.67
12/01/2026	65,000	1,079,975.00	1,144,975.00			1,144,975.00
12/01/2027	130,000	1,075,750.00	1,205,750.00			1,205,750.00
12/01/2028	205,000	1,067,300.00	1,272,300.00			1,272,300.00
12/01/2029	270,000	1,053,975.00	1,323,975.00			1,323,975.00
12/01/2030	345,000	1,036,425.00	1,381,425.00			1,381,425.00
12/01/2031	425,000	1,014,000.00	1,439,000.00			1,439,000.00
12/01/2032	515,000	986,375.00	1,501,375.00			1,501,375.00
12/01/2033	610,000	952,900.00	1,562,900.00			1,562,900.00
12/01/2034	700,000	913,250.00	1,613,250.00			1,613,250.00
12/01/2035	795,000	867,750.00	1,662,750.00			1,662,750.00
12/01/2036	900,000	816,075.00	1,716,075.00			1,716,075.00
12/01/2037	1,010,000	757,575.00	1,767,575.00			1,767,575.00
12/01/2038	1,135,000	691,925.00	1,826,925.00			1,826,925.00
12/01/2039	1,265,000	618,150.00	1,883,150.00			1,883,150.00
12/01/2040	1,405,000	535,925.00	1,940,925.00			1,940,925.00
12/01/2041	1,560,000	444,600.00	2,004,600.00			2,004,600.00
12/01/2042	1,720,000	343,200.00	2,063,200.00			2,063,200.00
12/01/2043	3,560,000	231,400.00	3,791,400.00	1,661,500		2,129,900.00
	16,615,000	16,466,504.17	33,081,504.17	1,661,500	1,619,962.50	29,800,041.67



## BOND SOLUTION

### WESTERN SLOPE METROPOLITAN DISTRICT MESA COUNTY, COLORADO GENERAL OBLIGATION BONDS, SERIES 2024 \$12.500M Project 100x, Available Credit PIF Revenues (Retailer only)\* Non-Rated, 2043 Final Maturity

Period Ending	Proposed Principal	Proposed Debt Service	Debt Service Adjustments	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Service Coverage
12/01/2024		899,979	-899,979		185,803	185,803	
12/01/2025		1,079,975	-719,983	359,992	1,076,708	716,717	299.09%
12/01/2026	65,000	1,144,975		1,144,975	1,146,601	1,626	100.14%
12/01/2027	130,000	1,205,750		1,205,750	1,208,211	2,461	100.20%
12/01/2028	205,000	1,272,300		1,272,300	1,272,943	643	100.05%
12/01/2029	270,000	1,323,975		1,323,975	1,327,143	3,168	100.24%
12/01/2030	345,000	1,381,425		1,381,425	1,383,541	2,116	100.15%
12/01/2031	425,000	1,439,000		1,439,000	1,442,228	3,228	100.22%
12/01/2032	515,000	1,501,375		1,501,375	1,503,293	1,918	100.13%
12/01/2033	610,000	1,562,900		1,562,900	1,566,833	3,933	100.25%
12/01/2034	700,000	1,613,250		1,613,250	1,616,146	2,896	100.18%
12/01/2035	795,000	1,662,750		1,662,750	1,666,959	4,209	100.25%
12/01/2036	900,000	1,716,075		1,716,075	1,719,319	3,244	100.19%
12/01/2037	1,010,000	1,767,575		1,767,575	1,773,273	5,698	100.32%
12/01/2038	1,135,000	1,826,925		1,826,925	1,828,867	1,942	100.11%
12/01/2039	1,265,000	1,883,150		1,883,150	1,886,152	3,002	100.16%
12/01/2040	1,405,000	1,940,925		1,940,925	1,945,179	4,254	100.22%
12/01/2041	1,560,000	2,004,600		2,004,600	2,005,999	1,399	100.07%
12/01/2042	1,720,000	2,063,200		2,063,200	2,068,668	5,468	100.27%
12/01/2043	3,560,000	3,791,400	-1,661,500	2,129,900	2,133,240	3,340	100.16%
	16,615,000	33,081,504	-3,281,463	29,800,042	30,757,106	957,064	

## **EXHIBIT G**

### **Form Intergovernmental Agreement Between the District and Grand Junction**

#### **INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION, COLORADO AND WESTERN SLOPE METROPOLITAN DISTRICT**

THIS AGREEMENT is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, by and between the CITY OF GRAND JUNCTION, a home-rule municipal corporation of the State of Colorado ("City"), and WESTERN SLOPE METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the "District"). The City and the District are collectively referred to as the Parties.

#### **RECITALS**

WHEREAS, the District was organized to provide those services and to exercise powers as are more specifically set forth in the District's Service Plan approved by the City on \_\_\_\_\_ ("Service Plan"); and

WHEREAS, the Service Plan makes reference to the execution of an intergovernmental agreement between the City and the District; and

WHEREAS, the City and the District have determined it to be in the best interests of their respective taxpayers, residents and property owners to enter into this Intergovernmental Agreement ("Agreement").

NOW, THEREFORE, in consideration of the covenants and mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

#### **COVENANTS AND AGREEMENTS**

1. Operations and Maintenance. The District shall dedicate the Public Improvements (as defined in the Service Plan) to the City, other jurisdiction, or an owners' association, as appropriate, in a manner consistent with an Approved Development Plan and other rules and regulations of the City and applicable provisions of the City Code.

The District is expected to undertake all ownership, operations and maintenance responsibilities for the Public Improvements that are not conveyed to the City or other governmental entities as appropriate and will do so either itself or by contract with owners' association(s) as provided above. The District is authorized to provide for the ongoing operations and maintenance of landscaping improvements, and is authorized to provide covenant enforcement services, in accordance with Section 32-1-1004(8)(a), C.R.S. Additional ongoing operational activities are allowed, but only as authorized by an intergovernmental agreement with the City. Revenue to pay the expenses of operations may be obtained from fees legally imposed by the District or other legally available revenues of the District subject to the limitation



in Section V.A.9 of the Service Plan. Whether the facilities are operated directly by District, or are operated by an owners' association(s), user fees may be obtained by the District to offset the expenses.

2. Acquisition of Land for Public Improvements and Easements. The District agrees to acquire by easement or plat dedication, or cause the dedication to the City of, all land required by the City for construction of public improvements being provided by the District that will be conveyed to the City. Exceptions must be approved by the City in writing. Failure to comply with this provision shall be deemed to be a material modification of the Service Plan.

3. Construction Standards. The District will ensure that the Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction and in accordance with the requirements of an Approved Development Plan. The District will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work. All construction cost estimates are based on the assumption that construction conforms to applicable local, State, and Federal requirements.

4. Issuance of Privately Placed Debt.

(a) Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor substantially as follows:

We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

To the extent any portion of the Debt is to be issued through a private placement to which Section 32-1-1101(7)(a), C.R.S. would apply (the "Interest Rate Restricted Debt Portion"), the requirements of such Section shall apply to determine the interest rate on the Interest Rate Restricted Debt Portion of the Debt.

(b) Such certification shall be provided to the City by the District no later than ten (10) days following the issuance of any such privately placed Debt.

5. Inclusion Limitation. The District shall not include within its boundaries any property outside the Service Area until such inclusion has been approved by the City as part of a Service Plan Amendment.

6. Overlap Limitation. The District shall not consent to the organization of any other district organized under the Special District Act within the Service Area which will overlap the boundaries of the District until such overlap has been approved by the City as part of a Service Plan Amendment.

7. Initial Debt Limitation. On or before the effective date of approval by the City of an Approved Development Plan, the District shall not: (a) issue any Debt; nor (b) impose a mill levy for the payment of Debt by direction imposition or by transfer of funds from the operating fund to the Debt service fund; nor (c) impose and collect any fees for the purpose of repayment of Debt.

8. Monies from Other Governments/Sources. The District shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or non-profit entities that the City is eligible to apply for, except pursuant to an intergovernmental agreement with the City. This section shall not apply to specific ownership taxes which shall be distributed to and a revenue source for the District without any limitation.

9. Total Debt Issuance. The District shall not issue Debt in excess of twenty million dollars (\$20,000,000).

10. Consolidation. The District shall not file a request with any Court to consolidate with another Title 32 district without the prior written consent of the City.

11. Bankruptcy Limitation. All of the limitations contained in the Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, C.R.S. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

(b) Are, together with all other requirements of Colorado law, included in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable nonbankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt issued with a pledge or which results in a pledge that exceeds the Maximum Debt Mill Levy shall be deemed a material modification of this Service Plan pursuant to Section 32-1-207, C.R.S., and shall not be an authorized issuance of Debt unless and until such material modification has been approved by the City as part of a Service Plan Amendment.

12. Dissolution. Upon an independent determination of the City Council that the purposes for which the District was created have been accomplished, the District agrees to file a petition in the appropriate District Court for dissolution pursuant to the applicable State statutes. In no event shall a dissolution occur until the District has provided for the payment or discharge



of all of its outstanding indebtedness and other financial obligations as required pursuant to State statutes.

13. Disclosure to Purchasers. The District will use reasonable efforts to assure that all developers of property located within the District provide written notice to all purchasers of property in the District regarding the Maximum Debt Mill Levy, as well as a general description of the District's authority to impose and collect rates, fees, tolls and charges, and all other legally available revenue.

14. Service Plan Amendment Requirement. Actions of the District which violate the limitations set forth in the Service Plan or this Agreement shall be deemed to be material modifications to the Service Plan and breaches of this Agreement and the City shall be entitled to all remedies available at law or in equity under State and local law.

15. Annual Report. The District shall be responsible for submitting an annual report to the City Attorney's office no later than August 1<sup>st</sup> of each year.

(a) Report Contents.

The annual report shall include information as applicable for the reporting year as follows:

- (i) Boundary changes made.
- (ii) Intergovernmental Agreements with other governmental entities, either entered into or terminated.
- (iii) Access information to obtain a copy of rules and regulations adopted by the Board.
- (iv) A summary of all litigation involving public improvements owned by the District.
- (v) The status of the construction of public improvements by the District.
- (vi) A list of all facilities or improvements constructed by the District that were conveyed or dedicated to the City.
- (vii) The final assessed valuation of the District as of December 31 of the reporting year.
- (viii) A copy of the current year's budget.
- (ix) A copy of the audited financial statements, if required by the 'Colorado Local Government Audit Law', Part 6 of Article 1 of Title 29, or the application for exemption from audit, as applicable.

(x) Notice of any uncured defaults existing for more than ninety (90) days under any Debt instrument of the District.

(xi) Any inability of the District to pay its obligations as they come due under any obligation which continues beyond a ninety (90) day period.

16. Maximum Debt Mill Levy. The “Maximum Debt Mill Levy” shall be the maximum mill levy the District is permitted to impose upon the taxable property within the District for payment of Debt, as set forth below:

(a) The Maximum Debt Mill Levy shall be fifty (50) mills; subject to the Mill Levy Adjustment (as that term is defined in the Service Plan).

(b) To the extent that the District is composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, C.R.S., the term “District” as used herein shall be deemed to refer to the District and to each subdistrict separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this definition.

17. Debt Repayment Sources. The District may impose a mill levy on taxable property within its boundaries as a primary source of revenue for repayment of debt service and for operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District’s discretion, these may include the power to assess fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(I), C.R.S., as amended from time to time, as well as any and all other legally available revenue subject to the limitation in Section V.A.9 of the Service Plan.

18. Debt Instrument Disclosure Requirement. In the text of each Bond and any other instrument representing and constituting Debt, the District shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the District authorizing the issuance of this Bond and in the Service Plan for creation of the District. Similar language describing the limitations in respect to the payment of the principal of and interest on Debt set forth in this Service Plan shall be included in any document used for the offering of the Debt for sale to persons, including, but not limited to, a developer of property within the boundaries of the District.

19. Security for Debt. Approval of the Service Plan and this Agreement shall not be construed as a guarantee by the City of payment of any of the District’s obligations, nor shall anything in the Service Plan or this Agreement be construed so as to create any responsibility or liability on the part of the City in the event of default by the District in the payment of any such obligation.



20. Notices. All notices, demands, requests or other communications to be sent by one party to the other hereunder or required by law shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the address or by courier delivery, via Federal Express or other nationally recognized overnight air courier service, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To the District                      Western Slope Metropolitan District  
   c/o McGeady Becher P.C.  
   450 E. 17th Ave., Suite 400  
   Denver, CO 80203

To the City:                              City of Grand Junction  
   c/o City Attorney  
   250 N. 5<sup>th</sup> Street  
   Grand Junction, Colorado 81501

All notices, demands, requests or other communications shall be effective upon such personal delivery or one (1) business day after being deposited with Federal Express or other nationally recognized overnight air courier service or three (3) business days after deposit in the United States mail. By giving the other party hereto at least ten (10) days written notice thereof in accordance with the provisions hereof, each of the Parties shall have the right from time to time to change its address.

21. Amendment. This Agreement may be amended, modified, changed, or terminated in whole or in part only by a written agreement duly authorized and executed by the Parties hereto and without amendment to the Service Plan.

22. Assignment. Neither Party hereto shall assign any of its rights nor delegate any of its duties hereunder to any person or entity without having first obtained the prior written consent of the other Party, which consent will not be unreasonably withheld. Any purported assignment or delegation in violation of the provisions hereof shall be void and ineffectual.

23. Default/Remedies. In the event of a breach or default of this Agreement by any Party, the non-defaulting Party shall be entitled to exercise all remedies available at law or in equity, specifically including suits for specific performance and/or monetary damages. In the event of any proceeding to enforce the terms, covenants or conditions hereof, the prevailing Party in such proceeding shall be entitled to obtain as part of its judgment or award its reasonable attorneys' fees.

24. Governing Law and Venue. This Agreement shall be governed and construed under the laws of the Mesa County, Colorado.

25. Inurement. Each of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

26. Integration. This Agreement constitutes the entire agreement between the Parties with respect to the matters addressed herein. All prior discussions and negotiations regarding the subject matter hereof are merged herein.

27. Parties Interested Herein. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon, or to give to, any person other than the District and the City any right, remedy, or claim under or by reason of this Agreement or any covenants, terms, conditions, or provisions thereof, and all the covenants, terms, conditions, and provisions in this Agreement by and on behalf of the District and the City shall be for the sole and exclusive benefit of the District and the City.

28. Severability. If any covenant, term, condition, or provision under this Agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such covenant, term, condition, or provision shall not affect any other provision contained herein, the intention being that such provisions are severable.

29. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

30. Paragraph Headings. Paragraph headings are inserted for convenience of reference only.

31. Defined Terms. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Service Plan.

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**[SIGNATURE PAGE FOR INTERGOVERNMENTAL AGREEMENT]**

**WESTERN SLOPE  
METROPOLITAN DISTRICT**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

**CITY OF GRAND JUNCTION,  
COLORADO**

By: \_\_\_\_\_  
President of the City Council

Attest:

By: \_\_\_\_\_  
Its: \_\_\_\_\_

APPROVED AS TO FORM: \_\_\_\_\_