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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, JANUARY 27, 2026 - 5:30 PM
*Attend virtually: bit.ly/GJ-PC-1-27-26 (Case Sensitive)***

Call to Order
- 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)
2. Consider a request to partially vacate a Drainage Canal Easement and Easement for Pipeline for the City of Grand Junction located at 2651 Stacy Drive on a 7.10 acre parcel in a RH-24 district to accommodate the construction of three, three-story, 24-unit apartment buildings

Regular Agenda

1. Consider a request by the City of Grand Junction to amend Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding Right-of-way Dedication, Acceptable Plant Material, and Street Frontage Landscape. **This item to be moved to the February 10, 2026 Planning Commission Hearing**
2. Consider a request by the Housing Affordability Code Task Force to amend Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding Significant Trees. **This item to be moved to the February 10, 2026 Planning Commission Hearing**
3. Consider a request by Camelback Gardens, LLC and Upland Homes, Inc for Review and Approval of a Planned Development (PD) Outline Development Plan (ODP) for the Camelback Gardens Development Proposed on a Total 10.29 Acres Located at 381 and 409 High Desert Road - **This item to be moved to the February 10, 2026 Planning Commission Hearing**

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
January 13, 2026, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:34 p.m. by Chair Sandra Weckerly.

Those present were Planning Commissioners; Orin Zyvan, Robert Quintero, Ian Moore, and Keith Ehlers.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen (Community Development Director), Thomas Lloyd (Planning Manager), Jessica Johnsen (Zoning Supervisor), Daniella Acosta Stine (Principal Planner), Tim Lehrbach (Principal Planner), Jacob Kaplan (Planning Technician), and Madeline Robinson (Planning Technician).

There were 11 members of the public in attendance, and 5 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from December 23, 2025.

2. Lowell Village Phase 2 Subdivision Extension

SUB-2019-687

Consider a request by Jeremy Nelson of Grand Junction ReGeneration LLC (owner) – to extend the plat recording deadline for the Lowell Village Phase 2 Subdivision, 32 lots on 1.63 acres in an MU-3 (Mixed Use Downtown) zone district.

3. Aspire Residential Easement Vacation

VAC-2025-61

Consider a request to partially vacate a Drainage Canal Easement and Easement for Pipeline for the City of Grand Junction located at 2651 Stacy Drive on a 7.10-acre parcel in an RH-24 district to accommodate the construction of three, three-story, 24-unit apartment buildings - **This item to be moved to the January 27th, 2026, Planning Commission Hearing**

Commissioner Quintero moved to approve the Consent Agenda.

Commissioner Moore seconded; motion passed 5-0.

REGULAR AGENDA

1. Fox Grove Subdivision Annexation

ANX-2025-421

Consider a request by Grand Junction Real Estate Investments, LLC to zone 4.88 acres located at 3071 E 1/2 Road from Mesa County Residential Single Family - 4 District (RSF-4) to Residential Medium 8 (RM-8) located at 3071 E 1/2 Road.

Staff Presentation

Daniella Acosta Stine, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Weckerly clarified that the additional exhibit being added to the record was a revision to Exhibit 6 regarding the acreage of the parcel.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gicity.org.

There were no comments from the public either in attendance or online.

The public hearing was closed at 5:44 p.m. on January 13, 2026.

Discussion

Motion and Vote

Commissioner Zyvan made the following motion “Madam Chair, on the Zone of Annexation request for the property located at 3071 E 1/2 Road, I move that the Planning Commission forward a recommendation of approval to City Council with the finding of fact as listed in the staff report.”

Commissioner Quintero seconded; motion passed 5-0.

2. Lucky Me Center Rezone

RZN-2025-293

Consider a request by Lucky Me Premises LLC, Property Owner, to rezone a total of 3.60 acres from MU-1 (Mixed-Use Neighborhood) and RM-12 (Residential Medium 12) to MU-2 (Mixed -Use Light Commercial), located at the northeast corner of the intersection of Patterson Road and 29 Road.

Staff Presentation

Thomas Lloyd, Planning Manager, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Zyvan asked why the application was being considered as one item given the various zoning of the parcels being rezoned.

Chair Weckerly indicated there was a typo with the public notice and the wrong zoning was provided (a parcel presently zoned RM-8, not RM-12). Staff offered that since the typo was for the previous zoning and what was indicated was a higher density zone, it was not an issue, the City Attorney advised that the Planning Commission as the decision maker could determine if the

notice was sufficient. It was clear in the notice that the request was to change to MU-2. The Planning Commission was comfortable that the notice was sufficient.

Kim Kerk with Kim Kerk Land Consulting & Development spoke on behalf of the applicant and provided a brief summary of the project.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

There were no comments from the public either in attendance or online.

The public comment period was closed at 6:01 p.m. on January 13, 2026.

Commissioner Moore read an email exchange between Gregg Palmer and Trent Prall about the adjacent intersection at 29 Rd and Patterson Rd.

The public hearing was closed at 6:04 p.m. on January 13, 2026.

Discussion

There was no additional discussion among the Commissioners.

Motion and Vote

Commissioner Quintero made the following motion “Madam Chair, on the Rezone request for the property located at the northeast corner of the intersection of Patterson Road and 29 Road, City file number RZN-2025-293, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Ehlers seconded; motion passed 5-0.

3. Morelli Annexation

ANX-2025-192

Consider a request by the Morelli Family Trust, U/A dated October 21, 2022, and Carla Morelli-Saurdiff to zone 2.56 acres from Mesa County Residential Single Family – 4 (RSF-4) to Mixed-Use Light Commercial (MU-2), Located Between 3105 E ½ Road and 3112 I-70B – Parcel No. 2943-103-00-101.

Staff Presentation

Tim Lehrbach, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There were no questions for staff.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

There were no comments from the public either in attendance or online.

The public hearing was closed at 6:09 p.m. on January 13, 2026.

Discussion

There was no additional discussion among the Commissioners.

Motion and Vote

Commissioner Quintero made the following motion “Madam Chair, on the Zone of Annexation request for the property located 3015 E ½ Road and 3112 I-70B, Parcel No. 2943-103-00-101, I move that the Planning Commission forward a recommendation of approval to City Council with the finding of fact as listed in the staff report.”

Commissioner Zyvan seconded; motion passed 5-0.

4. C ½ Road Gravel Pit CUP Extension

CUP-2021-616

Consider a request to extend Planning Commission’s conditional approval from August 22, 2023, of a Conditional Use Permit (CUP) to Allow Sand and Gravel Extraction on a Total of 27.8 acres in a Public, Civic, and Institutional Campus (P-2) Zone District Located at 2855 C 1/2 Road.

Staff Presentation

Jessica Johnsen, Zoning Supervisor, introduced exhibits into the record and provided a presentation regarding the request. She provided context for an additional exhibit that was submitted by the State of Colorado Department of Parks and Wildlife regarding the Riverfront Trail on the South side of the parcel.

Questions for Staff

Commissioner Quintero asked when the CUP was originally issued.

Mark Austin, with Austin Civil Group, spoke on behalf of the Applicant and provided some context for the extension request.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

There were no comments from the public either in attendance or online.

The public comment period was closed at 6:23 p.m. on January 13, 2026.

There were no additional questions or comments for Staff or the Applicant.

The public hearing was closed at 6:23 p.m. on January 13, 2026.

Discussion

Commissioner Ehlers commented that the late additions by the Colorado Division of Parks and Wildlife were refining the original approval.

Commissioners Zyvan and Quintero echoed Commissioner Ehlers comments.

Motion and Vote

Commissioner Quintero made the following motion “Madam Chair, 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.”

Commissioner Ehlers seconded; motion passed 5-0.

5. Camelback Gardens ODP

PLD-2023-121

Consider a request by Camelback Gardens, LLC and Upland Homes, Inc for Review and Approval of a Planned Development (PD) Outline Development Plan (ODP) for the Camelback Gardens Development Proposed on a Total 10.29 Acres Located at 381 and 409 High Desert Road - **This item was moved to the January 27th, 2026, Planning Commission Hearing.**

6. Zoning Code Amendments – Quarter 1 2026

ZCA-2025-753

Consider a request by the City of Grand Junction to amend Sections of the Zoning and Development Code and 24 Road Corridor Design Standards (Title 21 and Title 25 of the Grand Junction Municipal Code) regarding Planned Development, Mixed-Use Downtown District Specific Standards, Short-Term Rentals, Accessory Uses and Structures, Shared Driveways, ROW Dedication, Multi-Unit Design Standards, Access to Public Streets, Open and Undeveloped Spaces, and Service and Storage Areas in the 24 Road Corridor.

Staff Presentation

Tim Lehrbach, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Quintero asked about the nature of the requested code amendments and if the ultimate goal was just “cleaning up” the existing code language.

Commissioner Ehlers inquired about the proposed shared driveway amendments, including fire code standards, maximum driveway width, the requirements for HOA tract dedication rather than easements, and whether that requirement would necessitate the creation of an HOA.

Chair Weckerly asked if this change would be applied retroactively to parcels that are already accessed off a shared driveway.

There was additional discussion about the necessity of the amendments regarding property ownership and shared access on shared driveways, and their relation to HOA creation.

Commissioner Moore asked why this amendment was proposed and if staff had an example for the necessity of this change regarding property ownership and shared access on shared driveways. Commissioner Ehlers continued this question and its relation to HOA creation.

There was additional discussion about the necessity of the amendments regarding property ownership and shared access on shared driveways, and their relation to HOA creation.

Commissioner Ehlers asked for clarity about the strikethroughs for storm drainage, retention, and detention ponds in GJMC 21.09.060(b)(3) and why the proposal did not reference the Storm Water Management Manual (SWMM).

Chair Weckerly asked why the stormwater detention facilities were required to be planted.

There was discussion about continuing the amendments to stormwater facilities to a future hearing.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

Henry Brown commented on the strikethrough to 21.05.050(d)(2)(ii) regarding building access and its relation to Plan Principals 5 and 6 of the Comprehensive Plan.

The public comment period was closed at 7:10 p.m. on January 13, 2026.

Staff responded to Mr. Brown's comments and provided context on the code amendments.

The public hearing was closed at 7:11 p.m. on January 13, 2026.

Discussion

Commissioner Zyvan asked about ADA code.

Commissioner Moore commented that the access questions posed by Mr. Brown were discussed in previous workshops and the existing language had unforeseen constraints on development whereas the amendments provided additional flexibility.

Motion and Vote

Commissioner Ehlers made a motion the request to amend Title 21 Zoning and Development Code and Title 25 24 Road Corridor Design Standards of the Grand Junction Municipal Code, City file number ZCA-2025-753, I move that the Planning Commission forward a recommendation of approval to City Council with the finding of fact listed in the staff report with

the exception that 21.05.020(e)(5)(ii) and 21.09.060 be remanded back to staff for further consideration.

Commissioner Moore seconded; There was discussion amongst the commissioners about Commissioner Ehler's motion.

Commissioner Ehlers withdrew the previous motion.

Commissioner Zyvan made the following motion: "Chair, on the request to amend Title 21 Zoning and Development Code and Title 25 24 Road Corridor Design Standards of the Grand Junction Municipal Code, City file number ZCA-2025-753, I move that the Planning Commission forward a recommendation of approval to City Council with the finding of fact listed in the staff report, remanding back Section 21.09.060(b)(3) referring to storm drainage, retention, and detention ponds for further consideration by staff."

Commissioner Quintero seconded; motion passed 4-1.

7. Zoning Code Amendments – Bicycle Storage & Parking

ZCA-2026-30

Consider a request by the Housing Affordability Code Task Force to Amend Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Bicycle Storage and Parking. She provided context for an additional exhibit that was submitted by John Gargasz, the developer for the Aspire Residential Multiunit development.

Staff Presentation

Daniella Acosta Stine, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request. She provided context for an additional exhibit that was submitted by John Gargasz, the developer for the Aspire Residential Multi-unit development.

Questions for Staff

Commissioner Moore asked for clarification on the strikethrough for Subsection 2 of the Staff prepared alternative.

Commissioner Zyvan asked if there was a typo on the measurements in the short-term parking table. He asked what "enclosed" meant in regard to long-term bicycle parking and if it required the parking to be covered.

Members of the Housing Affordability Code Task Force (HACTF) provided some context for the request.

Commissioner Ehlers asked the applicant to summarize what was being requested by the HACTF.

Chair Weckerly noted that there were two prepared motions, and that either could be modified if the Commission so chose.

There was additional discussion regarding the long-term bicycle parking and its impact on housing affordability.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

David Lehman commented that the HACTF has failed to show how reduced costs for builders would make housing more affordable and agreed with Staff's findings that the request did not meet the goals of the Comprehensive Plan.

Henry Brown noted that HACTF presented no concrete metrics or figures for the cost of long-term bicycle parking and spoke about the difference in maintenance costs related to cars vs. bicycles. He commented that the current utilization of the bike parking at the "Slate on 25 Road" was impressive given the state of the surrounding cycle infrastructure.

Mark Austin with the HACTF provided context on the differing costs of long-term bike parking that he had stated earlier.

Mike Foster with the HACTF agreed with Mr. Brown's comments on existing cycle infrastructure but argued that the parking should be added as needed once the infrastructure was in place.

McKenzie Thorn with the HACTF asked what else they would put in the bike storage and commented that the current bike storage was not used, but if it was used for something else in the future it could be a safety issue.

The public comment period was closed at 8:41 p.m. on January 13, 2026.

Commissioner Moore asked if the \$4800 amount that was provided was for individual lockers at the Community Recreation Center.

Staff noted that the Zoning code does not give specific amounts required for bicycle storage, only that it is required. The developer has flexibility as to the design.

The public hearing was closed at 8:43 p.m. on January 13, 2026.

Discussion

Commissioner Ehlers reiterated the HACTFs comments that there is low utilization of the long-term bike parking at this time. He noted that the code language on providing bike parking ultimately determines who will pay for it. He disagreed with how bike parking was previously interpreted and implemented.

Motion and Vote

Commissioner Ehlers made a motion to approve Staff's alternative recommendations with the removal of the amendments to long-term bike parking.

Commissioner Quintero seconded; there was discussion about how to proceed with Commissioner Ehler's motion.

Motion failed 3-2.

Commissioner Ehlers made the following motion "Madam Chair, on the request to amend Title 21 of the Zoning and Development Code of the Grand Junction Municipal Code related to bicycle parking requirements, I move that the Planning Commission forward a recommendation of approval to City Council, based on the findings of fact listed in the staff report."

Commissioner Zyvan seconded; Commissioner Moore suggested amending the motion to remand the long-term bicycle parking back to staff.

Staff clarified that the amended motion would leave the current code language for long-term bicycle parking.

Motion failed 2-3.

Commissioner Quintero made the following motion "Madam Chair, on the request to amend Title 21 of the Zoning and Development Code of the Grand Junction Municipal Code related to bicycle parking requirements, I move that the Planning Commission forward a recommendation of approval to City Council, based on the findings of fact listed in the staff report with the exception of long-term bicycle storage being reduced to 25% of the currently required ratios outlined in Table 21.08-5."

There was no second on that motion.

Chair Weckerly indicated that there would be no further discussion or motions for this item.

8. Zoning Code Amendments – Pedestrian Access

ZCA-2026-31

Consider a request by the Housing Affordability Code Task Force to amend Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Pedestrian Access.

Staff Presentation

Thomas Lloyd, Planning Manager, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

Commissioner Moore asked for clarification on the "color and/or texture" requirements for pedestrian connections.

Commissioner Ehlers asked what a "curb extension" looked like in practice.

Commissioner Zyvan had questions on a previous draft of the ordinance. He asked if there was still intention to keep crossings as short as possible and away from vehicle conflicts.

Mike Foster requested that the Commission approve the Staff's suggested amendments.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

Henry Brown voiced his support for staff's recommendations with the exception of the pedestrian crossing being exempted for industrial uses.

David Lehman echoed Henry's comments and requested the Commission approve Staff's recommendations.

The public hearing was closed at 10:03 p.m. on January 13, 2026.

Discussion

There were no additional comments or questions from the Commission.

Motion and Vote

Commissioner Quintero made the following motion "Madam Chair, on the request to amend Title 21 of the Zoning and Development Code of the Grand Junction Municipal Code concerning pedestrian access, I move that the Planning Commission forward a recommendation of approval to City Council, based on the findings of fact listed in the staff report regarding the Staff's alternative recommendations."

Commissioner Ehlers seconded; motion passed 5-0.

9. Zoning Code Amendments – Fee Study Update

ZCA-2025-737

Consider a request by the City of Grand Junction to Amend Section 21.02.070(11)(ii) of the Zoning and Development Code regarding Review and Update of the Fee Study.

Staff Presentation

Tamra Allen, Community Development Director, introduced exhibits into the record and provided a presentation regarding the request.

Questions for Staff

There were no questions for Staff.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 6, 2026, via www.gjcity.org.

There were no comments from the public either in attendance or online.

The public comment period was closed at 10:09 p.m. on January 13, 2026.

Commissioner Zyvan asked if there were any guidelines proposed for when fees should be updated.

The public hearing was closed at 10:12 p.m. on January 13, 2026.

Discussion

There were no additional questions or comments from the Commission.

Motion and Vote

Commissioner Quintero made the following motion “Madam Chair, on the request to amend Title 21 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2025-737, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”

Commissioner Zyvan seconded; motion passed 5-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Quintero made a motion to adjourn the meeting.

The vote to adjourn was 5-0.

The meeting adjourned at 10:14 p.m.



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: January 27, 2026

Presented By: Thomas Lloyd, Senior Planner

Department: Community Development

Submitted By:

Information

SUBJECT:

Consider a request to partially vacate a Drainage Canal Easement and Easement for Pipeline for the City of Grand Junction located at 2651 Stacy Drive on a 7.10 acre parcel in a RH-24 district to accommodate the construction of three, three-story, 24-unit apartment buildings

RECOMMENDATION:

Staff recommends conditional approval of this request.

EXECUTIVE SUMMARY:

The Applicant, Aspire Residential, proposes development of three three-story multifamily residential buildings consisting of 72 units total with associated site and utility improvements. A Major Site Plan application has been submitted and approved and conditioned on this partial easement vacation being approved. There is currently an existing Drainage Canal Easement and Easement for a Pipeline to the City of Grand Junction. The easement was originally dedicated to the Orchard Mesa Irrigation District and also an easement to the City of Grand Junction for a pipeline. The existing easement documents of record for this easement, including the exception that is included in the deed at Rec. 297214 and the transfer of easement/ROW interests to the City at Rec. Nos. 2524654, 2524655 and 2524656.

The current easement area consists of a large open drain, approximately 20-ft wide and 6-ft deep that collects irrigation tailwater and stormwater runoff from Orchard Mesa Canal which is approximately one-quarter of a mile south of this site, to Highway 50 on the north. The existing open drainage discharges to one ditch on the western parcel, where it discharges back into the Orchard Mesa Canal. 25' from the Top of Bank is claimed. The applicant, in coordination with the City has completed a drainage study and designed a proposal to pipe the open drain, relocating and placing the newly constructed pipe it in a 20-ft drainage easement. With this vacation, the existing

easement will be partially vacated to be a 20-ft drainage easement.

The applicant is requesting the partial vacation in anticipation of developing 72 multifamily units in the RH-24 zone district. These will be first phase of a total of 192 units.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The subject property is located at 2651 Stacy Drive and consists of approximately 7.10 acres. The site is bordered by Stacy Drive, Tracy Ann Road, and Linden Avenue. The easement to be partially vacated is described in Reception Number 297214, 2524654, 2524655, 2524656 and is shown on the plat of Tracy's Village Subdivision shown at Reception Number 3042167.

The current easement area consists of a large open drain, approximately 20-ft wide and 6-ft deep that collects irrigation tailwater and stormwater runoff from Orchard Mesa Canal which is approximately one-quarter of a mile south of this site, to Highway 50 on the north. The existing open drainage discharges to one ditch on the western parcel, where it discharges back into the Orchard Mesa Canal. 25' from the Top of Bank is claimed. The applicant, in coordination with the City has completed a drainage study and designed a proposal to pipe the open drain, relocating and placing the newly constructed pipe in a 20-ft drainage easement. With this vacation, the existing easement will be partially vacated to be a 20-ft drainage easement.

The applicant is requesting partial vacation in anticipation of developing 72 multifamily units in the RH-24 zone district. These will be first phase of a total of 192 units. The applicant is asking to partially vacate the easement because they are piping the drainage ditch and so they don't have to build around the easement in their multi-family site design. The Site Plan for Phase 1 of this project was conditionally approved in July of 2025. One of the conditions for approval was to partially vacate this easement.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting is required for a vacation of easement request pursuant to Section 21.02.050(o) of the Zoning and Development Code. A Neighborhood Meeting was held virtually on Microsoft Teams on January 29th, 2025 at 5:30 pm. City staff and the applicants' representatives were in attendance. No members of the public attended.

Notice was completed consistent with the provisions in Section 21.02.30(g) of the Zoning and Development Code. The subject property has been posted with an application sign. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards were sent to surrounding property owners within 500 feet of the subject property on January 2, 2025. The notice of this public hearing was published January 3, 2025, in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.050(o). The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

A. The vacation is in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans and policies of the City;

The request to partially vacate the existing Drainage Canal Easement and Easement for a Pipeline to the City of Grand Junction does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. Since the applicant worked and consulted with the City to design the pipe to be able to take the necessary drainage and tailwater flow, the vacation will have no impact on public facilities or services provided to the general public, demonstrated by the no objection to the request by the City Development Engineer and the OMID beneficiaries of the easement.

Further, the applicant is requesting the vacation to facilitate multifamily development on the site with an affordable housing component. currently encumber the property and conflict with the proposed building footprint and site layout. The applicant proposes to vacate these easements following relocation of the associated infrastructure. The vacation request is consistent with the following goals and policies of the Comprehensive Plan:

- Plan Principle 2.2.c – Urban Reinvestment: Continue efforts to revitalize Downtown and other mixed-use areas to create vibrant urban areas attractive to young professionals and other workers.
- Plan Principle 3.2 – Underutilized Properties: Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings including, but not limited to: i) adaptive reuse of existing buildings, ii) infill of existing surface parking lots.

Therefore, staff has found the request consistent with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City and therefore, this criterion has been met.

B. No parcel shall be landlocked as a result of the vacation;

The subject parcel has frontage on three public streets and will continue to have adequate access following the vacation. No parcel will be landlocked as a result of the easement vacation.

C. Access to any parcel shall not be restricted to the point that access is unreasonable, economically prohibitive, and/or reduces or devalues any property affected by the proposed vacation;

Access to the property will not be restricted. There is frontage on three public streets.

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

The proposed partial vacation will not have an adverse impact on the health, safety, and/or welfare of the community. The applicant has worked with the City to pipe this open ditch and to adequately take the drainage per the previous agreements that is required downstream.

E. The provision of adequate public facilities and services to any property as required in GJMC 21.05.020 shall not be inhibited by the proposed vacation.

The proposed partial easement vacation will have no impact on public facilities or services. As stated above, The applicant has worked with the City to pipe this open ditch and to adequately take the drainage per the previous agreements that is required downstream.

Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request to partially vacate a Drainage Canal Easement and Easement for Pipeline for the City of Grand Junction located at 2651 Stacy Drive on a 7.10 acre parcel in a RH-24 district to accommodate the construction of three, three-story, 24-unit apartment buildings, the following findings of fact have been made with the recommended conditions of approval:

The request with the following conditions conforms with Section 21.020.050(o) of the Zoning and Development Code.

Therefore, Staff recommends approval of the requested vacation with the following conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents, and/or dedication documents
2. The vacation resolution shall be void if the above conditions have not been met within two years of the City Council's approval of the vacation.

SUGGESTED MOTION:

Madame Chairman, on the Aspire Residential Easement Vacation request, located at 2651 Stacy Drive on a 7.10 acre parcel in a RH-24 district to accommodate the construction of three, three-story, 24-unit apartment buildings, City File number VAC-

2025-61, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Attachment 1 - Development Application
2. Attachment 2 - Map
3. Attachment 3 - Legal Description and Exhibit
4. Attachment 4 - Resolution



Development Application

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

Petition For: Vacation - Easement

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: 2651 Stacy Drive

Site Acreage: 7.10

Site Tax No(s): 2945-261-43-003

Site Zoning: RH-24

Project Description: Vacate Irrigation Drain Easement

Property Owner Information

Name: KENCO LLC

Street Address: 607 25 Rd, Ste 100

City/State/Zip: GJ, CO 81503-81505

Business Phone #: 970-261-6004

E-Mail: kbasinger@colcal.net

Fax #:

Contact Person: Ken Basinger

Contact Phone #: 970-261-6004

Applicant Information

Name: Aspire Residential

Street Address: 21 Continental Blvd

City/State/Zip: Merrimack, NH 03054

Business Phone #: 603-320-5123

E-Mail: john.gargasz@aspireres.co

Fax #:

Contact Person: John Gargasz

Contact Phone #: 603-320-5123

Representative Information

Name: Austin Civil Group, Inc.

Street Address: 123 N. 7th Street

City/State/Zip: GJ, CO 81501

Business Phone #: 970-242-7540

E-Mail: marka@austincivilgroup.com

Fax #:

Contact Person: Mark Austin

Contact Phone #: 970-242-7540

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

Ken Basinger

Date

Signature of Legal Property Owner

Ken Basinger

Date

1/23/25

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) KENCO LLC ("Entity") is the owner of the following property:

(b) Parcel number 2945-261-43-003, 2651 Stacy Drive, Grand Junction, Colorado

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) authorized signator 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:

④ 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) Easement Vacation and Major Site Plan Submittal
I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) none

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

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

Signature of Entity representative:

Printed name of person signing:

Plate 5

Colorado

County of

Meera) ss.

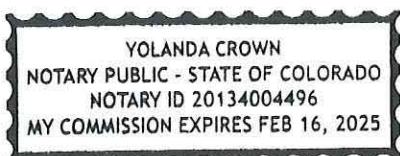
Subscribed and sworn to before me on this 25th day of January, 2025

by Ken Basinger

Witness my hand and seal.

My Notary Commission expires on

02/07/2025



Notary Public Signature

Packet Page 20



State Documentary Fee
Date: June 05, 2019
\$125.00

Special Warranty Deed
(Pursuant to 38-30-115 C.R.S.)

THIS DEED, made on June 5th, 2019 by **ALPINE BANK, A COLORADO CORPORATION** Grantor(s), of the County of Garfield and State of **Colorado** for the consideration of (\$1,250,000.00) ***One Million Two Hundred Fifty Thousand and 00/100*** dollars in hand paid, hereby sells and conveys to **KENCO, LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantee(s), whose street address is **607 25 RD SUITE 100, Grand Junction, CO 81505**, County of **Mesa**, and State of **Colorado**, the following real property in the County of **Mesa**, and State of Colorado, to wit:

LOT 2 OF CARVILLE SIMPLE SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: **TBD HIGHWAY 50, GRAND JUNCTION, CO 81503**

with all its appurtenances and warrants the title to the same against all persons claiming under me, subject to the matters shown in the attached Exhibit A, which, by reference, is incorporated herein.

ALPINE BANK, A COLORADO CORPORATION

By: _____

CLAY TUFLY, AS PRESIDENT

State of **Colorado**

)

)ss.

County of **MESA**

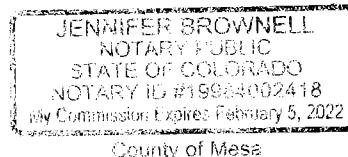
)

The foregoing instrument was acknowledged before me on this day of **June 5th, 2019** by **CLAY TUFLY AS PRESIDENT OF ALPINE BANK, A COLORADO CORPORATION**

Witness my hand and official seal

My Commission expires: 2/5/22

Jennifer Brownell
Notary Public



When recorded return to: **KENCO, LLC, A COLORADO LIMITED LIABILITY COMPANY**
607 25 RD SUITE 100, Grand Junction, CO 81505



Exhibit A

1. GENERAL TAXES FOR THE YEAR OF CLOSING.
2. DISTRIBUTION UTILITY EASEMENTS (INCLUDING CABLE TV).
3. THOSE SPECIFICALLY DESCRIBED RIGHTS OF THIRD PARTIES NOT SHOWN BY THE PUBLIC RECORDS OF WHICH GRANTEE HAS ACTUAL KNOWLEDGE AND WHICH WERE ACCEPTED BY GRANTEE IN ACCORDANCE WITH § 8.3 (OFF-RECORD TITLE) AND § 9 (NEW ILC OR NEW SURVEY) OF THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED.
4. INCLUSION OF THE PROPERTY WITHIN ANY SPECIAL TAXING DISTRICT.
5. ANY SPECIAL ASSESSMENT IF THE IMPROVEMENTS WERE NOT INSTALLED AS OF THE DATE OF GRANTEE'S SIGNATURE TO THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED, WHETHER ASSESSED PRIOR TO OR AFTER CLOSING.
6. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF ORDER OF INCLUSION, RE: THE INCLUSION OF LANDS WITHIN ORCHARD MESA SANITATION DISTRICT, RECORDED APRIL 10, 2008, IN BOOK 4642 AT PAGE 760 UNDER RECEPTION NO. 2433686.
7. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF GRANT OF EASEMENT, GRANTED TO UTE WATER CONSERVANCY DISTRICT, RECORDED NOVEMBER 20, 2009 IN BOOK 4944 AT PAGE 453.

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named **KenCo, LLC**, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a limited liability company.
3. The entity is formed under the laws of the State of Colorado.
4. The mailing address for the entity is 607 25 Road, Suite 100, Grand Junction, Colorado 81505.
5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity are:
Ken W. Basinger, Member.
6. The authority of the foregoing person to bind the entity is not limited.
7. Other matters concerning the manner in which the entity deals with interests in real property:
NONE.

Executed this 26 day of May, 2021.

KENCO, LLC,
a Colorado limited liability company

By: Ken W. Basinger

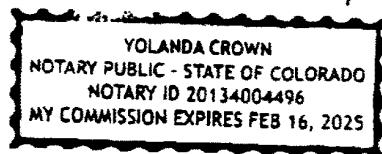
Ken W. Basinger, Member

STATE OF COLORADO)
)
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 26 day of May, 2021, by Ken W. Basinger s Member of KenCo, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 02/16/2025



Yolanda Crown
Notary Public

**General Project Report
for
Drainage Easement Vacation At 2651 Stacy Drive**

Project Description

This submittal requests approval to vacate an approximately 80-ft wide drainage canal easement and easement for pipeline located on a 7.11-acre parcel of land located at 2651 Stacy Drive in Grand Junction, Colorado.

The easement was originally dedicated to the Orchard Mesa Irrigation District and also an easement to the City of Grand Junction for a pipeline. The existing easement documents of record for this easement, including the exception that is included in the deed at Rec. 297214 and the transfer of easement/ROW interests to the City at Rec. Nos. 2524654, 2524655 and 2524656.

The current easement area consists of a large open drain, approximately 20-ft wide and 6-ft deep and collects irrigation tailwater and stormwater runoff from Orchard Mesa Canal which is approximately one-quarter of a mile south of this site, to Highway 50 on the north. The existing open drainage discharges to one ditch on the western parcel, where it discharges back into the Orchard Mesa Canal.

The applicant is proposing to pipe this open drain and relocating it into a pipe along the south property line and place it in a new 20-ft drainage easement dedicated to the City of Grand Junction.

**General Project Report
for
Drainage Easement Vacation At 2651 Stacy Drive**

Section 21.02.050(o) of the City of Grand Junction Land Development Code provides the criteria that shall be met for vacation of easement area. The criteria include the following:

21.02.050(o)(iii)(B)(a): The vacation is in conformance with the Comprehensive Plan, Grand Junction Circulation Plan, and other adopted plans and policies of the City;

Response: The proposed vacation of the easement at this location will not impact any proposed Grand Junction Circulation Plans, Policies, or impact the Comprehensive Plan, or any adopted plans or policies;

21.02.050(p)(2)(iii)(B)(a): The vacation is in conformance with the Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies of the City;

Response: Vacation of this helps development to better utilize land as called for in the comprehensive plan. The vacation has no impact on the Grand Junction Circulation Plan, and the review conducted by staff indicates there are no problems or conflicts with any other known plans or policies;

21.02.050(p)(2)(iii)(B)(b): No parcel shall be landlocked as a result of the vacation;

Response: Vacation of this easement area will not result in any landlocked condition.

21.02.050(p)(2)(iii)(B)(a): Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

Response: The proposed vacation will not impact access to any land parcel. The project will be piping an open drainage ditch and dedicating a new easement back to the City of Grand Junction.

21.02.050(p)(2)(iii)(B)(d): There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services

provided to any parcel of land shall not be reduced, including, but not limited to, police and fire protection and utility services;

Response: This vacation and subsequent piping and easement relocation will not impact health, safety or welfare. Piping the large open drain will reduce maintenance burdens as well as reducing habitat for mosquitos.

21.02.050(p)(2)(iii)(B)(e): The provision of adequate public facilities and services to any property as required in GJMC 21.05.020 shall not be inhibited by the proposed vacation; and

Response: This vacation will not impact public facilities or services.

21.02.050(p)(2)(iii)(B)(f): The proposal shall not hinder public and City functions.

Response: The easement vacation will allow this open drainage ditch facility to be piped underground to reduce maintenance costs to the City and allow for better use of the property by the applicant.

A • C • G

Austin Civil Group, Inc.

Land Planning • Civil Engineering • Development Services

January 29, 2025

Mr. Thomas Lloyd, Senior Planner
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

**Re: 25-ft Drainage Easement Vacation Request
Neighborhood Meeting Summary**

Dear Mr. Lloyd:

The purpose of this letter is to document that a virtual neighborhood meeting was conducted on January 29, 2025 at 5:30 PM. There were no attendees at the meeting other than my client and yourself.

The meeting was conducted using Zoom video conferencing. Notices were sent out to property owners according to the City's Land Development Code requirements.

I have not received any calls or emails from anyone on the request.

Please let me know if you have any additional questions, please give me call at the number below.

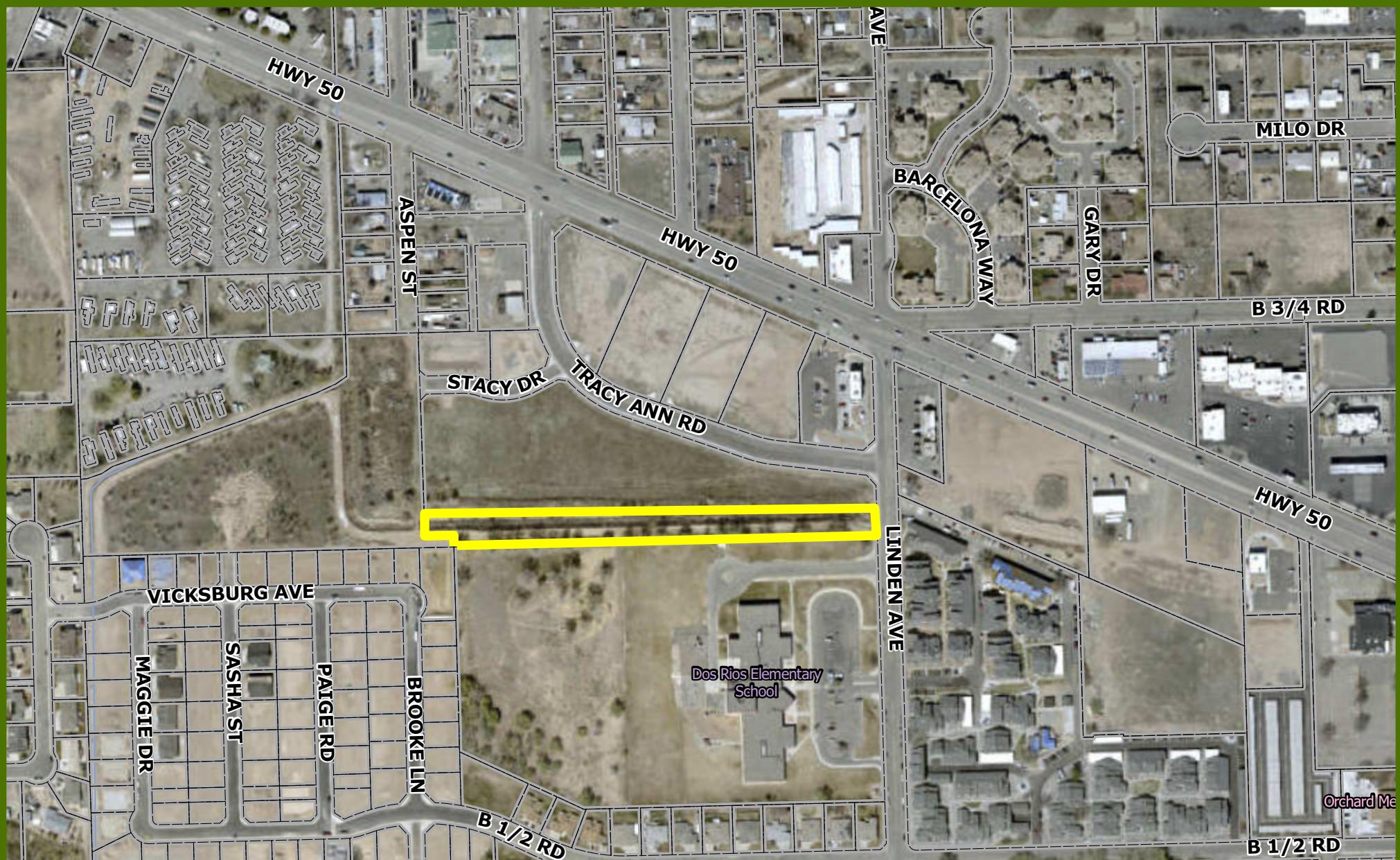
Sincerely,



Austin Civil Group, Inc.

Mark Austin, P.E.
President

Aspire Easement Vacation



0 0.1 0.2 mi

Printed: 12/27/2025

1 inch equals 0 miles

Scale: 1:3,914

HIGH DESERT SURVEYING, INC

591 25 Road, Suite B1
Grand Junction, CO 81505
Tel: 970-254-8649 Fax: 970-241-0451

Exhibit A Drainage Easement Boundary Legal Description

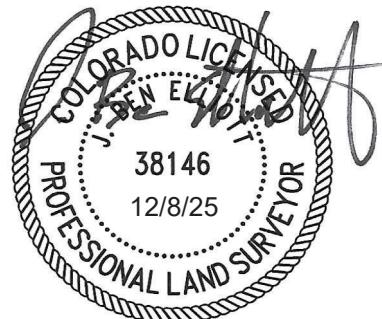
A Drainage Easement boundary line situated in Lot 1, Block 2, Tracys Village Subdivision, Reception No. 3042167, lying in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

COMMENCING at the Southeast corner of said Lot 1, Tracys Village Subdivision, whence the Southwest corner of said Lot 1 bears N89°52'19"W for a basis of bearings with all bearings hereon relative thereto; thence along the South line of said Lot 1, N89°52'19"W a distance of 14.00 feet to the West line of a 14.00 foot wide Multipurpose Easement, Reception No. 2178170; thence along said West line, N00°05'36"W a distance of 69.84 feet to the North line of a proposed 20.00 foot wide Drainage Easement and the POINT OF BEGINNING; thence along said North line the following three (3) courses:

- 1) S89°50'26"W a distance of 15.59 feet;
- 2) S55°45'11"W a distance of 88.14 feet;
- 3) N89°52'19"W a distance of 936.99 feet to the West line of said Lot 1;

thence along said West line, N00°07'36"E a distance of 10.00 feet; thence along the South line of said Lot 1, N89°52'24"W a distance of 31.61 feet; thence N67°13'40"W a distance of 41.84 feet to the POINT OF TERMINUS.

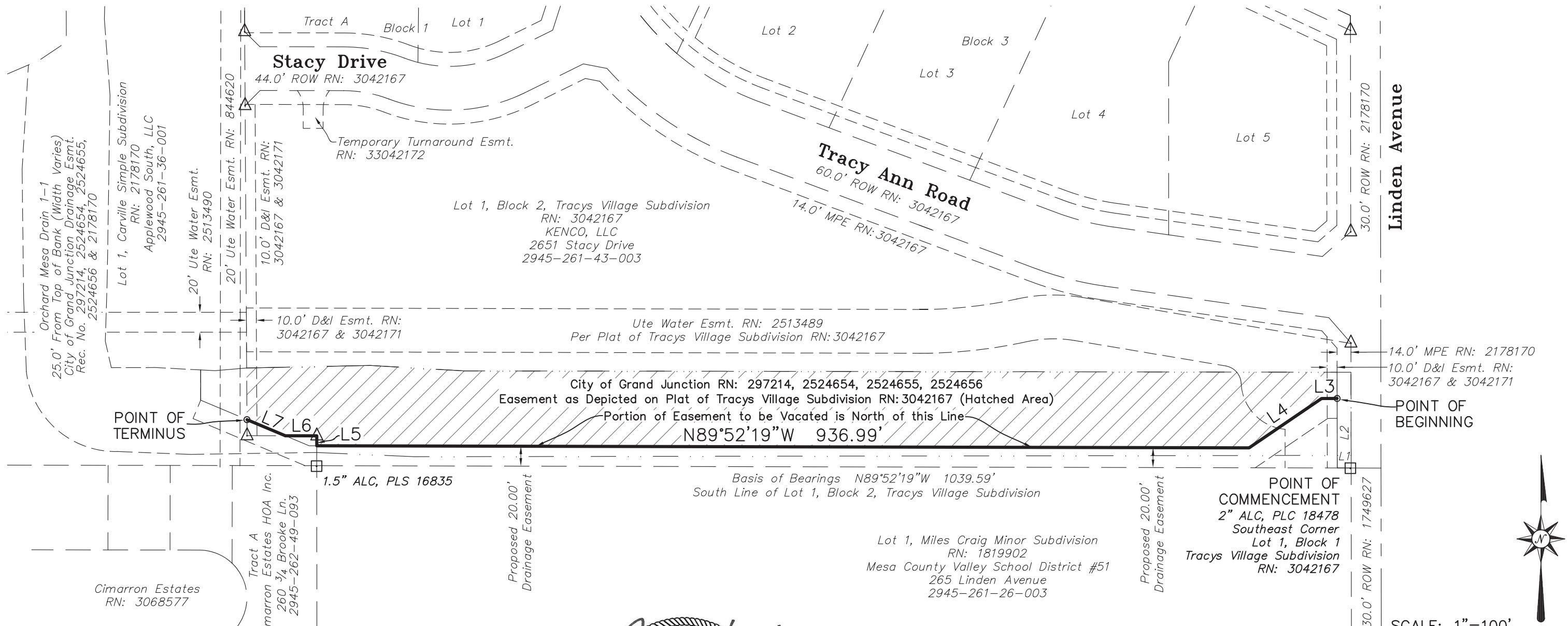
City of Grand Junction, County of Mesa, State of Colorado.



25-11 City GJ Esmt Vacation _ Exhibit A _251208.doc
J. Ben Elliott, PLS 38146
High Desert Surveying, Inc.

EXHIBIT B

EASEMENT BOUNDARY



LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°52'19" W	14.00'
L2	N00°05'36" W	69.84'
L3	S89°50'26" W	15.59'
L4	S55°45'11" W	88.14'
L5	N00°07'36" E	10.00'
L6	N89°52'24" W	31.61'
L7	N67°13'40" W	41.84'



LEGEND & ABBREVIATIONS

- FOUND BOUANDRY EVIDENCE, AS NOTED
- FOUND 2" ALUMINUM CAP, PLS 24953
- CALCULATED POSITION
- D&I* DRAINAGE AND IRRIGATION
- ROW* RIGHT-OF-WAY
- PLS* PROFESSIONAL LAND SURVEYOR
- RN:* RECEPTION NUMBER
- Esmt.* EASEMENT
- MPE* MULTIPURPOSE EASEMENT
- ALC* ALUMINUM CAP

High Desert Surveying, Inc.

591 25 Road, Suite B1
Grand Junction, Colorado 81505

Telephone: 970.254.8649 Fax 970.241.0451

PROJ. NO. 25-11	SURVEYED	DRAWN	CHK'D	SHEET	OF
DATE: December, 2025	<i>BE</i>	<i>BE</i>	—	1	1

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION PARTIALLY VACATING A DRAINAGE CANAL EASEMENT AND
EASMENT FOR PIPELINE FOR THE CITY OF GRAND JUNCTION LOCATED AT
2651 STACY DRIVE**

RECITALS:

KENCO, LLC has applied for the partial vacation of a Drainage Canal Easement and Easement for Pipeline for the City of Grand Junction located at 2651 Stacy Drive. If approved, the partial vacation will accommodate redevelopment of the property.

The Drainage canal Easement and Easement for Pipeline for the City of Grand Junction was originally given for an existing open ditch. As part of development of the property, the applicant has worked with the City to pipe the ditch and will relocate the newly constructed pipe in the partially vacated 20-ft drainage easement. There will be no impact on any public facilities and services with the relocation as designed.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to partially vacate the Drainage Canal Easement and Easement for a Pipeline is consistent with the Comprehensive Plan and Section 21.02.050(o) of the Grand Junction Zoning & Development Code.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED EASEMENT IS HEREBY PARTIALLY VACATED SUBJECT TO THE LISTED CONDITIONS:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents, and/or dedication documents.
2. The vacation resolution shall be void if the above conditions have not been met within two years of the City Council's approval of the vacation.

A Drainage Easement boundary line situated in Lot 1, Block 2, Tracys Village Subdivision, Reception No. 3042167, lying in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26, Township 1 South, Range 1 West of the Ute Meridian being more particularly described as follows:

COMMENCING at the Southeast corner of said Lot 1, Tracys Village Subdivision, whence the Southwest corner of said Lot 1 bears N89°52'19"W for a basis of bearings with all bearings hereon relative thereto; thence along the South line of said Lot 1, N89°52'19"W a distance of 14.00 feet to the West line of a 14.00 foot

wide Multipurpose Easement, Reception No. 2178170; thence along said West line, N00°05'36"W a distance of 69.84 feet to the North line of a proposed 20.00 foot wide Drainage Easement and the POINT OF BEGINNING; thence along said North line the following three (3) courses:

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- 2) S55°45'11"W a distance of 88.14 feet;
- 3) N89°52'19"W a distance of 936.99 feet to the West line of said Lot 1;

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City of Grand Junction, County of Mesa, State of Colorado.

See Exhibit B.

The Conditions stated above shall be completed on or before the date two years from the date of adoption.

Introduced on first reading this _____ day of _____, 2026 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2026 and ordered published in pamphlet form.

ATTEST:

Selestina Sandoval, City Clerk

Cody Kennedy, Mayor

DRAFT

HIGH DESERT SURVEYING, INC

591 25 Road, Suite B1
Grand Junction, CO 81505
Tel: 970-254-8649 Fax: 970-241-0451

Exhibit A Drainage Easement Boundary Legal Description

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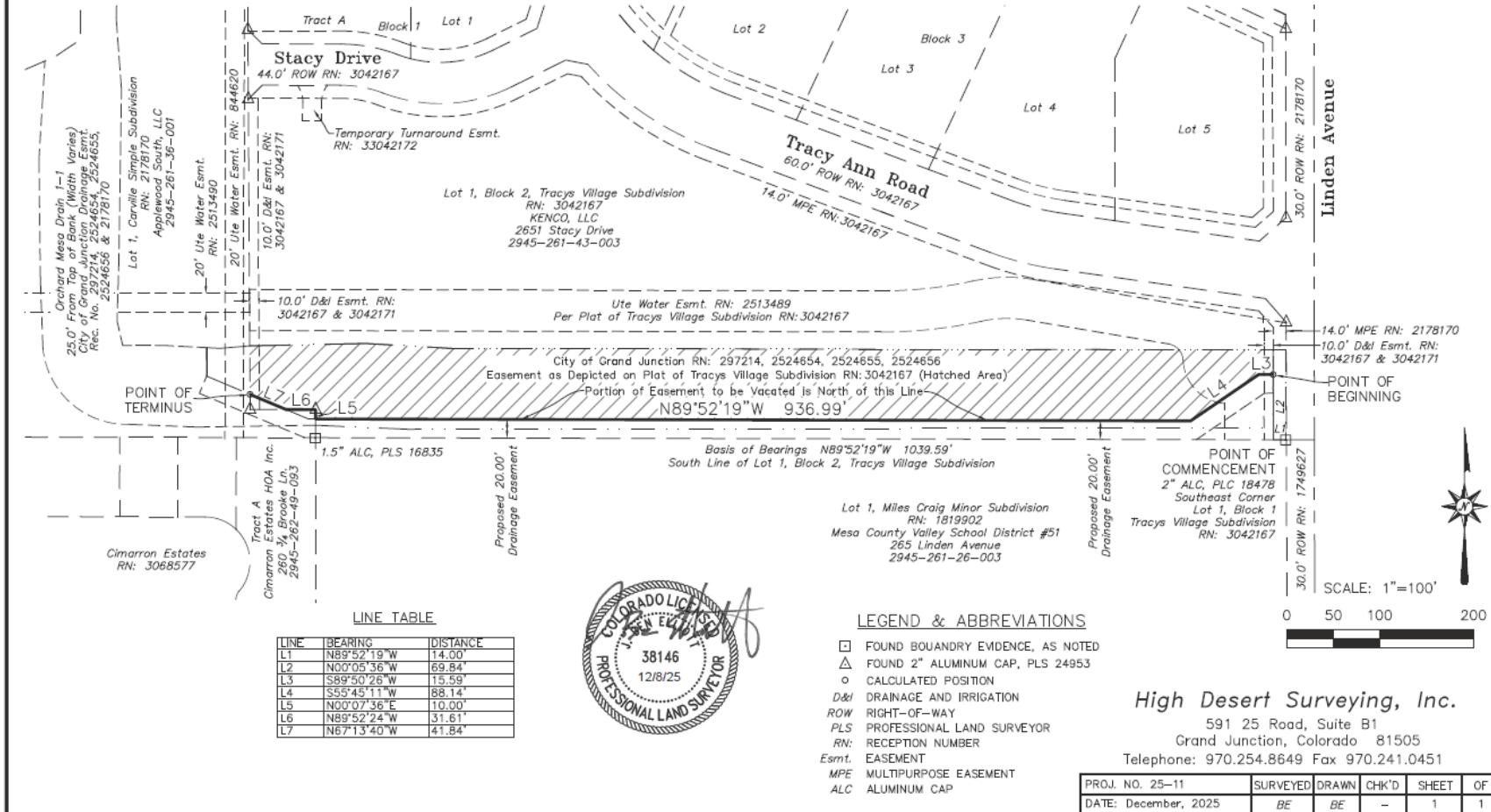
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City of Grand Junction, County of Mesa, State of Colorado.]



25-11 City GJ Esmt Vacation_Exhibit A_251208.doc
J. Ben Elliott, PLS 38146
High Desert Surveying, Inc.

EXHIBIT B
EASEMENT BOUNDARY



Packet Page 34



Grand Junction Planning Commission

Regular Session

Item #1.

<u>Meeting Date:</u>	January 27, 2026
<u>Presented By:</u>	Tim Lehrbach, Principal Planner
<u>Department:</u>	Community Development
<u>Submitted By:</u>	Tim Lehrbach, Principal Planner

Information

SUBJECT:

Consider a request by the City of Grand Junction to amend Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding Right-of-way Dedication, Acceptable Plant Material, and Street Frontage Landscape. **This item to be moved to the February 10, 2026 Planning Commission Hearing**

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

SUGGESTED MOTION:

Attachments

None



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: January 27, 2026

Presented By: Daniella Acosta, Principal Planner

Department: Community Development

Submitted By: Daniella Acosta Stine, Principal Planner

Information

SUBJECT:

Consider a request by the Housing Affordability Code Task Force to amend Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) regarding Significant Trees. **This item to be moved to the February 10, 2026 Planning Commission Hearing**

RECOMMENDATION:

Staff makes no recommendation and forwards the request to the Planning Commission for consideration and to make any findings of fact deemed appropriate pursuant to the applicable review criteria.

EXECUTIVE SUMMARY:

The HACTF has requested elimination of the Significant Tree provisions from the Zoning and Development Code. The recommendation is policy-focused and seeks to reduce regulatory requirements associated with development.

While the existing Significant Tree provisions are generally consistent with the Comprehensive Plan and the Zoning and Development Code, questions remain regarding their overall effectiveness and efficiency as a regulatory tool. There are multiple potential approaches to addressing preservation of mature tree canopy, including alternative regulatory structures or incentive-based strategies, that could achieve similar objectives through different means.

Given both the scope of the HACTF request and the broader policy considerations associated with the existing regulation, staff does not take an official position on elimination of the Significant Tree provisions. Instead, staff forwards the request to the Planning Commission and City Council for policy consideration and direction.

BACKGROUND OR DETAILED INFORMATION:

HACTF REQUEST

The HACTF has recommended the removal of the Significant Tree provisions from the Zoning and Development Code. The HACTF states that the Significant Tree regulations create additional complexity, cost, time, and uncertainty for housing providers and staff, and that the regulations rely on punitive measures related to the removal of trees on private property.

The Task Force recommendation is presented as a request to eliminate the Significant Tree section in its entirety.

SIGNIFICANT TREE PROVISIONS – CONTEXT

The Significant Tree provisions establish a structured framework for identifying, preserving, and mitigating impacts to mature trees as part of the development review process. The regulations apply to new residential, mixed-use, and commercial development, as well as certain redevelopment activity, while exempting all development in industrial zone districts. Preservation requirements apply to all lots in the MU-3 zone district and to lots larger than one acre in all other zone districts unless otherwise exempt.

As part of development review, applicants are required to submit a surveyed inventory of significant trees unless a preliminary site review by a qualified landscape professional determines that no potentially significant trees are present, in which case the Director may waive the survey requirement. Significant trees proposed for preservation must be clearly identified on the landscaping plan.

Significant trees are defined as trees that are 15 inches or greater in diameter at breast height (DBH), are in fair or better condition, are free of irreparable structural defects, and are not affected by pests or disease that would threaten the health of other trees. Trees identified as excluded on the Suitable Plants List are not considered significant for purposes of this section.

Where significant trees are present, the regulations require that at least one tree and no less than 30 percent of significant trees be preserved. Preservation may occur on individual lots, within private common areas, or on land dedicated for public use. In addition, the City Forester may allow well-established, healthy trees under 15 inches DBH to receive preservation credit at an equivalent DBH.

The provisions establish a sequential approach to compliance that prioritizes preservation first. If meeting the minimum preservation requirement would impede the primary development of a site, the Director may grant limited development deviations, including up to a 10 percent adjustment to minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements, or allow the use of cluster development. The City Forester may also adjust dripline protection standards to provide additional flexibility for development around preserved trees.

If these flexibility measures do not provide a viable means of developing the site while

preserving the minimum required significant trees, the developer may elect to remove significant trees, subject to mitigation requirements. Tree replacement is required based on the percentage of trees preserved, with replacement ratios ranging from one caliper inch per three inches of DBH to three caliper inches per five inches of DBH.

Replacement trees may be planted on-site within individual lots or private common areas.

When on-site replacement is not feasible, the regulations allow payment of a fee in lieu, calculated based on the value and installation cost of the required replacement trees. Fee-in-lieu payments are used by the City to purchase and plant replacement trees on nearby public property.

Finally, the provisions include standards for protecting preserved trees during construction, including fencing beyond the dripline, prohibitions on vehicle parking or material storage within protected areas, and irrigation requirements to ensure tree health and survival throughout the construction process.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.030(g). Notice of the public hearing was published on January 17, 2026, in the Grand Junction Daily Sentinel.

ANALYSIS

HACTF Recommendation

Section 21.02.050(d) of the Zoning and Development Code establishes the approval criteria for Code Text Amendments. An applicant has the burden of producing evidence demonstrating that each criterion is satisfied. The following discussion summarizes how the materials submitted by the HACTF Force relate to those criteria.

(A) Consistency with Comprehensive Plan

The Comprehensive Plan serves as the City's adopted policy framework for land use, development, environmental resources, infrastructure, and community character.

The HACTF recommendation does not reference the Comprehensive Plan or identify specific goals, policies, or objectives with which removal of the Significant Tree provisions is intended to be consistent. The submitted materials focus on perceived impacts of the regulation on development cost, feasibility, and timing, but do not include analysis addressing how elimination of the Significant Tree provisions would align with applicable land use, environmental, sustainability, community character, or infrastructure policies contained in the Comprehensive Plan.

As submitted, the materials do not provide evidence or analysis demonstrating how the proposed amendment would support, implement, or remain consistent with adopted Comprehensive Plan policies.

(B) Consistency with Zoning and Development Code Standards

The Zoning and Development Code functions as an integrated regulatory framework, with interrelated provisions governing site design, landscaping, environmental standards, and development review.

The Task Force recommendation proposes removal of the Significant Tree section in its entirety. The submitted materials do not evaluate how removal of these provisions would interact with or affect other sections of the Code, including landscaping requirements, site design standards, environmental provisions, or development review processes that reference or rely on tree preservation or replacement standards.

The materials do not include analysis demonstrating that removal of the Significant Tree provisions would avoid conflicts, gaps, or inconsistencies within the Zoning and Development Code.

(C) Specific Reasons

The proposed Code Text Amendment shall meet at least one of the following specific reasons:

a. To address trends in development or regulatory practices;

The Task Force recommendation does not cite broader trends in development practices, peer community regulations, or evolving regulatory standards related to tree preservation or landscaping. The submitted materials do not reference comparative jurisdictions, professional guidance, or best practices indicating that elimination of significant tree regulations reflects an emerging or prevailing regulatory trend.

b. To expand, modify, or add requirements for development in general or to address specific development issues;

The submitted materials do not quantify the identified impacts or demonstrate a direct relationship between the existing regulations and housing production outcomes. In addition, the materials do not evaluate whether more limited or targeted modifications could address the stated concerns. As presented, the linkage between the identified development issues and the scope of the proposed amendment is asserted but not supported by comparative or empirical analysis.

Subsections (c) and (d), relating to zone districts and application procedures, are not applicable to the request.

c. To add, modify or expand zone districts; or

Not applicable.

d. To clarify or modify procedures for processing development applications.

Not applicable.

EVALUATION OF EXISTING SIGNIFICANT TREE PROVISION RELATIVE TO TEXT AMENDMENT CRITERIA

The following discussion provides an evaluation of the existing Significant Tree provisions relative to the approval criteria for Code Text Amendments. This analysis is provided for context and does not constitute a staff recommendation regarding retention, modification, or elimination of the provisions.

(A) Consistency with Comprehensive Plan

The Significant Tree provisions are generally consistent with applicable provisions of the Comprehensive Plan related to community character, environmental resources, water conservation, and long-term land use and infrastructure considerations. The Comprehensive Plan identifies stewardship of natural resources as a defining community value and recognizes the City's urban forest as a critical component of neighborhood livability, environmental quality, and resilience in an arid climate.

Chapter 8 of the Comprehensive Plan emphasizes water conservation and landscape management as central challenges facing Grand Junction, particularly in the context of prolonged drought, declining precipitation, and increasing development pressure. The Plan recognizes that the urban forest contributes to localized cooling, stormwater management, and improved microclimates, helping Grand Junction function as an "oasis in the high desert of the Colorado Plateau".

The Comprehensive Plan explicitly references the Urban Forestry Master Plan as a guiding document for managing and expanding the urban forest. That plan highlights the outsized value of mature trees, noting that an established canopy provides substantially greater benefits than newly planted trees, including more effective shade, reduced urban heat impacts, and improved efficiency in water use over time. As illustrated in the Urban Forestry Master Plan, mature trees generate significantly more shade per unit of water consumed than young trees, making preservation of the existing canopy an important component of water-wise landscape strategies intended to limit evapotranspiration losses and prevent further aridification.

The Significant Tree provisions support these Comprehensive Plan objectives by prioritizing preservation of healthy, established trees where feasible, incorporating flexibility to accommodate development, and requiring mitigation or replacement when preservation is not practicable. Through this framework, the regulations align with Plan policies calling for protection of mature tree canopy, integration of trees into development decisions, and implementation of water-sensitive and resource-efficient landscaping practices, while allowing for continued urban growth and redevelopment.

(B) Consistency with Zoning and Development Code Standards

The Significant Tree provisions are consistent with and integrated into the broader structure of the Zoning and Development Code. The regulations function in coordination with landscaping, site design, and development review standards and do not conflict with or contradict other Code provisions. As written, the provisions establish clear applicability, standards, and replacement requirements that are administratively implementable within the existing Code framework.

(C) Specific Reasons

The proposed Code Text Amendment shall meet at least one of the following specific reasons:

- a. To address trends in development or regulatory practices;*

Tree preservation and replacement standards are commonly used by local jurisdictions as a tool to address canopy loss associated with development. However, regulatory approaches vary, and contemporary practices increasingly include alternative or complementary strategies, such as incentive-based programs, canopy coverage targets, or a spectrum of mitigation options. While the Significant Tree provisions align with an established regulatory approach, their effectiveness relative to evolving best practices may be subject to policy discussion.

- b. To expand, modify, or add requirements for development in general or to address specific development issues;*

The Significant Tree provisions add development requirements intended to address the loss of mature trees during site disturbance. While the regulations establish a clear preservation and replacement framework, there are multiple potential regulatory and non-regulatory approaches to achieving similar outcomes. Questions regarding the relative effectiveness of the current provisions, or whether alternative approaches could achieve canopy goals more efficiently or equitably, represent policy considerations rather than procedural deficiencies.

Since adoption of the Significant Tree provisions, no development applications have resulted in the preservation of a designated significant tree, nor have any projects to date proposed tree mitigation measures or paid a fee-in-lieu. As a result, there is limited empirical data available to evaluate the provisions' practical effects on development outcomes, including potential impacts on housing production, housing affordability, or construction feasibility.

At the same time, the absence of preserved trees, mitigation activity, or fee-in-lieu payments may indicate that the provisions, as currently written and structured, are not effectively influencing site design decisions or achieving the intended tree preservation outcomes. Whether this reflects limited applicability, compliance avoidance, or broader market and site conditions is unclear and warrants further policy evaluation.

- c. To add, modify or expand zone districts; or*

Not applicable.

- d. To clarify or modify procedures for processing development applications.

Not applicable.

While the existing Significant Tree provisions satisfy certain approval criteria, particularly with respect to consistency with the Comprehensive Plan and the Zoning and Development Code, broader questions regarding effectiveness, efficiency, or alternative policy approaches may reasonably be considered by the Planning Commission and City Council. Staff does not take an official position on elimination of the existing provisions.

FINDING OF FACT AND RECOMMENDATION

After reviewing the request and supporting materials, staff does not make findings of fact on the proposed amendment.

In accordance with Section 21.02.050(d) of the Grand Junction Zoning and Development Code, staff forwards the HACTF recommendation to eliminate the Significant Tree provisions to the Planning Commission for evaluation. The Planning Commission is requested to review the proposal, make the required findings of fact under the Code Text Amendment criteria, and provide a recommendation and policy direction to City Council.

SUGGESTED MOTION:

Staff does not provide a recommended motion for this item. The Planning Commission may choose to make a motion consistent with its findings of fact under the Code Text Amendment criteria set forth in Section 21.02.050(d) of the Zoning and Development Code.

Attachments

1. HACTF Recommendation No. 2 Significant Trees (1)
2. Agenda Item Continuation Request

Housing Task Force Recommendation: Significant trees section 21.07.040

1. Problem Statement

The significant trees portion of the code creates regulations based on the premise that 1)development has a negative impact on our tree canopy, 2)that trees and features of a property do not belong to the property owner. The regulations create complexity, additional burden on housing providers and staff, increased timeframe for projects, additional costs and uncertainty for housing providers. The code is reliant on punitive measures for property owners desirous of exercising their property rights to increase housing supply.

2. Outcome Statement (Goal / Objective)

The significant trees portion should be removed.

3. Proposed Change (Draft Concept)

My recommendation is to remove the entire section 21.07.040 from the code.

4. Cost / Benefit Analysis (Housing Cost Impact)

While there are multiple arguments that can be made regarding specific parts of section 21.07.040, this is not the main reason for removing it.

- Direct construction cost – code requires either not utilizing land for housing or punitive measures either planting more trees on site or paying fees for replacement elsewhere- depends on size of tree- but could easily be \$10,000 per tree for owner to remove their own tree, before the cost of actually removing it.
- Soft costs – Tree survey, calculation on what to remove, stringent regulations on being able to keep a tree or other feature of the property all add costs, time and uncertainty.
- Time costs – More work = more time whether the applicant is working to retain a tree or working through regulatory exactions to remove trees.

5. Summary for Council and Public Messaging

Section 21.07.040 is based on the premise that private property does not belong to the property owner but belongs to the City because the City desires it. Its probably not legal as there is no nexus study for this exaction(taking). Using common sense its easy to see that development is responsible for most of our tree canopy, not its degradation. This is clear if you drive I-70 between Clifton and Horizon Drive. Looking north is what our tree canopy is a good representation of our tree canopy prior to development, to the south is the result of our tree canopy with development.

Legal or not, its not right to punish the existing property owners that have trees on their existing property that have provided benefit for a number of years where property owners with no trees face no penalty.

The City has some excellent programs to increase canopy and their forestry team does a phenomenal job of taking care of our canopy but should not be in the business of taking peoples private property.



From: Kimberly Bullen <kimberly.bullen@gjcity.org>
Sent: Saturday, January 24, 2026 7:37 PM
To: Kevin Bray <kevinbray@brayandco.com>
Cc: Tamra Allen <tamraa@gjcity.org>
Subject: Re: Significant trees

Thanks Kevin.
Sent from my iPhone

On Jan 24, 2026, at 5:28 PM, Kevin Bray <kevinbray@brayandco.com> wrote:

EXTERNAL SENDER

Only open links and attachments from known senders. DO NOT provide sensitive information.

Please push to the next pc hearing. Thanks, Kevin

Get [Outlook for iOS](#)



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: January 27, 2026

Presented By:

Department: Community Development

Submitted By:

Information

SUBJECT:

Consider a request by Camelback Gardens, LLC and Upland Homes, Inc for Review and Approval of a Planned Development (PD) Outline Development Plan (ODP) for the Camelback Gardens Development Proposed on a Total 10.29 Acres Located at 381 and 409 High Desert Road - **This item to be moved to the February 10, 2026 Planning Commission Hearing**

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

SUGGESTED MOTION:

Attachments

None